

October 4, 2021

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Dan Shapiro on Monday, October 4, 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

Ilana Forbes, Senior Staff Attorney for the Domestic Violence Practice Division of the North Shore Legal Aid Clinic led those in attendance in reciting the Pledge of Allegiance. Ms. Forbes explained they are a pro bono legal services clinic for domestic violence, housing and immigration. Their clients found themselves trapped at home with their abusers. They developed a banana bread website via Zoom and had attorneys available to assist their clients in the background. They have a free guide for survivors to assist them in recognizing domestic violence, getting away and starting a new chapter on their own.

In the temporary absence of Mayor Shapiro, Trustee Oppenheim moved to appoint Trustee Benton as the President Pro Tem. Trustee Jacoby seconded the motion. The motion passed by the following vote:

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

PROCLAMATION

Mayor Shapiro proclaimed the month of October, 2021 as Domestic Violence Awareness Month in the Village of Deerfield and urged citizens to wear purple and work together to eliminate domestic violence from our community.

Trustee Oppenheim moved to adopt the Proclamation proclaiming the month of October as Domestic Violence Awareness Month. Trustee Metts-Childers seconded the motion. The motion passed by the following vote:

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

APPOINTMENTS

Mayor Shapiro recommended the following

appointments to the Greenhouse Gas Ad Hoc Working Group: Trustee Mary Oppenheim, Chair, Trustee Elaine Jacoby, Donald Anderson, William Mertes, Art Wilde, Camilla Dadey and Victoria Street. Assistant Village Manager Andrew Lichterman noted there would also be staff liaisons from administration, building, planning and engineering.

Trustee Seiden moved to approve the appointments. Trustee Metts-Childers 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 Oppenheim moved to approve the minutes from the September 20, 2021, Board of Trustees meeting. Trustee Metts-Childers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

TREASURER'S REPORT

Finance Director Eric Burk presented highlights from the August 2021 Treasurer's Report representing 66 percent of the fiscal year. Sales tax increased from the prior month due to a general increase in activity and higher use tax. Water and sewer billing continue to reflect higher usage months, which is typical this time of year. Hotel tax reflects current payments from all six hotels. Notable expenditures in August include engineering/construction costs, purchase of three police interceptors with equipment and purchase of a street sweeper. Large expenditures to come include general fund transfers, debt service payments and the police pension contribution.

BILLS AND PAYROLL

Trustee Oppenheim moved to approve the bills and payroll dated October 4, 2021. Trustee Jacoby 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. There was one present at Village Hall to make a public comment.

REPORTS

There were no Reports.

CONSENT AGENDA

There were no items on the Consent Agenda.

NEW BUSINESS

RESOLUTION R-21-33 APPROVING A Village Engineer Tyler Dickinson reported the PLAT OF EASEMENT FOR SIDEWALK FOR 1121 GREENWOOD AVENUE and Oakley Avenues does not have a sidewalk along the Oakley Avenue side of the property.

Installing a sidewalk along the Oakley Avenue side would provide connectivity to nearby residents by linking the sidewalk south of this property to Greenwood Avenue. As part of the original engineering review for this project, staff worked with the property owner to obtain the appropriate sidewalk easement. This easement is required due to the minimal parkway space on Oakley Avenue as well as the lack of curb.

Trustee Oppenheim noted this would provide continuous sidewalk south of Greenwood. Mr. Dickinson explained there is a 50-foot section with two large trees that would not connect.

Trustee Jester moved to approve the Resolution approving a Plat of Easement for a sidewalk for the property located at 1121 Greenwood Avenue. 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 0-21-39 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2021, OF THE VILLAGE OF DEERFIELD, ILLINOIS Mr. Burk and Anthony Miceli from Speer Financial explained the Village is able to refund the 2011A, 2012 and 2013 bonds resulting in a total estimated savings of more than \$1.6 million over the next 10 years.

Mr. Burk explained the Village received a favorable bond option to help fund the \$7 million 2-year capital program. Mr. Miceli explained the bonds are callable in December 2021. The best bid was from the Baker Group at 1.585 percent. The Village's rating was affirmed at AAA.

Trustee Jester moved to adopt the Ordinance authorizing the issuance of General Obligation Bonds, Series 2021, of the Village of Deerfield. Trustee Seiden seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

OLD BUSINESS

Mayor Pro Tem Benton declared a recess until 8:15 p.m. Mayor Pro Tem Benton declared a second recess until 8:30 p.m. Mayor Shapiro rejoined the meeting as the presiding officer and declared the meeting back in session.

ORDINANCE O-21-38 APPROVING AMENDMENTS TO THE VILLAGE OF DEERFIELD ZONING ORDINANCE REGARDING AFFORDABLE HOUSING REQUIREMENTS An Ordinance amending the Zoning Ordinance of the Village of Deerfield regarding affordable housing requirements. The proposed Ordinance requires that the governed development provide a specified number of affordable units on-site, depending if the development is attached or

detached, up to a maximum of 10 percent affordable units. The Ordinance also sets maximum income levels for rental projects between 100% AMI and 120% AMI; and, owner-occupied projects at 120% AMI. Mr. Lichterman explained staff is recommending a language change to designate attached and detached affordable units rather than rental and owner-occupied units.

Ch. Larry Berg and Commissioner Al Bromberg from the Plan Commission were present. Mayor Shapiro noted this was discussed at the July Committee of the Whole meeting. The Village has received a lot of input from staff, the Plan Commission and the public. Mayor Shapiro noted the Village has received a lot of public comment that urges the Village to do better. He asked the Board to consider all units 100% AMI rather than a tiered approach starting at 120% AMI and believes that would go even further to advance inclusionary housing.

Trustee Oppenheim thinks this is a good idea as 120% is close to the market rate. She recognizes this is a first step and needs to be implemented before tightening it up. Trustee Metts-Childers is supportive of 100% AMI and suggested considering a 100% AMI and 80% AMI for more than 50 units. Trustee Benton noted the Village is being compared with other suburbs, but is not the same size as Highland Park, Lake Forest and Northbrook. Mayor Shapiro believes the Village has the opportunity to do something special at this time, after all these years.

The Village received a petition from parishioners of Holy Cross Catholic Church and Public Comment emails were received in advance of the meeting. Mr. Street read the Public Comment emails that were included as part of the Board packet.

Tom Ochs noted there are a large amount of FOIA requests for the Affordable Housing Ordinance and the Village had to push back the time to fill the requests. He expressed concern that the Board is considering passing the Ordinance before the FOIA requests can be filled. Mr. Ochs asked the Trustees to look at the 100% AMI meaning, which is taking into account the people that live here already.

Trustee Oppenheim noted people need to realize the Village has not opted to allow a fee in lieu of compliance with affordable housing. A number of other communities have allowed this. In

many ways, Deerfield's Ordinance will be stricter because the Village is not allowing a fee in lieu of compliance.

Trustee Metts-Childers noted some developers ask for a 25-year end point to affordable housing, but the proposed Ordinance does not have an end point. Mr. Elrod noted the Village has not added an end point, unless required by law. Trustee Metts-Childers asked about the use of the word similar rather than same in regard to some amenities. Mr. Elrod explained the language was deliberate. Mr. Lichterman noted one of the references is to storage units. Not every storage unit in a building is exactly the same size. Mr. Elrod added that not all units are exactly the same.

Trustee Seiden requested a response to Mr. Ochs comment. Mr. Lichterman explained the AMI is calculated by the average median income from a multi-county area, not Deerfield specifically. Mayor Shapiro noted the FOIA requests include Village staff looking through thousands of papers. Most of the documents are public documents that have been discussed or distributed. The Village has discussed this thoroughly. Mr. Lichterman added the entire email database of more than 24,000 emails have to be reviewed for each FOIA request. If the requestor would like to remove the emails from the request, the FOIA information would be released quicker.

Trustee Oppenheim moved to adopt the Ordinance approving the Deerfield Zoning Ordinance regarding affordable housing requirements with amendments to adjust the titles on the chart on page 8 and the concept of changing 120% AMI to 100% AMI in five (5) locations throughout the document and the two-tier approach of 100% AMI and 80% AMI for rental in the various definitions, 2.14A and 2.14B2. 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

PUBLIC COMMENT

There were no additional Public Comments.

ADJOURNMENT

There being no further business or discussion, Trustee Benton moved to adjourn the meeting to Closed Session pursuant to 5 ILCS 120/2(c)(11); (c)12; (c)2; (c)1 and (c)21 of the Illinois Open Meetings Act. 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 to Closed Session at 9:17 p.m.

Board of Trustees meeting

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The next regular Board of Trustees meeting is scheduled to take place on Monday, October 18, 2021, at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk