

July 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 July 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  
William Seiden  
Dan Shapiro  
Barbara Struthers

Absent: Mary Oppenheim

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

PLEDGE OF ALLEGIANCE

Brad Tokarz led those in attendance in reciting the Pledge of Allegiance.

OATH OF OFFICE

Chief Sliozis reported Brad Tokarz is going to be promoted to the position of Sergeant. Chief Sliozis noted that Tokarz began his employment with the Village of Deerfield in 2010. He coordinated the DARE program and was a bike officer. He is the Union Vice President and has received a number of special trainings. Officer Tokarz has been an active participant in the Department's fundraising endeavors.

Mr. Street delivered the Oath of Office to Sergeant Tokarz. Sergeant Tokarz thanked the Village, his friends and family.

DEPARTMENTAL OBJECTIVES  
REPORT – COMMUNITY  
DEVELOPMENT

Code Enforcement Supervisor Clint Case and Principal Planner Jeff Ryckaert presented highlights from the departmental objectives report for the Community Development Department.

Mr. Case presented highlights from the Building Division. The department processed 354 building permits. The department is very busy with commercial jobs. There have been a number of tall grass complaints, 80 FOIA requests with a number of repeat requestors. The department is on the verge of updating their codes, which will help improve community rating system and may result in a break in insurance premiums for residents.

Mr. Ryckaert presented highlights from the Planning Division. The Plan Commission has seen a lot of activity including the Reva Development and the former Berto Center. There were also updates to the Caruso and Shepard Middle Schools. The Commission will look at the recreational cannabis regulations and Text Amendments for treehouses and playsets. There have

been a number of new commissioners on the Plan Commission. In the coming months, the Plan Commission will receive training from the Village Attorney.

The Village Center Commission has been actively working on the Village Center survey. They hope the survey will be used as a tool to address the community's concerns as well as looking at the positives in the Village center.

The Appearance Review Commission has been very busy with 20 petitioners in the past six months. Liz Delevitt has been with the Village for a year.

The 2020 Census is fast approaching. It is very important to get an accurate count so the Village gets the appropriate funding. The Village will be promoting the Census in many ways. He urged everyone to participate in the Census.

DOCUMENT APPROVAL

Trustee Struthers moved to approve the minutes from the July 1, 2019, Board of Trustees meeting.

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

BILLS AND PAYROLL

Trustee Struthers moved to approve the Bills and Payroll dated July 15, 2019. Trustee Shapiro

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

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

NAYS: None (0)

PUBLIC COMMENT

There were no comments on non-agenda items.

REPORTS

REPORT AND RECOMMENDATION  
OF STAFF RE: RESIDENTIAL  
LIGHTING REGULATIONS

Mr. Case noted the report is very technical. The direction was to come up with regulations that could be enforced and control trespass lighting. The regulations deal with maximum lumens, foot

candles and watt conversion. There is a workable document that can be used to prepare an Ordinance.

Mayor Rosenthal questioned what would be involved with the staff training. Mr. Case noted staff would probably need training to determine how to deal with the unit conversions. Mayor Rosenthal suggested Mr. Case investigate the amount of time and cost to implement this. Mr. Street noted the intention is to train existing staff on how to enforce the regulation. Mr. Case noted this would be on a complaint basis rather than initiating enforcement actions.

Trustee Shapiro asked if other communities have lighting Ordinances. Mr. Case stated there are just a few nearby communities that have guidelines. Trustee Shapiro expressed concern about the

unintended consequences and additional challenges because of two residents' disagreement. Mr. Case indicated it may be a people issue.

Trustee Struthers believes there may be a few more questionable installations, so it may be a good thing to have guidelines. Trustee Shapiro believes a sport court is different than a neighbor with a glare.

Trustee Seiden moved to accept the report and recommendation of staff and to direct the Village Attorney to draft an Ordinance. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Seiden, Struthers (4)

NAYS: Shapiro (1)

#### CONSENT AGENDA

ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT THE ESTABLISHMENT OF A REAL ESTATE OFFICE FOR COLDWELL BANKER TO BE LOCATED AT 675 DEERFIELD ROAD, SUITE 125 – 1R An Ordinance authorizing a Special Use to permit the establishment of a real estate office for Coldwell Banker to be located at 675 Deerfield Road, Suite 125. First Reading.

ORDINANCE AUTHORIZING A SPECIAL USE IN THE I-2 LIMITED INDUSTRIAL DISTRICT TO PERMIT THE ESTABLISHMENT OF A PERSONAL FITNESS TRAINING CENTER AT 151 S. PFINGSTEN ROAD, SUITES A, B, C AND D FOR INSTITUTE FOR HUMAN PERFORMANCE – 1R An Ordinance authorizing a Special Use in the I-2 Limited Industrial District to permit the establishment of a personal training center at 151 S. Pfingsten Road, Suites A, B, C and D for Institute for Human Performance. First Reading.

ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT THE ESTABLISHMENT OF A HEALTH CLUB FACILITY FOR PLANET FITNESS AT 55 N. WAUKEGAN ROAD IN CADWELL'S CORNERS SHOPPING CENTER – 1R (as amended) An Ordinance authorizing a Special Use to permit the establishment of a health club facility for Planet Fitness located at 55 North Waukegan Road in Cadwell's Corners Shopping Center. First Reading (amended)

ORDINANCE O-19-19 AMENDING "THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD, 1975" AS AMENDED TO ADOPT THE 2018 EDITIONS OF THE INTERNATIONAL BUILDING An Ordinance amending "The Municipal Code of the Village of Deerfield, 1975" as amended, to adopt the 2019 editions of the International Building Code, International Residential Code, International Mechanical Code, International

CODE, INTERNATIONAL  
RESIDENTIAL CODE, INTERNATIONAL  
MECHANICAL CODE,  
INTERNATIONAL FUEL GAS CODE,  
INTERNATIONAL PROPERTY  
MAINTENANCE CODE,  
INTERNATIONAL FIRE CODE AND  
INTERNATIONAL POOL AND SPA  
CODE – 2R

Fuel Gas Code, International Property Code,  
International Property Maintenance Code,  
International Fire Code and International Pool  
and Spa Code. Second Reading.

Trustee Seiden moved to adopt the Consent  
Agenda and Ordinance. Trustee Shapiro  
seconded the motion. The motion passed by  
the following vote:

AYES: Benton, Jester, Seiden, Shapiro, Struthers (5)  
NAYS: None (0)

Trustee Struthers moved to direct staff to prepare a report on the performance of Planet Fitness relative to their 24-hour operation after six months of opening. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Seiden, Shapiro, Struthers (5)  
NAYS: None (0)

Management Analyst David Fitzgerald noted there was a request for a waiver of the rules. Trustee Struthers moved to waive the Second Reading and pass Ordinance 0-19-20 authorizing a Special Use in the I-2 Limited Industrial District to permit the establishment of a personal training center at 151 S. Pflingsten Road, Suites A, B, C and D for Institute for Human Performance. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Seiden, Shapiro, Struthers (5)  
NAYS: None (0)

#### OLD BUSINESS

There was no Old Business.

#### NEW BUSINESS

RESOLUTION R-19-17 AUTHORIZING  
AN EXTENSION TO SUBMIT FINAL  
DEVELOPMENT PLAN FOR ZION  
WOODS

A Resolution authorizing an extension to submit  
the final development plan for Zion Woods.

Mayor Rosenthal indicated a few neighbors have  
come forward with concerns. She asked why it is  
taking an additional 18 months to get funding. David Brint, speaking on behalf of the developer,  
noted it has to do with State funding. The governor sent out messages about a capital budget, so  
the State agency did nothing to fund the project until November. The application round for  
funding will come out in October. They have gone in for several rounds but have been denied  
because of scoring. There is a lot of demand and they did not score high enough. Mayor

Rosenthal asked if there have been changes to the plan. Mr. Brint stated they may decide to do it in phases, but the infrastructure and water retention will be done in the first phase. Trustee Struthers noted the Village did not anticipate doing this in two phases, as it extends the construction. Trustee Benton indicated there is a note about the property not being maintained. Mr. Brint will inform the church. Trustee Shapiro asked if the line of communication with the residents is open. He believes it may be useful to establish it again to keep them informed and aware of the status.

Trustee Jester moved to accept the Resolution. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ABSTAIN: Seiden (1)

AUTHORIZATION TO ENTER INTO  
A COLLECTIVE AGREEMENT WITH  
MERCHANTS' CREDIT GUIDE  
COMPANY

Deputy Chief Keane reported the Police Department is seeking authorization to enter into a collection agreement with Merchants' Credit Guide Company. The previous collection vendor merged with Merchants' Credit. This agreement will be for

the Village administration and the police; everything else will remain the same.

Trustee Seiden moved to authorize the agreement. Trustee Jester seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO EXECUTE THE  
DESIGN CONTRACT FOR DEERFIELD  
ROAD (WEST OF CHESTNUT)

Staff Engineer Tyler Dickinson reported the Village was informed by Lake County Department of Transportation that Deerfield Road, from Wilmot Road going west, is slated for construction in 2020.

The Village would like to align the resurfacing of Deerfield Road from Chestnut Street to Wilmot Road to minimize the impact on motorists. This portion of Deerfield Road was last resurfaced in 2005. Mr. Dickinson reported the Village received a design proposal from Manhard Consulting Ltd. for Phase II engineering. The Village budgeted \$100,000 for this project.

Trustee Jester moved to authorize the execution of the design contract for Deerfield Road west of Chestnut with Manhard Consulting in an amount not to exceed \$93,450. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-19-18 AUTHORIZING

Mr. Dickinson stated Lake County Passage

LAKE COUNTY DATA SHARING  
AGREEMENT

Transportation System provides near real-time traffic information. LCDOT initiated an agreement to further improve the information and is

requesting access to data from two Village-owned signals at Chestnut Road and Deerfield Road and Corporate 500 Drive and Pfingsten Road.

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

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

NAYS: None (0)

RESOLUTION R-19-19 AUTHORIZING  
A NON-EXCLUSIVE EASEMENT  
AGREEMENT FOR 126 MILLSTONE  
AND 140 MILLSTONE

Mr. Dickinson reported that the Village tries to address drainage concerns in the Village. They began discussions with Highland Park regarding Piccadilly Road, as it drains from Deerfield Road out to Millstone Road, ultimately into the

Village storm sewer. During heavy rain events, there is an abundance of water that floods backyards. All parties involved have agreed on a design plan. The Village has worked with residents, who feel it is a viable plan. Part of the plan includes installing a storm drain. There are currently no easements. The two easements would allow the storm sewer to be installed and improve drainage. There is not a cost yet, but the engineer's estimate split between Deerfield and Highland Park, is about \$50,000.

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

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

NAYS: None (0)

RESOLUTION R-19-20 APPROVING A  
GREENWOOD AVENUE UTILITY  
EASEMENT AGREEMENT WITH  
METRA

Mr. Dickinson reported part of the reconstruction requires using Metra's right-of-way. IDOT requires an agreement prior to the contractor working on the deficient utilities, but there is currently no easement agreement in place. A formal easement agreement

has been drafted by Metra and reviewed by Village Counsel.

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

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

NAYS: None (0)

DISCUSSION

FAMILY DAYS

Mayor Rosenthal reported Family Days was a wonderful event. Residents enjoyed the extra bounce houses and rides on July 3. She believes the crowds were larger than usual. Everything was very orderly. Mayor Rosenthal thanked the Police Department for getting everyone out of the park so quickly after the fireworks. She noted the 4<sup>th</sup> of July activities started early with the Rotary Race. There were more people than usual watching the parade. She thanked the Family Days Commission for their hard work, as well as the Village staff, Police, the Park District, Public Works Department and Justin Keenan for making sure everything ran smoothly.

TRUSTEE IN THE TOWN

Trustee Seiden reported Trustee Struthers and Trustee Shapiro will be answering questions at the Farmer's Market on July 20, 2019 from 9 – noon.

ADJOURNMENT

Trustee Shapiro moved to go into Executive Session to discuss litigation, real estate and the review of closed session minutes pursuant to 2(c)(11), 2(c)5, 2(c) 6, and 2(c)(21) of the Open Meetings Act. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

The meeting was adjourned to Executive Session at 8:30 p.m.

The next regular Board of Trustees meeting will take place on Monday, August 5, 2019 at 7:30 p.m.

APPROVED:

---

Mayor

ATTEST:

---

Village Clerk