

1. CALL TO ORDER

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Tuesday, February 21st, 2006, 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 7:06 p.m. Board members and Guests recited the Pledge of Allegiance. Upon roll call, the following were present: President Gifford, Trustees Dowell, Ekstrom, Kizior and Thrun. Trustees Plautz and Rotter were absent. Other Village Officials present were Administrator Diesen-Dahl, Clerk Pratscher, Treasurer Stade, Engineer Gordon and Attorney Hargadon.

Guests present were: Richard Chay, 408 Bramble Lane; Greg Crowther, 51 Oak Ridge Lane; Peyton Bendix, 20350 Dover Court; Deborah and Al Barry, 412 Bramble Lane; Carrie Groeller, 219 Rue Touraine; Keith Hunt, 3 First National Plaza, Chicago; Karl Rosenberg, 20899 Laurel Drive; Ed Palvig, 50 Oak Ridge Lane; Alfred Christensen, 21180 N. Rand Road; Hal Culler, 23528 Juniper Court; Dave Heidtke, 3 Corners Drive; Gerald Ewing, 29467 Hunters Lane; Pat Winkelman, 22580 Cheshire Court; Teri Bridge, 23675 Hedgeworth Court; Paul Palazzolo, 515 E. Ridge Road, Arlington Heights; Charles Giovenco, 14 Madoch Court; Larissa and Oleh Eliashevsky, 20666 N. Deerpath Road; Bonnie and Gary Drzewiecki, 44 Deerpath Road; Debbie Vaughn, 22988 Thornhill Court; Caryn Tausend, 20708 N. Deerpath Road; Todd Fishbein, Red Seal Development Corp.; Todd Sinn, Urban Forest Management; David Brocha, 20710 Swansway; Susan Martinez, 520 Rue Chamonix; Brad Lewis, Balsamo, Olson & Lewis, Ltd.; Ron Adams, Pearson, Brown & Associates; Mark Kurensky, HKM Architects and Planners; Martin Jackson, 521 Court Touraine; Wendy Creagh, 20370 N. Dover Court; Barbara Evans, 437 Dogwood Court; Lucie Hoyt, 309 Briargate Lane; Arthur and Giuliana Weber, 58 Oak Ridge Lane; William Parry, 54 Oak Ridge Lane; Eway McLaughlin, 23625 Cuba Road; Jeff Michalski, 24455 Hunters Lane; Lela Theriault, 20575 Westpark Place; Al Biagi, 22545 Cheshire Court; Peter Jakopin, 20249 Meadow Lane; Jim Patino, 57 Oak Ridge Lane.

Resident Richard Chay set up a video camera to tape the meeting and was asked to provide a copy of the tape to the Village.

2. AGENDA CHANGES AND ANNOUNCEMENTS

President Gifford stated that Agenda Item 12 should state "southeast corner," not "southwest corner." He also stated that Barbara Evans' request for a Cultural Arts Connection donation would be Item 6A.

3. CONSENT AGENDA

A) Approval and Release of Minutes from the:

- i) Plan Commission Meeting held 1/9/06
- ii) Board of Trustees Regular Meeting held 1/17/06
- iii) Zoning Board of Appeals Meeting held 2/6/06

B) Approval and Release of Executive Session Minutes from:

- i) Meeting held 9/15/03
- ii) Meeting held 11/17/03
- iii) Meeting held 6/21/04
- iv) Meeting held 8/16/04
- v) Meeting held 2/22/05
- vi) Meeting held 7/18/05

C) From the Village Engineer:

- i) Pay request for Midwest Archaeological Research Service in the amount of \$1,815

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

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

4. PUBLIC COMMENT

Keith Hunt, an attorney with Hunt and Associates of Chicago, spoke on behalf of Deer Park Neighbors Ltd., a group of residents who oppose the proposed Red Seal housing development. Mr. Hunt outlined the group's objections:

- ◆ Agenda Item 12, a proposed ordinance regarding preliminary approval of the project, incorrectly located the proposed development at the southwest corner of Long Grove Road and Quentin Road, which he called a substantive defect.
- ◆ He stated the Village failed to comply with statutes for special use permits under Illinois Code and Village code.
- ◆ He stated the proposed use is out of character with the rest of community. He said it is not the place for multi-family housing, and the proposed townhomes clearly are not a transition from Deer Park Place to the single-family homes to the west.
- ◆ He stated that the development is inconsistent with the Village's comprehensive plan.
- ◆ He stated he has filed an appeal with the Zoning Board of Appeals of the Plan Commission's preliminary approval of the project. He said such an appeal requires an automatic stay on the project until a ZBA hearing is held.
- ◆ He stated the Village failed to comply with the Illinois Open Meeting Act. He said he requested Plan Commission minutes and the Plan Commission Chairman's memo regarding the project but was denied. He also said he was not provided with a copy of the court reporter's transcript of the Plan Commission meeting nor a copy of the ordinance under consideration tonight.

President Gifford thanked Mr. Hunt for his comments and said they would be taken into consideration.

Deborah Barry of 412 Bramble Lane stated that the Village's web site design makes it difficult for residents to access the meeting agenda. She said the home page is too wide for the screen, so residents might not see the agenda posting on the right side of that page. She requested that the web site be changed to fix that issue.

Mrs. Barry also stated that she requested a packet of supporting material for tonight's Board meeting, such as trustees receive prior to a meeting, but was denied that by Administrator Diesen-Dahl. She requested permission to read the supporting material in the Village office, but was also denied. She questioned the Village's policy on releasing information to residents.

Richard Chay of 408 Bramble Lane stated that he was concerned about the agenda item regarding a charge by Comcast to run a cable from the Village office to the Barn. He questioned the need for such a hookup since the Village has no plans to videotape its meetings. Trustee Kizior responded that the Board also thinks the charge may be redundant and will take another look at it.

Greg Crowther of 51 Oak Ridge Lane requested that the zoning variation for 50 Oak Ridge Lane be denied. He stated that he had submitted a letter, which was included in trustees' packets. He added that he doesn't think the petition meets the standards for granting a variation.

Peter Jakopin of 20239 Meadow Lane stated that he lives behind the Palvigs, who are petitioning for the zoning variance. He stated he has deep concerns about the proposed structure, saying it is a commercial-sized storage structure. He said it would have a negative visual impact on neighborhood and a detrimental effect on property values. He added that there are commercial storage lots within a few miles where Mr. Palvig could store his recreational vehicle. He stated that the precedent that the Zoning Board of Appeals considered in its decision, a detached garage at 16 Deerpath Road, is similar in size but different in character. He said it is far from the neighbors on heavily wooded lot. He said there is no other structure of a similar nature in the Village that hasn't been grandfathered in. Mr. Jakopin presented a petition from 17 homes in the immediate area who oppose the variance.

Al Barry of 412 Bramble Lane stated he was concerned about the well that is planned for Red Seal's proposed development because of the potential for water contamination. He stated that he would like to see two casings used when the well is being drilled and also have someone monitor the installation.

Engineer Gordon responded that the Lake County Health Department will be in charge of the installation, and the well will be drilled down to the deep aquifer, so no contamination of residents' shallower wells can occur.

Mr. Barry also inquired whether the drilling contract will be open for bid, stating that he would prefer a local driller who is known for quality installations. President Gifford stated that driller would be chosen by the developer.

Mr. Barry also requested the Board to revisit the Deerpath Road traffic problem. He stated that he thinks the Board can do a better job resolving the problem. He added that the Village's yellow auto sticker makes it easy to see who is using the road, and he said most are not Deer Park residents.

Bill Parry of 54 Oak Ridge Lane stated that he lives next door to the Palvigs and strongly objects to the proposed building. He said it will be 50 feet long with a commercial-sized garage door and will decrease his property value. He added that he doesn't see the hardship that is a requisite for a zoning variance.

Barbara Evans of 437 Dogwood Court stated that she is in favor of keeping Deerpath Road open to traffic. She said the real problem is the intersection of Quentin Road and Rand Road, and the Village needs to work with Lake County and the state for better traffic flow on Quentin Road and Rand Road.

Mrs. Evans also stated that she is the president of the Cultural Arts Connection. The CAC is sponsoring an art show for the 11th year, and she asked the Village to sponsor the student art show, as it has done in the past. She said the show is good for the Village and good for increasing traffic flow into Deer Park Town Center. She said the donation would help pay for a tent and some signage at the show.

Jim Patino of 57 Oak Ridge Lane stated he objects to the proposed garage at 50 Oak Ridge Lane. He stated that the neighborhood is beautiful, with large oak trees and ponds, and the garage definitely would have a negative impact.

Caryn Tausend of 20708 Deerpath Road requested the Board to address the cost of providing police patrols to the Motorola property. She stated this was supposed to be reviewed monthly. She also questioned whether it is true that there will be no police impact fees collected from the proposed Red Seal development or from the Praedium development. She stated that her neighborhood has been trying to get increased patrols to control the volume and speed of traffic on Deerpath Road but were told at one point that they had to wait six months for Kildeer to add another officer to its STEP program. She questioned whether the police are spread too thin in their coverage of Deer Park.

5. LAKE ZURICH RURAL FIRE PROTECTION DISTRICT REPRESENTATIVE HAROLD CULLER

Harold Culler stated that he has been the Village's liaison to the Lake Zurich Rural Fire Protection District board since last May. He provided an update on the fire district's activities.

Mr. Culler expressed appreciation to the Village Board for its support of the district's referendums last April and its help in obtaining funds from new developments in the district. He stated that the successful referenda allowed the district to reopen all three fire stations. He said the district is down two employees but is covering with overtime work. He said two new hires are expected by April.

Mr. Culler stated that Station #4, which covers Deer Park, Kildeer, unincorporated areas and the southern tip of Lake Zurich, is fully staffed and operational, allowing the district to meet its 4- to 6-minute response time goal. The district received 621 calls in 2005 for Station 4, which represents 18.3% of all calls. The forecast for this year is slight higher. He said 39% of the calls were to residential properties.

Mr. Culler stated that the district has little money available until tax money is forwarded in May or June. He said he expects it will take the district two years to get back on an even keel.

President Gifford thanked Mr. Culler for stepping forward and taking position and for his report.

6. REQUEST FOR LIGHTING AT ENTRANCE OF HARTZ FARM ESTATES

Al Biagi of 22545 Cheshire requested permission to place two solar lights on top of the brick walls at the entrance to Hartz Farm Estates, at his cost. He stated the subdivision has no homeowners association to fund the lights.

Trustee Kizior stated that he thinks the Board should support the plan, but he would like to see the design. He said he has reservations about solar fixtures, saying he doesn't think they will last long. Trustee Kizior stated he has looked into lighting for his subdivision and would like to work with Mr. Biagi on the project.

Attorney Hargadon stated that unless the lights would be installed on Village right-of-way, Board approval is probably unnecessary.

7. VILLAGE ENGINEER'S REPORT:

A) Deer Park Town Center Promenade water allocation

Engineer Gordon stated he received a request from Praedium Development Corp. for its allocation of water, which the Village's Planned Development District receives from Palatine. He said the request is for 9,250 gallons a day, and Village Board approval is necessary before he can proceed with Palatine. Trustee Thrun inquired whether the amount was within the parameters originally specified for that development. Engineer Gordon replied that it is slightly more, but still at an acceptable level.

MOTION: by Trustee Thrun second by Trustee Ekstrom to approve a water allocation of 9,250 gallons of water a day for the Praedium Development. Upon voice vote:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

8. ZONING VARIANCE FOR 50 OAK RIDGE LANE

Petitioner Ed Palvig of 50 Oak Ridge Lane gave a brief recap of the presentation he made to the Zoning Board of Appeals requesting a variance of rear and side yard setback lines to accommodate a proposed garage. Mr. Palvig stated that he has lived in the Village for nearly 35 years and would not propose anything that would have an adverse impact on the neighborhood or the Village. He stated he has received notices from the Village for the past two years that he is in violation of Village code by parking various vehicles in his driveway. He said the proposed garage would allow him to be in compliance with the code, and the proposed site is the only location on his property that makes sense. Mr. Palvig stated that the ZBA found a precedent for a detached garage on Deerpath Road, and it also found that he indeed had a hardship (a requisite finding for a zoning variance) in that his house was set far back on the lot, with the septic field in front and a steep slope on the south side of his property. Mr. Palvig stated that the proposed garage would match his house and would be virtually hidden by trees in the back corner of his lot. He added that he also has agreed to put in several thousands of dollars in landscaping to screen his neighbors' views of the garage.

Trustee Dowell stated that Village ordinances are enacted to ensure consistency in all neighborhoods and to protect property values of current homeowners and future owners. He said he did not think an adequate hardship was stated by the petitioner and that allowing this structure would have a negative impact on the Village.

Trustee Kizior concurred, stating the proposed garage doesn't fit in a neighborhood setting. He also added that he doesn't see a hardship, but does see tremendous consequences to the neighbors. Trustee Kizior stated he believes there are other solutions to the parking violations.

Other trustees concurred with the above comments.

Mr. Palvig's contractor, Nick Servedio, stated that the proposed garage could be attached to Mr. Palvig's house and would then be within setback lines and would not require a variance. Such placement, however, would not be aesthetically pleasing and would block neighbors' views of the pond across the street.

Attorney Hargadon stated that even though a setback variance would not be required, the Village's building inspector would probably refer such a large structure to the Village Board for review as to whether it is part of the principal structure (the home) or an accessory building.

MOTION: by Trustee Kizior second by Trustee Dowell not to approve a zoning variance for 50 Oak Ridge Lane to allow a detached garage beyond rear and side yard building setback lines. Upon voice vote:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

9. VEHE FARM FOUNDATION

A) Update on current activities.

President Teri Bridge stated that Foundation members have been working with the Village President and office staff to complete checklist items necessary for opening of the Barn. Members also are continuing prairie restoration and are working on future educational programming for the Barn.

B) Update on memorial benches.

Mrs. Bridge presented the Board with specifications and photos of three alternative designs for memorial benches. She asked for Board approval of a memorial bench program that would be administered by the Village President and approval for the Foundation to continue talks with the Little Garden Club of Barrington to see if the proposed benches fit their plan for a memorial gift. The Board consensus was to support both requests.

President Gifford asked the Foundation to continue to act as an advisory board on memorials, recommending various sizes of benches appropriate for different sites on the farm. Mrs. Bridge responded that the Foundation would be happy to do so. Trustee Dowell requested that the benches be anchored in the ground, and Mrs. Bridge assured him that everything that is necessary from a public safety perspective will be done.

C) Discussion on storage location for A/V equipment until completion of the Barn

Pat Winkelman stated that the audio-visual equipment vendor for the Barn has requested an additional payment since it has been six months since the equipment was ordered. Mrs. Winkelman requested that the Board authorize payment of the balance due, less 10%, and ask the vendor to continue storing the equipment through mid-March. She said Foundation member John Wagner has offered to store the equipment at his house until the Barn is ready.

Trustees expressed concern that the warranty on the equipment would expire prior to installation and suggested the sale be suspended until more progress is made on the Barn. Mrs. Winkelman responded that she did not think that was fair to the vendor (Pentegra), because the construction delays are unrelated to the audio-visual purchase.

Trustee Dowell suggested the Village could buy an extended warranty if the vendor will not agree to start the original warranty at installation. Trustee Thrun suggested that the Village take advantage of Mr. Wagner's offer of storage.

MOTION: by Trustee Kizior second by Trustee Thrun to approve payment of the balance due, less 10%, to Pentegra, contingent upon finding out, in writing, if the warranty can start upon installation. If not, Foundation representatives are to negotiate the best deal possible on an extended warranty and present it to the Board for a phone vote. Upon roll call:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

D) NiCor quote for gas line installation

Jim Peterson stated that based on discussions today with the contractor for the Barn, he still expects construction to be completed by the May Board meeting. Mr. Peterson added, for the record, that the construction costs are still about \$100,000 below budget.

Mr. Peterson also recommended that the Village make a payment of \$1,532.03 to NiCor for installation of a pipe to the Barn. He said the amount was anticipated in the original budget, and he recommends payment as soon as possible so the work can start immediately.

MOTION: by Trustee Kizior second by Trustee Dowell to authorize payment of \$1,532.03 to NiCor for pipe installation. Upon roll call:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

10. RED SEAL PRELIMINARY DEVELOPMENT PLAN APPROVAL

Todd Fishbein, president and chief executive officer of Red Seal Development Corp., stated that since he presented his company's conceptual proposal to the Board last September, the Plan Commission has conducted two lengthy meetings concerning the project. He said he would highlight changes made at the suggestion of the Commission.

Mr. Fishbein stated that the proposal now includes 72 units (61 townhomes and 11 single-family homes) at a density of 5.11 units per acre. He added that the 2.3-acre proposed land acquisition from the Village is critical to the development. Other changes include:

- ◆ The development of a grading plan for the entire site, which denotes a standard, lookout or walkout lower level for each building.
- ◆ A detailed list of specifications of all materials to be used in building the project.
- ◆ A detailed landscape plan, which identifies every tree and shrub. About 450 new trees and almost 3,000 new shrubs will be planted, and many trees will be preserved.
- ◆ A 30-foot right-of-way dedication was made to enhance the entryway and to provide a "T" intersection consistent with the development to the east.
- ◆ One fewer townhome is proposed as a result of dedicating the right-of-way.
- ◆ Cedar shingles will be used on the exterior of the townhomes as opposed to hardy board (this decision was unclear in the Plan Commission minutes).
- ◆ A 10-foot wide bike path with a connection at Quentin Road is included in the proposal.
- ◆ A sidewalk has been added within the development.
- ◆ The radius of cul-de-sac has been increased to 50 feet.

Red Seal's architect, Brad Lewis, and landscape architect, Mark Kurensky, gave brief overviews of the exterior building designs and the landscaping.

Trustee Ekstrom questioned the square footage of the units, citing discrepancies between the written material and the presentation. Mr. Fishbein responded that the single-family homes will be 2,200 to almost 3,000 square feet, depending on the model, while the townhomes will range from 2,000 to 2,600 square feet.

Mr. Fishbein stated that if the Board grants preliminary approval tonight, he also requests that it certify the necessary water allocation for the development and direct the Village Attorney to begin drawing up papers for the conveyance of the Village's land to Red Seal. He added that Red Seal would like to begin marketing the development, to be called Deer Park Estates, as soon as preliminary approval is given.

President Gifford stated that Plan Commission Chairman Dave Heidtke was in attendance and asked him for any comments.

Chairman Heidtke stated that the last Plan Commission meeting was also a public hearing. He said he thinks the project will be a very quality development, and the Commission recommended preliminary approval. President Gifford asked what the next step for the Plan Commission would be if the Board granted preliminary approval tonight. Chairman Heidtke responded that the Commission would need finalized drawings and a sample of the architectural shingles that were requested by the Commission. He added that Red Seal had already presented exact color samples of all other products to be used.

Attorney Hargadon asked Mr. Fishbein if he had seen Chairman Heidtke's memo to the Board, which outlined 20 conditions for preliminary approval, and whether Red Seal would address each consideration in its final plan. Mr. Fishbein stated that item 4 regarding the use of hardy board versus cedar-shake shingles had already been resolved in favor of the cedar shingles. Other than that, he said, Red Seal was prepared to accept all the conditions.

Trustee Kizior asked Chairman Heidtke whether he perceives the development as being too crowded. Chairman Heidtke responded that it will feel more open than the Deer Park Place development directly to the east. In addition, he said the Village had been seeking such a development that would be more dense closer to the shopping center and less dense towards Quentin Road. He added that the density at Deer Park Place is greater than 6 units per acre, compared to 5.11 for Deer Park Estates.

Trustee Ekstrom stated that she was concerned about the 15-foot spacing between single family homes. Chairman Heidtke responded that the way the houses are designed, with sloping roofs so there is not a full two-story wall, gives the impression that the houses are not too close. Trustee Dowell asked if it would be possible to get 20 feet between homes by moving the row of houses closer to Long Grove Road. Chairman Heidtke said the Commission specifically told Red Seal to take a home away from that corner to allow more open space.

Trustee Ekstrom asked what type of lighting is planned along Quentin Road. Chairman Heidtke said one or two streetlights are planned, but they will be the type that forces light downward as opposed to diffusing it in a wide area.

He added that a total of seven streetlights are planned for the development. Trustee Dowell stated he does not see a need for lights along the row of single-family homes. He said there are no lights near single-family homes in other parts of village. Mr. Fishbein responded that Red Seal has no objection to eliminating some streetlights.

Trustee Ekstrom questioned why the Commission was approving a privacy wall at the entrance to the development when the Village would not allow the same thing across Quentin Road at the entrance to the Rue Vallee subdivision. She said the brick wall, which is 31 feet long and almost 5 feet high, is meant to shield headlights shining on the first building. She said the Village needs to be consistent.

Mr. Fishbein stated that the wall is simply an entry signage monument and that it was not Red Seal's goal to provide privacy with the wall. He added that traditionally signage is placed at the road, but because Deer Park Estates will share an entrance road (Westpark Place) with Deer Park Place, it was placed at the "T" intersection. He stated that Red Seal would be happy to change the sign if that is what the Board wants. Mr. Fishbein also responded to the question about spacing between homes, stating that the proposed single-family homes will be only 36 feet wide. Typically, single-family homes are 48-60 feet wide, in which case 15 feet would not be adequate.

Trustee Dowell questioned the lack of a sidewalk for townhomes on south side of the development, stating a concern about pedestrians in the street with so many driveways. Mr. Kurensky stated that Red Seal attempted to balance a desire for open space and tree preservation with the need for a sidewalk. Other trustees stated that they preferred saving trees as opposed to requiring a sidewalk in that area.

Trustee Ekstrom inquired about the width of the streets and where parking would be allowed. Mr. Kurensky stated the streets will be 25 feet wide from curb to curb and that parking would be on the interior side of the circle within the development, although the parking lane will not be striped. In addition, he said that all driveways are a minimum of 20 feet from the garage door to the curb or sidewalk, thus accommodating two cars. Trustee Ekstrom asked whether "No Parking" signs would be erected on the outside of the circle, but President Gifford expressed a preference to wait and see if such signs are necessary.

There was a discussion about the detention pond and whether the Village could tap into the well that will feed the pond to irrigate future Village-owned playing fields to the south. Ron Adams, a civil engineer with Pearson, Brown and Associates, stated that the deep well will replenish the pond water level only when necessary. In years with a lot of rain, the pump might not be used. In addition, the cost of operating the well will be borne by the homeowners association, he said. Mr. Adams said he would be happy to work with the Village to design a system that would allow irrigation to Village property, assuming the Village would pay its proportionate share of operating costs. Trustee Kizior thought such costs would still be less than what the Village would have to pay to dig its own well. Mr. Fishbein emphasized that this deep well would not be used by individual homeowners; they will receive water from Palatine.

President Gifford questioned who would be responsible for maintaining the landscaping at the subdivision entrance. Mr. Fishbein responded that it could be made the responsibility of the homeowners association. President Gifford also questioned what type of grasses Red Seal is planning along the perimeter of the development and how they will be maintained. Mr. Kurensky stated that the grasses will have a natural but controlled appearance. He said that once the plants are established, they are pretty good about holding out weeds. He added that a selective herbicide can be used in the meantime.

President Gifford stated that if the Board directs the Village Attorney to begin work on the land conveyance, it would be contingent on final approval of the project. Mr. Fishbein requested that the sale documents be prepared so they could be considered by the Board at the same time as final approval. Attorney Hargadon stated he had already worked with Treasurer Stade to come up with a per acre price for the land (about \$160,000 per acre), which includes the Village's purchase price as well as any fees or costs incurred since the purchase.

Trustee Thrun asked Attorney Hargadon if he has had a chance to review the covenants and restrictions that will be part of the documents needed for final approval. Attorney Hargadon responded affirmatively and stated that the discussion of covenants will be placed on the agenda when the project is submitted for final approval.

Engineer Gordon stated that all preliminary engineering issues have been addressed, but Red Seal must secure necessary permits (for water, sewer, etc.) and submit final drawings before final approval.

Trustee Kizior questioned whether the Board should approve the development leaving the entry signage as is. Attorney Hargadon suggested that the Board request the Village Planner's opinion and ask the Plan Commission to consider the issue when the project is submitted for final approval.

Trustee Ekstrom stated that she did not feel comfortable voting on the development tonight given the amount of reading material given to trustees and given the absence of two trustees. She stated she would like to hear their input before voting.

MOTION: by Trustee Ekstrom to table a decision on the Red Seal proposal until next month given that zoning and safety officers are not present and too much information was given to process and also that an injunction was filed by Mr. Hunt.

Trustee Dowell asked Attorney Hargadon for his opinion on the petition filed by Mr. Hunt. Attorney Hargadon responded that petition is not on agenda, but would be put on next month's agenda by the Village President. He said he doesn't know the validity of the opinion (stated in the petition) or the validity of the petitioner. He said he will respond to the petition when he has had time to review it. If it is a valid petition and the Board does proceed with a vote tonight, the vote would have to be retaken, he said.

Trustee Ekstrom's motion failed for lack of a second.

MOTION: by Trustee Kizior second by Trustee Thrun to approve the preliminary development plan by Red Seal Corp. for the southeast corner of Long Grove Road and Quentin Road subject to items still open to the Plan Commission: a request for the Village Planner to review the entryway signage and brick wall; a request for the Village Engineer to look at how the Village can hook up to Red Seal's deep well and pay a proportionate share of the operation of the well; and whether streetlights should be eliminated along the row of single-family homes adjacent to Quentin Road. Upon roll call:

YES: (3) Dowell, Kizior, Thrun

NO: (1) Ekstrom

ABSENT: (2)

Motion carried 3/1

MOTION: by Trustee Thrun second by Trustee Dowell to preliminarily allocate 25,200 gallons of water a day, with the allocation devoted to potable purposes only and not landscaping purposes, subject to final approval of the plan by the Village Board or Dec. 31, 2006, or as extended by the Village Board. Upon roll call:

YES: (3) Dowell, Kizior, Thrun

NO: (1) Ekstrom

ABSENT: (2)

Motion carried 3/1

MOTION: by Trustee Thrun second by Trustee Dowell to agree convey 2.3 acres of Village-owned land to Red Seal, subject to final approval of the development plan, at a per acre cost of \$160,000. Upon roll call:

YES: (3) Dowell, Kizior, Thrun

NO: (1) Ekstrom

ABSENT: (2)

Motion carried 3/1

The Board took a 10-minute break at 10:05 p.m.

11. VILLAGE ATTORNEY'S REPORT:

A) Ordinance 06-03—Preliminary Approval of Special Use for Southeast Corner of Quentin Road and Long Grove Road

Attorney Hargadon stated that he will incorporate the conditions approved by the Board and will present the ordinance next month.

12. REPORTS FROM PRESIDENT, TRUSTEES, ADMINISTRATOR

A) President Gifford:

i) General Information.

President Gifford stated that he and Attorney Hargadon had had discussions with a potential hotel developer who is interested in building on the Hamilton Partners site in the Triangle. He noted that the Village's Planned Development District zoning calls for three-story buildings not to exceed a height of 54 feet. The developer is proposing four floors, but below 54 feet. The Board had no objections to four stories, as long as the total height was in compliance.

President Gifford also reported that he had placed an ad in a local government trade magazine stating that the Village is seeking a new village administrator. He will work with a retired village administrator in screening candidates.

ii) TIF Study request for budget increase

President Gifford stated that the Tax Increment Financing study was approved nearly 2 years ago, and there was a delay between the first phase and subsequent phases. Because of that delay, President Gifford said Teska Associates is requesting an additional \$1,000 to complete the study.

MOTION: by Trustee Dowell second by Trustee Thrun to increase the budget for the Tax Increment Financing District study being conducted by Teska Associates by \$1,000 to \$21,000. Upon roll call:

YES: (3) Dowell, Kizior, Thrun

NO: (1) Ekstrom

ABSENT: (2)

Motion carried 3/1

iii) Community Drug Prevention Coalition donation request

President Gifford stated the Community Drug Prevention Coalition is a new group that includes many members from the BACOG area. The Coalition works with schools to reduce drug use.

Trustee Dowell stated that while the Village is watching its budget, the Board should honor groups it has made donations to in the past but not add new groups to the list. Trustee Kizior disagreed, stating that \$250 is a rather small sum and that he supports the group's efforts.

MOTION: by Trustee Kizior second by Trustee Thrun to donate \$250 to the Community Drug Prevention Coalition. Upon roll call:

YES: (3) Ekstrom, Kizior, Thrun

NO: (1) Dowell

ABSENT: (2)

Motion carried 3/1

iv) Barrington Youth Services donation request

The donation request is the same as the amount donated in past years.

MOTION: by Trustee Dowell second by Trustee Thrun to donate \$2,500 to Barrington Youth Services. Upon roll call:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

v) Village membership renewal in Chicago Wilderness

MOTION: by Trustee Dowell second by Trustee Thrun to renew the Village's membership in Chicago Wilderness for the fiscal year ending April 30, 2006, in the amount of \$250. Upon roll call:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

vi) Delegate membership renewal for Lake County Emergency Management Coordinating Council

MOTION: by Trustee Thrun second by Trustee Ekstrom to renew the Village's membership in the Lake County Emergency Management Coordinating Council in the amount of \$60. Upon roll call:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

vii) Cultural Arts Connection Student Art Exhibit sponsorship request

MOTION: by Trustee Kizior second by Trustee Dowell to sponsor the Cultural Arts Connection Student Art Exhibit in the amount of \$1,500. Upon roll call:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

viii) Ordinance 06-04: Admitting Port Barrington to SWALCO

MOTION: by Trustee Dowell second by Trustee Thrun to approve Ordinance 06-04 admitting Port Barrington into the Solid Waste Agency of Lake County. Upon voice vote:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

B) Trustee Dowell – Finance:

i) Analyze selected receipt and disbursement accounts.

Trustee Dowell presented a review of telecommunication tax receipts for the past few years. He stated revenues have increased each year for past several years, but the Board traditionally has budgeted conservatively for this line item.

Trustee Dowell presented a review of four expense line items: supplies, office equipment, office cleaning and Village office expenses. All categories were either under budget or on target in recent years and the current year.

Trustee Dowell stated that he will present a preliminary Village budget next month.

C) Trustee Rotter – Planning & Zoning:

i) Quote from Comcast to run cable to the Barn \$3,374.75

Trustee Rotter was absent, so this item was deferred.

D) Trustee Kizior — Park & Recreation:

i) Clean-up at Peterson Park: \$2,500

Trustee Kizior stated he had obtained a quote of \$1,100 from Gitchel's Tree Service to clean up dead tree limbs and debris at Peterson Park.

MOTION: by Trustee Kizior second by Trustee Thrun to accept the bid of \$1,100 from Gitchel's Tree Service to clean up Peterson Park.

Trustee Dowell questioned whether it is critical from a safety standpoint to have the work done this year or whether it is mostly for aesthetic reasons. Trustee Kizior responded that there are some safety concerns, but it is mostly aesthetic. President Gifford asked if the expenditure could be deferred to next year's budget, and Trustee Kizior agreed.

Trustee Kizior withdrew his motion and Trustee Thrun withdrew his second.

ii) Recondition Fields: Chapel Hill--\$1,800, Vehe Farm--\$2,750, Town Center--\$2,583

Trustee Kizior stated he had received a quote from Maloney Landscaping to recondition the playing fields at Chapel Hill Park and Vehe Farm and from Turf Care Enterprises to recondition the field at Town Center Park. He stated he solicited donations from the soccer groups that use Deer Park fields and received \$1,000 from the Barrington Area Soccer Association, \$500 from the Ela Area Soccer Association and hopes to receive \$500 from Schwaben Soccer Association. Trustee Kizior said he also has plans to contact the Barrington and Lake Zurich baseball associations to solicit donations. Factoring in these donations, park expenditures would be \$3,000 over budget by end of year if the Board approves the reconditioning of the fields, he said.

Trustee Kizior stated the drought adversely affected the Town Center baseball diamond, and weekly soccer games at Vehe Farm caused expected wear around the goals. That field will be turned 90 degrees for the coming year to allow reseeding. He added that Chapel Hill has never been in very good shape because it is so bumpy. Trustee Kizior said Board approval is needed so the work can be scheduled and finished by the end of March or early April.

Trustee Ekstrom asked whether Trustee Kizior had obtained multiple bids for the work as required, but Trustee Kizior responded that multiple bids are only required for projects costing more than \$10,000. He stated that Gewalt Hamilton had recommended Maloney Landscaping for the soccer fields, and the firm also has done Village mowing.

MOTION: by Trustee Kizior second by Trustee Thrun to contract with Maloney Landscaping to recondition the soccer field at Chapel Hill Park at a cost of \$1,800 and the soccer field at Vehe Farm at a cost of \$2,750, and to contract with Turf Care Enterprises to recondition the baseball field at Town Center Park at a cost of \$2,583.

Upon roll call:

YES: (3) Dowell, Kizior, Thrun

NO: (1) Ekstrom

ABSENT: (2)

Motion carried 3/1

iii) Dover Pond Homeowners Association lawn care expense reimbursement: \$536.13

Trustee Kizior stated that he has updated the Village's reimbursement policy to homeowners associations for mowing and landscape maintenance. He said the guidelines call for up to \$1,000 reimbursement per year for mowing and up to \$2,100 for maintenance in Village right-of-way. In addition, he is requiring all bills to be submitted and approved by the end of the fiscal year in which they were incurred. Trustee Kizior said he has three more homeowners associations to notify about the updated policy, and he also requested that the document be posted on the Village web site.

Trustee Kizior said he had reviewed receipts submitted by the Dover Pond Homeowners Association for work performed last summer and had eliminated certain items such as herbicides. He recommended reimbursement of \$536.13 and noted for the record that he lives in the Dover Pond subdivision.

MOTION: by Trustee Kizior second by Trustee Thrun to approve reimbursement of the Dover Pond Homeowners Association for lawn care expenses in 2005 in the amount of \$536.13. Upon roll call:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

iv) Bid results for lawn mowing and maintenance

Trustee Kizior stated that he had opened bids for Village mowing and is recommending Maloney Landscaping for the contract. He said C&M Landscaping of Bridgeview was the low bidder, but he is leery about them coming so far on a weekly basis. He said M&S Landscaping was the low bidder for parks maintenance. Trustee Kizior said he would like to start discussions with Maloney and M&S and attempt to negotiate even lower costs in exchange for a two-year contract.

Trustee Ekstrom questioned why Trustee Kizior eliminated C&M Landscaping even though it means a difference of thousands of dollars. Trustee Kizior responded that the two firms he is recommending are "known quantities," and he knows they do good work.

MOTION: by Trustee Kizior second by Trustee Dowell to open negotiations with M&S Landscaping for parks maintenance and with Maloney Landscaping for lawn mowing with the intention of negotiating a two-year contract and to bring a firm contract amount for Board approval in May. Upon roll call:

YES: (3) Dowell, Kizior, Thrun

NO: (1) Ekstrom

ABSENT: (2)

Motion carried 3/1

v) Update on field usage

Trustee Kizior stated that he was been working with four different organizations (Ela, Barrington, Schwaben and Dragonfire) since January, and he has devised a field usage schedule that will accommodate everyone's needs.

Trustee Dowell stated that Charlie Brown Park has always had some unscheduled time for the general public to use the fields, and he feels strongly that that practice should continue.

Trustee Kizior responded that he doesn't think that would be problem because Schwaben generally is off the fields by May 1 and other groups don't start until May 1. Trustee Dowell stated that he still would like to see specific time set aside for general use at some of the parks, and he would like to see a usage schedule posted at the parks in an effort to eliminate conflicts between groups that want to practice at the same time.

vi) Costs for field usage

Trustee Kizior presented a survey of what other towns charge for use of their ball fields and a suggested rate for Deer Park fields. In the past, the Village has not charged groups using the fields. Trustee Dowell questioned

why the proposed rates were lower than surrounding towns. He said the Village only has one baseball field, but he thinks it is a premium field. Trustee Kizior stated he could change the fees to \$30 per game for the baseball field and \$15 a game for the soccer fields. Groups would not be charged for practices.

President Gifford asked if there was anything in the parks budget for watering in case of another drought. Trustee Dowell stated that the various sports associations have picked up that charge in the past.

vii) Update on office computer equipment

Trustee Kizior stated he had to change a couple of items approved as part of the Village office computer upgrade. He stated the Village's old color printer was not a network printer, so he purchased a new printer, which was less than \$500, to be used as the common printer. In addition, he said he had to change the router to an eight-port router at a cost of \$100.

Trustee Dowell stated that since the items were already approved, an additional motion to approve the changes was unnecessary.

viii) Dell Computer extended service contract

Trustee Kizior stated that the service contract on the two Dell computers in the Village office expired in November. He recommended extending that contract, saying he thinks it would be a good idea to have extended contracts on all computer hardware and eventually get maintenance contracts for all software used by the Village staff. The Board concurred with this idea, but no motion was necessary because the expenditure is less than \$500.

E) Administrator Diesen-Dahl:

i) Leak in the Village basement

The Board directed Administrator Diesen-Dahl to contact an appropriate service company to repair the leak.

G) Clerk Pratscher:

i) Proposal for a new digital recorder: \$699

Clerk Pratscher stated that a digital recorder would allow uninterrupted recording of Village meetings and also would allow audio downloads to a computer. Tracking would permit easy access to specific points in the meeting. She said several other towns in the area use a digital recorder.

MOTION: by Trustee Thrun second by Trustee Dowell to approve the purchase of a new digital recorder in an amount not to exceed \$699. Upon roll call:

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

NO: (0)

ABSENT: (2)

Motion carried 4/0

13. TREASURER'S INFORMATION

A) Ordinance 06-05—Special Service Area 2-4 Series 1999-2000 Tax Abatement Ordinance

Treasurer Stade stated that the ordinance does not pertain to Village money, but rather abates recapture fees that the Village received from United Land Development Corp.

Attorney Hargadon elaborated that public improvements such as water and sewer installation in the Special Service Area (commonly called the Triangle) were paid for with bonds that are being repaid by developers of the SSA. Bond consultants compute assessments when other new developments are built in the Triangle. The Village collects those assessments, which are then abated to repay the principal and interest on the bonds that funded the original improvements.

MOTION: by Trustee Thrun second by Trustee Dowell to approve Ordinance 06-05 regarding Special Service Areas 2-4, Series 1999-2000, Tax Abatements. Upon roll call:

YES: (3) Dowell, Kizior, Thrun

NO: (1) Ekstrom

ABSENT: (2)

Motion carried 3/1

MOTION: by Trustee Dowell second by Trustee Kizior to approve the Investments Held report dated Jan. 31, 2006, in the amount of \$2,022,051.46. Upon voice vote:

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

NO: (0)
ABSENT: (2)

Motion carried 4/0

14. CASH DISBURSEMENTS

MOTION: by Trustee Dowell second by Trustee Thrun to approve cash disbursements for month of Jan. 18-Feb. 21 in the amount of \$186,087.42. Upon roll call:

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

Motion carried 4/0

15. ADJOURNMENT

MOTION: by Trustee Thrun second by Trustee Ekstrom to adjourn. Upon voice vote:

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

Motion carried 4/0

The meeting was adjourned at 11:20 p.m.

H. Scott Gifford, Village President

Maureen Pratscher, Village Clerk