

**Village of Deer Park
Regular Board Meeting Minutes
November 17, 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, November 17, 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 8:02 p.m. Upon roll call the following were present: Trustees Dowell, Gifford, Ekstrom, Kizior, Plautz, and Werch. Other Village Officials present were Village Planners Savoy and Brown, Engineer Gordon, Administrator Diesen-Dahl, Clerk Smith, and Attorney Hargadon.

MOTION: by Gifford second by Dowell to elect Trustee Werch as President Pro Tem in the absence of President Karl. Upon voice vote:

YES: (6)

NO: (0)

ABSENT: (1) Karl

Motion Carried 6/0

Guests present were: Roger Hankin (20856 Swansway); Mark Eiden (Praedium Development); Peter Madimenos (Praedium Development); Bill Schmanski (Praedium Development); Doug Garrett (Praedium Development); George Markopoulos (Praedium Development); Mary Lahr (201 Rue Touraine); Lola Broadus (Ravenswing Subdivision); Garrett Vojack (Rue Vallee); Carrie Groeller (Rue Vallee).

2. AGENDA CHANGES AND ANNOUNCEMENTS

None.

3. CONSENT AGENDA

A. Minutes from the:

- i) Plan Commission Special Meeting held 10/20/03
- ii) Plan Commission Public Hearing—Zoning Amendment held 10/20/03
- iii) Regular Board Meeting held 10/20/03
- iv) Zoning Board of Appeals Meeting held 11/3/03
- v) Plan Commission Regular Meeting held 11/3/03
- vi) Plan Commission Special Meeting held 11/10/03

B. From the Engineer:

- i) Village Hall Parking Lot—Pay Request #1 for Hardin Paving Company in the amount of \$54,276.68.
- ii) Charlie Brown Park Tennis Courts—Pay Request #1 for D.L.Franzen Construction, Inc. in the amount of \$40,110.35.
- iii) Swansway Drainage Improvement—Pay Request #1 for Martam Construction, Inc. in the amount of \$30,489.75.

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

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

4. SQUIRES REIMBURSEMENT REQUEST—MAINTENANCE OF COMMON PROPERTY

Howard Thrun, Jr. was present on behalf of the Squires Homeowners Association for costs incurred in 2002. Request includes center islands on cul de sacs and common areas (including the pond). Request contribution from the Village; in the past, the Village has contributed 50% of expenses. Maintenance program is the same as in prior years.

Need to verify whether or not costs for maintenance of entranceway were included. No weed control or fertilizer was included.

Board members requested Homeowners Association “catch up” by submitting expenses for 2003 incurred as soon as possible.

MOTION: by Dowell second by Kizior to approve 50% of costs of expenses for maintenance of common areas in the Squires Subdivision, less any costs for maintenance of the entranceway.

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

5. AL FROEDHE—ELA AREA YOUTH SOCCER ORGANIZATION

Al Froedhe, Chairman of the Ela Area Youth Sports Organization, appeared before the Board. Membership is comprised of the Ela Soccer Club (formerly Lake Zurich Soccer Association), LZ Flames, and LZ Youth Baseball Association. The organization was formed in March 2001.

Currently there are 1500 kids in soccer, 450 in football, 350 in Flames cheerleading and poms, 2100 in baseball-total 4400 kids participating. Approximately 1 household in every 5 has at least 1 child participating in Ela Area Sports. Growth is approximated with growth of schools in the area.

Experiencing problems with parking and field availability. Mr. Froedhe reviewed fields available to the organization in the area. Kildeer currently discussing building a football field; Hawthorn Woods is adding 3 soccer fields, 1 softball field, and 2 baseball fields. EAYSO strives to work in a proactive manner with municipalities in planning sports facilities; available for the Village to assist in planning facilities' needs. Trustee Kizior to attend the next EAYSO meeting (scheduled for after the first of the year) to discuss needs of the organization and of the Village, and problems experienced.

Trustee Ekstrom requested EAYSO create a code of conduct for parents whose children are participating in sports, given the problems experienced by some residents in Deer Park.

6. ENGINEERS' REPORT

A. Amendment #2 for Deer Park/State Joint Agreement for Rand/Plum Grove Roads State Economic Program Funds

Extension of time period Economic Development funds are available; extends one year. Original agreement expires January 1, 2004; amendment extends time period funds are available through the State (gives Village assurance funds are going to be available through the State). Engineer Gordon recommends approval of the Amendment.

MOTION: by Gifford second by Ekstrom to approve Amendment #2 for the Deer Park/State Joint Agreement for Rand/Plum Grove Roads State Economic Program. Move to extend project for one year. Upon roll call:

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

NO: (1) Plautz

ABSENT: (1) Karl

Motion Carried 4/1

Trustee Plautz noted she voted against the motion as documents were not in the Board packet for review prior to the meeting.

B. Re-establishing of GIS Data Memorandum of Understanding between the Village of Deer Park and BACOG

MOTION: by Dowell second by Kizior to authorize the execution of the Memorandum of Understanding By and Between the Barrington Area Council of Governments (BACOG) and Municipalities Receiving and Using the Barrington Area Geographical Information System (BAGIS). Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

C. Long Grove Lift Station Project—Com Ed Service

Engineer Gordon submitted request to Village for execution of Service Agreement with Com Ed to provide power for the lift station to Long Grove Road. Part of SSA funds. Village to pay for power to lift station; reimbursed through SSA funds.

Information was not included in the Board packet for prior review; Board tabled; request to be included in Board packet for next month.

D. Swansway Storm Sewer Repairs

Storm sewer adjacent to project at Swansway. Rains have caused flooding across the road and driveways; have not encroached over roadway. Need to investigate further. Ela Township came out on emergency call to alleviate blockage; discovered roots from a willow tree had blocked the storm sewer. With Martam on the construction site, would like to have them investigate extent of the blockage of the storm sewer to alleviate the problem.

Engineer Gordon feels this is an emergency situation which should be taken care of expeditiously. With Martam on site, and continuing rains, should pursue now. Believe will save the Village money by using contractor currently on-site. Gewalt Hamilton pursuing appropriate authorizations from affected residents to access.

MOTION: by Ekstrom second by Kizior to approve an amount not to exceed \$5,000 to investigate and alleviate blockage in the Swansway Storm Sewer. Upon roll call:

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

7. PRAEDIUM—PRELIMINARY APPROVAL—TOWNE CENTRE PROMENADE

Requesting preliminary approval. Received preliminary approval from the Plan Commission subject to conditions outlined in memorandum from Plan Commission Chairman Howard Thrun, Jr. and Minutes of the Plan Commission Meeting held November 10, 2003.

Mark Eiden, attorney for Praedium, appeared to present the proposal for the Towne Centre Promenade. Proposal is for 6 buildings to be located at Rand and Long Grove Roads. Located in Deer Park; zoned Planned Development. Mr. Eiden reviewed process thus far through the Plan Commission. Board packet included plans as currently stand.

President Pro Tem requested summary of characteristics that would separate this development from others, and features of the development. Mr. Eiden noted direction from Plan Commission to pattern after the Deer Park Town Center. No tenants yet, as not able to sign until achieved Preliminary Approval.

Peter Madimenos, architect, noted architecture is 4-sided within the development to enhance views from the road. Retail Building 4 will have a tower similar to the Town Center. Main access from Long Grove Road will also have a tower. Center will have a landscaped, paved gazebo.

Board discussed bike path, and desire to have path extend. Bike lane designation on Long Grove stops at Quentin, and is not as wide as Board would desire. Path currently runs through north side of the development, rather than along Long Grove Road. Controlled crossing will occur at Route 12 and Long Grove (only signalized intersection).

Trustee Plautz confirmed there will be a bike path on the south side of the road when the townhomes are completed. Board requested path be extended to Long Grove Road. Long Grove Road is under the jurisdiction of the County; will need County approval.

Planner Savoy:

Concerns—

Not getting quality expected yet. At initial meetings, understanding was achieved that site would be difficult to develop. One of the issues was to establish a bikeway connection. Without this connection, will not be able to extend bike path to the north along Rand Road.

Missing landscape and perennial beds present in the Town Center. Landscaping around signs is minimal, at best. Requested tree sized be increased. Virtually no planting beds along Long Grove Road.

No fundamental issues with the plan; however, do not see the quality anticipated. Developers' proposal moves toward, but falls short of expectations.

Bill Schmanski, on behalf of the petitioner, indicated he had no problem with adding planting beds. Did not increase tree sizes, as the tree count was covered. Could increase tree sizes.

Board Comments:

President Pro Tem Werch—set example with DPTC; however, did not intend Deer Park Town Center to be the ultimate, and everything around it of a lesser quality. Desire is for the Town Center to be a launching pad for other developers to try to outdo.

Trustee Gifford—Sees DPTC as the baseline, not the “top” for design. Entranceway waterfall was discussed at previous Plan Commission meeting. Mr. Schmanski noted that the topography of the intersection was not conducive to a waterfall feature. Fountain was added to optimize visibility. Trustee Gifford prefers waterfall feature.

Trustee Dowell—requested summary of tree issue. Village Planner Jim Brown noted need for Village desire for adequate amount of screening to be balanced with developer desire for visibility of stores. For most part, developer has responded to requests. One restraint is number of parking spaces, and room for tree islands. Suggested trees be added in front of buildings. Developer stated desire to maintain visibility; Plan Commission agreed and did not include in Plan Commission conditions.

Trustee Kizior—Regarding turns allowed at the intersection at Long Grove Road and Town Center. Would like to see prohibition of left turn out of the Town Center on Long Grove Road be lifted.

Trustee Ekstrom—Questioned if the shielding on lights in the rear parking area of Retail B would be adequate. Bill Schmanski indicated lighting to be on 18' poles; on path will be 12'. Same as Town Center, except shielded to achieve less light glare. Additionally, Mr. Schmanski noted the area behind the parking area in question is heavily wooded. President Pro Tem Werch noted original approved fixtures at DPTC were not executed. Substituted different light pole; Village imposed an after-market fixture to be added to reduce glare.

Trustee Plautz—indicated she would like to see invasive plants such as buckthorn and grapevine removed from the undeveloped area on the north end of the proposal.

Requested final approval provide sufficient space for recycling containers, and that petitioner encourage recycling during construction.

Trustee Dowell—Need to see visuals from street angles as to what corner will look like. Discomfort with bike path. Respect design, but need to be able to connect along Long Grove Road. Not putting a path paralleling on north side of Long Grove Road will inhibit neighborhood traffic.

Trustee Kizior—Must cross stream somewhere to allow connection in the future to the north. Suggested Randall Road bridge comparison. Mr. Schmanski indicated terrain is not comparable; span of such a bridge is difficult.

Trustee Gifford—Retail A and B need trees to break up and change appearance from “one big box”. Have incorporated trees into Theater design. Discussed at length at Plan Commission. Elevation concept shown to illustrate planters. Suggested trees at end of planters.

Resident comments:

Resident Mary Lahr—Asked how many of the items listed in the Plan Commission Conditional Preliminary Approval had been addressed. Mr. Eiden noted items listed are to be satisfied prior to final plat approval; essentially agreed to all items at the last Plan Commission Meeting. Mrs. Lahr noted one item on the list was police coverage warranted by wooded area. Trustee Werch and President Karl have met with Kildeer Police; they are aware of plans, recognize challenges created by additional development. Noted overpass brought up by Mr. Hankin to span Long Grove Road. Area was supposed to be transitional area in Comprehensive Plan, and asked how less dense was defined when looking at a Shopping Center like this. Village Planner Jim Brown indicated that, for the entire property, FAR and intensity is less than the Town Center. Development is clustered to the corner, which creates a tradeoff to preserve open space on the north end of the property. Village Planner Kon Savoy noted Plan Commission felt tradeoff was justified. Mrs. Lahr requested Village official call her to discuss definition of transitional area; Planners agreed to contact Mrs. Lahr.

Resident Roger Hankin—Questioned if Village officials had looked at any of properties developer has previously developed. Mr. Eiden noted examples were included in the proposal. Trustee Kizior noted he has not looked at them yet, but makes it a practice to do so prior to final approval; believes he speaks for other Board members.

Mr. Hankin asked if Village has looked at turnover rates for big box tenants. Believes petitioner has been quite evasive regarding tenants. While everyone wants it (the proposed development) to be successful; things turn over. Asked if Village officials have discussed with major leasing companies to evaluate possible vacancies. President Pro Tem Werch noted strength and professionalism of developer give protection against such problems.

Mr. Eiden noted concerns voiced, such as flower beds, trees, deflectors, buckthorn and grapevine removal, trash area, cross section of main intersection (including water concept), do not have bridge across stream. Questioned whether these were individual or Board concerns.

Attorney Hargadon—in lieu of Chairman Thrun of the Plan Commission—reported that virtually all items brought up were discussed at the Plan Commission. Preliminary Approval is supposed to be conceptual site plan approval for refinement and final engineering prior to Final Approval. The Plan Commission approved subject to a number of concerns. Have not heard concerns regarding conceptual issues tonight such as setbacks, building heights, and preliminary engineering.

President Pro Tem Werch—suggested Board consider granting preliminary approval noting many of details discussed by Plan Commission should be part of final plan, and items are not considered approved by Board. This process puts working of the details in the best possible arena—the Plan Commission.

Board discussed bike path issues and possible alternative routes. Paul property (west of proposed development) may possibly allow bike path to extend north along Rand Road. Issue is tradeoff of landscaping and bike path in a limited amount of space for setback. Three issues regarding the bike path: northward, stub south to Long Grove, and east-west on the south end of the property. Need input from the Village traffic consultant as to best placement of bike path and traffic issues. Board divided on bike path along north side of Long Grove (parallel to Long Grove Road); all agree on stubbing of path to Long Grove road; agreement on path continuing in some manner north to Rand Road. Planner Savoy to confer with KLOA, and to walk Paul property with Trustee Gifford to determine if there is another area for crossing the stream with the bike path to extend northward.

MOTION: by Gifford second by Kizior to grant Preliminary Approval contingent upon:
Additional trees to be placed in front of Retail A and B
Planting beds—tension between beds and massing of trees—final decision needs to be made with consultants
Additional parking lot trees due to massing of parking lot in front of buildings
Entryway elevation from corner of Rand and Long Grove illustrating the “grand feature” at the corner
Resolution of bike path issues
Horizontal dispersion of lighting must be adequately addressed
All 26 items listed in the November 13, 2003 memorandum from Plan Commission Chairman Howard Thrun, Jr.
Upon roll call:
YES: (5) Dowell, Gifford, Ekstrom, Kizior, Plautz
NO: (0)
ABSENT: (1) Karl
Motion Carried 5/0

8. VILLAGE OFFICE—PROTECTIVE OVERHANG

Drawings were provided in Board packets for three alternatives for an overhang in front of the Village Office with discussion in a memorandum from Jim Peterson dated October 8, 2003.

Board split on design concepts, with some members favoring Plan A and others favoring Plan C.

Overhang is not in current budget; will have to appropriate additionally in a few months.

MOTION: by Kizior second by Gifford to put out to bid Proposals A and C. Board to make final determination on design after receiving bids. Upon roll call:

YES: (5) Dowell, Ekstrom, Gifford, Kizior, Plautz
NO: (0) Ekstrom, Plautz
ABSENT: (1) Karl
Motion Carried 5/0

9. ILLINOIS MUNICIPAL LEAGUE—DUES

Voted last month to enter into the agreement to remain members of the Illinois Risk Management Association. IRMA agreed to extend 2% discount for the annual contribution past the deadline, as Village meeting at which payment would be approved was scheduled after the deadline date.

MOTION: by Gifford second by Dowell to pay annual contribution to the Illinois Municipal League in the amount of \$5,420. Upon roll call:

YES: (5) Dowell, Gifford, Ekstrom, Kizior, Plautz
NO: (0)
ABSENT: (1) Karl
Motion Carried 5/0

10. DONATION REQUEST—UNITED WAY

Board tabled until further along in the budget process.

11. **REPORTS**

A. Attorney Hargadon

- i) Believe all Kildeer Boundary Agreement property owners are in agreement to disconnect from Kildeer and connect with Deer Park on a voluntary basis, except the owner of John's Pub. Paperwork to begin process should be available next month.
- ii) Board requested Triangle developers in arrears be contacted.

B. Trustee Dowell--Finance

i) Budget forms

Distributed budget forms for the coming budget year. Requested forms be completed and returned no later than January 31st, although sooner would be helpful. Questions should be directed to Treasurer Stade. President Pro Tem Werch noted Village can expect request to increase policing expenditures by 30%--will probably be asking to add two officers.

ii) Changes to the Treasurer's Office

Debbie Karl has resigned effective November 30, 2003. Discussed with Treasurer Stade; discussed increasing hours of Treasurer. Recommend raise Treasurers' hours to 32 hours (4 days) per week. Would increase consistency in the office. Terri would be agreeable. Will probably need to replace Assistant Treasurer, but would like to wait until evaluate expanded Treasurers' hours ability to absorb workload. Believe Administrative Assistant will be able to assume some duties, such as check writing to maintain segregation of duties. Caveat to increasing hours—Treasurer will probably become eligible for some benefits, may be extra cost. Pay scales were similar. Sick days and vacation days could be prorated; 80% of "standard" benefits. Usually estimate 15 -20% of salary to cover benefits. Discussed benefits a few months ago (when examining Administrator Diesen-Dahl health care package). Board concurs with recommendation to increase Treasurers' hours.

iii) Park Fund

Consists of developer contributions; funds have been disbursed. Recommend transfer of \$260,000 from General Fund to Park Fund. Could zero out Park Fund, then draw from General Fund. Cleaner to keep all expenditures for Parks improvements under the Park Fund.

MOTION: by Dowell second by Gifford to move \$260,000 from the General Fund to the Park Fund. Upon roll call:

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

NO: (0)

ABSENT: (1) Karl

C. Administrator Diesen-Dahl

- i) Distributed Office hours for the holiday season. After January 1st, half-day in the office (used for catching up on filing and paperwork in the office), will be moved from Wednesday to Friday.
- ii) Family has extended invitation to Board members for the memorial for Elizabeth McLaughlin. Family requested donations to butterfly garden or hospice. Board requested Administrator Diesen-Dahl provide memorial donation equal to those in past.
- iii) Burning—residents have requested change in dates—extending dates due to wet fall season and/or changing dates allowed under the ordinances. Board declined to make changes at this time.

D. Trustee Kizior—Parks and Recreation

- i) Closed down Triangle ballfield. Call regarding interest in creating a travel team, and naming it after Deer Park. Encouraging individual to pursue.

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- ii) Successful Legislative event November 10th at The Garlands. Eight legislators from the BACOG area were available to answer questions from Barrington Area elected officials and members of the Barrington Area Chamber of Commerce.
- iii) Engineer Gordon and Trustee Kizior have followed up with issues put forward by resident Marge Goglin regarding Motorola walkways and disabled access
- iv) Roads:
 - a. Lake Cook Road is open east of Quentin. Small section of concrete yet to be poured.
 - b. Engineer Gordon and Trustee Kizior have been working with contractor on issues of drainage along Quentin and Lake Cook Roads.
 - c. Lights have been cycling 2 minutes on and 2 minutes off.
- v) Tennis courts-Brant Lieske has volunteered to take care of nets in Charlie Brown Park; Paul Waspi will take care of Dover Pond; Trustee Kizior to call Mary Fox regarding Chapel Hill.
- vi) Work being done at Old Farm replacing tree that died, along with other miscellaneous clean-up work being done.

E. Trustee Plautz--Sanitation

- iv) Refuse and Recycling Update
Requested Board consider ordinance to encourage commercial recycling. Provided Attorney Hargadon with model ordinance.
- ii) Groot will be giving 10% off of January bill due to strike.

F. Trustee Werch—Public Safety

- i) President Karl and President Pro Tem Werch met with Kildeer Police. Have substantial recommendations to make. Have been working with DPTC, and feel comfortable with cooperation there. Working with the State of Illinois and neighboring police forces and communities regarding a number of theft rings that are in operation in the area.

12. TREASURERS INFORMATION

MOTION: by Dowell second by Gifford to approve the Treasurers Information dated 11/17/2003. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

13. CASH DISBURSEMENTS

MOTION: by Dowell second by Gifford to approve the Cash Disbursements for the period 10/21/03 through 11/17/03 in the amount of \$256,309.92.

Upon roll call:

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

NO: (0)

ABSENT: (1) Karl

Motion Carried 5/0

14. PUBLIC COMMENTS

Resident Carrie Groeller—Regarding park situation and Michael D'Angelo Park: previously the Board stated that, of problems were not resolved, Board would consider disallowing use of the park by soccer teams. Request at meeting with EAYSO in January discussion be held limiting use of park. Request no travel soccer teams due to heavy use and unacceptable behaviors. Trustee Kizior noted he will be discussing in-resident fees and consideration for residents when meeting with leagues. Adrienne Virgilio has stated coaching will be moving back to parent coaching, which will mean teams should practice fewer days per week. Trustee Kizior also recommending no Saturday practices in any of the parks, under any circumstances. Mrs. Groeller noted 3 days per week will turn into 5 days per week. Discussion followed regarding park use permits. Park Use Permits only reserve parks; public

is available to use parks without reserving, but is not guaranteed the space will be open without a permit. Trustee Ekstrom echoed lack of consideration for residents shown by soccer parents. Trustee Kizior to report back to Board with recommended actions.

Resident Roger Hankin—Questioned if Board is working on reciprocity or in-residence rates, specifically in-residence rates for Barrington Park District. Trustee Kizior noted contributions to sports, and will be requesting in-resident fees by all leagues. Trustee Dowell noted in-resident rates would only be extended to Deer Park only if residents willing to pay additional taxes, and if Park District could absorb us. Board reminded Mr. Hankin that sports leagues are separate from Park Districts.

Mary Lahr—Requested legal fees incurred to date on Shepherd Property. Trustee Dowell stated approximately \$30,000 has been spent to date. Mrs. Lahr noted this was over the estimate. Mrs. Lahr requested the Minutes reflect her belief that there was the appearance of impropriety when Attorney Hargadon spoke on behalf of the developer tonight.

15. ADJOURNMENT TO EXECUTIVE SESSION

MOTION: by Gifford second by Dowell to adjourn to Executive Session to discuss possible land acquisition/annexation and imminent litigation. 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 10:45 p.m.

16. REOPEN REGULAR MEETING

MOTION: by Gifford 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 11:10 p.m.

17. ADJOURNMENT

MOTION: by Gifford second by Dowell 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 11:11 p.m.

Henry Werch, President Pro Tem

Sandra R. Smith, Village Clerk