

Village of Deer Park
Regular Board of Trustees Meeting Minutes
July 21, 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 Monday, July 21, 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, Kizior, Plautz, Kellermann, Rotter, and Thrun. The following Village officials were absent: none. Other Village officials present were Treasurer Stade, Administrator Connors, Clerk Meyle, Engineer Gordon, Attorney Keller, Permit Coordinator Doniec, and Kildeer Police Commander Zujewski. President Gifford stated there is a quorum.

Timothy Asta of Extenet Systems was also present.

3) APPROVAL OF AGENDA

MOTION: by Trustee Thrun to approve the agenda as amended removing item 9Aii Resolution supporting Chicago's bid for the 2016 Olympic Games. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).

Motion carried 6/0

4) APPROVAL AND RELEASE OF MINUTES

MOTION: by Trustee Thrun to approve and release the minutes from the Board of Trustees Regular Meeting held June 16, 2008 as amended correcting Trustee Plautz' vote with regard to *the approval of the Village of Deer Park Amending the Municipal Code Regarding Meetings of the Village Board as amended changing the word "shall" to the word "may" in the third line of paragraph (A)*; Trustee Plautz voted No. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).

Motion carried 6/0

5) PUBLIC COMMENTS

Therese Schoen of 21615 Rainbow Road addressed the Board regarding the August meeting agenda as it pertains to the subdivision of lot 2 on Rainbow Road.

Kari Diesen Dahl of 23710 Hearthside addressed the Board regarding Village Office staff, Vehe Farm, Vehe Barn, and the subdivision of lot 2 on Rainbow Road.

Alexa Albrecht of 20707 Meadow Lane addressed the Board regarding street conditions and road repair in Deer Lake Meadows subdivision as well as a drainage issue involving her property.

Steve Colby of 20515 Primrose Court addressed the Board regarding drainage on Primrose Court.

Geoff Anderson of 20615 West Park Place addressed the Board regarding a failed driveway in the Deer Park Place subdivision.

Mary Lahr of 201 Rue Touraine addressed the Board regarding open administration issues including the Groot contract and the SWALCO assessment.

Pat Winkelman of 21540 Inglenook addressed the Board regarding Eagle Scouts and community service projects.

Mel Fox of 21624 Chapel Hill Drive addressed the Board regarding trees in the Chapel Hill subdivision and the homeowner association landscape reimbursement program.

Deborah Barry of 412 Bramble Lane addressed the Board regarding Vehe Barn.

Jerry Kryska of 20555 West Park Place addressed the Board regarding Village Inspector Holmes and the Deer Park Place subdivision.

ITEM 8C WAS ADDRESSED AT THIS TIME - Intergovernmental Agreement for Snow Plowing

Tom Gooch of the Cuba Township Road District addressed the Board regarding the Intergovernmental Agreement for Snow Plowing and Other Services. The board asked questions and a discussion ensued accordingly.

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MOTION: by Trustee Kizior to approve the Ordinance Approving An Intergovernmental Agreement With Cuba Township Road District and approving the Intergovernmental Agreement For Cooperative Road Maintenance Between The Township Of Cuba Road District And The Village of Deer Park. Upon roll call: YES: (6) Pratscher, Thrun, Kellermann, Rotter, Kizior, and Plautz / NO: (0) / ABSENT: (0). Motion carried 6/0

ITEM 12 WAS ADDRESSED AT THIS TIME - Kildeer Police Reports

Commander Zujewski from the Kildeer Police Department addressed the Board; a discussion ensued with the following issues being addressed:

- ◆ STEPs in Deer Lake Meadow subdivision.
- ◆ Philosophy regarding stop sign requests from residents.
- ◆ The RedSpeed Photo Enforcement Program progress.
- ◆ Firework citations issued over the Fourth of July holiday.
- ◆ Squad cars assigned to patrol each subdivision within the Village each shift.
- ◆ Traffic speed control on Long Grove Road.
- ◆ GPS thefts have increased; residents are advised not to store GPS systems in their vehicle.

6) VILLAGE ENGINEER – REPORT AND RECOMMENDATIONS

A. Geske and Sons Pay Request #1 (Motor Fuel Tax Road Program in the amount of \$201,947.88 plus General Fund patching and repair in the amount of \$24,840.95) for a total of \$226,788.83*

MOTION: by Trustee Pratscher to approve payment to Geske & Sons, Inc for the Motor Fuel Tax 2008 Road Program in the total amount of \$201,947.88; \$180,000.00 of which is covered by Motor Fuel Tax Funds and \$21,947.99 of which is covered General Funds for Motor Fuel Tax Work . Upon roll call: YES: (6) Pratscher, Thrun, Kellermann, Rotter, Kizior, and Plautz / NO: (0) / ABSENT: (0). Motion carried 6/0

MOTION: by Trustee Pratscher to approve payment to Geske & Sons, Inc for the Non-Motor Fuel Tax patching work in the total amount of \$24,840.95. Upon roll call: YES: (6) Pratscher, Thrun, Kellermann, Rotter, Kizior, and Plautz / NO: (0) / ABSENT: (0). Motion carried 6/0

B. Arrow Road Construction Pay Request #2 for the General Fund Road Program in the amount of \$14,089.60

MOTION: by Trustee Kellermann to approve Pay Request #2 from Arrow Road Construction in the amount of \$14,089.60. Upon roll call: YES: (6) Pratscher, Thrun, Kellermann, Rotter, Kizior, and Plautz / NO: (0) / ABSENT: (0). Motion carried 6/0

C. Ordinance Amending and Restating Chapter 152 of Title 15 of the Municipal Code (Watershed Development)

MOTION: by Trustee Thrun to approve the Ordinance Amending And Restating Chapter 152 Of Title 15 Of The Village Of Deer Park Municipal Code (RE: Watershed Development Ordinance). Upon roll call: YES: (6) Pratscher, Thrun, Kellermann, Rotter, Kizior, and Plautz / NO: (0) / ABSENT: (0). Motion carried 6/0

ITEM 9H WAS ADDRESSED AT THIS TIME - Proposal to rent the Barn for yoga classes

Jennifer Kondic addressed the Board regarding her proposal to rent space in the Vehe Barn for yoga classes. A discussion ensued with the final consensus being that since the Village will not incur any administrative, set-up, or cleaning costs; since the proposal is for use of the barn during non-peak hours; since yoga classes would provide publicity and increase the exposure of the facility for potential renters; and since yoga classes would provide recreational opportunities for residents, Administrator Connors should draft an agreement with Ms. Kondic to rent space in the Vehe Barn for yoga classes from September 2008 through May 2009.

7) VEHE FARM

- A. A written report was submitted regarding the Vehe Foundation's monthly activities and accounting.
- B. Request for Village Board to approve the Chicago Wilderness Leave No Child Inside Resolution of Support

MOTION: by Trustee Pratscher to approve the Resolution Of Support for the Leave No Child Inside Campaign. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

Teri Bridge gave a verbal report on the Leave No child Inside event held June 22, 2008.

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C. Request for Village Board to approve the installation of an ADA path from the barn sidewalk to the butterfly garden and coordinate the installation of the ADA path with the re-grading of the Vehe site.

Pat Winkelman gave a verbal report regarding the Vehe Farm grounds and the Vehe Foundation's monthly activities which concluded with a request for approval of the installation of an ADA path from the barn sidewalk to the butterfly garden.

MOTION: by Trustee Pratscher as amended to approve the installation of an ADA path from the barn sidewalk to the butterfly garden contingent upon the following:

- ◆ The path is to be installed at no cost to the Village with the funding to come from Vehe Foundation funds, private financial donations, and material and service donations.
- ◆ The plans for the path must be reviewed and approved by the Village Engineer at no cost to the Village and prior to moving forward with the project.
- ◆ The plans must include a spur to the farmhouse driveway so that Village staff may access it.

Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).

Motion carried 6/0

8) VILLAGE ATTORNEY – REPORT AND RECOMMENDATIONS

President Gifford requested that the Extenet agenda item 8D be addressed at this time.

D. Terms and conditions for permit to construct telecommunications facilities in lieu of telecommunications franchise (Extenet)

Timothy Asta of Extenet Systems 1901 S. Meyers Road, Oakbrook Terrace addressed the Board regarding the Leap Wireless Distributed Antennae System. Mr. Asta stated that he is looking for approval to install four wireless distributed antennae facilities on four existing utility poles within the Village right-of-way; the poles are located on Deer Path Road, Long Grove, Ela Road, and Lake Cook Road.

MOTION: by Trustee Thrun to approve the Terms And Conditions For Permit To Construct Telecommunications Facilities In Lieu Of Telecommunications Franchise. Upon roll call: YES: (5) Pratscher, Thrun, Rotter, Kizior, and Plautz / NO: (0) / ABSENT: (1) Kellermann.
Motion carried 5/0

A. Ordinance Granting a Zoning Variance for 15 Shady Lane (Lot 15 in Jon-Emair Woods Subdivision)

MOTION: by Trustee Thrun to approve the Ordinance Granting a Zoning Variance at the property commonly known as 15 Shady Lane. Upon roll call: YES: (6) Pratscher, Thrun, Kellermann, Rotter, Kizior, and Plautz / NO: (0) / ABSENT: (0).
Motion carried 6/0

B. Ordinance Amending the Municipal Code Regarding Abatement of Nuisances

Attorney Keller confirmed that this Ordinance authorizes the Village to action, but it does not require the Village to take action.

MOTION: by Trustee Thrun to approve the Ordinance Amending The Municipal Code Regarding Abatement Of Nuisances. Upon roll call: YES: (6) Pratscher, Thrun, Kellermann, Rotter, Kizior, and Plautz / NO: (0) / ABSENT: (0).
Motion carried 6/0

C. Intergovernmental Agreement for Snow Plowing and Other Service (Cuba Township)
Addressed earlier in the agenda immediately following Public Comments.

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

A. President Gifford:

i) General Information

President Gifford reported that he had met with Janet Agnoletti (co-author of the Affordable Housing Act), Lake Zurich officials, and the contractor considering developing an assisted living residence at 21180 N. Rand Road to discuss the possibility of exchanging affordable housing credits with Lake Zurich for the de-annexation of the property into Lake Zurich. President Gifford reported that he originally thought Lake Zurich had an excess amount of affordable housing, but they are actually short credits; they will not be able to make such an exchange. One option that was discussed at the meeting involved subdividing 21180 N. Rand Road between the two villages with the portion de-annexed into Lake Zurich being the portion needed for the assisted living residences. In exchange for this de-annexation, Lake Zurich would provide municipal water

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and sanitary sewer to the entire piece of property, including the part that would remain in Deer Park; another contractor could develop affordable housing units on the piece of 21180 N. Rand Road that would remain in Deer Park.

A discussion ensued with the Board arriving at the general consensus that President Gifford should continue discussions with Lake Zurich and the assisted living developer keeping the following in mind: the Board would like to see how the portion of 21180 N. Rand Road that would remain in Deer Park would be commercially viable for an affordable housing development, and the Board would like to know if it would be possible for Lake Zurich to provide municipal sewer and water to each of the commercial properties along that portion of Rand Road.

ii) Resolution supporting Chicago's bid for the 2016 Olympic Games – removed from the agenda

B. Trustee Kellermann- Roads and Public Utilities:

i) Update Road Program

Trustee Kellermann reported that the 2008 Road Program contractors have completed their work as was covered in the Village Engineer's report. Trustee Kellermann confirmed that \$22,893 remains in the budget for miscellaneous patching and \$10,000 remains for crack sealing; the Village Engineer will be putting together an agenda of recommendations with regard to the use of these remaining funds.

ii) Drainage issues – addressed during Public Comments and the Village Engineer's report.

- a) Oak Ridge
- b) 20515 Primrose Court
- c) Miscellaneous

iii) Documentation Request 06-10-08

Trustee Kellermann reported that he has not received a satisfactory response with regard to his June 10, 2008 document request. Clerk Meyle stated that she has a Freedom of Information Act request to fulfill which pertains to the documents Trustee Kellermann requested in his June 10th letter and that she is willing to assemble the documents Trustee Kellermann wants at the same time she fulfills the Freedom of Information Act request. President Gifford directed Clerk Meyle to do so, but cautioned the Board that copies of all of the documents may not be in the Village Office as some of them are in the possession of the project architect and will continue to be in his possession until he has completed the final financial analysis of the project.

Trustee Kizior stated that Trustee Kellermann should take into consideration that, even with the documents he has requested, he may not have the full financial picture of the project, and that the full picture should come from the project architect in the form of a final financial analysis; Trustee Kizior stated that he understands that this analysis is underway and that he expects this final financial analysis to be fully transparent to the Board and to the Village residents.

iv) Cul-de-sac considerations

Trustee Kellermann reported that a cul-de-sac is in bad shape in Ferndale; Trustee Rotter stated that he has taken care of that cul-de-sac and that the tall weeds have been cut. Trustee Rotter stated that he will be re-addressing the issue of cul-de-sac landscape maintenance with the homeowner associations in the fall.

C. Trustee Kizior—Finance: - no report

D. Trustee Plautz – Health & Sanitation:

i) SWALCO- discussion and decision on business survey

Trustee Plautz reported that she would like to send out a survey pertaining to commercial waste with the business registration mailing in the fall; SWALCO will analyze the data the Village receives and guide the Village accordingly with regard to commercial waste collection opportunities.

ii) Groot Waste collection and recycling contract discussion

Trustee Plautz reported that she and Administrator Connors had met with Frank Hillegonds at Groot to discuss the possibility of amending the Groot contract to include the option of garbage service suspension for extended vacationers; Mr. Hillegonds was willing to amend the contract in exchange for an amendment to the yard waste service which would limit the number of bags a resident could have picked up each week and

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in exchange for an extension of the contract through 2013. The consensus of the Board was that they would not consider a contract extension under those conditions.

E. Trustee Pratscher – Planning and Zoning:

Trustee Pratscher reported that a meeting of the Plan Commission was held on July 7, 2008 for the purpose of continuing the public hearing to consider a request to subdivide Lot 2 on Rainbow Road; this subdivision is being recommended by the Plan Commission with conditions and will be brought before the Board for final consideration in August.

Trustee Pratscher reported that a meeting of the Plan Commission was held on July 14, 2008 for the purpose of holding a public hearing to consider a proposal submitted for a bank facility on the Rand 12 Centre property; the project is also being recommended by the Plan Commission with conditions and will be brought before the Board for final consideration in August.

F. Trustee Rotter –Parks and Recreation:

i) Update on park maintenance

Trustee Rotter reported that the Old Farm Road Park equipment design and installation are underway.

ii) Motion and vote to direct a Village Building Official to require the Praedium Developer to remove the Town Center Promenade development sign within seven days

Trustee Pratscher reported that the Town Center Promenade development sign has been removed, but the posts that the sign was attached to are still standing. Trustee Rotter stated that he will continue to follow-up on the issue until the posts are removed as well.

iii) Inform Board regarding Lake County States Attorney presentation on Open Meeting Act procedures

Trustee Rotter reported that the Lake County States Attorney would be willing to come to the Village to do a free 35-minute presentation on the Open Meeting Act followed by a 20-minute question and answer session; the presentation would be open to all Village Officials and residents. The Board did not reach a consensus with regard to this item except that it will be considered.

iv) Request for legal opinion regarding ground material for park playground areas

Trustee Rotter reported that he is in dialogue with the Village Attorney with regard to this item.

v) Request for legal opinion regarding section D4 of the agreement with the Vehe Foundation

Trustee Rotter reported that he is in dialogue with the Village Attorney with regard to this item.

G. Trustee Thrun – Public Safety:

i) Review of the requests for stop signs at the following intersections:

- Landmark and Covington (Swansway Subdivision)
- Rue Touraine and Rue Royale (Rue Valley Subdivision) – two stop signs on Rue Royale
- Rue Touraine and Rue Orleanais (Rue Valley Subdivision)

Trustee Thrun reported that one resident had requested the stop sign in the Swansway subdivision and one resident had requested the three stop signs in the Rue Valley subdivision. The general consensus of the Board was that they were not comfortable moving forward with only one resident making each request; the Board would like confirmation that there are others within these subdivisions and within the vicinity of these intersections that support the need for these stop signs and the Board suggested that this support might be confirmed via a petition.

ii) Review of the request for a Caution sign at Foxridge Court and Deerpath Road

MOTION: by Trustee Thrun to approve the installation of a *Caution Hidden Drive* sign on Deerpath Road before Foxridge Court for the southbound traffic. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).

Motion carried 6/0.

H. Administrator Connors:

Proposal to rent the Barn for yoga classes – this item was addressed immediately following the Village Engineer's report.

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I. **Clerk Meyle:** - no report

10) APPROVAL OF INVESTMENT FUND REPORT FOR JUNE 2008:

MOTION: by Trustee Kizior to approve the Investment Fund Report for June 30, 2008 in the amount of \$1,717,728.26. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

11) CASH DISBURSEMENTS:

MOTION: by Trustee Thrun to approve cash disbursements June 17, 2008 to July 21, 2008 totaling \$346,094.86 (expenditures in the amount of \$327,030.43 plus payroll in the amount of \$19,064.43). Upon roll call: YES: (6) Pratscher, Kellermann, Thrun, Kizior, Rotter, and Plautz / NO: (0) / ABSENT: (0). Motion carried 6/0

12) KILDEER POLICE REPORT – JUNE 2008:

Commander Zujewski addressed the Board just prior to the Village Engineer's report. Written reports were provided in the agenda packet regarding STEP locations, citations by location, comparison of arrests, comparison of activity, and summary of criminal offenses.

13) ADJOURNMENT:

MOTION: by Trustee Rotter 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