

**Village of Deer Park
Regular Board Meeting Minutes
August 18th, 2003**

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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, August 18th, 2003 at Charles Quentin Elementary School in the Village of Deer Park, Lake County, Illinois.

In the absence of President Karl, Clerk Smith called the meeting to order at 8:06 p.m. Upon roll call the following were present: Trustees Dowell, Gifford, Ekstrom, Kizior, Plautz, and Werch. President Karl was absent. Other Village Officials present were Engineer Gordon, Administrator Diesen-Dahl, Clerk Smith, and Attorney Hargadon.

MOTION: by Dowell second by Plautz to elect Trustee Gifford as President Pro Tem. Upon voice vote:

YES: (6)

NO: (0)

ABSENT: (1) Karl

Motion Carried 6/0

Guests present were: Bill Kruckenberg (Ela Township); Mary Lahr (201 Rue Touraine); Angelo Pecoraro (Oraro Development Group); Sam Pecoraro (Oraro Development Group); Ray Elvey (Deer Park Town Center).

2. AGENDA CHANGES AND ANNOUNCEMENTS

Trustee Dowell requested an item be added to the Consent Agenda to allow for ratification of the phone vote taken on 7/30/03 and 7/31/03 regarding wetlands mitigation credit.

3. CONSENT AGENDA

A. Minutes from the Regular Board of Trustees Meeting held 7/21/03.

B. From the Engineer:

i) 2003 Road Program—Arrow Road Pay Request #1

C. Ratification of Phone Vote taken 7/30/03 and 7/31/03:

i) MOTION: by Gifford second by Kizior to approve an expenditure of \$54,000 to pay for the remaining balance due for wetland mitigation credits on the Swansway Drainage Improvement Project, per the permit requirements for the Army Corps of Engineers. Upon phone vote:

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

NO: (0)

ABSENT (Unable to Reach):(2) Plautz, Werch

Motion Carried 4/0

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

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

4. ORARO DEVELOPMENT RE: PROPOSED FOXDALE SUBDIVISION

Sam Pecoraro, General Manager of Oraro Development group addressed the Board regarding the proposed Foxdale Subdivision. Petitioner is requesting approval for a subdivision consisting of 10 acres on Deerpath Road (Single Family Homes). Currently in unincorporated Lake County. Located close to Lake Zurich sewer and water; seeking to hook up. Lake Zurich amenable to hook-up. Attorney Hargadon indicated such hookup would require variation from R-1 district or creation of different zoning classification.

Cost of the land, and availability of sewer and water were cited by the Petitioner as reasons for seeking the variation. Petitioner noted the cost of adding sewer and water are proposed to be absorbed by ½ acre zoning.

Oraro Development currently has a contract pending on the property.

Trustee Werch noted that, since 1981, justification for 1-acre zoning has had a great deal to do with preserving open space, not just availability of sewer and water. In absence of

hardship, and because others have recently come in at 1-acre, Trustee Werch does not believe the Board would be open to a requested lot size variance. Trustee Kizior concurred, citing open space and neutral impact of well and septic with regard to environment. Realize cost of homes may be more expensive. Trustee Plautz also concurred. Petitioner noted that lot sizes in Lake Zurich directly across the street from the proposed subdivision is R-5 zoning.

Petitioner and Board discussed possibilities for development of the Subdivision. Petitioner indicated reasons for seeking annexation into Deer Park include desire for protection and Deer Park address. Board indicated if petitioner maintains R-1 zoning lot size, Board would entertain sewer and water admission to lots. Petitioner requested clarification on calculation of lot sizes given presence of wetlands. Attorney Hargadon indicated wetlands are included with size of lots, as long as adhering to setbacks. However, if there is significant detention outside of those wetlands, may be concerns. Petitioner asked if Board would entertain individual lot variances for a small number of lots if all 10 could not meet the 1-acre zoning given wetlands. Attorney Hargadon noted the Village has never granted a variance from 40,000 square feet since 1987; however, an individual lot or lot(s) might be approved.

5. **MICROSYSTEMS INC. PROPOSED CONVERSION OF MICROFICHE TO CD-ROM**

Permits from incorporation of the Village through December 31 1986 are currently on microfiche. Company charged with creation had two sets made at time of creation to allow for procurement of paper copies as needed. No longer able to obtain prints; company has been purchased by Microsystems. Village Staff recommends conversion of these files from microfiche to CD, for use in the Village Office.

Two proposals presented from Microsystems and Canon.

Board consensus to convert current microfiche records to CD, and investigate cost of converting paper records (those from 1987 to present) to CD. Board discussed feasibility of requirement for electronic transmission of plans in the future.

Per Attorney Hargadon, costs for copies can include (to a reasonable extent) the cost of the equipment to create the copies.

MOTION: by Dowell second by Kizior to accept proposal from Microsystems, Inc. to convert copies at a cost of \$2780. Upon roll call:

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

Attorney Hargadon to bring draft ordinance for next month requiring electronic formats for plans for permits.

6. **ENGINEERS REPORT**

A. **Village Driveway Bid Results**

Bid opening was held Friday for improved driveway area. Bids from 6 companies; low bid was Hardin paving of Wheeling, Illinois at \$59,043. Gewalt Hamilton has worked with Hardin paving in the past, and believe they will perform the work according to the plans and specifications. Unclear whether or not this cost was included in the budget-Trustee Dowell believes there is an allowance in budget. Engineer Gordon recommends awarding to Hardin at bid amount and recommend budget allowance at \$62,000.

Trustee Plautz asked if the portion of the concrete walk infringing on plantings in front of the Office can be eliminated. Engineer Gordon noted discussions with Vehe Farm Foundation and President Karl; sidewalk adds width for emergency vehicles and keeps pedestrians off of drive. Flag pole to be relocated and is included in project, as well as electrical. Work to begin September with completion date of October 17th. Construction traffic to barn and other buildings has the potential to cause damage to the drive, but do not anticipate such. Surface to be traditional bituminous concrete binder (asphalt) surface. Other surfaces did not seem suitable in our environment.

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Option of concrete ribbons with decorative stone also evaluated. Price includes geoblock system for parking.

This phase of construction on the barn will continue through November, interior work to be done next year.

MOTION: by Dowell second by Werch to accept the bid from Hardin Paving for installation of the Village Office driveway per the memo from Engineer Gordon dated 8/15/03 in an amount not to exceed \$62,000. Upon roll call:

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

B. Miscellaneous Drainage Repair Requests

Engineer Gordon noted the Intergovernmental agreement between the Village and Ela Township. Per the agreement, miscellaneous drainage repair requests were outlined in a memo to the Board from Engineer Gordon dated 8/15/03. Total of work recommended is \$4300.

MOTION: by Ekstrom second by Kizior to approve the first three bullet items in memo from Engineer Gordon date 8/15/03 regarding miscellaneous drainage repairs for the amount of \$4300. Upon roll call:

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

NO: (0)

ABSENT: (1)

Motion Carried 5/0

Old Farm Drainage discussed at last months meeting. Inspector Holmes researched; has determined Village approved incorrect drainage; residents did not cause issue, thus is Village responsibility. Work can be done in late fall; will probably take 2 weeks to complete.

7. REPORTS

A. Trustee Ekstrom—Roads & Public Utilities

i) Snow Plowing Contract--

Bill Kruckenberg from Ela Township present to answer questions regarding first draft of snowplow contract. Ela to be primary contractor; will subcontract with Cuba for 1/3 of plowing. Ela will purchase new truck to be dedicated to our routes; Cuba already has 1 truck to dedicate.

Trustee Ekstrom reviewed the contract for the Board: contract is for base price of \$85,000-last year Village spent approximately \$130,000—with a 3% increase per year on a 5-year contract. Trustee Werch noted that every Village President in Deer Park has proposed over the last twenty years that the Village attempt to enter into such an agreement with the Township.

Mr. Kruckenberg indicated Ela does not use sand because it fills in ditches; have switched to salt/salt brine solution at any temperature down to 27 degrees, activates salt as it comes off spinner to minimize bouncing off road. Also allows the mixture to work immediately. At less than 27 degrees, use calcium chloride. Do not use unless have to, as calcium chloride is hard on equipment, pavement, and environment.

Streets should be done in three hours with average snowfall. Begin plowing with 1/2" of snow. Currently use on-call alert through Police with Hawthorn Woods; could arrange with Kildeer (useful for black ice situations). Apply 4 – 500 lbs per lane mile. Trustee Kizior believes correct; about where other Villages are.

Expectation is new truck would arrive in January. In meantime, other trucks would be pulled over for salting as needed.

Need to add specifications used in past for performance standards.

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Trustee Dowell requested clarification of Section 5 regarding the 3% increase in the base price calculations (base price only, or compounds annually)—requested language in final agreement be tightened up.

Mr. Kruckenberg indicated the surcharge for fuel in the agreement, and the need to add a percentage for salt costs.

Mr. Kruckenberg has discretionary authority under sleet/other inclement conditions under the contract, utilizing input from the Police for notification and personal observation of conditions.

Agreement includes provision for salt in event of accidents or fires.

MOTION: by Werch second by Ekstrom to elect not to go out to bid on the Snow Contract for the Village, and consider contracting with Ela due to extraordinary circumstances. Upon roll call:

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

MOTION: by Dowell second by Ekstrom to approve Intergovernmental Agreement for Cooperative Control Between the Township of Ela Road District and the Village of Deer Park for snow removal subject to revisions and final approval of the Village Attorney and Village Engineer. Upon roll call:

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

ii) Stop sign at Country Lane and Corners Drive:

Rejected previously. Requesting current stop sign be rotated. Rationale is bus stop on this corner. Length from other stop sign is so short, cars unable to accelerate; from other direction, cars have obtained significant amount of speed. Board concurred.

iii) Michael D'Angelo parking:

Previously approved and installed No Parking signs. Need No Parking, Stopping, or Standing—request weekdays from 4 -8 p.m. Restriction to allow guest parking for residents. Board concurred. Board discussed other long term solutions; possibilities to add parking to park.

MOTION: by Werch second by Dowell to install two No Stopping, Standing, or Parking signs in designated area weekdays from 4-8 p.m.

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

Request same type of signs for Charlie Brown Park on Long Grove Road. Also blocking bike lane, so police can enforce.

B. Attorney Hargadon

i) Water Allocation for La Hacienda

Sub Allocation is from the Deer Park Town Center allocation. Engineer Gordon concurs with estimate (letter to Lord Bissell and Brook, Christopher Kopecky dated 8/15/03). La Hacienda has received final approval from the BRB.

MOTION: by Werch second by Kizior to approve the 4000 gallons per day water sub allocation for La Hacienda. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

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- ii) Approval of Letter of Credit for Swansway—Loan & Resolution
Need additional authorization as part of loan through bank. Letter of Credit secures work Village is doing in Swansway. Fee required by Harris Bank in question. Attorney Hargadon to investigate fee.
- iii) Ordinance Establishing Fine Schedule for violations
Not received; tabled.
- iv) Dahm Property
To be discussed in Executive Session.

C. Administrator Diesen-Dahl

- ii) Request to allow burning outside of approved dates due to storm damage
Would require variation granted by Board; Board declined allowing variation.

D. Trustee Werch—Public Safety

- i) Comcast-input received from residents regarding lack of respect shown to residents of Rue Vallee. Representative from Comcast committed to speak to subcontractor.

Trustee Plautz requested at contract renewal Board investigate additional taping agreement. Community access would require higher rate; when contract comes up for revision, can review (long term contract).

E. Trustee Kizior—Parks & Recreation

- i) Resurfacing Pathways in Peterson and Old Farm Parks

Trustee Kizior discussed bid for resurfacing of pathways in Peterson, Old Farm Park, and Michael D'Angelo Parks. Board discussed extending walkways

MOTION: by Werch second by Dowell to approve sending the project out to bid including optional item to extend walkway.

Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

- ii) Parks Prioritization Update

Distributed parks priority list for informational purposes. Tree trimming has been finished; comments received have been positive.

- iii) Lights at Field Parkway

Turned on light at Field Parkway. Concern on residents' part regarding light generated by required lights for cameras which activate lights. Lights are under the control of the County. Met with engineer last week; indicated, since County jurisdiction and system adopted throughout the County, would probably be final system. Since lights were installed earlier than final, will work with Village to reduce light through use of different bulbs, etc. There are no lights at Lake Cook and Quentin as that intersection is under the control of IDOT; their standard is to use sensors in concrete. Cameras on the poles at the intersection are believed to be there for temporary system using radar. 30-day period pending in which Trustee Kizior will meet with County engineer for specific changes to reduce impact on residents. Will not be able to get lights out, but will work for any reductions possible in light impact.

8. TREASURERS INFORMATION

MOTION: by Dowell second by Kizior to approve the Treasurers Information dated 7/31/2003. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

9. CASH DISBURSEMENTS

MOTION: by Dowell second by Kizior to approve the Cash Disbursements for the period 7/22/03 through 8/18/03 in the amount of \$441,072.74. .

Upon roll call:

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

10. PUBLIC COMMENTS

Resident Mary Lahr: FYI, asphalt went into Michael D'Angelo Park 18 years ago. Mrs. Lahr requested the cost of work being done to the barn for restoration. Trustee Dowell reviewed process for funding of Foundation through budget submittal and approval. This year roughly \$36,000 approved for ongoing maintenance and exterior barn renovation. Budgeted amount, not actual amount spent. Cost of exterior was presented to Village approximately one year ago. Mrs. Lahr requested a copy of the contract for the work. Discussion regarding whether or not the Village is entitled to release the contract, as the contract is between the Foundation and the contractor (the Village is not the contracting agency). Attorney Hargadon indicated he had a copy of the contract on file; will forward a copy to Mrs. Lahr.

11. ADJOURNMENT TO EXECUTIVE SESSION

MOTION: by Dowell second by Kizior to temporarily adjourn the Regular Meeting of the Board of Trustees for an Executive Session regarding potential property acquisition. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was temporarily adjourned at 10:11 p.m.

12. REOPEN REGULAR MEETING

MOTION: by Werch second by Dowell to reopen 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 reopened at 11:07 p.m.

13. ADJOURNMENT

MOTION: by Kizior second by Werch 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 11:08 p.m.

Scott Gifford, President Pro Tem

Sandra R. Smith, Village Clerk