

October 4, 2010

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Rosenthal in the Council Chambers of the Village Hall on Monday October 4, 2010 at 7:30 p.m. The Clerk called the roll and announced that the following were:

Present: Harriet Rosenthal, Mayor
Robert Benton
Alan Farkas
Thomas Jester
Mary Oppenheim
William Seiden
Barbara Struthers

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

PLEDGE OF ALLEGIANCE

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

PRESENTATION FROM HIGHLAND PARK HOSPITAL

Mayor Rosenthal explained that the presentation has been rescheduled for the October 18th Board of Trustees meeting due to a conflict.

MINUTES OF PREVIOUS MEETING

Trustee Farkas made motion to approve the minutes from the September 20, 2010 Board of Trustees meeting. Trustee Oppenheim seconded the motion. Trustee Farkas then noted a correction on page 3 of the draft minutes. Trustee Oppenheim made a motion to approve the minutes as amended. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Farkas, Jester, Oppenheim, Seiden, Struthers (6)
NAYS: None (0)

BILLS AND PAYROLL

Trustee Seiden made a motion to approve the Bills and Payroll dated October 4, 2010. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Benton, Farkas, Jester, Oppenheim, Seiden, Struthers (6)
NAYS: None (0)

REPORT ON DEPARTMENTAL OBJECTIVES – COMMUNITY DEVELOPMENT

Enforcement Officer Clint Case presented highlights from the Building Division portion of the Community Development report. He stated that activity levels have increased, but the amount of fees received has decreased. This is primarily due to the absence of another Takeda project this

year. Mr. Case mentioned that things are continuing to improve, and a number of single family residential projects currently are being reviewed at this time. The department has slightly altered its operating procedures and is now performing site inspections previously conducted by the Engineering Division in order to make the operation more efficient. This is allowing the Department to perform building, site and engineering inspections, up to a point. He noted the final inspection on the engineering has not changed, and the certificate of occupancy is still subject to final engineering review.

Mr. Case stated the Board of Zoning Appeals has held four Public Hearings. The number of temporary permits issued has been average. Mr. Case noted the Weinberg Project (Karmel) is looking to begin site work within the next six months.

Mr. Case discussed the possible demolition of a property. He stated the Village has heard from two financial institutions expressing concern about the procedure. Trustee Seiden asked if there is anything that would make the house livable. Mr. Case stated that due to a fire it is not livable and needs to come down.

Mr. Case stated that Trustee Farkas asked about home value improvements at the last meeting. Mr. Case has been unable to get definitive answers at this point due to source limitations.

Mr. Case discussed the foreclosure information that was provided in the report. He stated that the foreclosures and judicial sales listed in the *Deerfield Review* are often misleading, because they are for the entire 60015 zip code, not just Deerfield. He noted that of the six properties listed in a recent *Deerfield Review*, only two foreclosures are in incorporated Deerfield. Mr. Case also explained that the listings repeat for several weeks in the paper.

Mr. Case concluded by stating that the Department remains active. Department staff are scheduled for continuing education and will get recertified as needed.

Trustee Farkas asked about the distressed property at 679 Castlewood because many of the Trustees have received an email about it. Mr. Case explained the property has been vacant for more than 30 years. It has been maintained and taxes have been paid. Current Village Ordinance states that as long as the building is not a danger and remains secure, it can remain unoccupied. Mr. Street and Mayor Rosenthal suggested holding a Committee of the Whole meeting to discuss ways the Village can handle this type of situation. Trustee Farkas suggested the possibility of characterizing the property as a public nuisance. He asked what the Village can do so residents would not have to tolerate problem properties. Mr. Case suggested addressing this concern at the Committee of the Whole meeting. He will put together a report on what he believes can be effective in these cases. Trustee Oppenheim suggested including a section on how wide-spread the situation is in Deerfield.

Principal Planner Jeff Ryckaert presented highlights from the Planning Division. He stated that commission activity level has been good. The Plan Commission has been busy over the past six months. There has been a lot of interest from restaurants coming into the Village. Ristorante Abruzzo wants to move out of Deerbrook Mall and into Deerfield Park Plaza. There is some interest in the former Bennigan's site. The Plan Commission also discussed Honquest Outlet Plus, Wilmot School, Woodland Park, the Village Hall parking lot, and the Takeda Childcare Center. The Appearance Review Commission discussed 12 petitions, and the Village Center Development Commission held six

meetings. They initiated a flower planter program in the downtown. They will start earlier next year in hopes there will be more participation. Trustee Struthers suggested sending thank you letters to the businesses that participated this year.

The Village will continue to update the inventory of available commercial spaces in their support of economic development. Feedback has been positive.

The Village participated in the 2010 Census and had an 87% rate of participation. Nationally, the rate of participation was 72%. The Census Bureau will report their results by the end of the year.

The Village participated in the Lake County Alternative Energy Task Force as part of their sustainability initiative. The Task Force, which finished meeting last month, focused on wind energy, solar, and geo-thermal systems and came up with a model ordinance that can be tweaked by the Village. The Sustainability Commission and Plan Commission will review the model ordinance and make recommendations before it comes before the Board. Mr. Ryckaert noted that Lincolnshire and Bannockburn have already started preparing their text amendments. Trustee Oppenheim asked if the Village has received any inquiries. Mr. Case noted the Village has received a number of calls regarding lighting requirements. He noted that many people have undertaken insulation programs on their own. Trustee Struthers asked if any businesses have made an effort to become green businesses. Mr. Ryckaert stated that Takeda and several companies noted in the report have put forth efforts to put in green elements.

The Village has had ongoing discussions with One Deerfield Place regarding workforce and affordable housing. The Village is trying to utilize private funds for affordable housing in the Village. They are looking at both larger projects and smaller programs. Mr. Ryckaert stated they would meet again on Friday to get additional direction. Trustee Struthers stated that if the project is close enough to the Metra station, the Village could get transit agency grants as well. Mr. Ryckaert will look into it to see if it is a possibility.

Mr. Ryckaert discussed other upcoming programs. Staff is working with the Cemetery Commission to comply with the Cemetery Oversight Act which went into effect on March 1, 2010. Staff has updated the summary of the development along Lake Cook Road. With Takeda, more than five million square feet of office space has been developed on Lake Cook Road. Wonder! has their building permit and will hopefully open during the second quarter of 2011. Trustee Farkas asked about the timing for Wonder! because they initially thought they would open at the end of the year. Mr. Ryckaert explained they did not request their building permits as quickly as they originally thought. Mr. Street added that they are still pursuing some financing, but they have the financing for the start up. Mayor Rosenthal commented that the Village has been fortunate to have so many new businesses this year.

Mayor Rosenthal thanked Mr. Case and Mr. Ryckaert for the efforts and support provided by the Community Development Department

PUBLIC COMMENT There was no Public Comment.

REPORTS

REPORT AND RECOMMENDATION Mr. Street stated that the Plan Commission held

OF THE PLAN COMMISSION RE:
REQUEST FOR A SPECIAL USE TO
PERMIT LIQUOR SALES IN A DRUG
STORE – WALGREENS

780 Waukegan Road.

Public Hearings on April 8, 2010, July 8, 2010 and August 26, 2010 and voted 5-1 in favor of recommending approval of a Special Use to permit liquor sales as an ancillary use, not to exceed 2% of the store's area at Walgreen's in Deerfield Square at

REPORT AND RECOMMENDATION
OF THE VILLAGE CENTER
DEVELOPMENT COMMISSION RE:
REQUEST FOR A SPECIAL USE TO
PERMIT LIQUOR SALES IN A DRUG
STORE – WALGREENS

would not be advertised in the store windows, and a limitation on the shelf space allowed for beer and wine as presented by Walgreens in their materials.

Mr. Street stated that the Village Center Development Commission held a workshop meeting on April 7, 2010 and voted 9-0 in favor of recommending approval for a Special Use to permit beer and wine sales at Walgreens in Deerfield Square at 780 Waukegan Road, with the conditions that sales are limited to beer and wine only, beer and wine

Trustee Jester made a motion to accept the Report and Recommendation of the Plan Commission regarding the request for a special use to permit liquor sales in a drug store. Trustee Oppenheim seconded the motion.

Trustee Struthers suggested that the window signs must be in compliance with the Window Signage Ordinance before a liquor license can be issued. Mayor Rosenthal noted the Trustees would only be approving the report, and is sure Walgreens has heard this from the commissions. Mr. Street explained that second floor windows are currently in question, as agreement has been reached on the first floor windows.

Dan Perlin, Senior Attorney with Walgreens, confirmed that Walgreens is pleased with either the ARC or CRM proposals for the second floor windows.

Trustee Struthers asked whether Walgreens is asking for liquor sales up to 2% of store sales. Mr. Perlin showed a chart showing the relative percentages versus the entire retail floor area. Currently, the floor space plan proposes that beer and wine sales be less than 1% of the available retail square footage. To add some flexibility, the Plan Commission has a limit of 2%. Trustee Oppenheim noted that a substantial amount of the space currently allocated to food sales would go to the liquor sales area and asked what type of foods would be removed to make room, observing that many residents rely on Walgreens for late night and last minute purchases of milk and other foods. Mr. Perlin assured the Board that most current food items will still be available, with some condensing of the snack food areas. Trustee Struthers would like to see all liquor contiguous instead of having some of it mixed in with other beverages. Mr. Perlin stated that beer and wine would not be in the same cooler as milk. Trustee Struthers believes it would be easier to police the area if it were separate. Mr. Perlin explained that Walgreens has advanced security measures in place. Trustee Oppenheim believes it is advantageous to have automatic prompting for cashiers to check identification when alcohol is purchased, as proposed by Walgreens.

Mayor Rosenthal noted the Village does not want minors to be able to purchase beer or wine. Trustee Oppenheim added that the Village performs compliance checks with all liquor licensees in the Village.

Mayor Rosenthal noted that window signs would not be part of the approval ordinance, but the issue needs to be resolved.

Mr. Perlin asked what would happen if CRM Properties did not file their appeal. Mr. Street suggested going ahead with the first floor windows because there is already an agreement from all parties, and the second floor matter will likely come to the Village Board at the next meeting on October 18th.

The motion passed by the following vote:

AYES: Benton, Farkas, Jester, Oppenheim, Seiden, Struthers (6)

NAYS: None (0)

CONSENT AGENDA

ORDINANCE O-10-29 APPROVING A SIGN MODIFICATION FOR LUNA FLOOR GALLERY, 350 LAKE COOK ROAD – 2R

An ordinance approving a sign modification for Luna Flooring Gallery located at 350 Lake Cook Road. Second Reading.

ORDINANCE APPROVING A MODIFICATION OF FENCE HEIGHT FOR 1126 CHESTNUT – 1R

An ordinance approving a modification of the fence height for the property located at 1126 Chestnut. First Reading

Trustee Oppenheim made a motion to approve the Consent Agenda and adopt the ordinance approving a sign modification for Luna Floor Gallery. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Farkas, Jester, Oppenheim, Seiden, Struthers (6)

NAYS: None (0)

ORDINANCE APPROVING A COMBINED SIDE YARD VARIATION FOR 444 HERMITAGE – 1R

An Ordinance approving a combined side yard variation for the property located at 444 Hermitage. First Reading.

This will stand as a First Reading of the Ordinance.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

AUTHORIZATION TO AWARD CONTRACT FOR LANDSCAPING SERVICES – VILLAGE PARKING LOT AT 750, 758 AND 800 DEERFIELD ROADS

Assistant Village Engineer Bob Phillips stated the Village received three proposals for the landscaping plan that was approved at the September 7, 2010 Board of Trustees meeting. The most cost effective proposal that met the scope of the work was received from Enrico Mosconi Landscaping Contractors,

Inc. in an amount not to exceed \$25,396. They have performed landscaping services for the Village in the past with successful results.

Trustee Seiden made a motion to award the contract for landscaping services for the Village parking lot at 750, 758 and 800 Deerfield Roads to Enrico Mosconi Landscaping Contractors, Inc. in an amount not to exceed \$25,396. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Farkas, Jester, Oppenheim, Seiden, Struthers (6)

NAYS: None (0)

INTERGOVERNMENTAL
AGREEMENT: INTERCONNECTION
OF VILLAGE OWNED TRAFFIC
SIGNALS TO LAKE COOK PASSAGE
NETWORK

Mr. Phillips explained that 95% of the traffic signals in the Chicago area are interconnected. In 2004, the Lake County Division of Transportation began to implement the Lake County PASSAGE system, which is designed to provide motorists with real-time traffic congestion information. To implement

the signal monitoring and coordination system in the Village, the Lake County Division of Transportation requests and Village staff recommend that all village owned traffic signals interconnect with the Lake County PASSAGE network.

The Intergovernmental Agreement defines responsibilities with respect to energy, maintenance, and future costs of traffic signals that are owned by the Village and must be executed by the Village to complete the traffic signal interconnection. As a result of the agreement the Village of Deerfield will have the added benefit of PASSAGE traffic monitoring, with no additional expenditures regarding routine maintenance or energy usage.

Trustee Seiden asked if additional video cameras would be added. Mr. Phillips explained that additional cameras are not being proposed at this time, but it is likely they will be added at a later date. Trustee Benton noted the video cameras have been very positive and are not used for enforcement.

Trustee Oppenheim stated she visited the PASSAGE facility and was very impressed with the technology and how they can zero in on what is happening on different roads. She thinks it is fabulous that the Village can participate and make the roads better and safer at no cost to the Village.

Trustee Farkas made a motion to authorize the Mayor to execute the Intergovernmental Agreement for the Interconnection of village-owned traffic signals to the Lake County PASSAGE Network. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Farkas, Jester, Oppenheim, Seiden, Struthers (6)

NAYS: None (0)

DISCUSSION

HOMEcomings IN DEERFIELD

Mayor Rosenthal had asked Chief Sliozis to report on homecoming in Deerfield. She is proud to report that Deerfield High School won their game. In the absence of Chief Sliozis, Mayor Rosenthal read his

report. Homecoming weekend was September 24 and 25. The events were without incident and were well attended. Prior to the event, the Police Department conducted liquor compliance checks at local establishments. They also worked with high school personnel to ensure safety at the events. Mayor Rosenthal thanked the staff at Il Forno Pizza for attaching 'Parents Who Host Lose the Most' flyers to their pizza boxes. She also thanked Jean Spagnoli for the banner placement and the Rotary Club for the original purchase of the banners.

FALL FESTIVAL

Mayor Rosenthal stated that Fall Festival was very well attended. The event included 50 old and antique vehicles. She noted the Historical Society is always looking for volunteers.

CONGRATULATIONS

Mayor Rosenthal congratulated the Police Department for winning the second annual Farmers Market rib cookoff. She thanked Stony River for providing the ribs. The sauces were made by the Police and Fire Departments. All proceeds went to charity.

BICENTENNIAL QUILTS

Mayor Rosenthal stated there was a small get together at Village Hall for those who participated in the bicentennial quilts in the 1970's. It was a lot of fun and good history was shared.

VOTING

Mr. Street reported that there are several elections coming up. The petition packets for Village positions are available. Trustee Struthers added that early voting is open from October 11 - 26. Absentee voting and voting by mail are also available. Mayor Rosenthal urged everyone to register to vote.

TRAIN WHISTLE

Mr. Street noted that he received a call regarding Metra train whistles. He stated that Metra is performing track maintenance. When repair personnel are present, conductors need to sound their horns to maintain track safety. He will look into finding out about the duration of the project.

DISCUSSION

ADJOURNMENT

There being no further business or discussion, the meeting was adjourned at 8:37 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk