

June 20, 2016

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Harriet Rosenthal in the Council Chambers of the Village Hall on June 20, 2016, at 7:30 p.m. The clerk called the roll and announced that the following were:

Present: Harriet Rosenthal, Mayor
Alan Farkas
Thomas Jester
Robert Nadler
William Seiden
Dan Shapiro
Barbara Struthers

and that a quorum was present and in attendance. Also present were Kent Street, Village Manager and Village Attorney Matthew Rose.

PLEDGE OF ALLEGIANCE

Natalie Kirsch and Peter Fitzgerald, co-presidents of the Deerfield Rotary Club, led those in attendance in reciting the Pledge of Allegiance. Mr. Fitzgerald reported the Rotary Race will take place on July 4, 2016, and start at Walden School. They expect about 200 runners to participate in the 5K walk/10K run. The race is usually over around 10:00 a.m.

MINUTES OF PREVIOUS MEETING

Trustee Seiden moved to approve the minutes from the June 6, 2016 Board of Trustees meeting. Trustee Shapiro seconded the motion. The motion passed on a voice vote with Trustees Farkas, Nadler and Struthers abstaining.

BILLS AND PAYROLL

Trustee Farkas moved to approve the Bills and Payroll dated June 20, 2016. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)
NAYS: None (0)

PUBLIC COMMENT

There were no Public Comments on non-agenda items.

REPORTS

REPORT OF STAFF RE: RIGHT-IN RIGHT-OUT CURB CUT FOR ACCESS TO THE LINDEMANN LOT (BETWEEN Mayor Rosenthal indicated this was continued at the last Board of Trustees meeting, as all of the Trustees were not present.

AT&T BUILDING AND FLEET FEET)

FROM DEERFIELD ROAD

Dan Brinkman, traffic engineer with Gewalt Hamilton reported he recommends the proposed location as it will minimize the amount of cut-through traffic as well as driver confusion.

Trustee Seiden noted he is against this location. The Village has received comments and objections from those in the quadrant. There would not be any financial savings to the Village so there are no advantages for the Village to complete this work at this time. Trustee Seiden believes the curb cut may not be located at the correct location once the parking lot is completed. Trustee Farkas expressed concern about causing backups onto Deerfield Road. He believes this is a solution in search of a problem. Trustee Farkas thought one of the purposes of the Task Force was to create an overall plan rather than handling things in piecemeal. Mr. Street noted the Task Force recommended a curb cut in the same general location. Trustee Jester noted that completing the installation of the curb cut concurrent with the Deerfield Road Reconstruction Project would avoid causing future inconvenience and disruption to motorists on Deerfield Road.

Mayor Rosenthal noted one of the goals is to create a safer situation. They are trying to maintain enough parking for visitors while removing some of the through traffic on Jewett Park Drive. Mr. Brinkman stated the proposed location is just west of the old oak tree. It would be a right-in, right-out access. He noted the location was selected with safety in mind to reduce the amount of traffic entering into the quadrant as well as the cut-through traffic. Mr. Brinkman does not anticipate stacking issues. Trustee Jester noted the Task Force did traffic counts in the area before the library was opened. He indicated the Village will need to have traffic counts performed again in the future, but believes the curb cut would validate the traffic counts. Mr. Brinkman noted the right-in, right-out would be the ultimate test for the quadrant. Trustee Struthers questioned if there would be less traffic on Robert York Avenue and Jewett Park Drive. Mr. Brinkman believes the right-in, right-out would reduce traffic. Trustee Seiden questioned how this would affect the alleyway. Mr. Brinkman stated the alleyway could be turned into parking stalls for the Fiorini property. He noted there would be less traffic going onto Robert York and Jewett Park Drive. Trustee Nadler indicated there is no raised median on Deerfield Road, so people may attempt to make a left turn into the parking lot

Donna Osborne, 1010 Springfield, heard that this is a good time to do this construction because it could save the Village money and aggravation. She also heard that if it does not work, it could be blocked. She questioned why the Village would spend money when it could create more traffic. Ms. Osborne does not believe the curb cut will reduce the amount to traffic or create a safer environment. She believes the trucks will use the parking lot once the alleyway is closed. Trustee Seiden questioned the traffic flow for trucks. Mr. Street noted truck traffic is not the current issue.

Trustee Jester moved to approve the right-in, right-out curb cut for access to the Lindeman lot. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Jester, Shapiro, Struthers, Rosenthal (4)

NAYS: Farkas, Nadler, Seiden (3)

REPORT OF STAFF RE: AMENDING CHAPTER 3 ALCOHOLIC BEVERAGES OF THE MUNICIPAL CODE TO CREATE A CLASS O LICENSE CLASSIFICATION TO ALLOW BEER AND WINE IN ITS ORIGINAL PACKAGE AT AUTOMOBILE CONVENIENCE FOOD SHOP AND ISSUANCE OF ONE CLASS O LIQUOR LICENSE

Management Analyst David Fitzgerald reported Dave Welch, the owner of the Deerfield BP gas station, requested the ability to sell beer and wine at the food convenience store attached to his station. The current Zoning Code does not allow beer and wine sales in automobile convenience food stores. Mr. Fitzgerald worked with the Village Attorney to set up the regulations, including that the store must be at least 1100 square feet and limiting the size of the display.

Mayor Rosenthal ensured the beer and wine must be sold in its original packaging. She suggested including language in the ordinance requiring the beer and wine displays should not be allowed around the door. Mr. Street suggested beer and wine would be within the back half of the store and in view of the register clerk. Mr. Welch showed a diagram depicting those regulations. Chief Sliozis believes the proposed location would work. Mr. Welch noted they will not have window signage for beer and wine.

Trustee Jester moved to accept the report and recommendation of staff regarding the Class O liquor license. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

CONSENT AGENDA

There were no items on the Consent Agenda.

OLD BUSINESS

ORDINANCE O-16-14 AUTHORIZING A FENCE HEIGHT MODIFICATION FOR THE PROPERTY AT 705 INDIAN HILL ROAD FOR A FENCE 10 FEET IN HEIGHT INSTEAD OF THE PERMITTED MAXIMUM HEIGHT OF 7 FEET – 2R

The Board of Zoning Appeals report was accepted on a 3-2 vote. The First Reading was held on May 16, 2016, and it was determined the “fence” was actually sports netting. Trustee Struthers expressed concern because she believes birds will be caught in the netting. She is also not in favor of having 10’ high sport court netting. Trustee Struthers would like the netting to be cut down to 7’ in

height.

Brian Jacobs, 705 Indian Hill, called the netting company and found out they have not received any complaints. He noted the netting on the Village fields is similar in height and has not created issues.

Trustee Seiden moved to adopt the Ordinance. Trustee Farkas seconded the motion. The motion passed by the following vote:

AYES: AYES: Farkas, Jester, Nadler, Seiden, Shapiro (5)

NAYS: Struthers (1)

AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE U.S. CENSUS BUREAU TO CONDUCT A PARTIAL SPECIAL CENSUS (AMLI/WOODVIEW)

Mr. Street reported the Trustees approved the report at the last Board of Trustees meeting. The Board now needs to authorize Mayor Rosenthal to execute the agreement.

Trustee Jester moved to authorize Mayor Rosenthal to execute an agreement with the U.S. Census Bureau to conduct a partial special census. Trustee Farkas seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

NEW BUSINESS

RESOLUTION R-16-08 SUPPORTING DEERFIELD 9-1-1 CENTER'S WAIVER FROM CONSOLIDATION MANDATE OF PUBLIC ACT 99-0006

Mayor Rosenthal reported there is current legislation requiring any community with fewer than 25,000 people to consolidate their dispatch services. Currently, Deerfield also dispatches for Riverwoods and Bannockburn as well. She stated

that legislation was proposed to exempt Deerfield, but it failed. Deerfield now has to ask for a waiver. Mayor Rosenthal noted that although the current population is less than 25,000, the Village dispatches for many large businesses as well as Trinity University in Bannockburn.

Chief Sliozis noted the support of the community has been outstanding. The Village received some census data from 2015, and with the special census being conducted at AMLI and Woodview, the new population is expected to exceed 25,000 people.

Trustee Farkas moved to accept the Resolution. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

APPEAL OF THE APPEARANCE

Mr. Street noted the Appearance Review

REVIEW COMMISSION'S DECISIONS TO DENY THREE BUILDING ELEMENTS AND REQUEST FOR AN ADDITIONAL LANDSCAPE ISLAND FOR PORTILLO'S, 700 LAKE COOK ROAD

Commission held a final review on May 23, 2016. Although they approved a good portion of the building, they denied three proposed building elements and requested the petitioner add an additional landscape island. The petitioners do not agree with the recommendation and requested the Board appeal the Appearance Review

Commission's decision to the Village Board. Mayor Rosenthal added the Appearance Review Commission has compromised on many portions of the Portillo's petition.

The Board discussed the proposed diamond shape sign cabinets. The Appearance Review Commission believes this is advertising while Portillo's believes it should be considered an architectural element. Dan Uebelhor, Project Manager for InSite Real Estate, LLC, stated they stand behind the request as their goal is to create a unique experience. In addition, they like the building design as now proposed.

Trustee Nadler thanked the members of the Appearance Review Commission for their time and commitment; however, he sees this as an architectural element.

Trustee Nadler moved to approve the diamond shape sign cabinets. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

The Board discussed the proposed mural on the north elevation over the entrance. Portillo's believes the mural represents their chosen theme of the 1970s. The Appearance Review Commission believes it is unnecessary and does not add to the building architecture.

Trustee Nadler moved to approve the mural over the north entrance of Portillo's. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

The Board discussed the proposed LED strip lighting along the building perimeter. Trustee Jester asked if there was a precedent. Village Planner, Jean Spagnoli, stated there have been several requests in the past that have been turned down. There is no perimeter lighting in Deerfield except during the holidays. The proposed lighting would create a halo effect with light spilling through the entire building perimeter.

Trustee Struthers questioned if the lighting would be visible along Lake Cook Road. Rob Whitehead with Olympic Sign Company stated the light would be reversed and would bounce off the building. The light source would not be directly visible, but the building would glow. Trustee Struthers asked how wide the light strip would be. Ms. Spagnoli stated the light strip

would be half an inch wide. Mr. Whitehead explained the light is part of the building architectural detail. Trustee Farkas asked whether the Appearance Review Commission would approve white ground lights. Ms. Spagnoli indicated the proposed lighting would cast an amber glow. She noted McDonalds has some white highlighting features, but this would outline the entire building. Mr. Whitehead explained this lighting is different than what has been proposed in the past, as it is just a building glow.

Trustee Nadler moved to approve the LED building lighting for Portillo's. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Farkas, Nadler, Seiden, Rosenthal (4)

NAYS: Jester, Shapiro, Struthers (3)

The Trustees discussed the Appearance Review Commission's request for an additional landscape island. Trustee Jester expressed concern that the proposed location is not a healthy place for a tree. Trustee Nadler appreciates the Commission's desire to break up long rows of parking, but believes the other landscaping islands are sufficient.

Trustee Struthers moved to keep the original landscaping plan. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Struthers (5)

NAYS: Shapiro (1)

RESOLUTION R-16- 09 APPROVING
LEASE OF VILLAGE PROPERTY AT
1219 CARLISLE PLACE

A Resolution approving the lease of Village owned property at 1219 Carlisle Place for a term of 3 to 5 years at the market rental rate of \$2200 per month minus a management/maintenance fee of \$500 per

month with the tenant paying all utilities.

Trustee Nadler moved to approve the Resolution. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

AUTHORIZATION TO APPROVE BIO-
SOLIDS REMOVAL CONTRACT

Bob Phillips, Deputy Director of Public Works and Engineering, reported the Water Reclamation Facility accumulates about 2200 cubic yards of bio-

solids each year, which must be disposed. The Village budgeted \$40,000 for bio-solid removal and used \$20,000 on sludge removal this spring leaving \$20,000 for bio-solid removal.

The current contract expires this year. The Village received proposals from three contractors. The lowest bid was from Dahm Enterprises, Inc.

Trustee Jester moved to waive the competitive bidding process. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

Trustee Seiden moved to execute the bio-solid removal contract through 2018 with Dahm Enterprises, Inc., authorizing up to \$17,500 this year. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

AUTHORIZATION TO PURCHASE A POLICE VEHICLE Chief Sliozis reported the 2010 F150 used by the Police Department is scheduled for replacement. There is no State Contract for this vehicle, but the Northwest Municipal Conference has a contract. Highland Park Ford has a similar vehicle for slightly less than the Municipal Conference contract. With the additional equipment, the total cost would be \$40,611.40. The budget was \$30,000, but the Village extended the life of the vehicle and contributed more than \$42,000 to the VERF fund. Chief Sliozis requested additional money be allocated toward the replacement of this vehicle.

Trustee Shapiro moved to waive the competitive bidding process. Trustee Farkas seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

Trustee Seiden moved to purchase a new 2016 F150 from Highland Park Ford in an amount not to exceed \$28,703.00, the purchase of a utility cap from Jem Top, Inc., of Lake Zurich, Illinois at a cost not to exceed \$2,069.00 and utilize Havey Communications to purchase, install and transfer the equipment and emergency lighting at a cost not to exceed \$9,389.40. Trustee Nadler seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

DISCUSSION

TRUSTEE IN THE TOWN

Trustee Seiden invited residents to the Farmers Market on Saturday June 25, 2016. Mayor Rosenthal and Trustee Shapiro will be available to answer questions from 9 a.m. to noon.

Trustee Struthers added the Mosquito Abatement District will have a booth at the Farmers Market with temporary tattoos and educational material. On July 2, 2016, the Rotary Club will have a booth at the Farmers Market and will accept registration for the Rotary Race.

JULY 4TH EVENTS

Mayor Rosenthal invited residents to Family Days.

Fireworks will start at 5 p.m. on July 3, 2016 at

Brickyards. The parade will be on July 4, 2016 followed by the rest of the Family Days activities.

ADJOURNMENT

There being no further business or discussion,

Trustee Nadler moved to adjourn the meeting.

Trustee Jester seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:51 p.m.

The next regular Board of Trustees meeting will take place on Tuesday July 5, 2016 at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk