

September 6, 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 September 6, 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
Barbara Struthers

Absent was: William Seiden

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

PLEDGE OF ALLEGIANCE

State Senator Susan Garrett led those in attendance in reciting the Pledge of Allegiance. Mayor

Rosenthal thanked Senator Garrett for her assistance with the Commonwealth Edison matter and a number of improvement projects in the Village.

PRESENTATION BY FAITH IN ACTION

Executive Director of Southeast Lake County Faith in Action, Robbie Boudreau thanked the Village for

its support of the organization. The organization supports elderly, disabled and chronically ill residents who wish to live independently in their own homes. They provide non-medical assistance such as transportation, social support, errands and respite care to improve their quality of life.

In Deerfield, there are 61 volunteers and 52 care recipients. The organization has grown substantially over the past three years. Volunteers are caring, responsible, trustworthy adults that are professionally trained and supervised. Two of the organization's volunteers spoke about the work they do for the organization and described their experience as rewarding.

Ms. Boudreau stated their goal is to continue to grow and they are always looking for volunteers. The community is very supportive and enables the organization to focus on care-giving.

Mayor Rosenthal thanked Faith in Action for its concern and generosity.

PROCLAMATION

Mayor Rosenthal recognized and honored retiring Fire Chief of the Deerfield-Bannockburn Fire

Protection District, James Quinn, for his outstanding service. Trustee Benton made a motion to accept the Proclamation. Trustee Struthers seconded the motion. The motion passed unanimously.

Board of Trustees Meeting

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PROCLAMATION

Mayor Rosenthal proclaimed September, 2011 as One Book, One Zip Code Month in the Village of

Deerfield and encouraged all residents to read the book and engage in discussions about the book. Trustee Oppenheim made a motion to accept the Proclamation. Trustee Benton seconded the motion. The motion passed unanimously.

Jodi Wilson, Chairperson of the One Book One Zip Code Committee, thanked everyone for their support. She encouraged everyone to come to the civic ceremony on September 11, 2011 and attend a Skype interview with the author of the book on Monday, September 12, 2011 at the Deerfield High School.

MINUTES OF PREVIOUS MEETING

Trustee Benton made a motion to approve the minutes from the August 15, 2011 Board of

Trustees meeting. Trustee Oppenheim seconded the motion. There was a minor addition noted by Trustee Struthers. The motion passed unanimously as amended with Trustee Farkas abstaining.

BILLS & PAYROLL

Trustee Farkas made a motion to approve the Bills and Payroll dated August 15, 2011. Trustee

Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

DISCUSSION AND ACTION ON PROPOSED SETTLEMENT AGREEMENT WITH COMMONWEALTH EDISON

Mayor Rosenthal stated the Village has reached a negotiated settlement with Commonwealth Edison. Mr. Coblenz explained the agreement, if approved, would result in the dismissal of the lawsuit, a cash settlement and a number of

improvements. Mr. Street listed the specific improvements in south central, southwestern, central, northwestern, northeastern and eastern Deerfield. A number of the improvements will be completed this year.

Trustee Farkas stated that litigation is expensive and time consuming. It would have been easy for the Village to continue the fight with ComEd. Trustee Farkas commended Mayor Rosenthal, Mr. Coblenz and Mr. Street for their wisdom in seeking out a resolution. Trustee Farkas thanked ComEd for their partnership in the resolution and believes the compromise is fair and just.

Trustee Jester made a motion to accept the settlement agreement with ComEd. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Mayor Rosenthal read the following statement which will be published in D-Tails:

“One of the important issues I inherited when becoming Mayor was a 2008 lawsuit brought by the Village against ComEd regarding reliability of electric service in our Village. After in-depth analysis of cost/benefit, I decided it was in the Village’s best interest to negotiate a settlement.

I am privileged to share with you that a settlement agreement has been reached. My compliments to our trustees, manager, staff and attorneys for their input and expertise in furthering this settlement, and to Senator Susan Garrett and Representative Karen May for their strong support throughout.

Notwithstanding continuing local and regional issues, many significant reliability improvements have been made to our system since the suit initially was filed. Additional significant reliability improvements will be made between now and the end of 2011. Importantly, ComEd will undertake these improvements in full consultation with us and our consulting engineer, and going forward ComEd will meet regularly with us to assess progress. In addition, ComEd has agreed to a cash settlement to the Village in the amount of \$215,000.

While our electric system remains the property of ComEd, our residents and businesses have every right to expect sound a reliable service. The Village will continue to be an advocate for that right.

As Always, please feel free to contact me, our trustees or staff with questions or suggestions.”

PUBLIC COMMENT

There was no Public Comment.

REPORTS

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION RE: REQUEST FOR APPROVAL OF A SPECIAL USE TO PERMIT THE ESTABLISHMENT OF OUTDOOR DINING AREAS AND AN INCREASE IN THE HEIGHT OF A PREVIOUSLY APPROVED GROUND SIGN FOR ROSEBUD ITALIAN COUNTRY HOUSE AND PIZZERIA – 560 WAUKEGAN

The Plan Commission held a Public Hearing on July 28, 2011 to consider two outdoor dining areas and an increase in the height of a previously approved ground sign from 7’6” to 10’ for Rosebud Italian Country House and Pizzeria located at 560 Waukegan Road. The Plan Commission voted 6-0 in favor of sending a favorable recommendation to the Board of Trustees.

REPORT AND RECOMMENDATION OF THE VILLAGE CENTER DEVELOPMENT COMMISSION RE: REQUEST FOR APPROVAL OF A SPECIAL USE TO PERMIT THE ESTABLISHMENT OF OUTDOOR DINING AREAS AND AN INCREASE IN THE HEIGHT OF A PREVIOUSLY

The Village Center Development Commission held a workshop meeting on August 3, 2011 to consider two outdoor dining areas and an increase in the height of a previously approved ground sign from 7’6” to 10’ for Rosebud Italian Country House and Pizzeria located at 560 Waukegan Road. The Village Center Development Commission voted 4-1 in favor of sending a favorable recommendation to

APPROVED GROUND SIGN FOR the Board of Trustees.
ROSEBUD ITALIAN COUNTRY HOUSE
AND PIZZERIA – 560 WAUKEGAN

APPEAL OF THE APPEARANCE
REVIEW COMMISSION'S DECISION
TO DENY A GROUND SIGN HEIGHT
INCREASE FOR ROSEBUD ITALIAN
COUNTRY HOUSE & PIZZERIA, 560
WAUKEGAN ROAD

The Appearance Review Commission held a workshop meeting on July 25, 2011 to consider the request for an increase in the height of a previously approved ground sign from 7'6" to 10' for Rosebud Italian Country House and Pizzeria located at 560 Waukegan Road. The Appearance Review Commission voted 5-1 to deny the height increase

for the ground sign.

Michael Nortman, 1314 Briarwood Lane, Northbrook, is the owner of the building. Mr. Nortman and Rosebud are seeking approval of the two outdoor dining areas as well as the increased height of the ground sign. Trustee Oppenheim stated the sign height is the main contention. Mr. Nortman explained the previous sign was higher than what the current code allows. They want to maintain a similar sign height to the adjacent businesses, which is 10 feet high. They want a visible sign and that is not accomplished with a sign at the allowed height.

Village Planner Jean Spagnoli explained that throughout its history, the Appearance Review Commission has wanted to reduce the profile of signs. Although there are some taller signs in that area, they were approved prior to the area coming into the purview of the Appearance Review Commission. Ms. Spagnoli noted that Renu Day Spa had requested a 12-foot high sign, but the Appearance Review Commission approved the sign at a height of 6 feet. Trustee Benton does not believe the other 10-foot high signs nearby are as close to the roadway as this sign. He expressed concern about traffic visibility. Trustee Benton would request the sign be moved back, if a higher sign is considered. Ms. Spagnoli noted the sign was back sufficiently from the curb.

Trustee Oppenheim made a motion to approve a 10-foot high ground sign in the existing location for Rosebud Italian Country House and Pizzeria. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Jester, Oppenheim, Seiden, Struthers (4)

NAYS: Benton (1)

Trustee Farkas made a motion to accept the reports and recommendations of the Plan Commission and the Village Center Development Commission regarding the outdoor dining areas and the increased sign height for Rosebud Italian Country House and Pizzeria. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Mayor Rosenthal noted the Board's appreciation of the hard work of the Appearance Review Commission and recognizes its main concern is the appearance of the Village of Deerfield.

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION RE: REQUEST FOR A FINDING OF SUBSTANTIAL CONFORMANCE TO ALLOW THE PLACEMENT OF SOLAR PANELS ON THE ROOF OF THE 200 WILMOT ROAD BUILDING	The Plan Commission held a workshop meeting on August 11, 2011 to consider the request for a finding of substantial conformance to allow the placement of solar panels on the roof of the 200 Wilmot Road building. The Plan Commission voted 5-0 in favor of sending a favorable recommendation to the Board of Trustees.
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Trustee Jester made a motion to accept the report and recommendation of the Plan Commission regarding the placement of solar panels on the roof of the 200 Wilmot Road building. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REPORT AND RECOMMENDATION OF THE SAFETY COUNCIL RE: REQUEST FOR A 4-WAY STOP SIGN AT THE INTERSECTION OF GORDON TERRACE AND BIRCHWOOD	The Safety Council held a workshop meeting on May 24, 2011 to consider the request for a 4-way stop sign at the intersection of Gordon Terrace and Birchwood Avenue. The Safety Council voted 5-0 in favor of sending a favorable recommendation to the Board of Trustees.
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Mr. Street explained that Gordon Terrace currently stops but Birchwood does not. Staff reviewed the intersection and believes that once the construction on Lake Cook Road ends, the situation will improve. Staff recommends installing a temporary 4-way stop sign then monitoring traffic after the Lake Cook Road construction is completed.

Trustee Farkas made a motion to accept staff's recommendation for a temporary 4-way stop sign at the intersection of Gordon Terrace and Birchwood Avenue and then monitoring traffic after construction is completed. Trustee Oppenheim seconded the motion.

Ch. Bromberg explained there have been a number of requests for additional traffic controls at this intersection over the past several years. From January 2008 to April 2011, there have been seven accidents at the intersection. Based on the number of accidents, the Safety Council felt a 4-way stop sign could help avoid some accidents. Ch. Bromberg does not believe the number of accidents is construction related as they took place prior to Lake Cook construction.

Trustee Oppenheim asked when the temporary stop signs would be removed, in relation to when a traffic study is completed. Mr. Street explained the traffic study would not be completed with the enforcement measure in place. The 4-way stop sign would need to be removed before the intersection is reevaluated.

Ch. Bromberg explained that there are 1200 – 1300 vehicles traveling northbound each day, which is more than most side streets. The traffic studies have not shown excessive speeding. Trustee Jester noted that stop signs should not be used to reduce speed. Ch. Bromberg agreed, noting that stop signs are for controlling intersections. Trustee Jester noted the abandoned home on the northwest corner of the intersection has bushes that impact the visibility for southbound traffic. He believes the height of the bushes needs to be reduced. Trustee Jester stated that most of the communication received from the resident is about speeding. Ch. Bromberg noted of the seven accidents, only one may have been related to the bushes.

Trustee Benton asked if there would be an opportunity for the Board to revisit this issue after six months or when Lake Cook construction eases. Mayor Rosenthal noted the Board could revisit the issue or just extend the stop signs in an Ordinance. Mr. Street noted the matter would be brought back to the Board following Lake Cook construction.

The motion passed by the following vote:

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

NAYS: None (0)

REPORT AND RECOMMENDATION
OF STAFF RE: NORTHWEST
QUADRANT UNIFIED PLANNING
TASK FORCE

The Village Board approved a motion to establish a unifying task force to develop a plan for the northwest quadrant of the Village Center on August 15, 2011. Staff worked with Trustee Jester to prepare an outline for the task force. The outline includes task force membership, a list of source materials to be used as resources, consideration principles, study components and outcomes and first steps. Mayor Rosenthal asked if there was a reason Trustee Jester needs three alternative plans. Trustee Jester explained his intent is to have three alternatives to consider before making a recommendation. There would only be one recommendation.

Trustee Benton made a motion to accept the report and recommendation of staff regarding the northwest quadrant unified planning task force. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

CONSENT AGENDA

ORDINANCE APPROVING A SIX
MONTH EXTENSION TO MARCH 1,
2012 OF TEMPORARY ZONING
RELIEF FOR HONQUEST
FURNITURE AT CADWELL'S
CORNERS – 1R

An Ordinance approving a six-month extension to March 1, 2012 of temporary zoning relief for Honquest Furniture at Cadwell's Corners. First Reading.

ORDINANCE O-11-28 GRANTING
RELIEF FROM ARTICLE 2.02-D,
PARAGRAPH 1 (ESTABLISHED
SETBACKS) OF THE DEERFIELD
ZONING ORDINANCE FOR 711
DIMMEYDALE DRIVE – 2R

An Ordinance granting relief from Article 2.02-D,
Paragraph 1 (established setbacks) of the Deerfield
Zoning Ordinance for the property located at 711
Dimmeydale Drive.

Trustee Farkas made a motion to waive the First
Reading of the Ordinance. Trustee Benton
seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Struthers (5)
NAYS: None (0)

ORDINANCE APPROVING A SPECIAL
USE TO PERMIT THE
ESTABLISHMENT OF A ONE-ON-ONE
LEARNING AND TUTORING CENTER
LINDAMOOD-BELL – 1R

An Ordinance approving a Special Use to permit the
establishment of a one-on-one learning and tutoring
center for Lindamood-Bell in Deerfield Square.
First Reading.

ORDINANCE APPROVING AN
AMENDMENT TO A SPECIAL USE
FOR THE DEERFIELD PUBLIC
LIBRARY RENOVATIONS – 1R

An Ordinance approving an amendment to a Special
Use for the Deerfield Public Library renovations.
First Reading.

Trustee Oppenheim made a motion to accept the
Consent Agenda and for passage of the Ordinance. Trustee Farkas seconded the motion. The
motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Seiden, Struthers (5)
NAYS: None (0)

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

AUTHORIZATION OF WASTEWATER
RECLAMATION FACILITY
IMPROVEMENT PROJECT CHANGE
ORDER #4

Director of Public Works and Engineering, Barbara
Little, explained the change order is for various,
necessary items to construct the project as intended.
The change order is in the amount of \$14,698.85
making the total, net change orders for the project

\$1,048.48 or .004% of the original contract value. The total construction value of the project is
\$29,451,048.48.

Trustee Jester made a motion to authorize the Wastewater Reclamation Facility improvement project change order #4 in the amount of \$14,698.85. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION FOR VILLAGE MANAGER TO SIGN CONTRACT WITH D&W EVENTS FOR 2012 DEERFIELD FESTIVAL OF FINE ARTS Management Analyst, Andrew Lichterman explained this would be the Village's tenth year contracting with D&W Events. The contract is similar to past contracts, but the security plan has been enhanced.

Mayor Rosenthal asked if the Village pays the expenses of day police protection and additional night patrols. Mr. Lichterman explained the event does not use additional police or overtime. He noted the Police Department provided feedback on this year's security plan.

Mr. Lichterman confirmed the Village is not liable for damage or theft.

Trustee Benton made a motion to authorize the Village Manager to sign a contract with D&W Events for the 2012 Deerfield Festival of Fine Arts. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION FOR PAYMENTS TO SCIARRETTA ENTERPRISES FOR EMERGENCY REMOVAL OF HAZARDOUS AND FALLEN TREES AND DEBRIS AS A RESULT OF THE JUNE 22, 2011 STORM Director of Public Works and Engineering, Barbara Little noted there have been a number of storms this summer but the June 22, 2011 storm hit Deerfield the hardest. During that storm, the Village called in emergency work crews and equipment to assist with removing dangerous debris. One firm called in was Sciarretta Enterprises who had several crews working in the Village. Sciarretta Enterprises supplied labor and equipment to get the work done in conjunction with the Public Works department. The cost of the emergency work was \$47,230. Ms. Little recommends authorizing payment to Sciarretta Enterprises in an amount not to exceed \$47,230 for the work performed as a result of the June 22, 2011 storms.

Mayor Rosenthal asked if the Village has received any reimbursement from the County. Mr. Street explained it has not received any reimbursement. Mr. Street does not believe the County will be declared a Federal Disaster Area for the June 22, 2011 storm.

Trustee Oppenheim made a motion to authorize payment to Sciarretta Enterprises for the work performed as a result of the June 22, 2011 storms, in an amount not to exceed \$47,230. Trustee Farkas seconded the motion.

The motion passed by the following vote:

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

NAYS: None (0)

DISCUSSION

DOUBLE PARKED VEHICLES

Trustee Struthers received a call from a resident stating there are a number of double parked vehicles while parents are picking up students after school at Shepard Middle School. The residents near the schools cannot get out of their driveways. She asked people picking children up after school to be courteous to residents that live near the schools.

COMMUNITY SERVICES DAY

Mr. Street noted Community Services Day will take place at Brickyard Park from noon to 4:00 p.m., on Saturday, September 10, 2011. There will be representatives from various organizations available to provide information and answer questions.

CIVIC REMEMBRANCE CEREMONY

Mr. Street stated the 9/11 Civic Remembrance Ceremony would have several components and take place at Village Hall on Sunday, beginning at 1:30 p.m.

SWALCO COLLECTION

Mr. Street stated there would be a SWALCO electronics collection on Saturday from 9 a.m. – 4 p.m. at the Public Works facility.

SPECIAL BOARD MEETING

There will be a special Board of Trustees meeting on Monday, September 26, 2011 at 7:30 pm to consider bond documents.

WALK OUT CEREMONY

Mayor Rosenthal noted there will be a walk-out ceremony honoring Chief Quinn at the Deerfield Fire Department on September 15, 2011 at 3:00 pm.

TRUSTEE IN THE TOWN

Mayor Rosenthal and Trustee Farkas will be at the Farmer's Market on Saturday, September 10, 2011 for Trustee in the Town.

ADJOURNMENT

There being no further business or discussion,

Trustee Jester made a motion to adjourn the meeting. Trustee Farkas seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:45 pm.

APPROVED:

Mayor

ATTEST:

Village Clerk