

MINUTES OF THE MEETING OF
THE VILLAGE OF PORT BARRINGTON BOARD OF TRUSTEES
LAKE AND MCHENRY COUNTIES, ILLINOIS

March 21, 2018

President Yeaton called to order the regularly scheduled Meeting of the Board of Trustees at 7:02 pm. The following Trustees were present: Grothendick, Cillo, Corrigan and Vogeler. Trustee Herstedt was absent. There is one vacant committee. Village Attorney Jim Bateman was present.

President Yeaton asked the Board to set the agenda affirming no conflicts of interest and Trustee Grothendick motioned to set the agenda. Trustee Cillo seconded and the motion was approved unanimously.

Trustee Herstedt arrived at 7:04pm.

Trustee Corrigan motioned to approve the minutes of the Special Meeting held on February 7, 2018. Trustee Cillo seconded. Roll call was taken; 4 Ayes, 0 Absent. Trustee Herstedt abstained. Motion approved.

Trustee Cillo motioned to approve the minutes of the February 21, 2018 Board Meeting. Trustee Grothendick seconded. Roll call was taken; 5 Ayes, 0 Nays. 0 Absent. Motion approved.

Trustee Cillo motioned to approve the Treasurer's Report for February 2018. Trustee Corrigan seconded. Roll call was taken; 5 Ayes, 0 Nays, 0 Absent. 1 Vacant seat. Motion approved.

President Yeaton asked the Board to move on Bills Payable through March 21, 2018. Trustee Vogeler motioned to approve the bills payable and it was seconded by Trustee Herstedt. The Bills Payable were approved by roll call vote. Upon roll call, the vote was: 5 Ayes: Trustees Grothendick, Herstedt, Cillo, Corrigan and Vogeler. Nays: 0 1 Vacant seat. Motion approved.

STREETS AND ROADS

Trustee Vogeler and President Yeaton had a meeting on March 12, 2018 with Mark Rooney regarding road repairs. IDOT requires a payment of 10% in Engineering fees. They create the estimate and create MFT paperwork. Mark was instructed to amend the road map where streets were missing. Mark walked the streets and must do core samples. A Resolution was prepared. The roads the Village anticipates paving are half of Center Street, South Circle and Oak Street and also Farnsworth to Roberts Roads. The Resolution is for \$300,000.00. Mark's estimate is \$225,000- \$250,000. President Yeaton inquired about crack sealing. Mark Rooney determined there are two areas that require crack sealing. Rawson Bridge Road will not be done as the amount of tar can't be controlled and it is a hazard for motorcycle riders.

Trustee Vogeler motioned to approve Resolution 2018-225. Trustee Corrigan seconded. Upon roll call, the vote was: 5 Ayes: Trustees Grothendick, Herstedt, Cillo, Corrigan and Vogeler. Nays: 0 1 Vacant seat. Motion approved.

Trustee Vogeler stated that the Resolution would be submitted to IDOT and upon approval MFT funds could be used. A bid packet will be created by Mark Rooney.

Trustee Vogeler stated he thought that Camden Lane was crack sealed. There was an estimate received but the Board considered it to high at \$7,500.00.

HEALTH AND SAFETY

Trustee Grothendick motioned to approve Ordinance 2018-03-01 regarding backyard poultry. Trustee Vogeler seconded. Roll call was taken; 5 Ayes, 0 Nays, 0 Absent. Motion approved. Jim Bateman stated that he created an ordinance preventing pumping into or out of a pond unless an emergency occurred. Trustee Vogeler stated that the Village cannot water trees with pond water or fill the ice rink as it's written. He believes that passing the Ordinance puts the Village at risk to incur litigation. Jim Bateman stated that he believes litigation is imminent and the Ordinance is pre-emptive. The Ordinance could be altered to allow for municipal use and dry hydrants. The primary concern is the impact on the aquifer and ponds. There was discussion of the rill system as an enclosed system or overflow to the wetlands. Trustee Herstedt asked how ejector pits would be affected. Jim Bateman responded that if water is going into or out of the rills it would end up in the ponds and then be a violation. He described some exceptions that would make sense and would not weaken the Ordinance. President Yeaton stated that over 350 homes are on the first aquifer. Water for the rill system is on Village property. Trustees Corrigan and Vogeler reminded the Board of a meeting with Mark Rooney where he endorsed the rills running to dissipate any spill. Jim Bateman presented a contrary argument that the rill going through a backyard could carry pollutants to the pond. The legal standard for any Ordinance is whether it has a conceivable rational basis. The Village has police power and it's the same subject as groundwater protection. Trustee Vogeler stated there were 13 points on the permit offered to the Riverwalk HOA. One charged them with getting a letter of approval from McHenry County to turn on the rills. The County emailed to say they do not have any objection. Jim Bateman reminded the Board of the history of potable water being contaminated. Trustee Corrigan recommended another opinion from Brian Vallesky of Manhard Engineering. Trustees Vogeler and Cillo agreed that an Engineer must convince the Board that the Ordinance would protect the water supply. Brian Vallesky is a Hydrologist so his opinion on whether it's safer for the Village water supply to run the rills or not would hold value. Trustee Herstedt stated there is a known breach through the pond that connects to the rills. President Yeaton asked the Board if they are agreement whether the Ordinance has to do with safety. All agreed except Trustee Vogeler. President Yeaton stated that the Board must protect residents from glyphosate and other contaminants. Brian will be invited to the next Committee Meeting.

POLICE

Lake and McHenry Counties are sending schedules timely.

If a car is parked in a cul-de-sac the police will try to locate the owners prior to ticketing.

Twelve parking tickets were issued on March 17, 2018.

President Yeaton asked Trustee Herstedt to contact the Village Administrator from Wauconda to inquire how much money the Village has received to offset costs. The suggested budget for Wauconda's adjudication services was \$2,400.00.

PARKS AND BEACHES

Trustee Cillo met with LYAA and BYS and all schedules and paperwork are now complete. The Egg Hunt is scheduled for March 31, 2018. The "Name the Dino" contest will start there. Dates for the Garden Party are being considered. The REC Committee Breakfast walk will be held April 28, 2018. Trustee Cillo attended a "Citizen's for Conservation" presentation. Rusty will order mulch prior to the end of this year's budget.

FORESTRY

Trustee Corrigan stated that pricing and availability of trees was received from the nursery. Donna Erfort stated that the Village was awarded "Tree City, USA" designation for the 4th year and also received a "growth award".

FINANCE

An Illinois Funds meeting is scheduled for Thursday at 9am. Committee budget meetings are ongoing.

BUILDING AND ZONING

Trustee Vogeler attended a meeting at the Broken Oar on March 19th with the Village Inspector and their Architect and Engineer to review the canopy they want to construct. Ordinance violations are being looked into. There are several large tents that are in violation. Ordinance 2018-03-02 was before the Board amending the portion of the code regarding fences. Trustee Vogeler motioned to approve. Trustee Cillo seconded. Roll call was taken; 4 Ayes, 0 Absent. Trustee Herstedt abstained. Motion approved. An Ordinance regarding inspection of rental property is being reviewed by John Howard who will present his opinion at the next Committee Meeting. Resolution 2018-225 to update the Zoning Map was before the Board, Trustee Vogeler motioned to approve. Trustee Grothendick seconded. Roll call was taken: 5 Ayes, 0 Nay, 0 Absent. Motion approved. Trustee Vogeler intends to get proposals for siding the Village Hall. He will create a formal RFP and get bids. Public bids will be accepted for roofing siding and exterior work on 2 buildings. Jim Bateman will create a bid packet.

VILLAGE ATTORNEY

Jim Bateman recommended closed session to discuss an inquiry into purchase of Village property. Mr. Brent Sherman has retained an Attorney and Jim Bateman has provided information on permitted uses and conditional uses.

VILLAGE ENGINEER

President Yeaton and Trustee Vogeler met with Mark Rooney regarding roads. Trustee Vogeler stated that he spoke to Mark about the land near Roger’s Automotive. The EPA is starting Phase II of cleanup there. They intend to inject a bacteria that eats hydrocarbons into the ground. They will need a permit and the Village requires more information.

ADMINISTRATION

The Fox Waterway Cleanup is May 5, 2018.
Quickbooks must be updated by 05/31/2018.
Donna Erfort will attend the Fox River Summit with Trustee Grothendick.

PUBLIC WORKS

Trustee Vogeler asked Rusty to put together a budget for maintenance of municipal vehicles.

PBWWC

James Paschky left a message for the Mayor of Fox Lake to ask if a letter of support from the Board would benefit the Grass Lake silt removal plan.
The Village is putting together a team for the Fox River Cleanup.

VILLAGE PRESIDENT

President Yeaton booked the hotel for Lobby Day on April 25, 2018.

The meeting was open to the floor at 8:50pm.

Sue Lester asked how many hours each County patrolled in the Village. Donna Erfort responded that the Village contracts for 24 hours per week.

Trustee Corrigan motioned the Board move to Executive Session for the purpose of discussing matters of real estate sales and price. Trustee Cillo seconded. Roll call was taken: 5 Ayes, 0 Nays, 0 Absent. Motion approved. The Regular Board Meeting moved to Executive Session at 8:53.

The regular Board Meeting resumed at 9:22 pm.
Trustee Grothendick motioned to adjourn. Trustee Cillo seconded. Roll Call was taken: Trustees Grothendick, Herstedt, Cillo, Corrigan and Vogeler voted Aye. 0 Nays, 1 Vacancy. Motion approved.
The meeting was adjourned at 9:24pm.

Respectfully Submitted,

Nancy Bachal, Village Clerk

AYES 5
NAYS 0
ABSENT 0 (+ one vacancy)
ABSTAIN 0
APPROVED April 18, 2018