

# VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting May 19, 2008

President Abboud called the Regular Meeting to order at 6:49 p.m. Roll Call.

## Present

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

## Guests

Dan Strahan, Village Engineer  
Pamela Cools, Resident  
Jonathan Knight, Resident  
Barbara Kemp, Resident  
Ron Heller, Finance Consultant  
Nikki Panos, Resident

Trustee Mallen motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:50 p.m. Trustee Smithe seconded. Roll Call.

Ayes: 7 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

**Meeting Adjourned**

## **EXECUTIVE SESSION**

## **PUBLIC SESSION**

President Abboud called the Public Session to order at 8:03 p.m.

## **MINUTES**

Trustee Gohl motioned to approve the minutes of the Regular Meeting of April 28, 2008. Trustee Schueppert seconded. All present said aye, except Trustee Knoop who abstained.

**Motion Approved**

Trustee Gohl motioned to approve the minutes of the Executive Session of April 28, 2008. Trustee Schueppert seconded. All present said aye, except Trustee Knoop who abstained.

**Motion Approved**

Trustee Smithe motioned to move a vote for ascension of the minutes of the Executive Session as recommended by Village Attorney von Meier to next month's meeting. This is being done to allow for further review of recommended items by Trustees. Trustee Gohl seconded. All present said aye.

**Motion Approved**

## **PUBLIC COMMENTS**

President Abboud opened a thirty-five minute session for public comments at 8:05 p.m.

Nizam Farooqui approached the Village Board to request an opportunity to purchase a five-acre lot owned by the Village of Barrington Hills adjacent to Rt. 25. Mr. Farooqui stated that he currently lives north of the property in question and is interested in purchasing the Village's lot at fair market value to build his own home.

President Abboud advised that at this time, due to its land use plans, the Village would not be interested in selling. However, the Village Board is always interested in homeowners acquiring more land within the Village. President Abboud offered to put Mr. Farooqui in touch with the owner of 40+ acres north of Chapel Road as the Village would be interested in annexing this land into the Village.

As there were no additional comments, the public comments session ended at 8:12 p.m.

## **FINANCE – Walter E. Smithe**

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

**Motion Approved**

Police Pension Board Report –Trustee Smithe motioned to accept the financial report of the Police Pension Board through April, 2008 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 (PPF) the report only shows \$96,000 sent to the fund in March. The numbers do not reconcile and he and Ron Heller have not yet determined the discrepancy. Trustee Schueppert commented that the same problem seemed to occur in April when \$25,000 was collected but nothing was sent to the Pension Fund. President Abboud requested that all future checks written to the Pension Board be signed by him.

Trustee Smithe recently spoke with Officer Gary Hammelmann, BHPD’s Pension Board representative, regarding the Pension Board’s position on retaining a new accounting firm for the PPF work as the Village Board is not satisfied with information received from Lauterbach & Amen. Officer Hammelmann advised that Lauterbach & Amen are used by most Pension Boards. He advised that the soonest the Pension Board would consider a change is at their July meeting. Trustee Smithe reiterated the comment made in previous meetings that a member of the Village Board should sit on the Pension Board.

President Abboud requested a letter be drafted from the Office of the President to the Pension Board detailing the Village Board’s concern with the transfer of funds between the two units and his expectation that a solution be in place within the next 60 days that accounts for all transferred dollars. The letter should also request an explanation of the structure by which the Pension Fund billed payments are determined and then invoiced.

President Abboud also requested that Director of Administration, Bob Kosin, draft a letter to the McHenry County Council of Governments (MCCG) and Barrington Area Council of Governments (BACOG) requesting new legislation be drafted requiring that a member of the financing board sit on the pension board.

Overtime Reports – Trustee Smithe motioned to approve \$12,408.29 in overtime expenses for April, 2008. The reasons for the overtime expenses were discussed, including mention that Chief Murphy pursues reimbursement of overtime expenses from insurance companies wherever possible. Trustee Mallen seconded. Roll Call.

Ayes: 7 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Gohl, Abboud)

Nays: 0

Absent: 0

**Motion Approved**

Presentation of Bills – Trustee Smithe motioned to approve the payment of the bills for the month of April to date of \$402,832.43. Trustee Mallen seconded. Roll Call.

Ayes: 7 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

### **Motion Approved**

Trustee Schueppert advised that the Village continues to run into a timing problem with insurance bills each month. Due to the mailed invoice's arrival date, we miss the deadline for processing in time for each Board meeting and therefore we are always late in paying. He asked the Board to approve the Treasurer to retrieve monthly invoices from the Internet monthly so they can be processed in time and so the Village is not in jeopardy of lapsed coverage. The Board agreed and President Abboud agreed to manually sign and process checks to become current with any outstanding bills. President Abboud also asked that we remain current with all gasoline bills.

Audit FY07 Draft - Trustee Smithe presented the audit draft for review by Trustees. The Finance Committee has not yet reviewed the audit so he asked for comments over the next few days and final approval will take place at the June meeting.

### **ROADS AND BRIDGES – Elaine M. Ramesh**

Monthly Report – Trustee Ramesh reported that the snow season wrap-up meeting will be scheduled soon. Follow-up repairs resulting from the 2007 road program work have been completed on Merri Oaks Road and Hills & Dales Road. The Village's solar mobile speed sign will be deployed beginning the week of June 2<sup>nd</sup>. Several resident comments regarding the state of Village roads were acted upon during the last month.

2008 Road Program – Trustee Ramesh reported that seven bids were received for the 2008 road work to be completed on Oak Knoll Road. Trustee Ramesh motioned to approve the bid from Geske and Sons as recommended by our Village Engineers. Trustee Smithe seconded. Roll Call.

Ayes: 7 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Gohl, Abboud)  
Nays: 0  
Absent: 0

### **Motion Approved**

President Abboud asked if patch work that is needed throughout the Village would be purchased through this contract. It was confirmed by Dan Strahan, Village Engineer, that we can buy more asphalt at this price. President Abboud asked that a road patching estimate be presented for approval at next month's meeting.

Algonquin Culvert – Trustee Ramesh reported that five bids were received for the 2008 work to be completed on the Algonquin/River Rd culvert. Trustee Ramesh motioned to approve the bid from Alliance Contractors of Woodstock as recommended by our Village Engineers. Expectation is that work would be completed in July. Trustee Smithe seconded. Roll Call.

Ayes: 7 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Gohl, Abboud)

Nays: 0

Absent: 0

**Motion Approved**

Run for the Arts Resolution 08-12 - Trustee Ramesh motioned to authorize the annual Run for the Arts. Trustee Schueppert requested an amendment to Section Two of the document stating that the Village will assume responsibility for direction, protection and regulation of traffic “on the marked route.” Trustee Smithe seconded. All present said aye.

**Resolution 08-12 Approved**

**PUBLIC SAFETY – Fritz H. Gohl**

Monthly Report – Trustee Gohl deferred to Chief Murphy who presented a Police Report highlighting information including a commendation letter for one of our officers from the Village of Grayslake. Chief Murphy advised the Board that Fox River Grove denied our request again to activate the police antenna already in place on their water tower. They are requesting written assurances that we will not build an antenna on property we own nearby. President Abboud will speak with the Mayor of Fox River Grove.

**BUILDING AND ZONING – George L. Schueppert**

Building Permit Report – Trustee Schueppert reported that nine building permits were issued during the month of April 2008, with a total of 18 permits issued so far this year.

ZBA Report – Trustee Schueppert reported that this month’s ZBA meeting agenda addressed two applicants, both of whom were given guidance by the ZBA and requested continuances. One resident purchased an unusually-shaped lot and wants to build an oversized home on the lot. The other applicant was Cricket Communications, a wireless provider interested in placing a cell tower on a silo on Otis Road, primarily to serve the Barrington area. Cricket was given information about our cell tower ordinance and President Abboud asked that they be put in touch with Kevin Colosia, the Village’s Technology Review Committee Chairman, so the Board can better understand the request. It was also questioned whether this might be an opportunity for Barrington to include Inverness on the Barrington Area Radio Network.

**PLANNING – Steven E. Knoop**

Monthly Report – Trustee Knoop reported that the Plan Commission is working with the ZBA on the topic of External Lighting. A hearing to finalize the Comprehensive Plan amendments will be held shortly.

Appointments – Trustee Knoop nominated George Gottlieb to fill the existing vacancy on the Plan Commission. Trustee Smithe seconded. All present said aye.

**Motion Approved**

It was discussed that there will be other vacancies needing to be filled and expired terms needing to be addressed. Volunteers are needed for significant opportunities.

**INSURANCE – George L. Schueppert**

Monthly Report – Trustee Schueppert had nothing new to report.

**HEALTH, BUILDINGS & GROUNDS, ENVIRONMENT – Beth Mallen**

Monthly Report -Trustee Mallen reported that the Communications Committee has delivered the Village's quarterly newsletter and they also launched the new Village of Barrington Hills Community Forum website ([www.vbhcomm.info](http://www.vbhcomm.info)) on May 15<sup>th</sup>.

Flint Creek Partnership Resolution 08-13 - Trustee Mallen motioned to endorse the Flint Creek watershed plan. Trustee Smithe asked for the Village Engineer's assessment on negative impact to the Village. Dan Strahan advised that there is no cost to the Village. Trustee Smithe seconded. All present said aye.

**Resolution 08-13 Approved**

Nuisance Burning Amendment Ordinance 08-10 - Trustee Mallen motioned to approve an amendment to the existing Village requirements for open burning which would improve enforcement of the nuisance ordinance. Trustee Smithe seconded. All present said aye, except Trustee Gohl who said nay.

**Ordinance 08-10 Approved**

**ATTORNEY – Joe von Meier**

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

Special Counsel Ordinance 08- - Trustee Smithe motioned to approve an amendment to the existing Village Code which would require Board approval if a Special Counsel appointment by the Village President is to last more than 45 days. Trustee Schueppert seconded. Discussion continued from last month's Board meeting. Trustee Gohl was concerned that attorneys would be uninterested in accepting appointments if they knew a 45-day limit existed. President Abboud explained that the existing Code is in place because the Village President has a unique need for Counsel as being the Chief Executive with the highest liability of the elected officers. While Trustees have the advice of their respective committees, the President does not. The present provision of Special Counsel allows for clear and unfettered advice for the President, which is especially important when the Board and President have differing views. The Village Attorney was asked what happens if the Board would refuse to pay the bill of Special Counsel for work completed. Attorney advised that most likely they would try to settle and it is likely that Attorney would be paid eventually after litigation. Roll Call.

Ayes: 3 (Mallen, Schueppert, Smithe)  
Nays: 4 (Ramesh, Knoop, Gohl, Abboud)  
Absent: 0

**Ordinance 08- Rejected**

**ADMINISTRATION – Robert G. Abboud**

Canadian National Railway – President Abboud reported that efforts are progressing positively and that 40 municipalities have unified in a coalition.

Trustee Gohl motioned to adjourn the Public Session at 10:24 p.m. Trustee Ramesh seconded. All present said aye.

**Meeting Adjourned**

Approved \_\_\_\_\_