

January 3, 2017

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 January 3, 2017, at 7:30 p.m. The clerk called the roll and announced that the following were:

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

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

PLEDGE OF ALLEGIANCE

The Kambich family of Deerfield Montessori School led the Board in the Pledge of Allegiance.

RECOGNITION - DEERFIELD  
MONTESSORI SCHOOL 50 YEARS

Mayor Rosenthal presented the Kambich family a plaque recognizing 50 years of operating Deerfield Montessori School and thanking them for the impact they have made in educating the community. The Kambich family has two generations operating their schools and they have grown from an informal group to multiple locations with year-round education services.

DEPARTMENT OBJECTIVES REPORT -  
ADMINISTRATION

Assistant Manager Lichterman provided highlights from the report, including the Department's oversight of contracts, operations, communication efforts, special events, and information technology. He noted that staff serves as liaisons to five of the Village's 18 Boards and Commissions. Mayor Rosenthal thanked staff for all of their hard work.

MINUTES OF PREVIOUS MEETING

Trustee Struthers moved to approve the minutes from the December 19, 2016, Board of Trustees meeting. Trustee Farkas seconded the motion. The motion passed unanimously on a voice vote.

TREASURER'S REPORT

Finance Director Burk provided highlights from the report, which covers November 2016. He noted that building permit revenues continue to be higher than what was budgeted. He noted that the extension of the leaf collection resulted in additional costs.

BILLS AND PAYROLL

Trustee Farkas moved to approve the Bills and

Payroll dated January 3, 2017. Trustee Jester seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

PUBLIC COMMENT

There was no public comment on non-agenda items.

REPORTS

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION RE: AMENDMENT TO THE DEERFIELD SQUARE COMMERCIAL PUD TO REDEVELOP THE 711 DEERFIELD RD. BUILDING WITH NEW MULTI-TENANT BUILDING

Village Manager Street reported that the petitioners are requesting approval to allow an amendment to the Deerfield Square commercial planned unit development to allow the redevelopment of the 711 Deerfield Road building with a new multi-tenant building. The petitioners are requesting two sign variations. The Plan Commission and ARC both recommended approval of the first variation to

allow the wall sign to be a maximum of thirty-six (36) inches away from the glass façade. The Plan Commission unanimously approved the second variation, but the ARC unanimously voted against it. The variation would allow rooftop tenant signage on the top of the glass appendages on the east and west sides of the building.

Chris Siavelis of CRM Properties stated that the proposed building would be 10,110 square feet and have four tenant spaces with two end cap patio spaces enclosed in glass on the east and west sides of the building for seating areas. They propose a mix of retail and fast casual dining. Six parking spaces and the landscaping at the west side of the building will be removed for the proposed new renovation, and five parking spaces will be removed for the loading area at the northwest corner of the new building. The petitioner will add 11 parking spaces west of the building in an existing area that was previously land banked for future parking. There is no net gain or loss in parking spaces with the redevelopment.

Trustee Farkas inquired about the sign modifications requested, noting the ban on roof-mounted signage. CRM noted the roof-mounted signage is more visible and still has wall behind it, as shown in the diagrams. Lisa Dunn, Chair of the ARC, reiterated their objection to the rooftop signage noting the precedent this approval would set. The Plan Commission approved the roof top signage on the glass appendages since it was not part of the main building.

Trustee Seiden inquired about parking for employees and snow covered parking spots. Chris Siavelis of CRM Properties noted that employees park in the spaces farthest from the businesses to provide closer parking for customers. He noted that this would not change and that employees in the proposed building would do the same. He also reported that CRM Properties pays to have snow removed from the parking lot after heavy snowfalls to reduce the impact to parking, as

necessary. Snow plow drivers for the lot are instructed to maintain vehicle sight lines when piling snow to maintain safety.

Trustee Struthers indicated that she would like to see another sit-down restaurant at Deerfield Square, as she believes there should be a fine-dining option among the fast-casual options currently in place.

Manager Street suggested that that Village Board consider and vote on the acceptance of the report and the two sign variations separately.

Trustee Struthers moved to accept the report and recommendation of the Plan Commission amending the Deerfield Square Planned Unit Development to Redevelop 711 Deerfield Road into a multi-tenant building. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Struthers moved to accept the first sign variation to allow the wall sign to be a maximum of thirty-six (36) inches away from the glass façade. Trustee Seiden seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Farkas noted that while he personally does not mind the roof top signage being requested by the petitioner he believes the process of the petitioner asking the Board to ignore their own Zoning Ordinance to permit the roof top sign is the wrong approach. He suggested that rather than asking the Board to permit the roof top sign variation, the petitioner should come back to the Board at a future date and request changes to the Zoning Ordinance that would permit the concept they wish to construct. He indicated that if this process was followed he may view the roof top signage request more favorably.

CRM Properties President Chuck Malk stated that without the sign variation for rooftop signage he may not proceed with the redevelopment. He suggested that the Board consider the rooftop signs to be architectural elements to the building rather than signage. He stated it is difficult to attract tenants when signage elements require further review by the Village.

Trustee Struthers moved to accept the second sign variation to permit roof top tenant signage on top of the glass appendages with a maximum of twenty-four inches in height. Trustee Jester seconded the motion. The motion failed by the following vote:

AYES: Jester, Struthers (2)

NAYS: Farkas, Seiden, Shapiro (3)

Mayor Rosenthal noted that Trustee Nadler was absent and that this matter could be reconsidered at the next meeting if someone on the prevailing side of the vote motioned to do so and a majority of the Trustees present voted in favor of the motion.

Trustee Shapiro motioned to reconsider the rooftop sign variation at the next Board meeting. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Jester, Shapiro, Struthers (3)  
NAYS: Farkas, Seiden (2)

Mayor Rosenthal noted that First Reading of the Special Use and reconsideration of the roof top sign variation will be on the next Board agenda.

#### CONSENT AGENDA

ORDINANCE AMENDING THE LAKE COOK DEPOT SIGN PLAN TO ALLOW RTA INTERAGENCY DIRECTIONAL AND INFORMATONAL SIGNS AT THE LAKE COOK ROAD STATION – 2R	An Ordinance amending the Lake Cook Depot sign plan to allow RTA interagency directional and informational signs at the Lake Cook Road station. Second Reading.
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Trustee Jester moved to accept the Consent Agenda and adopt the Ordinance. Trustee Farkas seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Seiden, Shapiro, Struthers (5)  
NAYS: None (0)

#### OLD BUSINESS

ORDINANCE AMENDING CHAPTER 9 (FINANCE AND TAXATION) OF THE MUNICIPAL CODE BY ADDING ARTICLE 12 ENTITLED “PREPARED FOOD AND BEVERAGE TAX – 2R	Mr. Lichterman noted that letters were mailed to all licensed prepared food facilities advising of the proposed tax, as requested by the Mayor during First Reading. Additionally, a meeting was held with local merchants regarding the proposal. Three merchants attended the meeting. While against the tax, they did not see it as administratively burdensome or believe that it would push diners to neighboring communities. He noted the businesses did, however, request to have implementation delayed by a few months from the March 1, 2017, implementation as outlined in the ordinance.
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Robby Cohn, former General Manager of Trax, noted he understands the reason for the tax. He wanted to clarify that sales to tax exempt organizations would not be included in the tax. He requested delaying implementation.

Mayor Rosenthal stated that the implementation had already been delayed, as it could have been implemented sooner. She noted that the revenues from this tax will be spent on infrastructure. It will allow the Village to lessen the burden on residents to pay for roads and include people who work or visit town and use Village infrastructure. She noted that the tax will be administered locally, so the money will never be sent to the State or be subject to delayed payment due to State budget problems.

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

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

NAYS: None (0)

ORDINANCE AUTHORIZING A TEXT AMENDMENT AND A SPECIAL USE FOR AN ELEMENTARY AND MIDDLE SCHOOL AT 445 PINE STREET FOR HELLENIC AMERICAN ACADEMY-2R      An Ordinance authorizing a Text Amendment and a Special Use for an elementary and middle school at 445 Pine Street for the Hellenic American Academy.

A representative of the school noted it would open on January 9 for classes.

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

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

NAYS: None (0)

ORDINANCE AUTHORIZING A SPECIAL USE FOR A MEDICAL OFFICE AT 800 DEERFIELD ROAD (ALIGNED MODERN HEALTH AND TAXMAN COMPANY) – 2R      An Ordinance authorizing a Special Use for a medical office at 800 Deerfield Road for Aligned Modern Health and the Taxman Company. Second Reading.

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

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

NAYS: None (0)

NEW BUSINESS

AUTHORIZATION FOR THE VILLAGE MANAGER TO EXTEND IMET TOLLING AGREEMENT Finance Director Burk reported that this would allow the Village to file a lawsuit to recoup losses at a later date. He noted that the settlement process is taking longer than previously anticipated.

Although the Village has only recovered approximately 5% of the money that was lost, significant funds are available for distribution pending IRS and USDA intervention.

Trustee Shapiro moved authorize the Village Manager to extend the IMET tolling agreement. Trustee Farkas seconded the motion. The motion passed by the following vote:

AYES: Farkas, Jester, Seiden, Shapiro, Struthers (5)  
NAYS: None (0)

#### DISCUSSION

GIVE WHERE YOU LIVE DEERFIELD Mayor Rosenthal reported the next Give Where You Live – Deerfield event will take place on Monday, January 16, 2017, which is Martin Luther King Day. The event will focus on helping the homeless community.

NEXT MEETING Due to the Martin Lither King Day holiday, the next Board of Trustees meeting will take place on Tuesday, January 17, 2017.

ADJOURNMENT There being no further business or discussion, Trustee Struthers moved to adjourn the meeting. Trustee Jester seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:50 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk