

AGENDA FOR THE BOARD OF TRUSTEES
September 21, 2009, 7:30 P.M.

Call to Order
Roll Call
Pledge of Allegiance
Minutes of Previous Meeting
Proclamation – Parents. The Anti-Drug
Board & Commission Appointments
Bills and Payroll
Treasurer’s Report
Public Comment

REPORTS

09-87 Report and Recommendation of Plan Commission re Workforce (Affordable) Housing

09-90 Report Concerning Video Gaming Act

CONSENT AGENDA

OLD BUSINESS

NEW BUSINESS

09-88 Authorization for Additional Construction Expenditures for the Lake Cook Road Bridge
Replacement and Roadway Widening Project

09-89 Approval of Contract Amendment #2 with Strand Associates for Sustainable Elements
and LEED design work for Wastewater Reclamation Facility Reconstruction Project

Items for discussion by Mayor and Board of Trustees
Reports of the Village Manager: Update re-Zebra Outdoor Lease
Adjournment

September 8, 2009

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Harriet Rosenthal in the Council Chambers of the Village Hall on Monday, September 8, 2009 at 7:31 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

Laurie Tait and Karen Larson (daughters of John Willman) led those in attendance in reciting the Pledge of Allegiance.

PROCLAMATION

Mayor Rosenthal welcomed John and Phyllis Willman along with their family and friends to the meeting. She mentioned that many residents have been honored in Deerfield and Mr. Willman is right up there with the best. The Willman family came to Deerfield in 1848 and John Willman grew up in a home that was built in the 1890s. He left Deerfield to go into the US Navy then came back to Deerfield. He was appointed to the Cemetery Commission in Deerfield and has become the foremost historical representative in the Village. Mr. Willman convinced the Board to make improvements to the historic Deerfield cemetery including upgrading to the wrought iron fence and was instrumental in many other projects in the Village.

John Sanner from the Cable and Telecommunications Commission and Larry Dondanville presented a video tribute highlighting Mr. Willman's accomplishments in the Village. Julie Morrison, Township Supervisor, thanked Mr. Willman on behalf of West Deerfield Township and presented a certificate of appreciation and historic documents related to his family's properties.

Mayor Rosenthal noted Mr. Willman was a lifelong resident of Deerfield for more than 86 years. She read a Proclamation recognizing and honoring Mr. Willman for his many outstanding contributions and lifetime of dedicated, volunteer service.

Trustee Seiden made a motion to accept the Proclamation. Trustee Jester seconded the motion. The motion passed unanimously.

Mayor Rosenthal presented a sign that will be erected in the triangle at Journal Court and Hazel Avenue that reads, "Willman Place dedicated to John Willman, Deerfield Historian, 2009".

Mr. Willman thanked the Board and everyone present. He stated it was a lot of fun working with the cemetery and finding pictures of the past mayors. On behalf of her father and their family. Mr. Willman's daughter, Laurie Tait, thanked everyone for dedicating the historical area in Deerfield to her father. The Willman Family, residents, the Mayor and Board of Trustees took a short break to honor Mr. Willman.

CONGRATULATIONS

Trustee Seiden and the Board congratulated Rich Kramer, Computer Systems Coordinator on receiving his Master's degree.

MINUTES OF PREVIOUS MEETING

Trustee Farkas made a motion to approve the minutes from the August 17, 2009 Board of Trustees meeting. Trustee Struthers seconded the motion, noting a minor correction was reported to the Recording Secretary. The motion passed unanimously, with Trustee Jester abstaining.

BILLS AND PAYROLL

Trustee Farkas made a motion to accept the Bills and Payroll dated September 8, 2009. Trustee Struthers seconded the motion. Trustee Oppenheim noted there was a line item for TruGreen ChemLawn and questioned where this fertilization occurs and if organic products were utilized. Director of Public Works and Engineering Barb Little responded that there were some parkways in Deerfield that are prone to weedy growth. They utilize various contractors and limit the use of toxic chemicals. The motion passed by the following vote:

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

NAYS: None (0)

PUBLIC COMMENT

Aaron Eisenberg, 1010 Warrington, mentioned he, his wife Leora and their three children recently relocated to Deerfield. They are currently renting close to Deer Spring Park. Mr. Eisenberg mentioned they closed on the property at 1010 Warrington on August 17, 2009 and has been working with a local builder to design a house. At closing, they did a title search and survey and both were clean. An engineer informed them that there was a sanitary sewer through the middle of their property and not along the edge as indicated on the Village's atlas maps. They cannot build their preferred house on the property unless the line gets moved. The builder has advised them that they could not break ground unless the issue was resolved within six to eight weeks, because of the construction season. Mr. Eisenberg wanted to advise the Board and hopes there can be some resolution within the next few weeks.

Trustee Farkas asked if the petitioner purchased title insurance. Mr. Eisenberg mentioned he had purchased title insurance and did have a real estate attorney. Trustee Farkas questioned whether the petitioner obtained a cost estimate on moving the sewer. Mr. Eisenberg indicated he had not. Mayor Rosenthal mentioned the Board was happy the Eisenberg's chose to live in Deerfield and hopes a solution could be worked out.

Mayor Rosenthal asked the Village Attorney for his view of the matter. Mr. Coblenz noted he was made aware of the situation last week. He had a conference call with the builder, Mr. Eisenberg's attorney, the Village Engineer, Public Works and Mr. Eisenberg. He questioned who would be responsible for the cost if the sewer were moved. Mr. Coblenz explained the Village's position is that the sewer has been there for more than 50 years, but it is not in the location the Village expected. Mr. Coblenz assured the Board that this is a priority with him and the Village staff. They need to determine the Village's responsibility in the situation and are working as expeditiously as possible to come up with a resolution.

Trustee Farkas asked if anyone has put an estimate on the cost. Ms. Little mentioned she has not put any numbers to it. Trustee Jester noted the sewage line was 17 feet down and questioned whether the petitioner could build their basement eight or nine feet down. The concern of access for future repairs was raised.

Oscar Adler, 59 Eastwood, mentioned that State Representative Karen May was his guest on Adler's Alley this month. She will provide updates on legislative issues and discuss what it is like working with the new governor. The program will air on Wednesdays at 2:30 and Thursdays at 6:30 on channel 19. It will also air on Tuesdays at 6:30 on channel 10.

Mr. Adler mentioned there would be a job seeker's workshop on September 26, 2009 at the Deerfield Library from 10:00 until 12:30. He mentioned the title is, "Learn to Shine when your Career is on the line". The workshop is based on his book, "Sell Yourself in Any Interview".

REPORTS

There were no Reports.

CONSENT AGENDA

There was no Consent Agenda.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

AWARD OF CONTRACT FOR WASTEWATER RECLAMATION FACILITY CONSTRUCTABILITY REVIEW Ms. Little reported that at the July 22, 2009 Committee of the Whole meeting, constructability analysis for the Wastewater Reclamation Facility was discussed. The Wastewater Reclamation Facility will benefit from having a review. Ms. Little mentioned she sent out RFP's to six firms and received one response. The other firms were contacted and they advised they were unable to respond due to the high volume of federal stimulus projects being pursued. Ms. Little noted the Village was currently working with Keno and Sons on the Eastside Lift Station project and the president of Keno and Sons was instrumental in providing positive

input into the construction even before receiving the bid. She recommends the Board award the constructability review contract to Keno and Sons in an amount not to exceed \$10,800.

Trustee Oppenheim noted this project was much more complex than the Eastside Lift Station project and wanted to be certain that Village Staff and Strand Consultants were confident the Village would receive good input on a project of this size. Ms. Little restated that the Village was comfortable using Keno and Sons and Vern Witthuhn from Strand Associates confirmed they have worked with Keno and Sons on a number of complex projects and recommends they be awarded the project as well.

Trustee Jester mentioned there was nothing in the packet indicating the scope of work. He questioned what the output would be. Mr. Witthuhn reported the Village would receive a written report indicating suggestions which would be more detailed than the RFP.

Trustee Jester made a motion to award the constructability review contract to Keno and Sons in an amount not to exceed \$10,800. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION FOR MAYOR TO SIGN COLLECTIVE BARGAINING AGREEMENT WITH THE ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL FOR 2007-08 AND 2008-09 Finance Director Robert Fialkowski reported the contract negotiation with the FOP went into binding arbitration on four items. Three of the items were language matters with economic ramifications, including: career development, health insurance and discipline. The other item was wages for the two-year period. The arbitrator sided with the Village on the first three items and the Union for the wage requests of 4% and 4% respectively.

Trustee Farkas made a motion to authorize the Mayor to sign a collective bargaining agreement with the Illinois Fraternal Order of Police Labor Council for 2007-08 and 2008-09. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

DISCUSSION

THANK YOU

handling the delicate situation that occurred this week. They all showed outstanding professionalism and concern for the community.

Mayor Rosenthal thanked Chief Sliozis, the Deerfield Police Department and NIPAS for

VIDEO POKER

Trustee Farkas noted there has been a

lot of talk about video poker. He understands the Village is in process of drafting an Ordinance, but would like to have it ready for the next Board of Trustees meeting. Trustee Farkas mentioned they are expecting regulations to come down soon and believes that if the State acts quicker than the Village, video poker could be grandfathered for some properties, if they meet the State criteria and file with the State before the Village has an Ordinance in place.

As previously discussed, Village Attorney Coblenz will prepare an ordinance for consideration.

HOUSEHOLD ELECTRONICS COLLECTION

Mayor Rosenthal reported that there would be a SWALCO household electronics collection on Saturday, September 12, 2009 from 9 to noon.

COMMUNITY SERVICES DAY

Brickyard Park Saturday September 12, 2009 from noon 4 and Trustee Struthers added that the Rotary Club will have a dunk tank.

Mayor Rosenthal also reported that Community Services Day will be held at

FALL FESTIVAL

place on September 13, 2009 from 12 – 4 at Kipling School. Pictures from Deerfield would be on display and residents can tour old homes in Deerfield.

Mayor Rosenthal added the Deerfield Historical Society Fall Festival would take

MUD FEST

Mud Fest will take place on September 13, 2009 from 12 – 4 at Jewett Park.

FARMER’S MARKET

until noon.

The Farmer’s Market will take place on Saturday, September 12, 2009 from 7:00 am

Mayor Rosenthal encouraged everyone to enjoy the Deerfield events over the weekend.

EXECUTIVE SESSION

litigation. Trustee Farkas seconded the motion. The motion passed unanimously.

Trustee Struthers made a motion to go into Executive Session to discuss possible

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 9:02 p.m.

APPROVED:

Mayor

ATTEST: _____
Village Clerk

PROCLAMATION

WHEREAS, illegal alcohol, tobacco and other drug use has many harmful effects on youth, families, schools and communities in our area and across the country; and

WHEREAS, it is essential that parents are well informed and encouraged to be *the* positive force toward preventing the use of alcohol, tobacco and other drugs by their children; and

WHEREAS, all members of our community can benefit from the dissemination of accurate information and conversation about alcohol, tobacco, and other drugs and their use in our community; and

WHEREAS, through a local cooperative effort, parents, school and municipal officials, clergy and health providers are advocating *Parents. The Anti Drug* as a current and effective education and prevention resource for families in all the communities and schools within Township High School District #113; and

WHEREAS, *Parents. The Anti Drug* has issued and will continue to issue messages consisting of accurate information and helpful resources to assist and encourage adults and teens to have well informed and meaningful discussions concerning the harmful health effects and significant consequences of illegal alcohol, tobacco and drug use; and

WHEREAS, *Parents. The Anti Drug* is actively encouraging parents, guardians and teens to respectfully discuss the problems of illegal alcohol, tobacco and drug use on **Take Time to Talk** to be held Sunday, October 4, 2009.

NOW, THEREFORE, I, HARRIET E. ROSENTHAL, Mayor of the Village of Deerfield, do hereby support the noteworthy efforts of *Parents. The Anti Drug* and proclaim October 4, 2009 as **TAKE TIME TO TALK** in Deerfield.

PROCLAIMED: This 21st day of September, A.D. 2009.

HARRIET E. ROSENTHAL, MAYOR

**BILLS FOR THE
SEPTEMBER 21, 2009
VILLAGE BOARD MEETING**

September 21, 2009 Board Meeting

Vendor	Invoice #	Description	Org	Obj	Total Invoice
1ST AYD CORPORATION	403769	CHERRY DEODORIZER	542052	5422	838.40
ABC COMMERCIAL MAINTENANCE SERVICES, INC	015	JANITORIAL SERVICES - AUG 09	101210	5320	1,148.00
ABC COMMERCIAL MAINTENANCE SERVICES, INC	015	JANITORIAL SERVICES - AUG 09	102010	5320	419.00
ABC COMMERCIAL MAINTENANCE SERVICES, INC	015	JANITORIAL SERVICES - AUG 09	106010	5320	1,060.00
ABC COMMERCIAL MAINTENANCE SERVICES, INC	015	JANITORIAL SERVICES - AUG 09	542052	5320	<u>30.00</u>
					2,657.00
AMERICAN FIRST AID SERVICE INC	75753	REFILL MEDICINE CABINET AT PW	502050	5421	156.03
AT&T	5811C100609	PHONE SRVC 090709-100609	176020	5550	2,133.67
AT&T	5811C100609	PHONE SRVC 090709-100609	930000	2150	<u>439.64</u>
					2,573.31
ATOMATIC MECHANICAL SERVICES, INC	SRV08-13789	A/C & HEAT VENT WORK REPAIRS	102010	5320	1,569.01
AUTOMATIC CONTROL SERVICES	2142	E SIDE LIFT STATION PUMP REPAIR	542052	5322	357.19
AUTOMATIC CONTROL SERVICES	2089	MITCHELL PARK RES REPAIRS TO CONTROLS	502031	5322	992.31
AUTOMATIC CONTROL SERVICES	2085	MITCHELL PARK RES REPAIRS TO CONTROLS	502031	5322	<u>9,165.00</u>
					10,514.50
BADGER METER INC	82561501	ANNUAL SERVICE RENEWAL (9/30/09-9/29/10)	502054	5810	989.00
BARNES DISTRIBUTION	1115446001	NUT & BOLTS WRF GARAGE	542052	5470	331.30
BETTS, ANDREW	250158	TREE PERMIT REFUND	100001	4232	75.00
BISHOP, BARBARA M	9650695	IL PUBLIC SRVC INST SEMINAR REIMB	542052	5210	695.00
BOBYK, WARREN	249789	REIMB FOR PRKWAY TREE OVERCHARGE	100001	4462	23.00
BRUNK, JEANNIE	102801090809	REIMB FOR LEAKING WATER METER	502050	5410	79.00
BUECHELE, BETH	7579	U/B CREDIT BALANCE REFUND	500000	1270	65.36
CACCIATORE, LOUIS	090209	ALTERATIONS	106034	5130	30.00
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	101111	5540	600.50
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	101330	5540	300.25
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	102010	5540	103.78
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	102110	5540	263.92
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	106010	5550	778.96
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	502010	5540	429.12
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	542010	5540	103.78
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	542052	5540	1,140.41
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	602019	5320	156.74
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	702050	5540	98.39
CALL ONE	101061630000091509	BILLING FOR VILLAGE CIRCUITS	936020	5540	<u>1,803.49</u>
					5,779.34
CDW GOVERNMENT INC	QDJ9651	BLACKBERRY SUPPORT	101210	5370	1,450.00
CDW GOVERNMENT INC	QDP8932	SERVER PARTS	101111	5810	<u>219.16</u>
					1,669.16
CINTAS	022708842	BOOTS - RUSS OLMSTEAD	502010	5130	150.00
CINTAS	022711376	FLOOR MATS - VH	101111	5320	50.07
CINTAS	022714670	FLOOR MATS - VH	101111	5320	50.07
CINTAS	022708138	MATS - PW	102010	5320	33.14
CINTAS	022708138	MATS - PW	102038	5320	33.15
CINTAS	022708138	MATS - PW	502010	5320	33.14
CINTAS	022708138	MATS - PW	542010	5320	33.14
CINTAS	022708140	MATS - PW	542052	5320	<u>16.17</u>
					398.88
CITY OF HIGHLAND PARK	009530083109	WATER PURCHASES - AUG 09	502031	5423	1,855.53
CITY OF HIGHLAND PARK	009155083109	WATER PURCHASES - AUG 09	502031	5423	106,315.35
CITY OF HIGHLAND PARK	020587083109	WATER PURCHASES - AUG 09	502031	5423	<u>119,361.30</u>
					227,532.18
COMCAST CABLE	101978090509	DATA OUTLET - PW	102010	5540	6.31
COMED	15271F072809	AC1398050042 062609-072809	102010	5510	250.64
COMED	15271F072809	AC1398050042 062609-072809	106010	5388	288.88
COMED	15271F072809	AC1398050042 062609-072809	602038	5510	219.71
COMED	15271J080409	AC1695047076 070609-080409	102050	5510	<u>1,297.32</u>
					2,056.55
CONTINENTAL WEATHER SERVICE	10233	WEATHER FORECASTING (SEP 09)	102010	5365	37.50
CONTINENTAL WEATHER SERVICE	10233	WEATHER FORECASTING (SEP 09)	502010	5365	37.50
CONTINENTAL WEATHER SERVICE	10233	WEATHER FORECASTING (SEP 09)	542051	5365	37.50
CONTINENTAL WEATHER SERVICE	10233	WEATHER FORECASTING (SEP 09)	542052	5365	<u>37.50</u>
					150.00
CRAFTWOOD LUMBER CO.	107162	KEYS	102050	5421	15.84

Vendor	Invoice #	Description	Org	Obj	Total Invoice
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	101210	5387	200.70
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	502010	5335	33.38
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	502010	5335	252.71
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	502010	5337	68.71
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	502010	5337	514.20
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	542010	5335	15.08
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	542010	5335	114.13
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	542010	5337	31.03
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	542010	5337	232.22
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	582030	5337	11.08
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	582030	5337	82.94
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	582030	5390	5.38
DATAPROSE	58794	U/B STMTS & LATE NOTICES: JUL 09	582030	5390	40.76
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	101210	5387	189.36
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	502010	5335	25.66
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	502010	5335	238.68
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	502010	5337	52.61
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	502010	5337	483.34
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	542010	5335	11.59
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	542010	5335	107.79
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	542010	5337	23.76
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	542010	5337	218.28
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	582030	5337	8.49
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	582030	5337	77.96
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	582030	5390	4.14
DATAPROSE	59444	U/B STMTS & LATE NOTICES: AUG 09	582030	5390	38.50
					3,082.48
DAVE BACHRACH/TOOLS & EQUIPMENT	21760	NEW TEST EQUIPMENT	702050	5440	167.90
DEERFIELD SHELL	AUG2009	FUEL	106034	5420	234.67
DEERFIELD'S	1360240	REFRESHMENTS - WILLMAN RECEPTION	101210	5387	12.99
DEERFIELD'S	1354194	REFRESHMENTS - WILLMAN RECEPTION	101210	5387	44.64
DEERFIELD'S	1358039	RETIREMENT CAKE - FEJES	102010	5410	19.00
DEERFIELD'S	1358039	RETIREMENT CAKE - FEJES	102110	5410	19.00
DEERFIELD'S	1358039	RETIREMENT CAKE - FEJES	502010	5410	19.00
DEERFIELD'S	1358039	RETIREMENT CAKE - FEJES	542010	5410	19.00
DEERFIELD'S	1358039	RETIREMENT CAKE - FEJES	542052	5410	19.00
					152.63
DELTA TECHNICAL PRODUCTS CO	66798	CALIBRATION OF GAS METER	542052	5322	80.00
DIRECT FITNESS SOLUTIONS	61164	EQUIP PREV MAINT	106010	5322	240.00
ELITE OFFICE PRODUCTS	355208	OFFICE SUPPLIES	106010	5450	270.70
ENRICO MOSCONI LANDSCAPE CONTRACTORS,INC	T9328	WAUKEGAN ROAD BRICK REPAIR	102037	5365	1,177.50
FEDERAL EXPRESS CORP	9-316-61028-PW	MAILING	102110	5337	14.86
FEDERAL EXPRESS CORP	9-308-81428	SHIPPING	106010	5337	17.73
FEDERAL EXPRESS CORP	9-316-61028	SHIPPING	106010	5337	24.60
					57.19
FINISH LINE AUTOMOTIVE INC	22421	REPLACE DOOR & PAINT #700	702050	5470	1,120.38
FISHER, RICK	102802090809	MUDFEST 2009 - 175 BALES OF STRAW	106010	5387	910.00
FLINK COMPANY	33598	SALT SPREADER PARTS	702050	5470	933.53
FLOLO ELECTRIC CORP	084322	DIAGNOSTICS / MAINT	502031	5322	350.00
FOSTIAK ENGINEERING, LLC	307	ENGINEERING SERVICES - COM ED SUIT	101210	5360	3,878.30
FRY, CHRISTOPHER	082809	TRAINING TRAVEL REIMB	106034	5211	94.54
GALLS, AN ARAMARK CO, LLC	5994281100015	APPAREL	106034	5130	14.83
GALLS, AN ARAMARK CO, LLC	5994168800018	APPAREL	106034	5130	35.93
GALLS, AN ARAMARK CO, LLC	5994316300010	APPAREL	106034	5130	69.10
GALLS, AN ARAMARK CO, LLC	5994281100023	APPAREL	106034	5130	81.49
GALLS, AN ARAMARK CO, LLC	5994203000012	APPAREL	106034	5130	95.26
					296.61
GHA TECHNOLOGIES, INC	559116	HP PRINTER MAINT KIT	106020	5810	274.85
GHA TECHNOLOGIES, INC	559667	SERVER PDU'S	101111	5810	315.00
GHA TECHNOLOGIES, INC	560091	TONER	106010	5460	489.00
GHA TECHNOLOGIES, INC	559344	TONER FOR INVESTIGATIONS PRINTER	106010	5460	489.00
					1,567.85
GOVN FINANCE OFFICERS ASSN	0043002083109	ANNUAL MEMBERSHIP - FIALKOWSKI	101111	5330	190.00
HAYNE, REED	249235	TREE PERMIT REFUND	100001	4232	75.00
HD SUPPLY WATERWORKS	9429159	HYDRANT PARTS	502050	5421	1,781.84
HD SUPPLY WATERWORKS	9435184	WATER MARKED PIPE & MANHOLE COVERS	542031	5421	1,526.82
HD SUPPLY WATERWORKS	9445663	WATER PIPING	502050	5421	1,101.00
					4,409.66

Vendor	Invoice #	Description	Org	Obj	Total Invoice
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	101111	5350	2,289.85
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	102010	5350	2,154.52
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	102110	5350	26.87
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	106010	5350	5,745.52
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	502010	5350	2,418.01
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	542010	5350	3,472.78
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	582030	5350	131.35
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	602019	5350	59.70
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	602038	5350	59.70
HELP C/O NUGENT CONSULTING LLC	51	LIAB INS - 2009 INSTALLMENT #2	702050	5350	263.70
					<u>16,622.00</u>
HIGHLAND PARK FORD	081880	HEATER SWITCH FOR CAR #8	702050	5470	11.33
HIXON, HEATHER	248791	TREE PERMIT REFUND	100001	4232	75.00
HOME DEPOT CREDIT SERVICES	8097090	GARAGE SUPPLIES	702050	5421	123.39
HOME DEPOT CREDIT SERVICES	4084297	PAINT AND SUPPLIES PW	542031	5421	59.99
HOME DEPOT CREDIT SERVICES	4021296	PAINT AND SUPPLIES PW	542031	5421	65.11
					<u>248.49</u>
IL FORNOS PIZZA	966977	LUNCH FOR VICTIMS IN CASE	106010	5460	14.15
IL FORNOS PIZZA	966960	WATER MAIN BREAK LUNCH	542031	5421	41.30
					<u>55.45</u>
ILLINIOS DEPT OF TRANSPORTATION	102998	HAZEL/WILMOT BRIDGE CONSTRUCTION	222082	5910	43,950.00
ILLINOIS APCO	20090826	TRAINING FEE	106020	5212	300.00
ILLINOIS GFOA	2184820	SEMINAR - BURK	101111	5210	150.00
ILLINOIS MUNICIPAL LEAGUE	40350090209	09/10 MEMBERSHIP DUES	101210	5330	1,255.00
INFRASTRUCTURE MANAGEMENT SERVICES, LLC	13408-4	PAVEMENT ANALYSIS, SIGN AND TREE INVENTORY	102010	5365	1,828.80
INFRASTRUCTURE MANAGEMENT SERVICES, LLC	13408-4	PAVEMENT ANALYSIS, SIGN AND TREE INVENTORY	102037	5365	500.00
INFRASTRUCTURE MANAGEMENT SERVICES, LLC	13408-4	PAVEMENT ANALYSIS, SIGN AND TREE INVENTORY	222082	5362	2,505.60
					<u>4,834.40</u>
JAY R'S STEEL & WELDING INC	6045	EMERGENCY STEEL ROAD PLATES	502050	5365	2,010.32
JAY R'S STEEL & WELDING INC	6045	EMERGENCY STEEL ROAD PLATES	542031	5321	2,010.32
JAY R'S STEEL & WELDING INC	6046	STEEL PLATES	702050	5470	79.00
					<u>4,099.64</u>
JIM DANDY CLEANERS	JA-08-002265	BLANKET CLEANING	106010	5322	105.00
JUST TIRES	399820	NEW TIRES FOR J-D310 BACK HOE	702050	5470	1,866.00
K A STEEL CHEMICALS INC	0588642-IN	4500 GALLONS OF HYPOCHLORITE	542052	5422	4,063.96
KALE UNIFORMS	376496	APPAREL	106034	5130	13.46
KALE UNIFORMS	377297	APPAREL	106034	5130	43.17
KALE UNIFORMS	374770	APPAREL	106034	5130	59.95
KALE UNIFORMS	374771	APPAREL	106034	5130	59.95
KALE UNIFORMS	374769	APPAREL	106034	5130	99.42
KALE UNIFORMS	377584	APPAREL	106034	5130	227.89
					<u>503.84</u>
KATZ, MAURIE	168270	ESCROW REFUND - 1204 LINDEN	910000	2410	1,500.00
KELLY, ROBERT	DFPD9109	TRAIN STATION REPAIR	102038	5320	894.50
KELLY, ROBERT	DFPW82209A	TRAIN STATION REPAIRS	102038	5320	2,150.50
					<u>3,045.00</u>
LIONHEART ENGINEERING, P.C.	2020997	GENERATOR MAINTENANCE - WRF	542052	5322	1,240.00
LITTLE, BARBARA K	378	REIMBURSEMENT FOR OFFICE SUPPLIES	102110	5450	42.78
MARGULIS, HEATHER	5581	MAILBOX REFUND - 193 ESTATE DR	102036	5470	50.00
MASSACHUSETTS MUTUAL LIFE INS CO	018134068	SPLIT DOLLAR - FIALKOWSKI	100000	1330	225.00
MASSACHUSETTS MUTUAL LIFE INS CO	018134068	SPLIT DOLLAR - FIALKOWSKI	100000	1331	5,660.82
MASSACHUSETTS MUTUAL LIFE INS CO	018203338	SPLIT DOLLAR - LITTLE	100000	1330	313.00
MASSACHUSETTS MUTUAL LIFE INS CO	018203338	SPLIT DOLLAR - LITTLE	100000	1331	5,542.00
					<u>11,740.82</u>
MASTER BREW	1181128	COFFEE	106010	5460	134.70
MCHENRY ANALYTICAL WATER LABORATORY, INC	23011	SLUDGE TEST AER & ANAEROBIC	542052	5460	707.40
MEADE ELECTRIC COMPANY INC	642558	TRAFFIC SIGNAL LOCATE (OAKTON & WEBSTER)	102050	5365	221.32
MENACKER, NADINE	56600091509	HOME GREETER - AUG 09	101210	5387	200.00
MENONI & MOCOGNI, INC.	882360	BLACK DIRT	502050	5421	121.75
METLIFE	56790SEP09	DENT/SEP09/KM057128160001	100000	1613	132.10
METLIFE	56790SEP09	DENT/SEP09/KM057128160001	100000	2437	1,409.28
METLIFE	56790SEP09	DENT/SEP09/KM057128160001	100000	2438	1,276.28
METLIFE	56790SEP09	DENT/SEP09/KM057128160001	100000	2439	2,285.32
METLIFE	56790SEP09	DENT/SEP09/KM057128160001	730000	2061	8,570.76
					<u>13,673.74</u>
MGP, INC	1104	GIS STAFFING: AUG 09	102110	5375	5,842.58
MIDWEST METER INC	0010633-IN	WATER METERS	502054	5810	10,217.70

Vendor	Invoice #	Description	Org	Obj	Total Invoice
MOORE LANDSCAPES INC.	7855	LANDSCAPE MAINTENANCE AND URN PLANTING	101111	5324	1,309.09
MOORE LANDSCAPES INC.	7855	LANDSCAPE MAINTENANCE AND URN PLANTING	101210	5914	3,053.25
MOORE LANDSCAPES INC.	7855	LANDSCAPE MAINTENANCE AND URN PLANTING	102038	5321	1,309.10
MOORE LANDSCAPES INC.	7855	LANDSCAPE MAINTENANCE AND URN PLANTING	602019	5390	872.47
MOORE LANDSCAPES INC.	7855	LANDSCAPE MAINTENANCE AND URN PLANTING	602038	5390	1,309.09
MOORE LANDSCAPES INC.	7891	STREETSCAPE MAINTENANCE	101210	5914	565.00
					8,418.00
MURRIN, MICHAEL	168082809	PLUMBING INSPECTIONS - AUG 09	101330	5365	1,950.00
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	101111	5540	186.85
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	101210	5540	74.94
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	101330	5540	240.09
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	102010	5540	304.14
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	102110	5540	343.71
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	106010	5550	409.27
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	106034	5550	444.04
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	502010	5540	383.69
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	542010	5540	223.58
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	542052	5540	295.91
NEXTEL COMMUNICATIONS	911230510-089	CELL SRVC AC911230510 070709-080609	702050	5540	78.43
					2,984.65
NORTH CENTRAL LABORATORIES	257430	LAB SUPPLIES - WRF	542052	5460	147.55
NORTH EAST MULTI REG TRAINING	123911	TRAINING FEE	106034	5212	300.00
NORTH SHORE TOWING, INC	417876	TOWED VEHICLE	106034	5326	125.00
NORTHSHORE UNIVERSITY HEALTHSYSTEM	014337554-082409	RETURN TO DUTY PHYSICAL - N. HAMILTON	542010	5120	104.00
OCE FINANCIAL SERVICES INC	1077717	COPIER LEASE	106010	5322	23.86
OFFICE DEPOT	486598303001	OFFICE SUPPLIES	101330	5460	19.04
OFFICE MAX CREDIT PLAN	747367	OFFICE SUPPLIES	101330	5460	32.49
O'LEARY'S CONTRACTORS EQUIPMENT & SUPPLY	1-361087-01	PUMPS	502050	5410	1,135.00
ORPHANS OF THE STORM ANIMAL SHELTER	AUG2009	IMPOUND FEE - AUG 09	101111	5325	450.00
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106010	5212	45.00
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106010	5337	24.13
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106010	5387	16.32
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106010	5460	288.34
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106020	5130	66.49
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106020	5211	51.50
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106033	5211	16.11
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106033	5212	50.00
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106033	5213	24.90
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106033	5415	8.56
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106034	5130	15.00
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106034	5211	174.25
PETTY CASH - POLICE	090909	PETTY CASH RECONCILIATION	106034	5212	65.00
					845.60
PHYSICIANS DESK REFERENCE	GZ2009	PUBLICATION	106033	5213	64.95
PIONEER PRESS	0001710850	LEGAL NOTICE - 654 CAROLINE CT	101330	5336	68.80
PROMOTIONAL/KEYCHAINS.BIZ	KDE071009	KEYCHAINS - COMM SRVS DAY	106010	5460	389.00
QUILL CORPORATION	8947377	OFFICE SUPPLIES	101330	5460	26.36
QUILL CORPORATION	8915701	OFFICE SUPPLIES	102110	5450	71.98
QUILL CORPORATION	8883015	OFFICE SUPPLIES AND PAPER	102110	5450	202.34
QUILL CORPORATION	8882642	PW SUPPLIES - WATER DEPT	502010	5450	18.44
QUILL CORPORATION	8882248	PW SUPPLIES - WRF	542052	5450	53.97
					373.09
RICMAR INDUSTRIES INC	301430	BRAKE CLEANER, PRO LUBE	542052	5470	106.18
RJN GROUP, INC.	11-2292-04-03	ENG SERVICES FOR IEPA/ARRA SUBMITTALS	222082	5362	1,257.75
RJN GROUP, INC.	11-2292-02-10	I & I STUDY	222082	5362	10,843.62
					12,101.37
RONDOUT SERVICE CENTER	103678	SAFETY LANE TEST #702	702050	5470	19.00
RONDOUT SERVICE CENTER	103656	SAFETY LANE TEST #800	702050	5470	19.00
					38.00
SANNER, JOHN	102797090809	STIPEND - PRODUCTION OF WILLMAN VIDEO	101210	5387	250.00
SAWVELL TREE SERVICE	605	TREE REMOVAL AND STUMP GRINDING	102037	5365	4,284.10
SCHOENBERG FINKEL NEWMAN & ROSENBERG LLC	016743	SPECIAL COUNSEL SERVICES - COM ED SUIT	101210	5360	418.75
SHERIDAN AUTO PARTS & MACHINE	598100	BATTERY #600 & STOCK	702050	5470	193.70
SHERIDAN AUTO PARTS & MACHINE	598519	BULB FOR STOCK	702050	5470	37.13
SHERIDAN AUTO PARTS & MACHINE	597616	SHORT EXHAUST PIPE FOR #803	702050	5470	73.49
SHERIDAN AUTO PARTS & MACHINE	571086	WRF FUSE	542052	5322	2.40
					306.72
SPAGNOLI, JEAN C	80551091109	DEPAUL U/CHADDICK INST/DANIEL BURNHAM EVENT	101330	5211	4.30
SPAGNOLI, JEAN C	80551091109	DEPAUL U/CHADDICK INST/DANIEL BURNHAM EVENT	101330	5211	13.00
SPAGNOLI, JEAN C	80551091109	DEPAUL U/CHADDICK INST/DANIEL BURNHAM EVENT	101330	5212	40.00
					57.30
STREET, KENT	056827	MEAL REIMB - 09/08/09 C.O.W.	101210	5387	91.32
SWANSONS BLOSSOM SHOP LTD	182998	SWANSONS BLOSSOM SHOP	106010	5460	115.95

September 21, 2009 Board Meeting

Vendor	Invoice #	Description	Org	Obj	Total Invoice
THELEN SAND & GRAVEL INC	230792	BACKFILL, GRAVEL	502050	5421	2,653.86
THELEN SAND & GRAVEL INC	231282	GRAVEL CARTAGE	502050	5421	938.07
THELEN SAND & GRAVEL INC	231281	STONE AND DIRT REMOVAL	502050	5421	<u>1,970.00</u>
					5,561.93
TOBIN, BRIAN	71709BB	TREE MITIGATION REFUND - 945 SUMMIT	100001	4462	300.00
TREASURER OF LAKE COUNTY	T9370	RETURN TO DUTY PHYSICAL - N. HAMILTON	102050	5611	<u>2,112.00</u>
UNITED BUSINESS SOLUTIONS LLC.	048072	COPIER USAGE/CD/AUG 09	101330	5460	22.44
UNITED BUSINESS SOLUTIONS LLC.	48153	COPIER USAGE / PW / AUG 09	102010	5335	<u>18.59</u>
					41.03
URS CORPORATION	4039341	WILMOT RD AND HAZEL AVE BRIDGE REHAB	222082	5362	6,120.95
VEOLIA ENVIRONMENTAL SERVICES	T40001079589	COMMERCIAL SERVICE - AUG 09	582030	5391	4,554.26
VEOLIA ENVIRONMENTAL SERVICES	T40001080590	EXTRA PICKUP (BILLABLE)	582030	5391	120.00
VEOLIA ENVIRONMENTAL SERVICES	T41079830	RESIDENTIAL SERVICE - AUG 09	582030	5391	115,177.15
VEOLIA ENVIRONMENTAL SERVICES	T40001084716	YARDWASTE STICKERS	582030	5410	<u>1,902.95</u>
					121,754.36
VERIZON WIRELESS	2277145404	CELLULAR SERVICE	176020	5550	1,210.44
WALGREEN NATIONAL CORP	91781JUN09	SALES TAX REBATE - JUN 09	101111	5395	232,236.00
WE FIX IT TIRE REPAIR	14181	NEW TIRE INSTALL ON J-D 310	702050	5470	250.00
WEST DEERFIELD TOWNSHIP	249841	TREE PERMIT REFUND	100001	4232	<u>75.00</u>
WHOLESALE DIRECT INC	000172910	NEW OVERHEAD LIFTING CHAIN & SALT SPREADER	702050	5322	542.57
WHOLESALE DIRECT INC	000172836	TRAFFIC CONES	542051	5421	<u>801.88</u>
					1,344.45
WINER & WINER	083109	PROSECUTION SERVICES - AUG 09	106010	5361	5,130.00
WINTER EQUIPMENT COMPANY, INC	IV01445	BIG PLOW PARTS	702050	5470	748.91
WISS, JANNEY, ELSTNER ASSOC	0174381	PROF SRVCS - MITCHELL COURTS / RESERVOIR SUIT	502031	5362	<u>7,974.15</u>
					Total Invoices
					824,430.95

Pre-Paid Checks

AT&T	5811A091509	PHONE SRVC 081609-091509	936020	5540	312.81
BRIAN WISMER ENTERTAINMENT, INC	102378091209	PLAZA PERFORMANCE - 09/12/2009	101210	5387	350.00
TIE-DYES BY RAINBOW PRODUCTIONS	081909FIN	MUDFEST 2009 T-SHIRTS - FINAL	106010	5387	<u>877.00</u>
					Total Pre-Paid Checks
					1,539.81

Pre-Paid Wire Transactions

DEERFIELD POLICE PENSION	POLPEN08282009	POLPEN CONTRIBS 08/28/2009 PR	730000	2066	12,318.34
DEERFIELD POLICE PENSION	POLPEN09092009	POLPEN CONTRIBS 09/09/2009 PR	730000	2066	24,790.13
DEERFIELD POLICE PENSION	POLPEN09112009	POLPEN CONTRIBS 09/11/2009 PR	730000	2066	<u>12,457.18</u>
					49,565.65
FEDERAL TAXES	PR08282009	FICA/MC/FIT 08/28/2009 PR	730000	2011	39,377.79
FEDERAL TAXES	PR08282009	FICA/MC/FIT 08/28/2009 PR	730000	2031	24,187.22
FEDERAL TAXES	PR08282009	FICA/MC/FIT 08/28/2009 PR	730000	2032	5,855.82
FEDERAL TAXES	PR08282009	FICA/MC/FIT 08/28/2009 PR	730000	2033	2,839.06
FEDERAL TAXES	PR09092009	FICA/MC/FIT 09/09/2009 PR	730000	2011	58,505.53
FEDERAL TAXES	PR09092009	FICA/MC/FIT 09/09/2009 PR	730000	2033	6,548.18
FEDERAL TAXES	PR09112009	FICA/MC/FIT 09/11/2009 PR	730000	2011	43,210.79
FEDERAL TAXES	PR09112009	FICA/MC/FIT 09/11/2009 PR	730000	2031	24,915.40
FEDERAL TAXES	PR09112009	FICA/MC/FIT 09/11/2009 PR	730000	2032	6,054.92
FEDERAL TAXES	PR09112009	FICA/MC/FIT 09/11/2009 PR	730000	2033	<u>3,112.66</u>
					214,607.37
ICMA	RHS08282009	ICMA RHS 08/28/2009 PR	730000	2016	1,504.14
ICMA	RHS09112009	ICMA RHS 09/11/2009 PR	730000	2016	1,500.84
ICMA	ICMAROTH08282009	VILL ICMA ROTH 08/28/2009 PR	730000	2042	260.00
ICMA	ICMAROTH09112009	VILL ICMA ROTH 09/11/2009 PR	730000	2042	260.00
ICMA	ICMA08282009	VILLAGE ICMA 08/28/2009 PR	730000	2042	16,252.43
ICMA	ICMA09112009	VILLAGE ICMA 09/11/2009 PR	730000	2042	<u>16,692.32</u>
					36,469.73
ILLINOIS DEPT OF REVENUE	PR08282009	SIT 08/28/2009 PR	730000	2051	8,291.23
ILLINOIS DEPT OF REVENUE	PR09092009	SIT 09/09/2009 PR	730000	2051	6,471.07
ILLINOIS DEPT OF REVENUE	PR09112009	SIT 09/11/2009 PR	730000	2051	<u>8,693.15</u>
					23,455.45
IMRF	IMRFAUG09	IMRF VIL & LIB AUG 2009	101111	5140	0.06
IMRF	IMRFAUG09	IMRF VIL & LIB AUG 2009	730000	2030	66,195.20
IMRF	IMRFAUG09	IMRF VIL & LIB AUG 2009	730000	2092	<u>17,958.05</u>

Vendor	Invoice #	Description	Org	Obj	Total Invoice
					84,153.31
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	1613	(2,127.19)
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	1613	515.98
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	2437	(515.98)
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	2437	500.00
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	2437	1,544.79
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	2437	25,006.70
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	2438	176.25
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	2438	21,374.56
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	2439	440.10
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	100000	2439	35,654.28
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	101111	5120	950.00
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	730000	2054	1,390.45
IPBC	AUG-09	MED/LIFE INS: AUG 09 (W/ JUL09 ADJ'S)	730000	2060	<u>133,381.61</u>
					218,291.55
PITNEY BOWES	7087709082009	REPLENISH POSTAGE METER	101111	5337	300.00
PITNEY BOWES	7087709082009	REPLENISH POSTAGE METER	101210	5337	300.00
PITNEY BOWES	7087709082009	REPLENISH POSTAGE METER	101330	5337	300.00
PITNEY BOWES	7087709082009	REPLENISH POSTAGE METER	102010	5337	300.00
PITNEY BOWES	7087709082009	REPLENISH POSTAGE METER	106010	5337	400.00
PITNEY BOWES	7087709082009	REPLENISH POSTAGE METER	502010	5337	200.00
PITNEY BOWES	7087709082009	REPLENISH POSTAGE METER	542010	5337	<u>200.00</u>
					2,000.00
US BANK	TRUSTAUG09	TRUST FEES/VILL ACCT/AUG 09	730000	2801	79.23
					Total Pre-Paid Wire Transactions
					628,622.29
					Grand Total
					1,454,593.05

To the Finance Director:

The payment of the above listed accounts has been approved by the Board of Trustees at their meeting held on September 21, 2009 and you are hereby authorized to pay them from the appropriate funds.

(Treasurer)

**TREASURER'S REPORT
AUGUST 31, 2009**

**HIGHLIGHT REPORT
AUGUST 31, 2009**

SALES TAX (non home-rule)*

SALES MONTH	RECEIPT MONTH	FY 07/08 ACTUAL	FY 08/09 ACTUAL	FY 09/10 ACTUAL	% CHANGE PRIOR YR. PERIOD	TOTAL 12 MONTHS RUNNING	% CHANGE ANNUAL TOTALS
						3,961,278	
February	May	296,462	270,637	229,716	-15.1%	3,947,828	-0.3%
March	June	274,795	306,031	303,873	-0.7%	3,957,235	0.2%
April	July	339,705	324,218	283,609	-12.5%	3,920,116	-0.9%
May	August	351,943	326,207	279,445	-14.3%	3,921,449	0.0%
June	September	336,750	323,300		-4.0%	3,864,653	-1.4%
July	October	316,506	325,913		3.0%	3,809,354	-1.4%
August	November	360,114	322,995		-10.3%	3,792,820	-0.4%
September	December	318,380	319,713		0.4%	3,744,160	-1.3%
October	January	355,763	298,967		-16.0%	3,703,239	-1.1%
November	February	355,424	300,125		-15.6%	3,701,081	-0.1%
December	March	358,652	342,118		-4.6%	3,660,472	-1.1%
January	April	332,595	283,936		-14.6%	3,613,710	-1.3%
YTD TOTAL		3,997,089	3,744,160	1,096,643			

*net of Walgreen's rebate

MAJOR REVENUE SOURCES

Revenue Items	August	Fiscal YTD	Projected YTD	Variance	Budget	Current FY Projection
Sales Tax (non-HR)	324,639	1,382,514	1,500,000	(117,486)	4,500,000	4,500,000
Home Rule Sales Tax	260,760	1,141,333	1,183,333	(42,000)	3,550,000	3,550,000
Water Sales	344,028	1,067,106	1,456,183	(389,077)	4,368,550	4,368,550
Interest*	26,547	81,382	194,333	(112,951)	583,000	320,700
Sewer Use Charge	204,216	672,728	873,575	(200,847)	2,620,725	2,620,725
Hotel Tax	163,389	528,308	616,667	(88,359)	1,850,000	1,850,000
State Income Tax	0	579,832	555,067	24,765	1,665,200	1,665,200
Building Permits	46,103	656,741	633,333	23,408	900,000	900,000

*All budgeted funds (excluding police pension and library)

OPERATIONAL FUNDS (GENERAL, WATER, SEWER, GARAGE) SUMMARY

Revenues	1,597,453	7,992,905	8,028,888	(35,983)	24,086,665	24,086,665
Expenditures	1,459,656	7,296,117	8,306,052	(1,009,935)	24,918,157	24,918,157

REVENUES AND EXPENDITURES

Fourth month of the fiscal year. Continued weakness in sales tax and water/sewer revenues. Total operating revenues still exceeding operating expenditures by a comfortable amount, although within the water and sewer funds year to date revenues are lagging expenditures. Hotel tax is encouraging due to its continued upward trajectory; the most recent month total was the highest since November, 2008. No unusual operating expenditures in this period.

CASH AND INVESTMENTS

As of August 31, 2009, 100% of available cash was invested at an estimated average interest rate of 1.16% compared to an average rate of 0.17% for the 90-day Treasury bill.

CASH POSITION ANALYSIS

August 31, 2009

TOTAL CASH AND INVESTMENTS

	CURRENT MONTH	PRIOR MONTH	CHANGE	EXPLANATION
OPERATING FUNDS				
GENERAL	15,856,523	15,749,883	106,640	
ENHANCED 911	1,017,126	980,112	37,014	
WATER	348,982	343,295	5,687	
SEWER	(22,372)	(27,024)	4,652	
REFUSE	305,195	359,791	(54,596)	
PARKING LOTS	748,063	743,206	4,857	
GARAGE	93,513	86,534	6,979	
VEH & EQUIP	3,912,399	3,869,742	42,657	
DEBT SERVICE	376,451	375,892	559	
TOTAL ALL OPERATING	22,635,880	22,481,431	154,449	
CAPITAL FUNDS				
INFRASTRUCT REPLACE.	519,257	1,064,800	(545,543)	
2008 BOND PROCEEDS	0	0	0	
TIF 2	5,054,260	4,909,368	144,892	
MOTOR FUEL TAX	621,796	576,582	45,214	
TOTAL ALL CAPITAL	6,195,313	6,550,750	(355,437)	
TOTAL CAP. AND OPER.	28,831,193	29,032,181	(200,988)	
OTHER FUNDS				
POLICE PENSION	24,010,597	23,545,870	464,727	
EAST SHORE RADIO	86,186	85,142	1,044	
TOTAL OTHER FUNDS	24,096,783	23,631,012	465,771	

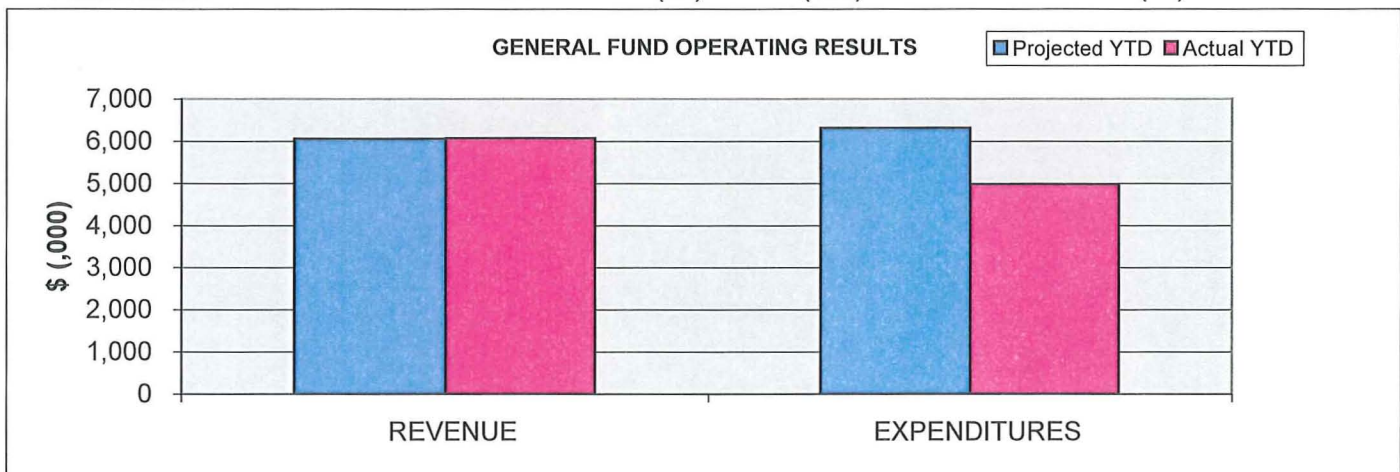
Village of Deerfield
Expenditure Report - August 31, 2009 - 33.3% of FY

FUND/DEPARTMENT (function)	August Expenditures	Projected Y-T-D	Actual Y-T-D	Variance	Budget 2009-10	% of Budget	Prior Year %
10 GENERAL FUND							
Finance	93,023	1,688,314	989,152	699,162	5,064,942	19.5%	33.4%
Administration	34,720	355,183	254,795	100,389	1,065,550	23.9%	35.6%
Comm. Development	71,487	355,903	348,097	7,806	1,067,708	32.6%	31.1%
Engineering	40,799	199,106	258,200	(59,094)	597,317	43.2%	34.6%
Street	160,331	832,745	705,366	127,379	2,498,235	28.2%	33.2%
Police	487,261	2,880,121	2,417,898	462,223	8,640,364	28.0%	28.9%
TOTAL GENERAL	887,621	6,311,372	4,973,508	1,337,864	18,934,116	26.3%	31.2%
54 SEWER							
Administration	20,318	179,454	251,230	(71,776)	538,363	46.7%	40.6%
Cleaning & Maint.	24,298	88,967	97,034	(8,067)	266,900	36.4%	4.1%
Construction	30,324	136,702	125,324	11,378	410,106	30.6%	41.4%
Treatment Plant	110,562	584,430	526,904	57,526	1,753,290	30.1%	32.8%
TOTAL SEWER	185,502	989,553	1,000,492	(10,939)	2,968,659	33.7%	33.9%
50 WATER							
Administration	31,732	347,246	270,739	76,507	1,041,737	26.0%	25.0%
Main & Hydrant Maint.	66,801	225,225	199,692	25,533	675,675	29.6%	23.5%
Distribution	230,476	873,368	616,456	256,912	2,620,105	23.5%	22.5%
Meter Maintenance	21,919	127,855	103,462	24,393	383,566	27.0%	31.1%
TOTAL WATER	350,928	1,573,694	1,190,349	383,345	4,721,083	25.2%	23.9%
70 GARAGE	35,606	131,433	124,913	6,520	394,300	31.7%	30.3%
TOTAL PUBLIC WORKS	732,367	3,527,426	3,021,120	506,306	10,582,277	28.5%	29.5%
17 ENHANCED 9-1-1	10,079	135,799	111,968	23,831	407,398	27.5%	38.3%
58 REFUSE	126,365	593,472	376,979	216,493	1,780,417	21.2%	20.5%
60 PARKING LOT (village)	1,666	48,167	15,872	32,295	144,500	11.0%	16.2%
60 PARKING LOT (combined)	3,596	59,260	16,544	42,716	177,780	9.3%	10.2%
22 INFRAS. REPLACE.	444,054	3,037,000	3,318,815	(281,815)	9,111,000	36.4%	50.1%
14 MFT	0	550,000	0	550,000	550,000	0.0%	100.0%
80 POLICE PENSION	124,547	563,550	504,631	58,919	1,690,650	29.8%	31.5%
26 TIF VILLAGE CENTER	0	0	0	0	4,501,000	0.0%	0.2%
21 VEH/EQUIP REPLACE.	2,070	313,333	393,911	(80,578)	940,000	41.9%	31.2%
35 DEBT SERVICE	0	97,000	96,575	425	370,150	26.1%	0.7%

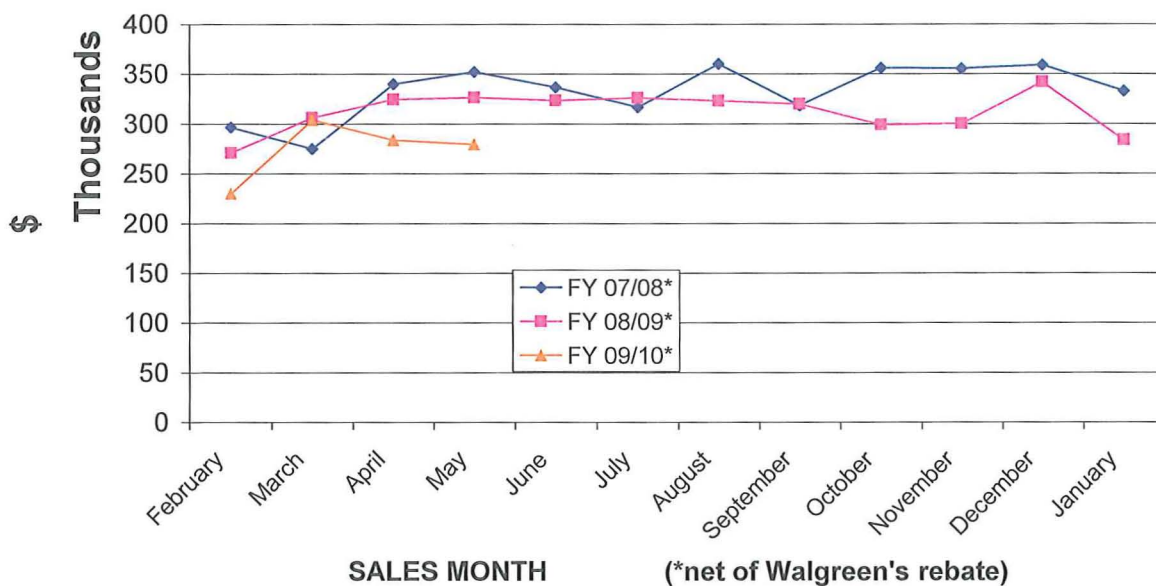
Village of Deerfield
Revenues vs Expenditures
August 31, 2009
(Amounts x 1,000)

FUND:	ACTUAL Month	PROJECTED Y-T-D	ACTUAL Y-T-D	VARIANCE
10 GENERAL				
Revenues:				
Property Taxes	44	910	930	
St Income Tax	0	555	580	
Sales Tax (non HR)	325	1,500	1,383	
HR Sales Tax	196	900	856	
Hotel Tax	163	617	528	
Interest Earnings	14	117	44	
Fees & Fines	26	90	91	
Vehicle Licenses	6	315	326	
Building Permits	46	633	657	
Other Rev	183	418	669	
REVENUE	1,003	6,055	6,064	
EXPENDITURES	888	6,311	4,974	
Contribution to Fund Balance	115	(256)	1,090	1,346
54 SEWER				
REVENUES	207	887	683	
EXPENDITURES	186	990	1,000	
Contribution to Fund Balance	21	(103)	(317)	(214)
50 WATER				
REVENUES	353	1,508	1,125	
EXPENDITURES	351	1,574	1,190	
Contribution to Fund Balance	2	(66)	(65)	1
70 GARAGE				
REVENUES	34	113	121	
EXPENDITURES	36	131	125	
Contribution to Fund Balance	(2)	(18)	(4)	14
22 REPLACEMENT (Infrastructure)				
REVENUES	67	2,438	980	
EXPENDITURES	444	3,037	3,319	
Contribution to Fund Balance	(377)	(599)	(2,339)	(1,740)
14 MFT				
REVENUES	45	168	160	
EXPENDITURES	0	550	0	
Contribution to Fund Balance	45	(382)	160	542
80 POLICE PENSION				
REVENUES	580	708	2,314	
EXPENDITURES	125	564	505	
Contribution to Fund Balance	455	144	1,809	1,665

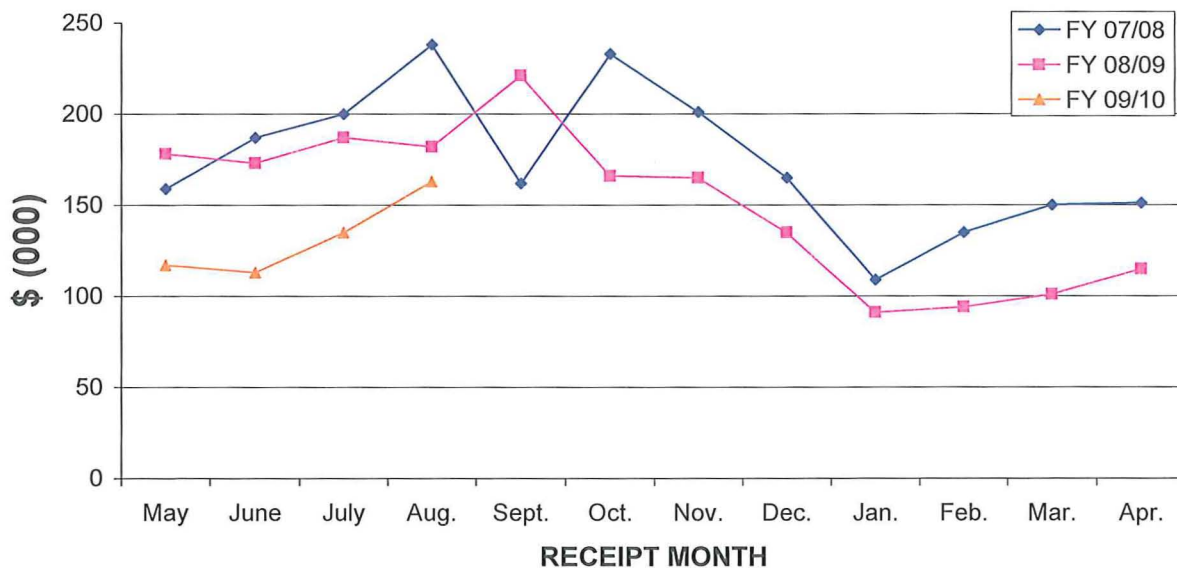
FUND:	ACTUAL Month	PROJECTED Y-T-D	ACTUAL Y-T-D	VARIANCE
58 REFUSE				
REVENUES	69	493	590	
EXPENDITURES	126	593	377	
Contribution to Fund Balance	(57)	(100)	213	313
35 DEBT SERVICE				
REVENUES	0	1	2	
EXPENDITURES	0	97	97	
Contribution to Fund Balance	0	(96)	(95)	1
60 PARKING (VIL. LOTS)				
REVENUES	2	38	47	
EXPENDITURES	2	48	16	
Contribution to Fund Balance	0	(10)	31	41
60 PARKING (COMBINED)				
REVENUES	8	40	45	
EXPENDITURES	4	59	17	
Contribution to Fund Balance	4	(19)	28	47
17 ENHANCED 9-1-1				
REVENUES	47	127	122	
EXPENDITURES	10	136	112	
Contribution to Fund Balance	37	(9)	10	19
26 VILLAGE CENTER TIF				
REVENUES	142	200	2,805	
EXPENDITURES	0	0	0	
Contribution to Fund Balance	142	200	2,805	2,605
21 VEH/EQUIP REPLACE				
REVENUES	52	218	206	
EXPENDITURES	2	313	394	
Contribution to Fund Balance	50	(95)	(188)	(93)



SALES TAX RECEIPTS - REGULAR 1%



HOTEL/MOTEL TAX



REQUEST FOR BOARD ACTION

Agenda Item: 09-87

Subject: Report and Recommendation of Plan Commission re: Workforce (Affordable) Housing

Action Requested: Approval for Recommendation

Originated by: Plan Commission

Referred to: Mayor and Board of Trustees

Summary of Background and Reason for Request:

In February 2009 the Board of Trustees asked the Plan Commission to study the issue of workforce (affordable) housing. After months of consideration, the Plan Commission has concluded that the issue of workforce housing needs to be studied by a specific group. Plan Commission recommends that the Village Board consider establishing a housing task force or commission that can focus on and study the complex issue of workforce housing.

Reports and Documents Attached:

Recommendation
Workshop Minutes 8/27/09, 8/13/09, 6/25/09, 4/16/09

Date Referred to Board: September 21, 2009

Action Taken: _____

RECOMMENDATION

TO: Mayor and Board of Trustees

FROM: Plan Commission

DATE: August 27, 2009

RE: Workforce (Affordable) Housing

We transmit for your consideration a recommendation adopted by the Plan Commission of the Village of Deerfield on the consideration of a workforce housing plan for the Village of Deerfield. The Plan Commission held workshop meetings on April 16, June 25, August 13, and August 27, 2009. Attached are copies of the Plan Commission workshop minutes regarding this issue.

In support of its request, the Plan Commission makes the following findings of fact and conclusions:

FINDINGS OF FACT

Background

At their February 4, 2009 Committee of the Whole meeting, the Board of Trustees discussed workforce (affordable) housing and it was agreed that the matter be referred to the Plan Commission. At the February 17, 2009 Board of Trustees meeting, the Board formally directed the Plan Commission to consider a workforce (affordable) housing plan appropriate for the Village over the next several months, and to develop a report and recommendation. The Plan Commission was provided with much background information on this issue, including the various tools and strategies that can be used to implement an affordable housing plan. The information provided to the Plan Commission can be found on the Village's web site by going to Departments, Community Development, Planning Division, Upcoming Public Hearings, and then going to the bottom of this page and clicking on information on the Plan Commission's consideration of workforce housing.

CONCLUSIONS

The Plan Commission studied this issue over of the past several months and came to the conclusion that the issue of workforce (affordable) housing needs to be studied by a specific group, such as a housing task force or commission that can focus on and study this issue. The issue of a workforce housing is complex and very broad and the Plan Commission believes that a specific group needs to be established to focus on this matter. The Plan Commission believes a recommendation for a workforce housing plan should be created in the same way as the Comprehensive Plan update was – a specific group should be organized to study the issue and create a plan which will be sent to the

Board of Trustees and the Plan Commission. If a group is organized to study this issue, it could contain representatives of the existing various commissions, including the Plan Commission as well as members from the community. Plan Commissioner Stuart Shayman has expressed a willingness to become a member of the housing task force or commission.

The Plan Commission believes the establishment of a housing task force or a commission is the best way to move forward on this complex issue. The Plan Commission's workshop minutes reflect the extent of their discussions on this issue; those minutes are attached to this recommendation, and these minutes will be provided to the new workforce housing task force or commission.

RECOMMENDATION

Accordingly, it is the recommendation of the Plan Commission that either a housing task force or commission be established to study the issue of workforce (affordable) housing in Deerfield.

Ayes: (7) Berg, Gussis, Jacoby, Shapiro, Shayman, Wasserman, Swartz
Nays: (0) None

Respectfully submitted,
Michael Swartz, Chairman
Deerfield Plan Commission

Continued Discussion of Workforce Housing

Chairman Swartz summarized that the Plan Commissioners believe it doesn't make sense for the Plan Commission to be drafting ordinances relating to workforce housing and coming up with an approach to implement workforce housing. This type of function is not what the Plan Commission traditionally does and it is not what the Plan Commission is charged with. Commissioner Shayman agreed with Chairman Swartz. He believes the Plan Commission needs something more structured to react to.

Commissioner Gussis said creating a workforce housing plan is not within the Plan Commission's purview. Another group usually develops the plan and brings it to the Plan Commission for a recommendation. She noted that having the Plan Commission develop a plan, and then make a recommendation on it creates a conflict of interest. Chairman Swartz said a workforce housing plan should come about the same way as the Comprehensive Plan update did – a specific group should be organized to study the issue and create a plan, then they should bring it to the Plan Commission for a recommendation. Chairman Swartz suggested that if a group is organized to study this issue it should contain representatives of the various existing commissions. Chairman Swartz said the Village Board will need to decide if it should create a task force or a standing commission for this issue. He noted that the task force can always turn into a standing commission if needed.

The Commissioners discussed whether there is a need for a public hearing in order for the Plan Commission to recommend that the Village Board create a task force or commission to study this specific issue. The Commissioners agreed that if the recommendation to the Village Board is to suggest that creating a workforce housing plan with various tools and strategies is not within the Plan Commission's purview, and that instead the Board should create a specific task force or commission to study the issue, a public hearing is not necessary – the Plan Commission is not recommending any text amendment to the Zoning Ordinance and the Plan Commission is not recommending any specific policies or approaches to workforce housing.

The Commissioners agreed to forward a recommendation to the Village Board stating that the Plan Commission is not the appropriate body to be charged with the task of creating a workforce housing plan and that the Village Board should create a workforce housing task force or commission to study this specific issue. The Plan Commission's workshop minutes reflect the extent of their discussions on this issue; these minutes will be forwarded to the Village Board with the recommendation and they will be given to the new workforce housing task force or commission if the Board decides to create a task force to study this matter.

Commissioner Shayman volunteered to participate in the new workforce housing task force or commission if it is created by the Village Board.

**PLAN COMMISSION
VILLAGE OF DEERFIELD**

The Plan Commission of the Village of Deerfield held a Workshop Meeting at 7:30 P.M. on August 13, 2009 at the Village Hall, 850 Waukegan Road, Deerfield, Illinois.

Present were: Michael Swartz, Chairman
Larry Berg
Dan Shapiro
Norton Wasserman

Absent: Gail Gussis
Elaine Jacoby
Stuart Shayman

Also present: Jeffery Ryckaert, Principal Planner
Kathleen Von Ohlen, Associate Planner

Continued Discussion of Workforce Housing

Chairman Swartz welcomed Dan Shapiro to the Plan Commission.

For the Plan Commission meeting tonight there will be two guest speakers. Mr. Richard Koenig, Interim Director, Housing Opportunity Development Corporation (HODC), will speak to the Plan Commission on the pros of inclusionary zoning. Mr. Howard Handler, Government Affairs, Illinois Association of Realtors, will speak against mandatory inclusionary zoning.

Mr. Richard Koenig said he works with affordable housing as a whole, and inclusionary zoning is one component of that. Housing Opportunity Development Corporation (HODC) was founded in 1983 and is a community-based non-profit organization that creates affordable housing development in the northern suburbs. HODC works with all types of housing for all types of people. HODC's service area includes Deerfield, and Mr. Koenig has previously spoken to the Deerfield Plan Commission on affordable housing. HODC has developed over 14 properties with 220 units, including for-sale and rental units. They also do housing counseling.

Mr. Koenig pointed that HODC has worked on affordable housing in Highland Park, including a senior building and Hyacinth Place. Chairman Swartz asked how the financing for Hyacinth Place worked. Mr. Koenig explained it involved layered financing from several sources including the municipality, the Illinois Housing Development Authority (IHDA), the county, and the Federal government. He explained grants, subsidies, loans and the like are put together to allow the sales prices to be affordable. Commissioner Berg asked how they determine the sales price. Mr. Koenig said they target income stratifications depending on the financing sources and it is partly based on the IHDA affordability chart. For instance, they could target people who are at 80

percent of the area median income (AMI) or people who are at 120 percent of the AMI. Commissioner Shapiro asked if there are deed restrictions on the affordable units to keep them affordable over time. Mr. Koenig replied that there are deed restrictions that require the unit to be re-sold at an affordable price. Returns on resales are typically limited to 3 percent per year. The subsequent buyer must also meet income restrictions.

Commissioner Wasserman asked if affordable housing is on the tax roles. Mr. Koenig most of the units are on the tax roles and are assessed based on the affordable price, so as not to price out possible occupants because the taxes are too high. Commissioner Berg asked what happens if a family meets affordability requirements when they buy a unit, but then their income dramatically increases; he asked if there is a policy to address this type of situation. Mr. Koenig said there isn't a policy in place to address that, but there is a built-in disincentive that if a family has enough money, they would probably want to move out of the affordable unit and into a unit where they could make a better return on their investment. Commissioner Wasserman asked what types of people have been purchasing the affordable units in Highland Park. Mr. Koenig said that Hyacinth Place was marketed specifically toward local governmental employees. Mr. Koenig said that a municipality can market the units toward certain groups of people such as local government employees; units can be marketed very broadly or very narrowly. Commissioner Wasserman pointed out that the deeds do not require a subsequent owner to work for local government. Mr. Koenig said that often the municipality buys back the affordable unit from the owner and then resells it. The municipality can set up a buyer preference list, where local government employees get preference to purchase followed by other people. Commissioner Berg asked if there is a deed restriction that a person must re-sell the house to the municipality. Mr. Koenig said the municipality guarantees to buy it back and it has right of first refusal. Most people will choose to sell back to the municipality because it is convenient, but potentially they could sell directly to another financially qualifying buyer.

Commissioner Shapiro asked Mr. Koenig if they have ever marketed a certain percentage of units in a development to people who currently live in the community, and then market a certain percentage of the units to outsiders. Mr. Koenig explained that it is very difficult to market to precise percentages of certain populations. He suggested that the marketing can begin locally then expand outward as needed. Commissioner Berg asked if there are land lease fees with the land trust properties. Mr. Koenig said the homeowners pay a land lease fee and, for example, at Hyacinth Place it is \$25 per month.

Mr. Koenig presented a housing spectrum which is continuum ranging from market rate homes to public housing, then homelessness. HODC's approach is look at affordable housing as somewhere in the middle of the spectrum. He said the incomes shown on the housing spectrum are rough and can vary. He said it is important to consider who needs affordable housing – seniors, disabled people, families, local area workers, etc. Commissioner Wasserman asked Mr. Koenig what he would recommend to a

community like Deerfield that has no large vacant tracts of land left, has no major areas for redevelopment, and has no institutions in place like land trusts or affordable housing groups to help implement it. Mr. Koenig said there many tools to use and the staff memo from Jeff Ryckaert that describes the tools and the pros and cons of each is an excellent resource. He said it is smart to plan ahead so that the community is ready for the future. Mr. Koenig said that Highland Park is a great example nationwide of a community that has been proactive with affordable housing.

Mr. Koenig believes affordable housing is like a toolbox of options including inclusionary zoning, land trusts, trust funds, employer assisted housing, actively creating affordable housing, or having guidelines in place to allow developers to do affordable housing. Commission Wasserman noted that a community like Highland Park uses several of those tools at once. Mr. Koenig said that is correct. He noted that Highland Park created a housing commission in the 1970s to create senior developments and now the money from those developments is turning over and they have even more money to work with to create developments like Hyacinth Place.

Mr. Koenig explained that affordable housing is not public housing and is not real estate tax free. He said many studies have shown that it does not reduce surrounding property values. He explained that affordable housing does not remove local zoning decisions and does not violate local zoning codes. Mr. Koenig said affordable housing is attractive and deigned to fit the community, and it can be a long term asset to the community. Affordable housing can be owner occupied or rental. The community can design the affordable housing to give preference to local people. Chairman Swartz said it is not accurate to state that all affordable housing is attractive well kept and fits the community. He said some quality developments are those things and other developments are not. Mr. Koenig agreed with Chairman Swartz and also noted that modern affordable housing must go through Plan Commission and Village Board approval and it would not make it through the approval process if it did not meet high standards.

Commissioner Shapiro asked what an affordable housing development will look like 15 or 20 years after it is built; he asked what type of guarantee there is that it will be well maintained. Mr. Koenig said that the developer, such as a group like HODC, has their reputation on the line. HODC has a history of well built developments that are now 15 years old. A community's housing commission can provide oversight on affordable housing developments.

Mr. Koenig explained that inclusionary zoning is one important tool in the toolbox and can be combined with other tools. Used alone it will create a few units of affordable housing, but used with other tools it can create many more units. Inclusionary zoning provides a plan for the future because the units will stay affordable over time, and when a developer proposes a new development in the future, the developer will have to follow the inclusionary zoning ordinance. It signals the community's seriousness about making affordable housing available and it brings the developer into the process of

creating the units. Chairman Swartz commented that it seems to get the developers involved in the process “with a gun at their heads.” Mr. Koenig responded that it is not like putting a gun to their heads. Inclusionary zoning can be mandatory or voluntary. Inclusionary zoning gives the developer options on how to create the affordable units while still building market rate units. If a community announces and makes public its inclusionary zoning ordinance, then all developers know what the community requires and they have negotiation options with offsets, density bonuses, financial assistance, etc. He explained that if the inclusionary zoning ordinance is mandatory then the community can give smaller offsets, but if it is voluntary the community must give much greater offsets to encourage the development of the affordable units. He believes a mandatory inclusionary zoning ordinance is fair and creates a level playing field amongst developers because all developers have to follow the same requirements. Mandatory inclusionary zoning produces more units than voluntary. The most common offsets include density bonuses, zoning and design flexibility, parking requirement reductions, fee waivers, expedited review, and subsidies, among others. Through these types of offsets you take the gun away from the developers’ heads. The Village could also offer a fee-in-lieu-of payment if a developer doesn’t want to build the affordable units.

Mr. Koenig suggested the Village needs to determine its goal for affordable housing, what the Village wants to get out of it, then from there figure out which tools to use to get to the goal. He pointed out that the Village can take advantage of Federal and State funding. He said many communities want to set their own income limits on the affordable units, which is not a problem. But the community must pay close attention to the income limits because if they are set too high, then the affordable housing may not qualify for certain funding sources.

Commissioner Wasserman asked if other communities in the area have much employer assisted housing. Mr. Koenig said different communities have different participation levels. He said the Metropolitan Planning Council has been working the North Shore area to promote employer assisted housing. A company known as System Sensor in St. Charles Illinois has a great program for employer assisted housing and the company has spent a lot of money supporting employer assisted housing.

Mr. Howard Handler handed out the Illinois Association of Realtor’s affordable housing toolkit and some articles describing the failures of mandatory inclusionary zoning. Mr. Handler is affiliated with the North Shore-Barrington Association of Realtors and the Illinois Association of Realtors. He said these groups are not representing developers and they are not opposed to affordable housing, though they debate which tools should be used to create affordable housing. These groups are opposed to mandatory inclusionary zoning. He likes Chairman Swartz’s analogy of placing a gun to the developers’ heads – he believes that is exactly what mandatory inclusionary zoning does. He believes it is unfair to developers of multi-unit developments to fund the majority of affordable housing for the community. He suggested that if a grocery store wanted to locate in Deerfield, the Village would not require the store to give 10 percent

of its food to people in need. He said other businesses are not targeted in this way, but multi-unit housing developers are.

Mr. Handler believes it is unfair to other land owners in the community because studies have shown that affordable housing lowers surrounding property values. He believes the existing property owners in the community and the owners of market rate units take on the costs for the affordable units. He said studies show that mandatory inclusionary zoning increases housing costs across the community. He said a few lucky people will get an affordable unit, while other working people are priced out of Deerfield; mandatory inclusionary zoning hurts a community more than it helps it. There are other ways to create affordable housing that do not negatively affect the community as a whole. He pointed out other communities, such as Evanston, have tried mandatory inclusionary zoning and have failed.

Chairman Swartz explained that the Plan Commission is focused on workforce housing for local government employees who provide a service to the community. He asked Mr. Handler what tools other than mandatory inclusionary zoning he suggests for Deerfield to create workforce housing. Mr. Handler said the toolkit he handed out offers many approaches. He encourages employer assisted housing. He said one of the biggest hurdles to homeownership is closing costs and the down payment, and those are things employers can help with. Mr. Handler suggested that the Village's own zoning requirements may increase the costs of housing, so the Village should look into its own codes and see if there are barriers to affordable housing. He said, for instance, if the Village allowed coach houses to be built, that could allow a struggling homeowner to remain in their home, collect rent on the coach house, and provide affordable housing to the person residing in the coach house. Mr. Handler said that impact fees are sometimes a barrier to affordable housing. Mr. Handler said that the North Shore's focus on affordable housing is very centered on mandatory inclusionary zoning and impact fees and there are many options besides those.

Commissioner Berg asked Mr. Handler to describe some of the failures in Evanston he has witnessed. Mr. Handler said Evanston can't find buyers nor financing for the affordable units and they have staff employed that are not managing any housing units. Commissioner Wasserman asked for specific instances of voluntary inclusionary zoning that have been successful on the North Shore. Mr. Handler said he does not have any specific examples, but Glencoe's elected officials are in the process of considering a voluntary inclusionary zoning ordinance. He said voluntary inclusionary zoning allows the Village and the developers to work together to create the affordable units, whereas with mandatory inclusionary zoning, either developers will not build in the community or they will build and pass the costs on to the new market rate homeowners. He said mandatory inclusionary zoning does not create a level playing field. He said inclusionary zoning is not fair, has negative unintended consequences and negative economic consequences, and the Plan Commission should discuss those. Chairman Swartz said the Plan Commission is hearing the views of both speakers tonight, both for and against mandatory inclusionary zoning, and they will have to consider each view.

Chairman Swartz asked if the members of the public in attendance at the meeting wished to speak; no one wished to speak.

Commissioner Wasserman said he believes the Plan Commission should be modest in what they suggest to the Board. He does not want Deerfield to be like Highland Park with a lot of regulations. He believes it is appropriate to prepare for the time that the housing market returns. He does not want to create any barriers to development in the future.

Commissioner Berg said there are many pros and cons, and he is struggling to see where in Deerfield this type of development could take place. He said Briarwood Country Club would be a large piece of land if it is ever redeveloped, but otherwise it would be a little bit of development here and there. Creating a workforce housing plan and regulations is a big undertaking and he wants to make sure there is a purpose for it.

Commissioner Shapiro complimented the petitioners on their presentations and said he learned a lot from them. He learned that there are creative approaches to workforce housing that will make it attractive to the community, the developer, and the new homeowners.

Chairman Swartz is conflicted about this topic. He does not agree with the equity shifting that occurs when housing is subsidized. He believes mandatory inclusionary zoning will drive up the costs of other units. On the other hand, he believes it would be a good goal for the Village to provide workforce housing for local government employees who serve the Village, such as Village staff, teachers, fire fighters, etc. – he believes this would be a good use of taxpayer money.

Chairman Swartz said his main conflict with studying this issue is that he believes it is not in the purview of the Plan Commission to create such a plan. This is not something that the Plan Commission does. He said the Plan Commission typically hears specific proposals developed by another group or a petitioner, and the Plan Commission reacts to the proposal by applying the Comprehensive Plan and the Zoning Ordinance. He suggested the Plan Commission recommend that the Village Board form a housing commission whose task it is to understand the various issues involved, recommend what tools to use, and develop a plan. He believes this project needs a specific group to champion it.

Commissioner Wasserman asked if the Plan Commission can give the Village Board a recommendation that states the Plan Commission favors workforce housing, favors voluntary inclusionary zoning (not mandatory), that the Village should consider certain areas where density and height requirements could be amended to accommodate workforce housing. Chairman Swartz said he believes that if the Village Board is serious about workforce housing they should create a housing task force or commission focused on how housing can be maximized across economic strata.

Commissioner Wasserman asked what the Village Board charged the Plan Commission with relating to this issue. Mr. Ryckaert said the Board asked the Plan Commission to look into the issue of affordable housing, study the strategies and tools, and consider development of an affordable housing plan appropriate for Deerfield, including consideration of inclusionary zoning.

Chairman Swartz said the Plan Commission will not vote on this issue tonight as he would prefer to have all Commissioners present. He believes a new housing commission needs to examine how workforce housing can be accomplished, what mechanisms will work well.

Commissioner Wasserman asked what parcels in the community could be redeveloped. Mr. Ryckaert said Briarwood Country Club is 150 acres in the heart of the community and could possibly be redeveloped. In 2006, the country club considered selling the property and decided not to move forward on the possible sale. The property for sale at Waukegan and Longfellow is designated to be redeveloped as residential. The Beth Or property could possibly be redeveloped, and the former Lindemann and Bank One properties could possibly be redeveloped someday as residential if the Village decided that housing is an appropriate use in that location. Chairman Swartz said that as there are no residential redevelopments pending, this is the time to consider establishment of a workforce housing plan.

Commissioner Wasserman said he is ready to recommend that a housing commission be established and to recommend consideration for some voluntary incentives. Chairman Swartz does not believe the Plan Commission is ready to be recommending specific incentives; he thinks the new housing commission should look at those issues.

Commissioner Shapiro asked if other nearby communities have developed their affordable housing plans through housing commissions or plan commissions. Mr. Ryckaert said Highland Park has had a housing commission since the 1970s. Glencoe has recently established a housing commission. Mr. Koenig said that in his experience, most communities establish a housing commission.

Chairman Swartz thanked the guest speakers and the members of the public who attended the meeting.

Document Approval

The documents were approved.

There being no further discussion, motion to adjourn was made and seconded.

Respectfully submitted,
Kathleen Von Ohlen, Associate Planner

Continued Discussion of Workforce and Affordable Housing

Ms. Von Ohlen noted that at the last meeting on workforce and affordable housing, inclusionary zoning was discussed. In the distribution for tonight's meeting the Commissioners received various articles both for and opposed to inclusionary zoning, and she suggested the Plan Commission continue the discussion on this topic.

Commissioner Wasserman said he has reviewed the minutes of the April 16, 2009 meeting where inclusionary zoning was discussed. Commissioner Wasserman explained his reactions to the discussion on April 16. He asked if the Plan Commission can recommend that no action be taken regarding workforce and affordable housing. Chairman Swartz said the Board of Trustees asked the Plan Commission to consider the issue and make a recommendation, which could range from new ordinances to no action being taken. Commissioner Wasserman said he needs to be convinced of the necessity for action to be taken regarding workforce and affordable housing. Chairman Swartz said the Plan Commission is still discussing the issue, including the difference between workforce housing and affordable housing, and how it can be achieved. Commissioner Wasserman questioned if the Village would want housing that is artificially lowered in price. Chairman Swartz said that if the Village moves forward with promoting workforce and affordable housing, it will have to decide if inclusionary zoning should be mandatory or voluntary. Commissioner Wasserman noted that Howard Handler of the North Shore-Barrington Association of Realtors submitted a lot of information opposed to mandatory inclusionary zoning; Commissioner Wasserman would like it if Mr. Handler would come to a Plan Commission meeting to discuss the issue. Commissioner Wasserman would like an advocate on each side of the inclusionary zoning issue to speak to the Plan Commission.

Commissioner Berg is concerned that the Plan Commission will spend a lot of time working on this issue and that it will not get implemented. Chairman Swartz believes that the place where workforce and affordable housing would have the biggest impact is if the Briarwood Country Club property is ever developed.

Commissioner Wasserman noted that in the April 16, 2009 meeting minutes, Mary Oppenheim stated that implementing a workforce or affordable plan is the ethical and moral thing to do. Commissioner Wasserman noted that many Deerfield residents are currently trying to sell their homes and are having trouble because the housing market is so bad right now. He does not believe it would be ethical or moral to encourage below market rate housing when so many people cannot sell their homes right now. Commissioner Shayman said it is a matter of time before the market changes. Commissioner Shayman said the Plan Commission should look at the need for workforce or affordable housing in Deerfield and what is currently available in Deerfield. A few years ago developers were building homes like crazy and the average person could not afford a home in Deerfield. Today, there may be many more affordable homes in Deerfield. It may be several years before the housing market really picks up again.

Commissioner Wasserman pointed out that right now it is very hard for people of modest incomes to get mortgages. He questioned how an inclusionary zoning ordinance will help lower income people if they cannot get mortgages.

Chairman Swartz said the Plan Commission has to face a few decision points: 1. Should workforce housing and affordable housing be handled together or separately? 2. Does the Plan Commission recommend action or no action? 3. If the Plan Commission decides to recommend action on workforce and/or affordable housing, it is mandatory or voluntary? Commissioner Berg said he feels differently about workforce housing versus affordable housing; Chairman Swartz agreed. Commissioner Wasserman said the Commission needs more facts about the need for workforce and affordable housing to-date. He said another issue is the availability of downsized units, which are not necessarily affordable.

Commissioner Berg noted the major employers in the community have not approached the Village with an interest in this topic, and to him that is a compelling fact relating to the need for workforce and affordable housing. He would be more convinced of the need if the employers were reaching out to the Village. Chairman Swartz said for workforce housing, he believes people who work in Deerfield should be considered separately from people who work for Deerfield. The Commissioners decided that people who work for Deerfield are municipal, public employees for entities such as the Village, School Districts, Park District, Fire District and the Library, and this should be Deerfield's priority for workforce housing.

Chairman Swartz requested that staff put together some type of data about the existing stock of affordable housing, including current market prices of homes and current rents. Ms. Von Ohlen said she will look into the request and try to gather that type of information. Commissioner Wasserman said there are currently about 60 qualified applicants on a waiting list to be Deerfield police officers. He questioned if the Village and other Deerfield public entities are having trouble recruiting and retaining employees. Chairman Swartz believes it is in the public interest to have police officers, teachers, public works employees and other municipal staff living in Deerfield. He feels it increases sense of community and a feeling of oneness. It is especially important for on-call emergency response employees to have the ability to live within the Village. Ms. Von Ohlen said the literature has shown that people who live close to work have less absenteeism and are more inclined to stay with their employers longer.

Commissioner Berg raised the issue of enforceability and manageability if a workforce or affordable plan is implemented. He said there is a difference between people who are in career-type positions versus people who have non-career positions. He is concerned that people in non-career positions do not have the same interest and investment in the community. He thinks that if a workforce or affordable plan is implemented, people in career positions are more likely to take an interest in the community, contribute to the community and stay longer. He questioned what happens if someone obtains workforce or affordable housing in Deerfield, but then leaves their

job. Chairman Swartz said this issue speaks to his point about workforce housing applying to municipal workers, who are likely to be invested in the community and who are likely to be on career paths. Commissioner Shayman said that if workforce or affordable units are created it is important to make sure the units are occupied rather than having them vacant. Chairman Swartz said the ordinance can be worded so that municipal or public employees get the first opportunity for the housing, and then other people privately employed in Deerfield could be eligible. Chairman Swartz also is more supportive of voluntary inclusionary zoning rather than mandatory inclusionary zoning.

Commissioner Wasserman asked how the Commissioners felt about Highland Park's program to subsidize rents for people who otherwise cannot afford to live in the community. Chairman Swartz said rent subsidies are more like a welfare program. He believes that is beyond the purview of the Plan Commission and the Zoning Ordinance, though it is within the Board's purview. Commissioner Wasserman said the strongest argument for affordable housing, separate from workforce housing, is for residents who want to remain within the community and can no longer afford it – he cannot think of many other reasons to support affordable housing. Chairman Swartz observed the Plan Commission seems to prefer workforce housing for local government employees.

Commissioner Shayman asked about elderly housing and noted the elderly population is growing. Chairman Swartz noted that the Village has One Deerfield Place senior housing, and the renovated lower cost units at Gidwitz Place. Commissioner Wasserman pointed out that at Gidwitz Place and at the Weinberg Community as a whole, people are not buying a unit, they are buying the right to live there for a period of time.

Chairman Swartz asked for an explanation of the Illinois Housing Development Authority (IHDA) chart provided to the Plan Commission. Ms. Von Ohlen explained the chart shows affordability levels for owner occupied households of varying sizes, ranging from one person households to eight person households. The chart shows affordability levels at 80 percent of the area median income (AMI), and Village staff has added in affordability levels at 100 percent and 120 percent AMI. The State standard of affordability is to spend 30 percent of household income on housing, and the industry standard of affordability is to spend 36 percent of household income on housing. For instance, according to the State's standards, at the 80 percent AMI level, a four person household earning \$60,300 per year, can afford a home that costs \$201,000. There is also an affordability chart for rental units that uses 60 percent AMI and that varies depending on the number of bedrooms in the unit. The State uses the entire Chicago metro area in its calculations for area median income.

The Commissioners decided the next steps on this issue are: 1. Look at the need for workforce and affordable housing in the community. 2. Address the differences between workforce housing and affordable housing.

Ms. Von Ohlen said that at April 16, 2009 meeting on this issue the Plan Commission requested information about average Village employee salaries and staff has provided that information for tonight's meeting. The data provided shows: the average salary for all full-time employees, the average salary for all full-time employees of less than 5 years, the median salary for all full time employees, and the median salary for all full time employees of less than 5 years. Chairman Swartz requested the same type of salary data for the Library, the Fire District, the Park District, and the School Districts. The Plan Commission believes these public entities represent a good cross-section of the people who serve the Village and the data will show the earning power they have. Ms. Von Ohlen said she will work on obtaining that salary data.

Commissioner Wasserman is concerned that inclusionary zoning for public employees might be viewed as a tax on the entire community for the purpose of raising the benefits of public employees. Chairman Swartz said that would be true only if it were mandatory. Chairman Swartz prefers voluntary inclusionary zoning and believes it would not cost extra for the developer and that it would not hurt other members of the community. Commissioner Berg noted there could be a big discrepancy in salary between an entry level public employee and a senior level public employee and this discrepancy might throw off the Plan Commission's consideration of what is affordable. He questioned if the Plan Commission is looking at the correct numbers if the goal is to help entry level employees. Chairman Swartz noted that for the Village salary data, the median and the average are fairly close, and the difference between employees of less than 5 years and all full time employees is not too great.

Chairman Swartz said the Fire District and the School Districts should provide the Plan Commission some input on how they may be impacted by possible increased densities if inclusionary zoning is adopted.

Commissioner Wasserman questioned how voluntary inclusionary zoning would work. Chairman Swartz said for that instance, if Briarwood Country Club were redeveloped, the Village would consider open space needs, the need for new roads and schools, and other land use issues, and approve a certain number of units to be constructed. He said that if the developer wants to build affordable housing, then the developer would be granted a certain bonus, such as 10 percent, and could build that many more units and sell them for a certain percentage below the market rate. He said the inclusionary zoning and density bonuses would be in the Village's codes and available for the developer to take advantage of if he so chooses. Commissioners Wasserman and Shayman thought it would make more sense to allow a bonus greater than 1 market rate unit for 1 affordable unit provided; something like a 20 percent density bonus if 15 percent of the units are workforce or affordable. Chairman Swartz agreed the bonus could be greater than 1-to-1. Commissioner Shayman said there are other types of incentives, such as waived permit fees or expedited permitting. Chairman Swartz said the Village needs to be careful when dealing with the fiscal realm on this issue because it could be perceived that Village funds are being used to support workforce and affordable housing.

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Commissioner Wasserman said this issue is for the abstract future. Chairman Swartz said it is important to look at the issue now, when there is not a pending development seeking zoning approval; Commissioner Berg agreed. Commissioner Wasserman does not want to discourage development. Commissioner Wasserman said that for the next meeting he would like to have advocates on either side of the inclusionary zoning issue speak to the Plan Commission.

Document Approval

The documents were approved, with Commissioner Wasserman recusing.

Items from Staff

Ms. Von Ohlen said that on July 23, 2009 the Village will have a preliminary pre-filing conference with the Plan Commission on the proposed amendment to Special Use to make improvements to the Village's Wastewater Reclamation Facility (WRF). The Commissioners said they would like a tour of the WRF so that they can see the existing conditions and have a better understanding of the Village's requested improvements. Ms. Von Ohlen said she will work on arranging a tour for the Commissioners on July 23, 2009 prior to the Plan Commission meeting.

There being no further discussion, motion to adjourn was made and seconded.

Respectfully submitted,
Kathleen Von Ohlen, Associate Planner

**PLAN COMMISSION
VILLAGE OF DEERFIELD**

The Plan Commission of the Village of Deerfield held a Workshop Meeting at 7:30 P.M. on April 16, 2009 at the Village Hall, 850 Waukegan Road, Deerfield, Illinois.

Chairman Swartz called the meeting to order.

Present were: Michael Swartz, Chairman
 Larry Berg
 Gail Gussis
 Elaine Jacoby
 Mary Oppenheim
 Stuart Shayman

Absent: None

Also present: Jeffery Ryckaert, Principal Planner
 Kathleen Von Ohlen, Associate Planner

Discussion on Workforce and Affordable Housing.

Mr. Ryckaert explained that the Board of Trustees has directed the Plan Commission to look into the issue of workforce and affordable housing and make some recommendations. He said the Plan Commission can send recommendations in parts – for instance, look at inclusionary zoning and make a recommendation, then consider other components of workforce and affordable housing. Chairman Swartz asked what a recommendation on inclusionary zoning might look like. Mr. Ryckaert said the Plan Commission will not be writing an ordinance, but will be recommending ideas about how inclusionary zoning could be accomplished – for example, what percentage of units in a new development should be considered affordable? Commissioner Shayman asked what inclusionary zoning means. Mr. Ryckaert explained inclusionary zoning requires that a certain percentage of units in a new development be affordable. Inclusionary zoning attempts to harness the market to produce workforce housing.

Commissioner Oppenheim asked how the cost of affordable housing is determined. Mr. Ryckaert said that under the Affordable Housing Law, the State of Illinois' definition of affordability is based on what is affordable to a household earning 80 percent of the area median income (AMI), but the Village can determine the affordability limits. The AMI is based on the Chicago region. Mr. Ryckaert provided the Commissioners a chart of current affordability levels prepared by the State of Illinois.

Chairman Swartz stated that the first thing the Plan Commission should decide is whether or not workforce and affordable housing warrant a place in the Deerfield Zoning Ordinance. Commissioner Gussis asked if there is a State law requiring municipalities to have a certain amount of affordable housing in the community. Mr. Ryckaert said there is a State law, but Deerfield's position as outlined in the Comprehensive Plan is that we are exempt because we are a home rule community.

Commissioner Berg asked if the Board has stated that it wants affordable housing, or if they are asking the Plan Commission to determine if it is appropriate for the community. Mr. Ryckaert believes the Board is asking the Plan Commission to determine if it is appropriate, and if so, then recommend some ways it can be accomplished. He said the Board has expressed that workforce and affordable housing are good concepts, and they would like the Plan Commission to examine the issue and come up with some strategies. Commissioner Berg asked if workforce and affordable housing are synonymous or different, and asked where senior housing fits in. Mr. Ryckaert said the concepts are similar in that they are trying to assist someone of modest income, but workforce housing doesn't include affordable senior housing components, as most seniors are out of the workforce. Commissioner Gussis mentioned that in Highland Park, the people who work in the community get preference for the workforce housing units. Commissioner Jacoby asked if there is a need for workforce housing in Deerfield. Mr. Ryckaert said there is a need for workforce housing, as shown in studies by the Metropolitan Planning Council (MPC). Only 13 percent of the local housing stock is affordable to workers earning less than \$50,000 per year.

Mr. Ryckaert said the Plan Commission might find it useful to look at Highland Park's inclusionary zoning ordinance because Highland Park is a leader in the area of affordable housing. He noted that Highland Park has dedicated staff and resources to affordable housing – they have a full time and a part time housing planner and have had an inclusionary zoning ordinance for the last five years. Commissioner Oppenheim noted that Highland Park also had open tracts of land on which to build new larger scale housing developments, whereas Deerfield has few large open tracts of land. She said that inclusionary zoning could be used to create affordable or workforce housing when land is redeveloped. She asked how the Village convinces a developer to build units that will sell for less, when the developer could be selling the units for a much higher market price. Commissioner Gussis said the neighbors might also be upset if affordable or workforce housing is being created nearby. Mr. Berg said the incentives such as reduced permit fees don't add up to the loss taken by the developer to create the affordable units.

Chairman Swartz said each of the Plan Commissioners should read *But Not Next Door*, a book written about Deerfield in 1959 when a group of developers wanted to create below market housing where Mitchell Park now stands. The previous year, the Village residents voted down a referendum to create a new park by a large margin. Then the following year, developers received Village approval to create a new housing development, with 10 percent affordable units. The Park District and the Village Mayor decided to have another referendum to develop the land as a park, and then the referendum passed by a landslide. The story was featured in national publications. Commissioner Oppenheim said that given the history of affordable housing in Deerfield, the issue should be given serious consideration.

Commissioner Oppenheim said she has often heard residents remark that their children who were raised in the community cannot afford to live here as adults, and that seniors who have lived in the community for years and want to move from a single family home

to a smaller unit have no where to go in Deerfield. Chairman Swartz believes the problem that Commission Oppenheim mentioned for seniors is not an issue of affordability, rather it is an issue of downscaling.

Commissioner Berg said the needs of workforce housing and affordable housing are different. He said workforce housing will likely be for young families that will want single family homes on individual pieces of land. But he believes that condos or townhomes are the more likely type of workforce or affordable housing to be built in Deerfield. The Commissioners discussed that the newly created affordable housing at Hyacinth Place in Highland Park is multi-family, for-sale housing that could accommodate young families.

Commissioner Gussis said some people have the attitude that "if you can't afford to live in Deerfield, then you can't afford to live in Deerfield." Mr. Ryckaert asked the Commissioners if the term "affordable housing" conjures up negative images; the Commissioners agreed it does. The Commissioners believe that most people do not understand what affordable housing really is. Commissioner Gussis said that if the Village decides to move forward with affordable and workforce housing, a public information campaign will be necessary to educate the community. She said many people have old-fashioned attitudes toward affordable housing and they believe it is dangerous. Mr. Ryckaert said if an inclusionary zoning ordinance is established in Deerfield, the requirement will be a certain percentage of new housing units mixed into a market rate development. The concept is that the affordable units are integrated with the market rate units and do not look different from the exterior.

Chairman Swartz said the difference between workforce housing and affordable housing is a critical decision point. He said the Village should do whatever it can to encourage housing developments that are affordable to people who work for the Village or in the Village (teachers, fire fighters, police, Village staff, etc.), so that these people can live in the community. He believes that to provide affordable housing to people who do not work for, or in, the Village would require a leap of faith.

Commissioner Oppenheim said it is essential that "affordable" be defined. She believes the Village's residents will respond to the idea of workforce or affordable housing more favorably the more it is similar to their own household incomes. Commissioner Berg asked if the Village can distinguish between providing affordable housing to people who work in the community versus people who don't. Mr. Ryckaert said Highland Park's ordinance attempts to do that with preferences set out in the ordinance.

Mr. Ryckaert believes employer assisted housing (EAH) that involves the private sector is a smart idea. Commissioner Gussis said it is a good idea to have multi-level involvement beyond what a developer would do to create affordable housing. She said it behooves the local employers to get involved in creating workforce and affordable housing. Mr. Ryckaert said the MPC is making an outreach to local employers in Deerfield to get involved in employer assisted housing to help local employees with down payments and to get financial assistance.

Chairman Swartz said that if the Village really believes in creating workforce and affordable housing in Deerfield then tax dollars should contribute to it. Commissioner Oppenheim said developing multiple units in Deerfield is hard to do because there is no land for it. Chairman Swartz pointed out that if Briarwood is redeveloped with housing, this issue could be applicable. Mr. Ryckaert said there is some land in the downtown that may be redeveloped in the future, including the property at the southeast corner of Waukegan Road and Longfellow which has been for sale a long time.

Chairman Swartz asked how many units would have to be in a development before the affordable housing requirement would be applicable. Mr. Ryckaert said that in Highland Park a new development must contain five units before the developer is required to provide the required percentage (20 percent) of affordable units. Chairman Swartz does not believe this works well or is very effective in small developments.

Commissioner Oppenheim asked if the former On the Border site could be redeveloped into housing. Mr. Ryckaert said the Village would have to rezone the land to residential, and housing located there would be very isolated from the rest of the community. He said developers have inquired about the 10 acres of unincorporated land near the Beth Or property, adjacent to Parkway North; this land could support higher density housing, but it is also isolated.

Commissioner Gussis suggested that a way to create affordable single family homes is to allow developers to subdivide a property and built two smaller, affordable houses where one house formerly stood, though the property might not meet all the standard requirements of the Zoning Ordinance such as lot size or setbacks. She noted the Village has typically not allowed something like this in the past when resubdivisions have taken place. She asked if the Village should make special cases on lot size, dimensions and setbacks for developers who want to build affordable housing. Mr. Ryckaert noted that a few years ago a developer successfully rezoned a property on Orchard Street from R-3 to R-4 to allow the development of a duplex where a single family home formerly stood. The developer made the case that the land was more suitable for a duplex than a single family home. Mr. Ryckaert does not believe the Village should start pre-zoning property. Instead the developers seeking a zoning change should approach the Village and then the Village can look to the Comprehensive Plan as a guide. He said the Village has areas designated for possible redevelopment where affordable housing can be integrated – the southeast corner of Waukegan Road and Longfellow, and across the street where there is currently a bank, a music store and the Bodo property near the cemetery. He said the Comprehensive Plan could designate a few more areas. Mr. Ryckaert showed the Plan Commission a map staff created a few years ago showing locations in the Village where affordable housing could possibly go.

Commissioner Oppenheim asked if a developer will have the priority to create workforce or affordable housing unless the Village required it. Mr. Ryckaert said if the Village wants to encourage the development of workforce and affordable housing, he believes

the Village will need to be more proactive and approach the developers and employers like communities such as Lake Forest and Highland Park have done.

Mr. Ryckaert said an inclusionary zoning ordinance can include incentives such as waiver or reduction of permit fees, waiver or reduction of impact fees, and an expedited permit process. Other communities have tear down fees which contribute to an affordable housing fund. Deerfield's permit fee for a tear down usually totals to about \$1,000 dollars, and Deerfield's impact fees for new residential developments are usually quite sizable. Chairman Swartz noted that not all the revenue from impact fees goes to the Village.

Commissioner Oppenheim asked about the interjurisdictional approach to workforce and affordable housing. Ms. Von Ohlen explained the MPC is interested in getting Deerfield and other nearby surrounding communities to join in an interjurisdictional effort to create workforce and affordable housing. Ms. Von Ohlen said she has attended some meetings on this issue and the other communities included are Highland Park and Lake Forest (which both have affordable housing plans in place), Northbrook and Highwood. The idea is that these communities can work together to contribute to the creation of affordable housing. For instance, there was discussion that possibly Highwood could contribute land for a development while other communities could supply resources, funding and staff. The Plan Commission believes that it is not ideal for Deerfield to contribute funding or other resources to put affordable housing someplace else. They believe that if Deerfield makes the decision to subsidize affordable housing, it should be located in Deerfield.

Ms. Von Ohlen noted that at the last MPC meeting she attended, Highland Park's and Lake Forest's representatives each said that the revenue collected from tear down fees that goes into an affordable housing fund has gone down significantly since the economy has taken a downturn. Mr. Ryckaert added that Deerfield has also seen a significant decrease in the number of tear downs.

Commissioner Jacoby noted that on the map of possible affordable housing locations, a couple of the possible locations are near Kipling School. She said parents will probably react strongly to these locating affordable housing near a school. Mr. Ryckaert said the majority of the possible affordable housing locations are downtown and near the train station (public transportation). Chairman Swartz questioned the need for workforce housing to be close to the train station. Commissioner Shayman noted that in a workforce household one person may work in Deerfield, but the spouse may work downtown and need train access. Commissioner Oppenheim noted the irony in that the possible affordable housing locations close to the downtown are currently occupied by older, affordable housing units. Mr. Ryckaert noted that these areas in the downtown are places where redevelopment is more likely to occur. Mr. Ryckaert said that not all areas of possible new affordable housing will be where development already exists. The Beth Or property and the surrounding properties (west of the Tollway and south of Deerfield Road) are located where developers have looked into putting affordable housing.

Chairman Swartz said a few years ago the Board of Trustees turned down Red Seal's request to create senior housing south of Lake Cook Road because the site was too isolated. He believes the Beth Or property makes sense for new workforce or affordable housing, but that the Board might not look favorably at workforce or affordable housing south of Lake Cook Road, unless it was in a unique situation like the Weinberg community. Mr. Ryckaert pointed out the Comprehensive Plan does not endorse any residential development south of Lake Cook Road because the residents would be isolated from the rest of the Village in different school, park and fire districts and in Cook County.

Chairman Swartz said that if an affordable or workforce housing plan is adopted it should be applicable to the Briarwood Country Club property in case it is redeveloped. Mr. Ryckaert said the Comprehensive Plan calls for single family homes if that property is redeveloped, but an affordable housing requirement would apply to single family home developments of this scale.

Commissioner Berg asked if it is realistic to incorporate affordable or workforce housing with existing single family homes. Mr. Ryckaert said the greatest opportunity would be with multi-family housing. Mr. Ryckaert pointed out that a developer could pay a fee into a housing fund in lieu of the providing the affordable units. Chairman Swartz stated that any money the Village contributes to workforce or affordable housing fund should stay in Deerfield. He does not believe the Village should spend money contributing to affordable housing in another town. The rest of the Commissioners agreed. Mr. Ryckaert noted that as of the last meeting with the MPC, no other towns had yet committed into joining the interjurisdictional agreement. Ms. Von Ohlen said that at the last MPC meeting Highland Park and Lake Forest, which are the most proactive on affordable housing, indicated that before joining into an interjurisdictional agreement with surrounding communities, they would want the other communities to establish housing commissions and an inclusionary zoning ordinance. Mr. Ryckaert said if Deerfield desires to work with another community, Northbrook might make the best match. Ms. Von Ohlen said that based on the last MPC meeting, it seems like Northbrook is in a similar position to Deerfield in that the community is considering affordable housing, but has not decided on anything yet.

Commissioner Oppenheim asked the approximate cost of the multi-family units that are located in Deerfield. Mr. Ryckaert said that based on the affordability chart, an affordable unit would cost about \$200,000 for a family of four. Mr. Ryckaert said the Village can create its own affordability chart with its own standards. For instance, the Village can decide that affordability is defined as being affordable to households earning 120 percent of the AMI, rather than 80 percent as the State defines it. Also, by creating its own definition, the Village can create a greater number of affordable units. Commissioner Oppenheim said if the Village created its own chart, the numbers would be more realistic.

Chairman Swartz believes it is more realistic and laudable to encourage workforce housing in the Village. The Commissioners reviewed the owner occupied affordability

chart for the region. Chairman Swartz would like to see what is considered affordable based on what Village employees earn, at 80 percent, 100 percent and 120 percent. Mr. Ryckaert said typically workforce housing is geared toward entry level professional positions and service sector employees, people who typically make around \$40,000 to \$60,000 per year. The Plan Commission would like to get an idea of what employees at local schools, fire departments, the Village, the Park District, and the Township earn. Chairman Swartz asked that staff start with the Village employees and get an idea of what an average salary is so that the Plan Commission can get a ballpark idea of how much workforce housing should cost.

Commissioner Oppenheim believes the biggest issue with creating workforce or affordable housing is finding a location for a new multi-family housing development. She asked if there is a way to get developers to build individual affordable housing units on smaller plots of land since the Village does not have large tracts of open land. The Plan Commission agreed that is unlikely. Commissioner Shayman suggested that for any building permit for new development or redevelopment, a portion of the building permit fees go into an affordable housing fund. Chairman Swartz said the Village would have to accumulate a lot of money so it could buy land for affordable housing. Commissioner Berg noted that in a land trust, the Village owns the land which keeps the property affordable; Mr. Ryckaert said this is the case with Hyacinth Place.

Commissioner Gussis said the Village should be careful about what the units are called; the Village needs a term that is more readily accepted. Chairman Swartz said that to him workforce housing is for people who work in the community, not for people who work outside Deerfield. Commissioner Berg asked if any of the Village's major employers have shown an interest in this topic. Mr. Ryckaert and Ms. Von Ohlen said the MPC is currently working with Walgreens, Takeda and Baxter to develop employer assisted housing programs.

Chairman Swartz said that if the Village decides to move forward with this concept, it should not get caught up trying to replicate what Highland Park and Lake Forest are doing, or trying to work with the MPC on the interjurisdictional approach. The Village should do what is best for Deerfield and the Village will be best served if workforce and affordable housing are kept under local control.

Commissioner Shayman asked if municipalities ever buy properties, rehab them, and then sell them as affordable. Mr. Ryckaert said that the Village would not want to act as the developer, but may want to contract with a developer. In the past, the Village acquired parcels of property/assembled land to put together RFPs, as was done with South Commons and Deerfield Centre (PrimeSource). Commissioner Shayman suggested the Village could pick up individual residential parcels throughout town as they become available. Mr. Ryckaert said that method would be very costly and take a long time. Mr. Ryckaert said that if, for example, the Beth Or property was developed as multi-family, about 15 to 20 affordable or workforce units could be created at once, whereas creating these units one at a time would take years.

Commissioner Oppenheim said that to require 20 percent of new units to be affordable or workforce units is too large a percentage. Chairman Swartz asked if Highland Park's inclusionary zoning ordinance has worked. Mr. Ryckaert said Highland Park has created a fair number of units, but not an abundance. Chairman Swartz said Deerfield should craft an ordinance from a blank sheet of paper and do what is best for the Village. The Commissioners agreed that it is helpful to look at Highland Park's ordinance to get an idea of what has been done, but they do not want to copy Highland Park or any other community.

Commissioner Oppenheim said that being proactive about workforce and affordable housing is the ethical thing for the Village to do. She noted that for the past several years many residents have complained that small houses are being torn down and new McMansions are being built in their places. She said this is an opportunity to build new smaller houses. She reiterated that it is unrealistic for the Village to expect to create new affordable housing units on large pieces of land, as Deerfield does not have large parcels available.

Commissioner Shayman asked how resale prices on affordable or workforce units are determined. Mr. Ryckaert said that the units are governed by a restrictive covenant where they are allowed to increase in value so much per year, but not to the point where they would become unaffordable. The idea is for the unit to stay affordable in perpetuity. Chairman Swartz said the Village could reserve the right of first refusal to recapture the unit.

Commissioner Berg asked what happens if someone moves into an affordable or workforce unit, then they change jobs so that they no longer work in the community, or if they start earning a large salary. Mr. Ryckaert said the Village cannot force someone out of a house they own. Mr. Ryckaert noted that in Highland Park, someone with a large salary increase is still allowed to remain in the affordable rental units. The Commissioners discussed that it would be very difficult to tell someone they cannot remain in their home.

There being no further discussion, motion to adjourn was made and seconded.

Respectfully submitted,
Kathleen Von Ohlen, Associate Planner

REQUEST FOR BOARD ACTION

09-90

Agenda Item: _____

Subject Report Concerning Video Gaming Act

Action Requested: Discussion

Originated By: Village Board of Trustees

Referred To: Village Attorney

Summary of Background and Reason for Request

Following the passage of the Video Gaming Act by the State of Illinois this July, the Village Attorney was asked to provide an ordinance that would prohibit video gaming for discussion. The Illinois Municipal League has also prepared a summary report on the Video Gaming Act that has been provided for background information. The Village has approximately 20 establishments (restaurants, hotels, fraternal organization) with liquor licenses that would be eligible to pursue up to 5 video gaming terminals once the Illinois Gaming Board establishes regulatory rules and procedures. As no State appropriation was provided to develop the Illinois Gaming Board procedures, it is unknown when applications will be accepted. Based on recent news reports, approximately 20 communities have adopted a prohibition of video gaming.

The Village Attorney and staff will be available to review the issue and respond to questions from the Board.

Reports and Documents Attached:

Illinois Municipal League Report re: Video Gaming Act
Draft Ordinance

09/21/2009

Date Referred to Board: _____

Action Taken: _____



QUESTIONS AND ANSWERS ON THE NEW VIDEO GAMING ACT

The Video Gaming Act, enacted on July 13, 2009, legalizes the use of video gaming terminals in specific land locations in Illinois. The new Video Gaming Act is codified at 230 ILCS 40. Other states that allow video gaming outside a casino or racetrack include Louisiana, Montana, Nevada, Oregon and South Dakota.

Many of the provisions of this new Act will impact local governments and local businesses. This document is intended to answer the most frequent questions that municipal officials may raise. It is important that municipal officials consult with their attorney for specific actions that may arise from the implementation of the Video Gaming Act.

The law allows for the placement of "video gaming terminals". What is a video gaming terminal?

A video gaming terminal is any electronic game machine that, upon insertion of cash, is available to play or simulate the play of a video game, such as video poker, line up and blackjack, using a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or that is only for amusement purposes.

Who regulates the machines and the operators of those machines?

The Illinois Gaming Board has jurisdiction over and shall supervise all gaming operations under this Act. Municipalities are not responsible for administering or enforcing the provisions of this Act. The Illinois Municipal League will be monitoring all rulemakings proposed by the Illinois Gaming Board pertaining to the implementation of this Act to be sure that no local mandates are adopted under the rulemaking procedure.

Where may these video gaming machines be located?

The statute specifically defines four types of establishments where video gaming machines are allowed:

- Licensed establishment – a licensed retail establishment where alcoholic liquor is served for consumption on the premises such as a bar or restaurant;
- Licensed fraternal establishment – a qualified fraternal organization that derives its charter from a national fraternal organization;
- Licensed veterans establishment – a qualified veterans organization that derives its charter from a national veterans organization; and



- Licensed truck stop establishment – a facility that is at least 3 acres with a convenience store and with separate diesel islands for fueling and parking commercial motor vehicles.

What are the restrictions on the operation of these video gaming machines?

The statute sets forth a number of requirements for the operation of these games, the more prominent restrictions are:

- Location restrictions—Video gaming terminals may not be operated on any premises that is (i) located within 1,000 feet of a horse racing or riverboat gambling facility or (ii) located within a 100 feet of a school or a place of worship.
- Number of machines—There may not be more than five machines on any premises.
- Location of machines—Video gaming terminals must be located in an area that is restricted to persons over 21 years of age. The entrance to that area must be within the view of at least one employee.
- Age restrictions—No licensee may cause or permit any person under the age of 21 years to use or play a video gaming terminal.
- Liquor license required—Each premises establishment must possess a valid liquor license issued by the Illinois Liquor Control Commission.
- Hours of operation—Those premises that are licensed establishments, licensed fraternal establishments, and licensed veterans establishments may operate video gaming terminals only during the hours of operation for the consumption of alcohol at that premises. There appears to be no limit on the hours of operation for licensed truck stop establishments.
- Additional regulations—The Illinois Gaming Board may adopt rules that add additional restrictions or conditions on the placement or operation of the video gaming machines.

Can municipalities prohibit video gaming in their community?

The statute identifies two ways by which video gaming may be prohibited in a municipality:

- The corporate authorities may pass an ordinance prohibiting video gaming within the corporate limits. Also, a county may pass an ordinance prohibiting video gaming in the unincorporated areas of the county.
- A petition containing not less than 25% of the legal voters of that municipality may be filed with the clerk at least 90 days prior to the election. If this occurs, then a proposition will be placed on the ballot asking whether video gaming shall be prohibited. If a majority of the voters voting in the election vote “Yes,” then video gaming is prohibited in that community. A similar referendum may be held in a county, but it is unclear from the language whether the prohibition would apply countywide or just in the unincorporated areas of the county.
- Please note that the Governor amendatorily vetoed Senate Bill 1595 in an attempt to lower the petition requirement from 25% of the legal voters to 11% of the total ballots cast by the registered voters in the last election. The amendatory veto also attempts to allow a similar referendum to be held in a township. It is likely that the General Assembly will take action on this provision in the October Veto Session.



If my community bans video gaming, will it still be eligible to receive funds through the State's Capitol Program?

The State's Capitol Program is supported through a combination of (i) the increase and expansion of taxes on alcohol, soft drinks and candy; (ii) increased vehicle registration fees; and (iii) video gaming. It is estimated that video gaming will raise approximately 25% of the projected funds to the State's Capitol Program.

The Capitol Projects Fund is created under Section 6z-77 of the State Finance Act. The statute is silent regarding whether capitol projects may be held back because a county or municipality passed a ban to prohibit video gaming.

Can a municipality impose other restrictions on video gaming?

The statute is silent as to whether the municipality may impose stricter standards for the operation of video gaming than what is set forth in the Act. It should be noted that the Act does not preempt any home rule powers.

Can a 'dry' community have video gaming under this Act?

No. A precondition for licensure is that the premises possess a valid liquor license. Additionally, video gaming may only be conducted during the legal operations allowed for the consumption of alcohol at licensed establishments, licensed fraternal establishments, and licensed veterans establishments.

What about existing amusement games that are currently in operation?

The new law makes it a felony to own, operate, or possess any device that "awards credits and contains a circuit, meter, or switch capable of removing and recording the removal of credits when the award of credits is dependent upon chance." A video gaming terminal that is operated only for amusement and that bears an amusement tax sticker is not subject to the prohibition until the earlier of (i) the expiration of the tax sticker or (ii) the Gaming Board's establishment of a central communications system.

This prohibition could lead to the loss of some tax revenue for coin-operated amusement devices under Section 11-55-1 of the Illinois Municipal Code.

Is there a tax on these machines and do municipalities receive any of the revenue?

A tax of 30% is imposed on the net income from each video gaming terminal. The State collects the tax. Of the tax collected, one-sixth goes to the unit of local government where the machine is located. According to a report titled "The Estimated Revenues from a New Video Gaming Tax in Illinois" by the firm of Arduin, Laffer & Moore Econometrics, a reasonable median projection for the net income per machine is \$45,000 per year. Using this projected income, the total tax per machine would be \$13,500 per year, and the municipal share of that tax would be \$2,250 per year. Therefore, for each establishment with the maximum number of five machines, a municipality will generate an estimated \$11,250 in tax revenue per year.

The unit of local government may use the proceeds of that tax for any general corporate purpose authorized for that municipality or county.

Can the municipality impose a fee on the video gaming terminals?

Yes. A non-home municipality may not impose a fee in excess of \$25 per terminal per year. There is no limitation in the statute on these fees imposed by Home Rule Municipalities. Adoption of this fee by the corporate authorities is necessary.

What are the penalties for violating the provisions of this Act?

Depending on the violation, the penalties range from a petty offense with a fine not to exceed \$100 to a Class 4 felony. Also, for certain offenses, the establishment may lose its licenses to operate video gaming and to serve or sell alcohol.

When is it likely for us to start seeing these machines in Illinois?

This legislation has an immediate effective date. However, the Illinois Gaming Board has 60 days to adopt an emergency rulemaking to implement this program. In a recent article in the Chicago Sun-Times, Aaron Jaffe, Chairman of the Illinois Gaming Board, indicated that the 60-day deadline is a big problem. He also stated that there is no appropriation for the implementation of this program. According to the article, it is likely to take anywhere from 12 – 18 months if not longer.



**VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS**

ORDINANCE NO. _____

**AN ORDINANCE PROHIBITING VIDEO GAMING
WITHIN THE VILLAGE OF DEERFIELD**

WHEREAS, the Illinois Video Gaming Act (Public Act 96-0034) authorizes video gaming and the operation of video gaming terminals at certain types of establishments within the State of Illinois; and

WHEREAS, Section 27 of the Illinois Video Gaming Act provides that a municipality may pass an ordinance prohibiting video gaming within the corporate limits of the municipality; and

WHEREAS, the Village of Deerfield is also a home rule unit of local government under the provisions of Article VII, Section 6 of the Illinois Constitution; and

WHEREAS, except as limited pursuant to Article VII, Section 6, the Village of Deerfield, as a home rule unit of local government, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety and welfare; and

WHEREAS, the corporate authorities of the Village of Deerfield find and determine that is in the best interests of the Village and its residents for the Village to prohibit video gaming within the Village of Deerfield, and that the prohibition of video gaming in the Village as otherwise authorized by the Illinois Video Gaming Act will promote the public welfare and public safety; and

WHEREAS, this ordinance is being enacted pursuant to both the statutory authority provided by Section 27 of the Illinois Video Gaming Act and also pursuant to the powers which the Village of Deerfield has under the Illinois Constitution as a home rule unit of local government; and

WHEREAS, it is the intent of the corporate authorities of the Village of Deerfield in enacting this ordinance to prohibit video gaming and the operation of video gaming terminals within the corporate limits of the Village of Deerfield as would otherwise be allowed under the Illinois Video Gaming Act.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DEERFIELD, LAKE AND COOK COUNTIES, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION 1: The recitals to this ordinance as set forth above are hereby incorporated into and made a part of this ordinance.

SECTION 2: That Article 2 (Offenses Against Public Morals) of Chapter 15 (Morals and Conduct) of the Municipal Code of the Village of Deerfield be and the same is hereby amended to add the following as Section 15-19.1 thereof:

Sec. 15-19.1. Video Gaming Prohibited.

(a) Video gaming is prohibited within the corporate limits of the Village of Deerfield. For purposes of this ordinance, video gaming means the possession, use or operation of any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash.

(b) No person shall possess, or maintain any video gaming terminal within the corporate limits of the Village of Deerfield, except that a person may possess a video gaming terminal if the terminal is in the process of being transported to a location outside the corporate limits of the Village of Deerfield.

(c) Terms used in this Section 15-19.1 that are also used in the Video Gaming Act (Public Act 96-0034) shall have the same meaning in this ordinance as in the Video Gaming Act.

(d) Any person convicted of violating this Section 15-19.1 shall be subject to a fine of not less than \$75.00 or more than \$500.00 for each offense. A separate offense shall be committed each time a person operates a video gaming terminal in a manner that violates Section 15-19.1(a) of this ordinance. A separate offense shall be committed each 24 hour period, or part thereof, that a person is in possession of or maintains a video gaming terminal in violation of Section 15-19.1(b) of this ordinance or is in possession of any other electronic gaming machine that can be used for video gaming in violation of Section 15-19.1(a) of this ordinance.

(e) Any video gaming terminal and any other electronic gaming machine that can be used for video gaming that is the subject of a violation of Section 15-19.1 of this Ordinance shall be subject to seizure and shall be subject to forfeiture upon a finding of guilty of any person for a violation of this ordinance. Upon appropriate order of court or administrative hearing officer, said video gaming terminal or other electronic gaming machine shall be destroyed.

SECTION 3: If any section, subsection, paragraph, sentence, clause, phrase or provision of this Ordinance or the application thereof to any person or circumstance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance or the application of such portion to other persons or circumstances.

SECTION 4: This ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Deerfield that to the extent that the terms of this ordinance should be inconsistent with any non-preemptive state law, that this ordinance shall supersede

state law in that regard within its jurisdiction.

SECTION 5: This ordinance shall be in full force and effect upon its passage and approval and shall subsequently be published in pamphlet form as provided by law.

PASSED this _____ day of _____, 2009.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2009.

Village President

ATTEST:

Village Clerk

REQUEST FOR BOARD ACTION

Agenda: 09-88

Subject: Authorization for Additional Construction Expenditures for the Lake Cook Road Bridge Replacement and Roadway Widening Project

Action Requested: Authorize Additional Construction Expenditures (\$10,244.28)

Originated By: Engineering Department

Referred To: Mayor and Board of Trustees

Summary of Background and Reason for Request

The Lake Cook Road Bridge Replacement and Roadway Widening Project was a joint effort between the Cook County Highway Department (CCHD) and the Illinois Tollway, initiated to improve travel and reduce impact on motorists. The project was part of the Illinois Tollway's North Tri-State Tollway (I-294/94) Rebuild & Widen Project, underway since 2007.

The bridge over the northbound lanes of the Tri-State Tollway (I-294) was rebuilt in order to accommodate the Tollway's project. As part of this project, the Tollway also widened and resurfaced about ¾ of a mile of Lake Cook Road from west of the southbound I-294 entrance and exit ramps to east of Wilmot Road. The work included water main construction and resurfacing along Wilmot Road.

The water main, sidewalk, and roadway rehabilitation work was originally planned as part of the 2009 Wilmot Road Infrastructure Improvement Project; however, the widening and reconstruction of the Lake Cook Road/Wilmot Road intersection precipitated the removal and replacement of an 800' section of deteriorated water main, installation of 4,400 square feet of sidewalk, and the replacement of several fire hydrants along Wilmot Road between Lake Cook Road and Gordon Terrace.

The nature of infrastructure rehabilitation projects often generates work items that are not easily identified during the design process. Unforeseen conditions (such as utility conflicts) caused this project to exceed the contract amount of \$285,500.08 by \$10,244.28 (3.5%), for a total of \$295,744.36. The work was completed in June of 2009 and to date, \$228,400.08 has been paid to the Illinois Tollway. Pending Board of Trustees approval of the additional expenditures, the balance remaining is \$67,344.28. The budgeted amount remaining for the project in this fiscal year is \$70,000.

The Director of Public Works and Engineering recommends authorization of the payment for the additional work completed under the Lake Cook Road Bridge Replacement and Roadway Widening Project contract in the amount of \$10,244.28.

Reports and Documents Attached

None

Date Referred to Board: September 21, 2009

Action Taken: _____

REQUEST FOR BOARD ACTION

Agenda Item: 09-89

Subject: Authorization of Contract Amendment #2 with Strand Associates Inc. for Sustainable Elements and LEED Certification for the Wastewater Reclamation Facility Reconstruction Project

Action Requested: Authorize Payment for Supplemental Services Provided by Strand Associates, Inc. (not to exceed \$49,700)

Originated By: Director of Public Works and Engineering Department

Referred To: Mayor and Board of Trustees

Summary of Background and Reason for Request

In response to the Mayor and Village Board's request to incorporate sustainable principals into Village projects, Staff has been working with Strand Associates, Inc. (Strand) to define, research, and recommend implementing strategies for the practices of sustainable design for the new Wastewater Treatment Facility (WRF).

On September 8, 2009 the Committee of the Whole convened to hear a presentation by Strand on the proposed sustainable design elements for the project and the LEED certification components for the WRF administration building and to provide input and direction to Staff. As a result, Strand has prepared the attached table listing the cost of the sustainable elements and the monetary and non-monetary benefits each element brings to the project. Furthermore, Stand has provided a recommendation for each sustainable element.

Staff has reviewed the sustainable elements table to determine a proper balance between design or construction costs to implement sustainable concepts, against their reductions in life cycle operation and maintenance costs. Some sustainable elements may not be economically justified, but may be appropriate when considered from the standpoint of responsible stewardship of taxpayer resources. That said, staff concurs with Strand's recommendation and is requesting authorization to incorporate the recommended sustainable elements into the project and to obtain LEED certification of the WRF administration building. Some of the WRF staff is a little apprehensive with the effluent heat recovery system because this is new technology for the Village. However, we are continually researching similar applications in similar climates and are growing more comfortable with the system. It is important to note, the effluent heat recovery system will be necessary should the Board decide to pursue LEED certification for the WRF Administration Building.

Additionally, Strand has provided the attached amendment to their Agreement for Design Services for the WRF outlining the scope of services and fee should the Board decide to pursue LEED certification of the WRF Administration Building.

The Director of Public Works and Engineering recommends including sustainable elements to the project and LEED certification of the WRF Administration building and requests the Board approve payment for additional services provided by Strand Associates, Inc. for an amount not to exceed \$49,700 bringing the total design fee for the WRF to \$1,599,700.

Reports and Documents Attached:

Sustainability and LEED Certification Chart
WRF Amendment No. 2 to the December 4, 2008 Agreement for Design Services

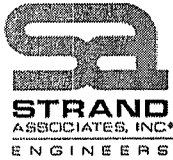
Date Referred to Board: September 21, 2009

Action Taken: _____

Sustainable Element	Additional Cost	Annual Savings	Annual Carbon Footprint Reduction	Market Value of Carbon (\$5/ton-\$20/ton)	Equivalent Measure of Carbon Footprint Saved	Other Benefits	Comments	Recommend Including in Project?
LEED Certification	\$56,900	\$0	NA	NA	NA	Demonstration Project, Community Leadership.	Costs include registration and application fees, commissioning.	Yes
Effluent Heat Recovery	\$60,500	\$180 ¹	3.3 tons CO ₂	\$16 - \$66	7,500 miles driven at 20 mpg	Productive use of plant "product."	Similar to standard geothermal system. Needed for LEED certification points.	Yes
Other Structural/Mechanical LEED elements - High SRI roofing, low flow fixtures, automated lighting controls, enhanced insulation and ventilation, other items.	\$30,000	\$120 ²	2.2 tons CO ₂	\$11 - \$44	5,000 miles	Demonstration possibilities.	Needed for LEED certification points.	Yes
Photovoltaic Panels	\$110,000	\$2,000	19 tons CO ₂	\$95 - \$380	43,000 miles	Can be used for demonstration, e.g. panels produce enough power to run sludge pump.	Based on a 12 KW installation, 25 percent availability, and \$0.08 per kWh.	No
Solar Hot Water System	\$29,000	\$300	1.6 tons CO ₂	\$8 - \$32	3,600 miles	Demonstration possibilities.	Typical systems contain a conventional water heater in addition to solar water heater to account for days with inadequate sun.	No
Effluent Water Reuse for Fixtures	\$35,000	<\$100	NA	NA	NA	Site provides its own water.	Additional maintenance would be required.	No
Rain Harvesting	\$31,000	\$0	NA	NA	NA	Reduces runoff.	Not needed, effluent can be used for irrigation.	No
Construction Waste Management	\$0	\$0	1.8 tons CO ₂ per ton of recycled steel	\$9 - \$36 per ton	4,050 miles per ton	Billboard tracking recycled materials.	Specification requirements for separation of lumber, drywall, metals, concrete.	Yes
Porous Paving	\$0	\$0	NA	NA	NA	Reduced runoff quantity.	Use in low traffic areas.	Yes
Native Plantings, Rain Gardens	<\$10,000	\$0	NA	NA	NA	Reduced runoff quantity, improved runoff quality. Improved facility aesthetics.	Rain gardens will collect runoff from Administration and Biosolids Storage Buildings.	Yes

¹ 15 percent reduction in heating and cooling costs for Administration Building.

² 10 percent reduction in heating and cooling costs for Administration Building.



DRAFT

910 West Wingra Drive
Madison, WI 53715
Phone: 608-251-4843
Fax: 608-251-8655

September 14, 2009

Office Locations

Madison, WI
Joliet, IL
Louisville, KY
Lexington, KY
Mobile, AL
Columbus, IN
Columbus, OH
Indianapolis, IN
Milwaukee, WI
Cincinnati, OH
Phoenix, AZ

Village of Deerfield
465 Elm Street
Deerfield, IL 60015

Attention: Barbara K. Little, P.E., Director of Public Works and Engineering

Re: Amendment No. 2 to the December 4, 2008, Agreement for Design Services
Wastewater Reclamation Facility Design

This is Amendment No. 2 to the referenced Agreement.

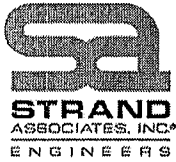
www.strand.com

Under **Background**, ADD the following:

“As part of the design scope, ENGINEER has prepared a Sustainability Report for OWNER’s review detailing sustainable elements for possible inclusion into the final PROJECT design, including the possibility for OWNER to apply for LEED® certification of the Administration Building. OWNER has decided to pursue a minimum Certified level LEED® rating for the Administration Building.”

Under **Scope of Services**, ADD the following:

- “23. Provide design services related to OWNER application for LEED® certification of the Wastewater Reclamation Facility Administration Building under the Version 3 (V3) rating system, including design of an effluent heat recovery system and other elements intended to permit LEED® certification.
24. Retain the services of a Commissioning Agent (required for LEED® certification.
25. Assist OWNER with registering the project with the Green Building Certification Institute (GBCI) and assemble information for a formal Design Review by GBCI.
26. Arrange an on-site consultation with the commissioning services firm to acquaint them with the project design details. Comments from the commissioning firm will be reviewed by ENGINEER for potential incorporation into the design documents.
27. Assist OWNER in selection of materials and design strategies for achievement of LEED® credits.
28. Develop specification sections for incorporation into the Construction Documents that will address LEED®-related construction practices and provide LEED® documentation on materials (for submittal by the project team to GBCI). Three separate specification sections will be provided that will cover the LEED® Certification, Indoor Environmental Quality Plan actions, and Construction Waste Stream Recycling (which includes the development of a waste management plan with recycling goals and milestones).



29. Add LEED® certification updates to the agenda of all project design meetings. Assign tasks as required to obtain information necessary for the application process.”

Under **Service Elements Not Included**, ADD the following:

“11. Additional and Extended Services during construction made necessary by:

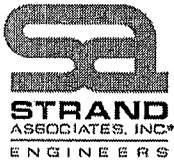
- a. Work damaged by fire or other cause during construction.
- b. A significant amount of defective or neglected work of any contractor.
- c. Prolongation of the time of the construction contract.
- d. Default by contractor under the construction contract.

Any services of this type shall be provided through an amendment to this Agreement.

12. Flood Studies: Any services involved in performing flood and floodway studies, if required, shall be provided for by an amendment to this Agreement or through a separate agreement with OWNER.
13. GBCI Credit Appeals: Services do not include preparation of any appeals to GBCI. Any service of this type shall be provided for by an amendment to this Agreement or through a separate agreement with OWNER.”
14. Green Building Certification Institute Application Fees: The Registration Fee and Certification Fee will be paid by OWNER.
15. Redesign of Administration Building Concept: Any redesign of the Administration Building required by the Commissioning Agent to achieve sustainable building certification including, but not limited to, reorientation of the building on the site, incorporation of elements not reasonably expected to be required, or reconfiguration of the building layout. Redesign of the Administration Building shall be provided for by an amendment to this Agreement.
16. Review of Product Substitutions or Means, Method, Technique, Sequence, or Procedure Substitutions Proposed by Contractor: The terms of the construction Contract (GC 6.05B and GC 6.05E) call for the construction contractor to reimburse OWNER for ENGINEER’s cost for evaluating substitute products, means, method, technique, sequence, or procedure of construction. ENGINEER’s cost for such evaluations is not included in the scope of this Agreement. Provision of such service by ENGINEER shall be provided for by an amendment to this Agreement.
17. Services Furnished During Readvertisement for Bids, if Ordered by OWNER: If a Contract is not awarded pursuant to the original bids, any services of this type shall be provided for by an amendment to this Agreement.”

Under **Compensation**, CHANGE \$1,550,000 to “\$1,599,700.”

Under **Schedule**, CHANGE October 30, 2009, to “December 15, 2009.”



Under **OWNER's Responsibilities**, ADD the following:

- “6. Guarantee access to and make all provisions for ENGINEER to enter upon public and private lands as required for ENGINEER to perform Services under this Agreement.
7. Examine all reports, sketches, estimates, special provisions, drawings, and other documents presented by ENGINEER and shall render, in writing, decisions pertaining thereto within a reasonable time so as not to delay the performance of ENGINEER.
8. Provide all legal services as may be required for the development of this project.”

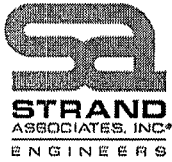
OWNER has made ENGINEER aware that OWNER intends to pursue LEED® certification for the Administration Building. ENGINEER shall research the applicable certification requirements, design the Administration Building with the intention of having the building meet the requirements, and document the design of the building for submission by OWNER to the certifying organization. OWNER recognizes that certification is not based on design alone but also on the construction, operation, and maintenance of the building and therefore agrees that it shall bring no claim against ENGINEER if the building is not certified as intended unless the negligence of the ENGINEER is the sole cause of the building not being certified.

OWNER also recognizes that during the design of the building, ENGINEER shall use professional judgment in the selection of materials, products, and systems for the building with the goal of meeting certification criteria but that ENGINEER cannot and does not warrant the performance of any specified material, product or system. ENGINEER will identify for OWNER any material product or system that, in the ENGINEER's judgment from ENGINEER's examination of available performance information, might provide OWNER with a benefit on this building but does not have adequate information on its performance in actual construction or operation. OWNER acknowledges that it shall look solely to the manufacturer, supplier or installer of materials, products or systems if their performance does not meet expectations.

After the **Opinion of Cost** section, ADD the following:

“Changes

1. OWNER may make changes within the general scope of this Agreement in the Services to be performed. If such changes cause an increase or decrease in ENGINEER's cost of or time required for performance of any Services under this Agreement, an equitable adjustment shall be made and this Agreement shall be modified in writing accordingly.
2. No services for which additional compensation will be charged by ENGINEER shall be furnished without the written authorization of OWNER. The fee established herein shall not be exceeded without agreement by OWNER but may be adjusted for time delays, time extensions, amendments, or changes in the **Scope of Services**.



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3. If there is a modification of Illinois Environmental Protection Agency (IEPA) requirements relating to the Services to be performed under this Agreement subsequent to the date of execution of this Agreement, the increased or decreased cost of performance of the Services provided for in this Agreement shall be reflected in an appropriate modification of this Agreement.”

After the **Termination** section, ADD the following:

“Third-Party Beneficiaries

Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either OWNER or ENGINEER. ENGINEER’s services under this Agreement are being performed solely for OWNER’s benefit, and no other party or entity shall have any claim against ENGINEER because of this Agreement or the performance or nonperformance of services hereunder. OWNER and ENGINEER agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors, and other entities involved in this project to carry out the intent of this provision.”

IN WITNESS WHEREOF the parties hereto have made and executed this Amendment.

ENGINEER:

OWNER:

STRAND ASSOCIATES, INC.®

VILLAGE OF DEERFIELD

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Matthew S. Richards
Corporate Secretary

Date

Kent S. Street
Village Manager

Date