

February 22, 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 Tuesday February 22, 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 (arrived 8:35 pm)  
Thomas Jester  
Mary Oppenheim  
William Seiden  
Barbara Struthers

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

PLEDGE OF ALLEGIANCE

Art teacher Janet Conlin and students from Walden School led those in attendance in reciting the Pledge of Allegiance. The students introduced themselves and discussed their favorite art projects. Ms. Conlin thanked the Trustees for showing the community and schools their support of art. She invited residents to attend the district-wide art exhibition which will be held on March 12 from 11:00 a.m. to 1:00 p.m.

PROCLAMATION

Mayor Rosenthal proclaimed the month of March 2011 as Youth Art Month in Deerfield. She encouraged all residents to support youth art. Trustee Benton made a motion to accept the Proclamation. Trustee Oppenheim seconded the motion. The motion passed unanimously.

MINUTES OF PREVIOUS MEETING

Trustee Struthers made a motion to approve the minutes from the February 7, 2011 Board of Trustees meeting. Trustee Oppenheim seconded the motion. Trustee Jester made a correction on page 6. The motion passed unanimously as amended.

BILLS AND PAYROLL

Trustee Seiden made a motion to approve the Bills and Payroll dated February 22, 2011. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

TREASURER'S REPORT

Bob Fialkowski presented highlights from the Treasurer's Report representing 75% of the fiscal year. He noted that revenues are up from the same period last year. The operating expenditures were tracking slightly below, but February would be a big month because of salt and overtime in response to the recent severe snow storm. The police pension payment will be paid this month as well. The Village is starting to receive State Income Tax on a monthly basis.

PRESENTATION OF POLICE  
DEPARTMENT COMMENDATION

Chief Sliozis presented a Department Commendation to Officer Wes Carner for his assistance with traffic safety. He arrested 31 individuals for DUI and zero tolerance, which represents one third of the department DUI offenses. Chief Sliozis noted the Illinois Department of Transportation also presented a certificate in recognition of Officer Carner's efforts.

Officer Carner thanked everyone for their support.

REPORT ON DEPARTMENTAL  
OBJECTIVES, POLICE DEPARTMENT

Chief Sliozis presented highlights from the Police Department's Objectives Report. He stated the number of property and injury accidents has decreased over the past three years. The Department's traffic enforcement index was 44.3, which is a slight increase over the past two years. This indicates that the number of traffic tickets written is consistent with the number of accidents. DUI arrests have increased from 34 in 2009 to 91 in 2010. Index crimes have also been reduced. The only category with a noticeable increase is vandalism, which is cyclical. Chief Sliozis noted there were more than 11,000 calls for service, the most calls in any year.

Other significant accomplishments include the establishment of a drop box for unused or unwanted medications. The Department also conducted a mock-accreditation in preparation of the accreditation scheduled for April 16 - April 19, 2011. The accreditation officers review more than 400 standards. The Department conducted a tri-annual citizen survey which showed that 97% of respondents felt safe in the community and 92% were happy with the services offered by the Police Department. Chief Sliozis noted the Department was recognized by the American Cancer Society for raising \$6,000 last year and by the Special Olympics of Illinois for raising \$10,000. The events have been welcomed by the community.

Trustee Struthers asked about the number of 911 hang ups. Chief Sliozis noted the hang ups are frequently misdials by individuals in corporations.

Trustee Jester asked about gang activities. Chief Sliozis mentioned that gang members are very mobile, and the Department is sending the message they are not welcome in Deerfield.

Mayor Rosenthal asked about the number of underage DUIs. Chief Sliozis noted there was an increase, and he will provide the details directly.

Trustee Oppenheim asked about the involvement of Village staff in the Marni Yang trial. Chief Sliozis noted the Major Crimes Task Force and two Deerfield officers would be testifying at the trial.

Mayor Rosenthal asked about the 324 complaints about animals. Chief Sliozis noted most of those complaints were about dogs barking and dogs at large. Mayor Rosenthal noted the Village spoke about looking at addressing invisible fences. Chief Sliozis said he would look into it. Mayor Rosenthal noted the Department gets a number of calls about coyotes, but that is something not handled by the Village. Chief Sliozis noted he could add information about coyotes to the Village website. He noted the Village is restricted as to what they can do.

PUBLIC COMMENT

There was no Public Comment.

REPORTS

APPEAL OF APPEARANCE REVIEW  
COMMISSION DECISION RE OPAQUE  
WINDOWS FOR TOWNHOUSE  
KITCHEN AND BAR

The Appearance Review Commission held workshop meetings on January 24 and January 31 to consider the request of Restaurants-America and America and Ludwig and Company to opaque windows in the new Townhouse Restaurant, located in the former Red

Star Tavern location. Members of the Appearance Review Commission voted 3-1 to deny the request.

Ted Kasemir, President of Restaurants-America and Richard Goldstein, Vice President of Ludwig and Company were present on behalf of the petitioner. The petitioners believe the opaque windows are innocuous and not detrimental to their business. Mayor Rosenthal noted she received a letter from the Chairman of the Appearance Review Commission discussing the findings of the Commission. She noted the Board went to the location to see what they have done, prior to making a decision.

Mr. Goldstein explained that they are requesting an exception to the window sign regulation regarding opaque windows. On behalf of the center owners, he is in full support of the petitioner's request. Mr. Kasemir explained they would be willing to clear out the front two windows and bring down the paneling to seven feet plus the blinds.

Trustee Struthers would not want the restaurant to appear closed when it is open. Mayor Rosenthal explained the Village does not want to set a precedent for businesses to look closed because their windows are opaque. She hopes the blinds would be open on sunny afternoons. Ms. Spagnoli noted the awnings on the outside of the building come down to about nine feet. Mr. Kasemir stated the courtyard and front of the building would be visible.

Trustee Jester made a motion to approve the opaque windows up to seven feet in height on the interior, as proposed by the petitioner. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REPORT RE ORDINANCE TO LICENSE  
NON PROFIT RAFFLES

Mr. Street stated that the Trustees discussed this matter at the November 22, 2010 Committee of the Whole meeting. The State of Illinois now requires charitable, not-for-profit organizations to license raffles. The Village Attorney worked with staff to incorporate the basic provisions to meet the State of Illinois requirements for licenses, including an annual fee. The Village is trying to help local agencies comply with the State requirements. Trustee Oppenheim believes the report was well written and has protections in place for legitimate raffles.

Trustee Struthers asked what is required of an organization. Mr. Coblenz explained the raffle manager is the person in charge of the raffle and, according to state requirement, he cannot be treasurer of the organization. The Village can waive the fidelity bond, and the Village Manager has a fair amount of latitude when not-for-profit organizations within the Village make this request. He noted that any not-for-profit organization must have existed for at least five years.

Trustee Seiden made a motion to accept the Report. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

RECOMMENDATION FROM THE SUSTAINABILITY COMMISSION TO REFER THE LAKE COUNTY RENEWABLE ENERGY ORDINANCE TO THE PLAN COMMISSION

Assistant to the Village Manager Jenny Maltas stated that Kathy Von Ohlen worked on the Lake County Renewable Energy Task Force Model Ordinance, which acts as a starting point for consideration. The Sustainability Commission reviewed it, but the Plan Commission needs to review the

matter in detail. The Plan Commission believes this Ordinance is good for the Village and is asking staff and the Plan Commission to review the setbacks and come back to the Board with a recommendation.

Trustee Oppenheim noted the Plan Commission and staff can look at other ordinances to ensure the proposed text amendments do not conflict with existing ordinances. Trustee Struthers would like to ensure the welfare of birds is considered.

Trustee Oppenheim made a motion to accept the report and recommendation of the Sustainability Commission to refer the Lake County Renewable Energy Ordinance to staff and then the Plan Commission. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REQUEST FOR RELIEF FROM MUNICIPAL CODE SECTION 6-81 (DRIVEWAY WIDTH REQUIREMENT) FOR HOME UNDER CONSTRUCTION

Mr. Street explained that the owners of 1085 Meadowbrook Lane are requesting a 63 foot wide driveway. The code limit is 33 feet. Paul Chernawski, owner, and Diane Smite, designer, were present.

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

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

NAYS: None (0)

CONSENT AGENDA

ORDINANCE APPROVING GROUND SIGN FOR DEERFIELD COMMUNITY NURSERY SCHOOL AT 801 ROSEMARY TERRACE – 1R

An Ordinance approving a ground sign for Deerfield Community Nursery School at 801 Rosemary Terrace for Christ Methodist Church. First Reading.

ORDINANCE O-11-07 INCREASING THE NUMBER OF CLASS E LIQUOR LICENSES FROM 12 TO 13 – 2R An Ordinance increasing the number of Class E licenses from 12 to 13 for D.C. Sarnies. 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 (0)

#### OLD BUSINESS

There was no Old Business.

#### NEW BUSINESS

RESOLUTION R-11-05 EXTENDING THE PERIOD OF PARTICIPATION IN THE INTERGOVERNMENTAL PERSONNEL BENEFIT COOPERATIVE FOR A PERIOD OF THREE ADDITIONAL YEARS Mr. Fialkowski explained the Village joined the Intergovernmental Personnel Benefit Cooperative (IPBC) almost eight years ago. It is a group of municipalities and other public entities who jointly acquire and finance health insurance and other benefits for their employees. The co-op has grown to more than 50 municipalities and other entities.

Mr. Fialkowski stated there are multiple consulting opportunities to address health and other benefits available to employees. IPBC has worked well for the Village and other municipalities. There have been a number of years in which the Village has not had a cost increase for this benefit. Mr. Fialkowski noted the Park District and Library both participate along with the Village. Mr. Fialkowski stated the intergovernmental agreement requires an affirmative vote of its member municipalities every three years. There are a number of other municipalities that are asking to join because of the increases they are facing in their insurance costs. Trustee Seiden asked about the requirements for new municipalities to join the cooperative. Mr. Fialkowski explained the members of the co-op consider management, financial, and political stability

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

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

ORDINANCE O-11-8 PROVIDING FOR THE FILING OF A TENTATIVE ANNUAL BUDGET OF THE VILLAGE OF DEERFIELD AND FOR PUBLIC INSPECTION THEREON Mr. Fialkowski explained this is an annual Ordinance. He noted the Public Hearing would be held on April 4, 2011. He reminded everyone that the Committee of the Whole meetings discussing the budget would be on February 28 and March 14.

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

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

NAYS: None (0)

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)

DISCUSSION

ELECTION RESULTS

vote.

Trustee Farkas stated that Rahm Emanuel was named winner of the Chicago mayoral election with 55% of the

REFUSE SERVICE UPDATE

ordered in advance and the monthly rate lowered for renting the smallest containers. Ms. Maltas stated that there would be a FAQ section in the next D-Tales. Mayor Rosenthal explained that Waste Management would provide all residences with one recycle cart and one garbage cart at no charge. If residents would like additional carts, they would be charged a rental fee. Trustee Struthers requested that the carts be displayed at Village Hall. Mayor Rosenthal noted the dimensions would also be on the website.

Mr. Street noted staff was successful in working with Waste Management to have different sizes of carts

EXECUTIVE SESSION

the purpose of litigation. Trustee Farkas seconded the motion. The motion passed by the following vote:

There being no further business or discussion, Trustee Benton made a motion to go into Executive Session for

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

NAYS: None (0)

The Trustees went into Executive Session at 8:48 pm.

ADJOURNMENT

Trustee Farkas seconded the motion. The motion passed unanimously, and the meeting was adjourned at 10:56 p.m.

The Board returned from Executive Session at 10:55 p.m. Trustee Benton moved to adjourn the meeting.

APPROVED:

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Mayor

ATTEST:

\_\_\_\_\_  
Village Clerk