# MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES

**OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD**

**ON WEDNESDAY, MAY 22, 2019,**

**AT THE NORTH BARRINGTON VILLAGE HALL,**

**111 OLD BARRINGTON ROAD, NORTH BARRINGTON, IL**

**I. Call to Order and Roll Call**

At 7:32 p.m. President Sweet McDonnell, called the Meeting to order. The Deputy Village Clerk called the roll and then led the pledge of Allegiance.

Present in Person: President Sweet McDonnell, Trustees Andrew, Kalinowski, Rogus, Sauer, Smith and Weiner

Absent: None

Also, Present: Village Administrator Kathy Nelander

Village Attorney Brad Stewart

Kris Lennon, Deputy Village Clerk

Village Engineer Al Stefan

Village Treasurer John Schnure

Village Forester, Susan Allman

Gery Herrmann, Plan Commission Chair

Linda Aylward, Environmental & Health Commission Chair

Michael Menn, Michael Menn, Ltd.

1930 Phillips Ave., Northbrook

Kim Block

Mike Sands

Jay Murphy

Marilyn Lawlor

Sidney Ripsuy

Noelle Daehler

**II. PUBLIC COMMENT**

Kim Block addressed the Board to discuss concerns regarding drainage issues on

IL Route 59 (south of IL Route 22). Mr. Block explained that the Illinois Department of Transportation (IDOT) has been working on the road to repair drainage issues however; water recently overtopped onto IL Route 59. He indicated that there was a lack of proper signage indicating hazardous conditions.

President Sweet McDonnell responded to Mr. Block’s concerns and indicated that the Village would provide information to assist him with his concerns.

**III. VILLAGE COMMISSION MEMBERS COMMENT**

Linda Aylward, Environmental & Health (E&H) Commission Chair, addressed the Board to

report that the Earth Day/Arbor Day celebration held April 28th at Eton Park was a success. Chair

Aylward noted that the commission has already begun planning next year’s event.

Chair Aylward noted that she attended a “Lakes and Pond Management for Homeowners”

program on May 20th at the Village of Lake Barrington. She additionally attended an Upper Fox

River/Chain O’Lakes/Flint Creek Watershed meeting presented by the Illinois Environmental

Protection Agency (IEPA) at the Fox Waterway Agency in Fox Lake on May 14th.

President Sweet McDonnell thanked the staff, commission and volunteers who assisted with the

Earth Day/Arbor Day event.

**IV. TREASURER’S REPORT**

John Schnure addressed the Board as the Village Treasurer and provided a brief report on the Village’s finances.

A. Consideration of Cyber Insurance, Beazley Breach Response

Village Treasurer Schnure emphasized the importance of the Village having cyber fraud insurance.

President Sweet McDonnell explained that the matter would be reviewed in 30-60 days.

**V.**  **CONSENT AGENDA**

**Items:**

A. Motion to approve Minutes of Regular Board Meeting 4/24/19

B. Motion to approve 5/22/19 Vouchers for payment of bills

C. Motion to approve the Treasurer’s Report for the 12th month of Fiscal Year 2019

were removed from the Consent Agenda for further discussion.

Motion: On motion of Trustee Smith, seconded by Trustee Sauer, the consent agenda

consisting of the following agenda items were approved:

D. Motion to approve Resolution # 2884, a Resolution appointing David Dziura as member of the Zoning Board of Appeals

E. Motion to approve Wynstone Golf Club request for Fireworks Display on July 4, 2019

F. Motion to approve Biltmore County Club request for Fireworks Display on June 28, 2019

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Andrew, Kalinowski, Rogus, Smith, Sauer and Weiner

Nays: None

Absent: None

Abstain: None

President Sweet McDonnell declared the motion approved.

Item:

A. Motion to approve Minutes of Regular Board Meeting 4/24/19

Trustee Rogus suggested splitting the Minutes of the April Board Meeting 2019 into two

sets of Minutes; one set of minutes with the former Board and one set of Minutes with the newly elected Board.

Motion: Trustee Rogus moved that the Board approve splitting the Minutes of the Regular Board

Meeting 4/24/19 into two sets of Minutes; seconded by Trustee Smith

Discussion: There was some discussion.

### Vote on Motion

By Roll Call: Ayes: Trustees Andrew, Kalinowski, Rogus, Smith, Sauer and Weiner

Nays: None

Absent: None

Abstain: None

President Sweet McDonnell declared the motion approved.

Trustee Kalinowski requested that page number 10 be amended. She asked that the first sentence

be revised regarding the Village Engineer sending her information. The verbiage

“IDOT Project” should be replaced with “Barrington Area Council of Governments (BACOG)

presentation”.

Motion: Trustee Kalinowski moved to approve the first portion of Minutes of Regular Board

Meeting 4/24/19 as amended; seconded by Trustee Smith

Discussion: There was some discussion.

### Vote on Motion

By Roll Call: Ayes: Trustees Andrew, Kalinowski, Smith, Sauer and Weiner

Nays: None

Absent: None

Abstain: Trustee Rogus

President Sweet McDonnell declared the motion approved.

Motion: Trustee Rogus moved to approve the second portion of Minutes of Regular Board

Meeting 4/24/19 as amended; seconded by Trustee Andrew

Discussion: There was some discussion.

### Vote on Motion

By Roll Call: Ayes: Trustees Andrew, Kalinowski, Rogus, Smith, Sauer and Weiner

Nays: None

Absent: None

Abstain: None

President Sweet McDonnell declared the motion approved.

It was noted that Items:

B. Motion to approve 5/22/19 Vouchers for payment of bills

C. Motion to approve the Treasurer’s Report for the 12th month of Fiscal Year 2019

would be discussed during the latter portion of the meeting.

**VI. ORDINANCES**

A. Consideration of Ordinance # 1344, Zoning Variation Request submitted by

Mr. & Mrs. Nelson Kefauver to construct additions and alterations to residence located at 420 Concord Lane, North Barrington

ZONING VARIATIONS REQUESTED:

ZR-10-9-2(A,3): Each building shall be set back or located not less than sixty feet (60’) from the established centerline of the road right of way.

*Based on the established 51 ft. right of way width for Concord Lane, the Required front yard setback is 34.5 feet as measured from the front property line. The proposed garage addition will be located approximately 32.53 feet from the front property line.*

President Sweet McDonnell explained that the Zoning Board of Appeals (ZBA) Chairman John Cifonelli was absent from the evening’s meeting however; read a letter submitted by the Chairman highlighting the ZBA’s findings and recommendation. It was noted that the ZBA unanimously recommended approval of the zoning variation by a 6-0 vote.

Motion: Trustee Kalinowski moved to adopt Ordinance # 1334; seconded by Trustee Andrew.

Discussion: There was some discussion.

### Vote on Motion

### By Roll Call: Ayes: Trustees Andrew, Kalinowski, Rogus, Sauer, Smith

and Weiner

Nays: None

Absent: None

Abstain: None

President Sweet McDonnell declared the Ordinance adopted.

**VII. ADMINISTRATION** – President Eleanor Sweet McDonnell

President Sweet McDonnell announced the following Board of Trustee Liaison Assignments:

Area Primary Trustee Secondary Trustee

* Police/Fire/Public Safety/

Legal/ Law and Adjudication Lawrence J. Weiner Gregory Rogus

* Building / Zoning Todd Smith Janice Sauer
* Planning Gregory Rogus Todd Smith
* Environmental & Health/
* Mosquito Abatement Jackie Andrew Patricia Kalinowski
* Parks & Recreation Jackie Andrew Todd Smith
* Finance Eleanor S. McDonnell Todd Smith/Janice

Sauer

* Roads/Utilities/Stormwater

Management Janice Sauer Eleanor S. McDonnell

* BACOG Eleanor S. McDonnell Patricia Kalinowski
* SWALCO Patricia Kalinowski Jackie Andrew
* Emergency Management Patricia Kalinowski Eleanor S. McDonnell

It was the general consensus of the Board to accept the trustee liaison assignments.

Trustee Andrew suggested that the primary trustee for each area contact the secondary trustee in the event they are unable to attend a meeting.

President Sweet McDonnell stated that the Village has been conducting preliminary research to relocate North Barrington’s voting site from North Barrington Elementary School to a different location. She has been coordinating discussions with North Barrington Elementary School and Lake County representatives and noted that Trustee Sauer contacted the Biltmore County Club to discuss accommodations.

President Sweet McDonnell stated that she would keep the Board apprised.

President Sweet McDonnell stated that she attended Lobby Days in Springfield with BACOG. The group met with Governor Pritzker, among others to discuss legislative bills/initiatives. Some of the topics discussed included:

* Illinois House Bill 1438 - legalizing and regulating production, consumption, and sale of cannabis.
* Local Government Distributive Funds (LGDF) - requesting legislators to support budgets that return the full 10% share to municipalities.
* Grants available for groundwater/stormwater management.

**VIII. REPORTS BY BOARD OF TRUSTEES**

**A. Trustee Jackie Andrew**

Trustee Andrew reported on the activities of the Parks & Recreation (Parks) Commission. She explained that the Commission will drop to one member in June. The Village is looking for more members and accepting volunteer applications.

Linda Aylward addressed the Board as the E&H Chair and noted that some members of the E&H Commission have volunteered to help the Parks Commission until they get more members.

Trustee Andrew reported that the Parks Commission is looking into constructing a pavilion which is an issue previously reviewed by the Commission.

Trustee Andrew reported that she also attended the Upper Fox River/Chain O’Lakes/Flint Creek

Watershed meeting presented by the Illinois Environmental Protection Agency (IEPA) at the Fox

Waterway Agency in Fox Lake on May 14th.

**B. Trustee Patricia Kalinowski**

Trustee Kalinowski reported that she attended a “Conference for Municipal Officials” sponsored

by the law firm of Zukowski, Rogers, Flood & McArdle. It was noted that President Sweet

McDonnell and Trustees Rogus and Sauer also attended the conference.

**C. Trustee Greg Rogus**

Trustee Rogus reported that he attended the “Conference for Municipal Officials” with other

members of the Village Board (as noted by Trustee Kalinowski). He added that the presentations

were beneficial.

**D. Trustee Janice Sauer**

Trustee Sauer reported that a pre-construction meeting for the Village 2019 Road Resurfacing Program is scheduled for May 29th at 10:00 a.m. at the Village Hall.

It was noted that the following roads are part of the Village’s 2019 Road Resurfacing Program:

* Honey Lake Road
* E. Scott Road
* Drury Lane
* Shady Lane
* Beachview Lane
* Orchard Road

President Sweet McDonnell requested that the information be placed on the Village website.

Trustee Sauer reported that Village Engineer John Beissel contacted IDOT to request a status update on the IL Route 22 project by Honey Lake Road.

Trustee Sauer reported that she attended a meeting on April 26th at the Lake Barrington Village Hall to discuss a possible two-month closure on IL Route 22 west of IL Route 59 due to the installation of a proposed culvert by IDOT. Representatives from Advocate Good Shepherd Hospital, the Villages of Barrington, Lake Barrington, and Lake Zurich’s fire/police departments shared their concerns about a road closure. IDOT revised their design and came back with a 10-day closure to which the stakeholders found unsatisfactory. The stakeholders suggested that IDOT create a one-lane closure similar to the IL Route 22/Honey Lake Road project.

Trustee Sauer reported that she and other Village Officials attended a meeting on May 22nd at the Lake Zurich Village Hall to hear Tom Huddleston of Huddleston McBride Land Drainage Company (Huddleston McBride) detail the IL Route 59 flooding project and provide a history on drain tiles. Mr. Huddleston demonstrated the valve structure they are planning to install in Grassmere Farms. It was noted that the Village is currently working with Huddleston McBride, the Army Corps of Engineers, Lake County Stormwater Management, among others to secure the proper permits to replace the failing drain tiles and restore the wetlands in Grassmere Farms.

There were a few questions from the Board addressed by Trustee Sauer.

**E. Trustee Todd Smith**

Trustee Smith had no report.

President Sweet McDonnell added that she would be attending a meeting on May 23rd at 11:30 a.m. regarding the lane closure project on Clover Hill Lane. Other attendees will include the Village’s Engineer and Administrator, Lake Zurich Fire Department, Ela Township and Trustee Sauer.

**F. Trustee Lawre Weiner**

Trustee Weiner reported that a few incident reports were ordered from the Lake County Sheriff however; they have not been received.

**IX. CLOSED SESSION**

Motion: Trustee Kalinowski moved that a portion of the meeting be closed to the public, effective immediately as permitted by 5 ILCS 120/2(c)(5), to consider the acquisition of real property by the Village, or to consider the selling price of real estate and as permitted by 5 ILCS 120/2(c)(11), to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal or which is probable or imminent and as permitted by 5ILCS 120/2(c)(1) to discuss the appointment, employment, compensation, discipline or performance of specific employees; and as permitted by 5 ILCS 120/2(c)(21) approval of Closed Session Minutes;seconded by Trustee Andrew.

Discussion: There was no discussion.

### Vote on Motion

### By Roll Call: Ayes: Trustees Andrew, Kalinowski, Rogus, Sauer, Smith

and Weiner

Nays: None

Absent: None

Abstain: None

President Sweet McDonnell declared the motion approved.

**X. RECONVENE OF OPEN SESSION**

President Sweet McDonnell reconvened open session at 9:30 p.m.

The roll was called and the quorum re-established with the same officials present as in the prior open session.

**XI. OLD BUSINESS**

Trustee Kalinowski stated for the record that she would have voted against (or “nay”) the Fiscal Year 2020 Budget as proposed during the April 24, 2019 Village Board meeting based on information she received after the Board meeting.

XII. NEW BUSINESS

Village President Sweet McDonnell stated for the record that one of the Board’s priorities is

ensuring that the Village is fiscally responsible with all its expenditures which are currently

being authorized without prior Board approval. She requested a consensus of the Board that they

give direction to staff to not allow any expenditures to be made without being approved by the

Board or reviewed by the Village President if the amount is $500 or greater. It was

noted that the request was not a formal action and that the matter was temporary.

It was the general consensus of the Board to not allow any expenditures to be made without

approval from the Board or reviewed by the Village President if the amount is

$500 or greater.

President Sweet McDonnell stressed that the request was to get a better understanding of Village

funds and not a reflection of any staff member.

President Sweet McDonnell requested future copies of the entire bill packet for upcoming Board

meetings and noted that any Village work which is currently contracted be reviewed prior to the

contracts’ expiration date.

President Sweet McDonnell asked the Village Administrator to provide a list of all contracted

work and expiration dates. She noted that she would like to do more requests for proposals

(RFP).

Trustee Kalinowski suggested that commissions be included during the RFP process in order

to allow the commissions to provide input.

Trustee Andrew noted her concern about a neighbor on Signal Hill Lane using two generators to

re-direct stormwater into a sewer pipe and onto another neighbor’s property.

President Sweet McDonnell acknowledged Trustee Andrew’s concern.

Trustee Kalinowski requested that the Village maintain all audio recordings for meetings of

the Village Board and Finance Committee for a period of 18 months. She asked that her request

be on the June Board agenda.

Village Attorney Stewart explained that closed session minutes have an automatic 18-month

preservation following the approval of those minutes for release to the public however; believed

that Trustee Kalinowski was proposing a code amendment to permit other meetings be added.

Trustee Kalinowski asked if another Trustee would “second” her request in order for it to be on

the agenda in June. No one wished to speak.

Trustee Weiner suggested maintaining all audio recordings and documentation until the Board

can reconvene.

Trustee Smith inquired whether there was a cost for the retention of files.

President Sweet McDonnell explained that a “Drop-Box” account could be created.

Trustee Smith asked if “Drop-Box” was a secure site.

President Sweet McDonnell suggested protecting all written documentation including

audio/video files for the next 60-90 days until the Board can create a more formal process.

It was the general consensus of the Board to protect all written documentation including

audio/video files for the next 60-90 days until the Board can create a more formal process.

The Board revisited Section V. Consent Agenda during this time which includes items:

B. Motion to approve 5/22/19 Vouchers for payment of bills

Trustee Andrew was of the opinion that the bills for the garage door opener and Eton Park stump removal were excessive.

Trustee Andrew suggested researching the use of the Tower Lakes Police Department for the Village’s police services as opposed to the Lake County Sheriff.

President Sweet McDonnell noted that the Village’s contract with the Lake County Sheriff expires December 2019. She asked Trustees Weiner and Rogus to review the current contract with the Lake County Sheriff and contact the Tower Lakes Police Department for comparison purposes. Trustees Weiner and Rogus agreed.

Trustee Andrew noted her concern about costs associated with the Grassmere Farms drainage project.

President Sweet McDonnell explained that the Village is waiting to see how the IL Route 22/Honey Lake Road project improves the drainage problem in Haverton on the Pond although; it was noted that a Special Service Area for Grassmere Farms and Haverton on the Pond is being considered.

Trustee Andrew commented on the engineering fees regarding traffic calming on Clover Hill Lane. She was of the opinion that the fees were excessive.

President Sweet McDonnell explained that she is planning to request that the Village Engineers modify their invoices to include more information.

There was discussion among the Board regarding the traffic calming policy for Clover Hill Lane

and the associated engineering fees listed on the vouchers.

President Sweet McDonnell suggested pulling Robinson Engineering Invoice # 1904079 in the amount of $3,001.50 and Invoice # 19010369 in the amount of $115.00 from the Voucher Detail in order to obtain more information prior to approval.

Trustee Kalinowski noted her concern about the use of contingency funds and indicated that contingency funds were used for budgeted line-items such as Comcast, among others. Trustee Kalinowski noted for the record that she believes that Illinois municipal governments are not allowed to have a “slush fund” to be used when a municipality cannot stay within its spending limits.

Trustee Andrew was of the opinion that the issue is that no one is carefully reviewing the budget.

Trustee Smith respectfully disagreed with Trustee Andrew’s opinion.

President Sweet McDonnell stated that the total (adjusted) amount to be paid to Robinson Engineering was $21,430.00 instead of the proposed amount of $24,546.50.

Motion: Trustee Kalinowski moved that the Board approve the 5/22/19 Vouchers for

payment as amended; less the removal of Robinson Engineering Invoice # 1904079 in the

amount of $3,001.50 and Invoice # 19010369 in the amount of $115.00; seconded by Trustee

Sauer.

Discussion: There was lengthy discussion.

### Vote on Motion

By Roll Call: Ayes: Trustees Andrew, Kalinowski, Rogus, Smith, Sauer and Weiner

Nays: None

Absent: None

Abstain: None

President Sweet McDonnell declared the motion approved.

C. Motion to approve the Treasurer’s Report for the 12th month of Fiscal Year 2019

There was discussion among the Board about deferring the approval of the Treasurer’s Report for the 12th month of Fiscal Year 2019. President Sweet McDonnell recommended Trustee Smith provide a review the Treasurer’s Report for the 12th month of Fiscal Year 2019.

Trustee Smith noted that he did not have a problem deferring the approval of the Treasurer’s

Report for the 12th month of Fiscal Year 2019 until the Board was comfortable voting on the

issue; he discussed the “Profit & Loss Prior Year Comparison” on Page 2 of the Treasurer’s

Report and believed that the Village Treasurer was trying to explain a decrease of 50% in the

deficit as the Village Treasurer referenced the May ’17-April 18 Net Income of $-719,705.21 vs.

the May ’18 – Apr 19 Net Income of $-362.704.27.

Trustee Smith explained that Treasurer’s Report was accurate in its reporting through April 30,

2019.

President Sweet McDonnell stated that the budget would be reconciled in June with more

accurate figures however; noted that the deficit is decreasing. She suggested that the approval of

the Treasurer’s Report for the 12th month of Fiscal Year 2019 be postponed until the June Board

meeting and noted that the interest rates of the Village’s bank accounts were revised.

Motion: Trustee Weiner moved to approve the Treasurer’s Report for the 12th month of

Fiscal Year 2019 as amended specifically referencing the revisions on Page 1/Balance Sheet-

Bank Accounts; seconded by Trustee Smith.

Discussion: There was some discussion.

### Vote on Motion

By Roll Call: Ayes: Trustees Andrew, Kalinowski, Rogus, Smith, Sauer and Weiner

Nays: None

Absent: None

Abstain: None

President Sweet McDonnell declared the motion approved.

**XIII. ADJOURNMENT**

There being no further business to come before the Board, Trustee Rogus moved to adjourn the meeting; seconded by Trustee Weiner. The voice vote was unanimous in favor.

At 10:24 p.m. President Sweet McDonnell declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held June 26, 2019.

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kris Lennon, Deputy Village Clerk

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