

Village of Riverwoods
Board of Trustees
July 6, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Deputy Clerk/Director of Community Services
Rob Ugaste, Assistant Fire Chief

Call to Order: 8:00 PM

1. Approval of Minutes

Trustee Graditor made a motion to approve the minutes of the June 15, 2010 Board of Trustees meeting. Trustee Svatik seconded the motion. Trustees Svatik, Chamberlain and Koomjian made corrections to the minutes. The motion was approved unanimously, as amended.

2. Consultants

- Gewalt Hamilton

Village Engineer Pat Glenn stated that the Saunders Road resurfacing construction was complete. The contract was awarded at \$362,489.33. His estimate for the completed work, pending change orders under review by the State, is \$333,000. The Federal funding level is fixed at \$270,177, making the estimated Village share approximately \$63,000, to be paid from the Motor Fuel Tax fund.

Mr. Glenn noted the Village is awaiting return of approved contracts from IDOT regarding the 2010 MFT for Woodland Lane North and Calvin/Farner/Stenger. Work should commence in August pending resolution of the Operator's and Laborer's strike.

- Director of Community Service

Director of Community Services Russ Kraly presented the well water report. He noted the water levels were good, because of the rain. Mr. Kraly announced that the Wind Energy Task Force of

Lake County, which he was a member, received a national award from the National Association of Counties.

- Plan Commission

Mayor Kaplan stated the Plan Commission did not meet in July.

3. Police Report

Chief Dayno presented the police activity since the June 15, 2010 Board of Trustees meeting. There was one 911 hang up, 16 accidents, 31 alarms, 11 complaints about animals, 27 fire department assists, three other agency assists, three well being checks, five disturbances, one dispute, one domestic disturbance, four driving complaints, two DUIs, two finger printings, one harassment, three lockouts, 12 motorist assists, three parking complaints, six solicitor complaints, ten suspicious circumstances, one theft, 13 case reports and six crime prevention notices. There were 137 traffic stops with 94 citations issued to 81 people. There are currently four houses on the House Watch list that are checked regularly.

4. Fire Department Report

Assistant Chief Ugaste presented the call volume within the Village of Riverwoods for the month of June, 2010. There were five fire calls, four car accidents, 20 paramedic calls and seven other calls for a total of 36 calls in June and 200 calls year to date.

Assistant Chief Ugaste noted the Lincolnshire-Riverwoods Fire Protection District has been recommended to appear before the Commission on Fire Service Accreditation in Chicago this August. Approval by this Commission will finalize accredited status for LRFPD. The Fire Service Accreditation process is based on a grueling review of both documentation and exhibits that prove the organizations deserves a credible rating both as an emergency services provider and as a business. Included in the process is the creation of a Self Assessment Document which addresses ten categories containing 277 criteria. In addition, the LRFPD was required to create a Standard of Cover document that proves station location and staffing as appropriate. As part of this document, response objectives for different types of emergencies were identified and documented as being met at least 90 percent of the time. The most recent component of the process involved a five-day visit by a team of Accreditation Peer Assessors. The teams finding resulted in their recommendation for LRFPD to receive Accreditation Status. This is the culmination of a two-plus year project for Assistant Chief Ugaste as Accreditation Manager and his Accreditation Team. Currently there are only 135 fire service organizations worldwide who have achieved accreditation status. Locally, Highland Park, Wilmette, Glencoe, Naperville and Countryside are accredited and Lake Forest has also been approved to go before the Commission in August.

Assistant Chief Ugaste stated that Deputy Chief Eric Nolan would be retiring after 31.5 years of service. Lt. Tom Kruger will be promoted to Battalion Chief and Assistant Chief Ugaste will be promoted to Deputy Chief.

5. Old Business

- Motion for a 2nd Reading and Adoption of a proposed Ordinance Amending the Village Code to Prescribe Regulations concerning Fences.

Trustee Svatik moved for a Second Reading of the proposed ordinance. Trustee Graditor seconded the motion.

Mr. Huvard discussed the revisions he made to the proposed Ordinance. He presented two options on conditional permits.

Trustee Graditor expressed concern about the Ordinance when a homeowner makes modifications to their home. She would be more comfortable if the proposed Ordinance was changed so the Ordinance would be enforceable if a homeowner increases the footprint or square footage of the house by more than 50 percent, thereby destroying some of the natural environment.

Trustee Koomjian expressed concern about transitional fence permits. He stated that new construction has to conform to the Ordinance within 90 days.

Trustee Masterson believes the Ordinance focuses on the aesthetic part of deer fences because other fences can be any color but deer fences have color restrictions.

Trustee Chamberlain stated she was uncomfortable enacting an Ordinance without a specific purpose for the Ordinance. Mr. Huvard listed the purposes of the Ordinances.

Trustee Graditor explained that if the issue of deer fencing is addressed; all fencing in Riverwoods also needs to be addressed. She believes the issue is that there are Ordinances in regard to building, setbacks, height, etc, but the Village does not have an enforceable, comprehensive Ordinance regarding fences.

Trustee Chamberlain questioned the rationale for having variations within the different types of fences, considering the Village is looking at the Ordinance as a whole. Trustee Graditor noted that the only open fences that are not deer fences are bright orange, construction fences. Trustee Chamberlain asked about chain link fences. Trustee Graditor noted that eight foot high, chain link fences are not allowed in Riverwoods. Trustee Chamberlain believes that if the Village is looking at fences as a whole, they should treat them the same and be consistent. If certain fences can only be specific colors, all fences should have that restriction. Trustee Graditor explained that would restrict all fences over six feet high. Mayor Kaplan suggested removing the color restriction from the Ordinance.

Trustee Chamberlain believes that aesthetics already are legislated. Mayor Kaplan explained that Homeowners Associations can make those restrictions. Mr. Huvard explained the Village has not wanted to regulate the color of homes. Fences, however, can be on a lot line so it is not

uncommon to regulate the types and height of fences. The Plan Commission stated that fences on lot lines should not be solid or more than four feet high. The Board could choose to regulate color should they desire.

Trustee Koomjian does not believe a color restriction should be removed from the proposed Ordinance. He showed a picture of a galvanized chain link fence and an aesthetically pleasing fence from Botanic Gardens. He believes the Village should specify forest neutral colors for fences.

Trustee Chamberlain addressed deer browse. She believes more fences will be erected with the adoption of the Ordinance. She does not see the problem going away. If Riverwoods is going to be a community with fences, she thinks there should be some uniformity and adherence to the character of Riverwoods.

Trustee Haber believes half the Village has been left out of Village deliberations. He noted the only people surveyed by the Task Force live in South Riverwoods. The Ordinance, however, affects the entire Village. He has serious concerns about that and could not support the Ordinance because of it. Trustee Haber lives in North Riverwoods and believes his neighbors would be upset because they would be impacted by the Ordinance but did not have a voice in the Ordinance.

Trustee Haber questioned how many Villages have deer fence Ordinances. He believes the driving force is deer, not fences, but the Village is not addressing this driving force. There is an underlying deer issue. Trustee Haber is concerned that the Village is considering a Band-Aid and was not addressing the real issue.

Trustee Haber commented about the Ordinance itself. He questioned the stated purpose. He asked if Riverwoods was supposed to provide unrestricted passage to deer and other wildlife. Trustee Haber questioned the definition of an open fence. The proposed Ordinance defines an open fence as a fence where 70 percent is open and unobstructed to light. A solid fence has less than 70 percent open and unobstructed to light. That means that a fence with just a one percent variance or 69 percent open would not be allowed. Trustee Haber questioned why dog runs were required to have a top on them. He does not believe that makes sense. Trustee Haber questioned how glare is defined. He believes there should be a standard of glare.

Mayor Kaplan suggested the area from the river to Thorngate and Deerfield Road to the south should be surveyed because that is where 99 percent of the deer fences are located at this point. The entire Village could have been surveyed, but the problem does not seem to be prevalent in North Riverwoods. Mayor Kaplan believes the survey results would change if the entire Village were surveyed.

Trustee Haber asked how to deal with the underlying issue of deer. He believes the deer need to be dealt with before dealing with the symptom which is erecting fences. Mayor Kaplan explained this issue comes up frequently.

Trustee Koomjian suggested thinking outside the box. He volunteered to survey deer management practices in other communities. He questioned why the Village is not seeking out what others have done as well as scientific literature. Trustee Svatik questioned whether Trustee Koomjian could provide an objective view. Trustee Chamberlain stated the Village may come up with the same conclusion as the Task Force, but would also look at expert and anecdotal information.

Mr. Huvard explained that deer fences are typically eight feet in height. If the Village decided to look at all fences in the same way, that would mean that all fences, including deer fences could be up to six feet in height. He noted the original suggestion was to view deer fences differently, because most fences are not eight feet in height. He questioned whether the Village should regulate the height of fences. Mayor Kaplan stated if all fences were considered the same, a deer fence would just be a six foot fence which is the state of the existing Ordinance.

Trustee Haber believes the entire Village should be brought into the equation by surveying North Riverwoods. Mayor Kaplan explained they only considered areas where fences are allowed. Trustee Svatik does not believe Country Club Estates should be excluded. Trustee Haber believes it is a Village-wide issue because many residents in North Riverwoods have problems with deer. He believes there are other options to consider. Trustee Svatik would not want to send out the same survey to residents in North Riverwoods.

Trustee Chamberlain asked how the Plan Commission Public Hearings were publicized. Mr. Huvard explained they were on the Agenda and Meeting Schedule as well as the newsletter.

Trustee Koomjian is not optimistic about finding an easy solution to the issue. He believes serious, neutral investigation is warranted. Trustee Chamberlain believes it is the Board's duty to uncover the information, discuss it and come up with a conclusion. Trustee Graditor would not object to a neutral investigation.

Trustee Haber noted there are some Board members that would not consider culling deer for moral reasons. The Village could be full of deer fences with corridors and there would still be people that would never cull the deer. Trustee Haber believes some Board members may have a moral objection versus what they really believe is appropriate. Trustee Graditor stated she would not support culling deer; however, there is documentation showing the destruction of habitat is a broader issue than just deer.

Trustee Svatik explained the wildlife people declared the Riverwoods deer herd to be the same deer herd as Ryerson. He does not know if deer understand the borders of Riverwoods and Ryerson Woods. Ryerson made a count and the Village participated in a count. The State has declared the "carrying capacity" per square mile. Both Lincolnshire and Ryerson cull deer. If they are culling deer and the deer are part of the same herd, why does Riverwoods need to cull deer as well? He believes it is a practical issue rather than a moral issue. Trustee Svatik stated that if you move next to a forest preserve and there are deer crossing signs, don't be surprised in there are deer in your backyard.

Trustee Haber explained he knew there were deer when he moved into Riverwoods 24 years ago. At that time, the Village was magnificent but he does not believe it is that way anymore. He believes residents have the right to restore the habitat. Trustee Haber noted that there are some problems with the habitat but the deer are also a major factor.

Trustee Haber made a motion to include Option A with the aforementioned modifications in the Ordinance. Trustee Svatik seconded the motion.

Trustee Koomjian noted that Option A states as soon as a property changes hands, the fence is immediately non-conforming and the owner is in violation. Mr. Huvard explained the new property owner would have 90 days to bring the fence into compliance.

The motion passed by the following vote:

AYES: Graditor, Haber, Svatik, Kaplan (4)

NAYS: Chamberlain, Masterson, Koomjian (3)

Morten Rutstein, 480 Juneberry Road does not believe the real issue is being addressed. Home sales have dropped nearly 80 percent from the height of sales. Home prices are 35 to 50 percent less than the high in Riverwoods. Going forward with this proposed ordinance would put another obstacle in the way. Potential buyers would have to be informed about the fence ordinance. Mr. Rutstein asked whether the real issue was being addressed. He asked the Board to do things to encourage home sales without encumbering new owners with additional regulations.

Doug Bank, 1385 Kennilwood Lane, believes people complaining about the height of deer fences are making excuses. He believes those are the same people complaining about fences. There have always been trillium in Riverwoods, but there are other elements like buckthorn and garlic mustard that are encumbering the trillium.

Irene Gagerman, 3000 Orange Brace Road, asked about cages. Mayor Kaplan explained the Board was trying to make cages as attainable as possible. Ms. Gagerman noted she would have to remove her cages eventually. Mayor Kaplan explained they would need to be removed once the planting is ten feet or higher. Ms. Gagerman explained she decided to cage because her husband and neighbor did not want fencing. She stated there is a big difference between fenced and non-fenced properties and something should be done. Ms. Gagerman does not believe fences should be torn down when properties are sold.

Betty Dlouhy, 1255 Studio Lane, explained a ten foot crown does not deter deer from ruining the bark. The deer will still come and rub their antlers on the bark. Ms. Dlouhy does not believe there should be a height limitation for cages. Trustee Graditor suggested dropping the cage restrictions as long as they are necessary to maintain the health of plantings.

Trustee Koomjian made a motion to amend the Ordinance to read woven wire cages are allowed in any yard, solely for the purposes of protecting plantings. Trustee Svatik seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

Carol Lieberman, 406 Greenbriar, believes some Trustees understand there are problems with this ordinance that make it unwise to pass. She is neutral on this. She does not like having her plantings destroyed but also does not like fences. She believes the Ordinance would increase the number of fences instead of addressing the problem.

Trustee Haber made a motion for a Second Reading and Adoption of the Ordinance as modified. Trustee Chamberlain seconded the motion. Mr. Huvad listed the modifications. The motion failed of passage by the following vote:

AYES: Graditor, Svatik (2)

NAYS: Chamberlain, Haber, Koomjian, Masterson (4)

Mayor Kaplan then asked the Trustees to send him emails before the next meeting on how they believe the issues discussed could be resolved.

6. New Business

- New Traffic Sign for Police Department

Chief Dayno reminded the Board that the old trailer was totaled by a drunk driver. The Police Department received a check from the insurance company in the amount of \$12,550. Chief Dayno researched other options and suggested purchasing a radar speed sign that is portable and could be installed on trees. The cost of two signs would be no more than \$12,000.

Trustee Graditor noted that some streets only have enough room for speed limit signs at the beginning or end of the street. Chief Dayno explained the signs could be put up on a post in those situations. He noted some of the signs would also require tree trimming.

Trustee Haber made a motion to purchase two radar speed signs in an amount not to exceed \$12,000. Trustee Chamberlain seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

7. Standing Committee Reports

-Building and Zoning – Trustee Graditor presented the building department report. From June 1, 2009 to June 30, 2009, the total construction value was \$259,800 generating fees of \$3,202. The construction included one single family home addition and some miscellaneous construction. From June 1, 2010 to June 30, 2010, the total construction value was \$427,500 generating fees of

\$7,524. The total construction value from January thru June 2009 was \$2,640,624 generating fees of \$30,165. The total construction value from January thru June 2010 was \$1,089,376 generating fees of \$17,432.

Trustee Graditor noted that one new construction resulted in the removal of 51 trees, including 15 oak trees and 14 hawthorns. Of those trees, 16 were dead and nine were in poor condition. There are 15 new trees to be planted, including five swamp white oak trees, five ironwood trees and five hackberry trees. The mitigation fees are \$14,466.

-Finance/Soil & Water Conservation – Trustee Svatik explained that 2009 financial statements are in the final stages. He noted there would be a DBR Chamber meeting tomorrow.

-Roads/Bike Path/Parks and Forestry/NSSRA – Trustee Chamberlain met with Chuck Stewart about changes to forestry and is awaiting a report.

-Solid Waste Management/Drainage/Storm Water – Trustee Koomjian presented a SWALCO report. The Village received \$777 for fourth quarter recyclables at a rate of \$5 per ton and will receive \$1,024 for the first quarter of 2010 at a rate of \$10 per ton. He noted the volume of recycled materials is diminishing. Trustee Koomjian noted the intergovernmental agreement with SWALCO has been approved by the member communities. The 2009 SWALCO Plan Update was modified to delete investigation of mass burn incineration and alternative technologies based on thermal or chemical conversion as disposal options. It still includes investigation of anaerobic digestion. The Plan includes the creation of a Lake County Recycling Task Force to evaluate feasible options for achieving a 60 percent diversion rate in Lake County by 2020. He noted the current diversion rate is 38 percent. The Task Force is composed of 27 representatives of Lake County, SWALCO, SWALCO Citizens Advisory Committee, employees of private companies and private citizens. The final report will be sent to SWALCO members for approval and will be forwarded to the Lake County Board by March 1, 2011.

8. Adjournment

There being no further business or discussion, Trustee Haber made a motion to adjourn the meeting. Trustee Masterson seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:05 PM.

Respectfully submitted,

Jeri Cotton, Transcriber

Village of Riverwoods
Board of Trustees
June 15, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber (arrived 8:15 pm)
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Hal Roseth, Village Treasurer
Jack Siegel, Village Attorney
Rob Ugaste, Assistant Fire Chief

Call to Order: 8:00 PM

1. Approval of Minutes

Trustee Svatik made a motion to approve the minutes from the June 1, 2010 Board of Trustees meeting. Trustee Graditor seconded the motion. Trustees Svatik, Graditor and Chamberlain made brief additions to the minutes. The motion passed unanimously.

2. Treasurer's Report

Village Treasurer Hal Roseth addressed the safety of the HSBC investment, stating it is a CD with an up-side potential of 8-10% and a down-side potential of zero, but it is fully FDIC insured. He then asked if the Village would want to risk having a zero percent return. Mayor Kaplan noted that Wachovia is yielding three to four percent. Mr. Roseth explained that the Village has \$250,000 in the HSBC investment, and if the Village invested more, it would not be FDIC insured. Trustee Koomjian suggested opening a second account. Mr. Roseth will check into that possibility. Mayor Kaplan stated that the consensus of the Board is to continue with that investment, in the amount of \$250,000, and also to roll over the 2 year CD at the North Side Bank at the rate of 1.8%.

Mr. Roseth also explained the rate of return on the IPTIP funds is about \$11,000 annually. Also, that the CDARS program will expire at the end of this year and the Village should not stay in that program because of changes to the program. Mr. Roseth also stated that he thinks it is too early to put out feelers on replacing the CDARS program because the rates or proposals would at this time be speculations.

Mr. Roseth then summarized the current investment and account balances. Total Village assets at the end of May, 2010 were \$14.6 million, of which \$12.1 million were non-SSA assets, and therefore liquid.

3. Police Report

Chief Dayno presented the Police Department activity for the month of May, 2010. There were three 911 hang ups, 13 accidents, 14 alarms, five complaints about animals, 15 fire department assists, four other agency assists, three well being checks, one child safety seat installation, three disturbances, one complaint about driving, one DUI, one fraudulent activity, two lockouts, 11 motorist assists, three parking complaints, three public assists, two solicitor complaints, 14 suspicious circumstances, seven case reports and eight crime prevention notices. There were 73 traffic stops with 68 citations issued to 52 people. There are currently seven houses on the House Watch list that are checked regularly. Chief Dayno noted the DUI arrest was the result of an accident.

Chief Dayno updated the Board on the traffic trailer that was destroyed by a drunk driver. The Village's insurance agent negotiated a \$12,500 settlement, which is the replacement cost. Chief Dayno is considering a replacement trailer with additional features and would present a report at the next meeting.

Chief Dayno presented a progress report on the proposed police station. He provided a preliminary drawing of the proposed new building and discussed the layout. Trustee Masterson questioned why the building would be built on a slab. Mr. Kraly explained that the soil conditions were not favorable for a basement. Trustee Svatik was under the impression that the reason they were not digging a basement was cost. Mr. Kraly explained that building a second floor would be a better option because it will not be musty and would not flood. Chief Dayno explained that he did not need a basement and the second floor would allow for future expansion.

Chief Dayno presented the site plans. He mentioned they have three potential elevations with good, better, best options. Chief Dayno noted the "A" elevation closely matches the fire station. Mr. Kraly believes that the "B" option would look very similar as well. Trustee Chamberlain believes the public entrance should look good. Mayor Kaplan stated the Village would get three bids.

4. Fire Department Report

Assistant Chief Ugaste presented the call volume within the Village of Riverwoods through June 15, 2010. He stated there were four fire calls, two car accidents and ten paramedic calls for a

total of 16 calls and 180 calls year to date. Assistant Chief Ugaste noted their call volume has picked up dramatically over the past month and are now getting about ten calls a day.

Assistant Chief Ugaste reminded the Trustees about the emergency exercise that will take place at Grainger in Mettawa on Saturday from 9:00 am to 1:00 pm.

5. Village Attorney Report

Mr. Huvard explained the County is reviewing the plans for The Mulch Center. He explained they believe The Mulch Center may be meeting all their requirements and may use Riverwoods as the governing body.

Mr. Huvard mentioned that the Village has received a draft of the 2009 audit. His goal is to have the audit filed with the State before the end of the month. He explained the basic trend was that the Village assets were up more than two percent. The revenues and expenditures were fairly stable. There were some variations with some of the revenues and expenses, but overall, there were no large shifts.

Trustee Svatik mentioned that the response rate on the 2000 Census was approximately 83 percent, and explained that if the response rate had been 100%, the Village would have received approximately another \$700,000 in revenue sharing **from the State** over the past ten years. Trustee Svatik therefore would like to encourage all residents to complete and return the census forms.

Mr. Huvard suggested using the community alert line to contact residents and encourage census participation.

6. Comments from the President

- Video Tape Issues

There was no video in the last Board of Trustees meeting because of a loose connection. Trustee Chamberlain suggested putting an explanation on the Village website explaining why the video was missing for the last two Board of Trustees meetings.

- Northbrook Water Comparison

Mayor Kaplan explained that Deerfield has raised its rate again, and that increases would continue to occur for the next years. Currently, the Village has saved more than \$480,000 through its purchase of Northbrook water.

7. Visitors wishing to address the Board

There were no visitors wishing to address the Board.

8. Approval of Bills

Trustee Graditor made a motion to approve the Bills. Trustee Masterson seconded the motion. The motion passed unanimously.

9. Old Business

- Motion for a 2nd Reading and Adoption of an Ordinance Amending the Village Code to Prescribe Regulations concerning Fences.

Mayor Kaplan explained there were four members of the Task Force present. Mayor Kaplan explained that the deer fence situation first arose some years ago, by residents interested in protecting their flower gardens. At that time, there were very few deer fences. As things evolved, the Village did not enforce its fence regulations and over the past six years residents have installed about 35 deer fences.

Mayor Kaplan praised the Task Force members for their comprehensive report.

Trustee Chamberlain asked whether the Task Force discussed whether deer browse should be addressed by the Village. Trustee Graditor explained that the Task Force was charged with coming up with recommendations with respect to an ordinance which would regulate deer fences. Trustee Chamberlain asked if other solutions were considered. She believes the Task Force seemed to assume that deer browse is an issue. Trustee Graditor explained that the Task Force was divided in the approach to deer browse. The Task Force members came from different points of view and worked together to come up with a solution. The Task Force did not discuss culling deer or deer browse, rather, they just dealt with the issue of how a Village ordinance could adequately address deer fencing; that was their charge.

Trustee Koomjian explained the Task Force sent out a questionnaire to the Trustees asking about their interests. He asked whether there was a clear voice stating the Task Force should only focus on one item.

Henry Hollander explained that the Task Force was asked to come up with recommendations on deer fencing for a proposed ordinance and that is what they did. Trustee Graditor added that the Trustees had a number of other feelings, but the purpose of the Task Force was to come up with a recommendation on deer fencing. Trustee Masterson asked about the purpose of the Trustees questionnaire. Trustee Graditor explained that the Task Force wanted to get an idea on what was important to the Trustees. Mr. Hollander explained the Task Force looked into why deer fencing is needed, but felt they needed to just consider their task.

Greg Mancuso explained the Task Force asked for a sense of direction and Mayor Kaplan suggested initially looking at fences and then approach other items as needed. He explained the

Trustee's responses to the questionnaire did not provide a consolidated focus; rather, there was a diversity of views.

Trustee Chamberlain asked how the survey questions and measurement choices were determined. Mr. Hollander explained that it became fairly clear that the questionnaire needed to give residents various choices. It was not a matter of whether or not there should be deer fences,

but rather how a proposed ordinance should be written. The Task Force wanted to make as many residents happy with the compromise as possible. Mr. Mancuso added that the Task Force wanted to make the questions as balanced and neutral as possible. Trustee Chamberlain confirmed that the questions were determined by the Task Force, without any outside assistance. Trustee Graditor added that the direction of the report seemed to be as close to a middle ground of the residents of south Riverwoods. The Task Force wanted to come up with a compromise that would best reflect the middle ground. Mr. Hollander noted all votes, except grandfathering, were unanimous.

Trustee Haber asked if, in effect, the survey drove the recommendations, which if accepted would affect the entire Village. Mayor Kaplan noted fences are not allowed in many areas of the Village. Trustee Graditor explained the Task Force was only trying to address the specific piece of the Ordinance that dealt with deer fences. Mr. Mancuso explained the Task Force also put in one bullet point regarding cages as well. Trustee Haber explained that with the abundance of deer fences in south Riverwoods and the lack of deer fences in north Riverwoods, more residents in north Riverwoods may be against having more deer fences. Therefore, he believes the survey may be a bit skewed. Mayor Kaplan noted there are only two or three deer fences north of Riverwoods Road. Trustee Haber stated that there may be residents in north Riverwoods who may feel the deer fences in south Riverwoods should come down. Mr. Hollander noted that the Task Force did not consider taking down deer fences. Trustee Chamberlain noted that the Task Force did a good job, considering its limited focus.

Mayor Kaplan mentioned that a flyer was distributed to residents in south Riverwoods, stating that the Village is afraid to deal with the deer themselves as an issue, and requested residents to ask the Village to work with the County on the deer issue. Mayor Kaplan explained the dilemma is how many deer would have to be culled in order to permit the removal of the deer fences without a return to an unacceptable amount of deer browse. A lot of people do not want to cull deer but want to protect their property. Trustee Haber asked whether the Village wants to expand the issue, or to bring up the question of how to deal with the deer population as a separate issue. Trustee Graditor explained that if the Village allows deer fencing, they are looking for an alternative to culling deer. If the Village is looking to cull deer, she would not be in favor of having deer fences in the Village. Trustee Haber explained he would not be comfortable if this issue precluded the Trustees from considering other alternatives. Trustee Chamberlain agreed. Trustee Svatik does not believe the deer counts justify culling. Mayor Kaplan explained that the counts are different based on what you are looking for. Trustee Svatik explained that Lincolnshire and Lake County cull deer based on the counts for the area. The State believes this is one herd, but the figures are not conclusive. Trustee Svatik explained that the residents that are bothered by the deer need to realize the deer were in Riverwoods first. Trustee Svatik thought the Village had already eliminated the thought of culling deer because the 2 helicopter counts this year didn't provide adequate numbers. He then stated his belief that the deer are the property of the State of Illinois. The Village is focusing on the results of surveys that were distributed in an area of the Village and the responses that came back from those areas. Trustee Svatik explained the Trustees represent the entire Village, not just part of Riverwoods. Trustee Koomjian noted that Ryerson Woods culls deer and Lincolnshire only culls in the north end of the Village. He explained that when Marty Jones came to the Village, he stated that one figure

he uses is the density measured by an aerial survey, which can be misleading. Mr. Jones stated the most accurate evidence to use is the testimony of the people in the area. If there are a number of deer fences in an area, there is obviously a problem. Trustee Graditor believes there is a middle ground.

Mr. Hollander believes the Board needs to decide whether it wants to manage the deer or have a fence Ordinance. Mayor Kaplan asked if residents would take down their deer fences if the Village culled the deer. Mr. Hollander explained his belief that if the deer are effectively managed, residents would remove their deer fences.

Mayor Kaplan suggested continuing further discussion until the next Board of Trustees meeting. There was no objection.

- Motion for a 2nd Reading and Adoption of an Ordinance Amending the Village Code concerning the Repair and Replacement of culverts.
Ordinance 10-6-15

Trustee Haber moved for the second reading and adoption of an ordinance amending the Riverwoods Village Code concerning the repair and replacement of culverts. Trustee Graditor seconded the motion. After discussion the motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

The Trustees received an email from Mr. Habernath regarding his flooding situation. Trustee Haber believes Mr. Habernath's issue was a sump pump failure rather than a culvert issue. Mr. Kraly believes the circuit breaker blew, because all three sump pumps that failed were on the same circuit. Trustee Chamberlain explained that Pat Glenn determined everything was done appropriately and it is a private issue. Mayor Kaplan will ask Mr. Glenn to respond to Mr. Habernath when he gets back in town. Trustee Koomjian suggested having Pat Walsh and Mr. Kraly speak with Mr. Habernath.

- For approval to change the provider of payroll services from ADP to Howard Simon & Associates.

Trustee Haber moved to change payroll services from ADP to Howard Simon & Associates. Trustee Graditor seconded the motion. After discussion the motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

- For approval of a proposed agreement with Midwest Meter, Inc. for the design and installation of the Badger Galaxy Fixed Network System produced by Badger Meter, Inc. for the purpose of reading water meters within the Village.

Trustee Haber moved to approve the contract with Midwest Meter, Inc. for the installation of a Galaxy meter reading system produced by Badger Meter, Inc. Trustee Graditor seconded the motion. After discussion the motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

10. New Business

- To approve a supplemental MFT Resolution to appropriate an additional sum of up to \$30,000 for the 2010 Roadway Maintenance project (patching and resurfacing Woodland Lane North, patching in the Calvin-Farner-Strenger area, and limited ditch and culvert work).
Resolution # R10-6-1

Mr. Huvard explained that authorization was sought to spend up to \$30,000 for the supplemental MFT resolution for the 2010 Roadway Maintenance project, as described. Trustee Haber moved to approve the supplemental MFT resolution. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

- Motion to waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance Establishing the General Prevailing Rate of Wages in the Village.
Ordinance # 10-6-16.

Trustee Chamberlain moved to waive the First Reading of the Ordinance. Trustee Graditor seconded the motion. The motion to waive the 1st reading carried unanimously on a voice vote.

Trustee Haber moved for second reading and adoption of the ordinance. Trustee Graditor seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

Board of Trustees Meeting

June 15, 2010

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11. Adjournment

There being no further business or discussion, Trustee Haber made a motion to adjourn the meeting. Trustee Chamberlain seconded the motion. The meeting was adjourned at 10:00 pm.

The next regular Board of Trustees meeting is scheduled for July 6, 2010 at 8:00 pm.

Respectfully submitted,

Jeri Cotton

Village of Riverwoods
Board of Trustees
June 1, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvard, Village Attorney
Jack Siegel, Village Attorney
Rob Ugaste, Assistant Fire Chief

Call to Order: 8:00 PM

1. Approval of Minutes

Trustee Masterson made a motion to approve the minutes from the May 18, 2010 Board of Trustees meeting. Trustee Chamberlain seconded the motion. The motion passed unanimously with Trustee Haber abstaining.

2. Consultants

- Gewalt Hamilton

Mr. Glenn explained that the re-surfacing work on Saunders Road has been started but delays are expected due to the anticipated inclement weather.

- Village Attorney

Mr. Huvard explained he needed to make some changes to the draft annexation agreement for the Mulch Center Special Use permit. The hours of operation as stated did not include Sunday hours which had originally been agreed to. Therefore, if the Board approved, he would correct the language in the Special Use Ordinance to include Sunday hours. Trustee Graditor

stated that she wanted to ensure that the hours of operation did not include grinder hours. She stated she would be opposed to operating the grinder on Sundays. Mr. Huvard assured the Board that on Sundays there would be no grinding at the Mulch Center.

- Plan Commission Report

Mayor Kaplan reported the Plan Commission would not meet on Thursday.

3. Police Report

Chief Dayno presented the Police Department activity since the May 18, 2010 Board of Trustee meeting. He stated there were 11 accidents, 21 alarms, 10 complaints about animals, 13 Fire Department assists, four other agency assists, one criminal damage to property, three disturbances, one domestic trouble, two driving complaints, one fingerprinting, one harassment by telephone, two lockouts, five motorist assists, three parking complaints, seven suspicious circumstances, 14 case reports and one crime prevention notice. There were 84 traffic stops with 75 citations issued to 58 people. There was one DUI arrest, one unlawful possession of cannabis, two minors under the influence of alcohol and one arrest for permitting minors to possess alcohol on premise. There is currently one house on the House Watch list that is checked regularly.

Chief Dayno reported that the department conducted alcohol compliance checks on May 20, 2010 and all of the businesses passed.

He discussed the University of Chicago Illinois Traffic Stop Study for 2009.

4. Fire Department Report

Assistant Chief Ugaste presented the call volume within the Village of Riverwoods through May 31, 2010. There were four fire calls, four car accidents, 29 paramedic calls and five other calls for 42 calls in May and 164 calls year to date.

The SWALCO event that is hosted every other Saturday morning is being extended until noon. The event is an opportunity for people to bring in their unwanted electronic items and other household waste for safe disposal.

5. Comments from the President

No video was made of the last Board of Trustees meeting because of a loose connection.

6. Old Business

- Motion for a 2nd Reading and Adoption of an Ordinance Amending the Village Code to Prescribe Regulations concerning Fences.

Mayor Kaplan suggested continuing further discussion on this agenda item until the next Board of Trustees meeting to allow the Trustees to review the surveys. Mayor Kaplan thanked the members of the Task Force for the great job they did.

- Motion for a 2nd Reading and Adoption of an Ordinance Amending the Village Code concerning the Repair and Replacement of culverts.

Mr. Huvard noted that he had sent out a redline copy of the proposed ordinance earlier today. He stated that Mr. Glenn explained that some of the culverts were the wrong size but others were deficient because of the slope or elevation at which they were installed. Therefore, some of the culverts could be repaired instead of replaced.

Trustee Chamberlain expressed concern because some residents live on County roads. Therefore, the County should take care of those roads. She questioned whether the Ordinance should reflect an exception so residents do not have to put out money and wait for the County to reimburse them. Mr. Glenn stated the County would replace the culvert if the deficiency was not caused by the resident. Mr. Huvard suggested a statement reflecting that the Village Code would not supersede the County. Trustee Chamberlain asked if the Village would fix a culvert that the County would not fix. Mayor Kaplan explained it would fix the culvert if the neighbors were also affected. Mayor Kaplan suggested looking at the County Ordinance to determine how to word the exception. Mr. Huvard agreed to do so.

Mayor Kaplan then suggested continuing further discussion on this agenda item until the next Board of Trustees meeting. There was no objection.

7. Visitors wishing to address the Board

Mike Corn, 3075 Blackthorn Road, expressed concern about the fence issues in the Village. He asks the Board to look at the entire Village of Riverwoods in regards to aesthetics, safety, animals and vegetation and look at what is good for the entire Village. Mr. Corn believes the Village Board has the responsibility of representing every resident in the Village and urged them to represent the entire Village, not just certain individuals and groups.

8. New Business

- For approval of a proposed agreement with Midwest Meter, Inc. for the design and installation of the Badger Galaxy Fixed Network System produced by Badger Meter, Inc. for the purpose of reading water meters within the Village.

Trustee Masterson stated his belief that it is important to look at the entire story. He is still not sure what the actual cost of the batteries will be. He also questioned the current cost of having the meters read by Swanson, and also believes the Village should get a better idea of the true costs before making a decision. Mayor Kaplan stated the batteries will no longer be made. Trustee Masterson requested the name of the battery, in order to investigate the exact

cost of a replacement battery. Trustee Koomjian stated that the batteries would not all fail at the same time, and the Village does have some time. Trustee Svatik questioned whether the current antenna tenants of the Ravinia Water Tower would need to give approval. Mr. Huvard explained that no approval is necessary other than to ensure that the signals are compatible and do not interfere with each other.

Trustee Koomjian commented there are no Badger meters in the southwest portion of the Village. He noted that the Trustees previously discussed installing meters in the worst possible locations as a test, which would be the southwest portion of the Village. Mr. Huvard stated that the Village proposed selecting 20 locations in which to install the meters. Trustee Koomjian stated there is a lot of work being done with remote reading. The 'smart grid' issue has been discussed for a number of years, and the National Institute for Standards and Technology has addressed this issue and has come up with a standard. They expect the initial guidelines to be completed by mid-year 2010. He suggested doing some research to ensure the new meters would not become obsolete in 20 years. Trustee Haber questioned how the replacement of the meters would be funded. Mayor Kaplan explained it would be funded through the water fund.

Trustee Svatik questioned using 1400 meters as a base when not all homes use meters. Mr. Huvard noted the Village was given a per meter cost for one year. Trustee Svatik does not believe 1400 meters should be used as a base number. Mr. Huvard explained 1400 is the potential maximum for calculating current costs.

Mayor Kaplan then suggested continuing further discussion on this agenda item until the next Board of Trustees meeting. There was no objection.

- For approval to change the provider of payroll services from ADP to Howard Simon & Associates.

Mayor Kaplan explained that ADP is charging \$3,810 per year while Howard Simon & Associates, a Riverwoods business, would charge \$2,400 per year. Trustee Haber noted his firm uses Howard Simon & Associates and he has found the firm to be very responsible.

Trustee Chamberlain believes the Village should check other companies as well. Mayor Kaplan noted the Village has received two other proposals from companies that were higher than Howard Simon & Associates. Trustee Haber asked if Howard Simon & Associates would do the quarterly reporting as well. Mayor Kaplan noted they would do the year-end W-2s as well.

Trustee Graditor stated her belief that the Village should make the change because it would save money and utilize a local company. Trustees Chamberlain and Svatik would like to review the proposal before voting on it. Mayor Kaplan stated he has the proposal and would make it available to the Trustees for their review. He then suggested continuing further discussion on this agenda item until the next Board of Trustees meeting. There was no objection.

- For approval of an amendment to the Adesta contract with respect to J.U.L.I.E. work done within the Village.

Mr. Glenn explained that Adesta is the firm that does the locating for J.U.L.I.E. The J.U.L.I.E. contract has been amended several times and now it is proposed to add 2.2 percent to the contract this year. There are not a lot of firms competing for this business. Mr. Glenn noted the extensions have typically been for one year, but this extension is only until the end of 2010 because J.U.L.I.E. is also making some changes. Mr. Glenn does not believe the adjustment is unreasonable. He stated they do a good job and the Village must participate.

Trustee Haber moved to approve the Adesta contract amendment. Trustee Graditor seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

- To authorize the award and execution of contracts with Schroeder Asphalt of Huntley, IL in the amount of \$128,855.80 for the 2010 Roadway Maintenance project (patching and resurfacing Woodland Lane North, patching in the Calvin-Farner-Strenger area, and limited ditch and culvert work).

Mr. Glenn stated that seven bids were opened on May 18, 2010 for patching and resurfacing of Woodland Lane North and patching in the Calvin-Farner-Strenger area and limited ditch and culvert work. The low bid came from Schroeder Asphalt in the amount of \$128,855.80 and would be paid for with MFT funds. He recommends awarding the contract.

Trustee Svatik moved to award the 2010 MFT Road Program to Schroeder Asphalt in an amount not to exceed \$128,855.80. Trustee Haber seconded the motion.

Trustee Haber asked why the Engineer's Estimate was so low. Mr. Glenn explained it is difficult to determine the costing process of asphalt because of the relatively small size of the project. Trustee Svatik noted that the Engineer's Estimate came within three percent of the Schroeder Asphalt bid.

The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

Mr. Glenn noted the Village was short on money for the resolution, because it only appropriated \$100,000 for the job, and now needs to appropriate more money to cover the cost. Mr. Glenn will not be at the next meeting, but asked that the resolution for the additional funds be dealt with at that meeting.

9. Standing Committee Reports

Trustee Graditor presented the Building Department report. She summarized that building activity is down 75 percent from last year and last year was down from the year before. Things are very slow.

She explained that during the month of May 2009, the total value of construction was \$271,446, which generated fees of \$3,320. There was some commercial renovation, one single family home remodeling job and some miscellaneous projects. In the month of May 2010, there were miscellaneous projects with a total construction value of \$94,000 generating fees of \$1,250.

The total construction value from January through May, 2009 was \$2,380,464, generating fees of \$26,964. The total construction value from January through May, 2010 was \$621,826, generating fees of \$9,908.

Trustee Svatik explained he was going over the preliminary copy of the 2009 annual report. He also noted that the senior group, lead by Howard Patterson, would hold a barbecue tomorrow at 1:00 pm.

Trustee Svatik invited all senior citizens in Lake County to the annual Lake County Senior outing at Independence Grove on June 9, 2010 from 9:00 am to noon.

Trustee Chamberlain stated that she is looking into the possibility of conserving the native plantings where Lake County is building the bicycle path. She noted that the Forest Preserve would also save/keep some of the seeds or plantings as well.

10. Adjournment

There being no further business or discussion, Trustee Graditor made a motion to adjourn the meeting. Trustee Masterson seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:55 pm. The next regularly scheduled Board of Trustees meeting will take place on June 15, 2010 at 8:00 pm.

Respectfully submitted,

Jeri Cotton

Village of Riverwoods
Board of Trustees
May 18, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Rich Koomjian
Bruce Masterson
William Svatik

Absent was:

Michael Haber

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Hal Roseth, Village Treasurer
Jack Siegel, Village Attorney

Call to Order: 8:00 PM

1. Approval of Minutes

Trustee Svatik made a motion to approve the minutes of the May 4, 2010 Public Hearing. Trustee Koomjian seconded the motion. The motion passed unanimously. Trustee Graditor abstained.

Trustee Masterson moved to approve the minutes from the May 4, 2010 Board of Trustees meeting. Trustee Svatik seconded the motion. Various corrections to the minutes were made by the Trustees, after which the minutes as corrected were unanimously approved, Trustee Graditor abstaining.

2. Treasurer's Report

Hal Roseth stated there was very little change in the Village's financial picture. The Village has \$11.9 million in the General Fund. Mr. Roseth received a proposal for an HSBC (HSBC Bank USA, National Association)-sponsored investment, which is a CD with FDIC backing up to \$250,000. The investment is tied to a basket of stocks and has a three-year maturity. After the three-year duration, if the basket of stocks is up, it would yield between five and eight percent. If the basket of stocks goes down,

the Village would not lose the principal. Mr. Roseth suggested that the Village consider this proposal.

Mr. Roseth also discussed the CDARS investment [sic - the Wells-Fargo investment account]. He stated that the investment schedule shows a good portion of the investment coming due this year. He does not believe the rates will be favorable for a roll-over.

Trustee Svatik noted there have been a number of bank closures recently and questioned whether the Village should consider not investing up to the full amount of the FDIC limits in the future, so that in the case of bank failure the interest is not lost. Trustee Masterson commented that the Village could cover itself for the anticipated interest if it deposited the interest in a separate account or discounted the initial investment by the amount of the anticipated interest. Mr. Roseth will ask the brokers and bankers about the downside of investing less. Trustee Masterson suggested that the Village could also open a sweep account to hold the interest.

3. Engineer's Report

Mr. Glenn reported that due to weather there have been five non-workable days since May 1, 2010, so the contract completion date for the Saunders Road construction would be pushed into the first week of June. He expects the final surface to be placed down next week.

Bids were opened today for the Woodland Lane North and Calvin/Farner/Stenger Road maintenance project. The low bid was \$129,000. In February, the Board appropriated \$100,000 in Motor Fuel Tax funds for Woodland Lane North. Subsequently, the scope of the project expanded to include patching on Calvin, Farner and Stenger. Mr. Glenn will bring a supplemental MFT Resolution for \$30,000 to the next Board meeting with a recommendation for the award.

4. Police Report

Chief Dayno presented the Police Department activity since the May 4, 2010 Board of Trustees meeting. There was one 911 hang up, 11 accidents, ten alarms, four complaints about animals, 13 fire department assists, three burglaries to motor vehicles, one death investigation, one domestic violence, seven driving complaints, one DUI, one fingerprinting, five lockouts, seven motorist assists, three parking complaints, seven suspicious circumstances, 11 case reports and five crime prevention notices. There were 79 traffic stops with 59 traffic citations issued to 52 people. There are currently five houses on the House Watch list that are checked regularly.

Chief Dayno stated the death investigation was a senior citizen with a cardiac history who passed away from a cardiac episode.

5. Comments by the President

- Northbrook Water Comparison

Mayor Kaplan commented that the Village's agreement with Northbrook provides that Northbrook can only raise the water rate one time this year. Assuming this raise is implemented, in an eight year period, the Village will save \$1.9 million compared to water purchased from Highland Park and Deerfield.

Mr. Glenn explained the estimated savings assume that the Deerfield rates would go up three percent each year. Mayor Kaplan noted that Highland Park made a \$40 million capital improvement and needs to pay for it.

Saturday May 22 is clean up day and plant sale in Riverwoods. Trustee Koomjian invited all residents to attend the event from 9 – noon. At noon there will be a barbecue sponsored by the RRA. There will be a prize for the most interesting piece of trash that is collected.

6. Visitors wishing to address the Board

There were no visitors wishing to address the Board on non-agenda items.

7. Approval of Bills

Trustee Koomjian moved to approve the bills. Trustee Graditor seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

8. Old Business

- To waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance Extending the Moratorium on the Enforcement of Village Code provisions Prohibiting Fences in Excess of 6 feet in Height.

Mayor Kaplan suggested extending the moratorium on the enforcement of the Village Code provisions with respect to fences in excess of six feet in height until July 20, 2010.

Trustee Graditor moved to waive the First Reading of the Ordinance. Trustee Masterson seconded the motion. The motion passed carried unanimously on a voice vote, Trustee Haber absent.

Trustee Chamberlain moved for Second Reading and adoption of the Ordinance. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

Ordinance # 10-5-7.

- For a 2nd Reading and Adoption of a proposed Ordinance Amending the Village Code to Prescribe Regulations concerning Fences.

Mayor Kaplan suggested continuing the discussion because the Task Force was not finished with their work. He reported that they are making progress and have a meeting tomorrow. There was no objection, Trustee Haber absent.

9. New Business

- For a 1st Reading of a proposed Ordinance Amending the Village Code concerning the Repair and Replacement of Culverts.

Trustee Svatik moved for a First Reading of the Ordinance. Trustee Koomjian seconded the motion.

Mr. Huvad explained there is a section of the Village Code that describes the requirements that must be met when culverts are installed. He retained most of that language but made a few revisions and added sub-sections D, E and F. The Ordinance states that if the Village determines the culvert is in need of replacement, the resident has 180 days to comply. Mr. Huvad added that the Village would not require the resident to pay for upsizing of the culvert for 20 years after the new culvert is installed, because the Village stated the culvert has a 20-year life.

It was then moved and seconded to amend the proposed Ordinance to strike the reference to 180 days in the second paragraph of subparagraph 4 of paragraph D of Section 7-1-4 (CULVERT REGULATIONS) and replace it with a reference to 90 days, so that the sentence shall read "The owner shall be obligated to submit a plan for replacement of the culvert and, at such owner's sole cost, to carry out such replacement within **90** days after the date of the Village's notice".

The motion to amend carried unanimously on a voice vote, Trustee Haber absent.

The motion for a 1st Reading of the proposed Ordinance, as amended, carried unanimously on a voice vote, Trustee Haber absent

- To waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance Amending the Village of Riverwoods Comprehensive Plan Map Designation for Certain Properties Located on Estonian Lane and for Certain Properties Located North of Estonian Lane on the East Side of Milwaukee Avenue.

Mr. Huvad explained that adopting these Ordinances would be predicated on the assumption the Village will go forward with approving the annexation agreements. The annexation agreements would be approved, but the properties would not be annexed at this point.

Trustee Svatik moved to waive the First Reading of the Ordinance. Trustee Masterson seconded the motion. The motion passed unanimously on a voice vote.

Mr. Huvad noted that the Comprehensive Plan shows open space as the suggested land use for the area encompassing the four properties being annexed. The proposed new Comprehensive Plan map shows a transitional business overlay district for the Pantle and Hockman properties and a business compatible district for the Mulch Center and Estonian House.

Mr. Huvad further noted that in the Plan Commission report, the Comprehensive Plan is noted as showing open space as the suggested land use for this area of the four properties being annexed. The proposed new map shows the described transitional business overlay for the Pantle and Hockman properties and the described business compatible district for the Mulch Center and Estonian House.

Trustee Graditor moved for the Second Reading and adoption of the Ordinance. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

Ordinance #10-5-8.

- To waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance amending section 9-2-3 and adding new articles E and F to chapter 5 of Title 9 of the Riverwoods Village Code

Trustee Chamberlain moved to waive the First Reading of the Ordinance. Trustee Svatik seconded the motion. The motion passed unanimously on a voice vote.

Mr. Huvad noted a few changes including the newly defined terms and the creation of the business compatible and transitional business overlay districts. Trustee Chamberlain stated that she wanted to make sure that the hours of operation of the Estonian House hours had been agreed to by the nearby residents. Mr. Huvad stated that the residents had so agreed.

Trustee Masterson moved for Second Reading and adoption of the Ordinance. Trustee Graditor seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

Ordinance #10-5-9.

- To waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance adding a Class J liquor license classification in the Village of Riverwoods

Trustee Graditor moved to waive the First Reading of the Ordinance. Trustee Svatik seconded the motion. The motion passed unanimously on a voice vote.

Mr. Huvad explained the Ordinance was a comfort Ordinance. Assuming the Village goes forward with the annexation with the Estonian House, the Village must have a Class J liquor license classification. Scott Puma, attorney for the Estonian House, requested that the Village allow the sale of pre-packaged, Estonian beer and liquor for off-premise consumption. The pre-packaged alcohol would be limited to Estonian beer and alcohol and would only be sold to members.

Mr. Puma noted the Ordinance would now read, "The Estonian House may also sell packaged goods of Estonian origin to its members."

Trustee Chamberlain moved for the Second Reading and adoption of the Ordinance as amended. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

Ordinance #10-5-10

- To waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance Approving an Annexation Agreement (Estonian House).

Trustee Chamberlain moved to waive the First Reading of the Ordinance. Trustee Svatik seconded the motion. The motion passed unanimously on a voice vote.

Mr. Huvad explained that this Ordinance would approve the yet unexecuted annexation agreement between the Estonian House and the Village of Riverwoods. He noted that all of the owners would be depositing money for sanitary sewer improvements and the money would be held in escrow. The Estonian House will be issued a liquor license, but the liquor commission has the right to suspend or revoke their license if deemed necessary. There is also a provision in the draft annexation agreement for the owners to request the Village to rebid the sanitary sewer improvements. A provision was also added to the effect that if the site work is not completed or if the deposit is not made for the improvements, the Village can walk away from the agreement and the annexation.

Mr. Puma explained that if the other properties do not continue with their annexations, the Estonian House wants the right to terminate the agreement as well.

Mr. Puma raised two issues. First, he questioned the time frame to make the deposit. Mr. Puma asked the Village to allow 180 days for the Estonian House to make the deposit, like the Pantle property and Mulch Center. Mr. Huvad explained each property owner has 90 days to deposit the money, but some properties may not be annexed to the Village for 180 days. Mr. Puma explained the Estonian House has some notice issues and needs to raise money. Mr. Huvad believes each property should have the same amount of time and asked if 120 days would be acceptable. Mr. Puma explained that they would prefer 150 days. Mayor Kaplan explained the

Estonian House must be the first property annexed to the Village. If the other properties need to come in earlier, the Estonian House would have to come in first. Mr. Huvard added that the Village wants to get the money early enough to complete the work before the weather gets bad. Mr. Puma agreed to 120 days.

Trustee Graditor moved for Second Reading and adoption of the Ordinance. Trustee Chamberlain seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

Ordinance #10-5-11

- To waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance Approving an Annexation Agreement (Hockman property).

Trustee Graditor moved to waive the First Reading of the Ordinance. Trustee Koomjian seconded the motion. The motion passed unanimously on a voice vote.

Mr. Huvard noted the Ordinance would reflect the change in the length of time required to deposit the money for the sanitary sewers from 90 days to 120 days. The termination agreement in section 13-A will also state that the Village or property owner may terminate the agreement.

Trustee Graditor moved for Second Reading and adoption of the Ordinance. Trustee Chamberlain seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

Ordinance #10-5-12

- To waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance Approving an Annexation Agreement (Mulch Center).

Trustee Graditor moved to waive the First Reading of the Ordinance. Trustee Koomjian seconded the motion. The motion passed unanimously on a voice vote.

Mr. Huvard noted that the Ordinance would reflect the same changes as stated above regarding the length of time required to deposit the money for sanitary sewers and the rights of termination, although the Mulch Center attorney, Mr. Dan Dowd, stated that the Mulch Center does not need the aforementioned changes to the termination section of the draft annexation agreement.

Trustee Chamberlain moved for a Second Reading and adoption of the Ordinance. Trustee Svatik seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

Ordinance # 10-5-13

- To waive the 1st reading and for a 2nd Reading and Adoption of a proposed Ordinance Approving an Annexation Agreement (Pantle property).

Trustee Masterson moved to waive the First Reading of the Ordinance. Trustee Chamberlain seconded the motion. The motion passed unanimously on a voice vote.

Mr. Huvad noted the Ordinance would reflect the same changes as stated above regarding the length of time required to deposit the money for sanitary sewers and the rights of termination.

Mr. Mike Ralph, attorney for the Pantles, asked for clarification whether the property would be a special use. He stated they were looking for a change so that the residents of the caretaker facility would not be limited to one single family. Mr. Ralph explained the Pantles were actually looking for two or three unrelated people as residents. Trustee Svatik wanted assurance that the caretakers would not be considered boarders. Mr. Huvad explained that the Zoning Ordinance allows up to three unrelated people to be considered a family. These requirements were different, however, because the Pantles are looking for people to care for the property who are over the age of 18. Trustee Graditor stated the Village does not have any multi-family zoning within Village limits.

Trustee Chamberlain questioned how allowing up to two unrelated people would be different from what the Village allows throughout the Village. Mr. Huvad explained that if there were three unrelated people, they would not all be caretakers. A caretaker is a head of household. Mayor Kaplan stated the Village does not want to have boarders. This could be a caretaker house but not a rental facility. Mr. Ralph explained that an individual family would be more likely to take the same trips while two unrelated people would be able to be there more of the time. Trustee Chamberlain believes the Ordinance or Special Use permit should specify the people living in the caretaker facility are caretakers. Trustee Graditor suggested a caretaker family plus one unrelated person could reside in the caretaker facility, but not more than that. Mr. Huvad believes that could be stated in the lease.

Mr. Dowd asked for the same consideration for the Mulch Center property, as they also have a caretaker facility. Mr. Huvad explained they could make the same provisions in both Special Use Ordinances. It would read, "The two-story caretaker's residence should be occupied solely by caretakers and their immediate families. There will not be more than two caretakers and all occupants must be at least 18 years of age. The obligations of the tenants as caretakers shall be

specified in their leases and the total number of occupants of the caretaker's dwelling shall not be more than eight people."

Trustee Graditor moved for Second Reading and adoption of the Ordinance as amended. Trustee Chamberlain seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

Ordinance #10-5-14

Trustee Chamberlain moved to amend Ordinance 10-5-13 to include the above verbiage in the Special Use Ordinance and, if appropriate, the draft annexation agreement with reference to the caretaker's facility on the Mulch Center property. Trustee Svatik seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

- Proposed agreement with HKM Architects + Planners, Inc. of Arlington Heights, IL for architectural and engineering services with respect to the proposed police station.

Mr. Huvard reported that he had negotiated an agreement with HKM Architects stating the Village could terminate the agreement at any time and pay for the services rendered to date, without penalty. He noted the budget would be reviewed three times during the project.

Trustee Koomjian noted section 8.3 stipulates they need seven days written notice to suspend or terminate the project. He asked when a Public Hearing would be held to determine if there is interest in the project. Mr. Huvard explained that once the schematics and the design development work are completed, they would have a more realistic budget. He believes there should be a Public Hearing at that point, but not before. Trustee Koomjian stated his opinion that 25 percent of the \$49,000 cost would be the Village's commitment.

Trustee Chamberlain cautioned that there are a number of items in the proposed agreement that have 24 hour turn-around times. She suggested highlighting the notice deadlines. Mayor Kaplan explained that Mr. Kraly would act as the project coordinator and would be responsible for the deadlines.

Trustee Svatik questioned whether an arbitrator would be used if a dispute arose between the Village and the architect. Mr. Huvard explained they would mediate before continuing. Trustee Chamberlain expressed her approval of the specified alternative dispute resolutions mechanisms in the agreement.

Board of Trustees meeting

May 18, 2010

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Trustee Chamberlain moved to approve the agreement with HKM Architects. Trustee Graditor seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber

11. Adjournment

There being no further business or discussion, Trustee Graditor moved to adjourn the meeting. Trustee Koomjian seconded the motion. The meeting was unanimously adjourned at 9:45 pm. The next regular Board of Trustees meeting will take place on June 1, 2010 at 8:00 pm.

Respectfully submitted,

Jeri Cotton

Village of Riverwoods
Public Hearing before the Board of Trustees
May 4, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvard, Village Attorney
Russ Kraly, Director of Community Services
Rob Ugaste, Assistant Fire Chief

Absent was:

Sherry Graditor

Call to Order: 8:00 PM

Public Hearing to consider Annexation Agreements with respect to four properties – Pantle, Mulch Center, Hockman and Estonian House

Bruce Huvard announced that the Village had published notices for four Public Hearings with respect to the proposed annexation of the subject properties. The owners are Kenneth and Patricia Pantle, Jim Seckelmann from the Mulch Center, John Hockman, and Mehis Vahtra from Estonian House. Each of these owners has separately petitioned the Village to annex. If annexation is pursued, the Village will re-zone these properties and grant Special Use permits to the Pantles, the Mulch Center and Estonian House. Mr. Huvard further stated that the Public Hearing has been called in order that the Board can consider entering into Annexation Agreements with each of the four property owners as well as the text amendments required under the annexation agreements. At the conclusion of the hearing the Board can decide whether it want to execute annexation agreements. It also can also continue to make changes to the annexation agreements after this Hearing. Once the final annexation agreements are prepared, Mr. Huvard stated that he will prepare an Ordinance authorizing the Board to enter into the annexation agreements. He stated that a 2/3 vote of the Board would be required for approval.

Mr. Huvard explained there are two conditions in the annexation agreements that apply to two of the properties and one condition that applies to all four. The Pantles and the Mulch Center must take certain steps to bring their properties into compliance with floodway regulations, and they

must perform the work before being annexed into the Village. The second condition, which applies to all four properties, requires the deposit of funds necessary to extend sanitary sewer services to the properties. The cost is estimated at approximately \$400,000. The money must be deposited before the properties are annexed. The Village has expressed its willingness to then adopt Ordinances to establish new zoning districts, change the land use map of the Village, annex the properties into the Village, classify them into the underlying zoning district, and grant special uses to the Pantle property, Mulch Center and Estonian House.

Scott Puma, attorney for Estonian House, stated that he believes everything that is required is in the agreements and proposed Special Uses, but has a few other items he wishes to work out with Mr. Huvad. Mr. Puma thinks the private dining facility proposed for the Estonian House would be in the best interest of both the Village and the Estonian House.

Mehis Vahtra, owner of the Estonian House, explained it is an Estonian Cultural Center. It currently has between 350 and 400 members and operates in unincorporated Lake County under an E (estate) Zoning classification with a conditional use permit. The Estonian House is a not-for-profit facility and has a liquor license. It has approximately 40 – 45 activities which are held on Sundays throughout the year. It also has five or six parties annually and 25 – 30 rental events on Saturday nights. Mr. Vahtra believes joining Riverwoods would be beneficial to the Estonian House because it could then to rent the facilities during weekdays and add the sewer system.

Mr. Huvad stated that Mr. Hockman has a single family home which is a permitted use. He helps bring contiguity and has expressed a willingness to be in the business compatible district and participate in the sewer system.

Dan Dowd, Attorney for the Mulch Center, and Mr. James Seckelmann, owner of the Mulch Center, were present. Mr. Dowd stated that the annexation of the Mulch Center would bring up to 40 employees into the Village. The Mulch Center would also generate sales tax of approximately \$110,000 per year and they anticipate growing.

Mr. Al Mainden, Planner, explained they looked at the Comprehensive Plan and felt some areas were already developed. He believes the uses that have frontage on Milwaukee Avenue have potential in Riverwoods. He also believes the uses he sees on the areas not included in the floodway have tremendous, long-term opportunities for development in the future. Mr. Mainden discussed the location of the properties; Buffalo Grove has industrial zoning to the north and business zoning to the South. Mr. Mainden believes the Mulch Center would be an appropriate use for this site.

Mr. Seckelmann explained he purchased the property in the late 1990s. He believes Riverwoods is a great community. Mr. Seckelmann explained that he has both a wholesale and a retail

business. He proposes removing the curb cut and isolating the caretaker facility. He also proposes adding a parking area and separate showroom area for the retail traffic that will be separate from the wholesale traffic areas. Mr. Seckelmann believes this use will bring a lot to Riverwoods.

Mr. Dowd explained that one issue that is critical to the Mulch Center is the ability to grind materials into mulch on the site. He believes the proposed site changes would buffer the noise level of the grinder, and has agreed to hold off on the grinding until adequately lowered noise levels can be demonstrated. Mr. Dowd added that they have also agreed to grind only during specified hours.

Mike Ralph, attorney for the Pantle property explained that they have operated the roll on, roll off storage container facility for a number of years. He has worked with their land planner, Pat Glenn and Bruce Huvad on the flood plain issues. Mr. Ralph explained they would ask for a special use to operate the storage container facility, and that they have a residence on the property as well.

Mr. Mainden explained he is looking at the present uses as interim, but also long-term that would not limit the true, long-range potential for the properties.

Ken Pantle explained that he would like to continue operating the business he has operated over the past six years. Trustee Haber asked how this use differs from a transfer station. Mr. Pantle explained they have minimal sorting, mostly metal and wood, and nothing is deposited on the ground. The containers are taken off-site. He confirmed that the materials in the dumpster are dropped into a sorting machine in a separate transfer station and the materials left are disposed of. Mr. Pantle explained they were trying to do minimal sorting in the dumpster and proposed to transfer the metal and wood into a sorted dumpster which is taken to a transfer station and disposed of. Trustee Haber asked if there is a potential for rodents. Mr. Pantle explained the dumpster is not dumped; rather, a tractor goes into the dumpster and, while he cannot guarantee there are no rodents, he stated that he has never seen one in or around the dumpsters.

Trustee Haber asked the representatives from the Estonian House about real estate taxes. Mr. Vahtra explained they pay \$20,000 in property taxes annually. Mr. Mainden explained that he sees the Milwaukee Road corridor as having strong redevelopment potential.

Trustee Haber asked Mr. Seckelmann why he wanted to be in Riverwoods. Mr. Seckelmann explained that he has spent a lot of time in Riverwoods and has gotten to know the people. He does not believe Buffalo Grove is as cordial and therefore has decided that, for him, Riverwoods is the best choice.

Public Hearing before the Board of Trustees
May 4, 2010
Page 4 of 4

Mr. Huvard mentioned that the property owners would like him to work on a few changes to the annexation agreements.

Trustee Svatik made a motion to close the Public Hearing. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Haber, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Graditor

The Public Hearing was closed at 8:41 PM.

Village of Riverwoods
Board of Trustees
May 4, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Rob Ugaste, Assistant Fire Chief

Absent was:

Sherry Graditor

Call to Order: 8:46

1. Approval of Minutes

Trustee Koomjian moved to approve the minutes from the April 20, 2010 Board of Trustees meeting. Trustee Chamberlain seconded the motion. Various corrections to the minutes were made by the Trustees, after which Trustee Masterson moved to approve the minutes as corrected. Trustee Koomjian seconded the motion. The motion passed unanimously, Trustee Haber abstaining.

2. Consultants

Engineer's Report

Mr. Glenn provided an update on the construction projects in Riverwoods. He announced that the Saunders Road resurfacing was underway, with work scheduled for completion by the end of May, subject to extensions for inclement weather. Bid opportunities for the Woodland Lane North and Calvin/Farner/Strenger Road maintenance project will be advertised this week and opened on May 18, 2010. He noted the two projects would not overlap.

Mr. Glenn received an invitation to a May 17, 2010 preconstruction meeting for the Lake County Division of Transportation Deerfield Road bicycle path construction. He will report back to the Board with the construction schedule and will take special note about the Deerfield Road

bridge closure. He noted there would be an emergency vehicle only lane kept open during the construction.

Director of Community Services Report

Mr. Kraly reported that ten permits were pulled in the month of April.

Village Attorney Report

Mr. Huvard stated he would have the agreement with HKM Architects ready for the Board's approval at the next meeting. The agreement will be separated into various intervals at which the project could be terminated.

Plan Commission Report

Mayor Kaplan stated the Plan Commission would not meet this month.

3. Police Report

Chief Dayno presented the police activity since the April 20, 2010 Board of Trustees meeting. There was one 911 hang-up, two abandoned vehicles, 13 accidents, 15 alarms, five complaints about animals, 11 fire assists, one motor vehicle burglary, four child seat installations, one non-criminal damage to property, one dispute, one domestic violence complaint, one driving complaint, one DUI, one fraudulent activity complaint, four lockouts, one lost property, one missing person, one motorist assist, seven suspicious circumstances, nine case reports and six crime prevention notices. There were 99 traffic stops with 79 persons being issued 89 citations. There are currently five houses on the House Watch list that are checked regularly. Tobacco compliance checks were conducted on April 29, 2010 with 100 percent compliance.

Chief Dayno noted the missing person was a three-year-old that was found asleep behind a couch in the home.

4. Fire Department Report

Assistant Chief Ugaste presented the report on call volume within the Village of Riverwoods for the month of April. There were four fire calls, one car accident, 23 paramedic calls and eight other calls for a total of 36 calls in April and 122 calls year to date.

Assistant Chief Ugaste on his own behalf and on behalf of Chief Kruger and Commission Chair Barbara LaPiana of Lincolnshire thanked the Village for their support and actions regarding the interior residential sprinkler ordinance.

Assistant Chief Ugaste stated that a unique drill would be held on June 19, 2010. Grainger has offered their building for a drill involving Lake County, SWAT, 15 fire departments, HAZMAT and the US Army. The drill will be televised live into the Grainger auditorium and experts will

be available to answer questions. The drill will run from 9:00 a.m. to 12:30 p.m. and will be by invitation only. There will be a presentation after the drill to discuss what went well and what didn't go as well.

Assistant Chief Ugaste stated the Lake Cook Regional Critical Partnership involves a lot of major corporations from Evanston to Waukegan and meets on a quarterly basis. The next meeting will be held May 6, 2010 from 8:00 a.m. until noon at Motorola in Libertyville.

5. Comments by the President

Mayor Kaplan presented the results from the deer fence surveys. There were 171 surveys sent out and six were returned as undeliverable resulting in a net of 165 net surveys. The Village received 93 responses which represents a 56 percent return. The results are in the hands of the task force and the Board should have a report at the next meeting. Mayor Kaplan noted the surveys were only sent out to residents of south Riverwoods.

Mayor Kaplan attended the Council of Mayors meeting and reported the Village will receive a refund of \$16,435 for excess stimulus money from the Saunders Road project. Mr. Glenn noted that the stimulus projects came in under budget and time is running out for new projects. The overage was divided uniformly among participants.

6. Old Business

- A proposed Ordinance Amending the Village Code to Prescribe Regulations concerning Fences.

Mayor Kaplan suggested that discussion of this proposed ordinance be continued to the next meeting. There were no objections. Trustee Haber asked about the moratorium. Mayor Kaplan explained that it runs out today. Mr. Huvad will bring something to the next Board of Trustees meeting to extend the moratorium retroactively.

Request for donation for "Willow House"

Stephanie Norris and Stephanie Garrity from Willow House were present. Ms. Norris explained that Willow House has been in Riverwoods since March 2009, and their address is 302 Saunders Road.. Willow House is an organization that provides support services to grieving youth. Studies have found that children who have a sudden death of a parent or sibling are more likely to have mental health issues. Willow House provides group therapy for both adolescents and adults. Their mission is community based. They hold groups for survivors of suicide victims. They do not charge any fees for their services, because they have found that so many grieving families are already under an enormous amount of financial stress. They rely on donations from foundations and corporations. They also have special activities including crisis intervention, and also go into schools and do training and education. They hope to also get some first responders into their office as well. Recently Willow House did a presentation to the Northeast Illinois

Funeral Directors Association, and they also collaborate with schools and universities in a variety of ways including internships. Willow House collaborated with the FBI after 9-11 and served 125 individuals from the areas that were affected by 9-11. Most recently, they collaborated with Sesame Street on a PBS special. Ms. Norris stated that Willow House would like to establish a relationship with the Village, and asked for support in the range of \$5,000 - \$10,000 as general operating support, although it would be grateful for any consideration.

Mayor Kaplan stated Willow House has a 4,000 square foot facility in Saunders Woods Corporate. They need that amount of space because of their group sessions. They have more than 100 volunteer facilitators. He noted Willow House uses various churches in other communities including Chicago, Arlington Heights and Libertyville.

Stephanie Garrity showed artwork from grieving children. Ms. Norris explained they give the children a way to express themselves and find out they are not alone. Ms. Garrity explained that aside from confusion, the children also feel anger which is a normal reaction.

Trustee Haber expressed his belief that Willow House is a worth-while organization and moved that the Village donate \$7,500. Trustee Koomjian seconded. The motion passed by the following vote:

AYES: Chamberlain, Haber, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Graditor (1)

Discussion of culvert replacement policy on public streets

Mayor Kaplan explained that the culvert replacement policy is for culverts owned by Village residents that are in the right-of-way on public streets.

Mr. Glenn stated that he presented a recommendation at the last Board of Trustees meeting for the Village to participate in the cost of replacing deficient culverts on Village-owned streets. In the past the Village has tried to alert homeowners that their culverts were deficient but have been met with indifference and/or dissatisfaction. In the interest of the larger goal to come up with a policy or program, Mr. Glenn suggested that the Village participate in the costs of remediation along with the property owner. He proposed that the Village coordinate repairs and pay for the replacement of the culvert pipe, and that the homeowner pay for the repair of the driveway apron. At last meeting, Mr. Glenn was asked to come up with a culvert rating form along with an annual budget for this type of work. He recommended a \$20,000 annual culvert budget, based on each culvert costing \$3,500 – 4,000. As many as five culverts would be replaced each year, but that number would be flexible based on need. Mr. Glenn would also like an Ordinance amendment wherein the Village could perform the work and bill back homeowners if they are not interested in participating. He wants to come up with a program that would be fair for both the homeowner and the village.

Trustee Haber questioned how many bad culverts are located on public streets. Mr. Glenn explained that 20 percent of the culverts are somewhat deficient, and that there are approximately 24 culverts with significant deficiencies. Trustee Haber asked if replacing the culverts was the only solution. Mr. Glenn explained that intermediate repairs could be made if the bulk of the culvert is in good shape.

Trustee Svatik asked how much of the culvert problem is due to lack of flushing. Mr. Glenn believes that the maintenance of the ditches and clearing debris from the pipes are the responsibilities of the Village. He noted that Riverwoods does not have a stand alone ditch maintenance program. Trustee Svatik noted that Northbrook has a truck with a large flush valve to flush out long culverts. Mr. Glenn explained that Riverwoods could find a private firm to do that. Trustee Svatik suggested renting the truck from Northbrook. Mr. Kraly will contact Northbrook on the subject. Trustee Haber suggested having the fire department flush the culverts with their high pressure hoses, but as Mr. Glenn explained, the fire department does not have a wand and a vacuum truck on the other end.

Trustee Chamberlain asked how the \$20,000 budget was derived. Mr. Glenn explained it was an arbitrary but reasonable number. Trustee Masterson expressed concern because $\frac{3}{4}$ of Village residents are in associations but would have to subsidize the other $\frac{1}{4}$ of the residents. He questioned whether the funding from the program could come out of Motor Fuel Tax receipts. Mr. Glenn stated it could, but it would take a lot of front-end effort to get approval from the State. Mayor Kaplan explained that the roads are public so the Village is responsible.

Trustee Chamberlain questioned how certain roads became Village roads. Mr. Huvad explained that as properties were annexed, the Township roads became Village roads. Trustee Masterson believes if there is a problem on Village roads, there would be a problem on non-Village owned roads as well. Mayor Kaplan explained the Village contributes to private roads as well. Trustee Masterson stated it seems uneven. Trustee Haber would prefer the funding came from Motor Fuel Tax funds. Mr. Glenn explained that if they pursued the MFT option, they would look for a larger project so the administrative work made more sense. He stated that, in theory, a private road culvert should be maintained by the homeowner.

Trustee Haber asked if the Village should force culvert repair by red tagging properties and giving the property owners a specific amount of time to complete the repair. He believes the underlying problem is fixing the culverts. Mr. Glenn explained he is suggesting beefing up the Ordinance. Trustee Chamberlain is sympathetic to residents who are in a situation where their culverts were fine until there was new construction. Mayor Kaplan explained there were also culverts that were undersized. Trustee Haber questioned how, in cases where a culvert is just undersized but not failing, the Village could force the homeowner to make changes. Mr. Glenn explained that some of the culverts are just not pitched properly or are not in the proper spot. Trustee Chamberlain believes there is a different situation when culverts fail due to improper installation or maintenance versus when culverts are affected because of new construction. Trustee Masterson is not convinced the problems are due to large houses being built.

Mr. Huvard suggested looking at the situation both publicly and privately. He stated that drainage affects everyone and suggested the Village take care of a percentage of both public and private streets while maintaining an annual spending cap. Mayor Kaplan believes the Village could be opening up a Pandora's Box by getting involved with private streets. Mr. Glenn responded that he would want the Village to control the construction. The Board agreed that Mr. Huvard should prepare a proposed Ordinance for the Board's consideration.

Mike Clayton, 3030 Blackthorn, believes it would be grossly unfair because his subdivision just had new culverts installed.

7. New Business

- Badger Meters

Mr. Kraly discussed the existing Badger water meters. He explained that the radio sending units are mounted on top of the water meters and are battery operated, and the batteries necessary to run the units are no longer available. Therefore, the Village needs to upgrade the system.

Steve Dauser from Badger Meters was present. Mr. Dauser's proposal is to put an antenna on top of the water tower that would transmit information to the Village. The antenna could be at any height, but the higher the better. Trustee Svatik explained there were already a number of antennae on the tower, and asked whether the frequencies would interfere. Mr. Dauser said the frequencies would not interfere. Mr. Dauser explained there would be some cases where the homeowner's antenna would need to be mounted outside the house; otherwise, the antenna would be in the basement rafters. Mr. Dauser also stated that the trees have been accounted for but there could be some situations where the antenna would need to be mounted outside the house.

Mr. Huvard asked about payment terms. Mr. Dauser explained that first, the Village would pay, and then the system would be installed by Badger. Trustee Svatik asked if there were any grants or funds available for assistance. Mr. Dauser said not right now. The proposal is to change the top of the meters, not do a complete change out. The battery life is more than 20 years and there is a 20 year warranty (ten year replacement and ten year proration). Mr. Dauser explained that the current system was designed for a battery change. The challenge is that there has been new technology in the past ten years.

Mayor Kaplan explained that with the new system, the Village would not have to pay a meter reader, which is a savings of approximately \$10,000 per year. Trustee Haber noted that there is a 19 year recovery on this project. Mr. Kraly stated the project, including installation, would cost \$190,675.

Mr. Huvard asked what would happen if something went wrong with the new system. Mr. Dauser explained there is a failure rate of less than one tenth of one percent. Mr. Huvard asked what would happen if there was a problem. Mr. Kraly explained the Village has had to replace 75 meters over the past nine years.

Trustee Koomjian asked Mr. Dauser if he believes the meters would work in Riverwoods. He asked if Mr. Dauser would stand behind the meters if the absorption of trees made it so the meters could not transmit. He suggested testing the meters in 24 worst-case sites. Mr. Dauser agreed to the test. Mayor Kaplan asked Mr. Huvard to prepare a proposed contract for the Board's consideration.

Arbor Day Proclamation

Mayor Kaplan read the Arbor Day Proclamation proclaiming April 30, 2010 as Arbor Day in the Village. Trustee Chamberlain mentioned the Village will have a tree dedication ceremony next Tuesday at 10:30 at the Village Hall and suggested inviting families and the press.

Trustee Haber moved to adopt the Arbor Day Proclamation. Trustee Masterson seconded the motion. The motion passed unanimously.

8. Standing Committee Reports

-Finance/Soil and Water Conservation

Trustee Svatik stated the auditors were performing their annual review and that things seemed to be going well.

-Roads/Bike Path/Parks and Forestry/NSSRA

Trustee Chamberlain explained that she spoke with one resident along Deerfield Road where the County is putting in its portion of the bike path, who requested that some trees or plants be added to the plan. Trustee Chamberlain requested that the County add shrubs and/or native grasses to their section.

Trustee Chamberlain reported that the NSSRA made a DVD showing what they are about. Trustee Masterson will get the information and put it on the Village website.

Mayor Kaplan welcomed Aaron Rosen as the new videographer for the Board meetings.

9. Adjournment

There being no further business or discussion, Trustee Koomjian moved to adjourn the meeting. Trustee Svatik seconded. The motion passed unanimously and the meeting was adjourned at 10:26 pm.

The next regular Board of Trustees meeting will be held on May 18, 2010 at 8:00 PM.

Respectfully submitted,

Jeri Cotton
Secretary

Village of Riverwoods
Board of Trustees
April 20, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Jack Siegel, Village Attorney
Rob Ugaste, Assistant Fire Chief

Absent was:

Michael Haber

Call to Order: 8:00 PM

Approval of Minutes

Trustee Koomjian made a motion to approve the minutes from the April 6, 2010 Board of Trustee meeting. Trustee Graditor seconded the motion. The motion passed unanimously with minor corrections. Trustee Svatik abstained.

Engineer's Report

Mr. Glenn heard from the Saunders Road contractor who stated they would start construction on Monday. The construction should be completed at the end of May.

Last week, the field work for the sanitary sewer smoke testing was completed. Mr. Glenn is awaiting the report.

Mr. Glenn expects the Lake County Division of Transportation to schedule a meeting about the proposed bicycle path. He will keep the Board informed of what, if anything develops as a result of the meeting.

Director of Community Services Report

Board of Trustees meeting

April 20, 2010

Page 2 of 8

Director of Community Services Russ Kraly stated that he would ask the Badger representative to attend the next Board of Trustees meeting to discuss the Badger meter upgrade.

Plan Commission Report

On behalf of Chairman David Niedelman, Mr. Huvard distributed the report and recommendation of the Plan Commission with respect to the four Milwaukee Road properties that are proposing annexation. The Commission considered zoning improvements, text amendments, potential special uses/Ordinances and a revised comprehensive land use map. Mr. Huvard stated that two of the properties have detailed attachments showing the changes that need to be made prior to annexation. Mr. Huvard explained that the May 4, 2010 Board of Trustees meeting will open public hearings to consider the annexation of the properties, classification of the properties and the obligations of the property owners.

Police Report

In the absence of Chief Dayno, Mr. Kraly presented the police activity since the April 6, 2010 Board of Trustees meeting. There were three 911 hang ups, one abandoned automobile, 14 accidents, 25 alarms, two complaints about animals, 12 fire department assists, three child safety seat installations, one non-criminal damage to property, four driving complaints, two finger printings, three lock outs, ten motorist assists, one open door, 11 suspicious circumstances, one theft, four case reports and three crime prevention notices. There were 88 traffic stops with 65 citations issued to 59 people. There are currently 9 houses on the House Watch list that are checked regularly.

Fire Department Report

Assistant Chief Ugaste presented the call volume within the Village of Riverwoods through April 15, 2010. There were two fire calls, 11 paramedic calls and five other calls for a total of 19 calls this month and 105 calls year to date.

Assistant Chief Ugaste further stated that he has submitted an article to the Village Voice regarding property inspections.

Village Attorney's Report

None

Comments by the President

- Metropolitan Mayors Caucus Letter

Mayor Kaplan explained that if Governor Quinn's proposal as described in the Metropolitan Mayor's Caucus letter goes through, the cost to the Village would be \$89,815. Trustee Svatik stated that he has responded to Carol Sante's letter.

- Deer Fence Survey

Mayor Kaplan stated that the deer fence survey was mailed out. He hopes to receive the responses by April 30, 2010.

Visitors wishing to address the Board

Patricia Berkson, 765 Juneberry Road, voiced her objections to the proposed Deerfield Road bicycle path. She believes the path is being proposed to meet the requirements for Federal funding rather than the environment. Ms. Berkson asserted that the necessary 16 feet required for the eight foot wide bicycle path would remove a large number of mature trees. She believes the proposed bicycle path would be as large as the bicycle paths in Lincoln Park which serve thousands of people each week. Ms. Berkson does not think the Board should devalue residents' property for a non-vital recreational facility. She believes all plans made in Riverwoods should be thoughtful, minimally invasive and have a minimal effect on the environment.

Mayor Kaplan explained that the path was only at the planning stage.

Approval of Bills

Trustee Graditor made a motion to approve the bills. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)
NAYS: None (0)
ABSENT: Haber (1)

Old Business

- A proposed Ordinance Requiring Interior Automatic Fire Sprinkler Systems.

Trustee Koomjian moved to take up again the motion for a second reading and adoption of the proposed Ordinance. Trustee Graditor seconded the motion.

Trustee Koomjian pointed out that section 2(b) 6 of the proposed Ordinance reads that "all required fire sprinkler valves should be monitored".

He then asked if a basement is considered as a "fire area". Assistant Chief Ugaste stated that the basement would be part of the fire area and should also have sprinklers, and that all "fire areas" are considered in calculating area to determine if an expansion exceeds 75% of existing area.

Trustee Chamberlain asked if the items in sections five through seven were costs that were quoted in the meeting or if they were extra costs. Mr. Kraly explained they were extra expenses. He stated that monitoring was not required but was highly recommended.

Kathy Zalewski, 2900 Farner Court asked what areas in a home would be subject to the proposed ordinance. Mr. Huvard explained that any area of remodeling or reconstruction would be included if it reached the threshold percentage.

Mayor Kaplan explained that this proposed ordinance was turned down in Lincolnshire.

Assistant Chief Ugaste explained Lincolnshire opted to pursue the ordinance for attached, single family homes. They turned it down for detached single family homes because they did not want to do anything that could cause someone not to buy a home in Lincolnshire. Assistant Chief Ugaste stated that Lincolnshire anticipates the ordinance will happen naturally in 2012 but did not want to set a precedent right now. Trustee Svatik questioned why they felt they would be setting a precedent if 63 communities have already adopted similar ordinances.

Trustee Koomjian believes there are two aspects of the proposed ordinance. First is its application to new construction. Second is its application to modifications of existing structures. Trustee Koomjian understands that the Boca Code would only apply to new construction and believes it is important to keep the ideas separate. Trustee Koomjian believes the cost and hardship to the homeowner who is renovating a home is different than that of new construction. Mr. Kraly explained that the proposed ordinance is only enforceable when 75 percent of the home is being renovated. Trustee Koomjian stated his understanding that the proposed ordinance requires that if walls or ceilings are being uncovered, a sprinkler system needs to be installed. Mr. Kraly then stated that statement should be altered to apply only if 75 percent of the home is being renovated, or that perhaps it should be removed to avoid confusion.

Trustee Koomjian then moved to amend the proposed ordinance to delete subordinate clause (i) in sub-paragraph B of paragraph C of Section Two which reads “(i) the renovation work in such fire area includes the uncovering of walls or ceilings for installation of new water lines or HVAC ducts or...”. Trustee Svatik seconded the motion. The motion carried unanimously on a voice vote, Trustee Haber absent.

Trustee Svatik then moved for a 2d reading and approval of the proposed ordinance as amended. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber (1)

Ordinance No. 10-4-6.

- A proposed Ordinance Amending the Village Code to Prescribe Regulations concerning Fences.

Mayor Kaplan requested that further discussion of this proposed ordinance be held to the next Board of Trustees meeting. There was no objection.

Trustee Graditor asked when the moratorium expires. Mayor Kaplan stated it expires at the next meeting. Trustee Koomjian asked about the findings of the Task Force. He believes it would be

appropriate to get a summary of their discussions. Mayor Kaplan stated he would not want the Task Force to be influenced by the Board at this point. Trustee Koomjian stated that support for the proposed ordinance was weak and believes there should be an interim status report. Trustee Graditor, who is a Task Force member, explained that the Task Force distributed a questionnaire and planned to invite Mr. Glenn, Mr. Kraly and Mr. Stewart to attend a meeting and discuss the implications of what the Task Force is proposing. She stated the Task Force knows what the Board wants but does not know what the recommendation will be until the survey results are tabulated. Mayor Kaplan explained that the questionnaire went out to 171 homes in areas where 99 percent of the deer fences are located in Riverwoods.

- Consideration of professional services proposal for Police Station

Mr. Kraly explained that the Village received three proposals for architectural services for the police station. After reviewing the proposals, he believes the proposal from HKM is the best proposal for the Village.

Mr. Huvard explained he was looking for directions from the Board with respect to the negotiation of a final architectural services agreement with HKM. He tried to get clarification on the proposal from Williams Architects as well as a flat fee, but was concerned about the overall cost of the services proposed by Williams Architects. Mr. Huvard met with other architectural firms, but believes the proposal from HKM would best serve the Village.

Trustee Masterson expressed interest in the inclusion of a clause in the proposed agreement whereby the agreement could be terminated if no longer needed or convenient to the Village. Mr. Huvard stated he would include that in the negotiations. Trustee Svatik noted the proposal expires on May 1, 2010. It was then moved and seconded to authorize Mayor Kaplan to negotiate a final agreement with HKM Architects + Planners, Inc. of Arlington Heights, IL for architectural and engineering services with respect to the proposed police station. Motion carried unanimously on a voice vote, Trustee Haber absent.

- Request for a donation to "Willow House"

Mayor Kaplan explained that Willow House was a new charity in Riverwoods. Trustee Koomjian explained that his wife does volunteer work for the organization. Willow House is a not-for-profit organization that is staffed by social workers and therapists to help people who have suffered some sort of personal loss. He stated the organization has been around for a number of years, but recently moved to Riverwoods. Trustee Koomjian believes this is a worthy organization, and should allowed to make a presentation to the Trustees. Trustee Chamberlain suggested they specify a suggested donation amount, and Trustee Svatik added that they should also submit a financial statement.

New Business

- Funding for Theater in the Woods for the 2010 Season

Jeri Solomon, 4226 Henry Way, Northbrook has been part of Theater in the woods since 1999. Theater in the woods is a not-for-profit organization in Riverwoods. They produce one adult

show in the summer and try to have interactive children's programs in spring and fall. Ms. Solomon stated she would be grateful for any help the Board can give, especially because they had a loss of \$1,148 last year, and explained the circumstances of the loss. Trustee Chamberlain asked if other than last year had their ticket sales increased, and Ms. Solomon stated that they had.

Ms. Solomon then explained that Theater in the Woods planned to produce a single-set comedy this year, on two weekends. This year's production will be "Goodbye Charlie" and auditions will be held in May.

Trustee Graditor made a motion to donate \$10,000 to Theater in the Woods. Trustee Svatik seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber (1)

- Approval of bid to demolish 2640 Chianti

Mr. Kraly explained the police department completed training exercises at 2640 Chianti and that all utility services have been disconnected. The Village received two bids for demolition. He explained the bid from SKS Construction would leave the foundation and would fill in the crawl space area with dirt.

Trustee Graditor stated she has a major concern about leaving a crawl space open with only a fence around it. Mayor Kaplan explained the crawl space would be filled in right away. Mr. Glenn explained the Village would be able to use excavating materials from Saunders Road project for this purpose.

Trustee Graditor moved to award the bid to demolish 2640 Chianti to SKS Construction, without the removal of the slab, in an amount not to exceed \$6,225. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Koomjian, Masterson, Svatik (5)

NAYS: None (0)

ABSENT: Haber (1)

- Discussion of culvert replacement policy on public streets

Mr. Glenn explained there were two streets where the culverts are too small and water is backing up behind the culverts. He said the early April rain brought nuisance drainage issues. Mr. Glenn would not categorize the culverts on Forest Glenn and Hoffman in the same category as those on Wigham, but identified these culverts as regular and recurring nuisances due to sub-standard culverts.

Mr. Glenn explained the Village has had limited success in getting homeowners to change the culverts and would like to see a policy adopted that affects some change where there are drainage issues. He explained that two of the situations are caused by culverts that are too small in diameter and have resulted in water flowing over the ditch. He spoke with the homeowners at 800 Hoffman who stated they have been residents for a number of years and believe the issue is caused by development. The homeowners appealed to the Village for assistance in replacing the culvert.

Mr. Glenn explained that the owner of the home on Forest Glen Trail has an undersized driveway culvert. The neighbors are complaining because it causes water to back up onto their properties. Mr. Glenn stated the current Village Code does not require homeowners to change out culverts.

For a policy, Mr. Glenn believes that the Village could participate in the cost and/or contracting of the replacement culverts. He suggested having the Village replace the culvert pipe while the homeowner would pay to restore the driveway apron and surrounding areas. Mr. Glenn believes this approach would keep the Village from dealing with the various driveway treatments. The cost of the culvert would be approximately \$3,500 - \$4,000 per repair, but would only be applicable on Village streets and on the Village rights-of-way.

Mr. Siegel asked about other communities. Mr. Glenn explained that Bannockburn does not have a program, Northfield participates 50-50, Northbrook participates 60-40 and Glenview participates at 100 percent. Mr. Siegel explained that the Village could be responsible because the culvert is in a public right-of-way.

Mr. Glenn believes the homeowner should have some responsibility, especially because of specially treated aprons. This would ensure the Village would not have to pay for specialty driveways. Mr. Glenn added that culverts would only be replaced when required.

Mr. Siegel requested that Mr. Glenn prepare a set of standards to determine when culverts are substandard. He also recommended excluding new construction.

Trustee Graditor asked whether the Village inspects culverts when they resurface Village roads. She suggested creating a policy to inspect culverts when maintenance work is done as well.

Trustee Chamberlain asked if the culverts that need attention are caused by the size or the condition. Mr. Glenn explained the 10 – 12 culverts currently in need of attention are caused by undersized culverts. Trustee Chamberlain noted there is a possibility of 300 undersized culverts in the future. As people build larger homes, the Village will encounter this problem more frequently. Mr. Glenn suggested having an annual cap to limit the Village's exposure and liability. Mr. Siegel believes the Village should look at liability, because if nothing is done, the Village could be liable as well. If it is a natural condition, however, the Village would not be liable.

Mr. Glenn explained that three residents call him every spring complaining about the culvert on Forest Glenn. He requested a plan of action. Mr. Huvad explained that if the owner is the

Board of Trustees meeting

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problem, there is no assurance they would take any offer from the Village. Mr. Kraly explained that if a resident puts in a specialty driveway and something happens, the Village is not responsible for replacing that driveway. Mr. Huvad explained that the Village could come in and replace culverts on public property. Mr. Glenn stated that he was looking for something that gives him authority and outlines the Village's participation.

Trustee Graditor mentioned that the resident at 800 Hoffman has contacted the Village asking for assistance. Before providing assistance, parameters need to be set. Mr. Glenn stated that for the next meeting he would draft some suggested objective standards that could be quantified, along with likely costs to the Village.

Adjournment

There being no further business or discussion, Trustee Svatik made a motion to adjourn the meeting. Trustee Graditor seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:30 pm.

Respectfully submitted,
Jeri Cotton

Village of Riverwoods
Board of Trustees
April 6, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Charles Stewart, Village Forester
Jack Siegel, Village Attorney
Rob Ugaste, Assistant Fire Chief

Absent was:

William Svatik

Call to Order: 8:00 PM

1. Approval of Minutes

Trustee Masterson made a motion to approve the minutes from the March 16, 2010 Board of Trustees meeting. Trustee Graditor seconded the motion.

Trustee Graditor made a minor correction. The motion passed unanimously, as amended.

2. Consultants

- Gewalt Hamilton

Mr. Glenn stated that as of April 1, 2010, the gauge at the Des Plaines River and Deerfield Road is now part of the National Weather Service. Trustee Masterson noted that a link to the gauge would be added to the website.

- Director of Community Services

Mr. Kraly stated that water levels within the Village were up to par at present.

- Village Attorney

Mr. Huvard explained that the Plan Commission concluded its Public Hearings at its March 25, 2010 meeting. At the end of the Public Hearing, the Plan Commission members voted in favor of sending a positive recommendation to the Board regarding the rezoning and Special Use applications for the properties that have petitioned for annexation on Milwaukee Road. Mr. Huvard is working on the annexation agreement. He will try to get the text amendments to the Trustees for the next meeting. The complete report will be brought to the Board in May.

- Urban Forest Management

Village Forester Chuck Stewart stated that the highest count of gypsy moths was at 2920 Orange Brace. Last year, the highest trap count was more than 2,800, and without significant defoliation. He suggested that the gypsy moth population will continue to be low this year. Mr. Stewart recommended that the Village not spray this year, but requested that the residents continue to report and monitor if there are any sightings. He will put together a summary for the Village Voice.

Trustee Koomjian stated that the counts in the traps were high and asked if it was consistent with other Villages. Mr. Stewart explained that the problem is focused on the Forest Preserve property, and that there was a lot of defoliation in the Forest Preserve. He explained that male gypsy moths can fly but the females cannot. He believes that is why the population has not exploded into the Village, but rather has stayed in the Forest Preserve. Mr. Stewart will check with other communities.

Trustee Koomjian asked for a status report with respect to his letter to the Lake County Forest Preserve District regarding the installation of traps. Mr. Stewart explained that the Forest Preserve only sprays at the golf course on Rte. 176, but will not allow the Village to install traps on Forest Preserve property. Trustee Chamberlain requested Mr. Stewart to include information in his Village Voice article about what residents should do if they want to get rid of egg masses on their trees.

3. Police Report

Chief Dayno presented police department activity since the March 17, 2010 Board of Trustees meeting. He stated there were two 911 hang ups, 11 accidents, 23 alarms, nine complaints about animals, six fire department assists, one well-being check, three child safety seat installations, one criminal damage to property, three driving complaints, one DUI, two finger printings, three lock outs, one missing person, ten motorist assists, one open burning, two parking complaints, two public assists, eight suspicious circumstances, 16 case reports and 21 crime prevention notices. There were 136 traffic stops resulting in 94 citations being issued to 107 people. Chief Dayno stated there was one arrest for criminal damage to property. There are currently nine houses on the House Watch list that are checked regularly.

Officer Machiarelo raised \$1,650 for St. Baldrics Foundation, which was one of the highest amounts raised.

The Department auctioned the three old squad cars and received more than \$24,000 for the three cars. The Department also received notification from the IRS stating that the Village will receive more than \$67,000 due to a drug investigation in 2004 which resulted in the forfeiture and sale of certain property.

4. Fire Report

Assistant Chief Ugaste presented the call volume within the Village of Riverwoods for the month of March 2010. There was one fire call, four car accidents, 13 paramedic calls and six other calls for a total of 24 calls in March and 86 calls year to date.

5. Comments from the President

- Replacement Policy for Bike Path Trees

Mayor Kaplan assured residents that a number of the trees taken down for the bike path will be replaced if the bike path is built. Mr. Stewart explained they are at the initial stage of the study. The trees in the right-of-way have been tagged, and the trees on private property have blue ribbons on them. If the path moves forward, they will determine what trees need to be moved, replaced, etc. When they start that process, Mr. Stewart will meet with the residents and put together a plan.

Trustee Chamberlain explained the trees that were tagged were only surveyed at this point. Some trees will be coming down, but some will be replaced as well.

6. Old Business

- 2nd Reading of an Ordinance requiring interior automatic fire sprinkler systems

Mayor Kaplan suggested postponing further discussion until next meeting.

- 2nd Reading and adoption of an Ordinance amending the Village Code to prescribe regulations concerning fences

Mayor Kaplan suggested postponing further discussion until next meeting.

- Consideration of professional services proposal for police station

Mayor Kaplan suggested postponing the discussion because the Village is in process of taking bids from architects.

Trustee Haber reminded the Trustees that they need to either make a decision or move to extend the existing moratorium on fences.

7. New Business

- Ordinance 10-4-5 authorizing police department civilian firearms range master and range instructor positions

Mr. Huvad explained that there is a State law where a part-time police officer cannot be in a position to supervise a full-time police officer.

Chief Dayno explained that the department has three range instructors. One is full-time and two are part-time. One of the part-time officers, because of his level of expertise, is the range master. To comply with the State statute, Chief Dayno recommends that the Board create the positions of civilian range master and civilian range instructor. He would also request that the two part-time officers be appointed to those positions.

Mr. Huvad stated that those employees would be paid by the Village as Village employees while on the range. They would be compensated the same amount as they are currently being paid. Chief Dayno further explained that there will be no issues with the union because the part-time employees are not part of the union. Mr. Huvad will determine whether he needs to notify the Village insurance carrier. Chief Dayno will check with Rich Small and get back to Mr. Huvad.

Trustee Graditor made a motion to waive the First Reading of the Ordinance authorizing police department civilian firearms range master and range instructor positions. Trustee Chamberlain seconded the motion. The motion passed unanimously.

Trustee Haber made a motion for a Second Reading and adoption of the Ordinance authorizing police department civilian firearms range master and range instructor position. Trustee Chamberlain seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson (5)

NAYS: None (0)

Trustee Haber made a motion to hire the officers for the positions of civilian firearms range master and range instructor. Trustee Chamberlain seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson (5)

NAYS: None (0)

8. Standing Committee Reports

Building/Zoning – Trustee Graditor presented the Building Report. From March 1, 2009 – March 30, 2009, the total construction value was \$281,138, generating fees of \$1,514. The construction consisted of commercial renovation and one single family home addition. From March 1, 2010 – March 30, 2010, there was a remodel and single family addition with a total construction value of \$178,400, generating fees of \$2,350.

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April 6, 2010

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Mayor Kaplan stated that a home on Deerfield Road in the Village had a water connection that was trenched instead of drilled, and that the Village wants to ensure that this does not happen again, absent extenuating circumstances.

Trustee Haber mentioned there is a large and unsightly pipe coming out of the ground on the corner of Deerfield and Saunders Roads, and asked if it could be shielded. Mr. Glenn explained that the pipe is in the right-of-way. Trustee Haber asked if the Village could look into the issue of shielding, especially because the intersection is an entryway into the Village.

9. Executive Session

Trustee Graditor made a motion to go into Executive Session to discuss a possible property acquisition. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson (5)

NAYS: None (0)

The Trustees went into Executive Session at 8:35 PM.

The regular session of the Board of Trustees meeting reconvened at 8:40 PM.

10. Adjournment

Trustee Haber made a motion to adjourn the meeting. Trustee Masterson seconded the meeting. The motion passed unanimously. The meeting was adjourned at 8:42 PM.

The next Board of Trustees meeting will be held on April 20, 2010 at 8:00 pm.

Respectfully submitted,

Jeri Cotton

Village of Riverwoods
Board of Trustees
March 16, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Jack Siegel, Village Attorney
Charles Stewart, Village Forester
Rob Ugaste, Assistant Fire Chief

Call to Order: 8:05 PM

1. Approval of Minutes

Trustee Koomjian made a motion to approve the minutes from the March 2, 2010 Board of Trustees meeting. Trustee Graditor seconded the motion. Trustees Svatik, Chamberlain and Koomjian made some corrections. The motion as amended was approved unanimously.

2. Engineer's Report

Village Engineer Pat Glenn presented the gauge data at the Des Plaines River and Route 22. He stated there was a bit of high water at the local rivers, which presented the opportunity to test out the gauge from USGS on Route 22. The Village can now go online to get real time readings of the water levels at Route 22. Mr. Glenn stated the river crested around midnight. He explained the Township Highway Department installed a staff gauge at the river at Deerfield Road. He is working to come up with a method to correlate the data from the 2 gauges, so that the data and forecast from the Route 22 gauge can be extrapolated to predict or estimate the amount of expected rise in the river at Deerfield Road.

3. Director of Community Services Report

Mr. Kraly reminded the Board about the packet with respect to Badger Meter retrofitting a new system. He will bring it up at the April Board of Trustees meeting.

4. Plan Commission Report

Village Attorney Bruce Huvad explained that at the last Plan Commission meeting, they opened a number of Public Hearings which were continued until March 25, 2010. The regular meeting was scheduled for the night before Good Friday.

5. Police Report

Police Chief Bruce Dayno presented the Police Department activity since the March 2, 2010 Board of Trustees meeting. He stated there was one 911 hang up, four alarms, 16 complaints about animals, one other agency assist, two child safety seat installations, three damage to property, four disabled vehicles, two domestic complaints, one driving complaint, two DUI arrests, four fingerprinting, one vehicular or residential lock outs, one noise disturbance, one public assist, nine suspicious circumstances and ten case reports. There were 104 traffic stops with 81 citations issued to 73 people. There are currently 13 houses on the House Watch list that are checked regularly.

Chief Dayno stated there were seven crime prevention notices, one obstruction of information arrest, one domestic battery arrest and one endangering the life of a child arrest.

Chief Dayno mentioned the Department sent Officer Al Maciareillo to elderly services officer training. Officer Maciareillo received specialized training to handle issues with some senior citizens. Although he is not the Village's senior services officer, he will attend senior meetings.

6. Fire Department Report

Assistant Fire Chief Rob Ugaste presented the call volume within the Village of Riverwoods through March 15, 2010. There was one fire call, two car accidents, ten paramedic calls and one other call, totaling 14 calls so far this month and 76 calls to date.

7. Village Attorney's Report

Mr. Huvad brought a revision for the Ordinance on automatic fire sprinklers with him. He also sent the Trustees information on the Libertyville automatic fire sprinkler Ordinance. Mayor Kaplan suggested sticking with a simple Ordinance for discussion purposes, but stated that if you substantially enlarge a house, then sprinklers must be installed in the house.

8. Comments by the President

Mayor Kaplan stated that changing to Northbrook water has saved the Village \$437,469.89 to date.

9. Visitors wishing to address the Board

Kathy Zalewski, 2900 Farner Court, expressed concern about the proposed Residential Fire Sprinkler Ordinance with regards to remodeling. She is especially concerned about retrofitting in homes with wells. Ms. Zalewski did some research and believes the systems can be very costly, can leak, freeze or result in damage. There are at least two Villages in Illinois that have put a moratorium on residential sprinklers because of the problems. Installing sprinkler systems in homes with private wells is not practical and is costly. In the Board minutes, no one has spoke about hidden costs in existing homes. There is the additional cost of tanks/pumps. She believes it is often difficult or impossible to increase well capacity to accommodate the demands of a sprinkler system. Mrs. Zalewski stated the tanks need to be enormous to pump water and they don't work if there is a power failure. Mrs. Zalewski does not believe sprinkler systems work well in homes with wells and asked the Trustees to do some research and investigate all the pros and cons. She believes it may be a good solution for new homes on lake water but is very concerned about adding the sprinklers to homes with wells. Mrs. Zalewski also asked the Trustees to explore other ways to protect residents from fire and suggested there is a way to protect all homes. Mrs. Zalewski is asking the Board to do more research, postpone their vote or amend the Ordinance to remove existing homes with wells from the Ordinance.

Trustee Koomjian asked if there was a moratorium on the installation or mandating of sprinklers. Mrs. Zalewski did not know.

Trustee Svatik asked for Mrs. Zalewski's interpretation of the proposed Ordinance. Mrs. Zalewski believes the Trustees need to be mindful of what can and what cannot be done. If she is adding to her house, she does not believe it is fair to go through the additional expense. Under the proposed Ordinance, if a fire occurred in the existing portion of her home, it would not protect her home anyway. She believes the proposed Ordinance may be good for new construction but not for existing homes. Trustee Svatik explained that the proposed Ordinance is currently meant for homes expanding by at least 50 percent in value or size.

Trustee Graditor explained the cost estimate to add the retention tank and pump was approximately \$2000. The tank and pump would be charged all the time, so once the tank is full it would not keep sucking from the well. Mrs. Zalewski explained she frequently loses power. Trustee Graditor stated that at the last meeting, a building inspector spoke. He was a proponent of sprinkler systems. He had stated that the tank would be a 250 gallon tank that would pump 25 gallons of water per minute. After the 250 gallons were exhausted, it would be done. If there were a power failure, it would not work unless there was a generator. Mr. Kraly explained the pump would work without

power, because it is pressurized. Trustee Graditor stated the pump and tank would not suck a well dry. The Village is not looking to penalize homeowners and is not requiring all homeowners to install sprinklers.

Mrs. Zalewski stated that many Villages have had problems and residents have incurred damage due to malfunctioning, retrofit sprinklers. Trustee Graditor stated that the Village is asking for only the portion of new construction on homes increasing by at least 50 percent in value or size to have sprinklers installed. The Village is not requiring all homeowners to install sprinklers.

Trustee Graditor explained the purpose of the Ordinance is to save lives. Mrs. Zalewski stated Riverwoods has a fire department for that. Assistant chief Ugaste stated there are model codes through the United States. The ICC Residential Fire Code added residential sprinklers in 2009. Residential sprinklers are supported by the National Fire Academy. He stated the Code Alliance feels this is important and necessary. Assistant Chief Ugaste explained that four states have adopted this code. In 2011 when the code becomes effective in California, every new home will have sprinklers. Trustee Koomjian added that one part of the proposed Ordinance is for new construction; the other part is for existing homes with large remodels.

Trustee Svatik pointed out that the Mayor and each Trustee received a one page summary of last Tuesday's consultants meeting. They have always requested a brief summary to learn about what was discussed. If there are any questions, the appropriate consultant can be contacted. Trustee Chamberlain stated she appreciates receiving the summary.

10. Approval of Bills

Trustee Svatik made a motion to approve the Bills. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

11. Old Business

- 2nd Reading of an Ordinance requiring interior automatic fire sprinkler systems

Mayor Kaplan explained the proposed Ordinance has two parts; one is for new homes and one is for existing homes. Mayor Kaplan does not believe anyone has an issue with requiring interior automatic fire sprinkler systems in newly constructed homes. The proposed Ordinance currently suggests requiring interior automatic fire sprinkler systems in homes increasing at least 50 percent in area. Mayor Kaplan suggested revising that to 75 percent or 80 percent in area. He believes that if someone guts a house, they should have an interior automatic fire sprinkler system installed.

Trustee Chamberlain believes the semantics would make a big difference. She does not want to discourage anyone from improving their home, but it needs to be clearly defined. Trustee Chamberlain is not interested in retrofitting sprinkler systems. Mayor Kaplan would rather see home remodels or enlargements rather than complete tear downs. Trustee Svatik explained that 63 communities have sprinkler ordinances. Six of those communities specify square footage. The remaining communities have ordinances similar to what is being proposed. Trustee Graditor would not have a problem proposing 75 percent in area, but would not want to see just one or two walls kept. She does not believe anyone would add on 75 percent in area unless they would be virtually building a new house. Trustee Haber explained that if someone is doing a complete remodel, they would be changing some of the systems. Mr. Huvard suggested maybe regulating the amount of area required for inspection. If someone cannot occupy a space while a remodel is being done, that area would be counted as space. Another would be by regulating the enlarged area.

Mr. Kraly asked about the enlarged area and upgrading the electrical, heating and plumbing systems. If someone is upgrading two out of the three mechanical systems as well as a substantial area, that would require sprinklers to be installed. Mr. Huvard and Mr. Kraly will work out the specifics and discussion will continue at the next Board of Trustees meeting.

Trustee Koomjian stated he had a brief conversation with Assistant Chief Ugaste about the background of the Ordinance. He stated there are several avenues to safety. The Village has a fire department that can make inspections for residents that request it. Assistant Chief Ugaste stated the fire department is not an expert in furnaces and could not certify if things were safe.

Mayor Kaplan moved to table further discussion until the April 6, 2010 Board of Trustees meeting. Trustee Graditor seconded the motion. The motion passed unanimously.

- 2nd Reading and adoption of an Ordinance amending the Village Code to prescribe regulations concerning fences

Mayor Kaplan explained the Task Force will meet on March 25, 2010. He recommended continuing further discussion until the Trustees receive the results of their meeting.

- Consideration of professional services proposal from Williams Architects (Police Station)

Mayor Kaplan explained that Trustee Haber questioned whether the Board did their due diligence on this issue. Trustee Haber stated he received a memorandum and is okay with the proposal.

Mr. Huvard mentioned they have a proposal from Williams Architects and have asked them to break down the fee into stages. He asked Williams Architects to make a

presentation at the next Board of Trustees meeting. Trustee Koomjian asked when the architect would bring in a rendering. Mr. Huvad explained that is in the design development phase, which is the next phase. Trustee Masterson explained that is about \$5,000 - \$10,000 into the project.

- 2nd Reading of 2010 Appropriation Ordinance

Trustee Graditor made a motion for the Second Reading and adoption of the 2010 Appropriation Ordinance. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

The Ordinance is number 10-3-4.

12. New Business

- Purchase of new camcorder

Mayor Kaplan explained they looked at the Board meeting tape from the last meeting, which was taken on the camcorder they borrowed from Al Solomon. The sound is superior and the picture is great. Mayor Kaplan believes the test answered all their questions and this solution was much less expensive than a new sound system. He believes the cost will be between \$4,000 and \$5,000, but would like authorization to purchase the camera, tripod and other necessary accessories for up to \$5,000.

Trustee Haber asked if the existing camera could be sold. Mayor Kaplan said it could be sold. Trustee Svatik questioned the need for something, when a lot of people do not watch it. Trustee Haber explained it was part of transparency in government. Trustee Chamberlain believes the video is a new thing for Riverwoods and a number of people do not realize it is available. She explained that even if a few people are accessing the video, it is a good thing. Trustee Masterson agreed, because it is an open meeting and the Board rarely gets a lot of visitors. Trustee Koomjian believes that if the Realty Board had not send out a flyer about the proposed sprinkler Ordinance, residents would not know about it. He does not know if the new camera will fix things, but believes a \$5,000 investment is worth it because the existing sound system is inadequate.

Trustee Graditor made a motion to authorize the purchase of a new camcorder and necessary equipment to record board meetings at a cost not to exceed \$5,000. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

- Discussion on general forestry programs

Village Forester Chuck Stewart explained that in February he brought some basic thoughts about the general forestry programs before the Board. He wants to present the ideas tonight and talk in detail at the next Board of Trustees meeting.

Mr. Stewart explained his first document was a summary of the comments made by the Trustees. Each comment is numbered and he added some additional comments and recommendations.

On page four, there is an updated Village cost share for the Buckthorn, Garlic Mustard and Planting programs. The current program for sharing costs limits Village exposure to \$1,000 for each activity (up to three). The Village has not had anyone do all three activities. He recommends expanding the program and put together some suggestions. The new program would raise the Village exposure from \$3,000 to \$4,750.

Mr. Stewart discussed the proposed tree planting program for the Village. He explained the focus on the program is oak trees. He is working with the Plant Committee on updating their recommended planting list.

The third document is the egg mass survey which was broken down to three components. This document determines the need to spray on an annual basis. Basically, it shows how many egg masses per acre it would take to achieve a certain defoliation of the trees. Mr. Stewart can combine the information to determine whether or not to spray.

Trustee Chamberlain asked if there were any comparisons from previous years. Mr. Stewart explained they just started the program, but the Village sprayed in 2005, 2007 and 2009. He stated that in 2007 they sprayed from Deerfield Road south on Portwine. That year they were overrun with insects but could not find the egg masses. They determined that the egg masses came from the forest preserve. Mr. Stewart explained the forest preserve would share their data as well, to build base information for consistent sampling. Trustee Masterson asked if Mr. Stewart could take the counts and project them to egg masses per acre. Mr. Stewart explained that was the existing information. Trustee Svatik noted that the forest preserve made the decision not to spray. Mr. Stewart explained that the Forest Preserve District sprayed the property on Route 176 because it is an atypical place. He stated it is important to get some long-term history to gain the comfort level necessary to make decisions.

Trustee Masterson asked Mr. Glenn to put this information on a map. Trustee Chamberlain asked him to also make an overlay map with spraying sites and egg masses.

Irene Gagerman, 3000 Orange Brace, asked about the sharing programs. When she started pulling Garlic Mustard, she did not know what it was. When she applied for the program, she could not get someone to inspect her property before it was time to pull the Garlic Mustard. She stated that was six years ago and asked if it was still as difficult to get someone to inspect property.

Mr. Stewart explained the program was specifically set up to prevent the use of herbicides. That is not to say that if you did it without grant money that you could not use herbicides. If you apply, we want to have inspections before and after the Garlic Mustard is pulled. He stated a contractor must also be hired. He explained the Village was talking about changing the cost share amount and making the process easier.

Mrs. Gagerman explained that Garlic Mustard must be taken care of before it goes into seed. Mr. Stewart explained that would be May to early June. Mrs. Gagerman explained there needs to be an earlier system for Garlic Mustard reimbursement. Mayor Kaplan explained the process has been streamlined.

Trustee Chamberlain asked if Mrs. Gagerman's concern was the time frame for approval. Mrs. Gagerman explained it was. Mr. Stewart suggested having residents apply in April for Garlic Mustard. Mr. Stewart explained the cost share program was originally put in place to entice residents to get rid of the Garlic Mustard. Mrs. Gagerman asked if the Village is willing to reimburse up to \$3000 for the three programs. She asked if she could apply three times for tree planting, because she did not apply for Garlic Mustard removal assistance in the past. Mayor Kaplan stated the reimbursement amounts are for the specific programs. Trustee Chamberlain stated that Mrs. Gagerman accomplished the goal of removing the Garlic Mustard on her own. She suggested considering a program for residents that handle the invasives on their own. Mrs. Gagerman questioned why the Village was restricting the money, if they were willing to give residents \$3000.

13. Adjournment

There being no further business to discuss, Trustee Graditor made a motion to adjourn the meeting. Trustee Chamberlain seconded the motion. The meeting adjourned at 9:25 pm. The next Board of Trustees meeting will be held on April 6, 2010 at 8:00 pm.

Respectfully submitted,

Jeri Cotton

Village of Riverwoods
Board of Trustees
March 2, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Jack Siegel, Village Attorney
Rob Ugaste, Assistant Fire Chief

Call to Order: 8:00 PM

Mayor Kaplan suggested the Board should first discuss the donation for St. Baldrick's Children's Cancer Research and the proposed Ordinance requiring interior automatic fire sprinkler systems before continuing with the regular agenda. Trustee Graditor made a motion to change the order of the agenda. Trustee Svatik seconded the motion. The motion passed unanimously.

1. Approval of Minutes

Trustee Masterson made a motion to approve the minutes from the February 16, 2010 meeting of the Board of Trustees. Trustee Chamberlain seconded the motion. Trustees Chamberlain and Svatik made corrections to the minutes. The minutes were unanimously approved as amended.

2. Consultants

- Plan Commission

Village Attorney Bruce Huvad stated there would be a Plan Commission meeting on Thursday March 4, 2010. The Plan Commission would discuss a series of Public Hearings planned with respect to the proposed annexation of certain properties along Milwaukee Avenue.

3. Police Report

Chief Dayno listed the Police Department activity since the February 16, 2010 Board of Trustees meeting. He stated there were two 911 hang ups, nine accidents, 26 alarms, six complaints about animals, ten fire assists, two other agency assists, one burglary, two child safety seat installations, one damage to property/non-criminal, seven disabled automobiles, one dispute, one domestic, two driving complaints, one DUI arrest, five vehicle or residential lock outs, four missing persons, eight suspicious circumstances and 11 case reports. There were 103 traffic stops with 83 citations issued to 73 people. There are currently 12 houses on the House Watch list that are checked regularly.

4. Fire Department Report

Assistant Chief Ugaste listed the call volume within the Village of Riverwoods for the month of February. There were five fire calls, four car accidents, 27 paramedic calls and four other calls totaling 40 calls during the month of February and 63 calls year to date.

5. Comments from the President

Mayor Kaplan pointed out the new video camera. He explained it was on loan to see how well it records sounds in the board room. Mayor Kaplan believes a new, better camera may solve the sound system issue as the recordings of most meetings have been difficult to hear or understand.

6. Old Business

- Second Reading of an Ordinance requiring interior automatic fire sprinkler systems

Mayor Kaplan explained the Village has received a number of calls from concerned residents about this proposed Ordinance. He wanted to ensure residents that the proposed Ordinance would not effect existing homes. The Ordinance is proposed for new construction and remodeling projects that constitute more than 50 percent of an existing home.

Trustee Svatik made a motion for a Second Reading of an Ordinance requiring interior automatic fire sprinkler systems. Trustee Graditor seconded the motion. The motion passed unanimously.

Jennifer Peterson from Alliance Fire Protection offered some cost estimates with respect to the installation of automatic fire sprinkler systems. She stated that for a new home with city water the estimated cost would be between \$1.75 and \$2 per square foot including the square footage of a basement. If a storage tank and pump were required for well water, the estimated cost would be an additional \$2000. Trustee Koomjian asked what the monitoring costs would be. Ms. Peterson explained that Alliance does not handle monitoring, but stated that if the fire department required monitoring, there would be an additional cost. Mayor Kaplan asked what the inspection cost would be. Ms. Peterson explained that a contractor could be hired, or Alliance could provide that service. Trustee Graditor asked how the system works.

Mrs. Peterson explained that only the sprinkler head or heads near to the fire would go off. She stated that approximately 90 percent of fires are controlled by one sprinkler head.

Trustee Chamberlain asked about sprinklers being set off in error, in an unoccupied home. Ms. Peterson explained that only one in 16 million sprinkler heads activate for no reason at all. She stated most homes would have alarms that, if not tied into a monitoring service, would alert neighbors. There could be bright strobe lights and horns. Trustee Chamberlain asked if there were other costs involved when installing a sprinkler system, such as wrapping or insulating pipes. Ms. Peterson explained the sprinkler pipes are not wrapped because there is no condensation. The water is stagnant in the pipes. She explained that they try not to install pipes in cold spaces wherever possible. Ms. Peterson stated that when pendant heads are used, the contractor would be responsible to ensure the pipe does not freeze.

Mayor Kaplan explained that many homes in Riverwoods have 16 – 18 foot ceilings, and asked if that would make a difference. Ms Peterson explained that elaborate ceilings would be considered on a case-by-case basis. She stated they always try, however, to minimize the installation of pipes in colder areas.

Attorney Huvad explained that the Lincolnshire-Riverwoods Fire Protection District adopted an Ordinance for sprinklers in unincorporated areas. They determined it was in the best public interest to require the systems. Attorney Huvad stated that the District is going to other areas in the district, including Riverwoods, and asking them to follow suit, thus the Board is now asked to consider enacting an Ordinance with respect to the installation of sprinkler systems. Attorney Huvad took the Ordinance of the Fire Protection District and modified it to work within Village codes.

Trustee Koomjian asked whether certification was required to install these systems. Ms. Peterson explained that specific certification is not required; however, the contractor would need to be licensed by the State. She noted that her company only hires union contractors.

Bob Kleinheinz from the National Fire Sprinkler Association stated that State law reads that a 13(d) installation can be put in by a homeowner, a plumber or a licensed sprinkler contractor.

Diane Phyllis, 1515 Indian Trail stated that she moved to Riverwoods because it gave her a sense of freedom. People are respected for making their own decisions. She feels the proposed Ordinance is intrusive and expensive for an occasional problem. She believes people should be allowed to choose to install sprinklers instead of being forced to install them.

Lou Glantz, 1560 Indian Trail, explained that a friend in Prairie Grove installed a sprinkler system and it failed. He had sprinkler heads in ceilings and some of the ceiling pipes were exposed. It was certified in 2006 to 48 degrees below zero. In February 2007, the system started pumping water thru a break in pipe. The pump was 8" deep x 2' long and pumped a lot of water in the home. There was no emergency service and ADT could not do anything, and the homeowner had to turn circuit breakers off. The system caused \$35,000 in water damage, and there was a hold harmless clause with the company. The owner had a crew of ten people come the next morning with blowers and dehumidifiers but the baseboards still needed to be stripped. He needed to do a lot of work in the house for three weeks. After it was cleaned, there remained

a possibility for mold in the house. Finally, when the owners want to sell the house, they will need to certify system again. Mr. Glantz stated the system was installed by Alliance.

David Spears, 1045 Portwine, inquired as to how many house fires there have been in Riverwoods.

Assistant Chief Ugaste responded that there were six – eight fires in the Fire Protection District last year, but that is not broken down to Riverwoods. He stated the most recent fire in Riverwoods was at 1 Meredith and it was not reported early. With tree canopies and isolated homes, people do not know there is a problem until it is far along. In the case of 1 Meredith, the house was vacant.

Assistant Chief Ugaste explained that these systems are viewed as life safety systems. Within three minutes, a house can get so bad with smoke that you cannot survive inside. The goal of the system is to delay flash over (where anyone would die).

Mr. Spears asked how many people have been injured in fires in Riverwoods. Assistant Chief Ugaste explained that last year there was one near fatality. They also had a firefighter go through a floor into a fire. He explained with today's construction, there is no way to control fires. Where they used to have 17 minutes to control house fires, they now have three minutes.

Mr. Spears asked if the Village has a smoke detector ordinance. Mr. Kraly explained that the State of Illinois has a smoke detector ordinance. All homes need carbon monoxide detectors as well. Trustee Chamberlain stated that smoke detectors go off as a result of heat, not smoke. Assistant Chief Ugaste explained that smoke detectors save people half the time. A fire detector goes off slightly before a sprinkler head goes off. He stated that 80 percent of the people who die in homes could have been saved by a sprinkler. In 2008, 137 people died in Illinois.

Ron Baranski, 2590 Chianti Trail, related that in 1999 his home had a fire. It was contained in a small portion of the house and travelled 10 – 15 feet. However, the entire house, which is 175 feet long, was filled with smoke and heat. His computer at end of house melted, anything plastic melted, glass shattered from the heat and smoke got into walls. Mr. Baranski does not feel \$2.00 per square foot is an appropriate number in most homes, he believes the cost would be greater. He also is concerned about the proposed ordinance in regards to older homes. He questioned whether the 50% was to be measured by the size or the value of the home. Trustee Svatik explained that if a remodeled home increases in size by 50 percent or increases in value by 50 percent, sprinklers would need to be installed. Mr. Baranski then asked whether only the remodeled area would need sprinklers or if the entire home would need sprinklers in a remodel.

Mr. Kleinheintz explained that a 13(d) system is a life safety system. He stated that in Libertyville more than 500 homes have sprinklers. If the home has a well, the Code requires that the system be capable of pumping water for ten minutes. If a home has city water, a 1.5" pipe would be required. Mr. Kleinheintz explained that residential systems are made to stop flash over and allow families to escape and firefighters to enter homes.

Rick Jamerson, 3223 Blackthorn, stated that he is an electrical contractor and part-time inspector in Northbrook. He is on a committee with the City of Chicago which reviews the residential building code. He stated that the letter from the Realtors Association infuriated him that in his opinion it was fear mongering by "throwing out" costs, and safety should not be based on cost. Mr. Jamerson explained the City of Chicago will not require sprinklers because they are afraid of fallout. He believes the Board should look more at facts than money.

Trustee Chamberlain thanked those residents that were polite and asked questions and offered information. She received a number of emails. Some were nice and others were not as polite.

Allan Goldin, 1341 Kennilwood Lane, stated that he read the information from the Realtors Association. He has lived through a few fires. The cost to have sprinklers is substantial, but the cost not to have sprinklers is even greater. Mr. Goldin believes residents should be educated that the fire department is available to assist residents and that the smoke can kill them.

Albert Oehl, 3040 Farmer Court, stated his belief that sprinklers should be required only in new homes. The additional cost would not make a difference. In a previously owned home, it would cost a lot of money.

Nathan Atkins, 2375 Dawson Court, stated his belief that sprinkler systems would be helpful in homes; however, he does not believe it is appropriate for the Village to impose safety features for his home. Residents appreciate having their own choices. He understands the value, but the cost is significant. Trustee Masterson noted that the concept is similar to regulating the type and size of conduit in homes.

Henry Hollander, 718 Ringland, asked if there were any insurance savings for installing a sprinkler system. Trustee Svatik stated that the savings range from 5 – 20 percent of insurance premiums. Mr. Hollander stated that if the savings are 20 percent, the resident's costs will be recouped.

Mark Golan, 1820 Robinwood Lane, stated his belief that it is very easy to add 50 percent to a house. If it is just the new section, that is one thing. But people do not want to tear out their decorating on the existing homes, and he does not believe the existing, non-remodeled area of a home should be required to have sprinklers.

Mr. Kleinheintz explained that in Libertyville, their ordinance states that if a house is remodeled one hundred percent, wall to wall, it by necessity would include a new plumbing system, and thus a sprinkler system is required.

Howard Handler stated that he is the Government Affairs Director of the North Shore Board of Realtors, and that he does not represent any builders or remodelers. He explained that fire sprinklers are great if you want to put them into your own home. He believes these ordinances are being pushed by the fire sprinkler industry. Mr. Handler believes there could be another solution. He explained you cannot capture who walks away from a real estate sale because of a sprinkler system. In addition, as costs are added to the home, the home price increases. Mr.

Handler believes the proposed Ordinance would have an impact on the price of existing homes. Trustee Chamberlain stated that she read the materials and does not believe the conclusions are consistent with the materials. Trustee Graditor stated she received a message on her answering machine that was offensive.

Mayor Kaplan stated he received a number of emails and found most people did not understand the proposed Ordinance and what would be mandated. He suggested the Trustees send their recommendations about the proposed Ordinance and their suggestions about what should be covered to Mr. Huvad. He asked the Trustees to consider whether they only want new construction to be mandated, and how remodels should be handled.

Trustee Svatik suggested that if the Ordinance is passed, enforcement should be delayed for 60 – 90 days to give time to anyone who is in negotiations with a builder to finalize the transaction and not be affected by the proposed Ordinance.

Trustee Chamberlain made a motion to postpone further discussion until the next meeting. Trustee Koomjian seconded the motion. The motion passed unanimously. Trustee Masterson suggested that the information distributed by the Fire Department, as well as other useful information, be circulated before the next meeting.

- Second Reading and Adoption of an Ordinance amending the Village Code to prescribe regulations concerning fences

Mayor Kaplan explained the Task Force has met twice and has made some progress. As a member of the Task Force, Trustee Graditor explained they are trying to reach a consensus on a way to establish an Ordinance that is clear and enforceable. They are getting input from the Village Attorney, Village Engineer and Village Forester in order to bring a recommendation to the Board as a suggestion to make the Ordinance clearer and enforceable. Trustee Graditor explained the Task Force members are talking about what they want the Ordinance to achieve, in order to then work backwards towards a solution.

Greg Mancuso, Task Force member, stated that they ended the last meeting with a list of questions. Some of the answers are known intuitively. They are trying to identify what is not known and determine who needs to be consulted. Trustee Koomjian asked if there has been a budget set, if the Task Force needs to call on other professionals. Trustee Graditor explained that if there were expenses, the Task Force would consult with the Mayor. She stated the Task Force has not hit a point where a consultant needs to be hired. If they cannot go any further without a consultant, they would request authorization to hire one.

Trustee Koomjian explained the idea for a Task Force came from the Board, but the Task Force was not given any direction. He asked rhetorically whether the Task Force should take the existing proposed Ordinance and try to repair it or should they address the underlying issues to make it come into place.

David Shimberg, Task Force member, explained that the Task Force wants to come up with a way to handle deer fences. Trustee Huvad stated that there were hearings with the Plan Commission before the proposed Ordinance was drafted. He stated the Ordinance does not only deal with deer fences; rather, it deals with what people felt was objectionable. Mr. Huvad added that the number of deer fences has become objectionable to a number of residents.

Trustee Koomjian thought that the issue was aesthetics and moved from deer fences to fences. He believes this is an opportunity to go into the core issues and would like the Task Force to also consider the issue of aesthetics and how to address aesthetics with regard to property owner rights. He raised the issue of where do aesthetics trump property owner's rights. Trustee Koomjian believes there are municipal planners that have dealt with those issues in the past. He asked whether the Task Force should survey the issues of deer, deer fences and aesthetics to come up with an Ordinance the Village could be proud of. Attorney Huvad explained most items in the current proposed Ordinance were not objectionable. The exception to that are deer fences.

Trustee Haber questioned how the Task Force is different than the Plan Commission. He stated that the Plan Commission came up with what they believe it the best proposal. Mr. Huvad explained the Board could have sent the issue back to the Plan Commission, but decided to send it to a panel with an equal number of people on both sides of the issue. Trustee Graditor explained that every time the issue of fencing is brought up, people also speak about aesthetics. The Village has always been careful not to legislate aesthetics. She does not believe the fencing issue is as much an issue of aesthetics as it is about residents complaining about the number of deer fences, deer channels, etc.

Trustee Haber believes the Village is addressing deer fences because of the deer. Therefore, he believes the Village needs to address the deer. If the Village is addressing deer fences because of aesthetics, they would have to address aesthetics in the entire Village. Trustee Haber believes deer fences are a result of the deer.

Trustee Svatik explained that deer are a problem because they are perceived to be a problem by some. If people did not want deer, they should not move into heavily wooded areas.

Trustee Graditor stated that the Task Force is trying to come up with a way to protect properties by leaving enough passageways for deer, to acknowledge that deer have rights too. Trustee Masterson stated that farmland is usually fenced in. He asked if the Task Force has given any thought to the construction of fencing along the boundaries of the forest preserve in order to keep deer out. Trustee Graditor stated her belief that for every person that does not want deer on their property, there is a person that wants to see deer.

Trustee Koomjian believes aesthetics could be regulated when visible from public thoroughfares. He stated aesthetics could be regulated differently for front, side and rear yards, and also suggested that fences could be camouflaged if aesthetics were to be a focus of regulation.

Mayor Kaplan suggested letting the Task Force come up with a recommendation for the Board to review.

Trustee Haber made a motion to postpone further discussion. Trustee Graditor seconded the motion. The motion passed unanimously.

- Consideration of professional services proposal from Williams Architects (Police Station)

Attorney Huvard explained he did a lot of research on design and build concepts. With respect to the budget for the proposed police station, one quarter of it is for offsite work. There are also contingency and Leed costs. Attorney Huvard believes the Village should be able to control costs through the regular bid process. He asked whether the Board should request a final proposal from the architect.

Trustee Haber explained that when speaking with the architects, one presumes that they would want to know whether the project has been sited. He then noted that although the trustees discussed the constructing the proposed police station in the vicinity of the fire station, they have not discussed whether it is the best location for the Police Department.

Attorney Huvard explained the Board previously had some discussions about what other uses could go into that site. One of the issues that came up in discussion was the single access to Riverwoods Road due to the shared entrance. He believes more uses would create a danger or a safety issue. Trustee Haber noted that the parcel is one of the last potential commercial sites in the Village. He questioned whether the Police Station should be put in an area that is considered less valuable. Trustee Haber stated that the proposed site could produce revenue for the Village in the future, if it were a commercial site. Mayor Kaplan explained the problem with the site is the lack of access, and that the Village could not get another curb cut.

Village Engineer Patrick Glenn explained that the potential to use the property for commercial uses was diminished when the fire station was built. Most uses would not want to be located at a right-in, right-out corner. Trustee Svatik added that the Village acquired the property to keep it from going commercial.

Trustee Haber commented that the location is an entrance to Riverwoods. He questioned whether the proposed police station would be the best thing to see when entering the Village. Trustee Haber stated there were other areas that could be used that may be more optimal. Chief Dayno explained the first time he brought this up to the Board he discussed why he thought it would be a good location for the proposed police station. From a law enforcement standpoint, it is centrally located. Trustee Haber asked if a comprehensive study was done to show the options and the pros and cons of each location. Attorney Huvard explained they looked at Village owned property. He stated the proposed site was acquired for Village purposes. Mr. Glenn stated they could evaluate other sites as well, if directed. Trustee Graditor believes the proposed site would be less expensive because the land was owned by the Village. Attorney Huvard thought the Board did not want that property to be commercial. Trustee Haber explained his

opinion that the issue is the process that is being used to select a site and develop a police station, not the end result.

Trustee Svatik asked if there were any objections to the proposed site. Trustee Haber explained he did not object to the site, but would like to determine if there was a better site in the Village. Mayor Kaplan asked if the Board would want to spend money to acquire a new site. Trustee Haber believes if there were an available property that was better suited for a police station, he would not want to be short sighted. He continued his remarks by saying that conceptually, if the Trustees feel a new police station is needed, they should build the best building in the best possible location. If the Village needs to spend more money to get land, because there is a purpose to the purchase, that is one thing. Trustee Haber does not want to acquire property without a purpose but believes the Trustees need to do due diligence.

Trustee Svatik questioned what would go in that space if it the Police Department did not use it. Trustee Graditor explained that during the initial discussion, Chief Dayno thought it was the most suitable site. Chief Dayno explained that if he could pick any spot, that would be the spot he would pick. It is a location central to the entire Village, and he thinks it would be the best location for a police station.

Trustee Haber stated his belief that the Board never did an analysis. Mr. Glenn mentioned that Staff could memorialize how this location was selected. Trustee Haber believes Staff should also investigate what other properties may be available before the next meeting. No motion was made in this respect.

- Approval of Miller Cooper Agreement for year ending 12/31/2009

Trustee Masterson made a motion to approve the Miller Cooper Agreement for the year ending December 31, 2009. Trustee Koomjian seconded the motion.

Trustee Svatik observed that on the second page, the phrase 'on a timely basis' was crossed out. He questioned why it was crossed out when the Village is bound by the State to have it submitted on a timely basis. Attorney Huvad stated he would put the phrase back in. Trustee Svatik stated is opinion that the first paragraph on page five lets them off the hook on everything. Attorney Huvad explained that it was standard language and was customary in agreements of this type. He stated that the accountants are relying on the material provided by the Village and are assuming the data is accurate. The motion, as amended, passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

7. Visitors Wishing to Address the Board

Paul Zgonena, 2930 Riverwoods Court, stated that he is happy to see the proposal for the Deerfield Road bicycle path. He expressed concern, however, because last year the snow was plowed by three "walk behind" snow plows. This year, they are using a truck or jeep with wider

blades. Mr. Zgonena explained that a bicycle path is not meant to have trucks on it. He stated that people's lawns were getting destroyed and trees were being damaged. Trustee Chamberlain commented that she has experienced the same problem Mr. Zgonena suggested only using "walk behind" snow plows. Mr. Kraly stated that he thought the issue had been resolved, and that he would speak with the contractor again. Trustee Masterson asked if the Village could stipulate what type of plow is used in their contract. Mr. Kraly explained it would be listed in the next contract.

8. New Business

- First Reading of 2010 Appropriation Ordinance

Trustee Graditor made a motion for a First Reading of the 2010 Appropriation Ordinance. Trustee Koomjian seconded the motion. Mayor Kaplan stated there would be a Second Reading at the next meeting. The motion passed unanimously.

- 2010 Proposal by Riverwoods Plant Committee

Mayor Kaplan stated that the Village provided \$5,000 for the Riverwoods Plant Committee last year. Trustee Masterson made a motion to accept the proposal of the Riverwoods Plant Committee in the amount of \$5,000. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

- 2010 Lake County Watershed Management Board Grant

Mr. Glenn explained the Vernon Woods Owner's Association received a 50-50 grant for an engineering study of the drainage in Vernon Woods. The purpose of the study is to identify the local drainage features and natural resources (wetlands) and develop conceptual plans for potential drainage improvements. Staff suggested that if the County and Village were going to provide the funding, it would make more sense to do it as a Village project with a scope including the local watersheds (Thorndale Creek and Chianti Creek) rather than just the Vernon Woods area. The estimated project cost would be \$30,000. Due to limited funding, the County only approved a \$9,000 grant with the expectation that the Village would provide the remaining \$21,000.

Trustee Svatik explained that the Intergovernmental Agreement states that the \$9,000 represents 50 percent of the total, which is inaccurate. Mr. Glenn explained it would be \$9,000 or 50 percent, whichever is less. Mayor Kaplan believes it is a worthwhile study.

Trustee Masterson made a motion to authorize the execution of an Intergovernmental Agreement with Lake County and authorize expenditure not to exceed \$21,000 for the study. Trustee Haber seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

- Ordinance authorizing the sale of surplus personal property owned by the Village of Riverwoods (#10-3-3)

Trustee Haber made a motion to waive the First Reading of the Ordinance. Trustee Masterson seconded the motion. The motion passed unanimously.

Trustee Haber made a motion to adopt Ordinance 10-3-3 authorizing the sale of surplus personal property owned by the Village of Riverwoods. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

- 2009 D.E.D. Survey-Bids for removal of trees still standing

Trustee Svatik made a motion to approve the proposal as presented by the Village Forester for the removal of dead or diseased Elm trees on Village property. Trustee Chamberlain seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

- Donation for St. Baldrick's Children's Cancer Research

Officer Al Maciareillo from the Riverwoods Police Department asked for Village's support for the St. Baldrick's foundation. He will shave his head to benefit children's cancer research. The event will be hosted by Lincolnshire/Riverwoods Fire Department and all proceeds will go to benefit the charity. The event will take place on March 20, 2010 at the Cubby Bear North. Trustee Svatik made a motion to donate \$1,000 to the St. Baldrick's Foundation for children's cancer Research. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

9. Standing Committee Reports

Building/Zoning – Trustee Graditor reported that from February 1, 2009 thru February 28, 2009, the total construction value was \$1,231,500 generating fees of \$11,511. There was one single family home and some renovation. From February 1, 2010 thru February 28, 2010, there were

remodels and commercial repair with a total construction value of \$51,000 generating fees of \$950. She stated that the total number of Dutch Elm trees to be removed in 2009 was 605.

Finance/Soil and Water Conservation – Trustee Svatik explained that the income data in the Appropriations Ordinance, especially from the state, was reviewed with Larry Frang, the Executive Director of the Illinois Association. He projected it out for the year. Trustee Svatik explained those figures were the best they could come up with. He was somewhat uncertain as to when the funding will be received because of conditions in Springfield.

Roads/Bike Path/Parks/Forestry/NSSRA – Trustee Chamberlain explained that at the next meeting, Village Forester Chuck Stewart would present recommendations for changes in the Village's forestry program. She stated that Hal Roseth came before the NSSRA Board and would report back on that as well.

11. Adjournment

There being no further business to discuss, Trustee Graditor made a motion to adjourn the meeting. Trustee Koomjian seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:55 PM. The next Board of Trustees meeting will be held on March 16, 2010 at 8:00 pm.

Respectfully submitted,

Jeri Cotton

Village of Riverwoods
Board of Trustees
February 16, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Bruce Huvad, Village Attorney
Patrick Glenn, Village Engineer
Jack Siegel, Village Attorney
Rob Ugaste, Assistant Fire Chief

Call to Order: 8:00 PM

1. Approval of Minutes

Trustee Svatik made a motion to approve the minutes of the December 15, 2009 Board of Trustees meeting. Trustee Masterson seconded the motion. The Trustees made various text changes. The motion to approve the minutes as amended passed unanimously.

2. Consultants

• Plan Commission

Bruce Huvad reported that the Plan Commission meeting scheduled for February 4, 2010 could not be held because of a lack of quorum. The next meeting is scheduled for March 4, 2010 at 7:30 PM. Public hearings with respect to the annexation of certain properties along Milwaukee Avenue will be held at that time, with proper notice.

3. Police Report

Chief Dayno reported the activity of the Riverwoods Police Department since the February 2, 2010 meeting of the Board of Trustees. He explained there was one 911 hang up, 14 accidents, 15 alarms, four complaints about animals, 16 fire department assists, one assist to another agency, one child safety seat installation, two domestic disputes, five driving complaints, one DUI arrest, six lock-outs from a vehicle or a home, seven suspicious circumstances, seven case

reports, and eight crime prevention notices. There were 96 traffic stops with 71 citations issued to 63 people. There are currently 18 houses on the house watch list that are checked regularly.

Chief Dayno also presented the results of the Riverwoods Police Survey for 2009. Fifty-seven responses were received, up from fifty in the previous year, and the Department rated in the “excellent” range in seven of the eight categories and in the “good” range in the remaining one. Chief Dayno was pleased to report that the Department improved in every category over the previous year. He also stated that the survey results will be published in the next Village Voice.

4. Fire Department Report

Assistant Fire Chief Ugaste presented the fire department call volume within the Village of Riverwoods for the period February 1 through February 15, 2010. There were 5 fire calls, two car accidents, 16 paramedic calls and two other calls for a total of 25 calls for the period. Year to date there were 48 calls.

5. Comments from the President

- Northbrook Water Comparison

Mayor Kaplan announced that the Village has saved in the neighborhood of \$423,000 since the inception of its purchases of Northbrook water. He also mentioned that Deerfield will probably raise its rates in March, as it generally does every year.

- Clean Up Day Sponsor

Mayor Kaplan announced that the RRA is not going to sponsor Riverwoods Clean Up Day this year, and that the Village will do so instead, in conjunction with the Riverwoods Preservation Council. Mayor Kaplan estimated the cost to the Village at several thousand dollars. Laurie Breitkopf, on behalf of the RPC announced that the RPC will be happy to work with the Village on this project. Trustee Chamberlain reiterated what she had communicated previously to Mayor Kaplan, that John Hughes of the RRA told Trustee Chamberlain that almost all of the committee chairs of the RRA have resigned, and Mr. Hughes doesn't have anyone to take on the Clean Up Day project this year, and although he offers his personal help, he can't promise more than that from the RRA. He also told Trustee Chamberlain that the RRA may be able to provide more help next year.

The day set for the clean-up is May 22, and Trustee Haber stated that he would arrange for plastic bags.

6. Approval of Bills

Trustee Haber made a motion to approve the bills. Trustee Graditor seconded the motion. Trustee Svatik pointed out a duplication in the amount of \$1,379.99 on the bill from Dimand Bill and suggested that that amount should be subtracted from the amount approved, at least until any discrepancy is straightened out. As qualified in this respect, the motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

7. Old Business

- 2d Reading and Adoption of an Ordinance Amending the Village Code to Prescribe Regulations concerning Fences

Trustee Svatik moved that the Board take up again the motion for a 2d reading and adoption of the proposed ordinance. Trustee Graditor seconded the motion.

The motion passed by the following voice vote:

AYES: Graditor, Koomjian, Masterson, Svatik (4)

NAYS: Chamberlain, Haber (2)

Attorney Huvad then presented a new draft of the proposed ordinance and explained its terms. The new draft contained several options by which a homeowner who desires to erect a fence in excess of 6 feet in height on his property might do so without violating the proposed ordinance. Attorney Huvad explained Example A attached to the proposed ordinance, and also Options 1 and 2, with variations, along with other proposed provisions contained in his draft. He also explained that the proposed ordinance would contain provisions which would permit a fence which met the definition of a deer fence to be maintained at the front property line of a resident's property if it was part of, or supported, a driveway gate. Trustee Haber put forth some suggestions and observations with respect to the definitions contained in the proposed ordinance, and then observed that, despite the fact that the Village has tried very hard to craft a workable statute to prescribe regulations concerning fences, the examples and options contained in the current version of the proposed ordinance show that the Village can't make it work. Trustee Haber therefore stated that he is not comfortable with the proposed ordinance in its current form, and believes it should go back to the drawing board. In his opinion the proposed ordinance addresses symptoms and not the real problem, which is the deer.

Mayor Kaplan stated that the issue of deer fences came up in the election, at the Candidates' Forum sponsored by the Riverwoods Preservation Council (RPC), which gave impetus to the current effort to resolve the issue at the Village Board level. No other village has a deer fence ordinance, according to Mayor Kaplan, and if no solution is found by the time that the moratorium expires all the deer fences in the Village will be subject to Village action to have them removed.

Trustee Chamberlain then stated that in her opinion deer fences are ugly, but so are chain link fences. Trustee Chamberlain asked rhetorically what was the problem, has the Village made a determination that the deer are a problem; if so, how can the Board reconcile the goals expressed in the Comprehensive Plan, to protect the woodlands but also to protect the fauna, i.e. the deer. Trustee Chamberlain suggested the formation of a task force to study the issue and come up with a plan that would also support the Comprehensive Plan.

Attorney Siegel stated that the Comprehensive Plan sets out basic objectives, and deals with future development and future land uses, and that the Riverwoods Comprehensive Plan is unique in that it talks about the surrounding "environmental" areas.

Mayor Kaplan then stated his opinion that the provisions that Trustee Svatik had suggested for the proposed ordinance were unworkable and should be removed from consideration.

Trustee Graditor stated her opinion that the subject under consideration was a massively confusing issue. To her an ordinance should not have “give and take”; it would not be fair to the total population of the Village. She also stated her understanding that there has been a 50% drop in the deer population in the Village in the last 10 years, and that the culling of deer in Ryerson Woods has also cut down on the deer population. Trustee Graditor then asked rhetorically how something could be legislated that could be fairly enforced against everyone in the Village, and that there was a need to come up with something reasonable that would apply fairly to everyone. Trustee Graditor stated her support for the “flex” plan, but in her opinion it would be very difficult to enforce. She believes there is a need to figure out something by Spring, because people will want to put up deer fences by then. Also, that the proposed ordinance needs to be cleaned up and clarified before she would support it.

Trustee Koomjian stated that he believed there were many good things in the proposed ordinance and that furthermore, when deer count done by the Lake County Forestry Department is added to the Riverwoods count, the number went down only by a little. Mayor Kaplan observed, however, that from the numbers gathered by the Village the deer count is down by 58% from 10 years ago. Trustee Koomjian continued by saying that at the Candidates’ Forum sponsored by the RPC there were two main areas of concern voiced by the Village residents, drainage issues and the issue of deer and fences, whether “deer” fences or other fences, that some residents believed were having the effect of creating “canyons” within the Village. Trustee Koomjian also stated his recollection with respect to what Marty Jones of the IL DNR said with respect to the issue of “channeling” deer, that if all deer fences were removed it would not lead to an improvement in the flora of previously unprotected properties, it would merely lead to a degradation of those properties from which deer fences had been removed. Trustee Masterson commented that he had heard Marty Jones quoted so many times that he thinks it would be a good idea to invite him to a Board meeting so that the trustees could hear him in person.

Attorney Huvad commented that although it was frequently said that the Village does not legislate aesthetics the fact remains that often it does. One example would be the “red barn” at Arrowwood Trail and Portwine Road, which was built in conformance with existing zoning and other regulations, but so offended people that the Board amended the zoning and building ordinances to prevent a similar structure in the future. Attorney Huvad stated his belief that something like 50% of the zoning regulations of the Village deal with aesthetics; the size of lots, setbacks, and the like. Furthermore, he observed, fences, whether deer or otherwise, have the capacity to change the character of the Village and therefore are a proper subject for regulation, no matter that aesthetic issues may be involved.

Attorney Graditor stated that the residents that call her to discuss these issues are not concerned with aesthetics; they are concerned that deer are being forced onto their property, and they want some form of relief from the problem.

Comments were then taken from residents who were in attendance:

Margie Kaul, 2975 Arrowwood Trail, stated her opinion that if Section 8.9.7A of the proposed ordinance is passed as written, the “village garden” is over.

Mayor Kaplan responded that the offending section could be removed, or perhaps modified.

Carol Lieberman, 406 Greenbriar, stated her agreement with what Attorney Huvard said with respect to how fences can change the character of the Village, and that she likes the idea of a task force. She feels that the Village can do more to resolve the problem.

Joe McGowan, 716 Ringland Road, stated that he had a deer fence, and also has done gardening for 40 years, but that he was able to coexist with the deer. He stated that the deer nest, sleep and eat on his property, and that his family feeds them. He stated that he loves the deer. He stated that he was confused by several issues with respect to the proposed ordinance, for example whether a deer fence needed a permit or whether it did not, because it was not a permanent structure, and how the Village is dealing with what the Director of Community Services is alleged to have said 6 years ago with respect to permits. Mr. McGowan also made several comments with respect to his opinion about the fairness, both actual and perceived, of the proposed ordinance.

Mayor Kaplan pointed out that the proposed ordinance would allow Mr. McGowan to keep his deer fence under the grandfathering provision, and asked Mr. McGowan if that was acceptable to him. Mr. McGowan replied that it was.

Laurie Breikopf, 450 Greenbriar, stated her opinion that the proposed ordinance does not deal with the problem that the grandfathered deer fences will create for the next generation of homeowners in Riverwoods.

Mayor Kaplan stated that the ultimate solution had to be found by the individual homeowners of Riverwoods, not by the Village government.

Trustee Graditor suggested the possibility of asking or requiring new owners who wanted to retain a deer fence to commit to other things to protect the woodland environment, although those things might affect the homeowners' ability to deal with their property, such as a restriction on the size of home additions or the like, although Trustee Graditor stated that she did not know at present what the legal problems or ramifications would be.

Trustee Masterson then recommended that the Board step back and try to decide what it really wants to accomplish.

Trustee Svatik responded that Mayor Kaplan has already asked everyone what they think should be done, and that everyone has an opinion, and that there does not seem to be a consensus among those opinions.

Linda Dunn, 2920 Orange Brace, spoke in favor of the concept of a task force.

Mayor Kaplan then announced that he would appoint the suggested task force, and would make sure that it was comprised of people on both sides of the fence issue, and would make sure in particular that a gardener was included in the appointments.

Joan Becker, 2750 Edgewood Lane, stated her opinion that it would be important for the task force to enlist the aid of professionals to assist it in areas in which expertise is deemed necessary, although she did not address the issue of the compensation of any retained experts.

Trustee Svatik then moved to postpone until the next meeting the motion for a 2d reading and adoption of the proposed ordinance. Trustee Graditor seconded the motion. The motion passed unanimously by voice vote.

8. New Business

- Approval of funds for engineering services for Phase I Design of proposed Bike Path along Deerfield Road

Ms. Lina Hoffman, the North Suburban Coordinator of the Active Transportation Alliance appeared before the Board and voiced support for the proposed project. Ms. Hoffman described the Active Transportation Alliance as the largest bike path organization in North America and talked about how the organization supported bike paths throughout the country. She described many of the benefits of bike paths in general and mentioned several benefits that would accrue to the community if this bike path in particular was constructed, i.e., a connection to the DesPlaines River Trail, which in turn connects to many other bike trails or bike paths in the counties of Lake and Cook, including the Skokie Valley Trail and the Robert McClory Trail (the old Green Bay Trail). She enumerated the many health benefits of biking and also pointed out how biking on bike trails is generally much safer than biking on public streets and roads.

Mayor Kaplan inquired if the engineering services were approved and carried out, whether the Deerfield Road bike path, the subject of the engineering services, would be “shovel ready” in terms of receiving State or Federal grants or subsidies for its construction. Ms. Hoffman stated that it would be.

Trustee Chamberlain then summarized the results of her survey of the residents along the south side of Deerfield Road where the proposed bike path would be located. She reported that she found 2 people opposed to the path, and everyone else who responded to the survey in favor, or at least open, to the idea. Slightly less than one-half of the survey population did not respond at all.

Trustee Haber announced that he was in favor of going ahead with the funding for the engineering services as proposed, but that he had some questions with respect to the survey conducted by Trustee Chamberlain. Trustee Haber suggested there was a difference that should be recognized between those residents who supported the idea of the bike path and those who were merely not opposed to it, and a further distinction should be drawn with respect to those who had questions or concerns about it. Trustee Chamberlain explained that the term “concerned” was her term rather than one used by most residents. Trustee Haber then stated his opinion that “road bikers”, those who ride on thin tire road bikes, will not use the proposed path because of the more delicate nature of their bikes. This type of rider stays on the public roads. It is the bike riders who ride on trail, or mountain, bikes that will use the proposed path, and especially so because it will link with the DesPlaines River Trail. Trustee Haber then inquired why the bike path was

proposed for the south side of Deerfield Road rather than the north side, given that the bike path that runs from Portwine Road to the bridge over Interstate 94 is on the north side of Deerfield Road.

Village Engineer Pat Glenn explained that both sides of Deerfield Road had been studied with respect to suitability for the location of the path, and that the south side of the road appeared to have more right-of-way and more available space than the north side, and that there were more roads and driveways exiting out to Deerfield Road on the north side, and that all of these factors militated in favor of locating the path on the south side.

Trustee Masterson pointed out that the proposed bike path does not affect Thorngate, which contains a quarter of the population of Riverwoods. He stated his belief that it would be very desirable to have a means of ingress / egress for people on bicycles from Thorngate onto Deerfield Road so that they might avoid the traffic and attendant dangers of Saunders Road. Attorney Huvad commented that this might be feasible, that when Thorngate was brought into the Village a five foot outlot totally surrounding Thorngate was conveyed to the Village, which conceivably could be utilized to create a bike path entrance into Thorngate.

Comments were then taken from residents who were in attendance:

George Gill, 1375 Woodland Lane, spoke in favor of the proposed bike path. He pointed out that bike paths have been shown to increase the value of adjoining homes, not decrease them as some people have maintained in the past, and contribute to the good health and safety of children and adults. Furthermore, bike paths are highly consistent with the professed values of the people who live in Riverwoods, with respect to a love of nature and the outdoors. Mr. Gill stated that the improvements made by Lake County and the Village for the benefit of cyclists have been outstanding, and that the completion of the proposed bike path will constitute another great improvement.

Mike Clayton, 3030 Blackthorn, spoke in favor of the proposed bike path. He also inquired if the proposed engineering study would examine the possibility of making the proposed access from the trail onto the DesPlaines River Trail accessible to wheelchair bound people. Pat Glenn replied that the entire project would be ADA compliant, so the answer to Mr. Clayton's question should be yes.

After further discussion Trustee Graditor moved to approve the proposal to provide funds for the described engineering services, in an amount not to exceed \$91,000, and excluding any services with respect to Thorngate. Trustee Svatik seconded the motion.

The motion passed on the following roll call vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: (0)

- First Reading of Ordinance Requiring Interior Automatic Fire Sprinkler Systems

Trustee Masterson moved for a 1st reading of the proposed ordinance, and Trustee Svatik seconded the motion. Attorney Huvad explained that a similar ordinance has been adopted for the unincorporated parts of the Lincolnshire-Riverwoods Fire Protection District, and he drafted the proposed ordinance using that ordinance as a guide, and modified it as necessary. The ordinance as currently proposed would apply to single family residences within the bounds of the Village, and would apply to new construction

and to rehabs or renovations of more than 50% of the value of the home. Attorney Huvad received some comments on his draft from the fire departments of Deerfield and Lincolnshire, and is waiting to receive comments from the Bannockburn Fire Department. He also explained that there are issues remaining with respect to the proposed ordinance, including how to monitor vacant homes, how to guard against the risk of freezing when a home is temporarily unoccupied, and others.

Discussion was then had about the possible vagueness of the term “a Nationally Recognized Testing Laboratory”, with Trustee Svatik expressing reservations and Trustee Haber seeking to reassure him that the phrase has is not too vague or uncertain for use in the proposed ordinance. Trustee Haber then expressed his reservations about the use of value as a criterion for when a sprinkler system must be installed in a home that is rehabbed or renovated; he believes that square footage would be a better measure of when the sprinkler system must be installed. Trustee Graditor expressed her agreement with this observation, that size would be a better measure than value.

Trustee Chamberlain stated that she would like to see some figures with respect to the actual costs that could reasonably be expected to result from the operation of this proposed ordinance. She suggested that these costs could be checked out with a sprinkler installation company, and that she expected costs would vary depending on the type of construction, the age of the building, whether the property was on well or municipal water, and other factors. She also expressed interest in what costs would arise by virtue of some of the provisions contained in certain paragraphs of the proposed ordinance, and stated that she wished to get a handle on these costs.

Mayor Kaplan pointed out that the proposed ordinance would apply only to new construction, add-ons, and a “substantial” remodeling project.

Trustee Svatik asked Mayor Kaplan if he knew how many buildable lots remained in Riverwoods, and Mayor Kaplan said there were only about 6-10, plus a couple of possible subdivisions, but that the real problem would arise with tear-downs, of which he said there were hundreds in Riverwoods; the old ranch houses, etc. He also related that the North Shore Board of Realtors has estimated the cost of a sprinkler system such as contemplated by the proposed ordinance to be from \$1.84 a square foot to \$6.15 a square foot.

Attorney Huvad said he would work on some revisions and amendments to the proposed ordinance and bring it back before the Board at a later date.

The motion for a 1st reading of the proposed ordinance then passed unanimously by voice vote.

- Consideration of Professional Services proposal from Williams Architects (Police Station)

Mayor Kaplan presented the proposal to the Board, which was put on the agenda at the last moment. He stated that he was not looking for any action on the proposal, only consideration and comment.

Attorney Huvard stated that he had received a letter proposal for the design of the proposed police station from Mark Bushhouse of Williams Architects, which is the normal way of getting projects like this started. Attorney Huvard stated that he had some problems with the proposal, among which was the fact that the architect's fee would be based on a percentage of the costs of construction, but some or many of those costs were at the discretion of the Village, thus it would be difficult to ascertain with certainty how much the Village would be committing to pay in fees. As a result, he said, Mr. Bushhouse has agreed to submit a revised proposal to cover these objections, in which he will quote a lump sum fee for the basic parts of the project. Attorney Huvard then described the LEED process, and how a project is rated, and what the goal of the LEED program is, in brief.

Trustee Haber inquired about the advisability of seeking proposals from "Design and Build" firms, wherein the Village would give its requirements to one or more of these firms, they would do the design and then put the job out for bid. Attorney Huvard said that he would take up this idea to see what could be done in this regard.

Trustee Masterson then asked if this project was one with respect to which the Board should poll the Village before proceeding, whether the project was one for which the Board should assure itself there is community support, before proceeding. While he also announced his support for the project, he brought up the possibility of a Town Meeting to acquaint the residents with the project and to answer any questions. Trustee Chamberlain said it could be set up as an educational process, in which a presentation could be made to the residents. She agreed that it would be appropriate to gather more facts before a Town Meeting is scheduled.

Since Mayor Kaplan had only asked the Board to consider and comment on the proposal, not to take any action, the Board therefore moved on to the next item on the agenda.

- Approval of Miller, Cooper Agreement for year ending 12/31/09 (Year-end Audit)

Mayor Kaplan stated that under the terms of the proposed agreement the Village will pay the same amount to Miller, Cooper as last year.

Trustee Svatik said that he would like to see a redline version of the agreement before any discussion took place. Attorney Huvard stated that he would try to get one for him.

Trustee Chamberlain asked if the services called for in the agreement had been put out to bid, and Mayor Kaplan responded that the services were put out to bid about 5 years ago, and that the Village succeeded in negotiating a very good price with Miller, Cooper, presumably as a result of the competing bids.

Mayor Kaplan did not call for any Board action at this time on the Miller, Cooper agreement.

9. Adjournment

There being no further business to discuss, a motion was made and seconded to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 10:05 PM. The next Board of Trustees meeting will be held on March 2, 2010 at 8:00 pm.

Respectfully submitted,

Board of Trustees meeting
February 16, 2010
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Mike Ford
Village Clerk
From notes by Linda Dunn

Village of Riverwoods
Board of Trustees
February 2, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
Charles Stewart, Village Forester
Jack Siegel, Village Attorney
Rob Ugaste, Assistant Fire Chief

Call to Order: 8:00 PM

1. Approval of Minutes

Trustee Chamberlain made a motion to approve the minutes from the January 19, 2010 Board of Trustees meeting. Trustee Graditor seconded the motion. Mayor Kaplan and Trustees Graditor, Koomjian and Chamberlain made text changes. Trustee Masterson made a motion to approve the minutes from the January 19, 2010 Board of Trustees meeting as amended. Trustee Koomjian seconded the motion. The motion passed unanimously.

2. Consultants

- Village Attorney

Village Attorney Bruce Huvad mentioned the Plan Commission would meet on Thursday February 2, 2010.

3. Police Department Report

Chief Dayno presented the police activity since the January 19, 2010 Board of Trustees meeting. There were two 911 hang ups, one abandoned automobile, eight accidents, 16 alarms, one complaint about animals, ten fire department assists, three assists with other agencies, two well being checks, five disabled automobiles, one domestic dispute, two driving complaints, one harassment, four vehicle or residential lock outs, one solicitor, six suspicious circumstances, one

theft, one threatening phone call, nine case reports and two crime prevention notices. There were 79 traffic stops with 58 citations issued to 50 people. There are currently 13 houses on the House Watch list that are regularly checked.

4. Fire Department Report

Assistant Chief Ugaste presented the report on the call volume within the Village of Riverwoods through January 31, 2010. There were six fire calls, two car accidents, 11 paramedic calls and four other calls for a total of 23 calls during the month of January 2010.

5. Comments from the President

- Mayor Kaplan's personal endorsement of a political candidate
Mayor Kaplan explained that he personally endorsed a political candidate, Carol Sente, for the first time in 15 years on the Board, and received some criticism for it. Mayor Kaplan stated that Ms. Sente called the Village twice to see if she could be of any service while her opponent thinks Riverwoods is a doormat to Buffalo Grove. Mayor Kaplan explained this was a personal endorsement, not a Village endorsement. Trustee Koomjian found it distressing because the document looks like an official Village of Riverwoods document. He stated it was done within the law, however. Trustee Chamberlain believes the Mayor acted within his rights by personally endorsing a candidate; it was the appearance of a letterhead that confused people.

- Mayor Kaplan noted he received a letter from Tom Hahn, Executive Director of the Lake County Forest Preserve, which turned down the request for gypsy moth traps in Ryerson Woods. Village Forester Chuck Stewart opined, however, that it was very important to obtain ongoing baseline information.

Mayor Kaplan does not believe the RRA is going to do anything about Clean Up Day this year. He would like to get some volunteers. Trustee Chamberlain will call the RRA President.

6. Discussion of New Police Building

Trustee Graditor made a motion to advance in the agenda the discussion regarding a new police building. Trustee Koomjian seconded the motion. The motion passed unanimously.

Chief Dayno explained that he had a discussion with the previous Board of Trustees regarding a new police building. He believes the department needs a new building for the following reasons:

- (a) Lobby – when someone comes into the Police Department they enter where the police officers work. There is not a lot of privacy. Chief Dayno explained the building was not designed as a police station and he would like to see a room off the lobby where the department can take reports from walk ins. Chief Dayno would also like a reception window for the protection of the records clerk.

- (b) Offices for Supervisors – in the current facility, the supervisors do not have an office. There is no records area; rather, there is just a desk. Chief Dayno stated there are security issues.
- (c) Conference, training or briefing room – there is no conference room in the existing facility. The police department must hold trainings, briefings and conferences in the Village Hall.
- (d) Storage – Although there is sufficient storage for evidence, there is no area with proper ventilation within which to process evidence.
- (e) Kitchen – there are no kitchen facilities in the existing police department.
- (f) Interview Area – there is no place to interview suspects in the existing facility.
- (g) Processing Area – there is no place to process prisoners. The police officers currently go to the Lincolnshire Police Department. Although the department is not looking to hold prisoners overnight, it would like a temporary holding area in which to hold prisoners until the department is ready to release them or transport them to the Lake County jail.
- (h) Rest Room – there is no public rest room in the current station. In any new facility Chief Dayno would like to see a public restroom in the lobby and an additional restroom in the prisoner processing area.
- (i) Locker Room – currently there is not enough locker room space, nor is there enough space for changing uniforms and other clothing.
- (j) Weapons and ammunition armory – there is no armory for weapons and ammunition.

Chief Dayno explained the existing building is 1,200 square feet. An architect was retained to do a space study for the Department, and to furnish a breakdown with respect to cost. The architect came up with a proposal for a 4,000 square foot building.

Mayor Kaplan asked Chief Dayno to discuss building code issues with respect to the existing building. Chief Dayno explained the second floor is not handicapped accessible, and that the building was not designed to be a police station. He then said that the architect would comment further on these issues.

Mark Bushhouse from Williams Architecture than presented his report and explained that the existing facility is not up to code for wind speeds and the second floor is not ADA compliant.

Mr. Bushhouse explained he discussed personnel and the functions of the staff and believes the department needs a straight-forward police facility, designed to code, with a reasonable level of security. The proposed building is 4050 square feet. Based on the Burr Ridge Police Department

facility built last year, Mr. Bushhouse provided a cost per square foot range of \$214 - \$233. Adding landscaping, site work and 15% for a general contractor, Mr. Bushhouse estimated the cost to be \$1.7 million - \$1.9 million. He explained that proposed the raw materials were good quality but were not extravagant, and provided the opportunity to be more environmentally friendly.

Mayor Kaplan stated the proposed police building would be on the agenda at the next meeting.

7. Old Business

- Final Deer Count

Village Forrester Chuck Stewart was asked to do a deer count for the Village. Trustee Koomjian also went along. Their intent was to continue to develop a database and integrate existing information. Mr. Stewart prepared a chart, in conjunction with the Lake County Forest Preserve District, which shows the comparisons in various areas including Ryerson Woods, the Lake County Forest Preserve District north of Lake Cook Road, Potawatomie Woods south of Lake Cook Road and a buffer area. They counted the actual number of deer, and assumed they saw 75 percent of the deer in those areas. Mr. Stewart explained they counted 99 deer on January 20, 2010. They took an average of the two counts and estimated 75 deer. Since 1995 there has been a 53 percent decline in the number of deer per square mile. Mr. Stewart explained the data shows there has been a general reduction in the deer population.

Trustee Chamberlain asked if Mr. Stewart had a theory about how to reconcile what appears to be a decline in the deer population but an increase in deer fences. Mr. Stewart explained that the Village was looking at a very small area, and further explained what happens to the deer as the available forage decreases.

Trustee Koomjian also presented a report. He stated that, with respect to literature searches, there were several studies that examine the accuracy of deer counts. The literature shows that as a general proposition, approximately 75 percent of the deer are counted. Trustee Koomjian believes that must be taken into consideration. The first day, he counted 54 deer and 99 on the second day. Trustee Koomjian questioned the difference. He also questioned the discrepancy between the Lake County count and the Riverwoods count.

Trustee Koomjian stated that one of his objectives was to see if there was a “hot spot” of deer in the Riverwoods area. He found there were no deer in Meadowlake, Thorngate or near Discover, and that there were more deer in the wooded areas.

Mayor Kaplan explained the Village would do another deer count next year.

- Ordinance amending the Village Code to prescribe regulations concerning fences –
Second Reading.

Mr. Huvad stated that he revised the proposed Ordinance and also drafted a proposed ordinance to establish a moratorium on the enforcement of provisions in the Village Code which prohibit fences in excess of 6 feet. He also amended the definition of a deer fence.

Trustee Svatik provided a drawing which he asserted would give more flexibility with respect to the placement of fences. Trustee Svatik explained that his proposal is designed to allow residents to have ten percent flexibility with respect to where they place their fences, and also allows residents to make a choice between a “flexibility” concept and a “screening” concept. Mayor Kaplan announced that Trustee Svatik’s concept should be included in the draft for the next meeting.

Trustee Koomjian also made recommendations for the Board to consider. He explained that one of the motivations of the fence Ordinance was to prevent blocking the views from corridors. He also believes unpainted and/or galvanized fences should be painted to become less obtrusive. Trustee Haber noted that the Village does not restrict what homes should look like, and does not believe aesthetics should be legislated.

Trustee Koomjian moved to strike the last sentence of Section 8-9-6 of the proposed Ordinance Amending the Village Code to Prescribe Regulations concerning Fences, which sentence reads “the foregoing color restriction shall not apply to untreated metallic surfaces of iron, steel or aluminum fences, chain link fences, welded wire fences or woven wire fences but is specifically applicable to deer fences”.

Trustee Chamberlain seconded the motion. The Motion failed to pass on a Roll Call vote:

AYES: Chamberlain, Koomjian

NAYS: Graditor, Haber, Masterson, Svatik

Trustee Chamberlain then asked if Trustee Svatik’s proposal would work for residents with oddly shaped properties. Trustee Svatik stated that he has not looked into specific properties but believes his proposal should work on oddly shaped properties as well.

Trustee Graditor moved to table the Second Reading of the Ordinance. Trustee Chamberlain seconded the motion. The motion passed unanimously on a voice vote.

8. Visitors Wishing to Address the Board

Mr. Roger Simonson, 725 Juneberry Road, stated that he would like to add another perspective to the proposed fence Ordinance. He has a fence but has never called it a deer fence. It is a woodland protection fence. He would like everyone to begin calling their fences “woodland protection fences”.

Mr. Joe McGowan, 716 Ringland, raised the issue of residents nailing fences to trees. He believes there is a compelling case to strike that from the grandfathering section of the proposed Ordinance. Mr. Stewart explained that trees grow in two ways; larger and taller. Trees have a tendency to eat nails that are driven into them, and anything attached to a tree than cannot be eaten by the tree can cause potential problems for the tree.

Mayor Kaplan stated that if Mr. McGowan was allowed to have his fence nailed to a tree, the Village would have to allow everyone to have their fences nailed to trees.

Mr. McGowan stated that the evidence states that only copper nails injure trees. Mr. Stewart explained that the problem is not the nail; rather, it is what the nail is holding to the tree. He explained that most Village Ordinances prohibit the attachment of signs or anything else on trees. Trustee Graditor stated that attaching things to trees is not good for trees. If the purpose of a fence is to protect the woodlands, it does not make sense to harm the tree with a nail. Mr. Stewart stated he would meet with Mr. McGowan to further discuss these issues.

9. New Business

- Consideration of a Sprinkler Ordinance

Assistant Chief Ugaste explained that until this spring he thought smoke detectors were sufficient in residences. Then he attended an executive fire officer program for two weeks and discovered that residential sprinklers save lives. Assistant Chief Ugaste mentioned the side-by-side burn demonstration showed what happens to residences and people. When you have a fire, things happen quickly. Eight out of ten people who die in a fire die in a home. Of the eight people, 80 percent would have lived if they were in a residence that was sprinkled.

Assistant Chief Ugaste explained that the cost of adding sprinklers in new construction is approximately \$1.50 per square foot. The cost with respect to a rehab will vary. Villages that have adopted residential sprinkler ordinances that address rehabs often use 50% as the cutoff. Trustee Svatik asked what the cost would be to use well water instead of city water. Assistant Chief Ugaste explained that residences on well water would need a pressure tank and pump which would increase the cost by an estimated \$2,000.

Mayor Kaplan announced that this issue will be brought before the Board again at a future date.

- Funding request from Deerfield High School for donation for Prom After Party

Mayor Kaplan said the Village has participated by donating \$1000 for the past two years. Trustee Svatik made a motion to approve the funding request. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

- Proposed Ordinance Establishing a Moratorium on the Enforcement of Provisions in the Village Code which Prohibit Fences in Excess of 6 Feet - Ordinance No. 10-2-1.

Trustee Masterson made a motion to waive the first reading of the Ordinance. Trustee Svatik seconded the motion. The motion carried unanimously on a voice vote.

Trustee Svatik moved for a 2d reading and approval of the proposed ordinance. Trustee Masterson seconded the motion.

The motion passed by the following roll call vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

- 2010 Motor Fuel Tax Resolution – Resolution No. R10-2-1

Village Engineer Patrick Glenn explained that his office prepared a resolution for the Village to appropriate \$220,000 in Motor Fuel Tax funds for roadway projects in 2010. \$120,000 is for the local share of the Saunders Road resurfacing, which represents 30% of the bid price plus ten percent, and \$100,000 is for resurfacing Woodland Lane North and Dawson Court, which are scheduled for rehabilitation this year per the ten-year plan. It was noted that, while the Resolution appropriates funds, it does not obligate the Village to spend them.

Trustee Chamberlain made a motion to adopt the 2010 MFT Resolution. Trustee Svatik seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

- Ordinance Adding Provisions to the Village Code concerning the Offense of Obstructing Identification – Ordinance No. 10-2-2.

Chief Dayno explained that the State of Illinois enacted a statute, effective January 1, 2010, that allows police to charge someone who gives false information to police officers. He would like the option to charge it as a local ordinance.

Trustee Graditor moved to waive the First Reading of the Ordinance. Trustee Svatik seconded the motion. The motion passed unanimously.

Trustee Graditor made a motion for a Second Reading and adoption of the Ordinance. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)
NAYS: None (0)

10. Committee Reports

Building/Zoning – Trustee Graditor presented the building department report for the month of January. In 2009 the total construction value was \$463,500, generating fees of \$8,294. Most of the construction comprised of commercial renovation and remodeling projects. In January 2010, there was one sewer tap on repair with a total construction value of \$2200 generating fees of \$100.

Finance/Soil and Water Conservation – Trustee Svatik mentioned that he is working on the Appropriations Ordinance for the current year and should bring it to the Board within 45 days.

Roads/Bike Path/Parks/Forestry/NSSRA – Trustee Chamberlain received comments from Trustees Svatik, Graditor and Koomjian about forestry and plans to meet with Mr. Stewart in the morning to discuss forestry programs. She explained that an issue came up with the NSSRA. The director called her with a concern from a Riverwoods resident who stated the adult day program at the Center for Enriched Learning was full, and that the resident was not receiving priority over non-residents. Trustee Chamberlain explained that the NSSRA has a cooperative agreement with the Center for Enriched Living, which has a first-come, first-serve policy. NSSRA has a policy which gives registration priority to its residents. NSSRA and the Center negotiated a compromise that non-residents would be charged extra. The NSSRA Board would discuss it again at their next meeting. If the NSSRA insists that its policy must be enforced, it may be a deal breaker for the cooperative agreement with the Center for Enriched Living. Trustee Chamberlain also stated that the NSSRA would have a fundraiser on March 6, 2010.

Trustee Chamberlain received more comments about the bike path but has not heard from at least half the people who received letters. She stated two more residents were opposed to the path. One was very cordial but thought it would be a distraction to drivers and make it less safe. Most of the comments, however, were in favor of the bike path. She received some comments about specific properties, fences and trees. Trustee Chamberlain will prepare a report.

11. Adjournment

There being no further business or discussion, Trustee Haber made a motion to adjourn the meeting. Trustee Chamberlain seconded the motion. The motion passed unanimously. The meeting adjourned at 10:15 PM.

The next regular meeting of the Board of Trustees will take place on Tuesday February 16, 2010 at 8:00 PM.

Respectfully submitted,

Jeri Cotton

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Patrick Glenn, Village Engineer
Bruce Huvad, Village Attorney
Charles Stewart, Village Forester
Rob Ugaste, Assistant Fire Chief
Hal Roseth, Village Treasurer

Call to Order: 8:02 PM

1. Approval of Minutes

Trustee Svatik made a motion to approve the minutes of the January 5, 2010 Board of Trustees meeting. Trustee Koomjian seconded the motion. The trustees made text corrections to the minutes. Trustee Graditor made a motion to approve the minutes of the January 5, 2010 Board of Trustees meeting as amended. Trustee Koomjian seconded the motion. The motion passed on a unanimous voice vote.

2. Engineer's Report

Village Engineer Patrick Glenn discussed the Saunders Road resurfacing project. He stated that bids were opened for the project on January 15, 2010 and the low bid was \$362,489.33 from Peter Baker & Son. Mr. Glenn stated that his estimate for the work, based on similar projects bid in 2009, was \$473,000. He explained this project would receive 70% Federal funding, so the Village's portion would be approximately \$109,000, which can be paid from the Motor Fuel Tax (MFT) fund, meaning no out-of-pocket expense for construction. Mr. Glen's office will coordinate the necessary paperwork.

3. Treasurer's Report

Village Treasurer Hal Roseth presented his report, which indicates that as of the end of 2009 the General Fund held in total \$12,177,812 (rounded), the Police Fund was

negative \$56,476 and the MFT fund held \$705,192. The total amount of cash and investments by funds held by the Village at year end was \$15,184,554. The average rate of return on the Village's Money Market Funds for December, 2009 was 0.121%.

4. Urban Forest Management

Village Forrester Chuck Stewart discussed prescribed burns. He explained that the existing Ordinance already provides for controlled burns. Neighbors within 1000 feet of the area would be notified and the burn needs to stay within 1000 feet of the property line.

5. Police Report

Police Chief Bruce Dayno presented his report with regard to police activity since the January 5, 2010 Board of Trustees meeting. He also showed the comparison from 2009 to 2010 for the same time period. In 2010 there was one battery, there were 15 accidents, five alarms, three complaints about animals, 10 fire assists, six disabled automobiles, one fingerprinting, four vehicle or residential lock outs, one missing person, ten suspicious circumstances, five case reports and four crime prevention notices. There were 65 traffic stops with 57 citations issued to 51 people. There are currently 15 houses on the House Watch list that are checked regularly.

6. Fire Department Report

Assistant Chief Ugaste presented the call volume within the Village of Riverwoods through January 15, 2010. There were five fire calls, one car accident and eight paramedic calls for a total of 14 calls year to date.

7. Village Attorney Report

Village Attorney Bruce Huvad noted he was working with the Village Clerk to comply with the new requirements imposed by the recent amendments to FOIA. He also published a notice for a Public Hearing for the next Plan Commission meeting with respect to text amendments to the Zoning Ordinance. One proposed text amendment would provide for a transitional overlay district for the properties on Milwaukee Avenue north of Deerfield Road. The other proposed text amendment describes how the Village would potentially zone the Estonian House. He explained the amendments envision a business compatible district which would allow single family uses as a special use. Mr. Huvad explained that the Plan Commission would not deal with specific proposals of applicants/petitioners; the Plan Commission would only discuss the text amendments.

8. Comments by the President

Mayor Kaplan explained that Trustee Koomjian was present at the deer count today. In Potawatomie Woods, Urban Forest Management (UFM) and Trustee Koomjian each counted 26 deer; in the Village UFM counted 16 deer and Trustee Koomjian counted 19; in the Lake County Forest Preserve immediately southwest of the Village UFM and Trustee Koomjian each counted

9 deer, and in Ryerson Woods no deer were counted by either. Trustee Koomjian then explained that Lake County considered part of the Village as a buffer to the Ryerson Preservation District and counted 23 deer on January 11th and 28 on January 12th. There were 20 and 21 on the southwest corner of the Village on those dates, respectively.

Trustee Koomjian stated that the warm, sunny weather made it difficult to count accurately. Trustee Haber thought the plan was to count the deer after a snowfall. Mr. Stewart explained the time to look for deer is when there is snow on the ground. There were a number of deer beds as well as a lot of shadows and deer. Mr. Stewart explained most deer were bedded down and few were moving. He presented a quick summary for the years of 1995 – 2000. The high number in a four square mile area was 14.5 deer per square mile. In 2008 and 2009, the average number was 14.25 per square mile. Trustee Koomjian explained he was interested in doing a deer count this season to see if there were any hot spots.

Mayor Kaplan next commented that he has asked Mr. Huvard to investigate possibilities with respect to Riverwoods residents that do not have municipal water. He explained that SSA 12 would be completed this year and he was concerned about Lake Michigan water allocation issues. Trustee Chamberlain stated that she would like to explore ways to get the information on the availability of municipal water to residents. Mayor Kaplan stated that, in an effort to be proactive, he would like to speak with the residents in Vernon Woods to see if they would like to petition for municipal water. Trustee Svatik then asked about the Village's annual Lake Michigan water allocations. Mr. Glenn explained the Village's allocations have been spot on with the usage in the Village. He explained that communities that exceed their allocation can get it adjusted if they can prove they are not wasting water. Mayor Kaplan explained the Village has 1,200 homes and 680 have a water connection. If there is an SSA, water would be available in front of residences, but the residents have the option of whether or not to connect. Residents have expressed concern because an SSA can create a sizeable inequity, in that charges are generally assessed on an *Ad Valorem* basis. Mayor Kaplan explained the Village wants to have a level field and is still investigating how best to do it.

9. Approval of Bills

Trustee Graditor made a motion to approve the bills. Trustee Svatik seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

Trustee Chamberlain stated she sent out a letter to notify residents on the south side of Deerfield Road about the bicycle plan proposal. She and Leslie Reichenboch called residents but only received a few return calls. They will send out a letter to residents and if anyone had questions or concerns, she would be happy to answer their questions or listen to their concerns.

10. Old Business

- An Ordinance Amending the Village Code to Prescribe Regulations concerning Fences.

Trustee Graditor made a motion for a First Reading of the Ordinance. Trustee Masterson seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

Mayor Kaplan stated he had received written suggestions with respect to the proposed ordinance from Trustees Chamberlain, Koomjian and Svatik. Trustee Haber also had comments but did not send them in writing. Trustee Haber questioned the deer fence definition because the definition of a 'typically installed' deer fence is unclear. Mr. Huvad suggested that the definition could be moved to the construction methods section to make it clearer.

Trustee Haber questioned whether every deer fence falls within the definition listed in the proposed Ordinance. If not, the Ordinance would be unenforceable. Trustee Haber asked if the proposed Ordinance disallows current deer fences that are not in compliance. Mayor Kaplan explained the proposed Ordinance allows deer fences to be installed within the setbacks.

Trustee Koomjian summarized that he has heard three justifications for a modification of the current Ordinance. He commented that the predominant concern seems to be aesthetics, concerns about what the Village looks like from Village thoroughfares. The Ordinance, as written, does not address the primary aesthetic concern of fences along those thoroughfares. The second concern is channeling deer and inhibiting the movement of deer from one point to another. Trustee Koomjian cited Marty Jones as saying that if deer want to go from here to there, they will find a way to get there, but if you have contiguous fences that push deer onto roads, that could become a safety hazard to motorists. There was, however, according to Trustee Koomjian, no data stating channeling was real. It was just an assumption that channeling is not desirable. Some people have stated that if a resident builds a fence, more deer would come onto neighboring properties, but Trustee Koomjian stated that there is no scientific research to support that contention.

Lastly, according to Trustee Koomjian, there is ample evidence from residents, the Urban Forest Management study of 1996, Ryerson Woods, Chicago Wilderness, etc. that deer degrade a natural woodland environment. Some residents have tried to restore natural woodland environments, and the proposed Ordinance diminishes the rights of the residents in that regard, and makes more difficult their restoration efforts. The proposed Ordinance was not crafted in a way to permit the Village to modify only that which is visible from public thoroughfares. Trustee Koomjian thinks the Village should step back and hire a wildlife expert to explore the various options.

Mayor Kaplan commented that no other Village allows deer fences. The proposed Ordinance does not prohibit deer fences; rather, it states that non-conforming deer fences can be maintained until the property is sold, and also provides that permanent deer fences can be put up at the building envelope.

Trustee Graditor commented that if specific areas are fenced, there would be more deer in the areas that are not fenced. Under the current Ordinance, deer fences are illegal. The reason for the proposed Ordinance, according to Trustee Graditor, is that people have contacted the Village to complain about the increasing number of deer on their property. Aesthetics were brought up, but Trustee Graditor believes that residents were not complaining about aesthetics, they were complaining about herding. The proposed Ordinance allows existing fences to stay until the property is sold, and residents can put up new fences within the stated guidelines. Trustee Graditor believes it is a compromise.

Trustee Chamberlain believes there are a number of questions that need to be answered before the Village considers an Ordinance. She stated people put up fences for privacy and security. Deer fences are put up for different reasons, however. She questioned why there are so many deer fences and whether there were problems with deer browse. Trustee Chamberlain explained the Comprehensive Plan discusses protecting both wildlife and the woodlands. If the Village values the health of the woodlands, how can that be reconciled with valuing wildlife. Trustee Chamberlain believes the Village needs to count deer and the number of deer fences, look at when the deer fences were installed, etc. She believes the Village should hear from DNR experts and look at various deer control options. Trustee Chamberlain believes that perhaps south Riverwoods should be treated differently and that there should be a workable solution for everyone.

Trustee Svatik does not believe the Village has zeroed in on the problem. The Trustees are trying to make everyone happy, but no one is in agreement with what the problem is. He wondered if people truly were surprised that there are deer in Riverwoods. Trustee Svatik believes there needs to be a happy medium. He believes there needs to be further compromise on the amount of allowed fenced area and proposes reducing the side and rear yard setbacks. The proposed Ordinance states that deer fences can be installed at the setback lines; however, Trustee Svatik suggests allowing deer fences half way between the setback and the property line.

Trustee Haber stated that the Village is not enforcing the existing Ordinance. He believes something needs to be done to address deer fences. The Trustees have an obligation to the Village and need to consider making changes that work or putting a moratorium on enforcing the existing Ordinance. Trustee Graditor explained that if the Village puts a moratorium on enforcement, they would be in effect encouraging residents to install them. She stated that those residents that have come to the meetings either have deer fences and/or are involved with gardening and want landscape protection. She questioned how to get through to the other residents in Riverwoods. Mayor Kaplan directed Mr. Huvard to draft a 90-day moratorium with respect to the proposed Ordinance.

Mr. Stewart commented that everyone's aesthetic value is different. When looking at deer management, there are two opinions. One is to manage the deer for the benefit of the deer; the other is to manage them to benefit people. There are some basic factors that need to be thought about. Further, Mr. Stewart's main issue with deer fences is how they are constructed. He would like to see something from Ryerson about the numbers they are culling. He believes the Village needs to determine the real goals of a deer management program. There are a number of

factors to consider when looking at the health of woodlands. Deer are just one aspect. Trustee Graditor added that herding was also one issue.

Trustee Koomjian quoted from the RPC minutes. He toured around the Village and counted 33 non-deer fences. He stated that no one has commented about the effect non-deer fences have on deer.

11. New Business

- Discussions of additions to the Forest Program

Mr. Stewart spoke about the issues of the general forestry program including the Gypsy Moth control, Emerald Ash Borer, resident consultations, the new 2010 tree planting initiative, the Riverwoods reforestation tree planting program, the Dutch elm disease control program and the hazard tree identification program.

- Funding for Applied Ecological Services, Inc.

Trustee Koomjian explained that this request was an outgrowth of conversations when the RPC submitted its Woodland Health Study. At that time the conversations turned to deer. There are many things, however, that affect woodland health and he suggested doing a study to understand those factors, including canopy thinning. The concept would be, according to Trustee Koomjian, to gather data to understand the thinning of the under story. He proposed that the Village provide funding in the amount of \$3400 to Applied Ecological Services (AES) for the development of a "Restoration Plan" with respect to the Rivenbergh property within the Village.

Trustee Svatik commented that he believes that this project would be an expensive undertaking. He questioned what the Village would receive for the \$3400 expense.

Mr. Stewart explained that previous studies have identified three woodland types in Riverwoods. Mr. Stewart also questioned what information would be different and what the Village would learn that it does not already know. Mr. Stewart believes the problem is not scientific; rather it is fragmented ownership. Mr. Stewart feels the Village has taken important steps by developing and implementing programs that are geared toward protecting the woodlands. He thinks people know what to do but need to do it.

Trustee Koomjian stated that the issue of the deer is a contentious issue in the Village and he wants quantitative evidence for canopy thinning versus deer. Trustee Graditor explained that when the RPC did their study, they counted the number of properties with ground understory and trees on properties with and without deer fences. She believes thinning canopies and burning are different issues. Trustee Graditor believes that the Village has seen what fencing does, and the Village should now discuss canopy thinning and prescribed burning. She believes properties which have had canopy thinned or on which a prescribed burn have been done need to be observed without incurring additional expenses to the Village. Mr. Stewart suggested getting

residents to volunteer their properties and the Village could go through the steps to identify the difference between fenced versus non-fenced properties. Trustee Koomjian suggested that he would not accept that data. Trustee Chamberlain then stated that she believes the Village should find out what has the most significant negative impact on the woodlands and what has the most significant positive impact on the woodlands. Trustee Svatik explained that information is already known. The issues that affect the woodlands are deer, the canopy, the water table and people. Trustee Haber explained that the information is already available and another study would not change the information.

Trustee Koomjian moved that the Village provide funding in the amount of \$3400 to Applied Ecological Services (AES) for the development of a "Restoration Plan" with respect to the Rivenbergh property within the Village. Trustee Chamberlain seconded the motion. The motion failed of passage by the following vote:

AYES: Chamberlain, Koomjian (2)

NAYS: Graditor, Haber, Masterson, Svatik (4)

12. Adjournment

There being no further business to discuss, Trustee Haber made a motion to adjourn the meeting. Trustee Graditor seconded the motion. The meeting was adjourned at 10:40 pm. The next Board of Trustees meeting will take place on February 2, 2010 at 8:00 pm.

Village of Riverwoods
Board of Trustees
January 5, 2010

In Attendance:

William Kaplan, Mayor
Cheryl Chamberlain
Sherry Graditor
Michael Haber
Rich Koomjian
Bruce Masterson
William Svatik

Also Present:

Bruce Dayno, Police Chief
Mike Ford, Village Clerk
Bruce Huvad, Village Attorney
Russ Kraly, Director of Community Services
David Niedelman, Plan Commission Chairman
Jack Siegel, Village Attorney
Rob Ugaste, Assistant Fire Chief

Call to Order: 8:00 PM

1. Approval of Minutes

Trustee Masterson made a motion to approve the minutes of the December 15, 2009 Board of Trustees meeting. Trustee Graditor seconded the motion. The Trustees made some text changes. The motion to approve the minutes as amended passed unanimously with Trustee Haber abstaining.

2. Consultants

• Director of Community Services

Director of Community Services, Russ Kraly, stated he put a rough draft copy of the Wind Energy proposal and a copy of the Wind Energy Resource Guide in the Trustees boxes for their review. The Wind Energy Task Force plans to have a few additional meetings.

Mr. Kraly explained that the Badger Meter System is outdated and would have to be replaced. He put together some numbers, but whether or not the system is compatible with Riverwood's billing system still needs to be determined. Mr. Kraly believes the changeover would take approximately four to six months. Trustee Chamberlain asked if there would be any downtime. Mr. Kraly said there should not be downtime.

- Plan Commission

Chairman David Niedelman noted that at the last Plan Commission meeting, the Commissioners heard testimony about the annexation of certain properties along Milwaukee Avenue. All the parties were present and spoke about why they wanted to come into Riverwoods. That meeting brought the Commissioners up to speed on what has been going on in committee over the past few months. There will be a meeting on Thursday to continue discussions about the proposed annexations.

3. Police Report

Chief Dayno compared the total activity from 2009 to the total activity in 2008 and found things to be relatively similar. There were fewer accidents and the number of arrests is up. However, the Village purchased a new records management system in October of 2008, so he is not as confident in the 2008 numbers. Chief Dayno stated the department is not writing as many tickets as before but believes that is a reflection on driving habits.

Chief Dayno made reference to the Uniform Crime Report, which catalogs the major crimes that are reported to the state. This report shows that thefts have more than doubled, but the number of arrests has also increased.

4. Fire Department Report

Assistant Fire Chief Ugaste presented the fire department call volume within the Village of Riverwoods for the month of December 2009. There were 10 fire calls, three car accidents, 27 paramedic calls and nine other calls for a total of 49 calls during the month of December. There were 483 calls for the year 2009. Assistant Chief Ugaste stated there were 520 calls in 2008 and that is similar to what is seen district wide.

Assistant Chief Ugaste stressed the need to make sure driveways are cleared and streets are kept clear. There was a fire in Lake Forest a few days ago and the driveway was treacherous. The first two engines ended up off the road and the ambulance also had difficulty, which hampered their efforts.

Trustee Graditor asked about the road closing when the bicycle bridge is put in over Deerfield Road. Assistant Chief Ugaste explained Patrick Glenn followed up on this and there will be one emergency lane left open.

5. Comments from the President

- Northbrook Water Comparison

Mayor Kaplan presented the Northbrook Water Comparison. The Village has saved \$406,000 since inception on its purchases of Northbrook water.

6. Old Business

- Discussion of an Ordinance amending the Village Code to prescribe regulations concerning fences

Village Attorney Bruce Huvad discussed his email of November 30, 2009, which made suggestions on how to grandfather existing fences. Trustee Graditor stated her belief that if there is a grandfather clause in the Ordinance, every person who has an existing deer fence would need to come forward to the Village and the fence would need to be inspected to ensure it is not nailed to a tree or blocking flowage. Every fence would need to be noted and recorded and residents would need to come in for a permit. Trustee Graditor wants inspection to be part of the permitting process. If existing fences are grandfathered, Mayor Kaplan would want to ensure disclosure. When a property goes up for sale, there must be disclosure that the fence must come into compliance.

Trustee Koomjian thanked Chairman Niedelman and the Plan Commission for their exhaustive job. As the Chairman of the Ecology Committee, he has a different approach; namely, the health of the woodlands. The Ecology Committee drafted a white paper about how deer have a substantial impact on woodland environments. Studies have been completed internationally, nationally, regionally and locally. In addition, Urban Forest Management wrote a white paper in 1996 which cataloged deer browse problems in the Village. Trustee Koomjian believes Ryerson Woods manages the problem well. When Marty Jones came to the Plan Commission, he also came up with the same conclusion. He was asked about the consequences if deer fences were taken down and did not believe that would improve the woodlands where deer fences don't currently exist. Mr. Jones believes the currently fenced properties would look like the currently unfenced properties if the enclosures were removed. Trustee Koomjian stated the Village needs to recognize that deer and healthy woodlands oppose each other and the Village needs to come up with a management program.

Trustee Koomjian expressed concern about the proposed fence ordinance because there is no recognition that there is value to the Village in preserving the woodlands. Those residents that put up barriers are doing something to benefit the Village. Residents have paid out of their own pockets to put up deer fences and he thinks the Village needs to grandfather the fences for the foreseeable future. Although grandfathering is an improvement to the proposed Ordinance, it is not the heart of the issue. The Comprehensive Plan recognizes the value of a woodland environment. The Woodland Protection Ordinance also recognizes the value of preserving the woodland environment. The proposed fence Ordinance, however, does not recognize the value of a woodland environment.

Trustee Koomjian attended the Plan Commission meetings and heard three arguments. One was aesthetic. The others dealt with herding the deer. Although there is no evidence, the residents stated that the deer crowd on non-fenced properties. Trustee Koomjian explained that professional studies discuss deer density. If less browse was available, the population would change and reduce over time. There is no evidence to indicate herding is real, but it is an argument for bringing down deer fences. Trustee Koomjian asked why the Village doesn't encourage deer fences until they can find a way to manage deer that allows both the woodlands and deer to coexist.

Trustee Graditor stated that many residents came to the Village because they like the woodland environment while others like the wildlife. If 25% of the deer in Riverwoods were eliminated, other deer would come into Riverwoods. Trustee Graditor explained that in the RPC report, there was little difference in the plant life found in fenced yards versus the plant life in unfenced yards. Trustee Graditor believes the impact of man on the woods is as critical as the impact of deer on the woods. Both are degrading the woods. Trustee Graditor stated that under the existing village ordinance, deer fences have always been illegal. The maximum height has always been six feet. The proposed ordinance gives a pass to residents who have chosen to protect the woods by installing fences. Trustee Graditor would not want to make Riverwoods a village of fences.

Trustee Svatik asked if anyone was surprised that Riverwoods has deer. Trustee Haber explained that people could know there are deer, but may not have understood what deer can do to properties. He does not believe the problem is fences; rather, the problem is the deer. Trustee Haber does not believe residents put up deer fences for privacy; rather, they put them up to protect their properties from the deer. He explained that some residents put up fences while others do not like deer fences. Trustee Haber stated the residents need to respect everyone's interest. He questioned why some residents can put up illegal deer fences while others cannot have deer fences. Trustee Haber would like to find a solution to address the deer problem without culling but still help residents with fences realize that removing the fences would not be harmful. He believes the problem is the deer; however, the Village is addressing fences. Trustee Haber would not be comfortable passing an ordinance when the real issue is not agreed upon.

Trustee Chamberlain believes that jumping to a fence ordinance would be taking things out of order. If there are a lot of fences, there is an underlying reason for the fences. Trustee Chamberlain would prefer to make people not need to put up fences. She recognizes there are some choices to make but thinks the Village needs to approach the problem head-on. Trustee Chamberlain recognized that the Plan Commission was asked to consider an issue that was specifically directed toward fences and they did a good job. She believes, however, that the Board of Trustees should have looked at the problem first, and then moved to an exploration of available options.

Mayor Kaplan stated the proposed Ordinance was a compromise to allow residents with nice gardens to keep the fences up. He believes that people who have put up deer fences within the past two years should remove them. Mayor Kaplan explained that 95% of deer fences are not within the guidelines of the Ordinance and are in south Riverwoods.

Trustee Koomjian noted that the Village addressed the deer issue in 1995-1996, and 15 years later they are still here, and Trustee Koomjian believes that the Board should not act in haste.

Robert Kaul, 2975 Arrowwood Trail, is a 25 year resident of Riverwoods. He fell in love with the deer in Riverwoods but has a deer fence because he feels there needs to be a balance. Mr. Kaul believes polarization is not good and would like to find a balance.

Ch. Niedelman explained the Plan Commission felt the compromise was not the elimination of the woodland protection fences; rather, it was the pullback. The Commission believes that pathways are necessary so deer can move through properties.

Mayor Kaplan stated the proposal would not eliminate fences, but would regulate the location. He stated that residents could still add planting materials so deer could not jump over the fences.

Trustee Koomjian believes the main argument about fences was generally aesthetic. He believes it may be more appropriate to look at fences by determining what is seen from the thoroughfares in the Village. Trustee Koomjian suggested restricting fences seen from these public thoroughfares as a way to compromise.

Plan Commissioner Lisa Peckler explained that when she moved to Riverwoods, she did not know what living with deer meant. She believes the issue is deer, not fences. Dr. Peckler drove up and down the streets in Riverwoods and saw a number of fences. She believes, however, that there are other alternatives to managing deer. Dr. Peckler stated she would be in favor of culling deer if they could feed the hungry by providing food for those who would benefit from deer meat. Mayor Kaplan explained that culling deer cost approximately \$750 per deer and the deer meat is packaged and sent to food pantries. It is expensive, however.

Mayor Kaplan explained the Board would continue with discussions, but he would like the Trustees to come up with written recommendations. He believes the discussions could go on for several months, but he would like to come up with a resolution. Mayor Kaplan stated that half the Board is against culling deer while half the Board is for culling deer. The issue for the moment, however, is deer fences.

7. New Business

- Providing funding for a deer count in Riverwoods

Mayor Kaplan explained he would not have a problem paying for a deer count in Riverwoods. Trustee Koomjian believes the Board should pay for the entire deer count and not be subsidized by the RPC. Of the bids received, Urban Forest Management provided the lowest. It was for a one-time flyover, however, to cover the Riverwoods village limits, Ryerson Woods, Potawatomie Woods, and the Lake County Forest Preserve property north of Lake Cook Road southwest of the Village limits. Mayor Kaplan explained that although deer migrate, there would be a minimal difference in the number. He read an excerpt of the minutes from the February 11, 2000 Board of Trustees meeting which provided the deer count.

Trustee Koomjian would be interested in getting an objective count of deer by an unbiased source. He believes the deer should be counted on two successive days to increase accuracy. Trustee Koomjian explained that when Mr. Jones spoke at the Plan Commission, he stated that deer typically stay within one square mile. One migration study stated that 75% of deer stay within 1/3 square mile for the season. He does not believe all areas in Riverwoods are the same and would like to test the hot spot theory. Trustee Koomjian believes the cost should be the sole responsibility of the Village. Trustee Haber suggested spending the extra money to count the

deer on two successive days so the study would not be suspect to some members of the Board. Trustee Graditor added that the Village should find out when Ryerson would be culling deer as well as the number of deer that will be culled, to increase accuracy in the numbers. She explained that the Ryerson herd was part of the Riverwoods herd and if Ryerson was going to eradicate a number of deer, that number should be subtracted from the count if culling had not yet occurred.

Trustee Haber made a motion to provide funding for a deer count over two consecutive days by Urban Forest Management, Mayor Kaplan to negotiate an appropriate fee with UFM. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

- Request for Sponsorship – One Book, One Zip Code 2010

Mayor Kaplan believes this is a worthwhile cause and would like the Village to be a sponsor. He asked the Trustees to determine the amount of sponsorship from \$500 - \$2500. Trustee Chamberlain explained the program is set up in the library and there are a number of copies of the book available. The purpose is to have a lot of people within the zip code read the book so they could have discussions. Trustee Haber asked how residents would learn about the program. Mayor Kaplan explained it could be put in the Village Voice. Trustee Graditor added there would be events and guest speakers. Mayor Kaplan explained that sponsorship means that Riverwoods promotes reading within the zip code.

Trustee Haber made a motion to become a silver sponsor of the One Book, One Zip Code 2010 program at a cost not to exceed \$500. Trustee Graditor seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

- Formal Designation of FOIA Officials

Village Attorney Jack Siegel explained this was one of the requirements of the amendments for the Freedom of Information Act. Mayor Kaplan designated Village Clerk Mike Ford, Police Chief Bruce Dayno, Director of Community Services Russ Kraly, and Kim Powitz as FOIA officials.

Trustee Haber made a motion for the formal designation of the foregoing 4 individuals as FOIA officials. Trustee Svatik seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

- Approval of an Email Archival Program

Trustee Masterson explained the Village uses the Zimbra system for email within the Village. An archive system can be added for a reasonable cost. Trustee Masterson met with Mark Snyder from Highland Solutions and believes this is the most cost effective and least intrusive system to archive all the email that is sent. Trustee Haber asked if everything would be archived, even if it does not need to be. Mr. Siegel explained that the email is a public record as defined in FOIA. Trustee Haber stated that unnecessary email could be deleted. Mr. Huvad stated that the volume of email that would be considered a public record is small. The issue is the manpower needed to purge the records. The search function is so strong that it would be more efficient to do a search of all the records than to have staff sort and purge unnecessary records.

Mr. Huvad explained that most of the time, records go with a property. He suggested having a folder for every property because 95% of what people look for would be stored in the digital property file.

Trustee Koomjian asked who would do the purging and believes there could be a potential for mischief. Trustee Masterson explained there could be a charge of tampering with records. The question is volume versus workload. Chief Dayno noted he gets sensitive email from other law enforcement agencies that should not be shared with the public. Mr. Huvad explained the archival server is in a protected facility and has a protected, remote backup. Trustee Masterson explained the cost is \$7 per email address per month plus a start-up cost. He explained the Village needs to comply with FOIA and this is not an option.

Ch. Niedelman explained that if the Village gets into a lawsuit, the cost of two lawyers sitting and verifying emails that are pertinent to a case could be very large. If the Village does not find a way to purge documents, there could be a very big liability.

Trustee Haber made a motion to approve the email archival system through Zimbra. Trustee Koomjian seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

- Board meeting dates for 2010

Mayor Kaplan designated the first and third Tuesday of every month as a Board of Trustees meeting date in the Village of Riverwoods.

8. Standing Committee Reports

- Roads/Parks/Bike/NSSRA/Forestry

Trustee Chamberlain conducted bike path interviews but does not have much to report at this time. She would report at a later date.

- Building/Zoning

Trustee Graditor explained that during the month of December 2008, there was one single family addition with a total construction value of \$150,000, generating fees of \$3396. In December

2009, there were four small, miscellaneous projects with a total construction value of \$42,554, generating fees of \$3315.

For the year 2008, the total construction value was \$8,292,391 generating fees of \$97,079. In 2009, the total construction value was \$3,400,087 generating fees of \$44,141. In 2008 there were four new houses built while in 2009 only one new home was constructed.

- Drain/Solid Waste/Environment

Trustee Koomjian explained he would speak with Plight Ecological Service to determine the cost of coming up with a plan for woodland forest management.

Mayor Kaplan asked if SWALCO planned to build an incinerator. Trustee Koomjian explained that SWALCO comes out with a plan update every five years. In the update, they attempt to look into the future and anticipate the needs for solid waste management and determine how those needs can be met. It would be very difficult to create a new landfill in Lake County and Wisconsin has already increased their prices so SWALCO is looking into incineration. The Lake County Board chose to delete that as part of their long range plans but the current SWALCO plan update included investigating incinerators. Trustee Koomjian noted the Lake County Board would review the proposed plan update.

- Finance/Soil/Water

Trustee Svatik inquired if the Village's Tax Levy Ordinance and any necessary supporting documentation had been transmitted to the County Clerk. Village Clerk Mike Ford stated that he had done so in a timely fashion, and that he had already received a confirmation from Lake County.

9. Executive Session

Trustee Graditor made a motion to go into Executive Session to discuss personnel. Trustee Haber seconded the motion. The motion passed at the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Masterson, Svatik (6)

NAYS: None (0)

The meeting moved into Executive Session at 9:47 PM.

10. Reconvene

In Attendance:

William Kaplan, Mayor

Cheryl Chamberlain

Sherry Graditor

Michael Haber

Rich Koomjian

Bruce Masterson

William Svatik

Also Present:

Mike Ford, Village Clerk

Jeri Cotton, Recorder

The meeting was reconvened at 10:34 PM.

Trustee Haber made a motion to accept the recommendation made in Executive Session for the following salary increases:

Accounting Administrator /Office Manager Susie Crohn, six percent. Director of Community Services Russell Kraly, five percent. Police Chief Bruce Dayno, five percent. Cheryl Hadley, four percent. Joyce Fromm, four percent. Kim Powitz, four percent. Helene Brodsky, four percent.

Trustee Graditor seconded the motion. The motion passed by the following vote:

AYES: Chamberlain, Graditor, Haber, Koomjian, Svatik (5)

NAYS: Masterson (1)

11. Adjournment

There being no further business to discuss, Trustee Haber made a motion to adjourn the meeting. Trustee Graditor seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:38 PM. The next Board of Trustees meeting will be held on January 18, 2010 at 8:00 pm.

Respectfully submitted,

Jeri Cotton