

Village of Deer Park
Regular Board of Trustees Meeting Minutes
February 19, 2008

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 Tuesday, February 19, 2008 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 7:00pm. 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, Kellermann, Kizior, Rotter, and Thrun. The following Village officials were absent: Trustees Plautz. Other Village officials present were Treasurer Stade, Administrator Connors, Clerk Meyle, Engineer Gordon, and Attorney Keller. President Gifford stated there is a quorum.

3) APPROVAL OF AGENDA

MOTION: by Trustee Pratscher to approve the agenda. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1).
Motion carried 5/0

4) APPROVAL AND RELEASE OF MINUTES

MOTION: by Trustee Pratscher to approve and release the minutes from the Board of Trustees Regular Meeting held January 22, 2008; Special Meeting held January 9, 2008; and Public Forum and Input Meeting held January 28, 2008. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1).
Motion carried 5/0

5) PUBLIC COMMENTS

Richard Chay of 408 Bramble Lane addressed the Board regarding a future sales tax referendum and the establishment of a special fund for road improvements.

Jerry Kryska of 20555 Westpark Place addressed the Board regarding the release of Deer Park Place bond money.

Deborah Barry of 412 Bramble Lane addressed the Board regarding the meaning of leadership.

Pat Winkelman of 21540 Inglenook addressed the Board regarding the sales tax referendum.

Lucie Hoyt of 309 Briargate Lane addressed the Board regarding Village communication and sales tax.

6) VEHE FARM

A. Pat Winkelman provided a written monthly report regarding the Vehe Foundation's activities and accounting.

B. Approval of payment to Dailey Electric for \$19,000.00

MOTION: by Trustee Thrun to approve the payment to Dailey Electric in the amount of \$19,000.00. Upon roll call: YES: (4) Kizior, Pratscher, Thrun, and Gifford / NO: (2) Kellermann and Rotter / ABSENT: (1) Plautz.
Motion carried 4/2

C. Approval of payment to Pepper Construction Company for \$46,990.00

MOTION: by Trustee Thrun to approve the payment to Pepper Construction in the amount of \$46,990.00. Upon roll call: YES: (4) Kizior, Pratscher, Thrun, and Gifford / NO: (2) Kellermann and Rotter / ABSENT: (1) Plautz.
Motion carried 4/2

D. Approval of payment to Oakbrook Mechanical Services, Inc. for \$7,887.00

MOTION: by Trustee Pratscher to approve the payment to Oakbrook Mechanical in the amount of \$7,887.00. Upon roll call: YES: (4) Kizior, Pratscher, Thrun, and Gifford / NO: (2) Kellermann and Rotter / ABSENT: (1) Plautz.
Motion carried 4/2

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MOTION: by Trustee Kellermann to require Jim Peterson to provide copies of the invoices and back-up documents pertaining to the \$40,000 Dailey Electric invoice for which a \$19,000.00 partial payment was approved; the copies are to be provided to Trustee Kellermann within one week. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1).

Motion carried 5/0

7) VILLAGE ENGINEER – REPORT AND RECOMMENDATIONS

A. Approval of payment to Applied Ecological Services for \$510.00

MOTION: by Trustee Pratscher to approve payment to Applied Ecological Services in the amount of \$510.00 for Swansway wetland mitigation. Upon roll call: YES: (5) Kizior, Pratscher, Thrun, Kellermann, and Rotter / NO: (0) / ABSENT: (1) Plautz.

Motion carried 5/0

B. Approval of the release of Letter of Credit and acceptance of a maintenance cash bond for Deer Park Place

MOTION: by Trustee Kizior to accept the public improvements provided by the Deer Park Place developer contingent on the Village Engineer inspecting the curbs within 10-days to confirm with the Village Administrator that the last curb repairs were done satisfactorily and contingent on the developer providing a one year maintenance guarantee for the public improvements in the form of a cash escrow account or a letter of credit in the amount of \$15,350.00 which is 5% of the cost of the improvements. Upon roll call: YES: (5) Kizior, Pratscher, Thrun, Kellermann, and Rotter / NO: (0) / ABSENT: (1) Plautz.

Motion carried 5/0

Agenda item 13 was addressed at this time as it also pertains to Deer Park Place.

REQUEST FOR RELEASE OF BUILDING BOND FUNDS FOR DEER PARK PLACE

MOTION: by Trustee Pratscher to approve the release of the Deer Park Place building bond funds in the amount of \$30,000.00 (\$5,000.00 for each of six buildings) contingent upon a third party inspector, chosen and paid for by the Deer Park Place Homeowners' Association (HOA), inspecting each building to ensure that it was constructed to Code and that the HOA punch list was executed. The motion was seconded by Trustee Rotter who upon further discussion withdrew his second of the motion. The motion was not seconded by another trustee and thus failed.

MOTION: by Trustee Rotter to approve the release of the building bond funds, totaling \$30,000.00 (\$5,000.00 for each of six buildings), to United Land Development for the completion of Deer Park Place.

MOTION: amended by Trustee Kizior to approve the release of building bond funds totaling \$25,000.00 (\$5,000.00 for each of five out of six buildings) to United Land Development with the remaining \$5,000.00 to be released upon the resolution of the Deer Park Place residents' outstanding items. Upon roll call: YES: (4) Kizior, Pratscher, Thrun, and Rotter / NO: (1) Kellermann / ABSENT: (1) Plautz.

Motion carried 4/1

C. Review of proposed 2008 Road Program

Engineer Gordon requested direction from the Board with regard to how to proceed with the 2008 Road Program bidding since the sales tax referendum was not approved. Engineer Gordon recommended that the Board address the 2008 projects via two separate bids: one bid would be for a \$180,000.00 Motor Fuel Tax funded project and a second bid for a \$321,000.00 general fund project.

Trustee Kizior confirmed that the Board is only considering the bidding details at this time and that the Board is not approving the spending of any general funds at this time.

MOTION: by Trustee Rotter to approve the Village Engineer to address the bidding of the 2008 Road Program by going out with two bids: one bid would be for a \$180,000.00 Motor Fuel Tax funded project and a second bid for a \$321,000.00 general fund project. Upon roll call: YES: (4) Kellermann, Pratscher, Thrun, and Rotter / NO: (1) Kizior / ABSENT: (1) Plautz.

Motion carried 4/1

D. Approval of work order from Metropolitan Pump Company for \$2002.00

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MOTION: by Trustee Thrun to approve Metropolitan Pump Company to proceed with repairs needed on the Long Grove Lift Station as quoted, not to exceed \$2,002.00, and paid for with Special Service Area funds. Upon roll call: YES: (5) Kellermann, Pratscher, Thrun, Kizior, and Rotter / NO: (0) / ABSENT: (1) Plautz. Motion carried 5/0
At this time the Board addressed agenda item 9Biii, consideration of Old Farm Road drainage proposal for engineering, in order to conclude all items requiring the Village Engineer's input.

MOTION: by Trustee Kellermann to permit the Village Engineer to provide drainage engineering assistance to the residents of Old Farm Road in an amount not to exceed \$2,500.00. Upon roll call: YES: (5) Kellermann, Pratscher, Thrun, Kizior, and Rotter / NO: (0) / ABSENT: (1) Plautz. Motion carried 5/0

Agenda item 14 was addressed at this time do to the late hour.

REQUEST FOR REVIEW OF PROPOSED BANK FACILITY AT 21060 RAND ROAD

Attorney John Skoubis addressed the Board regarding a bank facility he would like to build at 21060 Rand Road. Mr. Skoubis provided the Board with a proposed site plan and elevations for review. It was the general consensus of the Board that this type of facility was acceptable to them with regard to the 21060 Rand Road property and that Mr. Skoubis should present his proposal to the Plan Commission.

8) VILLAGE ATTORNEY – REPORT AND RECOMMENDATIONS

Attorney Keller presented the Second Amended Intergovernmental Agreement between the Village of Kildeer and the Village of Deer Park for the Provision of Police Services for the Board to consideration.

MOTION: by Trustee Thrun to approve the Second Amended Intergovernmental Agreement between the Village of Kildeer and the Village of Deer Park for the Provision of Police Services

Trustee Pratscher pointed out that Section 7.3 states that the Kildeer Police Chief will attend a minimum of one meeting of the Deer Park Board of Trustees within each calendar quarter, but that the Board had requested during negotiations, and the Kildeer Police Chief had agreed, that the Chief would attend the Deer Park Board of Trustees meetings a minimum of every other month.

Trustee Kizior pointed out that Section 4.3, under the Establishment of Operations Costs, allows operations costs to be adjusted and negotiated annually based on expected or actual increases in workload or staffing requirements, and that the Board had agreed to the flat annual increase of 5% shown in Schedule C with the only other provision for a possible increase in cost to be as is detailed in section 4.5 of the agreement pertaining to pension costs.

The consensus of the Board was to reject the agreement for police services because Section 4.3 and Section 7.3 were not as agreed upon during contract negotiations. Trustee Thrun withdrew his motion.

Attorney Keller reported that he would be presenting an amendment of the Village Code at the next meeting because the Code still states that meetings are held at Charles Quentin School.

9) REPORTS FROM PRESIDENT, TRUSTEES, ADMINISTRATOR, AND CLERK

A. President Gifford:

- i) General information
- ii) President Gifford reported on the status of Canadian National Railroad's proposed acquisition of the EJ&E Railroad and the Village's involvement in the Barrington area's coalition addressing the acquisition. President Gifford stated that the plan the coalition is moving forward with is to unite all communities along the 190-miles of EJ&E track; get all of the state representatives to support the coalition's opposition of the acquisition; and to get the U.S. Congress people on the EJ&E route to support the coalition's opposition of the acquisition. President Gifford confirmed that the goal of the coalition is to stop the acquisition; the goal is not mitigation.

MOTION: by Trustee Kellermann to declare that the Board is officially against Canadian National Railroad's proposed acquisition of the EJ&E Railroad. Upon roll call: YES: (5) Pratscher, Kellermann, Thrun, Rotter, and Kizior / NO: (0) / ABSENT: (1) Plautz. Motion carried 5/0

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- iii) President Gifford reported that all contractors and sub-contractors involved in the Vehe Barn project have been notified that they need to have all invoices submitted for approval at next month's meeting so that the total amount of the cost and cost over-run on the project can be determined and the Village Attorney can move forward with a claim against the bonding company and R. W. Clark.

B. Trustee Kellermann- Roads and Public Utilities:

- i) Trustee Kellermann gave a summary of the January 28, 2008 Public Forum on roads and drainage.
- ii) Trustee Kellermann reported that he had received feedback from some election officials regarding the layout and conditions of Vehe Barn on Election Day. Administrator Connors confirmed that the county is responsible for and determines the layout of the election facility and that they may make adjustments for future elections according to the feedback they receive. President Gifford stated that the restrooms were unfortunately and unexpectedly out of order during the elections, but that restrooms were available at the Village Office throughout the day.
- iii) Consideration of Old Farm Road drainage proposal for engineering – addressed earlier in the meeting.

C. Trustee Kizior—Finance:

- i) Trustee Kizior presented the Business Registration Revenue Analysis, Use Tax Revenue Analysis, Vehe Construction Analysis, and Vehe Farm Expense Analysis reports.
- ii) Trustee Kizior reminded the Board and to provide their budget data to Treasurer Stade over the next few weeks so she can put together a draft budget; this draft budget will be presented at the regular March Board meeting with additional review and discussion to take place at a Special Meeting scheduled for the Monday, March 31, 2008; final approval of the budget will be addressed at the regular April Board meeting.
- iii) Trustee Kizior stated that he feels that since President Gifford has requested that all invoices be turned in by the Barn contractors for considered at the next meeting, it is time to officially transition the management and operations of the Barn facility from Jim Peterson to the Village Administrator with the Village Administrator being empowered to approve work that is required to make the Barn a safe and functioning facility, but that any additional and non-essential expenditures should be approved by the Board prior to any work being done.

D. Trustee Plautz – Health & Sanitation:

E. Trustee Pratscher – Planning and Zoning:

- i) Trustee Pratscher reported that members of the Zoning Board and Plan Commission met on February 11, 2008; although there was not a quorum, a productive discussion of the accessory use draft prepared by Attorney Keller did take place; a meeting of the Plan Commission for the purpose of approving the accessory use change recommendations will be scheduled.
- ii) Trustee Pratscher reported that a resident had inquired about the Village regulating the storage of garbage containers so that they are not visible from the street; the consensus of the Board was that this was not something they wanted to regulate.

F. Trustee Rotter –Parks and Recreation:

- i) Approval of landscape reimbursement for Hummingbird Court for \$237.50
- ii) Approval of landscape reimbursement for Deer Lake Meadows Association for \$1,695.00
- iii) Approval of landscape reimbursement for Park Hill homeowners for \$730.00

MOTION: by Trustee Rotter to approve landscape reimbursements totaling \$2,662.50 to Hummingbird Court for \$237.50, Deer Lake Meadows for \$1,695.00, and Park Hill for \$730.00 Upon roll call: YES: (5) Pratscher, Kellermann, Thrun, Rotter, and Kizior / NO: (0) / ABSENT: (1) Plautz. Motion carried 5/0

MOTION: by Trustee Kizior to remove the approval of the \$945.00 landscaping reimbursement to Deer Lake Meadows as the landscape plan was not approved by the Board as is required by the Landscape Reimbursement Guidelines. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1). Motion carried 5/0

Trustee Rotter asked for input from the Board regarding homeowner association reimbursement for fertilizing and protecting trees; the Village has not historically reimbursed for this item, but may want to consider it in the future because there is a beetle that has destroyed trees throughout Village. Trustee

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Kizior suggested that Trustee Rotter put together a comprehensive plan for addressing this issue and bring it back to the Board for consideration.

- iv) Trustee Rotter updated the Board regarding the progress he has made for park maintenance and park usage fees for the next fiscal year.
- v) Trustee Rotter requested clarification from Attorney Keller regarding the voting procedures for draft documents and presented a letter that had been submitted to the Lake County Clerk regarding election issues and the Vehe Barn as a polling site.

G. Trustee Thrun – Public Safety:

H. Administrator Connors:

- i) Approval of multi-year Agreement for CTY-Connect with NTI Group

MOTION: by Trustee Pratscher to approve the multi-year agreement for CTY-Connect with NTI Group for service to be provided from March 1, 2008 to February 28, 2015 at a cost of \$17,610.00 to be paid for with IMF grant award funds. Upon roll call: YES: (5) Pratscher, Kellermann, Thrun, Rotter, and Kizior / NO: (0) / ABSENT: (1) Plautz. Motion carried 5/0

- ii) Approval of engagement letter with Sikich regarding IMF grant compliance

MOTION: by Trustee Thrun to approve the engagement letter with Sikich regarding IMF grant compliance with fees for the service not to exceed \$1,000.00. Upon roll call: YES: (5) Pratscher, Kellermann, Thrun, Rotter, and Kizior / NO: (0) / ABSENT: (1) Plautz. Motion carried 5/0

I. Clerk Meyle:

Clerk Meyle reported that the cost estimate received from the Census Bureau was \$50,465.00; do to this significant cost, the slow turn-around in updating the state MFT figures, and the approach of the regular 2010 census, she did not recommend moving forward with the Special Census.

J. Treasurer Stade:

- i) Approval of ordinance abating taxes for the year 2007 regarding Special Service Area bonds

MOTION: by Trustee Pratscher to approve the Ordinance of the Village of Deer Park abating a portion of the tax levied for the year 2007 to pay the principal and interest on Special Service Area Bonds. Upon roll call: YES: (5) Pratscher, Kellermann, Thrun, Rotter, and Kizior / NO: (0) / ABSENT: (1) Plautz. Motion carried 5/0

- ii) Approval of an account with Illinois Funds

MOTION: by Trustee Pratscher to approve the establishment of an Illinois Funds money market account for the purpose of participating in the Illinois Rapid Revenue direct deposit program. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1). Motion carried 5/0

10) APPROVAL OF INVESTMENT FUND REPORT FOR JANUARY 2008:

MOTION: by Trustee Kizior to approve the Investment Fund Report for January 31, 2008 in the amount of \$1,551,395.13. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1). Motion carried 5/0

11) CASH DISBURSEMENTS:

MOTION: by Trustee Kizior to approve cash disbursements for January 23, 2008 to February 19, 2008 in the amount of \$266,504.04. Upon roll call: YES: (5) Pratscher, Kellermann, Thrun, Rotter, and Kizior / NO: (0) / ABSENT: (1) Plautz. Motion carried 5/0

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12) KILDEER POLICE REPORT – JANUARY 2008:

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.

13) REQUEST FOR RELEASE OF BUILDING BOND FUNDS FOR DEER PARK PLACE:

Addressed earlier on the agenda.

14) REQUEST FOR REVIEW OF PROPOSED BANK FACILITY AT 21060 RAND ROAD:

Addressed earlier on the agenda.

15) ADJOURNMENT:

MOTION: by Trustee Rotter to adjourn. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (1). Motion carried 5/0

The Regular Board of Trustees Meeting was adjourned at 12:15am.

H. Scott Gifford, Village President

Susan Meyle, Village Clerk