



VILLAGE OF
DEER PARK
EST. 1957
Minutes

VILLAGE OF DEER PARK
BOARD OF TRUSTEES MEETING

April 19, 2010 • 7:00pm

Deer Park Vehe Barn

23570 W. Cuba Road, Deer Park Illinois 60010

1) **Pledge of Allegiance**

The meeting of the Board of Trustees of the Village of Deer Park was held on Monday, April 19, 2010 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 7:00pm. 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 Kizior, Olson, Sands, Pratscher, Trost and Evans.

Other Village officials present were Administrator Connors, Clerk Schroeder, Attorney Bateman, Engineer Gordon and Village Treasurer Stade. President Kellermann stated there is a quorum.

3) **Approval of Agenda**

President Kellermann recommended moving item 8)Ai after agenda approval, move Executive Session after item 6)C.

Motion: Trustee Pratscher moved, seconded by Trustee Sands, to approve the Agenda as amended.

Upon Roll Call by Voice vote – 6 Ayes/0 Nays – Motion Carried. 6/0

4) **Approval and Release of minutes from the Board of Trustees regular meeting March 15, 2010**

It was pointed out there was a misspelled last name in paragraph 8. Clerk Schroeder duly noted the correction.

Motion: Trustee Pratscher moved, seconded by Trustee Evans, to approve the minutes of BOT 3/15/10 as amended.

Upon Roll Call by Voice vote. 6 Ayes/0 Nays – Motion Carried. 6/0

i) **Recognition of Deer Park Town Center as recipient of Silver U.S. Maxi Award**

Konda Dees, CMD, marketing director and Jim Elliman, Mgr., presented a Silver U.S. MAXI award for Deer Park Town Center in the Visual Merchandising category. The award was presented to President Kellermann. President Kellermann thanked the Deer Park Town Center representatives for their continued business relationship.

5) Public Comments — Sign up prior to meeting on sign-in sheet on podium; 5 minutes time limit.

President Kellermann read the sign-in disclosure statement and invited the public for comments.

Debra Barry of 412 Ramble Lane expressed her opinion on the agenda item LNCI month resolution. She encouraged the Board to consider whether or not it can afford events held at the Vehe Barn.

She further asked the Board to considering the following items in the budget discussion: a concrete slab for the library drop-off box; the Board commit to tourism; renovate the Board dais, including more microphones; upgrade the Village web site and suggested looking at Lake Zurich's web site for a sample site; purchase a video camera; speed bump fund; 50/50 park bench fund; connect the paths and/or bridge at Michael D'Angelo park; and keep the barn open for the public and sell coffee to the public. Ms. Barry thanked the Board.

Frank Rettmuller of 12 Deer Path Road expressed his concerns of Don's Landscaping business and traffic issues. President Kellermann noted that these issues are being addressed.

Mr. Rettmuller also asked that the police monitor speeders on Deer Path Road between the hours of 7-8:30 a.m. and 4-6 p.m. Trustee Pratscher suggested if there is not enough police patrol officers, to set up speed radars.

With no further comments, the public comment was closed.

6) Village Engineer- Report and Recommendations

A. Approval of Village Engineer recommendation to approve Lenny Hoffman Excavating Inc. final pay request for Ferndale Drainage Improvement Phase 3 in the amount of \$8,834.10

Village Engineer Gordon explained this item and noted that this project was done last May.

Motion: Trustee Pratscher moved, seconded by Trustee Evans, to approve Lenny Hoffman Excavating Inc., final pay request for Ferndale Drainage Improvement Phase 3 in the amount of \$8,834.10.

Ayes: Evans, Kizior, Olson, Pratscher, Trost and Sands

Nays: None

Motion Carried.

B. Approval of Village Engineer recommendation to accept public improvements for Hampton Inn

Village Engineer Gordon explained this item and was available to answer questions from the Board.

Motion: Trustee Pratscher moved, seconded by Trustee Sands, to approve and accept the public improvements for Hampton Inn as recommended by Village Engineer Gordon.

Ayes: Olson, Kizior, Evans, Trost, Sands and Pratscher

Nays: None

Motion Carried. 6/0

C. Report on 2010 Road Program bids

Village Engineer Gordon explained the bid proposals for the 2010 Road Maintenance Program project was received. The bids ranged from \$265,281.72 to \$316,857.50. The Village budget amount of \$194,000.00 allocated for this year (FY2010/2011) road maintenance program. The low bid of \$265,281.72 was received from Geske and Sons, Inc. By removing Rue Royale from the project, based on Geske's submitted unit prices, the project cost is projected at \$186,423.85.

Trustee Kizior asked to keep Rue Royale in the project. President Kellermann noted there are roads in worse condition. Trustee Kizior noted that Rue Royale has been deferred forever. Gordon suggested doing the third road after the budget.

There was no action on this item at this time.

8)H. Proposal from Mergenthaler Plumbing for lower level Barn drainage remedial repairs

Motion: Trustee Evans moved, seconded by Trustee Pratscher, to accept Mergenthaler Plumbing proposal for lower level Barn drainage remedial repairs.

Discussion:

Village Administrator Connors explained that he met with the plumbing contract and referenced the proposal amount of \$3,947.00. VA Connors explained the option to install sleeved, perforated drain tile and cap for future drain tile extension under the community room.

President Kellermann asked Village Engineer if this would resolve the problem. Village Engineer Gordon noted that it would.

Trustee Kizior pointed out that there would be twice the amount of equipment, means twice the amount of potential problems. Trustee Kizior asked how reliable is the proposed approach. Village Engineer Gordon explained the function of installing a second pump.

Trustee Kizior asked if what should have been done before would be better than what is being proposed. Village Engineer Gordon noted that the pump would be monitored. Trustee Kizior asked that Gordon provide a monitor report.

Trustee Kizior asked if it would be more reliable to go back and re-do or put in the second pump. Village Administrator Connors explained the current drainage issues and noted that it would cost more to re-do.

With no further comments, the roll was called.

Ayes: Sands, Olson, Pratscher, Trost and Evans

Nays: None

Abstain: Kizior

Motion Carried. 5/0

7) Executive Session

Motion: Trustee Evans moved, seconded by Trustee Pratscher, to enter into Executive Session to discuss Litigation which is probable or imminent at 7:42 p.m.

Ayes: Evans, Kizior, Olson, Pratscher, Trost and Sands

Nays: None

Motion Carried. 6/0

At this time, President Kellermann and Trustees Evans, Kizior, Olson, Pratscher, Trost and Sands entered into Executive Session. Others present included Attorney Bateman, Village Administrator Connor and Clerk Schroeder.

After discussion, President Kellermann entertained a motion to exit Executive Session at 8:50 p.m.

At this time, President Kellermann and Trustees Evans, Kizior, Olson, Pratscher, Trost and Sands exited Executive Session. Others present included Attorney Bateman, Village Administrator Connor and Clerk Schroeder.

Motion: Trustee Olson moved, seconded by Trustee Kizior, to exit Executive Session at 8:54 p.m.

Ayes: Olson, Pratscher, Trost, Sands, Kizior and Evans

Nays: None

Motion Carried. 6/0

7) C. First amendment to Agreement between Redspeed Illinois LLC and Village for the installation and operation of an automated traffic law enforcement system

Mr. Mike Lebert of Redspeed Illinois LLC presented the proposed amendments to the Agreement between Redspeed Illinois LLC and the Village of Deer Park for the installation and operation of an automated traffic law enforcement system. Mr. Lebert pointed out the location of the cameras within the Village of Deer Park.

Mr. Lebert highlighted the amendments as presented in the agreement and was available to answer questions from the Board.

Mr. Lebert indicated that he would revisit the Board in one year and provide the Board with a report on the camera activity. Trustee Evans asked about getting monthly reports. Village Administrator Connors noted that quarterly reports would be provided to staff and would be administered through Kildeer Police.

Trustee Pratscher asked about the turning on red policy. Village Administrator Connors noted staff would be meeting with the adjudicator for Kildeer and we will follow the law on turning on red. Trustee Pratscher noted that she wants to make sure people are not upset. Mr. Lebert recommended educating residents and schedule photo enforcement meetings. Trustee Evans noted that the intent for this system is for vehicle safety and to change driver behavior.

The Board thanked Mr. Lebert for his presentation.

Motion: Trustee Kizior moved, seconded by Trustee Olson, to approve the first amendment to the Agreement between Redspeed Illinois LLC and Village of Deer Park for the installation and operation of an automated traffic law enforcement system.

Ayes: Pratscher, Olson and Kizior

Nays: Sands

Abstain: Evans

Motion Carried. 4/1/1

11) Kildeer Police Reports

Commander Bratko highlighted the Police Report summary and was available to answer questions from the Board.

Commander addressed the red light turn question and indicated that all camera activity is reviewed. It was noted that you must come to a complete stop by law before the white line. There was general discussion regarding the STEP Program. It was noted that the office do two STEPS per eight hour. Commander noted that there is no STEP program for Deer Path Road.

The Board thanked the Kildeer Police.

7) Village Attorney- Report and Recommendations

A. Ordinance amending Village Code regarding Chapter 155 “Subdivision Regulations, of Title XV “Land Usage”, regarding Impact Fees”

Attorney Bateman explained this item and was available to answer questions from the Board.

Trustee Evans asked to table this item for further questionings.

The Board agreed to table this item.

B. Refer proposed Ordinance to the Plan Commission to schedule a Public hearing amending Municipal Code regarding the term of members of the Zoning Board of Appeals and notice of appeal from a ZBA decision and accessory structures and uses
Attorney Bateman explained the discrepancies and recommended the language changes to comply with the State statues.

Attorney Bateman recommended staggering the ZBA membership pattern as outlined in the proposed ordinance. Bateman explained that the ordinance will be proposed to the Plan Commission for a public hearing to consider approval. Attorney Bateman was available for comments from the Board.

Motion: Trustee Olson moved, seconded by Trustee Evans, to forward the proposed ordinance to the Plan Commission to schedule a Public Hearing amending the Municipal Code regarding the term of members of the Zoning Board of Appeals and Notice of Appeal from a ZBA decision and accessory structures and uses.

Ayes: Trost, Sands, Pratscher, Olson, Kizior and Evans

Nays: None

Motion Carried. 6/0

C. First amendment to Agreement between Redspeed Illinois LLC and Village for the installation and operation of an automated traffic law enforcement system

Item moved on the agenda.

D. Ordinance Approving Cable Television Franchise Agreement by and between Village and Comcast of Illinois.

Attorney Jim Bateman explained this item and was available to answer questions from the Board.

Trustee Sands asked about the length of the agreement. Attorney Bateman noted that the original proposed was for 15 years and he suggested 10 years. Trustee Sands asked if free service is provided to the Village. Trustee Kizior suggested putting free service into the agreement. Attorney Bateman noted that is not but could put it in.

Trustee Evans noted that she doesn't like the language in section 3.2 Aerial and Underground Construction as noted in the proposed agreement. She asked to change it to discourage aerial towers.

Attorney Bateman suggested inviting a Comcast representative to attend the next Board meeting to address the Board's questions.

Trustee Kizior asked staff to check if digital voice for free phone service for the Village.

With no further comments, this item was tabled.

E. Ordinance granting a variation to authorize a septic permit for the property located at 20835 Country Lane

Village Administrator Connors explained this item.

Motion: Trustee Pratscher moved, seconded by Trustee Sands, to approve an ordinance granting a variation to authorize a septic permit for the property located at 20835 Country Lane.

Discussion

Trustee Evans suggested changing the words "Acting Village Clerk" on the ordinance document to "Village Clerk".

Ayes: Olson, Trost, Kizior, Evans, Pratscher and Sands

Nays: None

Motion Carried. 6/0

8) **Reports from President, Trustees, Administrator, Clerk, and Treasurer**

A. President Kellermann

i) Recognition of Deer Park Town Center as recipient of Silver U.S. Maxi Award

Item moved on the agenda.

ii) Reappointments to the Plan Commission:

Jan Koe for a three year term expiring December 31, 2012

Bill Koutsis for a three year term expiring December 31, 2012

Attorney Bateman explained this item.

Motion: Trustee Pratscher moved, seconded by Trustee Sands, to re-appoint Jan Koe and Bill Koutsis to the Plan Commission for a three year term expiring December 31, 2012.

Upon Roll Call Voice Vote – 6 Ayes/0 Nays – Motion Carried. 6/0

iii) Appointment of Elizabeth Schroeder, Village Clerk, as a FOIA Officer and James Connors, Village Administrator as secondary FOIA Officer

Motion: Trustee Evans moved, seconded by Trustee Pratscher, to approve the appointment of Elizabeth Schroeder, Village Clerk, as a FOIA Officer and James Connors, Village Administrator as secondary FOIA Officer.

Upon Roll Call Voice Vote – 6 Ayes/0 Nays – Motion Carried. 6/0

B. Trustee Kizior–Public Safety

LCDOT response regarding Long Grove intersection between Promenade and Town Center

Trustee Kizior provided the Board with an update on this item. He further referenced the Lake County letter which recommends completing an engineering study to determine if traffic signals are warranted at the Shopping Center entrances on Long Grove Road. Trustee Kizior recommended that the Shopping Center fund the study.

President Kellermann suggested tabling this item for further discussion. Trustee Kizior suggested pursuing this matter because of safety issues. President Kellermann asked the cost for the study. Trustee Kizior noted he would guess less than \$10,000 and more than \$1,000.

Trustee Evans asked how many accidents at that corner. It was noted less than 10 over a 3 year period.

Trustee Kizior further reported that a section of the fencing was taken down which improved the line of sight issue on Long Grove Road and he provided an update on the signage changes at the stop sign out of the Town Center exit.

Motion: Trustee Kizior moved, seconded by Trustee Olson, to have the Shopping Centers on Long Grove Road fund and conduct an engineering study to see if traffic signals are warranted, at no incremental cost to the Village.

Ayes: Sands, Pratscher, Kizior, Evans, Trost and Olson

Nays: None

Motion Carried. 6/0

Trustee Kizior advised Village staff to write a letter to the developers and/or management companies giving direction to conduct an engineering study.

C. Trustee Olson-Finance

i) FY2010-2011 Budget

Trustee Olson highlighted the proposed FY2010/2011 Budget and was available for questions from the Board.

The Board reviewed and made recommendations for the FY2010/2011 Budget as discussed.

Trustee Sands distributed a proposed hotel tax survey and asked for feedback from the Board. Trustee Sands also distributed a summary of a hotel tax survey of neighboring communities.

Trustee Trost exited the meeting at 11:25 p.m.

Motion: Trustee Olson moved, seconded by Trustee Sands, to accept as current FY2010/2011 Budget as amended per discussion.

Ayes: Evans, Kizior, Olson, Sands and Pratscher

Nays: None

Absent: Trost

Motion Carried. 5/0

6C. Report on 2010 Road Program bids

Motion: Trustee Sands moved, seconded by Trustee Pratscher, to approve \$265,281.72 for Road Program bid to Geske and Sons, Inc.

Ayes: Evans, Kizior, Olson, Pratscher and Sands

Nays: None

Absent: Trost

Motion Carried. 5/0

D. Trustee Pratscher-Health and Sanitation
None

E. Trustee Sands-Roads and Drainage

i) Vehe Farm / Property Survey Status

Trustee Sands provided the Board with an update on the Vehe Farm property survey and was available to answer questions from the Board. Trustee Sands noted that the comments portion of the survey results would be sent out to the Board of Trustees.

ii) FY 2010 / 2011 Road Program Update

Trustee Sands referenced Village Engineer Gordon's previous comments.

iii) Drainage update

None

iv) Hotel Tax Survey status

See attached survey.

F. Trustee Trost-Planning and Zoning

Report of responses to RFP for Building Plan Review/Inspection and Zoning services

Village Administrator Connors noted that he would be making appointments with the (3) three candidates outlined in the backup information (e-mail from Jim Connors) for interviews with staff and President Kellermann.

G. Trustee Evans-Parks

i) Resolution supporting the children's outdoor bill of rights and designating June as "Leave No Child Inside Month"

President Kellermann noted that this item was only approved as an initiative by BACOG; therefore, he recommended tabling this item.

Trustee Evans disagreed and referenced BACOG's sample resolution. President Kellermann noted that he would follow up on this request and tabled the item until the next meeting. Trustee Evans noted that she would forward the BACOG sample resolution to President Kellermann for his review.

ii) VVF monthly report and action items

Attorney Bateman expressed his opinion and suggested that the Board consider creating a gift and donation policy.

There was general discussion and the Board directed Attorney Bateman to create perpetual loan agreements for both the charcoal drawing and montage picture.

These items were tabled.

Trustee Evans noted that she was asked by the Barrington Garden Club for the return of the bench in the Butterfly Garden.

Trustee Evans requested a Clerk's Report at the next Board Meeting.

iii) Eagle Scout Service Project-Vehe Farm picnic benches

It was the consensus of the Board to allow the Eagle Scout Service project.

H. Administrator Connors

Proposal from Mergenthaler Plumbing for lower level Barn drainage remedial repairs

Agenda Item Moved.

I. Treasurer Stade

Adoption of FY2010-2011 Supplemental Appropriation Ordinance

Motion: Trustee Pratscher moved, seconded by Trustee Olson, to adopt FY2010/2011 Supplemental Appropriation Ordinance.

Ayes: Evans, Pratscher, Olson, Sands and Kizior

Nays: None

Absent: Trost

Motion Carried. 5/0

9) Investments Held Report

Approval of the Investments Held Report for March 31, 2010 in the amount of \$1,103,033.85

Motion: Trustee Olson moved, seconded by Trustee Kizior, to approve the Investments held report of March 31, 2010 in the amount of \$1,103,033.85

Ayes: Olson, Kizior, Pratscher, Evans and Sands

Nays: None

Absent: Trost

Motion Carried. 5/0

10) Cash Disbursements

Approval of expenditures totaling \$189,421.94 (accounts payable in the amount of \$165,627.27, check register for \$592.41 plus payroll in the amount of \$23,202.26)

Motion: Trustee Olson moved, seconded by Trustee Pratscher, to approve expenditures totaling \$189,421.94 (accounts payable in the amount of \$165,627.27, check register for \$592.41 plus payroll in the amount of \$23,202.26).

Ayes: Evans, Kizior, Sands, Olson and Pratscher

Nays: None

Absent: Trost

Motion Carried. 5/0

11) Kildeer Police Reports

Agenda Item Moved.

12) New Business

None

13) Closed session to discuss litigation which is probable or imminent

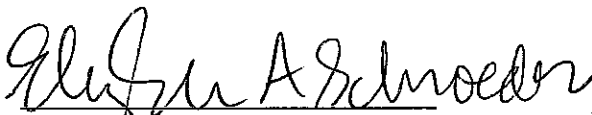
Agenda Item Moved.


14) Adjournment

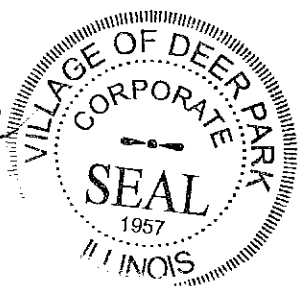
Motion: Trustee Olson moved, seconded by Trustee Sands, to adjourn at 12:38 p.m.

Upon Roll Call by Voice vote – 5 Ayes/0 Nays/1 Absent – Motion Carried. 5/0

Respectfully Submitted,


Elizabeth A. Schroeder
Village Clerk


Robert Kellermann
Village President



The Village of Deer Park is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the Village's facilities, are requested to contact the Village's ADA Coordinator at (847) 726-1648 promptly to allow the Village to make reasonable accommodations for those persons.

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard.