

September 20, 2021

The special meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Dan Shapiro on September 20, 2021, at 7:30 p.m. via Zoom. 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, at Village Hall and Steven Elrod, Village Attorney.

PLEDGE OF ALLEGIANCE

Tim Dumvahn from the Local Spiritual Assembly of the Baha'is of Deerfield led those in attendance in reciting the Pledge of Allegiance. Mr. Dumvahn noted the Baha'is of Deerfield have been planting a transition garden for almost 50 years in front of the Deerfield Metra station. It is always a work in progress, but gives joy to others, which makes it worthwhile. They added a picnic bench this year. Mr. Dumvahn thanked the Village for its support. They welcome the opportunity to provide service to the Village.

Mayor Shapiro thanked them for their contributions to the Village

DOCUMENT APPROVAL

Trustee Benton moved to approve the minutes from the September 8, 2021, Board of Trustees 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)

BILLS AND PAYROLL

Trustee Oppenheim moved to approve the bills and payroll dated September 20, 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

Mr. Street noted there were no Public Comments on non-agenda items.

REPORTS

REPORT AND RECOMMENDATION  
OF THE PLAN COMMISSION AND  
RESOLUTION R-21-05 APPROVING A  
PRELIMINARY PLAT  
OF RESUBDIVISION OF THE 924  
AND 936 WESTCLIFF LANE

The Plan Commission held a Public Hearing on August 26, 2021, to consider the request for approval of a preliminary plat of resubdivision for the property at 924 and 936 Westcliff Lane into three (3) lots. The Plan Commission voted 5-0 in favor of the request as all three lots would be conforming.

Trustee Seiden moved to accept the report and recommendation of the Plan Commission and adopt a Resolution approving a preliminary plat of resubdivision for the property at 924 and 936 Westcliff Lane. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

APPEAL OF THE APPEARANCE  
REVIEW COMMISSION'S DECISION  
TO DENY MODIFICATIONS TO ADD  
A TAGLINE AT 711 DEERFIELD ROAD 2020,  
(ROSEBUD)

The Appearance Review Commission reviewed the drawings for signage and exterior improvements for Rosebud at 711 Deerfield Road on November 23, 2020, including two (2) wall signs with the word Rosebud painted on the north and south elevations.

The proposal passed on a vote of 4-2. In March, 2021, it was noted that the wall signs were installed with the tagline, "Alex Dana's Rosebud, est. 1976" below the restaurant name. The Village contacted the restaurant, and they returned to the ARC on July 26, 2021, for approval of the revised wall signs. The ARC voted unanimously to deny the wall signs with the tagline.

Mayor Shapiro noted the new sign with a tagline was installed before the petitioners appeared before the ARC. Chris Siavelis with CRM Properties and Peter Harlan, Architect, were present. Mr. Harlan explained Rosebud started in 1976 by Alex Dana. In 2015, they brought in the additional tagline to connect all of their restaurant brands. Mr. Harlan apologized for adding the tagline without approval, but believes it is important to the Rosebud brand. He noted the tagline is on all the new restaurant signs and on the restaurant menus. It gives the history of Rosebud Restaurants. ARC Ch. Lisa Dunn added that Rosebud has been in Deerfield since 2010 and has not had a tagline. When the commissioners looked at the request, they determined it does not add to the restaurant. Alex Dana does not have anything to do with Deerfield and does not clarify anything about the restaurant. The former location and approved sign only had the Rosebud name. The Appearance Code does not take branding or marketing into account. They look at the sign identification and readability. The ARC does not believe the tagline would be readable.

Trustee Oppenheim noted the tagline addition did not change the square footage of the sign; it is still in code. Ch. Dunn noted some of the signs were not as initially approved, but were approved when resubmitted. The rose sign size changed, but was approved. Trustee Oppenheim noted one reason taglines are not allowed is to make signs readable. Too much text will make

signs less easy to read. She questioned whether the size of the word Rosebud changed. Mr. Harlan explained the size of the Rosebud lettering did not change. It was painted by an artist and may be off by as much as an inch. The tagline is like an underline. Mr. Harlan noted the sign is unique to the space.

Planning Specialist Liz Delevitt explained the ARC felt the sign went against the Appearance Code. Ms. Delevitt noted it was painted on the wall in violation. Mr. Street asked if the branding was in place in 2020. Mr. Harlan explained they were unable to paint the sign until the Spring. At that time, there was a conversation to add the tagline. Rosebud ownership did not think it would be an issue. Mayor Shapiro noted Rosebud and CRM Properties know better. It is surprising it happened in this sequence. He believes the ARC's position is well taken. Trustee Benton noted Rosebud has been in Deerfield for years. He understands the ARC's viewpoint but believes the Village needs to be responsive to good corporate citizens in the Village. The sign is not too much in violation and can easily be carried out. Trustee Jacoby is not happy that Rosebud painted the sign without approval, but believes the Village needs to be more cognizant and be easier to work with. She thinks the Village needs to move forward and that taglines add character. Trustee Seiden believes the Village needs to determine what the code is. In the past, the Village opposed the addition of taglines. He believes taglines muddy up the sign. Trustee Metts-Childers noted once an exception is made, it will open a Pandora's box. Some taglines add character, but she does not believe this tagline adds anything. Trustee Oppenheim noted the sign needs to have a readable design. Looking at the sign, it does not make the name text less readable or cause a larger sign. She believes it looks like an underline stylistically. Trustee Jester noted the Board has not been supportive of the ARC. Their reasons are very clear.

Mr. Siavelis added the 4" tagline is readable from the sidewalk on the north and south sides of Deerfield Road. CRM Properties did not authorize the tagline, but believes it is appropriate.

Trustee Jester moved to maintain the ARC's decision to deny modifications to add a tagline to the Rosebud signage at 711 Deerfield Road. Trustee Seiden seconded the motion. The motion did not pass by the following vote:

AYES: Jester, Seiden (2)

NAYS: Benton, Jacoby, Metts-Childers, Oppenheim (4)

Trustee Oppenheim moved to approve the appeal to the ARC's decision to deny modifications to add a tagline to the Rosebud signage at 711 Deerfield Road. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Metts-Childers, Oppenheim (4)

NAYS: Jester, Seiden (2)

Trustee Jacoby moved to approve the north elevation painted sign to remain with a tagline. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jacoby, Metts-Childers, Oppenheim (4)

NAYS: Jester, Seiden (2)

REPORT AND RECOMMENDATION OF STAFF RE: GREENHOUSE GAS REDUCTION AD HOC WORKING GROUP Assistant Village Manager Andrew Lichterman stated Mayor Shapiro asked staff to prepare a report discussing approaches to an Ad Hoc Working Group that could address the greenhouse gas reduction goals proclaimed by the Village Board on February 18, 2020. Staff has prepared a recommendation discussing the mission, goals, focus areas, composition, and frequency of the proposed Ad Hoc Working Group.

Mr. Lichterman proposed a working group with 7 voting members including 2 from the Sustainability Commission, 2 from GoGreen Deerfield, a business representative and 2 Trustees, along with 4 staff members. It may be determined a professional facilitator is needed at later date. The working group would meet monthly and meet Open Meetings Act requirements.

#### Public Comments

Art Wilde, encouraged and excited about the formation of the working group. He is hopeful the Village will move quickly on this.

Moe Ban strongly supports the creation of the Ad Hoc Working Group and believes this group will be instrumental in creating a path to move forward.

Camilla Dadey is in strong support of the Ad Hoc Working Group.

Ronald Traub believes the planet, country, state and city have many issues. Greenhouse gas reduction is a matter of life and death.

Trustee Oppenheim is excited to get moving on this and have a systematic approach and direction for the future. She moved to accept the report and recommendation of staff regarding a Greenhouse Gas Reduction Ad Hoc Working Group. 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

ORDINANCE O-21-35 AUTHORIZING APPROVAL OF A SPECIAL USE FOR A SELF-IMPROVEMENT FACILITY FOR PREMIER MARTIAL ARTS AT 665 DEERFIELD ROAD An Ordinance approving a Special Use for a self-improvement facility for Premier Martial Arts located at 665 Deerfield Road.

**ORDINANCE O-21-36 INCREASING An Ordinance increasing the number of Class E  
THE NUMBER OF CLASS E LIQUOR liquor licenses by one (1) for Egg Harbor Café.  
LICENSES BY ONE (1) FOR EGG  
HARBOR CAFÉ**

Trustee Benton moved to adopt Consent Agenda and passage of the Ordinances. 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 O-21-37 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**

An Ordinance amending the Deerfield Zoning Ordinance 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. Second Reading.

**ORDINANCE O-21-38 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) - 2R**

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 to the sign criteria for the property located at 833 Deerfield Road. Second Reading.

**RESOLUTION R-21-06 APPROVING A  
DEVELOPMENT AGREEMENT FOR  
THE 833 DEERFIELD ROAD RENTAL  
APARTMENT DEVELOPMENT**

A Resolution approving a development agreement for the 833 Deerfield Road rental apartment development.

Jeff Malk and Chris Siavelis with CRM Properties and Brian Romanelli with SCB Architects were present. Mr. Siavelis noted the ground floor changes were in previous versions of their proposals. The 6-inch water main stays, for example. Mr. Romanelli showed the site plan changes. The main change is they added two ADA parking stalls which reduces one parking space. They also added an access easement on the northeast corner. The ground floor revision of parking reduces parking by two more spaces. They now have 86 spaces and will incorporate a small fitness center and office facing the south entry of the building. The profile of the building does not change. The landscape changes include a small reduction of the quantities of plants as well as changing one plant due to soil conditions. They will utilize existing water service and directional borer for sanitary sewer. Mr. Romanelli explained they would add an under drain along the dog run and some traffic details per IDOT standards. They updated the photometric lighting plan for the interior space. Mr. Siavelis noted with the reduction of 3 parking spaces, they are still above code.

Trustee Benton asked how trash is handled in the building and where disposal trucks pick up trash. Mr. Siavelis explained the garbage trucks do not have the clearance. They will wheel out the containers. There are chutes in the building leading to trash room. Trustee Oppenheim asked how the dog run would be accessed. Mr. Siavelis explained it is only accessible through the garage, for security.

Public Comment – Dan Boot has been a Deerfield resident since 1986. He believes the proposal to include 5% up to 120% AMI is off market based on the percentage of units and AMI used in the surrounding suburbs. He believes it would have a minor impact on the developer's return. Mr. Boot would appreciate this being addressed. Mayor Shapiro explained the Village looked at this development for nearly a year and affordable units for nearly a year. This is a development that will be a wonderful addition to the Village. Mr. Boot's comment was well taken, but it has been vetted thoroughly.

Trustee Seiden moved to approve the Resolution and Ordinances for the 833 Deerfield Road apartment development including the above changes. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

#### NEW BUSINESS

**RESOLUTION R-21-07 AUTHORIZING** The Village of Deerfield Water Reclamation  
**AWARD OF CHEMICAL PHOSPHORUS** Facility is regulated by a National Pollution  
**REMOVAL ASSISTANCE AGREEMENT** Discharge Elimination System (NPDES) permit.

The permit requires meeting a compliance schedule, completing construction of phosphorus removal infrastructure by June of 2023.

Superintendent of Wastewater Management Brandon Janes stated the Department of Public Works and Engineering requests authorization to award the contract for the Chemical

Phosphorus Removal Assistance Project to Strand Associates, Inc. in the amount of \$172,000. The project is budgeted for the 2021, 2022 and 2023 fiscal years.

Trustee Benton moved to award the Chemical Phosphorus Removal Assistance Project contract to Strand Associates, Inc. in the amount not to exceed \$172,000. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

### DISCUSSION

#### HARVEST FEST

Mayor Shapiro is so proud of the events that occurred over the past weekend including the dedication of Harriet's Garden, fireworks, 5K run, historical society events and bands. It was a tremendous weekend with huge amount of effort. Mayor Shapiro thanked staff for a job well done. He noted former Mayor Rosenthal found the dedication ceremony very touching and meaningful.

Trustee Oppenheim thanked David Fitzgerald-Sullivan for organizing the reception. Trustee Oppenheim noted Julie Morrison and Bob Morgan said their respective bodies would come up with Resolutions honoring former Mayor Rosenthal. She recommended it be published and a copy posted in Village Hall. Mr. Street thanked staff, the Chamber of Commerce, Mayor Shapiro, the Trustees and Harriet Rosenthal for their support.

#### ASSAULT WEAPON BAN

Mayor Shapiro noted the Village's arguments on the assault weapon ban will be in front of the Supreme Court on Wednesday.

APPEARANCE REVIEW COMMISSION Trustee Jester finds it disconcerting that the Village Board consistently fails to uphold the recommendations of the Appearance Review Commission. Anyone who appeals wins and the Board is not supporting the ARC.

#### PUBLIC COMMENT

There were no additional Public Comments.

#### ADJOURNMENT

There being no further business or discussion, Trustee Benton 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 8:40 .pm.

Board of Trustees meeting  
September 20, 2021  
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The next regular Board of Trustees meeting is scheduled to take place on Monday, October 4, 2021, at 7:30 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk