

Village of Riverwoods  
Special Meeting  
Board of Trustees Meeting  
December 20, 2005

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In Attendance:

Linda Dunn  
Sherry Graditor  
John Norris  
William Svatik  
Eileen Stanger

Absent:

William Kaplan  
Michael Haber  
Bruce Masterson

Minutes taken by Debbie Limer

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

IV. Approval of Bills

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

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

V. Approval of Sewer Easement Adjustment for 1 Deepwood

Trustee Graditor explained that in this case the sewer easement runs under the house. Trustee Dunn moved to approve a Resolution Approving the Vacation and Acceptance of a Relocated Sanitary Sewer Easement. Trustee Graditor seconded the motion.

Roll Call vote-       Ayes:           Dunn, Graditor, Norris, Svatik  
                              Nays:           None  
                              Motion carried 4-0   Resolution R05-12-4

Trustee Svatik stated that the next meeting will be January 3<sup>rd</sup> at 8PM.

Trustee Norris moved to adjourn the meeting. Trustee Dunn seconded the motion. The motion was carried by voice vote.

The meeting adjourned at 8:05PM.

Respectfully Submitted,  
Debbie Limer

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In Attendance:  
William Kaplan  
Linda Dunn  
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 8:05 PM.

IV. Approval of Minutes

Board of Trustees Meeting – October 25, 2005

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

Board of Trustees Meeting – November 15, 2005

Trustee Graditor moved to approve the minutes. Trustee Dunn seconded. Trustee Svatik pointed out on page four, fifth line from the bottom, "\$11,092" should be "\$1,192." Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board that the Riverwood sidewalk project is under construction. We should be able to get the path to stone before winter sets in. He explained that Pres. Kaplan has asked him to look at a transmission line to get water from Northbrook. We met with representatives from the Village of Northbrook. He told the board that he has given them a letter with the specifics. It will cost \$861K to put in a line to Northbrook. There would be 4,400 feet of water main. Pat explained that he looked at our water usage and their water rates. He estimated a \$73K a year cost savings. That means it will take 13 to 14 years for a return on the investment. Northbrook gets water directly from Lake Michigan. There is no middle man. He reported that Atty. Huvad has talked to some of our corporate residents, and they feel that there is an advantage to having a second source

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for water. Pres. Kaplan stated that this issue is going to the CCI. It is in the long range plan. Trustee Haber wanted to know if Northbrook is receptive to the idea. Pres. Kaplan stated that they are. Trustee Haber reported that we should look into this. Thirteen years is a short recovery period. Atty. Huvad indicated that we can ask our corporate residents to help out with funds for the project. Trustee Haber asked about giving corporate residents a preferred water rate if they make a donation up front. Trustee Masterson stated that we could serve as Northbrook's second source. That would be an advantage for them. Pat explained that he thought Northbrook already had a second source. Atty. Huvad commented that Deerfield is concerned about fully sourcing all of their corporate residents. Atty. Siegel asked about the impact of our allocation if we went to Northbrook. Trustee Masterson stated we would not get any extra allocation. Atty. Huvad told the board that fiscally Northbrook likes selling water. They make money.

Pat stated that the new owners of the 37 acres are close to having a development team. They want to have an engineering meeting with us and the owners of the 5 acre parcel. They have not gotten any farther with the annexation. We will not have a meeting with them until they are closer to annexation.

Director of Community Services  
Nothing

Village Attorney  
Nothing

Urban Forest Management  
Not present

Plan Commission Report  
Atty. Huvad told the board that the Plan Commission had a hearing on two text amendments. Those amendments are on tonight's agenda. They want to make further revisions to the hardship amendment. They are recommending approval of the second amendment on driveway setbacks. It removes six words from the current text. It removes an ambiguity. Atty. Huvad stated that the Plan Commission talked about the Comprehensive Plan. They hope to have it done by January.

Zoning Board of Appeals  
Not present

VI. Police Report

Chief Weinstein told the board that there have been 145 citations issued since the last meeting. There have been 485 case reports and 193 traffic accidents written since the

beginning of the year. The department has cleared 18 acts of vandalism. They were attributable to two 15 year old residents. All of the vandalism occurred in Thorngate. The department has applied for additional funding for DUI patrols on St. Patrick's Day and Super Bowl Sunday. Officer Mitch Shore, a certified OC spray instructor, administered OC spray training to all but one of our sworn personnel.

VII. Comments from the President

Pres. Kaplan told the board that he has had meetings with Grubb and Onyx for waste removal. They are going to rebid garbage removal for the Village. They need another week or two to get in their bid contracts. They both want to take our recycling to a different center than what Waste Management is currently using. He questioned if that was okay. Trustee Norris stated he would have to check.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

Atty. Huvard stated that the Good Neighbor Agreement has not been signed yet.

XI. New Business

Pres Kaplan told the board, in regard to Home Rule, he has gotten a question from a resident about a smoking ban. The resident wanted to know if we could have a smoking ban after going Home Rule. Pres. Kaplan explained that we can have a smoking ban before going Home Rule. The North Shore Board of Realtors is concerned because after going Home Rule we can raise property taxes without limits. Pres. Kaplan explained that we have no intention of raising property taxes. Atty. Huvard pointed out that there are some advantages. We have other sources for revenue that stay away from residents' taxes. Pres. Kaplan added we do not want to raise property taxes. Trustee Svatik reported that we had informally agreed to not raise property taxes during our terms. We should make that known to the residents. Trustee Graditor added that we should let people know how much of the hotel tax we cannot use as a non Home Rule community.

Michelle Young from the North Shore Board of Realtors told the board that she represents realtors. They are advocates for private property owners. They are concerned about the tax cap. She added that Lake Forest passed an ordinance. Ms. Young reported that her organization is also concerned about the real estate transfer tax that can be used with Home Rule Communities. She indicated that the board has already stated they are not going to use it. She thanked the board for listening. Trustee Norris reminded her that we are really controlled by our constituents. Trustee Graditor reported that she does not want to raise the Village's property taxes because she does not want to raise her property

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taxes. We “can,” but we “won’t.” Atty. Siegel pointed out that historically communities have not raised property taxes after going Home Rule. Pres. Kaplan told the board the referendum will be on the ballot at the March 21, 2006 election. Trustee Graditor moved to approve the Certificate of Resolution – Initiating the Submission of a Public Question to Grant Home Rule Status to the Village of Riverwoods. Trustee Masterson seconded the motion.

Roll Call Vote -           Ayes: Dunn, Graditor, Haber, Masterson, Norris, Svatik  
                                  Nays: None  
                                  Motion carried – 6– 0           Resolution 05-12-3

Pres. Kaplan stated that we will have town meetings about going Home Rule. He suggested having them on February 7<sup>th</sup> and 21<sup>st</sup>. He suggested moving the Board of Trustees meetings on those dates to 6PM and then having the town meetings afterwards. After some discussion it was decided to have the town meetings at 7PM on February 7<sup>th</sup> and March 7<sup>th</sup>. The Board of Trustees meetings will start at 6PM. Trustee Haber moved to set aside February 7<sup>th</sup> and March 7<sup>th</sup> at 6PM for Board of Trustees meetings and follow them with town meetings on going Home Rule at 7PM. Pres. Kaplan told the board that the article should be in the Village Voice the middle of January. Trustee Dunn suggested a special letter about the two town meetings. Trustee Svatik seconded the motion. Motion was carried by voice vote.

Pres. Kaplan brought up the subject of the lighting ordinance. Russ explained that the ordinance was reworked by Atty. Huvad. It was finished today. Atty. Huvad suggested having a first reading only. Trustee Graditor moved to have a first reading of an Ordinance Regulating the Levels of Outdoor Lighting. Trustee Svatik seconded the motion.

Pres. Kaplan made a few comments on the ordinance. He suggested reducing the largest wattage allowed from 200 to 150 watts. We really do not want lights on trees. Russ commented that we have changed the allowable height of lights in trees, and they all must be shielded. Trustee Haber stated that these restrictions go beyond outdoor lighting not affecting other residents. Atty. Huvad explained that we are figuring out what causes a nuisance. Trustee Haber stated it seems as if we are trying to decide what we can legislate. Russ indicated that we have problems with lighting in the winter when all of the leaves are down. Trustee Masterson reported that we should be dealing with light that is spilling over the property line. Atty. Huvad explained that our limits are .2 foot candles. That amount hardly ever goes over the property line, but it is still offensive. Russ added that the problem is landscape lighting. Atty. Huvad pointed out that currently we allow no more than .2 foot candles, it can’t shine directly on something, and the light needs to be shaded. Trustee Norris stated we should address the direction of the light. He was not sure if we could address all of the issues. Trustee Haber added that he was not sure that we have issues. The residents have to deal with it. Trustee Svatik wanted to know if we

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have a lot of blatant issues. He had an issue with a neighbor's lighting. He went to that neighbor directly and asked them to move the direction of the light. It was not a problem to the neighbor to move the light. The problem was solved. Russ stated that the other ordinance is too vague. Pres. Kaplan reported that there is a problem with lights in trees that shine in other resident's homes. Trustee Masterson indicated that he would be more comfortable with an assigned angle for lights. Toni Rey of 1332 Woodland wanted to know if the board is currently working on lights in trees. Russ explained that there are no limitations now, but we are working on it. Motion to approve the first reading of an Ordinance Regulating the Levels of Outdoor Lighting was carried by voice vote.

Pres. Kaplan brought up the subject of open burns. Atty. Huvad explained that we want to amend the ordinance to add no burning on a porch. Chief Weinstein added that no recreational fires are allowed in the Village. Jaye Brodsky of 1392 Kenilwood Court stated that just about everyone in the Village has a fire pit. She was surprised to hear that they were not allowed. Trustee Dunn suggested revisiting the issue because so many people have fire pits.

Pres. Kaplan brought up the subject of the Tax Levy. Trustee Graditor moved to waive the first reading of the Village of Riverwoods Tax Levy Ordinance for the Fiscal Year Ending December 31, 2005. Trustee Svatik seconded the motion. Motion was carried by voice vote.

Trustee Svatik moved to have a second reading and adoption of the Village of Riverwoods Tax Levy Ordinance for the Fiscal Year Ending December 31, 2005. Trustee Masterson seconded the motion. Atty. Huvad pointed out on page six there is a reference to the Bond Ordinances for SSAs. It includes a list. We want to delete SSA #4. It will be paid off January 1<sup>st</sup>.

Roll Call Vote -           Ayes: Dunn, Graditor, Haber, Masterson, Norris, Svatik  
                                  Nays: None  
                                  Motion carried – 6– 0           Ordinance 05-12-20

Pres. Kaplan stated that we do not have the text amendment on hardship yet.

Atty. Huvad told the board that the text amendment on set backs is one page. The amendment already exists. A clause in it has been interpreted by developers to say they don't need a side set back if the lot is not a corner lot. Pat explained that it is a hot button. The developers want to go side yard to side yard. He wants the "corner lot" text taken out, so the developers do not think that they are exempt. Atty. Huvad stated that we have made builders keep the 20 foot side yard. By taking out the language, we are making sure they have to provide the 20 foot buffer. Trustee Dunn moved to waive the first reading of an Ordinance Amending Certain Provisions of the Riverwoods Zoning

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Ordinance Regarding Driveway Setbacks. Trustee Graditor seconded the motion. Motion was carried by voice vote.

Trustee Dunn moved to have a second reading and adoption of an Ordinance Amending Certain Provisions of the Riverwoods Zoning Ordinance Regarding Driveway Setbacks. Trustee Masterson seconded the motion. Trustee Haber stated as it reads the side yard rule does not apply if a side yard backs up to a neighbor's back yard. Pat suggested an additional change in the language. Trustee Haber indicated he would like to hold the vote to have time to make the changed and then look at it again. Trustee Dunn withdrew her motion. Trustee Masterson withdrew his second.

XII. 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 Dunn - Road & Bike Paths/Forestry

Nothing

Trustee Norris – Solid waste/Drainage/Storm water

Nothing

Trustee Graditor told the board that the CCI meeting will be Monday at 6:30PM. Dinner will be served. She asked anybody who wants to attend to R.S.V.P.

XVIII. Executive Session

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

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

Nays: None

Motion carried – 6 – 0

The meeting went into Executive Session at 9:15PM.

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The meeting returned to regular session at 9:50PM.

Pres. Kaplan mentioned the salary increases in the December 5<sup>th</sup> letter. Trustee Haber moved to accept the salary increase proposal distributed by the Personnel Department. Trustee Masterson seconded.

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

Pres. Kaplan told the board the proposed salary increase for the members of the Police Department. Trustee Svatik moved to accept the salary increase for the Police Department and Chief Weinstein as presented. Trustee Masterson seconded.

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

Pres. Kaplan told the board that he will not be at the next board meeting. Trustees Masterson and Haber, and Atty. Huvad stated that they would be out of town as well. Trustee Masterson moved to cancel the December 20<sup>th</sup> meeting. Trustee Haber seconded the motion. Motion was carried by voice vote.

Pres. Kaplan stated the next Board of Trustees Meeting will be January 3<sup>rd</sup>.

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

The meeting adjourned at 9:55PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods  
Board of Trustees Meeting  
November 1, 2005

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In Attendance:  
William Kaplan  
Linda Dunn  
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

Public Hearing – October 25, 2005

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

Board of Trustees Meeting – October 25, 2005

Trustee Graditor moved to approve the minutes. Trustee Masterson seconded. Trustee Svatik asked to postpone the approval of the minutes. He stated that he had received them today. Trustee Graditor withdrew her motion. Trustee Dunn moved to postpone the approval of the minutes. Trustee Haber seconded the motion. Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board we are still waiting of the letter of credit from Chicagoland Paving.

Director of Community Services

Nothing

Village Attorney

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Atty. Huvad stated that he looked into the ambulance charges from the Lincolnshire/Riverwoods Fire Department. We are charged for transportation and mileage. The mileage is \$5/mile. The longest distance would be 7 miles. The amount for the transportation charge varies on the type of support. There are three levels: basic support, advanced first level, and advanced second level. Atty. Huvad explained that he was told that these fees are billed at a lower rate than is allowed by Medicare.

Atty. Huvad brought up the subject of the Investment Policy. According to the policy, the Village Treasurer maintains a list of investment advisors we are allowed to use. UBS would like us to add allowable investment institutions to that list. Trustee Svatik questioned where the lists end. Atty. Huvad pointed out paragraph seven in the Investment Policy and showed the language. It is basically a prequalification list. UBS wants to make sure that they are included. Trustee Norris added that this is a list the Village Treasurer maintains for us. Trustee Masterson suggested including a strictly constrained definition of "advisor." Atty. Huvad stated that he would bring this back for the next meeting. Trustee Norris told the board it will be a list of investment institutions and advisors we want to consider. It will not include everyone who is eligible.

Urban Forest Management  
Not present

Plan Commission Report  
Not present

Zoning Board of Appeals  
Not present

VI. Police Report

Chief Weinstein told the board there have been 105 traffic citations issued since the last meeting. There have been 421 case reports and 167 traffic accidents written since the beginning of the year. He added that yesterday was the four year anniversary of the Riverwoods Police Department. Pres. Kaplan reported that the County Sheriff's Police used to write about two to three tickets a week. We are now up to 15 a day. Pres. Kaplan complimented Chief Weinstein and the Police Department on a job well done.

VII. Comments from the President

Pres. Kaplan told the board that he met with Waste Management today. There will be a proposal for the next meeting. He stated that he thought we could get a deal for everyone. The proposed opt out rate will be 5%, which is 60 residents. This will be on the agenda for the next meeting.

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Pres. Kaplan thanked Chief Weinstein, Trustees Graditor, Dunn, and Svatik for coming and helping out at the Halloween party. He reported that all four hundred hot dogs were eaten. The party was fun. There was a bonfire, s'mores, and the hayride. It has been decided that next year the party will be the Saturday before Halloween. Everyone feels the attendance is greater that way. Trustee Dunn commented on how the Halloween party has grown. Pres. Kaplan stated that residents without children came as well. It was a nice event.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

Pres. Kaplan stated that the next four agenda items need to be deferred.

Pres. Kaplan told the board that there has been no additional comment about becoming a Home Rule community. There have been no phone calls. He added that there was an article in the Chicago Tribune about Affordable Housing. Trustee Svatik questioned if it has been tested that Affordable Housing does not apply to a Home Rule community. Atty. Siegel stated that that has not been tested yet. There are different opinions between the Home Rule attorneys and IDA. He added that there is no enforcement provision in the legislation. Everyone but IDA feels that Affordable Housing does not apply to Home Rule communities. Atty. Siegel stated that, in spite of that fact, Home Rule communities have submitted Affordable Housing plans. He added that he is in support of Home Rule. There are many important aspects of Home Rule. There are a lot of reasons to adopt it, not just because of the Affordable Housing legislation. Home Rule provides for flexibility that we may not need now, but it is good to have for the future.

Trustee Dunn asked about dates for Public Hearings regarding Home Rule. Atty. Huvad explained that we are planning to pass the resolution in December. It will be on the April ballot. The Public Hearings would be after the holidays. Atty. Siegel stated that that meets the election requirements. Pres. Kaplan told the board the Village Voice goes out on November 15<sup>th</sup>. We need to give the residents a chance to read the information. Trustee Graditor stated that the hotel tax is a big issue for us and going Home Rule. Atty. Siegel reported that zoning issues would be less restrictive. He added that with Home Rule the power is there when we need it. There are many advantages.

XI. New Business

Pres. Kaplan told the board he wanted to appoint Russ Kraly as Deputy Clerk. He added that Russ makes the most sense because he is at the Village Hall all of the time. Trustee Svatik moved to approve the appointment of Russ Kraly as Deputy Clerk. Trustee Masterson seconded the motion.

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

XII. 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 Dunn - Road & Bike Paths/Forestry  
Nothing

Trustee Norris – Solid waste/Drainage/Storm water  
Nothing

Pres. Kaplan told the board the next meeting will be November 15<sup>th</sup>.

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

The meeting adjourned at 8:25PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods  
Board of Trustees Meeting  
October 25, 2005

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In Attendance:  
William Kaplan  
Linda Dunn  
Sherry Graditor  
Michael Haber  
Bruce Masterson  
John Norris  
William Svatik  
Eileen Stanger  
Bruce Huvad  
Pat Glenn  
Morry Weinstein

Minutes taken by Debbie Limer

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

IV. Approval of Minutes

Pubic Hearing – October 11, 2005

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

Board of Trustees Meeting – October 11, 2005

Trustee Haber moved to approve the minutes. Trustee Svatik seconded. Clerk Stanger stated that the Ordinance for the Investment Policy on page 5 should have had an Ordinance number. The number given to the Ordinance is 05-10-17. Trustee Haber pointed out on page 2, second line of the first full paragraph, “RP2” should be “RPV.” Trustee Graditor stated on page 5, bottom of the second to last paragraph, “but they will reconsider and let us know” should be added to the last line. Trustee Svatik reported on page 6, eighth line down, a statement needs to be added. “We are not planning to compensate the Deputy Clerk, but the draft ordinance makes reference to monetary compensation” should be added after the sentence that ends with “issues.” Trustee Masterson stated on page 5, ninth line of the second paragraph, “Commercial Grade Papers” should be changed to “Whole Commercial Paper.” Motion was carried by voice vote.

V. Treasurer’s Report

Hal Roseth told the board that there has been little change. There was an overall decrease of \$77K from August to September. \$1M went to UBS on September 21<sup>st</sup>. We have \$11.6M still available to us. There is over \$5M in the IPTIP. The rate on the IPTIP is 3.427%. That is giving us a \$195K yearly return. Hal commented that the rate is moving

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up nicely. He stated that the custody agreement of the Investment Policy was dated and by updating it, we have modernized it. The change in term of the Investment Policy gives us more flexibility. He added that we are restricting mortgage backed securities.

VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat Glenn told the board that we have completed the roadway and water main projects. The Riverwoods Sidewalk project is being held up because of Chicagoland Paving. We are waiting for their letter of credit. The dirty work will be done soon, but the paving will wait until the spring.

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 reported that 167 traffic citations have been issued since the last meeting. 402 case reports and 162 traffic accidents have been written since the beginning of the year. He stated that we have started our first MAP (mini alcohol program) campaign. This enforcement period will end 10/31/05. The next enforcement period will begin 11/21/05.

XII. Village Attorney's Report

Nothing

XIII. Comments by the President

Pres. Kaplan told the board that he met with Jack Vos of Waste Management last Friday. Mr. Vos is waiting for a license before doing anything in regard to our contract and containers. Pres. Kaplan stated that he told them that he thought they were raising their rates to our residents. Mr. Vos replied that that was not necessarily true. There was a meeting scheduled for Monday that was cancelled. Pres. Kaplan reported that so far nothing has happened.

Pres. Kaplan stated that according to the Lincolnshire/Riverwoods Fire Department Report there have been 25 calls. The Village has paid out \$10,085 in eight months. There

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were 12 calls made by residents. 13 calls were accidents. Pres. Kaplan explained that when we passed the ordinance to pay for the ambulance calls, we thought the cost would be \$5K a year. It is costing us more, but it is worth it. He asked Chief Weinstein to check when the Deerfield/Bannockburn district is going to start to charge an ambulance fee. Trustee Haber questioned why there is a range in the fees. Pres. Kaplan asked if it had anything to do with the services rendered. Chief Weinstein stated that he thought the charge was for transportation only, not care. Trustee Masterson questioned if the varying fee had anything to do with the distance to the hospital.

Pres. Kaplan told the board that we have misplaced the proclamation for Marine Week, but we are going to do it anyway. Trustee Haber moved to proclaim 11/6/05 to 11/13/05 as Marine Week. Trustee Dunn seconded the motion. Motion was carried by voice vote.

Trustee Svatik stated that he would get a copy of the proclamation.

Pres. Kaplan told the board that an article on Home Rule will be in the Village Voice. The Village Voice will go out the second week in November. He added that the Pioneer Press put an article on the same topic in their paper last week. Jaye Brodsky commented that the article was well done.

Pres. Kaplan reported that he went to a workshop on Social Security yesterday. It was run by Karen May and Kathy Ryg. He stated that it was very boring. He commented that people under the age of 50 should have been there and were not. The proposed changes will not affect current seniors. He explained that in 2020 we will have to start to pay off a \$1.7 Trillion dollar note. In 2020 the expenses for Social Security will be higher than the income. The benefits will have to be lowered or taxes will have to be raised. He stated that it is a dilemma. Trustee Masterson told the board the Social Security problem is catching up to us.

XIV. Visitors Wishing to Address the Board

Jaye Brodsky of 1392 Kenilwood Court wanted to know if the yard waste clause of the garbage contract will work independently from the rest of the contract. Pres. Kaplan stated that it would.

XV. Approval of Bills

Pres. Kaplan asked about the water bill. Trustee Masterson stated it is huge at \$64K. Pres. Kaplan reported that it is on the list twice. We are only paying it once. Trustee Svatik moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Graditor seconded.

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

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Motion carried 6-0 (Bills approved)

XVI. Old Business

Pres. Kaplan brought up the subject of the Good Neighbor Act. Atty. Huvard stated that they have e-mailed him. Everyone agrees on the terms. We should be able to finish it at the next meeting.

Pres. Kaplan stated that the next three agenda items need to be deferred.

Pres. Kaplan stated that he has received no phone calls and no real concern over the Pioneer Press article on going to Home Rule. He recommended having the public hearings at the Village Hall. Atty. Huvard explained that we should try to pass the resolution at the first meeting in December. The hearings would then be in January and February. Trustee Graditor suggested passing the resolution first. Atty. Huvard stated that the hearings should wait until after the holidays. Trustee Graditor indicated that we need to publicize all of this widely. There should be mailings and village signs. It should also be on the Village web site.

Pres. Kaplan brought up the subject of the variance for 1384 Woodland. Atty. Huvard explained that the board was concerned about hardship. He looked at what other villages have done. He did research and talked to Atty. Siegel. Hardship deals with unique factors in the property. It is a relief valve, so that residents can use and enjoy their properties as other residents in the area are allowed. He read some of the hardship situations in other villages. Atty. Huvard pointed out that hardship does not mean impossible. It means an unusually difficult situation. Riverwoods is usually more severe in our interpretations. He added that other villages have a usual and regular case load of hardship situations. Some villages have standards for their Zoning Board of Appeals, if the case goes beyond the Board of Trustees. Atty. Huvard told the board that he sent his research to David Niedelman. Based on the cases that he presented, the report was not changed. Pres. Kaplan stated that the cases make hardship more flexible. He questioned if the board should look into changing the ordinance. Trustee Haber stated that first we have to decide if we want to be more flexible. There is clearly support for the position of changing the hardship criteria. After the criterion is changed we can then move forward with the ZBA and the variance.

Trustee Haber pointed out that we are under the obligation to enforce what is here now. The first thing we should do is amend the ordinance, so that we are comfortable with the consistency. Trustee Norris stated that it may be time to redefine "hardship." Trustee Graditor told the board that environmental protection is part of a hardship. In cases where the environment is negatively impacted and neighbors are not negatively impacted the hardship should be approved. Pat questioned if he should start on the permits for the resident. Trustee Masterson stated that we cannot move ahead yet. Trustee Graditor

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reported that we really want to do this, but we want to do it within the law. Trustee Norris indicated to Ms. Edick that they have raised some good issues for the Village to look at. Atty. Huvard stated we will refer this to the Plan Commission for a hearing on a text amendment. Pres. Kaplan added that the petitioner will not be back before the board until after we have a revised ordinance. Atty. Huvard suggested that the board get involved with the negotiations with the Plan Commission in order to speed up the process.

XVII. New Business

Pres. Kaplan brought up the subject of 2005/2006 snow removal. Clerk Stanger stated that the contract has a one year extension with an increase of 5%. Pres. Kaplan told the board it is the same as last year. Russ is very happy with it. Trustee Graditor moved to approve the snow removal and salting contract for 2005/2006. Trustee Dunn seconded the motion.

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

Nays: None

Motion carried 6-0

Pres. Kaplan told the board that we revised the language for Deputy Clerk. The Deputy Clerk will be appointed by the Mayor and approved by the Board of Trustees. The Deputy Clerk does not have to be a Village resident. The Deputy Clerk shall not receive any compensation for the duties performed as Deputy Clerk. Trustee Norris questioned if someone can be removed as Deputy Clerk. Atty. Huvard responded that it can be done according to the Municipal Code. Trustee Dunn moved to waive the first reading of an Ordinance Creating the Appointed Position of Deputy Village Clerk. Trustee Masterson seconded the motion. Motion was carried by voice vote.

Trustee Graditor moved have a second reading and adoption of an Ordinance Creating the Appointed Position of Deputy Village Clerk. Trustee Dunn seconded the motion.

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

Nays: None

Motion carried 6-0

Ordinance 05-10-18

Pres. Kaplan stated that he would appoint Russ Kraly as Deputy Clerk at the next meeting. He reminded the board that the Halloween Party is October 29<sup>th</sup> from 4PM to 8PM

Trustee Dunn moved to adjourn the meeting. Trustee Svatik seconded the motion. The motion was carried by voice vote.

The meeting adjourned at 8:55PM.

Village of Riverwoods  
Board of Trustees Meeting  
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Respectfully Submitted,

Debbie Limer

Village of Riverwoods  
Board of Trustees Meeting  
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In Attendance:

William Kaplan  
Linda Dunn  
Sherry Graditor  
Michael Haber  
Bruce Masterson  
John Norris  
William Svatik  
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

Public Hearing – September 20, 2005

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

Board of Trustees Meeting – September 20, 2005

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

V. Consultants

Gewalt Hamilton

Pat Glenn told the board that the Clendenin water main extension project is finished except for some patching. The 2005 Street Program is complete except for some patching. The Riverwoods Sidewalk Program has taken an interesting turn. The low bidder, Gus Paving, was not able to bond the job. The owner of Gus Paving used to work for Chicagoland Paving. Gus Paving asked Chicagoland Paving to help with the bonding of the job. Chicagoland Paving was not willing to do so. In the end Chicagoland Paving is going to do the job for the same price as Gus Paving. Pat commented that this is a better situation than the original. Chicagoland Paving has worked in the Village very successfully. He stated that he is asking from the board for the assignment to be transferred from Gus Paving to Chicagoland Paving. Trustee Graditor moved to assign the job of the Riverwoods Road multi use path from Gus Paving to Chicagoland Paving. Trustee Dunn seconded the motion.

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Pat stated that he will execute the same contract with Chicagoland Paving. Atty. Huvad added that he would help. Jaye Brodsky wanted to know about the staking she has seen. Pat reported that he is waiting to award the contract after the job is bonded by the County. They will start the job next week. Ms. Brodsky asked about the one resident who was against the path. Pat indicated that all are satisfied with the situation.

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

Director of Community Services

Russ Kraly told the board that the sprinkler system for the Village Hall will be done by Wednesday or Thursday. Trustee Haber asked about the RPV valve. Russ stated that they are working on that now, and the cost was about \$1K. D&M Enterprises has extended our snow plow contract for another year with a 5% increase. That is a good price considering the increase in gas prices. Pres. Kaplan pointed out that D&M will not be able to plow the bike path. Russ added that they do not have the equipment for a narrow path. We are looking at landscaping companies to do the path. Pres. Kaplan stated that the approval for the 2006 Snow Removal Contract will be done at the next meeting.

Village Attorney - Nothing

Urban Forest Management - Not present

Plan Commission Report - Not present

Zoning Board of Appeals - Not present

VI. Police Report

Chief Weinstein stated that there have been 207 traffic citations issued since the last meeting. 381 case reports and 157 traffic accidents have been written since the beginning of the year. The de-commissioned squad car was sold at auction. The net proceeds for the Village are \$6,270. Chief Weinstein told the board that Officer Marks has received training on the Thermal Eye 250D. The equipment will be used in a variety of search situations. The equipment and training was provided through a federal grant. The equipment is worth about \$13K. An example of its use is to indicate where skid marks begin in an accident investigation. He added that all of the officers will be trained to use the equipment. Chief Weinstein told the board that preliminary approval has been given to us for our MAP grant application. This is a traffic safety/DUI grant for additional DUI enforcement. It will fund officer hire back and DUI enforcement equipment. The grant will also pay for squad car miles and overtime for officers. It is anticipated that we will receive a new

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Portable Breath tester and \$3,500 towards the purchase of a new in-car video system. Pres. Kaplan commended Chief Weinstein for all of the money that he has brought to the Police Department in the form of grants. Trustee Dunn also wanted to commend the Police Department for their quick reaction time after her son's motorcycle accident.

VII. Comments from the President

Pres. Kaplan stated that the water levels of all of the monitored private wells are up ten feet or more. He would like to remove the watering ban. Trustee Dunn moved to end the watering ban on private wells. Trustee Masterson seconded the motion. Motion was carried by voice vote.

Pres. Kaplan told the board that he thought we got bad advice from SWALCO in regard to our bids on a Village garbage contract. Waste Management is not going to do anything, and there is nobody else out there. He suggested that we give them a contract with a 10% resident opt-out rate. Then they will cover the cost of the containers. Waste Management does not want to provide the containers to the residents without a contract. Trustee Haber questioned what happens is 11% of the residents opt out. Trustee Masterson reported that 10% of the Village is 120 homes. Right now we only have 6 residents not using Waste Management. Pres. Kaplan stated that he wants to negotiate with Waste Management. Ms. Brodsky asked about the containers. Trustee Graditor explained that the residents will have two containers to choose from. Pres. Kaplan stated that he would talk to Waste Management.

Pres. Kaplan told the board that the CCI Meeting was changed to Oct 19<sup>th</sup>. The representatives were not allowed to work on Columbus Day. Trustee Norris stated that he will send out an agenda for the meeting.

Pres. Kaplan stated that the Village Halloween Party will be Saturday, October 29<sup>th</sup> from 4PM to 8PM. The hayride will be from 4:30PM to 6:30PM.

Pres. Kaplan told the board the Montessori School Report had been submitted to us. It looks as if they are in compliance with 120 students attending.

Pres. Kaplan stated that the Lake County Chief Assessors Office is running free seminars aimed at affording taxpayers an opportunity to learn how to evaluate their assessment, and to understand the appeal process. The dates are October 20<sup>th</sup> and 24<sup>th</sup> and November 10<sup>th</sup> and 12<sup>th</sup>. Trustee Svatik reported that he went to one of the seminars last year, and it was worth the time.

VIII. Visitors Wishing to Address the Board

None

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IX. Old Business

Pres. Kaplan stated that the Good Neighbor Project is not done yet.

Pres. Kaplan reported that the next three items on the agenda need to be deferred.

XI. New Business

Pres. Kaplan told the board that in addition to the first settlement in the Prime Co. versus ICC case (IMF litigation) we owe an additional \$1,566.55. It must be paid by January 26<sup>th</sup>. He suggested paying it the last week of December. Trustee Masterson moved to approve the \$1,566.55 payment in the Prime Co settlement. Trustee Dunn seconded the motion.

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

Trustee Masterson asked if we had any potential liability on the hard wire lines. Pres. Kaplan stated that Atty. Siegel did not think so.

Pres. Kaplan asked about 911. Chief Weinstein stated that we are still waiting for verbal agreement, but there is an affective date.

Pres. Kaplan brought up the subject of a ZBA variance for 1384 Woodland. The report and draft ordinance are in the packet that everyone received. Atty. Huvard stated that the report is the summary. Trustee Masterson commented that this variance is very well documented. It is the best he has seen in a long time. Trustee Svatik moved to accept the ZBA report. Trustee Dunn seconded the motion.

Trustee Haber stated that he is not sure that he agrees with the findings. The ZBA is supposed to determine hardship. A two-car garage versus a four-car garage is not a hardship. We haven't heard of a hardship. Pres. Kaplan reported that there is no other way to do it. Trustee Haber told the board that a hardship does not necessarily mean a financial incentive. We may need to amend the code, if we want to do this for residents. He stated that he did not feel that we could legally vote in favor of a hardship in this instance. We are creating a slippery slope Atty. Huvard reported that the situation as it stands is inconvenient. It can be considered a hardship in this climate. Trustee Norris stated that that is not in the report. Atty. Huvard told the board it could be rephrased in the report. Trustee Svatik asked if it was a hardship having to take down 14 trees for a garage on the other side of the property. Pres. Kaplan stated that the report should be amended. Trustee Norris added that it is not legal to accept the variance as the report is written. Trustee Svatik moved to modify the pending motion to get a satisfactory report

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from the ZBA, and then have the matter come back to the Board of Trustees. Trustee Graditor seconded the motion. The motion was carried by voice vote.

Atty. Huvad stated that we do not have a norm for hardship. We do not have enough experience with hardships in the Village. In Riverwoods we try to garage all cars in the community. Trustee Masterson asked about hardship standards in other villages. Atty. Huvad stated that he would find them. Trustee Norris added that we did not need to use the most stringent interpretation of "hardship."

Pres. Kaplan told the board that we have amendments for the Investment Policy of the Village of Riverwoods. Atty. Huvad stated that the amendments are based on the Public Funds Investment Act. Our investment policy was initially approved in 2001. The updates need to be approved by ordinance. Changes in the wording make it more up to date. There is added language for the delegation of authority to include the Board of Trustees. This is in Section 5. Our broker works as our manager. She has agreed to our restrictions. The Public Funds Investment Act is broader than we want. Pres. Kaplan stated that we want to be as conservative as possible. Trustee Masterson added that he would like us to be able have Whole Commercial Paper in the Village's portfolio. They are not too risky. Trustee Haber reported that most banks invest in them. There is no reason not to use them. They can be put in the policy. The broker does not have to use them if she does not want to. Atty. Huvad passed out a corrected copy of the policy with the changes to Section 8. "Or certain corporate obligations maturing within 180 days" and "or corporate obligations" was to be removed.

Atty. Huvad stated that in Section 12 the maximum length of time a security can be held is listed as eight years. The broker wants more flexibility. It has been changed to have an average of eight years for all investments. Section 14 deals with performance standards. He stated that we want to use the Lehman Brothers Intermediate Government Bond Index as our standard. Trustee Masterson questioned what happens if Lehman Brothers stops doing this index. He suggested putting in "or a comparable index" at the end of the sentence. Trustee Masterson moved to waive the first reading of the Investment Policy of the Village of Riverwoods. Trustee Svatik seconded the motion. Motion was carried by voice vote.

Trustee Haber moved to have a second reading and adoption of the Investment Policy of the Village of Riverwoods Ordinance 05-10-17. Trustee Masterson seconded the motion.

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

Nays: None

Motion carried – 6– 0

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Pres. Kaplan told the board that we have been given an aerial photo of the Village from the Tollway Authority. They took the photo because they are getting ready for the bike path extension. It is going to cost \$1.8M to do. Trustee Graditor asked about lighting in the tunnel. Pat stated that they did not think it was necessary but they will reconsider and let us know.

Pres. Kaplan brought up the subject of home rule. He stated that Lake Bluff and Winnetka have both gone home rule. Atty. Huvard explained that it is a chance to try to diversify away from property taxes as an only source of revenue. Most of the other taxes are paid by people outside the Village. If we go home rule, we would have more ways to spend the Hotel Tax Revenue. We can increase sales tax and use that sales tax on other things besides infrastructure. We can establish a tear down fee. Highland Park is currently charging \$10K a house in tear down fees. We would be able to have an impoundment fee for cars involved in DUI arrests. We would be able to increase non-property tax revenue. We can do all of this without increasing our taxes that directly affect residents. Pres. Kaplan stated that we can pass an ordinance that we would not increase property taxes without a referendum to make the residents more comfortable with the idea. Atty. Huvard told the board that some home rule communities have streamlined their Plan Commission and Zoning issues. Pres. Kaplan stated that he is planning to send a letter to residents. He wants to have the trustees look at the letter ahead of time and make suggestions. Trustee Masterson indicated that we will have to provide a lot of education on this subject with information on the website and public hearings. Pres. Kaplan stated that, as the Village gets bigger, we now have reasons to go home rule. Trustee Graditor pointed out that we will have to find a venue to get the information out to the residents. Trustee Masterson reported that he thought this would be an emotional issue. Laurence Jones wanted to know what the downside to going home rule was. Pres. Kaplan stated that people think that the board can raise taxes without a referendum. He added that it needs to be understood that in raising the Village's taxes, we raise our individual taxes as well. Trustee Svatik suggested that the letter that goes out to residents does not have too much legalese. Trustee Dunn stated that she liked the way Lake Bluff handled it.

Pres. Kaplan told the board that Lorraine Lang is currently in the position of Deputy Clerk. She is planning to retire probably this year. He stated that he wanted to appoint Russ Kraly to fill the position. Pres. Kaplan stated that we need to have this approved by ordinance. Clerk Stanger reported that Lorraine will be leaving soon, but there have been objections from the staff that the Deputy Clerk proposed by Mayor Kaplan is not a resident of the Village. Pres. Kaplan stated that Russ is in the Village Hall every day and can do what needs to be done. Trustee Svatik told the board that this is a personnel issue. There is a committee for these issues. We are not planning to compensate the Deputy Clerk, but the draft ordinance makes reference to monetary compensation. He questioned how many things Lorraine has signed as Deputy Clerk. Pres. Kaplan stated she has

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probably signed three things in two years. Clerk Stanger added that the Deputy Clerk has to be bonded. Trustee Graditor asked what happens if the Village Clerk retires. Atty. Huvad stated that the Village Clerk is an elected position. The Mayor would have to appoint a new clerk until the next election. Trustee Haber asked if this issue of Deputy Clerk could go to the Personnel Committee. Pres. Kaplan stated that it could. Trustee Haber moved to defer the discussion on an ordinance for a new Deputy Clerk until the Personnel Committee issues a report. Trustee Svatik seconded the motion. Motion was carried by voice vote.

XII. 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 Dunn - Road & Bike Paths/Forestry

Trustee Dunn stated that there are over 1K trees with Dutch Elm disease in the Village. 130 letters went out to residents about diseased trees on their property.

Trustee Norris – Solid waste/Drainage/Storm water

Nothing

Pres. Kaplan told the board the next Board of Trustees Meeting will be October 25<sup>th</sup>.

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

The meeting adjourned at 9:25PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:

William Kaplan  
Linda Dunn  
Sherry Graditor  
Michael Haber  
Bruce Masterson  
John Norris  
William Svatik  
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 8:05PM.

IV. Approval of Minutes

Board of Trustees Meeting – September 6, 2005

Trustee Graditor moved to approve the minutes. Trustee Svatik seconded. Trustee Dunn stated that on page three, halfway down the second paragraph, “at” should be added after “down.” The last line on the same page “the” should be “they.” She told the board on page four, fourth line of the fifth paragraph, “to petition” should be changed to “into costs.” The next line should read “Their board is having a meeting.” Trustee Svatik pointed out on page five, tenth line, “help with” should be changed to “act as.” First line of the next paragraph “control” should be “handle.” “President of the RRA” should be added to the first line of the third paragraph. Trustee Svatik stated that on page eight, fifth line down in the first paragraph, “get around the County” should be changed to “beat the County meeting.” The quote about the issue being a “slippery slope” was made by Trustee Masterson. Motion was carried by voice vote. Trustee Haber abstained.

V. Treasurer’s Report

Hal Roseth told the board that there was a slight decline in the overall fund balance. Several of the SSA funds are down due to payments. Interest rates continue to rise. Our new rate in the IPTIP is 3.5%. We currently have \$6M in that fund. Our interest went up \$23K this month. \$1M will be going to UBS. The average rate on that investment will be

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Board of Trustees Meeting  
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4.75% over 10 years. That will earn us an additional \$14,300 a year over the current IPTIP fund.

VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat Glenn told the board that the Clendenin water main extension should be finished this week. Patching will start this week as a part of the yearly road maintenance program. There was a preconstruction meeting today for the Riverwoods bike path. We will be getting started as soon as possible.

VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Ken Ashman, member of the Zoning Board of Appeals, told the board that the Zoning Board of Appeals had a meeting September 9<sup>th</sup>. Deborah Edick and Laurence Jones came before them for a variance for a garage. The garage was proposed to go on the south side of the property and would take the side yard from 30 feet down to 9 feet. He stated that the Zoning Board of Appeals recommended approval of the variance. The Village Engineer and Village Forester prefer the garage to go on the south side. Pres. Kaplan explained that to move the location of the garage would require removal of a lot of nice trees. Some of the history is that the owner to the south of the property had tried to subdivide his property, but has not been allowed to due to wetlands. There will be 150 feet between the proposed garage and the neighbor's house.

X. Plan Commission Report

Not present

XI. Police Report

Chief Weinstein told the board there have been 117 citations issued since the last meeting. There have been 346 case reports and 143 traffic accidents written since the beginning of the year. It does not appear that the Police Department will be sending an officer to the Katrina devastation area. There were more volunteers than needed.

XII. Village Attorney's Report

Atty. Siegel explained that after five years the Prime Co. case has been settled. It has been determined that the infrastructure maintenance fee for wireless was unconstitutional. He explained that he represented the Village of Skokie. The Court has ruled that municipalities are to pay back the fees from the wireless companies. The decision has not

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yet been made about the land lines maintenance fees. Land lines represent 10 times the amount of wireless. Municipalities have to pay back 70% of the wireless fees. The money will go into a fund to repay 911 costs. Atty. Siegel reiterated that the land lines are still in question. That is the big issue.

XIII. Comments by the President

Pres. Kaplan stated that we have another well report. The water levels in all of the private wells monitored have gone up. He told the board that he wants to lift the watering ban. The heat of the summer is over, and there is rain in the weather forecast. Trustee Dunn stated that she would like to keep the ban on for another monitoring period. The levels are still low. Pres. Kaplan reported that the next meeting is not for another three weeks. Trustee Dunn moved to keep the watering ban on all private wells until the next Board of Trustees meeting. Trustee Haber seconded the motion. Trustee Graditor stated that she has looked at the numbers. The levels are coming up, but the levels are still not normal. She would like to see one more report. Alice Ledwith of 2670 Sunset Trail told the board that she would like to wash her house, wash her car, and water her plants. If she can't, then she won't. The motion to continue the ban for another three weeks was carried by voice vote.

Pres. Kaplan told the board that he has not heard anything from Waste Management. Trustee Norris stated that Waste Management has called Andrew Quigley. They have told him that they will pull out of the Village, if we require them to provide waste containers. He explained that he suggested that Waste Management put everything in writing a week ago. Pres. Kaplan stated that he has not seen anything. Trustee Norris added that he would check with Mr. Quigley. Pres. Kaplan reported that we will keep this on the agenda. Officially, we have passed an ordinance; we expect them to comply.

Pres. Kaplan stated that all of the trustees are invited to attend the CCI meeting on October 10<sup>th</sup> at 6PM. He added that he hopes all of the trustees will attend to see what is going on. Trustee Norris added that we met with them on September 7<sup>th</sup>. He would like to see the trustees on the 10<sup>th</sup> for a show of interest to the CCI representatives. We have not seen much action from the reps yet. Pres. Kaplan reported that the meeting on the 10<sup>th</sup> is not for the general public. It is for the steering committee and the trustees. Atty. Huvad stated that there is no need to post for this meeting because no Village business will be discussed at the meeting.

XIV. Visitors Wishing to Address the Board

Alice Ledwith of 2670 Sunset Trail told the board she is not very happy with the new signage in Hiawatha Woods. The sign is currently posted on private property. She added that she is also not happy with the big street signs. They are not very woodsy. Trustee

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Svatik questioned if they meet the requirements of our sign ordinance. Ms. Ledwith stated that the Hiawatha Woods sign probably does not. Pres. Kaplan asked Russ to check into that. Ms. Ledwith wanted to know if a resident used Village funds to have buckthorn removed, can they let it grow back. Pres. Kaplan stated that hopefully they will repeat the procedure if necessary, but it is not required. Most of the residents are keeping the buckthorn down. Ms. Ledwith asked about the maintenance of the roads in Hiawatha Woods. She questioned if the maintenance ended in 10 years. Atty. Huvad stated that it does. Ms. Ledwith reported that the residents were told it went on. Atty. Huvad explained that the majority of the residents favored maintenance for ten years. We are collecting about \$5K a year. We hope the residents will get together after the ten years to continue with the maintenance. Ms. Ledwith stated that they were told the maintenance went on. Pres. Kaplan explained that he thought she misunderstood. Ms. Ledwith responded that she is not the only one.

Adam Mrowka of 784 Bunker Court in Thorngate told the board he needed help with a constant problem. Kids are cutting through his property to get to Deerfield Road. The fence that was stopping this in the past is broken. Some of the broken fence is on his property. Spikes are sticking out of the ground, and it is a safety issue. He has tried to get the kids off of his property. Damage has been done to his car. He has put up "No Trespassing" signs, but they were taken down. Mr. Mrowka told the board that he found a kid cutting through his property at 11PM after curfew. He has called the Police and talked to the Thorngate Homeowners Association. He was told that the Homeowners Association will not fix the fence. He added that he was told by Russ that he can fix the fence because it is on his property. He questioned what he should do. Russ explained that he told the Homeowners Association to fix the fence. Trustee Haber stated that he thought there were strict covenants with Thorngate about fencing. Atty. Huvad reported it is in the landscaping covenants. He would have to review them. Trustee Norris stated that we need to look at this. We may not be able to do anything. Mr. Mrowka reported that he is willing to put up the fence on his property. Trustee Haber indicated that the problem will just be moved down a few houses.

Mr. Mrowka stated that the storm sewer was dangerous and in a bad location. It was eventually fixed after showing the Homeowners Association how bad it was. He added that his neighbor would be happy to add a fence as well. Pres. Kaplan stated that we have an ordinance against fencing. Trustee Norris reported that we have to look at the whole situation. Pres. Kaplan stated that he would have Russ look into it. Ms. Ledwith suggested that Russ look into the sign by her house. The neighbors did not put it up and do not like it.

Phillip Rosenthal of 880 Blackhawk told the board that there is some controversy with the house across the street from his. There is a car parked at the end of the driveway with

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Texas plates; and has never been moved. He questioned if there is an ordinance against that. Chief Weinstein stated that if the car has valid license plates and looks driveable, it is legal to leave it there. He reported that he would go and check out the situation tomorrow. Mr. Rosenthal added that there is a pile of gravel on the property. They have been working on the house for years. Trustee Haber asked if the homeowner's permits were up to date. Russ stated that he would check into that.

XV. Approval of Bills

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

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

XVI. Old Business

Pres. Kaplan brought up the subject of the Good Neighbor Project. Atty. Huvard stated that we are close to being done with this issue. Pat reported that we are trying to convince Orphans that the easement is not going to negatively affect their retaining wall. We are still waiting. Atty. Huvard added it is a surveyor's disagreement. We tried to handle the issue with the agreement, but they are afraid they will be told later that they have to move the retaining wall. Trustee Dunn stated that they did a great job on the retaining wall. Russ added that there have been no complaints of noise all summer.

Pres. Kaplan stated that the next three items on the agenda are deferred.

Pres. Kaplan told the board that we need to approve the payment of \$32,348.37 on or about December 1<sup>st</sup> for the payment in the Prime Co. versus ICC settlement. Mr. Ashman asked why we did not opt out. Atty. Siegel explained that once the class is certified, we cannot opt out. Trustee Haber moved to approve the payment of \$32,348.37 for the Prime Co. versus ICC settlement. Trustee Svatik seconded.

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

Trustee Dunn asked why we did not opt out. Trustee Graditor stated it would have cost us more to litigate the case on our own. Pres. Kaplan added that we received another bill for about \$1,500 today for the same case. We will address that at the next meeting.

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XVII. New Business

Pres. Kaplan brought up the irrigation system for the Village Hall. Russ stated that it is in everyone's packet. The bid is for \$12,440. Pres. Kaplan reported that we sent out five bid requests; we got back two. Russ explained that the bid is for a sprinkler and drip system. Pres. Kaplan stated we would like to have this for the trees that we have planted. Trustee Haber moved to authorize spending \$12,440 for an irrigation system for the Village Hall. Trustee Dunn seconded the motion.

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

Trustee Haber stated that we would not have been able to use the system this year. Trustee Svatik questioned if we can hook it up to Lake Michigan water. Pres. Kaplan asked about the valve that enables us to do that. Pat stated that he thought that was possible, but it would cost more. Pres. Kaplan added that we should find out. It would enable us to use the system even in a year such as this one. Trustee Haber made the motion to authorize spending an extra \$2K for a valve that would allow the irrigation system to interconnect to Lake Michigan water. Trustee Dunn seconded the motion.

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

Trustee Svatik told the board that he handed out a newspaper article on the transportation meeting that he attended. The vote was to support the widening of Route 120. The vote was a 60% majority. The Route 45 widening came in second in the vote. He added that it was a very well run meeting. He has a new appreciation of the engineering issues involved with transportation. They are already looking at next year. Those issues would not come onto the budget for another five to seven years. Trustee Svatik stated that they have removed themselves from the politics of Route 53.

Pres. Kaplan brought up the subject of an ordinance approving the sale of surplus personal property. Trustee Haber moved to waive first reading of an Ordinance Authorizing the Sale of Surplus Personal Property Owned by the Village of Riverwoods. Trustee Dunn seconded the motion. The 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 Graditor seconded the motion.

Roll Call vote-       Ayes:           Dunn, Graditor, Haber, Norris, Svatik  
                              Nays:           None  
                              Absent:        Masterson                   Ordinance 05-9-16

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Pres. Kaplan told the board that he attended the Mayor's Caucus. All of the collar counties were represented. It was very interesting. They want to know about the problems we are having with the Army Corps of Engineers. The issue is that we are getting no responses from them. They have requested that we write a narrative of problems. They are going to collect all of the responses and write up a report.

Trustee Graditor asked about the discussion of going Home Rule. Pres. Kaplan asked Atty. Siegel to talk about it at the next meeting. Atty. Siegel stated that he would.

Pres. Kaplan reminded the board that the next meeting will be October 11<sup>th</sup>, not October 4<sup>th</sup>.

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

The meeting adjourned at 9:10PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:

William Kaplan  
Linda Dunn  
Sherry Graditor  
Bruce Masterson  
John Norris  
William Svatik  
Eileen Stanger  
Bruce Huvad  
Morry Weinstein  
Pat Glenn

Absent:

Michael Haber

Minutes taken by Debbie Limer

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

IV. Approval of Minutes

Public Hearing – August 16, 2005

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

Board of Trustees Meeting – August 16, 2005

Trustee Masterson moved to approve the minutes. Trustee Svatik seconded the motion. Trustee Graditor stated that on page three, seventh line in the first full paragraph, after the word “of” “a discussion of State assistance for water main expansion which happened at” should be added. On page four, second line of the second paragraph, “Schmall” should be “Schwall.” Trustee Norris pointed out a change to page three, ninth line of the second full paragraph. It should read “Trustee Norris stated that he is leery of creating an infrastructure with State funds and then expecting to repay those funds with tap on fees.” Trustee Dunn stated on page one, second to last line, “onto” should be “on to.” Trustee Svatik pointed out on page five, seventh line of the third paragraph, “our” should be changed to “State investment legislation requirements.” Motion to amend the minutes as corrected was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pat Glenn told the board that the bids for the Riverwoods Road bike path were opened on July 18<sup>th</sup>. We have 60 days to award that contract. He explained to the board that the bid

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we have chosen will expire before the next board meeting. He did not think that the contractor had any plans to pull the bid, but they do have the ability to do so. There is a large difference between their bid and the next one up. Pres. Kaplan asked if there is a clause about finishing the project if we run into a problem. Pat explained that if the project is changed by 25% up or down, they can renegotiate the unit costs. Atty. Huvarud stated that we can okay the contract subject to getting the easement. Pat pointed out that we have started projects without easements in the past. It makes the job more stressful, but it has been done. He reminded the board that the bid amount was for \$201,588.59. We have already added an extra \$27K in changes. He suggested approving the contract for \$230K. That will include the extra sewer work. Trustee Masterson moved to approve the contract from Best Paving for the Riverwoods Road bike path not to exceed \$230K. Trustee Graditor seconded the motion.

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

Director of Community Services  
Not present

Village Attorney

Atty. Huvarud told the board there is a tentative IMF settlement of Prime Co v. ICC case. Our payout cost will be \$32,348.37.

Atty. Huvarud stated that he met with the auditors. We should have the year end audit shortly.

Atty. Huvarud reported that we have met with the owners of the 37 acres. They are planning to move aggressively to annex into the Village. Amcore Bank is still interested in building on the 5 acre site. That issue may have to go back to the Plan Commission.

Atty. Huvarud told the board that he has prepared an easement for the Auths in regard to the Riverwoods Road bike path. Their attorney still needs to review it.

Atty. Huvarud stated that we are finishing up the easements with Orphans of the Storm.

Atty. Huvarud reported that he has contacted the Illinois Finance Authority last week about water infrastructure. He had not received a return phone call.

Urban Forest Management  
Not present

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Plan Commission Report  
Not present

Zoning Board of Appeals

Pres. Kaplan stated that there will be a Zoning Board of Appeals meeting next Tuesday, Sept 13<sup>th</sup>, at 7:30PM.

VI. Police Report

Chief Weinstein stated that there have been 200 citations issued since the last meeting. There have been 329 case reports and 133 traffic accidents written since the beginning of the year. He reported that as a result of the award we received from the Illinois Traffic Safety Challenge program the Police Department has been given a scholarship to Northwestern University's Center for Public Safety. The scholarship is for any two week training program. The monetary value of the program is \$1,200.

Chief Weinstein told the board that on Saturday Illinois sent 150 officers to Louisiana. 107 of the officers are local and from ILEAS. 43 officers are from the State of Illinois. They were accompanied by Illinois Environmental Protection Agency and Illinois Department of Public Health staff. About 100 vehicles including squad cars, ATV's, boats, mobile command posts, and armored cars went with them. ILEAS will be putting together another group to replace the one that just went down to Louisiana in case they are asked by the States of Illinois and Louisiana to replace the officers in two weeks. The costs associated with sending personnel and vehicles down to Louisiana are to be reimbursed by the EMAC agreement in Illinois statutes. Chief Weinstein explained that it was impractical for us to send anyone down at this time. He requested that the board authorize the sending of one Riverwoods Police volunteer, if they are requested. He told the board that there will be some cost to the Village, most likely in overtime pay. Chief Weinstein reported that some of the officers have expressed in interest in going. He added that the Explorer would also be a big help. Pres Kaplan added that no one is sure of the cost to the Village. There is a chance that we would never be reimbursed. Trustee Masterson stated that if we are asked, we should send someone. Trustee Dunn moved to authorize sending one officer and one vehicle for hurricane relief for a two week period, if it is needed. Trustee Masterson seconded.

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

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VII. Comments from the President

Pres. Kaplan told the board that the Governor is asking for help. He is suggesting sending donations to the Red Cross. There is also an assistance hot line that has been set up. He stated he would post the letter. Trustee Dunn suggested putting the letter on the web site as well.

Pres. Kaplan reported that we have been selected to participate in the CCI. There will be a meeting tomorrow. Trustee Norris explained that the State picks communities to help. They may not give us money, but they will help us to find funds for projects. A representative will move into the community. We will get more information tomorrow. There will be a committee to help the representative. Pres. Kaplan stated we may look into building a community center or extra Village infrastructure. Trustee Norris added we may look for ways to help fund the Police Department. Trustee Dunn congratulated the committee on being selected. She stated she remembered how much work was involved with getting in the application.

Pres. Kaplan stated Urban Forest Management has received two bids for irrigation systems at the Village Hall. One is for \$12,440. The other is for \$20,895. It would use the well currently at the Village Hall. Hopefully, next year we would be able to use it if it is installed. Pres. Kaplan told the board this will be on the agenda for the next meeting.

Pres. Kaplan told the board that he went to a Mayor's meeting with Karen May. There may be State funds available for projects in the area. He had made some phone calls, but they have not been returned yet. He added that it was an enlightening meeting.

Pres. Kaplan reported that he has met with Jack Voss of Waste Management. They are complaining about the fact that we are making them provide containers to residents. It will cost them \$100K. They do not have a problem with providing us the containers, if we have a contract with them. We have told them we do not want to sign the contract. Pres. Kaplan explained that they have told us there are only six people in the Village not using Waste Management. All of those residents own horses. Pres. Kaplan stated that Waste Management is going to get back to him on whether or not they can provide the containers. Trustee Graditor pointed out that Waste Management was not giving us a price break with a contract. Pres. Kaplan stated that they may back out. Trustee Norris added that Waste Management has complained to SWALCO. There is a question if it is legal for us to require that they provide containers.

Pres. Kaplan told the board that the water levels of the wells are down a lot. He was hoping that with cooler weather the situation would get better, but it has not. There has been no rain here or in Wisconsin. It is stressful to our aquifer. Trustee Dunn stated that the Vernon Woods residents are looking into costs for water. Their board is having a

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meeting. Pres. Kaplan reported that he has lots of concerns. This is a very serious situation. We are all hoping for fall rain. He added that this sort of thing happens every 10 years on average. As of yet, we have not heard of any well failures. Trustee Dunn told the board that Jack Schwall is talking to the Riverwoods Preservation Committee tomorrow night at 7:30pm at the Village Hall. He is going to talk about well failures, what an individual can do, signs of well failure, aquifers, and well maintenance. Trustee Svatik suggested that the meeting be recorded and transcribed. Pres. Kaplan stated that the committee is welcome to use the Village Hall tape recorder to record the meeting.

Pres. Kaplan stated that we have received a lot of phone calls about the stop sign at Portwine and Orange Brace. He wanted to hear the public comment. Holly Rosenberg of 9456 Bay Colony, Des Plaines told the board that she understands that the stop sign is considered to be illegal. She is comforted by the stop sign. She suggested that the board let it go. She questioned what purpose it serves to take the sign down. Ken Ashman of 2801 Orange Brace thanked the board for extending the deadline for the stop sign removal, so that residents have the chance to speak. He stated there are three reasons to keep the sign: practical, legal and political. The practical issue is that the board could have blood on their hands if something happens at that intersection if the sign is removed. That is a school bus stop. Mr. Ashman stated that he has heard the sign is illegal. According to his interpretation of the specifications, the sign does not seem illegal. He explained that he understood there to be a threat of litigation if the sign is not removed. Mr. Ashman offered to act as legal counsel, pro bono, if litigation is brought against the Village. He told the board that he is a member of the Vernon Woods Homeowners Association. They passed a resolution against removal of the stop sign. He read the resolution aloud. He also submitted petitions signed by residents against the removal of the stop sign. There were estimated to be between 80 and 100 signatures. He concluded by saying that he would like the board to reverse their decision on the removal of the stop sign. Trustee Svatik stated the reason that they decided to have the stop sign removed was the interpretation of the Police Department and our Village Engineer. He added that the board members take an oath to uphold the law. Pres. Kaplan told the visitors that we were hoping to get the petitions earlier. Trustee Masterson reported that we were all against removal of the stop sign, but we were told we had no standing if the criteria were not met.

Atty. Huvard explained that it had been argued that the standards were ambiguous for this intersection. We have no formal judgment that the sign is illegal. The revised standards for traffic signs allow for the village engineer's discretion in addressing on safe conditions.

Atty. Huvard explained that a stop sign is not supposed to be used to handle speeding. The board was responding to a resident who wanted noise relief. Atty. Huvard added that we were threatened with litigation. That was not a rumor. It is his hope that with so many people in favor of the stop sign that the resident can be persuaded. Chief Weinstein

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clarified that the Police Department did not suggest removing the stop sign. Trustee Norris stated that the board was responding to the standards and reports. We may change our minds with the resident response. Mr. Ashman reported that the legal opinion is an open question. There are arguments on both sides. There is zero downside to leaving the stop sign up with his offer to help should there be litigation. The board is clear to reverse their decision.

President of the RRA Art Bess of 2705 Gemini Lane apologized to the board for not being at the earlier meeting where this was discussed. He added that a lot of residents go on vacation in August. A lot were not aware of the situation. He thanked the board for the opportunity for a second chance with the extension. The stop sign is working. He added that mentioned earlier were the Village's commendations for safety. We have to be able to defend ourselves for the health and safety of our residents. He felt keeping the sign was a good idea.

Ron McLaughlin of 615 Sherry Lane told the board that he has been a resident of the Village since 1984. He and his wife adopted three children. Those children are now five years old, and they get on the bus at Orange Brace and Portwine. There is a lot of traffic at that intersection. He stated that he attended all of the meetings when the stop sign went in. The pros and cons were discussed. He questioned what changed in the legality of the stop sign. Mr. McLaughlin mentioned, as an aside that in their neighborhood one resident does not contribute to the road association. That does not stop the residents in the road association from contributing and maintaining the roads. He questioned if the roads are ruled by one person or by the community. He wondered again what happened that the legality of the stop sign is now being questioned. Atty. Huvard explained that the issues were discussed at the meeting. There was a different Village Engineer at the time.

Wendy Merster of 668 Portwine stated that her daughter catches the bus at that intersection. The kids are concerned about the removal of the stop sign. She suggested that the Village Engineer come during the morning with the buses, the kids, and the traffic. There are kids all over the place. The peak hours are from 7am to about 8:30am or 9am. There is a lot of traffic. There are issues during the after school hours as well. It is a dangerous place. Some of the kids have to walk down the street. Michelle Less of 2640 Hazelnut questioned if Mr. Sagan is moving. Kathy Merritt of 2785 Gemini Lane told the board that her kitchen faces Portwine. Quite a few people get pulled over for speeding. That shows that the cars going down that street are going very fast. The kids are not necessarily paying attention. They are not standing still and watching. We need to be good citizens.

Jaye Brodsky of 1491 Kenilwood told the visitors and board that she has no opinion in the matter. The stop sign is not in the area in which she lives. She stated that she called

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the petitioner, so that he could be present tonight. He was unable to come and unaware of the meeting. She suggested waiting on a vote, so that the resident could be present. It is very important to consider due process in this situation. Ms. Less commented that she spoke with Mr. Sagan. He should also know that something is up because the date for removal was extended. Mr. Ashman stated that Mr. Sagan had the same notice the residents did. He passes the stop sign and sees the date like everyone else. A resident stated that she has spoken with 150 people, and not one of them is in favor of removing the stop sign.

Ms. Rosenberg stated that she stopped by at 4pm today to take some pictures, and it is very busy dangerous intersection. The resident at 2627 Gemini commented that his son rides his bike on Portwine. It is very dangerous. Chief Weinstein explained that stop signs do not decrease the speed on the road. The rate of speed by the stop sign is reduced, but not on the rest of the road. Trustee Dunn stated that she has lived near the intersection both before and after the stop sign on Portwine, and also before the stop light at Lake Cook Road. There are a lot more kids in South Riverwoods now than there were before. She added that the board should reconsider the stop sign. Trustee Masterson questioned if the board should consider putting in a bus stop sign.

Trustee Graditor told the visitors that she was opposed to the removal of the stop sign. The Village engineer showed the board that there were issues. One resident came before the board. We did not know how the residents felt. She feels that the stop sign keeps the cut throughs down. It does not slow down traffic. Trustee Graditor added that she agrees with due process. We cannot change the ruling without letting Mr. Sagan know, but she wants the sign to stay. Trustee Norris stated that he agrees with Trustee Graditor. We have heard heartfelt testimony of residents. If the residents want it, there is no reason to remove the stop sign. Trustee Svatik added that he agrees with Trustees Graditor and Norris. He stated that he owes the residents an apology. Prior to this meeting he really did not think that the residents cared one way or the other. We should not have voted in favor of taking the stop sign down. Trustee Dunn stated that we should listen to Mr. Sagan again, so he as an opportunity before voting. Pres. Kaplan pointed out that we have the signatures of between 80 and 100 residents in favor of keeping the stop sign. The will of the people is very clear. Trustee Dunn moved to reinstate the stop sign for the health and safety of the residents and to follow the overwhelming will of the people. Trustee Norris seconded the motion.

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

VIII. Visitors Wishing to Address the Board

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James Mulvihill of 15 Big Oak told the board that he had a petition asking to have the fence ordinance amended. Pres. Kaplan read the petition. He suggested that Mr. Mulvihill give the board a little time, and we will get back to him. Mr. Mulvihill stated that we are asking to not allow continuous six foot high fences in between adjacent properties. The prohibition will help retain the character of the Village and allow wildlife to roam. Pres. Kaplan asked to have time to look over the petition and review it. Mr. Mulvihill stated that all but two residents in the area signed the petition. One was the resident who put up the fence. He explained that the resident told him that he had a permit for the fence. Mr. Mulvihill reported that he did not know how he got the permit because he understood this kind of fence is not allowed. Atty. Huvard stated that the board could change the ordinance, but it is very hard and there are consequences for such an action. He suggested a restrictive covenant between the homeowners. Covenants by the homeowners are better than a Board of Trustees resolution. He added once the fence is up, it is up. Pres. Kaplan stated that deer fences are going up all over the Village. He finds it appalling. Trustee Masterson commented that the restrictive covenant is the easiest fix. Trustee Svatik explained that there is a prohibition against fences in Country Club Estates. It has to do with the golf course. That is the only one he is aware of. Mr. Mulvihill explained that they only want to restrict solid, six foot high fences. Trustee Norris reported that a restrictive covenant is the easiest fix for the need. We can still discuss the issue.

IX. Old Business

Atty. Huvard stated that we can defer until the next meeting all of the agenda items under Old Business.

XI. New Business

Pres. Kaplan told the board that we have received a letter from the mayors of Grayslake and Round Lake asking us to sign a resolution supporting a new Route 120 Highway. It would go between McHenry and Waukegan. Trustee Masterson stated that he did not know why we would have any interest in approving this. There is no impact on us. Trustee Svatik reported that Grayslake and Round Lake are trying to beat the County meeting. It is not a good idea for us to sign the resolution. It is not our business. It is a slippery slope stated Trustee Masterson.

He and Trustee Dunn attended a July 13<sup>th</sup> meeting regarding roads and transportation items. There is a meeting September 15<sup>th</sup> in Grayslake. It is not a good idea to commit to a program at this time. We can support it later, if we want to.

Pres. Kaplan stated that there is a proposal from UBS Paine Weber in the packets. We have asked them about fees. If we invest \$1M more with them, they will lower their fee considerably from .51 base points to .4. Trustee Masterson moved to move \$1M from the IPTIP to UBS. Trustee Svatik seconded the motion. Pres. Kaplan stated that we can look at Smith Barney later.

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

Pres. Kaplan told the board that we have received a letter from Holland and Knight about the PrimeCo v. ICC settlement. He wants to have Atty. Huvard check the numbers, but it looks as if we are going to have to pay about \$33K. He added that he did not think the numbers were that high. The money will probably have to be paid by December. This will be discussed at the next meeting.

XII.    Standing Committee Reports

Trustee Graditor – Building/Zoning

Nothing

Trustee Masterson – Water/Police/Fire

Nothing

Trustee Svatik – Finance/Soil & Water

Trustee Svatik told the board that he has a lot of meetings. Two are at the same time. He added that he has recently had two power outages and one phone outage. He has had seven outages in the last year. No lines have been replaced. Pres. Kaplan questioned if we could put some pressure on Commonwealth Edison. Trustee Dunn asked how we got the stop light at Saunders and Lake Cook fixed. Chief Weinstein stated that he wrote a letter to the Vice President of Commonwealth Edison. He can provide the name to the Village.

Trustee Haber – Legal/Sewer

Nothing

Trustee Dunn - Road & Bike Paths/Forestry

Trustee Dunn stated that 10 people applied for tree removal permits in the month of August.

Trustee Norris – Solid waste/Drainage/Storm water

Nothing

Pres. Kaplan reminded the board that Arts in Riverwoods will be September 17<sup>th</sup> and 18<sup>th</sup>. The next board meeting will be September 20<sup>th</sup>.

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

The meeting adjourned at 9:55PM.

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Respectfully Submitted,

Debbie Limer

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August 16, 2005

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In Attendance:

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

Minutes taken by Debbie Limer

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

IV. Approval of Minutes

Board of Trustees Meeting – August 2, 2005

Trustee Masterson moved to approve the minutes. Trustee Graditor seconded. Trustee Dunn stated that on page three, first line of the fourth paragraph, “RRA” should be changed to “Acre.” On page six, third line of the only paragraph, “sits” should be changed to “will sit.”

Trustee Haber arrived at 8:05PM.

Trustee Svatik pointed out that on page 3, last line of the fourth paragraph, “awarded by the Tree City Group 2005” should be added after “tree.” 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 that he is still working with the low bidder on the Clendenin water extension project. We have negotiated with them and the amount is now only \$2,200 over the original budget. He is going to talk to the resident to let him decide if we are going to go ahead with the project. Pat explained that this would be a water main

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extension from the south end of Clendenin going south across one lot to Woodland Court. One resident is paying for the extension. Pat went on to the 2005 Streets Program. He stated the contracts are on their way back to the Village.

Atty. Huvard reported that we have talked with Mr. Auth in regard to the bike path. The bid for the storm sewer is \$27K. We are trying to prepare an easement agreement. Trustee Svatik asked if we are going to do an easement for everyone. Atty. Huvard stated that we are not. We want to memorialize what we are doing with the Auths. The Village is offering to pay for half of the added costs for the improvements.

VIII. Director of Community Services Report

Nothing

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Not present

XI. Police Report

Chief Weinstein told the board there have been 137 citations issued since the last meeting. There have been 295 case reports and 121 traffic accidents written since the beginning of the year. We have been advised by the Lincolnshire Police Department that the Illinois Commerce Commission has given preliminary approval to the 911 call handling change. The Lake County Emergency Transportation Safety Board is going to change a couple of dates, and then the agreement should be approved. The traffic light at Lake Cook and Saunders has repeatedly lost power. According to Commonwealth Edison and the Illinois Commerce Commission the system has been upgraded. The power should be more reliable.

XII. Village Attorney's Report

Nothing

XIII. Comments by the President

Pres. Kaplan told the board that the next election is March 21, 2006. The latest date that we can file to have a referendum on the ballot is January 3, 2006. Atty. Huvard stated we would have to pass an ordinance in December for a request to be on the ballot. Pres. Kaplan indicated we need to get information out to our residents regarding Home Rule. Atty. Huvard indicated that he has not seen anything about a Home Rule community not being subject to Affordable Housing. He added that IDA has explained that the Affordable Housing legislation does not supersede zoning. All of the articles that he has

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read say the same thing. He was not sure that going Home Rule would solve all of those problems. Trustee Dunn questioned if going Home Rule will affect the Police Department. Chief Weinstein explained that we are not allowed to charge a tow administration fee because we are not Home Rule. Pres. Kaplan stated that we will have to look into the pros and cons of the issue. Trustee Svatik asked about public hearings. Trustee Graditor commented that we should have a public hearing. Trustee Dunn suggested having several. Pres. Kaplan reported it is a good idea. Trustee Dunn suggested setting the dates up very soon. Trustee Graditor stated we should educate the board first.

Pres. Kaplan brought up the subject of future water main infrastructure. Pat explained that the ball park numbers to put in the rest of the main water lines is around \$3.5M. 160 houses would be able to have immediate access to water. There would be a \$1.5M shortfall with tap on fees, if all of the 160 houses tapped on. Trustee Haber asked about a SSA. Pres. Kaplan reminded everyone that the board promised not to do a SSA in south Riverwoods. We are looking at other options. Russ pointed out that one resident on Orange Brace is looking for a petition. Trustee Graditor explained that this came about because of a discussion of State Assistance for water main expansion which happened at the meeting with the Riverwoods Preservation Committee and Kathy Ryg. We told her that we are looking for ways to do improvements in the Village. We were told to give her a proposal right away. Pres. Kaplan stated if we get her a proposal, it is just going to sit. The State has no money. Atty. Huvad reported the budget would be about \$3.5M. He questions if a grant or a loan would be a better option. He explained that the loan makes the most sense. We may be able to set one up without a SSA that would allow for gradual connections and thus gradual repayment. The State has a loan program, but in the past the interest rate has not been that good. It is a pooled program. With our credit as it is, we can do it on our own. The State program has a lot of red tape. We could set it up and possibly increase the tap on fees to cover our interest and costs. Pres. Kaplan stated we are exploring our options. Trustee Haber questioned what we are doing for this proposal. What are our costs? He did not want to see us losing money from the start. Trustee Graditor stated this is not a huge proposal. It is more of an outline. Trustee Haber reported that this is never going to happen. Atty. Huvad reported that in SSA #14 only 60% of the residents tapped on voluntarily. That does not look good for us.

Trustee Dunn asked Mr. Mancuso who lives in Vernon Woods whether or not he thought it would be a good idea to have a meeting to discuss the issue of getting municipal water. He did not advise it because more information is needed. Trustee Dunn questioned how many residents want water. Trustee Graditor asked about the costs. Joan Becker stated that she agreed that residents do not have enough information to even discuss the issue. She added that the drought has brought the issue of water into concern. Pres. Kaplan reported that the drought will end. The water level in the wells has gone up because of our conservation efforts. Anything with the State is very unlikely to happen. The State has

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no money. Trustee Norris stated that he is leery of creating an infrastructure with State funds and then expecting to repay those funds with tap on fees. Atty. Huvard pointed out that all residents should be treated fairly with the costs of water even without an SSA. Pat explained that three areas in the Village are petitioning for water. Russ told the board we need to make clear to the residents that even after water is approved it does not happen instantly.

Pres. Kaplan told the board that the water level of monitored wells has gone up, all of them except the reservoir. Russ explained that the County took water out of the reservoir and replaced it. The measurement was taken after the water was drained and before it was replaced. It is done to recirculate the water. Trustee Dunn stated that south Riverwoods is really working on the conservation effort. Pres. Kaplan reported that he called Baxter, and they are not using their shallow well. The Wheeling Park District, who owns Chevy Chase, is on a shallow well. They got rid of their deep well when they got Lake Michigan water. Trustee Haber wanted to know why Wheeling water is so cheap if they are on Lake Michigan water. Atty. Huvard explained that they are part of a consortium. We asked if we could join, but we were refused. Pres. Kaplan reported that we are talking to Northbrook to see if we can get water from them. That way we will skip the middle man. Our water bills are among the highest in the area. Trustee Haber commented that it is ridiculous the amount we pay for water. The average is just over \$3.00. We are paying \$5.85.

Jaye Brodsky of 1392 Kenilwood Court wanted to know if any of the wells have failed. Pres. Kaplan stated that Jack Schwall, who services most of the wells, has not heard of any. Ms. Brodsky commented on the great job everyone is doing with conservation. Pres. Kaplan told the board that 80-85% of the Village is conserving their water usage. Trustee Haber stated that his well is trickling. In his opinion that is a well failure. He added that he is lucky to be on Lake Michigan water now. Pres. Kaplan indicated that the Village residents are working on conserving. The wells will be monitored until the end of September.

XIV. Visitors Wishing to Address the Board

Jaye Brodsky told the board that in regard to the stop sign on Portwine she commends them for listening to a resident and responding.

XV. Approval of Bills

Trustee Dunn moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Svatik seconded. Trustee Haber pointed out that he had two invoices from Atty. Huvard for one bill. Atty. Huvard stated that he would make a note of the problem for himself and Susie.

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

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Nays: None  
Motion carried 6-0 (Bills approved)

XVI. Old Business

Pres. Kaplan brought up the subject of the Good Neighbor Project. Atty. Huvard stated that everyone is in agreement. We hope to have everything ready to be signed for the next meeting. Trustee Haber asked about feedback from the project. Russ commented that since the berm went up, there have been no complaints about noise. Trustee Haber indicated that the residents should be thanking Orphans. They did a great job. They jumped through hoops for us. Pres. Kaplan reported that he told Orphans that they went overboard with the improvements, but that we appreciated it.

Pres. Kaplan stated that the next three agenda items need to be skipped.

Pres. Kaplan brought up the subject of Riverwoods Estates. Atty. Huvard explained that he talked to the other homeowners about the road association. They like the idea. We have added a paragraph on easements into the subdivision agreement. Trustee Dunn moved to have a second reading and adoption of an Ordinance Approving a Special Use for Lots without Frontage. Trustee Graditor seconded the motion.

Atty. Huvard reported that we have told the owner he has to sign the road association documents as part of the special use. It will be executed when the other residents are ready. None of the residents have told us that we should hold up the approval of the subdivision agreement for the road association documents. Trustee Haber asked if it really matters to the board if the road association goes through. Pres. Kaplan stated that we do not. Atty. Huvard indicated that the owner must sign the documents, if the residents tell him to. Mrs. Paunescu told the board that she thought her husband had signed the documents. She questioned if there was anything else her husband had to do. Pres. Kaplan stated there is nothing he needs to do. Atty. Huvard explained that the special use is tied to the subdivision plat, so approving the ordinance will take care of the plat. One vote takes care of both.

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

Nays: None

Motion carried 6-0 Ordinance 05-8-15

Pres. Kaplan told the board the he and Trustee Svatik had had a long discussion about using Madison Advisors. He stated that he did not see the need for another broker. Trustee Svatik commented that he wanted our counsel to review the information from the firm. Madison Advisors states that they are involved with many municipalities. After review of their documentation only one municipality is listed. This was Battle Creek, Michigan. The rest were Police and Fireman Pension Funds. He added that he wanted to make sure that they will comply with State investment legislation requirements. Mistakes

have been made in the past. He does not want to see that repeated. Trustee Svatik suggested that everyone review the proposal. Pres. Kaplan commented that a lot of their investments are too risky for the Village. He suggested that we not move forward with this. Trustee Haber asked about the IPTIP. Trustee Svatik stated the rate is at about 2.85%. We currently have \$5.3M invested in the fund. Trustee Haber reported that Madison Advisors' investments are currently earning considerably more. Pres. Kaplan suggested talking about moving some of the funds we have with our current brokers. Atty. Huvard stated he is concerned Madison Advisors' samples are not right for us. On Bond Funds, we would have to investigate to determine if the Village can invest in these funds.

XVII. New Business

Pres. Kaplan brought up the subject of Neighborhood Electric Vehicles (NEV'S). Chief Weinstein explained that as of January 1<sup>st</sup> Illinois law allows NEV'S on roadways that we control. The speed limit has to be 35MPH or less. NEV'S can go between 20MPH and 25MPH. Mr. Biederman has provided us with some information on them. Chief Weinstein indicated that he felt there would be more accidents in the form of rear end collisions if the NEV'S are on the road. On Riverwoods Road there are only two lanes, so they cannot be passed. He explained that Mr. Biederman would like to use the NEV to go to church. Chief Weinstein stated that he did not think allowing the NEV on Riverwoods Road would be a good idea. Legally, it could be used on Portwine. It could not be used on Deerfield Road. Chief Weinstein stated that he felt the NEVS are a danger to the occupant and other drivers. He reported the he did not recommend it be used on Portwine or Duffy. It is okay if Mr. Biederman wants to use the NEV in his subdivision. We would need to put up a sign to allow their use. Atty. Huvard indicated that would have to be passed with an ordinance. Trustee Dunn added that Mr. Biederman also has to have permission from the County. Chief Weinstein pointed out that Riverwoods Road is under the jurisdiction of four different police or sheriff departments. Trustee Norris stated we would have to have hearings. Atty. Huvard suggested that we tell him the Board is not interested in pursuing this issue. Chief Weinstein reported that he told Mr. Biederman that he thought it would be okay to use the vehicle in his subdivision. Trustee Norris indicated that he did not think we should be paying for the research on this topic.

Pres. Kaplan brought up the subject of W1-F1 in the Village. Trustee Masterson explained that there is a firm in Texas that does this. It will cost us \$800K and 10% a year for maintenance. Another quote was for \$600K and 10-15% a year for maintenance. It is expensive because we have a less dense population, but are dense with trees. Trustee Masterson stated that he did not recommend doing this. Trustee Norris stated there is a system that goes through the power lines. Trustee Masterson indicated that that has been around for a while. Commonwealth Edison would have to do that. It is probably expensive. Pres. Kaplan thanked Trustee Masterson for doing the research.

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Pres. Kaplan told the board the next Board of Trustees meeting will be September 6<sup>th</sup>.

Trustee Dunn wanted to remind everyone about the Arts in Riverwoods gala event at the North Suburban Fine Arts Center on August 20<sup>th</sup>.

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

The meeting was adjourned at 9:15PM

Respectfully Submitted,

Debbie Limer

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In Attendance:  
William Kaplan  
Linda Dunn  
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

Public Hearing – July 19, 2005

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

Board of Trustees Meeting – July 19, 2005

Trustee Graditor moved to approve the minutes. Trustee Masterson seconded. Trustee Graditor stated on page one, under approval of the Board of Trustees minutes, “IFR” should be changed to “ISR.” Trustee Haber pointed out on page seven, “to secure a variance” should be added to the end of the first paragraph. Trustee Masterson indicated that on page one, fourth line from the bottom of the page, “good” should be changed to “higher.” Trustee Svatik stated on page four, second line of the second paragraph, “who signed the petition” should be added after “residents.” First line of the fourth paragraph “petition” should be changed to “letter.” Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pat Glenn explained that the contractor who had the lowest bid for the 2005 Roadway Program has withdrawn his bid. We were told that they put in the wrong unit price on the asphalt, and the bid was low by \$7K. Pat stated that he thinks we can work out the issues and execute the project. He added that we are working with the contractor on the

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water main project proposed to go from Clendenin to Woodland Court. There is another meeting scheduled. We may have to put this project off until spring.

Director of Community Services

Russ Kraly told the board that the Mosquito Abatement notices went out to the residents who are currently not paying an Abatement tax. There were 170 notices total. The hope is that they will sign up for next year.

Village Attorney

Atty. Siegel stated that we will need to go into Executive Session because of pending litigation. He added that he hopes the Didier case is done. They have 21 days to file. So far there has been nothing.

Urban Forest Management

Not present

Plan Commission Report

Not present

Zoning Board of Appeals

Not present

VI. Police Report

Chief Weinstein told the board 151 citations were issued since the last meeting. 278 case reports and 107 traffic accidents have been written in 2005. The Palatine Police Department has released photos from a bank robbery on 7/29/05. The offender seems to be the same as the suspect in our 2003 and 2004 bank robberies. WGN News has interviewed the Police Department in regard to the past robberies and now the latest one. Chief Melvin of the Lincolnshire Police Department sent a thank you letter for Officer Mark's assistance with a serious accident on Milwaukee Avenue near Aptakisic on 7/16/05. The Riverwood and Lincolnshire Police Departments are part of a Major Crash Assistance Team.

VII. Comments from the President

Pres. Kaplan explained that we have authorized the monitoring of our wells every two weeks during this drought. The levels have gone up this week. The Village well water level is up 10 feet. The well that had a water level at 2.4 feet at the last meeting is now up to 14 feet. He added that the water level of the well at Linda Dunn's house has gone up a few feet. Pres. Kaplan stated that he does not think that the small amount of rain we have gotten is helping. He believes our monitoring and conservation is the reason for the

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increased water levels. Sue Auerbach of 460 Portwine stated that the well water is coming from Wisconsin. Pres. Kaplan pointed out that North Riverwoods and South Riverwoods are on different aquifers. Ms. Auerbach added that her well is fed from a different aquifer than the house two doors down from her. She suggested keeping the watering ban. Joan Becker of 2750 Edgewood Lane told the board that Jack Schwall mentioned to her that Chevy Chase Country Club and others are still watering their golf courses. They are still on a shallow well, and they pull from the same aquifer as we do. That is a lot of watering. She questioned if there have been any conversations with the country clubs about this. Ms. Auerbach stated that back in 1988 calls were made to ask the country clubs to stop using their sprinklers, and they did. Trustee Haber indicated that getting a country club to stop watering their golf course is going to be next to impossible. Pres. Kaplan reported that he would call Jack Schwall tomorrow to talk to him.

Pres. Kaplan told the board he attended the latest production presented by the Theatre in the Woods. He really enjoyed it, and suggested that anyone who can attend should.

VIII. Visitors Wishing to Address the Board

Joan Becker told the board that she is extending an invitation on behalf of the Riverwoods Preservation Committee. They will be having their regular meeting on August 9<sup>th</sup> at 7:30PM. Kathy Ryg's liaison will be attending the meeting to listen to and make note of our concerns.

Sue Auerbach told the board that Sheila Hollander, president of the Acre, has pointed out that the plantings in the island of the Village Hall parking lot are not in good shape. Trustee Svatik asked if anyone is watering the tree awarded by the Tree City Group 2005. Pres. Kaplan reported "no."

IX. Old Business

Pres. Kaplan told the board the first four issues under Old Business on the agenda need to be continued.

Pres. Kaplan brought up the subject of Riverwoods Estates. Atty. Huvad explained that we can have a first reading of the special use for lots without frontage ordinance and the subdivision approval together. The exhibits include the Declaration of Restrictions and the legal description. The Declaration of Restrictions includes the wetland restrictions and storm water easements. Atty. Huvad stated that the owner of the subdivision must have Road Association Documents finalized as part of the subdivision code. He stated that he has provided the owner with a sample of the code. It seems as if the other owners are in agreement over the road association. We can attach the Road Association Documents to the Ordinance for the second reading. The Road Association is a benefit to all of the owners. Trustee Dunn moved to have a first reading of an Ordinance Approving a Special

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Use for Lot without Frontage (Riverwoods Estates Subdivision) and Consideration of the Final Subdivision Plat for the Riverwoods Estates Subdivision. Trustee Svatik seconded the motion.

Joe McGowan of 716 Ringland Road told the board that the meeting about the road association was amicable. All of the owners are happy to sign. There are two issues where they need assurance. There were going to be three new homes. Now there may be only two houses. The owners would like clarification. Pres. Kaplan stated the final plat shows only one house on Arrowwood. Pat added that there is no access for the Arrowwood lot on the plat. Mr. McGowan asked for a clarification for the restoration repairs of the road. He questioned the developer's responsibility in terms of timing and quality. There could be a period of time between the construction of the two houses. Pat explained that the developer is required to patch and then resurface. The developer will not be responsible to do a complete rebuild of the road. The current conditions will be video taped, but a complete resurface will be done. As for the time frame, there will be a \$370K bond for the subdivision. In order to get the bond money back the required resurface must be completed. One lane should be completed in 2006. That will provide the motivation to get the work done. Atty. Siegel asked about the duration of the bond. Russ explained that the bond is posted for one year. It keeps rolling over until the funds are released.

Pres. Kaplan stated that there are a couple of projects in the Village that are still being worked on. We need to discuss at a staff meeting why they haven't been finished, and what we should do about it. We should have time limits on the bonds. Mr. McGowan questioned what happens if the developer waits a period of time between building the homes. Pat reported that putting in the water main will do more damage to the roads than any other part of the construction process. We will want to have the road work done after that is completed. He added that there will be a different bond for each house. No building permits will be issued until the water is in. Atty. Huvad indicated that the infrastructure improvements must go in before the house is built. Trustee Svatik stated that earlier in the conversation the allusion was made that there would be a gated drive. He wanted it clarified that the Village does not allow for a "gated community." Trustee Haber reported that there is a note on the plat showing base flood elevations. He questioned why that is there. Pat explained it is a formality for Flood Insurance. The motion for the first reading of an Ordinance Approving a Special Use for Lot without Frontage (Riverwoods Estates Subdivision) and Consideration of the Final Subdivision Plat for the Riverwoods Estates Subdivision was carried by voice vote.

XI. New Business

Pres. Kaplan brought up the subject of Madison Advisors. Hal Roseth is recommending that we use them as financial advisors for some of our funds. Trustee Svatik stated that he

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wants our counsel to review their information and approve it. He added that he has a few questions. Atty. Huvad explained that we can do a staff meeting review.

Pres. Kaplan told the trustees that they have a letter in their packets about the requested grant for the Center for Enriched Living. He questioned if we want to continue with the grant. Trustee Haber moved to approve the \$4K grant for the Center for Enriched Living. Trustee Graditor seconded. Carol Lieberman of 406 Greenbriar questioned if the Village has a budget item for requests like this one. Trustee Svatik explained it is part of the Appropriations Ordinance. It provides the overall figures.

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

XII. Standing Committee Reports

Trustee Graditor – Building/Zoning

Trustee Graditor told the board that she has received several phone calls from residents about a referendum to become a Home Rule community. She was suggesting it to the board because it would allow us some extra flexibility. Trustee Haber stated that he has also brought it up. He asked Atty. Siegel to provide the board with information that includes the pros and cons of becoming Home Rule. We should become informed, so that we can inform the public. Atty. Siegel stated he would provide the requested information. Trustee Norris suggested setting up Home Rule community meetings for educational purposes. Pres. Kaplan pointed out that we may be too late for the November election. Trustee Haber reported we should then start now for next year.

Trustee Masterson – Water/Police/Fire  
Nothing

Trustee Svatik – Finance/Soil & Water  
Nothing

Trustee Haber – Legal/Sewer

Trustee Haber told the board that he has been reading about municipalities putting in municipal-wide wireless internet. It is very simple to do. Municipalities have put it in citing health and safety issues. Doing it this way makes it cheaper for the residents than using commercial providers. He suggested that it is something to think about. Trustee Haber added that the ability to do this may be closed. SBC is lobbying take away this right because they are losing money on it. Trustee Masterson added it is not difficult to do. He questioned if we want to get into the internet provider business. Atty. Huvad

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indicated that the telecommunications companies are pushing hard to get rid of the ability for municipalities to do this. Trustee Masterson stated that it is not a cost free option, but he will look into it. Carol Lieberman reported that there is only one choice in the Village for high speed internet. The only internet choices are high cost or dial up. She stated she would love to see some pressure put on the telecommunications companies.

Trustee Dunn - Road & Bike Paths/Forestry

Trustee Dunn reported that reforestation is still a very important program.

Trustee Norris – Solid waste/Drainage/Storm water

Nothing

XVIII. Executive Session

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

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

Nays: None

Motion carried – 6 – 0

The meeting went into Executive Session at 8:55PM

The meeting returned to regular session at 9:30PM.

Trustee Svatik stated that he would like to see signs posted for proposed subdivisions or any other major change. Similar to when we have proposed commercial development or zoning changes. The sign will sit in front of the property, posting publicity for the meetings. This will ensure that neighbors are aware of possible changes. Atty. Huvad explained that we currently post signs for proposed zoning changes and special uses. Trustee Svatik moved to post signs for proposed subdivisions publicizing meeting and public hearings. Trustee Dunn seconded the motion. Motion was carried by voice vote.

Pres. Kaplan reminded the board that the next Board of Trustees Meeting will be on August 16<sup>th</sup>.

Respectfully Submitted,

Debbie Limer

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

Minutes taken by Debbie Limer

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

IV. Approval of Minutes

Public Hearing – July 5, 2005

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

Board of Trustees Meeting – July 5, 2005

Trustee Masterson moved to approve the minutes. Trustee Svatik seconded. Trustee Graditor stated on page four, eighth line down in the first full paragraph, “ISR” should be added before the word “targets.” Pres. Kaplan pointed out on page two, last line of Comments from the President, “will” should be changed to “should.” Motion was carried by voice vote.

V. Treasurer’s Report

Hal Roseth told the board that there was a big increase in our funds. The funds went up by \$608K because we received the Lake County taxes. The rate on the money funds has gone down. We currently have \$5.77M in the IPTIP. Hal explained that he has submitted a proposal to move \$.5M to a managed portfolio with Madison Advisors. There is a four and a half year history with this fund. He is suggesting investing in the fund for about two and a half years. They are very experienced and familiar with our limitations. The fees would be between .6% and .85% depending on the amount invested. Hal told the board we should do this to get some of the money out of the IPTIP. There is good liquidity. We should take advantage of higher interest rates with Madison Advisors. Pres. Kaplan questioned if we have any information about the firm. Trustee Svatik stated that he wants

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to look at it. Pres. Kaplan suggested that he come into the Village Hall to look at it. He added that this will be on the next agenda.

VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat told the board that bids opened up yesterday for the three projects in the Village. He started with the 2005 Roadway Maintenance Project. There were four bids for the patching on Rose Terrace, Maple Place, Saunders Road, and the Village Hall parking lot. The low bid was \$63,668.50 from Chicagoland Paving. Pat stated that he has worked with them in the past. He recommends approval of their bid. Most of the funds for the roadway maintenance on Rose Terrace and Maple Place will come from SSA funds. Trustee Dunn asked if the need for patching on Saunders is because of the construction. Pat stated that is not really the case. The entire street is due to be resurfaced next year. Trustee Dunn moved to approve the bid from Chicagoland Paving for \$63,668.50 for the 2005 Roadway Maintenance Project. Trustee Graditor seconded.

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

Pat brought up the second project, the proposed water main from Clendenin to Woodland Court. The lowest bid is 50% over the engineering estimate. He explained that he wants to talk to the lowest bidder to see about lowering the bid. It is a small job. He feels that if he gives RJ Underground some leeway on the schedule, he may be able to negotiate for a lower bid.

Pat stated that the bike path project will be discussed in Executive Session.

VIII. Director of Community Services Report

Not present

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Atty. Huvad told the board that the Plan Commission has voted to approve the Riverwood Estates subdivision. New wetland information has come in; the plat needs to be revised. Pres. Kaplan suggested that the trustees review the information. Atty. Huvad stated they should wait for the new materials. Atty. Huvad reported that the Plan Commission voted to approve the preliminary plat for the Lasky subdivision. Trustee

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Dunn asked if there is a standard marker for wetlands. Pat explained that we already have one, and it is being used.

XI. Police Report

Chief Weinstein reported that 145 traffic citations have been written since the last meeting. 255 case reports and 99 traffic accidents have been written since the beginning of the year. He stated that the International Association of Chiefs of Police has awarded the Riverwoods Police Department an "Honorary Mention" for our submission into the National Law Enforcement Challenge. The July 17<sup>th</sup> motorcycle Ride for Kids was held without any incidents through the Village. The second quarter COPS funding has been submitted. The amount is \$13,776.77.

XII. Village Attorney's Report

Atty. Siegel told the board that the Appellate Court has affirmed Judge Tonigan's dismissal of the Didier case. The issue is behind us. They can still file a petition for a rehearing, but that would most likely be denied. They can try for the Illinois Supreme Court, but the Court probably would not take it because it was not a split decision. Atty. Siegel stated that he thought we were through with it.

XIII. Comments by the President

Pres. Kaplan reported that we have another report monitoring the private wells. It was from yesterday. They have dropped again. Mr. Small has been made aware of the fact that his water level is 2.4 feet above his pump. Pres. Kaplan stated that he wants to add water main infrastructure to the CCI proposal. We are currently in the worst drought this area has ever experienced. It is a serious problem. All of the crops are burnt up already. He questioned the board if they had any suggestions. Trustee Dunn stated that people are still power washing their decks. Residents do not know that they can turn off the recycle on their water softeners. There should be stronger water restrictions. We should be showing well levels on the web site. Residents do not monitor their wells. She added that we should give suggestions on how to restrict water usage. Trustee Graditor wanted to know if anyone had talked to the County of Lake. They are not limiting water use, and those residents are on the same aquifer as we are. We can conserve, but if others do not it does not matter. She suggested that someone call the County. The restrictions should be county wide. She stated that she would call the County. Trustee Svatik added that they should survey other areas in the County. He questioned if they control the incorporated areas. Trustee Graditor stated that they do not, but they can encourage water restrictions. In Long Grove some wells have gone dry. Trustee Norris reported that we need to warn residents. We should also contact the County about the warnings to tell others to stop all water usage outside. Trustee Haber asked about the municipal wells. According to the report, it did not look as if they were dropping. Pres. Kaplan indicated that the municipal wells are on the same as aquifer as the private wells. Reading the results from the report,

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they are dropping the same as the private wells. Trustee Svatik asked if there was anything we could do if Mr. Small's well goes dry. Pres. Kaplan stated we may be able to send over a water truck. Trustee Dunn suggested that someone start talking to residents in South Riverwoods. Pres. Kaplan stated he would have Russ start to call the Homeowners Associations. Trustee Dunn questioned if we are sending out information on the issue. Pres. Kaplan stated that he would get a letter out.

Pres. Kaplan reported that he got an email from Highland Park on municipal water. We may get an algae bloom in the late summer. The water may taste and smell differently. It is safe to drink. Trustee Norris added that this has happened before.

Pres. Kaplan told the board we had a bike path meeting with residents and committee members. Only two residents who signed petition came to the meeting. They were Ron Auth and Stacy Goodman. Ron Auth has been opposed to the bike path for awhile. We have a letter from his attorney that we will discuss in Executive Session. Pres. Kaplan added that several of the Bike Path Committee members attended the meeting.

Pres. Kaplan stated that we received a letter from Jody Kahn thanking us for our \$2K donation for Family Day

A resident on Big Oak has sent a letter about a six foot fence on another resident's property. He added that a lot of deer fences have gone up. We will be hearing more from residents about the deer fencing. He's trying to acquire a petition.

XIV. Visitors Wishing to Address the Board

None

XV. Approval of Bills

Trustee Dunn moved to approve bills as presented subject to approval of responsible Trustee/Officer and Village President. Trustee Graditor seconded the motion. Trustee Dunn asked about the bill from SKS Construction. The bill is for 20 hours of work at \$60 an hour. She stated that she thought the \$1,250 bill was really high. Pres. Kaplan explained that ex-Trustee Tully felt the same way. Pres. Kaplan stated that he will talk to them. He suggested that it be approved for now, and we will get an explanation. Trustee Norris asked about a bill for \$55 from Condell Acute Care. Chief Weinstein stated it was for a drug test for new employee, Ms. Worda, a part time records clerk.

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

XVII. New Business

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Pres. Kaplan told the board that John McGovern of NSSRA was here to give a report on the past and future of the NSSRA. Mr. McGovern stated that the NSSRA was started 35 years ago as an intergovernmental partnership. NSSRA was the first of its kind to be established. One of the benefits to this type of partnership is that it is cheaper. On \$100K the cost for NSSRA is \$5.00 per year. In a resident's property taxes NSSRA costs each homeowner less than Mosquito Abatement. They offer more than 80 programs each season. Mr. McGovern reported that Riverwoods became a partner 10 years ago. When the NSSRA was formed in 1970 their programs were only for kids. Those kids have grown up and now the programs range from children to adults. In the 1990's they started inclusion programs. Inclusion has become a significant issue. Recreation is more for families with and without handicaps. He added that Trustee Svatik has been on the NSSRA board for a long time. He is very persuasive and dedicated.

Mr. McGovern stated that they are seeing an annual membership increase of 8% to 10%. He feels that is due to better medical technology and demographics. There are more families with younger kids. They are working with the State on funding issues. There are major budget problems. NSSRA is working for grants. They just received a \$200K grant because of Karen May's help. It is to develop a Public Health Services program that will start as a pilot in January. They will be working with and out of the Center for Enriched Living. The program is for adult day care. It will be focused on adults 21 and over who do not have programs to attend. The program will have a fitness focus. It will be limited to 20 people.

Mr. McGovern told the board that right now the high gas prices are making things more difficult. 70% of their budget is being spent on fuel. They give 21K ride a year. He added that they own their own building which is a good thing and a bad thing all at the same time. He does expect that there will be some maintenance costs for the building in the not too distant future. They are waiting for the Illinois First Grant money to come in from 2001. There has been some discussion of writing off the debt, but he does not want to do that because then the chances of getting the money are even less. He is working with other officials to try to get the funds.

Pres. Kaplan asked how many Riverwoods residents use the NSSRA services. Mr. McGovern stated there are eight ranging from young children to young adults. Trustee Svatik reported there are now some new names on the list. The number is now above eight. Mr. McGovern told the board that he has received calls from Brentwood. The nursing homes would rather use our services than hire someone. Hal Roseth stated that his son has participated in some of the programs and loves them. Mr. McGovern added that some of the programs are getting too large; they have had to have a lottery for registration.

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XVI. Old Business

Pres. Kaplan brought up the subject of the Good Neighbor Project with Orphans of the Storm. Atty. Huvad reported we are revising the easement agreement. We are not necessarily in agreement on the easement, but we will be allowed to grade into the retaining wall. It will be on the agenda for the next meeting.

Pres. Kaplan stated that the next three ordinances on the agenda need to be continued.

Pres. Kaplan brought up the ordinance for the licensing of waste haulers. Atty. Huvad explained that the ordinance requires a license for garbage haulers to regulate recycling, senior discounts, and other issues. Pres. Kaplan added that we should allow 90 days for current haulers to get the license. Trustee Graditor moved to have a second reading and adoption of an Ordinance for the Licensing of Waste Haulers in the Village of Riverwoods. Trustee Dunn seconded the motion.

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

Nays: None

Motion carried 6-0

Ordinance 05-7-13

Pres. Kaplan brought up the subject of the Zoning Ordinance. Trustee Haber moved to have a second reading and adoption of an Ordinance Amending Certain Provisions of Article B of Chapter 5 of the Riverwoods Zoning Ordinance Pertaining to Mixed-Use Planned Developments. Trustee Masterson seconded the motion. Atty. Huvad stated that there is a 7/19/05 revision that includes auto dealerships. He added that he has cleaned up some of the language, changed the letters for the paragraphs, and changed the definition of a destination restaurant. Trustee Haber reported that the ordinance does not allow for a drive through on a bank. He added a suggested change to the auto dealership language. Atty. Huvad read over the change. Trustee Svatik brought up the no drive through issue. Atty. Huvad explained there is a drive through exception for banks and pharmacies. He will distribute corrected copies.

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

Nays: None

Motion carried 6-0

Ordinance 05-7-14

XVII. New Business – cont.

Pres. Kaplan stated that the discussion on the Riverwood Estates subdivision will need to be continued due to the necessary changes in the plat.

Pres. Kaplan brought up the subject of the Lasky subdivision. Pat explained that the Laskys have three lots. There are two on Woodland Land and one on Windlake. As they are now, the lots are in two different subdivisions. The Windlake lot is vacant and very long. The other two lots have existing homes. They would like to change the lots to

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increase the size of two of the lots and give them access to the lake. All three lots would have the minimum requirements for the R1 zoning. Atty. Huvard pointed out that the long and skinny lot will remain long and skinny. He added that some of the neighbors were at the Plan Commission hearing to object to the plan. Trustee Haber stated that he thought we were unable to change a non-conforming lot. Atty. Huvard explained that we would be improving the capacity for each lot to meet the requirements. There would be more conformance afterwards. The neighbors who own part of the lake in their individual lots are opposed. They view it as a private lake. With this plan there would be two additional owners with rights to the lake. Atty. Huvard stated that he raised the idea of a restrictive covenant and association. The new owners are willing to go along with the Plan Commission's recommendation. The Plan Commission did not see the other owner's issue as a reason to deny the plan.

Pres. Kaplan told the board he would rather see straight lines on the plat. Trustee Dunn questioned how to stop the owners from selling the long lot to other neighbors next door. Pat explained that the Laskys have agreed to prohibit that. Trustee Haber questioned what drives us as a village to do this. Atty. Huvard stated the owners can do land exchanges. Trustee Haber asked that if the lots are still non-conforming after the plat is redrawn, why we would want to do this? Atty. Siegel pointed out that we cannot approve this if it doesn't meet the current requirements. Trustee Haber questioned if there was a hardship. Atty. Huvard stated that the owners could say that there is not enough area to build for the house that they want on the land. Atty. Siegel questioned why this is being proposed. Mark Lasky introduced himself and his wife, Betty. He stated that they want to improve the land and put in new homes to uplift the area. Trustee Haber responded that it is commendable, but he did not think it was allowed. Mr. Lasky explained that the houses that they would be able to put on the existing property would not be up to the Riverwoods standards. Mrs. Lasky added that it is a problem with the set back. Trustee Haber indicated that this is a back door attempt.

Atty. Huvard reported that they could go to the Zoning Board of Appeals. The Plan Commission refers to the Zoning Board of Appeals in the case of a variance. Pres. Kaplan questioned if the Board can do this. He would like to see nicer homes. Trustee Haber stated that the problem is precedent. We will be asked to do other things of a similar nature. Atty. Siegel asked if they are satisfied that this plat meets the requirements. Atty. Huvard explained that he feels this should go to the Zoning Board of Appeals. We are improving the conformance. Trustee Haber stated we are not improving anything. The lots would still be non-conforming. This is an economic decision. We are here to enforce our Ordinances, not to help developers make money. It is not our place. We should not approve this. Pres. Kaplan reported that he wants to see the statute on this issue. Atty. Huvard explained that the Plan Commission is supposed to look at the circumstances. It should go to the Zoning Board of Appeals. Pres. Kaplan stated that the Zoning Board of

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Appeals will turn it down, if there is not hardship. Trustee Haber told the board it may work as two lots. Everyone needs to work within the rules. Trustee Norris stated there is a reduction in the degree of non-conformity. He added he did not know if that was enough. Trustee Haber reported that they could put a small house on that lot. If we agree to this, we are approving big huge homes for those lots. Pres. Kaplan explained that these lots have remained vacant because they are tough lots. Trustee Svatik stated that this should not be approved.

Trustee Dunn moved to send the Lasky subdivision back to the Plan Commission, so it can then go to the Zoning Board of Appeals. Trustee Masterson seconded the motion. Motion was carried by voice vote.

XVIII. Executive Session

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

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

Nays: None

Motion carried – 6 – 0

The meeting went into Executive Session at 9:35PM.

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

Pres. Kaplan reported that the next Board of Trustees meeting will be on August 2<sup>nd</sup>.

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

The meeting adjourned at 10:10PM

Respectfully submitted,

Debbie Limer

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In Attendance:

William Kaplan  
Linda Dunn  
Sherry Graditor  
Michael Haber  
Bruce Masterson  
John Norris  
William Svatik  
Eileen Stanger  
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

Public Hearing – June 21, 2005

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

Board of Trustees Meeting – June 21, 2005

Trustee Graditor moved to approve the minutes. Trustee Norris seconded. Trustee Svatik pointed out on page 4, thirteenth line of the third paragraph, “Deerfield Road” should be changed to “Riverwoods Road.” On the third line of the same paragraph, “The path is as close to the road as legally permissible.” should be added after Pat’s comment. Trustee Norris stated that “The path remains in the right of way.” should be added as well. Trustee Graditor told the board on page seven, sixth line in the second paragraph, “affect” should be changed to “exclude.” The motion was carried by voice vote. Trustees Dunn, Haber, and Masterson abstained.

V. Consultants

Gewalt Hamilton

Pat told the board that the Riverwoods bike path and the Clendenin water main project are both out for bid. He should have bid results for the next meeting. He does not have approvals from the County.

Director of Community Services

Nothing

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Village Attorney

Nothing

Urban Forest Management

Not present

Plan Commission Report

Atty. Huvard told the board there are two reports. There was a set of hearings on the 37 acres. The issues included the text amendment, special use, and remapping. The second report is on the public hearing for the 5 acres. This is the hearing that has been continued over and over again. The owners of the Riverwood Inn parcel have asked to keep things separate with the aim of moving their process along. The Plan Commission has approved the text amendment and the preliminary site plan for the 37 acres. Atty. Huvard added that the remapping is only for the 37 acres. Pres. Kaplan asked if we need to take any action. Atty. Huvard suggested accepting the Plan Commission report. Trustee Svatik moved to accept the Plan Commission report. Trustee Masterson seconded the motion. The motion was carried by voice vote.

Zoning Board of Appeals

Not present

VI. Police Report

Chief Weinstein stated that the Police Department has issued 145 traffic citations since the last meeting. There have been 236 case reports and 88 traffic accidents written since the beginning of the year. He added that we have received formal notification that our application for the ILEAS/Homeland Security Grant has been approved. It is for the purchase and installation of ICLEAR compatible mobile data computers. Trustee Svatik asked if anything special happened in the Village over the Fourth of July holiday. Chief Weinstein stated that we had an extra officer on staff on the Fourth, but things were very slow. Pres. Kaplan commented on a lack of traffic. Chief Weinstein reported that there were no DUI arrests, and we were looking for them. Pres. Kaplan stated that that is good news.

VII. Comments from the President

Pres. Kaplan commented that he is concerned about the low level of the private wells. They were measured today, and they have gone up since the last report. He referred to the report that all of the trustees had. The summary is on the back page. The June date should be changed to June 4<sup>th</sup>. He read the results. Pres. Kaplan explained to the board that Murney recommended that we not go overboard with restrictions. Murney felt that an outside watering ban was sufficient. There are 81 homes with municipal water that still have their outside wells. We will put up signs for them. That should be okay. Pres.

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Kaplan commented that the June numbers were really low. Vernon Woods is sending out letters to residents advising them on the watering restrictions. He told the board that if we stop outside watering for a while, we should be okay.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

Pres. Kaplan told the board that we did not get a garbage bid from the other contractor. He had asked them to come out and drive the Village and then submit a quote. Driving around the Village must have scared them away.

Pres. Kaplan brought up the subject of the Good Neighbor Project. Atty. Huvad stated that Orphans and the Village are apart by about seven inches. We will work on the issue next week.

Pres. Kaplan stated that the next three ordinances on the agenda have to be postponed.

Pres. Kaplan brought up the subject of garbage collectors. We have added the senior discount to the ordinance. The board members have a new copy of the ordinance. He commented that it is important to get the discount in the ordinance because he did not know about the discount until this discussion. Atty. Huvad stated that Trustee Haber has made some suggestions for the ordinance. He would like to bring it back at the next meeting with the changes. Pres. Kaplan indicated that this will be on the agenda at the next meeting.

XI. New Business

Pres. Kaplan brought up the subject of the SWALCO Ordinance. Trustee Norris explained that two municipalities want to join SWALCO. The ordinance has to be approved with a 2/3 vote of the member municipalities. They have also asked that the late fee not be incurred. Trustee Svatik moved to waive the first reading of an Ordinance Consenting to the Villages of Round Lake Heights and Island Lake as Additional Members of the Solid Waste Agency of Lake County, Illinois with no Late Fee. Trustee Graditor seconded the motion. The motion was carried by voice vote.

Trustee Norris moved to have a second reading and adoption of an Ordinance Consenting to the Villages of Round Lake Heights and Island Lake as Additional Members of the Solid Waste Agency of Lake County, Illinois with no Late Fee. Trustee Graditor seconded the motion.

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

Nays: None

Motion carried – 6– 0

Ordinance 05-7-11

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Pres. Kaplan told the board he wants to put through the ordinance pertaining to axle and weight limitations. This is the season where we have a bigger problem. The limit is six tons per axle. Atty. Huvard explained that this ordinance clarifies the limitations. We have changed the current ordinance for the exception of local deliveries. That part has been removed. He reported that construction loads are usually overweight and that is considered to be a local delivery. Trustee Haber moved to waive the first reading of an Ordinance Amending Certain Provisions of the Riverwoods Village Code Pertaining to Axle and Weight Limitations on Village Streets. Trustee Svatik seconded the motion. The motion was carried by voice vote.

Trustee Dunn moved to have a second reading and adoption of an Ordinance Amending Certain Provisions of the Riverwoods Village Code Pertaining to Axle and Weight Limitations on Village Streets. Trustee Masterson seconded the motion.

Roll Call Vote -       Ayes: Dunn, Graditor, Haber, Masterson, Norris, Svatik  
                              Nays: None  
                              Motion carried – 6– 0               Ordinance 05-7-12

Pres. Kaplan told the board we need to have a first reading on the mixed use ordinance. Atty. Huvard explained that this is the form for the text amendment for the 37 and 5 acres. The owners of the Riverwood Inn parcel want to make sure page four, Section C1 is passed. It authorizes a service station, car wash, and convenience store. This will be the first time this is allowed in this district. The ordinance designates the exact location for the service station, car wash, and convenience store. The language is for the BP. This should help with the 37 acres. Atty. Huvard pointed out pages 5 and 6. He stated that the IFR targets were too strict in the past. Now that we have site plans with details we can update the ratios. The ratios will be determined by individual lots as a part of the annexation plan. Trustee Haber moved to have a first reading of an Ordinance Amending Certain Provisions of Article B of Chapter 5 of the Riverwoods Zoning Ordinance Pertaining to Mixed-Use Planned Developments. Trustee Norris seconded the motion. Motion was carried by voice vote.

Trustee Svatik asked about an auto body shop mentioned on page 3, paragraph B. He did not feel that the use would fit in the Village. It is an issue of noise pollution and space. Atty. Huvard pointed out that the use is not authorized. Trustee Haber asked why we are not allowing a car dealership. That is a use that brings in large revenue. Atty. Huvard explained there are different kinds of dealerships. Trustee Haber stated we should allow for a new car dealership. The only used car dealership we should allow is one that is part of a new car dealership. Trustee Dunn asked about religious institutions on page 5. Atty. Huvard explained that we want to have designated spots for religious institutions. We want to keep those spots out of the residential areas.

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Pres. Kaplan told the board he put two newspaper articles in their boxes. The first one reported that Chicago sales tax is going up to 9%. It will send Chicago residents out to the suburbs for big purchases. The second is about Walmart changing the facade on one of their stores.

XII. Standing Committee Reports

Trustee Graditor – Building/Zoning  
Nothing

Trustee Masterson – Water/Police/Fire  
Nothing

Trustee Svatik – Finance/Soil & Water  
Nothing

Trustee Haber – Legal/Sewer  
Trustee Haber thanked the board and the Village Hall staff for their support and condolences to him and his family after the death of his father. He stated that he really appreciated it. He also thanked Jaye Brodsky for volunteering to help out at the Village Hall while the staff was attending the funeral.

Trustee Dunn - Road & Bike Paths/Forestry  
Nothing

Trustee Norris – Solid waste/Drainage/Storm water  
Nothing

XIII. Executive Session

Trustee Masterson moved to recess to Executive Session according to Section 2C11 of Open Meeting Act for litigation. Trustee Haber seconded the motion.

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

The meeting went into Executive Session at 8:40PM.

The meeting returned to regular session at 8:55PM.

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Trustee Graditor moved for the board to authorize the Village Engineer to perform a site line study for the purpose of evaluating the stop sign at Portwine and Orange Brace based on current studies. Trustee Dunn seconded the motion. The motion was carried by voice vote.

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

The meeting adjourned at 8:55PM

Respectfully Submitted,

Debbie Limer

Village of Riverwoods  
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June 21, 2005

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In Attendance:

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

Absent:

Linda Dunn  
Michael Haber  
Bruce Masterson

Minutes taken by Debbie Limer

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

IV. Approval of Minutes

Pubic Hearing – June 7, 2005

Trustee Masterson moved to approve the minutes. Trustee Svatik seconded. Trustee Svatik stated that under Approval of Minutes the month should be June and not May. Motion was carried by voice vote.

Board of Trustees Meeting – June 7, 2005

Trustee Svatik moved to approve the minutes. Trustee Norris seconded. Trustee Svatik stated that under Approval of Minutes on the first page the month should be June and not May. Trustee Norris pointed out a necessary addition on page 3, sixth line from the bottom. After Trustee Norris's statement about the Village having the ability to decide where our recycling is taken. It should be added that Mr. Quigley of SWALCO stated that that is incorrect. Trustee Graditor reported that on page 6, under her committee report, "for new construction" should be added after "permits" on the first and second lines. Motion was carried by voice vote.

VI. Urban Forest Management

Nothing

VII. Engineer's Report

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Pat Glenn told the board that he will publish for bids on the 18<sup>th</sup> and plans to have recommendations for the meeting on the 19<sup>th</sup>. The bids will be for the bike path, water main extension, and Village road work.

VIII. Director of Community Services Report

Russ stated that there will be a ground breaking for Irgens Development on August 4<sup>th</sup> at 11AM.

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Atty. Huvard told the board that the Plan Commission discussed the text amendments for the 37 acres and the 5 acres. They made their recommendations. He will have a full report for the next meeting.

XI. Police Report

Chief Weinstein reported that there have been 124 traffic citations issued since the last meeting. There have been 220 case reports and 87 traffic accidents written since the beginning of the year. He told the board that we have received preliminary notification that our application for an ILEAS/Homeland Security Grant has been approved. The grant is for the purchase and installation of ICLEAR compatible mobile data computers. The grant amount is \$25,600. This will put better computers in the squad cars and enhance our communication capabilities.

Chief Weinstein stated that we have placed third in our municipal size category for the 2004 Illinois Association of Chiefs of Police's Illinois Traffic Safety Challenge. He commended Officer Ernst who compiled and submitted the documentation. Chief Weinstein added that in the last two weeks the Police Department has participated in the following events: Discover's Parade of Excellence, Riverwoods Family Day, Congressman Kirk's Gang Information Briefing, and Discover's Business Continuity Planning Information Security and Records Awareness Fair.

XII. Village Attorney's Report

Nothing

XIII. Comments by the President

Pres. Kaplan told the board that representatives from Lincolnshire are here to discuss what they are looking for in sharing recreational programs with Riverwoods. He introduced Lydia Scott, Chris Gantz, and Rob Ellis. Ms. Scott explained that they are all

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a part of the Recreational Review Committee. They are looking into joining smaller communities together for recreational programs. They are exploring the options with other communities and working together. Mr. Ellis stated they are looking at programs and facilities. The age range for possible programs runs from preschool age to seniors. He admitted that it is hard to get surveys back from residents to explore needs and wants. They only hear about the problems after a program is over. They want to get a sense of what residents are looking for, and they want to work with other communities.

Mr. Gantz explained that some of the area communities are in a unique situation. They are small communities without programs to offer their residents. Bannockburn, Long Grove, unincorporated Vernon Township, Lincolnshire and Riverwoods could all work together to provide for each other. He told the board that is the reason that they are here tonight. They want to put the idea out on the table and hear if the Village is interested in participating. They want to have a discussion on the feasibility. Mr. Ellis stated this is just the early stage. Pres. Kaplan reported that Riverwoods does not have a park district. A lot of our residents go to Deerfield for programs. They pay the out of resident rates, and if there is no room left they do not get in. This idea could be a good deal for the residents. It would be a pay as you go, which is normally how things are done in Riverwoods. Ms. Scott stated it is done the same way in Lincolnshire. Pres. Kaplan indicated that he thought there would be a lot of interest in the Village. It would be nice to not be treated as a second class citizen.

Ms. Scott explained that in Long Grove they work as a user pay park district. Their funds are very limited. She stated that preschool classes will most likely get the most interest. They currently reciprocate with Long Grove. Mr. Gantz reported that it is hard for them to fill classes because the community is so small. Working with other communities they would be able to pool residents and resources. Atty. Huvad asked where most of the Lincolnshire residents go for programs. Mr. Ellis stated that most go to Lake Forest. Ms. Scott added that some go to Buffalo Grove. Trustee Graditor indicated that she felt this was a great idea. Pres. Kaplan reported that a newsletter goes out every other month. They could publish in there or they could put out their own flyer. Ms. Scott stated that they are looking for a collective interest. Trustee Norris commented that there was an interest shown for park district-like programs in the last survey that went out to Riverwoods residents. Pres. Kaplan stated that we would have to get volunteers together to help with this endeavor. Mr. Ellis reported that the volunteers are welcome to come to their meetings. Pres. Kaplan indicated that we will have to get the RRA involved. Ms. Scott added that there is no time line for this project. Pres. Kaplan asked who should be contacted at the Village of Lincolnshire. Ms. Scott responded "Chris Gantz." He is the Recreation Supervisor.

V. Treasurer's Report

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Hal Roseth told the board May was a quiet month. The rates were stable. There was an overall fund decrease of \$14K. He is looking into a managed bond portfolio with Madison Advisors. We could take the funds from Smith Barney and add \$5.5M. Madison Advisors is more professional, proactive, and we could get a higher return. They are proposing an increase of \$7K a year in interest income.

XIII. Comments by the President – cont.

Pres. Kaplan stated that the Deerfield Park District has asked us for approval to dump sand. We have told them that they cannot use the big trucks they planned on to drive over Saunders to get the sand to the golf course. Chief Weinstein explained that we have a limit of 6 tons per axle. They cannot get haulers to deliver in a truck that small. They can only get 8 tons per axle. Pres. Kaplan added that they want to dump the sand at Deerfield and Saunders and then pick it up in a smaller truck. Trustee Graditor stated she did not want to allow that because it would make a mess. The rest of the trustees agreed.

Pres. Kaplan told the board there were quite a few people present for Family Day. It was very nice. Trustee Svatik added there were steady numbers of residents all day long.

Pres. Kaplan stated that he has a petition from Ron Auth and 16 other neighbors objecting to the bike path. They want it along side the roadway to minimize the landscape damage. Pat reported the path is where it belongs. Pres. Kaplan explained that Mr. Auth's lot line is farther into the right of way. The original owners of the Auth property were among the first resident in Riverwoods. The property is in the right of way. As the road has been moved and widened over the years, more of his property has been taken. He is unhappy about the path. He will have to take out his fence and planting. Hal Roseth asked about the status of the bike path. Pat stated it goes out for bid on July 18<sup>th</sup>. It will go along the north side of Riverwoods Road from Woodland to Saunders. Trustee Svatik asked if it is worth it to talk to the residents to try to make them happy. Almost 100% of the residents in the area signed the petition. He questioned if it was possible to have a discussion with Pat to try to find a happy medium. Pres. Kaplan responded that he is happy to discuss it, but it cannot be any closer to Deerfield Road than it already is. Trustee Svatik pointed out that when we were told the residents of Thorngate did not want a bike path, we withdrew the plan. Pres. Kaplan stated this bike path is to go in the right of way. Trustee Svatik asked if this was the only choice. Every resident on the path is against it. Pat explained that we are keeping the path away from the ditch because we do not want to have to put in storm sewers. We want to keep it away from the roadway. He stated he thought it would be a good idea to have a meeting with them. Pres. Kaplan reported we will set up a meeting with the residents.

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Pres. Kaplan announced that Trustee Haber's father passed away. The funeral will be at Temple Beth El in Northbrook on Thursday, June 23 at 11AM. He stated that we may close the Village Hall so that employees can attend.

XIV. Visitors Wishing to Address the Board

Toni Rey of 1332 Woodland told the board she is here as a representative of the Riverwoods Preservation Committee. They had been given an application for the Woodland Landscaping Award. She commented that the Village should apply. There are so many programs that have been initiated by the Village. The committee would be glad to help with the application process.

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 the motion.

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

XVI. Old Business

Pres. Kaplan brought up the subject of the garbage bids. Pinnacle Service of Cicero has some business in the Village. He has asked Pinnacle to drive down our streets and see if they can service the Village. We should have a response by Monday. He added that he is unhappy with the bid quote from Waste Management. Tom Bojarski of 1380 Indian Trail explained that he uses Pinnacle Services for a couple of his buildings. They are very competitive with good service.

Atty. Huvar told the board that everyone agrees with the easement agreement in the Good Neighbor Project with Orphans. There are some issues with the right of way, but we will work on it until everyone is satisfied.

Atty. Huvar stated that the next three ordinances on the agenda need to be postponed.

Pres. Kaplan brought up the subject of the NOVUS agreement. Atty. Huvar told the board that they all had the motion to approve the first amendment of the restated conservation easement. It has the changes black lined. We will notify NOVUS when we are ready to move the fence. They will make their comments. After the fence is relocated they will quit claim it to us within 30 days. It will be recorded, so there will be no escrow. Atty. Huvar reported that we do need a tickler system, so that the 10 year deadline does not get overlooked. He added that they have notified us that the annexation agreement has expired. Atty. Siegel asked when we would be receiving the \$100K. Atty. Huvar stated

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30 days after the bike path agreement is voted on. Trustee Graditor moved to approve the first amendment to the NOVUS restated conservation easement. Trustee Norris seconded.

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

Pres. Kaplan brought up the subject of the fee schedule. Russ explained that Resolution 05-6-2 has two changes. The first is the sanitary sewer connection charge. Pat explained that there is now a Portwine Sector surcharge. Lake County Public Works feels that they are going to need to upgrade the lift station. They want to put money away ahead of the necessary improvements. This surcharge will apply only to new connections. Tear downs will not pay the surcharge. The monthly fee will not change. Russ pointed out the second change on page four. It has to do with the Tree Preservation Program. Chuck has established some new fees. They are outlined in sections 1 & 2. Pres. Kaplan read the new fees that are classified by highly desirable trees and all other species of protected trees and by the size of the tree. Chuck Stewart stated that now we are recognizing the species and quality of the tree. The tree would not be mitigated if the tree is not healthy. Atty. Huvard added that in the fee schedule is also the fee for licensing garbage collectors. The fee may change later. Trustee Svatik moved to approve the updated Fee Schedule. Trustee Norris seconded.

Roll Call vote-       Ayes:           Graditor, Norris, Svatik, Kaplan  
                          Nays:           None  
                          Absent:        Dunn, Haber, Masterson  
Motion carried 4-0                   R05-6-2

XVII. New Business

Pres. Kaplan told the board Mr. Sagan was here to discuss the stop sign on Portwine Road. Sheldon Sagan of 640 Sherry told the board that the stop sign at Portwine and Orange Brace is very close to his house. He has asked if anything can be done about the stop sign. In 1996 the stop sign was put in and the speed limits were changed to 25 M.P.H. At the time the area was a danger for pedestrians and bikers. He added that he agreed. Now that we have our own Police Department, he has asked if there is anyway to move the sign. He was told by the Mayor and Chief Weinstein that there is no way to move the sign. Mr. Sagan told the trustees that he has filed a complaint, but the Village is standing behind the stop sign. He explained that his complaint states that the sign was put in without consulting the State standards for putting in a stop sign. The Village did not take into account what the sign is doing to the residents around it. During the hours of 6:30AM to 8AM and from 4PM to 6PM his serenity has been taken away. Mr. Sagan stated that cars speed up and then stop. They gun their engines after they get through the intersection. It is defeating the purpose of the sign. The stop sign is not effective at

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stopping speeders. It is adding to the area noise and exhaust pollution. He added that he feels it affects the value of his property. There used to be limits on turns onto Portwine during certain hours of the day. He did not know why those limitations are no longer there. Mr. Sagan told the trustees that because of the stop sign his bedroom is very loud.

Mr. Sagan stated that the Illinois Supreme Court has declared it illegal to use stop signs for the purpose of deterring speed. If there is an accident at that intersection, the Village will be liable. The stop sign does not meet the standards for a stop sign. He asked the trustees to please consider another option. He cannot enjoy his home. Trustee Svatik wanted to know if Mr. Sagan feels that his situation is any different than anyone else's living close to a stop sign. Mr. Sagan stated that he did not think anyone was as close to the stop sign as he is. Trustee Svatik explained that he has the same problem near his house. The noise by his house is all day long. Gewalt Hamilton did a study to determine that the stop sign is need at that location on Portwine. Mr. Sagan commented that he did not think that it met the minimum requirements. Atty. Siegel pointed out that he did know that we looked at the report listing minimum requirements. Atty. Huvad reported that we can go back and look at the report, but the justification was the angle of the streets. Pres. Kaplan stated that we have done studies. We were advised it was a legal sign. Chief Weinstein added that he thought the speed limit was changed to 25 M.P.H. since the 70's. If we remove the stop sign, there will be more traffic on Portwine because of the lack of stop signs. He reported that kids cross the street right there to get on the school bus. Mr. Sagan stated that the change to 25 M.P.H. happened in 1996. He told the board he is asking for their consideration. Trustee Norris commented that everyone is sympathetic, but we have to follow the advice of our engineers and Police Chief. Mr. Sagan stated he would like to see the traffic report on the stop sign.

Pres. Kaplan told the board that they have the ordinance for the licensing of waste haulers. Trustee Graditor moved to have the first reading of an Ordinance for the Licensing of Waste Haulers. Trustee Norris seconded the motion. Pres. Kaplan stated this may go on for awhile. We are hoping to get another bid. Atty. Huvad explained that we have tried to mandate a certain type of bin to encourage recycling. Mr. Bojarski wanted to know if this would affect remodeling. Trustee Graditor stated that it would not. Mr. Bojarski explained that he does not want to eliminate the ability for competition. He questioned if the board could explicitly eliminate dumpster providers from being required to recycle in the case of remodeling. Trustee Norris pointed out that remodeling is one of the largest sources of recycling. It is a major source. We want to keep all that we can out of the land fills. We may be able to work around the issues; we do want to encourage competition. Mr. Bojarski asked how this can be enforced. Trustee Norris stated that we can make the attempt. Mr. Bojarski wanted to know how waste haulers can be forced to recycle. Trustee Norris explained that it is a matter of Public Health. We only have 12 years left in our area land fills. Mr. Bojarski stated that he has never seen it required.

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Atty. Huvard reported that the ordinances are out there to require it in other communities.

Mr. Bojarski asked what can be recycled in remodeling. Trustee Norris replied glass, metal, and plastics. Atty. Huvard stated that we can talk to SWALCO. Mr. Bojarski told the board that Lincolnshire requires licensing, but they do not require recycling. Pres. Kaplan explained that licensing is only \$100 a permit. Trustee Svatik pointed out page 3, paragraph B, of the ordinance. He was hoping that there was some way to get a container less than 55 gallons. Atty. Huvard suggested the change of a recycling container between 35 and 55 gallons and a garbage container between 60 and 90 gallons. Trustee Graditor stated that we need a grace period for licensing. That will ensure that everyone has time to get licenses. We do not want the garbage to collect in the Village. Motion was carried by voice vote.

Pres. Kaplan brought up the subject of speed bumps. Atty. Huvard commented that he had thought we had prohibited them. We instead focused on restoration of the streets with letters of credit and construction site management. We are contacted once every three months about speed bumps. Trustee Svatik moved to waive the first reading of an Ordinance to Prohibit Speed Bumps. Trustee Graditor seconded the motion. Motion was carried by voice vote.

Trustee Graditor moved to have a second reading and adoption of an Ordinance to Prohibit Speed Bumps. Trustee Svatik seconded the motion. Trustee Graditor pointed out section 7-3-2. The problem the last time was obstruction put in the roadway. Atty. Huvard read the section where that issue is addressed. Trustee Graditor asked that "or easement of" be taken out.

Roll Call vote-           Ayes:           Graditor, Norris, Svatik, Kaplan  
                                  Nays:           None  
                                  Absent:       Dunn, Haber, Masterson  
Motion carried 4-0                   Ordinance 05-6-9

Pres. Kaplan told the board that we have received a request from Gewalt Hamilton to refund Discover's Letter of Credit. There is a typo in the letter from Pat Glenn. We have had their money since 2003, not 1993. Pat explained that they have completed their water main improvements and supplied all of the records. It is time to release the bond. Trustee Svatik moved to release Discover's Letter of Credit. Trustee Norris seconded the motion.

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

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Pres. Kaplan stated that we have the ordinance setting prevailing wage rates. We have to do this every year. Trustee Norris moved to waive the first reading of an Ordinance Establishing Prevailing Wage Rates. Trustee Graditor seconded the motion. Motion was carried by voice vote.

Trustee Norris moved to a second reading and adoption of an Ordinance Establishing Prevailing Wage Rates. Trustee Svatik seconded the motion.

Roll Call vote-           Ayes:           Graditor, Norris, Svatik, Kaplan  
                                  Nays:           None  
                                  Absent:       Dunn, Haber, Masterson  
Motion carried 4-0                   Ordinance 05-6-10

Trustee Norris told the board that there is a realtor who is using the Village crest in his ads. He reported that he does not like it because it is misleading. Trustee Graditor stated a letter from the Village Attorney needs to be sent out. Atty. Huvard indicated that we should trademark our sign. Atty. Siegel stated that he was not sure that we have to do all that. Trustee Norris reported that he did not like the implications of tying this realtor to the Village. Pres. Kaplan asked Atty. Huvard to write a letter.

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

The meeting adjourned at 9:45PM.

Respectfully Submitted,  
Debbie Limer

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In Attendance:  
William Kaplan  
Linda Dunn  
Sherry Graditor  
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 8:10 PM.

IV. Approval of Minutes

Board of Trustees Meeting – May 17, 2005

Trustee Svatik moved to approve the minutes. Trustee Masterson seconded the motion. Trustee Svatik stated on page 2, third line from the bottom of Comments by the President, “cubic feet” should be changed to “gallons.” Pat Glenn pointed out on the next line there was some misinformation. The correct amount is \$.11, not \$.07. The minutes should not be changed because the amount given at the meeting was incorrect. This is just a clarification. Trustee Graditor reported on page 2, third line, “plant” should be changed to “plat.” On page 7, fourth line from the bottom of the first paragraph, “over the next three years” should be changed to “per year for the next three years.” Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton

Pres. Kaplan asked Pat about the bike path. Pat stated that the path will go out for bid this month. He hopes to have recommendations at the next meeting.

Director of Community Services

Nothing

Village Attorney

Nothing

Urban Forest Management

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Pres. Kaplan told the board that the spraying for gypsy moths will take place tomorrow. Russ stated the fly over will take place between 8:00AM and 8:30AM.

Plan Commission Report

Atty. Huvard stated that the Plan Commission closed the hearing on three items. There will be a report to the board at the next meeting. The Plan Commission closed the hearing on the text amendment for the BP. There will be a report to the board at the next meeting. The text amendment makes clear the allowable uses in the district.

Zoning Board of Appeals

Nothing

VI. Police Report

Chief Weinstein told the board there were 233 traffic citations written since the last meeting. There have been 203 case reports and 76 traffic accidents written since the beginning of the year. Sergeant S. Lesselyoung has graduated from Northwestern's School of Police Staff and Command. She is back at work. All sworn personnel are beginning or have completed an independent study course. It is called the National Incident Management System (NIMS) and Introduction. This is part of the Homeland security efforts. In September, 2004 the Board adopted a resolution for NIMS and Unified Command.

Pres. Kaplan asked about the motorcycle parade. Chief Weinstein explained that they have contacted us again. They want to know if we will allow them to use Riverwoods and Saunders Roads, if we are able to stop traffic anytime during the ride. Coming down Riverwood and Saunders they would stop at all traffic lights. Chief Weinstein told the board that he is willing to come in on July 17<sup>th</sup> and help. We can extend the light cycles to get them through the Village as quickly and as safely as possible. Trustee Norris stated that we cannot keep them off of the road. We should take action to make this as easy as possible on our residents.

Pres. Kaplan told the board he just saw the Thorngate Newsletter. They are planning to put in speed bumps. Chief Weinstein stated that he knew nothing about this subject. Atty. Huvard explained that he thought our ordinance prohibits speed bumps. It has to do with public health and safety. Pres. Kaplan asked Chief Weinstein to call the Management Association on this issue. Trustee Haber suggested getting Chief Weinstein all of the ordinances that pertain to the issue. He added he thought some of the information was in the annexation agreement.

VII. Comments by the President

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Pres. Kaplan wanted to know if we wanted to get involved with “Lincolnshire’s Joint Recreational Needs” for students with disabilities in District 103. He stated that he was hoping a representative for the program would be here. Hopefully someone can come in for the next meeting.

Pres. Kaplan brought up Christina Loukas. She is a resident who is a three time State diving champion. Trustee Haber stated she is an amazing Olympic quality athlete and is deserving of recognition. He moved to authorize a street sign posted at two locations indicating “Home of Christina Loukas – State Diving Champion” and a proclamation of Christian Loukas Day. Trustee Masterson seconded. Motion was carried by voice vote.

Pres. Kaplan reported on a meeting to be held with Lake County on transportation issues on June 29<sup>th</sup>. He questioned who would be attending. Trustees Dunn and Svatik indicated that they would be going. Trustee Masterson stated he would go, if he was in town. Pres. Kaplan asked them all to R.S.V.P.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

Pres. Kaplan brought up the subject of the garbage bids. Examples of all of the different size cans were brought in. Pres. Kaplan questioned if there is a charge for extra garbage, more than will fit in the can. Andrew Quigley, of SWALCO, told the board that residents are allowed one extra bag of garbage. He added that most communities have done well with the 95 gallon can as their standard. Pres. Kaplan reported that he had asked the trustees for copies of their garbage bills for a comparison. It looks as if everyone is paying about \$70 a quarter for curb service. There is a discrepancy for back door service. It should be about \$90 a quarter. Only one person got the senior rate. Toni Rey of 1332 Woodland Lane stated there is a senior rate now. It is \$18 a month for residents 62 and over. Pres. Kaplan reported that he did not know it was already available. That brings the present rate down to \$54 a quarter. There is no senior discount with back door service. He went over the monthly costs from the garbage bid. Two containers, one garbage and one recycling, would be \$64.50 per quarter for curbside pick up. The same containers with back door service would be \$89 per quarter. Trustee Masterson stated that he did not want to force this on anyone. There is not enough cost savings. He did not see a major benefit. Pres. Kaplan indicated that the new containers would keep the Village neater. He added he would rather recycle with the bigger container rather than what we have now. Trustee Graditor stated that if the surcharges go up, we can shop around again.

Mr. Quigley told the board we can make sure that every garbage hauler that comes into the Village is licensed. Trustee Haber questioned if it is possible to set up a licensed

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agreement with a standard can. Pres. Kaplan commented that he liked that idea. Jaye Brodsky of 1392 Kenilwood Court explained that the new garbage can is not going to fit in her garage. Her garbage would be out all the time. Sue Auerbach of 460 Portwine wanted to know if we can tell them where we want our recycling to go. Trustee Norris stated that we can direct them where to take the recycling. Pres. Kaplan told the board that based on where we have them take our recycling we can save \$4K a year. Mr. Quigley said incorrect. Ms. Auerbach suggested paying for each garbage can rather than a set rate. Mr. Quigley explained that is the way Highland Park pays for their garbage. They pay by container. Each garbage container gets a tag. A visitor stated that Lincolnshire has a similar system. It is the economical way to do it. Trustee Graditor explained with that system recycling is free. A lot of products that can be recycled usually end up in the trash. This program encourages recycling. Mr. Quigley added that the haulers do not like it because it is cumbersome for them. Ms. Rey stated it is better for the environment because it encourages recycling. Ethically, it is a good thing. Trustee Dunn indicated that she would like to open this to public comment. Pres. Kaplan reported that from the comments of the visitors he did not think they wanted a garbage contract. He will do more investigation. Mr. Quigley stated that he can look into and prepare a bid for garbage pick up by the bag. Pres. Kaplan added we also want the licensing agreement. This will be deferred to the next meeting. Trustee Svatik suggested a hand out to residents about this issue. Pres. Kaplan stated we are going to look into the licensing agreement and other options. After all of that is done we can put out for bids.

Pres. Kaplan brought up the Good Neighbor Project. Atty. Huvad stated that with the eight foot easement Orphans will still be able to establish their berm. They are looking into open site lines. He added that Chief Weinstein suggested setting up an ordinance for site lines with the bike path. We may want to require that residents prune back bushes or have the Village do the pruning. Pres. Kaplan stated this is very important for the safety of the bicyclers on the path, that the shrubs and bushes not make it hard to see. We should set it up to allow the Village to go out and cut the shrubs or the residents can do it. Atty. Huvad pointed out that we need to keep the path so drivers can see. Chief Weinstein explained that the concern is if the car is seeing the bike. It is not so much if the bike can see the car. There are standards for this type of situation. Pat reported that we need 125 feet in either direction. We want to give the bike time to stop. He added most of what is going to end up coming out is buckthorn. Atty. Huvad told the board that we have told Orphans this subject was going to come up. The Village can take the lead with the trimming, if residents grant the license. Trustee Norris stated we take the liability if we do the trimming. Atty. Huvad reported we can give the residents guidelines. Trustee Haber questioned how many trees are going to come out. Pres. Kaplan stated most of what will come out is buckthorn. Chief Weinstein told the board that Lincolnshire went out and roped off what need to be removed to show the residents. There was some

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resistance. Trustee Haber stated we should cut back the shrubs and bushes on all of the Village bike paths, not just the new one.

Atty. Huvard stated that the next three ordinances on the agenda need to be continued.

Pres. Kaplan brought up the subject of the NOVUS agreement. Atty. Huvard told the board there is a revision drafted for a 10 year window on the agreement. We would need to move the fence and put in the path before the 10 years is up. If that is not done, there would be no quit claim. This revision is currently going through counsel at Discover. Trustee Haber wanted to know how we keep up with the timeline. There needs to be an implementation of a plan. Atty. Huvard suggested putting it on the agenda once a year. Pres. Kaplan commented that it is something we will need to think about.

Pres. Kaplan stated that the water rate given at the last meeting was incorrect. Pat explained that the actual increase is \$.11 per 1K gallons. Russ reported that the rate would increase each September. It would go to \$5.96 per 1K gallons, to \$6.16 per 1K gallons, to \$6.46 per 1K gallons. Trustee Masterson moved to accept the recommended increases in the water rate. Trustee Dunn seconded the motion.

Pat told the board that if the Village absorbs the increase, it would cost the Village \$17K a year. Trustee Haber stated that we have to pass this through. Pat added that the Deerfield increase will be effective on the July bill. Trustee Svatik asked about the timeline for the notification from Deerfield. Russ stated that we have three set increases in the fee schedule. They are effective September of each year. Pat explained that he believed that the rate from Deerfield will go up in July, but it will not be on the July bill. He will check the details.

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

Pres. Kaplan brought up the subject of the fee schedule. We asked Urban Forest Management for recommendations on remediation. It has been suggested that we go from \$50 to \$125 an inch. Pres. Kaplan stated he wants to postpone this issue to talk with Chuck because he thinks that amount is too high. Trustee Masterson indicated that he hopes Chuck can be at the next meeting for a discussion.

Pres. Kaplan stated that we voted on Riverwoods Estates at the last meeting. It needs to be ratified. Trustee Haber moved to ratify the plat for Riverwoods Estates. Trustee Dunn seconded the motion. Motion was carried by voice vote.

X.     New Business

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Pres. Kaplan listed the appointees for the Zoning Board of Appeals. They are David Niedelman as chair, Alan Schencker, Tom Reidy, Alan Hirsch, Joan Sedlacek, and Ken Ashman. Trustee Masterson moved to approve the appointees for the Zoning Board of Appeals. Trustee Norris seconded the motion. The motion was carried by voice vote.

Pres. Kaplan told the board that he has received a memo from Barbara Strothers in regard to the Mosquito Abatement District. There are pockets in the Village that, over the last few years, they have been paying for. The residents somehow are not in the district. Russ explained that the residents have to sign up to be in the district. It is paid for in property taxes. Pres. Kaplan added we cannot add them in without their approval. Russ reported we will put out a letter identifying all of the homes. We need to have 51% to agree to have them added into the district and have the tax added to their property tax bill. Pres. Kaplan told the board that the Mosquito Abatement District is asking us to pay for half of the cost for 2005; they will pay the other half. Right now the cost per resident is about \$30 a year. Trustee Haber moved to pay \$4,500 to the Mosquito Abatement District for the payment of residents not yet in the district for 2005. Trustee Dunn seconded the motion.  
Roll Call Vote -       Ayes: Dunn, Graditor, Haber, Masterson, Norris, Svatik  
                              Nays: None  
                              Motion carried – 6– 0

XI.    Standing Committee Reports

Trustee Graditor – Building/Zoning

Trustee Graditor stated that last year from January to May there were three permits issued with a combined value of \$2,665,160. This year during the same period 6 permits were issued. The combined value is \$5,662,000. The number of additions was about the same as last year. That number is at seven.

Trustee Masterson – Water/Police/Fire  
Nothing

Trustee Svatik – Finance/Soil & Water  
Nothing

Trustee Haber – Legal/Sewer  
Nothing

Trustee Dunn - Road & Bike Paths/Forestry  
Trustee Dunn told the board that 24 homes applied for the buckthorn removal program. Two were rejected. Trustee Haber stated that he participated in the program two years ago, and the buckthorn is back. He questioned if they could reapply. Trustee Dunn reported that others have reapplied. Trustee Haber asked if there was anyway to get

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approved contractors who will come back and reapply the chemicals for a second time as part of the job.

Trustee Norris – Solid waste/Drainage/Storm water

Trustee Norris told the board that he asked about the idea of having our own household chemical waste collection. We cannot do it at the Village Hall. The parking lot is not sufficient. Mr. Quigley is looking for other locations. He added that Trustee Svatik has copied the SWALCO flyer with future collections. There is one at American Hotel Register in Vernon Hills this weekend. There is another one scheduled at Deerfield High School on June 25<sup>th</sup>. We can find a site for next year. He added that we are going to need to pass an ordinance to allow Island Lake and Round Lake Heights into SWALCO. Trustee Norris stated that he is now on the Executive Board of SWALCO. Sue Auerbach suggested that after the 37 acres is developed the site would be a good place for a yearly waste drop off. Trustee Norris indicated that a retail site is not normally used because the place of business is not closed on the Saturday collection date. Trustee Masterson suggested CCH.

XII. Executive Session

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

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

The meeting went into Executive Session at 9:25PM.

The meeting returned to regular session at 9:35PM.

Trustee Dunn moved to make Cheryl Hadley a salaried employee. Trustee Haber suggested making an updated job description with duties and expectations for Cheryl's position. The public should have the information if they want it. Russ stated that he would help Clerk Stanger with that. Trustee Graditor seconded the motion.

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

Pres. Kaplan announced that the next Board of Trustees meeting will be on June 21<sup>st</sup>.

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

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The meeting adjourned at 9:40PM.

Respectfully Submitted,

Debbie Limer

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Board of Trustees Meeting  
May 17, 2005

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In Attendance:  
William Kaplan  
Linda Dunn  
Sherry Graditor  
Michael Haber  
Bruce Masterson  
John Norris  
William Svatik  
Eileen Stanger  
Jack Siegel  
Bruce Huvad  
Mike Shrake  
Russ Kraly  
Morry Weinstein

Minutes taken by Debbie Limer

The meeting was called to order at 8:01PM.

IV. Approval of Minutes

Board of Trustees Meeting – May 3, 2005

Trustee Dunn moved to approve the minutes. Trustee Masterson seconded. Trustee Svatik stated on page six, fourth paragraph, in the two places where “buckthorn” is mentioned “and garlic mustard” should be added. Trustee Norris added on page seven, under his report, in the first line “Lieutenant” should be added before “Governor.” On the next line “garbage waste” should be changed to “recycling.” Motion was carried by voice vote.

VI. Urban Forest Management

Pres. Kaplan told the board that the Gypsy Moth spraying will most likely happen in the last week of May.

VII. Engineer’s Report

Nothing

VIII. Director of Community Services Report

Russ Kraly told the board that the cost of the special census was \$5,819.48. That is approximately half of what we thought it would cost. \$5181.52 has been refunded.

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

Atty. Huvard told the board that at the last Plan Commission meeting the commissioners recommended final approval of the Irgens office development. They closed the hearing on the Riverwood Inn parcel. They are recommending preliminary approval of the site plan. If the board approves the preliminary plan, it will go back to the Plan Commission for consideration of the final site plan. Atty. Huvard stated that the preliminary plat of the Riverwoods Estates was approved. It now comes to the board for approval of the preliminary plat. This is the development that is two lots on Ringland and one on Arrowwood for lots without frontage. It will require a special use for lots without frontage after final approval. Atty. Siegel stated that in order for the board to vote on it; it needs to be on the agenda. Mr. Lacy of Barrington Engineering Consultants reported that they had called to be placed on the agenda. Trustee Haber indicated that the board has already heard the plan and is very comfortable with it. He suggested that we vote on it tonight and ratify it at the next meeting. Trustee Haber moved to accept the preliminary site plan for the Riverwoods Estates subdivision. Trustee Graditor seconded the motion. The motion was carried by voice vote. Pres. Kaplan stated that the Riverwoods Estates now goes back to the Plan Commission for review of the final site plan.

XI. Police Report

Chief Weinstein told the board there have been 140 traffic citations issued since the last meeting. There have been 179 case reports and 70 traffic accidents written since the beginning of the year. We have applied for a Homeland Security technology grant. It would be for interagency and mobile data communications. The amount requested is \$25,600. We have also applied for an Illinois Department of Transportation Grant for DUI enforcement. It would pay for personnel and equipment for additional enforcement. Chief Weinstein reported that they have completed the round three Illinois Liquor Control Commission Grant for tobacco compliance checks. There were no violations.

XII. Village Attorney's Report

Nothing

XIII. Comments by the President

Pres. Kaplan told the board that we are getting a water rate increase from Deerfield. It will be \$2.899 per 100 cubic yards which amounts to an increase of \$.07 per 1K gallons. He commented that we just raised our rates. This will cause us to be behind in our rate increases. He suggested that we consider postponing the approval of the fee schedule, so that we can determine how to deal with the increase. Trustee Svatik stated that we have to pass this increase through. Pres. Kaplan reported this will be on the next agenda. Trustee Svatik stated we are currently at \$5.85 per 1K gallons. Pres. Kaplan stated we

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need to add \$.07 to the fee schedule. Trustee Haber reminded the board that we need to look into an alternative source.

V. Treasurer's Report

Hal Roseth told the board the April numbers are almost unchanged. The IPTIP went from 2.3% to 2.6%. The IPTIP has 55% of our assets. He reminded the board that not too long ago this fund was earning less than 1%. He commented that we need to look into other funds, so that we can lock in at a higher rate. There are some good offers out there. Pres. Kaplan questioned, if the rates are good, why we need to lock in. Hal stated that he did not think things would continue at these rates. Pres. Kaplan reported that he does not want to lock in for more than six months.

XIV. Visitors Wishing to Address the Board

None

XV. Approval of Bills

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

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

XVI. Old Business

Pres. Kaplan asked about the progress of the Good Neighbor Project with Orphans of the Storm. Atty. Huvard stated we are down to the end. There is every indication that Orphans is on board. They thanked us for the \$5K donation. We can wrap it up at the next meeting.

Atty. Huvard stated that we need to defer the next three ordinances on the agenda because they pertain to the 37 acres.

Atty. Huvard told the board that the in-house counsel for NOVUS was on vacation. Nothing more has happened since the last meeting.

XVII. New Business

Pres. Kaplan brought up the subject of the fee schedule. It needs to be put on hold because of the water increase. Trustee Dunn brought up the issue of the \$20 per inch charge for tree removal. She pointed out in Deerfield the charge is \$150 per inch. The charge in Lincolnshire is \$115 per inch. She stated that she felt \$20 per inch was too low. She would like to see it raised to \$100 per inch. Pres. Kaplan commented that we have more trees. Trustee Dunn responded that she did not care. She wants to see preservation.

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The money would go back into the funds for tree planting. Pres. Kaplan stated that the fee only kicks in if an owner cannot replant on his or her property. Trustee Graditor commented that she agreed that the fee is low. The money would go into the tree planting fund. It is a deterrent for removal. She added that she would be comfortable with a fee of \$50 per inch. Pres. Kaplan stated we should ask the Forester's opinion. Trustee Svatik wanted to know if the language on the garlic mustard and buckthorn was modified. Pres. Kaplan responded that we took out the extra line in the fee schedule. Trustee Haber commented that the numbers with regard to inspections in the fee schedule seem rather arbitrary. Russ explained that the fees depend on the number of inspections and permits that are required. Trustee Haber asked about setting it up as a fee plus an extra fee for inspections. Russ stated that the fee automatically includes the number of required inspections for each type of permit. If extra inspections are required, there is an extra fee. Pres. Kaplan stated that we should have the Forester here at the next meeting, and ask his opinion.

Pres. Kaplan brought up the subject of the Riverwood Inn parcel. Atty. Huvard explained that the Zoning Ordinance does not require that we adopt an ordinance. The preliminary site plan includes the elevations, brick and shingle samples, landscape and signage plans. Atty. Siegel stated that they are looking for approval of the preliminary site plan. Atty. Huvard indicated that after preliminary site plan approval is given, the plans will go back to the Plan Commission for recommendation for final approval and special uses. Trustee Dunn questioned if all of the issues of ingress and egress have been worked out. Atty. Huvard stated that we have letters from the Transportation agencies pertaining to access. Pres. Kaplan stated all of the issues have been resolved.

Atty. Huvard explained there are a few conditions to be discussed. We want to ensure if the property is no longer used as a service station that the property will be cleaned up. The 100 foot out lot will be the road to the 37 acres, and house all of the utilities; we want to make sure the out lot is conveyed to the Village. Sidewalk easements were set up in the past to keep from widening Deerfield Road. We have been asked to quit claim the easements back. Pres. Kaplan brought up a fourth condition. That is a copy of the lease from BP. Atty. Huvard added that we also have the issue of remediation. George Maurides, the attorney for the Riverwood Inn, explained that remediation would be done under the supervision of the IEPA for the removal of the tanks. He stated that he did not know about making the Village a third party beneficiary. He did not know if the attorneys at BP would approve that. Atty. Huvard stated that we want to reserve the right to make sure the site will not be a problem. Mr. Maurides stated that he understands the Village's concern. The IEPA will enforce how the tanks are handled. Pres. Kaplan told the board the tax revenue from the service station would be about \$150K to the Village a year. Trustee Svatik moved to approve the preliminary site plan for the Riverwood Inn Parcel for Special Use with the mentioned conditions. 1. BP Amoco's (or its assignee's)

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assumption of responsibility for clean-up and remediation of site if there should ever be any spill or leak, or upon closing the service station must be documented to the satisfaction of the Village Board. 2. The granting of the special use shall be conditioned upon receipt of a quit claim deed conveying title to the Village to the Outlot Parcel shown in the preliminary subdivision plat, free and clear of all liens, claims or encumbrances other than existing recorded conditions, restrictions and easements of record. 3. The Village will authorize the quit claim conveyance back to the owner of the Riverwood Inn Parcel of the sidewalk strips parallel to Deerfield Road and Milwaukee Avenue previously conveyed to the Village by the owner of the Riverwood Inn Parcel, in exchange for the Outlot Parcel. Trustee Norris seconded. Motion was carried by voice vote. Trustee Haber voted nay.

Pres. Kaplan stated the next item on the agenda is the office parcel. Atty. Huvard explained they are looking for a special use for an office compatible use. The Plan Commission recommended final approval of the text amendment and the special use. He added that we have renderings with the precast material now. Randy Podolsky of Podolsky Northstar handed out the renderings. Atty. Huvard commented that they have not committed to metal or precast. They prefer the metal, but it depends on the costs at the time of construction. He added that at the Plan Commission meeting the rendering was labeled SK-1A. Mr. Podolsky reported it should be dated 5/12/05. Atty. Huvard stated in the ordinance the rendering is referred to as "SK-1A." He added that the impact fees listed in the ordinances are correct to this point. Trustee Haber moved to waive the first reading of an Ordinance Amending the Text of the Riverwood Zoning Ordinance Concerning Small Parcel Office Compatible Special Uses. Trustee Masterson seconded. Motion was carried by voice vote.

Trustee Svatik asked about the basement plan and the drainage. Mr. Podolsky explained that there is a trench drain at the bottom of the ramp and two other drains in the basement. Trustee Svatik questioned the number of bathrooms for the number of tenants. Mr. Podolsky explained that the design meets all of the code requirements for bathrooms. Trustee Svatik questioned if the number of bathrooms was adequate. Mr. Podolsky stated he felt the number was adequate. Trustee Svatik wanted to know if their mechanicals would be able to be seen on the roof top. Mr. Podolsky explained that there is a screen to hide the mechanicals. From the street they will not be seen. From the top of the hotel the mechanicals will be visible. He added that the screen will be higher than the mechanicals. Trustee Svatik asked about elevators. Mr. Podolsky stated that one is required. Trustee Dunn asked about the text amendment and the signage. Atty. Huvard pointed out that the approved signage is in the special use ordinance.

Mr. Podolsky told the board that they have worked very closely with the Village staff. Restricting the left turn is very troublesome to them. It will affect their property values,

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if the restriction is imposed. He added that he thought Monday through Friday was the problem. He does not see Saturday and Sunday as the issue. He was hoping for the possibility of the restriction only during peak hours Monday through Friday. He added that they would request the language to reflect that they would like to review the accidents directly attributed to their building. He stated that he appreciates the efforts to resolve this issue. Trustee Graditor added this is for everyone's safety. Mr. Podolsky pointed out that they are looking for a standard for years from now. Trustee Haber asked if a U-turn is legal at Portwine. Chief Weinstein stated that it is not. Atty. Huvard told the board that the traffic studies show 110 cars a day coming out of the office building. Half of them will be making left hand turns. The hotel traffic has to be added to those numbers. Trustee Haber asked about a "rent a cop." Chief Weinstein explained that that is a possible solution, but it would depend on police staff and a cost analysis. Pres. Kaplan stated it is an option, if the left turn becomes a problem. Mr. Podolsky indicated he appreciated alternatives. Atty. Huvard added that he thought Cook County would say no to the "rent a cop" idea. Chief Weinstein reported that the Riverwoods Police Department can direct traffic. He did not feel it would be a problem. Atty. Siegel stated the motion to waive the first reading of the text amendment is on the table. Trustee Haber commented that both ordinances should be discussed together. Motion was carried by voice vote.

Trustee Haber moved to waive the first reading of an Ordinance Granting a Small Parcel Office Compatible Special Use, Amending Ordinance Numbers 98-7-18 and 99-6-13, and Repealing Ordinance Numbers 01-8-27 and 03-2-1. Trustee Graditor seconded.

Atty. Huvard stated on page seven, Section 6-A-2 of the ordinance "auxiliary officer" should be added. Trustee Haber added "or otherwise impose restrictions" to Section A is the only modification. Chief Weinstein explained that we do not know the traffic pattern. That is the reason for the issue. Mr. Podolsky reported that they just wanted other opportunities to resolve the problem. Atty. Huvard pointed out two typographical errors to be changed. He added on page six, Section 6-A "or otherwise impose conditions on (including requiring a traffic control officer at the expense of the property owners)" should be added. Motion was carried by voice vote.

Trustee Haber moved to have a second reading and adoption of an Ordinance Amending the Text of the Riverwood Zoning Ordinance Concerning Small Parcel Office Compatible Special Uses. Trustee Graditor seconded.

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

Nays: None

Motion carried 6-0

Ordinance 05-5-7

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Trustee Haber moved to have a second reading and adoption of an Ordinance Granting a Small Parcel Office Compatible Special Use, Amending Ordinance Numbers 98-7-18 and 99-6-13, and Repealing Ordinance Numbers 01-8-27 and 03-2-1. Ordinance 05-5-7 is to be added in the second to last “whereas” clause. Trustee Graditor seconded.

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

Nays: None

Motion carried 6-0

Ordinance 05-5-8

Pres. Kaplan told the board that Waste Management came in with the same bid as they did before. The bid from Onyx was higher. SWALCO is suggesting we use Waste Management. He added that the senior rate of \$18 a month was left out of the bid. Trustee Haber questioned how old someone has to be to qualify for the senior rate. Pres. Kaplan stated he would have to find that out. There is no backdoor service discount for seniors. The bid package includes the wheeled containers. He added the Village will look a lot neater without the plastic bags. Trustee Masterson questioned to whom we can give our extra garbage cans. Russ commented that he would call and find out. Trustee Norris stated he would call also. Chief Weinstein questioned if it is possible to recycle garbage cans. Trustee Haber moved to accept the Waste Management bid for garbage removal in the Village. Trustee Norris seconded.

Trustee Graditor stated that she thought this bid was higher than what we are currently paying. Pres. Kaplan reported it is exactly the same. Trustee Graditor questioned why we are considering imposing a contract on the residents when we are not saving them any money. Pres. Kaplan reported that some of the residents have seen their garbage bill go up \$12 a month in the last year. With the garbage contract and the garbage containers that come with it, the Village will be much cleaner. Trustee Haber questioned if we are being charged for the containers. Russ indicated that the residents would basically be renting the containers. Trustee Graditor stated that the benefits are the containers, the senior rate, and only a 5% increase per year over the next three years. Trustee Svatik reported that we should follow up with an explanation of the rationale to the residents. We are not saving them the 10% to 20% we said we would. Trustee Dunn indicated that we need to find out what the age for a “senior” is.

Jaye Brodsky of 1392 Kenilwood Court stated the trustees are considering doing this to make everything uniform. That is not uniform. There will be these large containers all over the place because residents will not be able to get them into their garage. Trustee Masterson asked if it was possible to bring one in. Pres. Kaplan indicated that we can hold this for the next meeting. He asked Russ to find out the age qualification for a “senior” and to have each size garbage can brought in for the next meeting. Pres. Kaplan added we need to verify the current charge. He questioned if there is a senior discount now. Trustee Svatik stated that we do not currently have a discount for seniors. Trustee

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Haber asked about drop boxes. Russ reported that we used eight last year to dispose of all of the materials from the flooding. Trustee Haber told the board he was referring to drop boxes for special materials like paint. Trustee Norris explained that he did not think we would be able to have drop boxes, but we can set up a special pick up spot in the Village on a designated day. Trustee Svatik added that we have tried that in the past and were unsuccessful. Russ indicated that we may have more success now that we have the circular drive at the Village Hall. Ms. Brodsky asked if there are any surcharges with that sort of pick up. Pres. Kaplan stated there is not. Trustee Haber moved to table the motion on the contract for garbage pick up until the next meeting. Trustee Dunn seconded. Motion was carried by voice vote.

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

The meeting adjourned at 9:40PM

Respectfully Submitted,

Debbie Limer

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In Attendance:

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

Absent:

Michael Haber  
Paul Tully

Minutes taken by Debbie Limer

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

III. Swearing in of Newly Elected Officials

Pres. Kaplan swore in Clerk Stanger. Clerk Stanger swore in Pres. Kaplan, Trustee Dunn, Trustee Svatik, and Trustee Norris each individually.

IV. Roll Call

In Attendance:

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

Absent:

Michael Haber

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V. Approval of Minutes

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Trustee Masterson moved to approve the minutes. Trustee Graditor seconded the motion. Pres. Kaplan stated on page 3, fourth line of the fourth paragraph, “in the country” should be added after “crossings.” On page four, fourth paragraph, any mention of “he” should be changed to “Mr. Sagan.” Trustee Svatik pointed out on page four, second line from the bottom of the first paragraph, “quarterly” should be added after “\$64.50.” Pres. Kaplan added, on the last line of the same paragraph, “and one for waste” should be added to the end of the sentence. Motion was carried by voice vote. Trustee Dunn abstained.

VI. Consultants

Gewalt Hamilton

Pat Glenn told the board that the Riverwoods Road bike path has been sent to the County for approval. The water main extension on Clendenin has been sent to the IEPA for approval.

Director of Community Services

Not present

Village Attorney

Nothing

Urban Forest Management

Not present

Plan Commission Report

Not present

Zoning Board of Appeals

Not present

VII. Police Report

Chief Weinstein told the board there have been 137 traffic citations issued since the last meeting. There have been 165 case reports and 65 traffic accidents written since the beginning of the year. He reported that he has received information from different vendors for providing emergency notification systems. He has a meeting with another vendor tomorrow. It seems as if there are three to four possible vendors. Chief Weinstein stated he did not have enough information yet to give a recommendation. Pres. Kaplan explained

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that we are trying to isolate residents on water and sewer, so that we do not have the problem we had last month with the Boil Water Order. We want a plan in place.

Chief Weinstein stated that we have requested the 2005 first quarter COPS grant funding. The amount is for \$36,127.31. We have requested and will be provided with a VHF radio, programmed with interagency frequencies. It can be used during mutual aid situations. It can be taken to any scene because with the use of the magnetic mount antenna and 12 volt cigarette plug. We are receiving it as a part of the new Homeland Security measures. Chief Weinstein reported that the Pediatric Brain Tumor Foundation will have their 2005 motorcycle ride on Sunday July 17<sup>th</sup> from 9AM to about 11:30AM. It will follow the same route as last year. They will start at Allstate in Northbrook and travel north on Milwaukee through the Village. They will travel through the Village again by coming south down Riverwoods and Saunders Roads to return to Allstate. Chief Weinstein explained that he has advised the organizers that the route and time are extremely poor choices. Based on last year's number of participants the organizers admit it may take forty minutes to get everyone through the intersections. That means that the residents on Riverwoods and Saunders, and the residents in Thorngate lose access in and out of their homes for the entire time it takes to get the riders through. If emergency services are needed, we will be able to stop traffic to allow for their access. Chief Weinstein told the board that the Lincolnshire Police Department and he have voiced their objections to the route and the time. The organizers do not want to change anything this year, but next year they will move to a more rural route.

Chief Weinstein told the board the charity raised \$368K last year. 86% of their funds are spent on actual program support. He feels that, even with all of the inconveniences, they are a very worthwhile charity. The State of Illinois has proclaimed July 17<sup>th</sup> to be Ride for Kids Day. He stated that he is not happy that the organizers took no action after the Riverwoods and the Lincolnshire Police Departments made their recommendations. The ride is an imposition to everyone in the area. He commented that we can tell them that we will stop the ride periodically to let traffic through, but that will block traffic up in all the other areas as the ride participants back up the traffic. Chief Weinstein stated we need to have something in writing from them that this will not happen again next year.

Trustee Svatik asked at what time they will be coming down Saunders and Riverwoods Roads. Chief Weinstein responded about 10:30AM. Pres. Kaplan explained that Riverwoods Road is a poor choice. We have asked them to use Milwaukee Avenue. He suggested getting something in writing from them about next year. Most of the roads they are traveling on are County roads. He stated he did not know the County's opinion of the ride. Atty. Siegel asked Chief Weinstein if he has talked to the Sheriff about this. Chief Weinstein stated that he was not at the meeting. Atty. Siegel wanted to know if we could get all of the surrounding villages to object. Chief Weinstein stated he did not think that

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would happen. Lincolnshire and Riverwoods will have the most residential impact using this route. Trustee Dunn asked about a staggered start or staggered timing through the route. Chief Weinstein reported that we told them we may do that, but it will make the ride take longer and back up traffic. He added there were 2,700 motorcycles last year.

Pres. Kaplan stated that we have suggested an alternate route, but they are not taking the suggestion. Trustee Masterson asked Atty. Siegel if we can file an injunction to make them use Milwaukee. Chief Weinstein reiterated that we can stop the ride for emergency vehicles. It is a worthwhile charity. He reported that he donates his time to help with the traffic issues. He questioned if we want to impose on our residents. We can warn residents ahead of time. Residents will have to rearrange their schedules on that day. Pres. Kaplan reported that no matter how much we publicize the ride ahead of time; residents will forget and be very upset at the inconvenience. He asked for Chief Weinstein's suggestions. Chief Weinstein stated it is a hard decision. He suggested that we tell them that we will be stopping the route to let people through. He added that they are saying this will be the last year they will be using this route. Pres. Kaplan reported that they are expecting it to be bigger this year than it was last year. Chief Weinstein stated the registration will be from 7AM to 9AM. The launch will take place at 9:30AM, and the celebration back at Allstate will be at 11AM. Trustee Masterson questioned why we are not simply telling them that they have to use Milwaukee Avenue instead of Riverwoods and Saunders Roads. Pres. Kaplan wanted to know if that was the Board's opinion. All the trustees agreed with Trustee Masterson. Pres. Kaplan told Chief Weinstein to tell the organizers that they have to use Milwaukee Avenue in both directions.

VIII. Comments by the President

Pres. Kaplan told the board he has received a letter from Kathy Ryg about Senate Bill 966 to amend Affordable Housing. Atty. Huvad stated it is in a House Committee, so it can change. As it is now, the first proposed change would empower non-home rule communities to do the things suggested. Another change would allow for intergovernmental agreements with neighboring communities or counties. Atty. Huvad explained that the Appeals Board Standards were not very clear. The question has been whether or not the Appeals Board can override village zoning. Contrary to IDA, it looks as if they can. Trustee Svatik asked if there can be a group of communities involved in the intergovernmental agreement. Trustee Norris stated that he believed that there can be more than two communities in an agreement. Pres. Kaplan wanted to know if Home Rule communities are exempt. Atty. Siegel commented that he believed they are exempt.

Pres. Kaplan told the board there is a woman in Palos Heights who had an accident on a village bike path. She was awarded \$2.5M after becoming paralyzed when she ran into stop blocks. The stop blocks were put in to keep cars from going onto the bike path. Atty. Huvad brought up a bill pertaining to bicyclists that the Illinois Municipal League

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is very much opposed to. Chief Weinstein stated that according to Illinois law bicycles are vehicles, and riders have rights. Atty. Huvard explained the bill is set up to encourage bike lane construction. He added the bill may not get out of the House.

Pres. Kaplan brought up the subject of the Holiday Inn sign. We have suggested to them that they cut it in half. We have had a meeting with the owner, and they cannot cut it in half because of the way it is constructed. They would like to use the entire sign and make the letters larger. Cassie Vaughn of the Holiday Inn told the board a common complaint is that guests do not see the sign until they have already passed it. There is a light on the sign, but the letters do not light up. She stated she is amazed as to how many people do not know that the hotel is there. They would also like to add more landscaping around the sign. They are hoping to use the whole sign as a way of promoting the hotel and thus drawing more business. Pres. Kaplan admitted that the sign is not as big as he thought. Trustee Graditor stated she did not have a problem with Holiday Inn using the entire sign. Atty. Huvard explained that with the special use for the office site linked to the hotel sign, we can amend the special use for both at the same time. Pat asked the board to consider the sign that we are allowing for the hotel and how that may affect signage on the 37 acre site.

IX. Visitors Wishing to Address the Board

Andrew Chusid of 50 Lakeview Parkway, Vernon Hills told the board he was attending the meeting as a representative for Kathy Ryg. He wanted to congratulate all of the newly elected members of the board. He was also present to get questions in response to Senate Bill 966. He will ask about the Home Rule exemption. There was supposed to be a hearing on the bill today, but it was cancelled. He was hoping to have an update for the board, but now does not. Atty. Siegel asked why Kathy Ryg is sponsoring the bill. Mr. Chusid stated that Kathy Ryg realizes that Affordable Housing needs to be amended.

Tom Bojarski of 1350 Indian Trail told the board he applied for a building permit, and the information that he was given was not up to date. The information pertaining to forestry and engineering was incorrect. He stated that he has been given misinformation several times. He trusts the Mayor, but he does not want to waste any more time and money. The most current information needs to be given out to applicants. Pres. Kaplan explained that Mr. Bojarski came to him before the meeting. He did not know about this ahead of time. He needs to check the information and discuss it with those involved at a staff meeting. Pat stated that everyone has the revised copy of the OPUS. We are working on the final review stage. The driveway issue will be resolved with this update. Trustee Masterson explained that we need to figure out how to avoid this years from now. There needs to be a systematic update process. Pat stated that the ordinance is clear. Trustee Norris pointed out if we are handing out the wrong ordinance, we have a problem. Pres. Kaplan stated he needs to investigate what happened and report back. Pat added that Mr.

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Bojarski was given out of date information; it was not the Building Department's mistake. The information came from our office.

Toni Rey of 1332 Woodland told the board she was present to represent the Riverwoods Woodland Protection Committee. Riverwood's Earth Day will be on May 14<sup>th</sup>. We will be giving out tree seedlings, woodland information, and someone from Glenwood Tree Service will be available for questions. Pres. Kaplan stated that is also Clean Up Day and the Village BBQ. He would like to see all of the trustees there.

X. Old Business

Pres. Kaplan brought up the subject of the Good Neighbor Project. Atty. Huvad stated he will have a report for the next meeting. They are still working on the details of the easement.

Atty. Huvad stated the next three agenda items will be continued until the Continued Public Hearings on May 17<sup>th</sup>.

Pres. Kaplan brought up the NOVUS agreement. Atty. Huvad reported it is going to cost between \$18K and \$20K to move the fence. Morgan Stanley would like to do a quit claim out lot if we move the fence. They do not like the idea of the easement, if we do not move the fence. Atty. Huvad stated his suggestion is to put a deed for the easement in escrow for the next ten years. They would then give us the title, if we move the fence. Pres. Kaplan stated that most likely we will never put a bike path in there. He would like the money, and there is no sense in prolonging the process. We should take the deed in escrow and get it done. Atty. Huvad told the board he would go back to Mr. Greenspan.

XI. New Business

Pres. Kaplan mentioned CCI. Trustee Norris explained the memo is the same agreement as two years ago. We are stating that we are willing to assist if we are selected. We are not obligated to do anything. We already have the required Steering Committee. Trustee Dunn moved to approve the Memorandum of Understanding with the State of Illinois Department of Commerce and Community Affairs. Trustee Norris seconded. He added that DECA is now referred to as DECO. Trustee Dunn stated it is a good program. Motion was carried by voice vote.

Pres. Kaplan reported that the Hotel sign issue has been resolved. We can return their money in escrow. Trustee Graditor moved to return the funds in escrow to the Hotel owners. Trustee Norris seconded.

Roll Call Vote -       Ayes:           Dunn, Graditor, Masterson, Norris, Svatik  
                              Nays:           None  
                              Absent:        Haber

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Motion carried – 5– 0

Pres. Kaplan told the board that everyone should have a memo from Russ Kraly about the fee schedule. The memo highlights where changes have been made. Pres. Kaplan stated that he and Trustee Svatik have discussed an issue on page four. It has to do with the cost of a buckthorn removal permit. Atty. Huvad indicated the fee schedule is approved as a resolution. Pres. Kaplan stated he thought the permit fee was added twice as on oversight. Trustee Norris reported the reason for the fee is for Urban Forest Management to come out and identify the buckthorn. Trustee Svatik explained that Urban Forest Management does not need to approve the removal of buckthorn. Chair Dunn pointed out, that on page four, \$20 an inch for tree removal is low compared to other communities. Pres. Kaplan stated we have more trees than others. Trustee Graditor explained we do not want to make it too cost prohibitive for the residents.

Pres. Kaplan brought up the Residential Site Development Booklet. Trustee Svatik moved to approve the Residential Site Development Booklet as presented. Trustee Graditor seconded. Trustee Masterson stated it should be on the web site. Trustee Svatik added it is a good piece of work. Motion was carried by voice vote. Trustee Dunn abstained.

Pres. Kaplan told the board we need an additional \$1,600 for the gypsy moth spraying contract. The area to be sprayed is larger than the original contract. Trustee Dunn moved to approve the Gypsy Moth Spraying Contract. Trustee Svatik seconded the motion. Trustee Svatik suggested to the board that we close the gaps on the map. Pres. Kaplan stated we do not want to spray any more than necessary. Trustee Svatik asked Pres. Kaplan to find out how they can be so specific in where they are spraying. Trustee Dunn reported that there are several residents in the area with cancer. She questioned if there is any way to get more than 24 hours notice to them as to when the spraying will take place. Pres. Kaplan stated he would ask.

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

XII. Standing Committee Reports

Trustee Graditor – Building/Zoning

Nothing

Trustee Masterson – Water/Police/Fire

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Trustee Masterson reported that there are more than 111 unique visitors to the Village web site a day. That is very good. He added that the upcoming plant sale is bringing people to the web site.

Trustee Svatik – Finance/Soil & Water  
Nothing

Trustee Haber – Legal/Sewer  
Absent

Trustee Dunn – Road & Bike Paths/Forestry  
Nothing

Trustee Norris – Solid waste/Drainage/Storm water  
Trustee Norris stated that SWALCO is against the latest solid waste bill that the Governor is supporting. It would cause at least a 20% increase in garbage waste costs. It would make the recycling more expensive. The bill is well meaning, but would have negative consequences. The bill would require that plastic bottles go back to stores for the deposit. It would take the plastic bottles out of recycling. Currently, that is what makes our recycling profitable. The concern is that if plastic bottles are not allowed in recycling, many will end up in the regular garbage because people do not want to take the time to return them. We want to make recycling as easy as possible. Trustee Norris suggested that people carry the message about this bill along to others.

Pres. Kaplan told the board we have rebid for a garbage contract. He hopes to have a report for the next meeting.

Trustee Dunn read the press release from the Village's celebration of Arbor Day.

Pres. Kaplan stated the next meeting will be May 17<sup>th</sup> at 8PM.

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

The meeting adjourned at 9:25PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods  
Board of Trustees Meeting  
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In Attendance:

William Kaplan  
John Norris  
Sherry Graditor  
Bruce Masterson  
William Svatik  
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 – March 5, 2005

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

Board of Trustees Meeting – March 5, 2005

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

V. Treasurer's Report

Not present

VI. Urban Forest Management

Not present

VII. Engineer's Report

Pat Glenn told the board he talked to Barb about the boil water order. Residents were never in any danger. There was a possible issue with sediment and the EPA was being very cautious.

VIII. Director of Community Services Report

Russ Kraly stated that the draft copy of the Site Development Requirement Handbook has been completed. It covers everything for building a new home. The fee schedule is not

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correct because the fee schedule has just been updated. Russ reported it will be updated later. He hopes contractors will use the handbook.

IX. Zoning Board of Appeal

Atty. Huvard indicated that the Zoning Board of Appeals met on a variance request for a pool in Thorngate. The report has not been finished yet. The vote by the board members was taken and the request was denied.

X. Plan Commission Report

Linda Dunn told the board the Plan Commission met on five issues. The Public Hearing for the 37 acres was continued. In the matter of the 5 acre parcel, the Village has not received an escrow check from the petitioner. They will not be put on the agenda until the \$10K check has been received. Linda reported that they have been reminded again that plans must be submitted three weeks in advance of meetings for review. The Plan Commission met with the development team for the hotel site. They are proposing an office building for the site. The issues that still need to be addressed are lighting, monument sign, land bank parking, and cross easement agreement. She indicated that the development team is here to present issues to the Board tonight. The Plan Commission has recommended granting the variance for Riverwood Estates. She added that they have suggested that Riverwood Estates form a road association with the homes in the area. The Plan Commission has suggested that the Laskys reconfigure their lots to be less non-conforming. That issue is still pending. Linda wanted to thank the Plan Commissioners, Atty. Huvard, Debbie Limer, Russ Kraly, the Board of Trustees and Mayor Kaplan for all of their help while on the Plan Commission. Pres. Kaplan thanked Linda for all of her time on the Plan Commission.

XI. Police Report

Chief Weinstein told the board that 131 traffic citations have been written since the last meeting. 150 case reports and 60 traffic accidents have been written in 2005. He stated that by using "Reverse 911" residents were notified of the Drinking Water Boil Order. It is a new system that will need further refinement. He added that he has given Anti-Racial Profiling information to the Board and the Pioneer Press. Pres. Kaplan reported that notifying the residents of the Boil Order was a fiasco. We need to have something in place. We called everyone whom we knew, and told them to call everyone they knew. The reverse 911 system was then used, and it backfired. Some residents were notified at 3AM, and the information they received was not what we had sent out. Pres. Kaplan stated that it scared a lot of people. We need to figure out what to do. Chief Weinstein explained that there was a system overlap because the system is new. He stated that he provided the wording for the message, and some got it just fine. There were others who got the default message, and that was where the problem was. Pres. Kaplan reported that we are going to have preprinted signs made up in case this happens again. They would be

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posted at various intersections. He suggested getting residents' emails and setting up a system of notification that way. He also suggested getting phone numbers and working on notification through the road associations.

Trustee Masterson questioned if we could have gotten help from Deerfield. Chief Weinstein stated their calls also went out late. Trustee Svatik suggested making specific phone calls to residents. Chief Weinstein explained that there are 23 lines that dial the automated calls. It takes seconds. When we have to make individual calls, it takes minutes. The only way to handle the volume is with automated calls. Trustee Svatik reported that residents on well water were called using the automated system. Pres. Kaplan stated we need to work on the system. Jaye Brodsky of 1392 Kenilwood Court told the board she received three calls. It should be advertised, as a part of the telephone call, to check Channel 10 for details on the emergency. Pres. Kaplan indicated Channel 10 is available only for residents who have cable.

Trustee Haber arrived at 8:10PM.

XII. Village Attorney's Report

Atty. Siegel told the board he has heard nothing about oral arguments for the Didier case. He stated he would let everyone know when he knows. He added that the County has filed their brief.

Atty. Huvad reported that the sale of the 37 acres has been completed. The new owner is affiliated with Colonial Courts. Their escrow is up to date. They are aggressively approaching this endeavor and interviewing possible tenants. Atty. Huvad stated that the owner does not necessarily feel that there needs to be a big box retail in the development to make it successful. They are making a major push for a grocery store. Atty. Huvad indicated we have a meeting with them on Thursday.

Atty. Huvad told the board he and Mayor Kaplan were at a Mayor's meeting with Congressman Kirk. They are trying to get IDOT to take over regulation of trains in the State. That would help with the whistle problems. He stated that he found it very interesting to note that 50% of all railroad crossings in the country are in the state of Illinois. He added that Unocal is the only refinery for the gasoline used in our area. There is no competition, which is part of the reason the pricing is so high. Atty. Huvad stated that at the meeting participants were urged to remind residents that they only have until the end of the year to sign up for the Medicare Prescription Plan. Pres. Kaplan reported that they are expecting another 200K people to move into Lake County in the next four years. He stated he got to meet the new mayor of Northbrook, Mayor Marks. Trustee Haber asked about Northbrook being another water source for the Village. Pres. Kaplan indicated that he will discuss that with them again.

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XIII. Comments by the President

Pres. Kaplan told the board that we have received a letter from Ron and Chris Auth. It has been distributed to all of the trustees.

Pres. Kaplan stated that Arbor Day will be celebrated on April 29<sup>th</sup> at 9AM. The celebration will take place at the Village sign at Deerfield and Saunders.

Pres. Kaplan told the board that he was too conservative in the bid for garbage collection with asking for only single axle trucks. There was only one bidder, and it was Waste Management. The cost difference is not significant. We would probably get a less expensive contract with the larger trucks. He stated he asked for the smaller trucks because residents have complained about the trucks tearing up the streets. Trustee Norris suggested sending out the bid again with the larger trucks. It costs more with the smaller trucks, so we are not saving the residents any money. Trustee Haber stated we have very few Village roads to be concerned with. Chief Weinstein explained that the weight per axle of all of the garbage trucks is about the same. The size does not matter; it is distributed between all of the axles. He commented that he did not know how the smaller truck would save the roads. Pres. Kaplan asked Russ to rebid the garbage collection contract without the stipulation of the smaller trucks. The Waste Management bid was \$64.50 quarterly for street pickup (\$55.50 for seniors), and \$90 for back door pick up. They will supply two containers, one for waste, and one for recyclables.

Pres. Kaplan told the board Toni Rey, a Village resident, will be at the Village Hall April 21<sup>st</sup> at 10AM to discuss her book about working after age 65.

Pres. Kaplan stated Mr. Simonsen of 725 Juneberry will be holding a meeting at his house on April 30<sup>th</sup> about the value of deer fencing. It is an interesting situation because if the deer are fenced out of one house they just move on to the next.

Pres. Kaplan reported that we have received a letter from Mr. Sagan about the stop sign on Portwine. Mr. Sagan indicated that now that we have our own Police Department the sign is not necessary. Pres. Kaplan commented that Mr. Sagan does have a few valid points. He is complaining about the acceleration noise. Pres. Kaplan stated he would discuss the issues with Chief Weinstein. Trustee Masterson asked if we could take the sign down for a while, and monitor the crossing.

XIV. Visitors Wishing to Address the Board

None

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. Trustee Haber questioned Atty. Huvarad about the Lasky plat discussed at the staff meeting. He wanted to know if there is an escrow account for this resident. Atty. Huvarad explained that at the time we did not know where the issue was going at the time. He can charge the time back to the Laskys.

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

XVI. Old Business

Pres. Kaplan brought up the Good Neighbor Project. Atty. Huvarad explained that Orphans wants to give us the easement rather than the quick claim. Everything looks okay, but he needs to meet with Pat. There is some question as to the width of the easement. The berm that they are going to build is going to cut into the 10 foot easement. We can compromise and ask for an eight foot easement. That is the only thing to discuss.

Atty. Huvarad told the board the next three ordinances on the agenda need to be skipped tonight, but kept on the agenda.

Pres. Kaplan brought up the subject of the NOVUS annexation agreement. Pat stated that he has received quotes to relocate the fence. The first is for \$17K with a \$5K contingency based on whether or not the old posts can be used. The other quote is for \$40K. That one includes all of the posts being replaced. He suggested that we take the easement and move the fence when we decide to put in a path. Atty. Huvarad reported that Discover would like a time limit on the use of the easement. Trustee Haber stated there is nothing they can do with the easement. It is a conservancy area. Atty. Huvarad indicated he would suggest Pat's idea to them. He thought they would be okay with that.

XVII. New Business

Pres. Kaplan brought up the ordinance regulating solicitors at street intersections. Atty. Siegel stated he is ready to recommend this ordinance to the board. Every solicitor who comes into the Village challenges First Amendment rights, but he still suggests this ordinance. Atty. Huvarad added the ordinance is content neutral. It has to apply to everyone. Trustee Haber moved to have a second reading of an Ordinance Amending the Village Code Regarding Limits on Soliciting While Standing in a Highway. Trustee Svatik seconded.

Roll Call vote-           Ayes:           Graditor, Haber, Masterson, Norris, Svatik, Tully  
                                  Nays:           None  
Motion carried 6-0                   Ordinance 05-4-6

Pres. Kaplan brought up the subject of the text amendment amending the special use provisions of the Office and Research Compatible District. Atty. Huvad told the board that the Plan Commission has recommended approval of the text amendment and special use. Mark Irgens of Irgens Development Partners told the board his company is based in Milwaukee, but all of their consultants are present. They are working with Podolsky Northstar. Steve Nilles stated he was glad to be here and would walk the trustees through the project. The building is proposed at two stories with 42K usable square feet. There will be 30 spaces of underground parking with 134 surface spaces. The access will be from Lake Cook Road. There will be two entrances to the building. The design of the building is very horizontal with glass enclosure. Randy Podolsky of Podolsky Northstar explained that the solid part of the building design will be precast metal or concrete depending on the cost at the time of construction. Mr. Nilles stated there is 21K usable square feet per floor. He showed the elevations. The maximum height of the revised sign is six feet. The materials used for the sign will be like the building. Mr. Nilles reported that the sign works with the Zoning Ordinance. The revised lighting plan has an average of 1.2 foot candles and will match the hotel property.

Nick Zaluzec of Walsh Landscape Construction introduced the landscape plan. Pres. Kaplan asked if he had met with the Village Forester. Mr. Zaluzec stated that he had not. Pres. Kaplan told him that he needed to. Mr. Zaluzec explained that their goal in the landscape plan was to be complementary to both uses. The water feature in the front of the property will have added landscaping. There will be seasonal interest around the sign. The entrance will be tree lined with Pear trees. The front and north end will also have seasonal color. The landscape berm on the north end will be five feet high to shield the area. The parking islands will be landscaped with trees and shrubs that can handle snow pile up. Mr. Zaluzec stated the entire area will be sodded and irrigated. Pres. Kaplan asked Russ if Chuck Stewart has the plans. Russ reported that he has them.

Pres. Kaplan stated that the other side of the Holiday Inn sign is for the office building. Mike McCall of Irgens Development Partners explained that there is an easement for a sign. Atty. Huvad reported that they are supposed to share one street sign. That is part of the original approval. He explained that the Mayor is saying that the tenant sign should be in front of the front doors. Mr. Podolsky told the board that the office building will have a distinctive address from the hotel. They understand that the sign was made for the hotel. This is a different use from the hotel. The hotel does not want them on the hotel sign. Mr. Podolsky explained that they need their own identity. They have addressed the height issues with the sign. It was redesigned to be 6 feet high by 7 feet wide. That only allows for 4 feet for tenant names. Pres. Kaplan indicated that he has a problem with names on the sign as people speed by. He stated he was afraid it would cause accidents. It can go in front of the doors. Trustee Haber suggested that the visitors find the space and

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then see the tenants on a sign on the driveway. Mr. Podolsky explained that he believes it is critical for marketing and for egos to have the sign on the street. He added that they could live with a limit to the number of names on the sign. Chief Weinstein stated that he did not think anyone would be able to read the sign. Mr. Podolsky asked how this sign is different than the sign at the Shoppes of Riverwoods. Trustee Graditor asked how; if the building has a name, people would have a hard time finding it. Pres. Kaplan stated he is concerned about the sign. It should be used in the front of the building. Atty. Huvard asked how we could modify the hotel sign.

Trustee Graditor asked if there were sight issues with the sign. Neil Kenig of KLOA, Inc stated that the sign does not block the sight lines. A driver has the ability to pull into the median area. Mr. Podolsky reported their sign more than conforms to the regulations. He told the board he was asking them to consider modifying the number of tenants on the sign. Trustee Svatik asked how far we are from where they want the sign to be. Mr. Podolsky explained that they started with a sign that was 10 feet tall. The Plan Commission encouraged them to go to 6 feet high. Pres. Kaplan reported that he did not have a problem with the size of the sign. He has a problem with what is on the sign. Mr. Podolsky stated they could go down to three names on the sign. Pres. Kaplan indicated that he is concerned about accidents. Trustee Svatik stated they should consider making the names bigger to make it more readable.

Atty. Siegel stated that he was interested in the six changes that were suggested by the Plan Commission. Atty. Huvard explained that some of the changes were approved with the hotel. The set backs, which are the same as O & R1, were relaxed for the hotel and office properties. Atty. Siegel asked why we would modify the requirements, if it is not necessary. Atty. Huvard reported that Irgens asked for six modifications. They have asked to have a reduction of the 60 foot buffer yard. They want to modify the buffer yard planting requirements because with the reduction there is not as much space to work with. They have asked to have the same FAR and ISR as the hotel at .26 and .55, respectively. Atty. Huvard stated they have asked for the signage as requested. They do not want to have a loading dock, but they would have an enclosed refuse container. If everything is approved, it will go back to the Plan Commission. Gewalt Hamilton and Urban Forest Management will need to look closely at the plans. It would then be approved by the Board of Trustees with an ordinance.

Trustee Masterson asked about the uses. Atty. Huvard stated we can look at that. Right now there are no limitations. They plan to market to office/professional tenants. Mr. Podolsky explained that they do not want high density medical. They do not have the parking for that. Atty. Siegel questioned why the modifications are necessary. Atty. Huvard explained that the modifications were necessary for the hotel to be built. Mr. Podolsky stated there will not be another hotel on the site. This is the next best use. It is

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a high class office building on a smaller scale. It is compatible to the area. That is the reason for the modifications. Trustee Haber asked if there will be a common ownership. Atty. Huvard stated it will be overlapping. Trustee Haber commented that the west side landscaping looks good, but the east side is sparse. It would be nice to address similar landscaping on the hotel side. Pres. Kaplan added that Chuck Stewart will give input on that. Mr. Zaluzec stated that some of the landscaping on the hotel side is not shown on their plans.

Pres. Kaplan brought up the subject of the impact fees. Lot #1, the office lot, will pay \$1,300 a month six months after the certificate of occupancy. Mr. Podolsky stated he understood it to be that they paid \$25K six months after the certificate of occupancy, and the \$1,300 a month starts 30 days later. Pres. Kaplan indicated that the hotel has gotten a break up until now. They will start paying \$2,700 a month after the office building opens and the first tenant moves in. Trustee Haber reported this is a good project; we should facilitate it. Atty. Huvard told the board they can recommend approval of the preliminary plan. They can then approve the final plan if everything follows along. Trustee Haber moved to approve the preliminary plan subject to the signage, text amendment, Urban Forest Management approval, hotel sign modification, and timing on the impact fees. Trustee Masterson added "subject to the medical office limitations." Atty. Huvard stated the impact fees will be restated in the declaration. Donna Pugh of Vedder Price reported that the plat of easement vacation is part of the plan. Pat added that the engineering issues brought up at the Plan Commission meeting have already been addressed. There are only final engineering issues left to discuss. Trustee Graditor seconded the motion. Motion was carried by voice vote.

Atty. Huvard explained that the text amendment listed on the agenda will be addressed at the final approval of the office building.

Atty. Huvard brought up the subject of Riverwoods Estates and the lots without frontage. There is one lot on Arrowwood and two on Ringland. The Plan Commission had a Public Hearing about lots without frontage. We should approve the final plat at the same time as the special use. We do not have a preliminary plat, but the issue is the lots without frontage. Pat explained that there is one 5 acre lot and one 2 \_ acre lot. The plan is to divide them into three lots. We want to look at them as a whole. There are no roadway easements. It was a struggle for the geometry of the roadways. We looked at all the options. Pat stated that they need a variance for lots without frontage. Atty. Huvard pointed out that they are flag lots now. We want to set this up as a special use to lessen the environmental impact and get a cul-de-sac. He added that it makes the neighbors happier to do it this way. Trustee Norris reported that we are doing everything right. Pat added this is similar to the Lakani property. Trustee Haber stated we are not creating the situation; it is already there. Atty. Huvard indicated that we can tell the owner to prepare a plat and come back.

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Pres. Kaplan brought up the subject of the escrow for the hotel site. Russ explained that Chuck Burns owns the site. Now that the office building is going to go in, he would like the \$2,301.54 that is in escrow returned to him. Trustee Haber stated we need to resolve the issue of the street sign before we return the money. Pres. Kaplan agreed and reported that the money will not be returned until the situation with the sign is resolved.

Pres. Kaplan handed out a sheet with his recommendations for the new Plan Commission members. All of the original members, except for David Zehren, have expressed that they want to stay on. The list was as follows: Ron Pankau, Chairman – 4 year term, Joan Becker – 2 year term, Larry Kanar – 2 year term, Kris Ford – 2 year term, David Ritter – 2 year term, Cheryl Chamberlain – 4 year term, Laurie Breitkopf – 4 year term. Trustee Norris moved to approve Pres. Kaplan's appointments to the Plan Commission. Trustee Masterson seconded. Motion was carried by voice vote.

Pres. Kaplan thanked Trustee Tully, who is leaving the Board of Trustees, for all of his work on the board. He stated the next meeting will be May 3<sup>rd</sup> at 8PM.

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

The meeting adjourned at 9:55PM

Respectfully Submitted,      Debbie Limer

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April 5, 2005

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In Attendance:

William Kaplan  
Sherry Graditor  
Bruce Masterson  
John Norris  
William Svatik  
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 – March 15, 2005

Trustee Graditor moved to approve the minutes. Trustee Svatik seconded the motion. Trustee Svatik stated on page three, first line of the last paragraph, "\$125K" should be "\$198K." Trustee Norris pointed out on page four, second line after the roll call vote, his quote should read "we will have to vote on the path after the contract is bid." Motion was carried by voice vote.

VI. Police Report

Pres. Kaplan asked to move the presentation of awards up on the agenda, so that the officers present at the meeting could return to work. He announced that he has awards for three Riverwoods Police officers from the Illinois Department of Transportation. He read the award pertaining to DUI enforcement. Pres. Kaplan complimented all of them on their hard work. He presented awards to Officer David Marks, Officer Brian Ernst, and Officer Robert Salmen. Chief Weinstein told the board the annual cost of alcohol related crashes is \$4.9B.

X. New Business

Pres. Kaplan stated that he wanted to discuss the Arts and Riverwoods request for \$10K ahead of the agenda. Trustee Svatik moved to approve the request for \$10K for Arts and Riverwoods. The money will come from the Hotel Tax. Trustee Norris seconded. Chris

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Ford of 4 Timberwood stated the money will keep Arts and Riverwoods going for another year. The money will help to publicize the event and provide scholarships to students.

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

V.     Consultants

Gewalt Hamilton

Pat Glenn told the board he has given them a letter dated April 5<sup>th</sup> pertaining to 1339 Woodland Court. In August of last year the owner asked for water service. The neighbor to the north is willing to extend an easement to run the water line. All the necessary agreements have been received. The owner will pay the fees up front before the design and build stages. This is a user pay situation with two easements. He recommended that the board authorize the easements subject to receiving the funds of \$35,665 from the owner.

Trustee Haber arrived at 8:10PM.

Atty. Huvarad pointed out that a hydrant will be added on the cul-de-sac. We are spending and authorizing. Pat added that is a benefit to the area. Trustee Svatik moved to approve the two easements. Trustee Graditor seconded. Motion was carried by voice vote.

Director of Community Services

Nothing

Village Attorney

Atty. Siegel stated that Didier has filed a reply. There is no date for oral arguments yet. The court may just render a decision without the oral arguments.

Atty. Huvarad told the board that he has received the 911 agreement. Lake County and Lincolnshire will be submitting the fully signed agreement to the Illinois Commerce Commission. That will take a few months before transfer of funds.

Atty. Huvarad added that the 37 acres is on the agenda for the Plan Commission meeting.

Urban Forest Management

Not present

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Plan Commission Report

Linda Dunn told the board the Plan Commission meeting is this Thursday. There are five Public Hearings on the agenda. They are the 37 acres, Riverwood Inn 5 acres, Riverwoods Estates, the proposed office complex on Lake-Cook Road, and the Lasky resubdivision. She stated the Lasky resubdivision will be going to the Zoning Board of Appeals.

Zoning Board of Appeals

Not present

VI. Police Report

Chief Weinstein stated there have been 255 traffic citations given out since the last meeting. There have been 128 case reports and 56 traffic accidents written since the beginning of the year. He thanked the Mayor and Board for the presentations to the Police Officers.

VII. Comments by the President

Pres. Kaplan told the board the Village has received another award. The award is Tree City USA 2004. He gave his thanks to the residents and Chuck Stewart.

Pres. Kaplan stated we have amended bidding for the garbage contract with SWALCO. We have asked for a bid using single axle trucks. It will be a couple of dollars more per resident. Everyone will still be saving money, and it will keep our roads in better shape.

Pres. Kaplan reported that, according to the Chicago Tribune today, Morgan Stanley is going to spin off Discover. Trustee Masterson stated it will take three to six months.

Pres. Kaplan added he did not know how that would affect the Village.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

Pres. Kaplan brought up the subject of the Good Neighbor Project with Orphans of the Storm. Atty. Huvad told the board that he told has asked for a 10 foot easement for a path. The reasons for that are to possibly widen it later, to be able to meander the path around trees, and to have construction room. He reported that they liked the deed and easement agreement. Atty. Huvad stated he wants to talk to Chuck Stewart about it. The money Orphans of the Storm are going to get from the easement may off set some of their costs.

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Pres. Kaplan asked Atty. Huvard about the redevelopment plan. Atty. Huvard stated all three ordinances will have to be continued again because the economics of the off site improvements are still under discussion.

Pres. Kaplan brought up the subject of the agreement with NOVUS. Atty. Huvard handed out the agreement and went over it. All articles except #3 have stayed the same as proposed. They have taken out the references to the Special Use and Annexation agreements. As it turns out those agreements have expired. Atty. Huvard explained that they had moved the conservation easement after the expansion in 2003 and added the bike path approval. They have taken out the obligation to put in the path. He pointed out that most of the changes are in Article 3. He read part of the section. Discover can review the plan for the path if the Village puts it in. He added it will be difficult to put in. Pres. Kaplan asked about the cost to relocate the fence. Pat stated it will be between \$20K and \$30K. There is 1400 feet of fence. The question is whether or not we can use the old posts. That is the reason for the \$10K difference. Trustee Haber stated we will not see any money from them until we move the fence. Pat told the board he can have official quotes on moving the fence for the next meeting. The purpose of the agreement is to get the \$100K, and to cover all the legalities. Trustee Haber moved to postpone the approval of the agreement until the next meeting when we have the price of moving the existing fence. Trustee Norris seconded. Motion was carried by voice vote. Pres. Kaplan stated some full bids would be helpful.

X. New Business

Pres. Kaplan told the board we have received complaints about solicitors on the roads. It is the same group every time. He stated he would like to prohibit any solicitation on the streets, but that would not stop door to door solicitation. Atty. Huvard explained that we do not want to prohibit First Amendment Rights. This issue is for motor and solicitor safety. Atty. Siegel stated we may want to consider permits. The courts are very solicitous of solicitors. Atty. Huvard reported we can regulate tightly what is happening on the streets. Evanston allows two days a year per organization giving out tag-style contributions. Atty. Siegel stated we may want to require permits on certain days at certain intersections. Trustee Haber moved to have a first reading on an Ordinance Regulating Solicitors at Street Intersections. Trustee Masterson seconded.

Chief Weinstein stated he has received numerous complaints about the solicitors' lack of safety. Other municipalities have issues also. The organization that comes here is registered with the State's Attorney. Trustee Graditor asked if we give them a permit, can we require vests and regulate their required behavior in the intersections. Atty. Siegel responded that we can do that. We can also require a statement of where the funds are going. Chief Weinstein stated the issue of the complaints is of safety and slowing down traffic. Whenever they are confronted they are very cooperative. The problem is on the

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roadway. Atty. Huvad pointed out we may not have the authority to regulate them. Pres. Kaplan suggested limiting them to once or twice a year. Trustee Haber stated we have an ordinance against jaywalking. He questions if they are exempt to that. Chief Weinstein explained that we have an ordinance of rights to solicit. The ordinance regulates how they do it. Trustee Haber questioned if the ordinance tells them where to stand. Chief Weinstein stated it does. Trustee Haber suggested that we specify in the ordinance exactly where the solicitors can stand and walk. Chief Weinstein stated they will try to abide by the law. Pres. Kaplan asked about other alternatives. Atty. Siegel explained that we do not want to prohibit it completely, even though he would like to. Atty. Huvad stated he wanted to get a feel for this situation from the board.

Linda Dunn of 2920 Orange Brace wanted to know what Northbrook, Wheeling, or Buffalo Grove was doing about this same issue. They have to be having the same problem. Atty. Huvad stated he has not talked to anyone else. He added that the Evanston ordinance will not work for us. The motion for first reading was passed by voice vote.

Pres. Kaplan brought up the subject of the Adesta contract extension. Pat Glenn explained that in 2002 the State required everyone to become a part of J.U.L.I.E. We have been using Adesta to locate sewer lines and screen all calls. The original agreement has expired. They are asking for a 3% increase. Pat stated their performance has been outstanding, and his office is suggesting extending the agreement with the increase. In 2004 our cost to Adesta was \$23K. He added that does not include the cost for locating water lines. Pres. Kaplan asked if the cost is reimbursable. Pat stated "no." Pres. Kaplan asked if this was a three year contract. Pat stated he could check for a three year contract with fees adjusted accordingly. Trustee Haber moved to extend the Adesta contract with a 3% increase. Trustee Graditor seconded.

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

XI.    Standing Committee Reports

Trustee Graditor – Building/Zoning  
Nothing

Trustee Masterson – Water/Police/Fire  
Nothing

Trustee Svatik – Finance/Soil & Water  
Nothing

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Trustee Haber – Legal/Sewer  
Nothing

Trustee Tully – Road & Bike Paths/Forestry  
Absent

Trustee Norris – Solid waste/Drainage/Storm water  
Nothing

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

Pres. Kaplan stated the next meeting will be April 19, 2005.  
Meeting adjourned at 8:55PM.  
Respectfully Submitted,  
Debbie Limer

Village of Riverwoods  
Board of Trustees Meeting  
March 1, 2005

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In Attendance:

William Kaplan  
Sherry Graditor  
Bruce Masterson  
John Norris  
William Svatik  
Paul Tully  
Eileen Stanger  
Jack Siegel  
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

Board of Trustees Meeting – February 15, 2004

Trustee Svatik moved to approve the minutes. Trustee Masterson seconded the motion. Trustee Svatik pointed out on page one, under Treasurer's Report, he did not attend the mentioned meeting. Pres. Kaplan clarified that Atty. Huvad, a representative from UBS, and he were at the meeting. Hal Roseth participated as a conference call. Trustee Svatik asked that his name be removed from the discussion of the meeting. Motion was carried by voice vote. Trustees Tully and Graditor abstained.

V. Consultants

Gewalt Hamilton

Nothing

Director of Community Services

Nothing

Village Attorney

Atty. Siegel told the board he filed a brief today for the Didier case. Atty. Damish has 14 days for a reply. Atty. Siegel assured the board that Atty. Damish will ask for an extension. One was already granted. The brief that he has filed is repetitive to things that have been filed already. They have always been seeking "an easement by necessity."

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Urban Forest Management

Not Present

Plan Commission Report

Linda Dunn told the board that the Plan Commission will meet this Thursday at 7:30PM. She explained that, at the last meeting, several residents complained about other resident's lights. The problem seems to stem from new residents coming into the Village. Pres. Kaplan stated that the Ordinance pretty well covers the issues.

Zoning Board of Appeals

Not Present

VI. Police Report

Chief Weinstein told the board there have been 156 citations written since the last meeting. There have been 82 case reports and 36 traffic accidents written in 2005. The new squad car has been delivered. It should be ready for service by the end of the week. Pat stated that he and Chief Weinstein went by one of the houses causing outside lighting issues. They addressed the issue with the homeowner. He explained that they took a very hands-on approach; Chief Weinstein manually moved the light. Chief Weinstein stated that the new resident did not add new lights; he could tell the lights were very old. Pres. Kaplan explained that the prior resident installed the lights but never turned them on.

VII. Comments by the President

Pres. Kaplan told the board Lake County is asking for a \_\_% tax increase for the roads as a referendum at the next election. The only thing that affects us is the intersection of Deerfield Parkway and Milwaukee. There is a shopping center planned to go in there. Pres. Kaplan stated he does not feel obligated to support this tax increase. Trustee Norris indicated this is the same tax that was on the ballot at the last election at \_\_%. Pres Kaplan stated the only thing changed is that it is now higher. Trustee Svatik reported that we had a problem with this as a board the last time it was mentioned. The Lake County Board has not committed to what the funds will go to. In the past Lake County has not lived up to their commitments. Pres. Kaplan stated that he cannot in good conscience support this tax. Trustee Norris reported there was talk of this referendum at the last SWALCO meeting. In talking to other trustees, there is no guarantee where the money is going. It is the same as the last time. He stated he is afraid it is a revenue scheme.

Pres. Kaplan told the board Highland Park is increasing their water rates in May. The Pioneer Press has reported the wholesale cost will go from \$1.39 to \$1.44 per cubic feet Pat stated that is \$.0066 per 1K gallons. He added that Deerfield has not decided what to do yet. They may raise their rates 2%. They will decide in April or May. Pres. Kaplan asked if we should increase the cost or absorb it. We have some built in raises already. We

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were anticipating an increase. It is something we should think about. Trustee Masterson stated he is reluctant to absorb the increase. Trustee Norris indicated we should review the numbers.

Pres. Kaplan stated there is the Illinois House Speaker's Bipartisan Summit on State Finances on March 5<sup>th</sup>. He questioned if anyone wanted to go. Trustee Svatik reported that he is going. Pres. Kaplan thanked him for attending.

Pres. Kaplan told the board he has given everyone the State of the Village Report. It was also sent to the Village Voice. We have done a lot, and the Village is financially very healthy.

VIII. Visitors Wishing to Address the Board

Toni Rey of 1332 Riverwoods Road told the board she was here to represent the RRA. They wish to publicly support the Bike Path Committee. The RRA would like to see a five foot path put in. It is safer, it will cost less, and fewer trees will have to be removed.

IX. Old Business

Pres. Kaplan brought up the Good Neighbor Project with Orphans of the Storm. Pat stated that they are awaiting his plat. Atty. Huvard added that we have told them we want a 10 foot easement instead of five. They have told us that should be okay.

Pres. Kaplan told the board he had promised there would be no vote on the bike path without everyone present. He would like to put off the vote and discussion until later in the meeting due to Trustee Haber's absence. Trustee Svatik asked about the \$100K from Morgan Stanley. Pres. Kaplan stated we can do the vote subject to getting the money. Trustee Norris agreed that we should wait for Trustee Haber.

Atty. Huvard told the board we are going to have to postpone the next three ordinances on the agenda regarding Milwaukee Avenue project. They are dependent on the hearing with the Plan Commission. On the board level we have to have the annexation agreement and hearings on the TIF. The compensatory storage and traffic issues are the hold up. It is a very complicated matter.

Atty. Huvard stated that Morgan Stanley has asked for our indulgence as to the money in exchange for building the bike path. They are staking out the path to check on their utilities and security issues. Stanley Greenspan has asked us for a few more weeks.

X. New Business

Pres. Kaplan brought up the subject of Affordable Housing. Atty. Huvard passed around an exhibit made by Pat Glenn outlining all of the new home construction as of January

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2000, not including tear downs. Trustee Masterson suggested considering the memo and waiting to submit our proposal. Atty. Huvad explained that he felt we should comply with the requirements and go with the plan. We do not want to call attention to ourselves. We should file the plan and continue to work on the legislation. The requirements are not as severe for the Village because we do not have to include teardowns. We are looking at supplying affordable housing for 15% of new construction since January of 2000. Pat stated there are some improbable scenarios listed. Atty. Huvad explained there is the possibility of 80 new units; which requires us to find 12 units of "Affordable Housing." The board can file the plan and go from there. There is not much the Village can do to implement the plan. We can't control private property. Pres. Kaplan stated we are not required to change the zoning. If zoning can't be changed, we can't comply. Trustee Masterson stated that it looks as if we are following a law that is not a law. Trustee Tully added we have the duty to uphold the Constitution, but he did not think this legislation was constitutional. Atty. Huvad reported that there have been several instances where officials did not think that the laws applied to them, and they were brought down because of it. He told the board he thinks we should submit the plan. Pres. Kaplan added we do not have to build anything. He did not want to spotlight this Village as being opposed.

Trustee Norris stated that the requirement for the plan is probably constitutional. Atty. Siegel told the board that he has made himself very clear on this point. The Statute is horrible. It is impossible to comply with it. He suggested filing with language showing the problems and concerns. He has found the document meaningless. Atty. Huvad stated it is not true to say it is impossible. The plan does not commit us to anything. We acknowledge the competing uses. We are preserving our options. He added that without submitting a plan, we could end up in front of an Appeals Board. Atty. Siegel reported that the Appeals Board is for developers who are turned down by a village. The appeals process does not start until 2009. He added that he is not sure the Village is responsible to build anything. It reflects badly on the Village to present a plan that is impossible to implement.

Pres. Kaplan told the board he went to several meetings of the Illinois Housing Development Authority. His feeling is that we should just file the plan. Municipalities that are home rule still have to file a plan. They cannot make us change our zoning. We cannot possibly comply. Trustee Norris stated that the enforcement issues make it unconstitutional. He added he is not sure we can trust the State to do the right thing. There may be an issue with back door enforcement. Atty. Siegel explained there has been an investigation as to how to do this in the Village. It does not make sense. Atty. Huvad reported the only way to do it is to use municipal property. One of the issues the proponents of the plan raise is the process of the plan. It is one of the goals of the legislation. He admitted he did not know which was worse a submitted plan or no plan. Trustee Norris explained that we are always vulnerable to State Statute. We want to make

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clear this is inapplicable and improper for our Village. We need to make our objections clear. Trustee Tully stated he did not want to make it look as if we agree with the legislation by submitting a plan.

Atty. Huvard stated there are four elements to the plan. We have responded to all of them. Criteria must be included. He went over page four of the draft. The elements can be modified. The plan has been set up for the fewest amount of units. Atty. Huvard explained that we have to answer the four elements. Atty. Siegel indicated that the only recourse is for a developer who is refused. Pres. Kaplan responded that he felt we would open up a can of worms, if we do not send in the plan. Trustee Tully stated that he is afraid of what will happen if we file the documents and are then forced to follow through. Atty. Huvard explained that he disagreed with that statement. Filing is mandatory. We will have complied. Pres. Kaplan reported we will develop the municipal properties by 2009, if the plan is accepted. Trustee Masterson stated that we should stand up and state our concerns of the legislation's constitutionality. Atty. Siegel told the board he went before the U.S. Supreme Court to defend Arlington Heights against low income housing. He won the case. The intent has to be discriminatory – an intent to discriminate. In Riverwoods market forces are at work.

Trustee Tully stated Riverwoods is a unique place. We are protecting Riverwoods with ordinances. We have a duty to protect the Village. He reported he felt filing was a mistake. It is bad legislation. He felt the need to take a stand - quietly. Trustee Graditor stated by filing, we remove the spotlight. The plan promises nothing. We should make clear that it is a ridiculous law, but that we have complied. She reported she would like to see it filed. We can develop the properties before 2009. Trustee Norris stated we should file "a" plan order, to be in compliance. We should qualify what we are submitting. Pres. Kaplan agreed that we should file the plan, even though he is opposed to the law.

Linda Dunn of 2920 Orange Brace told the board she has been to several meetings. She has worked with Atty. Huvard and the Plan Commission. She suggested filing the plan and writing in our objections to the legislation. She said as a statement she would like to submit a blank piece of paper. She added she would like to file the plan with objections and develop the municipal property before 2009. Trustee Svatik told the board he is torn with all of the opinions of all of the lawyers present. He stated he felt the legislation leads a lot to be desired. He has talked to most of the legislators about the issues. The authors of the legislation professed to no knowledge of the problems. It is a matter of principle, and he is in favor of principle. Filing is better than not. He added that he did not feel that taking a stand by not filing would do much for us. Trustee Masterson asked if this were a civil liberties issue would we vote. What we are proposing to do is convenient. However, it does not stick by our principles. Pres. Kaplan stated we could instruct Atty. Huvard to water down the plan. If we are passing the plan, it has to be done at the next meeting.

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Trustee Masterson questioned how many trees would have to be removed to develop the municipal properties. Atty. Huvad stated if we were ordered to turn over the municipal sites, it would depend on how high the building would go up. Trustee Graditor asked if it would require a referendum to donate the site. It belongs to the city. It has to be sold for fair market value. Atty. Siegel stated it could be done with a plan submitted by a developer. We can put conditions on the bids. Atty. Huvad stated this is bad legislation, but the idea that we would be ordered to give away municipal property is very far fetched. We have tried to be defensive and keep developers out of residential areas. The main thing villages regulate is density. The legislators should go after that. Trustee Masterson stated that maybe we should go home rule. Pres. Kaplan reported that we have not determined that home rule communities are exempt from this legislation, but it is one way to protect ourselves. Trustee Tully told the board that we have taken a stand on trees. We did what we thought was best. This legislation takes away our ability to decide what is best for us; it takes away our right to zone as best for Riverwoods. He questioned what happens if the State goes farther and takes away our ability to protect trees. Take a stand. Residents do not understand the impact. We need to take a stand. Pres. Kaplan stated we would continue this discussion at the next session.

Pres. Kaplan brought up the subject of the Annual Appropriations Ordinance. Atty. Siegel explained that this authorizes us to spend money; it does not require us to spend the money. The Ordinance sets up limits. We have never spent close to what is listed in the Ordinance. This is set up to give us the authorization. Trustee Svatik added the data has been updated with the revised census. Figures are based on the calendar year. The guidelines come from the Illinois Northwest League Association figures. Atty. Huvad stated we have made sure we have appropriated enough money to pay our bills. Trustee Masterson moved to waive the first reading of the Annual Appropriations Ordinance. Trustee Tully seconded. Motion was carried by voice vote. Trustee Tully asked if we authorized control for the Visitors Bureau. Pres. Kaplan stated that we did not.

Trustee Svatik moved to have a second reading and adoption of the Annual Appropriations Ordinance. Trustee Tully seconded.

Roll Call Vote -       Ayes:           Graditor, Masterson, Norris, Svatik, Tully  
                              Nays:           None  
                              Absent:        Haber  
                              Motion carried – 5– 0           Ordinance 05-3-4

Pres. Kaplan brought up the subject of the funding for Theatre in the Woods. Donna Lubow thanked the board for their help with funding. The money in the past has gone toward their main stage production, rental of Estonian House, additional storage, and their kids' show. She explained that they are looking into a touring kids' show that could be

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used for birthday parties. Ms. Lubow told the board they are asking for \$1,500 more this year. The rent at Estonian House has increased, the money needed for storage has gone up, and they want to do a second children's show this year. She explained that the main stage show is very costly, and they have lost their set builder. It will cost them twice the price for sets this year because the set builder they have used in the past was so reasonably priced. She reported that they are also planning to increase the ticket price to help. Ms. Lubow told the board they are asking for \$10K. Trustee Svatik moved to give Theatre in the Woods \$10K to help with their productions this year. Trustee Norris seconded. Pres. Kaplan stated the money can come from the Hotel Tax.

Roll Call Vote -       Ayes:            Graditor, Norris, Svatik, Tully  
                          Nays:            Masterson  
                          Absent:         Haber  
                          Motion carried – 4– 1

Pres. Kaplan brought up the subject of an ordinance authorizing the sale of personal property owned by the Village. Chief Weinstein explained that we have two forfeited vehicles due to DUI arrests. The State's Attorney has done all of the work up until now. The State's Attorney has given us the vehicles to try to sell for a better price than Blue Book Value. We do have a \$500 storage fee each for the two vehicles. Trustee Norris moved to waive the first reading on an Ordinance Authorizing the Sale of Certain Personal Property Owned by the Village of Riverwoods. Trustee Graditor seconded. Motion was carried by voice vote.

Trustee Graditor 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.

Roll Call Vote -       Ayes:            Graditor, Masterson, Norris, Svatik, Tully  
                          Nays:            None  
                          Absent:         Haber  
                          Motion carried – 5– 0            Ordinance 05-3-5

Pres. Kaplan told the board that the Village of Skokie has come to us for an agreement for the sharing of litigation expenses for the Telecommunications suits. They are asking for \$.25 per person. That amounts to about \$1K. The agreement asks for more money later on. He told the board he suggests sending them the money, but not signing the agreement. Trustee Masterson stated they can come back for more money later. Atty. Siegel explained if any money is paid, we will get defense fees. The judge has ruled, and the appeals are about to start. Pres. Kaplan added this is going to go on and on. Trustee Graditor moved to send \$1K to the Village of Skokie, but not to sign the agreement. Trustee Masterson seconded.

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

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Nays: None  
Absent: Haber  
Motion carried – 5– 0

Pres. Kaplan told the board that we either lost or never got the last bill from the Village of Lincolnshire for dispatch services. The bill is for \$15,477.99. Trustee Masterson moved to pay the bill for \$15,477.99 to the Village of Lincolnshire for dispatch services. Trustee Tully seconded.

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

Pres. Kaplan told the board the current improvements under discussion for the multi use path are from Saunders to Woodland along Riverwoods Road. Another section would be along Riverwoods Road from Woodland into Lincolnshire. Pat explained that the current discussion is the construction from Saunders to Woodland. We are discussing eight feet from Saunders to Woodland. The path would be three feet from Woodland to Lincolnshire. He stated he would like to do the entire length as five feet. It would still cost less than doing the one section as an eight foot path. Trustee Norris reported that we need to do something about the northern part of the path. Pat told the board the cost for a five foot path is about \$30 a foot. He suggested that we look into using MFT funds to help with the cost. He explained that our MFT funds go farther than most communities because so many of our roads are privately owned. He warned the board that there is no engineering purpose served with a five foot path. Pres Kaplan added that it does not make sense to connect an eight foot path to a three foot path. Pat told the board that he suggests expanding the whole path. Trustee Norris indicated that the path needs to be eight or five feet the entire way.

Pres. Kaplan asked Pat the cost of extending the entire path along Riverwoods to five feet. Pat responded that it would cost \$100K. Pres. Kaplan asked about the cost of the same path at eight feet wide. Pat stated it would cost \$200K. Atty. Siegel asked about the right of way. Pat explained that there is an area that would be out of the right of way. The rights we have to that section are questionable. We can go back into the right of way in that section if needed. Trustee Graditor told the board she wanted to express her objection to an eight foot path. An eight foot path would require more trees be removed. There would be a great impact on the homes and that would put a burden on the homeowners. An eight foot path encourages kids to ride to fast and makes the path more dangerous. Trustee Masterson suggested we just put in a sidewalk and call it that. Pat explained that then we would have to prohibit bike riders from using it. Trustee Graditor

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stated that the bike path consultant has said that there are too many driveways for this path to be safe.

Pres. Kaplan stated that it will cost \$442K to put in an eight foot path from Saunders to Woodland. Pat stated it will cost \$261K to do a five foot path. Pres. Kaplan added it will be an extra \$100K to extend a five foot path to Lincolnshire. Pat stated it will cost an extra \$125K to extend an eight foot path to Lincolnshire. Pres. Kaplan summed up the costs of the whole project. A five foot path from Saunders to Lincolnshire will cost \$386K. An eight foot path from Saunders to Lincolnshire will cost \$692K. Morgan Stanley and the RRA are going help with about \$200K in funding. The Village out of pocket cost would be \$186K for a five foot path and \$492K for an eight foot path. Pat reminded the board that an eight foot path would look better on a grant application. Pres. Kaplan questioned how we would get a grant with the path in place. Pat stated we could apply for a grant for a connection to the path. Trustee Tully reported he would like to see an eight foot path. There are standards for a reason, but we are not going to spend an extra \$500K. Pres. Kaplan explained that residents have been clamoring for this for a long time. This path would not be for adult bike riders; it is for the kids. When Deerfield Road is widened we can negotiate for bike lanes. We can do the same on Riverwoods Road. Pres. Kaplan told the board we have been talking about this for 20 years. Trustee Tully stated that we are close to getting it. We have to balance the code, the residents, and what we can afford. It is not realistic to put in an eight foot path. Pres. Kaplan added that we have to consider the residents and the space that they will lose.

Ronald Auth of 2420 Riverwoods Road told the board he had some questions. He stated he was interested to hear about how the trees will be impacted. He explained that even with a five foot path it will be necessary to come onto his property. He questioned how the process is handled. Atty. Huvad stated that we can go to homeowners for easements to save trees. Trustee Norris added we will work for the best solution. Mr. Auth wanted to know if after it is staked out, is there an opportunity for negotiation? Pres. Kaplan responded "yes." Chris Auth of 2420 Riverwood Road told the board the Jr. High kids do not think it is cool to ride their bikes to school. Chris Auth has been a school bus driver for many years. She added that she would not let little kids ride on the path. Pat explained that we are able to avoid trees in most of the path. There is a significant number of trees that would have to come down with an eight foot path. Trustee Graditor read part of a note that Kay Sweeney of 1835 Strenger wrote to the board. She is against an eight foot path. She is more interested in natural surroundings and preservation of trees. Some of the questions she had: If we go to an eight foot path, do we rip up all the existing paths in Riverwoods to conform? Have there been any law suits over the last 30 years resulting from use of the existing paths? Can we not post signs saying what the path is and is not for and other caveats?

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Jaye Brodsky of 1392 Kenilwood Court told the board she was asked to come to the meeting of 2/23/05 by Cheryl Chamberlain, the chair of the Bike Path Committee. She stated that there were 45 people at the RRA meeting. The discussion heavily focused on the bike path. Ms. Brodsky stated that the assessment of the meeting was that most residents want a five foot path. The RRA vote for release of the funds for the bike path is contingent on minimizing the loss of trees. She added that she has talked to the Village of Bannockburn about their five foot path. They chose a five foot path because they wanted to minimize the intrusion to the residents. Ms. Brodsky stated that the Bike Path Committee has recommended a five foot path. It is achievable, affordable and a safer approach. She added that in her personal opinion a path starting at eight feet and then going down to five feet is ludicrous either way it goes. Pres. Kaplan told the board we will continue this at the next meeting. Trustee Svatik explained that we want to understand the will of the people. The RRA has fought for a five foot path for years. He questioned if we go to eight feet, will all of the Village paths have to be eight feet.

XI. Standing Committee Reports

Trustee Graditor – Building/Zoning

Trustee Graditor told the board there were three permits issued in the month of January for private residences. The value of the three homes is \$3.45M. Pres. Kaplan pointed out that is just construction cost. There are no land costs in that number.

Trustee Masterson – Water/Police/Fire

Trustee Masterson stated that the number of unique visitors on the Village web site is up by 50%.

Trustee Svatik – Finance/Soil & Water

Trustee Svatik told the board that he has DBR, chamber, and NSSRA meetings coming up. He will report on them at the next meeting.

Trustee Haber – Legal/Sewer

Absent

Trustee Tully – Road & Bike Paths/Forestry

Nothing

Trustee Norris – Solid waste/Drainage/Storm water

Trustee Norris told the board there are several bills pending on disposal fees for electronics. SWALCO has taken no position on them. He suggested that we wait on specifics before we take a position. We want to make sure this is for disposal fees and not revenue producing. Trustee Tully stated that some computer companies accept old computers back. Trustee Norris indicated that we need specifics.

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Pres. Kaplan stated that internet purchasing and avoiding sales tax by doing so, is a big issue right now. Atty. Siegel stated the Feds will ultimately decide how to handle the issue. Trustee Masterson commented that eventually there will be a Federal Sales Tax.

Pres. Kaplan told the board the next meeting will be March 15<sup>th</sup>.

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

The meeting adjourned at 10:15PM.

Respectfully Submitted,

Debbie Limer

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In Attendance:

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

Absent:

Sherry Graditor  
Paul Tully

Minutes taken by Debbie Limer

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

IV. Approval of Minutes

Public Hearing – February 1, 2005

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

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Trustee Norris moved to approve the minutes. Trustee Svatik seconded. Trustee Norris stated on page 3, seventh line of the second paragraph, “in the” should be changed to “later in.” On page four, tenth line of the first paragraph, “we are not using” should be changed to “by installing a smaller path.” Trustee Norris told the board he has prepared a correction for the minutes for his Committee Report. It can be included with the minutes for clarification. Motion was carried by voice vote. Trustee Masterson abstained.

V. Treasurer’s Report

Hal Roseth told the board there was a small decrease of \$140K. That was because of the funding of SSA bond payments. He stated that Atty. Huvad, Trustee Svatik, and he had a meeting with the manager of the Police Fund. Small changes are being made. We will surrender some of the bonds and take the some of the gains. We are trying not to spend principal and to stay at the \$2.5M. Pres. Kaplan stated we are in good shape. He has talked to the manager today. The bonds will be sold tomorrow, and we will only lose about \$5K. Hal explained that we are not buying the bonds at a premium anymore. Pres.

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Kaplan reported that in the packets is an authorization letter for UBS (Paine Weber). He wants to make sure we get it sent in. Trustee Masterson moved to approve the UBS revised letter of authorization. Trustee Svatik seconded.

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

Hal told the board we have \$.5M with Smith Barney. He received the final proposal from Madison Advisors. He explained that he would like to transfer the money that Smith Barney has to Madison Advisors. He would like to add an additional \$200K to \$300K to those funds. Madison Advisors has a lot of experience in dealing with the types of investments we are allowed to make. They will adhere to our investment policy.

Trustee Haber arrived at 8:10PM.

Pres. Kaplan asked about Madison Advisor's proposal. Hal replied that he can get it. They have a very impressive track record.

VI.    Urban Forest Management  
Not present

VII.   Engineer's Report  
Nothing

VIII.   Director of Community Services Report  
Russ Kraly told the board he has a draft of a proposed garbage contract. Andrew Quigley, executive director of SWALCO, is here tonight to present it. He introduced Mr. Quigley. Mr. Quigley told the board that the Village asked for a proposal. The current proposal can be changed any way the Village would like. This has come on because of the increase the residents have been paying with Waste Management. He explained that of the 37 communities in SWALCO, thirty of them contract out for waste services. He pointed out some of the specifics. It would be a three-year agreement. Wednesday would be collection day. The contract would begin August 3<sup>rd</sup>. The waste hauler would be required to use a SWALCO land fill. Those land fills are approved and audited by SWALCO. All residents would be able to pick their specific services from the winning contractor. Mr. Quigley told the board the residents would get a choice of a 60 gallon or 90 gallon wheeled garbage cart. The residents would be allowed one cart and one other item, less than 50 pounds, per week. Mr. Quigley explained the changes to recycling with the contract. Each resident gets to pick a 65 gallon or 35 gallon wheeled cart. He stated that these carts dramatically increase recycling because of the ease of use. Another bonus is the fact that the

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community stays much cleaner with the use of the covered cart. Garbage will be collected at the Village Hall and the Fire Department for no extra charge.

Mr. Quigley explained that landscape waste can be handled per bag or by subscription service. If handled by subscription, the resident is allowed up to six containers per week from April to November. When handled per bag, the resident buys stickers that are put on the landscape waste bag. The waste hauler will also handle Christmas tree collection. Mr. Quigley stated that the recycled materials must go to the Grayslake Waste Management Facility. The annual charge for garbage collection, if approved by the Village, can go up 3% a year. There is a standard of service that includes issues of insurance and complaints. In all of the cases the Village is the arbiter. The only caution he had for the Village, as a change from the current situation, is that all residents must use the service. He added that the pricing sheets are attached to the contract. Backdoor service is still an option. The price will be a bit more. Vendors want 30 days to get the Village a proposal. That means they would have their contract back to the Village in April for the Village to make a May decision. Pres. Kaplan told the board, based on the prices that he has looked at, it seems that the residents could save between 15% and 30%. He questioned what the downside is. Mr. Quigley stated the downside is that everyone in the Village has to sign up. Some villages allow residents to haul their own garbage. Mr. Quigley added there can be only one garbage hauler in the Village.

Trustee Masterson asked what is done with old garbage cans and recycling containers. Mr. Quigley stated that is handled under the old agreement with Waste Management. The new contractor would probably be happy to help with that if needed. Trustee Svatik asked if this would apply to commercial customers also. Mr. Quigley reported this contract is only for single family homes. Trustee Svatik stated, on page 7 of the contract, it looks as if the Village is responsible for making sure that residents pay their bill. Mr. Quigley stated that is not true, but the waste hauler can stop service for non payment. That would could cause a health and welfare issue. Trustee Svatik asked if there is vacation shut off or hold. Mr. Quigley stated that could be added to the contract, if the resident is going to be gone for more than 30 days.

Pres. Kaplan wanted to know if there is anything to add to the contract that would benefit the Village. Mr. Quigley stated that he has worked with Russ. Pres. Kaplan questioned if there is anything else to add that would benefit the residents. Mr. Quigley explained that he does not recommend an annual cleanup. They can be very costly. He added what is on the contract will work well for the Village. Atty. Huvad explained that he has read the contract, and it is very pro-municipality. Pres. Kaplan added that the vacation stop is a good idea. Trustee Svatik stated that we get a dumpster every year on clean up day. Mr. Quigley stated that can be put into the contract. Atty. Huvad suggested an addition that pick up at other municipal sites would be free, if they are

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developed. He also has a few insurance suggestions. He questioned the time table for extension. Mr. Quigley stated it is not usually in the contract, but it is 6 months prior to the end of the contract. He added that there will probably be some education on behalf of the Village. That is critical for the change over. Pres. Kaplan stated the biggest change will be that the driver never gets out of the truck. It is more efficient and it saves on labor and time. Atty. Huvard pointed out that it does not always work as it should. Trustee Norris stated that the savings is a bargaining tool. Trustee Svatik asked about the cost difference of the 60 gallon container versus the 90 gallon container. Mr. Quigley stated that depends on the carrier. Residents are allowed to change their service as we get into the contract. Sometimes it takes some time for residents to figure out what works best for them.

Trustee Svatik told the board we can change the ordinance designating where garbage cans must be stored. Trustee Masterson suggested publicizing this on the web site. There will be lots of questions. Hal Roseth wanted to know what would happen if a resident generated more than 90 gallons of garbage. Pres. Kaplan stated the garbage company would charge the resident for the garbage over the allowed amount. Mr. Quigley added that he has not seen this as a problem in Lake County. The larger recycling container helps to lessen the amount of garbage. Linda Dunn wanted to know if the narrow roads in the Village would be a problem. She questioned if the truck will be able to clear the trees. Pres. Kaplan stated the trucks are the same size as now. Russ explained that the garbage cans are not lifted any higher than they are now.

Leslie Reichenbach of 1390 Woodland wanted to know how heavy the garbage can would be when loaded. Pres. Kaplan stated the cans have wheels. Mr. Quigley added that they work well in the snow as well. Carol Leiberman of 406 Greenbriar wanted to know if the extra charge for back door service will remain the same. Pres. Kaplan explained that overall the cost will be 15% to 30% less, but the back door service will be the same ratio that it was. He told the board that he was reading the Lincolnshire Newsletter and saw the discrepancy between what Lincolnshire is paying and what we are paying. Cheryl Chamberlain of 2760 Riverwoods Road wanted to know if there is an additional cost for the additional recycling. Mr. Quigley stated there is no extra cost. The largest container available for recycling is 65 gallons. There is also no need to bundle. Residents are encouraged to put the container out only when it is full. Pres. Kaplan added this will help to avoid animals getting into the garbage.

IX. Zoning Board of Appeal

Not present

X. Plan Commission Report

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Linda Dunn told the board the Plan Commission met on February 3<sup>rd</sup>. The representative for Riverwood Estates did not show up for the meeting. There will be a Public Hearing in March on the hotel property.

XI. Police Report

Chief Weinstein told the board there were 145 traffic citations written since the last meeting. There were 63 case reports and 31 traffic accidents written in 2005.

XII. Village Attorney's Report

Atty. Siegel stated that the Lake County State's Attorney is working on the Didier case. It will probably be continued until April.

Atty. Siegel told the board that he has been authorized to appeal with regard to the wireless class action lawsuit. The only judgment made so far is on Prime Co. Pres. Kaplan stated that based on the suit the Village of Riverwoods would owe \$1,843. Atty. Siegel explained that he has advised everyone not to pay anything. There is a good chance the judgment will be overturned. The big issue for now is the land lines. On February 23<sup>rd</sup> there will be a status report on Prime Co. The final judgment is expected March 9<sup>th</sup>. Atty. Siegel stated everyone wants to settle, but it is hard to settle class action suits. His advice for now is to not pay anything.

Atty. Huvad told the board that some residents on Woodland Lane have asked for the Village policy on the placement of stop signs. Woodland Lane is a private street. The location they have asked about is not a usual place for a stop sign. He explained that Chief Weinstein feels it is a bad idea because they cannot enforce the use of the sign. Chief Weinstein is concerned about opening up a new issue or the residents wanting speed bumps. Atty. Huvad questioned our specific policy. Chief Weinstein stated that he did not think stop signs should be up, if they are unenforceable. It is a liability issue also. Atty. Siegel explained that stop signs do not automatically solve problems. They can cause more problems. Chief Weinstein added that Gewalt Hamilton did a speed study for the Village. That area was not a problem.

Atty. Huvad asked the trustees to look at the Affordable Housing Plan. The Plan Commission has signed off on it. Atty. Siegel stated it is due in April. Atty. Huvad pointed out that the plan is short and simple. We are working on the target number of new developments. 15% of new housing that was not there before the year 2000 would need to be "affordable." Tear downs would not be included. He explained that 10 units would probably be the goal. There are two sites listed as possibilities, both Villages owned properties. Atty. Siegel added that it should be noted in the plan that we do not agree with the constitutionality of the legislation.

XIII. Comments by the President

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None

XIV. Visitors Wishing to Address the Board

None

XV. Approval of Bills

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

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

XVI. Old Business

Pres. Kaplan asked how the Good Neighbor Project with Orphans of the Storm is coming. Atty. Huvard explained that we are getting other information to Orphans for them to work out. Trustee Svatik stated they changed their entrances recently. The main entrance is now on Saunders. He explained that it is the entrance to his community, and it looks bad. The newspapers are everywhere. Trustee Haber stated they should have a collection receptacle for the newspapers that residents drop off. Pres. Kaplan told the board we will talk to them about cleaning up and using newspaper containers.

Pres. Kaplan told the board we have waited very patiently for information on the tree house. They do not seem interested. They are going to put one up in Barrington. Pres. Kaplan stated he is going to take it off the agenda because we have not gotten a response. Carol Leiberman of 406 Greenbriar told the board she was appalled when she heard where the tree house was supposed to be going in. She wanted to remind everyone that it would be adjacent to residential property. It would impact residents. All of the other tree houses are located in camps and parks. She stated she did not feel it was an appropriate location. Trustee Svatik added that we did not have a final plan, but we would have listened to the residents if we moved forward with the plan.

Trustee Haber moved to take the multi use path discussion off the table. Trustee Masterson seconded. Pres. Kaplan told the board we need to have more discussion on this issue. There will be no vote tonight because of the trustees missing, and we have not received money from Morgan Stanley yet. Trustee Haber pointed out that the board was very close to a vote at the last meeting when other trustees were absent. Motion was carried by voice vote. Trustee Svatik voted “nay,” so Pres. Kaplan vote was counted and he voted “aye.”

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Pres. Kaplan told the board he received a letter from a resident asking the board to consider a 5 foot path over an 8 foot path. The resident explained that he lost land in the 70's when the County encroached on his property. The resident had suggested that he would help with the cost of putting in a new culvert. When it was estimated that it would cost \$53K to put in the culvert, the resident explained that he is more than willing to pay. Pres. Kaplan suggested that the Village pay to move the resident's fence and redo the planting with a path of either size.

Trustee Haber stated that since the last meeting the only additional information is that the path should clearly be 8 feet. From a safety standpoint, anything less would be a disservice to the residents and a liability for this type of use. Urban Forest Management has reported that an extensive portion of the greenery lost would be buckthorn. Pres. Kaplan added that 320 inches of protected trees would also be lost. Trustee Norris stated that the report reads that is the total number, not an additional 320 inches. Trustee Haber explained that the safety of person is more important than the safety of a tree. We have not done this in a long time. It is a good decision to do it, but he did not want to start with a big mistake of a five foot path. Trustee Svatik questioned how long it has taken to get this far. We can finish a five foot path from Riverwoods Road to Saunders Road. Trustee Haber explained that he is proposing they spend Village funds to put in an eight foot path. The only impediment is the trees. Trees can be replanted. Our job is to look at the long term. We have a better chance to get funding with an eight foot path. Pres. Kaplan explained that the consultants do not have a choice of recommendations. It is our dream to get bike lanes when the road is redone in the next 10 years. Once we put the path in, we will not be looking for additional funding. The path is adequate for kids. Pres. Kaplan stated he did not want to see the trees have to come down. He added he did not want to vote on this issue tonight. There are trustees missing, and we do not have the money from Morgan Stanley yet.

Trustee Norris stated he wants a clarification from Urban Forest Management as to the number of trees that would have to be removed. He added after receiving the information from the Village Engineer, he has changed his position to want an eight foot path. Trustee Masterson questioned why the engineers have to recommend an eight foot path. Pat Glenn explained it is part of the design guidelines from Ashto. They actually recommend a 10 foot path that can go down to 8 foot in certain instances. They have made their recommendations based on accident situations and other evidence. Pat stated that he is not compelled to recommend the 8 foot path. He is just taking the information from the Ashto guidelines. He added that the DNR will not fund a path that is less than 8 feet. The path can be done with MFT funds, but he was not sure how they would feel about a 5 foot path. Trustee Haber asked Pat to find out.

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Joan Becker of 2750 Edgewood Lane told the board the path will join up with the existing one that is about 3 feet. Trustee Haber stated that path is wrong. We should not continue to do it wrong. When it matches up with Lincolnshire it should be 8 feet to match theirs. Ms. Becker asked what the major safety issue is. Pat explained that a bike needs four feet of space for movement. Passing is the issue. Trustee Norris stated he feels compelled to follow the empirical data. Trustee Haber explained that we relied on the consultants for the Woodland Protection Ordinance. This is the same situation. Ms. Lieberman stated that it sounds like there is not a lot of information out there. The guidelines are based on an average community. This is not the case of one size fits all. Pat clarified that Ashto covers a lot of different situations. Their guidelines are applicable to our situation. Pres. Kaplan stated we will keep this on the agenda and get answers. Hopefully we will have all of the trustees here for the discussion.

Trustee Svatik told Pat that he would be overseeing the building of the path. He questioned if it is legal for Pat to do this. Pat explained that he can design the path of any width. Ultimately this is a board decision. Atty. Huvard stated the question will be the designation of a bike path or a multi use path. He questioned if it would help to know when we might get bike lanes on Riverwoods Road. He also questioned if with an eight foot path, we run out of room for bike lanes on the road. Pat stated "no." Atty. Huvard explained that the report states that in any situation our proposed path is less than ideal. Education and markings are very important. Pres. Kaplan stated that sight lines are an issue. Trustee Haber reported that we should control the things we can control. We have a commitment to make sure the vote involves the whole board. Trustee Haber moved to table the discussion. Trustee Svatik seconded. Motion was carried by voice vote.

Pres. Kaplan brought up the subject of the aerial photos. Pat explained that he wants a current aerial photo of the Village as a baseline for the Woodland Protection Ordinance. He added that he uses the photo a lot. He reported that he has asked for a quote from the GIS Consortium to help defray the costs. He also got a quote from Sidwell. As it turned out they were both around \$14K. Pat stated that the photo is not the final word. The photo helps to point out large scale woodlands. He suggested that the Village consider establishing a two year program for aerial photos. Trustee Masterson asked if there were any privacy concerns. Pat stated that it is possible to get resolution this good on a web site. Trustee Masterson questioned, if it is available on the web, why we are doing this again. Pat explained that it would be a good baseline for the Woodland Protection Ordinance. We will be able to get a higher resolution. Trustee Haber moved to approve the quote for \$13,715 for an aerial photo of the Village done by Sidwell. Trustee Norris seconded. Pat stated it would be done at the end of March or the beginning of April. Trustee Haber added it does make sense to do this for a baseline.

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

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Absent: Graditor, Tully  
Motion carried 4-0

Pres. Kaplan told the board the next four ordinances on the agenda need to be deferred.

Pres. Kaplan brought up the subject of the Lake County Public Works FY2004 manhole rehab payment. Pat explained that this was approved in August of 2004. Lake County has now submitted the bills. The board agreed to pay up to \$40K. Pres. Kaplan stated the bill was approved in the bills tonight. Pat reported this was a shared cost between the LCPW Department and the Village of Riverwoods. They rehabbed manhole covers to reduce the amount of rain water in the sewers. It was a good deal for the Village.

XVII. New Business

Pres. Kaplan brought up the request for a contribution to Daniel Wright Jr. High for their Graduation Dance. Trustee Haber asked if we have any residents who go to the school. Jaye Brodsky stated there are some. Pres. Kaplan stated we can give them something. Trustee Haber moved to approve a contribution of \$250 to the Graduation Dance at Daniel Wright Jr. High School. Trustee Masterson seconded.

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

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

The meeting adjourned at 9:45PM.

Respectfully Submitted,

Debbie Limer

Village of Riverwoods  
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In Attendance:

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

Absent:

Bruce Masterson  
Paul Tully

Minutes taken by Debbie Limer

The Public Hearing was called to order at 8:00 PM.

IV. Approval of Minutes

Board of Trustees Meeting – January 18, 2005

Trustee Svatik moved to approve the minutes. Trustee Graditor seconded the motion. Clerk Stanger stated that the notation on the cover sheet of the first reading of the Ordinance Prohibiting Domestic Animals Running at Large and Regulating Dangerous or Diseased Animals was forgotten. Trustee Svatik pointed out on page four, first line of the third paragraph, Chief Weinstein's name should be added to the list of people attending the Lincolnshire/Riverwoods Fire Protection District Board Meeting. On page seven, seventh line of the second paragraph, "resulting in a net break even" should be added after "spun off." Atty. Siegel stated on page three, under Village Attorney's Report, "Judge" should be added after "Cook County." Trustee Graditor added on page two, last line under the Plan Commission Report, "existing needs" should be changed to "municipal uses." On page eight, first paragraph, "in heat" should be added after "female dog." Motion was carried by voice vote.

V. Consultants

Gewalt Hamilton  
Nothing

Director of Community Services

Russ Kraly told the board he was glad to be back. He stated that he contacted SWALCO about a village wide contract for waste disposal. Mr. Quigley at SWALCO has been very helpful. It looks like the Village may see a reduction of 1/3 to \_ in the cost of waste disposal with a village wide contract. Russ stated should have all the numbers ready for the next meeting. Trustee Norris reported that with the phone calls that have been made we have gotten Waste Management's attention. They realize they have been charging us too much.

Russ explained that he is working on new building procedures and guidelines. It will tighten up the rules and regulations. He will circulate the report for board input.

#### Village Attorney

Atty. Siegel told the board he is working on the Didier case.

Atty. Huvad stated he is looking for comments back from the board on the Affordable Housing Draft. He is putting together exhibits for follow up on the draft.

#### Urban Forest Management

Nothing

#### Plan Commission Report

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

#### Zoning Board of Appeals

Not present

#### VI. Police Report

Chief Weinstein reported that 113 traffic citations have been given out since the last meeting. There have been 47 case reports and 28 traffic accidents written since the beginning of the year.

#### VII. Comments by the President

Pres. Kaplan questioned if we had received easements from Orphans of the Storm yet. Pat stated he did not know if there was a response yet on the 10 foot easement we requested.

Pres. Kaplan told the board he has received a letter from Pat Quinn relating to Biodiversity. He commented that the letter is very timely. He will send Pat Quinn a copy of the Tree Preservation Ordinance, if it passes tonight.

Pres. Kaplan stated we received a color copy of the proposed Tree House. Trustee Svatik added he has called to follow up on the other materials. The materials are in the mail. Pres. Kaplan reported we will have to postpone this issue for now. He hopes it can be discussed at the next meeting. The website for this venture is [www.treehouses.org](http://www.treehouses.org). It is very interesting. Trustee Svatik added the design can be whatever we want it to be. They greatly vary in size.

VIII. Visitors Wishing to Address the Board

None

IX. Old Business

Pres. Kaplan brought of the subject of the Woodland Protection Ordinance. Hopefully this is the final ordinance. It has been changed and modified several times. He stated that we have two representatives from Urban Forest Management here tonight. They passed around the flag markers designating a woodland delineation. Atty. Siegel explained that the changes in the ordinances are in the set up; the substance is the same. Pres. Kaplan asked if anyone had any comments or questions. Trustee Norris commented that it has been published in several sources of the possibility of the passage of this ordinance tonight. Atty. Siegel added that this has not been a rushed issue. Pres. Kaplan reported this ordinance has been discussed and debated longer than any ordinance he can remember in his 10 years on the Board. A lot of thought has been put into it. It still may need some revisions. Trustee Svatik commented that it is as good as we can make it, but he is open for more improvements as they come up. Trustee Graditor added that this ordinance has had more open public discussion than any other ordinance. Trustee Norris reported that we have received a great deal of information from experts in the field.

Trustee Haber wanted to know if a resident could ask for a woodland delineation without a permit application. He questioned if there would be a charge. Pres. Kaplan stated we can encourage that. Atty. Huvard explained that we went with the Forester's suggestion for the ordinance. He was sure that the Forester would do it, if it was requested. Pres. Kaplan added that he could not imagine why a resident would want the delineation before applying for a permit. Trustee Norris suggested that the board go forward and consider Trustee Haber's suggestion in the landscape planning ordinance. Linda Dunn asked if aerial photos will be done in winter and summer. Pres. Kaplan commented that the problem with aerial photos is that buckthorn looks like woodlands. Pat added that aerial photos are not conclusive. He is proposing later in the meeting another set of aerial photos. Those photos cost \$13K to \$15K. To do them in winter and summer gets costly.

Trustee Norris moved to have a second reading and adoption of an Ordinance Regulating the Removal of Protected Woodland in the Village of Riverwoods. Trustee Graditor

seconded. Trustee Haber reported that he was the only one who had a problem with this ordinance. He has turned the corner. He explained that he now feels more comfortable with it. He still has some trepidation, but he believes the goal of protecting the woodlands is greater than the singular right. He will vote in favor of the ordinance

Roll Call Vote - Ayes: Graditor, Haber, Norris, Svatik,  
Nays: None  
Absent: Masterson, Tully  
Motion carried – 4– 0 Ordinance 05-2-2

Some members of the audience clapped after passage of the ordinance.

Pres. Kaplan brought up the multi use path. There was a request to determine the costs of a five foot path versus an eight foot path. An eight foot path will cost \$442,866 including engineering fees. A five foot path will cost \$261,000.00. There is a difference of \$181,866.00 with more trees coming down. He added we would need to put in a retaining wall and move utilities with an eight foot path. Pres. Kaplan stated that Trustee Haber wanted to see the difference because the consultant recommended the eight foot path. He explained that Cheryl Chamberlain has commented that the consultant is required to suggest an eight foot path. Pres. Kaplan reported that he would like to see a five foot path because we hope to get bike lanes eventually. Trustee Norris stated we can build more paths in other places with the funds we are not using. We will also be saving trees on that stretch. Trustee Graditor reported that a five foot path through the trees is better than an eight foot path without trees. Trustee Svatik asked Trustee Haber for clarification. In the past Trustee Haber has commented that bikers do not use paths. A five foot path would be good for kids. A representative of Urban Forest Management stated that Chuck Stewart reported 29 trees six inches in diameter or larger would have to be removed for a five foot path. For an eight foot path 58 trees with a diameter of six inches or larger would have to be removed. 200 plus trees with a diameter of two inches or more would have to be removed for an eight foot path. He did not have the numbers on the smaller trees for a five foot path.

Trustee Haber asked why the cost of tree removal from a five foot path to an eight foot path did not double. The number of trees doubles. Pat explained that the first estimate of tree removal was just an estimate. The second number is a refined number. Trustee Haber asked about the retaining wall. Pat stated that we run out of space. He reminded the board that when we were looking at DNR grants, we were looking at 50% matching. With an eight foot path, they would have paid for half of it. He explained that we are in the same position now with a five foot path. Trustee Haber asked about future grants for an eight foot path. Pat explained that the DNR will not consider a five foot path. They like to see connections made to existing paths. Atty. Huvad told the board we do not want to count on the money from Morgan Stanley just yet. He is waiting for one person to be back in the office. He added there may be a fence issue on their property. Atty. Huvad explained

that we have suggested to them if we do a path on their property, we will move the fence at that time. Atty. Huvard stated that the issue is still under discussion at Morgan Stanley. We may have to deal with the fence issue earlier. The fence currently goes between their property and the out lot. We have told them in the past we would move the fence when putting in the path. Pres. Kaplan stated we can move the fence now, if necessary. Pat added the cost would probably be about \$10K. Trustee Graditor moved to approve a five foot path for Riverwoods Road subject to receiving funds from the RRA and Morgan Stanley. Trustee Svatik seconded.

Jaye Brodsky told the board the RRA has about \$98K to contribute. Trustee Haber stated that he thought the board was making a mistake, though a five foot path is better than nothing. We should do it right the first time. The only reason we are not considering an eight foot path is because of the trees. The trees can be replanted. Trustee Haber stated that he is looking at a longer term view of the Village. We hired a consultant. Now we are disregarding everything that he said. That is inappropriate. He added we can take more steps to make it look good. We should spend the extra money. It is a safety issue. We have been told it is a safety issue. Trustee Haber stated he is a lover of trees, but he is also a lover of public safety. We have had to cut down trees along the Deerfield Road path because of safety. Trustee Haber stated Trustee Masterson is not present tonight to help with this view; Trustee Masterson agrees that the path should be eight feet wide. He told the board he hopes they will reconsider. Pres. Kaplan added that Trustee Tully is in favor of a five foot path. He added that he agrees with what Trustee Haber said, but he thinks there will be more children using the path. We have not discussed the impact the path will have for the residents on the street. If we want to cut down more trees, it will be harder for the residents to accept the project. Trustee Haber stated we have not heard from the residents on the issue of a five foot path versus an eight foot path. Trustee Svatik reported that he has received phone calls. The residents are concerned about an eight foot path. Trustee Haber stated we were willing to put in an eight foot path when the State was paying for it. Pres. Kaplan reiterated that there is a major difference in cost.

Trustee Graditor added that an eight foot path encourages kids to ride fast. A five foot path will require kids to go slower and ride around the trees. She told the board she is very concerned about an eight foot path. The consultant did not feel that an eight foot path was optimal. The consultant wanted to see bike lanes added to the street. Trustee Svatik told Trustee Haber that he made excellent points, but bikers do not use paths. He questioned if bikers are going to use the path at five feet or eight feet. He wanted to know the difference between a five foot path to an eight foot path. Trustee Haber stated we have been told by the consultant that a five foot path is not safe. It is going to be used by kids, moms with strollers, dog walkers, and skaters. They are all going to be crammed in. It is not enough space. Trustee Haber added he would hate to see an accident. The Village can afford to put in an eight foot path. Trustee Norris asked if Trustees Masterson and

Tully will be at the next meeting. Pres. Kaplan stated he did not know for sure, but it is doubtful. They both have scheduling conflicts.

Pat told the board the recommendation of an eight foot path comes from Ashto. They are the only design guideline for bicycle facilities. He could take all of the pertinent information from Ashto and email it to the trustees. Ashto does address the shared use path. Trustee Norris questioned what the information that Pat had recommends. Pat stated the information he has recommends a 10 foot path. A five foot path is not even considered. Trustee Svatik stated that with all the shared uses that are being considered on this path it is the same as a city sidewalk. Trustee Haber pointed out that it is illegal to ride a bike on a sidewalk in the city of Chicago. Trustee Norris stated we should use engineering standards. They are there for a reason. Atty. Huvad brought up another issue from the consultants. The issue is driveway crossings and visibility. The consultant's first preference is bike lanes to deal with the issue. He added that the driveway crossings worry him and need to be considered.

Cheryl Chamberlain of 2760 Riverwoods Road told the board she went over the minutes of the Bike Path Committee. Originally they wanted a five foot path because it would match the Bannockburn path. They knew there was safety issues with that and asked Bannockburn why they went with a five foot path. They went with a narrower path because they did not want to cut down trees. The narrower path also slows down the traffic. The Bike Path Committee is not proposing a bike path for Riverwoods Road. They want a safety path. Ms. Chamberlain stated the consultant had to recommend an eight foot path in order for it to be considered a bike path. She explained that the real guiding issue in all of this is to get people off the road. She agrees that we need to do it right, but the traffic on the road has doubled in the last few years. She sees it from her house. This has been in the discussion stage for about three years now. The cost back then was \$161K. Ms. Chamberlain stated it keeps getting farther and farther out of reach

Jaye Brodsky of 1392 Kenilwood Court told the board she had a few comments. She is on the path every morning. She and her husband walk single file in Riverwoods. Once they get to Lincolnshire they are able to walk side by side. She questions the accidents on both paths over the years. People are aware of where they are. They know the limitations. She stated we need to teach the kids how to use the path. Ms. Brodsky stated it is all about education, experience, and common sense. Trustee Haber moved to table the discussion until the next meeting. Trustee Norris seconded. Motion was carried by voice vote.

Pres. Kaplan asked Atty. Huvad to keep working with Morgan Stanley to get amendment for the site plan taken care of.

Pres. Kaplan told the board the next four ordinances on the agenda will be continued until the next meeting.

X. New Business

Pres. Kaplan told the board that we have a contract for Commonwealth Edison tree trimming approved by the Village Attorney and the Forester. He wants to get it signed and sent. Trustee Svatik moved to approve the Commonwealth Edison Agreement for Tree Trimming in the Village. Trustee Graditor seconded. Motion was carried by voice vote.

Pres. Kaplan reported that we were ready for a second reading of the ordinance prohibiting domestic animals running at large. Trustee Graditor moved the have a second reading and adoption of an Ordinance Prohibiting Domestic Animals Running at Large and Regulating Dangerous or Diseased Animals. Trustee Haber seconded. Trustee Norris asked Atty. Huvard for a clarification. Atty. Huvard explained that the section on not being able to walk a female dog in heat has been removed.

Roll Call Vote -       Ayes:           Graditor, Haber, Norris, Svatik,  
                              Nays:           None  
                              Absent:        Masterson, Tully  
                              Motion carried – 4– 0        Ordinance 05-2-3

Pres. Kaplan brought up the subject of CCI. Trustee Norris told the board he had attended the meeting. The program has changed. It is much more about economic development now. The Steering Committee is being revised. We are bringing in the RRA. The projection is that the CCI will be picking three to four communities. The town of Sycamore was chosen two years ago. It looks great after all the changes that were made. Trustee Norris stated that we are going through the process. We hope to make it this year.

Pres. Kaplan brought up the subject of aerial photos. Pat stated that he is looking for more quotes for a spring 2005 aerial shoot. He is also looking into a color digital photo. That can be a useful guide as well. It is used for more than woodland preservation. He reported he wants to have the quotes available for the next meeting.

Pres. Kaplan reported to the board that Theatre in the Woods would like to use the Village Hall on Saturdays for children's parties. Trustee Norris asked if they would be charging for the party. Pres. Kaplan explained they are doing it as a break even venture. Trustee Norris stated we need to make sure that we are not going to incur any additional costs such as insurance. Pres. Kaplan indicated he would look into that. He added that we have let residents use the space before. Trustee Svatik stated we have been concerned about the lack of supervision in the past with things such as this. Pres. Kaplan stated he would check into that also.

Pres. Kaplan brought up the subject of the ambulance response. He stated that there is a representative from the Pioneer Press at this evening's meeting. Pres. Kaplan reported that he thought there would be a story on this situation. We have said that we would pay any excess cost for response to the Lincolnshire/Riverwoods Fire Department. Trustees Graditor and Haber indicated that they were fine with the agreement. Trustee Norris commented that he did not like feeling that we have been "held up," but we have no choice. Pres. Kaplan stated it is a stop gap. Trustee Haber moved to approve the agreement with the Lincolnshire/Riverwoods Fire Department Re: Ambulance Response. Trustee Norris seconded.

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

XI.   Standing Committee Reports

Trustee Graditor – Building/Zoning

Nothing

Trustee Masterson – Water/Police/Fire

Absent

Trustee Svatik – Finance/Soil & Water

Trustee Svatik told the board he is going through a review of the Appropriations Ordinance. It is ahead of schedule.

Trustee Haber – Legal/Sewer

Nothing

Trustee Tully – Road & Bike Paths/Forestry

Absent

Trustee Norris – Solid waste/Drainage/Storm water

Trustee Norris told the board that the Solid Waste Agency will be getting involved with Senator Link and Representative Ryg in regard to legislation for recycling waste. As it is set up now if Lake County goes over certain population numbers, recycling becomes a zoning issue. It will be advantageous when new legislation goes through.

Village of Riverwoods  
Board of Trustees Meeting  
February 1, 2005

**DRAFT**

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

The meeting adjourned at 9:20PM.

Respectfully Submitted,

Debbie Limer