

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting April 28, 2008

President Abboud called the Regular Meeting to order at 6:43 p.m. Roll Call.

Present

Robert G. Abboud, President
Fritz H. Gohl, Pro-Tem
Walter E. Smithe, Trustee
George L. Schueppert, Trustee
Beth Mallen, Trustee
Elaine M. Ramesh, Trustee
Douglas Wambach, Village Attorney
Robert Kosin, Director of Administration
Michael N. Murphy, Police Chief
Kathleen Soeder, Village Clerk

Guests

Dan Strahan, Village Engineer
Pamela Cools, Resident
P. Denise Israel, Resident
Patsy Mortimer, Flint Creek Partnership
Janet Agnoletti, BACOG
Ron Heller, Finance Consultant

Absent

Steve Knoop, Trustee

Trustee Mallen motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:44 p.m. Trustee Schueppert seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Smithe, Gohl, Abboud)

Nays: 0

Absent: 1 (Knoop)

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Abboud called the Public Session to order at 7:47 p.m.

MINUTES

Trustee Gohl motioned to approve the minutes of the Regular Meeting of March 24, 2008. Trustee Mallen seconded. All present said aye.

Motion Approved

Trustee Gohl motioned to approve the minutes of the Executive Session of March 24, 2008. Trustee Schueppert seconded. All present said aye.

Motion Approved

POLICE AWARDS

Traffic Unit Sergeant David Kann recognized the achievements of the Barrington Hills team who have tripled the number of citations issued for DUI, seat belts and child safety violations within our Village over the past three years. Dennis Anderson from the IDOT Traffic Safety Division recognized Officer Gary Deutschle for issuing 1000 speeding citations. Sgt. Kann then presented plaques to Officers Gary Deutschle, Brain Baird and Sabas Parada in recognition for their speed and DUI enforcement efforts.

FLINT CREEK PARTNERSHIP

Patsy Mortimer, Coordinator for the Flint Creek Watershed Partnership, asked the Village Board to endorse the watershed plan. Patsy presented information about the plan and discussed the fact that the Flint Creek plan complements the existing Village of Barrington Hills Comprehensive Plan. She discussed a grant which the Partnership received from the IEPA, and told the Board that she was visiting all six Villages who provided plan funding and was asking each to adopt the plan. Forty of the 300 recommended projects are in Barrington Hills. Projects identified in the plan qualify for Federal funding. The Board decided to spend the next month reviewing substantial plan detail and will reconsider passing a resolution at next month's meeting.

PUBLIC COMMENTS

President Abboud opened a thirty-five minute session for public comments at 8:17 p.m.

Resident P. Denise Israel asked the Board to support an effort allowing teams of residents to participate in roadside cleanup days within the Village. President Abboud advised that he is considering creating a new ad hoc committee to address environmental issues. In the next month, President Abboud asked that Director of Administration Bob Kosin research Lady Bird Johnson's Beautify America campaign to see if the program is still in existence and how they might be helpful to this effort. He asked Chief Murphy to analyze the logistics of a cleanup effort, including how traffic lanes on targeted roads might be closed in stages to maintain safety. He asked Mrs. Israel to consider other residents who might be interested in serving on such a committee. It was also suggested that one or more of the solid waste management companies which serve the Village might be willing to donate services to support this effort.

As there were no additional comments, the public comments session ended at 8:32 p.m.

FINANCE – Walter E. Smithe

Treasurer's Report – Trustee Smithe presented the Treasurer's report for the month of March, 2008. Trustee Smithe motioned to accept the Treasurer's report as presented. Trustee Schueppert seconded. All present said aye.

Motion Approved

Trustee Schueppert commented on the fact that, while the report mentions that \$145,000 was collected for the Police Pension Fund the report only shows \$96,000 sent to the fund in March. The numbers do not reconcile and he requests that Ron Heller investigate the discrepancy on behalf of the office of the Village Treasurer.

Police Pension Board Report – Trustee Smithe motioned to accept the financial report of the Police Pension Board through March, 2008 as presented, with a correction to be made on the year to 2008. Trustee Schueppert seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Smithe, Gohl, Abboud)
Nays: 0
Absent: 1 (Knoop)

Motion Approved

Trustee Smithe reported that a response has not yet been received from the Police Pension Board regarding a new accounting firm for the PPF work as the Board is not satisfied with information received from Lauterbach & Amen. President Abboud asked Chief Murphy to have Officer Gary Hammelmann, BHPD's Pension Board representative, contact him for further discussion.

Overtime Reports – Trustee Smithe motioned to approve \$7,715.66 in overtime expenses for March, 2008. The reasons for the overtime expenses were discussed. Trustee Schueppert seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Smithe, Gohl, Abboud)
Nays: 0
Absent: 1 (Knoop)

Motion Approved

Presentation of Bills – Trustee Smithe motioned to approve the payment of the bills for the month of March to date of \$371,018.92. Various bills were discussed, including snow plowing bills from Plote. Plote is maintained as a backup to the contract we have with Cuba Township. President Abboud encouraged Trustee Ramesh to have discussion with Cuba Township about reimbursement for Plote expenses which were incurred for supplementary plowing during periods of particularly heavy snowfall. Trustee Schueppert seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Smithe, Gohl, Abboud)
Nays: 0
Absent: 1 (Knoop)

Motion Approved

IMRF Agent Appointment Resolution 08-10 - Trustee Smithe motioned to approve Trustee Schueppert as Village representative in the IMRF program. Generally Village Treasurer serves in this capacity, but in Rosemary Ryba's current absence, an alternate is being nominated. Trustee Schueppert seconded. All present said aye.

Resolution 08-10 Approved

VBH Special Counsel – Trustee Smithe motioned to change the current process whereby the Village President has the ability to appoint Special Counsel without restriction. Trustee Mallen seconded. Trustee Smithe is proposing that if an appointment is to last more than 45 days, continued engagement of Special Counsel would require Board approval. President Abboud discussed the fact that the Village Code allows the President to have this right to provide a wider view for Village decisions. He argues that the Board has monthly veto power on this appointment by choosing not to pay Special Counsel bills or by calling the President to discuss their position. He discussed the importance of separation of powers in Village government and that the code is designed to provide checks and balances. Discussion continued about last year's legal budget and the fact that the Village had significantly exceeded the legal budget. Further discussion ensued about a method to improve the budgeting process. Both motion and second were rescinded and the Board asked Attorney Wambach to create language for a modification to existing Village code for discussion at next month's meeting.

Finance Committee Rules – Trustee Smithe asked that best estimates be provided monthly to the Finance Committee so that they can improve their forward forecasting process. The Committee would also like information to be provided monthly from Village Attorney and Special Counsel about charges expected. Attorneys Wambach and Kelly concurred. It was cautioned that commitments are different than billings which often do not match a 30-day cycle.

Legal First Quarter Review – Trustee Smithe advised that we are over budget in legal fees for the first quarter. It was discussed that some of the problem comes from budgeting for legal fees over the course of the year when actual spending comes in waves throughout the year. Trustee Smithe will be working with Ron Heller, in Rosemary's absence, to apportion the rest of the year's Legal budget based on expected spending.

ROADS AND BRIDGES – Elaine M. Ramesh

Monthly Report – Trustee Ramesh reported that the Oak Knoll Road resurfacing project is out for bid. IDOT approval for the project has already been secured and bids will be considered at the next Board meeting. The Algonquin Road culvert project is going out to bid and will be considered at the next meeting. The snow season wrap-up meeting will

take place in the next month. Two additional drainage projects are being considered for completion later this year depending on projected cost. It is anticipated that the seasonal road weight restriction might be lifted as soon as May 5th.

Torch Run Resolution 08-11 – Trustee Ramesh motioned to approve the annual Torch Run for Barrington Hills. Trustee Smithe seconded. All present said aye.

Resolution 08-11 Approved

PUBLIC SAFETY – Fritz H. Gohl

Monthly Report – Trustee Gohl deferred to Chief Murphy who presented a Police Report highlighting information including an increase in traffic citations as the weather begins to warm and an increase in DUI citations over same time last year.

Police Communications IGA - Trustee Gohl motioned approval for Chief Murphy to be given the authority to begin discussions with both Fox River Grove and East Dundee regarding the addition of radio receivers to their water towers to improve radio reception for our officers. Trustee Mallen seconded. All present said aye.

Motion Approved

Vehicle Sticker Penalty Amendment Ordinance 08-06 - Trustee Gohl motioned to approve an amendment to the current Village ordinance. Discussion occurred as to proper penalties and concluded that a \$25 penalty for each offense in addition to the purchase of a sticker at current price. Officers will begin enforcing this year. Trustee Smithe seconded. All present said aye.

Ordinance 08-06 Approved

BUILDING AND ZONING – George L. Schueppert

Building Permit Report – Trustee Schueppert reported that only two building permits were issued during the month of March 2008, with a total of nine permits issued for the first quarter of 2008. It was requested that Trustee Schueppert look into resuming Permit Aging reports that had been distributed to the Trustees in their monthly packets. President Abboud also asked Director of Administration Bob Kosin to prepare an analysis of permit costs versus what costs the Village needs to cover plus some inflationary adjustment so the Board can determine if permit prices should be changed.

ZBA Report – Trustee Schueppert reported that this month's ZBA meeting agenda addressed both a request for a special use cell tower which was deferred at the request of the applicant, and a continuation of the hearing discussing whether or not to overturn the Village's denial of a building permit to the LeComptes. By unanimous decision, 5-0, the ZBA voted to deny a building permit to the LeComptes. The ZBA attorney is preparing a letter to the LeComptes telling them that they may reapply for a permit if they still wish to build.

Next on the ZBA's agenda is a review of the Village Code with respect to the commercial boarding of horses. Trustee Schueppert met with the owners of the three largest barns within the Village, and all have indicated a desire to maintain high standards within the Village and work with the ZBA to draft language for permissible horse boarding within the Village. Public hearings will be scheduled and the hope is that the ZBA will offer recommendations to the Board for consideration sometime this summer.

PLANNING – Steven E. Knoop

Comprehensive Plan Hearing – In Trustee Knoop's absence, Bob Kosin advised that the draft review of the Comprehensive Plan has been completed. Trustee Smithe motioned that the Board grant the Plan Commission approval to hold a public hearing June 9th to consider revisions, with final delivery of a plan that would be submitted to the Board for a vote. Trustee Schueppert seconded. All present said aye.

Motion Approved

School Impact Fee – Janet Agnoletti, Executive Director of the Barrington Area Council of Governments (BACOG), presented an overview of the status of impact fees in the BACOG area, including a model ordinance that has been adopted by 6 of the 7 villages. She asked the Board to give consideration to implementing impact fees in Barrington Hills. President Abboud reminded the group that current language already exists within the Countryside School agreement that would activate impact fees within the Village. As of now, District 220's fulfillment of their commitment has not occurred. The Board agreed to table the discussion for now.

INSURANCE – George L. Schueppert

Monthly Report – Trustee Schueppert reported that he has completed renewal of all insurance at a savings of \$4500 under budget. He also reported a nearly final report from Great-West shows medical expenses well below expectations.

HEALTH, BUILDINGS & GROUNDS, ENVIRONMENT – Beth Mallen

Monthly Report -Trustee Mallen reported that the Village irrigation system has been activated for the season. She anticipates purchase of a moisture gauge this year to prevent the irrigation system from being activated during, or after, a rainstorm. Village newsletters are expected in the mail by the first weekend in May and a new Communications Committee website is almost ready for launch.

Septic Perc Test Amendment Ordinance 08-07 - Trustee Mallen motioned to approve new perc test procedures as our current recording procedures are inconsistent with the recent Illinois Department of Public Health regulations. Trustee Smithe seconded. All present said aye.

Ordinance 08-07 Approved

Open Burning Amendment

Ordinance 08-08 - Trustee Mallen motioned to approve several amendments to the current Village burning ordinance. After discussion and several modifications including time of day restrictions from 10 a.m. to 10 p.m. and whether or not the property owner need be present while burning is in progress, an amendment was proposed to the Ordinance. Trustee Smithe seconded. Roll Call.

Ayes: 4 (Mallen, Schueppert, Smithe, Gohl)
Nays: 2 (Ramesh, Abboud)
Absent: 1 (Knoop)

Ordinance 08-08 Approved

Nuisance Burning Amendment Ordinance 08- - Trustee Mallen motioned to approve an amendment to the existing Village burning ordinance which would define violations in more detail allowing clearer enforcement. Trustee Schueppert seconded. Roll Call.

Ayes: 3 (Mallen, Schueppert, Smithe)
Nays: 3 (Ramesh, Gohl, Abboud)
Absent: 1 (Knoop)

Ordinance 08- Rejected

ATTORNEY – Douglas Wambach

Attorney Wambach stated that matters of litigation and personnel had been addressed in Executive Session.

Municipal Penalty Amendment Ordinance 08-09 - Trustee Schueppert motioned to approve an amendment to the existing Village ordinance increasing the penalty levied for violation of any section of Village code. Trustee Smithe seconded. All present said aye.

Ordinance 08-09 Approved

ADMINISTRATION – Robert G. Abboud

Appointments – President Abboud nominated Judy Freeman to fill the existing vacancy on the ZBA. Trustee Schueppert motioned to accept Judy’s nomination. Trustee Gohl seconded. All present said aye.

Motion Approved

Legislative Consultant - President Abboud recommended the Board consider retaining a Legislative Consultant to help the Village continue to push legislation addressing disconnection of land from municipalities and to address the Canadian National Railway (CN) issue. The Illinois Legislature is holding hearings on the issue as they have realized that if the CN deal succeeds, the state will have to pay to address mitigation efforts not covered by CN. President Abboud feels that a consultant could help to continue moving our issues forward by helping to lobby those in support and those opposed appropriately.

President Abboud reminded the Board that they approved a resolution for \$15,000 months ago but have not spent the money. This consultant would cost \$4000 per month. Trustee Schueppert encouraged that additional research be done to ensure we choose the best candidate.

Canadian National Railway – President Abboud reported that the number of municipalities in opposition to the CN deal is increasing. He reminded the board that additional money may need to be spent to address the Village’s opposition. A decision by the STB is expected at the end of this year or shortly thereafter.

2016 Olympics – A request for municipalities to endorse the City of Chicago’s Olympic application was introduced. A meeting of mayors is scheduled for early May. The Board asked to table the issue and consider a revised draft of endorsement to include non-monetary support and possibly a clause regarding opposition to the CN acquisition.

Trustee Mallen motioned to adjourn the Public Session at 12:30 p.m. Trustee Schueppert seconded. All present said Aye.

Meeting Adjourned

Approved _____