



**MINUTES  
VILLAGE OF DEER PARK  
SPECIAL BOARD OF TRUSTEES MEETING**

**August 5, 2010 • 7:00pm**

**Deer Park Vehe Barn  
23570 W. Cuba Road, Deer Park Illinois 60010**

**1) Pledge of Allegiance**

A Special Meeting of the Board of Trustees of the Village of Deer Park was held on August 5, 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 7:00 p.m. 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 Trost, Olson, Evans, Sands and Pratscher. Trustee Sands entered the meeting at 7:30 p.m. Trustee Trost was absent.

Other Village Officials present were Clerk Schroeder, Attorney Bateman. President Kellermann stated that there was a quorum. Village Administrator Connors was absent.

**3) Approval of Agenda**

President Kellermann entertained a motion to approve the agenda as presented.

***Motion: Trustee Pratscher moved, seconded by Trustee Evans, to approve the Agenda as presented.***

***Upon Roll Call – Voice Vote – 4 Ayes/0 Nays/Absent: Trost and Sands – 4/0 Motion Carried.***

**4) Public Comments —**

President Kellermann announced the purpose of the meeting was for discussion on one or more referenda to increase sales tax, and/or to establish a property tax levy, and to discuss other sources of revenue to address the Village's current road repair issues.

President Kellermann further noted that Trustee Sands will address the current conditions of the Village roads and Attorney Bateman will address the legal issues.

At this time, President Kellermann made a couple of public announcements: 1) the Village of Kildeer's Open House event is scheduled for August 14<sup>th</sup>, and all Kildeer and Deer Park residents are invited to attend; and 2) the Deer Park Newsletter has been posted on the Village website and sent out in the mail.

President Kellermann pointed out the Village's financial position and that Deer Park pays 57% of its budget for public safety whereas other communities pay on 34% of their budget for public safety services.

President Kellermann outlined the format of the meeting and opened the meeting for public comments.

23680 W. Cuba Road, Deer Park, Illinois 60010-2490

Phone: 847.726.1648 Fax: 847.726.1659 Email: [deerparkoffice@comcast.net](mailto:deerparkoffice@comcast.net) Web-site: [www.village.deer-park.il.us](http://www.village.deer-park.il.us)

**Public Comment:**

Marlene Smetana of Inglenook Lane expressed her concerns on police protection. She voiced that she opposes to any increase and advised the village board to "sharpen their pencils".

President Kellermann noted that the village has approached the Kildeer Police and they would not come down on the cost of the contract.

Bob Leving of 24600 Middlefork Road asked the board not to raise property taxes and noted that he opposes any tax increase.

Deborah Barry of 412 Bramble Lane noted she is not sure about the home rule criteria as far as opposing Bond or tax increase. She mentioned that the contract with Kildeer Police is a 5 year agreement. She also noted that other municipalities support retail marketing on their website and asked the board to consider the same. She asked the board not to put tax on the elderly residents. She further asked the board to put the town of Deer Park into business before considering any tax.

Resident Roger Hankin expressed his concerns and noted that he understands that whether or not the road repairs are behind schedule, but encouraged the board to look at other towns for best practice to promote revenue to fund the road program.

Mr. Hankin further suggested that the board be proactive and negotiate with retail developers and not kick the can to the residents. Mr. Hankin asked the board for an analysis of the police contract services for Deer Park and asked to get a reduction in cost. Mr. Hankin asked the board to consider an entertainment tax and asked not to increase sales tax. Mr. Hankin commented that he is disappointed that this meeting was scheduled on an off-time from the regular start time for the board meeting.

Resident Rita Finley noted that she disagrees with SSA's and it would not be fair to the residents.

Larry Winkelman of 215 Inglewood noted that he agrees with the comments from Debra Barry. Mr. Winkelman suggested alternative funding for road repairs. He further agrees that it's unfair to put a SSA on the residents.

A question from the audience asked why the board doesn't pursue state funding for the road projects. President Kellermann noted that the village has applied for most of the roads and didn't qualify for the road program.

At this time, President Kellermann reiterated that Trustees Sands and Olson will comment as well as Attorney Bateman on these concerns.

President Kellermann closed the public comments portion of the meeting at 7:45 p.m.

**5) Village Engineer- Report and Recommendations**

Kildeer's Road Program Bid for Deer Park's portion of Wooded Ridge for consideration of approval in the amount of \$19,600.00

Trustee Sands explained this item and indicated that Wooded Ridge is considered the worst road in the Village.

***Motion: Trustee Sands moved, seconded by Trustee Kizior to approve using the MFT fund for Deer Park's portion of Wooded Ridge road repair in the amount of \$19,600.00.***

**Discussion:**

Trustee Sands gave a quick recap on the current road repair projects. Trustee Pratscher suggested using this project as leverage with Kildeer on the police to get an audit on the police services.

Trustee Evans suggested her support with the village getting an audit on public safety services with Kildeer.

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

**Nays: None**

**Absent: Trost**

**Motion Carried. 5/0**

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

**A. President Kellermann**

**Discussion of one or more referenda to increase sales tax, and/or to establish a property tax levy, and to discuss other sources of revenue**

President Kellermann led in the discussion of this item and asked Trustee Sands to provide an update on the Village's road repair program.

Trustee Sands recommended that the village establish a program with a 10 year spending initiative for road repair/maintenance. Trustee Sands noted that he is against real estate taxes to help fund the road program.

Trustee Kizior suggested creating a resource plan. Trustee Sands suggested a 4-10 year program with consistent budgeting and planning. Trustee Sands noted that it approximately 3-5 million to get caught up with the current road program.

Trustee Pratscher suggested repairing the main collector roads outside of the subdivisions to reduce the cost or do the subdivision roads all at once.

Trustee Sands suggested looking at the road conditions and the PCR rating of each village road. Trustee Kizior agreed with Trustee Sands.

President Kellermann asked Attorney Bateman to speak on behalf of this matter. Attorney Bateman explained that non-home rule communities have limited revenue resources. Attorney Bateman noted that any real estate tax would require a referendum as well as any imposed sales tax. If the board would impose a 1% sales tax increase or any referendum item would be placed on the November 2<sup>nd</sup> ballot, the Board would have to approve by August 16<sup>th</sup> (not filed, but approved by the board). Attorney Bateman further explained that if the board would consider any bond revenue then a real estate levy would be required. Mr. Bateman noted that any bond would require a bond counsel and other significant costs, not to mention there may be a timing issue to meet the 8/16 deadline.

Attorney Bateman distributed copies of the City of Lake Forest Q&A on Home Rule status and a copy of the City of Lake Forest ordinance establishing the position on the use of home rule as examples of documents required for establishing Home Rule status. Attorney Bateman recommended that Deer Park consider becoming a Home Rule community. Trustee Sands asked if the village has considered this option before today. President Kellermann replied no.

Resident Roger Hankin asked Attorney Bateman about entertainment tax. Attorney Bateman noted that the village has established an entertainment tax rate of 4% and noted the maximum rate for non home ruled communities is 5%.

Debra Barry of 412 Bramble Lane suggested applying for more grants to help reduce costs on event planning services.

President Kellermann expressed his support for establishing a program for roads.

At this time, President Kellermann introduced Trustee Olson.

Trustee Olson distributed a Roads funding alternatives analysis (less optimistic) and (optimistic) charts to the Board members (see attached).

Trustee Olson explained the charts as presented and answered questions from the board.

Trustee Sands commented that the .25 or .5% increase of sales tax would lose the shoppers.

Debra Barry of 412 Bramble Lane, recommended involving the local businesses.

Resident Rita Finley asked about how the board would guarantee the proposed sales tax increase.

Attorney Bateman explained that the board could put in a sunset clause in an ordinance but noted that another board can remove the sunset clause provision and noted that it doesn't bind the future boards.

President Kellermann opened the meeting for discussion at 8:50 p.m.

**Open Discussion:**

Attorney Bateman suggested the board authorize to direct the Village Attorney to prepare a referenda ordinance to pass on August 16<sup>th</sup> 2010.

President Kellermann recapped that the residents don't want property taxes; SSA 's or bonding issues therefore; he suggest imposing a .25 or .5 % sales tax increase for the November 2<sup>nd</sup> ballot.

A Deer Park resident suggested repairing roads per mileage opposed to per road project.

Trustee Sands suggested either .25% or .5% sales tax increase to fund the road program.

Trustee Kizior recommended that the village contact the local businesses regarding the impact on the increasing the sales tax.

President Kellermann asked Attorney Bateman to prepare a sales tax ordinance for the referenda on the November 2nd ballot. Trustee Sands suggested that the ordinance be specific to the road program.

Attorney Bateman noted that statutory language can be noted as "defined as" on the referenda question describing the intent of the referenda.

With no further comments, Trustee Sands moved the following motion:

***Motion: Trustee Sand moved, seconded by Trustee Kizior, to direct Village Attorney to prepare an Referendum Ordinance to consider at the August 16, 2010 Regular Village Board of Trustee Meeting to increase sales tax in an amount to be determined of either .25% or .5***

**Discussion:**

Trustee Pratscher noted her concerns about the language of the referenda question since the village cannot campaign the proposed referenda.

A Deer Park resident suggested using the CTY messaging service to announce the August 16<sup>th</sup> meeting. President Kellermann noted that the residents don't favor the CTY unless it's an emergency matter. Trustee Kizior noted that he would like a message sent via CTY. President Kellermann noted that a non emergency message would be sent.

At this time, President Kellermann asked for the roll call on the motion.

***Ayes: Olson, Kizior, Sands and President Kellermann***

***Nays: Pratscher and Evans***

***Absent: Trost***

***Motion Carried. 3-2 (President Kellermann voted yes in support of the proposed referendum)***

President Kellermann noted that the board will make a committee to pursue a proposed ordinance for a referendum for a vote at the August 16 BOT meeting.

Debra Barry of 412 Ramble Lane, recommended putting discussion about tourism on the August 16<sup>th</sup> BOT Agenda.

Trustee Evans asked that the board do more homework on alternatives and to listen to the resident concerns/comments.

**7) Adjournment**

President Kellermann entertained a motion to adjourn the meeting at 9:16 p.m.

***Motion: Trustee Sands moved, seconded by Trustee Evans, to adjourn at 9:16 p.m.***

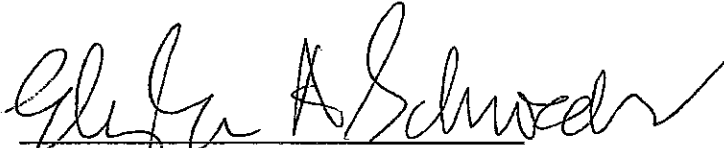
***Ayes: Olson, Kizior, Sands, Pratscher and Evans***

***Nays: None***

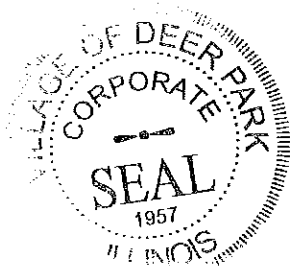
***Absent: Trost***

***Motion Carried. 5/0***

***Respectfully Submitted,***

  
**Elizabeth A. Schroeder, RMC**  
**Village Clerk**

  
**Robert Kellermann**  
**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.*