

February 1, 2021

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Harriet Rosenthal remotely on February 1, 2021, 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 virtual quorum was present and in attendance. Also present via teleconference were Kent Street, Village Manager at Village Hall, and Steve Elrod, Village Attorney.

PLEDGE OF ALLEGIANCE

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

Pledge of Allegiance.

SNOW EVENT REPORT

Mr. Phillips reported the Village received 12 inches of snow between Saturday afternoon and Sunday morning, as measured by the Public Works department. There were an additional three inches on Sunday. The Public Works crews started salting and pre-treating streets on Saturday and plowed all day through Sunday. The Village clears about 25 miles of sidewalk. The sidewalk crew is on day two of sidewalk clearing. It will take between 36 and 48 hours to complete the sidewalk routes due to the volume of snow.

Public Works crews plowed all routes this morning. There will be a coordinated effort tomorrow between Fire Protection District and Public Works to clear fire hydrants buried in snow. It is up to the Fire Protection District to determine which hydrants will be cleared.

A total of 275 tons of rock salt were used as well as liquid salt brine to assist with the storm. Salt usage was cut in half and they want to get that down even more to reduce the chlorine footprint. The crews spent 30-40 hours working on plowing, salting and clearing sidewalks. The department did the best they could to social distance during the storm. They will remove snow from downtown overnight on Wednesday and Thursday. All of the sidewalks will be shoveled and snow will be hauled to the storage yard. Mayor Rosenthal thanked the department noting Deerfield always sets the bar very high.

Trustee Struthers reported her neighbor got out to Saunders Road, and stated everything was good until they got out of Deerfield.

DOCUMENT APPROVAL

Trustee Struthers moved to accept the minutes

from the January 19, 2021, Board of Trustees meeting. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ABSTAIN: Shapiro

#### TREASURER'S REPORT

Finance Director Eric Burk presented highlights from the December 2020 Treasurer's Report before adjustments. Year to date sales tax net of the rebate decreased from the prior two years due primarily to economic incentive activity and reduced sales related to COVID pandemic. Year to date hotel tax reflects reduced hotel stays related to COVID pandemic. December hotel tax includes back taxes from one hotel. Food and Beverage Tax lags, but is doing better than expected due to the current environment. Year to date building permit revenue includes Oracle Innovation Lab and Horizon Therapeutics. Notable expenditures for December include infrastructure project costs, economic incentive payment to Jewel, Police Pension contribution, budgeted transfers to 2011B sinking fund and infrastructure replacement fund, and three payrolls.

#### BILLS AND PAYROLL

Trustee Oppenheim moved to approve the Bills and Payroll dated February 2, 2021. 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

Mayor Rosenthal explained the emails received before the meeting would be read during the first Public Comment. If any emails are received during the meeting, they would be read during the second Public Comment. If someone wants to make a comment via Zoom, they need to raise their hand on Zoom or press \*9 by phone.

There were no in-person public comments on non-agenda items.

Dr. Kevin Gill commented via Zoom. Dr. Gill explained his family is new to Deerfield. They made a request to get some dispensation from the Board to have a mini or micro pig as a pet. This has been done in the past with chickens. Dr. Gill explained a mini pig usually weighs 50 – 60 pounds, which is smaller than a German Shepard. A mini pig gives the same amount of pass through, but there is more scent per volume. Dr. Gill explained they would keep the output in a container or flush it down the toilet so it does not smell. They would take the pig to get all necessary medications. Dr. Gill does not want to make anyone upset and his family wants to be good community members by being responsible. Sometimes people think pigs are noisy, but they are only noisy when they eat in a group or when they are mating. The pig would be fixed, so that would not be an issue. Dr. Gill's daughters noted pigs are fun and unique animals and they would like to train a pig.

Mayor Rosenthal asked if they spoke with neighbors. Dr. Gill stated they have not spoken yet, because wanted to ask Board if having a pig is a possibility. They would be happy to speak with their neighbors.

Trustee Struthers did a lot of work with pigs and there are a couple problems. The aroma from pig poop is different from other animals and she is unsure how it can be controlled. Pigs are also very noisy. Her employees that worked with baby pigs had to wear industrial ear protection for the noise. When pigs squeal, they are very noisy. Trustee Struthers knows they are smart and trainable, but they are not as desirable as more common pets.

Trustee Oppenheim believes Dr. Gill has addressed those concerns. A number of people with dogs have a contractor to clean up after their pets. She does not believe the odor and noise are insurmountable. Many people have mini pigs as pets and it may be something to give it a try.

Trustee Struthers noted mini pigs weigh between 70 and 170 pounds.

Mr. Street suggested surveying neighboring communities to see how they handle pigs in their communities. Staff will come back to the Board with a report. Trustee Shapiro suggested Dr. Gill speak with his neighbors as well.

#### REPORTS

<p>CONSIDERATION AND ACTION ON A REPORT AND RECOMMENDATION OF THE BOARD OF ZONING APPEALS CONCERNING A REQUEST FOR RELIEF FROM ARTICLE 2.03-D,3 OF THE DEERFIELD ZONING ORDINANCE FOR THE PROPERTY LOCATED AT 1133 TERRACE CT TO PERMIT THE CONSTRUCTION OF A CARPORT ATTACHED TO THE EXISTING TWO CAR GARAGE SEPARATED FROM THE STRUCTURE BY 3 FEET IN LIEU OF 10 FEET AS SPECIFIED IN THE DEERFIELD ZONING ORDINANCE</p>	<p>The Board of Zoning Appeals continued a Public Hearing on January 5, 2021 to consider the request of Daniel Dorfman, 1133 Terrace Court, for relief from Article 2.03-D,3 of the Deerfield Zoning Ordinance to permit the construction of a carport attached to the existing two-car garage, separated from the structure by 3 feet in lieu of the permitted 10 feet as specified in the Deerfield Zoning Ordinance.</p> <p>The Board of Zoning Appeals voted 4-1 in favor of the request. They believe the request variation was based on the unique configuration of the property. The requested relief would provide a reasonable land use and satisfied the standards for variation</p>
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specified in the Zoning Ordinance.

Trustee Struthers asked if this includes any additional impervious surface. Mr. Street noted it would be a carport over the existing driveway. Trustee Oppenheim asked if the petitioner would be able to get a second car around the pillar. Mr. Dorfman went to a design professional who stated a smaller car can do it.

Trustee Jester moved to accept the report and recommendation of the Board of Zoning Appeals regarding the request to construct a carport attached to the existing two car garage and preparation of an Ordinance. Trustee Struthers 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 THE PLAN COMMISSION RECOMMENDATION ON THE REQUEST FOR A SIGN PLAN AMENDMENT FOR A NEW WALL SIGN FOR THE OFFICE BUILDING <u>LOCATED AT 155 PFINGSTEN ROAD</u>	The Plan Commission held a Public Hearing on December 10, 2020 to consider the request for a sign plan amendment for a new wall sign for the office building located at 155 Pfingsten Road.  The Plan Commission voted 7-0 in favor of the request.
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Trustee Struthers moved to accept the report and recommendation of the Plan Commission regarding the request for a sign plan amendment for the office building located at 155 Pfingsten Road and preparation 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)

CONSIDERATION AND ACTION ON THE PLAN COMMISSION RECOMMENDATION ON THE REQUEST FOR AN AMENDMENT TO THE DEERFIELD HIGH SCHOOL SPECIAL USE AND A TEXT AMENDMENT TO THE ZONING ORDINANCE FOR A DIGITAL SCOREBOARD ON ADAMS ATHLETIC FIELD FOR DEERFIELD HIGH SCHOOL TOWNSHIP HIGH SCHOOL DISTRICT <u>113</u>	The Plan Commission held a Public Hearing on December 10, 2020 to consider the request for an Amendment to the Deerfield High School Special Use and a Text Amendment to the Zoning Ordinance for a digital scoreboard on Adams Athletic Field. The Plan Commission voted 7-0 in favor of the request.  Trustee Struthers thanked the petitioners for bringing a much better sign in the right location with no movie nights. The coaches and teachers would use the PA system during practices.
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Trustee Struthers asked whether the neighbors would be affected by the amplified sound. She also asked how many community events are planned. Nathan Flannery, Associate Athletic Director of Deerfield High School, stated they have not used the PA system for practices in previous years. Currently, due to Covid-19, coaches are wearing masks so they are muffled. He ensured the Trustees they would be conscientious of the noise.

Architect Michael Dolter reported the main thing is to not limit the district's use of the system. They want the flexibility to use the field with other organizations but would limit the sound and video uses. The School District wants to work with the community to identify and reduce impact on the neighbors. Mr. Dolter indicated they are currently talking about the scoreboard as sound is not in this proposal. Mayor Rosenthal noted the petitioner is requesting unlimited use during the daytime and a limit on the number of evenings which the sound system could be used.

Mr. Dolter discussed the history of the scoreboard at DHS. The proposed scoreboard would be located slightly to the west of the existing scoreboard on Adams Field. The overall size of the scoreboard is much smaller than the previous submittal. There is no sound associated with the scoreboard; there is only a game horn. The sound will be on the existing PA system. They will have the same number of lighted events at night. They have two categories of use – school and non-school events. Non-school use will be for community groups as permitted, with a limit of 30 minutes per event for video/sound. Mr. Dolter discussed the sight lines and noted there is a large line of foliage screening the sign.

Trustee Struthers asked who would benefit from the advertising income. Laurence Letwat, of the DHS Booster Club, explained the advertising revenue goes to the Booster Club, who would be soliciting the ads and community partnerships. Mr. Flannery noted the advertising would provide great assistance for student athletes. There will be a sign agreement that will control the types of ads that would be permitted.

Mr. Street read an email received for Public Comment on this agenda item.

Deerfield resident Chris Goodsnyder is in strong support of allowing a digital scoreboard at Adams Field. He believes it will be a wonderful addition to the athletic facilities at DHS and will improve the experience of students, coaches and fans.

Trustee Struthers moved to approve the report and recommendation of the Plan Commission and direct the Village Attorney to prepare an Ordinance. Trustee Benton 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 REPORT AND RECOMMENDATION OF STAFF RE. SHORT-TERM RENTALS** Assistant Village Manager Andrew Lichterman noted the Village prohibits short-term rentals of less than 30 days in residential dwellings except for hotels or corporate rental housing in multi-tenant buildings. Staff recommends amending the Zoning Ordinance to further clarify the policy. The next step would be to hold a Public Hearing to consider a minor Text Amendment. Alternatively, if the Village Board requires further deliberation on this matter, staff recommends the matter be referred to the Plan Commission for additional research and evaluation. The Plan Commission could then further identify policy objectives that short-term rental regulations would achieve.

Mayor Rosenthal reported the Village currently prohibits short term rentals. Mr. Elrod reported he has experienced a number of targeted arguments from interest groups fighting this issue. If the Village's intent is to continue prohibiting short term rentals, the Board needs to make it stronger and more like the Village Code. This could be completed by taking the definition and putting it into the Zoning Code. Mr. Elrod explained to amend the Zoning Code, a public hearing by the Plan Commission is required prior to Board approval.

Trustee Oppenheim and Trustee Seiden prefer to ask the Plan Commission to consider a Text Amendment similar to what was articulated in the packet and then provide the Trustees with a recommendation on the Text Amendment.

Trustee Oppenheim noted municipalities do not receive any income or tax revenue from these rentals and it sets up an adversarial competition with existing rental entities, such as hotels. The Village has a hotel tax and a food and beverage tax, so prohibiting these short-term rentals is in the Village's best interest. Trustee Benton added the Village should also consider neighbors of these properties and believes the regulations need to be tightened up.

Trustee Oppenheim moved to send the short-term rental Text Amendment definition to the Plan Commission. 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

There was no Old Business.

#### NEW BUSINESS

RESOLUTION R-21-04 FOR 2021 MFT     Assistant Village Engineer Tyler Dickinson  
STREET REHABILITATION PROJECT     reported the Resolution appropriates and authorizes  
Motor Fuel Tax expenditures for the

2021 Street Rehabilitation Project. The project this year will include the reconstruction of Ambleside Drive, Dimmeydale Drive, Elder Lane, Greenwood Avenue east of Waukegan Road, and Windcrest Drive. The scope of work includes pavement removal and replacement, curb and gutter removal and replacement, sidewalk removal and replacement, storm sewer improvements, adjustment of structures and parkway restoration. Similar to previous years, in locations where substandard sidewalks are encountered, the Village will make improvements when feasible. The

budgeted amount for the project this year, including \$1,000,000 in MFT and \$824,000 in Rebuild Illinois Grants is \$2,017,000. The proposed Village's share of this project is budgeted at \$193,000.

Trustee Seiden moved to approve the 2021 MFT Street Rehabilitation Project. 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-21-05 FOR 2021 REBUILD ILLINOIS BONDS STREET REHABILITATION PROJECT Mr. Dickinson stated this Resolution appropriates and authorizes the Rebuild Illinois expenditures for the 2021 Street Rehabilitation project. The Village's share of the Rebuild Illinois Bonds is more than \$206,000 every six months for 2020 and 2021.

Trustee Oppenheim moved to adopt the Resolution for the 2021 Rebuild Illinois bonds Street Rehabilitation Project. Trustee Jester seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

PUBLIC HEARING FOR THE CONSIDERATION OF PUBLIC COMMENT RE. THE VILLAGE'S STORM WATER MANAGEMENT PLAN NPDES Mr. Dickinson stated the Village's storm water management plan was developed with the purpose of meeting the standards required under the National Pollutant Discharge Elimination System (NPDES) program. This plan describes the procedures and practices that are implemented by the Village of Deerfield toward the goal of reducing the discharge of pollutants within storm water runoff to comply with NPDES standards. Compliance with the SWMP is intended to protect water quality thus contributing to cleaner lakes and streams, improved recreational opportunities, flood damage reduction, better aesthetics and wildlife habitat, and a safer and healthier environment for citizens.

Trustee Oppenheim moved to open the Public Hearing. Trustee Seiden seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Jester indicated the new refuse removal program will have two hazardous waste pickups per year.

Trustee Struthers moved to close the Public Hearing. 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 2021 STREET LIGHT SYSTEM UPGRADES** Mr. Dickinson explained the Department budgeted \$50,000 for the upgrade and/or replacement of the Village's street light system. The scope of work for the upgrades include new wires, light poles and luminaires. This year, the Village has targeted the installation of 2,600 linear feet of street light wire, in conduit, along Kenton Road, between Margate Terrace and Colwyn Terrace. The new conduit would be installed by way of horizontal direction drilling, which is a trenchless technology and will minimize roadway and parkway impacts. Staff does not have the capabilities to install the conduit in this fashion. Three proposals have been solicited from area contractors to perform the work. DeMuth, who operates out of Volo, had the lowest proposal price at \$39,000.

Trustee Shapiro moved to waive the competitive bidding process and award the 2021 street light system upgrade contract to DeMuth in an amount not to exceed \$39,000. 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 PLANIMETRIC MAPPING CONTRACT** Assistant to the Director of Public Works and Engineering Justin Keenan explained planimetric mapping is the information pulled from aerial images such as the footprint of buildings, sidewalks, streets, etc. The current planimetric mapping from 2017 is very outdated. The GIS Consortium conducts an RFP process every five years and Ayres Associates was selected as the aerial imagery and planimetric mapping provider. The contract cost for planimetric mapping is \$26,439. \$25,000 was budgeted for this work. If other communities sign up, Ayres Associates will decrease the cost of the contract.

Trustee Struthers moved to waive the competitive bidding process and award the planimetric mapping contract to Ayres Associates in an amount not to exceed \$26,439. 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 THE CONTRACT FOR RECTANGULAR RAPID FLASHING BEACON** Rectangular Rapid Flashing Beacon Pedestrian Crosswalk Systems are user-activated flashing LEDs that supplement the standard warning signs at

REPLACEMENT TO H&H ELECTRIC, INC (NTE \$21,992.50) mid-block crosswalks. These systems allow an additional layer of pedestrian safety by providing drivers real-time warning when pedestrians are planning to use a crosswalk. The Village owns and maintains three such systems located at Deerfield Road and Jonquil Terrace, Deerfield Road and Pine Street, and Wilmot Road and Montgomery Road.

Mr. Dickinson reported each year, the Village is required to provide maintenance and support to these systems when issues arise. The Village discovered last month during a maintenance call that the system at Jonquil Terrace and Deerfield Road was no longer operational. Unfortunately, the system hardware is no longer supported by the vendor and parts are not available. Therefore, a complete replacement of the system is required.

The Village received a proposal from H&H Electric Company to replace this system at a cost of \$21,993. H&H Electric has been providing the Village with the maintenance of these systems as well as the Village's traffic signals for years and is the well suited to perform this replacement.

Trustee Jester moved to waive the competitive bidding process and award the contract for street light system upgrades in an amount not to exceed \$21,993. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

### DISCUSSION

#### PUBLIC COMMENTS

Mr. Street read the public comment received during the meeting.

Mr. Goodsnyder asked staff to share an update on efforts to make retired computers available for residents. Mr. Lichterman explained the IT Division is still evaluating the computers and determining whether there is any resale value. They will determine if there is any value before bringing it to the Trustees. The Board may decide to donate the computers if they are not obsolete. Mr. Lichterman explained they would provide a memo to Mr. Goodsnyder and the Trustees.

#### MEETING WITH REPRESENTATIVES

Mayor Rosenthal and Mr. Burk and participated in a Zoom meeting with representatives and senators from the districts surrounding Deerfield. They discussed what has taken place during the pandemic, with the loss of sales and hotel tax as well as the CARES Act. Mayor Rosenthal noted the money received was great, but did not replace the lost revenue. The 2019 Capital Bill was not encouraging. Each community had the opportunity to discuss their losses and what they did to help their businesses. Mayor Rosenthal indicated other communities took stricter action to cut costs than Deerfield by offering an incentive to senior staff to resign and

replace them with less experienced staff. They also discussed body cameras and FOIA requests. Mayor Rosenthal believes it was worthwhile to participate.

CONGRATULATIONS

any complaints.

Mayor Rosenthal congratulated Bob Phillips for a successful sludge haul. The Village did not receive

NEXT MEETING

to observe the Presidents' Day holiday.

Mr. Street reminded residents the next meeting Would take place on Tuesday, February 16, 2021,

SNOW REMOVAL

windows are clear.

Chief Sliozis urged residents to remove snow from the top of vehicles and not start driving until the

ADJOURNMENT

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

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

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

NAYS: None (0)

The meeting was adjourned at 9:06 p.m.

The next regular Board of Trustees meeting is scheduled to take place on Tuesday, February 16, 2021, at 7:30 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk