

**Village of Deer Park  
Regular Board Meeting Minutes  
June 17, 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, June 17<sup>th</sup>, 2002 at Charles Quentin Elementary School in the Village of Deer Park, Lake County, Illinois.

President Karl called the meeting to order at 8:05 PM. Upon roll call the following were present: Trustees Benjamin, Dowell, Gifford, Kizior, Plautz, and Werch. Other Village Officials present were Engineer Gordon, Administrator Diesen-Dahl, Clerk Smith, and Attorney Hargadon. President Karl declared a quorum.

Guests present were: Charles Keppel (Hendricksen the Care of Trees); Clay Busse (Hendricksen the Care of Trees); Jeff Wilson (Hendricksen the Care of Trees); Mary Lahr (201 Rue Touraine); Jovonna Kingkade (20109 Deer Chase Ct.); Jim Mozer (20252 Park Hill Drive); Jack Honomichl (20290 Park Hill Drive); Don J. Wiskes (104 Lois Lane); Frances Honomichl (20290 Park Hill Drive); Annette Slingo (20140 Park Hill Drive); Pam Nelson (23867 Long Grove Road); Ranjana Mehrotra (20192 Park Hill Drive); Angela Thennisch (20218 Park Hill Drive); Paul Sanborn (512 Rue Royale); Garrett Vojack (Rue Vallee); Karren J. Kirth (20390 Park Hill Drive); Carrie Groeller (219 Rue Touraine).

2. **AGENDA CHANGES AND ANNOUNCEMENTS**

None.

3. **CONSENT AGENDA**

- A. Minutes from: Board of Trustees Regular Meeting 5/20/02
- B. Ordinance 02-03: Septic Variance—Lot 10 Country Corners

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

YES: (6)

NO: (0)

Motion Carried 6/0

4. **FRANK DEUEL—AT&T**

- A. 394 Transfer Request

Mr. Frank Deuel of AT&T Comcast appeared before the Board to present the 394 Transfer Request—a federal filing changing control of AT&T Broadband to AT&T Comcast Corporation. No changes to existing franchise agreements will occur.

MOTION: by Gifford second by Benjamin to accept the 394 Transfer Request changing control from AT&T Broadband to AT&T Comcast Corporation. Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch

NO: (0)

Motion Carried 6/0

- B. Service Changes—New Customer Service Number

There is a new customer service number for AT&T Comcast: 866-594-1234.

5. **ENGINEER'S REPORT: ROBINSON FIELDS PRELIMINARY DRAINAGE REPORT**

Engineer Gordon noted Board members had received prior to the meeting copies of the preliminary drainage analysis study including topographic conditions. Gewalt Hamilton completed study of drainage between Park Hill subdivisions and Robinson Fields Subdivision. Study coupled with original engineering plans for area identified overland drainage route between lots 4 and 6 which currently contains approximately 1 – 1 ½ feet of fill forcing drainage north to Lois Lane. Potential recommended solution: construction of storm sewer to pick up drainage and route to existing lot 5 detention pond. Engineer Gordon recommends Village pursue with developer; no evidence was found

that compacted fill on Lot 6 has an impact on the flow of ground water. Engineer Gordon noted that groundwater conditions are not conducive to good soil drainage. However, modifications and storm sewer addition would be expected to redirect the surface drainage to the original drainage pattern. Engineer Gordon recommends reshaping and cleaning swale south of Lois Lane behind Park Hill Drive and installation of monitoring wells in order to measure the ground water level on an ongoing basis. Installation of monitoring wells should be done as an initial step in order to measure success of storm sewer in alleviating drainage problems.

Letters have been sent to the developer regarding stockpile dirt and debris on lots 1 and 4. Developer has acknowledged receipt of letter, has notified owners and is waiting for response and timetable from owners.

6. **PARK HILL RESIDENTS REGARDING ROBINSON FIELDS DRAINAGE**

***Resident Don Wiskes, 104 Lois Lane,*** read a statement on behalf of Bill and Nancy Kirby (lot 41) who were unable to attend the meeting. The statement noted opposition to drainage routing to pond due to rising water levels which are killing trees and endangering homes relying on underground drainage. Mr. Wiskes passed out pictures illustrating water levels of the pond. Pond to receive water is different from pond discussed in statement; Trustee Werch presented Mr. Wiskes with copy of the plan for confirmation.

***Resident JoVonna Kingkade, 20109 Deer Chase Ct.,*** requested clarification on letter sent to developer regarding removal of dirt and debris. Ms. Kingkade questioned the effect of another house on lot 4. President Karl directed Ms. Kingkade to discussions of a technical nature with Engineer Gordon.

***Resident Jim Mozer, 20252 Park Hill Drive,*** requested clarification on retention pond to handle groundwater. Mr. Mozer also questioned whether or not Wisconsin Mound systems installed were constructed correctly.

***Resident Jack Honomichl, 20290 Park Hill Drive,*** requested clarification on swale work to be done. Mr. Honomichl also questioned ability of Village to persuade developer to move quickly on installation of storm sewer. Attorney Hargadon noted that substantial investment by the developer in these lots is jeopardized by moratorium placed on building until drainage issues are settled.

***Resident Annette Slingo, 20140 Park Hill Drive,*** expressed frustration, noting that the entire Park Hill Subdivision is being affected by drainage issue. Ms. Slingo referenced her letter sent to the Board dated 6/13/02, indicating not only drainage issues, but odor issues throughout her home. Board members indicated that Robinson Fields may not be the cause; however, the Board is seeking a remedy, and attempting with additional measures requested to track down the cause.

***Resident Angela Thennisch, 20218 Park Hill Drive,*** requested clarification on items to be included in solution proposed by Engineer Gordon.

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MOTION: by Dowell second by Gifford to authorize the Village Engineer to:

1. Communicate with developer of Robinson Fields Subdivision to discuss storm sewer installation,
2. Extend up to \$6,500 in accepting low bid for swale reshaping and cleaning,
3. Authorize installation of up to three monitoring wells at a cost not to exceed \$3,600.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch

NO: (0) Motion Carried 6/0

Above items to be performed as outlined in Robinson Fields/Park Hill Drainage Analysis dated 6/14/02.

Engineer Gordon to contact developer 6/18/02 for schedule regarding debris and additional dirt removal.

**7. HENDRICKSEN THE CARE OF TREES**

Jeff Wilson, Vice President of Hendricksen the Care of Trees, along with Clay Busse, Deerpath Road facility manager, and Charles Keppel, original site manager, presented request to remodel/modernize the facility on Deerpath Road.

Attorney Hargadon noted procedure governed by Special Use Permit granted for facility:

- i. Submission of petition, including site plan showing current and proposed design and septic fields,
- ii. Notice to neighbors within 500 feet,
- iii. Public Hearing at Plan Commission with legal notice,
- iv. Deposit for review fees.

Mr. Wilson discussed with the Board general parameters of the revisions being sought. Trustee Plautz thanked Mr. Keppel for ESL classes offered through Hendricksen.

**8. 12 DEERPATH ROAD**

Future residents Meta Stefan and Hilda Rettmuller are working with Building and Zoning Inspector Holmes to solve issues.

**9. REPORTS**

**A. President Karl**

- i. Route 12 Planning Corridor Guidelines—requesting adoption as guidelines for Village.

MOTION: by Werch second by Gifford to adopt the Route 12 Corridor Planning Guidelines as minimum standards for Rand Road with option to exceed those standards. Upon voice vote:

YES: (6)

NO: (0) Motion Carried 6/0

- ii. Boy Scouts of America donation request—President Karl noted that donations such as these have not been done in the past due to number of potential requests. This instance is a special one-time commemorative event.

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MOTION: by Benjamin second by Gifford to contribute \$200 for the Reunion Jamboree as requested by Troop 21 in their letter dated 6/8/02.

Upon roll call:

YES: (4) Benjamin, Dowell, Gifford, Kizior

NO: (2) Plautz, Werch

Motion Carried 4/2

Trustee Werch noted that he would prefer to see donation requests in the context of a general budget package to be evaluated for equitable division.

Trustee Plautz offered to work on a committee for the next fiscal budget.

- iii. Septic review—currently have paid position; redundancy with Lake county. Deer Park and North Barrington only two immediate Villages with this redundancy. Evaluations done now by Lake County are quality evaluations done on a timely basis. Village has been struggling with procedural portion of septic reviews: slow reviews, billing, permitting, etc. Due largely to potential conflicts, not many firms available for contracting of local oversight. Board members felt that lots left for development are sensitive; given that Village ordinances are more stringent than County ordinances, Board chose to maintain local oversight while evaluating providers.

- iv. Park permit fee—approved bid for park development last month. Additional permit fee for extension of future water service to the park site.

MOTION: by Benjamin second by Kizior to authorize payment of permit fee to the Village of Palatine for future water extension to the Triangle park site in the amount of \$3,100. Fee to be paid out of park fund.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch

NO: (0)

Motion Carried 6/0

- v. Burn report included in Board packets.

**B. Administrator Diesen-Dahl**

- i. Septic Review Billing—Administrator Diesen-Dahl requested clarification on responsibility for payment for review of septic problems for homeowners. Homeowners calling into the Village Office regarding their own septic systems should be referred to Lake County; homeowner is responsible for any expense incurred. If residents call Village Office regarding others' septic and Village calls for review, Village is responsible for payment. Trustee Plautz to contact Lake County for procedures and timelines. Any existing bills in the office where Office directed septic officer to review should be paid.
- ii. Building and Zoning Inspector Holmes has sent out 31 letters regarding ordinance violations.
- iii. Ordinance 02-04: Privatsky Setback Variation. Approved concept previously, this is final ordinance form.

MOTION: by Dowell second by Gifford to approve Ordinance 02-04, Privatsky Setback Variation.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch

NO: (0)

Motion Carried 6/0

C. Attorney Hargadon

- iv. Triangle well inquiry update—Issue raised at last meeting by Plan Commissioner Lahr regarding irrigation wells in Hamilton and DPTC developments. Wells dug to fill the retention ponds in times of drought to allow watering of landscaping as required. Contends Village is in violation of its own ordinance. Wells do draw from the shallow aquifer. Annexation agreements provide right to such wells, which conflicts with existing Village ordinances. Under state law, annexation agreements which conflict with ordinances are allowed, in effect, as variations. The annexation agreement states that, in the event of any existing codes or ordinances which conflict or are inconsistent with the agreement, the annexation agreement takes legal precedence (thus allowing the wells). Additionally, Poag & McEwen agreements went before the Plan Commission and Board twice (preliminary and final), and Plan Commission recommended approval. Final approval would have included wells; thus, Plan Commission did review wells.
- v. Park property—DDRC right to use excess capacity in stormwater drainage pond in outlot for park property received 6/17/02. Agreement grants stormwater management easement across all of their stormwater facilities, grants 2 ½ acre feet easement of detention volume in pond. Agreement calls for revocation if governmental entity requires they have additional storage provided. Attorney Hargadon feels this is appropriate risk for the Village, given the approved density vs. storage capacity for this development.

MOTION: by Gifford second by Kizior to authorize President Karl to sign the drainage easement agreement with DDRC P&M DPTC, LLC for the purposes described above.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch  
NO: (0) Motion Carried 6/0

- vi. Plum Grove Road Construction—Village, as management agent, established escrow account for Maneval Construction draws. Board approved draws; creation and establishment of account requires approval of Board.

MOTION: by Dowell second by Gifford to approve creation and establishment of interest-bearing escrow account to hold draws from SSA funds to cover Maneval Construction costs for Plum Grove Road construction costs.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch  
NO: (0) Motion Carried 6/0

- vii. Plum Grove Road Construction—Total contract approximately \$500,000. Attorney Hargadon recommends experienced Title Company review construction draws and processing of lien waivers; recommends Chicago Title.

MOTION: by Kizior second by Plautz to approve an expenditure not to exceed \$3,000 for construction reviews and processing of lien waivers by Chicago Title for Plum Grove Road improvements, funds to be reimbursed by SSA funding.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch  
NO: (0) Motion Carried 6/0

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**D. Trustee Dowell—Finance**

- i. Vehe Farm Maintenance items—letter from Teri Bridge, Vehe Farm Foundation President, outlining maintenance items needed for the Farm. VFF to work with B&Z Inspector Holmes to review items and determine which should be sent out to bid.

MOTION: by Dowell second by Gifford to authorize VFF to work with B&Z Inspector Holmes on maintenance items requested by Teri Bridge, Vehe Farm Foundation President. Additionally, Board authorized expenditure of up to \$2,500 for the maintenance items, with no single item to exceed \$500. Remaining items to be sent out to bid, or discussed at later Board meeting.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch

NO: (0) Motion Carried 6/0

- ii. Audit is underway.
- iii. Bike path maintenance in the Triangle. Paths are now Village property. Trustee Dowell to discuss with Engineer Gordon.

**E. Trustee Gifford—Planning and Zoning**

- iv. Berms were moved/alterd by Motorola to preserve setbacks. Motorola working with Village Planner Savoy to account for road improvements.
- v. Hamilton Partners—lights were on, Engineer Gordon confirmed shields are on lights.

**F. Trustee Benjamin—Parks and Recreation**

- i. Phase II Old Farm Park

MOTION: by Benjamin second by Gifford to authorize \$2540 for Phase II expenditures for Old Farm Pak Site, including seed, straw, conduit in ditch, and excavation of walking path around perimeter of site.

Upon roll call:

YES (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch

NO: (0) Motion Carried 6/0

- ii. Vandalism in Charlie Brown Park—Trustee Werch has requested Kildeer Police step up patrols. Engineer Gordon to research possible electrical connection for lighting.
- iii. Vehe Farm Tot Lot—working to meet handicap requirements, budget constraints, grant requirements, and maintenance of natural or natural looking materials to blend with surroundings.
- iv. Dead trees in Village right of way—Trustee Kizior to work with Trustee Benjamin for removal.
- v. Resident has requested Village investigate Park District membership with Barrington or Lake Zurich. Board consensus that stability of finances should be achieved prior to initiation of discussions.

**G. Trustee Werch—Public Safety**

- i. Kildeer police contacted businesses with past due business registrations; now paid.

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- ii. Park closing/parking--conflict with ordinance (10:00 PM) and signs in parks (sunset).

MOTION: by Werch second by Plautz to amend Village ordinance to prohibit vehicle access to any park after sunset. Upon voice vote:

YES: (4) Dowell, Gifford, Plautz, Werch

NO: (2) Benjamin, Kizior Motion Carried 4/2

- iii. Village contracted with Environmental Management for eradication of Purple Loosestrife; killed all plants. Trustee Werch to contact for correction.

H. Trustee Kizior—Roads

- i. Rue Vallee Landscape Plan—as requested, Trustee Kizior submitted references for Landscape Planner Marwitz.

**Resident Ron Eszak** inquired whether or not the annexed home at Lake Cook received subsidy for the Village of Deer Park for erection of the fence for screening. No funding received.

MOTION: by Plautz second by Benjamin to accept the proposal for a landscape plan from landscape designer Mary Marwitz for Quentin Road from Lake Cook to Michael D'Angelo Park in the amount of \$2,250.

Upon roll call:

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

NO: (1) Gifford Motion Carried 5/1

- ii. Trustee Kizior contacted by developer regarding proposed gas station at Plum Grove Road and Rand Road for views of Board on proposal. Conveyed that proposal doesn't conform to Comprehensive Plan vision of area, including potential consolidation of parcels. Board agreed.

- iii. Rainbow Road drainage gravel needed.

MOTION: by Benjamin second by Gifford to expenditure of \$2,175 for gravel material for Rainbow Road.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch

NO: (0) Motion Carried 6/0

I. Trustee Plautz—Health and Sanitation

- i. Requested clarification of areas treated by mosquito abatement. Administrator Diesen-Dahl to request list of treated areas from Clarke.
- ii. Noted condition of room, lack of set up by school, condition of bathrooms. Administrator Diesen-Dahl to contact school.

10. **TREASURERS INFORMATION**

MOTION: by Dowell second by Gifford to approve the Treasurers Report dated 5/31/02.

Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

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11. **CASH DISBURSEMENTS**

MOTION: by Dowell second by Gifford to approve the Cash Disbursements for the period 5/21/02 through 6/17/02 in the amount of \$193,232.88.

Upon roll call:

YES: (6) Benjamin, Dowell, Gifford, Kizior, Plautz, Werch

NO: (0) Motion Carried 6/0

12. **PUBLIC COMMENT**

***Resident Paul Sanborn, 512 Rue Royale***, expressed discontent and frustration with the Village Board regarding respect and consideration given to issues presented by homeowners. Mr. Sanborn noted that homeowners will give the Board respect when they feel respect and adequate consideration is given to the issues they deal with on a daily basis.

13. **ADJOURNMENT**

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

YES: (6)

NO: (0) Motion Carried 6/0

The Regular Meeting of the Board of Trustees was adjourned at 11:06 PM.

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Richard C. Karl, Village President

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Sandra R. Smith, Village Clerk