

July 17, 2023

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order on July 17, 2023, at 7:30 p.m. at Deerfield Village Hall. The clerk called the roll and announced that the following were

Present: Robert Benton
Larry Berg
Elaine Jacoby
Rebekah Metts-Childers
Mary Oppenheim
William Seiden
Dan Shapiro, Mayor

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

PLEDGE OF ALLEGIANCE

Mason Tepper from Worry Free Wednesdays led those in attendance in reciting the Pledge of Allegiance. Mr. Tepper started Worry Free Wednesdays to help create awareness of children with anxiety, especially after the tragedy last year on July 4th in Highland Park.

RECOGNITION

Mayor Shapiro recognized outgoing Appearance Review Commission chairperson Lisa Dunn for ten years of service on the Commission. She is leaving to become president of the Jefferson American Inn of Court association. Ms. Dunn thanked the Trustees for the confidence placed in her. She has really enjoyed it and she hopes Deerfield will continue to look great. Mayor Shapiro presented Ms. Dunn with a plaque.

APPOINTMENT

On the recommendation of the Volunteer Engagement Commission, Mayor Shapiro recommended Sherry Flores to be the new Chairperson of the ARC. Trustee Oppenheim moved to appoint Sherry Flores to Chairperson of the ARC. Trustee Seiden seconded the motion. The motion passed unanimously on a voice vote.

Mayor Shapiro recommended Amy Charlson as Commissioner of the ARC. Trustee Oppenheim moved to appoint Amy Charlson as a Commissioner of the ARC. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote.

Mayor Shapiro recommended Dustin Goffron as Commissioner of the ARC. Trustee Metts-Childers moved to appoint Dustin Goffron as a Commissioner of the ARC. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote.

DOCUMENT APPROVAL

Trustee Oppenheim moved to approve the minutes from the July 5, 2023, Board of Trustees meeting. Trustee Berg seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

BILLS AND PAYROLL

Trustee Seiden moved to approve the bills and payroll dated July 17, 2023. Trustee Metts-Childers

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

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

NAYS: None (0)

PUBLIC COMMENT

Andrea Crane is a 25-year resident and expressed concern about her neighbor's lights shining into her home. Ms. Crane stated the neighbor told her the lights would only be on a short time when their dog is outside. Ms. Crane reported the lights are on a motion sensor and triggered by wind, leaves, squirrels, etc. Ms. Crane approached her neighbor again, but the shades that the neighbor state they would install were never installed. Instead, the neighbor said they would install hanging string lights and would no longer need the spotlight. Now, they still have the spotlights as well as the string lights. Ms. Crane suggested the Village pass an Ordinance preventing excessive outdoor lights. Trustee Seiden requested this issue be put on the next Committee of the Whole agenda. Trustee Oppenheim believes this specific issue was discussed in the past. Mr. Street will have staff contact Ms. Crane to get more specific information to inform the Trustees.

REPORTS

CONSIDERATION AND ACTION ON REPORT AND RECOMMENDATION OF STAFF RE: REQUEST FOR FUNDING UNDER THE BUSINESS FACADE REBATE PROGRAM – 806 & 808 WAUKEGAN ROAD

Planning and Design Specialist Liz Delevitt updated the Board on the Business Façade Rebate Program. The program began in 2022 and the Board budgeted \$200,000. The first applicant (The Coder School and Top Issue) was awarded \$60,056.82 for their building and site improvements in October 2022. In June of 2023, the former

Barnes and Noble location received funding for \$100,000 in improvements. The third applicant is asking for an amount not to exceed \$35,212.63 for improvements to the exterior of Walter's Tailor Shop and Cherry Pit. If this application is approved, the Village will have approved more than \$195,000 of the \$200,000 that was budgeted.

The applicant represents the building that houses the Walter's Tailor Shop and Cherry Pit. The applicants propose removing the oversized awning and replacing it with a smaller, triangular shaped awning. Ms. Delevitt reported the windows and doors will be replaced with aluminum framed windows and doors. Ms. Delevitt noted the ARC requested the applicants maintain the character of the building's exterior with the new material so it blends in with the existing downtown. She stated the biggest complaint from those businesses is the lack of a space in those buildings for signage. In the past, the ARC approved oversized window signage, but it is not that

visible. Ms. Delevitt reported part of this improvement will include mounts for signage and gooseneck lighting creating an area for additional signage.

Ilya Pod, Managing Agent for WD Associates, the building owner, believes the project will be completed by the end of the year.

Trustee Benton moved to accept the report and recommendation of Staff regarding the request for funding under the Business Façade Rebate Program for the property at 806 and 808 Waukegan Road and direct the Village Attorney to prepare the Ordinance. Trustee Metts-Childers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REPORT OF STAFF RE: PERMIT REQUIREMENTS

Assistant Village Manager Andrew Lichterman reported Staff recommends amending Section 6-1 “Permit Required” of the Village of Deerfield

Municipal Code to better clarify when construction/improvement work requires a permit. He noted the intent is to keep the scope of work that requires a permit largely the same, but to write the text of the Municipal Code in a less ambiguous way as to better serve the public interest. Staff specifically finds that the inclusion of a set dollar amount, in this case \$500.00, is an unreasonable threshold to prompt a permit requirement. Staff believes a better practice would be to eliminate the dollar amount altogether and to instead explicitly state what does and what does not require a permit, regardless of the cost of the proposed improvement work.

Trustee Metts-Childers questioned whether more home improvements would require permits with this amendment. Mr. Lichterman reported the recommended amendment would clarify that construction work that does not require changes to plumbing or electrical would require permits whereas light construction, like trim work, would not. Staff does not believe a dollar amount should be the impetus for a permit. Trustee Oppenheim noted the Village requires permits to protect residents and for safety. Mr. Lichterman noted permits would be required for work that may cause danger or harm. Trustee Benton asked how this will be communicated to contractors. Mr. Lichterman noted the Village does not currently require a permit to make a repair. He stated that typically, a contract would state that it is the homeowner’s responsibility to get permits. Trustee Metts-Childers noted the Village is being less stringent. Mr. Lichterman reported the biggest change is that all plumbing work would now require a permit, and that electrical and mechanical work currently require permits. Trustee Jacoby questioned the length of time an emergency repair permit would take. Mr. Lichterman noted with the online permitting process, the hope is for staff to have a quick turnaround for emergency repairs and the regular permit process for planned upgrades. Mayor Shapiro would like the Ordinance to be implemented at the same time as the dual-permits. The Trustees expressed concern about permit timing. Mr. Lichterman reported in emergency situations, the homeowner can apply for the permit within a certain time frame after the work was completed. He indicated this Ordinance would also encourage residents to reach out to the Village to ensure compliance. Trustee Jacoby suggested also educating the residents that this change in the permit process is for their safety. Trustee

Berg believes the nature of the work requiring permitting should be noted rather than a list of every specific item that requires a permit. Trustee Seiden suggested not charging for small inspections. Mr. Lichterman reported the Village will incur costs when they use outside inspectors. He stated the Village wants to strike the dollar amount from the Code so residents purchasing a less expensive fixture rather than a fixture over the current \$500 threshold would also require a permit. Village Attorney Schuster noted it is important to stress that Deerfield is not punitive in the permit process. Mr. Schuster stated the permit process is in place so residents obtain permits to ensure the contractor performed the work properly and in compliance with the Village Codes. Mayor Shapiro suggested continuing this discussion rather than directing the Village Attorney to draft an Ordinance.

Trustee Oppenheim moved to continue further discussion until staff can clarify the changes. Trustee Berg seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

CONSENT AGENDA

There were no items on the Consent Agenda.

OLD BUSINESS

ORDINANCE O-23-19 AUTHORIZING AN AMENDMENT TO THE TENNAQUA SPECIAL USE TO ALLOW CHANGES TO THE TENNAQUA MASTER PLAN AND RENOVATIONS TO THE TENNAQUA CLUB AT 1 TENNAQUA LANE	An Ordinance amending the Tennaqua Special Use to allow changes to the Tennaqua master plan and renovations to the Tennaqua Club located at One Tennaqua Lane.
	Mr. Lichterman noted this agenda item was continued so the Plan Commission could meet and discuss the issue.

Trustee Seiden moved to adopt the Ordinance authorizing an amendment to the Tennaqua Special Use to allow changes to the Tennaqua master plan and renovations to the Tennaqua Club at 1 Tennaqua Lane. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

NEW BUSINESS

ORDINANCE O-23-20 AMENDING
ARTICLE 12 “SPECIAL PURPOSE
BOARDS AND COMMISSIONS” OF
CHAPTER 2 “ADMINISTRATION” OF
THE MUNICIPAL CODE OF THE
VILLAGE OF DEERFIELD

Mr. Lichterman reported the Village Board passed an Ordinance rezoning certain properties on Lake Cook Road from I-1 to C-4 Entertainment/Limited Retail Zoning District. The Ordinance seeks to include the new C-4 district under the purview of the ARC, which is not currently in their jurisdiction.

Trustee Metts-Childers moved to adopt an Ordinance amending Article 12 “Special Purposes Boards and Commissions” of Chapter 2 “Administration” of the Municipal Code of the Village of Deerfield. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-23-35 AMENDING THE
ANNUAL FEE RESOLUTION OF THE
VILLAGE OF DEERFIELD REGARDING
CONSTRUCTION FEES FOR PATIOS/
WALKWAYS/OTHER
MISCELLANEOUS SLABS AND
SOLAR PERMITS

Mr. Lichterman reported this Resolution would establish a half-price fee for the installation of solar panels which would be set at \$9 per \$1,000 worth of work performed. Additionally, this Resolution would establish a flat fee for the installation of patios or other miscellaneous slabs. Mr. Lichterman noted these changes are being made to be more consistent with base permit fees.

Trustee Oppenheim moved to amend the annual fee Resolution of the Village of Deerfield regarding construction fees for patios/walkways/other miscellaneous slabs and solar permits. Trustee Berg seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ORDINANCE O-23-21 AMENDING
ARTICLE 11 OF CHAPTER 6 OF THE
MUNICIPAL CODE RE:
CONSTRUCTION SITE FENCING

Mr. Lichterman reported contractors are required to install temporary construction site fencing for demolition, large renovations or new construction projects. He noted that once installed, the fencing frequently leads to numerous inquiries from

homeowners regarding the construction site. Mr. Lichterman reported that in order to answer these questions, many communities require contractors to install a 4’x4’ temporary sign that includes the address of the construction site, the builder’s name and contact information, construction hours and community development contact information. He noted that by installing these signs, residents are better informed of the work that is being completed and contractors are held to a higher standard since residents can reach out directly to them. Mr. Lichterman reported signs would need to be posted 14 days in advance, unless there is an exception from the Village.

Trustee Seiden noted there is an Ordinance from 2005 that requires contractors to provide the Village with phone numbers of those responsible for construction sites. He stated the Tear Down

Task Force, of which he was the chairperson, had discussed the possibility of posting a sign listing all of the construction management regulations, but decided it would not accomplish anything and decided not to pursue it. Trustee Seiden believes a neighbor should be able to contact the Village if they see a violation instead of contacting the contractor directly. He does not believe anything good could come from this proposal. Trustee Seiden believes construction hours should be posted and residents should contact the Village rather than the person responsible for the construction site. He noted many sub-contractors may not be aware of the Village's permitted construction hours. Trustee Seiden suggested having the contractor's name/number in smaller print as the Village is ultimately responsible for code enforcement. Mayor Shapiro suggested increasing the size of the Village's contact information. Mr. Street suggested not getting the Village involved as a good contractor would rather fix the issue for the neighbor thereby saving staff time.

Trustee Oppenheim moved to approve an Ordinance amending Article 11 of Chapter 6 of the Municipal Code regarding construction site fencing. Trustee Jacoby seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ORDINANCE O-23-22 AMENDING
ARTICLE 3 OF CHAPTER 21 OF THE
MUNICIPAL CODE RE: LIENS FOR
WEED CUTTING COSTS

Mr. Lichterman reported the Village currently has an Ordinance limiting the height of weeds, grass or plants other than trees, bushes, flowers and other ornamental plants to eight inches (8") or less or they are declared to be a nuisance. He noted nuisance properties receive a notice from the Village and are given 10 days to comply. Mr. Lichterman reported that after 10 days, the Village uses a contractor to mow the lawn and invoices the property for weed cutting costs. He noted that in most cases, the property is either in foreclosure or abandoned and it is very unlikely that the invoice will be paid. Therefore, staff applies a lien on the property to ensure future payment once the property has sold. Mr. Lichterman reported that as currently written, the Municipal Code gives staff a maximum of 60 days to apply the lien on the property. He stated this self-imposed time limit requires staff to apply multiple liens per year on the same property. Staff recommends removing this time limit so that staff can apply one lien at the end of the mowing season. Mr. Lichterman noted removal of the 60-day time limit will increase efficiency by saving staff the time spent to apply/remove liens with the county, while also reducing lien application fees paid by the Village.

Trustee Benton moved to approve an Ordinance amending Article 3 of Chapter 21 of the Municipal Code regarding liens for weed cutting costs. Trustee Jacoby seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ORDINANCE O-23-23 AMENDING
ARTICLE 1 OF CHAPTER 6 OF THE
MUNICIPAL CODE RE: BUILDING
PERMIT FEES

Mr. Lichterman reported that several years ago, the Village Board discontinued the senior building permit fee reduction. He noted this amendment would formally repeal the senior citizen fee reduction provision and clean up the Municipal

Code to match existing practices.

Trustee Oppenheim moved to approve an Ordinance amending Article 1 of Chapter 6 of the Municipal Code regarding building permit fees. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

DISCUSSION

FOOD TRUCK WEDNESDAY

The third Food Truck Wednesday will occur this Wednesday from 4:30 p.m. to 8:00 p.m. at Jewett

Park.

COMMUNITY ROLL CALL

The police community roll call is July 19, 2023, from 7:00 p.m. to 8:00 p.m. at Jewett Park right

after the food trucks.

RIBBON CUTTING

Mayor Shapiro and Trustee Oppenheim attended a ribbon cutting at Brick & Mortar last Wednesday.

Mayor Shapiro stated it is a shared work space in downtown, and is a new, cool place to check out.

BOARD ROOM PLEXIGLASS

Mr. Street asked the Trustees if they had any objection to removing the plexiglass barriers on the

dais. The Trustees would like the plexiglass to be removed.

ADJOURNMENT

Pursuant to 5ILCS 120/2(c)(11) and (c)6, Trustee Berg moved to go into closed session. Trustee

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

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

NAYS: None (0)

The meeting was adjourned to closed session at 8:50 p.m.

The meeting was adjourned from closed session at 9:45 p.m.

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The next regular Board of Trustees meeting is scheduled to take place on Monday, August 7, 2023, at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk