

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**June 16<sup>th</sup>, 2003**

**p. 1 of 11**

**1. CALL TO ORDER**

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, June 16<sup>th</sup>, 2003 at Charles Quentin Elementary School in the Village of Deer Park, Lake County, Illinois.

President Karl called the meeting to order at 8:07 p.m. Upon roll call the following were present: Trustees Dowell, Ekstrom, Gifford, Kizior, Plautz, and Werch. Other Village Officials present were Plan Commission Chairman Howard Thrun, Plan Commission member John Lahr, Village Planner Jim Brown, Village Engineer Todd Gordon, Administrator Diesen-Dahl, Clerk Smith, and Attorneys Hargadon and Kopecky.

Guests present were: Hal Culler (Deer Lake Meadows Homeowners Association); Mary "Mel" Fox (Chapel Hill Subdivision); Steve Lenet (United Land Development); Buddy Bernstein (Poag & McEwen--Deer Park Town Center); Mary Lahr (201 Rue Touraine); Wanda Czaja (515 Rue Royale); Carrie Groeller (219 Rue Touraine).

**2. AGENDA CHANGES AND ANNOUNCEMENTS**

Added Chris Kopecky, Lord, Bissell & Brook, presenting a request from Praedium Development for a waiver of the requirement for a feasibility study for proposed retail development on the northwest corner of Long Grove and Rand Roads. Item placed after Resident Mel Fox (#6).

Moved agenda item #7—Approval of the Resubdivision of Deer Park Town Center—immediately after Attorney Chris Kopecky.

Moved agenda item #8—Ela Township Highway Commissioner Bill Kruckenberg—immediately after the Resubdivision of Deer Park Town Center.

**3. CONSENT AGENDA**

- A. Minutes from the Regular Board of Trustees Meeting held 5/19/03.
- B. Minutes from the Plan Commission Meeting held 6/2/03.
- C. Minutes from the Plan Commission Meeting held 6/9/03.

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

YES: (6)

NO: (0)

Motion Carried 6/0

**4. DEER LAKE MEADOWS SUBDIVISION ENTRANCE PROPOSAL**

Resident Hal Culler, representing Deer Lake Meadows Subdivision, presented a beautification proposal for the entrance to the subdivision. No additional signs or lighting. Plan is to remove old shrubbery, add new perennials. Not requesting funding; homeowners will cover the cost of the plan. Trustee Gifford mentioned right of way issues; Mr. Culler noted no new configuration. Adding some boulders, but boundary of current landscaping will not change.

MOTION: by Dowell second by Ekstrom to approve the proposed subdivision entrance plan dated May 19, 2003 by Scheel & Associates. Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

**5. CHAPEL HILL PARK**

Mel Fox, representing Chapel Hill Homeowners Association, noted there have been problems with drivers entering the park in the winter, resulting in damage to the park. Homeowners Association has discussed the problem with police; trying to prevent future problems. Homeowners are proposing putting in another planting bed to block drivers from entering. Requesting Village to share cost on a 2/3 basis. Estimated total cost is \$3373 (requesting \$2200). Ms. Fox noted that homeowners have invested approximately \$3000 in the park over the last two years.

Trustee Dowell asked if drivers would be able to see the bed in the winter with snow cover. Ms. Fox indicated the bed would contain trees, making them visible.

Homeowners have obtained three bids; best bid was received from ELI Landscapers (landscaper does other work for Chapel Hill). Proposed bed is on Village property.

MOTION: by Dowell second by Gifford to approve an expenditure up to \$2200 on a 2/3 (Village), 1/3 (homeowners) basis, subject to review of the three bids by the Parks Commissioner (Trustee Kizior). Upon roll call:

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

NO: (0)

Motion Carried 6/0

**5. PRAEDIUM DEVELOPMENT**

Attorney Chris Kopecky informed the Board Praedium Development has submitted additional documentation. Proposed plan was before the Plan Commission Monday. Praedium is requesting waiver of feasibility study required under the Planned Development Ordinance. Proposed development is for a retail development adjacent to a successful retail development, no impact on schools, no impact on parks. Attorney Hargadon concurs with reasoning for waiving the feasibility study.

Trustee Gifford asked if this waiver would decrease Village leverage when discussing tenants. Attorney Hargadon indicated there is nothing in the zoning code which specifies tenant mix. Village requires a higher level of architectural, landscaping, and site standards, which in turn attracts a certain type of retailer.

Trustee Plautz asked if one of the reasons for a feasibility study is to determine level of market saturation. Attorney Hargadon indicated a feasibility study would show saturation levels; however, given the sales per square foot and success of Deer Park Town Center, and desire in the retail community to locate near the Town Center, he does not believe saturation is an issue. Additionally, President Karl indicated that the Board is probably not the best evaluator of such a study; a developer that is going to develop for millions of dollars will do market homework first.

MOTION: by Gifford second by Werch to waive the requirement for the feasibility study for the Praedium Development on the northwest corner of Rand and Long Grove Roads. Upon roll call:

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

NO: (0)

Motion Carried 6/0

As the proposed development is in alignment with projections for the site in the Comprehensive Plan, no modifications to the Comprehensive Plan will be needed.

**6. SECOND RESUBDIVISION OF DEER PARK TOWN CENTER**

Attorney Buddy Bernstein, representing Deer Park Town Center, displayed the site plan for the second phase of the Town Center, as approved by the Building Review Board. Second resubdivision incorporates the restaurant, theater, and shops in the south end of the shopping center. Proposed second resubdivision addresses lot changes to accommodate the second phase. Changes in the Proposed Resubdivision: Lot 7 (previously Singletary Lot) is vacated; Lot 16 is the Century Theater, shops are in Lot 1 and new Lot 15 and Lot 8. Lot 13 is the restaurant (La Hacienda) with one row of parking. Lot 13 is carved out of Lot 6. Also cleaned up old Lot 5 (now part of Lot 1 in the Motorola Subdivision) per Plan Commission comments. All lots are now served by ingress/ egress easements.

Attorney Hargadon noted Engineer Gordon and Attorneys have reviewed; allows additions, cleans up former Lot 7 and Lot 5 to bring to current standards. There is a secondary Plat of Easements for utilities amending existing plat of easements—third amendment brings plat to current to reflect reality. Approving Resubdivision and approving the Third Amendment to the Utility Easement. Benefit in accepting the Second Resubdivision is clarity in the plats; additionally, changes are required by the annexation agreement signed in 1999.

MOTION: by Dowell second by Gifford to approve the Proposed Second Resubdivision of Deer Park Town Center and accept the Third Amendment to the Utility Easement Plat. Upon roll call:

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

NO: (0)

Motion Carried 6/0

**7. ELA TOWNSHIP HIGHWAY COMMISSIONER BILL KRUCKENBERG**

Bill Kruckenberg, Ela Township Highway Commissioner, was present to introduce the new recycling program being undertaken by the Township. Will be recycling oil based and latex paints, motor oil, brush, household batteries and lead acid batteries (automobile). Items can now be dropped off at the Garage, 8 – 12 every third Saturday, until October. Ela is the first Township in Lake County to begin this program with the EPA to recycle paint. Paint still in usable condition will be donated to groups and/or residents. Motor oil can be brought in plastic containers (milk jugs, pop bottles, etc.) Also working with SWALCO for household chemicals.

Information has been added to the Village website, and was in the June newsletter.

Additionally, Mr. Kruckenberg noted that the intergovernmental agreement has been signed by both parties. President Karl noted this agreement will provide an opportunity for the Village to improve efficiency on projects and possibly lower costs.

**8. UNITED LAND DEVELOPMENT**

Plan Commission Chairman Howard Thrun reviewed the process prior to the recommendation for Final Approval from the Plan Commission. In that process Commissioner David Heidtke, an architect, found several errors, which have now been corrected. Issues remaining: decks and patios beyond building line, possible parks donation, and adequacy of guest parking. Plan Commission approved with decks and patios beyond the building line, as the PUD allows the Village to determine appropriate setbacks in the PD. Affected buildings are properties where rear of buildings adjoin wetlands or the Deer Park Town Center. As a result, would not affect neighboring parcels, as basically public property. Discussion was brought up by Plan Commissioners regarding parks donations requirement; felt this was a Board issue. Developer has donated land for the lift station as part of the facility. Chairman Thrun noted the Commission spent quite a bit of time on landscaping; question still remains regarding adequacy of guest parking. Units have 2-car garages with parking for 2 additional cars on each apron; 5 guest parking sites are planned on the site. Chairman Thrun stated his belief that this is one of the tradeoffs made when choosing to live in an area of higher density.

Attorney Hargadon noted that, when Board passed the school site donation ordinance, ordinance contained requirement for parks donation—subject to both.

Planner Jim Brown noted that the purpose of setbacks is to provide light, health, air. Not an issue in this proposal, as setback is generally from retention or wetlands. Therefore, agree with waive of setbacks. Feel parking is adequate, except in unusual circumstances which might occur once a year. Additional issue regarding the wetlands mix recommended by Environmental Aquatic Services (Village Wetlands Consultant). Plan Commission approval was subject to final approval of the wetlands mix by EAS; developer has accepted final recommendation.

Trustee Kizior asked for a review of building materials-the type of brick or stone to be used. Steve Lenet indicated Red Chicago brick with stucco accent as principal materials. Garage doors were mahogany color to match and accent brick.

Trustee Ekstrom asked if a study has been done to see if emergency vehicles can pass with parking on road. Gewalt Hamilton worked with ULD to verify parking accessibility with parking on straight area of the road; signs to be placed where not allowed.

Trustee Plautz requested clarification on the number of spaces provided for guest parking, and reasoning for number of spaces provided. Mr. Lenet indicated 5 spaces are allocated specifically for guest parking, noting the circle around the gazebo could handle additional parking, if needed. In Mr. Lenet's opinion, there is a lifestyle choice with this type of home; most residents do not have large parties, as physical plans of homes will not accommodate.

Trustee Ekstrom reminded Mr. Lenet that cars will be towed if they park in the Town Center.

Trustee Werch indicated these are issues suitable for discussion and dispensation of the Homeowners Association for the development. Attorney Hargadon noted membership in the Homeowners Association will be mandatory under the Covenants. Attorneys have reviewed the Covenants—all changes suggested have been accepted by the developer. Attorney Hargadon indicated Covenants were first rate.

Trustee Plautz requested verification of wetlands review. Teska and Applied Ecological Services have reviewed.

Village Planner Jim Brown noted parking standards required around the country require 1 – 2 guest parking spaces for this size of development. Meets or exceeds.

Trustee Ekstrom noted Rue Valle is experiencing parking problems, and raised a concern about school buses, given the design of the roadway.

Trustee Gifford asked if streets would become Village streets. Only those streets in the front portion of the development which may become points of access for future development will become Village streets. There will not be any overnight parking allowed on the streets.

Trustee Dowell requested an update on the lawsuit with Inverness Developers. Attorney Hargadon reported Inverness Development settled.

Trustee Kizior requested verification that elevations presented were the same as those given Preliminary Approval. Mr. Lenet indicated elevations were substantially the same; stone accents still incorporated.

Trustee Gifford requested verification of prices for the units. Mr. Lenet stated units would start at \$475,000.

Trustee Dowell addressed the issue of maintenance and ownership of bike paths. Attorney Hargadon indicated that Motorola and Town Center own the property, but the Village has been granted a bike path easement. As planned for this development, the bike path is primarily in the right of way of Lake County. As such, Engineer Gordon indicated the Village would typically take responsibility for maintenance.

Trustee Kizior asked if the placement and style of mailboxes had been determined yet. Mr. Lenet stated developer is working with the Post Office. There will be a centralized collection point. Uncertain on the style which will be allowed by the Post Office.

Trustee Gifford confirmed the Plan Commission vote was unanimous to approve recommendation for Final Approval.

Trustee Dowell requested Attorney Hargadon review impact and donations required. Attorney Hargadon stated the BACOG ordinance adopted by the Village adopts a standard of 3 acres of parks for every 10,000 people. Projections of population for this development given a \$98,000 per acre fee; \$2100 in park donations will be required. Current proposal does not allow credit for the donation of the land for the lift station; however, developer was given credit in density requirement for the lift station donation.

Trustee Kizior asked if retention/detention/wetland was counted in green space. Attorney Hargadon noted ordinance does not define green space. Disagreed with developer on calculation. Attorney Hargadon felt setbacks should not be included; only recreational or

open space. As a result, proposed plan development ordinance for the site requires 2 variations; open space is 25% instead of 30% (includes wetland, but not setbacks).

Trustee Gifford requested information on snow removal plans. Homeowners Association will provide service; parking spaces will still be available. Mr. Lenet indicated there is room behind guest parking spaces and in the center for snow.

Mr. Lenet noted the developer is requesting one additional variation; relief from the requirement to provide fire suppression in garages. Attorney Hargadon indicated Village amended Fire Code at the Fire District's request, which requires habitable and uninhabitable areas be sprinklered. Requires two separate systems in each unit (due to unheated areas such as garages). Adds a sizable cost to the unit; opinion of Building and Zoning Inspector Holmes that only marginal safety increases are gained for significant cost. Trustee Werch noted the Fire District response would be that many fires are started in the garage. Mr. Lenet noted the point is to save lives; system proposed would accomplish this. Attorney Hargadon indicated Board could approve variation as part of the special use. Trustee Gifford asked if developer had begun discussions for this proposal prior to discussions of the new ordinance. President Karl indicated that discussions regarding adoption of the new fire suppression standards have been discussed with Building and Zoning Inspector Holmes for several years. Attorney Hargadon stated previous Village ordinances were unclear, as they referred only to single family homes, and did not differentiate between single family attached and unattached. Trustee Werch noted that, as Trustee with responsibility for Public Safety, his desire is to support Fire Department recommendations. Trustee Dowell noted that, absent other expert testimony, Board should follow existing ordinances. Board could approve with fire stipulation; developer could request expert testimony in support of desire for relief, if wish to pursue. Trustee Plautz requested and received verification that the new standard for fire suppression is a national movement.

Trustee Dowell asked if Engineer Gordon had reviewed the grading plan. Engineer Gordon confirmed he has reviewed grading, utility and stormwater management plans. Concurs with plans; several outstanding permits; Lake County, Metropolitan Water Reclamation District, and Village of Palatine. Any approval should be subject to final engineering approval. Site is to be mass graded. Developer will try to save what they can for use as topsoil. May be some trucked on to the site. Will be able to verify elevations through the building permit process.

Trustee Ekstrom asked if it was typical for the President to decide significant vs. insignificant deviations. Attorney Hargadon indicated it is typical in the Planned Development area to allow flexibility in dealing with minor detail oriented issues with long term developments. Otherwise, all changes would have to go through the Plan Commission and the Board. The Village created the Building Review Board, comprised of two members of the Board, two members of the Plan Commission, and a citizen at large, to deal with minor detail oriented issues which come up with long term development. Allows President to determine whether a change can go through the streamlined procedure (BRB), or must go before the Board. President has the authority to determine significant deviations in Motorola, Town Center, and Hamilton Partners. No insignificant items yet; all have gone through either the BRB or the Board. Trustee Plautz questioned why have statement if never use. President Karl noted allows flexibility for the future.

Trustee Dowell asked if the language for reimbursement of fees is tight enough. Attorney Hargadon noted several remedies; additionally, property is bounded by the Poag & McEwen Annexation Agreement.

MOTION: by Werch second by Kizior to accept the recommendation of the Village of Deer Park Plan Commission to accept the final site plan for United Land Development and for the granting of a Special Use under Ordinance 03-11, subject to permit reviews.

Upon roll call:

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

NO: (1) Ekstrom

Motion Carried 5/1

Attorney Hargadon indicated the following changes will be made to the ordinance:  
Section 3U should be amended to say school impact and park donation fees.  
Section 6D should be "insignificant".

Attorney Hargadon also noted for the Board that Section 7 specifies granting of special use is subject to getting of permits: Stormwater Management Commission (stormwater), Metropolitan Water Reclamation District and Illinois Environmental Protection Agency(sewer), Lake County Department of Transportation, Village of Palatine (water), and Lake County Health Department (wells and septic).

Board members had differing versions of the proposed ordinance for granting of the special use permit in their Board packets. Attorney Hargadon reviewed changes between the two versions Board members had, noting that changes were mostly minor typographical errors, except for the addition of the stipulations in the later version that water had to come from Palatine and requirement for permit from Lake County for capping of well and removal of septic field.

Attorney Hargadon indicated he would finalize the ordinance and supply final version to United Land Development for assembling of exhibits to be included. Final copies with exhibits are to be forward to the Village Planner, Village Engineer, Village Attorney and Village Office.

**9. ENGINEERS REPORT**

- A. Intergovernmental Operation and Maintenance Agreement for Sanitary Sewer Systems  
Agreement is between Metropolitan Water Reclamation District and the Village of Deer Park. Required to assure Village is going to maintain sanitary sewer line.

MOTION: by Gifford second by Ekstrom to approve the Intergovernmental Operation and Maintenance Agreement for Sanitary Sewer Systems constructed under Permit 02-046 and to be constructed under Permit 03-069. Upon roll call:

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

NO: (0)

Motion Carried 6/0

**10. CLARKE MOSQUITO CONTROL CONFIDENTIALITY AGREEMENT**

Confidentiality agreement requested by Clarke; copy provided in packet. Agreement is related Clarke's mapping of the Village to identify potential mosquito breeding sites. Attorney Hargadon stated he believes the agreement would be contrary to Illinois Law; the Village does not have the right to, by agreement, agree to withhold information from the public which would otherwise not be considered confidential under Illinois Law. Recommends table issue; if Clarke wants approval, refer to Attorney Hargadon.

**11. POTENTIAL PROPERTY ACQUISITION**

Attorney Hargadon summarized issue: Board members were previously given copies for review of appraisal by Marous and Co. commissioned by the Village of the 27.911 acre property currently owned by the Dahm family at the southeast corner of Quentin and Long Grove Roads. Attorney has been, as authorized by Board, in discussion with the attorney for the Dahm family. To date, family has received 3 offers for the northern portion of the site only. South end is mostly wetlands with isolated buildable areas adjacent to the park created by the Village. Board previously talked about desire to acquire property. If wish to acquire by agreement of Dahm family, recommend make offer for property in accordance with the appraisal, as required by State Law. If rejected, could enter into intergovernmental agreement with Lake County to acquire the land via exercise of eminent domain power. Prior to any exercise of eminent domain power, must be good faith effort to acquire the property. Good faith offer to purchase property would satisfy statutory requirements.

Board desirous of property for potential park land and development similar to United Land Development, as well as create a buffer along Quentin Road. Targeted for park land along Quentin Road and a potential development close to the United Land Development.

Trustee Plautz expressed desire for the Dahm family to accept the Village offer, and requested clarification of the eminent domain process. Specifically, determination of possible uses allowed under eminent domain action. Attorney Hargadon indicated there is no prohibition of uses if forced to acquire through eminent domain. Suggests contingent contract providing 60-90 days of due diligence for understanding if site engineering and soils on the site are suitable for desired uses. Engineer Gordon to define consultants required for due diligence processes.

MOTION: by Kizior second by Dowell to authorize Attorney Hargadon to negotiate the purchase the 27 acres of on the southeast corner of Quentin and Long Grove Roads for the price set forth in the March 12<sup>th</sup> Marous and Co. Appraisal of 4.2 million, subject to 90 days contingency for due diligence period for Village to review the site and financing options.

Upon roll call:

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

NO: (0)

Motion Carried 6/0

Trustee Dowell noted this purchase would be a long term investment. Development would occur as supported by Village budget, similar to the purchase of the Vehe Farm, which sat idle until the Village obtained the financial wherewithal for development to proceed.

Trustee Plautz requested clarification on negotiation process; if offer is rejected, Board would counter at next Board meeting. Due diligence period starts when contract is executed. Attorney Hargadon reported Dahm family has been offered \$2.3 million for 5.8 acres on the north end of the property. Village offer is for entire site at \$4.2 million (balance of site is approximately 22 acres of which approximately half are wetlands).

## **12. REPORTS**

### **A. President Karl**

- i) Bacog communities looking for Village historian. If no anyone who could serve, identify to Administrator Diesen Dahl to forward to Janet Agnoletti of BACOG. Put in newsletter if no names put forth prior to next newsletter.
- ii) Bacog meeting next Tuesday (24<sup>th</sup>). Trustee Gifford or Plautz to represent the Village, as President Karl to be out of town. Approving officers and budget for next year; need to present report from Village.

### **B. Attorney Hargadon**

- i) Update on Inverness lawsuit. Settled morning of trial. Will bring existing streets up to subdivision code, regrade Lot 4 pursuant to grading plan approved by Engineer Gordon, pay \$7000 to Village to reimburse attorneys fees expended due to the suit. Once developer has received approval of work, at next meeting, Village will lift moratorium.
- ii) Weed Ordinance 03 -9: Amendment to Deer Park Municipal Code: Weeds  
This ordinance amends the effective dates of weed control. Board discussed desired enforcement dates.

MOTION: by Ekstrom second by Gifford to adopt Ordinance 03-9: Amendment to the Deer Park Municipal Code: Weeds, such that weed control is year-round.

Upon roll call:

YES: (6) Dowell, Ekstrom, Gifford, Plautz, Werch

NO: (0)

Motion Carried 6/0

- iii) Ordinance Granting Special Use of a Planned Development. Handled earlier under United Land Development presentation.

C. Trustee Dowell—Finance

- i) Ordinance 03-10: An Ordinance Making Appropriations for Corporate Purposes for the Fiscal Year Beginning May 1, 2003 and Ending April 30, 2004.

MOTION: by Dowell second by Gifford to adopt Ordinance 03-10: An Ordinance Making Appropriations for Corporate Purposes for the Fiscal Year Beginning May 1, 2003 and Ending April 30, 2004. Upon roll call:

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

NO: (0) Motion Carried 6/0

- ii) Proposed budget. Majority of revenue derived from sales tax, entertainment tax. Several Items which wash on receipts and disbursements. Storm sewer, drainage improvements, road repairs and consultant fees are largest expenditure items. Trustee Dowell fielded questions from the Board regarding derivation of line items projected for the upcoming year. President Karl questioned the amount of legal fees estimated given the significant effort associated with Kildeer Boundary agreement. Attorney Hargadon stated he felt comfortable with the amount allowed for nonreimbursable attorneys' fees. President Karl also questioned whether the park development appropriations were too low, depending on tennis court rehabilitation costs. Trustee Ekstrom questioned the funding for roads, Trustee Dowell noted there are two separate line items for roads; also, some of the money comes from the state from Motor Fuel Tax funds. Additionally this year, there were unusual items which distort actual figures, such as the \$1.1 million dollar payment to Lake County. Trustee Dowell noted potential land acquisition is not accounted for in the budget, as it is a speculative item at this time. Cannot include until offer is accepted, then would need to amend appropriations document.

MOTION: by Dowell second by Gifford to accept the appropriations document (the "Proposed Budget") for the year ending April 30, 2004.

Upon roll call:

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

NO: (0) Motion Carried 6/0

D. Trustee Ekstrom—Roads & Public Utilities

- i) Drainage Problem—Quentin Road

Engineer Gordon is working on two drainage problems related to retaining walls; one on south, one on north retaining wall. Trustee Kizior indicated joint on north has been fixed.

- ii) Meadow Lane Drainage Work

There are three culverts buried under driveways in need of repair on Meadow just west of Oak Ridge. More cost efficient to complete work prior to road repairs. Todd has estimated cost at \$15,000; road contractor looking to start work in 2-3 weeks. Bid as part of the road program.

MOTION: by Ekstrom second by Kizior to approve an expenditure not to exceed \$15,000 for the Meadow Lane Drainage work on driveways. Engineer Gordon to obtain estimates. Upon roll call:

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

NO: (0) Motion Carried 6/0

Trustee Plautz requested policy regarding buried culverts under driveways. Board indicated problems are evaluated on a case by case basis by Engineer Gordon. If near road work, in the best interest of Village to correct drainage to preserve new road. Gray area in that culverts are usually initially installed by builder of home, and subject to homeowner maintenance; however, problems may impact Village property and other neighbors.



- iii) Tree removed by Woodberry. Homeowner still requesting replacement of tree. Don't believe should put tree there, as road is too close to site; other tree is recovering.
- iv) Deer Valley Homeowners Association did not follow up with Trustee Ekstrom. No further action taken.

**E. Administrator Diesen-Dahl**

- ii) Scheduling of Open House for Fire Station #4 for Deer Park Residents  
Open House requested by Guy Trayling of the Fire Department. Board consensus to pursue; will be scheduled in late fall or early spring.

**F. Trustee Kizior—Parks & Recreation**

- i) Tree Trimming. Emergency tree removal in Charlie Brown Park; removal came in over estimate of \$500, requires Board approval.

MOTION: by Kizior second by Gifford to approve an expenditure of \$600 to Gitchel's Tree Service for removal of a downed willow tree. Upon roll call:

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

NO: (0)

Motion Carried 6/0

- ii) Special Mowing of Lea and Circle

Agreement with mowing service fell through on a holiday weekend; called in service for special mowing. Amount is significantly higher than usual. Holiday event scheduled at park; had not been mowed yet during the season. Company called in is one of the more reputable companies in the area; had to pull in 4 supervisors and complete in a matter of hours.

Board discussed cost and procedure for emergency expenditures over limit of Trustees to approve. Trustees were reminded that emergency expenditures over the limit of \$500 must be approved through a phone vote of the Board prior to entering into agreements with contractors.

Trustee Ekstrom requested Trustee Kizior send a letter with payment noting the inordinate cost; Trustee Kizior declined indicating business relationships outside the Village were exercised to obtain the services of the contractor over the holiday in an emergency situation, and such a letter would therefore be inappropriate.

MOTION: by Kizior second by Ekstrom to approve an expenditure of \$525.27 for special mowing at Lea and Circle (Ferndale Park) to Moore Landscaping. Upon roll call:

YES: (5) Dowell, Gifford, Ekstrom, Kizior, Werch

NO: (1) Plautz

Motion Carried 5/1

- iii) Lawn Contract

Executed this past month, changes made to the contract to include the following areas: Vehe Farm soccer field, outlot in Swansway off of Landmark Lane (2 times per season), changed Michael D'Angelo to weekly mowing. Text was included to prohibit mowing if not needed to accommodate growth during the season.

MOTION: by Kizior second by Dowell to amend the mowing contract previously approved to increase Michael D'Angelo to weekly mowing, Deer Park Playfields weekly, field mow of Swansway outlot 2 times per season, to mow Vehe Farm soccer field every other week, and increase Swansway Ponds from 4 to 6 times per year.

Upon roll call:

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

NO: (0)

Motion Carried 6/0

iii) Parks Priority List

Distributed document for consideration next month. Trustee Kizior requested Board consider investments in parks to beautify and bring up to standards advocating in the Triangle. Figures are reflected in document in priority order. Potential items for consideration deal with mowing contract, tennis courts, tree trimming and maintenance, and other miscellaneous items. Trustee Kizior distributed pictures showing condition of tennis courts. Investment estimated at \$7,280.

MOTION: by Werch second by Plautz to table items for review to next month.

Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

G. Trustee Gifford—Planning and Zoning

Trustee Gifford noted the successful Vehe Farm Barn Raising event, and thanked all of the volunteers who participated to make the event happen.

13. TREASURERS INFORMATION

MOTION: by Dowell second by Gifford to accept the engagement letter from Sikich Gardner.

Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

MOTION: by Dowell second by Gifford to approve the Treasurers Information dated

5/31/2003. Upon voice vote:

YES: (6)

NO: (0)

Motion Carried 6/0

14. CASH DISBURSEMENTS

MOTION: by Dowell second by Gifford to approve the Cash Disbursements for the period 5/20/03 through 6/16/03 in the amount of \$139,917.33 .

Upon roll call:

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

NO: (0)

Motion Carried 6/0

15. PUBLIC COMMENTS

**Resident Carrie Groeller** noted the extreme height of street lights on Quentin, and asked whose jurisdiction these fall under. Engineer Gordon indicated lights are under the jurisdiction of Lake County. Mrs. Groeller also noted that lights have been recommended at the Deer Park playfield, and lighting has been compared to lighting at Charlie Brown Park. Mrs. Groeller asked the Board to reconsider this recommendation, noting there is more light around the ball field from existing development, and she does not believe more light is needed.

**Resident Mary Lahr** noted the Board passed a budget beginning May 1, 2003 and asked if the Village has been paying bills since May 1<sup>s</sup>. Trustee Dowell noted the Village has 2 or 3 months in new fiscal year to approve budget. Mrs. Lahr asked where the money for a down payment for the Dahm property would come from. Trustee Dowell indicated would likely come partly from park funds; Village would look to finance fair portion. Mrs. Lahr referred to discussions suggesting a portion of the property would be targeted for development, and asked if the Village has a developer or has been approached by a developer. Board indicated no developer in talks, no question it is highly desirable property. Village would create a plan, issue a Request for Proposals, look for developer to purchase land and enact Village plan. Unsure of current zoning of Dahm property, but if comes into the Village it is required to be zoned Planned Development.

**16.     ADJOURNMENT**

MOTION: by Dowell second by Ekstrom 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 10:27 p.m.

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Richard C. Karl, President

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Sandra R. Smith, Village Clerk