

1) PLEDGE OF ALLEGIANCE

The regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, June 15, 2009 at Vehe Barn, 23570 W. Cuba Road, in the Village of Deer Park, in the counties of Lake and Cook, Illinois. President Kellermann called the meeting to order at 7:05pm. Village officials and guests recited the Pledge of Allegiance.

2) ROLL CALL AND DETERMINATION OF A QUORUM

Upon roll call, the following were present: President Kellermann, Trustees Pratscher, Kizior, Sands, Olson, and Trost. The following Village officials were absent: none. Other Village officials present were Administrator Connors, Clerk Meyle, Attorney Keller, Permit Coordinator Doniec, Event Coordinator Keith, Treasurer Stade, Engineer Hamilton, and Plan Commission Chairperson Heidtke. President Kellermann stated there is a quorum.

Teri Bridge and Pat Winkelman of the Vehe Farm Foundation; Marcy Knysz of Gewalt Hamilton; Plan Commission petitioners Lester and Josie Doniec of 21624 Rainbow Road and their attorney were also present.

3) APPROVAL OF AGENDA

MOTION: by Trustee Pratscher to approve the agenda. Upon voice vote: YES: (5) / NO: (0) / ABSENT: (0).
Motion carried 5/0

4) NOMINATION BY PRESIDENT KELLERMANN TO APPOINT BARBARA EVANS TO FILL THE VACANT TRUSTEE SEAT

MOTION: by Trustee Olson to confirm President Kellermann's nomination and recommendation to appoint Barbara Evans to fill the vacant trustee seat. Upon roll call: YES: (5) Sands, Kizior, Trost, Pratscher, and Olson / NO: (0) / ABSENT: (0).
Motion carried 5/0

5) PRESENTATIO OF THE STORM WATER MANAGEMENT PROGRAM

Ms. Knysz of Gewalt Hamilton presented the Village of Deer Park's Storm Water Management Program to fulfill the requirement of the Illinois Environmental Protection Agency's National Pollutant Discharge Elimination System General Permit.

6) APPROVAL AND RELEASE OF MINUTES

MOTION: by Trustee Pratscher to approve and release the minutes from the Board of Trustees Regular Meeting held May 18, 2009. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).
Motion carried 6/0

7) PUBLIC COMMENTS

Betsy Glorch of 21947 Farthingdale Court addressed the Board regarding the Hamilton Estates' park and drainage issues.

Marlene Smetana of 21922 Inglenook Court addressed the Board by presenting a Power Point slideshow regarding Hamilton Park's drainage issues and the subdivision residents' desire for park amenities.

Derek Brouwer of 21946 Farthingdale Court signed in to address the Board regarding Hamilton Park but did not speak.

Dennis and Priscilla Sienko of 21600 Inglenook Lane signed in to address the Board regarding Hamilton Park but did not speak.

Kari Diesen Dahl of 23710 Hearthside Drive signed in to address the Board regarding Hamilton Park and pond but did not speak.

Tia O'Malley of 21900 Inglenook Court addressed the Board regarding her desire for a playground at Hamilton Park.

Agnes Woodlock of 20800 Laurel Drive signed in to address the Board regarding Deer Park Estates Roads but did not speak.

8) PLAN COMMISSION RECOMMENDATION & ORDINANCE FOR THE FINAL PLAT OF THE DONIEC SUBDIVISION

Plan Commission Chairman Heidtke addressed the Board regarding the Plan Commission's recommendation to approve the final plat of resubdivision for Doniec lots 1 and 2 of Rainbow Hills.

Engineer Hamilton confirmed that, according to the ordinance, the Village Engineer is required to approve and certify the final construction details for each lot; this includes the details for the abandonment of the existing septic field and its removal within 25-feet of the new well to be installed.

MOTION: by Trustee Pratscher to approve the Ordinance Approving a Final Plat of Subdivision for the Doniec lots 1 and 2 of Rainbow Hills. Upon roll call: YES: (5) Pratscher, Trost, Kizior, Sands, and Olson / NO: (0) / ABSENT: (0) / ABSTAIN: (1) Evans. Motion carried 5/0

9) VILLAGE ENGINEER – REPORT AND RECOMMENDATIONS

A. Ferndale Phase III drainage improvement pay request #2 from Lenny Hoffman Excavating Inc. the amount of \$26,602.92

MOTION: by Trustee Kizior to approve Ferndale Phase III drainage improvement pay request #2 from Lenny Hoffman in the amount of \$26,602.92. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

B. Lake Zurich Road-proposed maintenance repairs

Engineer Hamilton recommended this item be tabled until he has the opportunity to discuss the proposed maintenance repairs with Cuba Township Highway Commissioner Gooch; Commissioner Gooch has expressed some interest in a jurisdictional transfer of Deer Park's portion of Lake Zurich Road into Cuba Township once Deer Park's portion has been improved.

C. Deer Park Place – Request for maintenance cash bond release in the amount of \$15,350.00

Administrator Connors confirmed the release amount should be \$14,350.00 as \$1,000.00 was previously released at the November 17, 2008 Board meeting.

MOTION: by Trustee Trost to approve the release of the Deer Park Place maintenance cash bond in the amount of \$14,350.00. Upon roll call: YES: (5) Pratscher, Trost, Kizior, Sands, and Olson / NO: (0) / ABSENT: (0) / ABSTAIN: (1) Evans Motion carried 5/0

D. Hampton Inn- letter of credit reduction recommendation

MOTION: by Trustee Pratscher to approve the reduction of the Hampton Inn letter of credit from \$186,261.88 to \$49,404.41 (difference \$136,857.47). Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

10) VILLAGE ATTORNEY – REPORT AND RECOMMENDATIONS

A. Prevailing Wage Ordinance

MOTION: by Trustee Sands to approve the Ordinance Adopting Prevailing Wage Rates to be Paid to Laborers, Mechanics and Other Workers Performing Construction of Public Works in the Village of Deer Park. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

B. Extenet amended Telecommunication permit

Attorney Keller reported that Extenet has requested an amendment to the existing telecommunication permit they have with the Village; the amended permit will be presented at the July Board meeting and is identical to the original permit with the addition of four nodes.

11) REPORTS FROM PRESIDENT, TRUSTEES, ADMINISTRATOR, CLERK, AND TREASURER

A. President Kellermann:

i) Applications for capital funds

President Kellermann reported that four applications for Capital Bill Funds under House Bill 313 have been submitted.

ii) Barnes and Thornburg

A discussion ensued regarding whether or not to terminate the lobbying agreement with Richard Boykin and whether the Village should ask for any of the \$30,000 already paid to be returned. The consensus of the Board was not to ask for a reimbursement of the \$30,000 because the Village may receive funding as a result of the work Attorney Boykin did on behalf of the Village and because the Board may want to pursue a relationship with Attorney Boykin in the future.

MOTION: by Trustee Olson to terminate the contract with Richard Boykin. Upon roll call: YES: (5) Pratscher, Trost, Kizior, Sands, and Olson / NO: (0) / ABSENT: (0) / ABSTAIN: (1) Evans.

Motion carried 5/0

iii) Ethics Advisor

President Kellermann reported that a resident is interested in serving as an Ethics Advisor for the Village; the Municipal Code allows the President to appoint a Trustee as an Ethics Advisor, but not a resident. A discussion ensued with regard to how to handle this issue. President Kellermann decided to postpone addressing this item until the July Board meeting.

iv) Emergency Management Plan

President Kellermann reported that Administrator Connors and Clerk Meyle are working on drafting an Emergency Management Plan.

B. Trustee Kizior – Public Safety – no report

C. Trustee Olson - Finance

i) Village Office Security Discussion

Trustee Olson reported he spent some time in the Village Office and is going to make some office security and computer back-up recommendations.

ii) Staff Time Allocation for Document Storage and Filing

Trustee Olson reported that he feels additional staff time and funds should be allocated to the Village Office staff for the purpose of document storage and filing.

D. Trustee Pratscher – Health and Sanitation

i) Resolution regarding appointment of a Director to SWALCO (Solid Waste Agency of Lake County)

MOTION: by Trustee Pratscher to approve the Resolution Appointing a Director and an Alternate Director to the Solid Waste Agency of Lake County (SWALCO), Illinois Board with Trustee Pratscher appointed the director and Trustee Kizior appointed the alternate. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0).

Motion carried 6/0

ii) Proclamation regarding Leave No Child Inside Month

MOTION: by Trustee Pratscher to approve the Resolution Supporting the Children's Outdoor Bill of Rights and Designating June as "Leave No Child Inside Month". Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0).

Motion carried 6/0

E. Trustee Sands – Roads and Drainage

Village Open Forum

Trustee Sands proposed scheduling a public forum to be held August 8th; he suggested sending out a Village-wide questionnaire prior to the forum and having a short general session followed by breakout sessions for each trustee committee.

F. Trustee Trost – Planning and Zoning

Trustee Trost reported she attended the June 1st Plan Commission meeting; two items were addressed: (1) the final plat for the Doniec resubdivision which was approved earlier in the agenda and (2) the Christiansen pool house which will be scheduled for a hearing within the next few weeks.

G. Trustee Evans – Parks and Recreation

Vehe Farm Foundation June Report

A written report regarding the Vehe Foundation's monthly activities and accounting was submitted.

President Kellermann asked that the action item appointing a trustee to the Foundation's Board be postponed until the July Board meeting when he plans to address other appointments such as the Plan Commission, Zoning Board, and Building Review Board.

H. Administrator Connors

i) Event Coordinator Report

Event Coordinator Keith presented her 6-month Vehe Barn Report. A written summary was provided in the agenda packet.

ii) Clarke Mosquito Control May 21, 2009 Report

A May 21, 2009 report from Clarke Mosquito Control was provided in the agenda packet.

iii) Six Month Building Permit Activity Report

A report summarizing the building permit activity from January 2009 – June 2009 was provided in the agenda packet.

iv) Village Entrance Sign Adjustments for Damage

Administrator Connors reported that the Illinois Municipal League Risk Management Association reimbursed \$1,276.00 to the Village for two damaged entrance signs.

I. Treasurer Stade

J. Clerk Meyle

i) General

Clerk Meyle's resume and job description were included in the agenda packet so those new officials could familiarize themselves with the clerk's role.

ii) Website Tour

Clerk Meyle gave a tour of the Village website; she was asked to make three changes (add Swansway Park to the park list, move the search link to the top of the front page, and add Trustee Evans to the officials list).

iii) Document Management Report

Clerk Meyle presented her Document / File Management Plan and requested approval to dispose records (with the exception of documents pertaining to pending or imminent litigation) according to the Illinois Secretary of State Records Disposal Certificate approved. The consensus of the Board was that they would like more information on the implication of disposing of records prior to giving approval.

iv) 2010 Census Report and Approval as Chairperson of the Complete Count Committee

MOTION: by Trustee Evans to approve the Resolution Agreeing to Partner with the United States Census Bureau by forming a 2010 Census Complete Count Committee and to appoint Clerk Meyle as the Complete Count Committee Chairperson. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0).
Motion carried 6/0

12) APPROVAL OF INVESTMENT HELD REPORT – MAY 2009

MOTION: by Trustee Olson to approve the Investments Held Report dated May 30, 2009 in the amount of \$1,699,412.42. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0).
Motion carried 6/0

13) CASH DISBURSEMENTS

MOTION: by Trustee Olson to approve accounts payable dated June 15, 2009 totaling \$446,382.91 (expenditures in the amount of \$427,094.77, plus payroll in the amount of \$19,288.14). Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

14) KILDEER POLICE REPORTS – MAY 2009

Materials were provided in the agenda packet regarding STEP locations, citations by location, comparison of arrests, comparison of activity, and summary of criminal offenses.

15) NEW BUSINESS - none

16) CLOSED SESSION TO DISCUSS PENDING LITIGATION, EMPLOYMENT OF AN EMPLOYEE, AND CLOSED SESSION MINUTES FOR JULY 16, 2007, AUGUST 20, 2007, SEPTEMBER 17, 2007, AUGUST 18, 2008, DECEMBER 15, 2008, JANUARY 19, 2009, AND MAY 18, 2009

MOTION: by Trustee Olson to close the regular meeting for the purpose of going into an Executive Session to discuss pending litigation, employment of an employee, and Executive Session minutes dated July 16, 2007, August 20, 2007, September 17, 2007, August 18, 2008, December 15, 2008, January 19, 2009, and May 18, 2009. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

MOTION: by Trustee Olson to re-open the regular meeting. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

MOTION: by Trustee Sands to approve and release the minutes from the Board of Trustees Executive Session meetings held July 16, 2007, August 20, 2007, September 17, 2007, August 18, 2008, December 15, 2008, January 19, 2009, and May 18, 2009. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

MOTION: by Trustee Trost to confirm President Kellermann's recommendation to re-appoint James Connors as the Village Administrator. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

MOTION: by Trustee Olson to approve the Employment Agreement for the Village Administrator, Jim Connors, as discussed in the Executive Session. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

MOTION: by Trustee Kizior to approve the allocation of \$6,000.00 for attorney's fees to pursue recouping the Barn Renovation cost overrun from R and W Clark Construction and/or his bond company, Individual Surety. Upon roll call: YES: (6) Pratscher, Trost, Kizior, Sands, Evans, and Olson / NO: (0) / ABSENT: (0). Motion carried 6/0

17) ADJOURNMENT

MOTION: by Trustee Trost to adjourn. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

The Regular Board of Trustees Meeting was adjourned at 12:45pm.

Robert Kellermann, Village President

Susan Meyle, Village Clerk