

Village of Deer Park
Regular Board of Trustees Meeting Minutes
December 17, 2007

1) PLEDGE OF ALLEGIANCE AND CALL TO ORDER

The regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, December 17, 2007 at Vehe Barn, 23570 W. Cuba Road, in the Village of Deer Park, in the counties of Lake and Cook, Illinois. President Gifford called the meeting to order at 7:00 p.m. Village officials and guests recited the Pledge of Allegiance.

2) ROLL CALL AND DETERMINATION OF A QUORUM

Upon roll call, the following were present: President Gifford, Trustees Pratscher, Rotter, Thrun, and Kellermann. The following Village officials were absent: Trustees Plautz (*arrived at 7:05pm*) and Kizior (*arrived at 7:10pm*). Other Village officials present were Administrator Connors, Clerk Meyle, Treasurer Stade, and Attorney Keller. President Gifford stated there is a quorum.

Also present was the Kildeer Police Chief, Jeff Lilly; the Barrington Police Chief Jeff Lawler; and Barrington Area Council of Governments (BACOG) Director, Janet Agnoletti.

3) APPROVAL OF AGENDA

President Gifford requested that the Board amend the agenda by moving item 10G, Trustee Thrun's report on Public Safety, up on the agenda to follow item 5, Public Comments.

MOTION: by Trustee Pratscher to approve the agenda as amended. Upon voice vote: YES: (4) / NO: (0) / ABSENT: (0).
Motion carried 4/0

4) APPROVAL AND RELEASE OF MINUTES

MOTION: by Trustee Pratscher to approve and release the minutes from the Board of Trustees Regular Meeting held November 19, 2007. Upon voice vote: YES: (4) / NO: (0) / ABSENT: (0).
Motion carried 4/0

5) PUBLIC COMMENTS

Matthew Meyle of Deer Park, Timothy Meyle of Deer Park, Teddy Noll of Deer Park, David Crisler of Lake Zurich, and Savannah Schuster of Kildeer, members of the Lego Gem Miners Robotics Team and students in Lake Zurich School District #95, addressed the Board regarding the energy audit they had performed on the Village Hall Farm House.

Pat Winkelman of 21540 Inglenook Lane addressed the Board regarding the community service project completed by Brian Toczyski, Boy Scout and Deer Park resident; the project was the moving of the Quay family farm pillars from their Rand Road location to the Vehe Farm.

Deborah Barry of 412 Bramble Lane addressed the Board regarding the Board's consideration of the renewing of the Vehe Farm Foundation contract.

Al Barry of 412 Bramble Lane addressed the Board regarding the Board's consideration of a police service contract with either the Village of Kildeer or the Village of Barrington.

Mary Lahr of 201 Rue Touraine addressed the Board regarding the lighting and safety of the Vehe Farm parking lot as well as the marking of the entrance to the Vehe property off of Cuba Road as it is difficult to see in the dark.

Richard Chay of 408 Bramble Lane addressed the Board regarding the Vehe Farm Barn.

10G) TRUSTEE THRUN'S REPORT – PUBLIC SAFETY

Trustee Thrun reported that two village's, Barrington and Kildeer, have bid on the police service contract with the Village and that both villages have had the opportunity to present their proposals to the Board at special meetings. Trustee Thrun thanked both villages for their efforts. Trustee Thrun gave the Board one final opportunity to ask questions before he made his recommendation. The Board asked the police chiefs of Barrington and Kildeer questions which resulted in the following points being made:

- ◆ With regard to pension liability (true-up) referred to in the proposals, both villages agree that if the pension fund line item increases to cause the actual Deer Park cost in total to exceed the budgeted cost, Deer Park's liability would be to compensate the village for either the overage amount in the pension line item, or an amount that would bring the total costs back to the total budgeted amount, whichever is lower.
- ◆ The concern with the pension fund is that its funding is regulated by the state of Illinois and the state could mandate an increase in pension funding that would be out of the control of any municipality.
- ◆ Barrington uses Round Lake Beach's dispatch service; Barrington would cover the cost of moving Deer Park to the Round Lake Beach dispatch service.

- ◆ With regard to the coverage proposed by each village, Barrington proposes one officer to cover the eastern part of Deer Park and a shared officer to cover the western part of Deer Park and the shared border with Barrington; and Kildeer proposes one officer to cover Deer Park and one officer to cover the shared Rand corridor. Therefore, both Barrington and Kildeer are proposing a minimum of 1.5 officers dedicated to Deer Park.
- ◆ The administrative fee proposed by Kildeer covers part of the police chief's salary, part of the village administrator's salary, and part of each command officer's salary; these positions supervise the patrol officers.
- ◆ The Board would like to have more communication with their police service provider by receiving more detailed reports and having the police chief attend at least every other Board meeting. Both Barrington and Kildeer were open to this arrangement.
- ◆ Barrington does not have Global Positioning Systems (GPS) in their patrol cars. Kildeer recently received a grant award to have GPS installed in their patrol cars.
- ◆ Barrington and Kildeer do not charge residents for any service except fines for violations as they are imposed by Deer Park ordinance.
- ◆ Kildeer is willing to put the same clause as Barrington in their contract with regard to the options available to Deer Park if Kildeer's costs go beyond a 5% increase after the fifth year.
- ◆ Kildeer removed the fuel escalator line item from its proposal.
- ◆ Both villages estimated from 3-4 STEPs in Deer Park per day (90-120 per month). Barrington's STEP locations and times are determined according to resident input.
- ◆ Deer Park zoning maps show which Rand Road intersections belong to Kildeer and which belong to Deer Park.
- ◆ With regard to jurisdiction, police officers serve the needs of the citizens in need before questioning the jurisdiction of the incident.
- ◆ Barrington is represented by the Fraternal Order of Police (FOP). Kildeer does not have a collective bargaining agreement; they have an informal group of officers that represent them.
- ◆ Kildeer would like to maintain some management rights with regard to the time, day, and location of STEPs within the Village; if there was an identifiable issue they are open to Board input. Barrington regularly determines its STEPs according to resident input and is open to input from the Board as well.
- ◆ Attorney Keller confirmed that there is expressed statutory authority for the red light enforcement camera program and stated that he is not aware of any significant legal challenge or issue with the program.

Trustee Thrun stated that based on our existing relationship, the importance of the Rand Road corridor, and the proximity of the police force and station, he recommends that the Board authorize the Village Attorney to draft a contract for police service with the Village of Kildeer.

Trustee Rotter requested that attendance at a minimum of every other Board meeting by the Police Chief be worked into the contract, and he expressed concern that Kildeer may have cut their proposal back so much that they will not be able to provide the level of service Deer Park is accustomed to.

Trustee Pratscher recommended the use of a public service officer in Deer Park as an option to manage costs; a public service officer could handle calls that do not require a sworn officer such as lock outs.

MOTION: by Trustee Thrun to authorize the Village Attorney to draft a contract to continue police service with the Village of Kildeer. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Kellermann and Rotter / ABSENT: (0).
Motion carried 4/2

President Gifford asked the Board if they would agree to move item 7, the BACOG presentation, up on the agenda. The Board concurred.

7) PRESENTATION OF PROPOSED BACOG 2008 LEGISLATIVE PLATFORM

Janet Agnoletti presented the proposed BACOG 2008 legislative platform to the Board.

MOTION: by Trustee Kizior to approve the proposed Barrington Area Council of Governments 2008 legislative platform. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).
Motion carried 6/0

6) VEHE FARM FOUNDATION UPDATE

A. Vehe Foundation President, Pat Winkelman updated the Board regarding the following items as they pertain to the Vehe Foundation and the progress that is being made on the Vehe Barn:

- The windmill has been installed on the farm property. The Foundation was able to purchase and install the windmill with private donations.

- The tree saplings have been marked so they are not damaged during tree maintenance. The Foundation recommended that only trees in imminent danger be removed. Once the tree maintenance is complete, the Foundation would like to be notified so the markings can be removed to prevent strangulation of the trees.
- The feedback received from the Chapel Hill Holiday party was very positive. Tours of the barn were provided by Teri Bridge and Pat Winkelman during the event.
- The Foundation completed its due diligence regarding the Barn's information technology and this line item has been handed off to the Village.
- A group of area Girl Scouts is finishing the text for a pamphlet regarding animal footprints. The scouts will be making animal footprint molds to go along with the pamphlet. The project will be part of the Chicago Wilderness "No Child left Inside" program.
- Foundation members will be attending the Volo Bog Leave No Child Inside Round Table Forum on Saturday, February 9th from 9:30am-4:00pm.
- The hay bales from the anniversary event were donated to Harp's (a hooved animal rescue site). Donna Ewing, owner of Harp's, was very grateful for the hay since hay is at a premium and her supply was quite low.

B. Teri Bridge, Vehe Foundation Vice President, presented a revised agreement prepared by the Foundation and requested that the Board approve the revision and enter into an agreement with the Vehe Farm Foundation for another five year period. At the conclusion of the presentation Trustee Kellermann expressed that he would like to extend the consideration of the agreement with the Vehe Foundation until February; a discussion ensued with the following points being made:

- The Village Board never intended to preserve the Barn as a national historic site that would qualify through the National Historic Society; the intention was to maintain the integrity of the history of the barn while adapting it for modern use.
- The Foundation is not in charge of the construction of the Barn, and they do not make decisions with regard to the construction of the Barn such as hiring contractors. The Village Board is responsible for the construction of the Barn and all of the decisions pertaining to it.
- Jim Peterson is the architect and project manager for the Vehe project. The Board hired him as the architect and project manager. Jim Peterson is a member of the Vehe Foundation, but the intention in hiring him was not to give the Vehe Foundation control or decision making rights to the Vehe project.
- The Foundation is requesting that the Village Board renew their agreement with the Foundation for a period of five years. The renewing of the agreement does not involve a commitment of money by the Village Board beyond covering the cost of the Foundation's insurance, accounting, and legal fees.
- The Foundation has not received any money from the Village Board for the last two budget cycles, other than minor reimbursements; the Foundation has maintained enough of the initial seed money the Village gave them to cover their insurance costs, accounting expenses, and legal fees for those years.
- It is the Foundation's intent for most of its projects and goals to be accomplished through volunteerism, partnerships, grants, fundraising, and private donations. It is up to the Board to decide which projects, if any, they feel are appropriate to fund with public dollars.
- As a part of the Village's budget preparation process, the Foundation will present a selection of projects it feels would be appropriate for the Village to pursue along with cost estimates for those projects. At that time, the Board may choose whether or not to include those items in the budget.
- The Foundation has added a commitment to their proposed agreement which states that they will report their prior month's expenditure of Village dollars to the Board each month; this report will include the payee name, check amount, and reason for the expense.
- With regard to the Vehe outbuildings, it is the opinion of the Foundation that those buildings should be completed with private dollars, but the final decision regarding the outbuildings is the Board's.
- The Foundation feels that it is important that it maintain its status as a 501(c)3 organization rather than becoming a board similar to the Plan Commission or Zoning Board because the kinds of grants, fundraising opportunities, and private donations available to it would be limited if it was an entity of the Village.
- The Foundation's sole purpose is to serve the Village as the steward of the Vehe Farm; they only thing they ask of the Village in return is that the Village agree to cover the cost of the Foundation's insurance, accounting, and legal fees. It is the hope of the Foundation that the contributions it makes to the Village outweigh the cost of these items.
- The Village Office personnel are responsible for the operations of the Barn facility.

MOTION: by Trustee Pratscher to authorize the Village Attorney to draft the five-year extension of the Village's agreement with the Vehe Farm Foundation. Upon voice vote: YES: (5) / NO: (1) / ABSENT: (0). Motion carried 5/1

C. Jim Peterson was not present at the meeting, but he submitted a report on the status of the completion of the Barn and recommended that the final invoice received from ACM Elevator in the amount of \$835.00 be paid upon receipt of a final waiver of lien.

MOTION: by Trustee Thrun to approve the payment to ACM Elevator in the amount of \$835.00. Upon roll call: YES: (5) Kizior, Plautz, Pratscher, Rotter, and Thrun / NO: (1) Kellermann / ABSENT: (0). Motion carried 5/1

7) PRESENTATION OF PROPOSED BACOG 2008 LEGISLATIVE PLATFORM - Addressed earlier in the agenda.

8) VILLAGE ENGINEER – REPORT AND RECOMMENDATIONS

A. Per the Village Engineer's report, he recommends that the Board make the final payment to Chicagoland Paving Contractors, Inc. for the Vehe parking lot improvements in the amount of \$5,603.00.

MOTION: by Trustee Pratscher to approve the final payment to Chicagoland Paving Contractors, Inc. for the Vehe parking lot improvements in the amount of \$5,603.00. Upon roll call: YES: (6) Kizior, Plautz, Pratscher, Rotter, Kellermann, and Thrun / NO: (0) Kellermann / ABSENT: (0). Motion carried 6/0

B. Per the Village Engineer's report, he recommends that the Board reduce the Letter of Credit for the Foxridge Subdivision to \$15,000.

Treasurer Stade confirmed that a separate bond is being held by the Village for the sidewalk the Foxridge developer is to install to the Isaac Fox Elementary School and Lake Zurich Middle School South.

MOTION: by Trustee Thrun to approve the reduction of the Letter of Credit for the Foxridge Subdivision contingent on the Village Treasurer confirming that the Village holds a bond of at least \$5,000 for the sidewalk to the schools. Upon roll call: YES: (6) Kizior, Plautz, Pratscher, Rotter, Kellermann, and Thrun / NO: (0) / ABSENT: (0). Motion carried 6/0

C. Per the Village Engineer's report, he recommends payment to Berger Construction Inc. for the Lake Cook Road – Drantile Bypass Project in the amount of \$104,706.00. Engineer Gordon's report confirms that this project is being funded entirely from the Triangle's Special Service Area Project Fund.

MOTION: by Trustee Thrun to approve the payment to Berger Construction Inc. for the Lake Cook Road – Drantile Bypass Project in the amount of \$104,706.00 via the Triangle's Special Service Area Project Fund. Upon roll call: YES: (6) Kizior, Plautz, Pratscher, Rotter, Kellermann, and Thrun / NO: (0) / ABSENT: (0). Motion carried 6/0

9) VILLAGE ATTORNEY – REPORT AND RECOMMENDATIONS

A. Attorney Keller presented an ordinance establishing a cable/video service provider fee for the Board's consideration.

MOTION: by Trustee Thrun to approve the ordinance establishing a cable/video service provider fee. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

B. Attorney Keller presented an ordinance amending chapter 94 of the Municipal Code regarding standards for construction of facilities in public rights-of-way for the Board's consideration.

MOTION: by Trustee Kizior to approve the ordinance amending chapter 94 of the Municipal Code regarding standards for construction of facilities in public rights-of-way. Upon roll call: YES: (6) Kizior, Plautz, Pratscher, Rotter, Kellermann, and Thrun / NO: (0) / ABSENT: (0). Motion carried 6/0

MOTION: by Trustee Thrun to do a roll call vote with regard to approve the ordinance establishing a cable/video service provider fee. Upon roll call: YES: (6) Kizior, Plautz, Pratscher, Rotter, Kellermann, and Thrun / NO: (0) / ABSENT: (0). Motion carried 6/0

10) REPORTS FROM THE PRESIDENT, TRUSTEES, AND ADMINISTRATOR:

A) **President Gifford:** - No report.

B) Trustee Kellermann- Roads and Public Utilities:

i) Trustee Kellermann stated that the 2008 Road Program costs calculate to \$808,342.20, and he acknowledged that Trustee Kizior had recommended via email earlier in the week that he try to prioritize those projects to stay within a budget of \$500,000. Trustee Kizior stated that he had arrived at the \$500,000 amount after meeting with Administrator Connors and Treasurer Stade. Trustee Kellermann provided an email report from Engineer Gordon that detailed the priority projects he would recommend sending out to bid; those projects totaled \$501,000.

MOTION: by Trustee Kellermann to authorize the Village Engineer to take the projects prioritized for \$501,000 go out to bid in February 2008. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

President Gifford requested that the Board consider moving Administrator Connors' item 10Hiv up on the agenda as the meeting is running long and he would prefer not to detain the Lake Zurich Chamber of Commerce representative, Dale Perrin. The Board concurred.

Administrator Connors reported that the Lake Zurich Chamber of Commerce has requested that the Village donate the Vehe Barn meeting space for its six (bi-monthly) luncheon meetings; if approved, the Chamber would allow the Village to promote the renting of the facility at the meetings and include the Deer Park and Vehe Barn logo and website link on all of the lunch meeting promotional materials.

MOTION: by Trustee Rotter to approve the donation of the Vehe Barn meeting space to the Lake Zurich Chamber of Commerce for its six (bi-monthly) luncheon meetings for a one year trial period. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

ii) Trustee Kellermann presented a report from Jim Peterson which detailed the Vehe Farm status of the phase II interior building renovation.

C) Trustee Kizior—Finance:

i) Trustee Kizior presented the Motor Fuel Tax Revenue Analysis, Road Bridge Property Tax Revenue Analysis, Infrastructure Additions Analysis, Repair Maintenance Analysis, and Road Repair Analysis.

ii) Trustee Kizior stated that he would like each trustee to submit contributions for the 2008-2009 fiscal budget to Treasurer Stade in February so that she can develop a rough budget to be reviewed at the regular March Board meeting; he plans to schedule a special Board meeting in late March; the Board will vote on the 2008-2009 fiscal year budget at the regular Board meeting.

iii) Trustee Kizior presented the Civic System Budget and Installation Plan.

D) Trustee Plautz – Health & Sanitation:

Trustee Plautz reported on a request from SWALCO for an Operations and Maintenance Fee of \$1 per household to be collected by GROOT. GROOT does not want to collect the fee because they feel it will generate too many customer service phone calls questioning the fee.

The consensus of the Board was that Attorney Keller should review the agreement the Village has with SWALCO to determine what contractual obligation the Village has to SWALCO with regard to the \$1 fee.

E) Trustee Pratscher – Planning and Zoning: - No report.

F) Trustee Rotter –Parks and Recreation:

i) Trustee Rotter presented a request for reimbursement for plantings at the Park Hill subdivision entrance and Lois Lane cul-de-sac in the amount of \$290.36.

Trustee Kizior pointed out that the plantings listed include rose bushes and that the Village Landscape Reimbursement Guidelines state that the Village will not reimburse for any thorn bushes. Trustee Rotter stated that he will look into the matter further and bring it back before the Board in January.

ii) Trustee Rotter presented proposals for the removal of trees on Vehe Farm and at the Charles E. Brown Park.

MOTION: by Trustee Rotter to accept the bid of \$845 from Hendrickson Tree, Inc. for the removal of the cottonwood trees at Vehe Farm. Upon roll call: YES: (6) Pratscher, Plautz, Kellermann, Rotter, Thrun and Kizior / NO: (0) / ABSENT: (0) Thrun. Motion carried 6/0

G) Trustee Thrun – Public Safety: - Addressed earlier in the agenda.

H) Administrator Connors:

i) Administrator Connors presented a revised contract with Teska Associates for the Board to consider. He confirmed that the contract reflects a freeze of the rates for Village work with an increased rate schedule for private development work as well as a travel time maximum of one hour and the elimination of the \$5.00 meal fee.

MOTION: by Trustee Pratscher to approve the revised contract with Teska Associates. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

ii) Administrator Connors reported that GROOT notified him that there will be an increase in yard waste collection fees for 2008; the subscription will increase from \$85.00 to \$95.00 and the cost of bag stickers will increase from \$2.20 to \$2.30.

iii) Administrator Connors reported that Gewalt Hamilton had submitted a report regarding the status of the EJ & E Quiet Corridor Study.

iv) Request from Lake Zurich Chamber of Commerce for use of Vehe Barn - addressed earlier in the agenda.

I) **Clerk Meyle:** - No report.

11) APPROVAL OF INVESTMENT FUND REPORT FOR NOVEMBER 2007:

MOTION: by Trustee Kizior to approve the Investment Fund Report for November 30, 2007 in the amount of \$1,645,823.63. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

12) CASH DISBURSEMENTS:

MOTION: by Trustee Kizior to approve cash disbursements for month November 20, 2007 to December 17, 2007 in the amount of \$209,509.86. Upon roll call: YES: (6) Pratscher, Plautz, Kellermann, Rotter, Thrun and Kizior / NO: (0) / ABSENT: (0) Thrun. Motion carried 6/0

13) KILDEER POLICE REPORT – NOVEMBER 2007:

No report was given, but materials were provided in the agenda packet regarding STEP locations, citations by location, comparison of arrests, and comparison of activity.

14) ADJOURNMENT:

MOTION: by Trustee Kizior to adjourn. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

The Regular Board of Trustees Meeting was adjourned at 11:30pm.

H. Scott Gifford, Village President

Susan Meyle, Village Clerk