

December 19, 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 19, 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

Virginia "Ginny" Hunt and Joan Simonds led those in attendance in reciting the Pledge of Allegiance.

PROCLAMATION HONORING THE
PUBLIC SERVICE OF GINNY HUNT

Mayor Rosenthal read the Proclamation honoring Virginia "Ginny" Hunt as an outstanding ambassador for the Deerfield Park District for the past 25 years. Ms. Hunt was instrumental in operating the Patty Turner Center and achieving accreditation for the Center. Mayor Rosenthal stated Ms. Hunt is a true friend of Deerfield. She is kind, fair and has a sense of humor that will be missed.

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

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

PROCLAMATION HONORING THE
PUBLIC SERVICE OF JOAN SIMONDS

Mayor Rosenthal read the Proclamation honoring Joan Simonds as an outstanding ambassador for the Deerfield Park District for the past 25 years. Ms. Simonds was instrumental in operating the Patty Turner Center achieving accreditation for the Center. Mayor Rosenthal stated Ms Simonds is a true friend of Deerfield. She is kind, fair and has a sense of humor that will be missed.

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

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

Trustee Benton stated that both women have been extraordinary in working with the Senior Men's Club and will be greatly missed.

PROCLAMATION FOR NATIONAL DRUNK AND DRUGGED DRIVING PREVENTION MONTH Mayor Rosenthal proclaimed the month of December, 2011 as Drive Sober or Get Pulled Over Month in Deerfield.

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

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

NAYS: None (0)

MINUTES OF PREVIOUS MEETING Trustee Oppenheim made a motion to approve the minutes from the December 5, 2011 Board of Trustees meeting. Trustee Benton seconded the motion. The motion passed unanimously with Trustee Farkas abstaining.

BILLS AND PAYROLL Trustee Seiden made a motion to approve the Bills and Payroll dated December 19, 2011. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None

TREASURER'S REPORT Finance Director, Bob Fialkowski presented highlights from the Treasurer's Report for the fiscal year through November 30, 2011, representing seven months or 58% of the fiscal year. Mr. Fialkowski reported that sales tax revenues, hotel tax revenues and building permit fees are up. Mr. Fialkowski noted that there would be a few big expenditures within the next month or two, including the transfer of debt service fund and police pension fund payments.

Trustee Struthers asked if the Village was spending more than the allocated amount on meter maintenance. Mr. Fialkowski explained that the Village made a large purchase at a different time last year. Mayor Rosenthal noted the State is a bit behind on their income tax payments.

MANPOWER APPOINTMENTS Mayor Rosenthal recommended the following appointments:
Dan Shapiro as Chairman of the Plan Commission and Alan Bromberg to the Plan Commission.

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

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

NAYS: None (0)

PUBLIC COMMENT There were no Public Comments.

REPORTS

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION RE: TEXT AMENDMENTS TO THE ZONING ORDINANCE FOR ALTERNATIVE ENERGY, INCLUDING WIND, SOLAR AND GEOTHERMAL <u>ENERGY SYSTEMS</u>	Mr. Street stated that in response to the recommendation from the Sustainability Commission, the Board requested the Plan Commission review the amendments to the Zoning Ordinance. The Plan Commission voted 6-0 in favor of sending a favorable recommendation to the Trustees.
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Kathleen LéVeque, Associate Planner, made a presentation summarizing the Plan Commission's recommendation. She explained that the Lake County Alternative Energy Task Force formed in spring 2009, in response to increasing requests for renewable energy systems. The Task Force created model Ordinances for the various systems. The member municipalities pooled their resources and worked with industry experts to gather information for the model Ordinances. The Task Force analyzed data, information and best practices on various energy systems to come up with a balanced promotion of alternative energy systems with responsible regulations.

Ms. LéVeque outlined proposals concerning wind energy systems:

- Building mounted systems would be permitted uses
- Small, freestanding (pole mounted) systems would be special uses
- Large, utility-grade turbines would not be allowed
- The maximum noise level would be 50 dB for residential, 65 dB for commercial and 60 dB for business districts
- The maximum height would be 45 feet for residential, with setbacks of 110% of the height from any lot line. This will help keep the turbine height proportionate to the lot size.
- The shadow flicker cannot fall on the window of an existing residential dwelling unit for more than one hour per day.
- Wind turbines need to be maintained and in operable condition or removed within 90 days

Ms. LéVeque reviewed solar energy systems, which would also have regulations regarding the location, horizontal projection and setbacks and geothermal energy systems. She noted that geothermal systems are mainly underground. The setbacks cannot be located in any easement or right-of-way. Ms. LéVeque also discussed the benefits of alternative energy systems.

Trustee Jester asked if propeller-type turbines would be permitted. Ms. LéVeque explained propeller-type turbines would not be allowed as building-mounted systems. Trustee Jester questioned why a building-mounted turbine would be a permitted use while the same turbine would be a special use if it were a free-standing turbine. Ms. LéVeque explained that a pole-mounted turbine may have a greater impact. She noted the Ordinance could be amended in the future, if it were deemed unnecessary. Trustee Oppenheim questioned why the impact would be different on a rooftop.

Dan Shapiro from the Plan Commission explained the Plan Commission may have overlooked this issue. Their intent was to allow the Village to have some control over some of the uses. They want to encourage the use of alternative sources of energy.

Trustee Jester noted that a propeller-type turbine located eight feet from the property line could be more objectionable than a rooftop system. Trustee Farkas would not be opposed to treating them the same. He wanted to point out that a person with a building-mounted turbine may be more sensitive to noise. Mayor Rosenthal suggested asking staff to do more research.

Trustee Oppenheim would like to encourage the use of alternative energy sources and would like to make the process less difficult for residents. Trustee Struthers favors a process that allow for multiple stages of review.

Trustee Struthers noted a number of years back the Residential Redesign Task Force concluded structures in the Village could be no more than 35 feet in height and questioned whether the wind turbines would also be restricted to this height. Ms. LéVeque noted the wind turbines would not be very efficient at 35 feet in height. Mayor Rosenthal questioned why the Plan Commission determined 45 feet to be the height maximum. Ms. LéVeque explained that although 45 feet was the maximum height, it would not be attainable for many properties due to proposed setback requirements. Trustee Farkas noted this is the front end of this technology and the Trustees need to see where it is going. Trustee Seiden would prefer all turbines go before the Plan Commission as special uses in the beginning. Most of the other Trustees concurred. Trustee Benton would like to look at how the decibel level is measured. Trustee Oppenheim noted the Village does not regulate air conditioning units. Many air conditioning units have a decibel level higher than 50 dB. Mayor Rosenthal asked staff to come back with the answers to the questions.

Trustee Oppenheim made a motion to accept the report and recommendation of the Plan Commission. Trustee Farkas 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-11-46 AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF DEERFIELD TO REVISE THE MINIMUM STANDARDS FOR LEGAL NOTICES – 2R

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

Trustee Jester made a motion to adopt the Ordinance. Trustee Farkas 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

Finance Director, Mr. Fialkowski reviewed his report on the proposed tax levy and the abatements Mayor Rosenthal requested to be considered. He advised that according to the Public Works and Engineering Director, \$1.6 million is needed to fund capital projects. Mr. Fialkowski noted there are some significant, upcoming projects, where matching funds would be required for grants. Mr. Fialkowski noted that the money used to abate taxes would not be available for projects in the future.

Trustee Oppenheim noted the Board has discussed the timing of projects in the past and the possibility of stretching out projects over more than one year. She also expressed concern about delaying a project and losing the opportunity for a grant. Director of Public Works and Engineering, Ms. Little noted both the Deerfield Road and Kates/Pfingsten Road projects will be eligible for grant funding. She noted neither project is yet fully designed and programmed into the grant system. Trustee Oppenheim noted there are a number of unknowns on the projects.

Mayor Rosenthal thanked staff for the projections and analysis and recommended approval of abating the non-WRF debt service from General Fund reserves.

ORDINANCE O-11-47 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 – 2R

Mr. Fialkowski explained that if the abatements were allowed, \$4,430,702 would be for the Village and the total amount, including the library, would be \$6,337,164.

Trustee Oppenheim made a motion to 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)

ORDINANCE O-11-48 ABATING ALL OF THE 2011 TAX LEVY REQUIREMENTS FOR THE SERIES 2003 GENERAL OBLIGATION REFUNDING BONDS – 2R

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

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

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

Mr. Fialkowski explained the 2010 issue would have one more abatement. He asked the Trustees to hold off on passing this Ordinance so the Village could give the County one abatement Ordinance.

ORDINANCE O-11-49 ABATING A
PORTION OF THE 2011 TAX LEVY
REQUIREMENTS FOR THE SERIES
2011B GENERAL OBLIGATION BONDS

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

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

Mayor Rosenthal noted that ordinances to implement the total abatements discussed would be presented at the next meeting.

RESOLUTION R-11-16 AUTHORIZING
THE ENGAGEMENT OF SIKICH LLP
TO PROVIDE PROFESSIONAL
AUDITING SERVICES FOR FISCAL
YEARS 2012 THROUGH 2014

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

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

APPROVAL OF WASTEWATER
RECLAMATION FACILITY
IMPROVEMENT CHANGE ORDER
NUMBER 7

Ms. Little explained the change order amount is \$34,199, which would bring the total contract amount from \$29,464,180.48 to \$29,509,264.48. The overall contract has changed by 0.2% with 51 percent of the project

completed. Ms. Little noted the contractor has done a great job and they are making good progress.

Trustee Farkas made a motion to approve the Wastewater Reclamation Facility improvement change order number 7. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

DISCUSSION

HAPPY HOLIDAYS

Mayor Rosenthal wished everyone a happy holiday.

NEXT MEETING

will be closed on Monday, January 2, 2012.

Mr. Street stated the next meeting would be Tuesday, January 3, 2012. The Village Hall offices

ADJOURNMENT

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

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

APPROVED:

Mayor

ATTEST:

Village Clerk