

Village of Deer Park
Regular Board of Trustees Meeting Minutes
September 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, September 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. Since no flag was present, Village officials and guests did not recite the Pledge of Allegiance.

2) ROLL CALL AND DETERMINATION OF A QUORUM

Upon roll call, the following were present: President Gifford, Trustees Plautz, Thrun, Pratscher, Rotter, Kizior and Kellermann. The following Village officials were absent: none. Other Village officials present were Administrator Connors, Clerk Meyle, Treasurer Stade, Engineer Gordon, and Attorney Keller. President Gifford stated there is a quorum.

3) APPROVAL OF AGENDA

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

4) APPROVAL AND RELEASE OF MINUTES

MOTION: by Trustee Pratscher to approve and release the minutes from the Board of Trustees Regular Meeting held August 20, 2007. Upon voice vote: YES: (4) / NO: (2) / ABSENT: (0).
Motion carried 4/2

5) PUBLIC COMMENTS

Teri Bridge of 23675 Hedgeworth Court addressed the Board commending them for bringing to the Vehe Barn project to completion.

Caryn Tausend of 20708 Deer Path Road addressed the Board regarding traffic on Deer Path Road and the speed hump that was installed on Deer Path Road north of Corners Road. Mrs. Tausend stated that the Board said it would consider installing another speed hump on Deer Path Road south of Corners Road once the effectiveness of the first speed hump was assessed. Mrs. Tausend asked the Board what the status of the assessment was and what plans the Board has regarding traffic control on Deer Path Road south of Corners Rd.

Vicki Jarzas of 20834 Swansway addressed the Board regarding the wetlands behind her property. Mrs. Jarvis stated that she had received notification from Trustee Rotter that the dam in the creek that runs between her property and the Swansway Pond would have to be removed because it was causing drainage problems in Peterson Park. Mrs. Jarvis presented the Board with photos, Gewalt-Hamilton Construction Notes dated June 29, 1995, and a Gewalt-Hamilton report dated July 20, 1995 which detail the condition of the wetland area and the construction of the dam. Mrs. Jarvis requested that the Village cease and desist any plans to remove the dam as she wants the wetlands behind her property maintained as they were planned to be maintained when her home was constructed.

Tony Guido of 20812 Swansway addressed the Board, as the President of the Swansway Pond Homeowners' Association, regarding Swansway Pond, Peterson Park, and the weir constructed to control the flow of water between the two areas. Mr. Guido presented the Board with photos of the area.

Deborah Barry of 412 Bramble Lane addressed the Board regarding the opening of the Apple Store in the Town Center; her support of the proposal for an increase in the Village's sales tax; and her approval of the signage on the south side of the Town Center identifying the location of Crate & Barrel.

Richard Chay of 408 Bramble Lane addressed the Board regarding his disapproval of the windmill being proposed for the Vehe Farm. Mr. Chay stated that he understood that no Village funds would be spent on the windmill because an anonymous donor had contributed funds specifically earmarked for the purchase and installation of a windmill and that the remaining funds would be raised by the Vehe Foundation through additional private donations. Mr. Chay stated that he felt that, even with private donated funding, the Vehe Foundation should not consider the windmill at this time because the Vehe outbuildings are not complete and because the windmill may appear frivolous.

6) VEHE FARM FOUNDATION UPDATE

A) Approval of payment to Pepper Construction in the amount of \$45,161.00.

Trustee Rotter asked if the expenditures being made to complete the Barn were being tracked and recorded by Mr. Peterson for the purpose of presenting the final expense details to R. W. Clark's bonding company for reimbursement once the Barn is complete. President Gifford confirmed that Administrator Connors is keeping track of the expenditures.

MOTION: by Trustee Pratscher to approve the payment to Pepper Construction in the amount of \$45,161.00. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Kellermann and Rotter / ABSENT: (0).
Motion carried 4/2

B) Approval of additional payments.

i) Dailey Electric for \$10,000.00 for electrical work

MOTION: by Trustee Pratscher to approve the payment to Daily Electric for electrical work in the amount of \$10,000.00. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Kellermann and Rotter / ABSENT: (0).
Motion carried 4/2

ii) Oakbrook Mechanical for \$1,226.72 for HVAC work

MOTION: by Trustee Thrun to approve the payment to Oakbrook Mechanical for HVAC work in the amount of \$1,226.72. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Kellermann and Rotter / ABSENT: (0).
Motion carried 4/2

iii) M.L. Rongo for \$2,100.00 for the delivery and set up of the kitchen equipment (contract balance)

MOTION: by Trustee Thrun to approve payment to M.L. Rongo for the contract balance on the delivery and set up of the kitchen equipment in the amount of \$2,100.00. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Kellermann and Rotter / ABSENT: (0).
Motion carried 4/2

iv) Terrance for \$6,857.00 for cabling

MOTION: by Trustee Thrun to approve the payment to Terrance for cabling in the amount of \$6,857.00. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Kellermann and Rotter / ABSENT: (0).
Motion carried 4/2

Kim Zylke, the Executive Director of Health World, stated that 158 children had attended Health World Camp at the Vehe Farm this summer; Ms. Zylke presented the Board with a summary report of the camps including parent evaluations.

C) Teri Bridge presented a proposal to the Board recommending the installation of a 25-foot Aermotor windmill on the Vehe property. Mrs. Bridge reported that an anonymous donor has made a dollar-for-dollar matching commitment for up to fifty-percent of the cost of the windmill; the Foundation plans to begin raising additional private fund donations to cover the remaining fifty-percent of the windmill's cost at the Village's 50th Anniversary Celebration if the Board approves the windmill.

Trustee Pratscher asked if the anonymous donor has restricted the use of his/her donation to the purchase and installation of the windmill or could the donated funds be used to complete other items such as the outbuildings. Mrs. Bridge confirmed that the donation was restricted to the windmill.

Trustee Rotter asked if the Foundation has specific plans for completing the outbuildings. Mrs. Bridge stated that the Foundation does have plans for completing the outbuildings.

MOTION: by Trustee Pratscher to approve the installation of the windmill on the Vehe property. Upon voice vote: YES: (4) / NO: (3) / ABSENT: (0).
Motion carried 4/3

D) 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:

- Mrs. Winkelman personally thanked the following individuals for all the hard work they did in preparing for the September 2nd wedding held in the Vehe Barn: Tom Benjamin, John Wagner, Jim Peterson, Teri Bridge, Dennis Bridge, Larry Winkelman, Masha Crenshaw, and Jan Dolek.
- Invasive control and harvesting of seeds on the grounds has been put on hold due to the volume of work being done to prepare the grounds for the fall events; volunteers are still needed every Saturday from 12-2.
- Part of a tree by the wetlands was felled during the high winds of the August storms. There are no plans to remove the tree at this time.
- The Illinois State Geological Survey educational display should be ready for the 50th Anniversary Celebration. The display will include used drill bits, core samples with explanations, well location information, well construction information, groundwater information, geology information, and possibly a television with a DVD showing the well's construction. The hope is that this display will be used by local schools and residents.
- An article detailing the history of the Vehe family and the restoration of the barn will appear in the Barrington Lifestyle Magazine in the near future.
- The Barrington Library has scheduled a Halloween pumpkin carving event for October 13th from 10am - noon.
- The Pagano family made a donation of brick pavers to the Foundation. The Foundation is installing the bricks around the butterfly garden to reduce the need to continuously edge around the garden.

E) Reimbursement of expenses related to the September 2nd wedding (\$159.12-Winkelman and \$89.65-Bridge).

MOTION: by Trustee Plautz to approve the reimbursement of \$159.12 to Pat Winkelman and \$89.65 to Teri Bridge for expenses incurred in preparation of the September 2nd wedding. Upon roll call: YES: (5) Kizior, Plautz, Pratscher, Kellermann, and Thrun / NO: (0) / ABSENT: (0) / ABSTAIN: (1) Rotter. Motion carried 5/0

7) VILLAGE 50TH ANNIVERSARY CELEBRATION REPORT

A) Trustee Pratscher recognized and thanked the following members of the 50th Anniversary Celebration Committee: Tom Benjamin, Teri Bridge, Elaine McLaughlin, Lisa Pagano, Pat Winkelman, and President Gifford.

B) Trustee Pratscher reported that the committee has scheduled activities and entertainment that appeal to all ages and encouraged everyone to review the Village website for the schedule of events. Additionally, the event will continue to be promoted by the local newspapers and yard signs that will be displayed throughout the Village.

8) VILLAGE ENGINEER – REPORT AND RECOMMENDATIONS

A) Engineer Gordon reported that as of the first week of September, Neri Brothers had completed the following work for the 2007 Drainage Program: all underground improvements for Phases One and Two of the Ferndale subdivision drainage improvements, the Rue Valley subdivision drainage improvements, and additional work completed on Deerpath Road north of Long Grove Road. Engineer Gordon recommended that the Board approve pay request #2 from Neri Brothers for \$80,261.92.

MOTION: by Trustee Pratscher to approve pay request #2 from Neri Brothers for \$80,261.92 for work completed for the 2007 Drainage Program. Upon roll call: YES: (6) Rotter, Kizior, Plautz, Pratscher, Kellermann, and Thrun / NO: (0) / ABSENT: (0). Motion carried 6/0

B) Engineer Gordon reported that Chicagoland Paving Contractors has completed the Vehe Parking Lot Improvement project except for the landscaping restoration. Engineer Gordon recommended that the Board approve pay request #1 from Chicagoland Paving Contractors for \$30,650.00.

MOTION: by Trustee Pratscher to approve pay request #1 from Chicagoland Paving Contractors for \$30,650.00 for work completed for the Vehe Parking Lot Improvement project. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Rotter and Kellermann / ABSENT: (0). Motion carried 4/2

C) Engineer Gordon recommended that the Board approve Neri Brother's proposal for completing the following three drainage repairs projects noting that he negotiated a lower rate (from \$2,800 to no more than \$1,800) for the Long Grove Road repair and that the easement agreement required for the project has not been executed yet:

- i) 21624 Chapel Hill - Sink Hole Repair for \$5,800.00
- ii) Lancaster Detention Pond – Replace Damaged Grate for \$3,579.00
- iii) 22940 Long Grove Road – Riser for Storm Sewer Service for \$1,800.00

MOTION: by Trustee Kellermann to approve Neri Brother's proposal for the 21624 Chapel Hill sink hole repair for \$5,800.00; the Lancaster Detention Pond grate repair for \$3,579.00; and the 22940 Long Grove Road storm sewer service riser for no more than \$1,800.00 and contingent upon the execution of the easement agreement. Upon roll call: YES: (6) Rotter, Kizior, Plautz, Pratscher, Kellermann, and Thrun / NO: (0) / ABSENT: (0).

Motion carried 6/0

9) VILLAGE ATTORNEY – REPORT AND RECOMMENDATIONS

A) Attorney Keller presented an ordinance granting a Class Three liquor license to the Tobacco Outlet at 20434B Rand Road for the Board to consider.

MOTION: by Trustee Thrun to approve the ordinance granting a Class Three liquor license to the Tobacco Outlet at 20434B Rand Road. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Rotter and Kellermann / ABSENT: (0).

Motion carried 4/2

B) Attorney Keller presented an ordinance granting a Class Two liquor license to DJ Ventures doing business as Moe's Southwest Grill at 21720 Rand Road for the Board to consider.

MOTION: by Trustee Thrun to approve the ordinance granting a Class Two liquor license to DJ Ventures doing business as Moe's Southwest Grill at 21720 Rand Road. Upon roll call: YES: (4) Kizior, Plautz, Pratscher, and Thrun / NO: (2) Rotter and Kellermann / ABSENT: (0).

Motion carried 4/2

C) Attorney Keller reported that on August 28, 2007 a law suit was filed against the Village of Deer Park and Ela Township by a person who alleges that she was injured while driving a school bus over the speed hump on Deer Path Road. Attorney Keller reported that the Kildeer Police do not have a record of any call for emergency assistance regarding this incidence, that the suit falls within the coverage of the Village's IMLRMA insurance policy, and that the case has been referred for defense to the law firm of Hinshaw and Culbertson.

10) PLAN COMMISSION

A) Administrator Connors presented the minutes of the September 10, 2007 Plan Commission meeting for information regarding the following three plat consolidations and resubdivision to be considered:

B) Plat of Consolidation for Lots 9 and 10 in the Deer Park Town Center (Grace Communities Office Condo Project).

C) Plat of Resubdivision for Lot 4 in the Deer Park Office Center (Hampton Inn).

D) Plat of Consolidation for 736 and 738 Hillcrest Drive (residential area on the southeast corner of Lake Cook Road and Quentin Road).

MOTION: by Trustee Pratscher to authorize the Village Attorney to prepare ordinances for the following Plan Commission items: Plat of Consolidation for Lots 9 and 10 in the Deer Park Town Center; Plat of Resubdivision for Lot 4 in the Deer Park Office Center; Plat of Consolidation for 736 and 738 Hillcrest Drive. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).

Motion carried 6/0

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

A) President Gifford:

i) President Gifford thanked all the volunteers who participation in the preparation of the Barn for the September 2nd wedding.

ii) Barbara Evans of the Cultural Arts Connection reported that the Deer Park Town Center is available in June to host, in partnership with the Cultural Arts Connection, the 8th Annual Ela Fine Arts Show. Mrs. Evans requested that the Board consider sponsoring the Student Art Exhibit tent. The general consensus of the Board was to continue to support the Student Art Exhibit tent as they have in years past.

iii) President Gifford asked the Board to consider a proclamation recognizing Chamber of Commerce Week.

MOTION: by Trustee Thrun to proclaim the week of September 10 through September 14, 2007 as Chamber of Commerce Week in Deer Park. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

iv) President Gifford asked the Board to consider a proclamation recognizing National Fire Prevention Week.

MOTION: by Trustee Thrun to proclaim the week of October 7 through October 13, 2007 as Fire Prevention Week in the Village of Deer Park. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

- v) President Gifford asked the Board to consider authorizing the Village Attorney to prepare an ordinance calling for a sales tax referendum to be put on the ballot for the February 5, 2008 election. A discussion ensued with the following clarifications being made:
- ◆ The Board is being asked to consider an increase in the Village's retail sales tax rate. This is not a property tax increase and a property tax is not being considered.
 - ◆ The Village's retail sales tax rate is currently 6.5%.
 - ◆ Of the current 6.5% retail sales tax the Village currently gets 1%. The remaining 5.5% collected goes to other county and state governing entities.
 - ◆ The Village Attorney recommended that the referendum request approval of an increase in the Village's retail sales tax rate of up to 1%.
 - ◆ With an increase of up to 1%, the Board has the flexibility to levy the sales tax increase in small increments as needed over a period of time; for example ¼% to ½% at a time over a period of several years.
 - ◆ Monies generated by an increase in the Village's retail sales tax rate must be used to fund infrastructure items according to Illinois statute; infrastructure includes items such as roads, drainage, and bike paths.
 - ◆ The majority of the retail purchases made in Deer Park are made by those who reside outside of Deer Park from the surrounding communities.
 - ◆ The consensus of the Board was that an increase in the retail sales tax is the appropriate avenue to pursue with regard to funding the Village's infrastructure needs.
 - ◆ In order to meet the filing deadline to get the referendum on the February ballot, the ordinance approving the referendum must be adopted no later than the November 19, 2007 Board meeting.
 - ◆ The consensus of the Board was that it is important that the referendum passes and thus, it is important that significant steps are taken to educate residents regarding the issue of a retail sales tax increase.

MOTION: by Trustee Kellermann to authorize the Village Attorney to prepare an ordinance calling for a sales tax referendum to be put on the February 5, 2008 ballot. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).

Motion carried 6/0

B) TRUSTEE KELLERMANN - Roads and Public Utilities:

- i) Trustee Kellermann reported on the drainage problems that surfaced do to the recent record rainfall.
- ii) Trustee Kellermann presented the 5-year Roads and Drainage Budget Plan he is recommending.
- iii) Trustee Kellermann reported the status of the resident assistance drainage problem trial program he has implemented.
- iv) Trustee Kellermann presented the 5-year Road Maintenance Budget Plan he is recommending.

C) TRUSTEE KIZIOR - Finance:

- i) Brian LeFevre of Sikich LLP, the Village's auditor, presented Sikich's Financial Statements and Independent Auditor's Report for the Village for the fiscal year ending April 30, 2007.
- ii) Mr. LeFevre presented Sikich's Management Letter for the Village for the fiscal year ending April 30, 2007.
- iii) Treasurer Stade presented the Building Permit Revenue Analysis, Sales Tax Revenue Analysis, Building Inspection Fees Analysis, Debt Principle & Interest Analysis, and Village Office Expense Analysis reports.
- iv) Trustee Kizior reported that Treasurer Stade had prepared a spreadsheet comparing the details of three software packages that may meet the accounting and building permit software needs of the Village. Both Treasurer Stade and Administrator Connors stated that at this time they would recommend purchasing the MSI accounting package and the Civic building permits package, but that they need one more month to complete the reference checks and will make a final recommendation at the October meeting.

D) TRUSTEE PLAUTZ - Health & Sanitation:

- i) Trustee Plautz reported that she had attended a SWALCO meeting last month and shared information regarding programs SWALCO will be initiating with regard to the collection of plastic bags for recycling by the retailers that distribute them and the preferred procedure for disposing unused medications.
- ii) Trustee Plautz recommended that the Board authorize the Village Attorney to prepare an ordinance that duplicates the provisions of the Smoke-Free Illinois Act so that no fine-sharing with the Illinois Department of Public Health would be required and the Village would receive 100% of the fine revenues generated by enforcing the ordinance.

MOTION: by Trustee Plautz to authorize the Village Attorney to prepare an ordinance that duplicates the provisions of the Smoke-Free Illinois Act in Deer Park. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).
Motion carried 6/0

E) TRUSTEE PRATSCHER – Planning and Zoning:

Trustee Pratscher reported that there will be a joint public meeting of the Zoning Board of Appeals and the Plan Commission to discuss the Village's accessory building regulations at 7:00pm on Monday, October 1, 2007 at the Vehe Barn.

F) TRUSTEE ROTTER – Parks and Recreation:

Trustee Rotter reported that he has had meetings with users and potential user organizations of the Village's park facilities to get input and ideas with regard to their needs. Additionally, Trustee Rotter announced that he has scheduled an open house forum to provide residents with the opportunity to see the status of the Village's parks and to gather their input; the open house will be on October 18, 2007 from 2:00pm-4:00pm and from 6:30pm-8:30pm with an opportunity for public comments at 7:00pm.

G) TRUSTEE THRUN – Public Safety:

Trustee Thrun reported the following with regard to police service: he will be meeting with the Kildeer Police Department and the Kildeer Village Administrator the first week of October to take a first look at their police contract proposal; and the Kildeer Police did an undercover, underage drinking sting over Memorial Day weekend and 100% of the Deer Park liquor license holders tested passed with full compliance.

H) ADMINISTRATOR CONNORS:

i) Administrator Connors reported that the Village was awarded a 100% funding grant in the amount of \$17,610 for the purpose of contracting with Connect-CTY for an automated notification system. Administrator Connors will notify the CY Press Committee of the Village's intention to accept the grant and proceed with the Connect-CTY program.

ii) Masha Crenshaw, the Vehe Event Coordinator, reviewed the Vehe Barn's rental schedule and recommended that the schedule be updated according to her proposal in order to remain competitive with area facilities.

MOTION: by Trustee Plautz to approve the September 12, 2007 Schedule of Fees and the Vehe Events Pricing revisions as presented. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

iii) Administrator Connors reported that one of the obstacles he faced when trying to fill the Vehe Event Coordinator position was the broad range of duties required. He recommended that the duties be divided into two positions with one person performing the marketing and event coordinating functions (Masha Crenshaw) and another person or contract service company performing the physical maintenance functions.

Administrator Connors recommended that this second position be titled Vehe Operational Support Specialist and he enclosed a position description for the Board's consideration.

12) APPROVAL OF INVESTMENT FUND REPORT FOR AUGUST 2007:

MOTION: by Trustee Kizior to approve the Investment Fund Report for August 31, 2007 in the amount of \$2,125,026.35. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

13) CASH DISBURSEMENTS:

MOTION: by Trustee Kizior to approve cash disbursements for month August 21, 2007 to September 17, 2007 in the amount of \$362,950.28. Upon roll call: YES: (6) Pratscher, Thrun, Plautz, Kellermann, Rotter, and Kizior / NO: (0) / ABSENT: (0). Motion carried 6/0

14) KILDEER POLICE REPORT – AUGUST 2007:

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

15) EXECUTIVE SESSION TO DISCUSS COMPENSATION OF EMPLOYEES, PENDING LITIGATION AND POSSIBLE LITIGATION:

MOTION: by Trustee Pratscher to close the regular Board of Trustees meeting for the purpose of going into an Executive Session to discuss the compensation of employees, pending litigation, and possible litigation. Upon roll call: YES: (6) Pratscher, Thrun, Plautz, Kellermann, Rotter, and Kizior / NO: (0) / ABSENT: (0).

Motion carried 6/0

The regular Board of Trustees Meeting was closed at 10:55p.m.

MOTION: by Trustee Kizior to reopen the regular Board of Trustees meeting. Upon a voice vote: YES: (6) / NO: (0) / ABSENT: (0).

Motion carried 6/0

The regular Board of Trustees Meeting was reopened at 11:50p.m.

MOTION: by Trustee Thrun to approve the Village Clerk's compensation as follows: Compensate the Clerk on an hourly basis at the rate of \$20.83 per hour with the understanding that the Clerk will work a minimum of 40-hours per month and a maximum of 70-hours per month. Compensation would fluctuate from \$10,000 - \$17,500 annually. Upon roll call: YES: (6) Pratscher, Thrun, Plautz, Kellermann, Rotter, and Kizior / NO: (0) / ABSENT: (0).

Motion carried 6/0

16) ADJOURNMENT:

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

The Regular Board of Trustees Meeting was adjourned at 11:58p.m.

H. Scott Gifford, Village President

Susan Meyle, Village Clerk