

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

July 17, 2019

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

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

Trustee Corrigan motioned to approve the consent agenda comprised of minutes of the June 19, 2019 Regular Board Meeting Minutes and June Treasurer's Report with one correction included in the Treasurers report. Trustee Cillo seconded. Roll call was taken; 5 Ayes, 0 Nays, 1 Absent. The motion was approved.

President Yeaton asked the Board to move on Bills Payable through July 17, 2019. 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, Nays: 0 Absent 1. Motion approved.

A scheduled Public Hearing commenced at 7:09 pm.

President Yeaton introduced Chris Gheysen from Manhard Engineers. Chris stated the purpose of the Public Hearing is regarding 1 Oak Street. A variance request was being considered that has to do with a residence built on property which has flood plain on the property. The Village has adopted the Lake County Stormwater Management Ordinance as their stormwater management Ordinance which provides protection in the flood plain at 2 feet above base flood plain elevation. The house was 2.82' below that at 1.81' protection. FEMA has a requirement of a 1' elevation. The house does conform to that. After the fact variance requests that meet the federal standard but not local ordinance require a variance. It was previously permitted and occupancy was granted. A 30-day public notice was published regarding the potential variance. Lake County has received no comments and Manhard has not either. Jim Bateman stated the legal notice for the Hearing was published in compliance with requirements.

President Yeaton stated there was an opportunity for public comment. No questions or comments were heard. Chris Gheysen stated that the recommendation would be to approve the variance request. The Public hearing was closed at 7:15 and President Yeaton stated the Board would move to Committee reports.

STREETS AND ROADS

Trustee Thomasson stated that he found another company that produces electronic signs and would have more information on that later.

Donna Erfort stated that estimates were received for permeable pavers for portions of the parking lot. There would be discussion at the Committee Meeting.

HEALTH AND SAFETY

Donna Erfort stated that a quote was forthcoming to hook up the siren to back-up wiring.

An Ordinance amending Business Licenses regarding the State change for tobacco sales from 18 to 21 years of age was before the Board as Ordinance number 2019-7-1. Trustee Vogeler motioned to approve that Ordinance. Trustee Thomasson seconded. Roll call was taken: 5 Ayes, 0 Nays, 1 Absent. Motion Approved.

Trustee Grothendick is considering radios for emergency management.

Prairieland Waste wants to put leaf collection on the calendar.

One channel cut was done. A second one will be scheduled. A third may not be needed.

A sandbag demo is being considered for the Garden Party. A video would be made and saved for future reference.

POLICE

Trustee Herstedt stated that the Sheriff had no reports over the holiday.

A fire was reported on Manchester and the Police assisted.

Tickets have been received for citations through Wauconda, code enforcement and warnings.

The noise ordinance was tabled until the end of the meeting.

President Yeaton stated she met with the Chief and Administrator for Wauconda about collections. Last year's collections remain at \$1,500 outstanding for their new system called Nexa. Moving forward all collections would be turned in after 60 days. There is a grace period to contest and attend adjudication. There is a \$25 fee to send to collections but it is added to the fee for person who had the ticket.

Trustee Vogeler had a question of fines prior to adjudication and hearings relative to new tickets. Each day the violation continues the fine is a separate offense per day. Jim Bateman responded that there is no fine until the Administrative Hearing Officer says it's a violation. There was discussion of considerations in compliance and enforcement. If the violation is in compliance on the date of the hearing the charge is typically dismissed.

PARKS AND BEACHES

The Garden Party is scheduled for September 7, 2019. The band is arranged. The theme is "Summer of '69". Trustee Cillo is working with the No Wake for food.

Trustee Cillo requested donations from the Trustees for raffle at the Garden Party.

Splash Day was well attended.

Fred Fest applied for a one-day liquor license for noon to 6pm. Trustee Corrigan motioned to approve and Trustee Thomasson second. Roll call was taken; 5 Ayes, 0 Nays, 1 Absent. The motion was approved.

FORESTRY

Trustee Corrigan stated that the Tree Ordinance has trees listed that the Village considers a nuisance. The original list of 31 trees came from the IDNR. Trustee Corrigan looked up which are native to the area. He is waiting for recommendations from the nursery and arborist.

Rusty Issleb stated that 8 large trees went down in the storm. Six of them were Village trees. Red Oak crew was employed to remove 3 of them at a cost of \$2,200.00. They will be back at the end of the week for more.

FINANCE

Trustee Corrigan stated that text was added to the Illinois E-Pay page for payment of the Vehicle tax to contact the Village Hall if an amount shown was inaccurate. \$3,700.00 has been collected so far with 177 transactions. Increased fines will be uploaded for past due amounts.

Ordinance 2019-7-2 was before the Board regarding "Reimbursement of Village Employees for Certain Expenses. Trustee Corrigan motioned to approve. Trustee Vogeler seconded. Roll call was taken: 5 Ayes, 0 Nays, 1 Absent. The motion was approved.

BUILDING AND ZONING

Trustee Vogeler stated there was no new information on maintenance violations.

President Yeaton stated that Frank DeSort is actively working with construction sites.

He is also working on fee schedules based on a percentage of the cost of the project.

Jim Bateman stated that any change would require an Ordinance. Trustee Thomasson had concerns about changing to a percentage cost instead of square footage. There would be discussion at the next Committee Meeting.

A letter was sent July 10, 2019 initiating buyout of 4 properties from the State program for CAV/FEMA. It is a preliminary step to show assessed value and why they are candidates for buyouts.

General Business zoning has been tasked to the Zoning Board for review. Off-site parking would be considered.

Another filing was received from Mr. Sherman for the commercial property. It eliminates the retail space and splits the buildings, but remains a storage facility plan. An escrow deposit must be made and the Planning Commission will review.

VILLAGE ATTORNEY

Jim Bateman stated that cannabis regulations and tax act goes into effect 01/01/2020.

The recreational statute provides the Village authority to prohibit dispensaries in the BG district. The Board should consider making decisions so the Ordinance could be in effect by 01/01/2020.

President Yeaton stated she signed up to be on the model ordinance task force.

The Nicor franchise agreement is expiring. It allows them to maintain a gas distribution system. Ordinance 2019-7-3 was before the Board. Trustee Herstedt motioned to approve that ordinance. Trustee Vogeler seconded. Roll call was taken: 5 Ayes, 0 Nays, 1 Absent. Motion approved. Certified copies must be returned to Nicor.

ENGINEERING

President Yeaton stated that an amended permit for Riverwalk was issued for doing clean-out on Brighton Circle, behind Manchester and in-between homes in phases I & II following the original depth because an electrical transformer is flooding.

ADMINISTRATION

An audit was done last week and lasted only one day. A report will follow.

PBWWC

Jody Thelin stated that the Fox River Flood Commission was formed and began meeting in February. She attended a meeting at the Fox Waterway Commission. They are focused on trying to keep sediment out of the chain.

VILLAGE PRESIDENT

President Yeaton stated that the IML conference is in September and she will attend all 3 days. Pictures will be taken at the August Board Meeting of Village Officials.

New Public Act 101.0014 allows Village Presidents to perform marriages.

NOISE ORDINANCE

Trustee Herstedt stated that to better understand decibel levels the Board went to the Wauconda Police station for a demonstration. The Wauconda Ordinance allows for 65 decibels and that number is being considered for the Village Ordinance. Their Ordinance allows for 50 decibels after designated cut-off times. Trustee Thomasson stated that normal ambient sound was recorded near or above 65 decibels, violating their ordinance. President Yeaton stated that the 65 decibels sets a base line for the officer's discretion. She spoke to Rodney Scott who will take 3 different measurements from 3 determined spots during an evening at 10:30pm. The Board can then decide where the measure points would be. Discussion ensued regarding language in the ordinance, as written, and patterned after the Wauconda ordinance. More discussion and consideration would be held at the next Committee Meeting.

OLD/NEW

Trustee Vogeler recommended maintaining a complaint log.

The meeting was open to the floor at 9:13pm.

Bob Tuke asked to clarify how the decibel levels were added in to the draft ordinance.

President Yeaton responded that the Chief in Wauconda wanted something measurable for officers.

Trustee Thomasson motioned to adjourn. Trustee Herstedt seconded. Roll call was taken; 5 Ayes, 0 Nays, 1 Absent. Motion approved. The meeting was adjourned at 9:30pm.

Respectfully Submitted,

Nancy Bachal, Village Clerk

AYES 5

NAYS 0

ABSENT 1 - Thomasson

ABSTAIN 0

APPROVED August 21, 2019