

**Village of Deer Park**  
**Regular Board Meeting Minutes--Amended**  
**May 20th, 2002**

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**1. CALL TO ORDER**

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, May 20<sup>th</sup>, 2002 at Charles Quentin Elementary School in the Village of Deer Park, Lake County, Illinois.

President Karl called the meeting to order at 8:06 pm. Upon roll call the following were present: Trustees Benjamin, Dowell, Gifford, Kizior, and Werch. Other Village Officials present were Engineer Gordon, Clerk Smith, and Attorney Scott Hargadon. Administrator Diesen-Dahl and Trustee Plautz were absent. President Karl declared a quorum.

Guests present were: Ray Elvey (Deer Park Town Center); Daniel A Macahon (Remax—Deer Park Town Center); Teri Bridge (Vehe Farm Foundation—resident); Greg Prena (20489 Hazelcrest Rd); Jim Mozer (20252 Park Hill Drive); Jack & Frances Honomichl (20290 Park Hill Drive); Rom Ambrose (20190 Rand Road); Angela Thennisch (20218 Park Hill Drive); Fred Slings (20140 Park Hill Drive); Linda Schwinn (20096 Park Hill Drive); Jim Kraner (113 Lois Lane); Bruce Privatsky (20455 Meadow Lane); Libby Ferracane (109 Lois Lane); Patricia Naparstek (20217 Park Hill Drive); Jean and Dave Elms (20324 Meadow Lane); Jim Markham (20050 Park Hill Drive); Jim Kirth (20390 Park Hill Drive); Alan R Battles (20097 Park Hill Drive); Rita Kellen (511 Ct. Touraine); Mary & John Lahr (201 Rue Touraine); Garrett Vojack (Rue Vallee); Carrie Groeller (219 Rue Touraine); Karren Kirth (20390 Park Hill Drive).

**2. AGENDA CHANGES AND ANNOUNCEMENTS**

Resident Paul Sanborn has withdrawn his request to address the Board.

**3. CONSENT AGENDA**

Minutes from: Board of Trustees Regular Meeting 4/15/02  
Public Hearing on Ordinance 02-01: Appropriations 4/15/02  
Zoning Board of Appeals 5/6/02

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

Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**4. REQUEST FOR VARIANCE FOR GARAGE ADDITION—PRIVATSKY**

Petitioners Bruce and Marisa Privatsky were present to discuss the petition for a variance of 10 yards from the side setback for the construction of an addition to their garage. Proposed addition would preserve mature trees and avoid necessity of a detached shed on the property. The Zoning Board recommends approval of the variance as requested.

MOTION: by Kizior second by Dowell to accept the variance requested for 20455 Meadow Lane as recommended by the Zoning Board of Appeals at their 5/6/02 meeting, noting the unusual shape of the lot. Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**5. PROPOSED SERVICE STATION AT RAND AND PLUM GROVE ROADS**

Ron Ambrose of Warren Johnson Architects addressed the Board concerning the proposal as revised since last presented to the Board at the March meeting. As requested, Mr. Ambrose submitted:

*proof of ownership,*

*estimate of water usage:* based on other similar facilities, the car wash would use 257,000 gallons of water per month with an 80% reclamation rate and a net usage of 51,000 gallons of water per month. Owners would dig well, if requested.

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*impact of Rand Road improvements to lot:* approximately 20' of property lost to improvements, which have been taken into account into plans  
*substantiation of special use permit:* owners believe use fits in well in surrounding area, noting neighboring businesses.

Mr. Ambrose noted that the owners are aware of substantial obstacles to the proposed development, and are willing to pursue this use.

Board expressed concerns:

*Water use:* not certain if Palatine agreement would allow car wash, and not desirous of additional wells

*Special use:* Board members noted that, while the use may fit in with current businesses located in the vicinity, Board and Comprehensive Plan envision other potential uses for this site given its location on Rand Road.

Attorney Hargadon noted that this lot is located in a Planned Development District. Petitioners have met provisions of Preliminary Conference (except for the payment of fees required). If so desire, petitioners may proceed to Plan Commission. Additionally, Attorney Hargadon indicated that the Village will need to review the Palatine water agreement, and determine, if allowed by that agreement, whether or not this use would constitute a disproportionate share of the Village water allowance.

**6. APPLI CATION FOR SUBALLOCATION— BIAGGI'S**

Restaurant to be located in the pad in front of Barnes & Noble. Design approval was completed through the Building Review Committee. Engineer Gordon has reviewed the allocation request, finds the request consistent with similar sized facilities and with the original calculations provided by the design engineer for a restaurant in the Deer Park Town Center.

MOTION: by Werch second by Gifford to approve the application for sub allocation of water for Biaggi's Ristorante Italiano in the Deer Park Town Center in the amount of 8,500 gallons of water per day. Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**7. DPTC/REMAX SPECIAL USE REQUEST—SPACE 352**

Ray Elvey of Deer Park Town Center and Dan Macahon of ReMax addressed the Board concerning this Special Use Request. The ReMax office would be located behind the Deer Park Open MRI facility, and would be 1, 792 square feet. Signs would adhere to the sign ordinance (white letters with red slash); would be lit. Mr. Elvey noted that a retail use at this site would be unlikely given location in the Center, and that a service use would be consistent with the original plan. Parking to be provided in front of the site (approximately 16 spaces), and near Barnes and Noble and Open MRI (approximately 80+ sites).

Deemed a minor change to the Planned Development Ordinance for this site, the Board recommends forwarding the proposed use to the Building Review Committee. Further, Board recommends approving Special Use, given signage lighting to be turned on no earlier than 8:00 am and turned off no later than 7:00 pm.

**8. MOSQUITO ABATEMENT PROPOSAL**

President Karl working with B&Z Inspector Holmes and Clarke Environmental Mosquito Management to develop a plan for mosquito management. The Village had previously discontinued mosquito management due to lack of effectiveness given proximity to wetlands, as well as environmental and health concerns. This proposal is for pellet larvacide (as opposed to spraying) of standing water areas. Will not stop West Nile Virus, but will mitigate the problem.

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MOTION: by Dowell second by Benjamin to accept the proposal from Clarke Environmental Mosquito Management as revised 4/24/02 for Mosquito Larvacide for 2002 in the amount of \$12,160.80. Board chose for reasons of expediency to forego public bidding process. Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**9. JACK HONOMICHL PETITION FOR MORATORIUM ON BUILDING PERMITS—ROBINSON FIELDS**

**Resident Jack Honomichl** and others from Park Hill Subdivision were present to discuss petition requesting Village institute a moratorium on building permits in the Robinson Fields Subdivision. Mr. Honomichl distributed to the Board a map showing lots and homeowners names in the area. Mr. Honomichl stated that an inordinate amount of fill to lot #4 in the Robinson Fields Subdivision correlated to an increased load on the sump pumps of surrounding residents. There is a building permit pending on lot #4. Mr. Honomichl further indicated that the drainage ditch carries a larger load than engineered, and that rats have been a problem in the area due to debris.

**Resident Karren Kirth, Park Hill Homeowners Association** read a letter in support of the moratorium due to problems experienced by homeowners (see attached letter).

**Resident Angela Thennisch** indicated that their lot (#35) is very wet; worried about the septic field. Since moving into the home in February, the sump pump has had to be replaced.

**Resident Jim Moser** stated that his sump pump has run on a continuous basis since fill added to lot #4. Mr. Moser indicated belief that there are two issues: drainage ditch not sloped correctly, and problem underground due to development. Either errors were made in surveys permitting building, or construction was not completed to design. Mr. Moser showed the Board photos of holes dug in his yard for repairs which filled with water immediately after being dug. Pictures were not taken during a rainy period.

**Resident Linda Schwinn (lot #39)** stated that the retention field near her lot does not fill, but the neighbors' yard does.

**Resident Libby Ferracane (lot #47)** reminded the Board that drainage problems had been corrected for lots #45 and 46, and indicated that the homeowners would again like to work with the Village to solve the current problem.

**Resident Riley** indicated that the culvert in front of the houses is consistently overwhelmed, causing the road to overtop.

Engineer Gordon and Trustee Dowell met with residents 5/18/02 to review problem. Engineer Gordon recommends survey, study and recommendations be completed as soon as possible to allow for presentation of potential solutions at June or July Board meeting.

MOTION: by Benjamin second by Gifford to approve an expenditure not to exceed \$5,000 for Gewalt Hamilton to survey, study and make recommendations to alleviate Park Hill/Robinson Fields water problem. Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

President Karl indicated that work should be expedited, and B&Z Inspector Holmes and Health Officer Karney should be included in the evaluation process.

Board felt that discussions with Engineer Gordon and residents show factual threat to septic fields and public health in the area. Although not yet determined if Robinson

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Fields development is causal factor, Board felt that further building permits should be held pending engineering report.

MOTION: by Werch second by Gifford, based on evidence provided, that public health is potentially jeopardized by water situation in Park Hill Subdivision. Further, Board directs the Building Inspector to stop approval of all further building permits requested in Robinson Fields Subdivision until Village Engineer can assess whether construction in Robinson Fields Subdivision is contributing to the problem. Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**10. ENGINEERS REPORT**

**A. Quentin/Field Parkway Intersection**

Engineer Gordon presented a plan for proposed design to prevent entrance from Field Parkway to Rue Royale. Board consensus approved; advised Engineer Gordon to work with Civiltech and the County to finalize plans. President Karl noted that this solution allows Rue Royale to remain open per homeowner's requests.

**B. Pavement Evaluation Proposal**

MOTION: by Dowell second by Benjamin to accept proposal for roadway condition rating survey and evaluation for future maintenance planning in the amount of \$9,616 per the memo dated May 16, 2002 from Engineer Gordon.

Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**C. 2001 Final Pay Request**

MOTION: by Kizior second by Benjamin to approve final pay request for Arrow Road Construction for the 2001 Street Maintenance Program in the amount of \$6,635.23 to be paid out of the General Fund (not MFT), per the memo from Engineer Gordon dated May 15, 2002.

Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**D. Waddington Court Cul de Sac**

Board expressed desire to have homeowners originate request, and share in beautification and maintenance costs as Board has previously agreed for other homeowners' associations.

**E. Park Site Bids**

Engineer Gordon noted that request for bids was advertised 12 -13 days prior to bid opening. Per Engineer Gordon's memo dated 5/16/02, eight bids submitted. Low bidder was DeKaf Construction at \$312,533.64, with sod alternate at \$322,893.64 (seed vs. sod determined by timing of project). Engineer Gordon recommends awarding contract to DeKaf Construction.

Engineer Gordon is now in the process of finalizing permits with Palatine and MWRD. Deer Park Town Center has orally agreed to the easement to retention pond needed; working out details.

MOTION: by Dowell second by Gifford to accept the low bid from DeKaf Construction for the Triangle Park Site in the amount of \$312,533.64, with the alternate in the amount of \$322,893.64 per the memo from Engineer Gordon

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dated 5/16/02. Alternate price is based on seed/sod, and will depend on the construction schedule. Funds are to come out of the Park Fund. Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**F. Sturm Stormwater Drainage Evaluation**

Village received a letter from Tony Wolff of LCSWMC indicating that the purchase of a property on Sturm road would provide significant benefit to the drainage situation in the area. Mr. Wolff indicated that SMC has access to federal grant money from FEMA that would pay for 75% of the cost of purchasing the property; the remaining 25% must be paid locally. Total required locally would be \$116,250. Board expressed interest in other local agencies willing to contribute to funding, and authorized Village President Karl to pursue discussions on this topic. Engineer Gordon has drafted a letter to Mr. Wolff to be signed by the Village President to this end; Board authorized President Karl to sign and proceed with discussions.

**G. LZRFPD Preemption Equipment**

Approved in concept last month.

MOTION: by Gifford second by Kizior to authorize expenditure of \$8,250 for LZRFPD for pre-emption equipment per the memo from Engineer Gordon dated May 20, 2002. This is NOT an SSA expenditure, it is to come out of the Village General Fund. Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**11. PROCLAMATION REQUEST: SAVE A LIFE WEEK MAY 19 – 25**

MOTION: by Werch second by Gifford to proclaim May 19 – 25 as Save A Life Week in the Village of Deer Park. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**12. DPTC LIGHTING**

MOTION: by Werch second by Dowell to direct President Karl to sign Poag & McEwen letter dated 4/25/02 indicating completion of requirements upon completion of measures indicated in the letter. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

President Karl noted letter from Tim Beechick regarding Deer Park Office Center Lighting. Light shields ordered 4 weeks ago, not available yet. Also, 30' pole located

near Quentin Road to be replaced with 18' pole per the annexation agreement. Until shorter pole is installed, this light will not be in use.

**13. REPORTS**

**A. Trustee Benjamin--Parks**

- i. Request for picnic use of Charles E. Brown Park for Motorola employees—approximately 25 people. No Deer Park residents.

MOTION: by Dowell second by Gifford to approve the request for use of Charles E. Brown Park for Motorola picnic; Kildeer police be requested to

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verify compliance with ordinances. If request conflicts with resident request for use, resident request to preempt. Upon voice vote:

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

NO: (1) Benjamin

ABSENT: (1) Plautz

Motion Carried 4/1

- ii. Vandalism in parks on the increase. Trustee Benjamin requested Trustee Werch contact Kildeer Police for heightened awareness; asked Board to consider illuminating parks in the future as a deterrent.
- iii. Request for extension of burning given weather during period when burning allowed. Board declined request.
- iv. Next month—Vehe Farm tot lot discussion .

**B. Trustee Dowell—Finance**

Audit discussions have begun.

**C. Trustee Kizior—Roads**

- i. Formal proposal for development of landscape plan for Lake Cook to Michael D'Angelo Park. Proposal to evaluate and develop plan, given that Board is not interested in pursuing physical barrier. Ms. Marwitz' qualifications discussed; Trustee Kizior did not pursue usual contractors in order to minimize costs. Board directed Trustee Kizior to obtain list of references for Ms. Marwitz and resubmit proposal with references—tabled to next month pending requested information.
- ii. Upcoming proposals next month for additional roadwork on Woodberry, Lea, and drainage issues on Rainbow Road.

**D. Trustee Werch—Public Safety**

- i. Due to commitments, Trustee Werch has stepped back from the position as President of Vehe Farm Foundation. Foundation Board voted Teri Bridge as next President. Board thanked Trustee Werch for his work on behalf of the Village and the Vehe Farm Foundation.
- ii. Vehe Farm Foundation has received 2<sup>nd</sup> individual grant from Clay Van der Poole.

**E. Attorney Hargadon**

- i. Treasurer has requested Attorney involvement in past due business registrations. Board requested Trustee Werch contact Kildeer Police to ask them to visit past due business owners prior to attorney involvement.
- ii. Contract for Plum Grove Road improvements was let pursuant to actions taken at April Board meeting. There is a dispute regarding DDRC, P&M, and Motorola regarding funding. Village has drawn an amount to secure the Village in case of problems with funding; Attorney Hargadon has advised developers of draw.
- iii. Attorneys have been working with Village and Vehe Farm Foundation to develop document to clarify relationship between the Foundation and the Village, per Auditors' request.

**F. President Karl**

- i. In absence of Trustee Plautz, President Karl initiated discussion regarding commercial construction site recycling. Board consensus—President Karl to contact B&Z Inspector Holmes to create process for implementation for further discussion.
- ii. Request from Jim Peterson for all BACOG Villages to put letter together in support of Barrington as a Main Street participant. Individual group, not affiliated with the Village, participant status would allow pursuit of grants. Board approved drafting of letter in support.
- iii. Route 12 Planning Council: met with representation of Village by John Lahr and Sandy Schroeder of the Plan Commission. Council to break for the

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summer. Upon resumption of meetings in the fall, the Council will look at plantings along Route 12 and coordination between Villages for Regional Planning efforts.

- G. Clerk Smith  
Board meeting agenda added to the web site.

**14. PUBLIC COMMENTS**

- A. ***Resident Carrie Groeller*** made the following comments:
- i. Michael D'Angelo Park completed; truck damaged walkway. Per Trustee Benjamin, walkway damage minimal, to be repaired by Village as regular maintenance item. Ms. Groeller requested trash can be added; Trustee Benjamin indicated that BFI will not go into the park to empty trash. Ms. Groeller agreed to pull can to curb; Trustee Benjamin to contact BFI for additional can. Bench to be added to the park, also.
  - ii. Ms. Groeller indicated homeowners liked Field Parkway intersection design. Homeowners request evaluation every several months to check traffic patterns.
  - iii. Pointed out landscaping currently in place along Quentin between Lake Cook and Michael D'Angelo is in the right of way. When Quentin is improved, these plantings could be changed/removed.
  - iv. Unclear on issues resident Paul Sanborn desired to discuss. Ms. Groeller to contact Mr. Sanborn to clarify.
- B. ***Resident and Plan Commission Member John Lahr*** voiced concerns over non-residential wells. Commissioner Lahr noted that this issue was raised in the Plan Commission meeting in August of 2001. It is the opinion of Commissioner Lahr that there are 4 wells in the Triangle which are in violation of Village ordinances, specifically, Title 15, Chapter 158.055. Commissioner Lahr asserts wells constructed under permit numbers WW0006-0421, WW0006- 0426, WW0106-0390, and WW0106-0391 assigned to Countryside Industries, Halloran, and the Brinkman Group. It is the belief of Commissioner Lahr that these wells violate Village ordinances as they are drawing from the same strata as the surrounding area and are within 3 miles of such other draw. Additionally, these permits never came before the Plan Commission, as required by Village ordinance. Commissioner Lahr requests the Board research and put on the agenda for next month. Board directed Attorney Hargadon to evaluate.
- C. ***Resident Mary Lahr*** requested meeting to evaluate Quentin Road/Field Parkway proposal. President Karl requested questions be put in writing for County evaluation. Additionally, Ms. Lahr indicated that the manholes at Rue Royale and Rue Touraine are covered with debris. VisionScape requested to clear debris; no action taken. Engineer Gordon to evaluate.
- D. ***Resident Kirth*** expressed confusion on rationale regarding providing landscape buffering along Quentin Road, given rejection of other beautification requests by Village homeowners elsewhere in the Village. President Karl indicated that, given the development along Quentin and the impending road improvements, the Village is evaluating the proposal for buffering of homeowners.

**15. TREASURERS REPORT**

MOTION: by Dowell second by Gifford to approve the Treasurers Reports dated 4/30/02.  
Upon voice vote:

YES: (5)  
NO: (0)  
ABSENT: (1) Plautz

Motion Carried 5/0

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**16. CASH DISBURSEMENTS**

MOTION: by Dowell second by Gifford to approve the Cash Disbursements for the period dated 4/16/02 through 5/20/02 in the amount of \$155,090.66. Upon roll call:

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

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**17. TEMPORARY ADJOURNMENT FOR EXECUTIVE SESSION**

MOTION: by Gifford second by Kizior to temporarily adjourn the Regular Meeting of the Board of Trustees to Executive Session for the purpose of reviewing prior Executive Session Meeting Minutes for potential release. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was temporarily adjourned at 11:01 PM.

**18. REOPEN REGULAR MEETING**

MOTION: BY Dowell second by Gifford to reopen the Regular Meeting of the Board of Trustees. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was reopened at 11:08 PM.

**19. RELEASE OF EXECUTIVE SESSION MEETING MINUTES**

MOTION: by Gifford second by Benjamin to release the Executive Session Meeting Minutes dated 1/17/00 and 1/21/02. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

**20. ADJOURNMENT**

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

YES: (5)

NO: (0)

ABSENT: (1) Plautz

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was adjourned at 11:10 PM.

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Richard C. Karl, Village President

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Sandra R. Smith, Village Clerk