

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 July 2, 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 Ben Schuster, Village Attorney.

MOMENT OF SILENCE

Those in attendance observed a moment of silence memory of Peter Cobentz, Village Attorney for 17

years.

PLEDGE OF ALLEGIANCE

Judy Geuder from the Family Days Commission led those in attendance in reciting the Pledge of Allegiance. There will be food and activities for both children and adults on July 3, followed by fireworks. The youth group from First Presbyterian Church is the new vendor for the pancake breakfast. The Rotary race and the parade will follow their traditional routes. Mayor Rosenthal reminded residents that there should be no illegal fireworks. It wreaks havoc on those with post-traumatic stress disorder.

DEPARTMENTAL OBJECTIVES REPORT – ADMINISTRATION

Assistant Village Manager Andrew Lichterman presented highlights from the six month Departmental Objectives Report for the

Administration Department. Mr. Lichterman reported the department recruited and hired several key positions, primarily due to attrition. The department worked with the Village Board on several initiatives and spent significant efforts on the Historical Society Jubilee that has been rescheduled for September. The Department is supporting the Farmers Market as well as the new mural from the Fine Arts Commission.

MINUTES OF PREVIOUS MEETING

Trustee Oppenheim moved to approve the minutes from the June 18, 2018, Board of Trustee meeting.

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

TREASURER'S REPORT

Finance Director Eric Burk presented highlights from the Treasurer's Report representing 42 percent

of the year. Non-home rule sales tax decreased from the prior month. Water and sewer building reflect lower usage months. Hotel tax decreased from prior month. Electric utility tax is consistent. Building permit revenue is in line with the budget. Large expenditures include infrastructure improvements and pension payments.

BILLS AND PAYROLL

Trustee Seiden moved to approve the Bills and Payroll dated July 2, 2018. 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

Alan Visovatti, 1146 Wilmot, has lived in Deerfield for 50 years, addressed the use of insecticides in yards and its impact on pollinators. There are contractors going around with backpacks spraying mosquitos in residential areas. Mr. Visovatti has a large vegetable garden. Recently, there have not been bees in his backyard, which is having a negative impact on his garden. Mr. Visovatti asked if there are any licenses for spraying contactors. He is fearful of what is going to happen long term. Mr. Visovatti understands the fear of West Nile virus. Mayor Rosenthal will have staff look into who regulates spraying. Trustee Struthers noted the sprays are licensed by the EPA. If the spraying is happening during the day, it may be killing the pollinators.

Chris Goodsnyder, 155 Exmoor Court, is a 17 year resident. He expressed concern about the amount of time homes are for sale on the market along with the high property taxes. Mr. Goodsnyder supports Sen. Morrison's bill to allow local taxes to be deductible on the Federal level. He suggested the Board come up with a Resolution to endorse the passage of this bill.

Andrew Marwick, 442 Kelburn, noted there have been a number of 100-year flood events in the past decade. He does not believe Deerfield has enough affordable housing. Mr. Marwick noted at the Plan Commission meeting last week, they discussed potential housing at Zion Woods. Some residents did not believe it was a good location. Mr. Marwick expressed concern that the location is in a flood plain. He also expressed concern about changing the zoning to R5, as it could change in the future. Mr. Marwick suggested having affordable and disabled housing at Deerbrook.

REPORTS

REPORT AND RECOMMENDATION
OF STAFF RE: SMALL CELL
WIRELESS FACILITIES

Mr. Lichterman reported the State passed a Small Cell Wireless Facility Act that provides regulations and processes for permitting and deploying small cell wireless facilities throughout the state. This has limited the Village's control of installation of small cell antennas in the public right-of-way. The Cable and Telecommunications Commission unanimously recommended incorporating small cell regulations into the existing right-of-way Ordinance.

Mayor Rosenthal questioned whether this Ordinance was sent out by the Illinois Municipal League. Mr. Schuster stated they took the current right-of-way regulations and incorporated the provisions rather than taking the cookie cutter model. Mr. Lichterman noted the template ordinance would have been a stand-alone Ordinance rather than incorporate it with the Village

right-of-way Ordinance. Mr. Schuster noted there is a deadline of August 1, 2018, for the Village to implement the regulations.

Trustee Jester moved to accept the report and recommendation of staff re: small cell wireless facilities. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REPORT OF STAFF RE: OAK AND
ELM TREE TRIMMING AND PRUNING
SEASONAL REGULATIONS

Mr. Street reported these suggested guidelines from the Chicago Botanical Garden and the Morton Arboretum are good for trees. Trustee Oppenheim noted these are best practices and what should be done. Mr. Street explained the Village needs to help educate residents. Mr. Fitzgerald will look into how Lake Forest enforces their regulation.

Trustee Oppenheim moved to accept the report of staff. 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 O-18-24 AMENDING
CHAPTER 3 OF THE MUNICIPAL
CODE OF THE VILLAGE OF
DEERFIELD INCREASING NUMBER
OF CLASS C LIQUOR LICENSES BY
ONE (1) TO SEVEN (7) FOR CITY
BARBEQUE AT 365 LAKE COOK
ROAD – 2R

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.

Trustee Struthers moved to adopt the Ordinance and hold the license until final approval from the Police Department. The motion passed by the following

vote:

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

NAYS: None (0)

ORDINANCE O-18-25 AUTHORIZING
AN ADDITIONAL 11.5 SQUARE FOOT
SIGN FACE AREA FOR A SECOND
SIGN FOR THE NORTH SUBURBAN
CHURCH AT 200 LAKE COOK ROAD

An Ordinance authorizing an additional 11.5 square foot sign face area for a second sign for the North Suburban Church located at 200 Lake Cook Road.

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

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

NAYS: None (0)

ORDINANCE AUTHORIZING RELIEF FORM THE DEERFIELD ZONING ORDINANCE FOR A CORNER SIDE YARD SETBACK LOWER THAN THE MINIMUM 15 REQUIRED AT <u>1055 HAZEL AVENUE – 1R</u>	An Ordinance authorizing relief form the Deerfield Zoning Ordinance for a corner side yard setback lower than the minimum 15 feet required for the property located at 1055 Hazel Avenue. First Reading.
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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 Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

OLD BUSINESS

ORDINANCE AUTHORIZING AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT (PUD) TO PERMIT A NEW PARKING STRUCTURE <u>AT 1717 DEERFIELD ROAD – 2R</u>	An Ordinance authorizing an Amendment to a Planned Unit Development (PUD) to permit a new parking structure at 1717 Deerfield Road. Second Reading.
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RESOLUTION APPROVING A DEVELOPMENT AGREEMENT FOR <u>1717 DEERFIELD ROAD</u>	A Resolution approving a Development Agreement for 1717 Deerfield Road.
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Mayor Rosenthal noted the petitioner asked for more time.

Trustee Struthers moved to table the Ordinance 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

CONCURRENCE WITH THE AWARD OF CONTRACTURAL WORK AT MITCHELL PARK

Acting Director of Public Works and Engineering, Bob Phillips reported the Village is required to pay for this work per an agreement with the Park District that allows the Village to

locate water system holding tanks below the tennis courts. This is for the northern tennis courts and the basketball courts. The scope of the work includes crack sealing, minor repairs, striping and sealing. The Park District identified the need for the repairs and went out to bid. Three contractors were contacted but only one bid was received. Staff recommends moving forward and allowing the work to take place in August. He noted this is a budgeted expense.

Trustee Oppenheim moved to concur with the award of the contractual work at Mitchell Park. Trustee Jester seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-18-11 AUTHORIZING MEMBERSHIP AND PARTICIPATION IN THE NORTHEASTERN ILLINOIS PUBLIC SAFETY TRAINING ACADEMY (NIPSTA)

Mr. Phillips noted the Northeastern Illinois Public Safety Training Academy is an intergovernmental agency comprised of municipalities that provides essential training for Public Works and first responders. The last Resolution was passed in 2008 and spelled out specific individuals rather than the

positions as representatives.

Trustee Struthers moved to adopt 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)

AUTHORIZATION TO EXECUTE INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY (BACKUP WATER CONNECTION)

Mr. Phillips reported the Village receives water from the City of Highland Park. This Intergovernmental Agreement would allow an emergency connection with Northbrook under the Edens spur. The work will coincide with repairs

on the spur and on the Pfingsten Road bridge over the spur. This agreement will provide a casing to allow for an emergency backup water connection with Northbrook. The tollway would construct the improvement and the Village would reimburse the tollway for the work. Northbrook is participating at 50 percent. The overall cost is \$424,000. The Tollway requires the Village to pay 80 percent of the money up front.

Mayor Rosenthal inquired about past annexation agreements with Northbrook that involved the Edens spur. She asked if the property could disconnect from Village and go to Northbrook. Mr. Schuster stated the Village has a clear boundary agreement with Northbrook that would preclude this.

Trustee Shapiro moved to execute the Intergovernmental Agreement. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO EXECUTE
INTERGOVERNMENTAL
AGREEMENT WITH THE VILLAGE OF
NORTHBROOK (EMERGENCY
BACKUP WATER CONNECTION)

Mr. Phillips reported this IGA with Northbrook outlines the scope of work and the cost sharing agreement he previously outlined

Trustee Shapiro moved to execute the Intergovernmental Agreement. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO AWARD
CONTRACT FOR WATER SYSTEM
OPERATOR ASSISTANCE

Mr. Phillips reported the Village has six staff members that manage the water distribution system. Two are senior members, one of whom plans to retire in October. Losing that individual will make

it difficult for a smooth transition. He recommended using a consulting firm to observe the department, document its operational needs and prepare standard operating procedures to help with the transition. The Village sent out an RFQ and interviewed firms. Robinson Engineering was the most qualified firm. The goal is to have the firm up to speed with the system by October when the supervisor retires. Mr. Phillips noted this is not a budgeted expense, but believes the \$31,600 would be well spent. Trustee Jester noted Baxter and Woodman has done a lot of work for the Village. Mr. Phillips stated they were not responsive to the RFP. He also believes it is good to have a fresh set of eyes. Mr. Street believes getting the SOPs put together and right-sizing the division will be a good thing for the Village. The active work will be completed in October. Then the firm will be on call.

Trustee Benton moved to award the contract for water system operator assistance in an amount not to exceed \$31,600. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ABSTAIN: Jester (1)

DISCUSSION

THANK YOU

banquet. It was nice to have friendly faces and support.

Mayor Rosenthal thanked the Trustees for their support at the Northwest Municipal Conference

CONGRATULATIONS

Bar Association.

Mayor Rosenthal congratulated Village Attorney Steve Elrod on becoming President of the Chicago

TRUSTEE IN THE TOWN

residents.

Mayor Rosenthal and Trustee Struthers spent time at the Farmers Market answering questions from

REMINDER

occurrence in the Village with a resident last year suffering from PTSD because of illegal fireworks. Aside from the danger and legal issues, it has a bad effect on returning veterans and first responders.

Mayor Rosenthal reminded residents to abide by the law regarding illegal fireworks. There was a sad

ADJOURNMENT

Trustee Jester seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:34 p.m.

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

The next regular Board of Trustees meeting will take place on Monday July 16, 2018, at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk