

Village of Deer Park Board of Trustees Meeting Minutes

May 23, 2019 – 7:00 p.m.

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

Pledge of Allegiance

A meeting of the Board of Trustees of the Village of Deer Park was held on May 23, 2019, 7:00 p.m. at Vehe Barn, 23570 W. Cuba Road, in the Village of Deer Park, in the Counties of Lake and Cook, Illinois. President Sands called the Board of Trustees meeting to order at 7:00 p.m.

Administer Oath of Office to Village Trustees

1. **James Oakley** – Village Attorney Cahill swore in Trustee Oakley.
2. **David Lemme** - Village Attorney Cahill swore in Trustee Lemme.
3. **Jodie Johnson** – Trustee Johnson was absent.

Roll Call and Determination of a Quorum

Upon roll call, the following were present: President Sands and Trustees Rusteberg, Oakley, Olson and Lemme. Trustee Pietro and Johnson were absent.

Other Village Officials present included Administrator McAndrews, Treasurer Littwin, Clerk Kelly, Village Attorney Cahill and Village Engineer Burke.

Approval of Agenda

Motion: Trustee Olson moved and Trustee Lemme seconded to approve agenda

Upon Voice Call:

Ayes: Rusteberg, Oakley, Olson and Lemme

(4) Ayes / (0) Nays/ (2) Absent

Motion Carried 4/0

Public Comments – Sign-in prior to meeting at podium; 5 minutes time limit per person

Andy Ryt on Park Hill Drive – Spoke about a letter he received stating he couldn't park his boat on his driveway. Would like to know why. Board replied it is against Village code. Suggested to park his fishing boat in the garage and his car on the driveway.

Lake County Sheriff

a. Monthly Report – Sergeant Ari Briskman

Sergeant Briskman reported to the Board there was a suicide at Continental's parking garage, a dog bite, two crashes with injuries and the stop sign in the Ferndale neighborhood had 26 extra patrols with 10 stops most of the stops were residents in the Ferndale neighborhood.

Appointment to Planning and Zoning Commission, Administer Oath of Office

Appointment with Advice and Consent of the Village Board to Appoint Gary Mann to the Planning and Zoning Commission for a 5-year term.

Motion: Trustee Rusteberg moved and Trustee Oakley seconded to Appoint with Advice and Consent of the Village Board to Appoint Gary Mann to the Planning and Zoning Commission for a 5-year term.

Upon Roll Call:

Ayes: Rusteberg, Olson, Lemme and Oakley

(4) Ayes / (0) Nays/ (2) Absent

Motion Carried 4/0

Reports of Village Officials**1. Village Engineer Burke: Project Status Update Report**

Village Engineer Burke provided the Board with status memo dated May 15, 2019 included in the Board of Trustees Agenda Packet.

2. Village Attorney Cahill: Report

Village Attorney Cahill stated she has provided a status report to the Board. Reminded the newly appointed Trustees to complete the Open meetings act training.

3. Village Treasurer Littwin: Sales Tax Report

Treasurer Littwin provided the Board an update of February's Sales tax report to reports 3% over budget and exceeded the last 2 years. The fiscal year end audit has begun and will be finish in July.

4. Village Administrator McAndrews: Report

Discussion of Trustee workshop for July 25th 4:30-6:30 before the Board Meeting.

Consent Agenda

All items listed under Consent Agenda are considered to be routine by the Village Board and may be approved/accepted by one motion with a roll call vote.

- a. **Approval and Release of Regular Board of Trustees Meeting Minutes from April 18, 2019**
- b. **Approval and Release of Regular Committee of the Whole Meeting Minutes from April 18, 2019**
- c. **Approval of Expenditures Totaling \$285,612.88;
Accounts Payable in the amount of \$239,236.08;
Payroll in the amount of \$38,559.32;
Check Register in the amount of \$7,817.48;**
- d. **Approval of the Investments Held Report for April 30, 2019 in the amount of \$3,590,659.67**
- e. **Approval of Proposal from Immaculate Painting for Wall Replacement and Repairs at Vehe Barn in the amount of \$4,600.00 subject to signed purchase agreement and authorize Village President and Clerk to Execute Agreement.**

Motion: Trustee Rusteberg moved and Trustee Lemme seconded to approve consent agenda of May 23, 2019.

Upon Roll Call:

Ayes: Rusteberg, Olson, Lemme and Oakley

(4) Ayes / (0) Nays/ (2) Absent

Motion Carried 4/0

Consideration of Items Removed from Consent Agenda**Consideration for Motion and Approval**

- 1. Approval of Ordinance 2019-09 Amending Village of Deer Park Municipal Code to add a Chapter Entitled Local Government Taxpayer's Bill of Rights and to Amend other Locally Imposed Tax Provisions of the Deer Park Municipal Code.**

Motion: Trustee Olson moved and Trustee Rusteberg seconded to approve Ordinance 2019-09 Amending Village of Deer Park Municipal Code to add a Chapter Entitled Local Government

Taxpayer’s Bill of Rights and to Amend other Locally Imposed Tax Provisions of the Deer Park Municipal Code.

Upon Roll Call:

***Ayes: Rusteberg, Olson, Lemme and Oakley
(4) Ayes / (0) Nays/ (2) Absent***

Motion Carried 4/0

- 2. Approval of Ordinance 2019-10 Authorizing the Sale of, and Accepting and Ratifying the Real Estate Contract for 108 Deerpath Road, between Yuri Chernyshov and the Village of Deer Park.**

Motion: Trustee Lemme moved and Trustee Rusteberg seconded to approve Ordinance 2019-10 Authorizing the Sale of, and Accepting and Ratifying the Real Estate Contract for 108 Deerpath Road, between Yuri Chernyshov and the Village of Deer Park.

Upon Roll Call:

***Ayes: Rusteberg, Olson, Lemme and Oakley
(4) Ayes / (0) Nays/ (2) Absent***

Motion Carried 4/0

- 3. Approval of Ordinance 2019-11 Amending a Preliminary Planned Development and Approving a Final Planned Development for a Fuel Station, Convenient Store and Car Wash.**

Planning and Zoning Commission Chair Heidtke provided the Board an overview of the project. Discussed the changed from Circle K proposal to True North’s proposal. Overall Planning and Zoning Commission likes the design, material quality and photometrics of the TrueNorth proposal.

TrueNorth provided the Board an overview of it company and the proposed site plan. True North asked for relief of the 4 planters in front of the building. TrueNorth explained they would prefer a clean front no planters or items would clutter the front of the building. Planning and Zoning Commission Chair Heidtke agreed to remove the 4 four planters from the front of the building. Board was interested in time frame to build; Ture North would like to start in 2020 with a 5-6-month buildout time.

Motion: Trustee Rusteberg moved and Trustee Oakley seconded to approve Ordinance 2019-11 Amending a Preliminary Planned Development and Approving a Final Planned Development for a Fuel Station, Convenient Store and Car Wash, in addition to add review to the landscape every 2 years with the cost of Village Consultant to be paid for by owner and removal of 4 planters in front of building.

Upon Roll Call:

***Ayes: Rusteberg, Olson, Lemme and Oakley
(4) Ayes / (0) Nays/ (2) Absent***

Motion Carried 4/0

- 4. Approval of Economic Incentive Agreement (Deer Park Ventures Partners LLC for a True North Energy Station and Convenience Store and Car Wash).**

Motion: Trustee Lemme moved and Trustee Rusteberg seconded to approve Economic Incentive Agreement (Deer Park Ventures Partners LLC for a True North Energy Station and Convenience Store and Car Wash).

Upon Roll Call:

*Ayes: Rusteberg, Olson, Lemme and Oakley
(4) Ayes / (0) Nays/ (2) Absent*

Motion Carried 4/0

- 5. Approval of Ordinance 2019-12 Extending April 1 through May 31, 2019 Burning Season (to June 10, 2019).**

Motion: Trustee Olson moved and Trustee Lemme seconded to approve Ordinance 2019-12 Extending April 1 through May 31, 2019 Burning Season (to June 10, 2019).

Upon Roll Call:

*Ayes: Rusteberg, Olson, Lemme and Oakley
(4) Ayes / (0) Nays/ (2) Absent*

Motion Carried 4/0

- 6. Approval of Request from Christopher B. Burke Engineering, Pay Request Number 2 of 2019 Stormwater Improvement to Trine Construction Co. and to Reduce Partial Waiver of Lien and Requesting Reducing the Retainage to 5% for the remaining Landscaping in the Amount of \$276,390.03.**

Motion: Trustee Lemme moved and Trustee Rusteberg seconded to approve Request from Christopher B. Burke Engineering, Pay Request Number 2 of 2019 Stormwater Improvement to Trine Construction Co. and to Reduce Partial Waiver of Lien and Requesting Reducing the Retainage to 5% for the remaining Landscaping in the Amount of \$276,390.03.

Upon Roll Call:

*Ayes: Rusteberg, Olson, Lemme and Oakley
(4) Ayes / (0) Nays/ (2) Absent*

Motion Carried 4/0

- 7. Approval of Proposal for Professional Service from Christopher Burke Engineering for Construction Observation of the 2019 Road Program not to exceed \$46,540.00.**

Motion: Trustee Lemme moved and Trustee Olson seconded to approve Proposal for Professional Service from Christopher Burke Engineering for Construction Observation of the 2019 Road Program not to exceed \$46,540.00.

Upon Roll Call:

*Ayes: Rusteberg, Olson, Lemme and Oakley
(4) Ayes / (0) Nays/ (2) Absent*

Motion Carried 4/0

- 8. Approval of Proposal from ECS for Geotechnical Engineering Services and one CCCD Testing, in the amount not to exceed \$5,450 subject to signed purchase agreement and authorize Village President and Clerk to Execute Agreement.**

Motion: Trustee Olson moved and Trustee Rusteberg seconded to approve Proposal from ECS for Geotechnical Engineering Services and one CCCD Testing, in the amount not to exceed \$5,450 subject to signed purchase agreement and authorize Village President and Clerk to Execute Agreement.

Upon Roll Call:

*Ayes: Rusteberg, Olson, Lemme and Oakley
(4) Ayes / (0) Nays/ (2) Absent*

Motion Carried 4/0

Old and/or New Business

Consideration of Motion to Adjourn to Executive Session for Discuss Acquisition of Real Estate

Motion: Trustee Olson moved and Trustee Lemme seconded to close regular session meeting to enter into executive session for the purpose of acquisition of real estate at 7:53 p.m.

Upon Voice Call:

Ayes: Rusteberg, Olson, Lemme and Oakley

(4) Ayes / (0) Nays/ (2) Absent

Motion Carried 4/0

Motion: Trustee Olson moved and Trustee Rusteberg seconded to reopen regular session meeting at 8:46 p.m.

Upon Voice Call:

Ayes: Rusteberg, Olson, Lemme and Oakley

(4) Ayes / (0) Nays/ (2) Absent

Motion Carried 4/0

Adjourn

Motion: Trustee Olson moved and Trustee Lemme seconded to adjourn the meeting at 8:48 p.m.

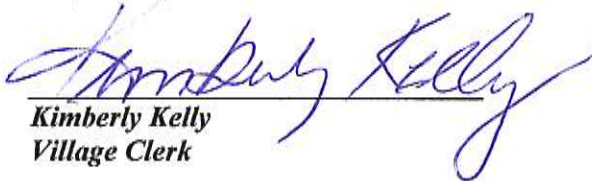
Upon Voice Call:


Ayes: Rusteberg, Olson, Lemme and Oakley

(4) Ayes / (0) Nays/ (2) Absent

Motion Carried 4/0

Respectfully Submitted,


Kimberly Kelly
Village Clerk


Dale Sands
Village President