

VILLAGE OF BARRINGTON HILLS

Minutes of the Regular Meeting June 22, 2009

President Abboud called the Regular Meeting to order at 6:39 p.m. Roll Call.

Present

Robert G. Abboud, President
Fritz H. Gohl, Pro-Tem
Walter E. Smithe, Trustee
Beth Mallen, Trustee
Elaine M. Ramesh, Trustee
Doug Wambach, Village Attorney
Robert Kosin, Director of Administration
Michael N. Murphy, Police Chief
Dan Strahan, Village Engineer
Karen S. Selman, Village Clerk

Guests

Jonathan Knight, Resident
David Martin, Resident
Teri Bridge
Barbara Kemp, Resident
Dan Lundmark, Resident
Charlie & Susan Calo, Residents
Evan Harris, Resident
Nancy Harbottle, Attorney
Nancy Schumm Burgess, BAC Trust
Jerry Callaghan, Special Counsel

Trustees Steven Knoop and Peter Wessel were absent.

President Abboud called for a motion for a vote on the nomination of Karen Selman for the office of Village Clerk. Trustee Mallen motioned for the Board to vote on the nomination of Karen Selman for Village Clerk. Trustee Smithe seconded. During discussion Trustee Smithe asked Ms Selman to provide the Board with her credentials and a brief explanation of her reasons for seeking this position. She provided this information, and President Abboud called the vote. All present voted aye.

Motion Approved

President Abboud completed the swearing into office of Village Clerk Karen Selman.

Trustee Gohl motioned to adjourn to Executive Session to discuss pending litigation at 6:53 p.m. Trustee Smithe seconded. Roll Call.

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Knoop, Wessel)

Meeting Adjourned

EXECUTIVE SESSION

PUBLIC SESSION

President Abboud called the Public Session to order at 8:05 p.m.

President Abboud announced an agenda change request by Trustee Smithe, and suggested that item number 6.2 be moved to the first order of business following approval of the minutes and public comment. All present said aye.

MINUTES

Trustee Smithe motioned to approve the minutes of the Regular Meeting of May 18, 2009. Trustee Mallen seconded. All present said aye

Motion Approved

Trustee Smithe motioned to approve the minutes of the Executive Session of May 18, 2009 as amended. Trustee Gohl seconded. All present said aye.

Motion Approved

Trustee Smithe motioned to approve the minutes of the Special Meeting of June 8, 2009. Trustee Gohl seconded. All present said aye.

Motion Approved

Trustee Gohl motioned to approve the destruction of the audio recordings of the Executive Session of September 24, 2007. Trustee Mallen seconded. All present said aye.

Motion Approved

Abbey Woods Improvement Acceptance

Jerry Callaghan, Special Counsel to the Plan Commission, stated that the Council Planning Commission maintenance guarantee on the northwest corner of Palatine Road and Barrington Road was approved in 2006. The subdivision improvements have been installed. Utilities have been improved and will be maintained by the Village of Barrington. The Village of Barrington Hills needs to approve the letter of credit for a two-year period under the subdivision code. Evan Harris, Harris Builders, stated that all the landscaping is in, all sewer and water improvements have been made, and last year all road improvements were completed. He also reports that two residential building permits have been approved. Trustee Smithe motioned that the resolution for the Abbey Woods Improvement Acceptance be approved. Trustee Gohl seconded. Roll Call.

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Wessel, Knoop)

Resolution 9-11 Approved

PUBLIC COMMENTS

President Abboud opened a thirty-five minute session for public comments at approximately 8:40 p.m.

Robert Kosin, Director of Administration – Director Kosin presented Detlev Pansch, Barrington Area Library, with a certificate and CD for his excellent work with the community regarding awareness of the science of astronomy. Mr. Pansch thanked the Board for the recognition and for participating on the Library's community calendar. President Abboud suggested that the Library consider a link on their website to astronomical facilities.

Barbara Kemp, Communications Commission – Ms Kemp reported that the Technology and Communications Committees have been doing in-depth research regarding the merging of the Communication/Information website with the police website and the official Village website. They also discussed the DAS at the joint meeting.

There are personnel changes coming as Kevin Colosia has resigned from the Technology Committee; however, he intends to be available to the Village.

Nancy Schumm-Burgess, Barrington Area Conservation Trust – Ms. Burgess wanted to introduce herself and the BACT to the new Board and requested a Board Trustee contact. Ms Burgess stated that The Conservation Trust has a goal of working with all Barrington area municipalities to preserve the integrity of the community. She assured the Board that The Conservation Trust is aware of the Horizon Farm situation and is involved in its preservation.

David Martin – 6 Acorn Lane – Mr. Martin had addressed his issues with the storm sewer project and silt buildup with respect to drainage improvement along Ridge and Merri Oaks Roads with the Board on May 18, 2009. He was pleased that Director Kosin and Village Engineer, Dan Strahan, had visited the property on Wednesday, May 20, 2009, and Director Kosin gave permission for a survey to take place. However, he was disappointed that he has not heard of any definitive plans as yet. He also noted that there were eleven trees marked for demolition and was concerned about the reasoning for this decision.

Mr. Martin is requesting a Stop Work Order be extended regarding the drainage easement and the eleven trees marked for demolition. He is suggesting revisiting with Harris Builders to consider redirecting the water runoff to the Spring Creek Watershed; construction of a retention pond or utilization of the easements existing on the west side of Ridge Road.

In regards to the silt problem, President Abboud asked Mr. Strahan to explain the current conditions and what was done thus far. Mr. Strahan explained that there was a property to the north of Mr. Martin's property that was cleared of vegetation which has caused it to drain into Mr. Martin's property. The area has also seen some very unusual storm activity these past years, such as the two events in August 2007, one in September 2008 and our most recent heavy summer rains. The Village has replaced some corrugated metal pipe with the same sized concrete pipe. These were replaced because the metal pipe was showing signs of major deterioration, not because of any flow problems. President Abboud felt that a change in hydrology was the problem caused by the neighboring property being cleared, not the changes made by the Village. However, he has asked for a hydrology report from Mr. Strahan to confirm whether this is the cause.

Regarding the piping project, President Abboud asked Director Kosin to explain the necessity to continue this project. Director Kosin said that the concern has been that the intersection of Ridge Road and Merri Oaks Road will flood and that the current sewage piping will collapse. It is functioning well now, but the major concern is that if it collapses, then it becomes an emergency situation and with approximately 4700 cars using Ridge Road on a daily basis, this could happen sooner than later. President Abboud suggested that this project be halted for the time being. This would make it unnecessary for the stop order to be extended. Mr. Martin agreed to wait for the hydrology report regarding the silt and will attend next month's Board meeting to find out what progress has been made.

As there were no further public comments, the session ended at 9:03 p.m.

FINANCE – Walter E. Smithe

Village Treasurer's Report - Trustee Smithe presented the Treasurer's report for the month of May, 2009. Trustee Smithe motioned to accept the Treasurer's report as presented. Trustee Mallen 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 May 31, 2009 as presented. Trustee Gohl seconded. All present said aye.

Motion Approved

Overtime Reports – Trustee Smithe motioned to approve \$10,911.47 in overtime expenses for May 16, to June 15, 2009. Trustee Mallen seconded. Roll Call

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Wessel, Knoop)

Motion Approved

Presentation of Bills – Trustee Smithe motioned to approve payment of the bills for the month of May to date of \$384,574.15. Trustee Mallen seconded. Roll Call

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Wessel, Knoop)

Motion Approved

Audit Fiscal Year 2008 – Trustee Smithe motioned to approve the results of the Audit for FY 2008. Trustee Gohl seconded.

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Wessel, Knoop)

Motion Approved

ROADS AND BRIDGES – Peter C. Wessel (absent)

Monthly Report – In Peter Wessel’s absence, the monthly report was given by Dan Strahan.

President Abboud voiced concern regarding a large pot hole on Haegers Bend Road. Village Engineer, Dan Strahan confirmed that hot patching can be done by the already approved contractor for this year’s surfacing contract and that road work is scheduled for Hagers Bend Road, North end of Braeburn Road, Buckley, Dana Lane, etc., which is approximately 3200 square yards of roadway. There is a bid from Geske & Sons of \$65,000. Bids for other jobs came to \$427,000 and the budget amount is \$500,000. Village Engineer Strahan asked for approval of the additional \$65,000 to complete road repairs. Trustee Smithe motioned to approve the \$65,000 needed to complete current road repairs. Trustee Gohl seconded. All present said aye.

Motion Approved

Load Detectors – Trustee Ramesh noted that the CN website states that maintenance on the EJ&E tracks will be done in Barrington Hills. She asked if the Village had been notified of the project. Mr. Strahan stated that he has no word on this project at this time.

Road Side Mowing – Concerns were expressed about road side mowing. With the amount of rain, the Village needs to add some mowing dates. Director Kosin stated that mowing will be scheduled if needed.

Solar Mobile Speed Sign – Village Engineer Strahan reported that the solar mobile speed sign is in cycle now. President Abboud would like to look into whether or not traffic data can be obtained from this speed sign.

Safety Improvements on Highway 62 – Village Engineer Strahan stated that IDOT has received funding to complete the safety improvements to Highway 62, including rumble strips, signal modification, sign modification and horse cross-stripping maintenance. These improvements would be completed in Fiscal Year 2010.

2009 Road Program – River Road – Village Engineer, Dan Strahan received 6 bids for Phase II of the River Road project. The lowest bid of \$136,000 was submitted by Neri Brothers Construction. Mr. Strahan recommended that we accept this bid. He also informed the Board that the property owners involved have consented to the work and that the Army Corp of Engineers found that there would be no environmental impact and the permits are ready. Trustee Ramesh motioned to approve the bid of \$136,000 submitted by Neri Brothers for the River Road Phase II Project. Trustee Smithe seconded. Roll Call.

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Wessel, Knoop)

Motion Approved

Algonquin Township Inter Governmental Agreement – Director Kosin said that Robert Miller, Algonquin Township Superintendent, would like to formalize the Village’s arrangement with the

Algonquin Township Highway Department through an IGA. Village Attorney, Doug Wambach will create an agreement to be presented to the Board at a future meeting.

PUBLIC SAFETY – Fritz H. Gohl

Monthly Report – Trustee Gohl presented the Police Departments monthly report.

Police Vehicle Purchase Resolution – Trustee Gohl motioned for approval of the purchase of two police vehicles from Morrow Brothers, Greenfield, Illinois. These will be the last two vehicles purchased this year. Trustee Smithe seconded. Roll Call.

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Wessel, Knoop)

Resolution 09-13 Approved

Cook County Radio IGA Resolution – This communications radio is important for first responders. It enables first responders in Cook County to communicate with minimal verbal communication in emergency situations. There is 1 base unit and 2 portable units. The cost is \$720 a year to for the use and maintenance of the equipment. We would not actually purchase the equipment. If we chose not to continue to use it, the equipment would go back to the county. Trustee Gohl motioned that the Village of Barrington Hills Police Department participate in this program and allocate the cost or \$720 per year for the use of the equipment. Trustee Smithe seconded. Roll Call.

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Wessel, Knoop)

Resolution 09-14 Approved

Single File Riding Bicycle Ordinance – Tickets have been issued to bicycle riders who are not riding single file within the Village. The fine for this violation is \$75 to \$750.

BUILDING AND ZONING – Elaine Ramesh

Building Permit Report – Trustee Ramesh reported that there have been four building permits issued this month, one for a single-family residence.

ZBA Report — Trustee Ramesh reported that there is one violation of the Home Occupancy Ordinance on River Road, continued until August.

Trustee Ramesh stated that there will be some language modification discussed in regards to agricultural use of land in the meeting on July 22, 2009.

Animal Rescue Ordinance – Trustee Ramesh reported that the ZBA has completed language to facilitate application for Animal Rescue Shelters. All language in Item I specifies special setbacks for exercise areas. The ZBA voted that this resolution be brought to the Village Board. Trustee Ramesh motioned that the resolution pertaining to Animal Rescue Shelters be approved. Trustee Gohl seconded.

Charlie Calo, 130 Old Dundee Road expressed concerns regarding the Board passing this resolution. He was concerned that allowing this “special use” would promote others to ask for “special use” of their properties. He felt that the wording meant to keep dogs from barking for more than 15 minutes would not work. The property adjacent to his has become a shelter and he said that any time someone goes back there the dogs bark and if one dog barks they all do. Also, he is concerned with the amount of traffic going down his street that is related to the shelter. Mr. Calo expressed concerns on how the regulations would be enforced.

President Abboud explained the process that an applicant must follow to obtain approval for such zoning. He also explained that the ZBA makes recommendations to the Board and then the Board decides. He assured Mr. Calo that the Village has sufficient Health and Safety Department staff to enforce these regulations and that these were developed to keep such facilities under control.

Nancy Harbottle, attorney for Dr. Rykoff, stated that the ZBA reviewed this resolution and had held meetings obtaining public comment and there was only one person who objected.

Since there are 2 absent Board Trustees, President Abboud recommended that this matter be tabled until the Board Meeting on July 27, 2009. Trustee Gohl motioned to table the vote on the Animal Rescue resolution until the July 27, 2009 Board Meeting. Trustee Ramesh seconded.

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

Nays: 1 (Mallen)

Absent: 2 (Wessel, Knoop)

Resolution Tabled

Equestrian Trail Planning - Trustee Ramesh reported that the Equestrians were going to evaluate horse crossings. A discussion has begun regarding preserving the equestrian trails in Spring Creek Forest Preserve. The Preservation District has decided that Spring Creek should be maintained as it has been for the past 50 years. The current Forest Preserve District trail maps show these trails as multi-use trails, and The Friends of Spring Creek are working to emphasize the uses of hiking and horseback riding in Spring Creek. President Abboud requested more information regarding the Friends of Spring Creek position on trail issues in Spring Creek.

PLANNING – Steven E. Knoop (absent)

Monthly Report –

Glenmoor CC & R's – The proposed changes to this document were discussed. Village Attorney, Doug Wambach pointed out that the wording regarding above ground pools, fencing, and satellite dishes along Haegers Bend Road has been changed allowing these items. The Board agreed that the only unacceptable change to this section is in regards to the above ground pools, they should not be allowed. A letter will be drafted and sent to Glenmoor to accept all of the changes except for the deletion of the above ground swimming pools to be signed by President Abboud.

Kane County Community Development Block Grant – Kane County HUD would like to propose that the Village of Barrington Hills participate in the CDBG program. This involves housing rehabilitation. A letter of approval would be needed from the President Abboud. The downside is that the Village of Barrington Hills has no representation on the board in Kane County and the Kane County Board would make all of the decisions. There aren't enough Kane County residences in the Village to warrant participation. Director Kosin will direct Deputy Village Clerk, Delores Trandel, to draft a letter of refusal for President Abboud's signature.

INSURANCE – Walter E. Smithe

Monthly Report – Trustee Smithe indicated that there is nothing to report at this time.

HEALTH, BUILDINGS & GROUNDS, ENVIRONMENT – Beth Mallen

Monthly Report – Trustee Mallen indicated that there is nothing to report at this time.

ATTORNEY – Douglas Wambach

Senate Bill 189 – Village Attorney, Doug Wambach, reported that Senate Bill 189 amends the Freedom of Information Act. This has not been signed into law as yet. It does state that the Village must appoint a Freedom of Information Act Officer. There will be filing requirements with the Public Access Counselor who reviews complaints and concerns. Training will be provided for the Village FIAO and the office will be under the Attorney General. President Abboud requested that Mr. Wambach update Bill Walsh and Sarah Kenny regarding this new law.

ADMINISTRATION – Robert G. Abboud

Appointments – The appointments for the Equestrian nominations have expired. President Abboud has recommended that we reset the nominations of the current Equestrian nominees whose appoints will expire in April 2010 and April 2011. Trustee Smithe motioned that the Equestrian nominees be reset. Trustee Gohl seconded. All present said aye.

Motion Approved

Communications Commission nominations are Linda Fox, Chair; Barbara Kemp; Laura Ekstrom; Vicki Kelly; and Debbie Stone. There are two more positions for which nominations will be made at a later date. President Abboud requested a motion be made to approve these nominees. Trustee Smithe motioned for approval. Trustee Gohl seconded.

Aye: 4 (Ramesh, Smithe, Gohl, Abboud)

Nay: 1 (Mallen)

Absent: 2 (Wessel, Knoop)

Motion Approved

VBH Website – Barbara Kemp presented the latest report on the integration of the Villages three websites. The Communications Commission would like to make a single site, if legal. The government site would be rated first with links to other sites. They would like to see a home page mask over all three websites with a common welcome message. They are going to try to create simple ways to maneuver through the site, reduce redundancies, and use existing personnel to maintain the site. It should be easy for low tech users. There should be personnel assigned and made accountable for updating. The budget needs to be worked out. Police should keep current URL.

There is a need for the Board to look at any legal obstacles; budget constraints; provide due date for project completion; assign project leader; and assign a team member from each site to work on the project.

President Abboud assigned Lt. Joe Colditz from the Police Department, Trustee Fritz Gohl, and Sara Kenney as team members; and asked Barbara Kemp to accept the position of Project Manager. Ms. Kemp assured the Board that a prototype would be provided before changes are made.

Leave No Child Inside Resolution - Terri Bridge, Leave No Child Inside, came to introduce herself and to request that the Board Support the Children's Outdoor Bill of Rights. Ms Bridge informed the board that this program brings children back in touch with the out of doors and teaches them about nature. Trustee Smithe motioned that the resolution to support the Children's Outdoor Bill of Rights be approved. Trustee Mallen seconded. Roll Call.

Ayes: 5 (Ramesh, Mallen, Smithe, Gohl, Abboud)

Nays: 0

Absent: 2 (Wessel, Knoop)

Resolution 09-12 Approved

Village Promotion Policy – Trustee Smithe voiced a concern regarding the use of the Village newsletter to promote events. We are not receiving any compensation for this advertising. Attorney Wambach saw no legal issues as long as it was not promoting anything political.

Trustee Mallen felt it was a good way to promote community events and keep the residents of the Village informed. President Abboud asked that Attorney Wambach draft a policy for the newsletter for the Board for its consideration.

McHenry County 2030 Plan – President Abboud said that the community may want to know about this. There are going to be workshops, and he plans to attend.

Distributed Antenna System – President Abboud requested that Barbara Kemp provide a report on DAS by the end of the week and to give it to Trustee Gohl.

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

Meeting Adjourned

Approved _____