

June 18, 2018

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 18, 2018, 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

Acting Director of Public Works and Engineering  
Bob Phillips led those in attendance in reciting the

Pledge of Allegiance.

MINUTES OF PREVIOUS MEETING

Trustee Struthers moved to approve the minutes from the June 4, 2018, Board of Trustee meeting.

Trustee Oppenheim 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 18, 2018. 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 was no public comment on non-agenda items.

REPORTS

REPORT AND REVIEW OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT

Finance Director Eric Burk noted the 2017 Comprehensive Annual Financial Report was included in the Board packet, along with some highlights. The Village has new auditors this year.

Joe Lightcap with Baker Tilly noted the Village received the highest opinion from the outside auditors. There were no new accounting standards issued throughout the year. The Village's Finance Department was excellent in providing information during the transition. There were no disagreements with management or the Board. Trustee Jester asked about the \$800,000 in

pension management service charges. He understands the Village is part of the IMRF, which is the largest and best funded State pension. He asked why there are numbers for Deerfield specifically. Mr. Lightcap stated the numbers listed were based on contributions from the Village and benefits paid to former employees. Trustee Jester indicated the Village pays about \$1 million into the Police Pension Fund, as well. Trustee Oppenheim inquired about the shared debt listing included in the audit. Mr. Lightcap noted this is not just a listing of Village-issued debts, but rather the overall debt tax obligation from all taxing bodies serving all or portions of the Village.

Trustee Seiden moved to accept the report. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REPORT AND RECOMMENDATION OF THE BOARD OF ZONING APPEALS RE: REQUEST FOR AN ADDITIONAL 11.5 SQUARE FOOT SIGN FACE AREA FOR A SECOND SIGN FOR THE NORTH SUBURBAN CHURCH AT 200 LAKE COOK ROAD	The Board of Zoning Appeals held a Public Hearing on May 15, 2018, to consider the request of the North Suburban Church at 200 Lake Cook Road for an additional 11.5-square-feet in sign face area. The new, larger sign would be 35.5 square feet in lieu of the maximum 24 square foot sign. The purpose of the sign would be to provide identification for a second congregation that uses the building. The Board of Zoning Appeals voted 6-0 to recommend approval.
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Trustee Jester moved to accept the report and recommendation of the Board of Zoning Appeals regarding the request for a second sign for the North Suburban Church. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REPORT AND RECOMMENDATION OF THE BOARD OF ZONING APPEALS RE: REQUEST OF MR. MARK C. JACOBSON, 1055 HAZEL AVENUE FOR RELIEF FROM THE DEERFIELD ZONING ORDINANCE FOR A CORNER YARD SIDE YARD SETBACK LOWER THAN THE MINIMUM 15 FEET REQUIRED	The Board of Zoning Appeals held a Public Hearing on May 15, 2018, to consider the request of Mr. Mark C. Jacobson, 1055 Hazel Avenue for relief from the Deerfield Zoning Ordinance to permit the construction of a 1-story attached garage to the existing structure, encroaching 11 feet into the minimum required 15 feet. The Board of Zoning Appeals voted 4-2 to recommend approval.
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Trustee Oppenheim inquired what the actual setback would be. Mr. Jacobson stated the proposed garage would be even with the existing garage. Trustee Struthers indicated the garage would be within nearly five feet of the sidewalk.

Ch. Speckmann noted the garage became a non-conforming structure when the Ordinance changed. Due to the angle of the property, the setback would be in excess of 6 feet.

Trustee Shapiro moved to approve the report and recommendation of the Board of Zoning Appeals regarding the request of Mark C. Jacobson at 1055 Hazel Avenue. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION RE: REQUEST FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) WITH THE NECESSARY EXCEPTIONS; A REZONING OF 658, 662 AND 702 ELM STREET FROM R-4 SINGLE AND TWO-FAMILY RESIDENTIAL TO R-5 GENERAL RESIDENTIAL DISTRICT; A TEXT AMENDMENT TO ALLOW A PUD OF LESS THAN ONE ACRE IN SIZE; A RESUBDIVISION OF THE 702, 662 AND 658 ELM STREET PROPERTIES; AND AN AMENDMENT TO THE COMPREHENSIVE PLAN TO ALLOW THE REDEVELOPMENT OF 658, 662 AND 702 ELM STREET PROPERTIES WITH SEVEN TOWNHOMES

The Plan Commission held a Public Hearing on May 24, 2018, to consider the request for a Planned Unit Development (PUD) with the necessary exceptions including a rezoning of 658, 662 and 702 Elm Street from R-4 single and two-family residential to R-5 general residential district; a Text Amendment to allow a PUD of less than one acre in size; a resubdivision of the 702, 662 and 658 properties and an Amendment to the Comprehensive Plan to allow the redevelopment of the 658, 662 and 702 Elm Street properties with seven townhomes.

Attorney Bernie Citron on behalf of 1218 Partners noted this is his second time appearing in front of the Board. After the Plan Commission's extensive review and negative vote for an eight-unit development, they revised their plans and proposed a seven-unit development. They are trying to provide a type of housing that would allow

existing residents to right size their housing needs while being able to stay in Deerfield. There will be an HOA with these townhomes. He believes this site is appropriate for this type of development. There are three houses that need to be completely rehabilitated or torn down and rebuilt. The new townhomes will not be in competition with the other housing projects in the Village. Mr. Citron noted the neighbors expressed concern that the residents of this development would be transient. He does not believe this will be the case. In addition, they are solving the water issue for the neighbors by creating an oversized detention area. This development will not have a negative impact.

Trustee Struthers indicated the removal of 18 trees may affect the drainage. The replacement trees are small and will not catch the water the same way mature trees would. She questioned whether all the trees needed to be removed. Mr. Citron stated they tried to save more trees, but some of the trees are not healthy. Overall, they are improving the drainage. Trustee Oppenheim noted the existing trees are not helping the drainage issue now. She likes the stepped approach in the front of the townhomes. The detention area will also have a drain outlet that will go to the

storm sewer. Mr. Citron agreed. Trustee Oppenheim believes the water management was done very sensitively. She noted this development will be one of the first things people coming to Deerfield on the train will see.

Trustee Struthers likes the drainage plan but does not like the setback or zoning variation requests. People have their right to have their zoning protected. Mr. Citron stated the sideyard setback variation is required because they are asking for a PUD rather than keeping the R-4 zoning. Trustee Oppenheim noted the setbacks on the adjacent properties are only 10 feet.

Susan Beyer, 661 Chestnut, is a 20-year resident. She believes this project is too dense. She would not want to see townhomes at the entrance to Deerfield. The trees are important to the neighborhood. The water is an issue. She does not think this sends the right message for the entrance to Deerfield. This is not the project that was originally submitted.

Mayor Rosenthal stated every project is considered on its own merits.

Trustee Seiden believes that residents that moved into the houses have a pseudo contract with the Village regarding zoning requirements. When a developer comes in, they come in to develop more houses and make money. The residents also have a right; their right is to preserve what they had in the past. In this case, they have a right for a neighborhood zoned R4. He does not want to develop townhomes that may not be desirable.

Trustee Shapiro considers each matter on its own merits. With a PUD, there are more regulations. This is less intense than Taylor Junction. If looking between R1 and R5, it is dramatic. R4 to R5 is not that dramatic. Trustee Benton noted that when he joined the Plan Commission, they were concerned about the residents that wanted to stay in Deerfield but lived in a home that was not too large for them. It is important to present a variety of housing that meets the needs of residents as their housing needs change.

Trustee Struthers does not think the idea of putting in small PUDs is the best for the Village. She is not in favor of switching from R4 to R5. Trustee Oppenheim noted if the 3 lots were developed with the current zoning, they could put 6 townhouses there instead of 7. The developer believes the best way to develop the property is as a PUD, which is more restrictive. This is an area on the edge of the downtown that is near other multi-family housing. This will improve the look of the neighborhood.

Trustee Oppenheim moved to accept the report and recommendation of the Plan Commission regarding the request for a PUD. Trustee Jester seconded the motion.

Plan Commission member Al Bromberg noted one of the people who testified before the Plan Commission was the owner of the properties. She is unable to maintain the properties and they are deteriorating.

The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Shapiro (4)

NAYS: Seiden, Struthers (2)

REPORT AND RECOMMENDATION  
OF STAFF RE: SUMP PUMP  
DISCONNECTION PROGRAM  
(PERMIT FEES)

Code Enforcement Supervisor Clint Case noted the Village offers a program that helps residents to come into compliance with drainage regulations that reduce inflow and infiltration.

Mr. Case noted the Village offers a program that allows citizens to come into compliance with sump pump regulations that will reduce inflow and infiltration into the sanitary sewer system. The Village is offering a 20 percent rebate. After looking at the permit fees and cost of repairs, he believes there would be more compliance if the permit fees were waived. Any real costs incurred would be passed onto the homeowners. Mr. Case requested the Board authorize the building department to waive fees on this temporary program. Trustee Seiden questioned what would happen to those homeowners that have already complied. Mr. Street indicated it would be made retroactive.

Trustee Seiden moved to accept the report and recommendation of staff regarding the sump pump disconnection program. 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

ORDINANCE AMENDING CHAPTER  
3 OF THE MUNICIPAL CODE OF THE  
VILLAGE OF DEERFIELD INCREASING  
THE NUMBER OF CLASS C  
LIQUOR LICENSES BY ONE (1) TO  
SEVEN (7) FOR CITY BARBEQUE  
AT 365 LAKE COOK ROAD – 1R

An Ordinance amending Chapter 3 of the Municipal Code of the Village of Deerfield increasing the number of Class C liquor licenses by one (1) to seven (7) for City Barbeque located at 365 Lake Cook Road. First Reading.

This will stand as a First Reading of the Ordinance.

ORDINANCE O-18-17 AUTHORIZING  
AN AMENDMENT TO A CLASS B  
SPECIAL USE TO PERMIT THE  
RELOCATION OF BEER AND WINE  
SALES AND ADD A CLASS A SPECIAL  
USE FOR MEDICAL AND  
AND LABORATORY FACILITIES IN  
THE 780 WAUKEGAN ROAD  
WALGREENS STORE

An Ordinance authorizing an amendment to a Class B Special Use to permit the relocation of beer and wine sales and the addition of a Class A Special Use for medical and laboratory facilities in the Walgreens store located at 780 Waukegan Road. First Reading.

Mayor Rosenthal indicated the petitioner requested a waiver of the First Reading of the Ordinance.

Trustee Oppenheim moved to waive the First Reading of 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)

Trustee Shapiro moved for Second Reading and Adoption of the Ordinance. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ORDINANCE O-18-18 AUTHORIZING AN AMENDMENT TO A SIGN PLAN FOR TWO NEW WALL SIGNS FOR ORACLE AT 1405 LAKE COOK ROAD An Ordinance authorizing an Amendment to a sign plan to allow two new wall signs for Oracle located at 1405 Lake Cook Road. Second Reading.

Trustee Benton moved to adopt the Ordinance.

Trustee Struthers seconded the motion.

Trustee Jester asked about the existing building sign that is visible when travelling west. Principal Planner Jeff Ryckaert believes that sign was removed.

The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-18-08 AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VILLAGE OF DEERFIELD AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 150 (PUBLIC WORKS) A Resolution authorizing a collective bargaining agreement between the Village of Deerfield and the International Union of Operating Engineers Local 150 (Public Works).

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

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

NAYS: None (0)

RESOLUTION R-18-09 AUTHORIZING CLOSURE OF A PORTION OF WAUKEGAN ROAD FOR THE FOURTH A Resolution authorizing the closure of a portion of Waukegan Road for the Fourth of July Parade.

OF JULY PARADE

Trustee Seiden moved to accept the Resolution.

Trustee Benton seconded the motion. The motion

passed by the following vote:

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

NAYS: None (0)

OLD BUSINESS

ORDINANCE O-18-21 APPROVING  
AMENDMENTS TO CHAPTER 15-87  
OF THE MUNICIPAL CODE OF THE  
VILLAGE OF DEERFIELD (ASSAULT  
WEAPONS AND LARGE CAPACITY  
MAGAZINES)

An Ordinance approving amendments to Chapter 15-87 of the Municipal Code of the Village of Deerfield (Assault Weapons and Large Capacity Magazines). Mr. Street noted this is cleaning up some of the language in the Ordinance.

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 Oppenheim moved for Second Reading and Adoption of 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)

ORDINANCE AUTHORIZING AN  
AMENDMENT TO A PLANNED UNIT  
DEVELOPMENT (PUD) TO PERMIT  
A NEW PARKING STRUCTURE AT  
1717 DEERFIELD ROAD – 1R

An Ordinance authorizing an Amendment to a Planned Unit Development (PUD) to permit a new parking structure at 1717 Deerfield Road. First Reading.

Mariah DiGrino with DLA Piper summarized the set of improvements that would happen regardless of whether the new parking structure is built. These improvements include the landscaping obligation. The development agreement will stay with the property. Ms. DiGrino stated in the agreement, there is a minimum number of parking spaces required by the Village. She would like to have a cap to the number of parking spaces that can be built, as they have already exceeded the Village's minimum requirement.

Mr. Elrod clarified that the concept proposed by Ms. DiGrino shows there are certain improvements that will be done no matter what. The petitioner is suggesting another set of improvements that would be conditional to building the garage. The petitioner is in search of a

tenant. If they do not find a tenant, they will not be required to make the second set of improvements.

This will stand as a First Reading of the Ordinance.

### NEW BUSINESS

ORDINANCE O-18-21 DECLARING  
CERTAIN PUBLIC WORKS AND  
POLICE VEHICLES AS SURPLUS  
PROPERTY

An Ordinance declaring certain Public Works and Police vehicles as surplus property.

Assistant to the Director of Public Works and Engineering Justin Keenan stated that the Police

Department and Public Works Department have a total of nine vehicles that have reached the end of their useful life and recommends these vehicles be declared as surplus.

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

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

NAYS: None (0)

### DISCUSSION

RESIDENT REQUEST FOR  
CONSIDERATION OF HELMET  
ORDINANCE

Village resident Elise Roman asked the Trustees to consider an Ordinance requiring motorcycle riders to wear a helmet. Several states have enacted laws and she would like Deerfield to spearhead the efforts in Illinois. Mayor Rosenthal noted the Trustees would consider the request.

TRUSTEE IN THE TOWN

Trustee Seiden reported Trustee Struthers and Mayor Rosenthal would be at the Farmers Market on Saturday from 9 a.m. to noon to answer questions from residents.

RIBBON CUTTING

Mayor Rosenthal attended a ribbon cutting at KGH, an outpatient facility for people with Autism. She reported this is an incredible asset to the community.

FARMER'S MARKET

Mayor Rosenthal reported the Farmers Market opened for the season last Saturday. The turnout was wonderful and there are a number of new vendors this year. Trustee Struthers added the Rotary Club has a booth at the Farmers Market for the Rotary Race.

ADJOURNMENT

There being no further business or discussion, Trustee Oppenheim moved to adjourn the meeting. Trustee Jester seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:54 pm.

The next regular Board of Trustees meeting will take place on Monday July 2, 2018, at 7:30 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk