

December 5, 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 December 5, 2011 at 7:30 p.m. The Clerk called the roll and announced that the following were:

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

Absent was: Alan Farkas

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

PLEDGE OF ALLEGIANCE

Deputy Chief Tom Keene led those in attendance in reciting the Pledge of Allegiance.

MINUTES OF PREVIOUS MEETING

Trustee Benton made a motion to approve the minutes from the November 21, 2011 Board of Trustees meeting. Trustee Oppenheim seconded the motion. The motion passed unanimously.

BILLS AND PAYROLL

Trustee Struthers made a motion to approve the Bills and Payroll dated December 5, 2011. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None

REPORT OF DEPARTMENTAL OBJECTIVES, FINANCE

Finance Director Bob Fialkowski presented highlights from the Finance Departmental Objectives report. Mr. Fialkowski stated the biggest project over the past six months was the bond issue for the wastewater treatment plant, which was very successful. The contract negotiations for the Police Union were completed, including the retroactive pay calculations of approximately \$175,000. The department completed a number of documents, including the 2011-2012 budget, over the past six months. The Village received the GFOA Budget Award for the 21st consecutive year.

Mr. Fialkowski stated that vehicle registration was completed and the numbers appear to be similar to last year. The Finance Department worked with auditors on a police pension plan audit. The results showed no significant deficiencies. The police pensioners were re-certified. Finance is also working on the police pension plan actuary report based on legislation passed by the State. He believes the annual contribution required by the Village will be lowered. The

Village is making 100% of the required contribution to the fund and it is approximately 70% funded.

PUBLIC COMMENT

There was no Public Comment.

REPORTS

REPORT AND RECOMMENDATION
FROM THE CABLE AND
TELECOMMUNICATIONS
COMMISSION TO RENEW THE
PUBLIC ACCESS STUDIO
AGREEMENT WITH THE CITY OF
HIGHLAND PARK WITH 2 STATIONS

Cable and Telecommunications Commission Chairman, Paul Diambri and Assistant to the Village Manager, Jenny Maltas, were present. Mr. Diambri stated the Village has an agreement with the City of Highland Park for three cable TV stations. The Commission recommends that the Village renew for only two stations, which will save the Village approximately \$3,200. Staff spoke with the school districts to see if they would have a need for the additional station before this decision was made. The school districts said they plan to use the Internet for communications. Ms. Maltas noted that if the third station was desired in the future, the Village would need to show a significant increase in original programming. She stated that the Village could renegotiate with Comcast in the future, if necessary.

Trustee Jester made a motion to accept the report and recommendation of the Cable and Telecommunications Commission. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None

CONSENT AGENDA

ORDINANCE O-11-43 REDUCING THE
NUMBER OF MEMBERS ON THE
SUSTAINABILITY COMMISSION – 2R

An Ordinance reducing the number of members on the Sustainability Commission. Second Reading.

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

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

NAYS: None

OLD BUSINESS

ORDINANCE O-11-44 AMENDING CHAPTER 4 “ANIMALS” OF THE DEERFIELD MUNICIPAL CODE – 2R An Ordinance amending Chapter 4 “Animals” of the Deerfield Municipal Code. Second Reading.

Amy Parker, 135 Willow, noted there are a number of parts of the Ordinance that do not appear to work with the existing Ordinance. Mr. Street noted the new portion of the Ordinance clarifies the existing Ordinance. Mr. Coblentz explained that there are a number of factors that define a dangerous animal. Ms. Parker confirmed that a dangerous animal would need to be muzzled when outside the owner’s property. She questioned whether there was a provision in the Ordinance that would limit the amount of time an animal would need to be muzzled. Mr. Coblentz stated it would be at the police department’s discretion. Trustee Jester noted the Village has a leash law and a dog can only be off leash in the dog park. Trustee Struthers asked if an animal could be trained and then be deemed no longer dangerous. Mayor Rosenthal stated an owner of a ‘dangerous dog’ could take the initiative to have the dog trained and then try to prove the dog is no longer dangerous to the police department. Reclassification of a dog would be at the discretion of the police department, but the onus would be on the dog owner. Mayor Rosenthal stated the intent of the Ordinance is protection.

Trustee Struthers made a motion to adopt the Ordinance amending Chapter 4 of the Deerfield Municipal Code. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NEW BUSINESS

PUBLIC HEARING ON THE PROPOSED 2011 TAX LEVY Trustee Benton made a motion to open the Public Hearing. Trustee Oppenheim seconded the motion. The motion passed unanimously.

Mr. Fialkowski stated the Public Hearing notice was published in the Deerfield Review pursuant to the Truth in Taxation Act for consideration of the 2011 property tax levy for the Village of Deerfield and the Deerfield Public Library. The proposed levy is greater than 5% of the levy from last year.

This levy is for both the Village and the library. The Library Board previously determined their levy. The Village levy was based on the statutory requirements of the budget. There are no increases in the levy for Village operating funds. The library levy is up 5% for the operating fund and includes the library debt service for the first time. The net result, including the abatements, is an increase in the Village levy of 47% and library of 39%. The proposed total

abatement is \$1,073,066. Compared to prior years, the proposed levy has increased primarily due to the debt service payments.

Mr. Fialkowski showed the proposed property tax levy with a three-year projection. The projection shows some growth in the operating fund. It shows a plateau in 2013, assuming no additional debt levies. Mr. Fialkowski projects the Village General Fund may have an operating surplus of \$500,000 at the end of this fiscal year, assuming no major occurrences. He noted there are some upcoming significant capital projects that will need funding. Looking ahead, Mr. Fialkowski questioned how to fund the projects. He believes \$2 million from the fund balance in the general fund could be used to fund capital projects. Mr. Fialkowski noted the Village has been prudent and has maintained the AAA bond rating.

Trustee Seiden asked that the WRF could be listed separate from the rest of the bonds in the budget exhibits in the future. When going over the budget last year, he felt that some of the expenditures should be held to the future because some people in Village are having rough times. He believes the \$500,000 surplus should be used to reduce the proposed tax levy. Trustee Seiden believes future projects should be considered at the next budget hearing, not now. Mayor Rosenthal suggested abating the 2003 issue and stripping out the 2008, 2010 and 2011 that are not WRF projects which would result in a total additional abatement of about \$900,000. Mayor Rosenthal believes that moving forward the capital projects should be pay as you go.

Trustee Jester noted the Village has been fortunate to receive grants that allow the Village to abate much of the interest. He noted that may not happen with the remainder of the funds that need to be borrowed to complete the Wastewater Treatment Plan. Trustee Jester believes that the choice is to either abate or delay capital projects. He is not in favor of delaying capital projects. Mayor Rosenthal noted the Village has been very aggressive with the capital infrastructure projects and believes it can take a step back. She feels there is an obligation to keep the taxes as low as possible. Mayor Rosenthal questioned where the Village's percentage of the tax bill would go if only the 2003 funds were abated. Mr. Fialkowski explained that the 2011 tax bill would increase from approximately 3% to between 5 and 5.5% of a property owner's total tax bill. Trustee Oppenheim would be more comfortable with this discussion if she knew what projects were coming up and which projects have already been delayed.

Trustee Seiden noted the Village does not have control over the school district, which is a large part of the tax bill. He noted the abatement was budgeted six months prior. Mr. Fialkowski noted the capital improvement program has been reduced for next year.

Trustee Jester noted the Village's reserves have been substantially drawn down. Mayor Rosenthal stated the reserves are not at an uncomfortable level. Trustee Seiden believes the levy needs to be reduced somewhere. Trustee Jester believes the choice is either abating or delaying the infrastructure work. He does not believe abating the non WRF debt would significantly impact a homeowners' tax bill but would impact the Village's ability to complete necessary capital projects.

Mr. Street indicated that prior to the next meeting staff would put together a report for the Village Board that would show the impact on the capital improvement program, the General Fund balance, and the impact on an average homeowner's property tax bill if the Village approved an abatement for the non WRF debt service increase.

There was no additional public comment on the proposed tax levy.

Trustee Benton made a motion to close the Public Hearing. Trustee Oppenheim seconded the motion. The motion passed unanimously.

ORDINANCE LEVYING TAXES FOR CORPORATE PURPOSES FOR THE CURRENT FISCAL YEAR, COMMENCING ON THE FIRST DAY OF MAY, 2011 AND ENDING ON THE THIRTIETH DAY OF APRIL, 2012, FOR THE VILLAGE OF DEERFIELD, LAKE AND COOK COUNTIES, ILLINOIS – 1R

An Ordinance levying taxes for corporate purposes for the current fiscal year commencing on the first day of May, 2011 and ending on the thirtieth day of April, 2012, for the Village of Deerfield in Lake and Cook Counties, Illinois. First Reading.

ORDINANCE ABATING ALL OF THE 2011 TAX LEVY REQUIREMENTS FOR THE SERIES 2003 GENERAL OBLIGATION REFUNDING BONDS-1R

An Ordinance abating all of the 2011 tax levy requirements for the Series 2003 General Obligation Refunding Bonds. First Reading.

ORDINANCE ABATING A PORTION OF THE 2011 TAX LEVY REQUIREMENTS FOR THE SERIES 2010 GENERAL OBLIGATION REFUNDING BONDS-1R

An Ordinance abating a portion of the 2011 tax levy requirements for the Series 2010 General Obligation Refunding Bonds. First Reading.

ORDINANCE ABATING A PORTION OF THE 2011 TAX LEVY REQUIREMENTS FOR THE SERIES 2011B GENERAL OBLIGATION BONDS – 1R

An Ordinance abating a portion of the 2011 tax levy requirements for the Series 2011B General Obligation Bonds. First Reading.

ORDINANCE O-11-45 GRANTING A VARIATION FOR CERTAIN PROPERTY COMMONLY KNOWN AS 1134 CHESTNUT STREET – 1R

An Ordinance granting a variation for certain property commonly known as 1134 Chestnut Street.

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

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

NAYS: None

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

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

NAYS: None

ORDINANCE AMENDING THE
ZONING ORDINANCE OF THE
VILLAGE OF DEERFIELD TO REVISE
THE MINIMUM STANDARDS FOR
LEGAL NOTICES – 1R

An Ordinance amending the Zoning Ordinance of the Village of Deerfield to revise the minimum standards for legal notices. First Reading.

RESOLUTION R-11-14 INITIATING
THE SUBMISSION OF A PUBLIC
QUESTION TO AUTHORIZE THE
VILLAGE TO ADOPT AN “OPT-OUT”
PROGRAM FOR THE SUPPLY OF
ELECTRICITY

Ms. Maltas reported that during the November 7, 2011 Committee of the Whole meeting, the Trustees discussed an opt-out program for residents. One of the first steps for an opt-out program is to pass a Resolution for the question to be added on the March 20, 2012 ballot.

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

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

NAYS: None

RESOLUTION R-11-15 AUTHORIZING
THE VILLAGE MANAGER TO SIGN
AN INTERGOVERNMENTAL
AGREEMENT ESTABLISHING THE
NORTH SHORE AGGREGATION
CONSORTIUM

Mr. Street noted the Trustees were given a revision, which includes adding Glencoe to the North Shore Aggregation Consortium.

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

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

NAYS: None

DISCUSSION

WINTER CELEBRATION

Mayor Rosenthal thanked everyone that worked so hard to make this year's Winter Celebration so nice.

NEXT MEETING

Mr. Street stated the next meeting would be

December 19, 2011. The first meeting in January would be Tuesday, January 3, 2012. The Village Hall offices will be closed on Monday, December 26 and January 2, 2012.

ADJOURNMENT

There being no further business or discussion, Trustee Benton made a motion to adjourn the meeting. Trustee Oppenheim seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:58 pm.

APPROVED:

Mayor

ATTEST:

Village Clerk