

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

February 19, 2020

President Yeaton called the order the regularly scheduled Meeting of the Board of Trustees at 7:03 p.m. The following Trustees were present: Grothendick, Corrigan, Vogeler, Thomasson, Herstedt and Cillo . Village Clerk Bachal was absent. Jim Bateman, Village Attorney and Deputy Clerk Schroeder were 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 Corrigan seconded and the motion was approved unanimously.***

President Yeaton noted that the January 2020 Treasurer's Report was not included on the Consent Agenda. ***Trustee Corrigan motioned to approve the consent agenda that included the minutes of the January 15, 2020 Regular Board Meeting. Trustee Cillo seconded. Roll call was taken: 6 Ayes, 0 Nays. Motion was approved.***

President Yeaton asked the Board to move the Bills Payable through February 19, 2020. ***Trustee Vogeler motioned to approve the bills payable and it was seconded by Trustee Grothendick. The Bills Payable were approved by roll call vote. Upon roll call, the vote was 6 Ayes, 0 Nays. Motion approved.***

President Yeaton explained the Resolution 2020-224 Regarding Closed Meeting Minutes and Audio Recordings. Trustee Vogeler asked if the Resolution lists a running total of executive meeting minutes. Attorney Bateman explained that the Resolution shows the accumulated meeting minutes that have not yet been approved to be released for the public. Attorney Bateman noted that in general he does not recommend releasing any of the closed session minutes. The Attorney General is only concerned that the Village review the closed session minutes twice a year to revisit any issue. Trustee Vogeler asked why there is not recent audio listed for destruction. Attorney Bateman explained that audio recording is required to be held for 18 months prior to destruction. The Village has the authority to destroy automatically after 18 months unlike getting approved for destruction from the State.

Trustee Vogeler motioned to approve Resolution No. 2020-224 A Resolution Regarding Closed Meeting Minutes and Audio Recordings. Trustee Thomasson seconded. Roll Call was taken: 6 Ayes, 0 Nays. Motion Carried.

STREETS AND ROADS

➤ Project Updates

Trustee Thomasson stated that the new radar sign was installed and working at its current location. Public Works Director Rusty Issleb indicated that two batteries and brackets were purchased. Trustee Vogeler asked if the data has been obtained. Rusty explained that it has not at this time. Trustee Herstedt asked where the 20 mph speed limit ends in terms of the sign location. President Yeaton explained that limit ends at Geraldine (Village limit), which is 5 feet from the street sign, 500 feet after the speed limit sign.

HEALTH AND SAFETY

➤ Radio purchase

Two hand radios were purchased for the use of emergency situations until a further emergency plan is drafted.

➤ Disaster Planning

Trustee Grothendick composed an article for the next Village newsletter regarding disaster planning.

➤ FREP Noon Network recap

Trustee Grothendick, Administrator Erfort, and Waterway Commissioner Jody Thelin attended the FREP Noon Network meeting in Geneva, Illinois. Trustee Grothendick recapped the event which included various beneficial programs. Waterway Commissioner Thelin stated that the meeting was very interesting and noted there were four speakers.

➤ Common Ed Public Safety Grant

Trustee Grothendick will be meeting with Trustee Cillo and Admin Erfort Donna on the 27th to discuss.

POLICE/CIVIL DEFENSE

➤ Report, Ordinance Violations & Scheduling

There was nothing to report on ordinance violations. Trustee Herstedt noted that scheduling is ongoing with potential additional hours to be set in March.

➤ Code Enforcement

President Yeaton provided an update on Code Enforcement since she attended the adjudication hearings. Yeaton noted that the adjudication went well. Individuals did not show up for any of the citations.

➤ Answer to Wauconda PD quote

Trustee Herstedt pointed out the Village received the quote from the police and that President Yeaton wrote a reply letter to the Wauconda Police Chief asking to hold the quote until budget discussion and waiting for a reply. We are asking for seasonal additional Code Enforcement hours starting in April up to 16 hours. President Yeaton requested to keep the quote open for one year since currently it's not feasible at this time

and in the meantime the season coverage to start April 1st. Trustee Herstedt noted that the additional hours are not in lieu of the 24/7 coverage.

Trustee Corrigan questioned that 911 dispatch calls are not included. Trustee Herstedt noted that dispatch is a per call cost. There was general discussion regarding how many dispatch calls would be quoted for the village. President Yeaton noted the average between the two counties is approximately 600 calls per year per the police chief for all calls for dispatch service. There may be a per call ratio, not sure at this time. Attorney Bateman noted that Wauconda may have a flat rate per call. Trustee Corrigan asked if there would be increased hours for both Lake and McHenry police and if they would be receptive. Trustee Herstedt replied that he does not know as of yet.

PARKS AND BEACHES

➤ Project Updates

“It’s Our Fox River Day” Proclamation

Trustee Cillo acknowledged the Village will recognize the third Saturday of September each year as “It’s Our Fox River Day”.

The Boy Scouts expressed an interest in using Fox River Trail Park to do archery on a Saturday or Sunday (March 7th or March 8th). The LYAA use that park and she expressed safety concern with overlapping the use of the park especially with archery. President Yeaton noted there will be no overlapping events allowed for the park use.

FORESTRY

➤ Tree Maintenance

There was a tree removal at Beach Park.

➤ Tree City USA update

The Village was approved for Tree City USA.

FINANCE

➤ Budget Meetings

The budget was distributed to the Board and Trustee Corrigan was available for questions. Trustee Grothendick’s budget meeting is scheduled for Wednesday, February 26, 2020 at 7:00 p.m. Village Hall. Any questions regarding budgeting should be directed to Trustee Corrigan.

➤ Fillable Forms

Trustee Corrigan will get the software next week to create fillable forms of all of the village forms. The fillable forms will be available on the Village website as soon as they are created. President Yeaton indicated that Village IT can scan the liquor license forms to put posted on the village website and create a password for liquor license holders to use at the time of renewal. The liquor license renewal packets need to be available by March 15th.

BUILDING AND ZONING

- Ordinance: ComEd Easement Approval
Trustee Vogeler motioned to approve Ordinance #2020-2-1 ComEd Easement agreement. Trustee Cillo seconded. Roll call was taken: 6 Ayes, 0 Nays. The motion was approved.

Trustee Vogeler briefly explained the proposed ordinance.

- CRS/Flood Mitigation
Trustee Vogeler stated that he and Administrator Erfort prepared several mailings of informational material to residents on Park Drive and Eastwood Avenue regarding FEMA and flooding information.

President Yeaton pointed out that Administrator Erfort continues to prepare information for the CRS (Community Rating System). An extension was requested until March 24 to complete the application process.

VILLAGE ATTORNEY UPDATES

- An Ordinance Amending the Port Barrington Code of Ordinance (Re: Title V, “Public Works”, Amendments to Chapter 50, “Stormwater Discharges”) review and possible passing for moratorium.

Attorney Bateman explained the purpose of the draft ordinance. The original draft was created in 2018 and a couple of revisions were made. President Yeaton further explained the premise of the presented draft ordinance. President Yeaton explained that Village Engineer supports an ordinance/moratorium on the pumping of water into the rill system suggesting an inclusion of an exception that the pumps can be operated to fill the rill system (from a water source not treated with the dying agent) as necessary to perform the proposed dye tracing. Further, the moratorium will be necessary to alleviate the possibility of cross contamination of testing agents between the rill system and pond.

President Yeaton referenced the proposal P3388 from ILM dated 2/17/2020 for consulting services for dye tracing and testing. The preliminary fieldwork to be performed on the Brighton Circle rill site; dye trace to be performed on the Brighton Circle rill/Dog Leg pond and 8 week monitoring of 10 houses that were previously affected by the pond dye.

The Village Board discussed this matter at length. Trustee Corrigan questioned if the Village Engineer initiated the need for a moratorium. President Yeaton explained that the Village Engineer asked for an exception to the moratorium to allow the village to pump water into the rill system in order to perform the proposed dye tracing. And adding sandbags to alleviate the possibility of cross-contamination of testing agents between the rill system and pond.

President Yeaton noted that the testing would need to be performed after the spring rains at the end of the May/June depending on the weather per the recommendation from ILM. President Yeaton explained the proposed dye tracing process as performed by ILM noted in the proposal.

President Yeaton noted that Village Engineer has contacted the Riverwalk HOA regarding the proposal from ILM. Village Engineer is waiting to hear back for HOA to discuss this proposal.

Trustee Vogeler expressed his concerns that he has not seen any information from Village Engineer indicating problems with the rills, therefore he doesn't support any changes to the ordinance. Trustee Vogeler asked for a presentation from the Village Engineer and Riverwalk HOE President before to the Village Board. President Yeaton explained that she recently received the recommendation from the Village Engineer and proposal from ILM.

Trustee Vogeler expressed his concerns with the proposed changes to the ordinance. It was pointed out that the Village President was directed at a previous meeting to get the Board's approval before directing Village Attorney to prepare and/or amend ordinances. He reiterated that there be village discussion prior to the Village President giving any instructions to the village attorney to make any changes to the ordinance.

President Yeaton explained the presented proposed changes were made to an existing ordinance to give the Board the opportunity to discuss and/or approve.

Trustee Grothendick motioned that approval by the Board must be given prior to the writing of any ordinance, including origination, modification, amendments, or moratorium.

Trustee Vogeler seconded. Roll Call was called. 5 Ayes and 1 Nay. The motion was approved.

President Yeaton asked how to veto a vote. She further questioned since this matter was not on the agenda, technically it does not count. No response was given.

Trustee Cillo noted that this draft ordinance was discussed prior.

President Yeaton explained her position with running the village board, and needs to have the ability to direct the village attorney to prepare documents.

Trustee Corrigan expressed his concerns with the proposed ordinance changes was not what the board passed. It was pointed out that this ordinance is a draft and was not previously approved. The presented draft ordinance shows two amendments from the original draft. Trustee Corrigan the presented draft ordinance does not include the previous changes and the village board is being asked to consider approval. President Yeaton explained that the draft ordinance is for discussion, the Attorney hasn't edited it and just added the amendments.

Trustee Grothendick explained that he would rather have discussion instead of being presented with a draft for consideration of approval.

President Yeaton noted that the draft was for discussion and proposal was just received for the village board to review.

Trustee Vogeler motioned that the current ordinance presented is considered for approval with no changes. Trustee Corrigan seconded. Roll call was taken: 5 Ayes, 1 Nay. The motion was approved.

Attorney Bateman explained the format of any changes made to ordinances. This draft was from 2018 and showed two amendments based on the village engineer recommendation.

Discussion ensued regarding the process to present draft and/or amended ordinances to the village board.

President Yeaton asked for a motion as follows:

Trustee Vogeler motioned if an engineer finds definitive proof/ issues with the rill system that effect the health and safety of the residents of Riverwalk Subdivision, that the village board will revisit the proposed moratorium / amendments to the draft ordinance. Trustee Herstedt seconded. Roll Call was called. 6 Ayes, 0 Nays. The motion was approved.

There was discussion regarding quick claim deed for 15 Eastwood Court per Building Inspector Frank Desort email. Attorney Bateman addressed the question and noted that he would follow up with an email to the drafter of the agreement.

VILLAGE ENGINEER UPDATE

➤ ILM Proposal

President Yeaton briefed on the proposed ILM quote for the dye trace and testing for Brighton Circle. Village Engineer will be contacting the Riverwalk HOA President to

discuss the proposal and how to move forward. It was President Yeaton's understanding that the Village Engineer and HOA Engineer were meeting to discuss how to proceed with the ILM quote. Trustee Corrigan asked the locations of the testing. President Yeaton explained the locations.

President Yeaton addressed questions regarding the dye testing process/procedures.

Trustee Herstedt asked for a presentation with the engineers and ILM. Trustee Corrigan noted that the presentation should be included in the proposal price. Trustee Grothendick asks for a presentation with the engineers to ask them questions regarding the process.

President Yeaton noted that after the engineer discussion and/or potential amendments to the proposal will be presented to the village board.

➤ Watershed Enforcement

President Yeaton provided an update on five watershed violations on Eastwood per the village engineer. The cost of each violation is \$500 per day per violation. A 5-day warning will be issued. After the 5 days, Wauconda will issue violation at \$500 per day. A copy of the memo from village engineer will be sent to the owner of the property to fix the violations. Wauconda is also putting warnings that are red tagged in the village but the red tags keep being removed. Wauconda is putting a tag indicating there is a \$500 per day fine for removing the red tag. The house red tagged is being removed to show potential homebuyers. Building inspector will post over the red tag so it can't be removed. A history of the violations will be documented. Legal procedures will be pursued on those properties if required. Attorney Bateman explained the process to move forward to clean up these properties. President Yeaton noted that the process is to have the properties be brought into compliance, not about the revenue. President Yeaton expressed concern of village violations with FEMA. Attorney Bateman explained the violation process regarding the judgement of fines. Trustee Thomasson suggested using tape to adhere the red tags on the property.

ADMINISTRATIVE UPDATES

➤ Clerk

It was noted that the Clerk was absent due to business trip and Deputy Clerk Schroeder was present on her behalf.

➤ Treasurer/Administration

Administrator Erfort was absent this evening. President Yeaton pointed out that the Treasurer's Report was not completed, therefore would be put on the next meeting agenda.

➤ GATA revision

- IAFSM Conference 2020
The Conference is in March 11th and 12th 2020. Administrator Erfort will be attending.
- Fox River Summit 2020
The Summit is on March 26th. Administrator Erfort will be attending.
- Public Works Director
A robot vacuum will be purchased for the village hall hard wood floors.

HOA REPORTS

Nothing to report

PLANNING COMMISSION

Deputy Clerk Schroeder noted that a public hearing is scheduled for Tuesday, March 10th at 8:00 p.m. to consider amendments to Chapter 154 Zoning Code.

Positions for Chairman and three commissioners term expire on 4/31/20.

PORT BARRINGTON WATERWAY COMMISSION

Waterway Commissioner Jody Thelen provided an update on the Bee City USA application process which includes drafting a Resolution to be approved by the Village Board.

Commissioner Thelen is waiting for a return call from a goat company to get information about using goats for vegetation management for the island property. The goats would be retained in a fence and a herding dog is also included. Thelen will keep the Board updated as information is available.

PORT BARRINGTON ERT

A Chair is needed for ERT.

VILLAGE PRESIDENT REPORT

- Special Event Permit – Final Draft
Trustee Vogeler noted a few changes to be incorporated into the final draft. The changes will be made and the form will be available on the village website.
- Employee Handbook Update
Trustee Herdstedt reported the project is still in the progress.
- Bee City Designation
Jody Thelen reported that the Village will be applying for a Bee City Designation. A resolution will be drafted to recognize the designation. Other projects include finishing the rain garden, planting bee friendly plantings. More information regarding where to get bee friendly plants will be made available to the public as it becomes available. The Bee City committee needs to be established including Trustee Grothendick, and Administrator

Donna Erfort.

- ComEd Pollinator Grant
Waterway Commissioner Jody Thelen, Trustee Grothendick and Administrator Erfort are meeting March 15th to discuss this project.
- Miscellaneous

OLD BUSINESS/NEW BUSINESS

President Yeaton asked Trustee Grothendick if there was any response from the letters sent out to the residents housing chickens. There was a deadline to return the chicken form and a follow up would be necessary for those that didn't return the form.

Upon review of the existing agreement with Prairie Land, Trustee Grothendick pointed out that there is a provision in the existing agreement for a five year extension for services, therefore a bid will not be necessary for this waste service. Attorney Bateman pointed out that it is a policy decision to except the extension. Trustee Corrigan suggested exploring Options A&B as presented by Prairieland. President Yeaton suggested discussing the options in a committee meeting.

Trustee Herstedt suggested budgeting \$150,000 from the State Capital fund for a new village garage. Trustee Corrigan noted that there is a list projects for that fund. Trustee Vogeler suggested budgeting \$100,000 and then reevaluate at the end of the budget for this item.

Trustee Herstedt suggesting increasing the budget for Parks& Beaches since the village does not have a park district and recommended updating playground equipment. Trustee Cillo noted that Berk's equipment is having an anniversary sale and one set costs approximately \$35,000.

OPEN TO FLOOR

The meeting was open to the public at 9:29 p.m.

Resident Jody Thelen asked if the village had information for residents in the floodway and flood plain to improve and/or keep their property in compliance. Jody suggested putting information in the village newsletter.

Resident Ron Thelen inquired about the speed limit on Center street.

MOTION TO ADJOURN

Trustee Corrigan motioned to adjourn. Trustee Thomasson seconded. Roll call was taken: 6 Ayes, 0 Nays, Motion Carried. The meeting was adjourned at 9:34 p.m.

Respectfully Submitted,

Elizabeth Schroeder, Village Deputy Clerk