

1. **CALL TO ORDER**

The regular meeting of the Village of Deer Park was held on Monday, July 16, 2001, at the Village Office in the Village of Deer Park, Lake County, Illinois.

President Karl called the meeting to order at 8:10 p.m. Upon roll call the following were present: President Karl, Trustees Gifford, Kizior, Plautz, and Werch. Other officials present were Administrator Diesen-Dahl, Attorney Scott Hargadon, Engineer Todd Gordon, and Clerk Smith. Trustees Benjamin and Dowell were absent. President Karl declared a quorum.

Guests present were: Rue Vallee Residents—Chris Lajiness, Sherry Lajiness, Roger Finley, Martin Jackson, Madga Galant, Monique and Dan Sierzputowski, Carrie Croeller, Mary Lahr, John Czaja, Wanda Czaja, Jack Hansen, and Dan Csaki; Residents Bill Plautz, Nancy Shepherdson, and Larry Garacia; and Park Hill Estates Resident Karren J. Kirth; Paul Cherwin and Jonathan Riley (Lake Zurich Rural Fire Protection District).

2. **AGENDA CHANGES AND ANNOUNCEMENTS**

Discussion with Rue Vallee Representatives moved to item #4; Resident Karren Kirth to follow Rue Vallee.

3. **CONSENT AGENDA**

Minutes from the 7/10/01 Plan Commission not available; a summary of the meeting was presented.

Minutes from:

- A. Board of Trustees Regular Meeting 6/18/01
- B. Plan Commission Meetings Summary 7/10/01

MOTION: by Gifford second by Plautz to accept the Consent Agenda, as amended.

Upon voice vote:

YES: (4)

NO: (0)

ABSENT: (1)

Motion Carried 4/0

4. **SUB-ALLOCATION OF WATER FOR BRIGHT HORIZONS**

Engineer Todd Gordon concurs with the water sub-allocation of 2,500 gallons of water per day. President Karl noted that Bright Horizons is \$69,000 in arrears in payments due the Village. Attorney Hargadon recommended that no COO be issued until payments are made; noted that this sub-allocation is out of Hamilton Partners' allocation, not the Village allocation.

MOTION: by Gifford second by Kizior to approve the sub-allocation of 2,500 gallons of standard rate water per day to Bright Horizons in Deer Park Town Center, Certificate of Occupancy contingent upon payment of all bills due.

Upon roll call:

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

NO: (0)

ABSENT: (2) Benjamin, Dowell

Motion Carried 4/0

5. **RUE VALLEE HOMEOWNERS**

Chris Lajiness, on behalf of the Rue Vallee Homeowners Association, addressed the Board with the following concerns:

- 1. Wells—Hamilton Partners was initially two wells (including Bright Horizons); Motorola is now seeking an additional Motorola well. Homeowners would like to know if the Motorola well was part of earlier discussions and approvals, and what impact his additional well has on the study just received. Capacity is the issue.
- 2. Engineering drawings—Quentin, Rue Royale, and Lake Cook.
- 3. Jackson Property Impact.
- 4. Buffer Zone Plans.

5. Park Area—plans to update park area. Equipment at Michael D'Angelo is out of code and in disrepair.

Board Response to homeowner concerns:

1. Wells—Motorola landscaping is going in now, as well as retention ponds; a well would be used for landscaping and irrigation purposes. Any wells approved were to be used for irrigation purposes, not potable water. These three potential wells will have less impact than the number of wells which would have been approved with one-acre residential uses for the Triangle. The impact of wells is discussed in the study.
2. Engineering Drawings—The majority of comments have been obtained for the 65% plans. Regarding Rue Royale and Quentin Road, the intersection design study has been redesigned per meetings. Plans are currently at the Lake County Dept. of Transportation for review. Plans to be sent to Mr. Lajiness.
3. Jackson Property—current plans show no impact; with IDOT involvement in one leg, verification is still needed.
4. Buffer zone—Planner Kon Savoy to investigate what can be done given constraints in the right of way.
5. In general, the Board has updated parks with use by the community at large. The Dover Ponds upgrades were completed with input and assistance of residents. Resident Carrie Groeller to work with Trustees Benjamin and Plautz to obtain estimates for improvements to the park.

Resident Mary Lahr inquired about the pipes around the pond resembling wellheads. Engineer Gordon to inspect and identify purpose of these pipes.

Trustee Dowell entered the meeting.

6. **RESIDENT KARREN KIRTH**

Resident Karren Kirth thanked the Board for help in obtaining "No Thru Traffic" signs for Park Hill, and confirmed that the signs have been placed correctly.

7. **ATTORNEY'S REPORT**

A. Lake Zurich Fire Station #4 Water Allocation

This allocation comes from the Village allocation. Engineer Gordon has reviewed and approved.

Paul Cherwin noted that the Village of Palatine is requesting an easement on the Fire District property, and that there is a request for an indemnity, also.

MOTION: by Werch second by Gifford to approve a water allocation of 550 gallons per day for Lake Zurich Rural Fire Protection District Station #4. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

B. Hamilton Partners Subdivison

Previously approved by the Plan Commission and the Village Board in Resolution 01-1. Need to amend to add a 10-foot wide public utility easement for waterline on the Fire District Property, and a note required by the Lake County Department of Transportation that there be no public access to Quentin Road from the adjoining lots or from Field Drive (to be lifted once agreement is reached with Lake County Dept of Transportation to fund Quentin Road improvements). These changes are deemed to be minor changes falling under the jurisdiction of the Board of Trustees, and not requiring Plan Commission approval to proceed.

MOTION: by Werch second by Dowell to approve the revised plat of subdivision for the Deer Park Office Center, noting the easement for water and the note required in the lower left hand side of the plat. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

C. Ordinance 01-31: Shell Oil Sign Plan

Approved in concept last month; this is the supporting Ordinance with Plan attached.

MOTION: by Werch second by Gifford to approve Ordinance 01-31, an ordinance pertaining to the Shell Oil Company Sign Permit at Lake Cook and Rand. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

D. Ordinance 01-32: Liquor License Amendment

Adds more Class II classification licenses. Currently only 1 Class II license allowed; Poag agreements call for up to 8 more to be allowed. Licensee still must come before the Board for approval of their license.

MOTION: by Gifford second by Dowell to adopt Ordinance 01-32, an amendment to the Deer Park Municipal Code Liquor Ordinance. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

E. Liquor License for Max and Erma's

Petitioner not yet ready for action.

F. Indemnity Between the Village of Palatine and the Village of Deer Park

The original intergovernmental agreement between the Village of Palatine and the Village of Deer Park does not require Palatine to sell water to Deer Park until the looping of the water main along Lake Cook and Quentin Road is completed. Due to construction issues with the watermain, completion of the system could not occur prior to users needing water. As a result, Palatine agreed to forego the requirement for completion if water pressure tests are acceptable, and if Deer Park and the property owners agree to indemnify the Village of Palatine. The pressure from the line served from the east side of Lake Cook is more than ample to serve fire flow needs, per Deer Park Village Engineers. This indemnity is subordinate to indemnification of the property owners. This indemnity covers the businesses expected to come on-line in 2001 (Max and Erma's, O'Charley's, Bright Horizons, Hamilton Partners Offices, Carrabas); water main is scheduled to be completed by the end of 2001. This agreement would be covered under the Village's contractual liability insurance.

MOTION: by Gifford second by Dowell to authorize the execution of the indemnity between Palatine and Deer Park for Motorola and the Lake Zurich Rural Fire Protection District providing Palatine agrees to serve O'Charleys, Inc., Carrabas Italian Grill, Max & Erma's Restaurant, Hamilton-Forsythe Deer Park, L.L.C., Bright Horizons Childrens' Center, Inc., and Hamilton-Forsythe Deer Park I L.L.C., contingent upon the approval of Palatine. Upon roll call:

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

NO: (0)

RECUSED: (1) Kizioir

ABSENT: (1) Benjamin

Motion Carried 4/0

8. MEMORANDUM OF UNDERSTANDING BETWEEN BACOG AND BAGIS SYSTEM USERS

Reviewed and approved by Attorney Hargadon; Trustee Werch has agreed to serve as the Village Representative.

MOTION: by Werch second by Plautz to approve the Memorandum of Understanding with BACOG re: use of Barrington Area Geographical System (BAGIS). Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

9. **ENGINEERING REPORT**

A. 2001 Roads Program

Four bids received on 7/10/01, ranging from \$124,941.30 – 149,072.60. Low bid was received from Arrow Road of Mt. Prospect. Gewalt Hamilton has worked with Arrow Road; have also done work for the Village in the past. Engineer Gordon recommends accepting the bid.

MOTION: by Kizior second by Gifford to approve bid received from Arrow Road in the amount of \$124,941.30. Upon roll call :

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

President Karl requested notification letters be sent to homeowners regarding roadwork; construction anticipated to begin in approximately three weeks.

B. Vehe Farm Improvements

Five bids received 7/12/01, ranging from \$220,156 – 356,832. Low bid was received from S Schroeder of Elmhurst, as outlined in the memo dated 7/16/01. Engineer Gordon recommends Village include 6" waterline be included to avoid future construction. References have been checked and are acceptable. Engineer Gordon recommends accepting the bid.

Trustees request fence be added north of the planting on the north side of the wetlands to protect plantings and keep children and soccer balls out of the wetlands; Engineer Gordon to investigate best management methods for this area. Work is to be done in August, with Engineer Gordon supervising general work, Mark O'Leary (AES) to supervise wetlands work, and restoration supervision by Village Planner Kon Savoy. Engineer Gordon to supervise protection measures for trees, and disturbance of areas being restored by Citizens for Conservation. Anticipate seeding of the soccer field this fall for use next spring.

Trustees also requested homeowners on the west side of Inglenook and on Hedgeworth regarding grading, etc. to be included in this construction.

MOTION: by Dowell second by Kizior to approve the low bid from S Schroeder in the amount of \$220,156 as specified in the 7/16/01 letter from Gewalt Hamilton, including water and hydrant work. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

Engineer Gordon requested a representative from the Vehe Farm Foundation attend the preconstruction meeting.

C. Updated Zoning Maps

Now available in the Village Office.

D. Plum Grove Road Plat of Dedication

Prepared by Manhard Consulting—right of way dedication for the Plum Grove Road improvements. Needed prior to bidding Plum Grove Road improvements.

MOTION: by Dowell, second by Gifford to approve the Property Plat of Dedication to the Village of Deer Park for the purposes of Plum Grove Road improvements. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

E. Plum Grove Road Bid Authorization

Requires authorization to take project to bid subject to agreements and IDOT's approval. Village incurs no cost as funding is through EDP and SSA.

MOTION: by Werch second by Gifford to authorize bids for road improvements for Plum Grove Road and signals for Field Drive and Deer Park Boulevard, understanding that SSA and EDP funding to cover the costs. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

F. Swansway Stormwater Analysis

Alternatives thus far evaluated are not suitable; need to further study a new combination. Total cost for work to be \$1500; split between the Village and Lake County.

MOTION: by Kizior second by Gifford to authorize expenditure of \$750 to study further alternatives for Swansway Stormwater improvements. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

G. NICOR

Watermain construction contract calls for joints to be electrofused (not mechanical). NICOR has installed mechanical joints (three of six have been replaced); Palatine will not accept the work with mechanical joints. NICOR is demanding \$190,000 additional for joint replacement and construction conditions encountered. Attorney Hargadon and the Village of Palatine desires termination of the contract, with the bonding company to finish construction.

\$170,000 of the contract has not been paid; money to be used (if needed) to cover fixing NICOR's unsuitable work. Potential for litigation due to withholding of payments; this is an SSA cost.

If line meets requirements, Palatine could put the line in service. Palatine is drafting a letter of notification.

Board concurred with termination of the contract.

10. PUBLIC COMMENTS

A. Mary Lahr

Resident Mary Lahr requested weeds at the entrance to Rue Royale at Lake Cook Road be trimmed, as they are too tall and a hazard. Ms. Lahr also inquired into the water allocation for the Fire Department. Weeds are under the jurisdiction of Lake County; Engineer Gordon to follow up with the County. Fire Department allocation was determined through billings for Station #3 (Hawthorn Woods) for the last three years. Average there was 480 gallons per day.

11. SIKICH GARDNER & CO. LLP

MOTION: by Werch second by Gifford to authorize the Village President to sign an engagement letter with Sikich Gardner authorizing an expenditure not to exceed \$7,925 for the April 30th, 2001 audit.

Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

12. REPORTS

A. President Karl

- 1) Receipt of letter from residents praising the Exterior Maintenance Ordinance.
- 2) Lake County Regional Forum Group meeting 7/18/01 at the Elia Township Senior Center.
- 3) Rte. 59 TAC meeting; tunnel is still one potential solution being studied.

- 4) All elected officials of the Village are invited by Mark Beaubien (52nd District) to breakfast at Wyncourt Restaurant on 7/21/01 from 8:30 – 10:00.
- 5) Illinois Rivers 20/20—Corinne Wood request for endorsement to support initiative to protect rivers.

MOTION: by Gifford second by Kizior to authorize Village President to sign an endorsement for Illinois Rivers 20/20 Program. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1)

Motion Carried 5/0

- 6) Village to meet informally with Kildeer regarding the police program.

B. Trustee Dowell--Finance

- 1) Barrington has submitted a list of desired items for baseball fields; input from LZBSA still pending. Trustee Dowell to investigate requirements of resident fees (where available).
- 2) Resident complaints concerning solicitor. Solicitor has registered with the Village; Administrator Diesen-Dahl to contact solicitor to request solicitations to stop.
- 3) Trustee Dowell requested Attorney Hargadon review progress of violators of fencing ordinance on Lake Cook and Ela Roads.
- 4) Residents have placed basketball hoops in the Village right of way close to the road on sloped roads. Due to Village liability (safety issues), residents should move these hoops. Include in next newsletter. Kildeer Police to call on residents.

C. Trustee Werch--Public Safety

- 1) Two wireless microphones and stands have been purchased for use at Charles Quentin for meetings.
- 2) Vehe Farm Foundation 501(c)3 authorization has come through. There will be a media event at the Farm to announce non-profit status, plans for the Farm, and unveil logo.
- 3) Per Josh Poag, timers have been installed and are operating for lights to be turned off at the DPTC, and replacement bike path lights have been installed. Parking lot lights still require follow up; information from lighting consultant has not yet been received.
- 4) Trustee Werch to seek proposal from a private sanitarian for Inspection Services for restaurants.

D. Trustee Plautz—Health and Sanitation

- 1) Information concerning the outlot on Old Farm Road distributed; to be discussed next month.

E. Trustee Kizior—Roads and Public Utilities

- 1) Revised snow plow contracts being worked up; draft for next month.
- 2) Authorized \$400 for trimming on Old Farm Road.
- 3) Turnabout on Deerpath Road for snowplows; Lake Zurich has approved concept.
- 4) Culvert repair on Deerpath Road may be included in 2001 roads package.
- 5) Bike path extension south (Tall Trees)—work has not begun—did we expend money for this path? President Karl to follow up with Engineer Gordon.

F. Trustee Gifford—Planning and Zoning

Viewed Carrabas in Dallas; plantings looked good even in 100 degree heat, food reviews were good. Stoney River Steakhouse has opened in Glenview; reviews have been favorable.

G. Clerk Smith

- 1) Newsletter items should be submitted ASAP to Clerk Smith.
- 2) Web site—domain name has been approved; Barrington Library to host site.

- H. Attorney Hargadon
1) When renovating playground equipment, ADA requires handicap equipment if spending government money.
2) Attorney Hargadon has been retained as counsel for South Barrington regarding Klehm property.
3) Attorney Hargadon will be leaving for vacation for three weeks beginning Monday 7/23. Attorneys Pugliese, Rubin-Silver, and Meek will be handling Village matters.
- I. Administrator Dahl
1) Business Registrations run from 7/1 – 6/30. Building and Zoning Inspector Holmes has requested that registration periods be changed to the calendar year. Board approved change; notices to be mailed for 18 months; ordinance needs to be updated. Trustee Werch again requested that B&Z Inspector Holmes be supplemented with additional personnel to handle the workload required by the Village. President Karl to follow up with B&Z Inspector Holmes.
2) Vehicle stickers for 2002-2003 will utilize the same design as last year.
3) Village signs being refurbished; missing sign from Cuba to be replaced (reimbursed) by Lake Zurich.

13. TREASURER'S REPORT

MOTION: By Dowell second by Gifford to approve the Treasurer's Report dated 6/30/01.

Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1)

Motion Carried 5/0

14. CASH DISBURSEMENTS

MOTION: By Dowell second by Gifford to approve the Cash Disbursements in the amount of \$198,693.16. Upon roll call:

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

NO: (0)

ABSENT: (1) Benjamin

Motion Carried 5/0

15. TRIANGLE EXPENSES

Motorola is in arrears \$39,000. All reviews/approvals to be suspended until current. Attorney Hargadon to send letter regarding after verifying Motorola has been billed.

16. 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)

Motion Carried 5/0

The meeting was duly adjourned at 11:01 p.m.

Richard C. Karl
Village President

Sandra R. Smith
Village Clerk