

July 18, 2011

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 July 18, 2011 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

Michael Swartz, Chairman of the Plan Commission, led those in attendance in reciting the

Pledge of Allegiance.

MINUTES FROM PREVIOUS MEETING

Trustee Benton made a motion to approve the minutes from the July 5, 2011 Board of Trustees meeting. Trustee Struthers seconded the motion. The motion passed unanimously with Trustee Farkas abstaining.

BILLS AND PAYROLL

Trustee Farkas made a motion to approve the Bills and Payroll dated July 18, 2011. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

TREASURER'S REPORT

Bob Fialkowski presented highlights from the Treasurer's Report for the second month of the fiscal year. There was not a lot of unusual activity and sales tax, building permits and hotel tax revenues showed good growth. Mr. Fialkowski stated there was some overtime pay for Public Works due to the June 21, 2011 weather event. He noted the first payments of the Lake County property tax receipts were received in this month.

Trustee Seiden stated it is good to see the combination of February-March sales tax being greater than the same period during the past two years. He noted the trend appears to be going in the right direction.

Trustee Farkas questioned if there was any indication of how the Lake Cook Road closure is affecting sales. Mr. Fialkowski explained due to the lag time between sales and Village receipt of tax payments, the effect has not yet been present. He did agree that likely the Village would see the effects shortly. He hopes the building permit revenues will help offset some of the impact. Mr. Fialkowski urged residents to patronize Deerfield businesses, especially those in the construction zones.

MANPOWER APPOINTMENTS

Mayor Rosenthal thanked Nort Wasserman for his work on the Plan Commission and contributions to the Village. With his resignation from the Plan Commission, Mayor Rosenthal nominated Jim Moyer, presently on the Board of Zoning Appeals, to fill the open seat. Trustee Seiden made a motion to approve the appointment of Jim Moyer to the Plan Commission. Trustee Oppenheim 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 – PUBLIC WORKS AND ENGINEERING

Director of Public Works and Engineering, Barbara Little, presented highlights from the departmental objective report over the past six months, including the capital improvement program. The engineering department continues to review commercial and residential development plans. The department personnel also process all tree removal applications. The department also tries to obtain funding from outside sources for projects including the pedestrian underpass, sidewalks and road rehabilitation. The Carlisle-Carriage Way improvement project and the Deerfield Road underpass project are nearing completion and several projects are soon to get underway.

Ms. Little stated the street department plowed 56 inches of snow. The Village has also taken measures to become a Tree City USA. In March, the first presence of Emerald Ash Borer arrived in Deerfield. The department presented an action plan to the Board and is surveying trees in the community.

The water department completed flushing the fire hydrants and is in the process of completing the water leak survey. The water meter upgrade program continues and Ms. Little noted in the last month the need to respond to storms has reduced the meter replacement effort, but been important for public safety.

Wastewater Reclamation Facility construction has been underway since January and is 18 percent completed. The June 21, 2011 storm severely impacted the Wastewater Reclamation Facility. The plant was without power and was being operated by a generator and Staff is completing additional repairs that were caused by the storm.

The sewer department completed more than 1,200 feet of sewer lining on Pine Street and repaired and replaced many sewer structures that have been damaged due to age and salt.

The garage division continues to keep the Village fleet on the streets. They maintain all Village vehicles, public works equipment, the public works building and the HVAC systems.

Mayor Rosenthal expressed great appreciation for all the work of the Public Works and Engineering Department, taking complaints because of the Lake Cook Road construction and getting the Village through the storm difficulties. She asked Ms. Little to thank her staff and tell them that the residents have been delighted with their response.

Trustee Benton noted the SWALCO recycling event was held at the high school. Public Works was very much in the public eye by keeping traffic flowing and orderly.

Mayor Rosenthal asked if it would be feasible for residents to order trees for private property at a reduced cost through the parkway tree program, due to the number of trees lost during the recent storms. Ms. Little will also look into this option through the consortium. Trustee Oppenheim asked if there is a limit to the number of trees the Village could get through the consortium.

PUBLIC COMMENT

There was no Public Comment.

REPORTS

REPORT AND RECOMMENDATION  
OF PLAN COMMISSION RE  
CONSIDERATION TO PLACE A SIZE  
LIMITATION ON THE MAXIMUM SIZE  
OF A WALL SIGN ALLOWED IN  
COMMERCIAL ZONING DISTRICTS

Mr. Street stated the Plan Commission held a Public Hearing on April 28, 2011 that was continued to June 9, 2011 to consider placing a cap on the maximum size of a wall size allowed in commercial districts.

Trustee Farkas made a motion to accept the report and recommendation of the Plan Commission. Trustee Benton seconded the motion. Trustee Jester was unsure if there is a problem. Trustee Jester noted that the Wonder! sign is good and believes the size of the facility requires a larger sign. He does not see intrusive signs in the Village and is not convinced additional regulation is necessary.

Trustee Oppenheim believes aesthetics control signage and questioned the need for the recommended regulation as well. The Village adopted an Ordinance stating that wall signage could cover no more than eight percent of a wall. The Village only has a few entities with large walls and the Village has not granted many variations for larger wall signs.

Plan Commission Chairman Michael Swartz stated his view of the issue is that if there is no Special Use involved, the petitioner could have a sign up to eight percent of the wall. The Plan Commission believes having a 250 square foot limit, with the ability to ask for a waiver, seems to be a fair solution. Mayor Rosenthal noted the limitation gives petitioners guidance and should be helpful.

Trustee Struthers noted that there is a need for more visibility in some centers, such as Cadwell's Corner. Ch. Swartz stated that some businesses do not require Special Uses or reuse the existing buildings. Trustee Struthers questioned what buildings would fall into the eight percent rule. Mr. Swartz explained that it would depend on the configuration, but Home Depot would be one building.

Trustee Struthers would not want to keep people from doing the best business they can do in Deerfield. Trustee Benton stated that Deerfield is very user friendly for companies. The Village is very flexible and has processes in place to allow for variances.

Trustee Oppenheim believes the current process provides good results. She believes the Wonder! sign is proportionate and accomplishes what the company wants. She is a little uncomfortable setting a standard that she disagrees with in certain cases. Mayor Rosenthal noted the Village has debated signage and sign sizes for years. She restated that the proposed recommendation is being proactive, not reactive to Wonder!.

The motion passed by the following vote:

AYES: Benton, Farkas, Seiden, Rosenthal (4)

NAYS: Jester, Oppenheim, Struthers (3)

Trustee Benton made a motion to request the Plan Commission hold a Public Hearing to consider text amendments to the Zoning Ordinance to prohibit commercial tenant trucks from parking near the street and functioning as advertising signs and billboards. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

#### CONSENT AGENDA

ORDINANCE O-11-27 APPROVING A TEXT AMENDMENT TO MUNICIPAL CODE SECTION 12-18 AND 12-19 RE <u>RESIDENTIAL WASTE COLLECTION</u>	An Ordinance approving a Text Amendment to Municipal Code section 12 – 18 and 12 - 19 regarding residential waste collection. Second Reading.
--	--

Trustee Farkas made a motion to accept the Consent Agenda and adopt the Ordinance. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

RESOLUTION R-11-10 OF THE VILLAGE OF DEERFIELD DECLARING ITS OFFICIAL INTENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES FROM THE PROCEEDS OF FUTURE DEBT ISSUE (WRF)

Mr. Fialkowski noted the matter was anticipated during the budget deliberations. As costs for the Wastewater Reclamation Facility and other projects are being incurred prior to bond issuance, this resolution is required.

Mr. Fialkowski provided a status report on the qualified energy bonds noting the Village will most likely have the allocation ceded to it by the Illinois Finance Authority. The bonds are under special provisions in the IRS code and have a maximum maturity of 16 years. The Village will issue the bonds for 16 years. Bond Counsel advises that some project costs do not qualify for the bonds due to direct energy savings requirements and other definitions, but the Village is working to maximize the amount eligible.

Mayor Rosenthal asked if the rest of the money needed would also have a 16-year issuance. Mr. Fialkowski explained the financial advisors are looking at timing, bank qualification and other issues and are trying to structure it so it is most favorable for the Village.

Trustee Seiden asked if the Village could ask the IRS for a determination letter in advance of the issue. Mr. Fialkowski responded the IRS does not do that, but Bond Counsel would provide a letter with their opinion endorsing qualification.

Trustee Jester made a motion to adopt the Resolution. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-11-11 TO PARTICIPATE IN THE LAKE COUNTY, ILLINOIS ALL NATURAL HAZARDS MITIGATION PLANNING EFFORTS

Ms. Little explained that FEMA requires communities to adopt a plan to prepare for natural hazards in order to be eligible for certain grants. Rather than tackle the planning with outside consultants, the Village elected to participate with Lake County and other Lake County municipalities in developing a plan. The County and each municipality can adopt it if they choose. Grants can be project- or planning-related grants. Ms. Little noted that the Village participated in 2005 and is required to update the plan because it is more than five years old. The planning process includes ongoing interaction with public, assessing hazards, profiling hazards, evaluating problems, collecting data from resident

population and preparing mitigation strategies including prevention and property protection. Ultimately the County will prepare a draft plan for presentation to other communities in hopes they will adopt it. The public is encouraged to participate in the process through a survey which is currently available online. A link to the survey will be added to the Village website. Aside from staff time, there is no cost to participate.

Trustee Struthers made a motion to adopt the Resolution. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AWARD OF CONTRACT FOR THE  
CENTRAL AVENUE AND JUNIPER  
COURT BRIDGE REHABILITATION  
PROJECTS

Assistant Village Engineer, Bob Phillips explained that the Illinois Department of Transportation opened bids for the Juniper Court and Central Avenue bridge rehabilitation projects on June 17, 2011. The projects will be funded 80 percent

through the federal government. The Village cost for construction and engineering is approximately \$184,477. Staff is recommending the Village approve the contracts and authorize the Mayor to sign a letter to IDOT. Mayor Rosenthal stated that the Central Avenue project cannot start until Deerfield Road underpass is open. She asked if IDOT was aware of this. Mr. Phillips explained the 24 hour closures should end by the end of the month while the IDOT projects are 45 to 60 days out. Mr. Phillips noted there may be some overlap between the Hazel Street work and Central bridge, but staff was working to minimize it.

Trustee Oppenheim asked if staff is comfortable having both projects done by the same contractor. Mr. Phillips explained that the Village has limited experience with the contractor but the Village's consultant, URS Corporation, endorses their work.

Trustee Jester asked how long Central Avenue would be closed to traffic. Mr. Phillips stated Central Avenue would be closed for 30 working days.

Trustee Jester made a motion to award the contract for the Juniper Court and Central Avenue Bridge Rehabilitation Projects to Illinois Construction Corporation in an amount not to exceed \$295,580.36 and 530,466.36 respectively. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Farkas, Jester, Oppenheim, Struthers (5)

NAYS: None (0)

ABSTAIN: Seiden (1)

AUTHORIZATION FOR MAYOR TO  
SIGN LETTER OF UNDERSTANDING  
AND HIGHWAY PERMIT FOR  
HIGHWAY AND TRAFFIC SIGNAL

Trustee Farkas made a motion to authorize Mayor Rosenthal to sign a letter of understanding and highway permit for highway and traffic signal improvements on

IMPROVEMENTS ON WAUKEGAN ROAD BY GATEWAY FAIRVIEW INC. THE OWNER OF DEERBROOK MALL      Waukegan Road by Gateway Fairview Inc., the owner of Deerbrook Mall. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO AWARD BID FOR ONE NEW, 2012 DUMP TRUCK WITH PLOW AND SPREADER (REPLACEMENT VEHICLE) #802 FOR PUBLIC WORKS      Ms. Little explained the Village is replacing a 2002 dump truck with a salt spreader and plow for winter. The budgeted amount is \$108,700. Bids were opened on June 15, 2011. The low bid was from Chicago International Truck. Trustee Struthers made a motion to award the bid for one new, 2012 dump truck with plow and spreader in an amount not to exceed \$105,000 to Chicago International Truck. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO AWARD BID FOR NEW 2011 TRAILER MOUNTED BRUSH CHIPPER      Ms. Little reported that in 1993, the Village made a joint purchase with Deerfield Park District. They plan to replace the current brush chipper with a modern piece of equipment. The equipment submitted by Vermier Midwest, did not meet the specifications listed. She recommends awarding the contract for the new trailer mounted brush chipper to Alexander Equipment Company in an amount not to exceed \$43,995. Once again, this will be a joint purchase with the Deerfield Park District. The Village will invoice the Park District for half the cost. Trustee Oppenheim asked what is happening to the old chipper. Ms. Little explained it would be used as a back up.

Trustee Oppenheim made a motion to award the contract for the new 2011 trailer mounted brush chipper to Alexander Equipment Company in an amount not to exceed \$43,995. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

### DISCUSSION

#### TRUSTEE IN THE TOWN

Trustee Seiden invited residents to attend Trustee in the Town which will be held at

Board of Trustees Meeting

July 18, 2011

Page 8 of 8

the Farmer's Market on July 30, 2011. Trustees Oppenheim and Seiden will be available to answer questions 9:00 a.m. to noon.

SWALCO COLLECTION

Mr. Street stated the SWALCO Household Chemical Waste collection event was last Saturday. More than 700 vehicles came through. He thanked

everyone who participated and promoted the event.

ADJOURNMENT

There being no further business or discussion, Trustee Farkas made a motion to adjourn the

meeting. Trustee Oppenheim seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:55 pm.

APPROVED:

---

Mayor

ATTEST:

---

Village Clerk