

May 17, 2021

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Dan Shapiro on May 17, 2021, at 7:30 p.m. The clerk called the roll and announced that the following were:

Present: Dan Shapiro, Mayor  
Robert Benton  
Tom Jester  
Rebekah Metts-Childers  
Mary Oppenheim  
William Seiden

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

PLEDGE OF ALLEGIANCE

Mary Blankenship from the American Legion led those in attendance in reciting the Pledge of

Allegiance. Ms. Blankenship thanked the Trustees and invited residents to watch the live stream of the Memorial Day events beginning at 9:00 a.m.

TRUSTEE APPOINTMENT

Consideration of consent to Mayor Shapiro's appointment of Elaine Jacoby to fill the vacant

Village Trustee position. Mayor Shapiro reported Ms. Jacoby has been on the Plan Commission for 14 years, among other leadership roles.

Trustee Seiden moved to appoint Elaine Jacoby to fill the vacant Village Trustee position. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

OATH OF OFFICE

Mr. Street swore in Elaine Jacoby to the position of Village Trustee.

PROCLAMATION

Mayor Shapiro proclaimed May 17, 2021, as Neurofibromatosis (NF) Awareness Day in the

Village of Deerfield. The Proclamation was presented to Staci Raymond. Ms. Raymond thanked Mayor Shapiro and the Trustees for raising awareness for NF. Her goal is to end NF and not have anyone defined by having this condition.

Trustee Oppenheim moved to accept the Proclamation. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

DOCUMENT APPROVAL

Trustee Jester moved to accept the minutes from the Board of Trustees meetings from May 3, 2021.

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

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

BILLS AND PAYROLL

Trustee Oppenheim moved to approve the bills and payroll dated May 17, 2021. Trustee Seiden

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

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

PUBLIC COMMENT

Mayor Shapiro 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, Zoom or email public comments on non-agenda items received prior to the meeting.

REPORTS

REPORT FROM STAFF RE:

Management Analyst Mary Glowacz reported at the February 1, 2021 Board of Trustees meeting, residents requested amendments to the Municipal

MINIATURE PIG REGULATIONS

Code to allow domesticated miniature pigs to be owned and housed within the Village residential districts. Per the Board's request, Village staff researched miniature pig regulations and found common best practices including regulations on breed, housing, size, household limits, containment, enforcement, penalties, zoning, vaccinations, identification and licensing. If the Village Board wishes to consider this matter further, staff recommends a Committee of the Whole meeting be scheduled or the Village Attorney prepare an Ordinance.

Trustee Benton asked if residents, other than the original family, were looking to own miniature pigs as pets. Mr. Street does not believe so. Trustee Oppenheim believes the controls laid out in the report were appropriate and could be comfortably accommodated in a Deerfield single family home. Trustee Metts-Childers asked if other municipalities that allow miniature pigs have received complaints. Ms. Glowacz reported the municipalities she asked did not show many complaints. Trustee Jester believes the material showed the necessity for an outdoor housing structure for the pig. Ms. Glowacz explained an outdoor housing structure could be optional. Trustee Jester noted the cost to the Village would be several thousand dollars in attorney fees.

Trustee Seiden believes the Trustees should discuss this at a Committee of the Whole meeting. Trustee Oppenheim questioned whether the Trustees would be comfortable having staff draft the regulations for a future Board of Trustees meeting. Mayor Shapiro believes there will be a Committee of the Whole meeting in about 30 days. Trustee Metts-Childers noted there is information about prohibited chickens in the Ordinance. Mr. Street noted there are only six families that have chickens.

Trustee Oppenheim moved to accept the report from staff regarding miniature pig regulations and recommends further discussion at next Committee of the Whole meeting. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

### CONSENT AGENDA

There were no items on the Consent Agenda.

### OLD BUSINESS

ORDINANCE AUTHORIZING A TEXT AMENDMENT TO THE ZONING ORDINANCE FOR SHORT TERM RENTALS – 1R

An Ordinance authorizing a Text Amendment to the Zoning Ordinance for short term rentals. The intent of the definition is to clarify a short term rental and reduce any ambiguity in the policy objective to prohibit short term rentals in the Village. First

Reading.

ORDINANCE O-21-17 APPROVING AMENDMENTS TO A MIXED USE UNIFIED DEVELOPMENT AND DEVELOPMENT PLANS, A SPECIAL USE FOR A DRIVE-THRU PHARMACY, AND EXCEPTIONS TO ZONING REGULATIONS AND SIGN CRITERIA AT 95 S. WAUKEGAN ROAD - CHICK-FIL-A, INC. AND WALGREENS – 2R

The Ordinance amends the mixed use unified development to allow for changes to the previously approved plans to reduce the approved retail building size from 8000 square feet to approximately 6000 square feet. The Ordinance also authorizes Special Use approval of a single lane drive-thru serving a 2505 square foot pharmacy only Walgreens store. Second Reading.

Mayor Shapiro noted in March, there was considerable discussion and the Ordinance was tabled.

Trustee Oppenheim moved to remove the Ordinance from the table. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

Mr. Street reported the Board previously discussed traffic concerns, ingress and egress concerns and internal circulation. The petitioner prepared updated site plans and traffic studies.

Attorney Hal Francke reported they prepared a presentation for the Trustees. He noted the original plan was presented to the Plan Commission on February 27, 2020. The plan was revised and approved on January 14, 2021. The First Reading of the Ordinance was March 1, 2021. On March 15, the Trustees tabled further discussion due to concerns address by the Trustees.

Joe Vavrina, Civil Engineer with HR Green, noted they modified the site plan by ensuring there would be enough space for site visibility from the stop bar for traffic traveling north. They added greenery and shrubbery throughout the site, that ties in with Chick-Fil-A.

Javier Millan, Principal with KLOA, reported they conducted a traffic study on November 4, 2020, which determined the access drive would be adequate. They conducted additional traffic counts at the access system serving the overall development and found the estimated trips from the Walgreens Pharmacy drive-thru and capacity analysis show there would be limited delay, consistent with existing conditions, and would not have a negative impact. The operational characteristics of the two drive-thrus are considerably different, creating good synergy between the two business uses.

Keith Miller, Senior Director of Real Estate for Walgreens, explained this new format is a small format pharmacy. There are currently 58 small format pharmacies in the US. The intent is to show healthcare partners the concept, close to the corporate offices. Drive-thru is critical for customers and better serves the community with a more focused assortment in the stores.

Trustee Benton expressed concern about the ingress and egress. The property is set to exit north on Lake Cook Road. Trustee Benton noted there is no acceleration lane for traffic exiting south. Mr. Millan explained they did a gap study to address the concerns. The study showed there were enough gaps to accommodate single stage left turn movements. There is also a median, which will allow double stage left turn movements. It is very common for a driver to make a partial turn into the median before merging into traffic. There are more single stage gaps to accommodate the need.

Trustee Oppenheim noted in the two-year period since Chick-Fil-A opened, there have been five accidents. Two of the accidents were in the parking lot. Trustee Oppenheim believes the internal circulation needs to be continuously monitored and amended if there are problems.

Trustee Metts-Childers asked if a pedestrian would cross by the stop line. She believes pedestrians may walk in front of vehicles. Mr. Vavrina believes there are things they can do to prevent that from happening. Trustee Seiden noted Bannockburn shopping center has a real two-step median. He does not see the same type of median in Deerfield and does not believe a vehicle could fit in the painted median. He noted the 2017 traffic study showed three times as many vehicles as in 2020. Trustee Seiden noted this is the busiest intersection in Deerfield. He

believes the ingress and egress can be the cause of serious accidents. Trustee Seiden indicated this proposal has two businesses. In 2017, the Board stated they would not consider a second drive-thru. The Board wants to help Walgreens, but he does not see what has been done to correct the situation. Trustee Seiden does not want the southbound exit on Waukegan Road.

Trustee Jester does not believe the program will work without a southbound exit onto Waukegan Road. Trustee Benton noted there is a closer Walgreens to Northbrook. He explained an extended egress would have to go through the State, as Waukegan Road is maintained by the State.

Trustee Jester moved to adopt the Ordinance approving amendments to a mixed use unified development and development plans, a Special Use for a drive-thru pharmacy and exceptions to Zoning regulations and sign criteria at 95 South Waukegan Road. Trustee Oppenheim seconded the motion.

Trustee Seiden moved to amend motion to include a dedicated right in and right out lane. As there was no second to the motion, the motion did not pass.

Public Comment from Barbara Struthers. Ms. Struthers noted 23 years ago, her dad turned left out of a parking lot, got broadsided and died. This situation is similar. Most of the time it will be safe, until the one time it is not.

The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim (5)

NAYS: Seiden (1)

RESOLUTION R-21-11 APPROVING A FINAL PLAT OF SUBDIVISION FOR 75 S. AND 95 S. WAUKEGAN ROAD A Resolution approving the final plat of subdivision for the properties located at 75 South Waukegan Road and 95 South Waukegan Road.

Trustee Oppenheim moved to remove the Resolution from the table. Trustee Jester seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

Trustee Oppenheim moved to approve the Resolution approving a final plat of subdivision for 75 S. and 95 S. Waukegan Road. Trustee Jester seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

NEW BUSINESS

REQUEST FOR EXTENSION OF SPECIAL USE AMENDMENT FOR BUILDING ADDITIONS AND RENOVATIONS FOR CARUSO MIDDLE SCHOOL AT 1801 MONTGOMERY DRIVE (SCHOOL DISTRICT 109)

On June 2, 2020, the Trustees granted a Special Use amendment for building additions and renovations at Caruso Middle School. Due to the COVID-19 pandemic, the District has not been able to begin work on the project.

Trustee Jester moved to authorize a one-year extension of the Special Use amendment at Caruso Middle School to June 2, 2022. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

RESOLUTION R-21-12 AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE NORTH REGIONAL MAJOR CRIMES TASK FORCE (NORTAF) – BURGLARY TASK FORCE

Deputy Chief Brian Budny reported that in 1997, 12 agencies began the North Regional Major Crimes Task Force (NORTAF), which is similar to the Lake County Major Crimes Task Force. The NORTAF has a major crash task force and a burglary task force. They allow outside agencies to work with the burglary task force. The department

recommends authorizing the Intergovernmental Agreement to work with the NORTAF burglary task force.

Trustee Metts-Childers asked if there are different authorities within the different municipalities. Deputy Chief Budny explained the officer would work under the guides of the agency calling out the unit. Our officers follow our policies and ethics and he is confident any department listed share the same ethics. Mr. Elrod noted there is a surrender of authority to the municipality that made the call and vice versa. The real issue is do you trust the municipalities that are part of the task force. There is a certain element of risk, and Mr. Elrod wanted to make the Trustees aware of it. Mr. Street noted it is a risk, but a matter of trust with the other agencies. Chief Sliozis explained it would be a joint decision with him and the Chief of the other agency. We have to put some faith in the operation when it comes to other jurisdictions. The premise is identical to other IGAs the department have been members of for more than 30 years.

Trustee Seiden moved to adopt the Resolution authorizing an Intergovernmental Agreement with NORTAF – Burglary Task Force. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

ORDINANCE O-21-18 AMENDING THE INTERGOVERNMENTAL AGREEMENT

An Ordinance amending the Intergovernmental Agreement establishing the Solid Waste Agency

ESTABLISHING THE SOLID WASTE  
AGENCY OF LAKE COUNTY,  
ILLINOIS

of Lake County (SWALCO), Illinois. Mr. Street explained this is a request to determine who is allowed to serve as an alternate to SWALCO.

Trustee Oppenheim moved to waive the First Reading and adopt an Ordinance amending the Intergovernmental Agreement establishing SWALCO. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

DISCUSSION

FAMILY DAYS CANCELLATION

Mayor Shapiro reported after a lot of thought and a heavy heart, the Village will be cancelling Family Days this year. The Village will hold an event in the fall. The Village has always been cautious and not everyone is vaccinated. For the sake of safety, health and prudence, The Village will postpone this celebration. Mayor Shapiro looks forward to the Fall celebration.

COMPOSTING

Mayor Shapiro reported 25% of Deerfield Households have requested a compost kit. 1100 have been picked up and 500 are on order. Mayor Shapiro noted Deerfield is the composting leader in the County and the State, based on the percentage of households that are composting.

WELCOME

Trustee Oppenheim welcomed Trustee Jacoby and Trustee Metts-Childers to the Board.

VILLAGE HALL OPEN

Mr. Street reported Village Hall is open for business. He noted the vehicle sticker notice went out yesterday and they had a handful of walk-in customers.

PUBLIC COMMENTS

Mr. Street indicated there were no additional public comments received during the meeting.

ADJOURNMENT

There being no further business or discussion, Trustee Seiden moved to adjourn the meeting. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

The meeting was adjourned at 8:56 p.m.

Board of Trustees Meeting  
May 17, 2021  
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The next regular Board of Trustees meeting is scheduled to take place on Monday, June 7, 2021,  
at 7:30 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk