

June 17, 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 June 17, 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

Talia Newman and Andriy Plakhetko, 2nd and 3rd place winners of the Farmers Market Poster

Contest, lead those in attendance in reciting the Pledge of Allegiance. Nancy Anderson, Farmers Market Chair, reported the Farmers Market is celebrating 25 years. This year there are three new vendors and a new kids' activities director. The Farmers Market Poster Contest winner was unable to attend the meeting. Ms. Anderson noted there were 118 entries to the contest. Mike Moran, Deerfield High School graphics teacher, distributed the brochures and thanked the Village for their support. Mayor Rosenthal presented the contest winners with their awards.

DOCUMENT APPROVAL

Trustee Oppenheim moved to approve the minutes from the June 3, 2019, Board of Trustees

meeting. Trustee Shapiro seconded the motion. The motion passed unanimously on a voice vote.

BILLS AND PAYROLL

Trustee Seiden moved to approve the Bills and Payroll dated June 17, 2019. Trustee Struthers

seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

PUBLIC COMMENT

Mayor Rosenthal asked Village Attorney Steve Elrod to speak on the assault weapons ban appeal.

Mr. Elrod stated that the Appellate Court dismissed the case on a procedural issue with the Circuit Court and did not rule on substantive grounds. The Appellate Court believes the Village's appeal was premature because Judge Berrones did not issue a final order on the matter and the Appellate court was also unsure how Judge Berrones consolidated the cases. The Village's litigation team will get confirmation from Judge Berrones on these matters so then the Village

can appeal, and the court would consider the merits of the case. Mr. Elrod emphasized this ruling has no reflection on the merits of the case; this is strictly a procedural matter.

Director of Public Works and Engineering Bob Phillips reported the Village received two inches of rain over a period of two hours on Saturday, which was rated as a 5-year storm. The back-to-back storms caused the ground to be saturated, and there was no more room for the water to infiltrate into the ground. The treatment plant operated as expected. Some of the well-known “hot spots” were flooded as well as some areas where the Village does not normally see flooding. There were a number of phone calls that came directly to desk phones, which has not happened in the past. He urged residents to contact the non-emergency police phone number in the future.

David Mangarten, 602 Warwick Road, stated Warwick Road flooded on Saturday. He has been watching the capital improvement project for more than a year. Mr. Mangarten finds it very disturbing to see the water rising in the neighborhood and feels it is necessary to record the flooding. Mr. Mangarten sent an email to Mr. Phillips, who responded promptly. Mr. Street questioned whether there was water in his home. Mr. Mangarten indicated he did not get water in his home, but he does know of others that did.

REPORTS

CONSIDERATION AND ACTION ON
A REPORT AND REVIEW OF THE
COMPREHENSIVE ANNUAL
FINANCIAL REPORT

Village Treasurer Eric Burk stated the report is for the fiscal year ending December 31, 2018. The Village received a clean opinion, which is the best outcome. Joe Lightcap, Partner with Baker & Tilly, thanked the Finance Department for their efforts

and provided highlights of the Comprehensive Annual Financial Report. The report provides more information than required by accounting standards, including statistical information and 10-year trend information. The independent auditor’s report took into account the new accounting standard, including a post retirement plan. Mr. Lightcap noted the report also includes a high level overview with comparisons to prior years.

CONSIDERATION AND ACTION ON
A REPORT AND RECOMMENCATION
OF STAFF RE: 2018 EDITION OF THE
INTERNATIONAL BUILDING CODES

Code Enforcement Officer Clint Case reported the 2018 edition of the International Building Codes is important for the ISO audit. He recommended adopting the code in its entirety, including the residential fire suppression component. The Code

has been reviewed for two years and has evolved into something that is easily workable and addresses all new technology. The two fire departments serving the Village also recommended the Village adopt the Code with the inclusion of the fire suppression systems. All surrounding communities, except Highland Park, have adopted the Code. Mr. Case noted a suppression system will assist in minimizing the loss of life and property. Mayor Rosenthal noted the Village received information from Joe Roth expressing his adverse position on this Ordinance. The Village thoroughly discussed fire suppression, and Mayor Rosenthal believes it is time for the Village to adopt the Code including the fire suppression. Trustee Struthers questioned whether

instituting this Code will increase the cost of homes and/or decrease the insurance costs. Mr. Case noted that insurance would be reduced by approximately 7-8 percent in a 4,000 square foot house. Trustee Oppenheim noted this is for new construction, not additions to existing homes.

Trustee Oppenheim moved to direct the Village Attorney to prepare the Ordinance. Trustee Seiden 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-19-18 GRANTING A VARIATION FROM SECTION 2.02-E.2.b OF THE DEERFIELD ZONING ORDINANCE 1978, AS AMENDED (1122 OSTERMAN AVENUE)	An Ordinance granting a variation from Section 2.02-E.2.b of the Deerfield Zoning Ordinance 1978, as amended for the property at 1122 Osterman Avenue.
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Trustee Struthers moved to waive the First Reading of the Ordinance. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Shapiro moved to adopt 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)

ORDINANCE 0-19-15 APPROVING AN AMENDMENT TO THE FUTURE LAND USE PLAN OF THE COMPREHENSIVE PLAN FOR THE VILLAGE OF DEERFIELD - 2R	An Ordinance approving an amendment to the future land use plan of the Comprehensive Plan for the Village of Deerfield. Second Reading.
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ORDINANCE O-19-16 AMENDING SECTIONS 5.02-C AND 9.02-B.8 OF THE DEERFIELD ZONING ORDINANCE 1978 AS AMENDED, TO PERMIT MULTI-FAMILY RENTAL	An Ordinance amending Sections 5-02-C and 9.02-B.8 of the Deerfield Zoning Ordinance of 1978 as amended, to permit multi-family rental apartment and townhouse communities as a Special Use and signs for multi-family rental apartment and
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APARTMENT AND TOWNHOUSE COMMUNITIES AS A SPECIAL USE AND SIGNS FOR MULTI-FAMILY RENTAL APARTMENT AND TOWNHOUSE COMMUNITIES IN THE C-2 OUTLYING COMMERCIAL DISTRICT – 2R

townhouse communities in the C-2 Outlying Commercial District. Second Reading.

ORDINANCE O-19-17 APPROVING A SPECIAL USE FOR A MULTI-FAMILY RENTAL APARTMENT AND TOWNHOUSE COMMUNITY IN THE C-2 OUTLYING COMMERCIAL DISTRICT, AN AMENDMENT TO A COMMERCIAL PLANNED UNIT DEVELOPMENT PLAN AND CERTAIN EXCEPTIONS AND MODIFICATIONS WITHIN THE PUD – 2R

An Ordinance approving a Special Use for a multi-family rental apartment and townhouse community in the C-2 outlying commercial district, an amendment to a Commercial Planned Unit Development plan and certain exceptions and modifications within the PUD.

RESOLUTION R-19-15 APPROVING A DEVELOPMENT AGREEMENT (GATEWAY FAIRVIEW INC)

A Resolution approving a development agreement with Gateway Fairview Inc.

Trustee Seiden moved to adopt the three Ordinances and Resolution. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

NEW BUSINESS

RESOLUTION R-19-16 ADOPTING A NON-EXCLUSIVE EASEMENT AGREEMENT FOR UNDERGROUND UTILITIES

Mr. Phillips noted this agreement is for the frontage road south of the Lake Cook Road water main, which is the last piece on the western end of the run. This piece of the water main is west of the Deerfield Senior Residences and Arbor Lakes

facility. Mr. Phillips noted the Board approved the construction. Staff has been working on an easement agreement that was drafted by the Village Attorney.

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

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

NAYS: None (0)

DISCUSSION

MOSQUITOES

Trustee Struthers reported the rains have caused a lot of standing water and mosquitos are breeding. Highland Park has already reported a case of West Nile Virus. She urged residents with standing water for three or more days to report it to the Southlake Mosquito Abatement District.

TRUSTEE IN THE TOWN

Trustee Seiden reported the Farmers Market is now open. Mayor Rosenthal and Trustee Benton will be at the Farmers Market this Saturday from 9 a.m. to noon to answer questions.

THANK YOU

Mayor Rosenthal thanked the American Legion for leading the Memorial Day ceremonies. They were able to participate at the cemetery and the open house was well attended.

DBR CHAMBER LUNCHEON

Mayor Rosenthal attended a luncheon with the DBR Chamber of Commerce where two scholarships were presented to local students.

FLAG CEREMONY

Mayor Rosenthal thanked the Sons of the American Legion for leading the flag retirement ceremony on June 14 at Jewett Park.

ANNUAL MEETING

Mr. Street reported the Northwest Municipal Conference annual meeting will take place on Wednesday.

ADJOURNMENT

There being no further business or discussion, Trustee Oppenheim moved to adjourn the meeting. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 8:15 p.m.

The next regular Board of Trustees meeting will take place on Monday, July 1, 2019 at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk