

**Village of Deer Park  
Regular Board Meeting Minutes  
March 21, 2005**

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**1. CALL TO ORDER**

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, March 21<sup>st</sup>, 2005 at Charles Quentin Elementary, 21250 W. Shirley Road, Palatine, in the Village of Deer Park, Lake and Cook Counties, Illinois.

President Gifford called the meeting to order at 7:04 p.m. Board members and Guests recited the Pledge of Allegiance. Upon roll call the following were present: President Gifford, Trustees Dowell, Kizior, Plautz, Rotter, and Thrun. Trustee Ekstrom was absent. Other Village Officials present were Plan Commission Member Sandy Schroeder, Administrator Diesen-Dahl, Treasurer Stade, Clerk Smith, Engineer Gordon, Planner Brown, and Attorney Hargadon.

Guests present were: Robert Lococo (23905 Bedlington Circle); Jim Peterson (20230 Lea Road); E. McLaughlin (23625 Cuba Road); Tom Benjamin (20366 Lea Road); Frank Hillegonds (Groot Recycling & Waste); John Lahr (201 Rue Touraine); Mary Lahr (201 Rue Touraine); Matthew Fletcher (Brunswick Zone); Alan Schopper (Brunswick Zone); Randy Lambert (Brunswick Zone); Jessica Heath-Bolden (Brunswick Zone); Stephen Hegarty (201 Rue Royale); Martin Jackson (521 Court Touraine).

**2. AGENDA CHANGES AND ANNOUNCEMENTS**

None.

**3. CONSENT AGENDA**

**A) Approval and Release of Minutes from the:**

- i) Board of Trustees Regular Meeting held 2/22/05
- ii) Zoning Board of Appeals Meeting held 3/7/05

**B) Approval, not release, of Minutes from the:**

- i) Executive Session of the Board of Trustees Meeting held 2/22/05

**C) From the Engineer**

- i) Alliance Contractors Inc. – Pay Request #5 of \$204,093.50 – Plum Grove-Rand Rd
- ii) Martam Construction Inc. – Pay Request #6 of \$14,876.27 – Swansway Drainage
- iii) American Underground - Payment of 2,350.00 for root cleaning storm sewer between 20677 & 20647 Swansway Road

MOTION: by Dowell second by Thrun to accept the Consent Agenda. Upon Roll

Call:

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

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**4. REQUEST FOR VARIANCE—23905 BEDLINGTON CIRCLE**

President Gifford noted the ZBA recommended approval of requested variance. Petitioner Robert Lococo stated all documentation now matches.

Irregularly shaped lot was stipulated hardship in the ZBA meeting.

Trustee Plautz noted the ZBA had been concerned about setting of precedent. President Gifford noted the hardship based on original placement of the home on the lot would avoid the issue of setting a potential precedent for other homeowners.

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MOTION: by Rotter second by Thrun to approve with the stipulation of the hardship being the irregularly shaped lot. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**5. REQUEST FROM BRUNSWICK ZONE—SIGN**

Representatives from Brunswick were present to discuss a variance to allow an LED reader Board on top of the existing monument sign. ZBA recommends approval.

The sign will not change any more than 8 times per day, per ordinances. Would expect to change based on traffic and change of business. Most days would be 4 times per day; 5 times per day should be sufficient. Could also be used for AMBER or emergency alerts if the Village needed to convey such information to residents. AMBER or emergency alerts would take precedence over other signage.

Brunswick has not consulted with Kildeer Police; would need to do so, if approved. Would need to follow guidelines suggested by the Police, and supply contact information for the Brunswick Zone.

Trustee Dowell noted the receipt of a letter from the Village of Lake Zurich recommending ZBA deny request due to Route 12 Planning Guidelines. Have hesitation approving as a member of the Planning Council, believe should follow guidelines. ZBA noted signs in proximity of Brunswick Zone that have similar signs. President Gifford noted the Route 12 Planning Council has issued guidelines for signage, which our Village generally has followed, as well as additional landscaping and beautification.

Other options would be largely prohibited by Village ordinances.

If deny due to Route 12 Planning Council guidelines, Village should contact Kildeer to discuss noncompliance of nearby signs.

If approved, light levels can be adjusted if found to be too bright.

Trustee Thrun, noting his wife is head of Food Services with Brunswick Zone, though he has not discussed this issue with her or the representatives here. Trustee Thrun is aware business is down; would like to support one of our original businesses if possible.

Brunswick representatives noted the business has changed from leagues to casual bowlers that tend to come on impulse. Leagues were dependable; open bowling is fickle.

Trustee Dowell noted desire to assist Brunswick Zone, but need to do more than pay "lip service" to the Route 12 Planning Corridor Council. Would like to see more input from the Council; President Gifford to seek input. Also, Board would like more information from Kildeer regarding why signs were allowed, and how many more were approved.

Table to next month for input from Kildeer and the Route 12 Planning Corridor Council.

**6. GROOT—GARBAGE CONTRACT**

Frank Hillegonds, Groot Recycling and Waste Services, Inc., addressed the Board. Mr. Hillegonds noted Groot previously purchased BFI Palatine; the original agreement is expiring. Propose to freeze current rates, enhance recycling program, and to enhance the yard waste collection program. Believe Village is satisfied with services received.

Recycling program would allow 65-gallon cart (1/3 smaller than refuse carts) to prevent blowing paper and debris.

In terms of yard waste, proposal offers a subscription level of service with a cart as well as a bag program with stickers.

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Board questioned methods of selling stickers to residents, which could be handled through the Village Office or through customer service and/or local merchants and/or billed directly.

Trustees discussed possibility of offering stickers at \$1.80 instead of \$2.00; however, Mr. Hillegonds noted \$2.00 is below average for the area. Board expressed desire for residents to continue this service at no charge, and discussed ways to avoid stickers. Mr. Hillegonds indicated the proposal is designed to allow residents who average 3 bags of yard waste a week to get a 95 gallon cart for below the going rate. Cart at \$75/year is a compromise. Can offer unlimited yard waste service, but would be at higher rate. Cost of yard waste has gone up tremendously; do not know the history of why BFI allowed \$20 per year; need to align more with going market rate.

Trustee Rotter reviewed changes occurring according to the post cards received by residents from Groot today in the mail. Would like to see other bids. Mr. Hillegonds was not aware that cards had been sent; these were sent in error, given that the Village is currently negotiating the contract.

Administrator Diesen-Dahl noted statement received from Andy Quigley (SWALCO Director), who has reviewed proposals and finds them to be consistent with other contracts in the area. Yard waste would include filling of a cart, if full, additional bags would require a sticker at \$2.00 each. Stickers were conceived to allow residents who generate only a bag or two to receive yard waste service at a low cost.

MOTION: by Rotter second by Dowell to table and receive bids from other firms to determine marketplace for waste and recycling services. Upon Roll Call:

YES: (3) Dowell, Kizior, Rotter

NO: (1) Plautz

ABSTAIN: (1) Thrun

ABSENT: (1) Ekstrom

Motion Carried 3/1/1

Information on other bids to be available for Board next month; Trustee Plautz to coordinate with Administrator Diesen-Dahl for bid process. Minimum of two other bids. Check with Groot to verify best prices are achieved, and include stickerless program quote.

**7. VEHE FARM FOUNDATION REPORT**

**A. Update on Phase II Construction Project**

Mr. Peterson noted he is reasonably pleased with the pace of construction; told contractor he did not need to appear tonight. The Vehe Foundation Report dated March 14<sup>th</sup>, 2005 was distributed to Board members in their packets.

**B. Payment of bills:**

- i) Pay Request #9 for Vehe Farm Construction in the amount of \$33,381.00 payable to R & W Clark per the memo from Jim Peterson dated 3/14/05.

MOTION: by Thrun second by Dowell to approve Pay Request #9 for Vehe Farm Construction in the amount of \$33,381.00 per the memo from Jim Peterson dated 3/14/05. Upon Roll call:

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

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

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- ii) Pay Request for architectural and engineering services in the amount of \$1,028.25 payable to HZPS per the invoice from HZPS dated 3/2/05.

MOTION: by Thrun second by Dowell to approve the Pay Request for architectural and engineering services in the amount of \$1,028.25 payable to HZPS per the invoice from HZPS dated 3/2/05. Upon Roll call:

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

NO: (0)

ABSENT: (1)

Motion Carried 5/0

Mr. Peterson confirmed the trench behind the farmhouse is set far enough back that an expansion should not trigger a need to relocate the trench.

Tom Benjamin updated the Board on Foundation activities: continue to work on the wild rose and buckthorn, 12 bluebird houses installed (approximately 12 were used, not sure by bluebirds). Soon will be working on the pond again.

Vehe Farm Foundation spent approximately 300 hours developing numbers for the budget submitted to try to ensure accuracy of estimates. Numbers were developed from a market viewpoint to allow rental costs to be determined.

**8. RESIDENT STEVE HEGARTY**

**A. Right of Way for Rue Vallee Subdivision Entrances**

Homeowners are interested in putting in some entrance way monument signs, however there are space constraints involved—looking for potential solutions. Trustee Kizior noted he thought there were 10 – 15 feet of Village right of way on Rue Vallee that might be used for monument signs. Engineer Gordon to advise regarding potential signs that might work.

**B. Drainage on Rue Touraine**

Issue is still an open item with the County. Engineer Gordon has sent three letters; some items have been addressed. Next step is meeting with contractor April 5<sup>th</sup>; trying to wrap up items at that meeting. President Gifford requested Engineer Gordon confirm who will do the work at the April 5<sup>th</sup> meeting.

**C. Views and Plans for Village of Deer Park**

Mr. Hegarty noted concerns he has about the disparity between the idea of leveraging desired development at the corner of Quentin and Lake Cook Road with continued litigation environment. President Gifford Board is also concerned; hopes we are nearing the end. President Gifford noted the Village attempted to work with parties involved, were rebuffed, and had to take the litigation route. Mr. Hegarty asked if that included working with the homeowner, as he sent a letter to residents that states the Village will not negotiate. President Gifford stated that letter is not correct.

Mr. Hegarty asked if it is normal for the Village to pay lawsuit costs, and if there will be a cap on the litigation fees. Trustee Dowell noted the Village has authorized payment of defense of actions take in official capacity. Trustee Kizior noted that, since the Village has to defend itself, and since the same types of action are going to be taken to defend the Trustees, the costs are virtually the same as defending just the Trustees. President Gifford noted the Village followed letter of the law. Village did not bring the lawsuit; have tried to talk to Mr. Shepherd prior to the lawsuit, refused to budge his position. President Gifford stated he offered a number of options which he refused. Mr. Hegarty asked what the Village intends for the land. President Gifford noted the Village does not own the land. Mr. Hegarty noted, when the Church was brought in, the Board discussed the intent to protect residential nature of the Village. Trustee Dowell reminded Mr. Hegarty that concerns at this area were safety and protecting the residential nature to improve that entrance to the Village.

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Trustee Rotter asked what Mr. Hegarty would like to see on the southeast corner of that intersection. Mr. Hegarty stated he hasn't spent enough time to give you an answer. Does know he does not want to see hundreds of thousands of dollars spent in litigation. Mr. Hegarty asked if the Village is considering this area for affordable housing; Trustee Rotter asked for this discussion to be held until the agenda item was called later in the meeting.

Trustee Thrun asked, noting Mr. Hegarty's time on the Board, if he would have liked the Village to defend him if being sued on a personal basis rather than having to hire own attorney to defend. Mr. Hegarty stated it would depend on the situation; have been in that situation, and held out.

Trustee Rotter noted if the Village were not going to defend the suit and the individuals the court would render a default judgment, and the Village takes a financial hit. Plaintiff has asked for \$500,000 (in excess of). Mr. Hegarty stated he does not believe he would have let it get to that point. Mr. Hegarty stated he believes Mr. Shepherd would drop the suit if approached. President Gifford stated he has spoken with Mr. Shepherd.

Trustee Rotter stated when residents come before the Board with comments, residents should look at all sides of the question. When looking at a default judgment, the Board voted to defend. Trustee Rotter noted he was not included in the action and that he believes it will not add to the costs to the Village to defend the Trustees. When residents come before the Board, residents should have constructive options.

Mr. Hegarty stated he believes the Village should cap costs.

**9. BACOA DONATION REQUEST**

MOTION: by Dowell second by Plautz to table until the first month of the next fiscal year.

Upon voice vote:

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

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**10. ATTORNEYS REPORT**

A. Update on Zoning Violations

Attorney Hargadon noted Mr. Fik was before the Board last month regarding zoning violations. Did not comply with initial view of the Board. After a number of visits from B&Z Inspector Holmes, there is one car in the garage, second car has all four tires—now in compliance with Board order.

B. Late Payments

8 businesses (out of 130) have not paid business registration licenses. Office to request Kildeer Police deliver notices to enforce ordinances.

**11. REPORTS FROM THE PRESIDENT, TRUSTEES, AND ADMINISTRATOR**

A. President Gifford

i) General Information

Nothing to report.

B. Trustee Dowell—Finance

i) 2006 Fiscal Year Budget

Thanked Trustees, staff, and Treasurer Stade for work. Budget proposed for Fiscal Year 2005 had projected deficit of \$1.9 million; main reason was anticipation of Vehe Farm would be completed in current fiscal year and first payments on Dahm property would occur. Expenditures are not as far along as anticipated; part of \$1.9 million from 2005 will be pushed into 2006 year. Top

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half of budget is regularly recurring items--those with very little discretion. Second half are items proposed and researched for consideration, with cash balances on hand.

State Revenue Sharing and Motor Fuel Tax were cut fairly substantially by the State this year. When Springfield cuts, Village allotment is cut.

Highlights of Proposed budget were reviewed:

Receipts—

Building permits at \$180,000

Entertainment \$100,000 (down significantly from a year ago based on history of 8 months of operation)

Income tax \$215,000

Motor Fuel Tax \$85,000

Reimbursable categories are offsets

Sales Tax deposits of \$1.25 million based on actual for this fiscal year. Do not know about new development, rather than speculate, left any new development out.

Utility deposits and Telecommunications also are based on actual receipts year to date. No growth included to be conservative.

Disbursements—

Building Inspection Fees actual to current

Debt Principal and Interest of \$457,000 for Dahm payments 320,000 and Vehe payments of \$136,000.

Professional Fees-Engineering \$150,000, Legal \$250,000 (both based on actual experience year-to-date)

Landscape and Maintenance (regular and recurring) \$54,000

Police Services \$1.1 million

Repairs and Maintenance (excludes road repairs--regular and recurring) \$45,700

Salaries are actual with a projected potential increase

Snow and ice control \$92,000

Swansway drainage \$48,000

Telecommunications \$66,000 (set-aside for class action suit) worst-case scenario is amount collected. Roughly 3 years—130 – 140,000 included in general funds. Believe should break out until final resolution to the issue.

Attorney Hargadon will research to determine if there is a threshold where Village can stop reserving monies against potential settlement.

Vehe Farm Foundation \$10,000 (per the Agreement)—separate numbers to follow are for completion of Barn and functionality of space. This item is for itemized expenses for the Foundation for the year. In summer of 2004, changed the relationship between Foundation, contractors, and the Village. Village now contracts directly.

Vehe Farm Foundation \$123,000—includes estimate for staff. When nature of relationship changed, overfunded VFF by approximately \$45 – 50,000.

Vehe Farm Construction \$800,000—included in 2004 -2005 and pushed to 2005 – 2006 year. Do expect final cost of construction to come in at less than planned two years ago when began process.

Cash balances projected:

\$2.3 – 2.4 million as of 4/30/05. Current overrun will bring balances to \$1.3 million for 4/30/06.

Trustee Dowell reminded Board members that projections were for larger balances hitting in the 2004 - 2005 year. Have now projected same approximate balances, just pushed to next year.

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Additional considerations:

Trustee Kizior for Park and Recreation \$344,000  
Trustee Ekstrom for Repairs and Maintenance \$395,000  
Trustee Rotter for Rand Road improvements \$75,000  
Trustee Rotter for Affordable Housing \$25,000  
President Gifford for Additional Personnel \$50,000  
Nonessential Road Program \$370,544  
Total = \$1.2 – 1.3 million

Trustee Dowell noted the \$55,000 overpayment to the Foundation will be returned to the Village; refund is not included.

Kitchen is included in last year's budget, doesn't show in proposed budget.

Tonight requesting approval of budget. Believe should approve required expenditures; if receive positive income news, revisit items on "Possibles" list. Treasurer Stade will then develop an appropriation ordinance to be approved at the May meeting; this is the official requisition of funds for the upcoming year.

President Gifford questioned if the budget approval and discussion could be held off another month due to the absence of Trustee Ekstrom to include all information available on Roads. Trustee Dowell noted Trustee Ekstrom worked to develop the breakout of these items into Necessary and Possible. Road maintenance and drainage issues are included; not road program. President Gifford stated he wanted to make certain Trustee Ekstrom was properly represented in these issues before proceeding. Trustee Plautz noted she had some concerns--believes should cut out some of the Parks and Recs expenses, such as monthly clean ups and parks beautification. Trustee Dowell noted these expenses were developed by Trustee Kizior, and appear to be roughly in line with historical expenses.

Trustee Dowell noted preferred timeline would be to pass the budget tonight, but could take another month to review the figures. Trustee Rotter requested another month to review figures, noting concerns about passing the budget prior to discussing line items under discussion (such as the police budget). Trustee Dowell reminded the Board there is a disconnect between the budget and approval of expenditures. Approval of a budget does not mean there is approval; this is a guideline for expenditures.

Trustee Kizior noted there are items that are in the Items under Consideration that could be amended, such as Charlie Brown Parking lot at \$141,000. Portions of the lot must be addressed this year, at \$3,500, with remainder deferred to the following year.

Trustees must go through the budget, bring suggested changes to the next meeting (do not submit to Treasurer Stade), for final discussion next month. President Gifford requested Trustees go through their budget and attempt to find savings where possible. Dowell reminded the Board that decision to purchase the Dahm property triggered need to conserve on expenses in order to achieve a future good for the Village.

Trustee Dowell read the following statement from Trustee Ekstrom:  
*I am very sorry that I was unable to attend the Board meeting. I did want to include my thoughts related to the budget.*

*First I want to thank Greg for nice job in consolidating all the requests for the budget items into a rolled up version for our team to review. I also appreciate how he organized the information into items of recurring nature verses discretionary items.*

*I have one question related to the breakout of the Vehe Farm funds. You list 10,000 in public relations section and 123,000 in office furniture, flip charts, phone lines, etc as being items that are not discretionary funds. My understanding is that these are also discretionary and should be decided on just like the road plan.*

*I am fully aware that after all the non-discretionary spending our village cash reserves per your spreadsheet will be 1.35 Million. If we add back the optional spending related to the Vehe Farm our cash reserves will be 1.48 Million.*

*I would like to keep are cash reserves above 1 million dollars at least and agree we should minimize our spending this year. I believe that before we approve spending on items that enhance our parks or the Vehe Farm, we need to fund some items that improve the basic standards of living in Ferndale in the amount of 175,000 and the Pheasant road repair at 278,286 this year. In my calculation based on your spreadsheet that would be all that we could spend this year and still remain above the 1 Million dollar mark.*

*I would not recommend spending any additional money on the Vehe farm or the parks until 2007 so we can use our limited funds in improving the basic standards of living in some of our other neighborhoods.*

*Thank you  
Pat Ekstrom*

MOTION: by Rotter second by Plautz to table budget discussions for one month.

Upon voice vote:

YES: (4)

NO: (1) Dowell

ABSENT: (1) Ekstrom

Motion Carried 4/1

ii) Sikich Gardner Engagement Letters

Trustee Dowell this item was deferred at the last meeting as it was not on the agenda; took exception to this decision to postpone as the engagement letters are for services of a usual professional provider to the Village. Engagement letters presented tonight for the Board's approval.

MOTION: by Dowell second by Thrun to accept the engagement letter from Sikich Gardner for audit services in an amount not to exceed \$11,000. Upon Roll Call:

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

NO: (0)

ABSENT: (2) Ekstrom, Plautz (temporarily stepped away) Motion Carried 4/0

MOTION: by Dowell second by Thrun to accept the engagement letter from Sikich Gardner for sewer billing services not to exceed \$5,500. Costs are recovered by sewer services fees. Upon Roll Call:

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

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

C. Trustee Thrun—Public Safety

i) Police Contract

Trustee Thrun distributed a revision to the contract included in the packet. Originally, Kildeer requested a 5-year agreement; believed that was not in our best interests. Proposal is for a 3 year agreement with possibility to renew for 3 years, and would include 2 fulltime officers in Kildeer, 2 fulltime in Deer Park, 1 in Rand Road corridor, and a Supervisor. Idea was to get more coverage on a



consistent basis in the residential areas. Buying more service and costing more money. Did not get quotes from either Lake Zurich or Lake County, had costs for Inverness and Barrington.

Contract has lengthy service requirement section.

Trustee Thrun noted this proposal embodies a tighter job of allocating capital costs. Insurance costs and pension costs are going up. Costs may go up if approve formula function factor that drives additional costs.

Praedium alone will not cost the Village any more money under the formula.

Page 6 (7) of the contract specifies triggers that would result in additional costs to the Village. For instance, if the proposed hotel or Hamilton Partners office building were constructed, could impact the formula and trigger higher costs.

The three year extension would be based on operating costs at the time of extension.

MOTION: by Thrun second Dowell to table the proposed police contract pending Kildeer's approval, with the understanding that the Kildeer Mayor will recuse himself from the voting. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**D. Trustee Ekstrom—Roads & Public Utilities**

**i) Ferndale Drainage**

In absence of Trustee Ekstrom, Engineer Gordon spoke regarding the March 14, 2005 memo on possible approaches to remedying the drainage issues in Ferndale. The last time the Village took action on the issue was in 1986. Could simply take same action, however, there is an area that has not been addressed previously that needs to be included.

Area 1 study estimated cost is \$25,000; repair costs are estimated at \$150,000. Repair estimate is a worst-case scenario dependant upon study results (replacement cost for pipe from Deerpath Road to Ferndale Subdivision). The \$10,000 approved last month for the topographic survey is separate from costs broken out in the memo.

Completed Swansway Drainage improvements last year; year prior addressed drainage in Park Hill and Oak Ridge subdivisions. Reviewing village drainage issues, this area is next in line.

Trustee Rotter asked if this is indeed a resolvable situation, noting he did research on the issue with Kelly Lake. Homeowners have been requesting assistance with enrichment to the lake caused by geese; however, homeowners who own over 50% of the lakefront do not want the Village involved. One of the homeowners who lived in Country Corners prior to building near Kelly Lake informed Trustee Rotter the area was a peat moss (water sitting above a peat bog). Additionally, an EPA study done 2 years ago at resident cost showed enrichment to area is due to geese, not runoff. When reviewing the area around Circle, appears the area is very similar to near Deerpath around Kelly Lake. Questions if this is a resolvable system without actually lowering the water level with a hydraulic system. Area is lower than the lake, lower than Deerpath, and lower than Lake Cook.

Engineer Gordon noted there is a simpler solution on the northern area than on the southern.

Additionally, Trustee Rotter noted some residents uphill have filled ditches causing water to flow towards neighbors' homes. Concerned about whether or not can actually fix the problem. Engineer Gordon stated if drain tiles are corrected and piping system between Deerpath Road and the Ferndale Road.

Water does overtop the road—gets up to mid-tire level for the people on the lower part of Circle near intersection of Circle and Lea.

Board discussed alternatives and conditions in the Ferndale area; Engineer Gordon reviewed the existing drainage patterns in the area. Northern area drains to the pond to the north; southern area is routed to the pipe system which flows to an unnamed pond referred to as Deerpath Pond. During construction would need to include an alternative pumping system, which is included in the estimate of \$175,000.

If complete this work, the Village has the right to require residents who have modified the drainage patterns to return the drainage patterns.

Trustee Kizior noted there has been discussion on conversion of Ferndale Park to a pond to handle water; requested this alternative only be evaluated as a last resort.

Preliminary Design and Hydraulic Analysis should be completed this summer. Desire is to address issues prior to road program work in the area.

Will provide more detailed scope and parameters for the budget process. Have approval for existing topography study.

ii) Road Budget Review

Included in the Board packet was a preliminary budget review for the 2005 Deer Park Road program; no questions on the document at this time.

E. Trustee Rotter—Planning & Zoning

i) Affordable Housing

Received document today regarding annual reporting Village should complete. Must approve plan prior to April 1<sup>st</sup>, but then have 60 days to submit.

Trustee Rotter reviewed proposed Affordable Housing Plan. Based on information received from the IHDA, the Village does not meet the 10% affordable housing objective. Currently the Village has 20 affordable housing units (12 owner-occupied, 8 rental) of its 1008 total housing units (2%). These numbers were derived by IHDA from the 2000 Census; numbers will not change unless the Village shows evidence to IHDA of additional affordable housing units. Need additional 81 affordable housing units to be in compliance with the Act using 2000 census data, a revised analysis of median income and home value not withstanding. Median income and home value will only change by the Federal government, and generally only after the next census, done every 10 years. Suggesting elect 15% of all new development or redevelopment as goal. Tear-downs may trigger this requirement (issuance of a demolition permit), which may be an issue for the Village.

Planner Brown referred to his memo to the Board dated March 15, 2005, specifically correction regarding Requirement #2-Goal and needed correction. Additionally, Planner Brown stated importance of remembering there are three goals for compliance. Village is only required to achieve 15% of any new development; actual number deficit is not relevant.

Trustee Rotter reviewed the concept of “lasagna financing” to achieve affordable housing status. Problem with this concept is that the Village must pass guidelines requiring deed restrictions requiring sale price not to exceed the affordable housing guideline at the time of the sale.

Although the proposed affordable housing plan delineates potential areas for such housing, the Village would be obliged to consider plans from an approved affordable housing developer. Likely sites for affordable housing would include areas with sewer and water potentially available. Trustees discussed potential exclusion of area east of Quentin Road and south of Lake Cook Road, as they do not have water and sewer currently available. There are water lines, though not Village water lines; there is not currently sewer in the area at all. South of Lake Cook plus both east and west of Quentin to be excluded from potential sites.

Trustee Rotter requested additional input from Trustees regarding Section 7—Tools and Policies. Although this plan is subject to review by a Board as yet to be named, Attorney Hargadon stated that in the presence of a reasonable plan laying out potential areas for compliance, local zoning regulations would have to be given weight. Trustee Rotter noted there are a number of Villages that have stated they are not going to file. Other Villages that have filed will have the opportunity to learn from the scrutiny these Villages will be subject to. Planner Brown also noted that some of the villages submitting plans have not done as thorough of a job as the proposed plan before the Board currently.

Plans can be resubmitted as necessary. May need to amend the Planned Development Ordinance to account for potential Affordable Housing units. Planner Brown also noted possible “floating zone” that would not require naming of a specific area suitable for affordable housing. Trustee Rotter referred to the concept in the proposed plan as “flexible zoning”.

Board requested removal of #5, #8, and #9 of Section 7. Also, in #10, end the sentence after the words “PD”.

Under Section 8—Housing Plan Design & Criteria, include only the first paragraph.

Section 9—Next Steps, include only first 6 steps.

Trustee Rotter noted the lag in the census data and impact on changes in calculations (three-year lag).

Trustee Rotter suggested Board pass the plan subject to changes and modifications discussed, then will go over the changes with Clerk to make certain all have been captured, and submit within 60 days to the State.

MOTION: by Rotter second by Plautz to approve the proposed Affordable Housing Plan, subject to changes suggested tonight. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**F. Trustee Kizior—Parks & Recreation**

- i) Mowing Bids: Summary—proposal numbers 2 from Maloney and #6 from Loar as shown on the Bids Received Summary dated 3/16/05 submitted from Trustee Kizior are the two low bids. Both are less than costs from last year. Would like to proceed with bid from Maloney even though higher than low bid. Did not get the best recommendations from Ela Township on the low bidder (#6), Maloney has done work previously for the Village. Believe quality for extra cost is worth the difference—still less than last year expense.

- ii) Parks Maintenance Bids: Clean up--#4 (Ellington) is \$6,182; #5 (Landscape Concepts) bid \$6,015; #12 (Greenleaf) bid \$6,200. Recommend going with Greenleaf, as have used previously as prime contractor for Deerpath and Lake Cook. If no objections, would like to proceed with #12. M&S did not bid on general maintenance; spoke with them regarding incomplete bid. Thought they did excellent work last year, would be willing to do miscellaneous work throughout the Village as work comes up.

Board discussed cutting down on mowings or maintenance to lower costs. Trustee Kizior stated he believes costs are actually lowered by minimum regular maintenance, rather than major efforts on a more sporadic basis. Board requested Trustee Kizior request flexibility in mowings during the driest summer months.

- iii) Park Hill Homeowner Reimbursement Request: Recommend not paying 2002 as guidelines are for 2003 going forward. Receipts received for 2003 and 2004.

MOTION: by Kizior second by Thrun to approve the request for reimbursement submitted by Park Hill Homeowners subdivision for the years 2003 and 2004, per the guidelines, contingent upon final review of areas, in the amount of \$2313.50 (\$995.50 and \$1,318.00), and subject also to review by Treasurer. Upon Roll Call:

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

NO: (0)

ABSTAIN: (1) Dowell

ABSENT: (1) Ekstrom

Motion Carried 4/0

- iv) Chapel Hill Homeowners Proposal: Table to FY2006.
- v) Usage of the parks: updated form included in Board packet.
- vi) Update—Fertilization: met with vendor. Mentioned intent to sign contract, no budget, expect to have one in place between middle of April and middle of May. Agreed to schedule activities as though budget will occur. No work to occur prior to budget approval.
- vii) Update—Ponds Maintenance: met with vendor. Mentioned intent to sign contract, no budget, expect to have one in place between middle of April and middle of May. Agreed to schedule activities as though budget will occur.

## 12. PUBLIC COMMENTS

**Resident Mary Lahr** stated the May 1<sup>st</sup> the Village needs to change from cash to accrual accounting. Trustee Dowell indicated the Board is hoping to move to accrual accounting. Mrs. Lahr suggested it might be helpful for the Trustees to have a schedule of those accounts under the new accounting method with beginning balances. Trustee Dowell stated that would not be necessary, as there will only be a few new accounts; no beginning balances as cash will end 4/30/05.

Mrs. Lahr noted the legal amount stated in the budget of \$250,000, which seems low considering the Village is being sued and historical costs. Asked if legal fees are found in other categories. Trustee Dowell noted legal fees are also found in legal reimbursable.

Mrs. Lahr asked if there is any kind of fund accounting for potential costs associated with the legal actions. Trustee Dowell noted took into account perceived potential costs, as they do not believe these costs will be probable or likely, there is no set-aside.

Considering budget constraints, Mrs. Lahr suggested it might be possible have some of the sports associations help pay for costs to clean up parks. Trustee Dowell noted he is looking

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into assistance from the associations. Have not in the past as our Village has so few fields and looking to have kids included in programs at same rates as residents.

Mrs. Lahr also questioned why there are no public hearings on the budget, and noted surrounding communities do hold public hearings. Treasurer Stade stated the Village has held public hearings on the Appropriations Ordinances, as required by law.

**13. TEMPORARY ADJOURNMENT FOR EXECUTIVE SESSION**

MOTION: by Dowell second by Thrun to temporarily adjourn the Regular Meeting of the Board of Trustees for an Executive Session to discuss ongoing litigation and Employee Compensation, after a 5-minute break. Upon Roll Call:

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

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was temporarily adjourned at 10:55 p.m.

**14. REOPEN REGULAR MEETING**

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

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was reopened at 12:00.

**15. REPORT FROM ADMINISTRATOR DIESEN-DAHL**

- A. Ela Township Highway Department Rate Increase: information included in Board packet.
- B. Daylight Saving Time April 3<sup>rd</sup>: Remember to change your clocks.—
- C. Designation of Village Historian: Individual approached last year has passed on. President Gifford to work with Administrator Diesen-Dahl.
- D. BACOG invitation to local officials training: Information included in Board packets.
- E. Update on surrounding communities regarding RV and parking ordinances: Administrator requested more time to gather information.
- F. B & Zoning Inspector Holmes has been asked to survey for violations: 18 so far, complete report by Wednesday.
- G. Received information regarding potential campaign activity from Village office: Administrator Diesen-Dahl has not been campaigning, and does not believe any other Village officers or staff have. Do not know where this accusation is coming from, as the individual did not identify themselves and caller id appeared to be blocked.

**16. ACTION ON EXECUTIVE SESSION ITEMS**

MOTION: by Rotter second by Thrun to offer 3% increase to Administrator Diesen-Dahl, 4% to Administrative Assistant Doniec and Clerk Smith, and 3% increase to Treasurer Stade. Treasurer's increase may be applied to health insurance, costs and program to be determined later. Increases to be retroactive to January 1<sup>st</sup>. Upon Roll Call:

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

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

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**17. TREASURERS INFORMATION**

MOTION: by Dowell second by Kizior to approve the Investments Held report dated 2/28/2005 in the amount of \$2,363,270.07. Upon voice vote:

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

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**18. CASH DISBURSEMENTS**

MOTION: by Dowell second by Kizior to approve the Cash Disbursements for the period 2/23/05 – 3/21/05 in the amount of \$238,329.10. Upon Roll call:

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

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**19. ADJOURNMENT**

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

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was adjourned at 12:06 a.m. on Tuesday, March 22, 2005.

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H. Scott Gifford, President

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Sandra R. Smith, Village Clerk