

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 1 of 13

1. CALL TO ORDER

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, September 20th, 2004 at the Charles Quentin Elementary, 21250 W. Shirley Road, Palatine, in the Village of Deer Park, Lake County, Illinois.

President Gifford called the meeting to order at 7:05 p.m. Upon roll call the following were present: President Gifford, Trustees Dowell, Ekstrom, Kizior, Plautz, Rotter and Thrun. Other Village Officials present were Clerk Smith, Planner Brown, Engineer Gordon, and Attorney Hargadon.

Guests present were: Brant Lieske (20210 Lea Road); Jerry Kosik (20270 Lear Road); Christof Heisser (20834 Swansway); Roger Hankin (20856 Swansway); Jim Kraner (113 Lois Lane); Dave Elms (20324 Meadow Lane); Jean Elms (20324 Meadow Lane); Margaret Kraner (113 Lois Lane); Jim Peterson (20230 Lea Road); Tom Benjamin (20366 Lea Road); Teri Bridge (23675 Hedgeworth Court); Eway McLaughlin (23625 Cuba Road); Carrie Groeller (219 Rue Touraine); Terry Mastandrea (Lake Zurich Fire-Rescue); John Willem (LZRFPD); Fred Chamberlain (Dover Pond Homeowners Association); Robb Tausend (20708 Deerpath Road).

2. AGENDA CHANGES AND ANNOUNCEMENTS

Switched Lake Zurich Fire Referendum discussion to before Vehe Farm update.

3. CONSENT AGENDA

Consent Agenda:

- A) **Approval and Release of Minutes from the:**
 - i) Board of Trustees Regular Meeting held 8/16/04
 - ii) Plan Commission Special Meeting held 9/13/04
 - iii) Plan Commission Public Hearing held 9/13/04
- B) **Approval, Not Release, of Minutes from the:**
 - i) Board of Trustees Executive Session held 8/16/04
- C) **From the Engineer:**
 - i) Pay Request #1 payable to STS Consultants in the amount of \$3,537.50 for 2004 Road Program per the memo from Engineer Gordon dated September 13, 2004.
 - ii) Pay Request #2 payable to Arrow Road Construction in the amount of \$176,608.14 for the 2004 Street Maintenance Program per the memo from Engineer Gordon dated September 14, 2004.
 - iii) Pay Request #1 payable to T. Wallace Blacktopping Inc. in the amount of \$25,617.20 for the Path Project per the memo from Engineer Gordon dated September 14, 2004.
- D) **Ratification of Phone Vote taken 9/2/04:**
 - i) MOTION: by Thrun second by Ekstrom to approve a Resolution by the Village of Deer Park Board of Trustees in support of the Cuba Marsh Connection (bike trail) between Cuba Marsh and Barrington. Upon Phone Vote:
 - YES: (5)
 - NO: (0)
 - UNABLE TO REACH: (1) Dowell

Motion Carried 5/0

MOTION: by Kizior second by Ekstrom to accept the Consent Agenda. Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

4. LAKE ZURICH RURAL FIRE PROTECTION DISTRICT

Chief Mastandrea, Lake Zurich Fire District, and John Willems, Lake Zurich Rural Fire Protection District, were present to address the Board regarding the referenda on the November ballot. Mr. Willems stressed the need for passage of both referendums in order to operate at full manpower.

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 2 of 13

Mr. Willems, presented information to Board regarding the shortfall in the Fire District budget. Formula for the contract with Lake Zurich is approximately \$2.7 million. LZRFPD informed the Village of Lake Zurich that all of the funds would not be available to fulfill the contract price under the formula; can only manage \$2.5 million. Currently about \$1 million in the hole, even with staff reductions and other cost savings plan.

Response time, if the referendum is not passed, will increase from the present 4 – 6 minutes to 8 – 12 minutes or more, due to resulting reduction of manpower and potential station closings. Mr. Willems noted difficulty in recruiting new fire fighters in current environment.

Currently, LZRFPD is doing no maintenance on buildings, and no overtime. If firefighters are sick or otherwise absent (such as due to training), positions are uncovered.

Mr. Willems noted the intention of the Fire Protection District is not to scare residents, but to make clear that, if the referendum does not pass, understaffing and closings of Fire Stations will happen on a more regular basis. Mr. Willems noted the preponderance of calls for Fire Station 4 (Deer Park), regarding commercial property.

Mr. Willems stated the Fire Protection District is requesting a financial contribution from the Village of Deer Park. Fire District representatives are interested in negotiating with the Village for appropriate amounts for financial contributions from the Village.

Chief Mastandrea reviewed handouts provided to the Trustees regarding the operational impact and shortfall of funds. Chief Mastandrea noted the shortfall thus far has resulted in 5 personnel let go from attrition. Also, the budget was originally approved in May 2003; in July the Fire District was informed of inability to honor the contract, resulting in the need to cut the budget two months into the contract. Immediate actions taken have included cessation of overtime. Chief Mastandrea noted the Fire District used to have 5 people in Station 3, with 3 in substations; now try to maintain 3 at each Station. Cannot rehire for 5 people; those salaries lost have helped to close the hole, currently in deficit of \$200,000.

The Fire District has met with Village Presidents for discussions regarding how to handle current budget constraints. Going into next year, costs for personnel will go up, with projected District income at \$2.4 million. Passage of the referendum is vital to the Fire Protection District. Chief Mastandrea stressed that the Fire District has made all of the cuts that can possibly be made. Costs and calls are increasing; while the Fire District is losing money and people.

Chief Mastandrea reviewed statistics regarding distribution of calls, and reviewed the relationship between the Lake Zurich Fire Protection District and the Lake Zurich Fire District. The Village of Lake Zurich is a contract entity to the Fire District. North Barrington, Kildeer, Hawthorn Woods, a portion of Lake Barrington, and Echo Lake make up the Villages in the Lake Zurich Rural Fire Protection District (District is a paper entity only). LZRFPD contracts services from Lake Zurich, as they are right in the middle of the area geographically. The first substation was in North Barrington, 2nd at Hawthorn Woods, and Deer Park was the 4th substation added to bring response times to 4 – 6 minutes in all areas. Chief Mastandrea noted the foresight in purchasing land for the additional substations many years ago; and noted the demand for services has outpaced revenue.

Trustee Rotter questioned why any assets purchased over the years, with the exception of the buildings, have gone to the Lake Zurich Fire District, even though tax dollars from Fire Protection District residents have gone towards the purchase of the assets. Chief Mastandrea noted a study was done by an independent consultant regarding a cost comparison of creating a Fire District for the area for which LZRFPD is responsible vs. the cost of contracting with the Village of Lake Zurich. The Fire District did own their own engine and tanker up until approximately 5 years ago, when the equipment needed to be replaced. At that point, due to insurance, personnel, and costs, District determined not to replace the equipment. When the Village of Lake Zurich purchased equipment, an installment grant was

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 3 of 13

used, whereby a portion of the cost is charged back to the Rural Fire District based on three factors (number of calls, population, and Equalized Assessed Valuation). The total budget of the complete Fire District (including the Village of Lake Zurich) is \$5,944,470; the population of the Village of Lake Zurich is approximately 20,000 (same as the Fire Protection District). Costs aren't split on a population alone basis to avoid one entity from bearing an unfair share.

President Gifford asked if calls for business areas are charged. Chief Mastandrea noted only fees charged are for ambulance transport to the hospital. However, four false alarms trigger charges; the Fire District usually tries to gain compliance to avoid charges through false alarms.

Trustee Rotter expressed the view that the Fire District has not been clear over the years in communicating to residents, noting he has been a member of the community for the last 16 years. The only time Trustee Rotter believes the District was clear was when residents were asked for the buildings in Deer Park and Hawthorn Woods. Trustee Rotter requested the District do a better job communicating with residents, noting disappointment with the lack of financial communication and information regarding the contractual relationship between the Fire District and the Village of Lake Zurich. Trustee Rotter emphasized he was speaking as a resident, and not as a Board member; believes there is a need to communicate better with the community. Fire District Trustee Willems disagreed, stating the District has let the community know through the newspapers. Trustee Rotter reiterated his belief that the District did not inform residents of issues until there was an emergency situation. As such, the District did not adequately prepare for the future. Mr. Willems reviewed mechanisms for funding of the Fire District, noting all Rural Fire Districts are funded solely through property taxes. Additionally, Mr. Willems stated, Rural Fire Districts have no "teeth" legally to procure grants from anywhere; only from the goodness of the grantors. Problem is not management, but the fact that costs and demand continue to rise, outpacing funding. Mr. Willems noted the District has mailed flyers, and gone house-to-house speaking with residents three weekends in a row.

The Village of Lake Zurich funds fire protection out of property tax and sales tax. Trustee Rotter estimated approximately \$100,000 increase in revenues to the Fire District over the last three years due to increased development. Ambulance fees and developer donations make up final sources for funding. The Village of Deer Park has an impact fee (passed within the last 6 months) which covers only residential development. Trustee Thrun noted Motorola and Poag & McEwen also provided a major revenue source due to requirements by the Village.

President Gifford stated this is a revenue sourcing issue; cuts to the bone have been made. After the meeting with Village Presidents, President Gifford believes the shortfall and problems are not due to mismanagement. Alternatives to Chief Mastandrea are dictated by the Villages and the Fire Protection District; only option left is cutting people.

Trustee Dowell questioned timing and funding, questioning whether the Fire Protection District is looking at potentially closing stations between now and November. Mr. Willems stated, if both referendums pass, won't receive additional funding until sometime in 2005. Funds are ample enough to carry through the referendum with understaffing and closing of stations. If the referendum does not pass, will have to look at how long and which stations would be closed.

Board members expressed concern about times for emergency responses, as they will elevate if the referendum does not pass, noting the desired 4 - 6 minutes response time is dictated by physical needs of a person in distress.

Mr. Willems stated the Fire Protection District is asking for a Village contribution to the Fire District. Other Villages are discussing possibility of contributions.

Board members requested more information from Mr. Willems for formulating basis for a possible contribution. Board members discussed need for public input regarding desired

Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004

p. 4 of 13

level of services, and prudence of funding another taxing body, noting urgency in this instance. President Gifford and Mr. Willems to talk regarding possible contributions to the Fire District. Trustee Ekstrom noted the percentage of calls generated by the Triangle, and the benefit received from this area to the Village. Trustee Thrun noted the increased EAV incurred by the improvement of the properties have also increased taxes paid.

MOTION: by Plautz second by Ekstrom to Adopt Resolution 04-06 in support of the Fire District Referenda on the November 2nd, 2004 ballot. Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

Administrator Diesen-Dahl to submit the resolution to the Daily Herald and the Courier. Also, Clerk Smith to post on the Deer Park Dispatch and the web site. Representatives from the Fire District are visiting all Village Boards.

Mr. Willems stated the Fire District is looking for volunteers to work for the passage of the referendum; information is include in the newsletter.

5. VEHE FARM FOUNDATION REPORT

A. Update from the Vehe Farm Foundation--Jim Peterson, Vehe Farm Foundation, reported based on written report submitted. Construction is close to on schedule—slightly behind on elevator work. According to the schedule, activity will be picking up, as other trades will be beginning work. More security lighting will be completed in October.

B. Vehe Farm Bills—
Waivers of lien have been turned in.

MOTION: by Dowell second by Kizior to approve Pay Request #3 for Vehe Farm Construction in the amount of \$82,683.00 payable to R&W Clark per the memo from Jim Peterson dated September 10, 2004. Upon roll call vote:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0)

Motion Carried 6/0

MOTION: by Dowell second by Thrun to approve the Pay Request for architectural and engineering services during August in the amount of \$1,554.05 payable to HZPS per the memo from Jim Peterson dated September 10, 2004. Upon roll call vote:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0)

C) Village office maintenance program—painting. Question on the quality of work, and lack of professionalism (paint left, mess, etc.). Contractor painted over the basement window per Peterson's instructions in the scope of work. Board discussed work done. Trustee Ekstrom stated if this was her personal residence, would not pay until corrected. Trustees Rotter and Kizior agreed. Trustee Rotter to approve release of check (with President Gifford) when work is completed to approval.

MOTION: by Thrun second by Ekstrom to approve Pay Request for architectural services on the 2004 Exterior Maintenance Program in the amount of \$945.00 payable to HZPS per the invoice dated September 2, 2004. Upon roll call vote:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0)

Motion Carried 6/0

D) Cardiac care center at Good Shepherd Hospital. Distributed information regarding the Leadership Challenge to the Board. Looking for individual donors to demonstrate broad-based community support, and to meet the challenge grant. Information to be posted at the Village Office, and Clerk to send out a request on the Deer Park Dispatch.

6. **PARKS LANDSCAPING AND MAINTENANCE**

A. Fred Chamberlain—Dover Pond Homeowners Association

Mr. Chamberlain presented a request for reimbursement of landscape costs paid by Dover Pond Homeowners Association based on the recently passed Reimbursement Guidelines. Mr. Chamberlain noted no expenses for the park have been included, as has been done in the past, because the Board has done such a good job in maintaining the park this year. Mr. Chamberlain noted the Board has reimbursed a portion of such expenses since 1990; believe the Board has been very fair in the past.

Trustee Kizior to work with Treasurer Stade to present a recommendation for next month regarding portion to be reimbursed.

B. Jim Kraner, Park Hill Homeowners Association

Mr. Kraner, representing the Garden Committee, spoke regarding landscaping of resized cul de sac. Polled residents on Lois Lane; consensus among residents was for installation of a Colorado Blue Spruce. Quotes have been obtained; approximate cost of \$700 for 7 – 8 ft. tree. Would like to hardwood mulch; concern is leeching into street; believe 2 foot band of river rock would be appropriate. Also looking for ground cover. Total quote is \$1510.

Trustee Kizior stated he believed he could achieve better pricing on some of the items in the quote. Also, Care of Trees suggested deciduous trees; however, neighbors do not want to deal with leaves and bare trees in the winter. Trustee Kizior expressed concern, given that the area is wet; Colorado Blue Spruce will not do well. Trustee Kizior suggested residents work with him outside of the Board meeting, and requested residents consider a Norway Spruce (hardier in regard to salt and water).

Mr. Kraner expressed concern regarding the maintenance reimbursement guidelines excepting maintenance of areas with entrance signs that are surrounded by roadway. Trustee Kizior noted that, for years, there was reluctance on the part of the Board to reimburse around signs regardless of location. Village will not pick up for any landscaping around entrance signs regardless of locations because Homeowners Associations tend to beautify these areas extensively; reimbursement of this type of landscaping could become very expensive. Mr. Kraner stated he understands wariness of overindulgent landscaping, but greenery does not fall into that category. Trustee Dowell noted the issue over the years has been one of fiscal responsibility, especially in the days when the Village did not have much of a budget to work with; may need to review the policy going forward. Board consensus was to leave the guidelines as approved—the Board spent several months working on the guidelines, and the Board felt that, in the current form, guidelines represent a good faith effort to share appropriate costs.

7. **FENCE AMENDMENT**

Resident Carrie Groeller addressed the Board regarding the fence ordinance. Mrs. Groeller stated that, prior to purchasing her home 5 years ago, she contacted Lake County and Deer Park regarding planned widening for Quentin Road. At that time, Mrs. Groeller was told by both places that widening was not in the 20-year plan; however, that information changed within a year of purchasing her home. Mrs. Groeller stated that, as soon as she learned of the planned widening, she began planting a buffer area between her yard and Quentin Road. However, plantings do not currently provide privacy, noise protection, or safety for her children.

Mrs. Groeller stated that an Annexation dated 9-21-1998 allowed a property owner located in Palatine and annexing to Deer Park to construct a wooden fence along the rear lot line of her property not to exceed 8 feet in height.

As an example of what one Village in the area did (Wheeling), Mrs. Groeller contacted Wheeling regarding a fence she saw while driving Route 83 between Quentin and Dundee

Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004

p. 6 of 13

Road. Knowing Mrs. Groeller was not a resident, Wheeling responded to her email within 24 hours, and were very helpful in providing information on materials allowed, how uniformity was achieved and resolution of line-of-sight issues. Construction of the fence was paid for by public monies to protect the residents.

Responding to Mr. Browns' comments from the July Board meeting: approximately 75 – 100 trees would be needed to adequately screen the Groeller yard, at an approximate cost of \$3750 – 7500 (using Mr. Brown's figures) plus installation costs. Mrs. Groeller compared the cost to purchase landscaping materials and construct the berm in her back yard—trees ranged from \$150 – 289, plus \$75 per plant for installation. The cost of a fence constructed out of 6 foot cedar board on board materials would be approximately \$2300 if installed themselves; \$5,000 if professionally installed.

Mrs. Groeller stated she was perplexed why the Board sent the fence discussion to the Zoning Board of Appeals, only to discount their decisions. Mrs. Groeller asked why the ZBA recommendations were ignored. Mrs. Groeller stated she understands not all members were present at the ZBA meeting; however, a quorum was present.

Mrs. Groeller asked 3 questions of the Board:

1. Why were ZBA recommendations ignored?
2. Why did the Village take ZBA recommendations when the annexation was approved previously, but not now?
3. Why are current residents not afforded the same consideration as a person annexing to the Village?

President Gifford stated it is not incumbent upon the Board to always accept ZBA or PC recommendations. Trustee Rotter noted the Board did take several recommendations from the ZBA regarding potential fence ordinance amendments. Trustee Rotter stated Mrs. Groeller is free to request a fence on her property. Mrs. Groeller noted that the allowed fence under the ordinance will not provide for privacy, screening or protection. Trustee Ekstrom noted the change in the crown of the height of the road further reduces the ability of allowed fences to afford protection and privacy. Mrs. Groeller stated she has done everything she can, but is not willing to spend additional money and wait additional time (years) for results.

President Gifford stated the property annexed in was annexed for a particular reason; Trustee Ekstrom noted the issue is still the same. Attorney Hargadon stated that annexation of the property in question allowed sewer to go to the Triangle properties. Mrs. Groeller asked if current residents are not afforded the same consideration, because the Board does not need anything from them. President Gifford stated that, at the time of the Annexation, the Board took all aspects of the situation into consideration and voted on the Annexation Agreement. Trustee Ekstrom stated she believes residents have a right to privacy.

Planner Brown stated he would never make a recommendation that, for the purposes of screening, residents should line their property lines with trees. Would recommend the use of shrubs in screening; checked prices of shrubs ranging in size and found them to be from \$40 -\$150.

Trustee Kizior stated he would not personally favor a fence, due to aesthetic reasons. Would be in favor of landscaping; landscaping was voted down by the Board. Trustee Kizior noted a fence is not aesthetically pleasing, and not as sound-deadening as landscaping. Mrs. Groeller invited Board members to come to her home and experience the effects of the widening of Quentin, noting that when she moved in, Quentin was a quiet 2-lane road. Mrs. Groeller stated she did not ask for the commercial development, and although she loves the commercial development, having a 4-lane road right behind her home is not acceptable. If the Village is not willing to kick in money for landscaping, the Village should allow residents to construct fences that are more cost effective than landscaping.

Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004

p. 7 of 13

8. FERNDALE WOODS SUBDIVISION ENTRANCE SIGN

Brant Lieske, Ferndale Woods, seeking to update entrance sign; requesting conceptual approval. Attorney Hargadon stated that, as updating a preexisting sign, residents have the right to change the sign as long as it meets Village Code (building permit is required).

9. ENGINEERS REPORT

A. Intergovernmental Agreement with the Lake County Division of Transportation and the VODP for Traffic Signal Maintenance Agreement at Deer Park Boulevard and Field Parkway.

Plote is responsible until roadwork was done; recommend Village enter into this agreement to achieve better cost effectiveness for maintenance.

MOTION: by Ekstrom second by Plautz to accept the Intergovernmental Agreement with the Lake County Division of Transportation and the VODP for Traffic Signal Maintenance Agreement at Deer Park Boulevard and Field Parkway in the amount of \$80 per month. Upon Roll call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0) Motion Carried 6/0

B. Meadow Lane Dry Hydrant Agreement.

Agreement concerns dry hydrant replacement off of Meadow Lane in Deer Meadows Subdivision. The Fire District had received a grant; cost for replacement was \$7500. Proposal for the replacement went to the Lake Zurich Fire District, and was approved at last Monday's Board meeting. Concurrence by the Village is required for the work to be completed as the dry hydrant is in Deer Park. Proposal and payments will be through the Fire District.

MOTION: by Thrun second by Ekstrom to authorize the Lake Zurich Rural Fire Protection District to proceed with the \$7500 dry hydrant replacement at meadow Lane. Upon voice vote:

YES: (6)

NO: (0) Motion Carried 6/0

10. OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

MOTION: by Plautz second by Dowell to proclaim October as Domestic Violence Awareness Month in the Village of Deer Park. Upon voice vote:

YES: (6)

NO: (0) Motion Carried 6/0

11. REPORTS

A. President Gifford

i) Resolution R04-05 regarding National Incident Management System.

Resolution is required to receive federal monies for emergency responders.

MOTION: by Ekstrom second by Kizior to adopt Resolution R04-05 regarding the National Incident Management System. Upon voice vote:

YES: (6)

NO: (0) Motion Carried 6/0

ii) TIF Study: Attorney Hargadon noted worked on the TIF Study is underway by Teska & Associates. Legal questions have arisen in the course of the work; seems appropriate time for the Village to handle decision regarding legal counsel for the TIF District process. Previously, at the direction of the Board, Attorney Hargadon obtained 3 proposals. Proposal from a sole practitioner who charged \$300 an hour with \$225 for associate. Estimated total cost would be \$30,000. Mayer Brown & Platt charge \$475 an hour for a partner, and \$250 – 365; they estimate total cost would be \$50,000. Due to familiarity with the issues, Lord Bissell & Brook have agreed to cap their costs for a total of \$35,000 through the

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 8 of 13

end to the hearings so funding would not get in the way of what Attorney Hargadon believes is an important step for the Village. Attorney Hargadon noted the Village will need Counsel for ordinances prepared to begin the TIF process as laid out by Statute.

Clerk Smith questioned if the Board can appropriately vote on this issue as this item was not on the agenda. TIF report from Teska will be available at the end of the week. Preliminarily, Planner Brown believes the area meets the qualifications for potential TIF designation. Attorney Hargadon noted that a decision on Counsel could be deferred until next month; however, need to commence TIF work at that time.

Board members referred to memo from Attorney Hargadon explaining proposals dated June 2, 2004 for answers to questions posed.

Opinion of Board not to consider Mayer Brown & Platt due to cost. Attorney Hargadon to check with practitioner availability and to verify costs, as well as with Attorney Pugliese at Lord Bissell & Brook.

B. Trustee Ekstrom—Road and Public Utilities

- i) Tree removal 202 Deer Valley—Tree down in easement area between Deer Vally and the easement. If in Village right of way, Village is responsible. If in the back yard, must belong to one homeowner or the other, not the Village.
- ii) Mailbox issue—Trustee Ekstrom supplied measurement of mailboxes after roadwork was completed along Swansway, along with a diagram from the Post Office with dimensions acceptable. Brick mailboxes are grandfathered; however, residents cannot repair them if damaged. Trustee Ekstrom reported mailboxes must meet specifications, or the Post Office won't deliver. Should include in the next newsletter. Also, if addition to the road through the road program throws mailboxes out of spec, the Village should determine actions to be taken prior to next year's road program.
- iii) Woodberry Lane information only; issue has been taken care of.
- iv) Tree on Woodberry lane—see memo in package.
- v) Pruning back Deerpath s curve due to road hazard.
- vi) Ela signage on s curve for appropriate placement of sign. Ela to move sign to before the curve, instead of in the curve. Engineer Gordon contacting Lake Zurich to coordinate on other side of the curve.
- vii) Resident requesting sidewalks on Lake Cook Road—continuing where Barrington sidewalk ends. Board not in favor of looking at right now, maybe in the future. Deer Park has no other sidewalks.
- viii) Heather Lane—Requesting approval to provide turnaround for snow plows. Dead end does not have cul de sac turnaround; plow has to back out. Cost would be \$3500 through Ela; notify residents adjacent to work. Cost is reasonable per engineer Gordon for 8 ft on each end of the road.

MOTION: by Ekstrom second by Kizior to approve an expenditure of \$3500 for Ela Township to provide a turnaround on Heather Lane per the memo from Engineer Gordon dated September 10, 2004. Upon Roll call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0)

Motion Carried 6/0

- ix) Rainbow Road south of the curve overtopping causes ice condition. Alleviate problem with culvert routed to pond west of Rainbow Road. Ela Township can do this week; talk to two residents adjoining. Cost is \$3000.

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 9 of 13

MOTION: by Ekstrom second by Kizior to approve an expenditure for \$3,000 for installation of a culvert per the memo from Engineer Gordon dated September 10, 2004. Upon Roll Call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0) Motion Carried 6/0

- x) Shoulder repair on Rainbow Road. Ela to dig down to install shoulder at Middlefork and Rainbow. No tree removal. Two years ago did other half of the hill. Cost is \$1000.

MOTION: by Ekstrom second by Kizior to approve \$1000 for shoulder installation at Middlefork and Rainbow Road per the memo from Engineer Gordon dated September 10, 2004. Upon Roll Call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0) Motion Carried 6/0

- xi) Street Culvert Cleaning and Storm Sewer Replacement:

Need approval for additional expenditure—requesting additional \$1,875 (brings total to \$115 under budget for this item).

MOTION: by Ekstrom second by Plautz to approve additional cost of \$1,875 for street culvert cleaning and storm sewer replacement per the memo from Engineer Gordon dated September 8, 2004. Upon Roll Call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0) Motion Carried 6/0

As part of services provided by Ela Township, Engineer Gordon has received recommendations for replacement of street culverts. Squires is included in the road program for next year. Engineer Gordon recommends finishing prior to beginning next year's road program. Trustee Ekstrom noted need time to allow trenches to settle.

MOTION: by Ekstrom second by Thrun to have Engineer Gordon take storm sewer replacement out to bid per the memo from Engineer Gordon dated September 8, 2004. Upon voice vote:

YES: (6)

NO: (0) Motion Carried 6/0

- xii) Drainage on Middlefork at Rainbow Road intersection. Problem for some time—overtops with water in heavy rain. Looking at storm sewer improvements to alleviate. President Gifford questioned if intersection needs to be redesigned. Entire right of way is Village of Deer Park's; constantly having problems with that intersection. Engineer needs to complete topographic survey to determine appropriate action; President Gifford requested recommendation on Rainbow Road intersection. Do not have money in the budget for this year; need estimates to budget for next year.

C. Trustee Rotter-

- i) Deerpath Road – Resident has requested no through traffic be posted for Deerpath Road. Board decided not appropriate, as Deerpath Road is a through road, and does not lie in a subdivision.
- ii) Attendance at Metropolitan Mayors' Caucus regarding Affordable Housing
Trustee Rotter attending meeting Wednesday. Will at some point have to authorize a canvass of the community to see if Village meets definition of 10% "affordable". Teska has prepared the scope of work now available to turn in to the Board based on using census data. Need to revisit if wish to do own survey.

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 10 of 13

- iii) Approval of Funds Report status—Feel strongly that allocation of budget by the Board should be tracked through the Treasurer's office and reported to the Board. This is a change in historical method of operating by the Board. Issue is moving from cash system to modified accrual system. May be particular software required; requires time for exploration for system integrity. Auditors were chosen for expertise with municipalities; can give advice on how to achieve this. Trustee Rotter stated he understands the issues; point relates to fiduciary responsibility. Uncomfortable spending money without knowing status of funds approved for payments.

D. Trustee Kizior—Parks & Recreation

- i) Expenditure – Parks, Fertilize and Weed Control

Spring fertilization approved in March; looking for approval of fall fertilization.

MOTION: by Kizior second by Dowell to approve an expenditure for fall treatment in the amount of \$2097 per the quote from TruGreen ChemLawn dated January 8, 2004. Upon Roll Call:

YES: (5) Dowell, Ekstrom, Kizior, Plautz, Thrun

NO: (0)

ABSENT: (1) Rotter (temporarily absent from meeting) Motion Carried 5/0

- ii) Update regarding Quentin Road Punch List

Engineer Gordon has been informed Plote was out repairing punch list items; all have not been addressed yet. Significant items have been addressed; call into Cook County for follow-up. Two items: under drain on the north side of Rue Royale between Quentin and Rue Touraine to relieve standing water, and extra inlet to the south of Rue Royale. Also added under drain to pick up standing water more efficiently.

No progress on Lake Cook Road—any money needed should come out of contingency on contract.

Not planning on replacing any trees—Care of Trees removed damaged branches and evaluated current state of trees. Believe there is a very good chance trees will survive; recommended fertilizations which will be made. If becomes an issue, will verify if on homeowner property or Village property.

Tree at 45 angle by Lake Cook Road was righted and staked by Care of Trees. Tree appears to be doing fine. Do not foresee any trees dying; location is speculation at this time. If trees die, will do what is necessary to determine location. If die, will not replace at full caliper; will replace at reasonable caliper.

Board discussed approval of policy regarding Quentin Road and Lake Cook improvement project. Village to take responsibility for three tree issues: tree at 45 degree angle off of Lake Cook, trees damaged at Rue Royale, and trees cut down on Jacksons' residence. Plote to take responsibility for fixing drainage between Deer Valley and Rue Jardin.

MOTION: by Plautz second by Dowell to approve a policy regarding Quentin Road and Lake Cook improvement project. Village to take responsibility for three tree issues: tree at 45 degree angle off of Lake Cook, trees damaged at Rue Royale, and trees cut down on Jacksons' residence. Plote to take responsibility for fixing drainage between Deer Valley and Rue Jardin. Upon Roll Call:

YES: (4) Dowell, Kizior, Plautz, Thrun

NO: (0)

ABSTAIN: (1) Ekstrom

ABSENT: (1) Rotter (temporarily absent)

Motion Carried 4/0

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 11 of 13

- iii) Legislative Committee of BACOG – August Meeting Briefing
Legislative committee is trying to determine how to lobby; believe Village must create a plan; would listen if come up with regional housing plan that would benefit Deer Park residents. BACOG evaluating feasibility of regional plan.

E. Attorney Hargadon

- i) Ordinance 04-30 - The Establishment of a Hillcrest Road Overlay District
Annexed properties south of Lake Cook Road that are smaller than permitted by our zoning. Created overlay district to accommodate grandfathering existing buildings; creates side front and rear yard setbacks; allows for a FAR of .4; approved by the Plan Commission at prior meeting.

MOTION: by Ekstrom second by Thrun to approve Ordinance 04-30: Regarding the Establishment of a Hillcrest Road Overlay District. Upon Roll Call:

YES: (5) Dowell, Ekstrom, Kizior, Plautz, Thrun

NO: (0)

ABSENT: (1) Rotter (temporarily absent) Motion Carried 5/0

- ii) Ordinance 04-32 - Proposed Amendment to the Deer Park Municipal Code Chapter 151, Fences and Chapter 158, Zoning
Proposed draft before Plan Commission for public hearing next month.

- iii) Had residents discharging into the drainage system. One corrected one not. Resident in Michael D'Angelo Park area—do not want to set precedent and absorb cost. Village subdivision ordinance requires sump pumps be discharged into drainage; in violation of ordinance. Village can enforce. Include in newsletter. Need to send letter to resident in Michael D'Angelo Park.

F. Trustee Dowell—Finance

- i) 5 year plan discussion
Referring to 5 year Budget Analysis distributed in Board packet, Trustee Dowell noted this is a tool the Treasurer's office has used internally to project expenditures. At Board request, updated on an interim basis. Basic setup reviewed. Reviewed numbers included in budget analysis and methodology for projecting numbers. Projections show deficits over the next three years, then turning positive, largely due to land acquisition and Vehe Farm acquisition and renovation. Trustee Dowell cautioned that, while the cushion projected may appear comfortable, the cushion projected is low historically for the Village.

Trustee Rotter thanked Trustee Dowell and Treasurer Stade for the work put in to develop this tool. Noted counting on increase of the dollar value of the items sold without Praedium, as do most taxing bodies. Dowell-with regard to sales tax, if truly ignoring Praedium, would only project single digit sales tax growth. Implying some growth based on Praedium on a conservative side. Included recently completed phase of Town Center.

- ii) Employee bonds
Memo in Board packet regarding bond coverage.

MOTION: by Ekstrom second by Thrun to approve an expenditure of \$50 for an increase in the Bond coverage for the Treasurer per the memo from Treasurer Stade dated 9/16/04. Upon Roll Call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun

NO: (0)

Motion Carried 6/0

G. Trustee Thrun—Public Safety

Resident complaint regarding speeding on Deerpath; talking to Chief Lilly to remedy.

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 12 of 13

- H. Administrator Diesen-Dahl
 - i) Kiwanis Club Volunteer Request
Information on volunteers being sought included in Board packet.
 - ii) Request from Chief Lilly
Engineer Gordon coordinating.
 - iii) Electrical Outage—there was an outage on the east end of Deer Park Road;
cause unknown.

12. TREASURERS INFORMATION

MOTION: by Dowell second by Thrun to approve the Investments Held report dated 8/31/2004. Upon voice vote:

YES: (6)
NO: (0)

Motion Carried 6/0

13. CASH DISBURSEMENTS

MOTION: by Dowell second by Thrun to approve the Cash Disbursements for the period 8/17/04 – 9/20/04 in the amount of \$565,558.41. Upon roll call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun
NO: (0)

Motion Carried 6/0

14. PUBLIC COMMENTS

Resident Carrie Groeller—asked if there is a referral fee being paid to Lord Bissell & Brook for TIF District work. There is not a referral fee. Additionally, Mrs. Groeller noted that Attorney Hargadon made a comment regarding negotiations of the Annexation Agreement and potential for allowing of a “100 foot fence” by the Village, and asked that this be noted even if the comment was an exaggeration.

Resident Roger Hankin—reported he has volunteered his services to help with marketing of the Fire Dept and they have been accepted. If Trustees have thoughts, please contact Roger. Mr. Hankin stated he has been through the numbers; wants to commend the Board in looking into finding additional support for the Fire District. If Trustees want to meet offline, Mr. Hankin noted he has budget-neutral ideas that would also help marketing. He would be happy to work with Board; unfortunate there was confusion regarding numbers presented tonight.

15. ADJOURNMENT TO EXECUTIVE SESSION

MOTION: by Thrun second by Ekstrom to adjourn to Executive Session to discuss ongoing litigation and potential property acquisition, after a 5 minute break. Upon roll call:

YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun
NO: (0)

Motion Carried 6/0

The Regular Meeting of the Board of Trustees was temporarily adjourned at 11:10 p.m.

16. REOPEN REGULAR MEETING

MOTION : by Rotter second by Ekstrom to reopen the Regular Meeting of the Board of Trustees. Upon voice vote:

YES: (6)
NO: (0)

Motion Carried 6/0

The Regular Meeting of the Board of Trustees was reopened at 11:27 p.m.

**Village of Deer Park
Regular Board Meeting Minutes
September 20, 2004**

p. 13 of 13

17. ADJOURNMENT

MOTION: by Thrun second by Kizior to adjourn the Regular Meeting of the Board of Trustees. Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

The Regular Meeting of the Board of Trustees was adjourned at 11:28 p.m.

H. Scott Gifford, President

Sandra R. Smith, Village Clerk