

1. CALL TO ORDER

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, November 21st, 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 7:07 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, Clerk Pratscher, Engineer Gordon and Attorney Shifrin.

Guests present were: John and Mary Lahr, 201 Rue Touraine; Debbie Vaughn, 22988 Thornhill Court; Pat Winkelman 22580 Cheshire Court; Teri Bridge, 23675 Hedgeworth Court; Jim Peterson, 20230 Lea Road; Bill Kruckenberg, Ela Township Highway Department; Deborah Barry, 412 Bramble; Richard Chay, 408 Bramble.

2. AGENDA CHANGES AND ANNOUNCEMENTS

In Treasurer Stade's absence, the Metropolitan Wastewater Reclamation District fee will be covered by Trustee Dowell.

3. CONSENT AGENDA

A) Approval and Release of Minutes from the:

- i) Board of Trustees Regular Meeting held 10/17/05
- ii) Plan Commission Meeting held 11/7/05

B) From the Village of Attorney:

- i) Ordinance 05-13—Variation for swimming pool
- ii) Ordinance 05-14—Variation for garage setback

C) From the Village Engineer:

- i) T. Wallace Blacktopping pay request in the amount of \$522.80--Path improvements

MOTION: by Trustee Kizior second Trustee Dowell by to accept the Consent Agenda. Upon roll call:

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

NO: (0)

ABSENT: (0)

Motion Carried 6/0

4. PUBLIC COMMENTS

Resident Mary Lahr inquired when and where the Village's 2005 financial statements will be published. Trustee Dowell responded that Treasurer Stade would have that information.

Resident John Lahr spoke regarding the proposed Tax Increment Financing District study. He stated that the property on Rand Road will develop regardless of the creation of a TIF District. He questioned the need for artificial incentives at the expense of already overextended taxing bodies, such as the school district, the fire district and the library district. He suggested that potential developers risk their own money, as previous developers have.

Mr. Lahr also requested a correction to the September Board of Trustee Meeting minutes to reflect that a public hearing with Comcast was supposed to take place in May 2004, not 2005.

Bill Kruckenberg of the Ela Township Highway Department stated that Ela Township crews will do all snowplowing for the Village this winter, as opposed to splitting the job with Cuba Township, as was done before. He stated three trucks will be used, and he hopes that the Township will live up to the Village's expectations.

Mr. Kruckenberg also stated that the Township has been doing maintenance work for the Village for the past three years and he would like to talk about additional things that could be done to in the future to help the Village save money.

Village of Deer Park
Regular Board Meeting Minutes
November 21, 2005

p. 2 of 8

President Gifford responded that Mr. Kruckenberg would be welcome at a Thursday morning meeting when he and Engineer Gordon discuss Village infrastructure work that needs to be done.

5. VEHE FARM FOUNDATION:

A) Update on current activities.

Foundation President Teri Bridge stated that volunteers spent the past month coordinating installation of the audio/visual system in the Barn. She stated that wiring and speakers were in, but other items cannot be installed until a heating system is installed. She stated that they also are coordinating the acquisition of furniture.

Volunteers also have been seeding the prairie at Vehe Farm, and Mrs. Bridge stated that she wanted to recognize John Wagner, who was instrumental in getting that done. Mr. Wagner was able to get Citizens for Conservation to donate seeds.

Mrs. Bridge stated that the fence around the butterfly garden also was installed. The bulk of volunteers' time, however, was spent researching, analyzing and writing policy and procedure recommendations for use of the Barn. She said they talked to similar venues about their procedures, insurance and fees, as well as to vendors about cleaning and catering. Mrs. Bridge stated she wanted to recognize Pat Winkelman, who volunteered 140 hours in past 2 months. She also thanked Tom Benjamin and Chris Wykowski for their time and efforts.

B) Pay Request # 17 for Vehe Farm Construction in the amount of \$35,583.70 payable to R & W Clark per the memo from Jim Peterson dated 11/11/05.

Jim Peterson stated that February is now his best guess for completion of construction.

MOTION: by Trustee Ekstrom second by Trustee Dowell to approve Pay Request #17 for Vehe Farm Construction in the amount of \$35,583.70 payable to R & W Clark per the memo from Jim Peterson dated 11/11/05, with the check to be held until certain waivers are obtained by Mr. Peterson. Upon roll call:

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

NO: (0)

ABSENT: (0)

Motion Carried 6/0

C) Pay Request for design services during October in the amount of \$527.89 payable to HZPS per the invoice from HZPS dated 11/11/05.

Trustee Rotter questioned why the company's bill was in a different format from previous months. Mr. Peterson stated the bill was for schematic drawings done by Sheila for furniture layout, not for the usual construction services.

MOTION: by Trustee Dowell second by Trustee Rotter to approve Pay Request for design services during October in the amount of \$527.89 payable to HZPS per the invoice from HZPS dated 11/11/05. Upon roll call:

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

NO: (0)

ABSENT: (0)

Motion Carried 6/0

6. ENGINEER'S REPORT

A) Long Grove Lift Station—Generator Preventative Maintenance Program

Engineer Gordon stated that the lift station, located near Deer Park Place townhomes, is on a maintenance contract and he recommended that a maintenance contract also be purchased for the generator. He stated the money would come from the Special Service Assessment Fund.

MOTION: by Trustee Ekstrom second by Trustee Thrun to approve the Generator Preventative Maintenance Program in the amount of \$2,139 payable to Patten Power Systems. Upon roll call:

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

p. 3 of 8

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

Motion Carried 6/0

B) Deer Park Place—Letter of Credit Reduction Request

Engineer Gordon stated that United Land Development, developer of Deer Park Place, had requested a reduction in its letter of credit to \$123,680. He said that money would cover any outstanding punch-list items as well as the proposed bike path along Long Grove Road and any landscaping.

Trustee Rotter stated he had received questions from two residents about the lack of adequate parking at the development. Engineer Gordon responded that he would verify that the development is in compliance with approved plans. President Gifford stated that if the parking situation doesn't conform to standards, the Village can withhold occupancy permits.

Trustee Kizior inquired who will be responsible for plowing the streets in the development. Engineer Gordon responded that the entry road eventually will be dedicated to the Village as a public street, but the other streets are private and are the responsibility of the homeowners.

MOTION: by Trustee Thrun second by Trustee Ekstrom to approve a reduction in the letter of credit from United Land Development to \$123,680. Upon roll call:

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

Motion Carried 6/0

7. ATTORNEY'S REPORT

A) Ordinance 05-15—Vehe Farm Fence Variation.

MOTION: by Trustee Dowell second by Trustee Thrun to approve Ordinance 05-15 regarding a variance of the Village fence ordinance for the Betty McLaughlin Butterfly Garden at Vehe Farm. Upon voice vote:

YES: (4) Dowell, Kizior, Plautz, Thrun
NO: (2) Ekstrom, Rotter
ABSENT: (0)

Motion Carried 4/2

B) Primeco Settlement—Payment due in the amount of \$17,610.05

President Gifford stated the class action telecommunication tax lawsuit, in which the Village was a defendant, was settled. The Village had put money aside on monthly basis to cover potential liability, and to date nearly \$90,000 was earmarked for the settlement, he said. The difference, more than \$70,000, will go back in the Village's general fund.

MOTION: by Trustee Ekstrom second by Trustee Dowell to approve payment of \$17,610.05 as the Village's portion of the Primeco Settlement. Upon roll call:

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

Motion Carried 6/0

C) IMLRMA Intergovernmental Agreement renewal and premium payment due

The Illinois Municipal League Risk Management Association currently provides the Village's insurance coverage, President Gifford said. The premium for 2006 is due Dec. 16, prior to the next Village Board meeting, he stated. Trustee Plautz, however, has been researching insurance alternatives and is likely to have a recommendation at the December meeting, he said.

The consensus of the Board was that Administrator Diesen-Dahl should contact IMLRMA to ask for an extension on payment of the premium until after the December meeting. Trustees also requested that she inquire exactly what coverage the Village has under that policy (abbreviations were used on the premium notice). In addition, trustees wanted to know if

Village of Deer Park
Regular Board Meeting Minutes
November 21, 2005

p. 4 of 8

there was any benefit (such as bonding of public officials) of belonging to IMLRMA without purchasing insurance coverage and whether it is even possible to belong to the Association without purchasing insurance coverage.

Trustee Plautz stated that from her initial research, it appears Village insurance costs will be higher next year.

MOTION: by Trustee Ekstrom second by Trustee Dowell to approve the IMLRMA Intergovernmental Agreement and payment of six months of the Village's insurance premium for 2006 in the amount of \$4,702.20 only if IMLRMA will not agree to an extension of one month and with understanding that the Village can cancel its coverage if it finds better insurance. Upon roll call:

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

NO: (0)

ABSENT: (0)

Motion Carried 6/0

8. REPORTS FROM THE PRESIDENT, TRUSTEES, AND ADMINISTRATOR

A) President Gifford

i) General Information.

No report.

ii) Municipal Facilities Zoning Study.

President Gifford stated that Kon Savoy of Teska, the Village's planning consultant, was unable to attend the meeting, so the item will be deferred until December.

iii) Ordinance 05-16—Admitting two new SWALCO members

President Gifford stated that the Solid Waste Agency of Lake County recently admitted Island Lake and Round Lake Heights and had requested all member villages to ratify the admittance.

MOTION: by Trustee Thrun second by Trustee Dowell to approve the addition of two new members to SWALCO. Upon voice vote:

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

NO: (0)

ABSENT: (0)

Motion Carried 6/0

iv) Permission for horse-drawn carriage rides at Deer Park Town Center

President Gifford stated that the Town Center had withdrawn its request.

v) Possible extension of leaf burning due to inclement weather.

President Gifford stated he had a number of calls from residents asking if leaf burning could be extended because of inclement weather the past two weekends.

Trustee Plautz stated there was a 15-minute discussion about leaf burning at a recent SWALCO meeting, and she said of 28 member villages, about half allow burning. She added that Illinois is in the minority of states that allow burning. Trustee Rotter suggested that residents compost leaves as opposed to burning them.

MOTION: by Trustee Thrun second by Trustee Ekstrom to approve the extension of the Village's leaf-burning season for 2005 to end of November. Upon voice vote:

YES: (2) Ekstrom, Thrun

NO: (4) Plautz, Dowell, Rotter, Kizior

ABSENT: (0)

Motion Failed 2/4

vi) TIF study.

President Gifford stated that Phase 1 of the Tax Increment Financing study, to see if the Village would qualify for a TIF district, was completed last year. Now, he said, he would like to contract with Teska to complete Phases 2 and 3 of the process. He noted that it would take about 6 months to complete both phases.

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

p. 5 of 8

President Gifford stated that there are many problems with the property along Rand Road, south of Deer Park Town Center, including narrow lots and brownfields. He added, that development is moving past the Village on Rand Road, and he thinks a TIF District would encourage high-quality development. President Gifford noted that the Board approved a total of \$30,000 last year for the TIF study, and \$10,000 was spent on Phase 1.

Responding to concerns that a TIF deprives taxing bodies of tax dollars, President Gifford stated that the Village negotiates with all affected taxing bodies as part of the planning process. The taxing bodies can keep as much of the incremental taxes generated by new development as they negotiate. President Gifford also pointed out that without redevelopment, those same taxing districts would not have any incremental taxes.

MOTION: by Trustee Kizior second by Trustee Thrun to contract with Teska to complete Phases 2 and 3 of the TIF study, in an amount not to exceed \$20,000. Upon roll call:

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

NO: (1) Ekstrom

ABSENT: (0)

Motion Carried 5/1

vii) BACOG Legislative Action Report.

President Gifford thanked Trustee Kizior for attending BACOG's legislative sessions. He also noted that BACOG Director Janet Agnoletti puts in a great deal of time and effort and does a fantastic job on behalf of the Barrington area communities. The Action Report was included in trustees' packets.

B) Trustee Dowell—Finance

i) Analyze selected receipt and disbursement accounts.

Trustee Dowell stated that this month's receipt analysis was the Motor Fuel Tax Fund. He noted that the tax rate is set by statute, so the Village has little control over the figures, but he noted that they're very predictable from year to year.

Trustee Ekstrom presented an analysis of the Roads and Drainage budgets. She stated that the Village's road program has been deferred for two years in a row, so she worked with Engineer Gordon to put together of five-year plan of proposed expenditures. The projected budget includes about \$400,000 a year for resurfacing, \$35,000 a year for miscellaneous patching and \$10,000 for three of the five years for crack sealing. Trustee Ekstrom stated the proposed budget for drainage projects in the next five years is about \$40,000 a year.

Trustee Dowell asked if all the line items proposed for the 2006-07 fiscal year are absolutely imperative. Trustee Ekstrom responded that the miscellaneous drainage projects specified are necessary, and if the Board chooses to defer the road program for another year, then \$35,000 for patching would not be sufficient. She added that she highly recommends that the road program not be deferred again because many Village roads are falling apart.

President Gifford asked Engineer Gordon if he concurred with Trustee Ekstrom's characterization of the Village's roads. Engineer Gordon stated he wouldn't say the roads are completely falling apart, but he also recommends that the Village get back on its road program.

Trustee Kizior asked Trustee Ekstrom to prepare an estimate of how much patching costs would go up if the road program is not approved in its entirety. He also inquired whether the roads in the Village were built for 20-year use or something less than that. Trustee Ekstrom stated that roads sometimes don't last as long as expected, citing Rainbow Road as an example. Rainbow Road has drainage problems that contributed to the deterioration of the road much earlier than expected.

Village of Deer Park
Regular Board Meeting Minutes
November 21, 2005

p. 6 of 8

Trustee Rotter questioned whether the roads proposed for resurfacing in the 2006-07 budget are simply what was deferred from 2003-2004 or whether it is a combination of roads deferred from the past two years. Engineer Gordon said it was primarily the 2003-04 plan, with a few roads changed around.

C) Trustee Thrun—Public Safety:
No report.

D) Trustee Ekstrom—Roads and Public Utilities

i) 5-year Budget Plan

Covered under the Finance agenda item.

ii) 5-Year Road and Drainage Summary Report
Covered under the Finance agenda item.

iii) Update on signage for Deerpath Road

Trustee Ekstrom reported that she received that day the first draft of the KLOA traffic study approved last month. She said she will put the item on the December agenda. In brief, she said she was upset because the report contained no recommendations.

In addition, Trustee Ekstrom presented a memo from Engineer Gordon regarding possible changes that could be made to Deerpath Road to help alleviate the traffic complaints. She said she thought it might be useful when the budgeting process begins for next year.

President Gifford stated that, regarding the Deerpath Road turning restrictions approved by the Board in September, Illinois case law has ruled against restricting a public road to a certain group of people. He said it would be permissible to prohibit turns for every driver, but not to prohibit turns only for vehicles without a Deer Park sticker.

E) Trustee Rotter—Planning and Zoning

i) Comcast update

Trustee Rotter stated that the Village's Comcast representative had been off work for six weeks with a knee injury, so the new proposed franchise agreement has been delayed. Trustee Rotter said they would have a meeting the following week.

Trustee Rotter reported that three people attended the information session with the Comcast representative.

F) Trustee Kizior—Park and Recreation

No report

G) Trustee Plautz—Health and Sanitation

i) Municipal Insurance Progress Report

Report covered under IMLRMA agenda item.

H) Administrator Diesen-Dahl:

i) IMLRMA Safety Award for 2004

Item was in trustee's packets.

ii) Proclamation from BACOG – Community Foundation Week , November 12-18, 2005
Item was in trustee's packets.

iii) New copier for the Village Office:

Administrator Diesen-Dahl presented two quotes for a black and white copier, both including a sale price and a lease price. She recommended that the Board accept the 60-month lease with Des Plaines Office Equipment because she has done business with the company for many years and feels their service has been very good. She noted that the current office copier will be donated to the Vehe Farm Foundation.

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

p. 7 of 8

Trustee Rotter stated that sometimes certain parts, such as fusers and drums, are not covered in the warranty or maintenance agreement. He asked Administrator Diesen-Dahl to verify these parts would be covered. Trustee Kizior also recommended that a 36-month lease be approved as opposed to a 60-month lease.

MOTION: by Trustee Ekstrom second by Trustee Thrun to approve a 36-month lease of a Sharp AR-M277 copier for the Village office from Des Plaines Office Equipment in the amount of \$264 a month, providing the lease includes maintenance of the fuser, drum and toner plate. Upon roll call:

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

NO: (0)

ABSENT: (0)

Motion Carried 6/0

iv) New laser jet printer for Village Office

Administrator Diesen-Dahl stated that she would like a color printer in her office. Her current printer would be moved to the Building/Zoning office.

Trustee Ekstrom questioned the need for a second color printer in the Village office.

MOTION: by Trustee Ekstrom second by Trustee Plautz to direct President Gifford to talk to Treasurer Stade and request that she make the color printer in her office available to Administrator Diesen-Dahl when needed. Upon voice vote:

YES: (2) Ekstrom, Plautz

NO: (4) Dowell, Thrun, Rotter, Kizior

ABSENT: (0)

Motion Failed 2/4

Trustee Rotter suggested putting the color printer in a central location where it would be available via network to all computers in the office. He stated that less expensive black-and-white printers could be placed in the Administrator's and Treasurer's offices.

President Gifford asked Trustees Rotter and Kizior to work with Administrator Diesen-Dahl to come up with a workable plan to accomplish these goals.

9. TREASURER'S INFORMATION.

A. Calculation of the MWRD per acre charge for the calendar year of 2006

Trustee Dowell stated that the calculation was in trustees' packets. He said this rate is set by the MWRD for sewer service, but also includes the Village's administrative costs for handling the billing.

Trustee Ekstrom asked Trustee Dowell to verify that all administrative costs were covered so the Village is not losing any money in the billing process.

B. Investments Held Report

MOTION: by Trustee Dowell second by Trustee Ekstrom to approve the Investments Held Report dated Oct. 31, 2005, in the amount of \$ 2,122,842.55. Upon voice vote:

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

NO: (0)

ABSENT: (0)

Motion carried 6/0

10. CASH DISBURSEMENTS.

Trustee Ekstrom questioned what the bill from Victoria Court Reporting covered. President Gifford responded that the Village had a legal obligation to provide a court reporter at the Plan Commission meeting concerning the rezoning of the property at the southwest corner of Lake Cook Road and Quentin Road.

Trustee Dowell stated he amended the cash disbursements to reflect a payment of only six months' insurance premium, if necessary. If an extension was granted by IMLRMA, then that check would not be mailed.

Village of Deer Park
Regular Board Meeting Minutes
November 21, 2005

p. 8 of 8

MOTION: by Trustee Dowell second by Trustee Kizior to approve Cash Disbursement Report dated Oct. 18-Nov. 21, 2005, in the amount of \$225,292.89. Upon roll call:

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

NO: (0)

ABSENT: (0)

Motion carried 6/0

Trustee Plautz stated that Treasurer Stade had sent an e-mail regarding other towns' policies on revenue fund balances. Trustee Plautz inquired whether anyone was keeping track of that.

Trustee Dowell responded that the e-mail was more of an informational nature. He said the Village's policy has been set by decisions made in past two to three years regarding disbursements. The Village spends down its reserve balance as spending necessitates.

Trustee Kizior asked how the attorney hired by the Village to pursue ordinance violators was doing. Administrator Diesen-Dahl responded that she had no report, and Trustee Kizior requested that it be put on the December agenda.

- 10.** Motion to adjourn at 9:38 p.m. by Trustee Rotter second by Trustee Kizior. Upon voice vote:

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

NO: (0)

ABSENT: (0)

Motion carried 6/0

Scott Gifford, Village President

Maureen Pratscher, Village Clerk