

Minutes of the meeting of the
South Barrington Public Safety Committee
Thursday, July 29 2010

Chairman Abbate called the Public Safety Committee meeting to order at 7:20pm. Present: Trustee Joe Abbate, Trustee Paula McCombie, Chief Mike Deegan. Absent: Trustee Steve Guranovich.

Also present: Deputy Chief Ray Cordell, Village President Frank Munao, and several residents from the Regency subdivision.

Roll Call was taken. A quorum was present.

Approval of Minutes. Trustee McCombie motioned to accept the minutes of the July 1, 2010 minutes as written. Seconded by Trustee Abbate, the motion carried by voice vote.

Old Business

Golf Carts on Village Roads. Chairman Abbate welcomed guests from the Regency subdivision and briefed them on the discussion about golf carts and low speed vehicles on Village roadways that took place at the last Public Safety Committee meeting as well as the proposed ordinance to prohibit them on Village property that originated in committee. At the last meeting, the police department reported that they have had complaints from residents, particularly from the Regency neighborhood, of individuals riding golf carts through the neighborhood and on walking paths. The Committee discussed at length the problems being caused by the golf cart usage including trespassing issues, safety concerns and damage being done to the landscape and pathways when the carts are driven off the road. The Committee contacted the Village Attorney to draft an ordinance that prohibits golf carts on Village roadways. That ordinance was proposed to the full Village Board of Trustees at their July meeting. The draft ordinance was then sent back to committee for further discussion and recommendations.

Trustee Abbate then opened the meeting to audience members and invited them to participate in the discussion.

Chief Deegan explained the difference between a golf cart and a low speed vehicle. He stated that a golf cart does not meet the statutory requirements to be permitted on the roadway. Low speed vehicles, however, are legal on roadways whose speed limit is 30 mph or under and may cross roadways whose speed limit is 45 mph or under. A low speed vehicle is able to travel at maximum speeds of 20-25 mph. They are registered and insured and possess many of the safety features of an automobile such as break lights, seat belts, etc. The chief informed the audience that he and Trustee Abbate have met with several owners of the vehicles and had a discussion about their use in the Village.

Mr. Al Saller addressed the Committee on behalf of the residents of the Regency. He stated his concerns about safety issues and the damage to the private property in the regency that has been caused by the vehicles. He stated that his interest is not in

prohibiting residents from driving the vehicles in a safe and legal manner, but primarily wanted to communicate that the Regency is a private, gated community and that Regency residents wanted it to remain that way. He shared with the committee several pictures that he took of non-Regency residents on golf carts and low speed vehicles traveling through his subdivision. He stated that on numerous occasions he and others have observed residents from the Woods travel through the Regency neighborhoods en route to the Arboretum. They have also been observed traveling through South Barrington Park District property.

Mr. Saller noted that the homeowner's agreement between the Woods and the Regency stated that Woods residents do not have permission to cut through the gated Regency neighborhoods.

Village President Munao stated that he has reservations about authorizing the use of golf carts and low speed vehicles on Village property. He stated that residents from the Regency have made their opinions clear but that he has not heard from residents from any other subdivisions. Also, President Munao contacted the Village's insurance carrier to inquire about the liability to the Village should they pass an ordinance allowing golf carts on Village property and they have not given him definitive answer.

Trustee Abbate related the argument from the perspective of the low speed vehicle owners. He and Chief Deegan met with them earlier in the week and they asserted that they have a lot of money invested in the vehicles. Trustee Abbate stated that each vehicle he inspected was licensed and insured and appeared to be well constructed including safety belts. Residents use them primarily to travel to the Arboretum shopping center. Resident Larry Garifo questioned how the vehicles can travel from the Woods subdivision to the Arboretum without breaking the law. They either have to travel through Park District property which is trespassing or else on Bartlett Road which exceeds the 30 mph speed limit requirement by Illinois statute. He stated that the issue at hand is the legal use of low speed vehicles and the problem is the many owner who violate the law. Resident Jean Saller stated that she observed a woman with four children riding in the vehicle without seat belts. Resident Iris Kerman also stated that she observed non-resident occupied vehicles trespassing in the Regency.

Trustee McCombie stated that there is an enforcement issue that may preclude a banning of the vehicles issue. She referred to Section B (2) of the proposed ordinance which allows individual residents to appeal in writing to the homeowner's association for permission to use golf carts or low speed vehicles in the subdivision. She suggested that it would be more efficient and fair to let the homeowner's association decide for all residents and guests whether or not the vehicles are allowed in their respective subdivision property and outlots.

Trustee McCombie questioned Regency residents on how the Village police department can enforce the traffic laws on the private roadways without a traffic enforcement agreement with the Regency. Currently, the Village does not have an enforcement agreement with the Regency Homeowner's Association. Mr. Saller stated that the

agreement has not yet been signed because the Homeowner's Association Board wants to poll its residents before signing an agreement.

The Committee discussed the walking paths that have been constructed. The paths are narrow—8 feet wide--and not structurally engineered to withhold repeated vehicle use. Resident Jan Mauer stated that the paths are too narrow to accommodate the vehicles and pedestrians. Resident Janet Hogleund questioned that if low speed vehicles are licensed and registered like automobiles, how could they be allowed on the walking paths since cars are not authorized on the paths.

Trustee Abbate thanked residents for identifying their concerns for the Committee. He recommended that the proposed Village ordinance be sent back to legal for further review. Trustee McCombie motioned that the proposed ordinance regarding golf carts and low speed vehicles on Village property be sent back to the Village Attorney to restrict their use from walking paths and address the issues specific to low speed vehicles. Seconded by Trustee Abbate, the motion carried by voice vote.

New Business

There was no new business.

Trustee McCombie motioned to adjourn the meeting. Trustee Abbate seconded; motion carried by voice vote. The meeting adjourned 8:15 pm.

The minutes of the July 29, 2010 Public Safety Committee are respectfully submitted by Recording Secretary Mary Lampugnano.

Approved on _____, 2010