

August 16, 2021

The special meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Dan Shapiro on August 16, 2021, at 7:30 p.m. in the council chambers of the Deerfield Village Hall located at 850 Waukegan Road. The clerk called the roll and announced that the following were:

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

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

PLEDGE OF ALLEGIANCE

Mayor Shapiro led those in attendance in reciting the Pledge of Allegiance.

APPOINTMENT

Mayor Shapiro reported the Volunteer Engagement Commission is recommending the appointment of Mark Horne to the Board of Zoning Appeals.

Trustee Seiden moved to accept the recommendation of the Volunteer Engagement Commission for Mark Horne. Trustee Oppenheim 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 Benton moved to approve the minutes from the August 2, 2021 Committee of the Whole and the July 20, 2021, Board of Trustees meetings. Trustee Metts-Childers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ABSTAIN: Oppenheim (1)

BILLS AND PAYROLL

Trustee Oppenheim moved to approve the bills and payroll dated August 16, 2021. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

PUBLIC COMMENT

There was no Public Comment on non-agenda items.

REPORTS

REPORT ON WATER SYSTEM  
MODELING AND WATER/SEWER  
RATE ANALYSIS

Carolyn Greeves from Baxter and Woodman explained they have looked at the Village's water system and have come up with a five-year capital improvement plan.

Many of the proposed improvements will include water main construction and/or maintenance of various portions of the distribution system. The new water model will be integrated within our GIS and can be overlaid with the various layers that are typically used as planning tools: road condition layer, sewer condition layer, water main break history, etc. The new model provides information for project planning and system maintenance for the multi-year capital improvement plan. They also looked at the water and sewer rate structure.

Peter Kozak explained the existing hydraulic model was built in 2014. They recalibrated the water model and looked at main break analysis, system pressure, system fire flow and extended system evaluation to come up with a five-year capital plan. He noted 35 percent of the pipes were installed in the 1950s-1960s. Trends show the design life is close to 50 years. A high concentration of breaks was shown in these breaks in relation to the rest of the system. Mr. Kozak looked at the recommended system pressure and fire flow gallons per minute and showed the maximum daily requirements. He noted the proposed five-year capital plan projects coincide with the five-year roadway improvement plan. There is a cost saving because the roadways would already be torn up.

Alexis Shotten discussed the rate study. They looked at the water and sewer funds and projected a 5-year forecast to determine whether the rates were sustainable in order to fund the operations and maintenance for the water and sewer infrastructure systems. This does not look at the capital improvement projects. Both the water and sewer funds are billed based on volumetric usage with a minimum rate requirement. Ms. Shotten explained the water rates, with a pass-thru of increases from Highland Park, are above the reserve goal thru 2025. The sewer fund has an operating reserve lower than the 25 percent goal and would decline below zero in fiscal year 2022 without rate increases.

Ms. Shotten looked at breakeven rates. The water rates would stay the same for the first two years then increase by 1 percent to maintain the reserve. The sewer rates would have to increase by 4 percent in 2022 and then two 3 percent increases and two 2 percent increases. Ms. Shotten showed the sewer rate increases needed to maintain the 25 percent reserve goal. The rate increase would be 5 percent in 2022 and 2023 and 4 percent in 2024-2026.

Ms. Shotten recommends the Village raise the water and sewer rates to be proactive with both funds. Baxter and Woodman recommends somewhere between breakeven and meeting the reserve goals.

CONSIDERATION AND ACTION ON A REPORT AND RECOMMENDATION OF THE BOARD OF ZONING APPEALS CONCERNING THE REQUEST FOR RELIEF FROM ARTICLE 4.02-F,3,E OF THE DEERFIELD ZONING ORDINANCE FOR THE PROPERTY LOCATED AT 620 CARLISLE AVENUE TO PERMIT THE CONSTRUCTION OF A ONE-STORY SCREENED PORCH 36.5 FEET FROM THE WEST, REAR PROPERTY LINE IN LIEU OF THE MINIMUM 40 FEET REAR SETBACK SPECIFIED IN THE DEERFIELD ZONING ORDINANCE

The Board of Zoning Appeals held a Public Hearing on July 20, 2021 via Zoom to consider the request of James and Barbara Levie to construct a 12'x22' screened porch addition on the northwest corner of the existing home, located at 620 Carlisle Avenue. The addition would be wheelchair accessible and allow a reasonable use of the land, encroaching 3.5 feet into the required 40-foot setback specified in the Deerfield Zoning Ordinance.

The Board of Zoning Appeals voted 4-0 in favor of recommending the granting of the variance.

Trustee Oppenheim moved to accept the report and recommendation of the Board of Zoning Appeals regarding a proposed screened porch addition for the property located at 620 Carlisle Avenue, Deerfield, Illinois and direct the Village Attorney to prepare the necessary paperwork. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)  
NAYS: None (0)

CONSIDERATION AND ACTION ON A REPORT AND RECOMMENDATION OF THE BOARD OF ZONING APPEALS CONCERNING THE REQUEST FOR RELIEF FROM ARTICLE 2.04-H,3,A OF THE DEERFIELD ZONING ORDINANCE FOR THE PROPERTY LOCATED AT 1405 HAZEL AVE. TO PERMIT THE INSTALLATION OF A FENCE WITHIN THE REQUIRED FRONT YARD 6 FEET IN HEIGHT IN LIEU OF THE PERMITTED MAXIMUM HEIGHT OF 3 FEET AS SPECIFIED IN THE DEERFIELD ZONING ORDINANCE

The Board of Zoning Appeals held a Public Hearing on July 20, 2021 via Zoom to consider the request of Carlos Mercado and Elsa Sanchez, 1405 Hazel Avenue to install a safety/security fence enclosing a play area located on the architectural side of their home which was declared by a previous building official to be the front yard when the home was built in 1967.

The Board of Zoning Appeals voted 4-0 in favor of recommending the Board grant the variation.

Trustee Seiden moved to accept the report and recommendation of the Board of Zoning Appeals regarding a proposed fence for the property located at 1405 Hazel Avenue and direct the Village

Attorney to prepare the necessary paperwork. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

### CONSENT AGENDA

ORDINANCE O-21-30 GRANTING RELIEF FROM ARTICLE 4.03-F,3,B OF THE DEERFIELD ZONING ORDINANCE FOR THE PROPERTY LOCATED AT 330 PINE STREET TO PERMIT THE CONSTRUCTION OF A ONE-STORY GARAGE ADDITION 6.083 FEET FROM THE SOUTH SIDE PROPERTY LINE IN LIEU OF THE MINIMUM REQUIRED 8 FEET – 2R      An Ordinance granting relief from the Deerfield Zoning Ordinance to permit the construction of a one-story garage addition 6.083 feet from the south property line in lieu of the minimum required 8 feet for the property located at 330 Pine Street in Deerfield, Illinois. Second Reading.

ORDINANCE O-21-31 AUTHORIZING AN AMENDMENT TO THE DEERFIELD PARK PLAZA PLANNED UNIT DEVELOPMENT AND A SPECIAL USE TO ESTABLISH AN OUTDOOR SEATING AREA FOR JIMMY THAI RESTAURANT AT 405 LAKE COOK ROAD, SUITE A1 IN DEERFIELD PARK PLAZA SHOPPING CENTER (MOAIC PROPERTIES AND DEVELOPMENT LLC AND JIMMY THAI RESTAURANT      An Ordinance authorizing an amendment to the Deerfield Park Plaza PUD and a Special Use to establish a permanent 800 square foot outdoor seating area for Jimmy Thai Restaurant located at 405 Lake Cook Road, Suite A1, in the Deerfield Park Plaza Shopping Center. Second Reading.

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

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

NAYS: None (0)

ORDINANCE O-21-32 REPEALING ARTICLE 3 OF CHAPTER 2 OF THE “MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD, ILLINOIS, 1975,” AS AMENDED, REGARDING PASSAGE      An Ordinance allowing Ordinances to be approved at the First Reading of the Ordinance. Section 2-37 of the Municipal Code requires Ordinances to be considered on two separate days prior to approval, unless waived by affirmative votes of the majority

OF ORDINANCES \_\_\_\_\_ of the Board.

Trustee Seiden moved to waive the First Reading of the Ordinance. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)  
NAYS: None (0)

Trustee Seiden moved to adopt the Ordinance. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Jester, Metts-Childers, Oppenheim, Seiden (6)  
NAYS: None (0)

OLD BUSINESS

ORDINANCE AMENDING SECTIONS 5.01-C AND 9.02-B OF "THE DEERFIELD ZONING ORDINANCE OF 1978," AS AMENDED, TO ALLOW MULTI-FAMILY RENTAL APARTMENTS TO HAVE RESIDENT AMENITY AREAS ON THE FIRST FLOOR AS A SPECIAL USE AND IDENTIFICATION SIGNS IN THE C-1 VILLAGE CENTER DISTRICT -1R

An Ordinance amending sections 5.01-C and 9.02-B of the Deerfield Zoning Ordinance of 1978, as amended, to allow multi-family rental apartments on the first floor as a Special Use and identification signs in the C-1 Village Center District. First Reading.

This will stand as the First Reading of the Ordinance.

ORDINANCE APPROVING AN AMENDMENT TO A SPECIAL USE PERMIT FOR A COMMERCIAL PLANNED UNIT DEVELOPMENT, AN AMENDMENT TO A FINAL DEVELOPMENT PLAN, A SPECIAL USE FOR A RESIDENTIAL AMENITY AREA ON THE FIRST FLOOR, CERTAIN EXCEPTIONS WITHIN THE PLANNED UNIT DEVELOPMENT, AND AN EXCEPTION TO SIGN CRITERIA (833 DEERFIELD ROAD) - 1R

An Ordinance approving an amendment to a Special Use permit for a commercial PUD, an amendment to a final development plan, a Special Use for a residential amenity area on the first floor, certain exceptions within the PUD and an exception to the sign criteria for 833 Deerfield Road. First Reading.

This will stand as the First Reading of the Ordinance.

NEW BUSINESS

RESOLUTION R-21-3 APPROVING AN UPDATED DEVELOPMENT

Assistant Village Manager Andrew Lichterman reported on January 19, 2021, the Board approved a

AGREEMENT (10 DEERFIELD ROAD) development agreement related to Zion Woods.

The initial development agreement contemplated that the Zion Lutheran Evangelical Church would continue to own the property and the developer would enter into a 99-year ground lease to develop the site. Subsequently, the church and the developer have decided that Brinshore and HODC will now acquire title to the property and there will no longer be a need for a long-term ground lease. The updated Development Agreement reflects the correct terms of title, ownership and management of the property.

Trustee Oppenheim moved to adopt the Resolution approving an updated development agreement for 10 Deerfield 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)

### DISCUSSION

#### COVID-19

Mayor Shapiro noted there has been a surge in COVID-19 cases. In light of the positivity rate and safety of the Board and residents, Mayor Shapiro suggested going back to remote Zoom meetings. Mr. Elrod explained as long as the Governor's order remains in effect, the decision is made by the head of the public body. Mayor Shapiro will look at holding virtual meetings on a meeting-by-meeting basis with consideration 30 days at a time.

#### NEXT MEETING

Mayor Shapiro noted the next meeting falls on Labor Day. The next day is Rosh Hashana. Mayor Shapiro suggested holding the next meeting on Thursday, September 9, 2021 at 7:30 p.m. Mr. Lichterman explained the Plan Commission could reschedule, if necessary. The Trustees agreed to meeting on Wednesday, September 8, 2021 at 8:00 p.m. via Zoom.

#### VACCINATIONS

Trustee Jester noted half of the fire department and 30 percent of the police department have not been vaccinated. He suggested the mayor mandate that first responders in Deerfield get vaccinated. Mayor Shapiro is not happy with the vaccination rate. He believes mandating vaccinations would be a big deal and would only do it with the Village Attorney and Board's input. Trustee Benton noted the fire protection district is not part of the Village, which needs to be considered. Mayor Shapiro is not ready to mandate vaccinations at this point. Trustee Jester would like an update for the next meeting. Trustee Oppenheim urges everyone in the community to be vaccinated. Covid is extremely infectious even for vaccinated people.

#### ADJOURNMENT

There being no further business or discussion, Trustee Oppenheim moved to adjourn the meeting. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 8:30 p.m.

Board of Trustees meeting  
August 16, 2021  
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The next regular Board of Trustees meeting is scheduled to take place on Wednesday, September 8, 2021 at 8:00 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk