

**VILLAGE OF DEER PARK
BOARD OF TRUSTEES MEETING
February 15, 2010 • 7:00pm
Deer Park Vehe Barn
23570 W. Cuba Road, Deer Park Illinois 60010**

1) Pledge of Allegiance

The regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, February 15, 2010 at Vehe Barn, 23570 W. Cuba Road, in the Village of Deer Park, in the counties of Lake and Cook, Illinois. President Kellermann 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 Kellermann introduced the new Village Clerk, Elizabeth Schroeder to the Board of Trustees. Upon roll call, the following were present: President Kellermann, Trustees Pratscher, Kizior, Sands, Trost and Evans.

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

3) Approval of Agenda

President Kellermann entertained a motion to remove items A.i) Appointment of Village Attorney; A.iv) Vehe Farm Transition Plan Update; G.iii) Park Strategies for Programs; and H. Administrator Connors from the agenda.

Discussion:

Trustee Pratscher expressed her concern with continued delaying discussion regarding the Vehe Farm transition.

President Kellermann addressed Trustee Pratscher's concerns and explained the reason for omitting the item from the agenda. He announced the group of members that will discuss the use of the hotel tax and prepare guidelines prior to discussing the Vehe Farm issue.

Trustee Evans suggested that the Board have a fair discussion on the Vehe Farm before making decisions on this issue.

Trustee Pratscher suggested preparing budget needs prior to making decisions on what to do with the farm.

Trustee Olson noted that he would be coming with a bare bones budget for the Board to discuss items.

With no further discussion the motion was called.

Motion: Trustee Pratscher moved, seconded by Trustee Trost, to approve the 2/15/10 Regular BOT Meeting Agenda to remove items A.i) Appointment of Village Attorney; A.iv) Vehe Farm Transition Plan Update; G.iii) Park Strategies for Programs; H. Administrator Connors and add A.v) Establishing criteria for spending the hotel tax.

Upon roll call:

Ayes: Evans, Kizior, Pratscher and Trost

Nays: Olson and Sands

Absent: None

Motion Carried. 4/2

4) Approval and Release of minutes from the Board of Trustees Special Meeting January 14, 2010 and Regular meeting January 18, 2010

Upon the Board's review of the draft minutes, there was questions relating to the accuracy of the January 14th budget discussion estimates. After discussion, the Board proceeded with the following motion:

Motion: Trustee Olson moved, seconded by Trustee Pratscher, to approve the Special BOT minutes of January 14, 2010 and Regular BOT minutes of January 18, 2010 meetings.

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

Nays: None

Absent: None

Motion Carried. 6/0

5) Public Comments — Sign up prior to meeting on sign-in sheet on podium; 5 minutes time limit. President Kellermann opened Public Comments at 7:25 p.m.

Rita Finley of 21900 Green Forest Drive noted that she agrees with idea in setting criteria on using hotel tax dollars. She noted that Vehe Farm events provided a good quality of life, PR and events for residents, but does not promote tourism. Pointed out the value the events at the Vehe farm provide to the village. Asked the Deer Park consider seeking retailers that are trying to reach to sponsor some of the Vehe events to promote them. She suggested retail sponsors and mall events would help promote tourism. She recommended using tax revenue for parks and roads.

Deborah Barry of 412 Bramble Lane, noted that she was speaking on behalf of PR Secretary for Deer Park Neighbors. She further noted this evening is the 4th year anniversary for the established group. She commended Trustee Trost on the RFP for the Inspector services and suggested a one year probationary period instead of starting with a two year contract and to include the probation clause in the contract. She further suggested taking inspection photos with time and date along with details site descriptions. She commented on the parks budget and transition of the farm. She pointed out the park that was created without municipal money but with fundraiser and private donations. She noted that it's not the municipality's responsibility to pick up the ball for the Vehe Farm Foundation.

Village Administrator Connor noted that the 3year contract for the inspector services covers the learning curb. Also there is an annual review, even though it's a proposed 3 year contract, it requires the Administrator and Board approve satisfactory service before extending the next year. VA Connors has software for photos and is doing that now. Trustee Trost noted that document notes that the President may remove the inspector at anytime.

Pat Ekstrom of 5411 Rue Royale thanked the Board for providing meeting material back-up on the village website. She noted that she was upset the with Vehe Farm transition plan. She noted that she was a trustee for four years and during that time Vehe Farm budget items were approved before the whole budget was approved and those line items could never be changed. She noted that as a resident the packet for the meeting appears to her that nothing has changed and that in her opinion the Vehe Farm items are going to be considered before the whole budget again.

Trustee Pratscher noted that is not her intent for leaving it on the agenda.

Ms. Ekstrom reiterated that, for the past years the Board has approved Vehe items one month before the rest of the budget and that's how it the material was perceived.

Trustee Pratscher pointed that has not been the case since her and President Kellermann's seat in office.

Trustee Evans pointed out that there is nothing in the material that states consideration of approval for Vehe Farm items, it's just a discussion items.

President Kellermann noted the reason to table the Vehe Farm item was that the Board is waiting for more information from the foundation.

Trustee Sands noted that he encourages public comments, as a point of order that we shouldn't challenge the public comments and should be given the right to speak without being interrupted or perhaps not even comment. This is a time for public comment, not debate and to let the public speak. Trustee Sands thanked Ms. Ekstrom for her comments.

Larry Winkelman of 21540 Englenook Lane expressed concern with the policy statement on the agenda under Trustee Sands item. Mr. Winkelman commended Trustee Sands on the document.

Roger Hankin of 20856 Swansway Road shared his comments regarding the EDC policies and encouraged the Board to proceed with creating tourism committee. He further suggested to review the police reports and to redirect hours for coverage during certain hours.

Carrie Groeller of 219 Rue Touraine asked the Board to listen to each other and show respect to each other and the residents.

President Kellermann informed Mr. Hansen that the Board is coming up with written documentation regarding tourism. President Kellermann designated Trustees Kizior and Sands to accomplish Mr. Hankin objectives.

With no further comments, Public Comments portion of the meeting was closed at 8:50 p.m.

6) Village Engineer- Report and Recommendations

i) Approval of Village Engineer recommendation to accept grants of easements (Hampton Inn-Deer Park Office)*

Village Engineer Todd Gordon briefly explained this item to the Board and was available for comments.

Motion: Trustee Sands moved, seconded by Trustee Evans, to Approve Grants of Easements (Hampton Inn-Deer Park Office) as presented by Village Engineer Todd Gordon of Gewalt Hamilton.

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

Nays: None

Absent: None

Motion Carried. 6/0

ii) Approval of Motor Fuel Tax Resolution for 2010 Road Maintenance Program for \$62,000.00*

Village Engineer Gordon briefly explained this item to the Board and was available for comments.

Motion: Trustee Pratscher move, seconded by Trustee Trost, to Approve the MFT Resolution for 2010 Road Maintenance Program for \$62,000.00.

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

Nays: None

Absent: None

Motion Carried. 6/0

7) Village Attorney- Report and Recommendations

i) Ordinance granting special use permit for dog boarding and limited retail business at 20434 North Rand*

Motion: Trustee Pratscher moved, seconded by Trustee Evans, to Approve An Ordinance Granting A Special Use Permit to Marie Latimer and John Hamilton for Dog Boarding and a Limited and Related Retail Business on the Property Located at 20434 North Rand Road, Kildeer, Illinois.

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

Nays: None

Absent: None

Motion Carried. 6/0

ii) Resolutions accepting Certification of Completion by Village Engineer for Special Service Areas 8, 9 and 10 project funds*

Attorney Bateman explained this item to the Village Board.

Motion: Trustee Trost moved, seconded by Trustee Sands, to Approve Resolutions Accepting Certification of Completion by Village Engineer for Special Service Areas 8, 9 and 10 Project Funds.

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

Nays: None

Absent: None

Motion Carried. 6/0

8) Reports from President, Trustees, Administrator, Clerk, and Treasurer

A. President Kellermann

i) Appointment of Village Attorney - *removed*

ii) Appointment of Village Clerk

President Kellermann announced his nomination of Elizabeth Schroeder for the Village Clerk position. Attorney Bateman asked Elizabeth for a brief background. Elizabeth then introduced herself to the Board and the audience. She also provided her educational and professional credentials. Elizabeth noted she would be available to answer questions.

Motion: Trustee Sands moved, seconded by Trustee Evans, to Approve the Appointment of Village Clerk to Elizabeth Schroeder.

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

Nays: None

Absent: None

Motion Carried. 6/0

iii) Establish Appointment to the Committee for the Hotel Tax Revenue Fund

President Kellermann recommended nominating Trustees Sands (chairperson), one person from the shopping center, one person from the hotel, Village Administrator and Village Attorney to be appointed on the Committee for the Hotel Tax Revenue Fund.

Trustee Pratscher asked if the appointment could be legally done since it's her understanding that items for voting need to be on the agenda prior to 48 hours. Attorney Bateman noted that he agrees and put on the agenda in advance.

Attorney Bateman suggested that the Board discuss and get a consensus on the item but to wait to vote on the appointment until the next meeting. Trustee Pratscher asked if the committee could have preliminary meetings prior to appointment for discussion. Attorney Bateman replied yes but the committee should post notice of the meeting.

President Kellermann asked for discussion on the matter. It was the consensus of the Board to move forward on the appointments at the next meeting.

Trustee Kizior suggested using the template for future Board commission and/or committee.

iv) Appointment of Trustee Sands to Building Review Board

Trustee Pratscher asked why Trustee Trost wasn't nominated. President Kellermann noted that he recommended Trustee Sands and it was his decision. President Kellermann pointed that there have been more time and reports generated than with roads than zoning projects.

Motion: Trustee Olson moved, seconded by Trustee Sands, to Appoint Trustee Sands to the Building Review Road.

Discussion:

There was discussion about the qualifications for the position. Attorney Bateman clarified the legality of this position regards to the Village ordinance. Trustee Trost noted that it would be more consistent if the zoning Trustee would serve on this committee.

President Kellermann noted that he's confident in Trustee Sands and asked the Board to vote on the motion.

Ayes: Kizior, Olson, Sands and President Kellermann

Nays: Trost

Abstain: Evans and Pratscher

Motion Carried. 4/1/2

v) Vehe Farm transition plan Update

Trustee Pratscher noted that she'd be willing to move this item to the end of the agenda.

The Board decided to stop discussion at 11:00 p.m. and at that point, if need be, to continue the discussion.

President Kellermann provided the Board with an update as distributed in the agenda back-up material regarding the Vehe Farm. President Kellermann noted that to this date, the Village has not received a letter of termination from the Vehe Farm foundation; therefore, that is the reason he didn't feel it was appropriate to discuss this matter now.

President Kellermann further overviewed the financial reports of the Vehe foundation with Board and pointed out that the foundation has cash; therefore he doesn't understand how the foundation is claiming they are going out of business.

President Kellermann noted that Vehe Farm runs independently of the Board of Trustee and needs to have residents input on the Vehe Farm and noted that is the reason for the survey.

Trustee Pratscher explained her opinion for the discussion of this matter.

Trustee Kizior suggested that President Kellermann approach the Vehe Foundation. President Kellermann noted that he has put calls into the foundation. President Kellermann pointed out the e-mails of conversation with the Vehe Foundation and further noted that he has tried to meet with them.

Trustee Sands noted that he is looking for recommendations on proceeding with the matter.

Trustee Evans noted that the information is purely proposal and other than the Prairie is optional. Trustee Evans concern with the agreement with the school district and whether or not the village has the staff and knowledge to offer fieldtrips.

Trustee Evans commented on Trustee Pratscher's comment on the foundation private donations.

President Kellermann suggested discussing this matter at the budget meeting. Trustee Olson noted that he's not sure if the foundation is going out of business. Trustee Pratscher noted that she can assure the Board that the foundation is going out of business. Trustee Olson noted that there was no termination date was given by the foundation. Trustee Olson noted that there are other community events that are not village funded.

Discussion ensued regarding the needs of maintaining of the Cuba Marsh and other numerous parks in the Village.

Trustee Trost suggested putting a question on the survey if residents would be interested in volunteering to help keep the current events. It was noted that is a good idea and that there is a similar question currently on the draft survey.

Trustee Pratscher suggested putting that question on the village newsletter.

Trustee Evans wanted to point out that the prairie area is cheaper to keep as a prairie than mowing it.

No further comments.

B. Trustee Kizior–Public Safety

Trustee Kizior provided a report on the Long Grove intersection between Promenade and Town Center and was available to answer questions.

C. Trustee Olson-Finance

Trustee Olson overviewed the Financial Reports distributed in the agenda back-up and was available to answer questions.

D. Trustee Pratscher-Health and Sanitation

i) Resolution approving Agreement for refuse collection and disposal and recyclable material and compostable yard material removal (Groot Industries)

Motion: Trustee Pratscher moved, seconded by Trustee Evans, to Approve the Resolution and Agreement for Refuse Collection and Disposal and Recyclable Material and Compostable Yard Material Removal with Groot Industries, as amended.

Discussion:

Trustee Pratscher suggested replacing Groot Recycling with Groot Industries throughout the Resolution to be consistent with the Agreement.

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

Nays: None

Abstain: None

Motion Carried. 6/0

ii) SWALCO update

Trustee Pratscher provided the Board with a SWALCO update and was available to answer questions.

E. Trustee Sands-Roads and Drainage

i) Update on Road Program for 2010-2011

Trustee Sands provided the Board with an update and referenced Village Engineer Gordon's comments on the continuing procession on the program.

ii) Traffic Calming Draft Policy for Discussion

Trustee Sands briefly highlighted the draft policy and answered questions from the Board. Trustee Sands noted that the policy may be considered for approval at the next Board meeting.

iii) Vehe Farm survey update

Trustee Sands provided an update on the draft survey and asked the Board for comments and/or suggestions.

Trustee Kizior suggested adding a question for volunteer opportunities.

Trustee Pratscher made suggestions to #'s 12 and 14 and to add a comment box. She suggested making the name and address optional (#19).

Trustee Evans commented on #8.

There was a general discussion regarding dog parks. President Kellermann pointed out that Lake County has a dog run facility.

Mr. Winkelman asked if the Board would directly contact residents with the survey questions. Trustee Pratscher noted that the Board would only be contacting the resident direct only if the survey is not returned. Trustee Sands noted the survey would be sent out to residents within the next two weeks.

F. Trustee Trost-Planning and Zoning

i) Request for proposals for building and zoning inspection services

Trustee Trost outlined the draft Building and Zoning Inspection/Zoning Services Job Title as prepared by Village Staff. Trustee Trost answered questions by the Board.

Trustee Pratscher asked if this item needed action. Village Administrator Connors recommended legal review.

Trustee Kizior commended village staff for their work on creating the draft document.

ii) Requirements for sprinkler plans under new State law

Trustee Trost briefly explained the memo from the Village of Lake Zurich Fire Rescue Department and was available to answer questions from the Board.

Village Administrator Connors noted that he clarified with the Fire Marshall that if there is no sprinkler system in the project there is no charge.

G. Trustee Evans-Parks

i) Vehe Farm Foundation Monthly Report

Trustee Evans announced the Birds event this week and thanked Pat Winkelman for her monthly Vehe Farm report. Trustee Pratscher distributed brochures "Leave No Child Inside".

ii) Approval of Homeowner Association landscape reimbursement requests from Hummingbird Court for \$177.25 and Dover pond subdivision for \$750.00*

Motion: Trustee Evans moved, seconded by Trustee Pratscher, to Approve of Homeowner Association Landscape Reimbursement requests from Hummingbird Court for \$177.25 and Dover Pond Subdivision for \$750.00.

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

Nays: None

Absent: None

Motion Carried. 6/0

iii) Park strategies for programs

Trustee Evans provided information to the Board as distributed in the back-up agenda material and was available for questions from the Board.

H. Administrator Connors

Request for Vehe Barn rental fee waiver from U.S. Green Buildings Council - *removed*

I. Treasurer Stade

i) Approval of proposal from Sikich for FY2010 financial audit

Village Finance Stade explained this item and was available to answer questions from the Board.

Motion: Trustee Pratscher moved, seconded by Trustee Olson, to Approve the Proposal from Sikich for FY2010 Financial Audit.

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

Nays: None

Absent: None

Motion Carried. 6/0

ii) Approval of proposal from Sikich for sanitary sewer billing services

Village Finance Stade explained this item and was available to answer questions from the Board.

Motion: Trustee Pratscher moved, seconded by Trustee Evans, to Approve the Proposal from Sikich for Sanitary Sewer Billing Services.

Ayes: Sands, Trost, Pratscher, Evans and Kizior

Nays: None

Absent: None

Motion Carried. 6/0

iii) Ordinance authorizing the calling of bonds and abating taxes for the year 2009 regarding special Service Area Bonds

Village Treasurer Stade briefly explained this item and was available to answer questions from the Board.

Motion: Trustee Pratscher moved, seconded by Trustee Evans, to the Approve the following Ordinances:

An Ordinance of the Village of Deer Park, Lake and Cook Counties, Illinois, calling a portion of the \$3,935,000 Special Service Area Number Two Bonds, Series 1999, of said Village for redemption and payment prior to maturity and abating a portion of the taxes levied for said Special Service Area Two Bonds;

An Ordinance of the Village of Deer Park, Lake and Cook Counties, Illinois, calling a portion of the \$1,075,000 Special Service Area Number Four Bonds, Series 1999, of said Village for redemption and payment prior to maturity and abating a portion of the taxes levied for said Special Service Area Four Bonds; and

An Ordinance of the Village of Deer Park abating a portion of the tax hereto levied for the year 2009 to pay the principal of and interest on \$3,440,000 Special Service Area Number Two Bonds, Series 2000, \$3,470,000 Special Service Area Number Three Bonds, Series 2000, \$1,685,000 Special Service Area Number Four Bonds, Series 2000, \$3,210,000 Special Service Area Number Three Refunding Bonds, Series 2006B of the Village of Deer Park, Lake and Cook Counties, Illinois.

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

Nays: None

Absent: None

Motion Carried. 6/0

9) Investments Held Report

Approval of the Investments Held Report for January 31, 2010 in the amount of \$975,540.54

Motion: Trustee Olson moved, seconded by Trustee Kizior, to approve the Investments Held Report for January 31, 2010 in the Amount of \$975,540.54.

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

Nays: None

Absent: None

Motion Carried. 6/0

10) Cash Disbursements

Approval of expenditures totaling \$191,552.04 (accounts payable in the amount of \$172,084.43, check register in the amount of \$237.16 plus payroll in the amount of \$19,230.45)

Motion: Trustee Olson moved, seconded by Trustee Pratscher, to Approve the Expenditures Totaling \$191,552.04 (accounts payable in the amount of \$172,084.43, check register in the amount of \$237.16 plus payroll in the amount of \$19,230.45).

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

Nays: None

Absent: None

Motion Carried. 6/0

11) Kildeer Police Reports

The report was accepted as it was presented.

12) New Business

None

13) Closed session to discuss pending litigation

Motion: Trustee Evans moved, seconded by Trustee Sands, to temporarily adjourn the regular meeting for the purpose of going into an Executive Session at 10:30 p.m.

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

Motion: Trustee Evans moved, seconded by Trustee Pratscher, to exit Executive Session at 11:14 p.m.

Upon roll call:

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

Nays: None

Absent: None

Motion Carried. 5/0

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

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

Nays: None

Absent: None

Motion Carried. 6/0

14) Adjournment

President Kellermann entertained a motion to adjourn at 11:15 p.m.

Motion: Trustee Sands moved, seconded by Trustee Pratscher, to adjourn the meeting at 11:15 p.m.

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

Respectfully Submitted,

Robert Kellermann, President

Elizabeth A. Schroeder, RMC, Village Clerk