

**VILLAGE OF DEER PARK
SPECIAL BOARD OF TRUSTEES MEETING
February 11, 2010 • 7:00pm
Deer Park Vehe Barn
23570 W. Cuba Road, Deer Park Illinois 60010**

1) PLEDGE OF ALLEGIANCE AND CALL TO ORDER

The special meeting of the Board of Trustees of the Village of Deer Park was held on Thursday, February 11, 2010 at Vehe Barn, 23570 W. Cuba Road, in the Village of Deer Park, in the counties of Lake and Cook, Illinois. President Kellerman 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

President Kellerman introduced the new Village Clerk Elizabeth Schroeder to the Board of Trustees. Upon roll call, the following were present: President Kellerman, Trustees Pratscher, Kizior, Sands, and Evans. Trustee Trost entered the meeting at 9:35 p.m.

Other Village officials present were Administrator Connors, Clerk Schroeder, Interim Attorney Bateman, Permit Coordinator Doniec, and Village Engineer Todd Gordon of Gewalt Hamilton. President Kellerman stated there is a quorum.

3) APPROVAL OF AGENDA

President Kellerman removed Agenda Item 5) Discussion of Vehe Farm Transition Plan, to be placed on the 2/15 Regular Board of Trustees Meeting Agenda.

Motion: Trustee Evans moved, seconded by Trustee Olson, to approve the 2/11/10 Special BOT Meeting Agenda as amended.

Discussion:

Trustee Pratscher noted that she was asked by several residents if there would be public comments this evening and she informed them there would not be public comment. Trustee Pratscher noted that she understands that there would be public comment and expressed concerned for those residents she told otherwise would not have come to the meeting and have an opportunity to comment. Trustee Pratscher suggested a setting a standard policy on whether or not there would be public comments.

President Kellerman noted that in previous meetings public comment was made available and would continue to be open at Board of Trustee meetings. Trustee Evans suggested putting Public Comment as an item on the agenda permanently on the meeting agenda. President Kellerman and the Board of Trustees agreed with Trustee Evan.

Upon Voice Vote: Ayes: (5) Nays: (0) Absent (1) Motion Carried. 5/0

PUBLIC COMMENTS

President Kellerman read the Village's Public Comment disclosure statement regarding Public Comment. At this time, President Kellerman asked the public for comments. With no comments, Public Comment session was closed at 7: 10 p.m.

4) DISCUSSION OF VEHE FARM SURVEY

Trustee Sands further noted that Trustee Pratscher made suggestions that were incorporated into the Village's draft survey relating to questions about a draft Mission and Vision Statement. Trustee Sands further pointed out the question that was removed from the first edition of the draft Vehe Farm survey. Trustee Sands asked for the Trustee's feedback on the individual questions and how to solicit the resident input.

Trustee Pratscher noted her concerns with question #8 that staff's performance is not relevant to Vehe Farm services. She further asked the Village Administration if this question is appropriate and if there may be another way to handle this. VA Connors noted that if the question was modified to ask about Village staff and not to single out the Village Event Coordinator in regards to the Vehe Farm rental.

Trustee Pratscher suggestion making question #7 an open-ended question and add a comment box for feedback. Trustee Sands agreed with Trustee Pratscher suggestion.

Trustee Kizior expressed concern with not putting the question to sell the barn or not to sell on the survey. Trustee Pratscher expressed her concerns with putting that question on the survey. Trustee Pratscher further referenced Village Attorney Bateman's memo on the subject, in addition to the fact as pointed out by VA Connors, that the property is zoned R1. Trustee Pratscher noted that it's disingenuous to put the question out there to sell the Vehe Farm. Trustee Pratscher suggested that if the question is asked then to include a paragraph outlining various steps to be followed. Trustee Kizior noted that he's not in favor of selling the Vehe Farm or the property, he's heard the sentiments are out there and asked how the Board would know the residents concern if the question wasn't asked.

President Kellerman referenced the Cuba Marsh, and pointed out most of the land is in Deer Park. President Kellerman noted that he spoke with Mr. Bill Davis about purchasing the Village property. Trustee Evans noted that she spoke with the Lake County Forest Preserve and indicated that it wouldn't be something they would consider purchasing Village property. Trustee Evans noted that she would share the letter from Lake County indicating they have no interest in the property. Trustee Evans noted that they want property connected to Cuba Marsh.

Trustee Sands asked who's Mr. Davis. Village Attorney Bateman noted that Mr. Davis is head of the Land Acquisition Department. Village Attorney Bateman noted that he's worked with Mr. Davis in the past and believes Mr. Davis secures the easements from the forest preserve.

Trustee Kizior noted that the question is whether or not to put the question on the survey and thinks the question should be put on the survey. Trustee Pratscher noted that *if*, the question is put on the survey, it would have to explain the steps that would need to be followed to sell and the residents need to understand that whatever percentage of results, that it may or may not be possible to sell the property. Trustee Olson pointed out that it couldn't be possible to sell the property if it does not get the votes from the Board.

Trustee Pratscher noted that there are many issues pointed out in Attorney Bateman's memo. Attorney Bateman noted that his memo outlined four or five issues with selling the property. Attorney Bateman noted there are several issues, but one he didn't mention is not a legal issue but rather a practical issue. Trustee Evans asked the question is what to with the property if it's sold.

Trustee Kizior suggested that he would work on the question together with Trustee Sands.

There was discussion about questions #9 and #10. Trustee Kizior led in the discussion about adding the Butterfly Farm. Trustee Pratscher suggested adding the Butterfly Farm to question #10.

Trustee Evans suggested that #9, 3rd question should read “only if a public event has been scheduled”. Trustee Evans expressed her concern with noting that the Barn could be profitable as she disagrees.

President Kellerman suggested adding three party opportunities such as DDR. Village Administrator Connors reported his meeting with the DDR and noted that they are still very interested in partnership with the Village and Hampton Inn in sponsoring/marketing events. VA Connors noted that he doesn't have any details as of yet. Trustee Sands suggested putting the question under #11.

Trustee Pratscher suggested changing #12 October Feast to Fall Festival and add lines for other lines for partners.

Trustee Kizior suggested asking a question about making the Barn available to non-profit groups, i.e. Boy Scouts. It was noted to be added to the survey.

There was discussion regarding the procedures in creating the distribution list. Staff was asked to generate a list of residents, randomly selected geographically locations. Village Administrator Connors noted that he didn't want staff selecting the names but would have staff create a list in alpha order by street.

Trustee Sands pointed out the options that the resident will have to complete the survey. Trustee Sands further suggested that of those residents that don't response, the Board contact them to get their input. There was general discussion as to whether or not put a section for the resident name. Trustee Kizior noted that it was discussed to leave that as an option. Trustee Pratscher suggested coding the surveys to identify the results. Trustee Sands suggested numbering the surveys to help identify each of the returned surveys.

Trustee Kizior suggested diving up the surveys to each of the Trustees to follow-up on. Trustee Pratscher suggested waiting until the surveys come back and then decide to equally divide them with each Trustee.

President Kellerman noted that Trustees Sands and Kizior finalize the survey and e-mail to the Board by Monday.

7) Discussion of Area Sponsored July 4th Fireworks Displays

President Kellerman moved this item ahead of item 6) Discussion of Proposed Economic Development Commission and Tourism Committee.

President Kellerman announced Lake Zurich, North Barrington, Tower Lakes, Hawthorne Hills, and Long Grove would like to develop a Fourth of July celebration. President Kellerman asked the Board for comments.

Trustee Evans pointed out that Lake Zurich as a 40-acre park and Deer Park couldn't duplicate with that and second she noted that she's not sure how moving fireworks would work. She noted that she's not sure if Deer Park Center has a fireworks display at July 4th and/or Christmas. President Kellerman noted that the Center has a Christmas display. Trustee Evans suggested looking into their schedule so as to not take away their events that attract to their mall; therefore she wouldn't want to do it if it's the same time as the Center's event. President Kellerman noted that he concurs with Trustee Evans.

Trustee Sand noted that he would rather support the event opposed to competing for the event.

There were no further comments. President Kellerman noted that he would communicate to Lake Zurich that the Board would continue discussing the idea.

5) DISCUSSION OF VEHE FARM TRANSITION PLAN

President Kellerman recommended tabling this item for discussion at the Regular Board of Trustee Meeting on Thursday, February 15, 2010. The consensus of the Board of Trustees agreed with President Kellerman's recommendation.

6) Discussion of Proposed Economic Development Commission and Tourism Committee

President Kellerman led in the discussion of developing an Economic Development Commission and Tourism Committee. The Board discussed in length different objectives in creating such committees.

President Kellerman noted that the proposed commission would have to adhere to the Village's Comprehensive Plan and create strategic objectives. President Kellerman noted to keep the Village a priority and to continue making it a better quality of life.

President Kellerman briefly overviewed the retail sales tax revenue figures per the distributed statements showing a \$1.6 million projection.

Trustee Evans concern of giving direction of creating committee and giving authority to an entity outside of the Board such as the Vehe Foundation. Trustee Evans further expressed her concern with the Board losing authority and data from the committee.

President Kellerman explained the membership and appointments criteria with having expertise in the area. President Kellerman noted that the funding would be done through the Village Board Trustees.

Trustee Kizior asked to clarify if two different commissions. Trustee Kizior asked to clarify the difference between a committee and a commission. Attorney Bateman addressed the question and explained both membership formats. Attorney Bateman noted that Board members could not be members of the commission because Trustees can only hold one Village office and that the Commission would need to be created by statute or ordinance. The Village President would appoint the members with the advice and consent of the Board. Creating a committee does not require advice and consent of the Board. Trustee Kizior asked if that be changed. Attorney Bateman noted that it could be changed.

Trustee Pratscher asked what the minimum number of Board members required to form a committee. Attorney Bateman noted 2-3 Board members on the committee.

Trustee Olson explained the objectives and purpose of the proposed committee/commission.

Trustee Sands expressed with concerns with the proposal and suggested updating the Village's open space plans. Trustee Sands suggested updating the Village's website that could give links to the mall that would bring more attention to the retail. Trustee Sands questioned whether or not the Board needs to create such committee/commission to make decisions on updating the website. Trustee Sands noted that he would have a hard time supporting either of the proposed groups without further dialog.

Trustee Pratscher talked very briefly with Trustee Trost today and noted that she would like an opportunity to share her comments about this issue and asked the Board not take action on this issue tonight. Trustee Pratscher noted that there's a chance she might make it to the meeting this evening. Trustee Pratscher noted that she supports updating the website if we can get it done for free.

President Kellerman noted that Trustee Olson is investigating proposals with website companies but has not signed any contracts.

Discussion ensued regarding the role of the proposed commission/committee groups. Trustee Kizior recommends that the website companies provide a presentation to the Board of Trustees prior to taking action. President Kellerman noted that Trustee Olson is working on this and would bring the information back to the Village Board for review.

There was general discussion regarding the use of the hotel tax. Trustee Olson noted that hotel tax could be used to fund tourism. Attorney Bateman agreed that the use of hotel tax revenue could certainly justify tourism funding.

Trustee Evans suggested further discussion on how to spend hotel tax revenue. She also agrees with looking into renovating the Village website. Trustee Evans recommended the village should address signage in the Village and other issues that affect current expenses regarding tourism opportunities.

Trustee Sands suggested creating a development plan to use the hotel tax revenue and recommendations. He noted that he doesn't know if the village needs a committee and/or a commission to decide how to spend hotel tax revenue.

Trustee Pratscher referenced Trustee Olson's proposal and noted to add Metrix as recommended by Trustee Kizior and further suggested that the village needs to come up with plans. Trustee Olson suggested adding both commission and committee to address some of Trustee Pratscher issues.

Attorney Bateman outlined the definition of committee and commission. Trustee Pratscher asked if a Board member could be an ex-officio member. Attorney Bateman noted for the record that ex-officio means *by reason of his or her office* and doesn't vote. Trustee Pratscher noted that in either case, that doesn't mean a resident couldn't be included.

Village Administrator Connors noted his experience of working with other home-rule communities have been closely monitored by the sources creating the hotel tax. VA Connors further recommends that the Village have a plan for the hotel tax use. VA Connors noted that after working with the company over the past three years, the Hampton Inn will be watching how the village will use the hotel tax revenue. He noted that communities have been challenged by hotel tax generators to the point of litigation.

President Kellerman noted that this has been good discussion about the issues and going in the right direction. President Kellerman is seeking the direction from the Board for further discussion.

Trustee Kizior suggested that the Board focus on setting some guidelines for creating the committee/commission to follow rather than arguing about the proposal. He further noted that the template could be used for the future.

Trustee Evans suggested that the Board share ideas with each other about the hotel tax via e-mail. Attorney Bateman recommended that the ideas sent via e-mail should indicate no reply and note that it will be discussed at the Village Board meeting.

President Kellerman suggested the Trustees make a list of uses for the hotel tax and have a Committee of the Whole meeting in two of weeks to discuss the uses. Trustee Sands referenced the memo from Village Administrator Connors regarding uses for hotel tax.

Deborah Barry of 412 Bramble Lane, expressed her frustrations and suggested that the Board visit towns that are doing this type of work. She noted that we are years behind on marketing businesses and that we are losing money every day we wait. She suggested preparing an annual budget for spending. She noted that it's important to start now to promote the Village. She noted that whether it's out of the general fund or fund it out of tourism.

President Kellerman noted that the Board is waiting for more information.

Trustee Pratscher noted that she disagrees with Ms. Barry's comment that "the Board doesn't have to approve everything".

Trustee Evans noted that the Board is not void of marketing and pointed out the links to Deer Park through the Chambers.

8)EXECUTIVE SESSION - To Discuss Legal and Personnel

Motion: Trustee Evans moved, seconded by Trustee Sands, to temporarily adjourn the regular meeting for the purpose of going into an Executive Session to discuss legal and personnel matters.

Upon roll call:

Ayes: Evans, Kizior, Olson, Pratscher, and Sands

Nays: None

Absent: Trost

Motion Carried. 5/0

Trustee Trost entered the meeting at 9:35 p.m.

Motion: Trustee Sands moved, seconded by Trustee Olson, to exit Executive Session at 9:55 p.m.

Upon roll call:

Ayes: Evans, Olson, Kizior, Pratscher, Trost and Sands

Nays: None

Motion Carried. 5/0

Motion: Trustee Evans moved, seconded by Trustee Sands, to re-open the regular meeting.

Upon voice vote: Ayes: (6) / Nays: (0) Motion Carried. 6/0

9) Any and/or New Business

President Kellerman provided an update on the stimulus e-mail as distributed.

There was discussion regarding discussion on the Vehe Farm plans. President Kellerman overviewed the Vehe Farm Foundation income tax forms, Vehe Farm Foundation funds, Summary of Funds as distributed by President Kellerman.

Trustee Kizior asked to further discuss this matter at another meeting. President Kellerman noted that it will be further discussed at the next Village Board of Trustees meeting.

10) ADJOURNMENT

Motion: Trustee Olson moved, seconded by Trustee Trost, to adjourn the Special Board of Trustees Meeting at 10:04 p.m.

Upon Voice Vote: Ayes: (6)/Nays: (0) Motion Carried. 6/0

Respectfully Submitted,

Robert Kellerman, Village President

Elizabeth A. Schroeder, Village Clerk, RMC