

April 15, 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 April 15, 2019, at 7:30 p.m. The clerk called the roll and announced that the following were:

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

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

PLEDGE OF ALLEGIANCE

Members of the Model UN Team from Rochelle Zell Jewish High School led those in attendance in reciting the Pledge of Allegiance. The students introduced themselves and spoke about their experience with the Model UN Team. The team sponsors noted there were 3,500 students from around the world and their team took the top prize for the fifth year in a row.

PROCLAMATION – ARBOR DAY

Mayor Rosenthal proclaimed Friday, April 26, 2019, as Arbor Day in the Village of Deerfield. She urged residents to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Trustee Seiden moved to accept the Proclamation. Trustee Struthers seconded the motion. The motion passed on a voice vote. Director of Public Works and Engineering Bob Phillips noted the Village will plant a tree at DHS in honor of Arbor Day.

PROCLAMATION – EARTH DAY

Mayor Rosenthal proclaimed April 22, 2019, as Earth Day in the Village of Deerfield.

Trustee Oppenheim moved to accept the Proclamation. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote. Daniel Dorfman from the Sustainability Commission accepted the Proclamation. He noted that the Sustainability Commission has partnered with District 109 to promote sustainability and recycling education.

PROCLAMATION – BREATHE DEEP NORTH SHORE

Mayor Rosenthal read a Proclamation in support of Breathe Deep North Shore Day and urged residents to recognize and participate in the event to be held on May 5, 2019, at Deerfield High School.

Trustee Struthers moved to accept the Proclamation. Trustee Shapiro seconded the motion. The motion passed unanimously on a voice vote. George Spathis thanked the Village for hosting the event for the past 8 years and indicated their goal is \$220,000 this year. They expect 800 participants and 100 volunteers.

PROCLAMATION – Mayor Rosenthal proclaimed April 14 – April 20,
TELECOMMUNICATORS WEEK 2019, as National Telecommunicators Week in the Village of Deerfield, in honor of the men and women whose diligence and professionalism keep the Village and its residents safe.

Trustee Benton moved to accept the Proclamation. Trustee Oppenheim seconded the motion. The motion passed unanimously on a voice vote. Carolyn Bunnell thanked the Village for their support.

PROMOTION OF DETECTIVE RICK Chief Sliozis introduced Detective Bernas, who
BERNAS TO SERGEANT started his law enforcement career in Deerfield in 2002. He held several positions within the department including the school resource officer. Mr. Street swore Detective Bernas into the position of Police Sergeant.

Sergeant Bernas thanked the Village and department for their support.

POLICE DEPARTMENT ANNUAL Chief Sliozis thanked the Village for their support.
REPORT He presented highlights from the annual report for the Police Department. The department successfully negotiated dispatch service with the Village of Lincolnshire. They conducted a semi-annual community survey and found 96 percent of respondents had a favorable opinion of the department. The department staff continues to receive training.

The department is very consistent with the number of calls, tickets written, traffic stops and accident reports. The number of injury accidents has decreased. Officers received more than 6000 hours of training throughout the year. Index crimes increased from 135 to 146. The increase is due to a higher number of stolen vehicles. Each car that was stolen had a key fob in the vehicle. He urged residents to lock their vehicles, secure valuables and remove key fobs from vehicles.

Mayor Rosenthal asked about a school resource officer for District 109. Chief Sliozis stated they would add an officer with the majority of the cost being charged to the school. Mayor Rosenthal noted the Village does not have social service personnel. Chief Sliozis stated they are looking to fill the positions as soon as possible.

DOCUMENT APPROVAL Trustee Oppenheim moved to approve the minutes from the April 1, 2019, Board of Trustees meeting. Trustee Shapiro seconded the motion. The motion passed unanimously on a voice vote.

BILLS AND PAYROLL

Trustee Struthers moved to approve the Bills and Payroll dated April 15, 2019. Trustee Shapiro 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 THE REPORT AND RECOMMENDATION OF THE PLAN COMMISSION ON THE REQUEST FOR AN AMENDMENT TO THE DEERIFELD HIGH SCHOOL SPECIAL USE AND A TEXT AMENDMENT FOR A PROPOSED DIGITAL SCOREBOARD FOR DEERFIELD HIGH SCHOOL (SCHOOL DISTRICT 113)

Mr. Street reported this item was tabled at the April 1, 2019, Board of Trustees meeting for further clarification on the landscape plan to mitigate the light from the scoreboard, to clearly define the community events, to identify the person in charge, to clarify the size of the scoreboard, to further investigate the traffic safety issue and to ensure the School Board has approved both the scoreboard and the use.

Trustee Oppenheim moved to remove the item from the table. Trustee Shapiro seconded the motion. The motion passed unanimously on a voice vote.

Deerfield High School Athletic Director Robert Ruiz reported that Booster Club Co-President Larry Letwat has had a number of conversations with residents of the North Trail subdivision. They agree to plant landscaping and would like to install vegetation within 90 days of the installation of the scoreboard. The planting could be on homeowner's properties, school property or both. The school district will pay for the vegetation. Trustee Seiden asked if they would work with the homeowners. Mr. Ruiz stated they would work with the homeowners until they are satisfied.

Mr. Ruiz discussed some of the community events they would like to hold on Adams Field. He noted that Lungevity is an example of one of the approved events. They would do what they can to help get their message across by having short scoreboard videos. When someone calls to use the stadium, the facilities department turns it over to the athletic department. They look for dates and times and determine whether the cause is something that the school should support. The school is not open to anyone that wants to use the facility; rather, they have to be affiliated with the Park District, Village or School. There can be no more than five postseason lighted events per year. There would be no more than six non-lighted events per year. Trustee Shapiro asked whether there would be time limits so movies end at dusk. Mr. Ruiz stated they would need

everyone to vacate the premise before dark. Mr. Ruiz indicated they would not be using advertising as a revenue generation opportunity at the special event and the scoreboard would be used only to promote the actual event.

The Trustees discussed the proposed size of the scoreboard. Mr. Ruiz noted they decreased the size of the board by 12.5 percent, from 740 square feet to 600 square feet and lowered it by 3 feet. He indicated they are trying to be good neighbors.

Chris Kirn, Vice President of Digital Scoreboards, discussed the traffic study. Mr. Kirn noted there have been multiple traffic studies done by neutral groups. The studies comprised of outfitting vehicles with cameras and logging eye movement. Each study concluded digital scoreboards did not cause additional accidents and were not a source of distraction.

Larry Mason, 900 Summit Drive, is the treasurer of North Trails Homeowners Association. The HOA supports proper development and improvements at Deerfield High School. They are concerned about the material alterations to the community. Specifically, they are concerned about noise, especially for community events that are not athletic. The scoreboard would be visual and would have companion sound. He noted that current sporadic use of the sound system at athletic events is very different from hearing a feature-length movie.

Mr. Mason noted they are appreciative of lowering the scoreboard and reducing the size, but they will still see a lot of light. This could add another dimension of light, especially with community events for extended periods of time. Other concerns include taking into account the noise, light, safety and enjoyment of the North Trails community. He asked the Board to implement reasonable conditions. He asked for more information on vegetation and assurances that there is an outlet to address any deficiencies in the plantings. Mr. Mason noted the HOA is concerned about safety and the impact the digital scoreboard will have on safety. He recognized this is for the enjoyment of community, but community events have limits.

Chris Goodsnyder, 155 Exmore Court, noted there are 11 organizations that use Adams Field. A lot of the focus of those against the scoreboard is that there will be increased noise. He requested the Trustees consider that the scoreboard does not have noise. Recent renovations at DHS have made the school and campus a pinnacle in the area. He strongly supports the addition of the digital scoreboard.

Debbie Brodsky, 1146 Country Lane, supported the proposal.

Rich Foust, 990 Summit Drive, supported the proposal.

Lee Guggenheim, 11685 Portage Pass, supported the proposal.

Melissa Hoffman, 885 Mountain Drive, noted the scoreboard can add a speaker system. She wants to ensure something is written that the sound volume cannot be increased.

Board of Trustees Meeting

April 15, 2019

Page 5 of 10

Esther Finne, is in favor of the scoreboard as long as the North Trails HOA amendments are incorporated into the situation.

Heidi Sparacino, 1035 Summit Drive, does not want movies shown on the scoreboard. She is in favor of the scoreboard, with limitations.

Mike Leiderman, 1755 W, Summit, supported the requests of the North Trails HOA.

Luke Nagelbach, 553 Mallard, supported the scoreboard proposal.

Stephanie Braunstein, 27 Aberdeen, supported the scoreboard proposal.

Bernice and David Mangarten, 602 Warwick Road, are in favor of the scoreboard.

Elissa Goldsmith, 1241 Dartmouth, supported the scoreboard proposal.

Chris Silverglade, 1470 Gordon Terrace, supported the scoreboard proposal.

Stefanie Sunday, 157 Augusta, supported the scoreboard proposal.

Michael Polisky, 1780 Overland, asked the Board to consider the size of the scoreboard. He believes people will be compelled to focus on the scoreboard and it will be distracting. Once the sign is up, the school will be less interested in mitigation. It would be nice to have a solid plan in place before it is installed.

Marty Behn, 1000 Summit, is surprised by the dismissive attitude regarding safety. There will be new drivers. It is unlike other signs in Deerfield and will be distracting. He objects to the proposal.

Roger Layette, 1840 Elizabeth Court, supported the scoreboard proposal.

Fred Lurie, 925 Summit, supports the sign with restrictions and limitations on noise and duration of use.

Susan Bromberg, 1139 Gordon Terrace, is the former president of Booster Club. The turf is in place and the stands have been redone. The last item is the scoreboard. Ms. Bromberg understands the concerns of North Trail but knows the Booster Club wants to complete the stadium.

Josh Teppe, 1417 Woodland, supported the scoreboard proposal.

Roshan Richardson, 946 Clay Court, supported the scoreboard proposal.

Malafun and Julie Tiata, 1000 North Avenue, supported the scoreboard proposal

Ruth Brill, 1780 Overland, supports the scoreboard as long as the concerns are addressed, especially the safety.

Lowell Roseman, 950 Summit, supports the scoreboard provided the HOA suggestions are met.

Barbara Roseman, 950 Summit, noted the scoreboard will be around for 30 years. She questioned what changes would be asked for in the future.

Kenneth Lofland, 865 Mountain Drive, is in favor of the digital scoreboard but is concerned about noise, traffic safety and potential liability of the Village.

Billy Kerstein, 990 Hiawatha, supported the scoreboard proposal.

Tim Gassmere, 1240 Courier Court, supported the scoreboard proposal.

Kae Kuk, 820 Pine Street, supported the scoreboard proposal.

Laura Ward, 1224 Walden, supported the scoreboard proposal.

Mary Sue Reeves, 1510 Crowe, supported the scoreboard proposal.

Frank Hirsch, 49 Greenbriar, supported the scoreboard proposal.

Peter Burtch, 990 Mountain, supported the scoreboard proposal.

Howar Handler, 1730 Overland Trail, is in favor of the proposal as long as the North Trail HOA's concerns are addressed.

Steve Isaacson noted the initial size of the scoreboard was 720 square feet. Now it is 600 square feet. Mr. Isaacson believes it is going in right direction, but at 600 square feet, it is still the size of highway billboard. Mr. Isaacson indicated the scoreboard is still much larger than other scoreboards in the area. He believes it should be located at south end of the field.

Mayor Rosenthal asked Chief Sliozis about distracted driving. Chief Sliozis looked at the studies. He believes there are distractions every day. There are different events at the field. There are a number of distractions on the roadway and on the field.

Sam Brown supported the scoreboard proposal.

Rich Rudy supported the scoreboard proposal.

DHS Soccer Coach Brian Bron supported the scoreboard proposal.

Mayor Rosenthal asked Chief Sliozis about the safety concerns of blocking visibility at the south end of the field. Chief Sliozis noted the backdrop of sign would be the building. The sign is elevated. At ground level, the security would still have an unobstructed view. Trees can become an obstruction. Mr. Street noted they may have other types of cameras that could be used.

Trustee Struthers noted North Trails residents are concerned about the sound. She suggested limiting the number of movies to one movie per year. Trustee Oppenheim noted they are asking for a scoreboard without sound capacity. She expressed concern that they will add sound in the future. She suggested the school would not be allowed to increase the sound on their own. Trustee Struthers indicated page 62 of the Board distribution shows the back of scoreboard with a speaker rack.

Trustee Shapiro would like a number of conditions to the Special Use. Mr. Letwat has been working closely with North Trails. The school will review all of the concerns. They have discussed vegetation and agree there should be specific, formal language that protects the neighbors. The Plan Commission suggested waiting 90 days to ensure no other homes are impacted. He is committed to be Co-President for another two years. The Booster Club has demonstrated the commitment to work with the neighbors. They are working to get this done the right way. They have come up with language for vegetation that is reasonable. The size of the Board has been reduced. The actual digital size of Board was 675. It is now 600 square feet. They have come to terms with language around brightness. They discussed usage and limiting the commercial advertising on athletic events. They have agreed to language. Mr. Letwat stated they are still working through community event usage and are continuing to make progress. They are working hard with neighbors to do this the right way.

Mr. Ruiz stated that the school security is not only at ground level, but also at the press box level. The higher you get, the more obstructed the view. Some of the visibility would be blocked if the scoreboard were located on the south side.

Trustee Struthers believes they are asking the Board to approve a moving target. Trustee Jester noted they are only looking to approve a report and recommendation of Plan Commission to draft a possible text amendment.

Trustee Shapiro moved to approve the digital scoreboard as a special use with a text amendment as presented with the following five conditions: 1. Landscaping must be acceptable to homeowners within 90 days of installation; 2. All non-school events must end by dusk; 3. There will only be six non-school events per year; 4. No commercial advertisements at non-school events; 5. No increase to the sound volume. Trustee Seiden 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 FINDING THAT TENNAQUA'S

Mr. Street reported the Board approved the Master Plan in mid-2018. Tennaqua is asking for

FIRST PHASE OF CONSTRUCTION IS IN SUBSTANTIAL CONFORMANCE TO THEIR APPROVED MASTER PLAN substantial conformance. The main difference between what is being proposed and the approved Master Plan is the change from two pop tennis courts to three pickleball courts. Trustee Seiden questioned whether the pickleball courts would be located far enough from residents. Mr. Street noted the pickleball courts would be located 275 feet from the property and would face the tollway. The Park District pickleball courts were requested at 50 feet from residential.

Trustee Jester moved to find the first phase of construction is in substantial conformance to the approved master plan. Trustee Oppenheim 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

ORDINANCE O-19-09 AMENDING SECTIONS 6.01-C AND 14.02 OF THE DEERFIELD ZONING ORDINANCE, AS AMENDED TO MAKE SPECIAL NEEDS SCHOOLS, PERSONAL FITNESS TRAINING CENTERS AND PRIVATE SPORTS TEAM INSTRUCTION SPECIAL USES IN THE I-1 DISTRICT An Ordinance authorizing Text Amendments for special needs schools, personal fitness training centers and private sports team instruction Special Uses in the I-1 District.

ORDINANCE O-19-10 AUTHORIZING A SPECIAL USE PERMIT FOR THE ESTABLISHMENT OF A PERSONAL FITNESS TRAINING CENTER, SPECIAL NEEDS SCHOOL AND PRIVATE SPORTS TEAM INSTRUCTION AND AN AMENDMENT TO A COMMERCIAL PLANNED UNIT DEVELOPMENT An Ordinance authorizing a Special Use Permit for the establishment of a personal fitness training center, special needs school and private sports team instruction and an Amendment to a Commercial Planned Unit Development. Mike Nekritz stated they would like to begin working on the facility and are requesting a waiver of the First Reading for both Ordinances.

Trustee Struthers moved to waive the First Reading of both Ordinances. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Benton moved to reconsider the First Reading of the Ordinance amending Sections 6.01-C and 14.02 of the Deerfield Zoning Ordinance, as amended, to make special needs schools, personal fitness training centers and private sports team instruction special uses in the I-1 District. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Oppenheim moved to approve both Ordinances for Final Reading. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

<p>ORDINANCE O-19-11 AUTHORIZING AN AMENDMENT TO AN EXISTING SIGN PLAN AND SIGN EXCEPTIONS TO ALLOW A NEW GROUND SIGN WITH SIX TENANT PANELS AT 111 S. PFINGSTEN ROAD</p> <hr/>	<p>An Ordinance authorizing an amendment to an existing sign plan and sign exceptions to allow a new ground sign with 6 tenant panels to be located at 111 South Pfingsten Road. The sign will be located 26 feet from the west property line.</p>
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Trustee Oppenheim moved to waive the First Reading of the Ordinance. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Oppenheim moved to adopt the Ordinance. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

NEW BUSINESS

<p>AUTHORIZATION TO AWARD WATER DISTRIBUTION SYSTEM SCADA UPGRADE CONTRACT</p> <hr/>	<p>Mr. Phillips reported the Water Division has six locations that have interconnected SCADA programs that use programmable logic controller systems to control the water distribution system.</p>
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Three of the locations have been updated while the other three locations are using equipment more than 10 years old, which has caused some reliability issues. The Village has used

Automatic Control Services for their SCADA system in the past and would like to continue with them for security and the precision of work.

Trustee Benton moved to waive the competitive bidding process and award the contract for upgrading the SCADA system to Automatic Control Services in an amount not to exceed \$24,430. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

DISCUSSION

LOCAL GOVERNMENT SEMINAR

Mr. Elrod reminded the Trustees of his firm's local government law seminar at Ravinia.

NW MUNICIPAL CONFERENCE

Mayor Rosenthal and Mr. Street spent two days in Springfield discussing the local distributive fund, cannabis legislation and the infrastructure bill at the Northwest Municipal Conference's Lobby Days. They met with Governor Pritzker and he was open to listening to what they had to say. Mr. Street added they spent meaningful time with Senator Morrison and Representative Morgan.

GO GREEN DEERFIELD

Mayor Rosenthal, Mr. Street and Assistant Village Manager Andrew Lichterman met with representatives from Go Green Deerfield. They are looking to present at a Committee of the Whole meeting in May or June.

1 DEERFIELD PLACE

Mayor Rosenthal visited with residents from 1 Deerfield Place to listen to their concerns.

FAIR HOUSING

Mayor Rosenthal reported last Thursday was the anniversary of the Fair Housing Act. Representatives from Leaders United spoke about fair housing, including Zion Woods. The discussion was attended by about 40 people plus clergy.

CANNABIS DISCUSSION

Saturday morning, there was a discussion on recreational cannabis. Tomorrow morning, Mayor Rosenthal and Chief Sliozis will meet with people from other states to find out their experiences. She noted alcohol is licensed by both the State and municipalities, but only the State would be licensing cannabis under the current proposal. Mayor Rosenthal questioned home grown cannabis and would like home grown cannabis to be restricted to those with a medical card.

METRA MORE

Trustee Benton noted Lake County Partners and the Village of Deerfield and City of Lake Forest started a new reverse commute with Metra. There will be a reception at the Lake Forest Metra Station tomorrow. So far, the program has been very successful.

CLOSED SESSION

Trustee Oppenheim moved to go into closed session to discuss litigation and review of closed session minutes pursuant to 2(c)(11), and 2(c)(21) of the Open Meetings Act. Trustee Struthers seconded the motion. The motion passed unanimously on a voice vote. The meeting went into closed session at 9:58 p.m. The Mayor and Board of Trustees returned to regular session

Trustee Oppenheim made a motion to confirm the direction given to Village Attorney Elrod and Special Counsel Wilson to file an appeal in Daniel Easterday, Illinois State Rifle Association and Second Amendment Foundation, Inc. v. Village of Deerfield and Guns Save File, Inc., and John William Wombacher, III v. Village of Deerfield. to the 2nd District Illinois Appellate Court. The motion was Seconded by Trustee Struthers. The motion was approved unanimously.

Trustee Shapiro made a motion to adjourn regular session. The motion was seconded by Trustee Struthers. The meeting was adjourned at 10:45 p.m.

The next regular Board of Trustees meeting will take place on Monday, May 6, 2019 at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk