

January 22, 2019

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 22, 2019, at 7:30 p.m. The clerk called the roll and announced that the following were:

Present: Robert Benton
Tom Jester
Mary Oppenheim
Harriet Rosenthal, Mayor
William Seiden
Dan Shapiro
Barbara Struthers

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

PLEDGE OF ALLEGIANCE

Mayor Rosenthal led those in attendance in reciting the Pledge of Allegiance

DOCUMENT APPROVAL

Trustee Oppenheim moved to approve the minutes from the January 7, 2019, Board of Trustees meeting. Trustee Struthers seconded the motion. The motion passed unanimously on a voice vote.

DEPARTMENTAL OBJECTIVES
REPORT – PUBLIC WORKS AND
ENGINEERING

Director of Public Works and Engineering, Bob Phillips, presented highlights from the departmental objectives report. He noted there was about 8 inches of snow last weekend. The Village used 310 tons of salt and 3,200 gallons of deicing liquid. To date, the Village has used the same amount of rock salt as all last year. Mr. Phillips noted the Village has 2,000 tons of rock salt in reserve as well as a contractual obligation to purchase additional rock salt.

The department has been very active. The water tower was repainted and power blasted. The annual street rehabilitation project was completed as well as a water main project on Crabtree. The department completed more than 9,000 square feet of sanitary sewer lining as well as replace manholes. Upcoming projects include street rehabilitation, Greenwood Avenue resurfacing and reconstruction, Woodland Park water main replacement and construction of an emergency water main. The department has also spearheaded the Family Days events.

Mr. Phillips reported the department reviewed 175 plans for residential and commercial redevelopment. Drainage concerns are up this year. The department followed up on 60 drainage complaints which resulted in 250 staff hours. There are several ongoing drainage studies as well. Tree permits are down this year with 300 tree removal permits in 2018. The Village continues to pursue outside funding sources.

One of the street department initiatives was to reduce the amount of rock salt used while maintaining the same level of service. The amount of salt the Village has used is significantly less. The street department continuously fills potholes and patches concrete. They also maintain the sign inventory database and have replaced 338 signs in 2018. There is a new application process for the 50/50 tree program and staff has updated the tree offerings.

The water division maintains 90 miles of water main. They perform the required IEPA sampling weekly. The water department also maintains the fire hydrants, facilitates residential and commercial meter readings and inspections and performs leak checks.

The sewer division maintains, cleans and repairs the sanitary sewers. They have cleaned and televised 60,000 linear feet of sanitary sewers in the Village. The sewer division also performs JULIE locates for the Village.

The wastewater division maintains the WRF treatment plant, seven satellite pumping stations and two stormwater pumping stations. They also manage I/I programs. The computers were replaced at the WRF in 2018.

The garage division maintains all the equipment and vehicles in the Village. In late 2018, they facilitated several larger equipment purchases.

Mayor Rosenthal thanked the Public Works Department for the amazing job they do on the Village streets. She asked about the sump pump disconnect program. Mr. Phillips noted that the rebate program is underway and money is included in this year's budget. He noted 12 have been done to date and there are more than 1,100. Trustee Struthers noted that the water tower looks nice following the painting project.

BILLS AND PAYROLL

Trustee Oppenheim moved to approve the Bills and Payroll dated January 22, 2019. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

PUBLIC COMMENT

There were no Public Comments on non-agenda items.

REPORTS

CONSIDERATION AND ACTION ON A The Plan Commission held a Public Hearing on REPORT AND RECOMMENDATION OF December 13, 2018 and a Pre-Filing Conference

THE PLAN COMMISSION ON THE REQUEST OF THE DEERFIELD PARK DISTRICT FOR APPROVAL OF A MASTER PLAN FOR JEWETT PARK; REQUEST FOR AN AMENDMENT TO A SPECIAL USE TO PERMIT PHASE ONE RENOVATIONS TO JEWETT PARK; AND REZONING OF 829 HAZEL AVENUE AND 965 PARK AVENUE FROM R-4 SINGLE AND TWO FAMILY RESIDENTIAL TO P-1 PUBLIC LANDS (DEERFIELD PARK DISTRICT)

on October 25, 2018 and the Appearance Review Commission held a workshop meeting to consider the request of the Deerfield Park District for approval of a master plan for Jewett Park including requests for an Amendment to a Special Use to permit Phase I renovations to Jewett Park and rezoning of 829 Hazel Avenue and 965 Park Avenue from R-4 single and two-family residential to P-1 public lands. The Plan Commission voted 6-0 in favor of the request. The Appearance Review Commission was supportive of the request.

Mr. Street noted Phase I includes the addition of three pickle ball courts and a gaga pit area as well as the relocation of the Veterans Memorial. Following the Plan Commission meeting, the Park District submitted a revised plan based on American Legion recommendation to relocate the Veteran's Memorial.

Bob Collins from Planning Resources Incorporated and Jeff Nehila, Executive Director of the Deerfield Park District, were present. Mr. Nehila reported the Park Board looked at several concepts for a master plan. The design includes many of the key elements from the northwest quadrant stakeholders including safe access and accessibility. They have allocated space for sidewalks and ADA access to the baseball fields. The Veteran's Memorial was initially planned with a north orientation to close off the circle. The American Legion suggested facing the Memorial to the southwest for better accessibility. The Park District agreed.

Mr. Collins presented the Phase 1 master plan. They identified three areas where stormwater will be addressed in both Phase I and Phase II. They plan on adding underground storage under the parking area and recreating the baseball fields. The landscape plans include adding a number of shade trees, a plaza with seating as well as a buffer.

Trustee Shapiro asked about the public meetings and comments from the stakeholders and residents. Mr. Nehila stated they tried to incorporate diversity into the plan. They heard that Jewett Park was meant for kids aged 2 to 12. They wanted to add multi-generational activities including pickle ball. They also added an access to the path as well as a shelter and art exhibit area for passive recreation. Mr. Nehila noted the existing areas, such as the ball fields and skate parks, will be improved in Phase II. Mr. Nehila stated they have expanded the width of the turnaround circle in the south parking lot for drop off and pick up. They also added four additional parking spaces.

Trustee Oppenheim asked about the pedestrian access between the Jewett Park building and the library. Mr. Nehila noted the space was dedicated but expressed concern about the poles and power lines, as they will be in the way. Trustee Oppenheim asked about the timeline for the access. Mr. Collins noted that could happen anytime. Trustee Oppenheim expressed concern as the plan does not address concerns about traffic safety, additional crosswalks, pedestrian drop offs, etc. Mr. Street noted the northwest quadrant task force is discussing the pedestrian

corridors that need to be improved. He feels it is an opportunity if the Village receives impact fees. The cost to relocate the poles and move the wires underground is significant. The dialog is ongoing with the stakeholder group and the task force. They felt very energized by the opportunity provided by the plan. From a traffic standpoint, the proposal is a significant improvement. Mayor Rosenthal noted it is more than \$300,000 to remove the poles. Mr. Nehila noted the park district believes they can accomplish their goals and assist with the needs of the community as well as save trees.

Trustee Struthers ensured the sidewalk would be made from concrete rather than aggregate, for accessibility reasons. Trustee Seiden is very impressed with the plan.

Carl Rosenthal is a 30 year resident of Deerfield. He is in favor of the pickle ball courts. Pickle ball is a game that brings together multi-generational people. Other communities have many more dedicated pickle ball courts and they are always busy while tennis courts are empty. Mr. Rosenthal stressed pickle ball is for the entire community.

Joab Silverglade expressed concern about the noise that will be created by the pickle ball courts. He believes three pickle ball courts at the proposed location will negatively impact the quality of life for residents who live near the north end of the park. He lives about 60 feet from the pickle ball courts. The plan eliminates the berm near the bedrooms and front room in his home. It will deny him peace and quiet inside of his home, especially on weekend mornings. Pickle ball noise creates 90 decibels of noise per hit which can be 9000 per hour. He believes it will ruin the quality of summer living for the neighbors. A noise abatement engineer recommends pickle ball courts be located 500 feet from residential properties in an article. Mr. Silverglade does not believe this is the correct location. He asked the Trustees to review the critical issue of noise and protect the neighborhood from a bad plan.

Steve Anderson lives at the corner of Springfield and Hazel, across from the proposed courts. He was stunned the Plan Commission gave the plan a unanimous approval. Mr. Anderson believes this will adversely affect property values. He is completely opposed to this plan due to the noise.

Susie Cutler stated they love the Deerfield community. Their bedroom is 55 feet from the proposed pickle ball court, on ground level. She recently experienced a pickle ball game and the noise it generates. Even pickle ball fanatics said they would not want to live near a pickle ball court due to the noise. She did some research and found acoustic engineers do not believe pickle ball courts should be closer than 500 feet from residential properties and have proper abatement to avoid interfering with the use and enjoyment of residents' homes. The placement of these courts is contrary to what experts feel is appropriate. The current plan will bring a nuisance into the neighborhood as well as to those that use the park. She suggested locating pickle ball courts in areas that would not disturb residents.

Larry Fradin, 1141 Kenton Road, does not believe there is a function in Jewett Park for senior citizens. He has been playing pickle ball for over a year and believes it is important for seniors. Mr. Fradin does not believe the noise from pickle ball would be worse than noise from the trains.

Marty Marneck lives across the street from the proposed pickle ball location. He was unaware of the noise from the game until recently and believes something needs to be done to reduce the noise.

Lori Katz believes pickle ball is important for Deerfield. The tennis courts in the Village are not being used. Pickle ball is now being taught in the high schools. She would rather keep people in Deerfield instead of having to go to other communities. Ms. Katz believes the Village needs at least four courts. Shop, stay and play in Deerfield.

Steve Wasserman has lived in Deerfield for a year. He wears hearing aids and the noise from pickle ball does not bother him.

Susan Maneck lives right near the proposed pickle ball courts. She spends a lot of time in her garden but cannot see how she could enjoy her house with that noise. Ms. Maneck does not have air conditioning in her house and enjoys the quiet.

Mr. Nehila noted they looked into pickle ball as a component for Jewett Park. When they looked into their parkland inventory, they felt they would lose something, such as tennis courts, in other locations.

Mr. Nehila stated they looked at the various pickle ball noise issues and felt the proposed berm, screening and landscaping while maintaining the north-south orientation was appropriate. Trustee Oppenheim questioned whether they looked into adding a wall around the court. Mr. Nehila stated they did not go that far because of the aesthetic issue. They tried to mirror what is there now. Trustee Shapiro questioned whether additional landscaping could be added. Trustee Oppenheim noted a wall with screening would take up less space. Mayor Rosenthal believes the neighbors have brought up a valid concern and there is a valid reason to install pickle ball courts, but somehow, some of the noise has to be mitigated. Trustee Oppenheim believes a wall with landscaping would be a good sound buffer in that space.

Mayor Rosenthal suggested the petitioner come back with some type of mitigation for the noise for the First Reading of the Ordinance. Trustee Jester would like an acoustic engineer's opinion and possible suggestion. Trustee Shapiro would like to table further discussion to the next meeting. Mayor Rosenthal believes the noise issue needs to be mitigated. Trustee Seiden believes the Trustees are in favor of the plan, but the noise issue makes it unpassable.

Trustee Seiden moved to table further discussion. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

CONSIDERATION AND ACTION ON A The Plan Commission held a Public Hearing on

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION ON THE REQUEST FOR APPROVAL OF A SPECIAL USE FOR A PROPOSED NAIL SALON AT 837 WAUKEGAN ROAD IN MARSHALL MALL (BOO KUNG YOU, BUSINESS OWNER AND CHUCK RAYYAN, PROPERTY OWNER) December 13, 2018, to consider the request for approval of a Special Use for a nail salon located at 837 Waukegan Road in Marshall Mall. The Plan Commission voted 6-0 in favor of the request with the condition that parking lot improvements would be completed within 60 days of the business opening.

Jerry Rayyan from Marshall Mall and Boo Kung You, business owner, were present. Mr. Rayyan stated he is working with the neighbors and an architect to restructure the parking lot. Ms. Kung You's lawyer did a traffic study. Mayor Rosenthal noted the submittal shows five manicure and four pedicure stations; yet, there will only be four employees at one time. Mayor Rosenthal is happy the parking lot would be restriped but expressed concern about the parallel spaces. Mr. Rayyan looked into angle parking near the island. Mayor Rosenthal noted they would lose parking if the parallel spaces were changed to angled parking. Mr. Rayyan has a letter in the packet serving as an agreement with the American Legion for shared parking. Mayor Rosenthal questioned how people would know they could park in the American Legion lot. Trustee Shapiro asked for a formal cross access or parking agreement. Mr. Rayyan noted other mall parking lots are also chaotic. Ms. Kung You noted the busiest time for the other businesses are not the same busy time as her business, with the exception of Saturdays. Her business is busiest around 6:00 p.m. Trustee Oppenheim suggested having signage stating parking is also available on the north side of the building.

Trustee Struthers noted in 2005, the Village offered merchants north of Deerfield Road \$50,000 through a façade beautification project but nothing was done by Marshall Mall. There are several businesses in Marshall Mall and the parking lot needs more than just restriping. Trustee Struthers reported she saw an 18 wheel truck parked illegally on Waukegan as well as in the middle aisle in the parking lot. She believes adding a nail salon would add even more to an already overloaded parking lot. Mr. Rayyan believes the trucks park along the fence, not in the middle of the parking lot. This is the space he has to work with and he is trying to open another business.

Mayor Rosenthal questioned whether the traffic study was completed during a busier time for Essence Pilates. Mr. Rayyan stated Essence Pilates is busiest in the morning. Mayor Rosenthal asked if the employees could park in the American Legion parking lot. He noted the mall employees park along the eastern fence. Trustee Struthers stated every parking space is full around noon. Mr. Rayyan is trying to do what he can to get another business in Deerfield.

Deerfield resident Wendy Selden owns All Polished Up located at 825 Waukegan Road. This type of business typically runs with family members as technicians. Another business was just sited for not having proper licensing. Ms. Selden noted there are seven businesses in the area that offer nail and waxing services. She expressed concern about parking, because the plan will have fewer spaces but increased need. Nail clients typically park for 45 to 90 minutes. Many people park at the US Bank parking lot. There are safety issues there and Ms. Selden would like

to see some directional signage. Mr. Schuster cautioned the Trustees about considering the number of similar businesses in the area.

Mr. Rayyan stated he is unable to control the parking near Ms. Selden's business. He is trying to make the parking work for everyone. Trustee Seiden suggested having an outside parking study. Trustee Oppenheim questioned whether the number of spaces for this development are grandfathered. Mr. Nakahara noted if a business predates an Ordinance, it is grandfathered in. Changing the building would change the number of spaces.

Trustee Shapiro moved to accept the report and recommendation of the Plan Commission with the following conditions: the restriping of the lot occur before or at the same time the business license is granted; additional signage will be installed indicating more parking spaces are available to the north of the building and a formal contract for shared parking with the American Legion. Mr. Rayyan noted the parking lot renovations could not be completed during the winter. He also asked where the additional parking signage should be located. Mr. Schuster recommended having a formal agreement that will be recordable against the property and approved by the Village. Trustee Shapiro would amend the first condition to be approval of the parking lot revisions. Mr. Nakahara noted there are parking signs for shared parking. Trustee Shapiro would like signs in the parking lot. Trustee Oppenheim seconded the motion. Mayor Rosenthal noted if the Ordinance is approved in February and there is a two month build out, the restriping could happen before the certificate of occupancy is granted. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro (5)

NAYS: Struthers (1)

CONSIDERATION AND ACTION ON A REPORT AND RECOMMENDATION OF THE PLAN COMMISSION ON THE REQUEST FOR A SPECIAL USE TO PERMIT THE ESTABLISHMENT OF A PANERA RESTAURANT AT DEERBROOK SHOPPING CENTER IN THE OUTLOT RETAIL F BUILDING (CHICAGO BREAD LLC AND MID AMERICA ASSET MANAGEMENT)

The Plan Commission held a Public Hearing on December 13, 2018, to consider the request for a Special Use to permit the establishment of a Panera Bread restaurant at Deerbrook Shopping Center in outlot retail building F. The Plan Commission voted 6-0 in favor of the request. The Appearance Review Commission reviewed the plans on a preliminary basis on October 22, 2018, and November 26, 2018. The commissioners did not believe the building design met the Appearance Code requirements and the rooftop mechanical units

would be visible from the east side of the building. The ARC would also like additional exterior lighting to be added to the building. For these reasons, the motion to approve the request did not pass on an Appearance Review Commission vote of 0—6.

Mr. Nakahara stated the Panera representatives flight was cancelled. Dan Hanson from Mid-America and a local Panera representative were present. Mayor Rosenthal indicated there were some concerns by the Appearance Review Commission. Mr. Nakahara stated the ARC had some concerns about the boxy building, roofline, canopy and awnings, HVAC visibility and lack of

exterior lighting. At the November ARC meeting, they corrected a number of the concerns. They will be meeting with the ARC next week. Trustee Struthers had a question regarding the traffic pattern. Trustee Oppenheim likes the building design.

Trustee Benton moved to accept the report of the Plan Commission, subject to the ARC review. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

CONSENT AGENDA

There were no items on the Consent Agenda.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

<u>AUTHORIZATION TO PURCHASE BIOSOLIDS POLYMER FOR THE 2019 FISCAL YEAR</u>	Mr. Phillips reported one of the byproducts of the sludge from the Wastewater Treatment Facility is the production of biosolids, which must be disposed of in accordance with IEPA requirements.
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Trustee Oppenheim inquired about the chemical make up of the polymer. Trustee Seiden moved to authorize the purchase of biosolids polymer in an amount not to exceed the budgeted amount of \$31,000 from Aquachem of America, Inc. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

<u>AUTHORIZATION TO EXECUTE BIOSOLIDS REMOVAL CONTRACT FOR 2019 FISCAL YEAR</u>	This year, \$46,000 has been budgeted for the removal and beneficial reuse of the biosolids. In February of 2018, Stewart Spreading provided the lowest price proposal. Their contract included fiscal year 2019 with two optional one-year extensions. Staff recommends waiving the competitive bidding process and execute the biosolids removal contract for 2019 in an amount not to exceed \$46,000.
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Trustee Benton moved to waive the competitive bidding process and execute the biosolids removal contract for 2019 in an amount not to exceed \$46,000. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

AUTHORIZATION TO PURCHASE
UPGRADE TO RADIO CONSOLES
FROM RADICOM

Chief Sliozis stated the police department is seeking approval to purchase equipment to upgrade to a computerized 911 emergency phone dispatch system, including an additional one year

maintenance agreement from Radicom Inc. in an amount not to exceed \$57,042. The system will allow telecommunicators to answer all incoming calls from Deerfield, Riverwoods, Bannockburn and Lincolnshire, as well as separate and prioritize 911 calls from non-emergency calls.

Trustee Shapiro moved to authorize the purchase to upgrade the 911 emergency phone dispatch system from Radicom in an amount not to exceed \$57,042. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

AUTHORIZATION TO PURCHASE
EQUIPMENT RELATED TO
LINCOLNSHIRE DISPATCH
CONSOLIDATION FROM RADICOM

Chief Sliozis reported the Trustees entered into an agreement with the Village of Lincolnshire to provide dispatch services. In the agreement, Lincolnshire agreed to reimburse the Village for certain expenses associated with the consolidation.

The Village's Starcom system needs to be upgraded to incorporate the Lincolnshire frequencies. In addition, the console needs to be upgraded. Both of these expenses will be reimbursed by Lincolnshire. Radicom submitted quotes for the equipment upgrade at a cost of \$31,696.12 and reprogramming at a cost of \$6,566.29.

Trustee Benton moved to authorize the purchase of equipment related to the dispatch consolidation from Radicom in an amount not to exceed \$31,696.12 for the equipment upgrade and \$6,566.9 for the reprogramming. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)

NAYS: None (0)

DISCUSSION

THANK YOU

Mayor Rosenthal thanked the community for their

Support in the Give Where You Live event yesterday. The volunteers packed more than 500 hygiene kits, no sew blankets and food for the food pantry. A couple truck loads have already been distribute.

ADJOURNMENT

There being no further business or discussion,
Trustee Oppenheim moved to adjourn the meeting.

Trustee Shapiro seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 10:00 pm.

The next regular Board of Trustees meeting will take place on Tuesday, January 22, 2019 at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk