

**Village of Deer Park
Regular Board Meeting Minutes
April 18, 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, April 18th, 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 7:05 p.m. Board members and Guests recited the Pledge of Allegiance. Upon roll call the following were present: President Gifford, Trustees Dowell, Ekstrom, Kizior, Plautz, Rotter, and Thrun. Other Village Officials present were Administrator Diesen-Dahl, Treasurer Stade, Clerk Smith, Engineer Gordon, and Attorney Hargadon.

Guests present were: Andy Quigley (SWALCO); Jeff Michalski (24455 Hunters Lane); Gerald Ewing (24467 Hunters Lane); John Lahr (201 Rue Touraine); Mary Lahr (201 Rue Touraine); Teri Bridge (23615 Hedgeworth Court); Pat Winkelman (22580 Cheshire Court); Suzie Brindise (20676 Waddington); Becky Herrman (20726 Meadow Lane); Alan Schopper (21080 N. Rand Road); Matthew Fletcher (21080 Rand Road); Randy Lambert (21080 Rand Road); Vincent DeSantis (Icon—2480 Greenleaf, Elk Grove); Eway McLaughlin (23635 W. Cuba Road); Tom Benjamin (20366 Lea Road); Jim Peterson (20230 Lea Road).

2. AGENDA CHANGES AND ANNOUNCEMENTS

None.

3. CONSENT AGENDA

A) Approval and Release of Minutes from the:

- i) Board of Trustees Regular Meeting held 3/21/05

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

- i) Executive Session of the Board of Trustees Meeting held 3/21/05

C) From the Engineer:

- i) STS Consultants Ltd. – Pay request \$586.25 Testing roads for 2004 MFT Program

D) From the Attorney:

- i) Ordinance 05-02 – Variance for Lococo Residence, 23905 Bedlington

Correction to March Board Minutes (item A(i)): page 3, 3rd full paragraph, remove the word “recycling” and insert “yard waste” and remove “75-gallon”.

MOTION: by Dowell second by Thrun to accept the Consent Agenda, as amended.

Upon Roll Call:

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

NO: (0)

ABSENT: (0)

ABSTAIN (1) Ekstrom

Motion Carried 5/0

4. PUBLIC COMMENTS

Resident Mary Lahr asked if the Village has any ordinances regarding installation, repair, and reconstruction of septs, and questioned permit requirements. The Village does have such ordinances and requirements, as well as Lake County. Mrs. Lahr asked if septic work must be handled by licensed contractors. Lake County requires certified septic contractor. Septic work must be approved by both Lake County and the Village; in general, Village ordinances are more restrictive. Mrs. Lahr further asked if the Village requires electrical licenses or permits for work; President Gifford said major construction work only. Mrs. Lahr inquired about septic penalties applicable. Administrator Diesen-Dahl noted permits are required; after obtain Lake County approval, Village inspects.

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5. REQUEST FROM BRUNSWICK ZONE—SIGN

Proposal presented last month regarding sign. Board requested input from Route 12 Council. President Gifford inquired regarding the agreement at the last meeting of the Council; input received was that this agreement is a guideline, not a binding contract, in the form of a consensus from the member villages. Idea for the restriction was to prohibit fast moving or revolving signs that would distract drivers. President Gifford stated he would like to see the minimum number of changes possible, and requested AMBER alerts to take precedence, even over other restrictions to allow continuous posting of AMBER alerts.

Vincent DeSantis, Icon, stated the Kildeer Police do not currently have an AMBER alert procedure, but follow the Illinois State Police procedure. Mr. DeSantis distributed information regarding State Police procedures. Local police would be responsible for alerting Brunswick Zone of AMBER alerts. Could potentially use sign for other public announcements, such as community events.

Trustee Dowell noted he was generally comfortable with the proposal last month, concern was just feedback from planning council. Believes this fits into guidelines.

Board requested changes be limited to 5 times per day.

Variance required already approved by the Zoning Board.

MOTION: by Dowell second by Plautz to allow Brunswick Zone to have a variance from the sign ordinance to allow a changing message sign to change up to 5 times per day, with the exception being in the event of AMBER alerts, to allow additional alerts as per the Illinois State Police Guidelines. Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

Attorney Hargadon to draft an ordinance for approval next month.

6. GROOT—GARBAGE CONTRACT

Trustee Plautz introduced Andy Quigley from SWALCO.

Trustee Plautz questioned the issue of inclusion of a senior discount and possible equity issues involved in such an inclusion. Personal desire would be to include senior discount; attorney recommends not including due to potential legal issues. Company can authorize senior discount; however, the Village should not include in the contract.

President Gifford stated contract did not go out to bid, due to time constraints and agreements received on pricing structures and programs, and after authorization not to go out to bid through a phone vote of the Board.

Village has received good service from Groot, no calls or complaints received from residents.

Trustee Rotter stated he was disappointed in the process, not necessarily the contract, though he objected to the removal of the senior discount, citing other examples of senior discounts offered.

Trustee Kizior stated he supports the inclusion of a senior discount. Additionally, Trustee Kizior questioned the potential rate increases as a result of Section 6.1. Mr. Quigley noted this clause is not usual in contracts; do believe it should be included and such costs be allowed to pass through. An example of a cost applicable would be the State-imposed \$1.50 fee imposed on landfills last year.

Current contract expires May 1st.

Mr. Quigley stated the first component of a good contract is service. When member villages have gone out to bid, have received significantly higher costs. Neighboring Villages that

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went out to bid received an 8% increase through the bidding process. Consensus of the Board was to pursue appropriate modifications to proposed contract, rather than seeking other bids.

Trustee Rotter questioned why there is not a competitive process in the waste collection industry locally. Mr. Quigley stated existing firms are pretty much stretched to serve villages currently serving. At present, have BFI, Groot, Waste Management and Onyx. Used to have many more; have seen industry consolidation due to landfills and waste facilities. Groot service area now extends into Lake County; have excellent reputation for serving the western suburbs.

Board questioned, if current contract expires, but homeowners have already paid the contract rate, are they bound by their payment. Attorney Hargadon noted this is an exclusive contract, granting to Groot the sole right to provide services to residents. If pass a contract, must use Groot, unless transport waste personally to a landfill.

Resident Jeff Michalski questioned if rates would be affected by building within the Village. Mr. Quigley stated there would not be enough of a change to affect residents' rates.

Section 6.1 should be changed to statutorily imposed fees only.

Trustee Kizior stated he has received reports of trucks driving down sidewalks or landscaped areas into parks, need to restrict to public rights of way.

MOTION: by Kizior second by Ekstrom to approve the Groot contract, subject to modifications: 1- page 14, section 6.1 change to refer to true pass-thru fees due to government regulations, 2 - keep senior discount, and 3-add language on page 5 to limit trucks to public rights of way. Upon Roll Call:

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

NO: (2) Dowell, Rotter

Motion Carried 4/2

Trustees Dowell and Rotter noted exception with the process of the contract.

7. VEHE FARM FOUNDATION REPORT

A. Update on Phase II Construction Project

Mr. Peterson reported construction is proceeding; should meet October deadline, although not ready for Board meetings until June. Penalties are \$5000 per month; this is the first month the penalty will apply. Uncertain as to how the penalties will be collected; will most likely come through as a change of work order. Trustees prefer penalty to come off on monthly statements, rather than at the end of the contract.

Trustee Kizior questioned the relationship between Row G and row H on the HZPS invoice. Mr. Peterson noted the difference accounts for the amount being donated by Jim Peterson and firm. Firm is charged at break even; Mr. Peterson is donating his time. Firm has contributed approximately \$30,000 of services to date.

B. Payment of bills:

- i) Pay Request #10 for Vehe Farm Construction in the amount of \$31,230 payable to R & W Clark per the memo from Jim Peterson dated 4/11/05 .

MOTION: by Dowell second by Thrun to approve Pay Request #10 for Vehe Farm Construction in the amount of \$31,230 payable to R&W Clark per the memo from Jim Peterson dated 4/11/05. Upon Roll call:

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

NO: (0)

Motion Carried 6/0

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- ii) Pay Request for architectural and engineering services in the amount of \$1,105.65 payable to HZPS per the invoice from HZPS dated April 6, 2005.

MOTION: by Dowell second by Thrun to approve the Pay Request for architectural and engineering services in the amount of \$1,105.65 payable to HZPS per the invoice from HZPS dated 4/6/05.

Upon Roll call:

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

NO: (0) Motion Carried 6/0

8. ENGINEERS REPORT

- A. Ela Township Highway Maintenance Services Memo: Engineer Gordon referred to his memo to the Board dated April 15, 2005 regarding preventative maintenance proposed for performance by Ela Township. Work proposed is consistent with what has been done in the past.

Subdivisions proposed for work include Ferndale subdivision, Rue Vallee, Hamilton Estates, and Chapel Hill to determine what areas need repairs prior to road program in 2006 - 2008. There is \$10,000 in the Repairs and Maintenance budget for this work. Decision was deferred to the budget discussion later in the meeting.

Referring to the second item in the memo—pond outfall structure maintenance program--Trustee Plautz requested phosphorous free management practices be followed. Engineer Gordon noted work requested refers to a different type of item--specifically, maintenance of outlet structures to allow storm sewer to function correctly. In the past have paid on a monthly basis. Ela performs this work for township areas; when heavy rain event is predicted, check outlet structures. Proposed routine inspections should allow the Village to save money.

Decision was deferred to the budget discussion later in the meeting.

- B. Intergovernmental Agreement—Village of Barrington—bike paths: The Village of Deer Park entered into an intergovernmental agreement with the Village of Barrington in February 2000 for bike lanes along Ela Road from Long Grove Road to Tall Trees Subdivision. Approved previously as an extension of the Long Grove bike path. Trustee Dowell expressed frustration, as kids cannot ride to nearby Barrington schools without riding on the shoulder of a busy road. Lanes extend north from Tall Trees to Long Grove Road on both sides of the street. Work was done in 2001; completed in 2003.

Underage in Parks and Recreation can absorb this money, as it was previously approved, and must be paid.

MOTION: by Dowell second by Thrun to approve the expenditure of \$21,890.64 to the Village of Barrington for bike lanes per the agreements made in 2000 for cost sharing. Money to come from Parks and Recreation budget. Upon Roll Call vote:

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

NO: (0) Motion Carried 6/0

Administrator Diesen-Dahl noted actual cost of the project was less than original agreement by approximately \$3,000.

9. ATTORNEYS REPORT

None.

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10. REPORTS FROM THE PRESIDENT, TRUSTEES, AND ADMINISTRATOR

A. President Gifford

- i) Proposed Fee Schedules-Attorney, Engineer, B&Z Inspector
Engineer Gordon and Attorney Hargadon left the meeting for the discussion of the proposed fee schedules.

Engineering fees: President Gifford noted Gewalt Hamilton has not raised hourly fees since 2003; new budget did not include 10% hourly rate increase. Budget reflects intended efforts to better manage consultant costs, and historical basis. Received proposed rates after budget process; in the future, will request this information prior to the budget process.

President Gifford stated he has spoken with Engineer Gordon. If new numbers are approved, will have to live within the budget. Trustee Dowell stated engineering costs are subject to occurrences outside Village control throughout the year.

Trustee Rotter requested the budget process start 6 months earlier to allow adequate time for all increases to be included. Proposed rates are an increase of 5.7 – 9%. Engineer Gordon is Senior associate—8% increase. Assuming dollar amount in the budget stays the same, Village will get less consultant time, will have to work more efficiently. Trustee Rotter suggested whoever incurs costs initial consultants bill to verify the time incurred.

Trustee Kizior asked if it is possible to target some of engineering work to lower grades. President Gifford stated this practice is being instituted for all consultants, where feasible. Need to have information dispersed regarding appropriate contacts for particular areas. Administrator Diesen-Dahl stated calls should go into the village office for correct handling. Trustee Dowell noted all Board and Village officials should think twice before calling in a consultant. Involves a cultural change; calls should be directed to Trustees in area of expertise prior to going to consultants. Phone numbers for engineer and attorney are not given out to residents. No final routing decisions were made by the Board.

Trustee Dowell noted increases are reasonable given no increases since 2003.

MOTION: by Dowell second by Ekstrom to accept the Gewalt Hamilton proposed fees for engineering services per the memo dated April 11, 2005.

Upon Roll Call:

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

NO: (0) Motion Carried 6/0

B&Z Inspector fees:

Administrator Diesen-Dahl reported Inspector Holmes tours the Village for violations once or twice a year; Trustee Ekstrom questioned why there are numerous letters to residents throughout the year. Administrator Diesen-Dahl stated residents call in with complaints that are investigated and letters are sent. B&Z Inspector Holmes bills his hourly rate for these inspections.

President Gifford stated he will be asking for increases in permit fees to offset costs to the Village.

Timeliness of service remains an issue with Building & Zoning Inspector Holmes; however, anticipate the addition of a person to Holmes Consulting Service, which should positively impact timeliness of service.

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MOTION: by Dowell second by Thrun to approve proposed consultant fees for Building & Zoning Inspection services through Holmes Consulting Services.

Upon Roll Call:

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

NO: (0) Motion Carries 6/0

Trustee Rotter requested better documentation (better breakdown of services provided and costs associated) and more timely input from Inspector Holmes. Trustee Ekstrom concurred. Additionally, should requests for service not be handled in a timely manner, Trustee Rotter requested Administrator Diesen-Dahl notify the Board.

Attorney fees:

New memo dated April 18, 2005. Changes include a 10% reduction in proposed fees for litigation. Memo incorporates measures to move work to lowest possible level for efficient and professional service. Some items as outlined in the memo will be sent to a local (Waukegan) firm, presumably at a lower rate.

President Gifford reviewed rates: Equity Partners were \$390, now \$350 for litigation. Senior Associate were at \$285, now \$250. Junior Associates were at \$230, now at \$207.

Trustee Dowell noted rates for service, given downtown firm, are reasonable, though higher than suburban rates. Rates are highest possible that could be incurred by the Village, as other work will be billed at lower rates.

Trustee Ekstrom questioned why the Village continues to pay for parking and travel. Standard business practice is to pay for travel. Trustee Ekstrom requested change be made to cover only the difference incurred in travel, rather than the entire route. Parking covers the need to take car out.

Trustee Rotter noted downtown fees are definitely higher; Village is in minority of villages using downtown firms. Some of these changes are the result of discussions with Attorney Hargadon. Adjustment to fee structure is a step forward, cultural change will also be necessary. Pay very good rate for very good service. Zero levels of concern about the service.

MOTION: by Dowell second by Kizior to approve proposed attorney fees for fiscal year 2006. Upon Roll Call:

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

NO: (1) Ekstrom Motion Carried 5/1

Trustee Ekstrom stated she does not believe the Village should be using a downtown firm.

ii) Village Historian—still working on.

B. Trustee Dowell—Finance

i) 2006 Fiscal Year Budget

Trustee Dowell noted the Board went over the budget in detail last month; recapped the basic division in the proposed budget of “above the line items” (necessary), and those that are optional items.

Trustee Kizior stated the standard contract for mowing allows for mowing right up to the first frost to prevent problems in the spring. Last month Board requested flexibility to defer mowings; contractor will do equivalent amount of work elsewhere in the park system to make up for deferred mowings.

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Trustee Ekstrom stated the budget as stands prioritizes parks maintenance over roads maintenance. Trustee Dowell noted road maintenance (page 3) of \$11,000 for general road repair is based on 4-year historical basis. Per Engineer Gordon, there are no roads that will require reconstruction, but Trustee Ekstrom stated there are roads that will need patching that are not accounted for anywhere in the budget.

Trustee Dowell noted exceptions can and will occur, and will need to be evaluated on a case by case basis. Above the line road repair items may likely exceed projections, based on Trustee Ekstrom's input.

Trustee Dowell noted a significant item that will change is Vehe Farm construction. Per Jim Peterson—actuals will be well under original projections by \$100,000. Construction, page 5 (\$800,000) should be amended to \$700,000 or \$710,000.

Trustee Rotter stated he is working with Treasurer Stade to do an audit of items; there is a possibility that some billings may be able to be passed on to other organizations that have not previously. Have not identified actual amounts, but may be another area for funding.

Vehe underage can be kept in reserve or applied to other areas in the Village where needed while preserving reserves. Trustee Kizior believes need to rank items that are "below the line" and rank for order of completion, such as Ferndale work.

Trustee Ekstrom noted the Board needs to take into account timing for bids, especially in regards to roads.

Trustee Ekstrom questioned why \$123,000 is "above the line" for the Vehe Farm, instead of road work. Village can get used furniture, etc. to lower this amount. Trustee Dowell noted these items were moved up due to timing, as have waited to use the Barn for 2 – 2 1/2 years. Not necessarily more important, but a timing issue. Farm Foundation has worked extensively on working up these numbers, and will continue to work to preserve resources. Trustee Ekstrom stated she is unaware of other uses for Vehe Farm, does not believe all items listed must be purchased now. Trustee Rotter noted homeowners meetings are an example, and will provide the Village with opportunity for informal input from homeowners. Basically agree with Trustee Dowell, as have spent this much to make Vehe Farm usable, and to not do extra work to make fully usable would be a shame. Can instruct Vehe Farm Foundation to check out Kemper and other auction outlets. Trustee Dowell stated the Foundation is pursuing alternative outlets. Proposed \$10,000 for staffing can probably be cut from this budget—will be committed to finding volunteer hours to cover.

Trustee Ekstrom noted 40% of Vehe Farm Foundation costs are for outside beautification. Place can be functional, but not beautiful. Trustee Thrun stated \$23,000 - \$27,000 is for outside lighting, which is a safety issue. Roughly half of the cited \$50,000 is for safety lighting, not beautification. Seeding around the barn is to restore to usable state.

Board questioned if Homeowners reimbursements for association work could realize significant savings if the percentage reimbursed were lowered. Trustee Kizior stated there would not be significant savings. However, some of numbers shown are reflective of 2005 numbers.

Trustee Ekstrom noted there is an error in the last page—\$359,751 on page 6 of proposed budget was after substantial amount of cutting. Number should be \$500,000 to get back to 10-year plan. Can approach as an 11-year plan; Trustee

Ekstrom has prioritized roads that need attention this year but the Board elected to defer all road repair.

President Gifford noted he was previously Roads Commissioner. The Roads Program was instituted strictly as a maintenance program so roadbed would not break down, resulting in cost savings. Trustee Ekstrom noted most roads will last approximately 10 – 12 years, with the exception of Rainbow Road, which was done approximately 5 years ago (hopefully correcting the drainage will now preserve the road). If defer road maintenance to next year, no roadbeds would deteriorate to a level needing resurfacing. Trustee Rotter requested confirmation there is no road in the village that must be considered serious enough to rank as public safety issue. Trustee Kizior confirmed and stated roads can be patched. Trustee Ekstrom noted, if the Board keeps deferring work, run risk that roads will deteriorate en masse. Board questioned if Roads or Drainage should have higher priority. Trustee Ekstrom stated drainage, as in some cases, having problems with roads because drainage was not addressed.

Trustee Ekstrom noted there are sump pumps discharging illegally. Homes were built with drainage patterns going to back swales by the park, Trustee Kizior had the Village send letters to residents to correct by sending to the front ditches. In some instances, these are areas with drainage problems already, and existing problems will be exacerbated by correction of sump pump discharging.

Trustee Kizior noted all items below the line are not frozen there forever. Trustee Dowell stated this is a basic budget with items above and below the line. If not above the line, when other information is gathered the Board can address moving items back into the basic budget.

Trustee Kizior noted an item of \$3500 must move above the line for patching Charlie Brown Park parking lot. Move \$3500 above the line and delete the below the item for repaving the parking lot (\$141,000). Trustee Rotter stated line item should remain, as work will ultimately need to be done; patching is a stop-gap measure that must be done now. Although items below the line will not be removed, must move \$3500 to above the line for repairs to Charlie Brown Park.

Trustee Ekstrom stated if there is no road maintenance resurfacing, must factor in \$35,000 (7%) for patching that must be done to roads that were scheduled for resurfacing.

Trustee Rotter stated the Telecom Tax (page 4) may ultimately be lowered; however, this has not been confirmed. After the budget is approved, budget can be amended at any time during the year as needed. As a practical matter, generally do not amend until the end of the year, due to time involved. Can share figures monthly with the Board to allow revisions to the budget as monies allow.

Board members were reminded that numbers are projections and guidelines. If necessity to change occurs, can do this. Trustee Ekstrom stated the Board is making a decision not to go out to bid on Ferndale and on road repairs. Trustee Thrun noted this is an austerity budget due to additional projects taken on, such as the Vehe Farm and the Dahm property. Trustee Ekstrom stated she believes Ferndale should be moved to above the line, and reduce Vehe Farm expenditures by \$50,000. Trustee Plautz noted she was originally disappointed that Vehe Farm was above the line over other items, but believe Trustee Dowell explained measures for alternatives and costs required.

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MOTION: by Dowell second by Thrun to approve the proposed budget with the following changes: increase proposed road repair to \$46,000 and include one more parks line item for \$3,500 for Charlie Brown parking lot repair. Total disbursements are \$3,909,096.

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

NO: (3) Ekstrom, Kizior, Rotter

Motion Carries 4/3

Trustee Ekstrom took exception to road and drainage funding versus Vehe Farm funding; Trustee Kizior took exception to prioritization of Ferndale.

Trustee Ekstrom's plan put in the budget for Ferndale was for a 3-year plan. \$175,000 was for first phase. Engineer Gordon noted existing topography condition study is only thing being done now. Once have existing condition study will have better information on overall area in relation to the ponds. Can revisit after topographical study is done. Trustee Rotter requested information from residents regarding problems to be addressed. Circle and Ferndale has been addressed by residents as a problem area. Engineer Gordon noted this is more of a nuisance problem due to flat ditches; area is included in the topographic study. Finish study, talk to residents, look to amend budget to include. Existing condition topographic study should be available for next months meeting. Also, Engineer has meeting scheduled for this Friday with residents.

Trustee Rotter noted monies obtained by the Village: 18 – 19% of money comes from residents, 11% comes from State, 61% comes from commercial activities in Village, 8% comes from miscellaneous sources.

MOTION: by Ekstrom second by Dowell to approve the storm sewer and street culvert maintenance program for \$10,000, and to approve \$3,500 for pond outlet structure maintenance per the memo from Engineer Gordon. Upon Roll Call:

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

NO: (0)

Motion Carried 6/0

ii) 2005 budget adjustment: hold off until next month.

iii) Audit expenditure: Approved an amount not to exceed \$11,000; actual cost was \$9,200, plus a one-time GASB cost of \$2,600 for proposed engagement cost by Sikich Gardner.

MOTION: by Dowell second by Thrun to revise the audit expenditure approval from \$11,000 to \$11,815. Upon Roll Call:

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

NO: (0)

Motion Carried 6/0

C. Trustee Thrun—Public Safety

i) Vehe Farm Grand Opening: Foundation is looking for volunteers for the grand opening celebration to be held in January or February.

ii) Police Contract

Nothing changed from last month. Village of Kildeer approved the Amended Intergovernmental Agreement for Provision of Police Services for the Village of Deer Park. Instructions from the Village of Deer Park Board, due to potential conflict of interest on the part of the President of Kildeer, Village of Deer Park asked for recusal. Did not participate in public discussions; however, did not recuse himself. Contract was approved 6-0; did not require his vote.

Trustee Thrun recommended approval of contract, in the interest of the residents of the Village. Trustee Rotter noted he was disappointed Kildeer President took position not to recuse himself; pleased with the coverage offered by Kildeer, especially in comparison with service received from Lake County. Asked that

letter be sent to Trustees of Kildeer indicating disappointment and advising of situation that exists, and approving contract.

MOTION: by Ekstrom second by Thrun to accept the 3-year contract for police services per the proposed contract. Upon Roll Call:

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

NO: (0) Motion Carried 6/0

Trustee Thrun to draft letter requested by Trustee Rotter.

Trustee Thrun noted the expectation is that the contract is within the market rate. Did analysis of what Inverness is paying through Barrington, and past experience with Lake Zurich bidding on service provisions. Should begin process approximately one year prior to contract expiration to allow time for analysis and negotiation.

Attorney Hargadon stated the new contract proposal allows review of costs and negotiations. Market did not merit change in service providers.

Chief Lilly requested notification of vote, Attorney Hargadon left to notify.

D. Trustee Ekstrom—Roads & Public Utilities

- i) Drainage: Previously mentioned letters being sent out to residents regarding drainage issues. Resident expectations are that the Village will fix the drainage issues that will result.

IDOT will fix Long Grove and Wicker at no cost to the Village.

Rue Royale and Lake Cook still have substantial problems. Sub drains will be installed by either IDOT or Lake County. Agreed to also clean up some of the drainage and ditches along Lake Cook to improve drainage, which was not required on their part.

E. Trustee Rotter—Planning & Zoning

- i) Affordable Housing
- Updated the plan. Made a mistake, which will be corrected. Corrected copy to be sent to Administrator Diesen-Dahl and forwarded to IDHA.
 - BACOG working to have state amend ordinance for regional consideration, rather than Village.

F. Trustee Kizior—Parks & Recreation

- i) Maloney Landscaping:

MOTION: by Kizior second by Dowell to approve Maloney Landscaping for 28 weeks at \$575 plus 3 extra properties starting the end of April (Lake Cook, outlet bend at Swansway, and bend at Wildrose) at \$100 (not \$129). Upon Roll Call:

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

NO: (1) Ekstrom Motion Carried 5/1

- ii) Greenleaf Landscaping:

Motion: by Kizior second by Dowell to approve Greenleaf Landscaping for parks cleanup and maintenance for the 2005 growing season for a total of \$6,000.

Upon Roll Call:

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

NO: (2) Ekstrom, Plautz Motion Carried 4/2

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iii) TruGreen Weeding/Fertilization:

MOTION: by Kizior second by Thrun to approve \$4344 for TruGreen fertilization and weeding of the parks for the 2005 season. Upon Roll Call:

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

NO: (0) Motion Carried 6/0

iv) Ponds Management:

MOTION: by Kizior second by Dowell to approve expenditure for ponds management by Environmental Aquatic Management for the 2005 season for Village owned ponds in the amount of \$5400. Upon Roll Call:

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

NO: (0) Motion Carried 6/0

- v) Sports Organizations: Met with two sports organizations and showed preliminary field designs. Input: request baseball field dimensions be 230 feet, as 12 year olds are better hitters. Outfields should be irregular, not smooth. Soccer fields—2nd should be sized for U12 players with possibility of eliminating parking lot and negotiating with Hamilton for use of parking lot. 110 yards in length is optimal size. Walkways to the spectator areas; not necessary to Quentin road. Crown to 1% to allow for drainage. Asked for water source (would need to be deep well). Also brought up sprinkler systems, all of which would be luxuries in Trustee Kizior's mind. Will request associations assist in development costs. Will discuss with Barrington programs as well. Trustee Dowell noted organizations tend to have capital to expend for investment in these projects. When invest, also tend to be better caretakers. Have received offers to put in batting cage, and also share in preparation costs for the baseball field. Soccer usually stripes fields, as well as other cost sharing.

Trustee Kizior has investigated fee difference for Deer Park residents. For last two years Deer Park residents and Lake Zurich residents have paid the same rate for soccer and baseball, as well as for Deer Park and Barrington. Due in large part to facilities. Barrington soccer and baseball are not associated with the Park District, no out of district fees. Park District programs are charged incremental fees. Lake Zurich baseball and soccer (per Dave Creigh and Adrienne Virgilio) are the same. Lake Zurich baseball has nonresident rates; understanding of Trustee Ekstrom that residents are still paying out of district rates. Trustee Kizior to verify information, given administrators of program have assured him rates are the same. Board requested information on rates be included in the newsletter so residents are aware of what they should be paying.

G) Trustee Plautz—Health and Sanitation

- i) Board members' insurance—discuss different insurance carrier due to disallowance of claim regarding current litigation. If coverage for a Trustee is at the discretion of a vote, believe need a different policy. President Gifford requested Trustee Plautz research options.
- ii) SWALCO—important to have a representative attending meetings.
- iii) BACOG email discussion—reminder to Trustees to check Village policy.
- iv) Deer Park visioning summary included in Board packet.

H. Administrator Diesen-Dahl

- i) Presentation of plaque:
- a. Administrator Diesen-Dahl presented a plaque to John Lahr thanking him for his years of service to the village.

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- ii) Service Contract from Lake Cook Trenching for service of septic
MOTION: by Thrun second by Dowell to approve service contract for Lake Cook Trenching for service of septic system in the amount of \$180 per year. Upon Roll Call:
YES: (5) Dowell, Ekstrom, Plautz, Rotter, Thrun
NO: (0)
ABSENT: (1) Kizior Motion Carried 5/0
- iii) Terminix Service
MOTION: by Thrun second by Dowell to approve renewal of the annual contract for extermination service by Terminix at the Village Hall in the amount of \$552.84. Upon Roll Call:
YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun
NO: (0) Motion Carried 6/0
- iv) Cingular Requesting permission for tower at Charlie Brown Park: Can disguise as flag pole. Supposed to have flag pole in every park. Trustee Thrun noted such towers can be relatively lucrative. Believe should consider; Board requested more information.
- v) Village office expenses: When driveway was put in, flagpole was moved. Gewalt Hamilton has contacted contractor who wired to attempt to recover costs; when our contractor went in to correct, more work needed to be done than anticipated. Administrator Diesen-Dahl to follow up with sub contractor.

MOTION: by Thrun second by Kizior to approve the payment for Deer Park Construction in the amount of \$1016.27. Upon Roll Call:
YES: (6) Dowell, Ekstrom, Kizior, Plautz, Rotter, Thrun
NO: (0) Motion Carried 6/0

Board reminded Administrator to pay attention to spending guidelines.
- vi) ATV riding throughout the Village—Kildeer police officer refused to follow up on request by Administrator Diesen-Dahl. Sent fax to Chief Lilly requesting follow up. Trustee Rotter reported recurring bonfire on Long Grove with 16 – 20 young people gathered around. If not burning yard waste, no regulations apply.
- vii) RV's and parking ordinance—information regarding surrounding villages included in the Board packet.

11. TREASURERS INFORMATION

MOTION: by Dowell second by Thrun to approve the Investments Held report dated 3/31/2005 in the amount of \$2,401,824.70. Upon voice vote:
YES: (6)
NO: (0) Motion Carried 6/0

12. CASH DISBURSEMENTS

MOTION: by Dowell second by Thrun to approve the Cash Disbursements for the period 3/22/05 – 4/18/05 in the amount of \$226, 952.74. Upon Roll call:
YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun
NO: (1) Ekstrom-due to confidential items not disclosed on the disbursements
Motion Carried 5/1

13. TEMPORARY ADJOURNMENT FOR EXECUTIVE SESSION

MOTION: by Rotter second by Ekstrom 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: (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 10:44 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: (6)

NO: (0) Motion Carried 6/0

The Regular Meeting of the Board of Trustees was reopened at 11:08 p.m.

15. ACTION ON EXECUTIVE SESSION ITEMS

MOTION: by Dowell second by Thrun to include former Trustee Henry Werch in indemnification for Shepherd vs. Deer Park, et al. Upon Roll Call:

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

NO: (1) Ekstrom Motion Carried 5/1

16. ADJOURNMENT

MOTION: by Thrun second by Ekstrom 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 11:09 p.m.

H. Scott Gifford, President

Sandra R. Smith, Village Clerk