

April 6, 2009

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Village Manager Kent Street in the Council Chambers of the Village Hall on Monday, April 6, 2009 at 7:30 p.m. The Clerk called the roll and announced that the following were:

Present: Robert Benton  
Thomas Jester  
Harriet Rosenthal  
William Seiden  
Barbara Struthers

Absent: Steven Harris, Mayor  
Norton Wasserman

and that a quorum was present and in attendance. Also present was Village Attorney Peter Coblentz.

MAYOR PRO TEM

In the absence of Mayor Harris, Trustee Struthers made a motion to appoint Trustee Benton as Mayor Pro Tem. Trustee Jester seconded the motion. The motion passed unanimously.

PLEDGE OF ALLEGIANCE

Ethan Barhydt, Deerfield High School senior, led those in attendance in reciting the Pledge of Allegiance. Mr. Barhydt was named as one of the top youth volunteers in Illinois and received the 14<sup>th</sup> Annual Prudential Spirit of Community Award because of his volunteer activities focusing on ending the genocide in Darfur.

Mr. Barhydt reported that he started Youth Chicago for Darfur, along with ten other high schools, to compel people to end atrocities in the world. He wanted to educate students on how to effectively take action through a Chicago-wide organization. More than 150 students attended an event and have begun planning a larger event to take place on April 19th. The organization has grown to 50 student groups around Chicago and aims at uniting more than 1,000 students for the cause. They also hope to raise \$15,000 and send a clear message to President Obama to promote peace in Darfur. Mr. Barhydt believes everyone has a responsibility to help society in some capacity.

The Trustees believe Mr. Barhydt's efforts are very impressive. Trustee Seiden noted that Mr. Barhydt also received recognition from the Optimists Club for his work in the community.

PROCLAMATION

Mayor Pro Tem Benton proclaimed the month of April as Fair Housing month in Deerfield. He urged all citizens to promote fair housing practices throughout the country.

DOCUMENT APPROVAL

Trustee Struthers made a motion to approve the minutes from the March 16, 2009 Board of Trustees meeting. Trustee Rosenthal seconded the motion. The motion passed unanimously.

BILLS AND PAYROLL

Trustee Seiden made a motion to approve the Bills and Payroll dated March 16, 2009. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

REPORT ON DEPARTMENTAL OBJECTIVES – FINANCE

Finance Director Bob Fialkowski presented highlights from the Report on Finance Department Objectives. Mr. Fialkowski noted that over the past six months they held arbitration hearings for the Police Pension Fund, implemented E-Pay for water bills and received the GFOA CFR award again this year. He commented that the number of late notices for utility bills is up slightly, but the number of shut offs is average. He added that his department has implemented a new cell phone policy and new federal guidelines regarding COBRA and payroll.

Mr. Fialkowski reported that the IT division has done a lot of work implementing new servers and setting up different storage networks. They have also spearheaded implementation of the new website and handled the rollout of new equipment and software, including a substantial upgrade to the financial system.

Mr. Street thanked Mr. Fialkowski for his department's efforts to pick up a number of projects after Assistant Village Manager Phil Kiraly left the Village.

PUBLIC COMMENT

Oscar Adler, 59 Eastman, mentioned that Marty Buehler, Director of Transportation for Lake County, was his guest on Adler's Alley. Mr. Buehler will speak about roads, highways and potholes in Lake County.

Mr. Adler mentioned that the 6<sup>th</sup> Annual Job Seeker's Workshop, sponsored by the Village of Deerfield, would take place on April 25<sup>th</sup> at Village Hall. The workshop is designed to give attendees the tools and resources necessary to compete for jobs.

Mayor Pro Tem Benton thanked Mr. Adler for coordinating the Job Seeker's Workshop.

PUBLIC HEARING

Trustee Rosenthal made a motion to open the public hearing on the 2009 – 2010 Annual Budget. Trustee Struthers seconded the motion. The motion passed unanimously.

Mr. Fialkowski reported that the proposed budget is \$46,691.52, which represents a 5% decrease from last year's revised budget. He noted that once the TIF district expenses stop, the budgets

will be more comparable. Mr. Fialkowski noted there were no personnel increases or major program additions. In addition, there were no service cuts.

Mr. Fialkowski discussed revenues, stating there was a 10% increase in the property tax levy. He noted that the impact on taxpayers will be reduced as the Village Center TIF District value is added back onto the tax rolls. There is no anticipation of new debt, and there is an anticipated increase of home rule sales tax revenue in 2010.

Mr. Fialkowski explained that the hotel/motel tax has decreased because of the economy. The 2.5% increase in water and sewer use rates will offset the increased costs. Capital improvement projects will be funded by grants, TIF surplus and General Fund transfers. He commented there will be small increases in property taxes and in water and sewer usage fees.

Mr. Fialkowski discussed expenditures, noting that public safety represents the largest part of expenditures. Capital improvements are also high. General Fund expenditures have increased by 5.7% due to the Walgreens economic incentive agreement, pension costs and personnel cost increases. He commented that some staff positions have remained unfilled for a number of months. They have been rebudgeted, but no decisions made on whether they will be filled.

Trustee Seiden asked about the expenditure necessary to move water lines from under Lake Cook Road. He asked that staff verify that the Village is contractually liable for the cost to relocate the main.

As there were no public comments, Trustee Rosenthal made a motion to close the Public Hearing. Trustee Struthers seconded the motion. The motion passed unanimously.

ORDINANCE ADOPTING THE  
BUDGET OF THE VILLAGE OF  
DEERFIELD FOR THE FISCAL YEAR  
BEGINNING MAY 1, 2009 AND  
ENDING APRIL 30, 2010 – 1R

An Ordinance adopting the budget for the Village of Deerfield for the fiscal year beginning May 1, 2009 and ending April 30, 2010. First Reading.

ORDINANCE AMENDING THE WAGE  
AND SALARY PLAN – 1R

An Ordinance amending the Wage and Salary Plan for the Village of Deerfield. First Reading.

#### REPORTS

REPORT OF STAFF RE: DBR  
CHAMBER OF COMMERCE REQUEST  
FOR TOURISM PROMOTION

Mr. Street explained that the Deerfield-Bannockburn-Riverwoods Chamber of Commerce is requesting financial assistance to promote hotels, shopping and dining. Specifically, they are asking for funding to support the bi-annual Shopping, Dining and Lodging Guide, to provide print media advertising to regional AAA members, to assist with ad and graphic design for promotional materials, membership with Lake County Partners, partnership with the Lake County Convention and Visitors Bureau, website optimization and maintenance and a Shop

Local program. He explained that staff agrees with the recommendation, excluding the print media advertising to regional AAA members.

Stacey Nichols, General Manager of the Hyatt Deerfield and Chairperson of the Tourism Committee and Vicki Case from the Deerfield-Bannockburn-Riverwoods Chamber of Commerce believe the campaigns would benefit all the businesses in Deerfield.

Trustee Seiden asked why there was no budget request made in 2007 or 2008. Ms. Nichols explained that there was a transition in general managers, and the funding requests were not submitted. Trustee Seiden questioned how they got along without funding. Ms. Case responded that they did not do some promotions they would otherwise have done.

Mayor Pro Tem Benton explained that this expenditure would not only help build business for the hotels, shops and restaurants, but would also benefit the Village in sales tax. Although the expansion of Takeda will help in the future, he believes they need to pay attention to what is happening right now.

Trustee Rosenthal would like to see the Shop Deerfield program expanded. She believes the residents need to be educated that every time they shop outside of Deerfield, they give another municipality the tax dollars. She believes that the Shopping, Dining and Lodging Guide should also include something to educate consumers to support the Village. The Trustees agreed that this effort should be pursued to support the local economy.

Trustee Rosenthal made a motion to accept the report of staff regarding the DBR Chamber of Commerce request for Tourism Promotion in an amount not to exceed \$26,322. Trustee Jester seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

#### CONSENT AGENDA

<u>ORDINANCE AMENDING THE REQUIREMENTS FOR RESIDENTIAL SITE GRADING AND STORMWATER DRAINAGE IN THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD – 1R</u>	An Ordinance amending the requirements for residential site grading and storm water drainage in the Municipal Code of the Village of Deerfield. First Reading.
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<u>ORDINANCE ADOPTING THE 2005 EDITION OF THE NATIONAL ELECTRICAL CODE REGULATING AND CONTROLLING THE INSTALLATION, ALTERATION AND USE OF ELECTRICAL EQUIPMENT IN THE VILLAGE OF DEERFIELD – 1R</u>	An Ordinance adopting the 2005 edition of the National Electrical Code regulating and controlling the installation, alteration and use of electrical equipment in the Village of Deerfield. First Reading.
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ORDINANCE ADOPTING THE 2006 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE INTERNATIONAL FIRE CODE – 1R

An Ordinance adopting the 2006 editions of the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, International Energy Conservation Code, International Property Maintenance Code and the International Fire Code. First Reading.

The Ordinances stand as First Readings.

#### OLD BUSINESS

There was no Old Business.

#### NEW BUSINESS

ORDINANCE AMENDING THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD TO PROVIDE FOR CERTAIN WATER RATE INCREASES – 1R

An Ordinance amending the Municipal Code of the Village of Deerfield to provide for certain water rate increases. First Reading. Mr. Fialkowski commented that the increase was due to an increase from Highland Park.

ORDINANCE AMENDING THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD TO PROVIDE FOR CERTAIN SEWER RATE INCREASES – 1R

An Ordinance amending the Municipal Code of the Village of Deerfield to provide for certain sewer rate increases. First Reading. Mr. Fialkowski commented that the increase was due to an increase from Highland Park.

AUTHORIZATION FOR SUPPLEMENTAL ENGINEERING SERVICES FOR THE WILMOT ROAD SOUTH INFRASTRUCTURE REHABILITATION PROJECT

The Director of Public Works and Engineering reported that the Village entered into a contract with Ciorba Group for Phase I and Phase II engineering. Additional work was requested, at a cost of \$19,655.

Trustee Struthers made a motion to authorize supplemental engineering services for the Wilmot Road South infrastructure rehabilitation project in an amount not to exceed \$19,655. Trustee Rosenthal seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

**AUTHORIZATION TO AWARD  
ENGINEERING SERVICES CONTRACT  
FOR NPDES INTERNAL AUDIT**

Ms. Little advised that Deerfield is considered an urban area and is required to obtain an NPDES permit from the Illinois Environmental Protection Agency for storm water discharge. She noted that

storm water originates from many sources, and the goal of the program is to reduce or eliminate pollutants that are discharged into lakes and rivers. Ms. Little explained that, to meet the new requirements that are effective April 1, 2009, existing programs in the Village need to be expanded and enhanced. Staff requested a proposal from Gewalt Hamilton Associates to provide a full audit of the Village's internal NPDES reporting and storm water regulation at a cost not to exceed \$20,190.

Trustee Jester made a motion to award the engineering services contract for an NPDES Internal Audit to Gewalt Hamilton Associates in an amount not to exceed \$20,190. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

**AUTHORIZATION FOR MAYOR TO  
EXECUTE THE REVISED LOCAL  
AGENCY AGREEMENT FOR THE  
WILMOT ROAD INFRASTRUCTURE  
REHABILITATION PROJECT**

Ms. Little reported that Village staff, working through the Lake County Council of Mayors, pursued added funding through the American Recovery and Reinvestment Act. This added funding reduced the Village's portion from \$1.8 million to \$800,000. She recommended that the

Trustees issue a confirming authorization for the Mayor to execute the revised Local Agency Agreement for Federal Participation for the Wilmot Road Infrastructure Rehabilitation Project.

Trustee Struthers made a motion to authorize the Mayor to execute the revised Local Agency Agreement for the Wilmot Road Infrastructure Rehabilitation Project. Trustee Rosenthal seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

**AUTHORIZATION TO AWARD  
CONTRACT FOR CONSULTING  
SERVICES FOR THE BRIDGE  
REHABILITATION CONTRACT**

Ms. Little reported that staff is requesting authorization to award the contract for engineering services for the Central Avenue and Juniper Court Bridge Rehabilitation Project to URS Corporation at a cost not to exceed \$140,005.

Trustee Rosenthal made a motion to award the contract for engineering services for the Central Avenue and Juniper Court Bridge Rehabilitation Project to URS Corporation at a cost not to exceed \$140,005. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO AWARD  
CONTRACT FOR WASTEWATER  
TREATMENT FACILITY DESIGN  
GEOTECHNICAL SERVICES

Strand Associates requested that the Village provide geotechnical investigation of the Wastewater Treatment Facility property to obtain information on the physical properties of the soil and rock around the site to use for the modifications and

additions to the Wastewater Reclamation Facility. Staff received three responses to the RFP and recommends awarding the contract for Wastewater Treatment Facility design geotechnical services to Soil and Material Consultants, Inc. in an amount not to exceed \$20,000.

Trustee Rosenthal questioned why the contract could not be awarded in an amount not to exceed \$13,635, which was the amount of the proposal. Ms. Little responded that, depending on the results, additional borings may be needed. Trustee Struthers asked why one bid was twice as much as the proposal from Soil and Material Consultants, Inc. Ms. Little stated that the scope in the RFP was very clear, and apparently the other firm believed it was worth more.

Trustee Rosenthal made a motion to award the contract for Wastewater Treatment Facility design geotechnical services to Soil and Material Consultants, Inc. in an amount not to exceed \$20,000. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO RETAIN DANIEL  
WEINBACH & PARTNERS FOR  
PROFESSIONAL LANDSCAPE AND  
SUSTAINABLE ELEMENT DESIGN  
FOR THE VILLAGE GREEN

Mr. Street reported that the Village Green plan was presented to the Plan Commission in a prefilng workshop in March and they asked for more details. An RFP was distributed for professional landscape and sustainable element design for the Village Green. Staff is requesting authorization to retain

Daniel Weinbach & Partners for professional Landscape and Sustainable Element Design for the Village Green in an amount not to exceed \$32,500.

Mayor Pro Tem Benton explained that the Trustees have seen the concept and many of them like it; however, there are concerns re whether the initial plan provides too little parking. He asked what the effect would be if the plan needed to be reworked to add parking. Chairman of the Northwest Quadrant Advisory Committee Matt Wylie explained that they have a sketch that was generated by staff that increases parking by partnering adjoining landowners. If they could get a cooperative spirit, there will be 12 additional parking spaces. He believes they could get additional parking along the north boundary as well.

Mayor Pro Tem Benton believes it is important to pull trucks off Waukegan Road. Trustee Struthers would like to see the barricade removed. Ch. Wylie explained that the plan intends for the barricade to be removed. Trustee Seiden asked if the parking modifications should be done

before the parking study. Ch. Wylie explained that the entire project would be taken as one comprehensive project.

Trustee Jester opined that there should be a master plan for the northwest quadrant. There is a large green space surrounded by pavement. The northwest quadrant is not beautiful, and the concepts to add and reconfigure parking are consistent with the comprehensive plan. Trustee Jester expressed that he would like to see how this fits with a more defined master plan.

Ch. Wylie explained that this plan was a fallback position. They originally looked at developing the property. There is no other master plan for the northwest quadrant than the Comprehensive Plan. The Advisory Committee was trying to work within the spirit of the Comprehensive Plan.

Trustee Struthers mentioned she frequently hears complaints about the former Lindemann's property and believes this will be a good start.

Larry Dondanville, 717 Westgate, asked if the traffic study will include access or just parking. He believes the right traffic engineering consultant is imperative to the success of the project. Mr. Street confirmed that the next agenda item is for professional traffic engineering for this project.

Trustee Struthers made a motion to retain Daniel Weinbach & Partners for professional landscape and sustainable element design services for the Village Green in an amount not to exceed \$32,500. Trustee Rosenthal seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

**AUTHORIZATION TO RETAIN  
GEWALT HAMILTON ASSOCIATES,  
INC. FOR PROFESSIONAL TRAFFIC  
AND CIVIL ENGINEERING  
SERVICES FOR THE VILLAGE GREEN**

continue to lead the traffic engineering effort should the authorization be approved. Staff recommends retaining Gewalt Hamilton Associates, Inc. for professional traffic and civil engineering services for the Village Green in an amount not to exceed \$25,200.

Mr. Street reported that, in addition to professional landscape and sustainable element design services, the Village Green project special use consideration requires a professional traffic and civil engineering study. Tim Doran, previously with KLOA, recently joined Gewalt Hamilton Associates, Inc. and will

Mayor Pro Tem Benton believes that Tim Doran's understanding of the area and his candor will benefit the project.

Trustee Rosenthal made a motion to retain Gewalt Hamilton Associates, Inc. for professional traffic and civil engineering services for the Village Green in an amount not to exceed \$25,200. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Mr. Street explained that the Plan Commission Public Hearing on the project is scheduled for April 30th.

DISCUSSION

VOTE

Trustee Struthers noted that tomorrow is an important day and reminded residents to vote.

NEXT MEETING

preceded by an Executive Session at 6:00 p.m..

Mr. Street mentioned that the next Board of Trustees meeting will be held on April 20<sup>th</sup>

HAPPY HOLIDAYS

Mayor Pro Tem Benton wished all citizens a Happy Passover and Happy Easter.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 9:00 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk