

# VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting January 26, 2009

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  
Steven E. Knoop, 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  
Dolores Trandel, Deputy Village Clerk

## Guests

Barry LeCompte, Resident  
Pamela Cools, Resident  
Donna McDonald  
Majewski Family, Residents  
Stewart Gully, Resident  
John & Karen Rosene, Residents  
Oliver Cotter, Resident  
Steve Erdman, Resident  
Jason Elder, Resident  
Jonathan Knight, Resident  
Peter Wessel, Resident  
Mary Beth Holsteen, Resident  
Jessica Underwood, Resident  
Patrick McKeivitt, Resident  
Bruce Pfaff, Resident

Trustee Schueppert motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:44 p.m. Trustee Gohl 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 7:58 p.m.

## **MINUTES**

Trustee Gohl motioned to approve the minutes of the Special Meeting of December 15, 2008. Trustee Schueppert seconded. All present said aye.

**Motion Approved**

Trustee Schueppert motioned to approve the minutes of the Special Executive Session of November 24, 2008 as amended by Trustee Smithe. Trustee Mallen seconded. All present said aye.

**Motion Approved**

Trustee Gohl motioned to approve the minutes of the Regular Meeting of December 22, 2008. Trustee Smithe seconded. Trustee Mallen abstained.

**Motion Approved**

**PUBLIC COMMENTS**

President Abboud opened a thirty-five minute session for public comments at 8:04 p.m.

Patrick McKeivitt – Questioned the direction of the Village in the past few years in respect to agricultural vs. residential and how the Village Code was under consideration to change the definition of agriculture. President Abboud said the Village has to amend its Code by defining the word agriculture as it pertains to the Village. The State defines agriculture as something totally different and we need to preserve the way the Village has been using the term.

Benjamin LeCompte – Brought up the raising and breeding of horses. This also pertains to the Village Code and will be addressed at the next ZBA meeting in February.

Oliver Cotter – Suggested that residents should be able to speak about their idea of agriculture before we establish a final Code.

Jonathan Knight – Explained the procedures of the different boards and commissions, in the context of better informing the public of how the definition of the term “agriculture” will be addressed.

Jason Elder – Questioned the definition of agriculture and wondered why the Village would want to limit the complete freedom agriculture currently enjoys. Trustee Schueppert stated that currently, the only Zoning and Building Code limitation on agriculture is the setback for buildings and structures. The Village has become concerned about the interpretation of the term “agriculture” because of the virtual lack of regulation of its activities.

The public comments session ended at 8:57 p.m.

**FINANCE – Walter E. Smithe**

Trustee Smithe presented the Treasurer’s report for the month of December, 2008. Trustee Smithe motioned to accept the Treasurer’s report as presented. Trustee Gohl 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 December, 2008 as presented. Trustee Schueppert seconded. All present said aye.

**Motion Approved**

Trustee Schueppert reported on how tax receipts are being transferred from the Village to the PPF. He also stated the Board has not seen an actuarial report on the PPF in over three years and should have one in order to make proper tax levy decisions. Chief Murphy will research to find out if the President or one of the Trustees can join the Pension Board.

Overtime Reports – Trustee Smithe motioned to approve \$11,665.33 in overtime expenses for December 2008. Trustee Schueppert seconded. Recent storms have caused increased overtime to be spent. Roll Call

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

**Motion Approved**

Presentation of Bills – Trustee Smithe motioned to approve payment of the bills for the month of December to date of \$341,036.16 and manual payments of \$94,509.44. Trustee Gohl seconded. Roll Call

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

**Motion Approved**

President Abboud would like a report regarding the hours spent salting the Village streets. Chief Murphy will get that information for him.

Trustee Smithe suggested that the Board consider at the next meeting the formation of a Delinquent and Deficient Property Committee.

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

Monthly Report – Trustee Ramesh reported that 500 tons of salt has been used by the Village. \$24,000 per month is the contracted amount paid to Cuba Township from November, 2008 through April, 2009. Commissioner Gooch has 1700 tons of salt available. Our cost is \$105.00 a ton. On extra call-outs we will be billed \$154.00 a ton. This will create another possible payment of up to \$50,000. Commissioner Gooch wants a contract in place early in 2009 as he is not going through the state for salt, but finding another resource to purchase salt. Trustee Smithe wants to get bids on salt.

MFT Road Salt Resolution 09-02 – Trustee Ramesh motioned to use \$20,000 of the Motor Fuel Taxes towards payments to Cuba Township for our street salt. Trustee Knoop seconded. Roll Call

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

**Resolution 09-02 Passed**

**PUBLIC SAFETY – Fritz H. Gohl**

Monthly Report – Trustee Gohl motioned that the Police Department monthly report is accepted. Trustee Smithe seconded. All said Aye.

**Motion Accepted**

Barrington Hills Road Vacation – Residents Daniel Majewski and Donald Hackman are requesting the Village to vacate ownership of land on which their driveways are pre-existing/non-conforming property structures. Attorney Wambach informed the Village that they can vacate the land in question or the Village can keep the land. Village Engineers will analyze the site and report back.

Bicycle Roadway Travel Ordinance 09-01 – Trustee Gohl motioned to accept this ordinance. Trustee Smithe seconded. Roll Call.

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

**Ordinance 09-01 Approved**

Negligent Bicycle Riding Ordinance 09-02 – Trustee Gohl motioned to accept this ordinance as Village wide. Trustee Knoop seconded. Roll Call

Ayes: 5 (Ramesh, Schueppert, Knoop, Gohl, Abboud)  
Nays: 0  
Absent: 2 (Mallen, Smithe)

**Ordinance 09-02 Approved**

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

Building Permit Report – Trustee Schueppert reported that the number of building permits issued this year continues to be far below expectations. Only five building permits have been issued in the last month.

ZBA Report – Trustee Schueppert reported that this month's ZBA meeting was a public hearing regarding proposed amendments of the Village's zoning code, including the definition of agricultural use. Comments were received from residents and the February 18<sup>th</sup> ZBA meeting will continue this subject. President Abboud asked for updates on the proposed changes.

A special meeting to discuss the commercial boarding of horses may be scheduled in either February or March for a time when all members of the ZBA are present.

Text Amendment Res. 08-22 Deferred Resolution 09-1 – Trustee Ramesh motion to approve this resolution. Trustee Knoop seconded. Bruce Pfaff spoke on behalf of the Legal Committee on the term agriculture. He stated that there is a narrow definition that needs to be addressed on two tiers, regular agriculture and agriculture expanded. Jon Knight, Chairman of the ZBA, stated that the ZBA would be deliberate in its processing of the proposed text amendments to the Village Code, and would work with both the Legal Committee and the Equestrian Commission. He did believe the Board needed to pass the resolution. Roll Call

Ayes: 4 (Ramesh, Knoop, Gohl, Abboud)

Nays: 3 (Mallen, Schueppert, Smithe)

**Resolution 09-01 Approved.**

Animal Rescue Facility – Attorney, Donna McDonald representing Dr. Debra Rykoff addressed the Board asking that they allow Dr. Rykoff's animal shelter to remain on site. Dr. Rykoff is a long time resident, living on 10 acres, and is licensed to operate a shelter in Cook County. She has been issued a ticket for operating a animal shelter without authorization of the Village. Trustee Smithe requested giving Dr. Rykoff an extension of six months to get her request before the ZBA for approval. Trustee Mallen motioned to accept this request. Trustee Smithe seconded. All said aye.

**Motion Approved**

#### **PLANNING – Steven E. Knoop**

##### Monthly Report –

IDA Dark Sky Application – Trustee Knoop reported the Village's approval of a Proclamation that the Village of Barrington Hills be a Dark Sky Community and motioned that the Village pursue the International Dark-Sky Association's (IDA) Dark Sky Community Program. Trustee Gohl seconded. All present said aye.

**Motion Approved**

#### **INSURANCE – George L. Schueppert**

Monthly Report – Trustee Schueppert reported that our liability policies have been renewed under budget.

Asset Insurance Report – Trustee Schueppert reported that once every five years, the insurance industry requires an outside agency to participate in an audit of the Village asset inventory. This has been accomplished with the co-operative effort between American Appraisal, Village Treasurer and Village Engineers. These assets include fixed assets such as the building, sidewalks, etc.

IMRF Report – Trustee Schueppert advised we were notified that IMRF funds have lost 26% of their value which comes out to about a \$450,000 loss in value for the Village. A substantial upward change to the employer (Village) contribution is expected in the 2010 levy and appropriation ordinances.

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

Monthly Report – Trustee Mallen reported that the newsletter is done and will be mailed out by the end of this week. Also, all fire extinguishers in the Village Hall, Police Department and in all squads have been examined for 2009.

**ATTORNEY – Douglas Wambach**

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

Ascension of Executive Minutes – Motion was made by Trustee Gohl for the Ascension of Executive Minutes. Trustee Smithe seconded. Roll Call

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

Nays: 0

Absent: 0

**Motion Approved**

**ADMINISTRATION – Robert G. Abboud**

Canadian National Railway (CNR) – Trustee Knoop motioned that we contribute \$20,000 to TRAC as part of an appeal to stop the sale of EJ & E to Canadian National. Trustee Ramesh seconded. Roll Call.

Ayes: 5 (Ramesh, Schueppert, Knoop, Gohl, Abboud)

Nays: 0

Absent: 2 (Mallen, Smithe)

**Motion Approved**

Trustee Schueppert motioned to adjourn the Public Session at 11:06 p.m. Trustee Gohl seconded. All present said aye.

**Meeting Adjourned**

Approved \_\_\_\_\_