

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

November 20, 2019

President Yeaton called to order the regularly scheduled Meeting of the Board of Trustees at 7:02pm. The following Trustees were present: Thomasson, Grothendick, Cillo, Corrigan and Vogeler. Trustee Herstedt 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 Grothendick motioned to set the agenda. Trustee Cillo seconded and the motion was approved unanimously.

Trustee Grothendick motioned to approve the consent agenda including minutes of the October 16, 2019 Regular Board Meeting, October Executive Session and the October 30, 2019 Special Joint Session. The Treasurer's report for September and October 2019 were included. Trustee Corrigan motioned to approve. 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 November 20, 2019. Trustee Grothendick motioned to approve the bills payable and it was seconded by Trustee Thomasson. The Bills Payable were approved by roll call vote. Upon roll call, the vote was: 5 Ayes, Nays: 0 Absent 1. Motion approved.

STREETS AND ROADS

Street sweeping will be performed after the last leaf vacuuming. The 3rd pick-up will be November 26, 2019 and it will be the final pick up.

President Yeaton directed Rusty to get flags to mark the rocks on the Center Street curve to indicate their placement during snow removal.

President Yeaton attended a FEMA meeting. There may be funding available for bridge repair due to repetitive flooding. Trustee Thomasson will look into it.

Ordinance 2019-11-1 was before the Board amending Vehicle Tax and licenses of Chapter 70, "General Provisions". Trustee Vogeler recommended the Board wait until fire lanes are marked. Jim Bateman stated that it could then be amended with minimal financial impact.

President Yeaton stated that Trustee Herstedt wants to consider increased fines for non-compliance of vehicle tax. Trustee Herstedt recommended a \$30 tax that doubles after 30 days past due and then a \$100 fine if not paid after 60 days. Jim Bateman stated it would be considered a sur-charge for being late with payment. Trustee Corrigan stated that other municipalities do not step up fines because it creates more work. Jim Bateman stated that it is now written to cost \$30 initially and after 60 days there is a \$100 surcharge. If it is not paid after that a ticket would cost \$100 more.

Trustee Grothendick motioned to approve Ordinance 2019-11-1. Trustee Thomasson seconded. Roll call was taken; 5 Ayes, 0 Nays, 1 Absent. Motion approved.

HEALTH AND SAFETY

President Yeaton stated that Trustee Herstedt could not be physically present but wanted to participate remotely. Trustee Herstedt joined remotely at 7:22pm.

Trustee Grothendick stated that the last leaf vacuuming was hindered by snow so one more date was arranged.

President Yeaton stated that Ordinance 2019-11-2 was before the Board regarding cannabis. Mike Weiner of the Planning Commission was present and stated there were no residents at the Public Hearing. The Planning Commission recommended a buffer of 60' to 500' from residential property. The Board would decide the exact amount. Jim Bateman stated that the State does not have a buffer for adult use but does for a medical dispensary of 1,000' to 2,500' from residences. Mike Weiner stated that their Board was not in favor of transportation or cultivation centers. Craft growers, infusers, processors and dispensary centers were approved. Their vote was 4 approve, 1 no, 1 absent. Trustee Vogeler stated that it would be conditional use so a buffer could be established as part of the negotiation.

Trustee Herstedt exited the meeting at 7:47pm.

The Board considered the Planning Commission recommendation for conditional uses. President Yeaton described processing and infusing uses as potentially tax revenue generating in future. Trustee Corrigan stated he believes the Village must have a tax generating business at Darrell and Roberts Roads and the Board should not be open to non-tax generating businesses. President Yeaton stated that the conditional use allows it to be considered case by case. Trustee Grothendick agreed.

Trustee Corrigan motioned to approve a dispensary only. Trustee Thomasson voted aye. Trustees Cillo, Grothendick and Vogeler voted nay. Trustees Vogeler and Corrigan expressed concerns about denying conditional uses and extended expensive battles to disallow. Trustee Thomasson recommended only allowing craft growers and cultivation in combination with a dispensary. Jim Bateman will amend the Ordinance. Every use except transportation and cultivation would be conditional as long as in tandem with a dispensary on the same site. The Excise tax would be set at 2.5%. Trustee Thomasson motioned to direct Jim Bateman to amend the Ordinance. Trustee Vogeler seconded. Roll call was taken. 5 Ayes, 0 Nays, 1 Absent. Motion approved.

FINANCE

The annual Tax Levy Resolution 2019-230 was before the Board. Trustee Corrigan motioned to approve. Trustee Grothendick seconded. Roll call was taken. 5 Ayes, 0 Nays, 1 Absent. Motion approved.

Trustee Corrigan motioned to approve accept a 50% settlement payment from Nicor regarding the claim for damage to culverts. Trustee Cillo seconded. Roll call was taken. 5 Ayes, 0 Nays, 1 Absent. Motion approved.

President Yeaton stated she spoke to Frank DeSort about filling out citations in-house for non-payment of the vehicle tax. Frank could sign the citations and attend adjudication. The costs make it prohibitive. Frank suggested entering the information into the new Building and Zoning

software to flag when resident is seeking a building permit. Trustee Corrigan will provide a list to Frank of the addresses that are non-compliant.

POLICE

President Yeaton stated that scheduling will be through herself when Trustee Herstedt is out of town.

The Village received only approximately \$300.00 from adjudication. Follow up would be done to verify the amount. The Village will be assigned a new Code Enforcement Officer. He will be checking to be sure boats are on improved surfaces.

120 S. Center Street is vacant so safety checks are being performed.

President Yeaton gave a formal letter asking for a quote for police including animal control and adjudication to Wauconda.

PARKS AND BEACHES

Trustee Cillo stated that the Chili Cook-off was well attended.

The Volunteer Appreciation Party will be December 12th at No Wake Bar & Grill.

The Santa Parade and Party will be December 22nd.

Trustee Corrigan exited the meeting at 8:30pm.

BUILDING AND ZONING

Mike Weiner stated that the Planning Commission reviewed the permitted use table. They recommended some changes and he described them. Trustee Vogeler stated he wanted to table any action until the Board could review their recommendations and consider.

Ordinance 2019-11-2 was before Board regarding Building and Zoning fee schedules. Trustee Vogeler motioned to approve. Trustee Cillo seconded. Roll call was taken: 4 Ayes, 0 Nays, 2 Absent. Motion approved.

Trustee Vogeler stated he spoke to someone about the CRS application who believes the Village could be set up by October 2020. The CRS is a Community Rating Service that could result in discounted flood insurance through FEMA for the Village residents.

Frank DeSort is working with the owners of 215 Eastwood Court to get them to sign over the deed so the Village can demolish the building. Two bids were received to provide demolition services. Trustee Vogeler asked for direction from the Board on whether they are willing to spend approximately \$10,000.00 to demolish that building. The Board agreed.

VILLAGE ENGINEER

President Yeaton stated that the Riverwalk annual association meeting was held on November 7, 2019. They turned the rills on and intended to run it until the end of the month. President Yeaton

contacted Manhard Engineering. Their permit for clean-out was issued specifically if they did not turn the water on. The 14-point process to permit, including waiver of liability to the Village was not followed. It was suggested that prior to red-tagging a dye test be performed. Manhard suggested the idea to the Riverwalk board and they rejected the idea. President Yeaton stated that 2 tests would be needed. One with the rill on the other with it off. It may be too cold and have to wait until spring.

ADMINISTRATION

Donna Erfort stated that the September Board minutes would be on the December agenda. Trustee Vogeler motioned to approve the 2020 calendar for meetings. Trustee Grothendick seconded. Roll call was taken: 4 Ayes, 0 Nays, 2 Absent. Motion approved.

PBWWC

President Yeaton stated she would attend a Fox River flood control meeting.

VILLAGE PRESIDENT

President Yeaton gave disaster plans from FEMA to Trustee Grothendick. President Yeaton attended the Safer Lake County meeting regarding sex trafficking and domestic abuse and also the Lake County transport meeting where grant money was discussed. There is \$190 Million grant money in Lake County. \$30 million will be used to improve route 120. President Yeaton recommended annual reviews for employees and Trustees and in creating an employee handbook. The handbook would be given to Jim Bateman and then reviewed by the Board to approve.

OLD/NEW

Trustee Grothendick stated that a monitor was installed on the siren and it sends texts for low voltage on the battery.

The meeting was open to the floor at 9:03pm.

Dave Nelson of 222 Eastwood Avenue had composed a list of questions for the Board relative to a letter that was sent regarding parking on Eastwood. A request was made for a barricade at the end of Eastwood at the river. Three passes were issued per home for parking and he requested that be waived. The residents don't want a placard with their address posted for perceived safety and security reasons. Residents wanted to know if the Village would plow those parking spaces and also mow the grass nearby. The Board addressed all the questions. The residents were

concerned about resale value of their homes if limited to 3 parking spaces. President Yeaton stated that it is an accommodation to allow parking on Village right-of-way. Those homes that do not have a driveway never did have parking available so no depletion of home value could occur. Trustee Vogeler stated that having a marked parking space causes no security risk greater than when a resident with a driveway is not parked in the driveway. Jim Bateman stated that the Village is trying to resolve the issue of homes with no parking available by allowing designated parking on the street.

Trustee Thomasson motioned to adjourn. Trustee Vogeler seconded. Roll call was taken; 4 Ayes, 0 Nays, 2 Absent. Motion approved. The meeting was adjourned at 9:55 pm.

Respectfully Submitted,

Nancy Bachal, Village Clerk

AYES 5

NAYS 0

ABSENT 1 -Thomasson

ABSTAIN 0

APPROVED December 18, 2019