

**Village of Deer Park
Regular Board Meeting Minutes
March 18, 2002**

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1. CALL TO ORDER

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, March 18, 2002 at Charles Quentin Elementary School in the Village of Deer Park, Lake County, Illinois.

Clerk Smith called the meeting to order at 8:04 pm. In the absence of President Karl, Clerk Smith requested nominations from the Board for President Pro Tem. Trustee Benjamin nominated Trustee Werch, seconded by Trustee Kizior. Upon unanimous voice vote, Trustee Werch accepted the position as President Pro Tem. Upon roll call the following were present: Trustees Benjamin, Dowell, Gifford, Kizior, Plautz and Werch. Other Village Officials present were Engineer Gordon, Health Officer Karney, Administrator Diesen-Dahl, Clerk Smith, and Attorney Scott Hargadon. President Karl was absent. Trustee Werch declared a quorum.

Guests present were: Peder Finnberg (PAF Associates); Christi Darcy (Christopher Burke Engineering); George & Gina Fisher (Lot 10, Country Corners); Ray Elvey (Deer Park Town Center); Sante Iacovelli; Frank Deuel (AT&T Broadband); Ron Ambrose (Warren Johnson Architects.); Mary Lahr (201 Rue Touraine); Wanda and John CZaje (515 Rue Royale); Pat Ekstrom (511 Rue Royale); Carrie Groeller (219 Rue Touraine); Magda Galant (515 Rue Chamonix); Mark Hammer (511 Rue Chamonix); Candace Cortese (511 Rue Orleans); Jeff Stibling (509 Rue Chamonix); Trena & Alan Goldberg (221 Rue Jardin); Garrett Vojack (Rue Vallee); Sharon & Jack Schneider (514 Ct. Touraine); Ron Eszak (Rue Vallee); Dan Csaki (Rue Vallee); Paul Sanborne; Steve Haggerty (Rue Vallee); Tom Lahr (Rue Vallee).

2. CONSENT AGENDA

Minutes from: Board of Trustees Regular Meeting 2/18/02

MOTION: by Gifford second by Benjamin to accept the Consent Agenda.

Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

3. AT&T BROADBAND

Mr. Frank Deuel from AT&T Broadband addressed the Board concerning changes at AT&T. AT&T/Comcast will have completed changes to organization this year; the company is investing heavily in rebuilding/updating systems in 2002. The franchise agreement currently in place is binding; a representative of AT&T will present new options due to upgrades in late 2002. Changes will include upgrading to hybrid fire-optic systems for improved service and broadband digital service.

Trustee Benjamin to work with Mr. Deuel to address concerns voiced by residents concerning poor reception.

4. SITE DESIGN APPROVAL, LOT 10, COUNTRY CORNERS

Peder Finnberg of PAF Associates noted that new plans were submitted to the Board.

Christi Darcy from Burke Engineering noted that a request for jurisdictional determination on the wetlands to the Corps and to Lake County; waiting for guidance.

Health Officer Karney and **Attorney Hargadon** recommend requirement and covenants for regular maintenance of both systems and wetlands. Health Officer Karney recommends approval with language similar to other experimental systems approved.

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MOTION: by Kizior second by Plautz to approve the design presented and create a variation from the Deer Park septic code, subject to final review by Gewalt Hamilton. Plan to include 5 units described: the aeration unit, the peat filter, the chlorinator, the wetlands and the pond aerator. Additionally, covenants to be recorded against the property running in favor of the Village to guarantee continued operation and maintenance of the system and the wetlands. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

5. RESIDENT REQUESTS

A. Resident Pat Ekstrom

Ms. Ekstrom indicated that a commitment was made at a meeting on 2/25 with homeowners of Rue Vallee to have a follow up meeting on the 6th or 12th; there has been no proactive communication regarding such a meeting. A call was placed to Mr. Lajiness on the 10th, even though homeowners requested all communication be directed to Ms. Groeller. Homeowners would also like to see more Trustees involved, as issues are not just road issues. Follow up is required regarding: multi-family housing in the Triangle, safety and property values relating to the request by homeowners for a wall, and safety and property values relating to access on Field Parkway. Ms. Ekstrom requested a meeting be scheduled tonight to occur between April 2nd – 5th and coordinated with Ms. Groeller, and that weekly status updates be provided to Ms. Groeller.

Trustee Kizior agreed to provide weekly updates to Ms. Groeller.

Trustee Werch indicated that he would attend homeowner meetings with Trustee Kizior when President Karl could not attend; however, no more than two trustees may be present at a meeting outside of scheduled meeting of the Board of Trustees, without proper public notice of the meeting.

Trustee Werch also indicated that Engineer Gordon is working on a design for a barrier to be placed on the east side of Field Parkway which would prohibit traffic from exiting Field Parkway crossing Quentin and entering Rue Royale. When the design is complete, it will be submitted to Lake County for approval. Trustee Werch reminded that the Village cannot dictate what designs the County will/will not approve; the Village goal is the same as the homeowners: to prevent traffic from crossing Quentin and entering Rue Royale. Ms. Ekstrom expressed frustration with the process and lack of communication, noting that trucks are violating the barriers currently in place. Trustee Werch to notify Kildeer Police and request monitoring of the situation.

Trustee Werch reiterated that there is no support on the part of this Village Board to erect a wall on the west side of Quentin Road. The Board would most likely approve requests by individual homeowners for fences similar to those granted to homeowners along Lake Cook Road. Trustee Werch urged the homeowners to reconsider the request for a wall.

Trustee Kizior noted that the Board has directed him to investigate costs for adequate visual screening for residents and present the findings to the Board. This has not been done yet; Trustee Kizior investigating.

Trustee Werch noted that the non-conforming lights from Hamilton Partners have been turned off; seeking conformance through screening of the lights. Further, Trustee Werch noted that empty-nesters or assisted living uses are

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only types of residential, other than single family homes, the Board would consider for any remaining areas in the Triangle. A copy of the Revised Comprehensive Plan was given to Ms. Groeller (Treasurer of Rue Vallee Homeowners Association).

Resident Tom Lahr asked who would pay for plants used for screening, and why the Village is more concerned about crossing Quentin when a barrier is in place to prevent usage of Field Parkway while screening is already an issue. Trustee Kizior noted that the barrier and corner issue appeared to have higher priority to homeowners, other governmental entities are involved requiring the Village to be as proactive as possible, and to attempt to resolve the road/corner issues so that road work could be prioritized for a particular build season. No decision has been made on who would purchase or what type of plants would be purchased for a natural barrier.

Ms. Ekstrom noted that until the screening issue is resolved, Rue Vallee residents will oppose any Quentin roadwork.

Resident Ron Eszak expressed appreciation for a specific zoning at Quentin and Long Grove Road, but noted that issues of screening will only increase in intensity and importance to homeowners, and will most likely survive the current Board.

Resident Mary Lahr indicated that President Karl was very clear at the 2/25 meeting that Field Parkway and Rue Royale are Village roads, and questioned why the County was involved in the approval process. Engineer Gordon indicated that the roads tie into County highway system; thus, they are controlled intersections requiring County approval.

B. Dover Pond

Letter dated 2/20/02 with a total of \$828 for maintenance expenses.

MOTION: by Dowell second by Gifford to table request from Dover Pond to share in cost of park expenses until itemized expenses are provided by homeowners association through normal disbursement channels. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

C. Squires

Cash disbursements reflect request from last year; nothing received and no one present. Board cannot act until more information is received from homeowners association.

6. CAC DONATION REQUEST

MOTION: By Dowell second by Gifford to approve a \$1,000 contribution to Cultural Arts Connection for current fiscal year. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

7. SHELL OIL—CHANGES TO SITE PLAN DUE TO ROAD IMPROVEMENTS

Ron Ambrose of Warren Johnson Architects addressed the Board concerning the road improvements at Rand and Lake Cook roads causing property taking on Shell's

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property. Property takings will make pump access difficult. Shell proposes rotating canopy 90 degrees; height, signs, all remain the same.

Attorney Hargadon indicated that the Shell station exists as a Special Use. There has been overlaid over the property a Planned Development District such that any changes to existing uses have to be processed as Planned Developments. Therefore, must be processed as a Planned Development Special Use and would require a Public Hearing at the Plan Commission and a Hearing at the Village Board. This meeting to serve as the Preliminary Conference.

Mr. Ambrose to coordinate with Attorney Meek to set up Public Hearing, and with Administrator Dahl to receive a list of requirements to be met.

RESOLUTION: by Gifford second by Dowell to refer Shell Oil request for site plan changes to the Plan Commission. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

8. PROPOSED DEER PARK SERVICE STATION AT PLUM GROVE AND RAND ROAD

Mr. Ambrose, on behalf of Nomi Lakhani-new owner of property, addressed the Board concerning the potential for development of a service station with food mart and car wash. Mr. Ambrose presented the conceptual plans for the development to the Board.

Potential issues: wetlands, IDOT rights of way need to be verified, water usage and sanitary issues, appropriateness of property for site.

Board directed Mr. Ambrose to resubmit under the requirements of the Planned Development Ordinance. Tonight's meeting is NOT to be considered the preliminary conference; petitioner should come before the Board for referral to the Plan Commission.

9. ENGINEERS REPORT

- A. Soil borings Proposal—Swansway and Long Grove Drainage
Engineer Gordon noted the Long Grove Lift Station geotechnical services are reimbursable under the Special Service Area bond funding.

MOTION: by Dowell second by Kizior to accept the proposal for two soil borings in the amount of \$1900 and \$2200 for Swansway and Long Grove drainage per the 3/15/02 memo from Engineer Gordon. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

Engineer Gordon informed the board the contractor has cleaned out some of the silt at the Swansway site; potential problem with outlet structure. Engineer Gordon to monitor situation.

B. Triangle Playfield

1. A permit is required from the Village of Palatine for water service to the baseball playfield (concession and bathrooms). Permit requires a sub-allocation of water.

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MOTION: by Benjamin second by Kizior to designate 500 gallons per day of the Palatine water allocation to the site of the proposed park and baseball diamond. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

2. A permit is required from MWRD for development of the site for sanitary sewer. An impact fee is due to the MWRD for a portion of the park site that was part of the land exchange between the Village of Deer Park and the Lake Zurich Fire Protection District. The majority of the park property impact fees have already been processed through the development of the Hamilton property.

MOTION: By Dowell second by Gifford to authorize an expenditure of \$7960.50 for payment of impact fees for MWRD for the balance of the park site. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

3. Engineer Gordon requested authorization to bid the proposed little league baseball diamond and a curb and gutter parking lot with 60 parking spaces, grading and restoration of the site with storm sewer service. Preliminary estimate of cost is \$340,000. Engineer Gordon recommends project be bid after assurance of permit approvals received.

MOTION: by Dowell second by Gifford to approve engineers take Triangle Park playfield to bid. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

C. Road Program 2002

Due to potential additions/changes to the road program, item was tabled until additional data could be compiled.

10. ATTORNEY MATTERS

A. Construction Management Agreement Amendments

1. Third Amendment to the Construction Management Agreement (CMA): formally approves amendment to fees for engineers' developing the roadway—Gewalt Hamilton and Civiltech. Approved in concept previously; documentation now received.

MOTION: by Gifford second by Kizior to approve the 3rd amendment to the Construction Management Agreement. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

2. Fourth Amendment to the Construction Management Agreement (CMA): amends to reflect bid and award of Plum Grove Road improvement contract to Maneval. Developers are responsible; paid out of SSA & EDP funding.

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MOTION: by Gifford second by Kizior to approve the 4th amendment to the Construction Management Agreement. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

11. FY2002 – 2003 BUDGET

Trustee Dowell noted that the budget does not include SSA costs. Budget was prepared and reviewed by the Treasurer, Assistant Treasurer, Trustee Dowell, and President Karl.

MOTION: by Benjamin second by Gifford to approve the Revised FY 2002 – 2003 budget as proposed. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

12. REPORTS

A. Gifford—Planning and Zoning

BACOG impact fee meeting to be held 3/19.

B. Trustee Benjamin—Parks and Recreation

Resident Carrie Groeller noted that the equipment is now in for Michael D'Angelo Park.

C. Administrator Diesen-Dahl

1. Driveway: Engineer Gordon has contacted Schroeder; drainage to be repaired under original contract. Additional gravel will be needed and will be extra; grading may also need to be done.

MOTION: by Benjamin second by Kizior to approve an expenditure not to exceed \$5,000 for improvement of Vehe Farm circular driveway with drainage repairs to be completed under the original contract. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

2. Cedar down at Village office: tree is located in the right of way of Lake County. Engineer Gordon to contact Lake County.

D. Trustee Dowell—Finance

1. Treasurer and Assistant Treasurer would like to attend upcoming conference. Trustee Dowell has reviewed agenda and recommends Village approve and provide reimbursement for expenses to attend.

MOTION: by Plautz second by Kizior to provide expense reimbursement for submitted expenses for conference for Treasurer and Assistant Treasurer. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

2. January meeting Board approved pay increases for staff. Board consensus was to achieve a differential between the Treasurer and Assistant Treasurer, deferred decision of amount of differential. Trustee Dowell recommends differential of \$1 per hour.

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MOTION: by Dowell second by Gifford to increase the per hour pay to the Treasurer by \$1 per hour. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

E. Clerk Smith

Reminder to vote at elections 3/19/02.

F. Trustee Kizior—Roads and Public Utilities

Snow season coming to end, short list of repairs which should be covered by snowplowing contract.

G. Trustee Plautz—Health and Sanitation

Reminder for next newsletter: Village does not recommend use of garbage disposals with septic tanks.

H. Trustee Werch—Public Safety

John Wagner, a Vehe Board member, has negotiated with Hendricksen to donate much of the work being done on the Farm. Recommends Board allow Mr. Wagner to coordinate permitting Hendricksen to perform work.

RESOLUTION: by Gifford second by Kizior to allow John Wagner to coordinate permitting for Hendricksen for Vehe Farm. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

13. PUBLIC COMMENTS

Rue Vallee resident Steve Haggerty worked with Trustee Kizior, President Karl and Engineer Gordon on options for intersection at Rue Royale and Quentin. Mr. Haggerty expressed frustration with the decision-making process through the County.

14. CASH DISBURSEMENTS

MOTION: by Dowell second by Gifford to approve the Cash Disbursements dated 3/18/02, in the amount of \$204,924.01. Upon roll call:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

15. TREASURERS REPORT

MOTION: by Dowell second by Gifford to accept the Treasurers Report dated 2/20/02. Upon roll call vote:

YES: (5) Benjamin, Dowell, Gifford, Kizior, Plautz

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

16. ADJOURNMENT TO EXECUTIVE SESSION

MOTION: By Gifford second by Dowell to adjourn to Executive Session to discuss potential property acquisition by the Village. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was adjourned to Executive Session at 10:28 p.m.

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17. REOPEN REGULAR MEETING

Motion: BY Benjamin second by Kizior to reopen the Regular Meeting of the Board of Trustees. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

18. ADJOURNMENT

MOTION: by Benjamin second by Kizior to adjourn the Regular Meeting of the Board of Trustees. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was adjourned at 10:49 p.m.

Henry Werch, President Pro Tem

Sandra R. Smith, Village Clerk