

February 18, 2020

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 February 18, 2020 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 (arrived 7:40 pm)
Barbara Struthers

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

PLEDGE OF ALLEGIANCE

Mr. Burkland lead those in attendance in reciting the Pledge of Allegiance.

PROCLAMATION

Mayor Rosenthal proclaimed the Village's support for allocating resources to achieve greenhouse gas reduction goals and urged all community stakeholders go join the Village in this effort.

Roger Dart, 1057 Camille Ave., is pleased with the action and supports the proclamation. Speaking on behalf of himself and Trinity United Church of Christ, he noted this fits in with the church's environmental ministry.

Meryl Gathy and Caitlin Wilde are in support of the Proclamation. They are students at Deerfield High School and take part in environmental studies. They are glad the Village is taking the next step and showing leadership to other communities.

Jessica Lorber, 650 Carriage Way, is proud the Village is taking the step to create a sustainable future for children.

Lucas Hergert, 909 Holmes Ave., is the Minister of North Shore Unitarian Church and supports the proclamation.

Camilla Dadey, with Go Green Deerfield, reported her organization posted about the Village's proclamation and their reach more than doubled. The proclamation is showing the leadership they are seeking.

Mayor Rosenthal met with representatives of Go Green Deerfield and appreciates their hard work. She noted the Sustainability Commission also works to help with the ecology in the Village.

Trustee Jester noted there is a 2011 proclamation from the Sustainability Commission. He believes this issue should go to the Sustainability Commission before Board action is taken and moved to refer the Proclamation to them for their recommendation.

Trustee Jester moved to refer the Proclamation to the Plan Commission. Trustee Struthers seconded the motion. The motion did not pass by the following vote:

AYES: Jester (1)

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

Trustee Oppenheim moved to accept the Proclamation. Trustee Shapiro seconded the motion. Trustee Jester suggested changing the wording to remove the phrase “the existential crisis” from the proclamation. The Village’s attorney advised that there is a motion on the floor that requires action. The original motion passed, without Trustee Jester’s suggested word changes, by the following vote:

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

NAYS: Jester (1)

DOCUMENT APPROVAL

Trustee Oppenheim moved to accept the minutes from the February 3, 2020, Board of Trustees meeting. Trustee Struthers seconded the motion. The motion passed unanimously on a voice vote.

BILLS AND PAYROLL

Trustee Seiden moved to approve the Bills and Payroll dated February 18, 2020. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

PUBLIC COMMENT

There were no Public Comments on non-agenda items.

REPORTS

REPORT OF STAFF RE: 2019 FLOW MONITORING STUDY AND INFLOW AND INFILTRATION PROGRAM UPDATE

Director of Public Works and Engineering Bob Phillips provided a brief history on the sanitary sewer and I and I studies. The 70 miles of sanitary sewer are connected and end up at the Wastewater Treatment Plant. At the treatment plant, they can handle a maximum flow of up to 9 million gallons. During heavy rain events, they can get more than 30 million gallons that are held at the lagoon before going back to the plant for processing. The recent I and I program began in 2007. A consultant measured flow during both dry and rainy

weather. The consultant identified 13 out of 20 basins that needed a lot of work. In 2008, the Village started doing smoke testing to determine where smoke came out and 418 homes were cited for issues. In 2013, the Village contracted with Red Zone Robotics to televise the mains and provide a condition rating for each sewer in the Village. In 2015, the sewers were cleaned. In 2016, the Village put together a nine-year program to line sanitary sewers and reconstruct manholes.

In 2019, the Village hired Robinson Engineering to provide a snapshot of the data and compare it to the 2007 information. The average dry daily flow as well as the base infiltration were reduced by 31 percent and 27 percent, respectively. Mr. Phillips recommends continuing with the nine-year program. The Village needs to look at lateral lines, a mandate on illegally connected sump pumps and another snapshot of the system.

Trustee Struthers asked how the basin maps were defined. Mr. Street indicated it is defined by the elevations. Trustee Oppenheim asked if the study showed any surprises. Mr. Phillips noted the Village knows where the problems and this reinforces that. Trustee Shapiro asked who is responsible for the lateral lines. Mr. Phillips stated the landowner is responsible for the lateral lines. Trustee Struthers noted this will help the homeowners. Trustee Jester noted the issue of illegal sump pump connects needs to be addressed.

Trustee Oppenheim moved to accept the report of staff regarding the 2019 flow monitoring study and inflow and inflow and infiltration program update. Trustee Struthers seconded the motion. The motion passed unanimously on a voice vote.

REPORT AND RECOMMENDATION OF Assistant Village Manager Andrew Lichterman
STAFF RE: AMENDMENTS TO THE reported the in 2016 the Village signed an
INTERGOVERNMENTAL AGREEMENT Intergovernmental Agreement with the Village of
BETWEEN THE VILLAGE OF Riverwoods to disconnect the property from
DEERFIELD AND THE VILLAGE OF Deerfield and annex to Riverwoods. The original
RIVERWOODS FOR 780 SAUNDERS IGA stated they would develop a restaurant on the
property. The property owner asked the Village of
Riverwoods for an amendment to allow the construction of a hand carwash and service facility.
They are asking for relief from the restaurant use as well as different dates and a different use for
tax sharing.

Mayor Rosenthal noted they would be extending the length of time for the sales tax sharing from 2029 to 2031. She suggested the Village extend the time for real estate tax to make up for the loss in sales tax from a restaurant to a service use. Mr. Street suggested adding five years to the dates. Trustee Seiden noted the Village needs to negotiate the best they can. The Village estimated \$5,000 to \$8,000 annually for the sales tax. Mr. Lichterman will provide a revised estimate for the next meeting. Mr. Street stated staff will work with the Village Attorney and Riverwoods to update proposal.

Trustee Seiden moved to accept the report and recommendation of staff regarding amendments to the IGA between the Village of Deerfield and the Village of Riverwoods for the property

located at 780 Saunders. Trustee Shapiro 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-20-05 AMENDING SECTIONS 6.01-C AND 9.02-C OF THE DEERFIELD ZONING ORDINANCE OF 1978, AS AMENDED, TO PERMIT A PRIVATE PRESCHOOL AS A SPECIAL USE AND SIGNS FOR PRIVATE PRESCHOOL USES IN THE I-1 OFFICE, RESEARCH AND RESTRICTED INDUSTRIAL DISTRICT – 2R An Ordinance amending Sections 6.01-C and 9.02-C of the Deerfield Zoning Ordinance of 1978, as amended, to permit a private preschool in the I-1 Office, Research and Restricted Industrial District. Second Reading.

ORDINANCE O-20-06 AUTHORIZING A SPECIAL USE PERMIT AND AMENDMENT TO AN INDUSTRIAL PLANNED UNIT DEVELOPMENT FOR THE ESTABLISHMENT OF A PRIVATE PRESCHOOL FACILITY (1085 LAKE COOK ROAD) – 2R An Ordinance authorizing a Special Use Permit and amendment to an Industrial Planned Unit Development for the establishment of a private preschool. Second Reading.

ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT ESTABLISHMENT OF A RESTAURANT FOR BRUNCH CAFÉ AT THE SOUTH END OF THE CADWELL’S CORNERS SHOPPING CENTER, AND AN AMENDMENT TO THE COMMERCIAL PUD FOR EXTERIOR CHANGES TO THE CADWELL’S CORNERS SHOPPING CENTER – 1R An Ordinance authorizing a Special Use Permit for the establishment of a Brunch Café restaurant and an amendment to the Commercial Planned Unit Development for exterior changes to the Cadwell’s Corners Shopping Center. First Reading.

ORDINANCE AUTHORIZING A SPECIAL USE TO ALLOW A MASSAGE ESTABLISHMENT IN UNIT A3 IN THE DEERFIELD PARK PLAZA SHOPPING CENTER AT 405 LAKE COOK – 1R An Ordinance authorizing a Special Use Permit for the establishment of a massage establishment in Unit A3 in the Deerfield Park Plaza Shopping Center. First Reading.

ORDINANCE AUTHORIZING A SPECIAL USE TO ALLOW A MASSAGE ESTABLISHMENT IN SUITES 119 AND 100B IN THE 400 LAKE COOK ROAD BUILDING – 1R An Ordinance authorizing a Special Use Permit to allow a massage establishment in Suites 119 and 100B in the 400 Lake Cook Road building. First Reading.

RESOLUTION R-20-05 AUTHORIZING A RESIDENTIAL LEASE AGREEMENT FOR 333 WARWICK ROAD Resolution authorizing a residential lease agreement for the property at 333 Warwick Road.

RESOLUTION R-20-06 APPROVING LETTER OF ENGAGEMENT FOR VILLAGE ATTORNEY STEVEN ELROD'S NEW LAW FIRM, ELROD FRIEDMAN LLP A Resolution approving a letter of engagement for Village Attorney Steven Elrod's new law firm, Elrod Friedman LLP.

Mr. Street noted the residential lease agreement also includes a property management agreement.

Trustee Seiden moved to accept the Consent Agenda and pass the Ordinances and Resolutions. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)
NAYS: None (0)

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

RESOLUTION R-20-07 REALLOCATING 2020 VOLUME CAP TO THE VILLAGE OF BUFFALO GROVE, ILLINOIS Management Analyst David Fitzgerald-Sullivan, reported this is done annually through Lake County Partners and allows communities to pool their bonding authority to provide regional economic development.

Since the Village started doing this, the group has funded nearly \$200,000,000 in projects.

Trustee Oppenheim moved to accept 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)

AUTHORIZATION FOR NORCOR CADWELL ASSOCIATES, LLC TO PROCEED AT THEIR OWN RISK RE: FACADE IMPROVEMENTS Mall ownership is requesting approval to proceed with façade improvements at their own risk. Mr. Street reported this was discussed at the last Board of Trustees Meeting.

The shopping center ownership is requesting the ability to move forward at their own risk. They will deconstruct if the Zoning changes are not approved.

Trustee Jester moved to authorize Norcor Cadwell Associates, LLC to proceed with façade improvements at their own risk. 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 PURCHASE NEW MARKED POLICE SQUAD CAR Deputy Chief Tom Keane reported this is to replace a 2014 Ford Expedition. It is being used as a supervisor's car. The replacement vehicle will be funded using VERF funds. The department looked at two vehicles and the 2020 Chevrolet Tahoe from Currie Motors was the low bid at the net amount of \$37,899. The Village will use the equipment from the old Expedition where possible. Havey Communications is used to transfer equipment, emergency lighting and equipment updates in an amount not to exceed \$12,192.

Trustee Oppenheim asked whether a hybrid vehicle has been considered. Deputy Chief Keane noted the technology is changing. Currently, there are a lot of hybrid vehicles used as administrative vehicles, but it is not used for day-to-day patrol. The department is continuing to look at hybrid vehicles for the future.

Trustee Struthers moved to authorize the purchase of a new 2020 Chevrolet Tahoe from Currie Motors in an amount not to exceed \$37,899 and to Havey Construction in an amount not to exceed \$12,192 for the transfer of equipment and equipment updates. Trustee Seiden seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Shapiro, Struthers (6)
NAYS: None (0)

DISCUSSION

AMENDED PROCLAMATION

Trustee Jester was disconcerted he could not offer an amendment to the Proclamation and does not understand why it was not allowed.

NW MUNICIPAL CONFERENCE

Mayor Rosenthal and Trustee Shapiro had lunch with Senator Dick Durbin and the executive board of the Northwest Municipal Conference. They discussed transportation challenges, service taxes

and cannabis. They also discussed 5G small wireless installation. Senator Durbin wants to know why people are leaving Illinois. He seems to understand the problems faced by municipalities.

MOMS DEMAND ACTION

violence.

Mayor Rosenthal was invited to attend the Moms Demand Action vigil celebrating survivors of gun

PANERA BREAD

lovely facility. Trustee Benton indicated the food was not brought to the table. There is a lot of parking. Mayor Rosenthal noted many people are asking why they do not have a drive-thru. She explained Panera did not want it.

Trustee Benton had a chance to go to the new Panera location. They had a nice crowd in this

ADJOURNMENT

Trustee Benton seconded the motion. The motion passed unanimously on a voice vote. 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, March 2, 2020, at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk