

December 15, 2008

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Steven Harris in the Council Chambers of the Village Hall on Monday, December 15, 2008 at 7:35 p.m. The Clerk called the roll and announced that the following were:

Present: Steven Harris, Mayor  
Robert Benton  
Thomas Jester  
Harriet Rosenthal  
William Seiden  
Barbara Struthers  
Norton Wasserman

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

PLEDGE OF ALLEGIANCE

Eric Hogberg from the Deerfield Caucus led those in attendance in reciting the Pledge of Allegiance.

Mayor Harris noted that Mr. Hogberg had been appointed to the Community Relations Commission at the last Board of Trustees meeting.

Mr. Hogberg discussed the Caucus town hall meeting, which will take place on January 13, 2008 at 7:00 p.m. at the Deerfield High School auditorium. He commented that the original date and location shifted due to overwhelming interest in the election. Trustee Rosenthal suggested putting up a sign at Caruso Middle School on January 12th to inform residents of the date and place changes. Mr. Hogberg said he would put up a sign and added that there would be information available on the Caucus website, which is [www.deerfieldcaucus.org](http://www.deerfieldcaucus.org).

MINUTES OF PREVIOUS MEETING

Trustee Benton made a motion to approve the minutes of the December 1, 2008 Board of Trustees meeting. Trustee Struthers seconded the motion. Trustee Seiden requested a word addition on page 7, and Trustee Struthers noted that Paul Blakey's name had been spelled incorrectly on page 2. The motion passed unanimously.

BILLS AND PAYROLL

Trustee Seiden made a motion to approve the Bills and Payroll dated December 15, 2008. Trustee Struthers seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Rosenthal, Seiden, Struthers, Wasserman (6)

NAYS: None (0)

TREASURER'S REPORT

Finance Director Bob Fialkowski presented highlights from the Treasurer's Report through November 30, 2008 representing 58% of the fiscal year or seven months. He commented that

sales tax revenues are a bit behind the same month last year, but other revenues are holding steady. Mr. Fialkowski noted that the Village has not received the state income tax yet but were promised it will come soon. He explained that the fiscal year 08-09 sales have flattened into the basic sales that take place, such as groceries, drugs and other necessities. Next month it appears to be the same, where in past years the numbers have fluctuated.

Trustee Seiden asked for an explanation for the fluctuation in the past sales taxes, noting that in 06-07 the taxes increased 20% while we are currently down approximately 1%. Mr. Fialkowski explained that the fluctuation was due to a decrease in discretionary spending.

Mayor Harris expressed concern about expenses and revenues in light of the economy and emphasized that if more severe trends develop, the Village should respond sooner rather than later.

Mr. Fialkowski noted that conservative direction has been provided to department heads beginning to prepare next year's budget. Staff has limited hiring for non-emergency personnel.

PUBLIC COMMENT

There was no Public Comment.

REPORTS

There were no reports.

CONSENT AGENDA

<u>ORDINANCE O-08-40 LEVYING TAXES FOR CORPORATE PURPOSES FOR THE CURRENT FISCAL YEAR, COMMENCING ON THE FIRST DAY OF MAY, 2008 AND ENDING ON THE THIRTIETH DAY OF APRIL, 2009 FOR THE VILLAGE OF DEERFIELD, LAKE AND COOK COUNTIES, ILLINOIS – 2R</u>	An Ordinance levying taxes for corporate purposes for the current fiscal year commencing on the first day of May 2008 and ending on the thirtieth day of April 2008 for the Village of Deerfield, Lake and Cook Counties, Illinois. Second Reading.
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<u>ORDINANCE O-08-41 ABATING ALL THE 2008 TAX LEVY REQUIREMENTS FOR THE SERIES 1998 GENERAL OBLIGATION BONDS – 2R</u>	Ordinance abating the entire 2008 tax levy requirements for the series 1998 General Obligation Bonds. Second Reading.
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<u>ORDINANCE O-08-42 ABATING ALL THE 2008 TAX LEVY REQUIREMENTS FOR THE SERIES 2003 GENERAL OBLIGATION REFUNDING BONDS-2R</u>	Ordinance abating the entire 2008 tax levy requirements for the series 2003 General Obligation Refunding Bonds. Second Reading.
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ORDINANCE O-08-43 ABATING ALL THE 2008 TAX LEVY REQUIREMENTS FOR THE SERIES 2008 GENERAL OBLIGATION REFUNDING BONDS-1R An Ordinance abating all of the 2008 tax levy requirements for the series 2008 General Obligation Refunding Bonds. First Reading. Mr. Street suggested waiving the First Reading of the Ordinance.

Trustee Struthers 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, Rosenthal, Seiden, Struthers, Wasserman (6)

NAYS: None (0)

Trustee Benton made a motion to accept the Consent Agenda and adopt the four ordinances. Trustee Rosenthal seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Rosenthal, Seiden, Struthers, Wasserman (6)

NAYS: None (0)

#### OLD BUSINESS

There was no Old Business.

#### NEW BUSINESS

RESOLUTION R-08-12 ADOPTING AN IDENTITY THEFT POLICY AND PROGRAM A Resolution adopting an identity theft policy and program.

Mr. Fialkowski explained that the Village is required under the Fair and Accurate Credit Act of 2003 to conform to this act because we bill after services are used and are considered a creditor. Mr. Fialkowski will be the administrator of the program.

Trustee Rosenthal made a motion to adopt the resolution adopting an identity theft policy and program. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Rosenthal, Seiden, Struthers, Wasserman (6)

NAYS: None (0)

AUTHORIZATION FOR MAYOR TO SIGN THE LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION AND ENGINEERING SERVICES CONTRACT FOR WILMOT ROAD SOUTH REHABILITATION PROJECT Director of Public Works and Engineering, Barb Little was seeking approval of the construction engineering services contract for the Wilmot Road South Rehabilitation Project. She noted that the project would be substantially funded by federal funds and would require appropriate documentation. Ms. Little also requested authorization for the

Mayor to sign the Local Agency Agreement, which provides specific local, state and federal participation.

Trustee Rosenthal asked whether Gewalt Hamilton was responsible for the delay at Deerfield High School. Ms. Little advised that Gewalt Hamilton was not the source of the delay, but rather METRA and IDOT.

Trustee Jester questioned why Village staff would not be utilized. Ms. Little explained that a federal funding requirement is that someone to be onsite and accurately document everything. Trustee Jester asked whether the geotech services were the same in the proposal. Ms. Little noted that they were. Trustee Jester questioned whether the Village specified the hours. Ms. Little explained that the inspecting engineer's hours were not specified, but a time range was specified.

Trustee Struthers expressed concern about backing up traffic. Ms. Little advised that alternate routes would be identified for motorists. She noted that the Lake Cook/294 work, including the southern blocks of Wilmot would be substantially completed when this project starts.

Trustee Struthers made a motion to authorize the Mayor to sign the Local Agency Agreement for federal participation and award the engineering services contract for the Wilmot Road South Rehabilitation Project to Gewalt Hamilton in an amount not to exceed \$120,391. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Rosenthal, Seiden, Struthers, Wasserman (6)

NAYS: None (0)

### DISCUSSION

#### DEERFIELD HIGH SCHOOL ENTRANCE SIDEWALK

Trustee Seiden mentioned that he has heard from many residents about the proximity of the new sidewalk adjacent to Waukegan Road. Trustee

Seiden expressed concern that the result is similar to what has been or will be corrected in other parts of the Village.

Ms. Little explained that the Village is planning to install a 7' sidewalk between North Avenue and High School Drive as well as a wide sidewalk along the frontage of the high school to the Village limit. Ms. Little noted that the section south of High School Drive would be a carriage walk along the right turn lane until a parkway can be established, due to the right of way limits.

Trustee Seiden expressed concern that the sidewalk was next to the street and a vehicle could jump the curb. He does not believe this is what the trustees envisioned with this project.

Mr. Street explained that this project design was completed before the Deerfield Road sidewalk setback was changed. This is still an improvement from a 5' wide sidewalk to a 7' wide sidewalk. Trustee Seiden explained he was uncomfortable having pedestrians walking adjacent

to the street and asked if it would be less expensive to make modifications before it was completed.

Mayor Harris asked about available options to improve pedestrian safety. Ms. Little explained they could use a different surface treatment in the narrow space between the conventional sidewalk and the curb, or put up flexible delineators behind the curb. Mayor Harris expressed concern about the flexible delineators, stating he would prefer something like a planter or fixture that would abut the sidewalk almost continuously to the street, so if a car jumped the curb it would hit the planter first. Ms. Little noted that there must be at least 2' clearance between the curb and anything else and that ADA requires a minimum of 3' clearance for the walkway. Trustee Benton believed that, with the regulations, a bollard or planter would not be ideal.

Trustee Jester asked how this compares with the sidewalk and turn lanes along the Deerfield and Waukegan Road intersection. Mayor Harris noted that the high school being in the area makes it different. He asked Ms. Little to diagram something for the next meeting, which would not delay the project. To get through the winter, she suggested the possibility of putting the sidewalk in stone so there would be a reasonable surface while providing time to come up with alternatives for blocking vehicles from the sidewalk. Trustee Struthers noted that the stone path to Caruso Middle School used to get muddy and questioned how that condition would be prevented at this location.

Mayor Harris noted that in late July, staff was hopeful that the project would be completed before the start of the school year. Ms. Little explained that the contractor could not start until the right-of-way agreements were received. Mayor Harris expressed frustration because of the length of time for this project and that it was not completed before the start of the school year. Village Attorney Coblentz explained that the right-of-way was needed from Metra, and IDOT would not award the contract until the right-of-way agreement was received. Mayor Harris explained that it is the Board's obligation to set proper expectations. He was led to believe that the project was going to be completed before school started. Ms. Little explained that when the contract was originally awarded, they expected the project to be completed before school started. Once the work started, they thought it would be completed by the end of October. Ms. Little believes the remainder of the sidewalk could be completed in weeks, and the final traffic signal still needs to be completed. Trustee Seiden commented that the contractors hired by the Village should know how long it should take for projects to be completed. Mr. Coblentz explained that Metra changed their approach to the documents, causing much of the delay.

Mayor Harris stated that the Board needs to know if a project is being delayed. They need a fair timeline so they can form proper expectations. Mayor Harris asked Ms. Little to provide a timeline for completion of the project, including the barrier, and to inform the Board of any future delays in any projects.

#### BICYCLE FEDERATION

Trustee Rosenthal noted that the Chicagoland Bicycle Federation publishes a map of bicycle paths throughout the Chicagoland area. They will be publishing a new map. Trustee Rosenthal commented that the CBF needs to be informed of the upgrades made in Deerfield, so we are

included in the map. Mr. Street said he would look into it and ask that the Village and Park District properties are included in the new map.

HAPPY HOLIDAYS

Trustee Seiden wished all residents a Happy Holiday Season and a Happy New Year.

WINTER CELEBRATIONS

Mr. Street reported that the Village's Winter Celebrations has been completed. They had a brief critiquing session with the Chamber of Commerce and are starting the planning for next year. Trustee Struthers commented that she received a lot of positive feedback.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:55 pm.

APPROVED:

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Mayor

ATTEST:

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Village Clerk