

Village of Riverwoods
Board of Trustees Meeting
December 21, 2004

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In Attendance:

William Kaplan
John Norris
Bruce Masterson
William Svatik
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Morry Weinstein

Absent:

Sherry Graditor
Paul Tully

Minutes taken by Debbie Limer

The meeting was called to order at 8:10 PM.

IV. Approval of Minutes

Public Hearing – December 7, 2004

Trustee Norris moved to approve the minutes. Trustee Masterson seconded. Motion was carried by voice vote. Pres. Kaplan voted “aye.”

Town Meeting – December 7, 2004

Trustee Norris moved to approve the minutes. Trustee Svatik seconded. Trustee Svatik suggested putting a notation at the beginning of the minutes to designate the Morgan Stanley location. On page three, toward the bottom, he stated it should be added that Trustee Graditor left the meeting “for medical reasons.” On page five, end of the first paragraph, “Authorities have stated the deer in our area and in the Forest Preserve are part of the same herd” should be added. Motion was carried by voice vote. Pres. Kaplan voted “aye.”

Board of Trustees – December 7, 2004

Trustee Norris moved to approve the minutes. Trustee Svatik seconded. Motion was carried by voice vote. Pres. Kaplan voted “aye.”

V. Treasurer’s Report

Not present

VI. Urban Forest Management

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Not present

VII. Engineer's Report

Nothing

VIII. Director of Community Services Report

Not present

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Not present

XI. Police Report

Chief Weinstein told the board there were 143 traffic citation issued since the last meeting. There have been 547 case reports and 226 traffic accidents written since the beginning of the year. The DUI case that Trustee Haber had asked about has been decided. Riverwoods won the appeal.

Chief Weinstein reported that Atty. Huvad has prepared an ordinance to return Daryl Havrish's car to him for \$2,350. The Village will incur a \$500 towing fee. He explained that this is an easy way to dispose of seized property. A default judgment on the car's disposition was issued after Mr. Havrish was arrested for driving with a suspended license. Chief Weinstein stated Mr. Havrish wanted to buy the car back. Handling it this way makes it easier because there is no title change. Ernie's Towing Company is giving us a big discount in the storage fee. They are charging us \$500 even though they have had the car since July. Their usual storage fee is \$35/day. Trustee Masterson moved to waive the first reading of an Ordinance Authorizing the Sale of Certain Personal Property Owned by the Village of Riverwoods. Trustee Svatik seconded the motion. Motion was carried by voice vote. Pres. Kaplan voted "aye."

Trustee Masterson moved to have a second reading and adoption of an Ordinance Authorizing the Sale of Certain Personal Property Owned by the Village of Riverwoods. Trustee Norris seconded the motion.

Roll Call vote- Ayes: Masterson, Norris, Svatik, Kaplan
 Nays: None
 Absent: Haber, Tully, Graditor
Motion carried 4-0 Ordinance 04-12-15

Atty. Siegel reminded Chief Weinstein to get a release from Mr. Havrish. Atty. Huvard stated he would take care of it.

Trustee Haber arrived at 8:10PM.

XII. Village Attorney's Report

Atty. Siegel told the board that Mr. Damish has received an extension on his brief for the Didier case. It is now due Jan 19th. Atty. Siegel stated he thought this would be the last extension allowed.

Atty. Huvard stated that the Lake County Planning Department is helping out with Affordable Housing. IDA is administering the program and has come out with guidelines. According to the guidelines, tear downs do not have an impact. It does not count as a new development toward Affordable Housing. An unaffordable tear down is still unaffordable. He indicated that he would take this up with the Plan Commission, January 13th, and provide the Plan Commission with a draft of a plan that they can review. He added he will be meeting with a person from IDA after the holidays. Trustee Svatik asked if there is still a concern that a developer will come in with a plan we would have to accept. It would not qualify under our current zoning, but we would have to take it. Atty. Huvard explained that, according to IDA, they are not forcing anyone to approve zoning to get an Affordable Housing plan approved. He added that fact is contrary to the reading of the legislation. Atty. Siegel stated he hopes the legislation is declared unconstitutional or revised. It does not take affect until 2009. Trustee Norris stated we are still non-compliant. Atty. Huvard told the board we need to have a plan and an idea on how to implement it. We need 12 to 15 units of Affordable Housing. We are supposed to find a way to include them. We need to quantify what that means. Pres. Kaplan told the board he received a fax from the University of Illinois at Chicago asking to fill out a questionnaire about the legislation. He declined to answer it. Atty. Siegel stated the legislation is unenforceable and a gesture of goodwill on the part of the legislators.

XIII. Comments by the President

Pres. Kaplan asked if the issues with the Orphans of the Storm and the Good Neighbor Project had been resolved. Pat Glenn stated "no." Atty. Huvard reported it will be ready after the first of the year.

Atty. Huvard told the board we have been negotiating with the ETSB (Emergency Transportation Safety Board) to have the 911 surcharge revenue released. This money will help to pay Lincolnshire for their dispatch services. Legislators Link and Ryg have helped with the intergovernmental agreement between the LCETSB and the Lincolnshire ETSB. The agreement was approved by both parties, but Atty. Huvard believed it had to

go to the Lake County Board for approval. He explained that up to \$25K per year will go directly to Lincolnshire. It is only for land lines.

Pres. Kaplan told the board he received a letter from the Lincolnshire/Riverwoods Fire Department. They administer a surcharge for the use of an ambulance if the person involved has insurance. Deerfield/Bannockburn Fire Department does not charge the fee and does not want the residents in their district to incur the surcharge. Atty. Huvad stated there is an agreement between the two fire departments. It goes back five years. Lincolnshire/Riverwoods wants cooperation from Deerfield/Bannockburn. Part of the problem is that the boundary line for the two departments' runs through Morgan Stanley and Thorngate. The only way to avoid the conflict is to have a transfer of the patient in the middle of the call, but each department wants to avoid that. They each want to handle the call to completion. Pres. Kaplan stated he would try to get each of the Fire Chiefs in to discuss this issue. Atty. Huvad explained that the Lincolnshire/Riverwoods Fire Department was sending bills to Deerfield residents. The Deerfield/Bannockburn Fire Department does not want to have bills sent because Lincolnshire/Riverwoods does not have first response jurisdiction in that area. Pres. Kaplan added he is not sure what is going on. This is the first he heard of the problem. Trustee Haber stated the situation is completely unacceptable.

XIV. Visitors Wishing to Address the Board

Cheryl Chamberlain told the board she has not seen the preliminary multi use path report yet. Pat Glenn stated he would get her one.

Ken Ashman of 2801 Orange Brace stated Takeda has an option on the land it occupies at the NE corner of Saunders and Lake Cook. There is a question of annexation to Deerfield. He questioned if Riverwoods would be interested in annexation. Pres. Kaplan explained Riverwoods has a boundary agreement with Deerfield. Trustee Masterson stated the agreement was signed 20 to 25 years ago. Atty. Huvad reported we would have to supply them with water coming from Deerfield. He added the lawyer from Takeda admitted they want a higher density than Riverwoods would allow. Pat stated he has the plat of annexation. Trustee Svatik asked about a Baxter annexation. Trustee Norris stated that would not work based on their location.

XV. Approval of Bills

Trustee Masterson moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Svatik seconded. Trustee Haber stated there is a bill from Stringer for work on Blackthorn. He rodded out the owner's kitchen sink. Trustee Haber questioned the need for the Village to pay for that. Pat explained that the grinder pump went down. The owner was convinced that the kitchen sink was not draining right after that happened. Trustee Norris asked about the

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overpayment of a tap on fee. He questioned how Paula Goldman could have paid the fee twice. Pres. Kaplan stated she is in an SSA. At the time she moved in she paid a tap on fee because somehow it was overlooked that the property is part of an SSA. We are now reimbursing her.

Roll Call vote- Ayes: Masterson, Norris, Svatik, Haber
 Nays: None
 Absent: Tully, Graditor
Motion carried 4-0 (Bills approved)

XVI. Old Business

Pres. Kaplan brought up the discussion of the Woodland Protection District. Two weeks ago we had a good Town Meeting at Morgan Stanley that went very well. There were very few objections. Atty. Huvard stated he will follow up on the suggestions. He is going to add a section to the proposed ordinance on the findings from the presentations. That way they will be documented. Pres. Kaplan stated he would like to vote on it next month. Trustee Haber questioned if we are going to send out a copy of the latest proposed ordinance to the residents before we vote. He suggested mailing it and putting it on the web site. Trustee Svatik stated we have already had a first reading. Trustee Norris indicated the last version of this ordinance is very different than the ordinance we had a first reading on, but we should send nothing until we are sure. Atty. Siegel explained that we can consider this as a completely different ordinance. Atty. Huvard stated we have already had a public hearing on the proposed ordinance. Pres. Kaplan suggested publishing it on the web after we have the final ordinance, before it is voted on. Trustee Norris told the board we should make sure the residents know about it.

Pres. Kaplan brought up the subject of the Riverwoods Road multi use path. Pat stated we have preliminary engineering and probable cost. We can submit it to LCDOT for permits. Pres. Kaplan stated the probable cost is \$261K. Pat added in to that cost is a new five-foot path from Woodland to Saunders on Riverwoods Road. Trustee Haber questioned if there was any money coming from the Bike Path Committee. Pres. Kaplan stated we can ask the RRA for money. Cheryl Chamberlain added the RRA has committed to \$92K. Pres. Kaplan stated we are getting \$100K from Morgan Stanley. Trustee Norris reported he did not have a problem with matching the funds the RRA is contributing. Trustee Haber gave his approval for the project. Pres. Kaplan told the board once the path is in, we have to maintain it. We will have to plow it and cut back trees as necessary. Trustee Haber asked how we are going to handle the snow plowing. Pat suggested that we talk to the plow company we use on Village streets. He added he will submit the documents for permits, and put it out to bid after the Board approves the final cost.

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Pres. Kaplan told the board the discussion of the three ordinances for the TIF will be continued.

Pres. Kaplan brought up the subject of the amended NOVUS site plan for waiving construction of the bike path in exchange for payment of \$100K. Atty. Huvad explained that they have made a couple of revisions. It will be ready for the next meeting. Their requirement is that we will have to replace the fence on their property when we complete the bike path. Pres. Kaplan stated that is fair.

XVII. New Business

Pres. Kaplan told the board we can and will finish the Tax Levy Ordinance tonight. Atty. Huvad reported that we can adopt the ordinance asking for the Police Tax Levy. We will also collect additional levys in the SSA areas. There are four active SSAs we will be collecting small amounts from them every year. Atty. Siegel explained this is not a general taxation. It is for specific SSAs. Trustee Haber moved to waive the first reading of the Village of Riverwoods Tax Levy Ordinance for the year ending December 31, 2004. Trustee Masterson seconded. Motion was carried by voice vote.

Trustee Haber moved to have a second reading and adoption of the Village of Riverwoods Tax Levy Ordinance for the year ending December 31, 2004. Trustee Masterson seconded.

Roll Call vote- Ayes: Masterson, Norris, Svatik, Haber
 Nays: None
 Absent: Tully, Graditor
 Motion carried 4-0 Ordinance 04-12-16

Pres. Kaplan brought up the subject of an ordinance to close certain funds. Atty. Huvad explained that there are two funds that we charge things to. They are for repairs that are not covered using MFT funds. There is no source of revenue for the Drainage Fund. We get some money from the Township for the Road and Bridge fund, but we always spend more than we are given. Both funds are showing a deficit every year. He stated he is suggesting we appropriate money from the General Fund to authorize a transfer to close out both funds. Atty. Huvad added we do not want to report a deficit on the audit. We are just cleaning some things up before the end of the year. Trustee Svatik moved to waive the first reading of an Ordinance Approving the Transfer of General Funds to Eliminate a Deficit in the Drainage Fund and Road and Bridge Fund. Trustee Masterson seconded. Motion was carried by voice vote.

Trustee Svatik moved to have a second reading and adoption of an Ordinance Approving the Transfer of General Funds to Eliminate a Deficit in the Drainage Fund and Road and Bridge Fund. Trustee Masterson seconded.

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Roll Call vote- Ayes: Masterson, Norris, Svatik, Haber
 Nays: None
 Absent: Tully, Graditor
Motion carried 4-0 Ordinance 04-12-17

Trustee Svatik asked Clerk Stanger to make sure that Susie knows about this Ordinance.

Pres. Kaplan brought up the subject of the Ordinance amending the Village Code. Atty. Huvad stated we will have it for January.

XVIII. Executive Session

Trustee Haber moved to recess to Executive Session according to Section 2C of Open Meeting Act for personnel. Trustee Masterson seconded.

Roll Call vote- Ayes: Masterson, Norris, Svatik, Haber
 Nays: None
 Absent: Tully, Graditor
Motion carried 4-0

The meeting went into Executive Session at 9:05 PM.

The meeting resumed at 10:05 PM.

Trustee Svatik moved to approve salary increases for the Village of Riverwoods police officers, police staff, and police chief as presented and approved. Trustee Haber seconded.

Roll Call vote- Ayes: Masterson, Norris, Svatik, Haber
 Nays: None
 Absent: Tully, Graditor
Motion carried 4-0

Trustee Svatik moved to approve salary increases for the Village staff as presented and approved. Trustee Haber seconded.

Roll Call vote- Ayes: Masterson, Norris, Svatik, Haber
 Nays: None
 Absent: Tully, Graditor
Motion carried 4-0

Trustee Haber moved to adjourn the meeting. Trustee Svatik seconded. Motion was carried by voice vote.

The meeting adjourned at 10:10 PM.

Respectfully Submitted,

Village of Riverwoods
Board of Trustees Meeting
December 21, 2004

Debbie Limer

Village of Riverwoods
Board of Trustees Meeting
December 7, 2004

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In Attendance:

William Kaplan
Michael Haber
Bruce Masterson
John Norris
William Svatik
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

Sherry Graditor

Minutes taken by Debbie Limer

The meeting was called to order at 9:30 PM.

IV. Approval of Minutes

Public Hearing – November 16, 2004

Trustee Svatik moved to approve the minutes. Trustee Haber seconded the motion.
Motion was carried by voice vote. Trustee Masterson abstained.

Board of Trustees Meeting – November 16, 2004

Trustee Norris moved to approve the minutes. Trustee Haber seconded the motion.
Motion was carried by voice vote. Trustee Masterson abstained.

V. Consultants

Gewalt Hamilton
Nothing

Director of Community Services

Nothing

Village Attorney

Atty. Siegel told the board that the plan set up by Schaumburg and discussed at the Town Meeting was what Schaumburg wanted. The ordinance now being proposed by this board

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promotes what is important to Riverwoods. Atty. Siegel added that in the Didier case Mr. Damish has asked for an extension of time.

Atty. Huvad stated that the Village has been dismissed from the case at Bar Louie.
Urban Forest Management
Nothing

Plan Commission Report
Nothing

Zoning Board of Appeals
Not present

VI. Police Report

Chief Weinstein told the board there were 216 traffic citations issued since the last meeting. There were 529 case reports and 222 traffic accidents written this year. Trustee Svatik asked Chief Weinstein to comment on the latest situation with the ETSB (Emergency Telephone System). Chief Weinstein stated the LCETSB has approved the agreement and is going to pay us up to \$25K a year for the land lines in the Village. We will still be part of the LCETSB, but everything will go through Lincolnshire. The money from LCETSB will go directly to Lincolnshire; Lincolnshire will then deduct that amount from our bill. Pres. Kaplan stated we do not know the exact amount yet. Atty. Huvad added we have not signed the agreement yet. Trustee Svatik asked about the lawsuit pertaining to wireless phones. He questioned Atty. Siegel if we knew the number of non land lines in the Village. Atty. Siegel stated we only have that number from past Prime Co. accounts. He added we are arguing for summary judgment. There will probably be a ruling after the first of the year. They will probably make the same ruling for other wireless carriers and then figure out the money involved.

VII. Comments by the President

Pres. Kaplan explained that Orphans of the Storm has requested a \$5K contribution toward their Good Neighbor Project. We have asked them for an easement for the bike path. Atty. Huvad told the board Orphans is very receptive. They have eight or nine points to consider. They are working on it. Pres. Kaplan stated we will continue this at the next meeting.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

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Pres. Kaplan brought up the subject of the Riverwoods Road multi-use path. Pat stated he has submitted the preliminary engineering and the probable cost. Pres. Kaplan added we will discuss it at the next meeting with some of the members of the Bike Path Committee.

X. New Business

Atty. Huvad told the board all of the Public Hearings in front of the Plan Commission regarding the TIF have been continued until Jan 13th.

Atty. Huvad stated that we are awaiting comments from Morgan Stanley regarding their payment in lieu of the bike path.

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning

Not present

Trustee Masterson – Water/Police/Fire

Nothing

Trustee Svatik – Finance/Soil & Water

Nothing

Trustee Haber – Legal/Sewer

Nothing

Trustee Tully – Road & Bike Paths/Forestry

Nothing

Trustee Norris – Solid waste/Drainage/Storm water

Nothing

Trustee Svatik moved to adjourn the meeting. Trustee Tully seconded. Motion was carried by voice vote.

The meeting adjourned at 9:45 PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Board of Trustees Meeting
November 16, 2004

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In Attendance:

William Kaplan
Sherry Graditor
John Norris
William Svatik
Michael Haber
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Morry Weinstein

Absent:

Bruce Masterson

Minutes taken by Debbie Limer

The meeting was called to order at 8:10 PM.

IV. Approval of Minutes

Continued Public Hearing – November 2, 2004

Trustee Norris moved to approve the minutes. Trustee Graditor seconded. Motion was carried by voice vote. Trustees Svatik and Tully abstained.

Board of Trustee Meeting – November 2, 2004

Trustee Norris moved to approve the minutes. Trustee Graditor seconded. Motion was carried by voice vote. Trustees Svatik and Tully abstained.

V. Treasurer's Report

Hal Roseth told the board there was little change in the overall fund balance. The total balance is up \$88K. The rates are up also. We currently have \$4.9M in the IPTIP. The rate is up to 1.614%. That is an increase of \$7,800 in annual income. He stated he would like to move some of the money out of the IPTIP to a fund with a higher rate. There are some investments out there that are giving a rate of 4% to 5.5% over five to eight years. Pres. Kaplan stated he did not want to go more than five years. Hal added that most have a callable feature. He stated he needs to make a few calls. There are guaranteed CDs and securities. We can do better than the IPTIP.

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VI. Urban Forest Management

Pres. Kaplan told the board we received a letter from Chuck Stewart about the December 7th meeting. Several experts are confirmed as coming. We are waiting for a couple of others.

VII. Engineer's Report

Pat Glenn stated that we got a message from Lake County Public Works about a water main break at West Course and Saunders. It is the original water main in that section. There have been several breaks in that area. Pat explained that the break was where the water main crosses under the culvert. It is 13 feet deep over there. Once it was opened it was determined there were two breaks. Pat suggested that we open some valves and look around the area. We may need to do some main repair. He will think about the areas to replace and the costs involved. He will have it for the next meeting.

VIII. Director of Community Services Report

Not present

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Nothing

XI. Police Report

Chief Weinstein told the board there have been 166 traffic citations issued since the last meeting. There have been 494 case reports and 202 traffic accidents written since the beginning of the year. The toy drive boxes have been dropped off at the Village Hall, Police Department, and North Side Community Bank. Discover Financial will be adding a box at their location.

XII. Village Attorney's Report

Atty. Siegel told the board that an appeal has been filed with the Appellate Court in regard to the pending litigation with Didier. He reported he has not heard from anyone. He remains confident that we will prevail. All of the facts have been brought out in the lower court.

Atty. Siegel brought up the Prime Co. class action suit. They are challenging the municipality infrastructure maintenance fee on wireless phones. They are challenging the constitutionality of the statute. They are asserting that wireless lines are not using the public infrastructure. The Illinois Supreme Court has upheld the case for wireless users. Atty. Siegel explained that he was brought in as independent counsel. Atty. Huvard added that the Village has followed the track of the case. Atty. Siegel stated the liability of the

villages to repay the fee is still under suit. There are three classes set up in this suit. Prime Co. customers, other wireless customers, and land line customers. It is ongoing until December 16th. Eventually the case will be appealed. He added Prime Co. has been out of business for awhile. The whole thing is a mess. Atty. Siegel stated he does not know the financial impact here. He questioned how many residents had been Prime Co. customers. The city of Chicago could lose \$400M to \$500M. It was determined that the infrastructure maintenance fee is unconstitutional with respect to wireless. Atty. Huvard added we were sent a copy of the judge's order.

Atty. Huvard brought up the Bar Louie litigation. We received an affidavit for the Mayor to sign stating that we had nothing to do with the incident. Pres. Kaplan stated it has been signed and sent back.

XIII. Comments by the President

Trustee Svatik told the board he wanted to thank everyone for their show of support and sympathy. In one week his brother-in-law passed away, his daughter had surgery, and he had a heart procedure. There was a lot going on. His wife extends her gratitude also. Pres. Kaplan stated he is glad Trustee Svatik is back.

Pres. Kaplan stated that Orphans of the Storm is starting a Good Neighbor Project to remodel, and put up a berm. They are trying to sound proof their property at a cost of \$160,000. He recommended that we give them a \$5K contribution. Chief Weinstein explained that we pay them a yearly fee to take animals. He thought it was about \$1,100 a year. Pres. Kaplan stated this will be good for the residents. Also, Orphans is accommodating us with the bike path. Trustee Haber suggested making the contribution contingent on their getting the rest of the money for the project. Trustee Graditor stated they already have half of the needed funds. Pat Glenn explained he wants the easement first. Atty. Huvard suggested we give them the contribution after they give us the easement. Trustee Haber added we do not have to approve the project without the easement. Atty. Huvard told the board we do not want to make the contribution contingent on the easement. We should get the easement soon and then make the contribution at the next meeting. Pres. Kaplan stated we will continue this until the next meeting.

Pres. Kaplan told the board there will be an Affordable Housing Holiday Open House on December 1st. All are invited to come and visit. Atty. Huvard stated that the Lake County Planning Department wants to meet with us and discuss the issues. We may be compliant because we have no room to put in affordable housing. He stated he will do the follow up. Atty. Siegel reported we should be careful because the Statute is unconstitutional. Pres. Kaplan stated it is still a statute on the books.

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Pres. Kaplan told the board that the Lake County Board of Health has given us flyers on how to protect ourselves against getting the flu. The flyers are very ambiguous. There are no allocations of shots for us. They may have vaccine available the second week of December. It will be given out on a first come, first serve to those who need it.

XIV. Visitors Wishing to Address the Board

Linda Dunn of 2920 Orange Brace told the board there is a Caucus sign up sheet for those who want to run for board positions. There is also a questionnaire that needs to be filled out. Interviews will be on December 11th. Pres. Kaplan stated that Trustees Norris and Svatik, Clerk Stanger, and he will be running. Trustee Tully had decided not to run for reelection.

XV. Approval of Bills

Trustee Svatik moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Graditor seconded. Trustee Haber told Atty. Huvad he has two bills for \$7,500 each. He questioned if they were a duplicate. Atty. Huvad explained he had divided the cost between two parties. They are not duplicate bills.

Roll Call vote- Ayes: Graditor, Svatik, Norris, Haber, Tully
 Nays: None
 Absent: Masterson
Motion carried 5-0 (Bills approved)

XVI. Old Business

Pres. Kaplan stated the Village Voice should be in everyone's mailbox. It publicizes the December 7th meeting and includes the latest Woodland Protection Ordinance. Everyone is invited. He added that Mr. Mancuso wrote a great article for the publication. Also mentioned are the people who will be at the meeting. Trustee Graditor reported that Discover wanted us to have a code word to allow admittance to the meeting. She explained to them that would not work. If the Village meeting or Woodland Protection Discussion are mentioned the guard at the gate will point the person in the right direction. They will set up for 300 people. Pres. Kaplan stated we need all who are in favor to come and let their voices be heard.

Pres. Kaplan brought up the subject of the bike path. Pat stated he will have plans and cost at the next meeting. The discussion can take place at the second meeting in December.

XVII. New Business

Pres. Kaplan stated the three ordinances pertaining to the TIF are to be continued.

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Pres. Kaplan brought up the NOVUS agreement. Atty. Huvard stated that he had passed out the agreement. The first amendment is included. Trustee Haber reported he wants time to review the agreement. Atty. Huvard explained that the conservation agreement was granted in 1985 when Morgan Stanley was annexed. A bike path is not necessarily allowed in the conservancy; however, it did allow for the establishment of a 150 foot land area not to be disturbed. The first amendment sets out several different scenarios about the easement and bike path. He reported he is restating the first amendment with all the issues pertaining to the path, easement, and \$100K. We still own the outlot. This cleans up all the issues that are no longer pertinent. Morgan Stanley is looking at it. Pres. Kaplan stated this will be continued.

Trustee Svatik told the board the power outages in the Village are out of hand. There have been three outages in his area in the last six weeks. Pres. Kaplan stated Comm. Ed. is replacing electricity on Crestwood. Trustee Svatik reported that will not help his area. He asked Russ for the numbers of outages and the calls. We need Comm. Ed. to come out here again. Pres. Kaplan suggested getting together with Trustee Svatik and Russ to discuss the issue. Trustee Tully stated that Comm. Ed. wants us to sign a Tree Trimming Ordinance. Maybe we should not sign it until this problem is solved.

Atty. Huvard told the board we need to publish a notice on the Truth in Taxation Hearing for December 7th. The required publication is very misleading. We are asking for 20% increase. However we are really capturing the Morgan Stanley increase. Their tax bill has doubled. Pres. Kaplan stated this is a good thing to have at the December 7th Town Meeting because we can explain how it works.

Pres. Kaplan stated the next meeting is December 7th at 7PM in the Morgan Stanley cafeteria. The Board of Trustees meeting will follow.

Trustee Svatik moved to adjourn the meeting. Trustee Haber seconded. Motion was carried by voice vote.

The meeting adjourned at 9:00PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Board of Trustees Meeting
November 2, 2004

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In Attendance:

William Kaplan
Sherry Graditor
Michael Haber
Bruce Masterson
John Norris
Eileen Stanger
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

William Svatik
Paul Tully

Minutes taken by Debbie Limer

The meeting was called to order at 8:02 PM.

Pres. Kaplan told the board that Trustee Tully was at his office getting election results. Trustee Svatik is awaiting some medical testing. That is why they are not here tonight.

IV. Approval of Minutes

Board of Trustees Meeting – October 19, 2004

Trustee Haber moved to approve the minutes. Trustee Norris seconded the motion. Trustee Haber stated on page 2, first line of the second paragraph under Police Report, “for” should be changed to “related to.” In the second line from the bottom of the same paragraph, “established by” should be changed to “defending the.” Trustee Norris pointed out that on page 3, fourth line, “suit” should be added after “this.” “37” should be changed to “Rule 37” in the last line of the same paragraph. Trustee Graditor reported on page 5, second to last line on the page, “She” should be “The resident.” In the last line “help the” should be changed to “consist of.” Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton
Nothing

Director of Community Services

Russ Kraly told the trustees that Urban Forest Management did a walk-through on the Village Hall property. There are 15 trees that need to be pruned and 9 dead ones that need

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November 2, 2004

to be removed. Russ explained that he called three tree companies. Two came out, and only one gave him a bid. Glenwood Tree submitted a bid for \$4,680. Russ added they always provide the lowest bid of all the companies that have come out. Trustee Norris moved to approve the bid for \$4,680 from Glenwood. Trustee Norris seconded.

Roll Call Vote - Ayes: Graditor, Haber, Masterson, Norris
 Nays: None
 Absent: Svatik, Tully
Motion carried – 4– 0

Village Attorney

Atty. Huvad brought up the subject of the suit for contribution. We were brought into it again by Bar Louie. Unsupported statements have been made. The same lawyers who represented the Village the first time will be representing us again. We got a dismissal the last time. It is a frivolous suit.

Urban Forest Management

Not present

Plan Commission Report

Linda Dunn told the board the Plan Commission will not meet this Thursday. Mike Offit was present at the last Plan Commission meeting. He was there to represent the three acres on Lake Cook, the empty hotel site. Mr. Offit told the commissioners that there are two options – residential or office. He presented two residential plans. One had 57 units; the second had 19. Linda explained they told Mr. Offit the Village does not want multi-family housing. The discussion then moved to an office use. There was discussion of moving the FAR up to .34 from .14 for an office building. There were three men at the meeting who are interested in purchasing the land for an office building. Linda stated she told them to come in and discuss it. The Public Hearings on the TIF were continued. Atty. Huvad explained that the owners of the Riverwood parcel have two prospective tenants. The 37 acre parcel is holding them up. The owners of the 37 acres are in negotiations for a purchase. Menards is discussing the purchase of the entire 37 acres. Trustee Haber wanted to know if the two tenants on the 5 acres were BP and Amcore. Atty. Huvad stated “yes.”

Zoning Board of Appeals

Not present

VI. Police Report

Chief Weinstein told the board there have been 104 traffic citations issued since the last meeting. There have been 460 case reports and 191 traffic accidents written since the beginning of the year. On 10/31/04 the Riverwoods Police Department celebrated its 3rd

anniversary. Trustee Haber added that Chief Weinstein was very responsive to his question about the DUI case.

VII. Comments by the President

Pres. Kaplan told the board there were more people at this year's Halloween party than last year. It was great. 340 hotdogs given out. Each year it is getting bigger. It did not cost us very much money. Most of the items were contributions. The only real cost incurred was \$550 for the hay ride. He reported it was a very successful event.

Pres. Kaplan stated there will be a Town Meeting at Discover on December 7th at 7PM. There will be a Board of Trustees meeting afterwards.

Atty. Huvad told the board he has talked to Mike Greenberg about the proposed Russian synagogue coming into the Village on Saunders Road. Atty. Huvad stated he is at a loss as to why we would want to invite them. They would need 5 acres to build. They would need a variance. He questioned why they would want to come in. Trustee Masterson explained an advantage for us is more control. Trustee Norris questioned if we could involuntarily annex the property. We should look at Takeda because it looks as if they are now a part of Deerfield. Atty. Huvad stated that is an interesting question. He wondered how they were annexed. Trustee Norris pointed out it would avoid some problems and give us a stronger position.

VIII. Visitors Wishing to Address the Board

Linda Dunn told the board there is a RRA meeting on the 10th of November. December 11th will be the candidate interviews for the caucus. The caucus is coming up in December. Trustee Haber questioned where the vacancies will be. Linda stated Trustees Norris, Svatik and Tully, Clerk Stanger, and Mayor Kaplan are up for reelection. So far they are all planning to run again.

IX. Old Business

Pres. Kaplan brought up the subject of the Woodland Protection Ordinance. Trustee Norris stated that he has talked to Atty. Huvad. We may want to bring this into an environmental ordinance. We can get testimony that the woodlands help with run off and other issues. That may generate more interest. We can point out that a lawn can be as bad as a driveway. We could generate more impact fees for new homes that could be reduced with mitigation. Trustee Norris added he will put his ideas into writing to make it clearer. This may provide us with more tools in preserving our woodlands. Pres. Kaplan asked who the experts will be. Atty. Huvad stated we have to check with Chuck Stewart. Pat Glenn added he can discuss the hydrology of lawns versus woodlands.

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Linda Dunn asked if the Village was sprayed for gypsy moths last Sunday. Pres. Kaplan stated "no." Linda stated there was a helicopter flying very low around the Village Sunday morning. Chief Weinstein reported he has not heard anything about it. There are no Police Departments in Illinois that own or operate helicopters.

Pres. Kaplan brought up the multi-use path. Pat indicated he is working on the grading along Orphans of the Storm. He will have a plan with probable cost in a month.

X. New Business

Atty. Huvard told the board all three ordinances pertaining to the TIF are deferred for now.

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning

Trustee Graditor told the board she wanted to commend the Police officer who was running down Deerfield Road in the rain trying to catch the swans. Eventually the guy from Knox Swan Chaser (?) caught them and took them away. Chief Weinstein wanted to let everyone know that the Police Department called the Thorngate Association about the swans. All they got was an answering machine.

Trustee Graditor stated she wants to discuss Lincolnshire tree removal fees at a future meeting. They just raised the cost to \$125 an inch. Trustee Masterson added the increase in cost is still not stopping anyone. Trustee Graditor indicated she wanted to discuss it.

Trustee Graditor reported there were permits for two new homes in the month of October. The total building value of all building permits for the month was \$3,671,370.

Trustee Masterson – Water/Police/Fire

Trustee Masterson reported that the hits on the web site are going up a little each month.

Trustee Svatik – Finance/Soil & Water

Not present

Trustee Haber – Legal/Sewer

Trustee Haber asked about the Kim litigation. Russ reported he will be in court on November 10th. Atty. Huvard stated Mr. Kim is raising the issue of property rights. Russ added the judge will probably give Mr. Kim a finish date. The judge has been given all of the information about Mr. Kim. Trustee Haber asked that someone call and update him after November 10th.

Trustee Tully – Road & Bike Paths/Forestry

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Not present

Trustee Norris – Solid waste/Drainage/Storm water
Nothing

Trustee Haber moved to adjourn the meeting. Trustee Masterson seconded. Motion was carried by voice vote.

Meeting adjourned at 8:40PM

Respectfully Submitted,

Debbie Limer

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In Attendance:

John Norris
Sherry Graditor
Bruce Masterson
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

William Kaplan
William Svatik

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

Trustee Graditor moved to approve Trustee Norris as President Pro Tem. Trustee Tully seconded.

Trustee Haber arrived at 8:02PM.

Motion was carried by voice vote.

IV. Approval of Minutes

Public Hearing – October 5, 2004

Trustee Masterson moved to approve the minutes. Trustee Graditor seconded the motion. Motion was carried by voice vote. Trustee Masterson abstained.

Board of Trustees Meeting – October 5, 2004

Trustee Graditor moved to approve the minutes. Trustee Masterson seconded the motion. Motion was carried by voice vote. Trustee Masterson abstained.

V. Treasurer's Report

Hal Roseth told the board we have had a good month. Our net is up \$.5M to \$9.9M. We have collected \$256K in SSA funds. The Police Fund is up \$90K. The General Fund is up \$100K. Our investment principle is growing. Hal stated the IPTIP has gone from 1.314% to 1.457%. That is a \$6,500 annually. He explained he has asked Susie to work on the

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details. He added he wants to consider moving some of the money in the IPTIP to three to four year CD notes. He can get 5% for four years. He will give the options to the board.

VI. Urban Forest Management

Chuck Stewart told the board his presentation would come later in the meeting.

VII. Engineer's Report

Nothing

VIII. Director of Community Services Report

Russ Kraly explained the issues he wants to discuss are on the agenda.

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Linda Dunn told the board the Plan Commission will be meeting on the 28th at 7:30PM. There will be two public hearings. The owners of 2700 Lake Cook, CCH, will be coming in to talk to us about development.

XI. Police Report

Chief Weinstein stated there have been 122 traffic citations issued since the last meeting. There have been 438 case reports and 182 traffic accidents written since the beginning of the year. On October 14th the COPS funding reimbursement was submitted. The third quarter amount is \$46,355.76. All sworn personnel have completed escape mask/respirator training. Everyone trained has received his or her own mask. The masks were provided for no charge to the Riverwoods Police Department. The funds came from a grant.

Trustee Haber explained that he saw an appeal of a DUI for the Village of Riverwoods in the Chicago Law Bulletin. He asked for an explanation. Chief Weinstein stated that the State's Attorney will represent us in the case. The driver is trying to appeal because of a low count on the breath analyzer. The count was .05; which used to not be considered intoxicated. That is no longer the case. The driver was obviously impaired; that is why the driver was pulled over. Trustee Haber questioned if the State's Attorney will still represent us if the case is appealed. Chief Weinstein stated he thought so, but he could check. Atty. Siegel explained if it is an ordinance violation, the Village is supposed to handle the prosecution. Trustee Haber stated it may be established by Illinois Statute. The State's Attorney may want to set the precedent.

XII. Village Attorney's Report

Atty. Siegel stated that the Didier case is still under consideration

Atty. Huvard told the board we are being sued again in the case of the person who died as a result of eating nuts at Bar Louie, Kirwan v. Bar Louis, Inc, et al. In the first case we were dismissed. This is a suit for contribution. Atty. Huvard explained this incident happened before we switched insurance companies. He went back to the old insurance company. It has been referred to the same law firm as before. It is an unsupported allegation and a strange complaint. Trustee Tully stated Atty. Huvard should ask about getting some fees back, if this is dismissed again. Pres. Norris stated there is no basis for this. Atty. Huvard explained he just got the letter. He will follow up on it. Pres. Norris asked Atty. Huvard to look into getting attorney's fees back. We should not be a part of this. We have been cleared once. This has the ability to affect our loss record and our premiums. We should get a "37" ruling.

Atty. Huvard told the board we are not taking up the ordinances for the TIF tonight. We are continuing to work on the new draft of the annexation and development plan. We received an estimate on the traffic costs. They are much higher than we thought. We have to figure out how to allocate them.

Atty. Huvard explained that there is a resident on Duffy lane with an odd configured lot. It was involuntarily annexed and is right next to Lincolnshire. The resident wants to get part of the lot right next to the current one and subdivide it. The problem is the lot is in Lincolnshire. It would become a disconnected single lot. He stated we do not want to spend too much time on this right now. We want to know how the Village of Lincolnshire feels about this. The deal would make the land more usable. This will have to be worked out with Lincolnshire. Pres. Norris stated there is nothing for us to do until it is detached. He assumed that no one on the board has a problem with the issue, but we have to wait to see how Lincolnshire feels about it. Atty. Huvard stated he did not think anything was going to happen.

XIII. Comments by the President

Pres. Pro Tem Norris stated there will be a Town Meeting and Board of Trustees Meeting on December 7th at 7PM. It will be at Discover. Trustee Graditor added we are trying to get Discover. They are now a secure campus. Security personnel would have to be paid to have a meeting there. They are still working on it. Trustee Haber asked about CCH's facilities. Trustee Graditor explained Discover would like to do this for us. She will call Atty. Huvard with the results tomorrow. Pres. Norris explained to the visitors this is for the Woodland Preservation Ordinance. We want to get as many people as possible in one place to discuss the issues.

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Pres. Pro Tem Norris stated Rod and Sue Bartha are presenting Antique Treasures of Riverwoods tomorrow at 10AM. If someone wants to know what their antique is worth, he or she should bring it in. Nancy Morten added it will be at the Village Hall.

XIV. Visitors Wishing to Address the Board

Fred Biederman of 1397 Kenilwood Court told the board he and his wife, Barbara, have an electric golf cart. He read a letter outlining the value of such vehicles on the environment and the regulations that make them legal. Some of the information given pertained to states other than Illinois. He stated he is requesting a permit to use the vehicle. He explained the vehicle is environmentally friendly because it uses electricity, and the taxes paid on that electricity goes to the Village. He wanted a permit to use the cart on streets that have speed limits 35MPH or less. Pres. Pro Tem Norris deferred to Chief Weinstein. Chief Weinstein explained that the Secretary of State says this type of vehicle should not be used on the road. The municipality that governs the road can decide this issue. He added the electric vehicle does not meet all the safety requirements. It is not a good idea. Riverwoods Road is a County road. Saunders and Portwine roads are the only Village roads. Chief Weinstein pointed out Florida uses the electric vehicles in special lanes. Mr. Biederman reported the limited speed makes them safer. Chief Weinstein stated they go 10MPH slower than the 35MPH speed limit on most streets in the Village. Other cars will be passing them. That makes it more dangerous. There is the potential for more safety concerns.

Trustee Masterson asked how passing a golf cart is different than passing a bicycle. Chief Weinstein stated a bicycle has all the rights of the road. They are easy to pass. A golf cart takes up almost the whole lane of the road. Mr. Biederman stated that mopeds are legal. Barbara Biederman told the board she had written to everyone, including Pres. Bush, on this issue. Everyone seems to feel it is okay. Pres. Pro Tem Norris stated if the Secretary of State and the County do not think it is okay, we can't either. They have the final say for Deerfield and Riverwoods Roads. If the use of the golf cart were to be approved, there would have to be an ordinance approving it. He added he would want to hear the opinions of other residents. A golf cart will slow down the rest of traffic. Pres. Norris stated there will be no action tonight. Trustee Tully told the board we should look at the licensing situation. Chief Weinstein stated the license has been revoked. Mr. Biederman explained that most other states consider a vehicle that goes 10MPH under the speed limit okay. Atty. Siegel reported if the Secretary of State will not issue a license for the vehicle currently under discussion, the issue is done. Mrs. Biederman stated the license was confiscated at 5AM with no refund. Chief Weinstein explained that the owners were told ahead of time of the issue.

Mike Karpeles of 1606 East Course Drive told the board he is member of the RRA Building and Development Committee. He is here to represent the 35 household

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members. He has come to share their views and to continue the dialogue. They want to preserve the character of Riverwoods in a lawful way. The pursuit needs to be vigilant to preserve the woods. Mr. Karpeles stated Riverwoods could use a comprehensive plan and strategy to retain the country charm, not only the Woodlands, of the Village. He suggesting hiring a consultant for an overall plan rather than making micro decisions. Schaumburg has a comprehensive plan that they are putting into action now. He explained he felt a plan would be very valuable. Riverwoods has unique resources. The Village needs to think proactively and strategically. A lot can be done to not lose those features. The Woodland Preservation Ordinance is a good idea. Mr. Karpeles read a letter from Sue Auerbach. The four basic points were: concern for market value, determining woodland, saving the most lots with the least amount of woodlands, and helping restoration. Mr. Karpeles told the board he is happy to help any way he can. He added this is a bi-partisan issue. It is for the good of all. Chuck Stewart responded by saying the process is working. The issue needs to be addressed on a community-wide basis. There is always more than one side. The discussion is beneficial. Other experts may have different views. Trustee Masterson wanted everyone to know that the board considers Chuck Stewart to be an expert in this area. Chuck has worked for a long time in this community and many others. Mr. Karpeles stated he felt the Village would benefit from a comprehensive plan. Atty. Huvad pointed out that the Schaumburg plan only applies to commercial areas. Residential neighborhoods are not affected. He added the people affected by the plan have no voting rights. Pres. Norris explained that this issue will take time for study.

Joseph McGowan of 716 Ringland Road told the board he had a comment he wanted to make. He and his wife, Jan, have lived in the Village for 36 years. They ended up in the Village because they wanted a house with as much land and as many trees as possible. His wife's garden has been voted the best in the city. The neighbors behind them leveled the land and built bonfires to get rid of the landscape materials. His wife went out and told the neighbor what to do and what not to do. Mr. McGowan stated common sense goes a long way, but some of the residents are ignorant. There needs to be a simple, clear cut way to set up an ordinance to handle this issue. Buyers should know the rules up front. Pres. Pro Tem Norris stated we all have the same interest, but we also do not want to restrict owners unnecessarily. Mr. McGowan explained that he understands when a resident is given a permit there are no landscape requirements that go along with it. Russ Kraly stated the only areas that have landscape requirements are Thorngate and Red Seal. Mr. McGowan told the board he did not understand why the Village does not have landscape requirements. Pres. Norris explained that everyone has different opinions of what is attractive. We cannot govern individual homes, only subdivisions. Atty. Siegel added landscape plans do help, but we cannot legislate them retroactively.

Chuck Stewart stated this is a community with diversity. Our basic goal with the development process is to make the footprint as soft as possible. We want to preserve

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and protect. Trustee Masterson reported he did not think the board would want to consider landscape plans. Trustee Tully pointed out that the new homes are extravagantly landscaped. Russ indicated new owners are spending 100's of thousands of dollars on landscaping. Mr. McGowan mentioned the home on the corner of Portwine and Arrowwood. He stated it is an eyesore and an embarrassment.

Carol Lieberman of 2600 Deerfield Road told the board she got things from the Welcome Wagon when she moved in. She got a letter from the Village asking her to plant a tree. This discussion shows how things have changed. The trees in this community have helped fight flooding time and time again. All of the residents need to consider the trees in this area with the river so close by.

Joan Becker of 2750 Edgewood Lane explained that she ran into a new resident. That resident spent a fortune on landscaping. She was aghast when she heard her new landscaping does not help the native plants. This resident wanted to be educated. Ms. Becker explained that people out there want help and knowledge. People are interested. Pres. Pro Tem Norris stated that the survey did not show a lot of people were interested. Trustee Masterson reported he is working with Chuck about putting more information on the web site. We can only do so much. Pres. Norris pointed out that the professional landscapers should know. Trustee Graditor stated it is the "you can lead a horse to water" adage. People can get help, if they want it.

Linda Dunn of 2920 Orange Brace suggested registering landscape plans. Pres. Pro Tem Norris stated it is very expensive to review all of the plans. The residents have resources. They can call and ask. Chuck is available, as is the Illinois Extension, and professional landscapers. Mr. McGowan brought up Trustee Masterson's comment "to educate, but not legislate." He added he had to get a permit for landscaping work he did. Pres. Norris explained he had to get the permit for engineering issues, because of water level issues. Trustee Masterson stated we do not want residents to flood out their neighbors when they add dirt to their property. Pres. Norris pointed out it is to protect neighbors.

Jaye Brodsky of 1392 Kenilwood Court stated there is a new house on Little Woodland. The lot is empty. It has been clear cut. If this was done legally, then our ordinance is not working. Russ commented that there was a lot of buckthorn and garlic mustard on the property. Chuck added the owner is doing some replanting. Trustee Tully asked if the owner was compliant with the plan. Chuck stated the owner did not exceed the plan. Ms. Brodsky told the board the process is bad. The owner stuck in solid brick pavers. Chuck explained the owner tried to keep the trees in the front of the house, but it did not work. There is mitigation for the trees in the owner's plan. Trustee Tully wanted to know if the owner clear cut more than 40% of the lot. Chuck stated that he was not sure. The majority of the trees taken out were in the front. The difference was how he did it. They

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were taken out over time. Trustee Tully reported an observation of the actual percentage would be interesting. Trustee Masterson stated he would like to see the numbers. Pres. Pro Tem Norris added he would also like to see the types of the trees removed and what the mitigation will be. Ms. Brodsky wanted to know if this is acceptable. Pres. Norris explained we are saying there are still some holes in the ordinance. That is why we are working on it.

Ms. Lieberman asked when a resident can get information on education. In most cases it is coming too late. Pres. Norris stated we cannot send it out to all potential buyers. Sue Auerbach of 460 Portwine suggested giving out a brochure to all potential buyers that gives the information that is on the web. Russ explained that the Tree Preservation Ordinance is given out with all permits. That includes information about the garlic mustard and buckthorn removal program. Ms. Auerbach stated the plan is not comprehensive enough. Pres. Pro Tem Norris reported this is all good feedback. Ms. Biederman told the board a neighbor cut down everything and put in a fence. Pres. Norris stated she would have to check with Russ on that situation. Ms. Dunn complimented the board for a good job. The board is raising the issues and having good discussions. They should continue. She added the Village Halloween party will be at the Village Hall from 5PM to 7PM on October 31st.

XV. Approval of Bills

Trustee Masterson moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Graditor seconded. Trustee Haber asked Atty. Huvad about a payment from the General Fund for CCH. He asked about escrow for CCH. Atty. Huvad stated we do not usually ask for escrow so soon. Trustee Haber reported this should be charged back when an escrow account is set up.

Roll Call vote- Ayes: Graditor, Masterson, Haber, Tully
 Nays: None
 Absent: Svatik
 Motion carried 4-0 (Bills approved)

XVI. Old Business

Chuck Stewart wanted to give everyone an update on the gypsy moths. This is the first year we have had several inquiries about the moths. Last year there was a blow up of the moths in DuPage County. This is the first year here. We are in the process of identifying them and figuring out our plan. Right now there is a five acre area that has been identified with the problem. We are working on a program for next year. Chuck explained that the Oaks can generate a new smaller leaf that is less attractive to the moths. He stated one of the options is aerial spraying by a fly over service. Qualified contractors can do it on a lot by lot basis. Chuck introduced Bruce Poliska to explain the costs and how it works. He added our Village Engineer has great GPS maps to help with this pursuit.

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Mr. Poliska told the board he is from Rochelle, Illinois. He explained that Lake County is a quarantined area. The State provides no services. The problem has gotten so bad they have vacated the area. The State is trying to stop the spread in other areas. Since the State is not helping the work, to eradicate the gypsy moths has to be done as communities or individuals. He stated it is a bad situation if the vegetation outside a home has the moths. They smell, they are loud, and they attract other bugs. Right now the moths are working their way west. The quarantine means anything landscape related that moves in and out of the County needs to be inspected. The outbreak in Crystal Lake came from a single moth that was in a dog house moved from the East coast. Mr. Poliska stated the spray is organic. The toxicity is equalivent to beer. It will not eradicate the problem, but it will help. Trustee Graditor asked about the effect on the environment. Mr. Poliska stated there is not much of an impact. It will kill butterflies, but the spray is done early enough. It is before the butterflies come out. The spray gives the moths flu-like symptoms and they stop eating. He added every egg mass has about 2K eggs. Trustee Masterson stated there is a lot of information about the gypsy moths on the Village web site.

Mr. Poliska told the board he has been in business about 35 years. He does contract work for the State of Illinois. The cost is \$36 an acre, but two fly overs are needed. Trustee Haber asked how big of an area would he need to do our area. Mr. Poliska stated that he currently does Lincolnshire, Lake Forest, and other communities in the area. He would be able to add Riverwoods into those fly overs. Chuck reported that we know of 100 to 125 acres that are affected. Trustee Haber moved to approve the spraying of the affected areas next spring. Trustee Graditor asked about Pheromone flakes. Mr. Poliska stated they are not as effective. The flakes disrupt the mating cycle. The males think the flakes are the females. Trustee Graditor questioned which process has more negative side effects. Mr. Poliska stated BT, the chemical used in the fly over spraying. Trustee Tully asked what Mr. Poliska does for education of residents. Mr. Poliska reported that he spends a lot of time on that. He spends a lot of time working with the FAA. A comprehensive plan needs to be filed with the FAA. He has to advise them where he is going to spray, the concentration, and other information. He explained he has to get permission from the organization; and there needs to be public notification. The Village has to give the residents a time and a day for the spraying. Mr. Poliska told the board he needs to have a two to three day range for spraying to handle weather related issues. Ms. Auerbach asked if the spray is adverse to humans. Mr. Poliska stated people who have asthma have the potential for an attack. There has been a case or two of the spray causing an asthmatic to have an asthma attack. Residents can look at the material safety data sheets. He added it is best to do the spraying during daylight hours.

Ms. Dunn pointed out that the outbreaks are near the Forest Preserve. She asked if it is likely that the Forest Preserve has a gypsy moth problem. Chuck stated "yes." He added

this is the first step in the process. We have to remind residents to keep an eye out for the moths, and let them know we are working on the problem. We have not identified every area yet. Ms. Dunn questioned if the Forest Preserve would help with the cost. She asked if residents not in the targeted area could be added to the program. Mr. Poliska stated he did not believe the Forest Preserve would help with the cost. He figured if the Forest Preserve wanted to do something about it in their areas, they would ask the residents to help with the cost of their spraying. He added neighbors can create a block and those areas could be sprayed. He stated it would have to be 20 to 25 acres in a block. Mr. McGowan asked if nothing is done, how the moths will spread. Mr. Poliska explained it depends on the viruses that can affect the moths and the weather. They will continue to spread. Russ suggested making the fly over expense a line item in the upcoming budget. Chuck added he would want all the plans in place by the end of January. That gives the residents one more month to respond as to whether or not they have a problem. Trustee Haber asked how they can be identified now. Mr. Poliska stated the moths are in the egg masses now. Chuck suggested sending out a letter to the residents. There are other tools available for the removal of the egg masses. We want to have the recommendations in for the second meeting in December.

Pres. Pro Tem Norris brought up the subject of the Vehicle Seizure and Impoundment Ordinance. Atty. Huvard stated it does not look as if we are going to be able to do this because we are not home-rule.

Pres. Pro Tem Norris brought up the subject of the Riverwoods multi-use path. Pat explained that Chuck had a few adjustments to make. Overall the plan looks good. There will be less impact to the trees than he originally thought. The preliminary report will be ready in the next week or two. It will include probable cost. Ms. Brodsky asked if Lake County is doing their part of the path. Pat stated they are looking at 2006. The underpass is involved in their section. Trustee Tully asked if we will be doing this in the spring. Pat stated "yes."

XVII. New Business

Atty. Huvard told the board the three ordinances on the TIF will be addressed at the November 2nd meeting. The Ordinance Establishing an Administrative Hearing Unit is related to the others, so it will be addressed later also.

Pres. Pro Tem Norris bought up the subject of CCH. Atty. Huvard told the board we know the amount of square footage they need and the FAR. He would like to get direction from the board in having the Plan Commission explore the issues with the CCH proposal for expansion. Trustee Graditor moved to have the Plan Commission explore the CCH proposal for expansion. Trustee Haber seconded. Motion was carried by voice vote.

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Pres. Pro Tem Norris brought up the subject of an Ordinance Approving Polyethylene (PE) Tubing for use as Water Service Material. Pat explained that more and more homes are set back from the street. The companies doing the directional drill would prefer the PE. The copper pipe comes in shorter lengths, so there are more joints. The added joints increase the chance of leaks. The PE tubing is allowed under Illinois Plumbing Code. Trustee Haber moved waive first reading of an Ordinance Approving Polyethylene (PE) Tubing for use as Water Service Material. Trustee Masterson seconded. Motion was carried by voice vote.

Trustee Haber moved to have a second reading and adoption of an Ordinance Approving Polyethylene (PE) Tubing for use as Water Service Material. Trustee Masterson seconded.

Roll Call vote-	Ayes:	Graditor, Masterson, Haber, Tully
	Nays:	None
	Absent:	Svatik
	Motion carried	4-0 Ordinance 04-10-14

Pres. Pro Tem Norris told the board the next meeting will be November 2nd at 8PM.

Trustee Graditor moved to adjourn the meeting. Trustee Haber seconded. Motion was carried by voice vote.

The meeting adjourned at 10:05PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:

William Kaplan
Sherry Graditor
Michael Haber
John Norris
Paul Tully
Eileen Stanger
Bruce Huvad
Pat Glenn
Morry Weinstein

Absent:

Bruce Masterson
William Svatik

Minutes taken by Debbie Limer

The meeting was called to order at 8:25 PM.

IV. Approval of Minutes

Public Hearing – September 21, 2004

Trustee Graditor moved to approve the minutes. Trustee Haber seconded the motion.
Motion was carried by voice vote. Abstain: Trustee Tully, Trustee Norris

Board of Trustees Meeting – September 21, 2004

Trustee Haber moved to approve the minutes. Trustee Graditor seconded the motion.
Motion was carried by voice vote. Abstain: Trustee Tully, Trustee Norris

V. Consultants

Gewalt Hamilton

Pat Glenn told the board that SSA #20 and Crestwood are done. He has received positive feedback on the project. There is a little more restoration to be done. Everyone who wants water has it.

Director of Community Services

Not present

Village Attorney

Atty. Huvad stated that a response has been filed in regard to the Didier case. Nothing will be happening soon.

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Atty. Huvard told the board we have received a second draft from CCH on their proposed build out. The only thing that has changed is the footprint. They plan to use only half of the allowable FAR in the O and R-1 zoning. Our plan is to send this issue to the Plan Commission for a text amendment. They will have the same special use as Morgan Stanley. We will set up design meetings and bring them through the process.

Urban Forest Management

Pres. Kaplan stated Chuck Stewart will be at the next meeting.

Plan Commission Report

Linda Dunn told the board the next Plan Commission meeting will be on the 28th. There will be two public hearings.

Zoning Board of Appeals

Not present

VI. Police Report

Chief Weinstein told the board there have been 153 traffic citations written since the last meeting. That is a 10.93 daily average. There have been 423 case reports and 174 traffic accidents written since the beginning of the year. The old squad cars were auctioned off at the Lake County surplus auction. They sold for \$4,300 and \$4,500. There is a 5% fee. The Village will receive \$8,360.

Chief Weinstein stated The Pediatric Brain Tumor Foundation presented us with a plaque for our assistance on their Ride for Kids on July 18, 2004. They raised more than \$368,271.

Chief Weinstein reported the 13th Annual Dick Biondi Toy Drive will be held from December 10 – 11, 2004. There are 20 participating agencies that service abused, neglected, and disadvantaged youths. Many of the children are wards of the State. Infants through 21 year old youths benefit from the drive that includes toys, make-up and other items. The majority of the youths are in the collar counties. Chief Weinstein explained that he and his wife have been donating to this drive for many years. He would like to use the Village Voice to promote the effort. He would place collection boxes for new, unwrapped toys in the Village Hall and corporate locations. He and his wife would handle the deliveries. He stated this drive is similar to Toys for Tots. He questioned if it would be okay to set up the boxes.

VII. Comments by the President

Pres. Kaplan stated we will put the Wondries property back on the market in the spring.

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Pres. Kaplan told the board they had in their packet the proclamation for Make a Difference Day. Trustee Graditor moved to approve the proclamation making October 23rd Make a Difference Day. Trustee Haber seconded. Motion was carried by voice vote.

Pres. Kaplan stated there will be a Homeland Security Demonstration by the Lincolnshire/Riverwoods Fire Protection District on October 12th from 8:00AM to 9:00AM. The invitation is in the Trustees' packet. All are invited.

Pres. Kaplan told the board he gave them some articles on Affordable Housing. There has been a lot of press on it lately. He reminded the Board that he will not be here for the next meeting

Pres. Kaplan reported there will be a Halloween party at the Village Hall on October 31st from 4PM to 7PM.

VIII. Visitors Wishing to Address the Board

Roger Simonson of 725 Juneberry told the board he was researching an issue, but has come here for a discussion. He questioned the fire engine that is on a resident's property. Chief Weinstein clarified it is legal, if it is classified as a motor vehicle. He stated he assumed it was a decoration. Pres. Kaplan asked Mr. Simonson if he found it objectionable. Mr. Simonson stated he does not feel it is appropriate. Chief Weinstein added if it is considered to be an antique vehicle, the owner can purchase antique plates. Mr. Simonson reported the Village does not allow horse trailers or RVs. Allowing the antique fire truck would be an inconsistency. Trustee Norris stated we need to look at this. Atty. Huvad indicated he would look into the regulations in other communities. Mike Corn of 3075 Blackthorn stated we have ordinances for lights on tennis courts. We have residents with lights on their horse ring. He questioned the difference between a fire engine and a mobile home. Atty. Huvad stated in regard to the lights, the regulation is based on how far the lights go out from the structure.

IX. Old Business

Pres. Kaplan stated the Gypsy Moths will be addressed at the next meeting.

Pres. Kaplan brought up the subject of the ordinance for vehicle seizure and impoundment. Atty. Huvad explained he is having a hard time figuring out how to do this as a non home-rule community. He is working on it.

Pres. Kaplan told the board we have Pat Glenn's study made for the multi-use path on Riverwoods Road. Pat explained the path has been laid in on the map. He requested that the board not share the plan with anyone. It is not ready yet. He stated he welcomes suggestions. It needs Chuck's input. He added it is 5 feet wide. Pat explained that since

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we are getting some corporate help, we may want to consider a budget item for replanting trees and screening. He would like to be able to offer some replanting on private property. Trustee Tully stated we should do mitigation to comply with our own ordinance. He questioned how hard installation will be. Pat responded getting this through Lake County DOT will be the hardest part.

Pres. Kaplan stated the new draft of the Woodland Protection Ordinance is on the web site. Atty. Huvad added the current one is dated September 28, 2004. We have tightened up some of the definitions. He pointed out the protected woodlands definition on page two and section 9-6-5 on page four. Trustee Haber wanted to know what would happen if there was a section that had the required 100K square feet and then some of it was removed. Atty. Huvad stated what happens would depend on the effective date of the ordinance. Pat pointed out that once someone gets a permit the point is drawn from there. Atty. Huvad explained it works like the Watershed Development Ordinance. Trustee Norris stated there is a disproportionate impact. The resident with a largely wooded lot has a greater impact on the whole. Pres. Kaplan reminded the board we want to save as much of the woodlands as possible. Atty. Huvad reported we have to look at the woodlands as a whole. Trustee Norris indicated this ordinance has some problems. Pres. Kaplan stated they all do. Atty. Huvad reported that overall we want to save 70% of the woodlands. We can look at this as "half full" or "half empty." Trustee Graditor stated we have to strike a balance. We do not want this to be too onerous for owners. Trustee Norris added we want a favorable result.

Trustee Haber pointed out that in the ordinance under the definition of protected woodlands they are noted as being the "Village's hardwood forest." It should be changed to "owner's hardwood forest." The Village does not own them. He added he had a letter from a resident that he would like submit into the minutes. He did not want to read it at that time. Trustee Haber reported that he did not know if we could impose this on the residents. He questioned if this wasn't the job of the Lake County Forest Preserve District. They maintain open space. We pay for it in taxes. The Lake County Forest Preserve has had referendums that have passed to maintain open space. The County has imposed taxes on residents for that use. He stated he is not sure if it is appropriate to impose more restrictions. It would be like taxing residents twice. He questioned if we should be doing the job of the Lake County Forest Preserve.

Trustee Tully indicated that the definition of protected woodland reads like a conservation easement. That would be setting up conservation on private property. Residents can already do that. Atty. Huvad explained that Russ Kraly thinks it would be easier to do this as set back areas. He added it is not as effective because not all the woodlands are in the set back areas. The woods would become fragmented. Trustee Haber stated they will become fragmented only, if people take out the woods. Atty. Huvad

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reported a conservation easement is a defined easement. Trustee Tully added it is a large area where a resident cannot do anything to his or her property.

Trustee Tully stated we just passed an ordinance that restricts cutting down trees that are more than 2 inches in diameter. We asked the Forester if he felt that was sufficient. The Forester said it was sufficient. We need to protect the understory. He questioned if residents are going to cut down every 1 inch tree. It is not possible to put in grass under those circumstances. He asked how far we are going to take this. Trustee Graditor stated we are not creating woodlands. She added it is possible to plant grass under a two inch diameter tree. We are creating an environment where the woodlands cannot survive. The woodlands are very beneficial. Trustee Tully reported residents would have to maintain a nature preserve on private property. Trustee Haber added it is not fair for a resident to lose the rights to their property in certain situations. If flooding is an issue, we should have grading requirements.

Atty. Huvard stated that he hears the concern. If trees are replanted in a lawn, there is no woodland. He brought up the Tree Preservation Ordinance. If all of the two inch trees that are removed have to be replanted, it may break someone from taking out the woodland. It may change the situation, if we required them to replant all of the trees with no option of mitigation. It would be a shift if we talk about replacing trees on a one to one basis. Trustee Graditor reported it is hard to reestablish native woodlands. People do not have the patience. Trustee Norris indicated he does not have the desire to tell someone how to use their property. He suggested reinforcing the positive. Trustee Tully stated he would like to hear from the Forester. Trustee Norris added there has to be some way to work it out. He agrees with the general idea, but there are fundamental rights. It is not easy; we do not want to force them. The situation with the developers is easy. The rules will affect their pocket book. We can establish higher tear down fees with credits for not taking down trees. That will help to keep developers from clear cutting. We can try to tie it into the Tree Preservation Ordinance. Trustee Tully told the board he feels this is ripe for litigation. We need to talk about the likelihood. He stated he feels it is very likely. It could be a financial burden. It would go up on appeal. Trustee Norris added he would hate for the court to toss it out.

Sue Auerbach of 460 Portwine asked about enforcement. Once the damage is done; it is done. She asked if the board was aware of the developer who took out a ton of trees. Trustee Tully stated we are going after them. Pres. Kaplan added we are very aware. Ms. Auerbach explained that she talked to Russ about how large of a house someone might want on her property in the future. She stated it did not make sense. Pres. Kaplan stated there are four lots on Saunders. They are over 100K square feet each. They were given 10K square feet to build on. They have built on 6K to 7K square feet. Over the 10K square feet the rest of the property has to be kept natural because there are wetlands on

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the property. He added there are big houses on those lots. Atty. Huvad explained we used the largest houses being built. That comes out to 15K square feet and that includes all of the amenities. Pres. Kaplan stated we are talking about understory and grass. Those are the big issues. Ms. Auerbach reported that she is torn on her opinion of the ordinance. Trustee Haber pointed out in the case of the four lots on Saunders the people who bought those lots knew their limitations. It is not the same situation for the rest of the residents. Pres. Kaplan told Ms. Auerbach she would be able to clear 24K square feet. That is huge. Trustee Haber stated if she can clear 24K square feet, we are not protecting anything. Ms. Auerbach wanted to know if the wetlands are already protected. Pres. Kaplan stated "yes." Ms. Auerbach questioned if it is possible to keep residents who already reduced their woodlands to keep from reducing them any more. Atty. Huvad reported that is too hard to track. Ms. Auerbach stated what is left is precious. Trustee Tully told the board he has asked several residents if they would be willing to put a permanent covenant on their deed. A lot said "no."

Mike Corn of 3075 Blackthorn stated we should assume that the people who want the woods move here. The ability to set the guidelines before they move into their home is advantageous to everyone. If people do not like the rules, they should not buy here. Pres. Kaplan added the problem is selling. If there is a smaller range of buyers who want to move in here that diminishes the selling price. Mr. Simonson stated he moved here for the woods; he wants to preserve it. Grass from property line to property line really bothers him. He does not like the clear cutting and the planting of grass. If someone wants grass from property line to property line, he or she should not move here. He added the board should examine the losses we have already had. If all else fails, he is in favor of the set backs as a guideline for the woodlands.

Linda Dunn of 2920 Orange Brace told the board she understands the dilemma. The Tree Ordinance protects the trees but not the understory and ground plants. More rules are needed in the Tree Ordinance that will include the understory and ground plants. Residents can be told how to set up conservancy easements. The people who are moving here do not know about the woods. Atty. Huvad added there are voluntary independent programs in regard to the conservancy easements.

Marshall Weinstein of 1900 Clendenin told the board all residents have property rights. Everything that is done affects the neighbors. He gave the example of Mr. T in Lake Forest. People move here for the trees. The homes here do not sell quickly. It takes a special person to move here.

Joan Becker of 2750 Edgewood Lane stated she is shocked by the conversation. The Comprehensive Plan talks about respect for the woods. She did not realize the board was reexamining the entire issue. If residents are left to their own devices, there will be no

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woodlands. She added she thinks there is a will among the residents. People want to live in a woodland community. She questioned why the board is not educating the residents. She stated there was talk of an open Town Hall meeting. She questioned what happened to that idea. All of the residents need more education. Trustee Norris commented that we have spent a lot of time and money on this. There are many concerns. We cannot get into aesthetic concerns. It is not our place. For a lot of people this is aesthetics. We are trying to take into account other woodland benefits. We have to make sure we are right. We need to put all the pieces together. Trustee Tully stated we want to do something, but we do not want to be too extreme. We want to pass something we can stand behind. Ms. Becker suggested bringing more experts for more specifics.

Jaye Brodsky of 1392 Kenilwood Court told the board residents are building \$1M to \$3M homes. \$10K in mitigation of trees does not mean anything. The builders are just passing the cost on.

Carol Lieberman of 406 Greenbriar Lane stated the homes in Riverwoods do not sell as fast as others. She knew that when she moved here. She is glad we are not ordinary. Restricting property does not lower the value, it enhances it. She added she is glad the board is looking at everything. Part of the board's job is to lead, help and educate the residents. Ms. Lieberman reported at the beginning of the meeting the board talked about some temporary items. This has a much greater impact.

Toni Rey of 1332 Woodland told the board the Building and Development Committee had a meeting. All of the members want to work to maintain the woodlands. Fourteen or fifteen people attended.

Michael Hillenbrand of 2600 Duffy Lane told the board he is sickened by the stripped lots. The residents came here for the trees. Something needs to be done. Mr. Simonson stated the lot at the end of Greenbriar has been cleared. The board does not seem to be surprised. It should have been protected. Trustee Graditor explained that a neighbor called. The Police were dispatched. The property was red tagged, and the builder was fined. By the time we hear about these things, it is too late. Mr. Corn told the board Deerfield has a new ordinance with lot restrictions. It has not affected Deerfield sales at all.

Sue Auerbach reported she felt something good would come out of this. Better definitions are needed. Meadows should be protected also. Pres. Kaplan stated we will continue the discussion. He questioned if the board should consider a town meeting. Trustee Graditor responded that she would like to get the feelings of the residents. Pres. Kaplan indicated it can be set up for the end of November or December. Trustee Graditor stated she knows of some experts who have spoken at the Lake County Garden Club. She could see if they

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will come in. Pres. Kaplan explained that our Forester is world renowned. We do not need any other experts, and we do not want to look as if we are pushing this. Trustee Norris stated we need support for the 30% figure from Chuck Stewart.

Carol Lieberman told the board people came to the Hester meeting because they thought they would learn about the proposed ordinance. That clearly did not happen. She stated she would prefer if Chuck Stewart and other real estate brokers could come in and talk about the issues, not the actual ordinance. The residents are ready to be educated. Trustee Norris added we have to have both sides represented. We need support for the percentage we are using.

Atty. Huvard stated he may have a good way to stop builders from illegally cutting down trees. He questioned if the board would support a moratorium on building permits for one to two years for a builder who violates the Tree Ordinance. Trustee Tully stated there would need to be a village official on site to oversee the cutting of trees. Atty. Huvard reported no one calls before trees are removed. Trustee Norris suggested a fine per tree. Atty. Huvard stated the maximum fine is \$750.

X. New Business

Pres. Kaplan told the board the Center for Enriched Living is asking for \$4K this year. We gave to them last year. It is a good cause. Trustee Haber asked for how many years we have been giving them money, and there has never been a presentation by them. Trustee Haber moved to approve the grant request from the Center for Enriched Living for \$4K. Trustee Graditor seconded.

Roll Call Vote - Ayes: Graditor, Haber, Norris, Tully
 Nays: None
 Absent: Svatik, Masterson
Motion carried – 4– 0

Pres. Kaplan told the board the DBR Map Sponsor request will be addressed at the next meeting.

Pres. Kaplan stated the three ordinances regarding the TIF will be discussed at the next meeting. They are not ready.

Pres. Kaplan brought up the subject of the Ordinance Establishing an Administrative Hearing Unit. Atty. Huvard stated we will have to wait on that. It works with the ordinance on the impounding of vehicles, which is currently on hold.

Trustee Tully told the board he was at a NSSRA forum given by John McGovern. Mr. McGovern is looking to municipalities to donate a percentage of the money they take in

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from handicap parking tickets. Trustee Tully stated he wants to get the numbers from Chief Weinstein. Chief Weinstein indicated handicap tickets are written regularly at the Shoppes of Riverwoods. The ticket is for \$100. Pres. Kaplan reported that he feels we give the NSSRA a lot of money. We are members. We pay the same as everyone else even though we are a smaller community. Trustee Tully stated he just wanted to mention the issue.

Pres. Kaplan brought up the subject of the address change from 666 Portwine to 668 Portwine. Trustee Haber moved to waive the first reading of an Ordinance Changing a Street Address. Trustee Graditor seconded. Motion was carried by voice vote.

Trustee moved to have a second reading and adoption of an Ordinance Changing a Street Address. Trustee Tully seconded.

Roll Call Vote - Ayes: Graditor, Haber, Norris, Tully
 Nays: None
 Absent: Svatik, Masterson
Motion carried – 4– 0 Ordinance 04-10-11

Pres. Kaplan brought up the subject of a traffic agreement for Colonial Court. Atty. Huvard explained that Chief Weinstein could not find the agreement, and we need one. Trustee Norris moved to waive the first reading of an Ordinance Approving a Traffic Enforcement Agreement. Trustee Haber seconded. Motion was carried by voice vote.

Trustee Graditor moved to have a second reading and adoption of an Ordinance Approving a Traffic Enforcement Agreement. Trustee Haber seconded.

Roll Call Vote - Ayes: Graditor, Haber, Norris, Tully
 Nays: None
 Absent: Svatik, Masterson
Motion carried – 4– 0 Ordinance 04-10-12

Pres. Kaplan explained to the board that the Village Clerk has always been a non-pay position. Eileen Stanger was made the office manager of the Village Hall as a way to pay her for her time. Clerk Stanger stated she works 15 hours a week. This does not include attendance at Board meetings. It does include about three hours of office work not attributable to the Clerk's position. Her term is up in April. At the end of the next term she would be 90 years old. The question has been whether or not to run for another term. It is possible someone would need to be appointed before the term is over. In order to get someone to take the position there should be a salary. Clerk Stanger told the board she has a list of the salaries for clerks in the area. Pres. Kaplan added he did not find the list very helpful. He stated the Clerk will work about 12 hours a week and the evenings of the meeting. He suggested \$10K a year. Atty. Huvard reminded the board the salary cannot

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be increased during the four year period. Trustee Haber recommended \$10K a year with a 4% annual increase. Pres. Kaplan suggested \$12K a year. Trustee Norris moved to waive the first reading of an Ordinance Establishing the Village Clerk's Salary. Trustee Haber seconded. Motion was carried by voice vote.

Trustee Graditor moved to have a second reading and adoption of an Ordinance Establishing the Village Clerk's Salary at \$12,000 per calendar year. Trustee Haber seconded.

Roll Call Vote - Ayes: Graditor, Haber, Norris, Tully
 Nays: None
 Absent: Svatik, Masterson
 Motion carried – 4– 0 Ordinance 04-10-13

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning
Nothing

Trustee Masterson – Water/Police/Fire
Absent

Trustee Svatik – Finance/Soil & Water
Absent

Trustee Haber – Legal/Sewer
Nothing

Trustee Tully – Road & Bike Paths/Forestry
Nothing

Trustee Norris – Solid waste/Drainage/Storm water
Nothing

Pres. Kaplan told the board the next meeting will be October 19th at 8PM.

Trustee Graditor moved to adjourn the meeting. Trustee Tully seconded the motion. Motion was carried by voice vote.

The meeting adjourned at 10:45PM.

Respectfully Submitted,
Debbie Limer

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In Attendance:

William Kaplan
Sherry Graditor
Bruce Masterson
William Svatik
Michael Haber
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

John Norris
Paul Tully

Minutes taken by Debbie Limer

The meeting was called to order at 8:10 PM.

IV. Approval of Minutes

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Trustee Svatik moved to approve the minutes. Trustee Masterson seconded the motion. Trustee Graditor stated on page 4, second to the bottom line, “Emerald Ash bore” should be “Emerald Ash Borer.” On page 7, first line, “their” should be added before “building.” Pres. Kaplan referred the board to page 5, last line of the first full paragraph. He reiterated that at the last meeting he gave Dr. Hester a month’s notice of a vote on the Woodland Protection Ordinance. Motion was carried by voice vote.

V. Treasurer’s Report

Hal Roseth told the board there has been a decrease of \$470K in the overall accounts. The bond payments for SSA #12 and #14 accounted for a \$290K drop. The drop of \$106K in performance bonds was the majority of the rest of the decrease. Hal stated overall our investments are looking better. The IPTIP has gone from 1.15% to 1.34%, and it will probably go up again. That is a \$7K annual increase in one month. \$4M of the balance of the \$9M is in longer term investments with an average rate of 5.55%. We may be in a position in the next 6 months to increase the term on some of our investments.

VI. Urban Forest Management

Not present

VII. Engineer's Report

Nothing

VIII. Director of Community Services Report

Trustee Haber asked about Mr. Kim and the progress on his house and addition. Russ stated that he is working with our prosecutor. Mr. Kim has not taken down the structure that he was told to remove. Trustee Haber asked Atty. Huvard to update the board at the next meeting. Russ added that Mr. Kim did not answer his letter. Mr. Kim has been working on the house and the addition for five years. Progress never seems to be made. The residents are tired of looking at the mess.

Trustee Haber asked about the house that the work was stopped on. Pat explained that the owner had an access permit, but it expired. The owner has never renewed it. Trustee Haber asked if we can help the owner. Russ stated the owner does not understand how it expired. Lawyers are getting involved. The owner has renewed his building permits with the Village. Pat added he would call LCDOT to help with the communication with both parties.

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Linda Dunn told the board the Plan Commission is still in Public Hearings for the TIF. All are invited to attend.

XI. Police Report

Chief Weinstein stated that there have been 121 traffic citations issued since the last meeting. There have been 395 case reports and 162 traffic accidents written since the beginning of the year. Due to the hurricane in Alabama the WMD Technical Response Training Course was postponed. Officer Maciareillo's life saving award was received. It will be presented to him this week.

XII. Village Attorney's Report

Atty. Siegel told the board he has received a notice of appeal in the Didier lawsuit. It will go before the Appellate Court of the Second District. This has been going on for a couple of years. They feel the land has been land locked and deserves an easement by necessity.

Atty. Huvard stated he wanted to discuss CCH. He passed out a drawing. He told the board CCH has been in the Village a long time. They are part of the O AND R-1 zoning district, and sit on 50 acres. They are trying to do some long range planning and combine their other locations into Riverwoods. They need to add 550K square feet of space. That will take them to 762K square feet. Atty. Huvard explained this is still a lower density

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than Morgan Stanley. The O AND R-1 zoning is not binding to Morgan Stanley because of their annexation agreement. CCH understands there is an impact to us with a larger development. They would enter into discussions with us, similar to Morgan Stanley, to work out a contribution. CCH already has good berms. There have been discussions with Chuck Stewart. They are considering adding a couple of floors in certain areas because the trees will cover the majority of it. That will reduce the footprint. They may do planting and berming in advance of the future development. Atty. Huvad stated he has told CCH we will have to look at the idea of access on Portwine. He questioned if the Board would like to direct the Plan Commission to consider the variance. It will be an intensification of O AND R-1. He added he can schedule a Public Hearing to discuss the text amendment. Atty. Siegel wanted to know if at the present time CCH has exhausted their usage. Atty. Huvad stated that would happen in their proposed first phase of construction. He added there is no action needed tonight. Trustee Svatik asked Atty. Huvad to come in with a more definitive plan the next time. Atty. Huvad stated he would have it for the next meeting.

Atty. Huvad told the board there is a meeting tomorrow as a follow-up on the meeting with the LCETSB. We are working with our State representatives and LC administrator on the 911 telephone surcharge. He explained that there is a surcharge on all land lines in the Village for 911. We want the routing changed to having Riverwoods 911 calls routed to Lincolnshire instead of Riverwoods to County to Lincolnshire. Our representatives have been very helpful. Pres. Kaplan added that LCETSB has not been helpful.

XIII. Comments by the President

Pres. Kaplan told the board we had advertised an auction for the Wondreis property. The bid was non-conforming, and the money had to be sent back. He suggested that we put the property back on the market in the spring. Trustee Haber asked why we could not do it now because we can always reject the offer. Pres. Kaplan stated he would like to put it on the MLS; we just have to figure out how. We did not get enough exposure to sell the property this time around. We are not in a hurry. Trustee Haber asked to keep this issue on the agenda.

Pres. Kaplan stated that the Shipping Zone, a store in the area, will be putting a box in the Village Hall to collect used printer cartridges, packing peanuts, and cell phones for recycling. He added the phones are donated and used to help battered women.

Pres. Kaplan reported that Long Grove is considering putting in a Menard's. The estimated sales for the first year are \$400K. That is good revenue. He added he hopes it is not the same company that is thinking about putting a store on Milwaukee Avenue.

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Pres. Kaplan stated he received an email from Trustee Masterson about a proposed Russian synagogue. They have purchased two properties on Saunders in unincorporated Riverwoods. They may be planning to combine the properties. He added he has no idea what they plan to do. They bought the two houses north of the Thorngate entrance.

Pres. Kaplan told the board the Lake County Assessor's Office is going to have an outreach program here. There will be a 45-minute presentation with a following question and answer session. It is about how a resident can question an assessed evaluation. The dates are September 23rd and October 6th. He added we will put the information on the web site.

Pres. Kaplan reported that the volunteers for Arts and Riverwoods worked very hard and did a good job. He thanked everyone.

Pres. Kaplan told the board they should have received a copy of the 2003 financial reports. Questions and comments will be taken at the next meeting after everyone has a chance to go over the reports.

XIV. Visitors Wishing to Address the Board

Linda Dunn of 2920 Orange Brace told the board she wanted to take the opportunity to commend the paramedics. She is allergic to bee stings and was stung. She stated that Lt. Dwayne Christensen, Paramedic John McWilliams, Paramedic Ryan Sullivan, and Paramedic John McReynolds were terrific, good, and kind. Pres. Kaplan commented that we are very lucky because with our own Fire Department help is four to five minutes away from everyone in the Village.

Sue Auerbach of 460 Portwine questioned if all of the sculptures in the Village are insured. She stated the eagle sculpture that was donated by Arts and Riverwoods is supposed to be in the garden. She likes it where it is.

Jaye Brodsky of 1492 Kenilwood Ct. asked about the sewer maintenance in her area. The section that had been dug up is repaved. She questioned if the landscaping is going to be fixed. Pat stated that is included in the project costs. He will follow up on the issue.

Trustee Svatik told the board the Fire Department has a smoke detector campaign going on in the Village. It is a great program where a member of the Fire Department will go to a home and inspect or replace smoke detectors. If a smoke detector is over 10 years old, it needs to be replaced.

XV. Approval of Bills

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Trustee Svatik moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Masterson seconded.

Roll Call vote- Ayes: Graditor, Haber, Masterson, Svatik
 Nays: None
 Absent: Norris, Tully
Motion carried 4-0 (Bills approved)

XVI. Old Business

Pres. Kaplan told the board the report on the Gypsy Moths will be in October.

Pres. Kaplan brought up the subject of the Vehicle Seizure and Impoundment Ordinance. Atty. Huvad explained he is not sure how to proceed with this issue because we are a non-home rule community. He is working on it.

Pres. Kaplan brought up the subject of the Riverwoods Road Multi-Use Path. Pat stated he still needs to talk to Chuck Stewart about the trees.

Pres. Kaplan reported on the meeting which Dr. Hester had at his place of business in regard to the Woodland Protection District. Trustees Graditor and Svatik were there. The meeting was not what we were expecting. Trustee Graditor reported there were about 90 people there. There was a Power Point Presentation. She stated she did not know the breakdown of people's opinions. Anyone who wanted to express a favorable position was not allowed to speak. There was a lot of misinformation. There were a lot of good ideas presented that were pro and con. Trustee Graditor told the board the information given out at the meeting was disturbing. The outside discussion when the meeting was over was the most interesting part.

Atty. Huvad told the board he hoped they all got the draft of the new ordinance. It is no longer an overlay district. It controls how much of an existing woodland can be removed. 40% of an undisturbed lot can be removed. A woodland lot has to have all three characteristics, a specified amount, and a certain size. He explained how the ordinance works using former Mayor Chuck Smith's property. There have been two additions to the ordinance. Residents are encouraged to voluntarily increase the woodlands on their property. They can file a reforestation plan with the Village. Those woodlands would become part of a woodland bank. He explained that we thought about tracts that are left that could still be subdivided. They should be treated differently. We want to retain those areas at 40%. That still leaves a lot of flexibility. One thing that comes about when an owner wants to subdivide: he or she may have to restore some woodlands on his or her lot before it is subdivided. Pres. Kaplan stated we are still discussing this. We will publish the new ordinance on the web site.

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A visitor stated we are protecting the ecology of all of Riverwoods. Riverwoods should be considered as a whole. He added the ecology should be graded as to where the improvements are needed most and do what is needed. Pres. Kaplan explained we cannot tell people to put in woodlands. Atty. Huvad reported we can examine the situation when a person comes in for a permit. We can suggest where to let the woodlands regenerate. We cannot go to others and tell them to put in woodlands. Atty. Siegel stated we cannot penalize neighbors for what one resident is doing. Trustee Svatik added some might want to voluntarily put in woodlands as an incentive. Trustee Haber indicated we could start a woodland bank. Trustee Masterson added we could explore the idea of woodland credits. Atty. Siegel stated it can be done, but it gets very complicated. Trustee Graditor told the board it takes a long time for the woodlands to regenerate. It is more reasonable to protect what we already have.

Trustee Haber stated he questions the justification of this being a Village health, safety, and welfare issue. There must be a justification of the 30% and 40% number. To him it sounds arbitrary. He added he does not know what and who is driving this ordinance. He does not know where it came from. We seem to be obsessed with the Woodland Protection District. Atty. Huvad explained it came from complaints in the Village regarding teardowns and new construction. Chuck has said that we will never be able to replace all of the trees that have been removed. Most residents were paying the fee rather than mitigating. Chuck had also noticed that residents are planting the trees in the middle of a lawn. That will not regenerate woodlands. The woodlands are not being maintained. Atty. Huvad stated that Chuck came up with the percentage of trying to save 70% of the woodlands. It is a question of fragmentation and other pressures. Chuck feels this is a good thing overall. It will allow a reasonable chance to maintain the woodlands. He added that education is also a factor. Pres. Kaplan reported that residents were taking out the understory and putting in grass. He brought up the Northeast Planning Commission report. Atty. Huvad told the board the Northeast Planning Commission puts out a highly respected publication called Protecting Nature. Pres. Kaplan read a section discussing the disadvantages of turf grass. The disadvantages include water and air pollution. Trustee Graditor went over some of the advantages of the woodlands. They purify the air, encourage run off, and help with the retention of water. She added Riverwoods would be a swamp without the woodlands. The air is cooler. It is purified, and we have biodiversity. The woodlands provide for the health and well-being of our community.

A visitor stated that he did not feel the present residents should be restricted. The new residents should be. The Village is going to have to know what woodlands the residents have. He explained he is concerned about the process. The percentages might be too high. He stated water run off can be controlled. It is shaky to say we are in danger. Pres. Kaplan explained he did not say the Village was in danger. We are trying to protect the

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Village. The same visitor stated there is no scientific evidence to buy into. The real threat is the new people moving into the Village. Pres. Kaplan reported that that is who we are focusing on. He added he has not found anyone who would be hurt by this ordinance. The visitor stated he is asking the board to direct this at future residents. Trustee Masterson asked how the board should do that. The visitor suggested a bank of woodlands could be established. Residents would be required to plant in an area where it is needed most. Trustee Masterson explained that would be administratively impossible and discriminatory. Pres. Kaplan stated without the understory trees die. Trustee Graditor added there is no regeneration with turf grass.

Sue Auerbach of 460 Portwine told the board she has lived in the Village since 1971. For 20 years she has been trying hard to keep her woodlands. She has a small house with no lawn. The houses on either side of her have no woodlands. From a builders' standpoint this ordinance is a problem. 30% is not big. She admitted that she does not know the answer, but she does not want to be penalized when she sells her house. Atty. Huvad explained that they took the footprints of the largest houses being built to set up the parameter of this ordinance. Russ added that the largest house so far uses 32% of a one-acre lot. Trustee Graditor added that she is reforesting now, but the ordinance works fine for her house as it is now. Trustee Haber asked if the ordinance is so unobtrusive, why are we doing it. He questioned why we can't make residents replace their understory in the Tree Preservation Ordinance. Trustee Graditor explained the woodlands need to be contiguous. Pres. Kaplan stated we need to have Chuck Stewart here to explain the reasoning. Trustee Haber explained that he loves his woods. He is removing buckthorn and reforesting his woodlands. Ms. Auerbach added that certain species will not come back.

Rick Mazursky of 7 Fox Tail Court told the board he is here on behalf of the homeowners' association in his area. He has some questions for the board. He was not able to go to the meeting at Dr. Hester's office. He explained he has come in for some information. He went on the web site. The revised ordinance is much more sensible. There should be a comment on the web site that the old ordinance is gone. That would be helpful. Trustee Masterson stated we could archive it, but we do not want to remove it. Pres. Kaplan commented that we are listening to the residents. Mr. Mazursky stated further explanation on the web site may help. Pres. Kaplan indicated we are getting more input. We will do that for another month or two. Trustee Svatik stated it is evolving to not alienate people. Trustee Masterson explained this is more information than we have ever put on the web site before. It is an experiment for us. Mr. Mazursky felt it was very thoughtful. Pres. Kaplan added that Mr. Mazursky lives in Meadowlake. This ordinance will not affect his neighborhood. Trustee Svatik wanted to know why the residents are up in arms. Mr. Mazursky explained because they do not have the information. Linda Dunn stated she would like to see the \$750 fine for non compliance raised. Atty. Siegel

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explained that is as high as it can be by State Mandate. Russ questioned Mr. Mazursky if it would be helpful to have someone come to a homeowners' meeting and explain the ordinance. Mr. Mazursky stated the next homeowners' meeting is in March. He will get information out to the residents.

Jaye Brodsky of 1392 Kenilwood Court questioned if the woodlands must be 10K square feet within the property line. Atty. Huvad answered "yes." Ms. Brodsky pointed out there are beautiful woodlands in her area, but they are not 10K square feet for each home. Atty. Huvad stated that was a good point. Ms. Brodsky also pointed out that if the woodland bank is voluntary there must be a regulation against removing it later if it is being used by some other party. Atty. Huvad stated we were trying to look for ways to encourage adding woodlands.

A visitor told the board he is trying to remove buckthorn. His property is bare without it. Residents would like to do the right thing, but ignorance is a terrible thing. He would like to help. Pres. Kaplan stated there are articles about buckthorn and garlic mustard. There are programs to help with the removal. The Village Forester is available for consultations. This discussion will be continued at the next meeting. The newly proposed ordinance will be on the web site in the next few days. Atty. Huvad questioned if it is possible to have a comment section. We might have to look at the issue of the size of the woodlands. Pres. Kaplan stated we have gotten some good suggestions.

Pres. Kaplan told the board and visitors he had several flat irons on display on the board's table tonight. Marilynne Dorfman of 12 Chicory Lane stated they were found in excavation from her first home at 1001 Hoffman Lane. Linda Dunn suggested putting pictures of them on the web site.

XVII. New Business

Atty. Huvad told the board the 3 ordinances for the TIF will be continued until the next meeting. We are not ready for them tonight.

Pres. Kaplan brought up the subject of the ordinance authorizing the sale of surplus property. Trustee Haber moved to waive the first reading of an Ordinance Authorizing the Sale of Surplus Personal Property Owned by the Village of Riverwoods. Trustee Masterson seconded. Motion was carried by voice vote.

Trustee Haber moved to have a second reading and adoption of an Ordinance Authorizing the Sale of Surplus Personal Property Owned by the Village of Riverwoods. Trustee Masterson seconded.

Roll Call vote- Ayes: Graditor, Haber, Masterson, Svatik
 Nays: None

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Absent: Norris, Tully

Motion carried 4-0

Ordinance 04-9-10

Chief Weinstein stated the two old police cars will be sold at a Lake County auction.

Pres. Kaplan brought up the subject of the reduction of letters of credit. Pat Glenn told the board he has three letters of credit. The first is Morgan Stanley. They have a small punch list of items left to address. They are less than the 10% maintenance amount. He recommended that we reduce their letter of credit to \$160K. Trustee Haber mentioned a letter to Chuck Stewart about the site improvement bond; there is no 10% maintenance fee. Pat stated that is not true. Pres. Kaplan suggested that we send a letter with the letter of credit reduction explaining that the maintenance is required. Pat reported that Barbara will go over that with them. Trustee Graditor moved to approve the reduction of the letter of credit for Morgan Stanley to \$160K. Trustee Svatik seconded. Motion was carried by voice vote.

Pat told the board that the Shoppes of Riverwoods had their final walk through. There are some small items that are covered in the 10% maintenance fee. He recommended the letter of credit be reduced to \$98,243.47. Trustee Haber wanted to know if the greenery in the retention is good or bad. Pat responded "good." Russ explained that it acts as a filter. Trustee Haber asked if the problem with the lakes in Meadowlake were solved. Pat stated the geese were to blame for the original problem. The solid wetland buffer helps. Pres. Kaplan indicated the residents of Meadowlake are better off now than they were before. Atty. Huvad asked Mr. Mazursky if the residents are aware of the help the retention provided was in the last flood. Mr. Mazursky stated the Shoppes of Riverwoods is a sore subject. Pres. Kaplan added that the developer only took out the Dutch Elm diseased trees and the buckthorn. That is an actual improvement to the site. Trustee Haber moved to approve the reduction of the letter of credit for the Shoppes of Riverwoods to \$98,243.47. Trustee Masterson seconded. The motion was carried by voice vote.

Pat brought up the subject of the letter of credit for the Dennic subdivision. The only thing left is set of "as built" and conservancy area signs. He recommends the letter of credit be reduced to \$18,124.50. Trustee Graditor moved to reduce the letter of credit to \$18,124.50 for the Dennic subdivision. Trustee Svatik seconded. Motion was carried by voice vote.

Pres. Kaplan stated the next meeting will be on October 5th at 8PM with the continued Public Hearing.

Trustee Graditor moved to adjourn the meeting. Trustee Haber seconded. The motion was carried by voice vote.

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The meeting adjourned at 10:10PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:

William Kaplan
Sherry Graditor
Bruce Masterson
John Norris
William Svatik
Paul Tully
Eileen Stanger
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

Michael Haber

Minutes taken by Debbie Limer

The meeting was called to order at 8:05 PM.

IV. Approval of Minutes

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Trustee Masterson moved to approve the minutes. Trustee Svatik seconded the motion. Trustee Graditor pointed out on page 3, third line from the bottom of the first full paragraph, the word “deal” should be removed. On page four, fifth line down in the second paragraph, “Section A” should be “Section 8.” Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton
Nothing

Director of Community Services

Nothing

Village Attorney

Atty. Huvad told the board we have a request from the residents at 666 Portwine for an address change. We verified that this is different from the one that requested an address change for insurance reasons. We should submit an affidavit that there are no insurance issues. He stated if the Board is okay with that, we can go ahead and give the agreement to the owner. The Board will need to sign the agreement. He added we want to be careful not to mislead the insurance company.

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Atty. Huvard stated that he is behind on the Woodland Overlay District. The information so far is on the web site. There has been an overhaul of the overlay district. There is no longer an overlay. It has been modified to be modeled after the Watershed Development Ordinance. He added he will have it for the next meeting.

Urban Forest Management
Not Present

Plan Commission Report

Linda Dunn told the board the Plan Commission continues to have Public Hearings on the 37 acres and the 5 acres. Representatives from both parcels will be at the next Plan Commission meeting in October.

Zoning Board of Appeals
Not present

VI. Police Report

Chief Weinstein told the board there were 177 traffic citations given out since the last meeting. There have been 361 case reports and 152 accidents written since the beginning of the year. Officer Maciareillo is scheduled to attend the WMD Technical Response Training Course. It is a four day course in Alabama. The Federal Government will pay all of the expenses. The course is designed to improve the response to and the recognition of chemical, biological, and explosive weapons, and, nuclear threats or incidents.

VII. Comments by the President

Pres. Kaplan stated he has been asked to push up the discussion under New Business of the Woodland Protection District. He will move it up after the Weiss Subdivision.

Pres. Kaplan brought up the subject of the Wondreis lot. Atty. Huvard stated the notice was published in the paper. Pres. Kaplan responded that we got one bid. Atty. Huvard read the publication notice and the bidding requirements. He added that we can reject any bid that does not meet the requirements. Pres. Kaplan opened the bid. It was from Victor Lichtenberg for \$416K. Atty. Huvard reported it was not a legal and conforming bid. Pres. Kaplan stated we would notify the bidder.

Pres. Kaplan told the board the name of the Country Inn is being changed to a Holiday Inn Express. They hope to get more corporate business that way. Atty. Huvard explained there is a different reservation service with the new hotel. Pres. Kaplan stated it will happen this year. Nothing noticeable in the hotel will change except the name.

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Pres. Kaplan stated there is a problem with developing the second hotel site. They want multi-family housing. We have no zoning for that. The owner is going to write a letter to ask us to reconsider. Pres. Kaplan reported he told the owner we would consider an office, a restaurant, or a hotel.

Pres. Kaplan told the board we had an ETSB meeting with Senator Terry Link about the 911 surcharge. Atty. Huvard explained we are having trouble getting a line count of the phones we have in the Village. Senator Link made the request and had a list in 24 hours. We are working on an Intergovernmental Agreement for sharing the revenue. The Lake County Sheriff handled our dispatching before we established our Police Department. They coordinated the response. The first agency to get a call is called the 911 call handler. After we established our own Police Department, Lake County said they would not handle our dispatching anymore. Lincolnshire now does that for us. The 911 calls go from Lake County to Lincolnshire. It would make more sense to have 911 calls go immediately to Lincolnshire. Lincolnshire can do our call dispatch and 911 call handling. Pres. Kaplan reported \$.75 a line per month goes to Lake County for call dispatch. We pay Lincolnshire \$60K a year to do our dispatching. He explained we are getting taxed twice. We are trying hard to get the money back from Lake County. Lake County is not accustomed to "pulling out." Atty. Huvard added the ETSB does not want to take out revenue. That is why we are working with Senator Link. Pres. Kaplan stated he has been very helpful. We have another meeting in two weeks. Atty. Huvard told the board we are working on the agreement between Lake County and Lincolnshire because we know that is the only way it will get done.

VIII. Visitors Wishing to Address the Board

Linda Dunn stated that Arts and Riverwoods is still looking for volunteers.

IX. Old Business

Pres. Kaplan brought up the subject of the Weiss Subdivision. John Talbot introduced himself as the representative for the Weiss Subdivision. He explained it is a 6 _ acre parcel that they want to subdivide into 3 lots with a cul-de-sac for access. The plat of subdivision has been approved by LCDOT, LCPW, IEPA, Storm Water Management, and the Village Engineer. Pres. Kaplan asked if the wetlands have been delineated. Mr. Talbot responded "yes." Atty. Huvard explained there is a letter from Pat Glenn with a few issues that need to be addressed. He added we can approve the plan subject to the letter. We need to figure out the parks donation formula. Pres. Kaplan suggested the plat be approved subject to Pat's letter. Trustee Svatik moved to approve the final plat of the Weiss subdivision subject to Pat Glenn's letter. Trustee Graditor seconded. Trustee Tully asked if the lots will have water. Mr. Talbot stated "yes." A visitor asked if there are any existing homes on the parcel. Mr. Talbot stated "one." Pres. Kaplan added there were two homes, but one had been torn down.

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Roll Call Vote - Ayes: Graditor, Masterson, Norris, Svatik, Tully
 Nays: None
 Absent: Haber
 Motion carried – 5– 0

X. New Business

Pres. Kaplan brought up the subject of the Woodland Protection Ordinance. He explained that the ordinance originally proposed has been redesigned. There will be no non-conforming lots. He informed the visitors that we will not be voting on this immediately. We want input from the residents. The basic concept is to save the woodlands. We are not trying to devalue the property or take away control. We are trying to protect residents the same way zoning does. According to our Forester, the woodlands are disappearing. The understory is being removed, and that makes it impossible for the woods to reproduce. The woods will disappear over the next 20 to 40 years. He explained this ordinance is not for us; it is for our children and grandchildren. We have listened to the residents who protested the idea of the non-conforming lots. Pres. Kaplan thanked them for their input. They are the impetus for the change in format.

Atty. Huvad explained that residents with existing woodlands would be prohibited from removing more than 30% of their woodlands. The objective is to save 70% of the woodlands. He stated that he met with Chuck Smith, former Mayor of Riverwoods. He had his own reservations about the plan. Atty. Huvad reported that he explained to Mr. Smith how the plan works with his own house. Using the guidelines of the proposed plan there would still be an enormous lot left for a house. We are the only community in the State trying to save the woodlands. We have to protect all the elements of the woodlands, if the residents feel the woodland ecosystem has benefits worth preserving. The Forester tells us that, if all the elements are not protected, the woods will not regenerate. Atty. Huvad reported the storm water run off is better in a woodland area. There is less flooding. The woodlands affect the recharge of the aquifers and the temperature around the woodlands. He added this has to be a judgment of the community. The approach on this has been changed. It would now be a regulation for everyone. It would not be a zoning district. Atty. Huvad told the visitors this ordinance is much more liberal than the last one.

Atty. Huvad explained the largest home in the Village is 7K to 8K square feet on the ground level. He stated he did not see this impacting the size of homes built in the Village. The lots that would be the most affected are the empty wooded lots. A one acre wooded lot would have 15K square feet available for house, lawn, and accessories. That is still very large. He added we are working for simplicity on this ordinance. It is being modeled on the Lake County Watershed Development Ordinance. It sets a maximum amount of impervious surface. It has been used for 12 years. It sets its baseline as a point in time.

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The Watershed Development Ordinance has become a routine matter now. It is an enforcement regime. We would set up the Woodland Ordinance to be similar. Pres. Kaplan explained that the 30% number could change. Atty. Huvard reported the woodland areas would be delineated on a plat like the wetlands. He reiterated that we are trying to save the woodlands. We are working on the Comprehensive Plan and looking at goals. Pres. Kaplan stated we will have copies of the ordinance at the Village Hall. We will not vote on it until we have comments from the residents. He added we do not want people to clear cut the woodlands. Trustee Graditor wanted to emphasize that we are not going to require that residents put in woodlands that they do not currently have. Trustee Norris added that in Michigan Emerald Ash borer has killed over 1M trees. As the forests change, they are more susceptible. He stated residents should not think there are plenty of trees out there. We need to be proactive. He mentioned the problems the Village is currently facing with the gypsy moths. There are a lot of threats to our woods.

Meg Verdonck of 2955 Arrowwood told the board there have been a lot of rumors and hysteria. She questioned who is going to the protest meeting. Trustee Graditor explained according to the letter the public is welcome whether they are for or against the ordinance. Dr. Marcus Hester of 1105 Milwaukee came forward to address the board. He stated he has heard a lot of protests. A lot of people thought this was a dead issue. The meeting at his place of business is for people against the ordinance. It is on September 14th at 8PM. He wants there to be a presence of those against the ordinance at the Public Hearing. Pres. Kaplan stated that anyone against the ordinance can come forward. We had a Public Hearing. There will be no more Public Hearings. Dr. Hester explained he wants to let people be aware. They are only hearing the pluses on this issue. Trustee Masterson reported there is information in the newspaper, the Village Hall, the meetings, and the Village web site. It is everywhere. We have put a lot of effort into it. Trustee Svatik stated to Dr. Hester that he, Dr. Hester, is against the ordinance already, an Ordinance which is still in the embryonic stage. Dr. Hester is getting people up in arms with misinformation. Dr. Hester reported that he disagrees. If people do not come to the meeting on the 14th, then opinions will be obvious. Trustee Graditor asked if the meeting was only for those opposed. Dr. Hester stated "yes." He added anyone can come. Trustee Norris explained that this will be discussed at open meetings, and it will be discussed extensively. Dr. Hester asked for a months notice before the issue is voted on. Pres. Kaplan told Dr. Hester he was giving him the one months notice this evening.

Gloria Helke of 2940 Farner Court, and member of the Lake County Board of Appeal told the board she is not for or against the ordinance. It is still in the planning stage. She suggested that it give a clear definition of the woodlands. Atty. Huvard added we will continue to work with the Forester. Irene Gagerman of 3000 Orange Brace wanted to know if 70% of the woodlands are enough to save. Pres. Kaplan stated he did not want to be too restrictive or too liberal. It is a compromise. Atty. Huvard explained he got that

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number from Chuck Stewart. We do not want the woodlands to become too fragmented. 70% is the minimum. We have looked at aerial photos. He added part of the issue is implementation. Bob Kaul of 2975 Arrowwood stated he is very pleased. He questioned how the Village is getting a sense of the other residents. Pres. Kaplan stated they are getting that sense right now. Mr. Kaul commented that those who are opposed tend to have very loud voices. Pres. Kaplan reported that we will listen to everybody. We will be publishing letters. We are trying to expose the residents' opinions and put out information. Roger Simonson of 725 Juneberry and representative of the Vernon Woods Owners Association told the board the Vernon Woods Owners Association had a meeting last week. Pres. Kaplan added that the Vernon Woods Association has the largest amount of woods in the Village. Mr. Simonson stated they want to express their support of the ordinance. They are sending out a mailing to encourage feedback to the Village.

Toni Rey of 1332 Woodland told the board she is a member of the Building and Development Committee and the Woodland Lane Association. The Building and Development Committee would be happy to help with this ordinance. A lot of people have very little interest in Buckthorn and Garlic Mustard. The Building and Development Committee is very devoted. They came to Riverwoods for the woods and want to keep them. They will help any way they can. Linda Dunn of 2920 Orange Brace stated that she commends all on the Village Board. Riverwoods would be the first village in Illinois to pass something like this ordinance. She added she is glad the changes are being made. Gail Trace of 2630 Crestwood stated the board may want to define the minimum dimensions of woodlands and contiguous areas. It is not a "hedgerow between houses." Sheila Hollander of 718 Ringland Road explained that the area around their house is going to be developed. She is concerned about the lack of education of the developers. She wanted to know if they are going to be required to save the woodlands. Pres. Kaplan explained the developer for the Weiss subdivision is very well informed. The developer on Arrowwood is a Chicago broker. He is not familiar with them. The developers will be educated before they are issued any permits. They will conform to our regulations.

IX. Old Business – cont.

Pres. Kaplan brought up the subject of the Tree Ordinance. Atty. Huvard stated that Chuck Stewart thought the changes were fine. Trustee Graditor moved to have a second reading and adoption of an Ordinance Amending the Riverwoods Tree Ordinance. Trustee Norris seconded.

Roll Call Vote - Ayes: Graditor, Masterson, Norris, Svatik, Tully
 Nays: None
 Absent: Haber
Motion carried – 5– 0 Ordinance 04-9-9

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Pres. Kaplan stated we will address the gypsy moths in October. Trustee Masterson added the map is on the web site with a link to the Forest Service web site. That site has pictures. Pat reported the web site is updated as he gets new addresses. He added the work on Trillium Lane is done.

X. New Business – cont.

Pres. Kaplan told the board he had a meeting with Morgan Stanley last week. They do not want to build the bike path. Pres. Kaplan reported that he gave them the number of \$100K that we would accept in lieu of the bike path. Morgan Stanley said okay. He added he thought it would cost \$70K to build the section Morgan Stanley had agreed to. We still have the easement for the future. He explained he feels we should take the \$100K and use it for a bike path somewhere else. Trustee Masterson added we should name it after Trustee Haber. Atty. Huvad stated we have an outlot, not an easement. Pat complemented Pres. Kaplan on his good negotiation skills. Atty. Huvad stated we have to figure out how to record this. Trustee Norris moved to accept the \$100K from Morgan Stanley in lieu of building the bike path. Trustee Svatik seconded. Trustee Graditor stated the money is dedicated for a multi-use path. Trustee Norris amended his motion to accept the \$100K from Morgan Stanley in lieu of their building a multi-use path. Trustee Svatik seconded.

Roll Call Vote - Ayes: Graditor, Masterson, Norris, Svatik, Tully
 Nays: None
 Absent: Haber
 Motion carried – 5– 0

Pres. Kaplan brought up the subject of the Ordinance for Vehicle Seizure and Impoundment. Atty. Huvad stated it is not ready yet.

Pres. Kaplan brought up the subject of the Riverwoods Road Multi-Use Path. Pat stated Chuck and Todd are taking a run through for the quality of the trees. He hopes to have it for the next meeting.

Pres Kaplan stated we will continue the discussion of the Woodland Protection District at the next meeting.

Trustee Masterson asked about the National Incident Management System (NIMS). Atty. Huvad stated we have to pass it to assure continued government funding. Chief Weinstein added it is for Homeland Security. Atty. Huvad explained it is a formality, but would prefer we pass it tonight. He read the resolution. Trustee Masterson moved to adopt a Resolution adopting the National Incident Management System. Trustee Svatik seconded. Motion was carried by voice vote. R04-9-7

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Board of Trustees Meeting
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XI. Standing Committee Reports

Trustee Graditor – Building/Zoning

Trustee Graditor was handed the Building Report. She stated there have been 137 permits to date this year. The total of the building value is \$9,400,411.

Trustee Masterson – Water/Police/Fire

Nothing

Trustee Svatik – Finance/Soil & Water

Trustee Svatik stated he went to a meeting headed by Karen May. He has submitted a report from the meeting. He will be attending DBR and NSSRA meetings.

Trustee Haber – Legal/Sewer

Not present

Trustee Tully – Road & Bike Paths/Forestry

Nothing

Trustee Norris – Solid waste/Drainage/Storm water

Trustee Norris told the board Lake County is good at generating solid waste. The landfill is filling faster than planned. SWALCO is looking for additional locations. He wanted to pass the information along. Trustee Norris explained that he would like to get the recycling regulations for commercial demolition. He would like to put the recycling requirements into the annexation agreements. It will be cost neutral because the organizations doing the demolitions can get money back on the things they are recycling. Lake County has a 40% recycling rate. Trustee Svatik asked if the disposal drop offs sites and dates are on the web sit. Trustee Norris responded “yes. “

Pres. Kaplan told the board there will be a Public Hearing on the three different Ordinances for the TIF on Sept 21st.

Trustee Tully moved to adjourn the meeting. Trustee Masterson seconded. Motion was carried by voice vote.

Meeting adjourned at 9:30PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
Board of Trustees Meeting
August 17, 2004

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In Attendance:

William Kaplan
Sherry Graditor
Bruce Masterson
William Svatik
Michael Haber
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

John Norris

Minutes taken by Debbie Limer

The meeting was called to order at 8:05 PM.

IV. Approval of Minutes

Board of Trustees Meeting – August 3, 2004

Trustee Svatik moved to approve the minutes. Trustee Masterson seconded the motion. Trustee Svatik stated on page 6, last line of the second paragraph, “appeal the decision” should be added to the end of the sentence. Motion was carried by voice vote.

V. Treasurer’s Report

Not present

VI. Urban Forest Management

Not present

VII. Engineer’s Report

Pat Glenn told the board SSA #20 is complete and the restoration is done. All of the B-boxes on Crestwood have been installed. Restoration has been started. Pat stated he expects all of the work will be complete by next week. The survey for the Riverwoods Road multi use path is done. Now his work will begin. Trustee Tully asked why Crestwood was dug up twice. Pat replied the first time the contractor set the vault and filled it with stone. They had to dig it out again for the connection.

Village of Riverwoods
Board of Trustees Meeting
August 17, 2004

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VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Not present

XII. Village Attorney's Report

Atty. Siegel reported Judge Tonnigan granted our motion to dismiss the Didier case. We are through with the trial. He explained that Atty. Damish has told him they plan to appeal. Atty. Siegel stated he is confident we will prevail.

Atty. Huvad told the board the Joint Review Board met last Thursday regarding the 37 acres on Milwaukee Avenue. There were representatives from several taxing bodies in the Village. David Niedelman is the representative appointed by the Village Board. There was a representative from the Lake County Forest Preserve and the Lincolnshire-Riverwoods Fire Protection District. Bob Teska and Tony Smith were also there. Bob Teska presented the development plan. There were no objections. They voted to recommend the TIF based on fact that it meets the eligibility requirements. Atty. Huvad stated the Joint Review Board will not meet for a while. After the TIF is up and running they will meet once a year for an audit of the TIF. It serves as a check and balance. Atty. Huvad explained that all taxing bodies are invited to the September 21st Public Hearing. He questioned if we will be keeping the date for the Public Hearing. The developers are getting closer to the final site plan. He showed the updated plan to the trustees. He explained Bob Teska had requested a few changes. The developers are working on the 25 foot buffer that we want on Milwaukee Avenue. He added one of the sites discussed was a grocery store. There are no grocery stores interested in the site at this time.

Trustee Haber asked about the entrance to the development. Atty. Huvad stated they are moving the gas station farther east. It will provide for a better buffer and gateway to the Village. Trustee Haber stated he thought we were trying to eliminate the gas station. Atty. Huvad reported that the use is not allowed as of now, but the owner really wants a gas station. Trustee Haber indicated he did not want the gas station as the gateway to Riverwoods. Trustee Tully questioned if a motorist would be able to turn left into the gas station when coming south on Milwaukee Road. Pat stated there would be a median to block that from happening. Atty. Huvad told the board on the 5 acre site there will probably be the gas station, pharmacy, and bank. He added Pat has determined we do not need more of a reservoir. Trustee Haber questioned if we are grabbing onto this as a part of Riverwoods, or are we grabbing onto this for the tax revenue. Atty. Huvad explained

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the developers of the 37 acres are committed to upscale materials. The developer understands our concerns. We can enforce architectural standards. We can enforce certain uses. The developers of the 37 acres are concerned about making this a successful shopping center. Trustee Tully stated he likes Bannockburn Green because it is not seen from the street. There are big trees. Pres. Kaplan explained that is not a successful center. The stores do not stay open. Trustee Svatik asked what is objectionable in the proposed plan. Trustee Haber stated we should not attempt to make this part of Riverwoods. He did not want to see a Riverwoods sign in front of the development. Trustee Svatik reported at some of the Plan Commission meetings apartments and boutique shops were suggested. He questioned if that was economically feasible. Trustee Haber stated he did not know. Atty. Huvad added the projected tax revenue from a Menards is \$.5M a year; from the gas station it is projected at \$100K a year. Trustee Haber stated we will need three more police officers to patrol the area. That is going to off set some of the revenue.

Trustee Graditor told the board she felt a big box store is okay if it is done with high quality materials. She wanted to know about the conservancy issues. Trustee Tully stated gas stations are going in with big box stores. That way it would not be seen from the street. He suggested the developers be creative. Trustee Graditor reported the owner of the 5 acres wants the gas station. Stores may change, but a gas station is forever. She added the canopy on any gas station is ugly. Atty. Huvad explained we are working on the annexation agreement. We are keeping control of the development and the finances. We are in a balancing mode, the developer's needs versus our needs. He added this is a big deal. We will not have another opportunity like this again. We can set up more workshop sessions. We should try to achieve what we want. Trustee Graditor stated a big box development can be done appropriately. Trustee Tully asked about a Loews. Atty. Huvad explained that the developer has talked to everyone. He questioned the direction he should be taking. Pres. Kaplan reported that we will not get cooperation from the owner of the 5 acres without the gas station. If we tell them no on the gas station, it will delay the project a year or more. He added the Riverwood Inn is now closed. They are ready to move on this. Atty. Huvad told the board we have not told them what they can and cannot have yet. We are looking at the design.

Atty. Siegel questioned Pat as to who will make the decisions about the entrance on Milwaukee Road. Pat answered the State. Atty. Siegel stated the entrances may not meet the State requirements. Pat indicated we would explain that there are two sites working together. The work with the State has to start early. We are working on the peripherals. We have worked with the County. We already have an agreement with the County. We are waiting to discuss this with the State while the interior roadways are designed. Atty. Siegel wanted to know who designed the development. Atty. Huvad responded Peter Theodore. They are working on the final plan, landscaping, and signage. The next step is to go to IDOT. They need to sign-off on access. When the final plan is completed, it will

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go to the Plan Commission. We have to work on the annexation agreement for the list of allowable uses. Atty. Siegel asked if the plan is okay with Bob Teska. Atty. Huvad responded, "Yes."

XI. Police Report

Chief Weinstein told the board we have issued 116 traffic citations since the last meeting. There have been 324 case reports and 137 traffic accidents written in 2004. We have applied for the life saving pin for Officer Maciareillo. We have two new part-time officers. We are currently one part-time officer short. Trustee Svatik asked how many officers are in the department. Chief Weinstein stated we have seven full-time and four part-time.

XIII. Comments by the President

Pres. Kaplan told the board there will be a Housing Authority meeting on August 25th at Oakton Community College. It will be an informal meeting about the Affordable Housing Legislation. He asked if anyone is going to go. He will be unable to attend. Trustees Svatik and Tully and Atty. Huvad responded that they plan to attend. Trustee Svatik asked about getting a copy of how the specific legislators voted. Trustee Tully stated he would get that for him. Trustee Masterson questioned if any other communities have contacted us about starting a joint committee. Pres. Kaplan responded no. Trustee Masterson stated he is in favor of that. Trustee Tully told the board he has heard some other communities plan to ignore the legislation. Atty. Siegel explained the statute is very bad. It makes no sense, and is very vague. It will be easy to knock down. He added he thought there would be a lawsuit eventually, or else it will be changed dramatically. It is very extreme in thinking. Nothing like this has ever been done before. The state of Massachusetts has mandates, but nothing like this. Trustee Masterson stated we should express our opinion to Representative Ryg. Atty. Siegel told the board everyone has been quoted as saying that it can't be done. Atty. Siegel reported towns have hired consultants to set up plans. Plans are allowed without actual housing. Trustee Svatik stated we should have a plan.

Atty. Huvad explained that he is trying to figure out how to achieve the Affordable Housing goal. He stated he has asked for a sample plan, but no one has a plan. We can attempt to take revenue to put in a fund to help subsidize housing in another community. Atty. Siegel reported other communities have started with a tear-down tax. Pres. Kaplan stated some communities are proposing Section 8 Housing. Atty. Huvad suggested waiting to see what others do. Trustee Svatik indicated that we should set a target date to formulate something. A bad plan is better than getting stuck with Springfield's plan. Trustee Tully explained it is the opinion of our counsel that this is unenforceable or unconstitutional. We should not spend our time or money on it. It is an unfunded State mandate. Atty. Siegel explained that Winnetka is trying to go to Home-Rule to try to avoid the legislation. If a community is Home-Rule, they do not have to follow the

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legislation. Trustee Graditor added Bannockburn is trying to do the same thing. She stated she would rather explain to residents why we are not going to go to Home-Rule rather than go to Home-Rule. Pres. Kaplan told the board we will not take any action yet. We will go to the meeting and listen to what is said.

Pres. Kaplan told the board Save-A-Pet will be at the Village Hall on Thursday. They will have pets to adopt.

Pres. Kaplan reported that the play put on by Theatre in the Woods was great. Everything they have done he has been very pleased with.

XIV. Visitors Wishing to Address the Board

Wendy Meister of 666 Portwine Road told the board she has a problem with her address. She would like it changed. The pizza guy wouldn't come to deliver a pizza. Atty. Siegel stated it has to be changed by ordinance. Atty. Huvard reported he will look at the file for the procedure and get back to the board. Pres. Kaplan added it will have to be 664 or 668. Ms. Meister stated they would be happy to take either. Russ reported they can have their choice.

XV. Approval of Bills

Trustee Graditor moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Svatik seconded. Trustee Graditor stated she had a question, but Clerk Stanger is going to look into it. Trustee Masterson reported he thought there were a few Lincolnshire water bills missing.

Roll Call vote- Ayes: Graditor, Masterson, Svatik, Haber, Tully
 Nays: None
 Absent: Norris
Motion carried 5-0 (Bills approved)

XVI. Old Business

Pres. Kaplan brought up the subject of the Tree Ordinance. Atty. Huvard explained the changes require a permit to remove any tree over two inches in diameter. There is no cost involved unless it is a protected tree. Buckthorn is not included. Pres. Kaplan reiterated there is no permit required to remove buckthorn. Atty. Huvard reported we want to try to replace trees with the highly desirable ones. He added Chuck Stewart has not looked at the revisions yet. Trustee Masterson stated he wanted Chuck to look at it before it is approved. Pres. Kaplan told the board it will be ready for the next meeting.

Pres. Kaplan stated we will discuss the Gypsy moths in October.

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Pres. Kaplan brought up the subject of the Trillium Lane rehabilitation. Pat explained that Mr. Mose has complained that the County trucks are beating up the road. The trucks are accessing the road for lift station maintenance. Pat reported we did landscaping work. That worked for a while. The plan now is to pave a turn around for the trucks and take over some of the maintenance. We have agreed to all of this in the past. After the paving and repair is done, there will be a restatement of the sewer agreement. He explained the homeowners will still be responsible for snow removal. Pat stated the lowest bid for the work is Ernie Kaplan at \$4K. He asked the board to authorize up to \$4.5K in case of unforeseen issues. Pat added that the owner is anxious to get the work done. The Post Office will not deliver the mail anymore. Trustee Haber moved to authorize \$4.5K to be used to pave and repair Trillium Lane. Trustee Masterson seconded. Pat added the owner must sign an easement agreement before the work is done. The work will enable the trucks to park off the road. The homeowners will not need to go off the road to get around them anymore.

Roll Call vote- Ayes: Graditor, Masterson, Svatik, Haber, Tully
 Nays: None
 Absent: Norris
Motion carried 5-0

XVII. New Business

Pres. Kaplan stated the first reading of the Ordinance for Vehicle Seizure and Impoundment is not ready yet.

Pres. Kaplan brought up the Riverwoods Road multi use path. Pat stated the field survey is done. He is working on the design.

Pres. Kaplan brought up the subject of the Woodland Overlay District Ordinance. Atty. Huvad stated if everyone agrees with his memo, he can come back with a new ordinance. Dr. Hester of 1705 Saunders explained he has taken his own poll of homeowners on East Course and West Course. A lot of residents are against this. He questioned the feedback the trustees have gotten from residents. Trustee Svatik questioned why Dr. Hester is polling residents not in the proposed district. Dr. Hester stated he thought this was for the entire Village. Trustee Svatik explained the areas he is talking about are not included. Trustee Masterson reported there is a map of the district on the web site. Atty. Huvad explained that based on the Watershed Development Ordinance this would only apply to areas that have woodlands of a certain density. The ordinance would be revised to follow the Watershed Development Ordinance. There would be no district. Trustee Svatik stated the change had been proposed. He did not know it had been officially changed.

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Atty. Huvard told the board he wanted to know if he should go forward with the proposed change. Trustee Svatik wanted to know how this would be administered on his property because some of it is on the golf course. Trustee Graditor explained if a property has woodlands, only 30% of those woodlands can be removed. Trustee Svatik reported he is concerned we are surveying people who are not affected by this. Atty. Huvard stated the definition of woodlands is very specific. Dr. Hester explained he is concerned it will devalue the land. He questioned when this will be voted on. It should be announced when it will be voted on. Pres. Kaplan reported we will discuss this for the next several months. If residents are interested, they should come in and not wait until the last minute. This will go on for at least the next few months. Trustee Tully suggested that anyone interested should go to the web site. There is a wealth of information. Pres. Kaplan stated this will be discussed for a while. There will be more than one possible ordinance. One will have exclusions; one will not. Trustee Svatik apologized for his misconception. He did not realize there was a change. Atty. Huvard explained the Watershed Development Ordinance has a standard established on the date it is adopted. The goal looking forward is to save 70% of the woodlands over the next 10 years. Trustee Svatik added the Watershed Development Ordinance is very hard to follow and explain.

Steve Novosad of 2595 Crestwood told the board he just found about this. He is not in favor of it. He added the web site is great. There are a lot of suggestions. On the web site so far there are ideas, nothing specific. He reported this is not too different than what is happening between the State and the Village with respect to Affordable Housing. There seems to be the same wait and see attitude. Dr. Hester stated residents will work against this. They do not want the government to tell them how to use their land. It will diminish the value. Joan Becker of 2750 Edgewood Lane stated there should be feedback, but there is another opinion. Others feel a wooded site adds value. The government is certainly allowed to tell someone what to do with his or her property. We have to make some sacrifices to save the woodlands. She stated she feels the ordinance is reasonable. She questioned why the Village would want to diminish the value of resident's property. We want to keep what we have. We do not want it to slip away.

Trustee Svatik stated that he appreciated Ms. Becker's comments. Ms. Becker added she agreed the web site is great. She has gotten calls saying the same thing. Trustee Svatik questioned for how many months this ordinance was discussed at the Plan Commission meetings. Ms. Becker responded several. Trustee Svatik stated all of a sudden everyone is coming out. Pres. Kaplan added we will drag this out, but still be reasonable. Trustee Tully told the board this is perception versus reality. A resident doesn't want his or her neighbors to cut down their trees, but that resident wants to be able to cut down his or hers. Trustee Haber stated he is a lover of the trees, but he is not sure we can tell residents they cannot have grass. Pres. Kaplan reported that people looking at wooded sites that are for sale do admit they would want more grass. Trustee Masterson stated it is a "common good" problem. Trustee Graditor added residents enjoy the trees on their neighbor's lawn. Pres. Kaplan stated we will continue

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the discussion. Larry Kanar of 471 White Oak pointed out that we are not going to impose woodlands on anyone who does not have woodlands. Trustee Haber reported this could encourage a mass cutting of the woods before the Ordinance is passed. Pres. Kaplan added the issue is the understory.

Pres. Kaplan told the board that Jenny Krill, the Village receptionist, is not coming back after her maternity leave is up. He wants to discuss this with the Personnel Committee at a later date.

Trustee Graditor moved to adjourn the meeting. Trustee Tully seconded. Motion was carried by voice vote.

The meeting adjourned at 9:25PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:
William Kaplan
Sherry Graditor
Michael Haber
Bruce Masterson
John Norris
William Svatik
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

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Trustee Svatik moved to approve the minutes. Trustee Masterson seconded the motion. Trustee Svatik stated on page 11, the first roll call vote, the votes of Trustees Svatik and Tully should be reversed.

Trustee Tully arrived at 8:02PM.

Trustee Graditor reported that on page 7, third paragraph, the sentence that begins, “They are impacting the woods,” should be removed. Eighth line of the fourth paragraph, “tired” should be “tried.” Trustee Svatik pointed out on page 3, third line of the first full paragraph, the June 21st letter was from the State, not Chuck Stewart. Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board we are about to enter a rare lull of construction work in the Village. There are a few B boxes left to install on Crestwood. Pavement restoration is left to be done. SSA #20 is complete, and the 2004 MFT program in the same area was completed in two days. He stated he is currently working on the field survey for the design of the Riverwoods multi-use path

Director of Community Services

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Nothing

Village Attorney

Atty. Siegel told the board he went before Judge Tonnigan regarding the second amended complaint for Didier. Atty. Damish did not show up for the hearing. Atty. Siegel reported the Judge was not happy about that. The case has been continued until next Tuesday. The County has adopted our motion. We are hoping to be victorious next week.

Atty. Huvard stated he got a call from a resident on Timber Trail. She explained that the road is in bad shape and would like it to be fixed. She feels the damage is from the construction in the area. She wants to set up a Road Association for that purpose. Atty. Huvard told the board he explained to the resident how a Road SSA works. She was interested in getting one set up.

Atty. Huvard reported that notices have been published and letters have been sent in regard to the 37 acres and the adjoining 5 acres. The Joint Review Board will meet at the Village Hall on August 12th at 7PM. Atty. Huvard stated he sent out notices to all of the Taxing Boards. As of now, he has not heard from anyone. The Plan Commission has Public Hearings on both parcels planned for their next meeting. The developer is working on the site plan. We are still on our scheduled timeline. The owners of the 37-acre parcel have agreed to provide compensatory storage for the 5-acre parcel. The owners of the 5-acre parcel have agreed to provide us with the right-of-way necessary for access. We are all proceeding in good faith. We are working on the agreements. Trustee Haber wanted to know who is paying for the right-of-way. Atty. Huvard stated it is a reimbursable cost. We could make \$1M a year once this project is up and running. It should not be an out-of-pocket expense. We will have to do some negotiating. A viable plan will be worked out. By the time the plan is ready to be signed, all parties will be ready. Trustee Haber asked about escrow. Russ reported that as of last Friday we are now ahead and in the black. Pres. Kaplan stated we should keep it that way.

Urban Forest Management

Nothing

Plan Commission Report

Linda Dunn told the board there are two Public Hearings scheduled for Thursday. Everyone should come.

Zoning Board of Appeals

Not present

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VI. Police Report

Chief Weinstein told the board there have been 133 traffic citations issued since the last meeting. There have been 297 case reports and 129 traffic accidents written since the beginning of the year. He mentioned that the letter regarding Officer Maciareillo is on the agenda for later. On July 18th the department coordinated local road closures for the Ride for Kids. It was a motorcycle parade benefiting juvenile brain tumor victims. The event coordinator sent a thank you letter. The event raised \$110,740 locally.

VII. Comments by the President

Pres. Kaplan stated there is a meeting with Karen May and IDOT on August 19th. He reported he will not be in town. He questioned if anyone would like to go. Trustee Svatik replied he may be able to go. Pres. Kaplan asked Trustee Svatik to respond.

Pres. Kaplan told the board he has received a letter of commendation from the Fire Department for Police Officer Mariareillo. He is very impressed with the letter and the officer. Chief Weinstein stated what he did is very similar to what Corporal Shor did. He reminded the board that all officers are trained in first aid. Pres. Kaplan asked if we should do anything else. Trustee Haber suggested that Officer Mariareillo should be recognized by the Village. Chief Weinstein stated the letter is sufficient. There is an organization that sends out a badge to the officer proclaiming that he or she saved a life. We can do that as well. Pres. Kaplan asked Chief Weinstein to do that. Trustee Svatik asked if every officer has completed the training. Chief Weinstein reported the last officer will finish it tomorrow.

VIII. Visitors Wishing to Address the Board

Dr. Marcus Hester of 1105 Milwaukee told the board he is running as a write-in candidate for the U.S. Senate. He wanted to ask about signage. He explained that he wants to put a temporary banner on his building at Milwaukee and Deerfield. He asked for the permission to put it up for the three months until the election. Russ reported as a sign we would not allow it, but it is not restricted as a "political sign." It is a gray area. Atty. Huvard told the board we do not want a traffic hazard. It is hard to regulate political. Russ added it will be attached to the building. Dr. Hester stated he is trying to advertise the campaign headquarters in the building. It would come down at the end of the campaign. Pres. Kaplan asked the board if there were any objections. There were none.

IX. Old Business

Pres. Kaplan stated at the last meeting there was an article in everyone's packet about impounding fees for vehicles involved in a DUI. Buffalo Grove has started doing this. He explained that Chief Weinstein stated we should also. He added he would like the board to consider an impounding fee for DUIs only. Pres. Kaplan reported he did not see a problem with doing this. Atty. Huvard stated it would only be for DUI or driving with a

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suspended license. Chief Weinstein added we already have a towing fee. Pres. Kaplan asked Atty. Huvad to work on this for the next meeting. Atty. Siegel asked if anyone has challenged the authority of this. Chief Weinstein explained the owner can pay \$500 or have a hearing. The other communities that have started doing this are home-rule. Atty. Siegel stated that Atty. Huvad should check to see if there are any issues with not being home-rule. Atty. Huvad stated it falls under "improper use of a public way."

Pres. Kaplan told the board they have received the latest Tree Preservation Ordinance today. Trustee Masterson moved to have a second reading and adoption of an Ordinance Amending the Riverwoods Tree Preservation Ordinance. Trustee Graditor seconded. Atty. Huvad explained the smaller trees were not covered, and we were requiring a permit for any tree. Mitigation was only required for protected trees. He explained that the board felt that was too vague. He talked to Chuck and came up with the changes. The definition of a tree was changed. It was protected if an established favored species was six inches in diameter or more. The non-favored species became protected when it was 12 inches or more. Atty. Huvad explained that Chuck suggested the favored species size go down to 2 inches. The non-favored species will go down to 6 inches. The measurement will be done as a caliper measurement. That is how measurements are done in the nursery industry. He pointed out a few changes that were made to the Ordinance. Chuck stated that a two inch tree will be between six and eight feet tall. Pres. Kaplan commented that is good size. Trustee Tully asked if two inches is too big. He questioned if it should be one inch. Chuck stated a two inch limitation is fine. Trustee Tully questioned why it is not two inches for all trees. Saving trees was the ultimate goal. Atty. Huvad explained there are two issues. They are when a permit is required, and when mitigation is required. We are not going as far for mitigation issues. We wanted an objective standard. Trustee Haber indicated the Ordinance states "knowingly." He admitted he does not know the differences between the tree species. That is a problem for most residents. Atty. Huvad reported that maybe we should have one standard for all trees. Trustee Haber added that most residents do not know the difference between the species. Chuck explained that the higher value trees take longer to grow, but we can do this across the board. Trustee Tully reported this will be easier for the Police Department with a standard. He suggested that if someone removed a tree that is a protected species, he or she should have to replace it with a protected species. Atty. Huvad stated he can tighten up the language and bring it back for the next meeting.

Trustee Haber questioned where is the gap between the Tree Preservation Ordinance and the Woodland Overlay Ordinance. Atty. Huvad explained the Tree Preservation Ordinance only deals with the canopy. Chuck added the Tree Preservation Ordinance is only about an individual tree in a lawn or in the woodland. The woodland has other components. Trustee Haber questioned if the Tree Ordinance is protecting the woodland. The owner could still remove the understory. Atty. Huvad explained with the Tree

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Ordinance an owner could remove the trees and put them back on the perimeter or the property. That would still be removing woodlands. Trustee Haber asked Atty. Huvard to address where mitigation could occur in the Tree Ordinance. Atty. Huvard stated we need to regulate the understory as well. Jaye Brodsky of 1392 Kenilwood Court wanted to know if the board could regulate the footprint. Atty. Huvard explained we do not mitigate an empty lot. Pres. Kaplan stated we would put this on hold until the next meeting.

Pres. Kaplan told the board we are going to put the gypsy moths on hold. Chuck stated a speaker is coming in for the October meeting. We are tracking them on a map and will be updating it on the web. Trustee Svatik asked if it is serious. Chuck reported we are staying on top of it, but it could expand quickly. Trustee Masterson told the board he can hear them at night. Trustee Svatik wanted to know if the bug sprays will work. Chuck explained that Safer Soap or dishwashing soap could be used. The thing to address is the egg masses. They can be sprayed, but the problem is being able to reach them in the trees. He added the female moths are white and do not fly. The males are very distinctive looking. Trustee Haber reported he has seen burlap around tree trunks. He questioned what else could be done. Chuck stated the burlap needs to be overlapped, so the moths get caught. Dealing with the egg masses is the most effective way of dealing with the moths. The egg masses are on the bottom side of the branch. The moths are not going to go away, so we must manage the situation. Trustee Svatik asked if the County is still interested in dead birds. Chief Weinstein stated the County has already identified West Nile in the County. Russ added the County wants a call about the bird, but not the actual bird. Chief Weinstein suggested that Trustee Svatik double bag the bird before discarding it.

Pres. Kaplan brought up the subject of the resolution of Intent to Adopt Tax Increment Financing for Milwaukee Ave. TIF. Atty. Huvard stated we need to put that on hold.

Pres. Kaplan brought up the Riverwoods Road multi-use path. Trustee Tully stated Pat is working on it.

Pres. Kaplan brought up the subject of the Woodland Overlay District. Atty. Huvard told the board he gave them a memo with issues from the discussion at the last meeting. He suggested changing how we approach this and try working from the Watershed Development Ordinance as an example. The ultimate goal is to not remove more than 30% of the woodlands. This change would apply to all properties. There would be no non-conforming lots. The goal to retain 70% of the woodlands would be achieved. Atty. Huvard explained it would be good way to look at the problem. It is an opportunity to look at the 10-year goal. There are examples in the memo. A lot that has never been built on would be the most limited. We would require a survey of the woodland the same way the Watershed Development Ordinance requires a survey. The record would be at the

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Village Hall. Atty. Huvad stated “existing” would relate to the day the ordinance is adopted. We would be able to document that with permits. It also answers the questions of administration. It is less restrictive than the proposed overlay district. Atty. Huvad told the board we are looking at the end goal. Trustee Masterson commented this is easier to administer. Trustee Svatik asked if there was any way to get some examples. Atty. Huvad stated we could illustrate using the last few building permits in the R1 and R2 district. Trustee Norris asked Chuck what this would be like to administer. Chuck reported it would be a similar process to the Watershed Development Ordinance.

Pres. Kaplan explained that, even with the change, residents can still take out the understory. Trustee Tully stated residents can take out all trees 2 inches and under. That is still destroying the woodland. Atty. Huvad told the board we have to educate the community. The residents are the eyes and ears. Trustee Norris added it is okay to mediate impervious surface. Woodlands are harder to mitigate because they are harder to replace. Chuck stated we have to educate the residents. Atty. Huvad explained that if a resident were to remove more than 30% of the understory, Chuck could do a replanting plan. Pres. Kaplan stated if a resident stops mowing an area next to woodland, the woodlands will come back. Chuck added the resident can generate a plan that we approve. Trustee Tully wanted to know how this can be policed. Chuck stated it can be done. Trustee Norris stated it is a good idea. Trustee Tully wanted to know where the 30% came from. Atty. Huvad explained it comes from a virgin lot. It is the place we are starting from. Russ reported on a one-acre lot 12,000 square feet of woodland could still be removed. Trustee Masterson suggested publishing the memo on the web. Residents have commented that they would like things on the web. Since this issue has started visits to the web site are up 20%.

Pres. Kaplan brought up the subject of the 2005 Lake County Convention and Visitors Bureau contribution. They would like to see a commitment. He told the board he did not want to give them the money. Trustee Svatik stated that revenue from 2002 to 2003 is even, if not down a bit. Pres. Kaplan explained that the hotel tax is down, and we are giving 20% of it to the Lake County Convention Bureau. He added he did not think it was doing us any good. Trustee Svatik reported if hotel occupancy is up 8%, we break even. He stated he did not know how the Great Lakes Naval Reunion would affect our hotel. Pres. Kaplan stated it would help Gurnee, not us. Trustee Graditor added that Gurnee is not paying the Lake County Convention Bureau anymore. Pres. Kaplan stated the State is matching funds, but it is still no benefit to us. Trustee Svatik added they can come in if they want to appeal the decision.

X. New Business

Pres. Kaplan told the board he got a memo from Trustee Tully about extending the hours at the Village Hall on Tuesday and Thursday. Pres. Kaplan explained that he

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recommended this years ago, and it was not adopted. There really is no demand for it. We will cover for any resident who wants to talk to someone. To extend the hours we would have to train new staff. Trustee Haber suggested evening hours by appointment. Trustee Tully suggested one evening a week every other week. He suggested on the same night as the board meetings to try to increase attendance. Pres. Kaplan stated we will accommodate anyone who needs our help after hours. Trustee Norris reported he liked Trustee Haber's suggestion. Trustee Tully told the board other communities do this. He understands those communities have more resources than we do. Trustee Haber stated the Saturday idea is a good one, just a few hours like 9 to 12. We do not know the demand. We would need a six month trial. Atty. Siegel asked if there were any complaints from residents about the hours. Pres. Kaplan stated "no." Clerk Stanger stated that she has come to the office after hours whenever the Big Band or anyone else had a problem. It is very rare. Russ reported that residents stop by between 6:30 and 7AM. Trustee Svatik asked what level of staffing would be required on Saturdays. Trustee Haber added the people coming in should be restricted to the community, no builders. Trustee Svatik reported we will get into overtime issues. Russ told the board water bill payments will be the number one issue. Trustee Svatik stated we would need to have a full staff here on Saturdays to meet all of the possible needs. Trustee Tully reported he knew there would be issues. Trustee Haber told the board the staff works for us. If we decide it is appropriate to have personnel in the building on Saturday, they should be here. Trustee Svatik stated the personnel had an agreement when they were hired. Discussion discontinued. No concensus.

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning

Nothing

Trustee Masterson – Water/Police/Fire

Trustee Masterson stated the web site will be updated with the gypsy moth information.

Trustee Svatik – Finance/Soil & Water

Nothing

Trustee Haber – Legal/Sewer

Nothing

Trustee Tully – Road & Bike Paths/Forestry

Nothing

Trustee Norris – Solid waste/Drainage/Storm water

Nothing

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XII. Executive Session

Trustee Graditor moved to recess to Executive Session according to Section 2C of Open Meeting Act for personnel. Trustee Norris seconded the motion.

Roll Call Vote - Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully

Nays: None

Motion carried – 6– 0

The meeting went into Executive Session at 9:30PM.

The meeting returned to regular session at 10:00PM

Trustee Tully moved to adjourn the meeting. Trustee Masterson seconded. The motion was carried by voice vote.

The meeting adjourned at 10:00PM.

Respectfully Submitted,
Debbie Limer

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In Attendance:

William Kaplan
John Norris
Sherry Graditor
William Svatik
Michael Haber
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

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Trustee Graditor moved to approve the minutes. Trustee Svatik seconded the motion. Trustee Svatik stated on page 10, last sentence of third and fourth paragraph, “unanimous” should be added before “voice vote.” Trustee Haber pointed out on page 3, second to last sentence of the first paragraph, should read, “We can ask for concessions.” Trustee Norris stated on page 1, first line of the last paragraph, “pop” should be in quotation marks. On page 6, sixth line down, “if necessary” should be added after “Ordinance.” After the last sentence in the same line, “We know what we do have,” should be added. In the next line “can enforce” should be changed to “may have to enforce.” Motion was carried by voice vote.

V. Treasurer’s Report

Not present

VI. Urban Forest Management

Chuck Stewart will address the board later in the meeting.

VII. Engineer’s Report

Pat Glenn told the board the only construction left on the Crestwood water main extension is the connection at Woodland and Crestwood. It is going to be tricky because it is a major excavation. We understand from the residents that traffic control is an issue. We will make sure that emergency vehicles will have access, if necessary. After that is

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completed, the only thing remaining will be restoration and house connections to water service. Pat stated that he has started the design for the Riverwoods Road bike path.

VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Nothing

X. Plan Commission Report

Linda Dunn told the board the only thing left on the Weiss subdivision is a few minor engineering issues. There was a Public Hearing for the 37 acres at the last Plan Commission meeting. It has been continued. The next Plan Commission meeting will have a Public Hearing on the 5 acres adjoining the 37 acres.

XI. Police Report

Chief Weinstein reported there have been 104 traffic citations written since the last meeting. There have been 270 case reports and 120 traffic accidents written since the beginning of the year. He told the board we have received 20 of our 30 folding stop signs. He showed one to the board. He explained that Pat Glenn has informed him that the signs and the installation are a reimbursable expense from our MFT funds. We have applied for our second quarter COPS funding. It will be \$47,192.61. Gary Dembek has been hired as a part time officer. He has had experience with Chicago and Barrington Hills Police Departments. Part time officer Fred Lane has resigned. He is working exclusively with the Chicago Police Department. There are several applicants in stages of the selection process. Officer Shor has been promoted to Corporal effective July 16th. Clerk Stanger will swear him in later in the meeting when he returns from a call.

XII. Village Attorney's Report

Atty. Huvad told the board the Didier suit will be heard on July 27th. He stated that we have received a draft of the year-end audit. We will need to go through it.

XIII. Comments by the President

Pres. Kaplan brought up the subject of the gypsy moths in the Village. Chuck Stewart explained there have been significant reports from residents of the moths. They seem to be in six to seven areas of the Village. He reported he has done some research as to our options. The State Department of Agriculture coordinates with the USDA. They have given up on Lake and McHenry Counties. We are under quarantine. He explained that he is working on a program for the Village. There are two basic options. The first is using a flying service. There are different things they can apply. They are coming in on October 9th to do a presentation. Chuck indicated this is an issue to address, but it is not a crisis.

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The other option is to prequalify Arborists to spray individual trees. It would also involve banding the trees and identifying egg masses. Chuck told the board we are looking at a two-part program. We would like to formulate a strategy for next spring. The gypsy moths can do serious damage. We want to make sure residents are able to identify them. Specific areas can be sprayed, but it has to be done as two applications. The cost is about \$32 an acre per application. We want to define very specific spray areas.

Chuck explained the residents can have someone remove the egg masses. That is the most cost effective way of removing them, and there are no chemicals involved. Trustee Svatik stated that in Chuck's June 21st letter the State is saying the spray, once the moths are established, is not effective. Chuck explained the State does not want to spray the entire County for cost reasons. Kelvin Palmer of 2035 N. Robinwood Lane wanted to know if the areas have been identified. Chuck responded yes, but we also want to ask residents to check their areas. Right now the areas identified are Woodland, the Indian named streets, the area by Trustee Graditor's house, and the area by Clerk Stanger's house. A resident suggested posting a map on the web site. Chuck reported that is a good idea. He suggested residents call with questions, but they are quite easy to spot. They are ugly. He told the residents they should not handle the egg masses without protection, some people have been known to have allergic reactions to them.

Corporal Shor returned to the Village Hall. Clerk Stanger swore him in.

Pres. Kaplan told the board there is a Local Officials Day at the Illinois State Fair on August 14th. We have all received an invitation to attend.

Trustee Masterson arrived at 7:55PM.

Pres. Kaplan reported that there was an article in the Buffalo Grove paper about impounding cars involved in DUI arrests. He will put it on the agenda for the next meeting.

XIV. Visitors Wishing to Address the Board

Ron May told the board he recommends adding deer signs on Riverwoods Road at Woodland. He saw three dead deer last week. Two of them were on Riverwoods Road. Pres. Kaplan stated that is a good idea. Pat Glenn indicated he would contact the LCDOT because Riverwoods Road is a County Road.

XV. Approval of Bills

Trustee Graditor moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Svatik seconded. Trustee Haber stated he has a request from Gewalt Hamilton to pay Stringer for their work on grinder pumps. He

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thought the bill was very high. Pat explained that this was a big month. There was a purchase of three grinder pumps to replace three that could not be rebuilt. When they rebuild pumps they tend to do all of them at once. They replace the ones that need to be replaced and repair them at a later date. Stringer has rebuilt seven pumps in the last three to four months, but this is not a system issue. Trustee Haber asked about the failure rate. Pat stated we are seeing more maintenance calls, but the rate is still steady. He did not think this is more than we have been seeing. Trustee Haber reported there were calls from neighbors. They are unusual calls that are costing the Village money. Pat explained that by the time he chases a \$200 bill it cost more than that in his time. Trustee Haber questioned if there should be a protocol for who calls in a homeowner's problem. Pat stated if there is a reason to charge back an owner, he will recommend it. Trustee Haber told the board there should be some minimal information required to maintain a history on each service call. Trustee Svatik questioned if that should be required for payment. Pat stated he can get the necessary information

Roll Call vote- Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
 Nays: None
 Motion carried 6-0 (Bills approved)

XVII. New Business

Pres. Kaplan stated we are going to move up the discussion of the Woodland Overlay District on the agenda since that is the reason most of the visitors are present.

Jack McArdle of 2570 Riverwoods Road wanted to discuss the letter he sent to the board and provide for some discussion. He stated that the proposed Woodland Overlay District will affect property rights. There are legislative rights to private property that include rights and use. This will be restrictive for the residents in the area. He questioned if the restrictions are justified. This proposed ordinance will create more illegal non-conforming parcels. He questioned the impact of the non-conformity and whether or not this ordinance is enforceable. The Overlay District will cause a reduction of the land value because it restricts the rights of building. He questioned if residents have been informed as to how much lost value there will be per lot. This is not "equal treatment under the law." Some residents are exempt; others are not. The residents who like the natural look will not be affected. The people with lawns will be affected. A woodland home is in more danger of a forest fire. Mr. McArdle told the board this should be an individual decision. He questioned the constitutionality of this proposed ordinance. There is no due process. The governing documents stress being responsive to the will of the people. He did not feel this is the will of the people. He stated there should be a referendum with the affected homeowners. He added that he is concerned about the homeowners who may be on vacation at this time of the year. We need a survey to know exactly which lots are non-conforming.

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George Gill of 1375 Woodland wanted to know about the exact ordinance. Pres. Kaplan explained that the Forester will address the issue. We have asked Mr. McArdle to address the board first because he needs to leave. Mr. McArdle asked if a non-conforming house burns down, can that house be rebuilt as non-conforming to match what was there. If a house is non-conforming, an addition would not be allowed. A visitor stated that homeowners would be taxed for land they cannot use. A second visitor wanted to know if Mr. McArdle had evidence to support the land value going down. Mr. McArdle stated he just figured it would if homeowners are critically restricted in how their land can be used. The same visitor stated residents would still be able to build a large house. He did not think it was that restrictive.

Tom Auer of 17 Big Oak stated that land value will go down because there will be less demand because of more restrictions. Serena Giori of 2975 Orange Brace thanked everyone for their comments. She stated that thankfully fire is not that common. Trees falling on the house are more common. The danger of trees is a very valid issue. She wanted to know how the Village would address the issue of the trees. Dennis Kunicki suggested publishing Mr. McArdle's letter on the web site for comments. Mr. McArdle gave his permission to publish his letter on the web site or to send it out to residents.

Pres. Kaplan asked Chuck Stewart to explain the reasons for the proposed ordinance. Chuck told the visitors that he started his own company, Urban Forest Management, 30 years ago. There were numerous municipalities that needed help with forestry issues. He has been working in Riverwoods since 1976. He has had the opportunity to experience the flavor of the town. Riverwoods is a unique community that has a strong connectivity to the land. Chuck stated that there was a representative from the Arbor Day Foundation here a few months ago. She was in awe of this community. Riverwoods does not have traditional issues. He explained that he has seen changes in the last 30 years. The seasonal water table fluctuates ten to eleven feet out here. That puts a great stress on the hydrology. We have received grants to look at the changes and to study the delicate balance in the hydrology. We have a Tree Ordinance to help with development and grading. We have worked to identify a "protected tree." A "protected tree" is very specifically defined by species and size in the Tree Ordinance. Chuck explained that we need diversity of ground plants, understory, and canopy. They all have a symbiotic relationship. There are temperature issues. The ground is 30 degrees cooler in the woodland. Chuck added that he felt it was his responsibility to identify these issues for the community.

Chuck stated that people live here for different reasons. Some have been here a long time; others have not. The woods are an asset to the community. However, the woods are changing. There is the potential for a fire hazard. We have to protect against that. We do not want to provide the three things necessary for a forest fire: oxygen, fuel source, or heat source. The only thing we can protect against is the fuel source. There are things we

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can do to protect ourselves. Those things require maintenance, not just sitting back and doing nothing. Chuck explained that we have an ordinance to help with the removal of buckthorn and garlic mustard. We are working to maintain the woodlands. We need to protect the rejuvenation of the woodlands. That includes the soil and hydrology. The woods have the potential to become very fragmented. The question is how to balance all of the issues. He explained that Russ took all of the building permits and looked at the issues. We came up with calculations. As the woods get fragmented, we affect the habitat of the wildlife and all of the symbiotic relationships. The woods will go away, and we are not going to get them back. He explained that he understands there is a balance. These are the decisions the community must make. Chuck added that he is very happy to see the turn out tonight because now we are talking about the issues. He stated he is advising the community of his concern. Everyone has an interest in this issue. At some point, the woods will go away, and we can't get them back. He explained that Atty. Huvad has drafted a workable document.

Atty. Huvad told the visitors he has been involved with Riverwoods for a long time. He is trying to serve the community the best way that he can. He has gotten input from others. We have been working on getting the balance right. The Village already regulates a lot of things through our Zoning Ordinance. We regulate building size, set backs, height, and other things. The Building Code rises to address the concerns that affect others. Flooding and storm water detention are issues that concern others. Protecting our biodiversity is a benefit to the community. Run off is another example of one person's decision that affects others. If one resident affects the woodlands, that person is deciding to affect others. He questioned if there may be more at stake than the one individual homeowner.

Atty. Huvad explained that there are different zoning restrictions already in place in different areas. Thorngate, Meadowlake and Country Club Estates are examples of that. Country Club Estates has lot coverage restrictions already in place. We identified areas of the Village with woodland habitat. We drew a rough outline using aerial maps. Then we looked at the percentages. We figured for a 6K to 7K square foot footprint, tennis court, driveway, patio, and shed. All of that would fit in the lot coverage restrictions we are proposing. If things got too large there may need to be some trade off on patio areas and amount of lawn. Atty. Huvad stated we did not think enlarging set backs was quite enough. We are trying to strike a balance with market value. He indicated he is not sure if this is the right end calculation, but it is a place to start from. If someone wants to build a bigger house, the idea is not to increase the non-conformity. A homeowner can stay at the same non-conforming percentage by reducing the size of the lawn. If the adjacent area is woodland, it has been recommended that the homeowner just stop mowing and eventually the woodlands will come back. Mr. Gill asked if the Village is going to allow for four and five story houses to make up for the restrictions. He added there are drainage issues. He

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questioned how a pond fits into the calculations. Atty. Huvad reported it may not be as hard as it seems to go back to woodlands.

Chuck Stewart explained that every lot has different issues. We have worked with the builders. Reclaiming woodlands is pretty straight forward. We have a tree planting program, and we help prepare the planting site. Part of the program is a cost share agreement, including the removal of buckthorn and garlic mustard. Some of the residents have established a planting program. Mike Lippitz of 1365 Kenilwood wanted to know if non-conforming homes would be grandfathered. He wanted to know if the percentage would stay the same. Linda Dunn stated if the home was to be rebuilt, she was not sure. Trustee Norris explained, as it reads now, the owner may not increase the non-conformity. Atty. Huvad reported the reason he have added the part about not adding to the non-conformity is mainly for horse owners. We need to identify the horse owners. He added the point is to start from here to preserve what is here. Trustee Haber asked what happens to a person who wants horses, but does not have them now. It is possible that that will conflict with the ordinance. Linda Dunn stated a homeowner must have two acres to have horses on his or her property. Atty. Huvad indicated the owner would still have to mitigate if he or she removed trees. Pres. Kaplan told the visitors we will open the meeting to discussion. He asked them to keep their comments to five minutes each.

Denny Denic of 2300 West Course wanted to know if there is anything to stop a homeowner from cutting down all trees less than six inches in diameter. Atty. Huvad explained we are trying to stop unnecessary cutting, and then mitigate. A resident is allowed to cut down trees in the building envelope. The owner works with the Forester to find the best place to position the house. He added that these are questions that are more for the Tree Ordinance than the Woodland Protection District. Atty. Huvad told the visitors the woodlands are not being restored if someone adds a tree to the middle of their lawn.

A resident asked about enforcement of the deer problem. Chuck stated the board has addressed the issue. It is a factor in woodland management. Trustee Graditor explained there is one herd of deer in this area. The County has a deer kill program every year. We do not do that here because it would be a double kill. She stated the population is balanced. She thought the number of deer has dropped. They are impacting the woods, but that is the reason we do not want to isolate the woods. Atty. Huvad indicated that Chuck has reported on the assaults to the woodlands. They are invasive species of plants, humans, and deer. Trustee Norris stated that Chuck is watching the deer impact. He is aware of it and addressing the issues.

Ms. Giori wanted to know about horse corrals and the requirement of two septic fields. Now they are being told their road is too large. She asked the board to address these

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issues. Atty. Huvard stated the home would be grandfathered. Part of the land can go back to natural. Ms. Giori stated she understood that if there were changes being made, the home would have to move to conformity. Atty. Huvard explained we are asking that some of the land go back to woodland. Ms. Giori stated they need a better definition of the percentages. There are three problems in the management. The board wants to impose an ordinance that has never been tried before. Ms. Giori stated she did not believe this ordinance would truly protect the woodlands. She did not agree that this addresses what we want to address. The ordinance does not address all of the layers of the woodland. The wildlife problem needs to be addressed. The middle layer is essential to the wildlife, and that is the area that has had the most damage. The lower layer is not addressed at all in this ordinance or the Tree Ordinance. The way houses are being built has not been properly managed. Ms. Giori told the board she objects to the ordinance. Pres. Kaplan explained that the board would appreciate her suggestions for improvements in writing. We are not passing anything today. Linda Dunn stated she wished everyone had been at the Plan Commission meetings. They have been addressing this for months. She explained that the intent is not for our lifetime, but the lifetimes of our children.

George Gill told the board he has not seen all of the evidence of damage or change. He is not convinced that this is a crisis. He stated he needs more information. The residents value their privacy, and over time that is eroding. Riverwoods is very attractive. Equally attractive is the non-invasive government. These two qualities are opposing forces. The outcome of this ordinance will set a precedent. He questioned if there are other positive approaches or methods. He suggested incentives rather than penalties. Chuck stated those already exist.

Ken Kandaras of 340 Portwine suggested adding examples to the ordinance. Hypotheticals with solutions should be added. There is a distinction of attractability. Some prefer natural to the manicured look. People do not see the issue of biodiversity. He questioned if we are going beyond maintaining biodiversity. We have added streets and other modern necessities. He questioned if the ordinance is feasible. The residents do not want to take part in an experiment. The residents want to know what they are capable of doing.

Tom Auer of 17 Big Oak Lane stated he did not like the Village Voice being so pro to the ordinance. The Village Voice should be looking at both sides. He questioned if there is a big outcry for this. Pres. Kaplan replied "yes" from others at the meeting. Mr. Auer reported he did not see the Village at the tipping point. He did not think it was worth the money. It is aesthetic value; there is no common good. It will be an administrative nightmare to enforce. Reclaiming the woodlands is only going to increase the buckthorn. The matching funds are a nice thing to do, but few have worked on the buckthorn.

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Dan Frost of 1868 Clendenin told the board he is a builder. He had a map of the home at 1000 Hiawatha Lane on one acre. The percentage of this house as it stands is 45% lot coverage. He stated he did not know how the Village came up with 30%. The house in the map is an average size house for the area. Mr. Frost reported he did not know how new home construction could not be affected by this ordinance. The house shown looks very natural; it does not have a large manicured lawn. The majority of the people who move to Riverwoods come from Deerfield. They want more yard. Based on the proposed ordinance a larger lot would allow less grass. Trustee Haber stated homes may stay on the market longer; they may not. Mr. Frost indicated that the homes that his company builds would not comply with the proposed ordinance. Trustee Norris pointed out that they could have worked on the landscape plan and done it differently. The home on the map is an inaccurate representation that is not being accurately described. Lawns could have been left natural. He added he dislikes representations which are inaccurate. Mr. Frost stated this will affect the land valuation. The new building regulations in Deerfield have affected the land valuations there.

Carol Lieberman of 406 Greenbriar told the visitors the woodlands can be regenerated. She has seen it happen in Highland Park. This is a diverse community. Many have moved here for the woods. Some want to live in the woods, but they do not want the woods on their lot. She explained that we should all bear some responsibility for the ambiance. There needs to be some equality. The ordinance may not be perfect, but it can be fine tuned. It would be tragic to not be able to get the woods back. There is pressure from builders. They want to ensure they make a profit. We can give up a little for the greater good. It is up to the Trustees to protect the woods.

Kelvin Palmer of 2035 North Robinwood wanted to know if the Village is prepared for the discrepancies in the calculations. He questioned if there are standards for the calculations. Irene Gagerman of 3000 Orange Brace stated she wanted more yard, but no grass. That is what she has. She explained she feels she should be able to do what she wants to, but Riverwoods is beautiful. She wants it to stay that way. There used to be Trillium all over the Village. Now most if it is gone. She stated there has to be a compromise. Chuck Smith of 1842 Kenilwood told the board there are a lot of specific problems. He feels it will be a bureaucratic nightmare. He added he felt there are a lot of non-conforming homes in his area. He thought the referendum was a good idea, for all to express their opinions and to justify the Ordinance.

Jaye Brodsky of 1392 Kenilwood explained that there is a large area of concern in her area. Some of the new houses may have a lot coverage of 60%. As the large homes go in, more water is coming to her house. There is no system in place to handle the run off. The Village is going to need storm sewers. People also need to be educated on the buckthorn and garlic mustard problem. We have to work at it. It takes work to control. She added

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she would hate to look back and see this as something we should have done. Charley Norwesh of 680 Portwine wanted to know the next step. Pres. Kaplan responded we are having discussions tonight. Atty. Huvad stated the board is taking all of the comments. We can keep having these discussions. We can publish the comments on the web. He suggested the residents keep up with the board meetings.

Mike Corn of 3075 Blackthorn thanked the board for thinking of this proposal. He commented this may not be the best plan, but it is moving in the right direction. Everyone is talking about aesthetics, but run off needs to be addressed also. The need is to help the whole Village. Fred Biederman of 1397 Kenilwood Court wanted to know about the fire issue. He questioned if there were fire stops. He has talked to the Fire Chief, and he is basically in favor of this ordinance. He suggested the Village may want to make it voluntary at first. That way there is some idea of how much paperwork is involved. Jeff Schumacher of 2550 Duffy Lane told the board he came because of the character of the Village. He likes the woods. The area is unique. The high density developments that have gone up are more like Northbrook. The entire Village needs to share some of the burden. Overdevelopment needs to be addressed. Bill Thornton of 815 Oakhurst Lane stated this may only affect the one acre lots adversely. Ms. Giori explained that the shape of a lot devalues it a lot. The proposed ordinance will complicate the issue. It will not address the deterioration of the woods.

The discussion of the Woodland Overlay Protection District ended at 10:00PM.

The meeting resumed at 10:15PM.

Pres. Kaplan asked if there was anymore discussion on the Woodland Overlay District. Trustee Svatik asked if there were any time constraints. Pres. Kaplan stated "no." Trustee Norris moved to have a first reading of an Ordinance Establishing a Woodland Protection District under the Riverwoods Zoning Ordinance. Trustee Graditor seconded.

Trustee Tully told the board his observation is that this is similar to water. The decision is split and there is no consensus. We decided not to do water when we legally could have. Trustee Haber stated he is hearing this as an aesthetics, not a health and safety issue. Water is a fire protection and health issue. He added he did not think the board should be making this decision. We need to get true feedback with a referendum. Pres. Kaplan questioned how we get the people affected to vote. He did not know how to do it. We would have people voting who are not in the proposed district. Trustee Svatik stated it may be doable. Atty. Huvad reported this could only be done by precinct. Trustee Masterson questioned doing the voting like an SSA. Trustee Tully told the board people respond to surveys. Atty. Siegel suggested an advisory referendum for the whole village that is non-binding. Pres. Kaplan indicated he did not think that was right because not all

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of the village is included in the overlay district. Trustee Norris stated we do not want to segregate the Village. There is more to it than aesthetics. It is for the common good and biodiversity. We need to take a stand. Trustee Tully added it is a leadership issue that affects property values. He was not comfortable making that decision. Trustee Norris pointed out we make decisions that affect property values all the time like water and bike paths. Trustee Haber stated he disagrees with the premise. The only non-aesthetic issue in this discussion is run off.

Chuck explained that everyone has their own idea of aesthetics. When he goes and looks at a project he looks at four things. In order they are public health and safety, whether or not the project will maintain its asset value, how to maintain the landscaping, and aesthetics. He pointed out that the woodlands always maintain their value. Aesthetics are last. He stated most people do not know the conditions of their woodlands. He thought tonight's discussion was great. Whatever the outcome is he was pleased with the discussion. He knows that he did his job. Trustee Graditor stated there is a value of the forest. The temperature in Riverwoods is lower. There is more oxygen because of the trees. The run off is better. There is a solid ecological value. Preserving the woods preserves Riverwoods. She added after buckthorn was removed from her property, five baby oak trees have appeared. Atty. Siegel added that there are forest preserve districts set aside by legislation using public funds. That shows that the forest preserve districts have a value.

Trustee Tully told the board we took two surveys of the residents about the bike paths. That is a leadership issue. Trustee Masterson stated he got the impression from the residents that information is the key. We are obligated to provide them the education. We should not rush ahead. Everyone should get the information. It should be put on the web. There is a lot to do. There is a habit of people to run with misinformation. The misinformation tends to spread faster than the correct information. Trustee Norris stated incentives would be good idea. The percentages may have to be realigned. We should talk to the builders. Trustee Svatik suggested mounting exhibits and inviting residents to the Village Hall to look at them. Trustee Masterson stated the same information should go on the web. Pres. Kaplan asked Russ to look into doing what was suggested. Trustee Tully indicated a sunset provision would be a good idea. Linda Dunn told the board no one on the Plan Commission objected to the idea. The intent was to keep Riverwoods as it is. Eighty percent of tonight's input was misinformation. Trustee Svatik stated we have to sell the intent, the same as water. Trustee Norris explained that our tradition is to not get involved in everybody's lives. Pres. Kaplan reported that Atty. Huvad and he rode through the woods. Many lots are more than 30 to 40% open. Pres. Kaplan stated he would like to send Russ out to see how many people look to be affected by this. Trustee Svatik asked about the referendum idea. Atty. Huvad reported he would recommend polling the residents and setting up a workshop. He was concerned about voting. If there

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was a “no” vote because of misinformation, he did not know where we would go from there. Trustee Svatik indicated he did not want to ignore those who do not want the overlay district. We should explore the referendum idea. A neutral question should be written. Pres. Kaplan explained that without a workshop there is not extra information. Trustee Haber added no one will go to the workshop, if there is no referendum. Trustee Svatik stated this is a step in the right direction. There will be a faction screaming for blood. Look at a referendum. We should do it right. Pres. Kaplan added this give us something to think about.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Svatik
 Nays: Haber, Tully
 Motion carried 4-2

Pres. Kaplan brought up the subject of the stop signs. Pat stated the State can pick up the tab on the purchase and installation of the foldable stop signs. We need to do a resolution for that purpose. Trustee Haber moved to adopt a resolution to have \$2,500 in MFT funds allocated for the purchase and installation of foldable stop signs. Trustee Norris seconded.

Pat stated we are not sure of the exact cost of the installation yet, but the \$2,500 will cover it.

Roll Call vote- Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
 Nays: None
 Motion carried 6-0

XVI. Old Business

Pres. Kaplan brought up the subject of the Tree Ordinance. Atty. Huvad explained he adjusted the ordinance so protected trees are the most favored species less than 6 inches in diameter. The other types will start to be protected after they reach 6 inches in diameter. Trustee Haber stated “tree” is not defined in the ordinance. He found it confusing. Atty. Huvad explained the definitions are in the ordinance, not in the amendment. Trustee Tully indicated this is “Big Brother” at its worst. The premise was that too many people were calling the Police about cutting down trees. We will not be cutting down on how many calls the Police Department gets. We are going to make the situation worse. Not cutting down a tree makes sense, but not being allowed to cut down a sapling does not. This is not our job. This goes too far. Atty. Huvad pointed out that residents were clear cutting lots. Trustee Tully stated the goal is good. Let’s make it enforceable. Chuck added that maybe we want to better definitions for our uses. Maybe we want to make it 2 inches in diameter at 4 _ feet high for a protected tree. That is a place to start. Trustee Norris stated that he agreed. Cutting something down with a lawn mower would be breaking the law. Atty. Huvad stated he would change it for the next meeting.

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Pres. Kaplan brought up the Hazardous Materials Release Cost Recovery Ordinance. Atty. Huvard stated he black-lined a few changes. They include costs incurred when helping in other communities and vehicle repair. Trustee Norris moved to have a second reading and adoption of an Ordinance Approving Cost Recovery Following a Hazardous Substance Release. Trustee Svatik seconded.

Roll Call vote- Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
 Nays: None
 Motion carried 6-0 Ordinance 04-7-7

Pres. Kaplan brought up the subject of the resolution for the Milwaukee Avenue TIF. Atty. Huvard stated we need to put that on hold for now.

Pres. Kaplan stated we need to put the Riverwoods Road multi-use path on hold for now also.

Pres. Kaplan brought up the subject of the 2004 MFT Road Program bid results. Pat stated that the road program this year will be for the area around Whigham. He added his engineering estimate was the lowest number submitted. There is no real reason the costs went up. He reported he is certain he can reduce the number of patches that need to be done. The number can be rather subjective. He asked the board to authorize Accu-Paving to do the work. They have worked in the Village before and do good work. Trustee Masterson moved to authorize Accu-Paving to do the work to be done in the Whigham area as part of the 2004 MFT Road Program. Trustee Svatik seconded.

Roll Call vote- Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
 Nays: None
 Motion carried 6-0

Pres. Kaplan told the board Deerfield Road is now being worked on. Pat stated the structural adjustments will take another two to three weeks. Chief Weinstein added Deerfield Parkway will be closed at the railroad tracks west of the Village for two weeks.

XVII. New Business

Pres. Kaplan told the board we need to have a first reading of an ordinance setting the date for the public hearing for the redevelopment plan for the TIF. Trustee Graditor moved to have first reading of an Ordinance Setting the Date for a Public Hearing on the Question of Adopting Ordinances Proposing Designation of Milwaukee Avenue Redevelopment Project Area and Approving a Redevelopment Plan. Trustee Tully seconded. Atty. Huvard stated the redevelopment plan has been given to the board. This will set a series of events. He reviewed the events to take place. Trustee Graditor revised her motion. She

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moved to waive the first reading of an Ordinance Setting a Date for a Public Hearing Regarding Approval of a Redevelopment Plan and Project for the Milwaukee Avenue Redevelopment Project Area, Designation of the Milwaukee Avenue Redevelopment Project Area as a Redevelopment Project Area, and Adoption of a Tax Increment Allocation Financing Pursuant to the Tax Increment Allocation Redevelopment Act. Trustee Tully seconded. Motion was carried by voice vote.

Trustee Graditor moved to have a second reading and adoption of an Ordinance Setting a Date for a Public Hearing Regarding Approval of a Redevelopment Plan and Project for the Milwaukee Avenue Redevelopment Project Area, Designation of the Milwaukee Avenue Redevelopment Project Area as a Redevelopment Project Area, and Adoption of a Tax Increment Allocation Financing Pursuant to the Tax Increment Allocation Redevelopment Act. Trustee Svatik seconded. Trustee Masterson wanted to know what would happen if the current developer sells because they cannot acquire the retailers for the development. He has heard that is happening. Pres. Kaplan stated the developer was always going to flip the property. Atty. Siegel added it doesn't matter at this point. Pres. Kaplan explained it can only be sold with the TIF. Atty. Siegel pointed out the redevelopment plan does not designate a developer. Atty. Huvad stated this is the preliminary plan. We have to have the zoning for the text amendment. We are not obligated to do anything with the hearing.

Roll Call vote- Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
 Nays: None
 Motion carried 6-0 Ordinance 04-7-8

Pres. Kaplan told the board Chuck has a request for the release of the letter of credit for Saunders Woods. Russ stated it is for about \$80K. Trustee Tully moved to release the letter of credit for Saunders Woods. Trustee Masterson seconded. Russ explained it is the Korman Lederer development. Trustee Haber asked if there were any outstanding problems. Chuck stated there are not. Motion was carried by voice vote.

Trustee Graditor moved to adjourn the meeting. Trustee Haber seconded. Motion was carried by voice vote.

The meeting adjourned at 11:15PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:
William Kaplan
Sherry Graditor
Michael Haber
Bruce Masterson
John Norris
William Svatik
Paul Tully
Eileen Stanger
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

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Trustee Haber moved to approve the minutes. Trustee Svatik seconded the motion. Trustee Svatik stated on page 5, first line, “bypass” should be changed to “password access code.” Trustee Graditor pointed out on page 6, first line, “fair” should be “fare.” Farther down in the same paragraph “is aware of the fact he” should be added after “Governor.” Motion was carried by voice vote. Trustee Masterson abstained.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board the only thing left for SSA #20 is the restoration. Chuck will be submitting a replanting plan for Burr Oak. The sewer project on Rose Terrace will be finished by the end of the month. There is one hydrant left to be installed on Crestwood. After that is completed the connections will need to be made. It will require large holes to be dug to get to the main. Pat stated that part of the project would finish up at the end of the month. That will leave restoration for the month of August. The MFT bid goes out on July 16th. He will have a recommendation for the next meeting. This year’s MFT project will be Burr Oak and Whigham. Trustee Graditor asked about the Hoffman sewer. Pat stated he would have to check. He was not sure of the status.

Trustee Svatik questioned Nancy Morten’s sewer pipe pop. Pat explained the same thing happened on Blackthorn after a power outage. There was a forced sewer back up in the second floor bathroom. He stated it was examined the next day. The grinder pump has

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been ruled out as the cause because it cannot pump backwards. Pat explained that he thinks the ejector pump was the problem. He knows it was not the grinder pump or the check valves. Trustee Svatik wanted to insure it was nothing that was done wrong at the time of the sewer installation. Pat assured him it was not. He stated Nancy Morten has made a claim through her homeowner's insurance. They will come to him with the issues. Pat stated the insurance company will get a plumber to try to prove it was our fault. We may get additional answers then. Pat told the board he is puzzled by the problem, but is confident the problem was not the sewer system. Nancy Morten told the board Stringer told her it was a weak check valve. Pat stated that is information he does not have. He will look into the new information and report back to the board. Nancy reported the sewage came through with enough force to cause enormous damage.

Trustee Haber asked about the additional road damage to Crestwood as a result of water going in. Pat stated the damage is larger than we were expecting. The problem is the traffic going around the area under construction. Trustee Haber wanted to know if it can be fixed and stay in the budget. Pat stated it probably couldn't be fixed within the budget. He stated he is hoping to use the MFT road contractor to do some of the work on Crestwood to lower the overall cost.

Director of Community Services

Russ Kraly told the board we received a preliminary letter from the Census Bureau. There are 62 residents in the Red Seal development. They will verify that. He added that would bring in \$9K to \$10K more than we thought.

Trustee Haber asked about Mr. Kim and his house. Russ stated he is working on it. We are going back and forth on the plans. He is building a garage and family room. Pres. Kaplan wanted to know if he is going to take the front part of the structure down. Russ stated he would eventually. Right now it is the entrance. Pres. Kaplan asked if it needs to be there. He would like to see it taken down. It is an eyesore. Russ stated he would tell him to take it down. He added Mr. Kim has to redo the plans for the garage. The original plan was a fire hazard. Mr. Kim was not very happy with him in regard to the change in the plans. Clerk Stanger told the board Susan Spear came into the Village Hall to complain about Mr. Kim's house. Ms. Spear came in to ask that it be removed. Russ added a lot of people are angry about it. Pres. Kaplan reiterated that the garage should come down.

Village Attorney

Atty. Huvad stated the motion to dismiss the Didier lawsuit is still set for July 27th. We got a call from a surviving Rivenburgh descendant. It came as quite a surprise. He or she favors the land staying as a wildlife preserve.

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Atty. Huvad brought up the subject of the TIF registry. There have been a couple of meetings with everyone involved. We are working on joint planning for 37 acres plus 5 acres, dealing with access, architectural planning, and other subjects with the developers all together. There are fundamental themes the Village is concerned about. We have worked to make those concerns very clear. They include keeping congestion away from Brentwood and buffering Milwaukee and Deerfield Roads. We do not want to look at parking and the service drive. We may not be able to do it for the entire area, but we discussed a spine road that would move through the middle of the development. Using Carlucci's and Walker Brother's as examples, we would have parking on "other side," not street side. This may be hard to achieve. We are also looking at the gateway entrance concept. Atty. Huvad stated all of these issues would be discussed at the Plan Commission meeting. We should have a preliminary site plan by then. We are requiring quality materials, relatedness between the sites, and a harmonious design. There will be some pedestrian and bike path linkage. Atty. Huvad stated he hopes the redevelopment plan will be available soon. Bob Teska is working on the Land Use Plan. The objectives as well as the impediments will be outlined. The basic budget will also be included. Trustee Haber asked about a land grant. Atty. Huvad stated the developers do not feel it is possible. We are requiring them to provide buffering, hidden parking, and compensatory storage. They are running out of land. There is no logical location. Trustee Haber suggested we ask for an illogical location. We may not get this opportunity again. Atty. Huvad stated there has been some thought to a reservoir on the site. Trustee Haber pointed out the TIF gives us more control over the land. We can make concessions. He stated he does not want to be short sighted.

Urban Forest Management
Not present

Plan Commission Report
Trustee Svatik told the board that Debbie Limer and he showed up for the Plan Commission meeting on July 1st. We were not notified the meeting had been rescheduled. He felt she should be compensated for her time. Pres. Kaplan agreed and apologized for the oversight.

Linda Dunn told the board the Plan Commission meeting would be on Thursday.

Zoning Board of Appeals
Not present

VI. Police Report

Chief Weinstein told the board 162 traffic citations have been issued since the last meeting. 255 case reports and 111 traffic accidents have been written since the beginning

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of the year. All sworn personnel, except for the newest officer, have completed the American Heart Association Heartsaver First Aid training course. The Lincolnshire Riverwoods Fire Protection District provided the instruction at no cost. On June 21st the Police Department participated in the Discover Financial Services Business Continuity Fair 2004. Safety information was distributed and questions were answered during employee lunch hours.

Chief Weinstein stated the new squad cars have been outfitted. The Explorer will get an additional set of grill lights. The total cost is \$45,751.80. That is \$938.20 under the original projection of \$46,690. The board had originally authorized \$50K. Officer Ron Shor will be promoted to Corporal effective 7/16/04. Chief Weinstein explained the Riverwoods Police Department has joined the new Lake County Chiefs' of Police Association's Major Crash Assistance Team. This provides training and assistance to member departments. Right now we have one accident reconstructionist. We can get up to four if we need the assistance. There is no overtime expense incurred.

Trustee Svatik wanted to know if residents incur a lower bond fee than non-residents. There was a press release for some rather serious offenses by one person. He or she was issued a \$2K bond. Others in the same situation have been issued a \$3K bond. Trustee Svatik questioned the reason for the difference. Chief Weinstein stated State Statute sets bond. There is automatically a \$3K bond for DUI. This offense did not include a DUI charge. Pres. Kaplan stated there is no change in bond amount based on residency.

VII. Comments by the President

Pres. Kaplan brought up the subject of the Village web site. We are getting a lot more hits that he ever expected. There were 4,039 hits from April 1 to June 30. That is an average of 52 per day, and 367 per week. The average number of pages looked at in one visit is eight. He reiterated that is more than he would have expected.

Pres. Kaplan told the board Chuck Stewart has found gypsy moths in four locations in the Village so far. Lake County will not do anything about it. Chuck will come back with figures on how much it will cost to remove them. Chuck is also looking into subsidizing. The gypsy moths can be devastating. Trustee Svatik wanted to know if there is anything commercially available. Trustee Graditor explained that every County is being sprayed by the State except for Lake and McHenry. The State uses a non-toxic spray that only kills the gypsy moth. The tree service companies have a spray, but it kills butterflies in addition to the moths. Trustee Svatik suggested calling the County Board. Trustee Graditor stated everyone should call the State. Atty. Huvad explained that some trees grow stronger leaves after the gypsy moths eat the first set. Pres. Kaplan reported that we are investigating the issue. We will have a report for the next meeting.

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Pres. Kaplan told the board he has looked at the potential for tap on fees. As of May 2004 the Water Fund owes the General Fund only \$287K. There are 93 homes where water runs in front of the home, but they are not part of an SSA. That would be eventual revenue of \$1,371,000. He stated he is not as concerned as before. 90% of the new residents who move into the Village tap on if the water is available.

Pres. Kaplan stated his letter to the editor was published in the Deerfield Review on June 17th. It was a public thank you to all of the people who helped with the near-flood.

Lisa Madigan will be here July 13th from 10:30 to 11:15. She will participate in a program for seniors. There will be a coffee for Village officials about 5PM the same day. It is not yet official. Pres. Kaplan stated he would let everyone know the final details.

Pres. Kaplan told the board there would be a Newcomers Party at the Village Hall on July 10th at 6:30PM. It is being sponsored by the RRA. He asked the trustees to come. He stated he would like a representative of the Police Department there also. Chief Weinstein stated this is the first he has heard about the party. He will work on it. Trustee Svatik suggested having nametags for the residents. Pres. Kaplan stated it would be nice to have some of the trustees at the party.

Pres. Kaplan brought up the subject of water meter readings. We approved a rate increase starting July 1. There are two different billing cycles in the Village. The Route One bill will be for May, June, and July. The Route Two bill will be for June, July, and August. It is impossible to break them down for the July 1 increase. He added we were not aware of this issue. There will be no increase on July 1. The Route One customers will get the increase August 1st and be billed in November. The Route Two customers will get the increase September 1st and will be billed in December. Trustee Masterson suggested including a map in the bill for the routes. Pres. Kaplan stated he did not know the different routes. It really does not matter anyway. Residents will know based on their bill. Trustee Haber suggested putting a note in the bill stating the increase and when it will occur for each route. George Gill of 1375 Woodland wanted to know how much the increase would be. Trustee Svatik stated the cost of water would go from \$5 to \$5.85 per 1K gallons.

VIII. Visitors Wishing to Address the Board

Jaye Brodsky of 1392 Kenilwood told the board she had a question that came up from a road association meeting. There is a lot of construction going on in her area. The Road Association can request a road bond. There was a recent situation where the Road Association asked for the road bond, and the resident said no because he already submitted a bond for the road to the Village. Ms. Brodsky stated that none of the funds come to the Road Association. She questioned if the Road Association and the Village could work together. Trustee Tully stated he knew of the specific situation. We need to

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modify our rules to disperse money to the road associations. Pat explained that when the developer comes for the bond refund we look for damage from the developer. We make them patch before they get their bond money back. It is very hard down the road to prove the damage was from the developer. Pat stated that the Village pays for damage all over the Village. Trustee Norris reported we have an Ordinance to deal with the issues, but we need to have real evidence that the developer is at fault. Pres. Kaplan stated we do not give out money to have the road fixed. Pat indicated the bond is high enough to get the developer to come out and fix the damage. Ms. Brodsky questioned who should be contacted with this issue. Pat stated we are out looking for damage. He suggested she call with specific information on road damage. Do not wait until the project is done. Get the damage on the record right away.

Mike Mead of 145 Pine Tree Lane stated he was here on behalf of the Woodland Lane Road Association. He stated they are dealing with the same problem. Atty. Huvad explained we require a bond to build a new house. Our concern is that the road always be able to handle an emergency vehicle. We do not want to hand over money to private parties. We do not want to wait for third parties. We do not want to expose ourselves to the liability. We can and will act in the public capacity. It is hard to control separate associations. The Village Engineer can make the necessary decisions. Mr. Mead stated this problem goes on and on. It needs to be addressed Village wide. Trustee Norris reported we could modify the Ordinance. We need to publicize what already exists. We can enforce the bond. We need to work with the Road Associations. Trustee Tully added he has talked to Atty. Siegel about this issue. The Road Associations cannot take on a higher ground than the Village. Pat stated the members of the Road Associations should not hesitate to call us. We will require repairs. Trustee Masterson asked if there was anything that could be done during construction. Pat stated the roads are usually not impassible. We usually deal with all the issues at the end, but we can go after them during the construction. Trustee Norris reported we could only address specific issues. George Gill questioned the documentation process on Woodland. Russ stated we have photos of every project. Trustee Norris added the contractors have to prove they did not cause the damage.

Jaye Brodsky asked Chief Weinstein about the resident with the registered golf cart. She questioned why the Village pulled the registration. Chief Weinstein explained that the Secretary of State pulled the registration. It never should have been registered. It is an unsafe vehicle that is not part of the vehicle code. A dealership in Huntley advised us of the oversight.

Cheryl Chamberlain of 2760 Riverwoods Road asked the trustees to let the residents know that she does not work for the Village. She is still a volunteer. She told the board she is getting a number of calls that include yelling in regard to the bike paths. Trustee

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Svatik asked why people are yelling. Ms. Chamberlain stated it is normally because they do not feel there are enough paths in the Village.

George Gill wanted to know if the Village would work with the Road Association when the repair work is done on Crestwood. Pat stated we would go back to the videotapes and repair whatever is presently worse. We will make it as good as before the project started. We have not gone to the Road Associations in the past. Logistically, it is not possible. Mr. Gill questioned the cost of putting water in on Little Woodland. Russ stated Pat is working on that, but he was on vacation last week. Mr. Gill explained that he was involved in the first SSA for Woodland. It died off. He asked for information on the process and how it changed. Pres. Kaplan stated it was voted down by the numbers. Trustee Tully added the board did not vote in favor of it because the vote was so close. Russ reported we were not going to get the easements. It was too divisive. He added the water on Crestwood is not a SSA. It is being done privately with the residents paying cash. There are two Recapture Agreements for that water project. Atty. Huvad stated the rest of the residents paid the standard tap on fee in advance. Mr. Gill added that is a potential solution for Woodland.

Mike Mead told the board, on behalf of the Woodland Lane Road Association, Crestwood is a mess. He stated he was impressed with Pat Walsh of Gewalt Hamilton. There is a lot of concern about the damage. He understands that the damage will be fixed, but the residents were not notified ahead of time. The major issue is that emergency vehicles cannot make it down the street. It is a bad situation that will not be fixed until mid-August. Trees have been cut down, tree roots have been damaged, erroneous holes have been dug, residents have had their car tires cut on the steel plates, and residents are driving on the grass to get around the construction. Mr. Mead questioned how the Village has the right to do what they have done when the residents own the roads. Pres. Kaplan stated we would investigate the issue with the emergency vehicles. Pat explained that he has not heard about these concerns before. He has left a voice mail to Pat Walsh about looking into these issues. He indicated he does not think there are erroneous holes. We have not removed any trees over 3 inches without approval from Chuck Stewart. Pat stated he would be happy to look at any tree damage with Chuck. He added there is always some inconvenience. He will address the emergency vehicles immediately. He explained that we would put everything back together. Trustee Masterson asked Chief Weinstein if he could get a vehicle down the street. Chief Weinstein stated he thought the issue would be more with fire department vehicles. Trustee Masterson asked that Chief Krueger check the situation. Pat reported he did not know about the tires cut on the steel plates. He will address all of these issues tomorrow morning. Trustee Tully stated we should be contacted about the cut tires. The contractor has insurance for those types of things. Leslie Reichenbach asked how long it would take to finish the job. Pat stated restoration to be finished by the end of August.

Daniele Gill of 1375 Woodland told the board the streets in her area are one-lane roads. Any work on their roads will make them impassable. She expressed her surprise that that is not understood. The residents appreciate all of the hard work. Crestwood and Pine Tree to little Woodland is very unsafe. She wanted to know what written assurance the residents have that the roads will be restored. Pres. Kaplan stated we have a bond from the contractor. Atty. Huvard added when we get the easement there is language for restoration. Pat wanted to make it clear that the road is not going to be repaved. It will be patched. Originally the residents on North and South Robinwood did not like the patching, but the road has held up fine. Pat explained that if the residents want a road program, we could set up an SSA for roadwork. We are trying to be fair to the road associations and the rest of the Village. Mr. Gill stated the big trucks are degenerative and shorten the life span of the road. Mr. Mead questioned if the residents own the road, where are their rights. Atty. Huvard explained we were granted easements. We will put it back as it was. Teardowns are impacting our roads all over the Village. We try to monitor things as best we can. We do not allow overweight trucks on the roads. Mr. Mead suggested that the Village and the Road Associations work in tandem. Atty. Huvard added the residents should look at other finished projects. It is hard to see the end product when in the middle of construction.

Trustee Tully explained that there are benefits to having water in the area even if a resident does not decide to tap on. That benefit is fire protection. Atty. Huvard added it is hard to put utilities into a developed area. It is working in reverse. Trustee Masterson asked about a timeline for the road. Pat stated that the weekly garbage truck does the most damage to the road. He added we can estimate useful life, but it is not always accurate. Trustee Masterson wanted to know if we could allocate some of the bond money to the road fund. Trustee Tully stated he had discussed this issue before. The attorneys say we cannot do that because it is a transfer of funds. Pat added that the status of the Road Association is also an issue. Some are active; others are not. Atty. Huvard explained that the Road Association members need to be on top of the situation with the roads. The engineers can communicate back and forth with the Road Association. Russ explained there is also a lot of private construction going on in the area. He suggested the residents drive by Blackthorn and Orange Brace. Sewer was put in all along there. Now that it is done, it is impossible to tell. It looks like we were never there. Pres. Kaplan stated we will do the best we can.

IX. Old Business

Pres. Kaplan brought up the subject of the second reading amending the Tree Preservation Ordinance. Atty. Huvard wanted to know if we wanted to wait until the next meeting to discuss this with Chuck Stewart. Pres. Kaplan stated we would hold it for the next meeting.

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Pres. Kaplan brought up the second reading of the Hazardous Materials Release Cost Recovery Ordinance. Atty. Huvad stated we need to hold this until the next meeting because the corrected copy was not handed out in time.

Pres. Kaplan brought up the subject of the resolution of Intent to Adopt Tax Increment Financing for Milwaukee Ave. TIF. Atty. Huvad told the board we have to wait on this one also because we need to set up bond council.

Pres. Kaplan brought up the Riverwoods Road bike path. Trustee Tully stated he asked this subject to be added to the agenda. We should make a decision on whether or not to go forward with the Riverwoods path. The path is going to stop at Orphans of the Storm. The only choice will be to ride on the road. Ann Maine has made us a generous offer for a path on Deerfield Road. We don't want to turn down matching funds. Trustee Tully explained that he feels we should match the funds the RRA has put on the table. The funds are about \$90K. It will cost \$260K to cover a danger spot at Orphans. He proposed we spend \$170K and use the \$90K from the RRA. We can use MFT funds. He added it is not going to get any cheaper to put in the path. People want paths, and this is the smartest time to do it. We should run with it. Trustee Svatik wanted to know if Trustee Tully's proposal was contingent on the County. Pres. Kaplan explained he was planning on using the \$90K from the RRA for the path on Deerfield. Pat stated the proposed idea for the path on Deerfield would be shared three ways, not half and half. Trustee Haber reported there is a problem with going on Riverwoods. Pat stated Orphans is willing to give us the easement that we need. Trustee Haber added that maybe this is the incentive we need to get the Bike Path Committee to raise funds. We could consider matching them.

Trustee Norris stated the problem is telling the residents along the path exactly where the path is going in. The residents are concerned about their trees. Trustee Tully indicated that he thought we have all the easements that we need. We need to talk to the residents for public relations issues. Pres. Kaplan asked about the plan we already have. Pat stated the general plan is pretty good, but we do not have a tree plan and the path cannot end at Orphans. Pres. Kaplan stated this is not a bike path; it is a pedestrian path. Trustee Haber questioned if we could get the Bike Path Committee to raise \$130K. He asked if we could match the funds. Trustee Masterson reported it would be too hard and expensive to micro manage this path. Trustee Norris added he is in favor of the path, but he wants to see the plan first. Trustee Tully stated at some point we need to stop planning and just do it. Trustee Norris reported that he agreed with that, but he did not want to give a blanket authorization without a specific plan. Pat pointed out he does not have the right of way information past Studio Lane. He does not have the tree locations. Trustee Graditor stated her concern is the line of site survey. Trustee Masterson asked which is

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safer, the path or the road? Trustee Graditor told the board she is concerned about the false sense of security. She reported she has friends who will not use the Lincolnshire path because of the driveways. Trustee Tully stated he has never heard of anyone being hit on a driveway. Trustee Graditor indicated it has happened at least once. Our consultant did not feel the path would be safe crossing so many driveways. The line of sight safety is a concern. Pres. Kaplan stated right now we need an engineering survey as detailed as possible. Pat reported we could stake out a preliminary survey. We can map out the right of way and significant trees. Pres. Kaplan asked about the cost. Pat explained he would do the fieldwork; so it would only have to be done once. It would cost between \$15K and \$20K. Trustee Tully moved to approve spending up to \$20K to do a preliminary engineering study for the proposed Riverwoods Road bike path from Woodland to Orphans of the storm. Trustee Masterson seconded.

Roll Call Vote - Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
Nays: None
Motion carried – 6– 0

X. New Business

Pres. Kaplan brought up the subject of the Ordinance Establishing the General Prevailing Rate of Wages in the Village. Atty. Huvad explained this is required by the Department of Labor. Trustee Haber moved to waive the first reading of the Ordinance Establishing the General Prevailing Rate of Wages in the Village. Trustee Masterson seconded. Motion was carried by voice vote.

Pres. Kaplan stated we have a letter from the Landscape Union. Trustee Haber reported the letter only applies when we contract them. Trustee Graditor moved to have a second reading and adoption of an Ordinance Establishing the General Prevailing Rate of Wages in the Village. Trustee Svatik seconded.

Roll Call Vote - Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
Nays: None
Motion carried – 6– 0 Ordinance 04-7-5

Pres. Kaplan brought up the subject of an Ordinance Granting the Request of the Hiawatha Woods Resident's Association to Enforce Traffic Laws on Private Streets. Trustee Haber moved to waive the first reading of an Ordinance Granting the Request of the Hiawatha Woods Resident's Association to Enforce Traffic Laws on Private Streets. Trustee Svatik seconded. Motion was carried by voice vote.

Trustee Haber moved to have a second reading and adoption of an Ordinance Granting the Request of the Hiawatha Woods Resident's Association to Enforce Traffic Laws on Private Streets. Trustee Svatik seconded. Chief Weinstein told the board the speed limit would be 20 M.P.H. Pres. Kaplan wanted to know if the 10 M.P.H. sign would come

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down. Chief Weinstein stated yes. We only want signs up that are enforceable. Atty. Huvard explained this request came from the Association.

Roll Call Vote - Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
 Nays: None
 Motion carried – 6– 0 Ordinance 04-7-6

Pres. Kaplan told the board Elmer Ciesiel is moving out of Riverwoods. Pres. Kaplan is recommending, former trustee, David Niedelman to replace Mr. Ciesiel as chairman of the Zoning Board of Appeals. David Niedelman is very qualified for the job. He would like to get more involved with the Village again. Trustee Svatik moved to approve Pres. Kaplan's appointment of David Niedelman as chairman of the Zoning Board of Appeals. Trustee Masterson seconded. Motion was carried by voice vote.

Pres. Kaplan told the board he also wanted to name David Niedelman to the Joint Review Board for the TIF project. Atty. Huvard explained there would be one member from each taxing unit in the Village. They will review the proposed ordinances for the TIF. The Joint Review Board is just advisory. If they vote against the TIF, the board is required to pass the TIF with a higher majority vote. The Village must do whatever is necessary to help them with their board goals. He added he hopes all of the Joint Review Board's work will be done in August. There will be a representative from the Fire Department, school, and the Village representative, David Niedelman. There are three ordinances that the board needs to adopt. The Review Board will also look at the redevelopment plan. There will be an annual TIF audit and review over the life of the 20-year TIF. Trustee Norris moved to accept Pres. Kaplan's appointment of David Niedelman as the Village representative to the Joint Review Board. Trustee Svatik seconded. Motion was carried by voice vote.

Pres. Kaplan brought up the subject of the TIF registry. Atty. Huvard explained there are some recent amendments. It is now required that we give better notice for individuals who will be displaced. Pres. Kaplan stated that really only applies to housing. Atty. Huvard told the board the TIF Registry gives us a set of procedures for registry. We need to give notification to the people registered. The notifications would include the redevelopment plan, meetings of the Joint Review Board, and agendas. Trustee Masterson suggested we put all of that on the web site. Atty. Huvard suggested the Deerfield Review. Trustee Haber moved to approve the rules for TIF Registry as presented. Trustee Norris seconded. The motion was carried by voice vote.

Pres. Kaplan told the board the DBR Tourism Board is looking for our annual \$5K contribution. Trustee Svatik explained it comes from the Tourism Fund. Last year we made \$83K from the Hotel tax. They are asking for the same contribution as last year. Trustee Haber moved to approve the \$5K contribution to the DBR Tourism Board payable from the Hotel tax. Trustee Svatik seconded.

Village of Riverwoods
Board of Trustees Meeting
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Roll Call Vote - Ayes: Graditor, Haber, Masterson, Norris, Svatik, Tully
Nays: None
Motion carried – 6– 0

Pres. Kaplan told the board the extra paperwork he put in each trustee's packets is just for their information. Trustee Haber wanted to know why we are not in compliance according to the Water Quality Report. Russ stated Swanson forgot to put in the report. Pres. Kaplan stated that is how the report was published. Trustee Haber wanted to know if we were fined. Pres. Kaplan stated no.

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning
Nothing

Trustee Masterson – Water/Police/Fire
Nothing

Trustee Svatik – Finance/Soil & Water
Nothing

Trustee Haber – Legal/Sewer
Nothing

Trustee Tully – Road & Bike Paths/Forestry
Trustee Tully wanted to know how long it would take to get the Riverwoods Road bike path plan done. Pat responded it would take a couple of weeks to get the crew out. The plan will take at least two months to complete. Pres. Kaplan stated he would keep it on the agenda. Trustee Tully asked how long it would take to construct. Pat told the board he wanted everyone to understand the bike path will not happen for this year.

Pres. Kaplan told the board we have received a request from Discover Card. Trustee Graditor explained they want to know what to do with the path. Pres. Kaplan stated we decided we want them to put in the path because the money that they offered us is not sufficient to do the path anywhere else. Pat indicated he can stake it out, and they can put it in. We need to make it clear as to what is being built. Trustee Graditor asked Pat if he would contact Discover Card. Pat stated he would. Trustee Graditor said she also would contact Discover. Pres. Kaplan stated CCH is developing their area also. We will work with them on putting a path through their development.

Trustee Norris – Solid waste/Drainage/Storm water
Nothing

Village of Riverwoods
Board of Trustees Meeting
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Pres. Kaplan reminded the board that the July 20th meeting will start at 7:30. The meeting will start earlier in order to discuss the Woodland Protection District. Trustee Haber moved to adjourn the meeting. Trustee Masterson seconded. The motion was carried by voice vote.

The meeting adjourned at 10:10 PM.

Respectfully Submitted,

Debbie Limer

MINUTES OF THE VILLAGE BOARD MEETING

DATE: June 15, 2004

CALLED TO ORDER: 8:00 A.M. Regular Adjoined
P.M. Special Executive

ADJOURNED: 10:15 A.M.
P.M. Informal

<u>ROLL CALL: VILLAGE BOARD</u>		<u>PRESENT</u>	<u>ABSENT</u>	<u>OTHERS</u>	<u>PRESENT</u>	<u>ABSENT</u>
President	Kaplan	<u>X</u>	<u>—</u>	Attorney	<u>X</u>	<u>—</u>
Clerk	Stanger	<u>X</u>	<u>—</u>	Engineer	<u>X</u>	<u>—</u>
Trustees:	Graditor	<u>X</u>	<u>—</u>	Bldg.	<u>—</u>	<u>—</u>
	Haber	<u>X</u>	<u>—</u>	Inspector	<u>X</u>	<u>—</u>
	Masterson	<u>—</u>	<u>X</u>	Treasurer	<u>—</u>	<u>—</u>
	Norris	<u>X</u>	<u>—</u>	PlanCom.	<u>—</u>	<u>—</u>
	Svatik	<u>X</u>	<u>—</u>	Zoning	<u>—</u>	<u>—</u>
	Tully	<u>X</u>	<u>—</u>			

ORDINANCES

1st Reading Approved 2nd Read Emerg. Read

<u>04-</u>	<u>Approving Cost Recovery</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>—</u>	<u>Following Hazardous</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>—</u>	<u>Substances Release</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>04-</u>	<u>Amending Tree</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>—</u>	<u>Preservation Ord.</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>

RESOLUTIONS:

Approve Yes

NON-ROUTINE MOTIONS:

Approve Yes

Next Meeting To Be Held: July 6, 2004 - 8 P.M.

Submitted By: Eileen S. Stanger Uncorrected Corrected

Village of Riverwoods
Board of Trustees Meeting
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In Attendance:
William Kaplan
John Norris
Sherry Graditor
William Svatik
Michael Haber
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:
Bruce Masterson

Minutes taken by Debbie Limer

The meeting was called to order at 8:05 PM.

IV. Approval of Minutes

Board of Trustees Meeting – June 1, 2004

Trustee Graditor moved to approve the minutes. Trustee Norris seconded the motion. Trustee Graditor stated on page 3, third line from the bottom, "for the workers filling sand bags" should be added to the end of the sentence. Trustee Svatik pointed out on page 6, tenth line from the top, "Federal COPS" should be added before "funding." Trustee Norris reported a change on page 2, third line from the bottom of the second paragraph. The sentence should read: "Russ stated he would submit a bill for the sandbag disposal after the work is completed." On page 7, the last word of the second paragraph, should be changed to "event." Trustee Svatik pointed out on page 6, third line from the bottom of the last paragraph, "warning" should be changed to "list." Motion was carried by voice vote.

V. Treasurer's Report

Not present

VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat Glenn told the board the installation for SSA #20 has been completed. The only work left to be done is restoration. The bike path patching is also complete. The only work left there is also restoration. On Crestwood almost all of the pipe is in. The sewer on Rose

Village of Riverwoods
Board of Trustees Meeting
June 15, 2004

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The Village Voice goes out on July 15th. He questioned if we can get an article by then. Atty. Huvard indicated he could write an article by then. Trustee Norris asked about the Deerfield Review. Pres. Kaplan stated that has been done already. Atty. Huvard suggested putting something on the web site. Trustee Svatik asked if we can check how many people look at the web site. Pres. Kaplan responded yes.

Trustee Graditor wanted to know if we could get something out to the residents about the meeting starting earlier. Trustee Svatik stated we do not have to send it out to everyone because not everyone is in the proposed district. Trustee Haber reported we should send it out to everyone. Trustee Graditor told the board this is a great thing to do. We should not forget that. Atty. Huvard explained we are not creating many non-conforming lots. We should not overstate this ordinance. Trustee Haber stated we need to get the word out. The Family Day picnic was well publicized. We need to do as well with this ordinance. Trustee Tully suggested printing ten signs, getting a letter out to everyone, and meeting a half an hour earlier at the next meeting. Atty. Huvard added the letter to the residents could also be used as education about the ordinance. Pres. Kaplan told Russ to get the envelopes ready for the mailing. He added we will meet a half an hour earlier for the next board meeting. Atty. Huvard stated we need to check with Chuck first on that.

XI. Police Report

Chief Weinstein told the board 89 traffic citations have been issued since the last meeting. 231 case reports and 100 traffic tickets have been written since the beginning of the year. He stated we have received a \$1,100 grant from the Illinois Liquor Commission. The funds are designated for tobacco law enforcement. We will send an officer for training.

XII. Village Attorney's Report

Atty. Siegel told the board he had nothing to report.

Atty. Huvard brought up the subject of the development of the 37 acres. All parties are in agreement in principle for the access to the site. The Riverwood Inn needs the right to put the compensatory storage on the 37 acres. We have come up with a most aggressive timeline to get all the work done. There are to be three sets of hearings. The Plan Commission will need to rezone the 37 acres and the Riverwood Inn parcel. The Plan Commission will need to consider the rezoning under the Annexation Redevelopment Plan for the TIF and have a hearing. Taxing districts have to have notice. A Joint Review Board needs to be set up. Atty. Huvard stated the Village Board will have the ultimate right to decision on the annexation and the TIF agreement. He explained that we want to take the fast track and consider the annexation and TIF together. We have to get drawings and the redevelopment plan before the Plan Commission. Atty. Huvard stated he has outlined the best case scenario in the schedule given to the trustees. He added he is trying to avoid having the TIF money inflate the value of the land.

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Board of Trustees Meeting
June 15, 2004

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resident is still the first notification. He suggested a bypass with the Fire and Police Departments. Mr. Quaiyoom informed the board that if a small area goes out, there is no alarm at Comm. Ed. Chief Weinstein stated the Police Department has a direct line to Comm. Ed. We, the Police Department, call in outages. Mr. Quaiyoom told the board they still need addresses. Trustee Svatik explained that he was told the outage had to be registered by address. He added his comments are suggestions not complaints. Trustee Tully asked Mr. Quaiyoom to explain his three outages. Mr. Quaiyoom stated three outages in a year can happen between transformers. If they find an area where the whole area is bad, it will be replaced. He reiterated he needs addresses. Trustee Tully responded Edgewood Lane. Chief Weinstein stated the light at the intersection of Lake Cook Road and Saunders Road goes out a lot. Mr. Quaiyoom stated he would follow up with Chief Weinstein on that issue. Chief Weinstein reported he assumes the problem is in Northbrook because that is where the Comm. Ed trucks always go to fix the problem. The board thanked Mr. Quaiyoom for his time.

XIII. Comments by the President

Pres. Kaplan told the board we have gotten the preliminary plan from CCH. Atty. Huvad stated it is adding 750K square feet total to their existing 120K square feet. It is the best plan. There is a 45 foot height restriction. Chuck has made other suggestions to CCH about the stand of trees. CCH is very anxious to cooperate. Pres. Kaplan stated we told them what we wanted financially; they seemed okay with it. Atty. Huvad added it will end up as an office campus. It will be a little less dense than Morgan Stanley. Pres. Kaplan reported it will end up being their main headquarters. It is 10-year project. Atty. Huvad stated he did not remember it being a 10-year project, but they do want to start immediately. Trustee Tully asked about bike path improvements. Pres. Kaplan indicated it had been talked about and should not be a problem. Trustee Svatik commented they have been good neighbors. Pres. Kaplan told the board they took our suggestions. They are an asset to the community. Their plan is advantageous to us. Trustee Graditor added they came in with tree preservation ideas. They are very good corporate neighbors.

Pres. Kaplan brought up the subject of the pre-construction meeting on the resurfacing of Deerfield Road. It is June 22nd at 10am. Pat stated he will be there. We should get the schedule then. Pres. Kaplan stated it should start within the next month to six weeks. Pat told the board there will be significant travel delays. Pres. Kaplan added we will report back on the upcoming meeting.

Pres. Kaplan brought up a subject that was not on the agenda. It was the proposed RTA restructuring. Trustee Svatik told the board the proposal made by the Governor was in their packets. The minority and majority reports are in there also. They are proposing to reconstruct everything about Chicago area transportation. Trustee Tully explained that the current system has a 13 member panel. The leader is picked from those 13 members by the members. The proposal has a lot to do with power and how the money is spent. The minority report was written by Congressman Kirk. Trustee Tully mentioned the quote he likes from the report. "If the system is not broke, don't break it." He stated one positive

Village of Riverwoods
Board of Trustees Meeting
June 15, 2004

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will be more attractive. The estimate for the section in discussion is \$.5M. Pat told the board there does not need to be any board action yet. The County will put together the cost estimates. Ann Maine reported she has talked with the Forest Preserve. They still need to get back to her. The issues are impervious surface and compensatory storage. It is not an easy section to get done. LCDOT will do the engineering. If the Village is willing to do the cost share, it will help the project. We need to have the cost estimates. Ms. Maine told the board we will all need to work together informally. Then the formal proposal will go to the Development Committee. She added there are a lot if issues to be worked out.

Pres. Kaplan told the board the bike paths have nothing to do with the resurfacing. They are separate issues. This has come up because of our request. There is no room for bike paths now. They have to be on both sides of the street. Trustee Tully stated there is no room because of compensatory storage requirement. Atty. Huvard wanted to know if we could provide some of the compensatory storage. Pat explained where the Forest Preserve has provided their storage is the best opportunity for additional storage. Pres. Kaplan told the board this is a few years away. Pat asked if the County needs to see anything from the Village. Ms. Maine stated a letter from the Board, if the Village is interested. Pres. Kaplan stated the board is interested, but we want to hear about the costs.

Trustee Svatik asked Ms. Maine about the 911 collection. Ms. Maine stated the County Board has not talked about it. Atty. Huvard reported that the last message was from Peter Austin on May 21st. He stated they were working on it. Pres. Kaplan explained the Village is being stonewalled on information.

XVII. New Business

Pres. Kaplan brought up the subject of the Tree Preservation Ordinance. Atty. Huvard told the board there are two changes. Residents pointed out some problems with the ordinance as it is now written. We are asking everyone to get permits to remove trees. Everyone has to notify the Village. There is a registry of residents with permits. There is no cost for the permit unless it is a protected tree. The list is updated weekly. Atty. Huvard explained there were suggestions to change the ordinance because the ordinance did not require a permit for all trees. The second problem was a protected tree less than six inches in diameter was not protected. We do not want the smaller trees removed either. The saplings are the life blood of the woodlands. Atty. Huvard explained there needs to be mitigation on any protected tree. Pres. Kaplan stated he is concerned because in order for a resident to cut down dead trees they must have a no-charge permit. The forester must come out ahead of time. We are required to pay the forester. Atty. Huvard explained that is already being done. Trustee Tully asked about the definition of a tree. Atty. Huvard stated the definition is in the ordinance. It is the Arborist Association definition. Trustee Tully reported the saplings that we are discussing are a weekend project. No one is going to come in for a permit. Atty. Huvard stated this sort of issue is usually policed by other residents. The reason we are doing this is to give pause to builders. Trustee Norris suggested having a first reading, so we can discuss this with

MINUTES OF THE VILLAGE BOARD MEETING

DATE: June 11, 2004

CALLED TO ORDER: 8:00 A.M. Regular Adjourned
 P.M.
 ADJOURNED: 9:10 A.M. Special Executive
 P.M. Informal

ROLL CALL: <u>VILLAGE BOARD</u>		PRESENT	ABSENT	OTHERS	PRESENT	ABSENT
President	Kaplan	<u>X</u>	---			
Clerk	Stanger	<u>X</u>	---	Attorney	<u>X</u>	---
Trustees:	Graditor	<u>X</u>	---	Engineer	<u>X</u>	---
	Haber	<u>X</u>	---			
	Masterson	---	<u>X</u>	Bldg. Inspector	<u>X</u>	---
	Norris	<u>X</u>	---	Treasurer	---	<u>X</u>
	Svatik	<u>X</u>	---	Plan Commission	---	<u>X</u>
	Tully	<u>X</u>	---	Zoning Board	---	<u>X</u>

ORDINANCES:

	1st Reading	APPROVED 2nd Reading	Emergency Reading
_____	---	---	---
_____	---	---	---
_____	---	---	---
_____	---	---	---
_____	---	---	---

RESOLUTIONS:

	APPROVE Yes
<u>R-04-6-6 Adopting Revised Fee Schedule (Water)</u>	<u>X</u>

NON-ROUTINE MOTIONS:

	APPROVE Yes
<u>Authorize Work Needed to Cleanup after Flooding</u>	<u>X</u>
<u>Approve "Thank You" gift for John Treichler</u>	<u>X</u>
<u>Approve Meridian \$14,060 bid for 2004 Bike Path Maintenance</u>	<u>X</u>
<u>Approve Creation of Rank of Corporal in Police Department</u>	<u>X</u>

EXT MEETING TO BE HELD: June 15, 8:00 P.M.

PREPARED BY: Gilbert Stanger
 _____ CORRECTED MINUTES
 _____ UNCORRECTED MINUTES

Village of Riverwoods
Board of Trustees Meeting
June 1, 2004

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In Attendance:

William Kaplan
Sherry Graditor
Michael Haber
John Norris
William Svatik
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

Bruce Masterson

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

Board of Trustees Meeting – May 18, 2004

Trustee Norris moved to approve the minutes. Trustee Tully seconded the motion. Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board the storm sewer on Rose Terrace is currently under construction, as is the Crestwood water main extension. Pres. Kaplan asked about the standing water on Chianti and Timberline. He wanted to know if it was from the latest rain. Pat explained that he thought the storm sewer on Timberline was covered with leaves. We need to find the documentation to find the location of the sewer. On Chianti the culvert is blocked. We are working on that issue. Pres. Kaplan questioned if there should be another sewer on Timberline. Pat stated that Pat Walsh went out. He also thought the sewer was blocked. Russ added that Stringer is going out to work on it. Pat told the board we are looking for the documents to pinpoint the exact location of the sewer. Pres. Kaplan wanted to know if there was any damage with the rain and high winds on Sunday. Chief Weinstein stated there was a tree on the road. Pres. Kaplan added he had heard of some minor damage in the Village, and a lot of trees down.

Director of Community Services

Russ Kraly stated the census people will be on Castle Pines doing their census June 1st and 2nd. We hope to add the newer residents onto our tax rolls. Russ told the board he has

Village of Riverwoods
Board of Trustees Meeting
June 1, 2004

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prepared a memo for the board members pertaining to the flooding. He is trying to have Waste Management pick up all of the extra sand bags. It seems that we are not the only ones trying to get through to them. Everyone is trying to get through to them. We have 250 tons of sand right now. We are going to keep some of the sand bags in case we need them at a later date. In order to get rid of the extra sand we have to pay the dumping charge and truck charge. Russ told the board he estimates that will be about \$16K. He added he hopes that his estimate turns out to be high. Some of the residents may choose to keep their sand bags. Pres. Kaplan explained there is a pallet next to the Police Station where we are going to stockpile sand bags. Trustee Tully told the board she has talked to Ann Maine about stockpiling sand bags. The consensus is that most Villages want to keep some sandbags on hand in case there is a need. There is a concern about mold and mildew. He stated there is supposed to be a spray available to try to avoid that problem. Russ reported the sand bags used to be canvas. They are now nylon, so they last longer. He stated he would look into the mold spray. Chief Weinstein added it is easy to see which sandbags came in contact with river water. Those sandbags should be disposed of. Pat indicated he will be sending a memo to residents to remind them of that fact.

Trustee Tully wanted to know if the costs relating to the flooding could be claimed through insurance. Trustee Norris stated we would have to have flood insurance. Trustee Tully questioned the costs to protect our lift station. Pres. Kaplan stated there were no losses, so we are not covered. Trustee Svatik wanted to know if any homes had flood problems. Pres. Kaplan responded that a few homes had water in their basements. Trustee Svatik asked about Meadowlake. Pres. Kaplan told the board a resident of Meadowlake caught a fish in his front yard. We were very lucky. The base elevations were still above water. Pat added the Army Corps of Engineers estimated we were 3/10 of a foot below base flood levels. We were at 41.8 feet. That is a half a foot below 10-year elevations. Russ stated he would submit a bill after the work is completed. Trustee Svatik moved to authorize the work needed to clean up after the flooding. Trustee Graditor seconded. Motion was carried by voice vote.

Village Attorney

Atty. Siegel told the board the hearing for the Didier case is still scheduled for July 27th.

Urban Forest Management

Not present

Plan Commission Report

Pres. Kaplan told the board there is a Plan Commission meeting on Thursday. There will also be a hearing on the woodland overlay district. Jaye Brodsky asked for an explanation of the overlay district. Pres. Kaplan stated the district would divide the Village into sections to preserve the woodlands. There would be limits to the amount of trees that could be removed, and on the amount of turf grass allowed.

Village of Riverwoods
Board of Trustees Meeting
June 1, 2004

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Zoning Board of Appeals
Not present

VI. Police Report

Chief Weinstein told the board 111 traffic citations have been written since the last meeting. 216 case reports and 85 traffic accidents have been written since the beginning of the year. Approval has been sought for the creation of the Corporal position. The final quote for the folding stop signs is \$52.04 per sign. Mark Lovus will provide the banding material and do the mounting at an extra cost. The delivery costs are to be determined. It has been set up that the Village will pay for all of the installations and for 20 signs. CCH has agreed to pay for the three signs at their intersection. Discover has agreed to pay for the seven signs at their intersection. We will most likely be able to have a decal on the closed signs. He asked for board suggestions. The board liked Chief Weinstein's "Drive Safely in Riverwoods" suggestion.

VII. Comments by the President

Pres. Kaplan told the board Affordable Housing has been put off until April 1, 2005. Atty. Huvard added that a list of municipalities which do not meet the requirements will be published by the end of the year. Trustee Tully stated there are other things in the works that will result in more changes.

Pres. Kaplan stated he has send a letter to Great Lakes, the Deerfield Park District, the Sheriff's office, Gewalt Hamilton, Brentwood, Morgan Stanley, the Police Department, Kathy Ryg, the Red Cross, and others in regard to their help with the flood. What went on here was unbelievable. Everyone came together and worked hard. It was great to see. He told the board he was very thankful we did not flood. Pat is going to put together a procedure to follow in case it would be needed for future use. There is nothing from the event in 1986. He stated he felt very inadequate. We are now going to stockpile sandbags. The Navy sent 35 volunteers to help. All we did was feed them pizza. There were prisoners from the Lake County Sheriff's office. The Deerfield Park District sent over a front loader and John Treickler, better known as Big John. Big John worked for two days straight. He worked "above and beyond" filling and moving sand bags. Pres. Kaplan told the board he wanted to approve some funds to send him a gift. He added everyone was wonderful. Trustee Haber moved to approve getting a gift for Big John. Trustee Svatik seconded. Motion was carried by voice vote.

Trustee Norris asked about a resolution of appreciation. Pres. Kaplan stated he sent a letter to Big John and the Park District. Trustee Svatik added there were others who went above and beyond. Pres. Kaplan explained that Big John came from outside of the Village. Trustee Svatik asked about the others. Pres. Kaplan stated he sent letters to them also. He added that Trustees Svatik and Graditor also helped by answering phones late into the evening. Trustee Graditor reported there were residents who dropped off things. We did not know all of them. Trustee Norris asked about publishing the letter of appreciation and recognition in the Deerfield Review. Pres. Kaplan stated it is already

Village of Riverwoods
Board of Trustees Meeting
June 1, 2004

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done. Russ told the board there were people helping who would not give their names. Pres. Kaplan reported Chief Weinstein suggested we send food to the Navy as a thank you. Trustee Norris suggested we send a letter to the Navy that can be put in each volunteer's file. Pres. Kaplan stated the letter he wrote will be published in the Village Voice. It worked out to be a very gratifying experience. He stated he would send pizza to the Navy.

Pres. Kaplan brought up the subject of the Northern Illinois Regional Transportation Task Force Meeting on June 14th. Atty. Huvard stated it will be a breakfast meeting. Pres. Kaplan asked who would be attending. Trustee Tully stated he will be. It is a very important meeting. Atty. Huvard told the board the meeting was mentioned at Mark Kirk's breakfast. Trustee Tully explained there is talk of having one massive authority for all public transportation. He likened it to having CTA style management for Metra. Pres. Kaplan reiterated the meeting is June 14th. Atty. Huvard added it will be at the Holiday Inn in Gurnee. Trustees Svatik and Graditor stated they would go.

Pres. Kaplan told the board he got an email from Ann Maine. The grant for the bike path over the Toll way, to Saunders has been approved. Pat explained it will go from Wilmot to north of Saunders. It will end just short of Orphans. He added they will need an easement from us. Pres. Kaplan stated it is a couple of million dollar project. It is the only grant that was approved for that type of project.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

Pres. Kaplan brought up the subject of the water rate increase. Atty. Huvard told the board he did it as a resolution. In the past we have done our fee schedule as a resolution. This is part of the fee schedule. Trustee Haber moved to approve the Resolution Adopting a Revised Fee Schedule. Trustee Svatik seconded.

Roll Call Vote - Ayes: Graditor, Haber, Norris, Svatik, Tully
 Nays: None
 Absent: Masterson
 Motion carried – 5– 0 Resolution 04-6-6

Trustee Svatik questioned if we should increase the monthly minimum. He wanted to know if it should go from \$10 to \$15. Pres. Kaplan stated he did not think anyone ever qualified for the minimum charge. Russ told the board he would have Joyce look into whether or not anyone has ever used a minimum charge.

Pres. Kaplan brought up the subject of the bike path maintenance. Pat told the board he has the specifications for patching the Deerfield Road and Riverwoods Road bike paths. There were four bids. The range was from \$14,060 to \$33,650. He explained his estimate was \$18K. Meridian Construction was the low bidder. We have worked with them in the

Village of Riverwoods
Board of Trustees Meeting
June 1, 2004

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Huvarud wanted to know if there is any liability with the way the command is done now. There are two officers on at any one time. He questioned if there is a hierarchy during the third shift where there is no supervisor. He questioned if it is done by seniority. Chief Weinstein stated there is no supervisor on the third shift because the officers have not had the necessary training. Seniority is not the answer. Police policy is vague for that reason. The officer has to get supervisor approval for any issues that come up. The person who takes the responsibility should get extra compensation for that responsibility. Atty. Huvarud pointed out there will still be a gap. Trustee Svatik wanted to know if that gap needs to be filled. Chief Weinstein suggested seeing how things go. Trustee Svatik asked what happens when our funding runs out. Chief Weinstein stated we have funding for another two years. He is working on an extension. We are not spending what we are entitled to. There should be no problem extending the COPS grant. The Village is still ahead of where we would be if we were still using the Lake County Sheriff. He added we received a check today for \$18K from the Courts for tickets we issued. Pres. Kaplan stated the Police payroll is \$650K a year. Chief Weinstein added Police Departments have a lot of expenses.

Atty. Siegel told the board he has litigated Police mistakes for years. Every problem was because of failure to contact a supervisor or the supervisor was unaware of the facts. It is essential to have a supervisor available at all times. Procedures should be set up. Someone has to be responsible. Atty. Siegel stated in his experience a supervisor is necessary all of the time. If we had a lawsuit resulting from the lack of a supervisor, the money that we save by not having a third supervisor would go very quickly. He reiterated that, ultimately, we should have a supervisor present all the time. An unsupervised officer should not make all the decisions. Two heads are better than one. Trustee Svatik asked Chief Weinstein to put together a warning of impending needs. He questioned if that was possible. Chief Weinstein apologized that this came across as a surprise. He will present the situation earlier next time.

Roll Call Vote - Ayes: Graditor, Haber, Norris, Svatik, Tully
 Nays: None
 Absent: Masterson
Motion carried – 5– 0

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning
Nothing

Trustee Masterson – Water/Police/Fire
Absent

Trustee Svatik – Finance/Soil & Water
Nothing

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past. Their work has always been fine. Pat told the board he recommend awarding the contract to Meridian Construction for the 2004 Bike Path Maintenance Project. They can start next week. The job will be for cutting out buckles, patching, and any landscape restoration that needs to be done. He reminded the board the estimate to resurface the entire path was in the \$100K range. Trustee Haber moved to approve the bid from Meridian Construction for \$14,060 for the 2004 Bike Path Maintenance Project. Trustee Tully seconded.

Roll Call Vote - Ayes: Graditor, Haber, Norris, Svatik, Tully
 Nays: None
 Absent: Masterson
Motion carried – 5– 0

Trustee Tully wanted to know if the trimming had been done yet. Russ responded it was done last week from one end to the other.

X. New Business

Chief Weinstein told the board he sent out a memo last week about creating the rank of Corporal. He explained that as of right now only he and the sergeant are supervising the officers. Having a Corporal would help the supervisors to continue training. Pres. Kaplan stated it will add \$2K to the budget for the second half of the year, \$4K per year. Trustee Svatik moved to approve the creation of the rank of Corporal in the Police Department. Trustee Haber seconded.

Trustee Svatik wanted a review of the background information. There has been no mention of needing another level. The officers got a nice increase last year, and this has never been mentioned before. He did not understand what it gives us. Trustee Svatik stated it looks as if it is the opportunity to give an officer another raise. He explained that Chief Weinstein is a supervisor, even if he does not consider himself to be. Chief Weinstein was hired to be “the Chief on the street.” Chief Weinstein explained that 50% of the time there is no supervisor in the office. He and the sergeant work 40 hours a week each minus vacation and training time. He and the sergeant do not work at the same time. That is 80 hours out of 168 hours a week. Chief Weinstein stated that the majority of litigation within a Police Department stems from a period where there was no supervisor on duty. The way it works in a Police Department is the lowest ranking person makes the decisions. That is unique to Police Departments. We need to have someone in charge to make sure mistakes are not made. That person should be compensated. He explained he is recommending the rank of Corporal not Sergeant. Our ratio of supervisors to officers is much lower than other small communities. Trustee Svatik asked why this was not mentioned before. He questioned why it is not in the proposal. Chief Weinstein explained we are finally at full staff. It is not good to not have a supervisor around all the time. We want to make sure we have done what we want done.

Trustee Svatik wanted to know why this was not proposed earlier. Chief Weinstein reported there is learning as you go. He is presenting what he thinks is needed. Atty.

MINUTES OF THE VILLAGE BOARD MEETING

DATE: May 18, 2004

CALLED TO ORDER: 8:00 A.M. Regular Adjourned
P.M.
 ADJOURNED: 10:20 A.M. Special Executive
P.M. Informal

ROLL CALL: VILLAGE BOARD		PRESENT	ABSENT	OTHERS	PRESENT	ABSENT
President	Kaplan	X				
Clerk	Stanger		X	Attorney	X	
Trustees:	Graditor	X		Engineer	X	
	Haber	X				
	Masterson	X		Bldg. Inspector	X	
	Norris	X		Treasurer	X	
	Svatik	X		Plan Commission	X	
	Tully	X		Zoning Board		

ORDINANCES:

	1st Reading	APPROVED 2nd Reading	Emergency Reading
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

RESOLUTIONS:

	APPROVE Yes
<u>R-04-5-5 Maintenance of Streets & Highways</u>	
<u>Under Illinois Highway Code (Whitgam Allocation) \$8,500.00</u>	X

NON-ROUTINE MOTIONS:

	APPROVE Yes
<u>To Increase Water Rate to \$5.85 per thousand gallons</u>	X
<u>To Accept New Contract with Miller Cooper (Auditors)</u>	X
<u>Award Contract (\$164,950) for SSA #20 with R.L. Underground</u>	X
<u>Approve New NIPCL Agreement (Crime Lab)</u>	X

NEXT MEETING TO BE HELD: June 1, 2004 - 8:00 P.M.

SUBMITTED BY: Colleen S. Stanger
 _____ CORRECTED MINUTES
 _____ UNCORRECTED MINUTES

Village of Riverwoods
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In Attendance:

William Kaplan
John Norris
Sherry Graditor
Bruce Masterson
William Svatik
Paul Tully
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

Eileen Stanger

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

Board of Trustees Meeting – April 13, 2004

Trustee Graditor moved to approve the minutes. Trustee Norris seconded the motion. Trustee Svatik stated on page four, third line from the bottom, "questioned" should be changed to "suggested." Trustee Norris pointed out on page two, the line after the voice vote needs to be changed. It should read "Trustee Norris stated this is a matter of law: a legislative act, done on Board direction." Motion was carried by voice vote.

V. Treasurer's Report

Hal Roseth told the board we have a new format for the report. We are still playing with it. The second page provides General Fund information. We want to add the investments that pertain to each of the funds to the worksheet. Atty. Huvad stated the investments should be added to the General Fund not each specific fund because they are not necessarily designated for the specific fund. Hal explained that the money we have invested for the Police is only earmarked for the Police. He added that investment fund has not been updated yet. Total funds are up \$163K since February. We had a \$500K investment called in. We reinvested it at 4.8%.

Trustee Haber arrived at 8:10PM.

Hal told the board he would take comments on the new format. He suggested calling or emailing him. Pres. Kaplan wanted to know if the rate changed on the \$500K that was just reinvested. Hal stated it did not change very much.

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VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat Glenn told the board he is going to publish a bid package on the bike path maintenance in the Daily Herald tomorrow. He should have a recommendation for the June 1st meeting. He told the board he is going to have a meeting with LCDOT. He will get the specifics on the Deerfield Road bike lanes. Trustee Tully asked about a start date. Pat stated he did not have that information, but he knows the project has been funded. Trustee Svatik asked about using the Daily Herald. He felt the circulation is questionable. Pat explained in his experience he gets more bids by publishing in the Daily Herald. They have a less restrictive schedule for publishing. Atty. Huvad stated for hearing and ordinance publication we have to advertise in a local paper. For something such as this we have no restrictions. Pat added the Daily Herald has a wider circulation.

VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Pres. Kaplan told the board Elmer Ciesiel is moving to Florida and leaving Riverwoods. He has asked David Niedelman to take over the Zoning Board. He wanted the trustees to know.

X. Plan Commission Report

Linda Dunn told the trustees the Plan Commission met on the Woodland Protection District. There were a number of people in attendance. She had a map to show the trustees the proposed area. The zoning would change to add woodland preservation district. There would be a limit on building and landscaping. In R1 the limit would be 30%, In R1A it would be 27%. In R2 the limit would be 25%; and in R3 the limit would be 20%. Linda stated the public hearing will be June 3rd. All are invited to attend. Trustee Svatik wanted to know how the percentages will work for Ravinia Green and Country Club Hills. Pres. Kaplan responded those areas are not part of the woodland protection district.

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XI. Police Report

Chief Weinstein told the board there have been 116 traffic citations written since the last meeting. There have been 192 case reports and 79 traffic accidents written since the beginning of the year. The new Crown Victoria is in. We are still waiting on the Ford Explorer. We are in the process of switching out the new car and the 2001 Crown Victoria. Chief Weinstein stated that part time Officer Nagy has resigned. He has been hired by the South Barrington Police Department

XII. Village Attorney's Report

Atty. Siegel told the board the Didier Hearing has been continued to July 27th at 9:15AM. Mr. Damish needed more time. This is on the motion to dismiss the second amended complaint. He added he is working on the condemnation for the road. Atty. Huvard stated we will need an Executive Session this evening.

XIII. Comments by the President

Pres. Kaplan told the board we have had power outages in the Woodland and Crestwood area. We have been told the infrastructure should be updated or replaced. Russ stated we will have a report from Commonwealth Edison for our June 15th meeting. Pres. Kaplan explained we have been complaining to Comm. Ed. Jaye Brodsky told the board the infrastructure around her house was replaced three years ago. Pres. Kaplan told everyone to tell their neighbors to come to the meeting.

XIV. Visitors Wishing to Address the Board

Charles Rey of 1332 Woodland told the board there is a house going in next to them. There were some issues on the set backs and an issue as to the easement for the water pipe. Both of those issues were resolved with Pat Glenn's help. He got a corrected easement plat. He added they were concerned about the run off because of the large size of the new house. He thinks those questions have been answered. There was an appendage being built on the new house that he felt was too close to his house. The appendage is not in the site plan. He told the board he has been told that issue has been resolved. Mr. Rey wanted to know if it is appropriate for him to talk to the Village Engineer. He questioned if Pat Glenn is the first person to talk to. He wanted to know if the Zoning Board would be more appropriate. He questioned if there is a better procedure. He wanted to know how we guard against non-compliance. He questioned if we should have a building inspector. Pres. Kaplan told Mr. Rey he is aware of what happened. It has been discussed by all concerned. The owner cannot do what he wanted to do. Russ stated the owner is going to have to take out the walls. Pres. Kaplan added the building inspector would have found the problem. Russ explained that eventually we find all the errors. Pres. Kaplan told Mr. Rey to call the Village with any issues he has. Mr. Rey thanked Pat Glenn and Russ Kraly for their help.

XV. Approval of Bills

Trustee Svatik moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Masterson seconded.

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Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully
Nays: None
Motion carried 6-0 (Bills approved)

XVI. Old Business

Pres. Kaplan stated we have a problem with rising water costs. We have had two increases we have not passed on the residents. We just got a third increase from Deerfield. A lot of research has been done. Atty. Huvard explained that the board feels that we should have enough money each year for capital replacements that are necessary. We know our operating expenses. We need to figure out the capital replacement cost. Pat has looked at all of the mains in the Village. The plan is to replace them as they fail. The cost for that has been figured at \$70K a year. Atty. Huvard stated we can adjust that amount every year as needed. The current balance in the water fund can be added to. He explained that Irwin Lyons called it a working capital fund, not a reserve fund. The calculations to meet the cost of the water alone moves the cost up to \$5.85 per 1K gallons. To add the \$70K in to the calculation brings the cost up to \$6.35 per 1K gallons. Atty. Huvard explained we can find a middle ground of all of the scenarios. We do not want to have to borrow for repairs. He added a lot of residents are still paying for their original equipment. Trustee Svatik pointed out we seem to be looking at the extremes. Atty. Huvard stated we can go to \$5.85 to match the price increase and phase in an increase. The other approach is to make more than the \$70K a year being suggested. The current plan is not amassing funds. The money will get spent every year. We could consider a multiplier of 1.5 for the working capital fund. That would be more conservative. If the numbers are accurate the water fund will not drop very much.

Trustee Svatik asked about the history of repairs. Pat stated we have not had much. We replaced along East Course, West Course, and Saunders. The last audit showed \$15K in repairs. They have not been significant. The area replaced was replaced with newer materials that should last a long time. Pat explained he is looking at the mains put in before 1975 as the ones that will need to be replaced the soonest. Pres. Kaplan pointed out that right now we are losing money selling water because we are selling it at \$5.00 per 1K gallons. Trustee Tully asked how that compares to others. Pres. Kaplan stated we are higher than most because we have to buy from Deerfield. Deerfield in turn has to buy from Highland Park. Atty. Huvard told the board Buffalo Grove is part of a Northwest Water Commission. The Commission buys their water from Evanston. Pat stated we cannot compare just the rate. Other communities have an added expense on the bill for infrastructure. Atty. Huvard reported that our mark up is not much higher than the mark up in Deerfield. Trustee Tully stated we are going to be out of line with other communities. We need to educate our residents so that they understand why. We need to clarify the infrastructure issue. Trustee Svatik told the board this is not good for the residents who are just getting onto the system. It would amount to a 27% increase. That will be intolerable to the residents. He stated he thought we should do it in increments. Pres. Kaplan explained the problem is we are going to keep getting increases.

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Pres. Kaplan indicated that half of the homes in the Village are on water. We do not want to borrow to subsidize repair costs. Everyone in the Village would pay in that scenario. Pat explained that the \$15K figure given earlier was for repairs, not for replacement. Trustee Svatik asked what replacement costs would be. Pat reported \$90 to \$100 a foot. Trustee Svatik stated the breakage problem on East Course and West Course was unusual. There have been no breaks since it was replaced. Atty. Huvad told the board that 50% of the lines will need replacement in the next 10 years. Pat stated that is conservative. Atty. Huvad indicated we need to start with something for infrastructure. Trustee Svatik asked about the history of the reserve fund. Atty. Huvad stated we did have a reserve. Trustee Haber pointed out we have \$540K in the water fund. That is seven years of \$70K. He did not see this as an emergency unless we have to pay back the loan to the General Fund. We can make the increase incremental. Pres. Kaplan pointed out the money in the water fund came from the General Fund. That is using everyone's money to fund water. Trustee Haber stated we need to decide if we are paying back the General Fund. That should come before the increase in the water cost. We need to decide if we are reimbursing or not.

Trustee Svatik reported we were just told the Village is in good shape financially. Pres. Kaplan stated we are fiscally responsible and want to stay that way. Trustee Norris told the board we need to address the \$540K owed to the General Fund. We need to make sure we have the capital to address the infrastructure needs. There are other ways to pursue the problem. We could look at tap on fees. Pres. Kaplan stated the tap on fees will help to pay back the General Fund. Trustee Haber pointed out we do have receivables in the tap on fees. Atty. Huvad told the board we can look at this every year to try to match the replacement costs. We do not want to run out of money. Trustee Norris stated he suggests a gradual increase of 10% a year for the next three years. That will help those just coming on the system. As we replace more of the old mains there should be less breakage. Trustee Graditor explained the Deerfield increase has been 17% over the last six years. They will continue to increase our costs. She suggested matching the Deerfield increase plus 1%.

Trustee Tully stated that he did not feel we would charge the entire village for the half of the village residents who have water. The residents with water are not going to want to get clobbered with the increase. We need to explain to the residents why we have to increase the costs. We do not want to scare residents away from getting water. Trustee Norris told the board it is easy to explain an increase to the residents if there is a big break. We should be able to sustain the system as it is unless there is a catastrophic break. Pres. Kaplan asked Pat what the cost would be if there was a major break. Pat stated it does not usually happen. If there is too much to repair, it is replaced. Most villages have a replacement plan. His minimum recommendation was to match the rate with a planned increase every year regardless of the situation. He added we also need to look at this more often. He suggested raising the price to \$6 per 1K gallons.

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Trustee Haber explained that we have three basic water areas. There is County Club Estates, the area in SSA #14, and Meadowlake. Pat stated Country Club Estates water was installed in the 60's and 70's. Meadowlake was installed in 1980. Trustee Haber reported we now have a new north system. Pres. Kaplan called that the Thorngate system. Trustee Haber explained that new people on the system are paying for the old systems. They are going to have to pay for the others when the system needs replacing. Atty. Huvard stated we would have to have 5 water rate discussions if we went with the idea of only paying infrastructure costs for the area that each resident lives in. Trustee Haber indicated that people are concerned about the cost. Atty. Huvard explained that at \$6.35 it is a \$170 increase for the average household. He did not know if that was a problem. Pat told the board we are the only community that will allow residents to keep their well for outdoor use as a way to defray resident's costs. Other communities want to make as much money as possible. Residents have the option to use well water for large outdoor usage. Trustee Norris stated that at less than \$200 a year he is not as concerned. The people who live in big homes with a lot of grass are going to pay more. Atty. Siegel pointed out that the average municipality taxes their residents at 10% to 12%. Riverwoods residents are taxed 1.8%. That is a bargain by comparison.

Pres. Kaplan suggested increasing the rate to \$5.85 for the first year to break even. Increase the rate to \$6.00 the second year to put \$20K into the infrastructure fund. Then increase the rate to \$6.35 the third year to put the recommended \$70K in the infrastructure fund. Trustee Svatik moved to increase the rate to \$5.85. Trustee Haber seconded. Pres. Kaplan stated we will still owe the General Fund. Trustee Svatik reported he intended that we would raise the rate next year. Trustee Haber suggested amending the motion \$5.85 this year and increasing the rate 10% each year for three years. It would be \$5.85 the first year, \$6.05 the second year, and \$6.35 the third year. Trustee Svatik agreed to the amended motion and stated the raise should start July 1 of each year. Pat asked the board to consider increasing the rate during the off peak in October. Trustee Haber suggested July 1 this year and October every year after that. We do not want to lose money all summer. Trustee Norris moved to have Atty. Huvard write up an ordinance for this purpose. Pres. Kaplan reiterated the rate would be \$5.85 the first year, \$6.05 the second year, and \$6.35 the third year; the increases would be July 1 the first year and October 1 the second and third year. We are approving the rate increase and directing Atty. Huvard to prepare the ordinance. Trustee Haber seconded. Motion was carried by voice vote.

Trustee Svatik asked about excessive use. Pres. Kaplan stated we do not have the ability to bill differently. Trustee Svatik asked about adding 10% to a bill after a resident has gone over an allowed usage. Pat stated we can do that quarterly. He would like to look at reservoir levels over the summer. Levels is a concern. We can revisit this issue at the end of the summer. Pat wanted to let the board know we are right on with our DNR allocation of Lake Michigan water. He did not anticipate a problem.

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Pres. Kaplan told the board the contract with Miller Cooper was revised in accordance with our request. Atty. Huvard stated the limitation of liability has been modified. Trustee Norris moved to accept the new contract with Miller Cooper. Trustee Graditor seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully

Nays: None

Motion carried 6-0

Pres. Kaplan brought up the subject of the 2004 MFT Road Program. Pat stated this was deferred to today. The recommendation is to make a resolution for funds in the amount of \$58,500 for the 2004 MFT Road Program. We will be working on Whigham Lane and Whigham Road; which is on the 10-year plan. It comes right behind the water main installed on those streets. If more work is to be done, it can be done with a supplemental resolution. Trustee Masterson moved to make \$58,500 available for the 2004 MFT Road Program. Trustee Tully seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully

Nays: None

Motion carried 6-0

Pres. Kaplan brought up the subject of the Crestwood water main extension. Pat stated we have all but one of the easements. He decided it would be better to do a separate contract for this job. We already have a bid for identical work on SSA #20. The pricing was exceptionally low. The contractor's work was done well. He suggested we award the contract for \$164,950 using the prices for SSA #20. Trustee Masterson moved to award the contract to the same contractor as SSA #20 for \$164,950. Trustee Tully seconded.

Trustee Tully asked about the standard spacing on hydrants. Pat stated they are placed no more than 400 feet apart. He added he tries to get them in tighter, about 300 feet apart. Trustee Svatik pointed out there is a significant difference in the cost of the black top. Pat stated the MFT patching is much larger. It is what he expected. Trustee Svatik asked about the amount for tree removal in the quote. Pat explained the amount is a carry over from SSA #20. We put in a large quantity to try to keep the price down. If it is a small quantity at a large unit price, it is easy to get lost in the bid. If the quantity is put in as larger, it encourages the contractor to keep the unit price low.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully

Nays: None

Motion carried 6-0

XVII. New Business

Pres. Kaplan brought up the subject of the Northern Illinois Police Crime Lab contract. Chief Weinstein told the board he has talked to the director about the increase in the funding request. The fee is not based on department size. The Crime Lab Board feels that the larger agencies are the real financial support. The additional funding is similar to joining a club and paying a membership fee. Chief Weinstein explained that he asked for information as to our 2003 NIPCL use. Their computers are down, and they have not

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been able to provide the statistics yet. He added after the bank robberies they sent personnel out immediately to process the scene. That is included in the fee. The new lab location will be in Vernon Hills. The only alternative to funding the NIPCL would be the State of Illinois Crime Lab in Chicago. They are back logged and would not be able to provide on-scene assistance. We would have to transport the evidence. Chief Weinstein told the board he recommends signing the NIPCL agreement. He added we have until July to sign the agreement. The membership amount is \$3K a year for the next 5 years. Trustee Tully reported they are looking at everyone as "one size fits all." Trustee Haber moved to approve the new NIPCL agreement. Trustee Norris seconded.

Trustee Svatik stated it is a 50% increase. The bigger communities have more money to pay. He told the board he did not feel it was fair. Trustee Tully questioned what happens if we say no. Chief Weinstein explained that the only agency that is opting out is Hawthorn Woods. We can look into other options. Pres. Kaplan stated it is not worth Chief Weinstein's time.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber
 Nays: Tully, Svatik
 Motion carried 4-2

Pres. Kaplan brought up the subject of the sanitary sewer. Pat stated we need to talk about the sanitary sewers. We do not have any reserve funds. There are no funds collected from sewer fees. The Village owns a substantial amount of the system. He explained it is easy to look at and analyze the gravity portion of the system. The probable problems in the future will be root intrusion and joint loosening. The last time we looked at the system was 1998. Pat stated he suggests we televise different sections of the system with differing materials. We are going to need to decide on a budget. 10% of the sewers were installed before 1980. To clean and televise the sewers would cost about \$17K. Pat told the board he can prepare some bids. We can do less than the \$17K figure, but they should be looked at. He explained he would like the authorization to set up bids to televise 10% of the sewers before 1980 for an estimated amount of \$17K. Trustee Svatik moved to authorize Pat Glenn to prepare bids to televise 10% of the sewers put in before 1980. Trustee Masterson seconded.

Trustee Masterson told the board he did not think we could do a multi-year bid. Pat stated he did not think we would need to do this every year. Atty. Huvad explained that our agreement with the Lake County Public Works Department is expiring. We are the only village they do maintenance for. We have seven years left on the contract. They do not make major repairs. He reported he did not know if they will want to renew the contract. Atty. Huvad stated we may be able to have Lake County agree to take over the system. Pres. Kaplan questioned why they would want to do that. Pat told the board we may be able to attract them by looking good with our maintenance program in the meantime. Trustee Svatik asked if we pay the Lake County Public Works Department. Atty. Huvad reported we pay them a modest amount. They are only responsible to do modest maintenance. Motion was carried by voice vote.

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XVIII. Executive Session

Trustee Haber moved to recess to Executive Session according to Section 2C of Open Meeting Act for litigation. Trustee Svatik seconded.

Roll Call Vote - Ayes: Masterson, Norris, Graditor, Haber, Svatik, Tully

Nays: None

Motion carried – 6 – 0

The meeting went into Executive Session at 9:45 PM.

The meeting returned to regular session at 10:15PM.

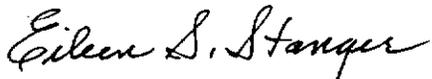
Pres. Kaplan told the board he had a meeting with someone interested in half of the Engdahl parcel. They would develop 5 of the 10 acres north of Storage USA. He wants to put in a car leasing company and have a showroom for his used cars. He estimates making between \$30M and \$40M a year. Trustee Svatik asked if he would do any repair work. Pres. Kaplan stated it would be minor, just warranty work. It is in the works and would be great to have here. Trustee Haber asked about the sales tax. Pres. Kaplan responded every lease that goes out generates sales tax.

Trustee Tully moved to adjourn the meeting. Trustee Haber seconded. Motion was carried by voice vote.

The meeting adjourned at 10:20PM

Respectfully submitted,

Debbie Limer



Village of Riverwoods
Board of Trustees Meeting
May 4, 2004

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In Attendance:
William Kaplan
William Svatik
Sherry Graditor
Michael Haber
Bruce Masterson
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

Board of Trustees Meeting – April 27, 2004

Trustee Graditor moved to approve the minutes. Trustee Tully seconded the motion. Trustee Svatik stated on page 3, eleventh line in the first full paragraph, "CO2" should be changed to "CO." Wherever CO2 appears in the minutes, change to CO. On page 5, under Old Business the fourth line down, \$135 should be \$135K. The eighth line should be changed to read, "There is \$822K due to the General fund." Trustee Svatik pointed out that the sixth line of the last paragraph should read "we should consider usage penalties for irrigation sprinkler systems and swimming pools." Atty. Huvad stated on page eight "FCC" should be changed to "SBC." Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board SSA #20 is almost done. There are two B-boxes left to install and restoration work has to be done on Whigam. The project went well. The ground water conditions were bad, but the contractors stuck with it. We have the EPA permit for the Crestwood water main extension. We still have 4 easements to get. Russ will get these. Pat stated he was hoping to do this job as a contract extension. He recommends RJ Construction to continue. He explained he would like the board to authorize him to do the Crestwood water main as an extension of SSA #20. We would use the same unit prices as were used for SSA #20. The unit pricing for SSA #20 will fit within the estimate for the Crestwood water main. Pat told the board he would have the paperwork for the next meeting.

Pat explained to the board that he has a resolution for the 2004 MFT Road Program. We are going to resurface Whigam Lane and Whigam Road. We have the probable cost. We need to submit the paperwork to IDOT. He stated we would allocate \$58,500 in funds to

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MFT. Pres. Kaplan wanted to know what would happen if anything else came up where we needed additional funds. Pat responded we would do a supplemental resolution. Trustee Tully wanted to know about the testing company. Pat stated it is part of the requirements. They are there to insure we build a quality road. Pres. Kaplan added it will be put on the agenda for the next meeting. Atty. Siegel stated it is always better to have the item on the agenda.

Director of Community Services
Not present

Village Attorney

Atty. Siegel told the board the County has filed a motion to dismiss the Didier case. Mr. Damish has a few more weeks to comment. Arguments will be July 7th. He stated there is an ordinance of condemnation on the agenda. He wanted to know if there were any questions. He would like it a specific motion for the condemnation pursuant to Ordinance 03-7-13. There has been an exchange of negotiations and letters. We have done everything we can. We need to file condemnation proceedings. He added a roll call vote will clear up any ambiguity. Trustee Norris made a motion that, having already passed an Ordinance authorizing condemnation, and nothing having occurred since that time except unsuccessful negotiations to resolve the impasse, the Village Attorney be directed to proceed with a condemnation action pursuant to Ordinance 03-7-13 which Authorizes Acquisition of Property through Condemnation or Otherwise. Trustee Svatik seconded.
Roll Call vote- Ayes: Graditor, Masterson, Norris, Svatik, Tully
 Nays: None
 Motion carried 5-0

Trustee Norris stated this is a matter of law; a legislative act, not a direction of the attorney.

Urban Forest Management
Not present

Plan Commission Report

Linda Dunn told the board the Plan Commission will meet this Thursday at 7:30PM.

Zoning Board of Appeals
Not present

Trustee Haber arrived at 8:15 PM.

VI. Police Report

Chief Weinstein told the board there have been 63 traffic citations written since the last meeting. There have been 177 case reports and 72 traffic accidents written since the beginning of the year. He stated he provided Atty. Huvad with sample copies of Hazmat Spiller Reimbursement Ordinances. It would require reimbursement to the Village and/or

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Fire Department in the case of a Hazardous Material Spill. It is recommended by the Lake County Emergency Management Coordinating Council.

VII. Comments by the President

None

VIII. Visitors Wishing to Address the Board

Robert Kirchens of 2640 Deerfield Road explained that today he ran into some problems he wanted to bring to the attention of the board. He is looking to sell his house and buy a new one. He completed a final sale of his current house. The buyer talked to someone in the Building Department. She was informed that the house is on a floodplain. She was also told that there are plans to expand Deerfield Road. Mr. Kirchens stated that after the buyer heard that, she pulled out of the sale. He informed the board his house is not in the floodplain, and it is not appropriate to pass on rumors about the expansion of Deerfield Road. The expansion is in the 20-year plan. No one knows when it will happen or if there will be funds available. The person in the Village Hall gave out wrong information and passed on hearsay. He added it is easy to spook a buyer. Pres. Kaplan stated he wanted to know with whom the buyer talked. Trustee Svatik wanted to know if the buyer got an immediate answer as to the floodplain issue. Mr. Kirchens responded he was not sure, but the answer was provided in the course of the conversation and then the buyer was told about the road. Trustee Svatik reported the person in the Building Department would have to consult a map. The floodplains have just changed. Mr. Kirchens stated someone shot from the hip.

Pres. Kaplan told Mr. Kirchens he would call the buyer as the Mayor and explain. Mr. Kirchens wanted to know if there is any way to set up a procedure for when someone calls in for information. Pres. Kaplan stated that Deerfield Road is on the 20-year plan. Trustee Haber suggested we tell them Deerfield Road is not in our jurisdiction and to call the County. Pres. Kaplan stated we know it is on the 20-year plan. Trustee Norris reported we can get it in writing the house is not in the floodplain. It sounds like a buyer with cold feet, but we will do what we can to rectify the situation. Mr. Kirchens explained that Deerfield Road is a hot topic right now. Atty. Huvard stated that maybe we should instruct people to come in and look at the map. Mr. Kirchens told the board that information can be looked up on the FEMA web site. Pres. Kaplan indicated he was sorry and willing to help.

IX. Approval of Bills

Pres. Kaplan told the board we have a couple of bills we would like to approve today. Susie was out last Tuesday and they need to be approved. Trustee Tully moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Masterson seconded. Pat explained that we missed the cut off. He wanted to make sure the contractors were paid. Trustee Svatik stated he had paperwork with the Hotel Tax accounting. It looks like incoming funds, but someone is asking for a signature. Pres. Kaplan stated there is nothing to approve. It looks like an error.

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Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully
Nays: None
Motion carried 6-0 (Bills approved)

IX. Old Business

None

X. New Business

Pat told the board he had a new analysis of the water income, expenditures, and reserve funds. He suggested we review it and then give the trustees time to look at it over the next few weeks. It was his understanding that the board wanted to know what it would take to replace the system as needed, and not borrow funds to do this. The baseline break even point is \$5.85 per 1K gallons. Atty. Huvard reported the actual amount in reserve is \$570K not \$488K. That does not take into account the \$800K that is owed to the General Fund. If we figured that in, there would be a \$230K shortfall. Trustee Masterson stated tap ons will help. Atty. Huvard explained we have a possible 40 connections. That is an additional \$500K coming in over time. He added that if we transfer money from the Water fund to the General fund to make up for the shortfall, we cannot transfer it back if needed. We can leave the money in the Water fund. Considering the situation, it may make the most sense to leave it as it is. Trustee Svatik asked about the salary number. Pat reported the number came from the audit. Trustee Svatik stated it is an arbitrary number. Atty. Huvard explained it is 1/5 of the operating expenses. Pres. Kaplan reported the number is very close. Trustee Svatik asked about the ½% sales tax increase. Atty. Huvard explained we have not decided where to allocate that. Trustee Svatik stated he did not want to overlook what is available. That will be \$100K on a low year. Pres. Kaplan reported there is a lot of pulling on that fund already.

Trustee Masterson stated depreciation is being counted twice. This report is mixing cash and accrual accounting. Pat indicated he agreed. Trustee Masterson explained depreciation is being figured on a straight line schedule. It is the same amount at the beginning as at the end. Pat stated he would bring the depreciation schedule for the next meeting. Atty. Huvard added it would be helpful for Trustee Masterson to talk to Irwin Lyons. Trustee Masterson stated he wanted to see the details. He added the report is also ignoring interest income. Pat told the board he wanted input. He admitted accounting is not his strong point. The amount of infrastructure is \$11.5M. We may want to set aside 2% a year for repair work. That would be \$50K a year. The areas it would be reasonable to have to replace sooner rather than later would be Country Club Estates and anything put in the ground before 1974. Pat added we cannot plan for more than 50 years on any infrastructure. If we want to go forward and make up for not putting money aside for the last 30 years, the numbers are not reasonable. Pres. Kaplan stated we reduced our reserve years ago. Trustee Svatik added at the time we considered it to be excessive. Now we are looking at a 17% increase, even for those who have just gotten water. He questioned a sliding scale. Pres. Kaplan told the board we are looking at a minimum increase of 17%. Trustee Tully suggested that maybe we want to get the 17% over time, not all at once.

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Pres. Kaplan told the board Pat wants to know where we want to go with reserves. Pat stated the board needs to adopt an increase every other year or so. Pres. Kaplan reported we did not raise rates every time we got an increase from Deerfield. Trustee Svatik stated we should consider an excess water usage charge. Pat explained that there are 20 homes that use 2500 gallons a day during the summer. That equates to one home using the same amount as ten homes. It is a small population. There is no reasonable scale. Trustee Norris stated that is a board decision. We need the data to make that determination. He told Pat to give them the numbers. We have to decide. Trustee Graditor asked about commercial users. Pat reported Ravinia Green can use 20K gallons a day over a seven month period. Trustee Svatik stated Ravinia Green is supposed to be using their deep well for irrigation. Pat responded that he just has the 2003 water records. Trustee Svatik indicated that Russ should look into that.

Trustee Haber stated we need to find alternate funding sources. There are mega homes going in. He questioned if we could set up an ancillary tap on fee for those homes. They are a stress to the system. In the next few years we are going to have a lot of tear downs. Pres. Kaplan explained if the home already has water, there is no fee. Trustee Haber suggested an additional fee recognizing the expanded use. He thought we should look into it. Atty. Siegel stated water rates can vary by usage. It is a policy decision. If we want conservation encourage the saving of water. If we want to make money, encourage using more water. Pat indicated he was not aware of being able to use graduated rate. Atty. Siegel reported there can be a different rate between residential and commercial. Pat told the board when a house is torn down, a larger main is usually put in. It goes from a 1" main to a 1 1/2" main. He added if we have the authority to increase the fee, it is easy to record the increase in the main size. Trustee Tully stated we should make residents tap on if they tear down their house and water is available.

Trustee Haber suggested requiring permits for sprinklers and swimming pools. Put the cost on the Building Permit. We need to try to be innovative. Being non-home rule limits our ability to generate revenue. He suggested we look into becoming Home Rule. We would have more control over our revenue. He felt that we were missing out. Atty. Siegel stated we could put a referendum on the ballot to become a Home-Rule municipality. Atty. Huvad reported it is a losing proposition. Atty. Siegel stated that may not be true. Atty. Huvad told the board he hopes to add to our sales tax revenue with the 37 acres. Trustee Haber stated that could be five to ten years from now. Atty. Huvad reported our water fund comes from user fees. He explained he felt we would get more support with a Police Department referendum. That would free up \$500K a year. Trustee Tully stated becoming Home-Rule would politicize the Village. It is a very divisive issue. This board is very conservative. That could change dramatically. Pres. Kaplan reported residents feel taxes are too high. Less than 2% of property taxes come to us. There is a shortfall for the Police Department. He stated he would rather raise the Police Levy.

Trustee Masterson stated we need to identify the depreciation costs. We have taken an unfunded liability in depreciation reserves for the last 30 years. We need to take this forward. We need to figure out the numbers and try to recover the depreciation. Pat

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pointed out that it looks as if we have \$65K of unfunded depreciation. Trustee Masterson reported there will be a hole in the unfunded liability. Trustee Norris suggested that we get our accountants to work on this issue. Atty. Huvad told the board that an easement may be an issue with a tear down. Trustee Graditor stated Highland Park has a tear down fee. Pres. Kaplan explained that the Highland Park tear down fee goes to Affordable Housing. Atty. Siegel wanted to know if we have looked at other municipalities for other fees that they charge. Pat explained that the Thorngate Water Agreement leaves the door open for a tiered water system. We have never moved forward with that. He told the board he wanted to get actual usages for them to look at. He stated he will attempt to get it to the trustees before the next board meeting by fax or email.

Trustee Tully told the board the residents are going to want to know what their money is going for. He suggested that we break out the bill to explain it. Infrastructure improvements should be listed on the bill. We should have a good faith effort to segregate the costs. We should show the charges from Deerfield. The water bill should provide straight forward answers. Pat stated we could put in an informative sheet in the bill. Pres. Kaplan reported our billing program cannot break the bill into parts. Trustee Masterson stated we need a new billing system. Pres. Kaplan added we have the highest water costs around. We charge by 1K gallons; everyone else charges by cubic feet. Trustee Svatik stated it was printed incorrectly in the Deerfield Review. Pres. Kaplan explained we have to pay Deerfield; Deerfield pays Highland Park. We are not part of the consortium. Pat told the board we need to move forward with the current situation. Pres. Kaplan stated this will be on the agenda for the next meeting.

Atty. Huvad told the board we have collected nothing in the Sewer Fund. Lake County does the maintenance, but we are responsible for replacing the infrastructure. Pat explained that we can inspect the sewer system. It is easier to figure out what to expect with the sewer system than the water system. He suggested that we film the same areas we have filmed before. That is a good way to gauge deterioration. He stated he would look into Lake County collecting remittance for sewer rehab that is forwarded on to us. We need to talk about spending money on the sewers.

Trustee Svatik asked about the 911 reimbursement. Chief Weinstein told the board he went to a meeting of the Lake County Emergency Phone Service Meeting on April 23rd. Representatives Link and Ryg were there. They want an amicable settlement, but they do not want to set a precedent. The Lake County Emergency Phone Services are estimating we pay \$40K a year into 911 funding. They want another meeting. Pres. Kaplan reported the big thing is they finally gave us numbers. We are not sure how accurate they are though. Chief Weinstein explained that based on their numbers only 128 homes out of 1200 in the Village would have two phone lines. He did not feel that was realistic. Pres. Kaplan stated we are trying to get unedited numbers. Trustee Haber asked about the money being retroactive. Chief Weinstein reported that will never happen. They say they have funding issues. Trustee Haber asked about our legal rights. Atty. Huvad stated we

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In Attendance:

William Kaplan
John Norris
Sherry Graditor
Bruce Masterson
William Svatik
Michael Haber
Paul Tully
Eileen Stanger
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

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Trustee Norris moved to approve the minutes. Trustee Masterson seconded the motion. Motion was carried by voice vote.

V. Treasurer's Report

Hal Roseth stated the formats for the reports are not prepared as usual because of the ongoing audit. The rates are going up. The IPTIP is up to .911%. Our funds are down. He reported he has moved \$.5M over the last 9 months. We have \$100K available to reinvest. There is an investment he is looking at. It starts at 2.8% and goes up every year. Hal stated he is also looking into rates for 4-year CDs. North Side Community Bank can give us 2.8% for 10 months on \$248K. He added he is trying not to make long term plans. He is holding out for better rates. Hal told the board the auditors do not like our accounting software. Susi likes it. We need to look into the problems with it. Atty. Huvad explained we spent \$35K on software that did not work. The software we are using now cost about \$900.

VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat Glenn told the board SSA #20 is chlorinated and in service. The B-boxes on Burr Oak will be done this week. The B-boxes on Whigham will hopefully be done next week. The

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Crestwood water main extension has an EPA permit pending. We are waiting for and working on easements.

VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Linda Dunn told the board there is a Plan Commission meeting May 6th.

XI. Police Report

Chief Weinstein told the board we have issued 111 traffic citations since the last meeting. We have written 168 case reports and 68 traffic accidents since the beginning of the year. On April 15th ILEAS became active. This is a statewide mutual car assist program. We are a member, and there is no fee. As of May 1st we have cancelled the NIPAS car program. NIPAS was very similar and required a fee. ILEAS expands on the NIPAS system. Chief Weinstein explained we are getting more for nothing.

Chief Weinstein reported on April 22nd Officer Marks participated in “Bring Your Child to Work Day” at Discover. He made a presentation and distributed safety information. Discover personnel have come in and called to express their gratitude and praise. On April 26th we found out that our Law Enforcement Block Grant was not accepted. The Illinois Criminal Justice Information Authority received 488 proposals and only 12% were funded. Chief Weinstein told the board he is looking into the possibility of traffic safety grants administered through the Illinois Department of Transportation. He added he has two quotes for folding stop signs. They would be for major intersections when the traffic signals go out. He stated a decision should be made shortly.

XII. Village Attorney’s Report

Atty. Huvard stated the State’s Attorney has filed a motion to dismiss in the Didier case. There is no date yet for the hearing. We met Friday with our representatives, a representative from Lake County, and the Lincolnshire Police to discuss the 911 surcharge. We want to recover some of the charges. We do not see any benefit from the expense. He explained we will get the numbers as to how much we have put into the system. He added it is not easy to get the figures. We hope to recover some of the money we have paid to Lincolnshire.

XIII. Comments by the President

Pres. Kaplan told the board there was a fire on Edgewood Lane. They were very fortunate to have a hydrant on the corner. If there had been no hydrant, the house would have been

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a total loss. The house can be repaired, and the owners will be back in the house in a few weeks. Trustee Tully told the board the owners want to thank Mr. Kim for the donation of the easement to put in the hydrant. If the house had been on a lot farther from the hydrant, the house would have been a total loss. He told the board he has had a long discussion with the Fire Chief and the Mayor. With homes in Riverwoods the size that they are, a 750-gallon tanker is not big enough. We are depending on other communities for help. We need to emphasize this the next time we look into putting in water. We are dodging bullets. Pres. Kaplan stated insurance companies do not rate us higher without water. Rates do not go down when water is put in.

Trustee Tully added there has to be a way to get in more hydrants. Pres. Kaplan stated he is happy to try to do that when water goes in. Trustee Svatik suggested getting the residents involved, so it does not look as if we are selling water. He added we should get letters from the Fire Chief. Trustee Tully reported the Fire Chief has volunteered to come in. He added he would talk to the owners of the houses. Pres. Kaplan indicated we can put pictures in the Village Voice. Trustee Norris suggested the Deerfield Review. He added bigger houses pose a bigger problem. Trustee Haber asked if we want to revisit the idea of requiring sprinklers. Russ stated it is hard when the home does not have water. Sprinkler systems are only to get people out of the house; they are not to save the house. Trustee Norris reported sprinklers are a small cost when done in a new construction. Trustee Svatik wanted to know if we require CO detectors. Russ stated we can require them like we require smoke detectors. Trustee Haber suggested we make them available for purchase at the Village Hall. Atty. Huvard told the board we should talk to Russ about the requirements. He wanted to acknowledge that Pat and Russ worked very hard to get that fire hydrant in. The homeowners reaps no direct benefit from it. Trustee Tully added several people on the street had been very upset to see the hydrant. Pres. Kaplan stated they thought they were going to have to pay for it.

Pres. Kaplan suggested moving John McGovern of the NSSRA up on the agenda. Trustee Svatik explained Mr. McGovern has an early morning meeting in Springfield. Trustee Svatik introduced John McGovern as the executive director of the NSSRA. He has received numerous accreditations, awards, and honors on the State and National level. He is on several committees to help support the NSSRA on the State and National level. Mr. McGovern told the board the NSSRA was formed as an intergovernmental agreement. It was formed after parents with children with disabilities spoke up as to their need for services in 1968. Communities created a recreation association because it was more economical to form programs as a group. Residents are taxed \$3 a year per \$100K of home value. He added that is less than mosquito abatement. Mr. McGovern told the board they have only 14 full-time staff members. In the 1970's all of the programs were for children. As those children grew up they added programs for adults in the 80's. The agency is 34-years old. In the 90's they added more young children. They have started

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inclusions. Inclusions are when children with disabilities are put into programs with children who do not have disabilities. These programs are run through the their Park Districts. In 1994 we had 25 inclusions; in 2002 there were 550, and in 2003 there were 764. Mr. McGovern stated they have 2 full-time staff members who work on just inclusions. He explained that they recently had a request by the Northbrook Park District. There was a senior who had suffered a stroke. He asked for some help to be able to return to the programs there. That is also an inclusion program.

Mr. McGovern told the board that Trustee Svatik is the representative from Riverwoods. He is informed and articulate. The NSSRA has just adopted their 3-year plan. There is a 14% increase in fees. He added that they do fundraising. They are hoping to raise \$117K this year. May 7th is their fundraiser in Glenview. There will be a September golf outing in Wilmette. Last year they were able to raise \$45K at that fundraiser. Even though there was a 9.9% increase in property taxes their budget is very tight. Gasoline and health care costs are concerns. They are constantly in Springfield looking for money. They received \$1.2M in grants last year, and they are working on more. The increased levy will help on some of the expenses, a small amount.

Mr. McGovern reported that they have a collaboration with NSSED. NSSED are the school programs for the disabled. They have a school/day camp over the summer. This makes it so the parents do not have to choose one program over another. This program has been around for 28 years. The joint summer program just won an award given out by Lisa Madigan. He reported he is headed to Springfield to try to get their Illinois First grant released. Right now it has been frozen, and that has hit their cash flow very hard. Trustee Haber asked about their budget. Mr. McGovern stated it is \$2.4M. Trustee Masterson questioned how the Village could support them. Mr. McGovern reported they are always looking for facilities for adult programs. He thought the Village Hall might be a good location. Facility rentals keep going up. They are looking for alternatives. He added he would like to put something in the village newsletter. Pres. Kaplan stated the deadline is every two months. Trustee Svatik stated he would get the deadline dates to Mr. McGovern. Pres. Kaplan thanked Mr. McGovern for his time.

XIV. Visitors Wishing to Address the Board

Max Lomont of 1330 Woodland Lane brought up the subject of fire protection. He stated there was a presentation made to the Deerfield Seniors by the Deerfield Fire Department. The Fire Department personnel then went out and inspected all of the homes of the seniors. They looked for working smoke detectors. He reported he felt it was a good program. The Village should make smoke detectors available at the Fire House. The inspections were free of charge. Mr. Lomont suggested we see about doing that here. It could save lives, and that is more important than saving a house. Pres. Kaplan asked Chief

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Weinstein to talk to the Fire Chief. Trustee Svatik asked if smoke detectors are required in all homes. Russ stated they have been mandatory since 1984 or 1986.

XV. Approval of Bills

Trustee Svatik moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Masterson seconded. Trustee Haber asked about the permit for Chicago Bread LL. Russ stated that is Panera's operating company. Trustee Norris asked about a bill on page 3 for \$7,794 for Central Management. (After the meeting it was determined that Central Management is the name of our insurance company). Trustee Svatik moved to amend his motion to approve bills as presented subject to approval of responsible Trustee/Officer and Village President subject to identifying the bill in question. Trustee Masterson seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully
 Nays: None
 Motion carried 6-0 (Bills approved)

XVI. Old Business

Atty. Huvard told the board Deerfield is raising their water rates. Pat had done a report on what we are paying and what we are charging. Each of the trustees has a copy of the report. In 2002 we sold \$714K for revenue. We paid \$425K to Deerfield. There are maintenance and utility expenses. We had an additional \$135K in expenses. It was for Swanson or engineering. The difference between expenses and revenue was about \$50K. He added there is a depreciation cost of about \$200K that is not included. Atty. Huvard stated he thought that was high. The net profit was \$37K. In 2003 we sold \$765K. We paid \$600K to Deerfield. There is \$822K due to the General fund. The actual cash in the Consolidated Water Fund is \$488K. The other revenues that are showing up in the report are not really revenues because there is a bond payment to go against them. Trustee Haber reported we are not putting enough away to cover the depreciation amount. Atty. Huvard explained that the entire system does not fail at once. Some communities will borrow to handle large failures, so they do not collect all of the money ahead of time.

Pat stated he has talked to Public Works Directors. Putting money away for the period of the system's useful life gets very high. Communities get a sense as to what they spend every year. The reserves fluctuate. The average amount is what is put into the budget. He added we have very little replacement to deal with now. We should have a goal over a period of time. The Deerfield increase is about a \$20K. It comes to \$.13 per 1K gallons. Pres. Kaplan commented that we are the only community that charges by the 1K gallons. It should be figured in cubic feet like everyone else. Trustee Svatik stated the water meters are set up in gallons. Pat explained our cost is up 17% since 1998. We have not increased the cost to the residents. We lose about 8% to unmetered flows. That is about \$45K a year. Trustee Masterson commented that he does not like that we are ignoring depreciations costs. Trustee Haber stated we need to have a program in place before it is a

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problem. We should also find the leaks. Trustee Svatik reported we have looked for the leaks for years. We are in line with others in terms of leakage. Pat stated the DNR allows for an 8% loss.

Atty. Huvard wanted to make clear to the trustees that he is not suggesting not having a reserve. Some of the residents are still paying for original equipment. He stated he is hoping to use the sales tax that will be generated by the 37 acres to help. The infrastructure sales tax will bring in between \$90K and \$100K a year. He added that the sewer is more under-funded than water. Trustee Haber stated we have to deal with the sewer issue now. Trustee Svatik told the board we should consider usage penalties for irrigation sprinkler systems and swimming pools. Swimming pools use a lot of water. Pres. Kaplan explained irrigations sprinkler systems are worse. Trustee Haber stated he did not think rates should be set that way. Pat reported he is going through the usage numbers. He will have more information for next week. In the summer the use for irrigation is huge. Atty. Huvard reported that the reservoirs were set up to hold two times the average daily demand. The average demand was 250 gallons a day per house. The question is whether or not we have enough storage capabilities. Trustee Haber stated that is a different issue. Pat told the board it is hard to get the numbers. He hopes to have a better picture for the next meeting. He stated it looks like the average daily use is 390 gallons a day per house year round. He needs to break it down. Pres. Kaplan stated we would have it for the next meeting. Trustee Norris stated we need to figure out the reserve funds. Trustee Svatik reported in the Management Letter it was stated that we failed to list all of our assets. He questioned how the accountant can figure out the depreciation cost, if he does not know the value of the asset. Pat stated \$11.5M is the value of the system.

Pres. Kaplan brought up the subject of L.A. Tan. Trustee Haber moved to waive the first reading of an Ordinance Approving a Tanning Salon as a Similar and Compatible Use under the Mixed Use Planned Development Special Permit for Shoppes of Riverwoods. Trustee Tully seconded. Motion was carried by voice vote.

Trustee Haber moved to have a second reading and adoption of an Ordinance Approving a Tanning Salon as a Similar and Compatible Use under the Mixed Use Planned Development Special Permit for Shoppes of Riverwoods. Trustee Tully seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully

Nays: None

Motion carried 6-0 Ordinance 04-4-4

Pres. Kaplan told the board we have two proposals for the Portwine Road Maintenance. Pat explained that we solicited Al Solomon for a quote. He came in with an identical \$1,200 a month. He will be providing the same level of service he is already providing. Pat

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commented he did not think it was worth changing providers. Trustee Haber pointed out we were not happy with Al Solomon. The work has not been appropriately dealt with. No one is happy with his level of service. Pat stated that Al felt no one was calling to complain. Trustee Haber reported we should be getting better service. Trustee Svatik commented that not everyone felt he was doing a bad job. Trustee Tully stated in his critique of the monthly bill he was just questioning what was being done. Pres. Kaplan explained the job was never formalized. He billed for what he did. Now it is formalized. Al knows what is expected. He knows others will be watching. Pat added the scope is clear. He suggested a staff review of an itemized bill. Atty. Huvard pointed out the contract goes from April to November. Trustee Haber moved to approve the proposal from SKS Construction for Portwine Road maintenance for \$1,200/month from April to November. Trustee Tully seconded.

Roll Call Vote - Ayes: Masterson, Norris, Graditor, Haber, Svatik, Tully
 Nays: None
 Motion carried – 6 – 0

XVII. New Business

Pres. Kaplan brought up the subject of the renewal contract with Miller/Cooper. Trustee Haber stated he did not like the last sentence. He thought it was a violation of public policy. They do not want to be responsible. Trustee Svatik reported he had the same issue. Atty. Huvard commented he thought they changed their format. Trustee Svatik stated if Atty. Huvard has not looked at the contract yet, then we should not be voting. Pres. Kaplan told the board this will be deferred to the next meeting.

Pres. Kaplan told the board we are responsible for maintaining the walking paths. Pat stated he has an estimate, but no bid. He explained he walked the path. It is very straightforward. The issue is patch versus overlay. There is a big difference in cost. The large part of the cost is in the transition to the driveways. He told the board he suggests patching and not doing the overlay. The patching will make the path safe, passable, and plowable. Trustee Masterson stated an overlay will not widen the paths enough to make them fit the standard. Pat added that the County plan does include a path at some future date for the North side of Deerfield Road. Trustee Haber asked how long it will take to do. Pat stated if we use MFT funds there will be more paperwork that will slow the project down. He reported probably July. Trustee Haber wanted to know if there was any way to do the project and get reimbursed. Pat stated “No” because the project has to go in as an MFT project. He suggested that for the \$18K estimate we may want to consider not using MFT funds. Making it an MFT project adds 2-3% because of the paperwork. Trustee Haber told the board he would suggest not using MFT funds. We do not want to wait until July. Trustee Graditor wanted to know if we could use the Motel tax. Pat stated he would prepare the bid documents.

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Pres. Kaplan brought up the subject of the Adesta J.U.L.I.E contract amendment (an extension to 2 years). Pat explained our agreement with Adesta was for a year. They provide location services and screen our J.U.L.I.E. tickets. They are not proposing an increase. We pay them \$1,800 a month in the heavy construction months. Pat added that their work has been exemplary. They have called us when they think a contractor is spending too much. Trustee Haber moved to approve the service agreement with Adesta. Trustee Masterson seconded.

Roll Call Vote - Ayes: Masterson, Norris, Graditor, Haber, Svatik, Tully
Nays: None
Motion carried – 6 – 0

XVIII. Executive Session

Trustee Norris moved to recess to Executive Session according to Section 2C5 of Open Meeting Act for land acquisition. Trustee Graditor seconded.

Roll Call Vote - Ayes: Masterson, Norris, Graditor, Haber, Svatik, Tully
Nays: None
Motion carried – 6 – 0

The meeting went into Executive Session at 9:45 PM.

The meeting returned to regular session at 10:05 PM.

Trustee Graditor told the board she read an article about the SBC not making payments to municipalities for 2 years. She wondered if we were going to get any money back. Atty. Huvad stated he would look into it.

Trustee Haber moved to adjourn the meeting. Trustee Masterson seconded. Motion was carried by voice vote.

The meeting adjourned at 10:05 PM

Respectfully Submitted,

Debbie Limer

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In Attendance:

William Kaplan
Sherry Graditor
Michael Haber
Bruce Masterson
Paul Tully
Eileen Stanger
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

William Svatik

Minutes taken by Debbie Limer

The meeting was called to order at 8:05 PM.

IV. Approval of Minutes

Board of Trustees Meeting – March 16, 2004

Trustee Graditor moved to approve the minutes. Trustee Masterson seconded the motion. Motion was carried by voice vote. Trustees Masterson and Haber abstained

V. Consultants

Gewalt Hamilton

Pat Glenn told the board the first chlorination for SSA #20 was done today. We should have results back in a few days. The service connections will start soon.

Director of Community Services

Nothing

Village Attorney

Atty. Huvad told the board a second amended complaint has been filed in the Didier case. They are going on the “implied easement” or “easement by necessity” argument. There is no date for the hearing yet. He stated their argument is very difficult to follow. Atty. Huvad added he feels the argument is very weak.

Atty. Huvad stated we have a meeting with Bob Teska on Friday to discuss the 37 acres. We want to formulate design guidelines for the annexation agreement.

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Urban Forest Management
Not present.

Plan Commission Report

Linda Dunn told the board they have a copy of the minutes from the last Plan Commission meeting. The Plan Commission would like to propose a new ordinance. It would allow for a building envelope on each individual residential property. Residents would be allowed to build on 60% of that envelope. She explained the Plan Commission does not want to tell residents what can go in on that 60%. Linda told the board this came up because Chuck Stewart wants us to work to save our woodlands. He suggested the idea of an overlay woodland district. She added she wants Atty. Huvad to help with this. There will be a meeting in May to discuss the issues and a public hearing in June. There needs to be help in publicizing this. The suggestion was Clean up day, the RRA, and possibly a special mailing. It is an important topic. Linda added she would try to get something in the Pioneer Press. She emphasized that there is a need to protect the woodlands now. There is a need to limit lawns. The woods cannot return to their natural state after the area has been turned over to turf. She suggested we contact homeowners' associations about this issue also. Tony Rey wanted to know if the lawns were included in the 60%. Linda stated everything is included in the 60%. Atty. Huvad pointed out we can word it differently. 40% untouched may be an easier way to explain the idea. Pres. Kaplan told the board the goal is to keep as much of our woods as possible. Linda added property with horses will be grandfathered. Atty. Huvad stated Chuck Stewart is going to do an inventory of the woodland overlay district, so we know what we have now. Trustee Haber suggested that we be careful when setting the date; he pointed out this proposed ordinance may cause people to get rid of some of their woodlands before the ordinance is passed. We need to have exceptions based on how space is being used. There can be conflicting uses. Trustee Tully added this proposed ordinance will apply to tear downs as well as existing homes.

Trustee Norris arrived at 8:15PM.

Linda told the board Mr. Weiss did not appear at the last Plan Commission meeting. Trustee Masterson went back to the discussion of the proposed ordinance. He wanted to know about the inventory. Atty. Huvad stated with an inventory we would know about non-conforming properties ahead of time. Trustee Masterson told the board we should also look at tree density. Trustee Tully added we need to address a resident wanting to build in a heavily wooded area versus a less densely wooded area. Atty. Huvad reported we are trying to find a balance between keeping the woodlands and a resident's desire to use his or her land. He added the forester already makes suggestions to residents as to positioning of building in order to save trees. Pres. Kaplan stated we should be able to

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continue to do that. Russ Kraly told the board he thinks that more than 90% of today's residents are willing to comply.

Zoning Board of Appeals
Not present

VI. Police Report

Chief Weinstein told the board we have issued 234 traffic citations since the last meeting. We have written 145 case reports and 57 traffic accidents since the beginning of the year. On 4/9/04 we submitted our COPS funding reimbursement request for the first quarter of 2004. The amount is for \$54,936.24. It usually takes about a week to receive the check.

Chief Weinstein stated on 4/13/04 we submitted an application for the new "Kids Can't Buy'em Here" tobacco enforcement grant. It would provide \$1100 for training, compliance checks, and enforcement activities. The activities would be with the tobacco retailers in the Village. He added we currently have two retailers, but could add more after the 37 acres are developed. The Illinois Liquor Commission provides the funding for this grant.

Trustee Haber asked about the accident on Deerfield Road where the car ended up on its side. Chief Weinstein stated that amazingly enough no one got hurt. A driver was cited for running a red light. Trustee Haber commented that the accident looked really bad.

Trustee Masterson stated he has seen people peddling magazines without a permit. He questioned what to do. Chief Weinstein reported the Police Department should be called. There are currently no magazine solicitors with permits in the Village. He added from his experience most magazine peddlers do not get permits. They should have a license with a picture ID signed by the Police Department. It must be worn on the outside of their garments and will have a watermark. Atty. Huvarad reminded the board that religious institutions do not have to register. Chief Weinstein added any calls that come into the Village Hall regarding soliciting should be referred to him. Trustee Masterson suggested in order to avoid confusion we should put the solicitor information in the Village Voice and on the Village web site. Atty. Huvarad told the board it is recommended that the religious organization call ahead to let us know they will be in the Village. Chief Weinstein stated we should be notified of those who are not following the law.

VII. Comments by the President

Pres. Kaplan told the board we have been named as a Tree City USA. Trustee Haber suggested that we get a sign to publicize this. Pres. Kaplan asked Russ to look into it. He felt it was a good idea.

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Pres. Kaplan stated we are getting a water increase from Deerfield effective May 1. It equates to 3.5%. Trustee Haber wanted to know if Deerfield is getting an increase from Highland Park that is in turn being passed on to us. Trustee Masterson added we had an increase last year that we did not pass onto the residents. Atty. Huvard explained at the time of the last increase Deerfield said they did improvements to their system which in turn would help our system. Those improvements drew their capital reserve funds down. Trustee Haber told the board he felt we should pass this increase onto the residents. Atty. Huvard suggested that Pat look at our capital reserves. Pres. Kaplan asked Pat to look into the issue and have recommendations for the next meeting. Pat stated that would be fine.

VIII. Visitors Wishing to Address the Board

Joan Lomont of 1330 Woodland told the board she had an easement question pertaining to the water. She stated the information she received is very vague. She wanted a better explanation. Pat reported that he will be going out to the Reys at 10am on Thursday. He stated he would be happy to come by and show her exactly where the easement would be. Ms. Lomont stated that would be fine.

Jaye Brodsky of 1392 Kenilwood wanted to give the trustees an update on the Safe Routes to School legislation. She just got a letter from Kathy Ryg. The legislation is out of committee. It will be up for discussion soon. They are hoping to force IDOT to use their funds for something other than roads and highways. Pres. Kaplan stated he was glad to hear her update. He was not aware of the status.

IX. Old Business

Pres. Kaplan brought up the subject of the Weiss recapture. Atty. Huvard explained there are two recapture agreements. The first is for Mr. Weiss; the second is for Mr. Dickler. The changes that have been made were suggested by Trustee Haber. The amount for each agreement is different. He added the agreements are to be done as resolutions, so we do not have to have a first and second reading. Trustee Haber moved to approve a Resolution Approving a Recapture Agreement for a Water Main Extension on Crestwood Lane. Trustee Masterson seconded. Pat asked that there be an explanation for the visitors present. Atty. Huvard explained the agreement is between the residents and the Village. The residents are advancing funds for the Village to be able to do the projects. The residents believe other residents will want to tap on. We will repay the owners without interest from the future connections. There is no payment between the residents. It does not change anything for the other residents. Trustee Haber pointed out it is even a benefit to the residents who do not hook up. There will be a hydrant on the corner.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Tully
 Nays: None
 Absent: Svatik

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Motion carried 5-0 R04-4-3

Pres. Kaplan brought up the Woodland Recapture Agreement. Trustee Haber moved to approve a Resolution Approving a Recapture Agreement for a Water Main Extension on Woodland Lane. Trustee Graditor seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Tully
 Nays: None
 Absent: Svatik
Motion carried 5-0 R04-4-4

Pres. Kaplan brought up the subject of an Ordinance Amending Provisions of the Village Code Concerned with Defining and Prohibiting Curfew Offenses. Trustee Haber moved to have a second reading and adoption of an Ordinance Establishing a Curfew for Minors. Trustee Masterson seconded. Trustee Haber stated on page 3 the reference to subsection C should be subsection D. Trustee Tully wanted to know if we were going to change the reference to a sidewalk in section D6. Chief Weinstein pointed out it refers to public area which would include the street. Trustee Masterson asked what is the age of a "minor." Chief Weinstein stated a person under the age of 17. He added if they are on the street after curfew, they are in violation. Trustee Haber asked for a clarification of the section pertaining to business owners. Chief Weinstein explained that if a business owner has minors in his or her establishment after curfew, he or she can be held accountable. If that business owner calls the police to let them know there are minors present who will not leave, he or she is then not responsible. Trustee Haber pointed out a change for clarification of wording. Trustee Haber moved to have a second reading and adoption of an Ordinance Establishing a Curfew for Minors as amended. Trustee Masterson seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Tully
 Nays: None
 Absent: Svatik
Motion carried 5-0 Ordinance 04-4-3

Pres. Kaplan brought up the subject of the Rose Terrace bid results. Pat stated we opened the bid for drainage improvements April 2nd. There is going to be a new culvert and grading work done. He reported he thought the bid would be for about \$55K. There were nine bids. The lowest was Lifco Construction for \$37,620. In order to use MFT fund for this project the contractor must be prequalified with IDOT. Lifco is not prequalified. The first company to be prequalified by IDOT is the third lowest bidder. The cost of the project goes up by \$11K. Pat told the board he suggested to Lifco Construction that they get prequalified. Lifco Construction has informed them it will take three to six weeks. Pat explained we can move up to Burger Construction, or wait for Lifco Construction. He added he would like to get this job going. Pres. Kaplan asked about the total cost. Pat

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stated with engineering he would expect between \$45K and \$50K. Pres. Kaplan told the board we are going to get reimbursed \$10K by a resident. He stated he recommends we waive the MFT funds and pay for the project out of Village funds. Russ added the resident has been very patient; he wants to put on an addition. He can't start the addition until these improvements are made. Pat reported we can use the MFT funds for something else. Pres. Kaplan asked if there was any reason to worry that the contractor is not prequalified. Pat told the board he got references for Lifco Construction. Everyone he talked to thought they were good. They are trying to get their foot in the door. They are a small company with low overhead. He explained to the board it is good to be in contact with a smaller contractor in the Village, especially because we do not have a Public Works Department. He added the work is not hard. We have all the specifications based on IDOT standards. Pres. Kaplan wanted to know if we could hold payment until they are prequalified. Pat stated that is a lot to ask of a small company. Atty. Huvard pointed out we would be saving 25% of the budget for this project using Lifco Construction right of the top. Trustee Haber moved to authorize the award and execution of the contract to Lifco Construction with payment coming from the Village of Riverwoods Road and Bridge Fund. Trustee Masterson seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Tully
 Nays: None
 Absent: Svatik
Motion carried 5-0

X. New Business

Pres. Kaplan brought up the Arbor Day Proclamation. He needed authorization to sign it. Trustee Haber moved to authorize Pres. Kaplan to sign the Arbor Day Proclamation. Trustee Masterson seconded. Motion was carried by voice vote.

Pres. Kaplan told the board we have a resolution for OSLAD and the Natural Area Grant Program for the Illinois Department of Natural Resources. Atty. Huvard stated it is a program we tried to get as a grant for the corner of Saunders and Deerfield. Trustee Tully reported open space funding has been cut from the budget. He added he thinks this should be funded. Trustee Graditor moved to approve the Resolution Supporting Continued Funding for OSLAD and Natural Areas Grant for the Illinois Department of Natural Resources. Trustee Tully seconded. Motion was carried by voice vote.

Pres. Kaplan told the board we have the contracts for the 2003 Hazardous Tree Survey. Chuck Stewart has submitted three bids. There are to be 55 trees removed and 6 pruned. Atty. Huvard wanted to know who are the owners of the trees being removed. Nancy Morten reported all of the trees are on Village owned streets. Russ added a few are going to be rebilled to residents. Trustee Graditor moved to approve the contracts to three companies for a total of between \$12K and \$13K. Trustee Tully seconded.

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Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Tully
 Nays: None
 Absent: Svatik
 Motion carried 5-0

Pres. Kaplan told the board the owners of L.A. Tan are here to for consideration as an authorized use at the Shoppes of Riverwoods. Atty. Huvad explained that the Shoppes of Riverwoods is a mixed use development. We have a long list of acceptable uses. This type of use is not on the list. The closest similar use we have is a barber shop or beauty salon. We can allow for other uses by Board approval. Pres. Kaplan stated he did not like the use. Trustee Haber reported he did not feel it was a problem. Tanning salons are very popular. Trustee Norris stated he agreed. Atty. Huvad added there are no other ancillary uses with this use. Tony Stevens told the board L.A. Tan has private tanning rooms. They sell lotions and protective eyewear. 70% of their clients are women. Sales provide for 50% of their revenue. The majority of the business is generated in the morning, early evening, and weekends. It is a good time to bring people into the Shoppes of Riverwoods. Jay Patel of 2011 N. Milwaukee stated the staff will help to support the other shops. Pres. Kaplan asked about tax revenue. Mr. Patel reported they expect to make between \$125K and \$150K in the first year. 50% of it will be taxable. By the third year they expect to be making between \$200K and \$225K. When fully established, it could be between \$400K to \$450K in revenue. Trustee Haber asked about the competitor down the street. Mr. Patel stated L.A. Tan is the largest tanning salon in the U.S. They have better marketing and a higher volume. They offer the UV-free spray tan that the competitor does not offer. Atty. Huvad told the board he does not have an ordinance for tonight. He can have it for the next meeting. Mr. Patel thanked the board, and told them if they have any questions to call. He reported that the build out would take four to six weeks after approved.

Pres. Kaplan brought up the subject of the Wetland Certification. We have approved Christopher Burke to help with the certification. Pat explained the petition is almost the same as the Watershed Ordinance. It is a good idea to bring more review into the Village. We are starting to see pressure on the wetlands. This will also help the residents avoid unnecessary costs. Trustee Norris moved to authorize the signing of the Petition for Isolation Westland Certification. Trustee Graditor seconded. Motion was carried by voice vote.

Pres. Kaplan brought up the proposal for the maintenance of Portwine Road. Pat stated that Al Solomon used to do it, but he got a quote from Ray. Ray is proposing to come twice a week. We are going to get more bang for the buck. Chief Weinstein wanted to know if he would remove an animal carcass. Pat responded that he would. He is a good resource, and has laborers at his disposal. Russ added this would be a bit cheaper than Al

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Solomon. Pres. Kaplan stated Al Solomon has been doing this for a long time. He questioned if he has been given the chance to requote the job. Atty. Huvad added we usually do a competitive quote for jobs such as this one. Pat told the board the total outlay is less than \$10K. He did not think the board wanted him to spend too much time on this. Pres. Kaplan stated we should give Al Solomon a chance. Pat reported he would give him the specifications. Ray did the job once this year. He had 20 bags of garbage. Pat added he questioned how Solomon is doing, if Ray had that much garbage so early in the season. Trustee Haber stated he wanted Trustee Tully's suggestion since this falls under his responsibilities. Trustee Tully stated we seem to be spending a lot of money for no real change. He admitted he hasn't really looked at the quality of the work. Pres. Kaplan reported he did not think we ever told Solomon we were unhappy with the work. Pat explained he gave Ray the job of fixing the area where everyone likes to turn around at the end of Portwine. It moved up from there. He stated he would put together a hit list, so we can get a similar quote. Pat added Ray is \$100 an hour for three workers. Pres. Kaplan told the board Solomon has never been supervised. Pat stated he would have the quotes for the next meeting.

Pres. Kaplan told the board Arts and Riverwoods wants to come to the May 4th meeting to make a presentation. They are asking for \$7,500. Trustee Haber moved to approve the Arts and Riverwoods contribution of \$7,500 to come from the Hotel tax. Trustee Masterson seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Tully
 Nays: None
 Absent: Svatik Motion carried 5-0

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning

Trustee Graditor told the board there were no permits issued in the month of March for new construction of a single family home. That is the first time in a long time.

Trustee Masterson – Water/Police/Fire

Nothing

Trustee Svatik – Finance/Soil & Water

Not present

Trustee Haber – Legal/Sewer

Trustee Haber asked Russ what we are doing about Mr. Kim. We need to do something. Russ reported he talked to him two weeks ago. Now Mr. Kim is not returning his phone calls. He questioned if we want to write him a ticket. Trustee Graditor wanted to know if we could fine him. Chief Weinstein explained we can write him a non-ticket violation. He

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will end up in Branch Court. Trustee Tully wanted to know how we can avoid this in the future. Russ stated he should discuss that with Atty. Huvar.

Trustee Haber asked how the situation with Orphans of the Storm worked out. Russ explained it was agreed with the residents to put in a berm and add planting. The plan went to Pat for review. There were some issues with the plan. Since that time Dean Witter has gotten rid of the dirt pile. Orphans would have liked to purchase their dirt, so the project is on hold. Pat explained Orphans was going to fill in the Right of Way for the berm. We need room to get the bike path in over there. We are willing to discuss an alternative location for the bike path, but we have not gotten any farther on that. The residents are wondering what is happening. We are awaiting a revised plan. Trustee Haber stated the residents will be here complaining. He would like to see it move along. Russ stated Orphans cannot build the berm without the dirt. They cannot afford to purchase the dirt. He added they have been told the berm will not solve the problem. Pat explained that this keeps getting more expensive for Orphans. There is only so much they are going to be able to do. Pres. Kaplan told the board it is not going to stop the noise. Russ stated they have made changes in how they put the dogs out, and the residents stated that has helped. Trustee Graditor added she would like to see the three large cages in the front moved to the back. Pat stated he did not think that was in the plans. Trustee Graditor told the board that maybe that should be done instead of the berm. Russ reported he can call them and inquire. Trustee Graditor reiterated she would like to see the cages moved. Trustee Masterson told the board we should not be the arbitrator. We need to stay within our bounds. Russ added the owner has been great. He has listened and tried to help. There is only so much he can afford to do.

Trustee Tully – Road & Bike Paths/Forestry

Pres. Kaplan stated the walking paths are in bad shape. Trustee Tully explained there is a lot of money in the budget for the paths. The cost of repair will be significant. Pres. Kaplan reported it is time to make a decision. Pat stated we can get an estimate. Trustee Tully told the board there is \$60K in the budget. Pres. Kaplan explained since we have no Public Works Department, we need to figure what work needs to be done and who is going to do it. Russ stated we can talk to D&M, our snow removal contractor, about the paths. Trustee Tully questioned if we can use MFT funds for the walking paths. Pat responded he believed we could.

Trustee Norris – Solid waste/Drainage/Storm water

Trustee Norris told the board the surveys are out. We have gotten 109 back already. That is a 10% return rate. We still have another month or so before the deadline. Nancy is tabulating the results. Trustee Norris stated he would have results for the board when they are done.

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Trustee Tully moved to adjourn the meeting. Trustee Graditor seconded. Motion was carried by voice vote.

The meeting adjourned at 9:45PM

Respectfully Submitted,

Debbie Limer

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In Attendance:

William Kaplan
John Norris
Sherry Graditor
William Svatik
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

Bruce Masterson
Michael Haber

Minutes taken by Debbie Limer

The meeting was called to order at 8:05 PM.

IV. Approval of Minutes

Board of Trustees Meeting – March 2, 2004

Trustee Svatik moved to approve the minutes. Trustee Graditor seconded the motion.
Motion was carried by voice vote.

Public Hearing – Appropriations Ordinance – March 2, 2004

Trustee Norris moved to approve the minutes of the public hearing. Trustee Svatik seconded the motion. Motion was carried by voice vote.

V. Treasurer's Report

Not present

VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat Glenn told the board SSA #21 is going well. The pipe is in on Whigham. The crews just keep on moving. He stated it will get a bit messier when the hydrants go in and the connections are made. RJ is doing a good job. They are hitting the project hard with three crews on the job.

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Pat stated he will open the bids for the Rose Terrace improvements on April 2nd. He will have a recommendation for the April 13th meeting.

VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Atty. Huvad spoke on behalf of Linda Dunn. He told the board the Plan Commission is working hard on the woodland overlay district. Chuck came in to the Plan Commission meeting with maps showing 60% lot coverage on two-acre lots. The Plan Commission will be looking at the same 60% coverage on one-acre lots at the next meeting. The Weiss subdivision will come before the Plan Commission at the next meeting. Atty. Huvad told the board he spoke with Kathy Ryg about Affordable Housing. There is legislation pending that would extend the date. We are keeping an eye on that. The deadline may get moved to the end of the year. Atty. Siegel added the word is the extension legislation will pass.

XI. Police Report

Chief Weinstein told the board there have been 100 traffic citations written since the last meeting. There have been 106 case reports written and 43 traffic accidents written since the beginning of the year. There is a new curfew ordinance; he has given it to Atty. Huvad. The Federal Ballistics Vest Program has provided us with 50% of the cost for Officer Durkin's new vest. The amount is \$241.32. Chief Weinstein stated he applied for funding for a portable breath tester from The Allegiance against Intoxicated Motorists. It was denied because their funding has been cut. He added he has requested funding from MADD. Chief Weinstein told the board he has obtained a \$.03 per gallon discount on gasoline from Speedway/Super America. This is in addition to our tax savings.

XII. Village Attorney's Report

Atty. Siegel told the board that Mr. Damish claims the Village has documents that the Didier property was connected to the Rivenburgh subdivision. That would imply rights to the streets using an easement "by necessity." He explained that Atty. Huvad and the Title Company went through the title reports going back to 1841 to check the ownership of the parcels. This was something Mr. Damish should have checked before filing his claim. Atty. Siegel told the board we sent a copy of the title reports to Mr. Damish. The Didier parcel was not part of the Rivenburgh subdivision. The Didier parcel could have been part of the parcel to the west. Atty. Siegel stated Mr. Damish's argument is wrong.

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Mr. Damish has not yet filed a second amended complaint. If a complaint is not filed in a reasonable time, we will file for dismissal.

Atty. Huvad stated we have met with the owners of the 37 acres and our consultant, Mr. Friedman. We are working on the annexation agreement. The guidelines for development will be within the agreement. The owners want to put together the full package, so they can give it to a developer. Atty. Huvad added after several meeting the owners now see our point of view. There is no contract with anyone yet. The owners are not looking for a developer until the agreement is done. Atty. Siegel reminded everyone to be careful with the way the documents are drafted. Pres. Kaplan stated the agreement will outline our design specifications.

XIII. Comments by the President

Pres. Kaplan stated we received a letter from Atty. Siegel about class action lawsuit pertaining to the Telecommunications Infrastructure Fee. Atty. Siegel explained he represents Skokie in this matter. There was a tax imposed on all telecommunications providers, land lines and wireless, in 1996. It was a 1% fee on gross receipts. The purpose was to improve the municipality's public way. In 2000 Prime Co. challenged the constitutionality of the tax because the telecommunications company was supposed to compensate for using the public way. Prime Co.'s argument was they were not using the public way because they had no infrastructure in the municipalities. It was ruled as an unreasonable classification because they did not use the public way. At that time it was not a class action case. Atty. Siegel explained the Illinois Supreme Court ruled it was only unconstitutional for wireless carriers. They went back to determine the damages. The class action lawyers went back into the ruling for all wireless users.

Atty. Siegel stated he got involved in this through Skokie, which has been included with the City of Chicago. Now there is a class action procedure. There is a multiplicity of plaintiffs and attorneys involved. Municipalities can opt-out, but then there is a risk they could be sued individually. Atty. Siegel stated we have to notify the plaintiffs and defendants, if we are going to opt out or not. Atty. Huvad explained we are looking at 1% that might have been improperly imposed. Atty. Siegel told the board what remains is the payments made under protest. He is not sure if that will be an issue because the Statute of Limitations is one year in this case. He added this started with the case of AT&T versus Arlington Heights. He won that case in front of the Illinois Supreme Court in 1993. New judges came in and reversed the opinion. Atty. Huvad questioned if we should opt out of the class action suit. Atty. Siegel stated that is a hard call. Atty. Huvad questioned what we would pay. Atty. Siegel stated they would be looking to recover the funds that were paid. Atty. Huvad explained we would have to refund the 1% of what we collected for three years. Atty. Siegel told the board there is always the question of

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whether or not they would come after us. Atty. Huvard told the board he thought we got \$40K in that time period, but that is the total of the 6% tax that is collected.

Pres. Kaplan told the board the next Board of Trustees meeting will be April 13th. The dates for the meetings in April will be April 13th and April 27th.

Pres. Kaplan stated we have received a letter from Kathy Ryg dated March 5th. There is a hearing on traffic issues on April 23rd. He asked anyone who is interested in going to let him know.

XIV. Visitors Wishing to Address the Board

Dr. Marcus Hester of 1105 Milwaukee told the board the building at Deerfield and Milwaukee is almost complete. He is here tonight for sign approval. The current sign has been there for 20 years. The new sign that he would like to put in is expensive, about \$35K. He handed out a design for the proposed sign. He told the board he was looking for their feedback. It is an LED sign that can change as frequently or infrequently as desired. Pres. Kaplan stated this sign has been turned down. He added Chief Weinstein is concerned it would be a distraction to motorists. The sign does not fit within our Sign Ordinance. Dr. Hester told the board he did not agree, but he handed out the design for a different sign. Russ pointed out it is basically what is there now. Pres. Kaplan stated he had a problem with the illumination, but not the sign. Trustee Tully asked if the lights were on the inside. Dr. Hester stated yes. Pres. Kaplan asked Chief Weinstein what he thought of the sign. Chief Weinstein stated he thought it looks fine, but he does worry about the sight lines. Atty. Huvard added he wanted to take the time to look at the sign and compare it to our Sign Ordinance. Pres. Kaplan told Dr. Hester he thought it was fine, but we need to check the illumination. He would let him know in a few days.

XV. Approval of Bills

Trustee Graditor moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Norris seconded.

Roll Call vote- Ayes: Graditor, Norris, Svatik, Tully
 Nays: None
 Absent: Masterson, Haber
 Motion carried 4-0 (Bills approved)

XVI. Old Business

Pres. Kaplan brought up the subject of the Appropriations Ordinance. Trustee Norris moved to have a second reading and adoption of the Appropriations Ordinance – 2004. Trustee Graditor seconded.

Roll Call vote- Ayes: Graditor, Norris, Svatik, Tully

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Nays: None
Absent: Masterson, Haber
Motion carried 4-0 Ordinance 04-3-1

Pres. Kaplan stated we have to wait in the Weiss recapture agreement. Russ added he sent out all the easements. He hopes to have this ready for the next meeting.

Pres. Kaplan brought up the subject of the liquor license for Baja Fresh. He stated the times would be 11am to 9pm on weekdays and 11am to 10pm on weekends. They have only asked for a license to sell beer, so the license will not say "wine and beer." Trustee Svatik asked about the fee structure. Pres. Kaplan reported the current fee structure is fine. Trustee Norris stated he would like to see us keep as much control as possible. We should clarify the times because they might want to include Friday as a weekend. Atty. Huvad made the appropriate changes. The license will only include beer. The times will be 11am to 9pm Monday through Thursday and 11am to 10pm Friday through Sunday. Trustee Norris moved to have a second reading and adoption of an Ordinance Increasing the Number of Authorized Liquor Licenses in the Village of Riverwoods as amended. Trustee Svatik seconded.

Roll Call vote- Ayes: Graditor, Norris, Svatik, Tully
Nays: None
Absent: Masterson, Haber
Motion carried 4-0 Ordinance 04-3-2

Pres. Kaplan brought up the subject of the SSA for West Course. Atty. Huvad stated we have to defer that discussion for now.

XVII. New Business

Pres. Kaplan told the board we have received a request for financial support for Family Day. The letter is in the packet. They have asked for \$2K. Trustee Svatik moved to approve the financial support of \$2K for Family Day. Trustee Tully seconded.

Roll Call vote- Ayes: Graditor, Norris, Svatik, Tully
Nays: None
Absent: Masterson, Haber
Motion carried 4-0

Pres. Kaplan stated we have been asked to sign a proclamation declaring April as Fair Housing Month. We received a sample proclamation. Trustee Tully moved to approve the proclamation declaring April as Fair Housing Month. Trustee Norris seconded. Motion was carried by voice vote.

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Pres. Kaplan brought up the subject of the ordinance establishing a curfew for minors. Atty. Huvad told the board the city of Chicago has adopted this ordinance. Chief Weinstein added it is the same one that has been adopted by Dallas and Washington D.C. They have all been upheld. This seems to be the one that will work. He explained our hours are less restrictive than the ordinance in Chicago. Trustee Svatik stated he was uncomfortable with passing anything tonight because we just got the ordinance at the beginning of the meeting. He did not want to fly through it. Pres. Kaplan explained the only issue is that we do not meet for another month. Right now we have no curfew to enforce. Chief Weinstein reported the Indiana ruling voided our law. We are in the same Circuit Court as Indiana. Atty. Siegel stated our Curfew Ordinance remains in effect until we repeal it. Chief Weinstein told the board he has told his officers not to write curfew tickets. He did not want to chance any legal action. Atty. Huvad stated he did not feel that Chief Weinstein felt this was urgent. Trustee Norris moved to have a first reading on an Ordinance Establishing a Curfew for Minors. Chief Weinstein told the board it was his recommendation not to invoke the old curfew law. Trustee Graditor seconded Trustee Norris's motion. Motion was carried by voice vote.

Atty. Huvad pointed out that, if a minor is standing on the sidewalk near his or her house, he or she is not in violation of the curfew law. Chief Weinstein explained that is if the neighbor does not mind. Atty. Siegel stated this ordinance puts vicarious liability on the parents. Chief Weinstein added the only real change is that police officers have to ask questions before invoking the Curfew Laws. We need to make sure we are not impeding Freedom of Speech or Freedom of Religion.

Trustee Tully moved to adjourn the meeting. Trustee Graditor seconded. Motion was carried by voice vote.

The meeting was adjourned at 9:10 PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:
William Kaplan
John Norris
Sherry Graditor
William Svatik
Michael Haber
Bruce Masterson
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 8:05 PM.

IV. Approval of Minutes

Board of Trustees Meeting – February 17, 2003

Trustee Graditor moved to approve the minutes. Trustee Norris seconded the motion. Trustee Svatik pointed out a change to page five, third line, “in the form of handouts” should be added after the full sentence in that line. The eleventh line from the bottom of the next paragraph should read “Trustee Svatik explained this was not a problem before the Army Corp of Engineers built the Bannockburn reservoir.” Trustee Norris stated in the same paragraph, thirteenth line from the top, “drainage” should be added after “significant.” Trustee Haber told the board of a needed change on page three under Approval of Bills, the seventh line down. It should read “Trustee Haber questioned the proportions of how the bill is being paid.” Motion was carried by voice vote. Trustee Tully abstained.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board we have started SSA #20 water main project. We are starting on Whigham and working our way around. He explained he has submitted papers to the IEPA for the Crestwood water main extension today. He hopes that we are able to do it as an extension of SSA #20.

Director of Community Services

Village of Riverwoods
Board of Trustees Meeting
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Russ Kraly stated that he has heard from another resident on Crestwood. He will be paying for himself and two other neighbors. That means we will need another recapture agreement. He added we have collected from five other residents already.

Russ told the board he went to West Nile seminar. In 2002 there were 881 cases in Illinois, 8 in Lake County. In 2003 there were 53 cases in Illinois, 1 in Lake County. Things are looking good. There are only seven mosquito pools left that they are attacking. Trustee Graditor asked about Denge Fever. Russ stated there have been no cases or outbreaks so far. Pres. Kaplan added they are still working very aggressively to keep the mosquito counts low. The results have been excellent for the past two years. Russ told the board we will be their training area again. They love our area because it is so wet.

Village Attorney

Atty. Siegel told the board the judge heard the arguments in the motion to dismiss the Didier case last week. There were five counts. The judge granted our motion to dismiss counts one and five with prejudice. "With prejudice" means these arguments cannot be raised again. Count number one was the big one because it pertained to the streets. The judge ruled there are no public streets. Count number five dismissed the argument that the land is land locked, and that we are condemning the value of the property. Atty. Siegel explained that in counts two and three we were granted the motion to dismiss. They pertained to the easement by necessity. The remaining parcel is cut off. Count four was also dismissed. It had to do with an injunction to put a road over village property. This depended on the existence of a road. Mr. Damish has the opportunity to refile his motion on counts two through four. He has 28 days. Atty. Siegel did not know if he would file again, but is confident we will win.

Urban Forest Management

Not present

Plan Commission Report

Linda Dunn told the board the Plan Commission will be meeting on Thursday.

Zoning Board of Appeals

Not present

VI. Police Report

Chief Weinstein told the board there were 118 tickets given out since the last meeting. There have been 92 case reports written and 42 traffic accidents written since the beginning of the year. Trustee Svatik asked about the accident on Deerfield Road last Saturday. Chief Weinstein commented that it looked worse than it was because it was so spread out. Trustee Svatik questioned if we have gotten any better pictures of our bank

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robber. He added he has been tied to a lot of robberies. Chief Weinstein stated he has sent the picture we have to the press.

VII. Comments by the President

Pres. Kaplan told the board we have a representative here for the tax referendum being proposed by the Lake County Board. Ann Maine introduced herself as a member of the Lake County Board. She went through the language on the ballot. All of Lake County will have the opportunity to vote on this referendum in two weeks. The proposed County retailers' tax would be a % sales tax increase, \$.25 for every \$100. It would not be included on the purchase of food, medication, cars, or boats. The tax would be added on gasoline. She explained it would be a dedicated fund that would generate between \$12M and \$15M a year. Ms. Maine told the board this tax referendum has the unanimous support of the Lake County Board. One-third of the money would come from people outside of Lake County. It would cost the average Lake County resident \$20 a year. She explained the money from this increase would go to road improvements, not new roads. It would be used to improve intersections, lengthen turn lanes, and coordinate traffic signals. She added they would work with municipalities and townships to determine the needs of the area. This has not been added as just a gas tax because we are not a home-rule county. We can only do what the State allows us to do. This is it. Ms. Maine told the board it has taken five years to get this far.

Ms. Maine explained that by doing this we would have \$15M a year to leverage. In the past IDOT has never had enough money to get larger projects done. This is not to be used for maintenance. With some money to start with we can work with the Federal government to do larger projects. Trustee Haber wanted to know how IDOT is funded now. Ms. Maine stated the MFT fund which is based on population. Trustee Haber wanted to know why they did not just raise the tax. Mr. Giertych of IDOT stated they do not have the authority to do that. Chuck Bartels introduced himself to the board. He is a volunteer working on the tax referendum. He stated the other people here tonight cannot ask for the board's vote, but he can. He added he had materials here tonight, and there is additional information on the website. The road demand is higher than property taxes. It took five years to get this through the legislature. The Lake County Board feels this is the fair way. He explained boats and cars are exempt by State Statute. Mr. Bartels added that he hoped the board would join other municipalities and businesses in voting in support of the tax referendum. One of the improvements being discussed is a central computer in the IDOT office to coordinate traffic lights to improve traffic flow as needed. Lengthening turn lanes and widening roads would also help. Having additional funds is good for a jump start on projects. He added they would love the board's official support and the trustees' personal support. The board members are very influential. He reported if this passes we can get plans moving a year from now.

Village of Riverwoods
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Trustee Haber wanted to know how the “dedicated fund” is mandated. Ms. Maine stated it is part of the public record. We need to hold board members accountable for their decisions. The greater need right now is for improvements. Simple improvements will be a big help to the overall picture. Mr. Giertych stated the money would be collected and managed separately. IDOT will look at all the corridors and link the lights. They will respond to traffic. They will be able to change lights when there is an accident in the area. It is a very progressive system. It includes the ability to synchronize traffic flow with the actual movement of existing traffic. Trustee Norris wanted to know if any of the funds would be used for mass transit. Mr. Giertych explained \$15M is almost nothing for mass transit. Mass transit requires significantly more money. Ms. Maine stated that is a federal level issue. Trustee Svatik explained that at the meeting for this tax referendum Marty Buehler stated there could be funds for mass transit. Mr. Giertych explained there is nothing preventing using the funds for mass transit, but mass transit requires significantly more money. Trustee Svatik stated the meeting was supposed to be broadcast. It was videotaped. Mr. Giertych reported he did not know when it was supposed to be broadcast. Mr. Bartels explained it should be on the County Cable station, channel 18 or 30.

Trustee Masterson stated the funds are earmarked for maintenance. He wanted to know if it could change. He questioned the bait and switch. Mr. Bartels reported that with a guaranteed stream of money they can do projects that are bonded. Trustee Masterson asked about bike paths. Ms. Maine stated they can be put in as part of a road improvement. Trustee Masterson reported the widening of Deerfield Road is on the 20-year plan. He questioned if a bike path will go in at that time. Ms. Maine stated it is possible. Atty. Siegel wanted to know if passing this referendum might abate an additional bond issue in the future. Mr. Bartels stated it might. Trustee Masterson wanted to know if other funding sources were considered. A sales tax increase is the most aggressive. Ms. Maine reiterated that food and medication are exempt. She added they had to work with the State legislature. Trustee Tully wanted to know if there were any assurances that the State legislature will not pull these funds into another budget shortfall. Ms. Maine stated the same argument could be made for other areas. Mr. Bartels explained that State and Federal funds follow money. With some initial funds there would be more possibilities to get other funding. Mr. Giertych stated this was the most attractive option. Bill Campbell, an audience member, wanted to know if there would be more work on north-south or east-west streets. Mr. Giertych stated both. There is very little of Lake County that is not congested. Mr. Campbell wanted to know if these funds would go toward extending Route 53. Mr. Giertych stated no; that is not the goal of this initiative. He added \$15M is really not a lot of money for these types of projects. Mr. Campbell wanted to know if we are opening up ourselves for another bond issue, hence a tax increase. Ms. Maine reiterated that the Lake County Board cannot raise taxes. She thanked the board for their time.

VIII. Visitors Wishing to Address the Board

Pres Kaplan stated all the visitors wanting to address the board are here to address agenda items.

IX. Old Business

Pres. Kaplan stated the resolution for the Weiss recapture will be held for the next meeting.

Pres. Kaplan brought up the subject of the West Course Ordinance. Atty. Huvard explained that we told the residents of West Course that we wanted a traffic agreement with them. Mr. Gold, a resident of West Course, had some questions for the board. Phillip Gold of 2323 West Course told the board he was here as the President of the Road Association. He has no authority as the president because there are no by laws for the association. There have been discussions about a SSA for West Course. The street has deteriorated and needs work. The residents were going to need to put in \$3,500 to \$4K each. There needed to be another option because not all of the residents could write a check to cover their part of the expense. He added they had heard about the SSA for the Hiawatha road improvements. The homeowners decided to go for that solution. Mr. Gold added that he has talked to our engineer about repairs versus resurfacing. He has also talked to contractors. Everyone agrees the road needs to be reconstructed. He has talked to all of the residents to get a consensus. He feels most are in support of the SSA. The inclusion of a 10-year payment spread was well received.

Mr. Gold told the board that Chief Weinstein wants a traffic agreement with West Course. He understands the desire for the agreement. He has been asked to sign the agreement. Mr. Gold stated he does not have the authority to sign it. He has talked to an attorney who lives on West Course. There are no by laws or declarations for the association. He cannot take the liability. He stated he would like to see the two issues as separate. It is not fair that the agreement has to be signed to get the road work done. The road needs work, and this is a good time to do it. A delay would be detrimental. It is not fair to the residents. Mr. Gold told the board he would like to see the issues as separate. He would present the traffic agreement to the residents. If the residents are okay with it, he will sign it. Atty. Huvard explained that the statute does not say a majority of owners have to approve the traffic agreement. West Course is governed by the Country Club Estates covenant. We have worked with an informal poll in the past. Trustee Svatik stated the traffic agreement was just suggested. The two issues are not tied together. Atty. Huvard explained we decided to ask at the same time. Pres. Kaplan reported to Mr. Gold that he does have the authority to sign the agreement. Mr. Gold stated he would not sign the agreement without a consensus of the residents.

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Trustee Haber stated he resents the implication that the board is holding the SSA hostage. The residents of West Course have asked for our help. The road work is something the residents can do on their own. He suggested they get their by-laws in order and take care of what needs to be done. Trustee Haber questioned Atty. Huvad. He wanted to know if we could put in the SSA agreement that the road would be governed by a traffic agreement. Atty. Huvad stated we have no authority to do that. Atty. Siegel explained we need to keep this SSA as attractive as possible because we have to be able to sell the bonds. It may affect the voting of the residents. Trustee Tully stated he understands that Mr. Gold is hesitant to sign the agreement. He questioned why the residents would not want the traffic agreement. He questioned why not poll the residents first. We have heard complaints about speeding on West Course. There are traffic issues. Pres. Kaplan stated any resident can request the agreement. He suggested that Mr. Gold go to the residents and poll them. Chief Weinstein explained we want a traffic agreement with all road associations, especially on a newly improved road. We have had multiple complaints. There are 91 homes in the area that use West Course. It is only a safety concern. There is no financial gain to us. He added we have had a dramatically reduced rate of accidents with enforcement. Trustee Graditor added we decided to address both issues at the same time because this is the time the neighbors will be talking about the issues. We have to get 51% of the residents to vote for the SSA for it to pass. Atty. Huvad explained after 51% sign the petition the board is obligated to approve the SSA. Trustee Graditor suggested a trial petition and talk to the neighbors. Pres. Kaplan stated Mr. Gold should come back in two weeks. Mr. Gold stated he would like some clarification from Chief Weinstein. He told the board he is not going to go door to door to the residents again. He simply does not have that kind of time. Trustee Graditor reported it should be explained as a safety issue. Mr. Gold told the board he would make the commitment to work with the Chief and talk to the residents. He explained that time is of the essence. He is moving out of Riverwoods on April 28th. He does not know who will be taking over his position. He would like to see this get finished. Mr. Gold asked the board to get the SSA going. He will do his best with the traffic agreement. He added he would hate to see the SSA not go through. Trustee Masterson moved to table the second reading of the West Course SSA. Trustee Svatik seconded the motion. Motion was carried by voice vote.

Pres. Kaplan brought up the subject of the Reforestation Program. We have spent a little over \$20K for the removal of buckthorn and garlic mustard, and the planting of trees. He told the board he wanted to set it up for another \$50K for 2004. Trustee Haber moved to move the Reforestation Program back up to \$50K for 2004. Trustee Masterson seconded.
Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully
 Nays: None
 Motion carried 6-0

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Pres. Kaplan brought up the subject of the Lake County Sales Tax for Transportation Referendum. Trustee Svatik stated we have to take it off the table. Trustee Svatik moved to take the issue off of the table. Trustee Masterson seconded. Motion was carried by voice vote.

Trustee Svatik moved to approve the Lake County Sales Tax for Transportation Referendum. Trustee Norris seconded. Pres. Kaplan stated our supporting the referendum is not raising property taxes. Trustee Masterson explained a vote for the referendum is endorsing it to our citizens. Trustee Tully reported each of us can personally vote for the concept. He questioned if we should be endorsing it. We should let the people decide. We would be putting our seal of approval on a tax increase. Trustee Svatik stated we have reviewed this as a group. We would be endorsing it as a board. Trustee Masterson explained that he did not feel we should be deciding. Trustee Norris told the board we would be taking a position, a leadership stand. Pres. Kaplan pointed out we are not getting into the ballot box. Residents still have to make their own decision. Trustee Norris stated we have listened to the issues. Sometimes a tax increase is necessary. Trustee Masterson pointed out the funds can be moved. The area the funding goes to is not locked in. Trustee Norris explained the referendum simply states "transportation." It is a question of taking a position. Pres. Kaplan asked the board do they endorse it or not.

Roll Call vote- Ayes: Norris, Svatik
 Nays: Graditor, Masterson, Haber, Tully
 Motion denied 2-4

Pres. Kaplan brought the board's attention to the Rose Terrace Storm Sewer Revised Resolution. Pat told the board they have a memo with the IDOT logo at the top. We are planning to do some storm sewer work. We got an easement from a neighbor in the area. The money is coming from MFT funds. The board passed the resolution. IDOT had a very long review period. Pat explained IDOT came back and said the resolution should be on the construction form, not the maintenance form. Pres. Kaplan stated all we are doing is changing the form. Pat told the board he is asking them to pass the change in the resolution. Trustee Norris moved to approve the revised resolution. Trustee Masterson seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully
 Nays: None
 Motion carried 6-0 R04-3-2

Pat told the board he hoped to have the bid out by next month.

X. New Business

Village of Riverwoods
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March 2, 2004

Pres. Kaplan told the board we need to vote on the Appropriations Ordinance. Trustee Norris moved to have a first reading of the Appropriations Ordinance 2004. Trustee Graditor seconded. Motion was carried by voice vote.

Pres. Kaplan brought up the subject of Theatre in the Woods. Donna Lubow of 5 Baneberry thanked the board for their past support. The Theatre is moving to Estonian House. It is their fourth move. She questioned if Estonian House is in Riverwoods. Stage Two has moved out, and opened up a good opportunity for them. This is the first time the Theatre is being charged rent. They are also paying \$155 a month for a storage facility. She explained this is the reason they are asking for more money this year. Estonian House is looking to have children's programming. Ms. Lubow stated they may not be charged rent for a children's show. The details are still being worked on. They have a budget of \$9K. Ticket sales account for about \$3K. They are happy about the new facility, but nervous about the costs. Trustee Masterson asked how many members of the group are from Riverwoods. Jeri Solomon of Northbrook responded they do not have official members, but the core group is from Riverwoods. Ms. Lubow explained the actors and technicians are from all over. Trustee Haber asked what makes this group uniquely Riverwoods. Ms. Lubow responded they would be in Riverwoods if they could. Trustee Norris asked about the Hotel tax. Trustee Svatik stated, next to the Arts and Riverwoods, Theatre in the Woods is the most legitimate use of the funds. Trustee Haber questioned if there is any way to make this group "more Riverwoods." He asked about giving tickets to members of our Senior Program. Ms. Lubow stated that would not be a problem. Trustee Haber moved to approve giving \$8,500 from the Hotel Tax Funds to Theatre in the Woods. Trustee Svatik seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully
 Nays: None
 Motion carried 6-0

Ms. Lubow thanked the board.

Trustee Norris told the board CCI is now Opportunity Returns. We got three estimates for printing the community survey. He stated he is asking for \$922.98, the quote from Diemand to cover the printing and postage costs. Trustee Norris moved to approve the bid for \$922.98 to cover printing and mailing the community survey. Trustee Svatik seconded. Trustee Haber questioned if this was a job we could do in-house. Russ stated it is too much for our copier. Trustee Norris stated this is more cost effective. Trustee Masterson asked if the survey will be on the web site. Trustee Norris responded he was afraid if it was posted we might have someone stuffing the ballot box. Trustee Svatik questioned if there was some way to control that. Trustee Masterson asked why anyone would care that much to stuff the ballot box. Trustee Norris told the board we can put it on the web site, but he is a little reluctant. Pres. Kaplan stated putting it on the web site

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Board of Trustees Meeting
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would be no problem. Trustee Haber added the surveys could be face stamped. Pres. Kaplan explained it is not a big deal. He asked how the surveys are going to get back the Village Hall. Trustee Norris explained we are asking the residents to mail them back. There is no return postage.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully
 Nays: None
 Motion carried 6-0

Pres. Kaplan told the board Baja Fresh has asked for a liquor license. They have been talking to Cheryl. Atty. Huvad explained our current ordinance only authorizes us to have seven liquor licenses. We would need to change it to eight. Trustee Haber moved to have a first reading of an Ordinance Increasing the Number of Authorized Liquor Licenses in the Village of Riverwoods. Trustee Masterson seconded. Pres. Kaplan stated the fee for the liquor license at the hotel was \$500. The liquor there is take out, but still on the premises. It is \$3,500 for a normal license, but they are just asking for beer and wine. Russ responded that a license for beer and wine is usually less. The price range for other areas is \$1,500 to \$3K. Trustee Masterson asked about enforcement. Chief Weinstein stated he did not see a big issue. He questioned if there is any take out allowed. Atty. Siegel stated it is just on the premises. Atty. Huvad added we will have to check the hours of the restaurant because he was not sure if they were correct. Motion was carried by voice vote.

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning
Nothing

Trustee Masterson – Water/Police/Fire

Trustee Masterson asked why the Village Hall closes down midday. He questioned why we do not stay open. Pres. Kaplan explained a lot of work gets done when the phones go off. We will let someone in, if they need to get in. Russ added he spends most of the open hours on the phone. Paperwork does not get done until the phone stops ringing.

Trustee Svatik – Finance/Soil & Water

Nothing

Trustee Haber – Legal/Sewer

Nothing

Trustee Tully – Road & Bike Paths/Forestry

Nothing

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Trustee Norris – Solid waste/Drainage/Storm water
Nothing

Trustee Haber moved to adjourn the meeting. Trustee Tully seconded. Motion was carried by voice vote.

The meeting adjourned at 10:00PM

Respectfully Submitted,

Debbie Limer

Village of Riverwoods
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In Attendance:

William Kaplan
John Norris
Sherry Graditor
Bruce Masterson
William Svatik
Michael Haber
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

Paul Tully

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

Board of Trustees Meeting – February 3, 2004

Trustee Svatik moved to approve the minutes. Trustee Masterson seconded the motion. Trustee Svatik pointed out on page four, third line down in the first paragraph, “are currently not able to meet” should be changed to “do not meet.” The tenth line of the same paragraph should be changed to “They should have incentives....” The word “yet” needs to be added after the word “penalty” in the fifth line. Trustee Svatik stated on page five, twelfth line down, “They are telling us” needs to be added after the word “us.” Trustee Masterson questioned an inconsistency. Atty. Huvad explained adding “monthly” before “gross” on page five, tenth line down, clarifies the issue. Trustee Norris told the board on page three the figure that Nancy gave was incorrect. The correct figure is about \$22K, not \$26K. He added the figure in the minutes should not be changed because it is the figure Nancy gave. Linda Dunn pointed out on the same line “plan” should be “plant.” Motion was carried by voice vote. Trustee Graditor abstained.

V. Treasurer’s Report

Not present

VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat Glenn told the board SSA #20 should be starting shortly. The contract bond will be ready tomorrow, and the preconstruction meeting will be Friday. A letter will be going out soon to residents about connecting to the water main.

Pat stated the trustees have a letter from his office pertaining to the release of the maintenance LOC for Regent Estates. His office is confident that all of the work they have done is acceptable. He added they recommend the release. Trustee Svatik moved to approve the recommendation to release the maintenance LOC for Regent Estates. Trustee Norris seconded. Trustee Norris pointed out this item is not on the agenda. Atty. Siegel explained it is part of the Engineering Report.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik
 Nays: None
 Absent: Tully
 Motion carried 5-0

VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Pres. Kaplan told the board Elmer Ciesiel's house is on the market. We will have to find someone to replace him as the Chair of the Zoning Board of Appeal.

X. Plan Commission Report

Linda Dunn explained to the board that they have the memo from Atty. Huvad about the Comprehensive Plan. She added that she was pleased with the memo. Atty. Huvad listened to the Plan Commission members and added his comments. There are seven areas of the Village outlined. The only question she had was about an area that is not currently in the Village. Ms. Dunn told the board Chuck Stewart will be at the next Plan Commission meeting. They will be discussing the size of lawns. We need to educate residents about this issue. Ms. Dunn invited everyone to the March 4th Plan Commission meeting. She added the memo is just a draft. It was given out to give the trustees an idea of what is coming. She asked about the Affordable Housing issue. Pres. Kaplan stated nothing is being done. He added he has talked to several mayors. There is not much being done. Everyone is waiting to see what happens.

XI. Police Report

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Board of Trustees Meeting
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Chief Weinstein told the board there have been 136 traffic citations written since the last meeting. There have been 69 case reports and 35 traffic accidents written since the beginning of the year. The Illinois Chief of Police Association is writing a new curfew law due to the Appellate Court's ruling on the Indiana Curfew Statute. He thanked Trustee Haber for bringing the issue to his attention. It has already been discussed with our Village Prosecutor.

XII. Village Attorney's Report

Atty. Siegel stated oral arguments will be heard on the Didier case next Wednesday. The County's motion mirrors ours. He stated he did not know if Judge Tonnigan would rule next week. The only vulnerability we have is an easement by necessity, if the land is ruled land-locked. Atty. Siegel stated he felt we were in good shape. Judge Tonnigan's courtroom is on the third floor. Arguments will start at 9:15AM on the 25th.

Atty. Huvard told the board he is moving ahead on his work with the Plan Commission on the Comprehensive Plan.

XIII. Comments by the President

None

XIV. Visitors Wishing to Address the Board

None

XV. Approval of Bills

Trustee Norris moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Svatik seconded. Trustee Haber asked about the Colonial Courts bill. Pat explained there was grease in the storm sewer behind Pine Gardens and Jimmy's Charhouse. We have talked to the company that runs Colonial Courts. They will take responsibility for the costs of the cleaning. Someone was dumping grease in the alley. Pat added we spent a lot of time and money to fix the problem. Everything has been cleaned out. The owners will monitor the problem. Trustee Haber questioned the proportions of how the bill is being paid. Pat stated the managing agent of Colonial Courts will work that out. They are paying the entire bill. They will decide who will pay them back. Mr. Spiro is the managing agent.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik

Nays: None

Absent: Tully

Motion carried 5-0 (Bills approved)

XVI. Old Business

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Pres. Kaplan stated the second reading of an Ordinance Amending the Text of the Riverwoods Zoning Ordinance to Modify the Provisions Governing Special Uses in the Office Research Compatible District will be discussed at the next meeting.

XVII. New Business

Pres. Kaplan brought up the subject of the recapture agreement for Mr. Weiss. Russ explained we have been working with residents on Crestwood for a water main extension. We needed more residents to come into the project. Mr. Weiss came forward and said he would do a recapture agreement with us. He has until March 15th. We will get started on the project after all of the checks are in. We have already gotten one positive comment from a resident. We hope more will follow. Pres. Kaplan asked if there were any comments for the agreement. Atty. Huvad stated he would have the agreement for the next meeting. Trustee Haber added we need to address when Mr. Weiss will be paid. Atty. Huvad told the board he will also work on the wording for the next meeting. Pres. Kaplan said he does not want to sign until all the money is in.

Pres. Kaplan stated he did not have the agreement that was needed to discuss the management of the Paine Weber account. He will have it for the next meeting. The way it is set up now they need two signatures. It takes a while to make trades. The stock broker wants to be able to act faster in managing the account. This is the \$2.5M Police Bond. We are charged a straight .55%. That would not change. He added it is advantageous to us. Trustee Haber wanted to know if we were giving them the ability to do whatever they wanted with the funds. Pres. Kaplan stated we would be taking their recommendations anyway. Trustee Haber asked about our parameters. Pres Kaplan stated they have the parameters. Trustee Svatik explained we had problems with Dean Witter in the past. Atty. Huvad explained Paine Weber has our investment policy. Trustee Haber informed the board the agreement should reference the investment policy. Atty. Huvad stated he would attach the same rider that is on the current agreement to the new agreement. Trustee Haber moved to approve the new agreement with Paine Weber. Trustee Masterson seconded. Trustee Norris stated he is hesitant to vote without seeing the agreement. Atty. Siegel explained we are granting them authority to manage the account consistent with the State Statute.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik
 Nays: None
 Absent: Tully
 Motion carried 5-0

Pres. Kaplan told the board they would find in their packet the Lake County Transportation Referendum. They would like us to pass a resolution in support of the upcoming referendum. It is a _% sales tax increase to support roads and highways. Trustee Svatik added it is associated with road and highway expansion. It is on going.

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There is no sunset provision. Pres. Kaplan read aloud the referendum as it will be presented on the ballot. Trustee Haber questioned how they are fundraising now. Trustee Svatik stated they get their funding from the gas tax and the federal government. Trustee Haber questioned their budget. Trustee Svatik explained it is between \$10M and \$14M. The increase in sales tax would double their budget. Trustee Norris wanted to know if it would include any mass transit improvements. Trustee Svatik stated it would, but they still need to determine the needs. Trustee Graditor wanted to know if it would move the Deerfield Road widening. Trustee Svatik moved to adopt the motion for the resolution as written. There was no second. Trustee Svatik stated he felt it was a necessary expense. Last year we voted to increase our sales tax by .5% for our infrastructure. Trustee Haber seconded the motion for the purpose of discussion. He added he did not know about the referendum and was reluctant to support it. He will be ready to vote on it when it is time to vote on it. Trustee Masterson stated it might accelerate the Deerfield Road widening. Trustee Graditor added it is money we have no control over. She stated she has difficulties with that. Trustee Svatik added we have no control over the other taxes we collect. Trustee Norris told the board he wants to hear more. Trustee Svatik explained we are not going to hear much more. All of the information is out already in the form of handouts. Trustee Norris moved to table the motion to have a representative available at the next meeting. Trustee Svatik seconded. Motion was carried by voice vote.

Atty. Huvard told the board he had a map for the Special Service Area for West Course. There are 31 lots. He explained this is a street rehabilitation project. The area is flooded regularly. The probable cost is \$148K engineering fees included. The association has \$10K it wants to apply to the cost. Atty. Huvard stated we would borrow a maximum of \$148K. The interest rate would be allowed to be no higher than 8%, and the term would be no longer than 12 years. The actual term should be 10 years. These bonds would not be tax exempt. He added the work is described in good detail in the ordinance. This is a one time cost. The residents have not asked for a maintenance levy. The Road Association will still be responsible for the plowing and maintenance. Pres. Kaplan added that this road floods constantly. Pat explained the road is low. We are not going to aggravate the problem. The road work should help the flooding because we are going to replace some of the culverts. The water does not move when it floods, so it does not wash anything away. Trustee Norris wanted to know if there were any significant drainage improvements we could make. Pat stated we could if we wanted to raise the road, but we would need more compensatory storage. We cannot get the needed storage around the road. Atty. Huvard explained that studies were done. Pat told the board the problem comes from a combination of places. The creek on the golf course needs to be cleaned out. The culvert under Saunders Road needs to be worked on. There is no easy fix to prevent the flooding. Russ added there is no place to put the water. Pat told the board the fix would require a significant amount of work on the golf course. Atty. Siegel wanted to know about the retention facilities. Pat stated it always floods. This area predates the

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FEMA maps. Atty. Huvard stated the association is not addressing the flooding issue in the rehabilitation project. He added they wanted to make sure most of the residents were in favor of the project. The president of the road association has called and talked to most of the residents. The owners who are in favor of the project must support the petition. Atty. Huvard added he felt it would go through. Pat stated he had not done any real analysis on the flooding. Trustee Svatik explained this was not a problem before the Army Corps of Engineers built the Bannockburn reservoir. We got nowhere when we went to the Army Corps of Engineers. Pat added we proposed a larger culvert. It would protect everyone better, but we never got anywhere. Trustee Haber moved to waive the first reading of an Ordinance Proposing the Establishment in the Village of Riverwoods of "West Course Drive Special Service Area #21" for Road Improvements Benefiting Certain Properties on West Course Drive and Providing for a Public Hearing and other Procedures. Trustee Svatik seconded. Chief Weinstein told the board the West Course Road Association does not have a traffic agreement with the Village. It would be nice to have. Atty. Huvard suggested we have a first reading only and add the traffic agreement to the Ordinance. Trustee Haber withdrew his motion. Trustee Svatik also withdrew his second.

Trustee Haber moved to have a first reading of an Ordinance Proposing the Establishment in the Village of Riverwoods of "West Course Drive Special Service Area #21" for Road Improvements Benefiting Certain Properties on West Course Drive and Providing for a Public Hearing and other Procedures. Trustee Norris seconded. Motion was carried by voice vote.

Chief Weinstein told the board he has had complaints of go-carts on West Course. They are not supposed to be on the road. The traffic agreement will aid in enforcing that.

Chief Weinstein brought up the subject of the purchase of two new police cars. It is in the budget to replace two cars this year. It will be one squad car and one SUV. The budget allows for \$42K. He stated he would like the authorization to spend not more than \$45,500. The Ford Explorer will have a special service package that will cost a little more. The other car will be a Crown Victoria. He explained a Ford Expedition would have the service package already on the SUV, but it is too big to be useful in the Village. Trustee Haber moved to authorize Chief Weinstein to purchase two new police cars; the cost not to exceed \$45,500. Trustee Svatik seconded. Trustee Norris wanted to know if that would include all of the costs. Chief Weinstein outlined a few other miscellaneous costs. Trustee Haber wanted to know what would happen to the old cars. Chief Weinstein stated there are no plans yet, but he would suggest keeping them for the Village. Trustee Haber wanted to know if there is a need for that. He added he did not mind reusing the cars as long as we were not making a need for them. Chief Weinstein stated they need to come out of police use. Trustee Haber asked about insurance costs. Chief Weinstein explained

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they would still be covered under our insurance pool. He added it is more efficient for us to keep the cars for now. Trustee Svatik questioned if he should put the cost of the two pool cars into the Appropriations Ordinance. Chief Weinstein stated it makes more sense to use the cars for Village business than to trade them. The trade-in value of these cars is almost nothing. In two years the trade in value will still be about the same. He added we need to add money to the authorization amount for the new cars to cover all of the miscellaneous expenses. Trustee Haber moved to amend his motion to \$50K maximum for two new police cars. Trustee Norris seconded.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik
 Nays: None
 Absent: Tully
Motion carried 5-0

Trustee Graditor moved to adjourn the meeting. Trustee Svatik seconded. Motion was carried by voice vote.

Meeting adjourned at 9:15 PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:

William Kaplan
John Norris
William Svatik
Michael Haber
Bruce Masterson
Paul Tully
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

Sherry Graditor
Eileen Stanger

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

Board of Trustees Meeting – January 20, 2004

Trustee Svatik moved to approve the minutes. Trustee Masterson seconded the motion. Trustee Masterson stated on page two, seventh line in the first paragraph, “this” should be added after “that.” On page three, fourth line from the bottom, “intensity” should be changed to “density.” Trustee Masterson pointed out on page 5, fourth line under Old Business, “to the Village of Riverwoods,” should be added after “\$5,800.” Motion was carried by voice vote. Trustee Norris abstained.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board he gave them the recommendation letter for the bid on SSA #21. There were seven bidders. The high bid was \$282,650. The low bid was \$195,942.50. The low bid was 28% under the engineering estimate. There is only \$500 difference between the two low bidders, RJ Underground Inc. and AJM. The lowest bid came in from RJ Underground Inc. Pat explained we have not directly worked with them. We have asked around, and they do good work. They stand behind their work. Pat stated he recommends the board authorize RJ Underground Inc. to do the job for \$195,942.50. Pres. Kaplan stated there are discrepancies between AJM and RJ Underground for tree removal costs. Pat added there are also discrepancies in traffic control and protection. Both costs are

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discretionary; that is common. We have the right to ask the contractors to revisit some of their numbers. They manipulate the numbers to get to the final number they want to submit. Pres. Kaplan stated we have had experience with AJM, but not with RJ Underground. Pat explained that he talked to RJ Underground's references. They have worked on individual houses in the village. Trustee Haber moved to accept the bid from RJ Underground Inc for \$195,942.50 for SSA #21. Trustee Tully seconded.

Roll Call vote- Ayes: Masterson, Norris, Haber, Svatik, Tully
 Nays: None
 Absent: Graditor
Motion carried 5-0

Pat stated he would send out the contract. The president of the company will be ready to start in the next two weeks. Except for restoration, the project should be finished by the beginning of April.

Director of Community Services

Russ Kraly told the board he has received the final plans for the house on Riverwoods. It is partially done now. The new date of completion is set for June 1st. Trustee Svatik wanted to know if this is for Mr. Kim. Russ stated that it was. Pres. Kaplan wanted to know what would happen if the house was not done by the completion date. Russ stated the outside will be done. Pres. Kaplan questioned what if it is not. Atty. Siegel added there are legal steps we can take. Russ told the board we are pushing him ahead by seven months. Mr. Kim knows he has dragged this out for six years. Atty. Siegel stated we can get an injunction. Russ wanted to know if this should be done under the old permit or a new one. Pres. Kaplan stated the old permit with a June 1st deadline.

Village Attorney

Atty. Siegel stated he has submitted a new memorandum in the Didier case. The attorneys for Didier said the same thing they said before. Atty. Damish is out of step. We will have to wait to see if the judge agrees. The judge is not very receptive to them because they are repeating the same thing. Atty. Siegel told the board oral arguments will be at 9:15 on February 25th. All are welcome to attend.

Atty. Huvard told the board we continue to have meetings on the 37 acres. S.E. Friedman, our consultant, is working on a gap analysis. Atty. Huvard added he has made some phone calls. He has talked to some Soils Engineers on the cost to install caissons on the property. We want to make sure we all understand what is involved with development. There will be more meetings next week. Atty. Huvard explained we are getting closer to an agreement. We prepared an annexation agreement. They marked it all up. We felt the changes they made were unacceptable. The owners are working on cost issues. Atty. Siegel explained that the statute enumerates the allowed costs in a TIF. Atty. Huvard

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Board of Trustees Meeting
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stated they are talking about sites costs. That is an allowable cost. A home store must have a much higher support load ratio. He added that Deerfield has done this already. We are working on quantifying what goes in the TIF.

Atty. Huvard told the board we are still working on the Comprehensive Plan. One idea was breaking up the different areas within the Village to set goals and objectives. The areas would be set up as character designations. The areas are easy to define. We have old lots, woodlands, planned housing, and others. We would set up goals for each area rather than across the board.

Urban Forest Management

Chuck Stewart reminded the board that we had planned to promote the Connor Shaw trees with the plant sale. The plant sale is set up for May 15th. We need to start planning for that.

Chuck stated the Village has been approached by the Upper Des Plaines River Ecosystem Partnership. He and Nancy Morten attended a meeting about it. The deadline for FY2005 is February 15th. We are probably too late for that one. They have grant money to help work on projects within the Village. We may want to pick a spot and do a landscape plan to show residents. Chuck reported we may want to work for FY2006. Their grant funds are a 50/50 split. Pres. Kaplan asked about the maximum amount we could get. Chuck explained there were a group of residents in Gurnee who had a problem with their wetlands. The homeowners applied for help. If we set up a \$50K - \$60K program, we might get half. We can put out brochures and education materials. Trustee Tully asked if it has to be on Village property or private property. Chuck answered he did not think it mattered. He added that they approached us. They felt the buckthorn program we set up was very unique. He stated he has gotten calls from other communities. This is a good opportunity. Pres. Kaplan asked Nancy Morten how much we have spent on the program to plant trees and remove buckthorn. Nancy stated \$26K for 2003, and \$3K so far for 2004. Trustee Tully wanted to know if that included the cost of buckthorn removal on Village property. Pres. Kaplan stated no; this is just for residents.

Plan Commission Report

Linda Dunn told the board the Plan Commission will be meeting on Thursday. She added Ann Maine will be at the Plan Commission meeting in March.

Zoning Board of Appeals

Not present

VI. Police Report

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Morry Weinstein told the board there have been 121 traffic citations issued since the last meeting. There have been 49 case reports and 29 traffic accidents written in 2004. Sergeant S. Lesselyoung attended a Leadership Program for Law Enforcement Executives and Managers. It was completely funded by state and federal resources. Chief Weinstein stated he attended a Statewide Summit on Contemporary Issues in Law Enforcement. It was completely funded by state agencies. Trustee Haber asked if there was any discussion of curfew laws at the summit. Chief Weinstein stated no. Trustee Haber stated curfew laws have been challenged as of late. The Appellate Court has thrown out curfew laws as unconstitutional based on the right to assemble. He explained that in most cases the kids were coming home from a school activity. So far Illinois has not been challenged, but Indiana has. Atty. Siegel stated he has not heard about this recently. He added he did not know of anything pending in Illinois.

VII. Comments by the President

Pres. Kaplan stated there was an affordable housing seminar several weeks ago. Atty. Huvad handed out a summary of the new law and a list of communities that do not meet the requirement. Atty. Huvad added we do not have a plan yet. He understands most communities are struggling. The legislators are thinking about extending the deadline. Trustee Haber stated that at this point, there is no penalty yet for non-compliance. Atty. Siegel explained that in 2009 they will start enforcing the legislation. There will be a lot of changes before that time. Atty. Huvad reported we are working on it. We do not have a proposal yet. Pres. Kaplan stated this was brought up to make the trustees aware. Trustee Tully told the board most communities are upset. They have started a movement to abolish the legislation and start again. They should have incentives. The communities are pushing to change the approach. Trustee Svatik wanted to know if we are planning to come up with a plan. Atty. Huvad explained the statute is to identify land. We can adopt a more modest goal to increase the housing by 3% a year. One idea is to add a fee on building permits and put it into a fund. He added he did not think there was any way to get the 10% required without breaking our zoning. We can designate undeveloped land on the outskirts of the Village as part of the necessary 10%. We can go up to a mile and a half from our boundary lines. Atty. Huvad told the board that Highland Park has set their plan by using 100% of median income instead of the mandated 80%.

Trustee Norris added the builders do not want to get into the affordable housing market either. They cannot make enough return on their investments. Atty. Huvad stated we have to make a plan, but not necessarily build. We have to look at areas. We did talk about senior housing. We can work to build a fund to help subsidize the plan. The builder can get grants to do the rest. Pres. Kaplan reiterated we have to have a plan, but not necessarily build out the plan. Trustee Svatik wanted to know why we are limiting the creative input to the staff. We have the Plan Commission and the board. He suggested having a Village meeting to help solve the problem. There is a lot of talent in the Village.

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He added we are limiting the scope. Others can help come up with ideas. Atty. Siegel reported Affordable Housing Experts will come out soon. He added it is a bad statute. Trustee Svatik told the board we have until July 1st for a solution. Atty. Siegel stated it is a long sought vision, but a terrible bill. Atty. Huvad added we will try to come up with ideas that will work as well as they can. We do not have much to go on. Some communities are spending a lot of money and hiring people. We want to come up with ideas; it has been discussed at the Plan Commission meetings. He added the Plan Commission meetings are open. Trustee Svatik reported affordable housing has not been on the Plan Commission agenda or in the minutes. He stated he has not been informed. He added he would be more comfortable if he knew what was going on. Atty. Siegel stated there should be accurate agendas for all public meetings. Trustee Svatik told the board he would have attended had he known.

Trustee Tully stated we should contact mayors in other communities about this legislation. A letter should be drafted with concerns from all the area mayors. There is power in numbers. Pres. Kaplan commented that is a good idea. He added there is a Mayor's meeting next week. Linda Dunn wanted to know if the mile and a half outside of Riverwoods would include Inverrary. Pres. Kaplan stated yes. Ms. Dunn asked about the condos in Inverrary. Trustee Norris reported the cost of those is too high. Ms. Dunn stated there is no land available. Trustee Svatik told the board the maximum price for affordable housing would be \$275K. Trustee Norris stated the land is worth more than that. Atty. Huvad explained the mortgage, taxes, assessments, and insurance can be no more than 30% of monthly gross income. On a \$45K a year salary, that would be \$1,100 a month. The general reaction is that it is not going to work. Trustee Svatik stated they are not asking us, they are telling us. Trustee Norris added there are no sanctions for non-compliance. Pres. Kaplan told the board we are in the exploration phase. Trustee Haber explained there could be a back-door remedy. A developer could have come in with a parcel for apartments, and we denied it. The developer may be able to appeal and get in with that. Atty. Siegel explained the Appeals Board is not active until 2009. In most cases they will try to override local zoning. That is probably unconstitutional. This is not going to work except in low income areas. It is a problem of economics.

Pres. Kaplan told the board he has received two phone calls today from residents about the walking paths. They have asked to have them plowed, so they can walk their dogs. He added he asked one of the callers to appear before the board. That person is not here. He explained he told the residents we have no facilities or budget for plowing the walking paths. Trustee Norris stated if they want to use the paths, they should shovel them. Russ added if we shovel them and someone falls, we are liable. Pres. Kaplan reiterated that we have no plowing equipment.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

Trustee Tully brought up the subject of “Children at play” signs. He explained that a few residents have come to him for signs. We have to get the residents to approve the installation because all locations would be private property. We can make the signs available. We would pay for the signs and the installation. Trustee Tully stated the cost to the Village would be about \$1K. That \$1K would be 15 to 16 signs at \$12 each. The installation and hardware for the signs is \$35 each. He reported we would not purchase the signs until five to ten residents came forward wanting them. The residents would need to allow the sign to go on their private property. If the resident no longer needed or wanted the sign, he or she would be obligated to give it back. Trustee Svatik asked Chief Weinstein what he thought about the signs. Chief Weinstein responded that the signs are not effective. Most residents do not want speed limit signs. Trustee Haber stated that if a private homeowner wants the sign, he or she should be able to get it. Trustee Tully told the board we can only put the sign up with resident approval. He added it will help with safety. Chief Weinstein stated we do not have a study to prove if this type of sign is effective. Trustee Svatik questioned if it will give the kids a false sense of comfort. Trustee Tully explained the concern is that there are more kids and more cars. Trustee Haber moved to authorize the spending of \$1K for the purchase of children at play signs and the hardware need to mount the signs. Trustee Svatik seconded.

Pres. Kaplan stated he was okay with purchasing the signs, but did not want to be responsible for putting them up. Trustee Svatik added if a resident can put in a mail box, he or she can put up the sign. Pat questioned if there should be limit as to how many signs go up in a given area. We do not want to abuse them with a high regularity rate. Trustee Tully suggested one per house with Police Department approval. Atty. Siegel wanted to know if the residents will assume there will be police enforcement with the signs. Pat told the board there is the Uniform Traffic Control Signage rules to which we all have to comply. He added it may not apply because the streets are private, but it is a good guideline. Trustee Tully suggested no more than one sign per one thousand feet. Trustee Svatik stated we should go with the standard. Trustee Haber moved to amend his motion and authorize the spending of \$500 for the purchase of “Children at play” signs. The Village will not be responsible for the installation, and they will go up at the discretion of the Police Department. Trustee Svatik seconded the amended motion.

Roll Call vote- Ayes: Masterson, Norris, Haber, Svatik, Tully
 Nays: None
 Absent: Graditor
Motion carried 5-0

X. New Business

Village of Riverwoods
Board of Trustees Meeting
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Atty. Huvad told the board we have had the first reading of an Ordinance Amending the Text of the Riverwoods Zoning Ordinance to Modify the Provisions Governing Special Uses in the Office Research Compatible District. He stated he wanted to defer this until the next meeting. The Bavarian Garden; it has been discussed at the Plan Commission meetings en has pulled out, but a hotel operator has surfaced. He added right now they are marketing the property.

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning

Not present

Trustee Masterson – Water/Police/Fire

Nothing

Trustee Svatik – Finance/Soil & Water

Trustee Svatik thanked everyone for their cooperation in getting in the budgets for the Appropriations Ordinance.

Trustee Haber – Legal/Sewer

Nothing

Trustee Tully – Road & Bike Paths/Forestry

Trustee Tully told the board he has talked to Cheryl Chamberlain. She has an idea. The RRA is still in favor of the bike paths, but there is no grant money. We cannot spend \$200K from the General fund. Her suggestion is to look forward and put \$40K a year into a fund, so that five years from now we have \$200K. Trustee Tully stated the committee would like to discuss the idea of setting up a fund to improve the bike and pedestrian paths. He added he feels the idea has merit. He wanted to put the idea out there to put aside the money.

Trustee Norris – Solid waste/Drainage/Storm water

Trustee Norris stated we were not selected by the CCI. We are getting together with the Steering Committee about the questionnaire. We did get a lot of comments. It will be modified for the spring. He stated we are going to use the feedback.

Trustee Tully moved to adjourn the meeting. Trustee Svatik seconded. Motion was carried by voice vote.

The meeting adjourned at 9:15PM.

Respectfully submitted,

Village of Riverwoods
Board of Trustees Meeting
February 3, 2004

Debbie Limer

Village of Riverwoods
Board of Trustees Meeting
January 20, 2004

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In Attendance:

William Kaplan
Sherry Graditor
Bruce Masterson
William Svatik
Michael Haber
Paul Tully
Eileen Stanger
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

John Norris

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

Board of Trustees Meeting – January 6, 2004

Trustee Graditor moved to approve the minutes. Trustee Masterson seconded the motion. Trustee Svatik pointed out a change on page one, first paragraph third line from the bottom. "\$278K" should be changed to "\$278M." Trustee Graditor stated on page four, third line down "pointed out" should be changed to "asked if." Trustee Masterson asked to have an addition to page 2, after the ninth sentence. "Only the U.S. Census can conduct the survey" should be added. Atty. Huvad pointed out a change to page 6, under Executive Session, "2C" should be changed to "2C1." Motion was carried by voice vote.

V. Treasurer's Report

Hal Roseth told the board the overall accounts are up \$200K. The biggest increase is SSA #20. It is up \$280K in revenue. He wanted to give an overall update of all accounts. Currently the Village has a balance of \$9.4M. \$8M is in interest-bearing accounts. We are getting an average of 3% on our investments. The IPTIP is at .9%. The \$2.5M in the Police Fund is earning 5 – 5.5%. The average interest we are getting on our CDs is 2.25%. Hal explained we have one CD for \$.5M that is earning 4.3% and another for \$500K that is also earning 4.3%. He told the board he would like to see the IPTIP rate increase. We may move some of our funds out if the rate does not go up.

VI. Urban Forest Management

Village of Riverwoods
Board of Trustees Meeting
January 20, 2004

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Not present

VII. Engineer's Report

Pat Glenn told the board the plans for SSA #20 are out for bids. The bids will be opened February 2nd. There will be a recommendation for the February 3rd meeting. The Shoppes of Riverwoods has requested a reduction in their letter of credit. They want to go down to the 10% maintenance bond. There is a grading issue. They do not have all the compensatory storage they are required to have. He explained because of that he does not recommend going down to the 10% maintenance level. He recommends reducing the letter of credit from \$982,434.66 to \$327,345.13. Pat stated that this will provide some incentive to get out in the spring and fix the grading. Trustee Tully moved to approve the reduction of the letter of credit for the Shoppes of Riverwoods to \$327,345.13. Trustee Svatik seconded. Trustee Tully asked if there was a call date on the letter. Pat responded one year.

Roll Call vote- Ayes: Graditor, Masterson, Haber, Svatik, Tully
 Nays: None
 Absent: Norris
Motion carried 5-0

Pat reported he has received a call from Marty Buehler of LCDOT. The bike path is going to be more complicated than originally thought. It is not likely to be included in next year's resurfacing program. LCDOT is looking at an off-road path. It is up in the air. They are looking at the feasibility. Pat stated he would push for a proposal. He added he would keep the board posted. Most likely this will not happen next spring.

VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Linda Dunn told the board the Plan Commission discussed allowing a "destination restaurant" in the area zoned office compatible. They felt it needed to be an upscale restaurant. Atty. Huvad added they recommended the text amendment. He added that the board had copies. Ms. Dunn stated the Lyndale subdivision was approved subject to all engineering issues being resolved. The preliminary plat for the Weiss subdivision was approved subject to the engineering issues being resolved. She stated Honor Fermentino brought in a Community First workbook from Naperville to possibly be used as a model to help sell Riverwoods. There are separate, distinct areas in Riverwoods. We need to

market them accordingly. This issue will be discussed again at the Plan Commission meetings. The main idea from the workbook is how to handle teardowns. Pres. Kaplan pointed out we are already doing most of the things recommended in the workbook. It applies to smaller lot sizes than we have in Riverwoods.

XI. Police Report

Chief Weinstein stated there has been 96 traffic citations given out since the last meeting. There have been 29 case reports written and 8 traffic accidents written since the beginning of the year. He reported on the information he had put together on the Village of Lincolnshire's gas pump, at Trustee Haber's request. Lincolnshire saves about 7 – 9 cents a gallon having their own pump. The savings to us would be negligible, under \$100 a month. Chief Weinstein stated we do not have to pay many of the expenses incurred by having our own pump. Pres. Kaplan added we would have an extra insurance cost. As it is now, we are not paying any taxes on the gasoline.

Chief Weinstein told the board that, in some other communities they have instituted a \$500 fee for towing a car in certain offenses such as DUI. This ordinance was brought up at a staff meeting. He wanted to hear the trustees' thoughts. It is penalizing a person before he or she is convicted of a crime. Trustee Svatik asked who pays for the tow now. Chief Weinstein explained the person who owns the car. Trustee Tully questioned if waiting for the tow truck is taking officers' time. Chief Weinstein stated it is not. The officers call early and the tow is there in minutes. There was some discussion as to how many DUI tickets are given out a year to figure out the possible revenue. Chief Weinstein explained the number of DUI ticket is misleading because some DUI drivers get two tickets. He estimated the revenue would be about \$25K. Atty. Huvad asked if this is just for DUIs. Trustee Haber asked about accidents. Chief Weinstein stated it is just for specific charges. Trustee Masterson told the board he did not like the idea because of "innocent until proven guilty." Trustees Haber and Graditor stated they were not compelled by the idea. The rest of the trustees agreed.

XII. Village Attorney's Report

Atty. Huvad told the board February 25th will be the court date on the Didier case. An amended second complaint has been filed. On the 37 acres, the Riverwood Inn may be able to use the Federal Life pond for some of their storm water retention. There will be a meeting January 27th. It may be easier to solve the storm water problem on the Federal Life property than on the 37 acres. He explained it would facilitate an easement agreement. Pres. Kaplan asked if we help them, are they going to give us the easement. Atty. Huvad responded yes. Pres. Kaplan questioned how we know that. Atty. Huvad stated this is something they want.

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Atty. Huvard brought up the subject of the proposed text amendment in the office compatible district, an Ordinance Amending the Text of the Riverwoods Zoning Ordinance to Modify the Provisions Governing Special Uses in the Office Research Compatible District. The office compatible district is the hotel property and the Corporate Woods Corporate Center. They are in the O & R1 zoning district. The FAR on the office area is .14. It is a low density. We put in a special use for the hotel. The FAR on the hotel is .25. This was all done for flexibility in the area. We are now proposing an additional option of a destination restaurant in the empty lot. Atty. Huvard stated the Plan Commission wants to insure an upscale restaurant, such as a J. Alexanders. The hotel owner is in favor of a restaurant. Mr. Burns, of Country Inn, would like to help his under performing hotel. Morgan Stanley would like a nice restaurant. Atty. Huvard pointed out that the language in bold is the recommendation for changes from the Plan Commission. They felt it was a good idea. At this point we are not able to get another hotel on the site. The area is not big enough for office space. He added we can come up with other ways to describe what we want.

Trustee Svatik asked if Atty. Huvard was looking for approval tonight. Pres. Kaplan responded no, just discussion. Trustee Svatik asked about the approval of the beer garden. Atty. Huvard explained we are not looking for approval of that idea. We want to allow for the possibility of a restaurant, so the owner can market it as such. Pres. Kaplan added the owners of the beer garden would want to change the text amendment. This ordinance will add one more use for the property. Atty. Huvard explained some of the wording comes from the text amendment on the hotel restaurant. We want a nice building; stand alone is the key. Pres. Kaplan stated it will be on the agenda for the next meeting. Trustee Haber added that the amendment looks overly restrictive. The restaurant owners are going to want a bar and possible carry out. We should word the amendment to what we think should go in there, rather than changing it down the road.

XIII. Comments by the President

Pres. Kaplan stated he would discuss his insurance report in Executive Session.

XIV. Visitors Wishing to Address the Board

None

XV. Approval of Bills

Trustee Graditor moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Svatik seconded. Trustee Svatik wanted to know about the water grant for \$75K. Pres. Kaplan stated that was an agreement made before his tenure. If the consultant got us any grants, he got a 15% fee. Atty. Huvard stated it is a fee for services. Trustee Svatik asked about interest. Atty. Huvard stated he would check the agreement. Trustee Haber suggested marking the check "full payment"

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after checking the agreement. He asked about the bill "H.D. Stringer recoup from the developer." Russ stated that is done. Trustee Haber asked who paved over the manhole for the sewer in the Woodland area. Pat stated most likely the Woodland Homeowners Association. Trustee Haber asked if we should be charging them. Pat stated he did not want to pick a fight. Trustee Haber pointed out it is \$1,318. Pat explained it happens from time to time. Residents have paid in the past. We can pursue the issue. Trustee Haber stated he did not think it was fair to have all the residents pay the expense. Trustee Svatik asked about the bond posted. Pat explained he did not think it was fair to charge the new resident for a prior mistake. He stated he would pursue it with the association. He thought they would go after the homeowner. Trustee Svatik questioned if the issue was not knowing who made the mistake and when. Pat reported that is correct. The problem was on the driveway apron, so it could have been done by the association or the homeowner. Pres. Kaplan stated it is in the easement, so we should go after the association. Trustee Haber added that the bill is approved for now, but it should be pursued with the association.

Roll Call vote- Ayes: Graditor, Masterson, Haber, Svatik, Tully
 Nays: None
 Absent: Norris
 Motion carried 5-0 (Bills approved)

XVI. Old Business

Pres. Kaplan stated the Crestwood Water Main Extension is not ready for discussion.

Atty. Huvard told the board the final plat approval has been given to the Lyndale subdivision by the Plan Commission. Lyndale is making a modest cash donation of \$5,800 to the Village of Riverwoods. Pat stated there is a revised plat. The outstanding issue is the water main extension. A recommendation for approval should be subject to water main extension approval. He added he did not expect any changes. Trustee Haber wanted to know where the contemplated bike path would go. He questioned if we should be reserving any area. Pres. Kaplan reported the easement is on the north side of the property. Trustee Haber wanted to know if we would have access. Pat responded yes. Atty. Huvard pointed out there is another route by CCH. Trustee Haber moved to approve the Lyndale subdivision subject to the approval of the final engineering plans on the water main extension. Trustee Svatik seconded. Motion was carried by voice vote.

XVII. New Business

Trustee Tully told the board he has talked to Bruce Masterson recently about water quality. Lake County does their own testing on residential wells near land fills in other areas of Lake County. There have been some problems relating to well water quality in Lake Zurich and Wauconda. The area at Deerfield and Milwaukee is an old land fill. There is another area just north of that on Milwaukee. He questioned if we should have a testing

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program in Riverwoods. Russ stated the cost is \$1,800 per well for all of the proposed tests. He added we monitor nine wells a month. Trustee Tully explained that he thought we should do some wells, maybe once a year. It is the responsible thing to do. Atty. Huvard stated we no longer have our municipal well to test. Pres. Kaplan reported we would be taking responsibility for private wells. Russ added 1/3 to _ of the Village is on municipal water. Trustee Haber stated it is a good idea, but there is a very large variance between wells. He did not know if it was statistically feasible. Pres. Kaplan stated to test nine wells and not others is not fair to the rest of the residents. Russ explained that Swanson sends in samples to the State for testing as long as a well is active. We should find out exactly what the State is testing for. Trustee Tully told the board Lake County has a program that is done randomly. Trustee Svatik asked who pays for it. Trustee Tully responded he did not know. Trustee Graditor added if we find a problem, we go out and test in that area. We have enough turnover of homes that wells are getting tested. A problem will be found. Pres. Kaplan stated he just sold a house, and the well was tested. The cost was \$250. Trustee Svatik asked if the wells are automatically tested after a house is sold. Pres. Kaplan responded yes.

Trustee Graditor told the board it is the resident's personal responsibility to test his or her well. Trustee Haber asked how often it should be done. Pres. Kaplan stated he had his well tested every two years. Atty. Huvard told the board he had two things to point out. First, we should have an education program to advise residents that well should be tested. Also, it is their individual responsibility to have wells tested. Second, the land fill is on the 37 acre site. There were environmental reports done in the past. They looked for migration off the site. That was the greatest concern. They did not find any. Trustee Haber stated if we test then we are opening ourselves to liability by negligence. Atty. Huvard added if there is a problem, we would never be able to pinpoint it. We would have to try to get Lake Michigan water to them. Trustee Tully stated it is ironic; the State tests Lake Michigan water for quality. We test our well water for quantity, but not quality. He added he wanted to talk to Russ about the costs of the water testing.

Issues of signs for "Children at Play" postponed.

Pres. Kaplan brought up the subject of the Wondreis property. We should put it up for auction, but we need to put in water first. Pat stated to run water all along Chianti Trail to the end of the lot line would be \$65K. Trustee Tully asked why we have to put it in. Pres. Kaplan explained that when a property is subdivided, it is policy to put in a water main if possible. Pat stated it is not required. Pres. Kaplan asked if it is policy or not. Pat explained it is not required. It is usually in the economic interest of the developer to put in the water. Trustee Haber wanted to know if we will recover our costs, or are we okay with the developer putting in a well. Trustee Graditor stated that a developer will not put in a well. Trustee Masterson told the board the developer should put in the water.

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Trustee Haber added we can put in a minimum reserve for the property. Pat explained the only necessary improvement is the road. All developers are voluntarily putting in water. Atty. Huvard pointed out the property is already subdivided. Pat stated there is no water on the property, there will be water along Portwine. Atty. Huvard told the board this is a new situation. We are the subdivider. It is a new lot of record that we are marketing. Trustee Haber added if we put in water, we need to raise the price. We do not want to lose money. Trustee Svatik informed the board the money we are putting into this keeps going up. Trustee Tully wanted to know why we are putting water on this newly acquired Village property. We are not planning to use it in the near future. Trustee Graditor stated the developer should pay for it. Trustee Haber added we can let the developer come to us. Pres. Kaplan stated he was under the impression the subdivider had to put in water on the property if possible.

Pat Glenn brought up a proposal for wetland consultations. We are doing a lot of tear downs, and they are pushing into undeveloped land. The Village is not certified to administer the wetland except in isolated water. It will be helpful to have a certified consultant. There is a \$350 fee to walk through the issues of the certification process. The majority of the fees will be pass through fees. He added it will be good the have a firm to whom we can direct residents. This does have the potential to save our residents some money, and we will still keep it under our umbrella. Trustee Haber moved to approve the proposal to have Christopher Burke Engineering available for Wetland Consulting Services. Trustee Svatik seconded. Trustee Svatik wanted to know if we were passing on the \$350 fee. He questioned who is requiring the startup. Pat explained the fee is to get certified. Trustee Svatik stated we are not initiating the project. Pres. Kaplan asked if this is a one-time fee. Pat stated yes. Trustee Masterson stated that with the certification we can enforce the regulations.

Roll Call vote- Ayes: Graditor, Masterson, Haber, Svatik, Tully
 Nays: None
 Absent: Norris
 Motion carried 5-0

Pres. Kaplan questioned if the resident asked to have the Weiss subdivision put on the agenda. Russ stated they said they would be here. Pat explained there are a couple of issues. They are title insurance, LCDOT access location letter, and wetlands delineation. He informed the board he had gotten the LCDOT letter. All of the issues are for the final approval. Atty. Huvard added all of this will be approved at the Plan Commission meeting before the Board's final approval. Pat explained the owners really do not have anything to present at this time. Trustee Haber moved to approve the preliminary plat for the Weiss subdivision. Trustee Svatik seconded. Motion was carried by voice vote.

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Pres. Kaplan stated it will go back to the Plan Commission.

Trustee Masterson commented to the board that whoever is responsible for maintaining the web site has been quite tardy. The agendas for the meetings are not going up soon enough to give time to residents to look at them. Pres. Kaplan asked Clerk Stanger to look into the problem.

XVIII. Executive Session

Trustee Tully moved to recess to Executive Session according to Section 2C1 of Open Meeting Act for personnel. Trustee Haber seconded the motion.

Roll Call vote- Ayes: Graditor, Masterson, Haber, Svatik, Tully
 Nays: None
 Absent: Norris
 Motion carried 5-0

The meeting went into Executive Session at 9:30PM.

The meeting returned to regular session at 9:40PM.

The meeting reconvened. It was called to order at 9:40PM. Roll call was taken.

In Attendance:

William Kaplan
Sherry Graditor
Bruce Masterson
William Svatik
Michael Haber
Paul Tully
Eileen Stanger
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Absent:

John Norris

Trustee Haber moved to approve the recommendation to provide dependent health care coverage for Police officers working full time, 75% of the time, and for sworn personnel working for the Police Department. This will be a Village contribution, 25% employee contribution. That coverage will be provided only, if the dependents do not have coverage

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available through other means, such as a spouse or parent who would have coverage.
Trustee Graditor seconded.

Roll Call vote- Ayes: Graditor, Masterson, Haber, Svatik, Tully
 Nays: None
 Absent: Norris
Motion carried 5-0

Trustee Svatik asked the trustees to give him their best idea of budgets for 2004 for the Appropriations Ordinance. He added he would like it by the end of the month. Trustee Haber asked about getting last year's numbers. Trustee Svatik stated he would get it from Susi.

Pat Glenn read to the trustees the regulations on subdivision improvements. Bringing water to the property is only required if it is feasible, and the trustees find it desirable. Trustee Masterson stated that is required for builders. Pres. Kaplan commented it was different than he thought. Pat added we can require the water to go in. We have never put it to the test. Atty. Huvad stated he would have to look at it.

Chief Weinstein thanked the board for the insurance coverage on behalf of the Police Department.

Trustee Graditor told the board we have received a letter from CCI. We were not chosen. We were #4 on the list.

Trustee Haber moved to adjourn the meeting. Trustee Graditor seconded. Motion was carried by voice vote.

Meeting adjourned at 9:50PM

Respectfully Submitted,

Debbie Limer

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In Attendance:

William Kaplan
John Norris
Sherry Graditor
William Svatik
Michael Haber
Bruce Masterson
Paul Tully
Eileen Stanger
Jack Siegel
Bruce Huvad
Pat Glenn
Russ Kraly
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 8:00 PM.

IV. Approval of Minutes

Public Hearing – Truth in Taxation – December 2, 2003

Trustee Haber moved to approve the minutes. Trustee Masterson seconded. Trustee Haber stated that the third line should be changed to, “This will allow us to capture the increase in the assessed value in the” The last sentence in the fifth line should be changed to, “In 2002 the assessed value of the Village as a whole was \$278M.” He pointed out that on page two the first word of the second line should be “valuation.” Motion was carried by voice vote.

Board of Trustees Meeting – December 16, 2003

Trustee Haber moved to approve the minutes. Trustee Graditor seconded the motion. Trustee Svatik stated on page 6, third line under New Business, should be changed to “It is a similar source of smoke.” The last sentence on the same page should be clarified as “salary rate increase for Village staff.” Trustee Norris pointed out the word “obey” on page 6, sixth line down under New Business, should be changed to “enforce.” Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board the information for the SSA #20 water main for Crestwood is in to the IEPA and LCDOT. The bid documents will go out December 19th for open bids on February 2nd. The results will be in for the February 3rd Board of Trustees Meeting. The

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construction will start after that and go through winter. He stated he figures it will be done in the beginning of April. Restoration for the project will be done in the spring.

Director of Community Services

Russ Kraly told the board he had a new census proposal. The old proposal was for \$70K. We decided to narrow the census down to just Red Seal. There are 16 new homes. We can expect to get a minimum of \$20,100 for those homes. The new census proposal cost is \$11,001. It will take about 6 weeks to complete the census. Trustee Masterson wanted to know how the company doing the census can justify that kind of money for one street. Russ stated they have a set fee for 0 to 50 homes. Pres. Kaplan explained we will be ahead \$20K by 2010. Only the US Census can conduct this survey. Trustee Svatik moved to approve expense of \$11,001 for a census of the Red Seal subdivision. Trustee Masterson seconded. Russ added we have already sent the company \$200, so the real cost is \$11,201.

Roll Call vote- Ayes: Graditor, Masterson, Norris, Haber, Svatik, Tully
 Nays: None
 Motion carried 6-0

Russ told the board we are still working on the Crestwood water main. We are waiting for one other resident. If we can get him on, we are ready to go. He explained that he and Pat have been able to be more exact with the figures. This has brought the cost down a bit and made the project more attractive to other residents.

Russ stated Mr. Kim has been into the Village Hall. He now plans to finish his construction. He has cleaned up some of the area on his property. He will request a permit by the end of the month. The project will be finished this spring. We have told him he needs to get it done.

Village Attorney

Atty. Siegel told the board Mr. Damish has not responded to the motion to dismiss in the Didier case. We are granting him the additional time he has asked for. Atty. Siegel stated he is not sure what Mr. Damish could say that has not already been said.

Atty. Huvard stated that discussions continue for the annexation and easement agreements with the Riverwoods Inn and the owners of the 37 acres.

Urban Forest Management

Not present

Plan Commission Report

Linda Dunn told the board the Plan Commission meeting will be this Thursday.

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Zoning Board of Appeals
Not present

VI. Police Report

Chief Weinstein reported that there have been 182 traffic citations written since the last meeting. Seven case reports and two traffic accidents have been written so far this year. He summarized the data from 2003. For the year there were 531 case reports, 250 traffic reports, and 228 house watches. The statistics for 2002 were 231 accidents, 573 case reports, and 209 home watches. Chief Weinstein told the board we are looking into two grant possibilities. The first is through the Illinois Law Enforcement Alarm System. We are a member of ILEAS. We have already received gas masks for the officers through this organization. The grant is for Homeland security issues. The second grant is from the Local Law Enforcement Block Grant. We did not receive the grant in 2003, but it was substituted with the Illinois Criminal Justice Information Authority Grant. It can be used only for specific items. It is 90%/10% grant for vehicles, Mobil Data Terminals, In-car video systems, or radios.

Chief Weinstein told the board about the press release that was handed out. On 1/3/04 Officer Ron Shor pulled a man from a burning car in the parking lot of the Country Inn and Suites. The man was arrested and charged with DUI. Chief Weinstein reported he has written a letter of commendation. He wanted the board to be aware of Officer Shor's quick, efficient and effective actions in preserving a life. Pres. Kaplan added that the person was not even aware the car was on fire. Trustee Svatik suggested the Village recognize the officer. Chief Weinstein explained the driver of the car had the engine revved up so high in park the car caught fire. He added that Officer Shor is quite strong and pulled the driver out by the wrist even though he did not want to be removed from the vehicle. Pres. Kaplan stated we would send a letter to Officer Shor.

VII. Comments by the President

Pres. Kaplan introduced Ann B. Maine to the board. She is our representative from the Lake County Board. Ms. Maine told the board they should feel free to contact her. She told the board she took a tour of the possible bike path locations with Marty Buehler of IDOT. She explained she has a letter from Pres. Kaplan requesting bike paths on Deerfield Road. There are a lot of stipulations. If there is no curb between the bike path and the road, there has to be a bike lane on both sides of the road. That is a problem because there is not enough room on Deerfield Road for that. There is the necessary five feet only from Thornmeadow west. She explained that they are working on that section. The good news is that with this section we can do a connection to the Des Plaines River Trail. Ms. Maine wanted the board to know they are looking to get an IDNR grant to put a bike path in over Everett Road to Riverwoods. That would be a nice loop. She told the

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board the long term plan is to widen Deerfield Road. She wanted to know the board's position on that. Pres. Kaplan stated that the board has discussed that issue. We understand it is inevitable. It is not a popular idea, but we are not going to try to fight it as Lincolnshire did. Ms. Maine told the board she would like the opportunity to talk about it when the time comes. Pres. Kaplan suggested that she come to a Plan Commission meeting. He brought up the meeting in March where the Comprehensive Plan will be discussed.

Ms. Maine reported that there will be a referendum on the ballot in March for a % sales tax hike for road projects. The projects would include bike and pedestrian paths. She questioned if the Village had a cable channel. Trustee Graditor stated we can get information posted on an access channel, but we do not have our own channel. Trustee Haber added we have a good web site. Trustee Graditor asked if there would be a major increase in project and engineering costs to have bike lanes on both sides of the street versus on one side with a curb down Deerfield Road. Ms. Maine explained there will be a major compensatory storage problem when Deerfield Road is widened. She stated she did not know how they were going to work around that. Trustee Tully wanted to know if the Lake County Board is in favor of widening Deerfield Road. Ms. Maine explained projects can be added or deleted from the long term plan, but she felt the board was in favor of the project. Trustee Svatik asked how the widening of Route 22 was funded. Ms. Maine stated it was a state project. Trustee Tully explained that the residents of Meadowlake want access to the bike path from their side of Deerfield Road. They do not want to have to cross the street. The residents were told they were not going to get that access. He questioned if that could be re-evaluated. Ms. Maine stated there are probably right of way and storm water issues. She added we can find out the issues, but it is not likely they will get access to the proposed bike path from both sides of the street. Atty. Huvad reported it may be possible to put in a crossing over by the Riverwoods Inn when the property is developed.

Trustee Svatik explained that he has tried to get a "do not block intersection" sign for Deerfield and Riverwood Roads. The County did not want to put it in because there were too many signs. Pat explained the County did not want to put the sign in at a signaled intersection. Trustee Svatik pointed out the only intersections that get blocked are the ones with a signal. Ms. Maine asked about enforcement. Chief Weinstein explained enforcement is not necessary because when a squad car is visible, no one blocks the intersection. Ms. Maine stated she would look into the issue. Cheryl Chamberlain of 2760 Riverwoods Road wanted to know exactly where the County is looking into putting a bike path. Ms. Maine reported from Thornmeadow west over the bridge. It will provide access to the Des Plaines River Trail. The bike path will go to Milwaukee eventually. The path from Thornmeadow over the bridge is going to go in this spring. She asked for a

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copy of the Village's resolution in favor of the bike paths. It would help the process to have this for her records.

Pres. Kaplan suggested the board move to the first agenda item under New Business. It is the resolution for the bike paths on Deerfield Road. Trustee Haber moved to approve the resolution for bike paths on Deerfield Road. Trustee Tully seconded. The motion was carried by voice vote. R04-01-1

Pres. Kaplan brought up the subject of the proclamation declaring January 19, 2004 as Martin Luther King Day. Trustee Haber moved to approve the proclamation of January 19, 2004 as Martin Luther King Day. Trustee Svatik seconded. Motion was carried by voice vote.

Pres. Kaplan told the board he wanted to tell them about the SHIP Program. It stands for Seniors Health Insurance Program. There have been several volunteers trained to help Medicare patients and caregivers to understand the benefits and programs. The volunteers have a direct line to the Department of Insurance, if there is a question they cannot answer. He added it is a nice service that is completely run by volunteers.

VIII. Visitors Wishing to Address the Board
None

IX. Old Business

Pres. Kaplan brought up the subject of the Ordinance amending impervious surface ratio and the tree preservation Ordinance. Atty. Huvad stated they are still in the "thought stage." Pres. Kaplan stated he would keep them on the agenda. He questioned when we might be ready to discuss them. Atty. Huvad responded he was not sure.

Pres. Kaplan stated the proposed Crestwood Lane Water Main Extension is on hold.

X. New Business

Atty. Huvad told the board the resolution approving the Final Morgan Stanley Site Plan did not need to be on the agenda.

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning
Nothing

Trustee Masterson – Water/Police/Fire
Nothing

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Trustee Svatik – Finance/Soil & Water
Nothing

Trustee Haber – Legal/Sewer
Nothing

Trustee Norris – Solid waste/Drainage/Storm water
Trustee Norris told the board he would get them a copy of the cover letter and questionnaire for the CCI Steering Committee. He asked the board to take a look at it and make comments to Nancy Morten or him. A lot of work has gone into this. He stated the deadline would be the next meeting. This questionnaire will go out to the Village residents in March. We are doing this to identify problems, not solutions.

Trustee Norris stated he passed out an article that was in the Chicago Tribune. It is about conservation easements. It is an idea for maintaining green space. The easements are voluntary. Atty. Huvad told the board we would have to look into the benefits. He added Chuck Stewart has looked into this also. Trustee Norris suggested that everyone read the distributed article about the TIF on Lake Cook Road.

Trustee Haber told the board he is no longer able to accept applications for non-resident library cards as of 12/31/03. The Riverwoods Library Corporation no longer has a purpose. Atty. Huvad stated it was a good way to support the Deerfield Library. Pres. Kaplan asked about the residents who live in the Deerfield Township. Atty. Huvad reported they should go to the Deerfield Library and apply for a non-resident card. The cost is similar to the tax rate we would be charged, if we were taxed. Trustee Haber added if a resident lives in Vernon Township, he or she should go to the Vernon Area Library for a resident card. Atty. Huvad was not sure if that was the right answer. Pres. Kaplan told the board we need to find out. Trustee Haber explained that the applications for a library card should not be given out any more. Jaye Brodsky of 1392 Kenilwood Lane told the board the Library is just trying to recapture the difference between the taxing rate and what non-resident cards used to cost. She added a non-resident library card was much cheaper than the taxed amount paid living in Deerfield.

Atty. Siegel told the board when we go into Executive Session there now needs to be a separate tape for each session. That tape must be held for 18 months. We need to have a roll call vote with a stated purpose for the meeting.

Linda Dunn wanted to bring up one issue before going into Executive Session. She stated she had a conversation with the owner of the Mobil station. There are some dead trees on the northwest corner of the intersection. He is afraid the trees will fall over. Trustee

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Norris reported the addresses are 14 and 15 Big Oak. Pres. Kaplan asked Russ to look into it. Trustee Haber stated it may be a Comm. Ed issue. Russ added that may be true.

XII. Executive Session

Trustee Svatik moved to recess to Executive Session according to Section 2C1 of Open Meeting Act for personnel. Trustee Masterson seconded the motion.

Roll Call Vote - Ayes: Masterson, Norris, Graditor, Haber, Svatik, Tully
Nays: None
Motion carried – 6 – 0

The meeting went into Executive Session at 9:00PM.

The meeting returned to regular session at 10:00 PM.

Trustee Haber moved to adopt the salary increases proposed by Chief Weinstein with a modification. The clerk staff will receive an increase of 10%. The officers will receive raises as recommended by Chief Weinstein. Chief Weinstein's increase will be as discussed in Executive Session. The issue of dependent care O & R1 health coverage will be taken under advisement. We will try to determine that issue by the next meeting.

Trustee Svatik seconded.

Roll Call Vote - Ayes: Masterson, Norris, Graditor, Haber, Svatik, Tully
Nays: None
Motion carried – 6 – 0

Pres. Kaplan told the board he has asked Pat to find out where Buffalo Grove gets their water. He would like to see if we can purchase water from another municipality cheaper than we do now.

Trustee Tully moved to adjourn the meeting. Trustee Svatik seconded. Motion was carried by voice vote.

The meeting adjourned at 10:05PM

Respectfully Submitted,

Debbie Limer