

**1) PLEDGE OF ALLEGIANCE**

The regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, January 18, 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 7:03pm. 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 Evans, Kizior, Olson, Pratscher, Sands, and Trost. The following Village officials were absent: None. Other Village officials present were Administrator Connors, Attorney Bateman, Treasurer Stade, Plan Commission Chairman Heidtke and Permit Coordinator Doniec. President Kellermann stated there was a quorum.

**3) APPROVAL OF AGENDA**

MOTION: by Trustee Sands, seconded by Trustee Olson, to approve the agenda amended by omitting Item 7iii) Resolution supporting use of phosphorus-free fertilizers and detergents and moving Item 12) Kildeer Police Reports after Item 6). Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

**4) APPROVAL AND RELEASE OF MINUTES**

MOTION: by Trustee Pratscher, seconded by Trustee Sands, to approve and release the minutes from the Board of Trustees Regular Meeting held on December 21, 2009 and Special Meeting held on November 30, 2009. Upon roll call: YES: (6) Pratscher, Sands, Evans, Kizior, Olson and Trost / NO: (0) / ABSENT: (0). Motion carried 6/0

**5) PUBLIC COMMENTS**

Tom Vanderpool, of Citizens For Conservation (CFC), provided a brief history of the organization, stated their support for the prairie restoration done on Vehe Farm property, and encouraged the Village to continue the work, noting that CFC would continue to provide seeds.

Patsy Mortimer, of Citizens For Conservation, praised the work done on Vehe Farm property stating that it is a wonderful model for the watershed area.

Frank Retmuller, 12 Deer Path Road, communicated his displeasure with the police during a recent encounter with them after his dog got loose.

Rita Finley, 219 Green Forest, expressed concern over safety issues at the Deer Park Town Center egress onto Long Grove Road stating that it should be a four (4) way stop and that the existing stop sign is too far back from the intersection making the line of sight difficult to the west because of the fence. Trustee Kizior stated that the intersection is not within the Village's jurisdiction but that additional safety issues might be addressed when the pathways are constructed. Ms. Finley also stated her opinion that the hotel tax should be applied in such a manner as to generate the most revenue for the village.

Larry Winkleman, 21540 Inglenook Lane, commented on Mr. Chay's statements at the December 21, 2009 meeting regarding the posting of recorded meetings on the internet.

Lucy Hoyt, 309 Briargate Lane, stated her desire to have the pathways around the mall and hotel plowed and read a letter written by Connie Pohlman suggesting that they be plowed at least once a month when the weather calls for it.

**6) VILLAGE ENGINEER – NO REPORT**

**ADDRESSED ITEM 12) AT THIS TIME – KILDEER POLICE REPORTS**

Commander Bratko stated that they have a person of interest in custody pertaining to the purse snatching that took place at the mall on January 8, 2010 and provided the following as precautions while shopping and elsewhere where applicable: always be aware of your surroundings; instead of rummaging through your purse while walking to your car, have your keys available before entering a parking lot; putting purchases in your trunk and then proceeding with additional shopping can make your car a target for burglary; don't hesitate to call 911 if you see something strange or out of the ordinary.

**ADDRESSED ITEM 8) AT THIS TIME – PLAN COMMISSION RECOMMENDATION REGARDING DOG BOARDING FACILITY AT 20434 N. RAND ROAD**

Dave Heidtke, Plan Commission Chairman, stated the commission's unanimous recommendation to the Board that the special use permit be granted to the petitioners and recapped key restrictions recommended for the approval as follows:

- Must comply with all Village codes and ordinances (including ventilation), the Animal Welfare Act for the State of Illinois, the Pet Care Services Assoc. Code and the premises is subject to random inspections to assure compliance
- Maximum number of dogs allowed is 45 with a ratio of one (1) employee per ten (10) dogs
- Maximum size of dogs allowed is 18 inches
- Must provide proof of proper licensing
- Must provide annual proof of all appropriate insurance policies (fire, casualty, liability)
- All dog waste must be removed and disposed of daily, and proof of an annual waste disposal contract is required
- Interior and exterior security cameras must be installed to provide owners with monitoring capabilities after hours
- Hours of operation will be 7:00am to 7:00pm and exterior lights will be turned off by 8:00pm at which time they be controlled by motion detectors
- A minimum of seventeen (17) parking spaces is required, including at least one (1) for handicapped
- The backyard is to be covered with wood chips until the weather allows for installation of sod
- When outside, the dogs must be accompanied by employees at all times

MOTION: by Trustee Olson, seconded by Trustee Trost to authorize Attorney Bateman to prepare an ordinance granting the special use with the recommendations of the Plan Commission, changing the restriction pertaining to lighting after 8:00pm to pertain to outdoor lighting only. Upon voice vote: YES: (6) Olson, Trost, Evans, Kizior, Pratscher and Sands / NO: (0) / ABSENT: (0). Motion carried 6/0

**ADDRESSED ITEM 9)D AT THIS TIME – RECOMMENDATION FOR SEPTIC SYSTEM VARIATION FOR 20835 COUNTY LANE**

Trustee Pratscher stated that the Lake County Health Department approved the submitted septic system for the subject property, and due to differences in codes, a variance is necessary from the Village as the septic will be partially located on property containing fill. She added that the percolation test provided acceptable results. She then introduced Peder Finnberg of PAF/Heritage who stated that the percolation rate was typical for this area and that the plans are for a mound system.

MOTION by Trustee Pratscher, seconded by Trustee Sands, to direct Attorney Bateman to prepare an ordinance for the approval of the septic variance for 20835 County Lane. Upon roll call: YES: (5) Pratscher, Sands, Evans, Kizior and Olson / NO: (0) / ABSTAIN: (1) Trost / ABSENT: (0). Motion carried 5/0

**7) VILLAGE ATTORNEY – REPORT AND RECOMMENDATIONS**

**i) ORDINANCE REGARDING RECORDING OF PUBLIC MEETINGS**

Attorney Bateman asked the Board if they wished to include a more appropriate monetary penalty in the ordinance for disturbing a public meeting rather than letting it rely on the general disturbance penalty in the Village Code of not less than \$1 and not more than \$50. After much discussion it was the consensus of the Board to vote on the ordinance in the draft form as presented.

MOTION: by Trustee Olson, seconded by Trustee Kizior, to adopt the ordinance regarding the recording of public meetings. Upon roll call: YES: (6) Olson, Kizior, Evans, Pratscher, Sands and Trost / NO: (0) / ABSENT: (0). Motion carried 6/0

**ii) ORDINANCE REGARDING ETHICS COMMISSION**

Attorney Bateman stated that there were a couple of issues outstanding regarding the draft ordinance as discussed at the last meeting: the number of members to make up the commission and a new paragraph providing direction to the commission. He then handed out the draft of the new paragraph. After much discussion it was the consensus of the board to incorporate the new paragraph and to establish the commission with five (5) members which would change the following items in the draft:

SECTION 2: (A) .....No more than three (3) members ..... same political party,

SECTION 2: (B) .....Two (2) commissioners shall serve 4-year terms and one (1) commissioner shall serve a 5-year term. ....A quorum shall consist of three (3) commissioners, .....require the affirmative vote of three (3) members.

MOTION: by Trustee Sands, seconded by Trustee Kizior, to adopt the ordinance regarding the Ethics Commission with the revisions stipulating five (5) members and the corresponding changes as listed above, and the addition of the new paragraph providing direction to the commission. Upon roll call: YES: (6) Sands, Kizior, Evans, Olson, Pratscher, Sands and Trost / NO: (0) / ABSENT: (0). Motion carried 6/0

**8) PLAN COMMISSION RECOMMENDATION REGARDING DOG BOARDING FACILITY AT 20434 N. RAND ROAD - ADDRESSED ABOVE AFTER ITEM 6)**

**9) REPORTS FROM PRESIDENT, TRUSTEES, ADMINISTRATOR, CLERK, AND TREASURER**

**ADDRESSED 9E AT THIS TIME – TRUSTEE SANDS – ROADS AND DRAINAGE**

Trustee Sands recapped the ratings of the Village roads and discussed various road projects to be considered for the upcoming construction season and how they might fit into the currently proposed budget. He stated that, according to Village Engineer Gordon, preparation of bid documents will cost approximately \$5,000 to \$6,000 for the higher priority roads and would remain at approximately the same price with the addition of some extra roads. Similar discussion was held pertaining to Village top priority drainage issues. He then stated that the consensus of the Board at their special meeting held Thursday, January 14, 2010, was to direct Village Engineer Gordon to initiate work on the bid documents and that once estimated figures are available, final decisions as to which projects to be completed could be decided.

**A. PRESIDENT KELLERMANN**

**i) REAPPOINTMENT OF MICHAEL TIMLIN TO ZONING BOARD OF APPEALS FOR THE THREE YEAR TERM ENDING DECEMBER 31, 2012**

MOTION: by Trustee Sands, seconded by Trustee Olson, to reappoint Michael Timlin to the Zoning Board of Appeals for the three year term ending December 31, 2012. Upon roll call: YES: (6) Sands, Olson, Evans, Kizior, Pratscher, and Trost / NO: (0) / ABSENT: (0). Motion carried 6/0

**ii) APPOINTMENT OF PRESIDENT KELLERMANN AS FOIA OFFICER**

With the new law in effect as of January 1, 2010, a FOIA Officer must be appointed.

MOTION: by Trustee Sands, seconded by Trustee Olson, to appoint President Kellermann as the FOIA Officer. Upon roll call: YES: (6) Sands, Olson, Evans, Kizior, Pratscher, Sands and Trost / NO: (0) / ABSENT: (0). Motion carried 6/0

**B. TRUSTEE KIZIOR – PUBLIC SAFETY**

Trustee Kizior said that with the assistance of Engineer Gordon, he will look into the no left turn at the egress from the Deer Park Town Center onto Long Grove Road and the potential of repositioning the current stop sign at that location.

**DISCUSSION OF TERMINATION OF AGREEMENT WITH VEHE FARM FOUNDATION**

Trustee Kizior deferred to Trustee Evans regarding discussion of the termination of agreement with Vehe Farm Foundation. Trustee Evans stated her concern that some programs will be in jeopardy if the Board does not respond to the situation despite not having received a follow-up letter containing the anticipated date of the termination. Trustee Pratscher added that skills and knowledge pertaining to the upkeep of the property and the running of events needs to be passed along so that it will be available for future volunteers. After much discussion, it was the consensus of the Board that Trustee Evans prepare a list of events handled by the Vehe Farm Foundation so that they can discuss and prioritize them at a special meeting.

**C. TRUSTEE OLSON - FINANCE**

Trustee Olson read a statement he prepared titled "Why It Would Be Unwise to Use Any Hotel Tax Money for the Vehe Farm in Any Way". A recap of his key issues are as follows: The percentage of return on that money would be minimal if used to promote use of Vehe Farm activities, using it to promote the hotel and shopping more closely follows the defined purpose of the hotel tax, promoting the hotel and shopping aids in developing brand awareness of the Village of Deer Park which can then promote economic growth and improve property values including those for residences, and sponsorship programs are a wonderful way to promote Vehe Farm activities. He then suggested a committee be appointed for economic development. After some discussion, it was the consensus of the Board to put this topic on the agenda for the next special meeting.

**D. TRUSTEE PRATSCHER – HEALTH AND SANITATION – ADDRESSED EARLIER PRIOR TO ITEM 7)**

**E. TRUSTEE SANDS – ROADS AND DRAINAGE – ADDRESSED EARLIER PRIOR TO ITEM 9A)**

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**F. TRUSTEE TROST – PLANNING AND ZONING**

Trustee Trost reported meeting with Administrator Connors regarding the RFP drafted by Permit Coordinator Doniec for the services of a Plan Reviewer & Zoning Officer which should be available in its final form by the end of next week.

**G. TRUSTEE EVANS - PARKS**

**i) Vehe Farm Foundation Monthly Report**

Trustee Evans reported that December volunteer efforts included protection of saplings, sewing of seeds and winter preparation. President Kellermann stated that he would contact the Foundation in order to obtain a definite date for the termination of the agreement. Trustee Evans said she would compile a list of events, as discussed earlier in Item 9B, and estimate the costs and benefits of each to the Village.

**ii) APPROVAL OF HOMEOWNER ASSOCIATION LANDSCAPE REIMBURSEMENT REQUESTS FROM CHAPEL HILL FOR \$381.50 AND PARK HILL ESTATES FOR \$750.00.**

MOTION: by Trustee Evans, seconded by Trustee Olson, to approve reimbursement requests for Homeowner Association landscaping from Chapel Hill for \$381.50 and Park Hill Estates for \$750.00. Upon roll call: YES: (6) Evans, Olson, Kizior, Pratscher, Sands and Trost / NO: (0) / ABSENT: (0). Motion carried 6/0

**iii) STATUS OF SOLICITATION OF PROPOSALS FOR PARK MAINTENANCE WORK**

Trustee Evans deferred to Administrator Connors regarding their meeting. Administrator Connors stated that the contracts necessary are for mowing, clean up, aquatic control, and fertilizing. He reported that they determined the bids should be for a period of two (2) years and that bid forms and documents will be available later in the week. Trustee Evans added that there will be additional bid activity for tree care, strictly for the purposes of identifying pests and diseases should the need arise. Discussion ensued regarding the potential of passing on favorable rates obtained by the Village to the homeowners associations and other pond owners. It was determined that additional lead time would be necessary to accomplish this and that it might be more feasible to pursue next year.

**H. ADMINISTRATOR CONNORS**

**i) RESOLUTION APPROVING AGREEMENT WITH LCDOT AND VILLAGE OF KILDEER REGARDING REGIONAL PATHWAY PROPOSAL**

Administrator Connors provided the Board with a revised page 6, section 2, which more clearly stated within the parenthesis what was presented in Exhibit C. He stated that that was the only revision and that the agreement has already been approved by the Village of Kildeer. He also stated that there will be a joint contract with the Village of Kildeer for the engineering of the project. Attorney Bateman stated that he has read and approved the document and the revision.

MOTION: by Trustee Sands, seconded by Trustee Trost, to pass the resolution approving the agreement with LCDOT and the Village of Kildeer regarding the regional pathway proposal. Upon roll call: YES: (6) Sands, Trost, Evans, Kizior, Olson, and Pratscher / NO: (0) / ABSENT: (0). Motion carried 6/0

**ii) APPROVAL OF AGREEMENT WITH AZAVAR FOR UTILITY AUDIT**

Administrator Connors reported that Attorney Bateman provided an amendment upon his review, which Azavar has agreed to, and is included in the Board packet.

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MOTION: by Trustee Pratscher, seconded by Trustee Kizior, to approve the agreement with Azavar for the utility audit. Upon roll call: YES: (6) Pratscher, Kizior, Evans, Olson, Sands and Trost / NO: (0) / ABSENT: (0). Motion carried 6/0

**I TREASURER STADE**

MOTION: by Trustee Trost, seconded by Trustee Evans, to approve the Investments Held Report for December 31, 2009 in the amount of \$839,312.84. Upon roll call: YES: (6) Trost, Evans, Kizior, Olson, Pratscher and Sands / NO: (0) / ABSENT: (0). Motion carried 6/0

**11) CASH DISBURSEMENTS**

MOTION: by Trustee Olson, seconded by Trustee Sands, to approve expenditures totaling \$95,042.43 (accounts payable in the amount of \$77,231.50, check register in the amount of \$139.92 plus payroll in the amount of \$17,671.01). Upon roll call: YES: (6) Olson, Sands, Evans, Kizior, Pratscher and Trost / NO: (0) / ABSENT: (0). Motion carried 6/0

**12) KILDEER POLICE REPORTS - ADDRESSED EARLIER AFTER ITEM 6)**

**13) NEW BUSINESS**

**STATUS OF VILLAGE CLERK POSITION**

President Kellermann reported that he has several names of people who are interested in the position and he may be putting an ad in the paper as well.

The consensus of the Board was to hold a special meeting on Thursday, February 11, 2010, to discuss the Vehe Farm questionnaire, prioritization of Vehe Farm Foundation activities, and the possible establishment of an Economic Development Commission.

**14) ADJOURNMENT**

MOTION: by Trustee Sands, seconded by Trustee Pratscher, to adjourn the meeting. Upon voice vote: YES: (6) / NO: (0) / ABSENT: (0). Motion carried 6/0

The meeting ended at 10:51pm.

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Robert Kellermann, Village President

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Linda Bilocerkowycz