

May 17, 2010

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Village Manager Kent Street in the Council Chambers of the Village Hall on Monday May 17, 2010 at 7:30 p.m. The Clerk called the roll and announced that the following were:

Present: Robert Benton  
Alan Farkas  
Thomas Jester  
Mary Oppenheim  
William Seiden  
Barbara Struthers

Absent: Harriet Rosenthal, Mayor

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

MAYOR PRO TEM

In absence of Mayor Rosenthal, Trustee Seiden made a motion to nominate Trustee Benton as Mayor Pro Tem. Trustee Oppenheim seconded the motion. The motion passed unanimously.

PLEDGE OF ALLEGIANCE

Members of Caruso Middle School's Destination Imagination, Paul Zavagno from Three Men and A Truck, and Julie Morrison from West Deerfield Township led those in attendance in reciting the Pledge of Allegiance.

PRESENTATION

Destination Imagination at Caruso Middle School includes twelve teams under the guidance of Shelia Shiffrin. For this problem solving team competition, eleven teams made it to the State finals, and eight teams will represent Deerfield at the national level. After showing a PowerPoint presentation, three students spoke about Destination Imagination, explaining that it is a program to express oneself through creativity, engineering and acting. It is a lot of fun and it allows the students to meet people while learning teamwork, creativity and problem solving skills.

Mayor Pro Tem Benton noted that one student put 740 pounds onto a 59 gram structure made of newspaper and glue. He and the audience congratulated the students on their accomplishments.

PROCLAMATION

Mayor Pro Tem Benton proclaimed the week of May 31<sup>st</sup> as Hunger Awareness Week in Deerfield. He encouraged everyone to support the West Deerfield Township Food Pantry and other services providing needed food to those less fortunate. Trustee Oppenheim made a motion to accept the Proclamation. Trustee Struthers seconded the motion. The motion passed unanimously.

Paul Zavagno from Three Men and A Truck stated this is the second year the Village proclaimed Hunger Awareness Week in Deerfield. Over the past nine years, this has become a community

effort. Mr. Zavagno thanked the Village for their support and invited residents to attend the event, which will take place on June 6<sup>th</sup> from 9 – 5 at Deerfield High School. Many companies have donated raffle prizes. He thanked the businesses, synagogues and churches that have been financial contributors to the event. Mr. Zavagno also thanked West Deerfield Township Supervisor, Julie Morrison, and the Deerfield Police and Fire Departments for their support.

MINUTES OF PREVIOUS MEETING

Trustee Oppenheim made a motion to approve the minutes from the May 3, 2010 Board of Trustees meeting. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

ABSTAIN: Farkas (1)

BILLS AND PAYROLL

Trustee Oppenheim made a motion to approve the Bills and Payroll dated May 17, 2010. Trustee Seiden 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 thru April 30, 2010, representing the entire fiscal year. He stated that sales tax was on the negative side, down about 9%. Most major revenues came in under budget. Hotel tax receipts were more than the same month last year. The report numbers are subject to final adjustments, and funds need to be transferred from the Infrastructure Fund to finish out the capital for last year. The three major funds are down approximately \$1.6 million. Expenditures were below budget. The Village is in okay shape and has ample reserves.

Mayor Pro Tem Benton hopes many people will shop Deerfield with the addition of the new businesses in town.

PUBLIC COMMENT

Oscar Adler, 59 Eastwood, invited everyone to attend the 7<sup>th</sup> annual Job Seeker's Workshop on June 12<sup>th</sup>. The resume preparation portion will take place from 9:00 – 9:45. Job interviewing skills will take place from 10 – noon. There will be a networking session after the presentation. The Job Seeker's Workshop will take place in the Village Hall board room. Please call Village Hall to make reservations for this program, which is free of charge.

Jack Carney, 920 Rosemary Terrace, and Mario Guagliardo, 544 Cumner Court, explained there are six Deerfield High School students working on a fundraiser to benefit the Cancer Wellness Center, which will be a two-on-two basketball tournament at Mitchell Park. There will be 32 teams, and the tournament will run from June 11 - June 23. The students are working to raise \$2,500 for the center through sponsorship donations and the sale of event t-shirts. Sponsor logos

will be featured on the back of each t-shirt. Mr. Carney requested a \$250 donation from the Village.

Trustee Struthers noted that June 19<sup>th</sup> is the first day of the Farmer's Market and recommended that Mr. Carney and Mr. Guagliardo contact Joan Reed as well.

Trustee Farkas made a motion to donate \$250 to the Crossover 4 Cancer 2-on-2 basketball tournament, subject to review by Mayor Rosenthal and the Village Manager. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

### REPORTS

There were no Reports.

### CONSENT AGENDA

ORDINANCE O-10-15 AMENDING ARTICLE 12 (SPECIAL PURPOSE BOARDS AND COMMISSIONS) OF CHAPTER 2 (ADMINISTRATION) OF THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD AND TO ESTABLISH THE SUSTAINABILITY COMMISSION AND TO ELIMINATE THE ENVIRONMENTAL COMMISSION AND THE ENERGY AND RECYCLING COMMISSION - 2R

An Ordinance amending Article 12 of chapter 2 of the Municipal Code of the Village of Deerfield and to establish the Sustainability Commission and to eliminate the Environmental Commission and the Energy and Recycling Commission. Second Reading.

Trustee Seiden made a motion to accept the Consent Agenda and 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)

Mayor Pro Tem Benton recommended the following new appointment to the newly restructured Sustainability Commission: Liz Ury, whose term will expire in 2013. The following reappointments will expire in November 2011: Amy Parker, Ed Seidman, Glenn Schwartz and Sandra Anspach. The following reappointments will expire in November 2012: Liz Hawari, Mike Loeffl, Matt Pollack and Robert Milani. The following appointments will expire in November 2013: Matt Wylie (Chair), Brian Rice, and Don Anderson.

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

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

NAYS: None (0)

OLD BUSINESS

ORDINANCE O-10-16 APPROVING AN AMENDMENT TO A SPECIAL USE TO PERMIT ADDITIONS AND OTHER RENOVATIONS TO WILMOT SCHOOL AT 795 WILMOT ROAD – 2R An Ordinance approving an Amendment to a Special Use to permit additions and other renovations to Wilmot School located at 795 Wilmot Road. Second Reading.

Mr. Street noted that the Board had suggested that neighbors continue a dialog with the School Board after the last Board of Trustees meeting. The Village received correspondence from District 109 and from Mr. Miller. Copies of both correspondences were distributed to the Trustees. Mayor Pro Tem Benton noted the Village Board and School Board meetings are at the same time.

Eileen Brett, Wilmot School principal, did not have anything new to add. She received the emails, and the school will continue to work with the neighbors. Ms. Brett stated the project will include adding classrooms to bring in some special education students that are currently being educated outside the district. They would also add a new, multi-purpose room.

Trustee Struthers questioned why children would be added to Wilmot School if it was already overcrowded. Trustee Oppenheim asked if District 109 has special education classes in each building. Ms. Brett explained each school in the district has special education classes, but they would like the students to be at their own school.

Michael Miller, 1655 Marcie Court, noted the email from Dr. Goier was made in response to direction from the Village Board to work with the neighbors. He received Dr. Goier's response on Thursday. Mr. Miller noted her email lacked the information he requested, including diagrammatic site plans of the parking lot, curb cut and playground, as well as a more detailed explanation of why aligning the driveway with Marcie Court is safer. It is his understanding that the school's design team only developed one site plan. In his experience, that is not the norm. He also noted that, although they made a positive recommendation, members of the Plan Commission still appeared to have concerns. Mr. Miller and his neighbors were officially notified in a letter on February 17, 2010. Mr. Miller stated that his neighbors and he made good faith efforts to work with the School Board but have not made a lot of progress. Mr. Miller acknowledged there may not be a better solution, but he has not been provided with the detailed drawings he requested to confirm this is the best plan. He believes there is a better solution and asked the Board to hold off on approving the Ordinance until additional information is received from the School Board.

Trustee Struthers asked if any of the residents met with the School Board. Mr. Miller replied there was a meeting on April 26<sup>th</sup> and some emails after the May 3<sup>rd</sup> Board of Trustees meeting.

Larry Berg, Plan Commission member, believes the Plan Commission meeting minutes speak for themselves. He noted there was some lively dialogue, but at the end of the meeting, they had a unanimous vote that the proposal from the School Board was compatible with the existing area. The traffic flow, though not an ideal situation, would be greatly improved from what currently

exists. Mr. Berg expressed concern about the set up and take down of the cones, but the recommendation passed unanimously, with the caveat that the Police Department would evaluate the need for someone to assist with traffic flow.

Trustee Farkas stated a primary concern is the alignment of the parking lot access with Marcie Court. Mr. Berg stated the Plan Commission heard testimony that an aligned intersection would be safer than an offset intersection. Trustee Farkas explained that one of the implications of moving the parking lot is determining the availability of the other land. If the concept of moving the parking lot entrance is explored, the implications of doing that affect where the play lots are located, as well as access to the parking lot from the school. Greg Monberg, Principal with Fanning Howley Associates, explained he has a diagram showing the layout Mr. Miller proposed. It was addressed at a public meeting three weeks ago, and a nine bullet point response was made. The police department and traffic engineer believe the alignment provided better traffic patterns and was safer. They also expressed concern about putting all 600 students on one playground. They believe it would be best to separate higher grades from the lower grades.

Trustee Oppenheim stated that the current layout has an entry off Wilmot Road to the north of the primary playground. The older kids' playground would be near the new, multi-purpose room. Students would not have to cross through the parking lot to get to the playground.

Trustee Jester asked if it is safe to assume the School District is not going to take Park District property. Mr. Monberg stated that was their direction. Looking ahead, Trustee Jester stated that he hopes both the Park District and the School Board will work actively to fix traffic issues. Trustee Oppenheim noted that, historically, the Park District and School District have cooperated well. In this case, the question is whether or not the report given by the Plan Commission that approved the School District's plan in is a good plan with regard to safety and use of space. Trustee Oppenheim hears the objections but does not believe they are compelling enough to modify the proposal.

Mayor Pro Tem Benton stated that the Plan Commission is a collaborative process where each person brings up objections, and they collaborate to come up with a sound decision. The Plan Commission's final vote considers what has already been modified and is believed to be proper. Trustee Oppenheim added that the Plan Commission report ensures that the School District will continually monitor the traffic situation and work with the Police Department to make modifications as required. She understands the issues of congestion and traffic but believes the School District has been extremely responsive when there are issues. The School District monitors how people enter and exit the property and will deal with any issues that come up.

Trustee Seiden noted the School District had a community meeting three weeks ago, and the Village Board meeting was two weeks ago. There were questions raised about various issues. When residents have questions, the Village Board wants to satisfy their questions. He thought the School Board was going to meet with the residents before this meeting so the residents could voice their objections, but that has not been done. Trustee Struthers believes there should be another face-to-face meeting between residents and the School Board.

Trustee Oppenheim believes the School District has been accommodating and forthcoming. Trustees Seiden and Struthers both stated that the Village Board asked the School Board to meet with the residents.

Joe Noble, 755 Marcie Court, finds it interesting that the School Board wants to work with the Park District going forward, but not in regard to Wilmot School. As a Deerfield resident, the Park District and School District have public land. It is not important who presides over the land. He is frustrated that the parking lot is being expanded to comply with the Village Ordinance. He believes the parking situation has been fine for a number of years at Wilmot. They are adding parking spaces for 130 vehicles, but they only have 88 staff members. He stated that Wilmot proposes adding three new rooms for the continuity of teaching while the District is increasing class size. He does not understand this. Mr. Noble asked the Board to request improved landscaping to offset the financial loss of their property value and to pay for a police officer to control traffic in and out of the school and on Marcie Court.

Mr. Miller stated that when he sent the alternate site plan to Dr. Goier and the Village Board, it was not intended to be the ultimate solution; rather, it was intended to show there are other possible solutions. The proposed plan shows the only site plan created by the design team. He believes they should look at other solutions that can be developed. Mr. Miller believes the crux of the issue is the alignment of the driveway and Marcie Court. The traffic engineers say it is a safer situation to have the two streets aligned. He agrees with that in most cases. This is a parking lot on one side and a cul de sac with 11 houses on the other side. It is not the typical situation. He thinks there are other solutions that would keep the driveway offset but still address the other issues. Mr. Miller suggested looking at a ten foot strip of Park District property to put the parking on the south side of the school. He believes that would be a superior solution that would also benefit the Park District.

Trustee Struthers made a motion to postpone the vote until the School District and neighbors meet face-to-face. Trustee Seiden seconded the motion.

Trustee Farkas is frustrated because there was a lot of discussion at the meeting two weeks ago that has been mirrored at this meeting. The Board understands and respects the residents' concerns; however, a lot of it is related to the fact that these residents live across from a school. Trustee Farkas does not believe there should be a lot of concern that property values would drop, as there are pluses and minuses about living close to a school.

Trustee Farkas indicated that he is frustrated that the School District did not respond as expected, and he would agree to postpone the vote. He believes, however, that the residents of Marcie Court need to be more proactive. He believes the residents' concerns have been considered and, unfortunately, not everyone is going to be happy. He wants to make sure the process is being respected and everyone is heard.

Trustee Oppenheim responded that both the Village Board and School Board listened to the residents. Just because people do not agree with all points does not mean they are not listening. She believes other alternatives have been considered. She believes it is important to separate the

students from the vehicles. Trustee Oppenheim does not believe postponing the vote for more debate would be fruitful.

Trustee Seiden stated it may not be fruitful; rather, he finds it disturbing that there has not been a face-to-face meeting in the last two weeks to give the residents a better peace of mind.

Trustee Jester noted the emails did not request face-to-face meetings and did not suggest any dates or times to meet. Trustee Seiden noted the residents asked for information but did not receive it until last Thursday. Trustee Jester believes part of the difficulty is that the residents do not like the answers they are getting. The design team was not directed to consider Park District property. Trustee Jester does not believe any meeting would change that.

Mayor Pro Tem Benton believes it makes sense to keep the intersection aligned. Deerfield has worked to correct misaligned intersections. He is not convinced the proposed plan will not work and does not believe postponing the vote would be productive. He thinks the School Board will be open to listening to suggestions if there is merit to the suggestions.

Trustee Jester believes there are a number of relevant items, including an improved safety situation on the school site with fewer children in traffic. Also, the level of service on Deerfield Road will be addressed and improved, Lake County will adjust the traffic signal timings to improve the traffic flow, and there is a commitment to deal with the parking on Marcie Court. Although more traffic will flow to and from Wilmot School, the overall situation is an improvement on safety. Mayor Pro Tem Benton added that the proposed plan would also address the vehicles in line waiting to pick up students. They will no longer have to wait for the vehicle in front of them to move.

Mayor Pro Tem Benton stated the motion on the table is to postpone the vote on passing the Ordinance. The motion did not pass by the following vote:

AYES: Farkas, Seiden, Struthers

NAYS: Benton, Jester, Oppenheim

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

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

NAYS: None (0)

#### NEW BUSINESS

AWARD OF THE CARLISLE AVENUE AND CARRIAGE WAY INFRASTRUCTURE REHABILITATION PROJECT	Village Engineer Bob Phillips reported that the scope of the project includes reconstructing Carlisle Avenue from the Briarwood Nature Area to Deerfield Road and Carriage Way from the
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Briarwood Nature Area to Bent Creek Ridge. The work includes roadway removal and replacement, water main replacement, drainage improvements, and intermittent sidewalk removal and replacement. The Village received and opened bids on May 3<sup>rd</sup>. The lowest qualified bid was from Bolder Contractors, Inc. The Director of Public Works and Engineering recommends the Mayor and Board of Trustees award the Carlisle Avenue and Carriage Way Infrastructure Rehabilitation Project to Bolder Contractors, Inc. for a base bid amount not to exceed \$3,762,918.98.

Trustee Jester made a motion to award the Carlisle Avenue and Carriage Way Infrastructure Rehabilitation Project to Bolder Contractors, Inc. for a base bid amount not to exceed \$3,762,918.98. Trustee Struthers seconded the motion.

Trustee Farkas asked about the crossover connection to Deer Run. Mr. Street reported there is currently a one lane emergency connection for safety vehicles. Mr. Phillips explained that staff's original intent was to check prices and interest. Mayor Pro Tem Benton asked that the Village not consider this because he believes the money could be used elsewhere, and past discussion of similar concerns were contentious. Trustee Farkas believes this is the time to consider it. He suggested awarding the bid on the main project but asking for a staff study about providing the cross over. Trustee Oppenheim suggested paving the entire roadway but closing it off for emergency vehicles only. Mr. Street explained that some residents from Carlisle and Carriage Way believe it is a good idea, but Deer Run would most likely object to it. Trustee Struthers added that it could be a cut through for traffic. Mr. Street added that if the Village were starting the planning from scratch, it would be considered, but he does not recommend it at this time.

Trustee Oppenheim asked if the Village has worked out a plan for how to move people during construction. Mr. Phillips explained the best thing is to educate residents throughout the process. There are only two ways in and out of the neighborhood, and the people behind the project will deal with the construction process.

The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-10-08 DECLARING  
THE VILLAGE OF DEERFIELD'S  
OFFICIAL INTENT TO REIMBURSE  
CERTAIN CAPITAL EXPENDITURES  
FROM THE PROCEEDS OF FUTURE  
DEBT ISSUES

Mr. Fialkowski explained the Capital Projects bond issue will be between \$5 million and \$12.5 million. The Village is starting to spend the money. There are technical requirements that state the Village must pass a Resolution to reimburse certain Capital expenditures from the proceeds of future debt.

Trustee Seiden 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)

### DISCUSSION

#### MEMORIAL DAY

observance of Memorial Day.

Mayor Pro Tem Benton stated that Village Hall would be closed on Monday, May 31<sup>st</sup> in

#### FINE ARTS FESTIVAL

Mayor Pro Tem Benton invited residents to attend the Village's Fine Arts Festival on June 5 and 6.

#### VILLAGE-OWNED PARKING LOT

Trustee Struthers spoke with VCDC Chairman Alan Garfield, who requested parameters to develop a new plan for the former Lindemann's property. Since the VCDC is charged with reviewing Village Center proposals and is very familiar with the property, she would like to recommend that staff work with the VCDC to develop a short-term, workable improvement plan for the Board to consider. With the intention of completing improvements this spring or summer, she would like the VCDC to come up with a plan that can be done both quickly and inexpensively.

Trustee Struthers met with Mayor Rosenthal and Mr. Street, and they agreed on some parameters for the former Lindemann property.

1. First, this will be a parking lot, not a demo project or commercial area. Because the Village may want to re-do the traffic pattern in the entire northwest quadrant at some future date, expenses should be minimized.
2. The appearance of the parking lot should be more attractive from all aspects. The appearance can be enhanced by plantings, berming, etc.
3. The barricades and fences will all be removed, including those between the Morelli property and the Lindemann property and between the buildings.
  - a. Agreement among the church, Joy Fiorini and the Village needs to be obtained for this.
4. Safety of children going to and from the Park District and Presbyterian Church nursery school should be a primary consideration.
5. There should be specific pedestrian paths through the parking lot for safety.
6. Delivery trucks should be able to access the rear entrances of all businesses so that they no longer park on Waukegan Road.
7. Truck access should be provided, including a traffic pattern that provides for child safety. Due to the proximity to the stoplight and to the expense that would be involved, an additional curb cut to enter Robert York Avenue and to exit the parking lot, or using Robert York Avenue for both in and out directions could be considered.
8. One-way aisles should be considered in the parking lot.
9. Adequate handicapped parking must be allocated to accommodate the church and businesses.

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10. Rather than spending a lot of money doing a new traffic study, prior traffic studies should be used for the initial design proposal.
11. Park District employees may continue to park in the westernmost spaces.

Mayor Pro Tem Benton suggested that staff develop a proposal and come back to the Board after it is reviewed by the VCDC. Trustee Struthers explained the VCDC is more familiar with the parcel than any other Commission. Trustee Farkas suggested having a menu proposal from which the Village Board can select. Trustee Oppenheim does not want to spend money for things that they will undo at a later date. Mr. Street explained that staff would work with the VCDC to provide a recommendation at the next Board meeting.

THANK YOU

Mr. Street thanked the Public Works Department and the Police Department for their continued support during the significant storms last week. There was some flooding even though systems were working to capacity. Mr. Street noted there were minimal sanitary sewer back ups reported.

NEXT MEETING

The next regular meeting of the Board of Trustees will take place in three weeks, on June 7<sup>th</sup>.

ADJOURNMENT

There being no further business or discussion, the meeting was adjourned at 9:20 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk