

AGENDA FOR THE BOARD OF TRUSTEES

Monday, April 2, 2018, 7:30 P.M.

Call to Order
Roll Call
Pledge of Allegiance
Proclamation – Telecommunicators Week
Proclamation – National Service Recognition Day
Proclamation – Fair Housing Month
Minutes of Previous Meeting
Treasurer’s Report
Bills and Payroll
Public Comment

REPORTS

- 18-33 Appeal of the Appearance Review Commission’s Decision to Deny a detached canopy structure at 99 S. Waukegan Road, Chick-fil-A
- 18-34 Report and Recommendation of Staff re: Ordinance Amending Chapter 7 (Business), Article 14 (Massage Establishments) to Regulate Massage Establishments
- 18-35 Report of Staff re: Extension of Final Development Plan for 8 Parkway North

CONSENT AGENDA

OLD BUSINESS

- 18-24-2 Ordinance Amending Chapter 15 (Morals and Conduct), Article 11 (Assault Weapons), Section 15-87 (Safe Storage of Assault Weapons) and Section 15-88 (Transportation of Assault Weapons) of the Municipal Code of the Village of Deerfield to Regulate the Possession, Manufacture and Sale of Assault Weapons in the Village of Deerfield – 2R
- 18-25-2 Ordinance Adding Chapter 12 (Health), Article 8 (Pavement Sealants), as Amended, to the Municipal Code of the Village of Deerfield to Regulate the Use and Sale of Coal Tar Pavement Sealants and Licensing of Pavement Sealant Professionals in the Village of Deerfield – 2R
- 18-28-1 Ordinance Authorizing an Amendment to a Sign Plan to Allow a New Ground Sign for Caterpillar Global Headquarters (Caterpillar, Inc. and Corporate 500) – 1R
- 18-29-1 Ordinance Authorizing a Class A Special Use for a Proposed Massage Establishment to be Located at 711 Waukegan Road (Massage Heights and Deerfield Village Centre) – 1R

NEW BUSINESS

Items for discussion by Mayor and Board of Trustees
Reports of the Village Manager
Adjournment

PROCLAMATION

WHEREAS, thousands of Americans dial 9-1-1 for help in emergencies every day; and

WHEREAS, the men and women who answer these calls for help can often make the difference between life and death for persons in need; and

WHEREAS, our 9-1-1 telecommunicators are among more than 500,000 telecommunications specialists who work to protect and to promote public safety; and

WHEREAS, Deerfield's Public Safety telecommunicators are more than calm and reassuring voices at the other end the phone. They are knowledgeable and highly trained individuals who work closely with other police, fire, and medical personnel. Because emergencies can strike at any time, we rely on the vigilance and the preparedness of these individuals 24 hours a day, 365 days a year; and

WHEREAS, our Village enjoys the highest standards of public health and safety, and we owe a great debt to the men and women who, by applying their expertise in telecommunications, help to make that achievement possible. During this special observance, we acknowledge that debt and extend a heartfelt thanks to each of them:

NOW, THEREFORE, I, HARRIET ROSENTHAL, Mayor of the Village of Deerfield, do hereby proclaim the week of April 8 – 14, 2018, as **NATIONAL TELECOMMUNICATORS WEEK** in Deerfield in honor of the men and women whose diligence and professionalism keep our Village and its citizens safe.

PROCLAIMED: This 2nd day of April, 2018.

HARRIET ROSENTHAL, Mayor

PROCLAMATION – NATIONAL SERVICE RECOGNITION DAY

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to meet needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our cities and counties, from educating students for the jobs of the 21st century to supporting veterans and military families; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 60,000 locations across the country; and

WHEREAS, ten AmeriCorps VISTAs serve at Northern Illinois Food Bank helping to solve hunger in our community; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service that remains with them in their future endeavors.

THEREFORE, BE IT RESOLVED that **I, HARRIET E. ROSENTHAL**, Mayor of the **VILLAGE OF DEERFIELD**, do hereby proclaim April 3, 2018, as National Service Recognition Day.

PROCLAIMED: This 2nd day of April, 2018

HARRIET ROSENTHAL, Mayor

P R O C L A M A T I O N

WHEREAS, the Congress of the United States passed the Civil Rights Act of 1968 which guarantees equal housing opportunities for all citizens; and

WHEREAS, the Village of Deerfield supports fair housing programs and laws; and

WHEREAS, fair housing groups, such as the Fair Housing Center of Lake County and Open Communities, have been formed to investigate allegations of illegal housing discrimination; and

WHEREAS, equal housing opportunities should be available for all citizens and should be achieved throughout the country:

NOW, THEREFORE, I, HARRIET ROSENTHAL, Mayor of the Village of Deerfield, do hereby proclaim the month of April, 2018, as **FAIR HOUSING MONTH** in Deerfield, and urge all citizens to promote fair housing practices throughout the country.

PROCLAIMED: This 2nd day of April, 2018.

HARRIET ROSENTHAL, Mayor

March 19, 2018

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 March 19, 2018 at 7:30 p.m. The clerk called the roll and announced that the following were:

Present:	Harriet Rosenthal, Mayor
	Robert Benton
	Thomas Jester
	Mary Oppenheim
	William Seiden
	Dan Shapiro (arrived 7:46 p.m.)
	Barbara Struthers

and that a quorum was present and attendance. Also present were Village Manager Kent Street and Village Attorney Matthew Rose.

PLEDGE OF ALLEGIANCE

Scouts from Cub Scout Pack 50 led those in attendance in reciting the Pledge of Allegiance.

The scouts introduced themselves and spoke about what they like most about scouting.

MINUTES OF PREVIOUS MEETING

Trustee Oppenheim moved to approve the minutes from the March 5, 2018, Board of Trustees meeting.

Trustee Benton seconded the motion. The motion passed unanimously on a voice vote.

BILLS AND PAYROLL

Trustee Struthers moved to approve the Bills and Payroll dated March 19, 2018. Trustee Oppenheim

seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

PUBLIC COMMENT

John Goynshor, 1335 Laurel, has lived in Deerfield for 10 years. He has maintained the side yard of his property and would like to do some cosmetic enhancements. The property is owned by the Village. He thanked Assistant Village Manager Andrew Lichterman for his patience in working with him and wanted the Trustees to know he wants to purchase the side yard but has no intention of building any structures on the side yard. Mr. Goynshor inquired whether there is a way to avoid the appraisal process in determining a price to purchase the side yard. Mr. Rose noted there needs to be a fair market value in order to purchase the property. The recommended course of action is to get a property appraisal.

Mitchell Shore, 920 King Richards Court, reported his wife was in a serious accident three years ago. The traffic around Caruso Middle School is terrible and vehicles are blocking the streets, including driveways. Mr. Shore has seen a number of violations included disobeying stop signs, talking on cell phones, etc. If emergency vehicles need to get through during afternoon pick up,

they would not be able to get through. He suggested sending an email to parents of Caruso students and enforce the laws. Mayor Rosenthal asked Chief Sliozis to remind the school about parents parking on Village streets.

REPORTS

**REPORT AND RECOMMENDATION
OF THE PLAN COMMISSION RE:
REQUEST FOR APPROVAL OF AN
AMENDMENT TO A SIGN PLAN TO
ALLOW A NEW GROUND SIGN FOR
CATERPILLAR GLOBAL
HEADQUARTERS (CATERPILLAR
CORPORATE HEADQUARTERS AND
CORPORATE 500)**

Mr. Street reported the Plan Commission held a Public Hearing on February 22, 2018, to consider a request for approval of an amendment to a sign plan to allow a new ground sign for Caterpillar Global Headquarters. The Plan Commission voted 5-0 in favor of the request.

Eric Nieukirk, Caterpillar Corporate Real Estate Manager, is pleased to be a part of the Deerfield community. They moved their corporate offices in

December and expect 300 employees and 30 to 50 visitors each day. The proposed monument sign will be a double-sided, illuminated sign and on a base. It will be located approximately 30 feet from the existing listing sign.

Trustee Jester moved to accept the report and recommendation of the Plan Commission regarding a request for approval of an amendment to a sign plan to allow a new ground sign for Caterpillar Global Headquarters. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

**REPORT AND RECOMMENDATION
OF THE PLAN COMMISSION RE:
REQUEST FOR APPROVAL FOR A
CLASS A SPECIAL USE FOR A
PROPOSED MASSAGE
ESTABLISHMENT TO BE LOCATED
AT 711 WAUKEGAN ROAD
(MESSAGE HEIGHTS AND
DEERFIELD VILLAGE CENTER)**

The Plan Commission held a Public Hearing on February 22, 2018, to consider a request for approval for a Class A Special Use for a proposed massage establishment to be located at 711 Waukegan Road. The Plan Commission voted 5-0 in favor of the request with the exception of the proposed window signage. The Plan Commission recommends not more than 20 percent of the window be covered.

Eric Carlson, ECA Architects, reported Massage Heights is a nationally recognized business with more than 150 locations throughout the United States. They are working on the window signage with the Appearance Review Commission. They had discussions with the Plan Commission regarding parking and believe adequate parking is available. Trustee Struthers asked about the Deerfield Cyclery tent sale. Mr. Carlson was not aware of the event and will work with them so they will not have an issue. Trustee Struthers inquired about the massage therapy training. Mr. Carlson stated the massage therapists will be licensed by the state as well as trained by Massage

Heights. A manager will always be on premise. Trustee Oppenheim noted the building was built for maximum visibility for retail use but this use wants minimal visibility to ensure privacy. She suggested adding an interior wall. Mr. Carlson noted the Appearance Review Commission suggested either using frosted glass or an interior wall with graphics. Mayor Rosenthal reported the individual masseuse is licensed by the State. The Village does not have licensing. She suggested having a local registration for the business. There is so much written about massage parlors that have been less than reputable. By requiring a business license, the Village would have the right to close the business if necessary. She spoke with Mr. Rose and it would be similar to a liquor license. The Village would perform background checks and the business would have to pass the background check. There will be a licensing fee to cover administrative costs. Existing businesses would have to get a license as well. It would be part of the Municipal Code rather than the Zoning Ordinance. Mayor Rosenthal noted the Village could put a limit on the number of massage establishments allowed in the Village.

Trustee Shapiro moved to accept the report and recommendation of the Plan Commission regarding a request for approval for a Class A Special Use for a massage establishment. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Oppenheim moved to direct staff to draft a report and recommendation to license massage establishments. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

CONSENT AGENDA

There were no items on the Consent Agenda.

OLD BUSINESS

ORDINANCE AMENDING CHAPTER 15 (MORALS AND CONDUCT), ARTICLE 11 (ASSAULT WEAPONS), SECTION 15-87 (SAFE STORAGE OF ASSAULT WEAPONS) AND SECTION 15-88 (TRANSPORTATION OF ASSAULT WEAPONS) OF THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD TO REGULATE THE

An Ordinance amending Chapter 15 (Morals and Conduct), Article 11 (Assault Weapons), Section 15-87 (Safe Storage of Assault Weapons) and Section 15-88 (Transportation of Assault Weapons) of the Municipal Code of the Village of Deerfield to regulate the possession, manufacture and sale of assault weapons in the Village of Deerfield. First Reading.

POSSESSION, MANUFACTURE AND SALE OF ASSAULT WEAPONS IN THE VILLAGE OF DEERFIELD – 1R Jenny Stadelmann, 1137 Camille Avenue, is pleased that the Village is considering the assault weapons ban. She does not believe that assault weapons should be in homes. If assault weapons are stolen, they could be used to kill. Deerfield has a chance to make a statement about the safety of the citizens. She does not believe the proposed Ordinance goes far enough. She believes we need to respect the Fourth Amendment regarding search and seizure, but increase the fee so it matches the level of seriousness. A DUI permits a felony violation with up to six months incarceration while this proposed Ordinance carries a \$200 daily fine with no criminal record.

Daniel Easterday, 390 Wilmot Road, stated the AR15 is commonly used in hunting across the nation. He believes the current regulations regarding safe storage and transportation of weapons is sufficient. Nothing has changed in the Village or the State since the original Ordinance was passed. To require lawful owners to dispose of lawfully owned property is not the way to do this. The Illinois FOID system runs 350 background checks per year. He is a safe firearms owner and shooter. He suggested the Village amend the proposed Ordinance to make concealed carry license holders exempt. Concealed carry license holders go through even more requirements than FOID card holders. He asked that retired police officers, such as him, be exempt as they have proven to be law-abiding citizens. He believes that any mention of high-capacity magazines should be removed from the proposed Ordinance. He believes this is a reactionary move to things not happening in the community. If he has to move his firearms out of Deerfield, it would cost him approximately \$170 per month to safely store them.

Nancy Rotering, Mayor of Highland Park, 1707 St. Johns, Highland Park, stated her support of the proposal. She thanked the Village for bringing this to the floor. She believes there should be a State-wide ban.

Mike Weissman, 2N125 Virginia, Glen Ellyn, is on the Board of Directors of the Illinois State Rifle Association. The ISRA has trained civilians on the use of firearms for 115 years. They were chartered by President Roosevelt. Firearms have changed over the past 115 years, but they teach people how to shoot safely. He opposes the ban.

Dave Way, 1318 Bennington Court, Glenview, is a military veteran who took an oath to defend the U.S. Constitution against foreign and domestic enemies. He believes the proposed Ordinance is a clear attack on the Second Amendment. Police and military have these weapons so a well-rounded militia should have these weapons to protect themselves.

Bob Zalesny, 3460 Chester in Niles, stated there are three groups of people that have AR15s – the United States government, criminals and law abiding citizens. This Ordinance would take away the rights of law abiding citizens and turn them into criminals. It is a constitutional right to bear arms. The constitution did not differentiate between the types of guns. If the government has a certain gun, citizens should also have the right to have that gun. The Village is trying to protect the people but people are getting killed in gun-free zones. Mr. Zalesny believes the Village is going to face a lawsuit. He suggested having more discussion and tabling a vote.

Patrick Murray, 3843 W. 82nd Place, Chicago, is a U.S. Army Veteran and National Guard Veteran. He equates this ban to banning a specific vehicle because it could kill, banning certain types of dogs, or banning certain guns from everyone including law enforcement. He expressed concern that there will first be a ban on assault weapons, then shotguns, then hand guns.

Dean Ulizio, 2411 Shadow Creek Lane, Riverwoods, thinks there is a lot of emotion about the proposed ban. He does not believe gun control makes people safer. He believes there will be legal opposition and defending the Ordinance will take funds away from roads and schools. This type of move by the Board makes it seem some people are not welcome in Deerfield.

Francis Kowalik, 1111 Osterman, does not believe the proposed Ordinance would accomplish what it proposes and there is no data to prove it will reduce gun violence. The relative value of an AK47 is \$1400. AR10 is \$1000 - \$4000. AR15 is \$1000 to more than \$2000. These are not toys, rather, are a significant investment. He believes people have the right to own one and reminded the Trustees that there is no necessity to demonstrate a need for the Bill of Rights. He asked the Mayor and Board of Trustees to table this.

John Hanusin, 940 Hawthorn Lane, Northbrook, agrees with the speakers against the ban. He noted that 50 to 60 years ago, you could purchase any of the proposed banned weapons at Marshall Fields.

Bob Morgan, 520 Pine Street, is sympathetic to the economic and professional concerns expressed, but does not believe it should compromise the safety of residents. He thanked the Village for moving forward with this conversation and showing the courage to listen to residents. If the decision to ban weapons is so offensive, they could follow the law.

John Lee, 9001 N. Linder, Evanston, is against the assault weapons ban. The issue is not the gun rather the person. He noted that more people die from drug overdoses than mass shootings. A person does not need an AR15 to kill people. They could kill with a knife or a vehicle. He does not believe that gun-free zones work because criminals do not obey the law. The way to stop mass shootings is to look at the family. Teachers should be allowed to go through training and be armed. Police do not have the same vested interest as a teacher to save children.

Mitch Shore, 920 King Richards Court, was a police officer for more than 20 years. He asked for an amendment to exempt retired police officers from the Ordinance.

Chris Goodsnyder, 1115 Exmore Court, is a 17-year Deerfield resident. He is an attorney and has undergone background checks for his FOID card and concealed carry license as well as TSA Pre-check. He is a law abiding citizen. Five years ago, the Board found the perfect balance between protecting the community and the individual rights of Deerfield residents. He suggested the proposed Ordinance allows storage in a method so criminals cannot get access to weapons. He showed empty magazine clips indicating those that have a capacity of more than 10 bullets look nearly the same as those that have fewer than 10. He thinks the interpretation of amending the statute – storage vs. outright ban – should be a new statute and wants the storage portion to remain.

Jeff Maxwell, 940 Beverly Place, is a 7-year resident. The 2013 Ordinance reassured him that Deerfield was the right place for his family because it did not alienate members of the community. He believes the current Ordinance promotes and enhances safety in a positive way while the proposed Ordinance places the community in the front lines of cultural war. He proposed the current Ordinance be amended so only concealed carry holders can have these firearms as they must go through additional training. Mr. Maxwell thinks it is in the best interest of the community and believes a strict licensing regime would enhance public safety.

Steve Issacson, 1020 Summit Drive, is in favor of the proposed Ordinance. He believes it is a courageous act and necessary. It is not about guns or gun ownership. Until more is done, you will read about more and more mass shootings. He believes the Village should take the small step as a community until further steps can be taken Statewide.

Gabriel Nagy, 1304 Kendall Road, was born and raised in Columbia and grew up in fear of bombs, guns and speaking out. He was forced to leave the country. He wants to give his wife and children an opportunity to grow up not in fear. If he had guns, he would rather give his guns away than hear about one more kid being killed. Guns kill people. We need to stop that. Florida raised the age to purchase a gun from 18 to 21.

Rich Bierman, Wheeling, is a lawful gun owner. He thinks a ban would be a bad idea. There have been a lot of emotional and reactionary things going on since the Parkland, Florida, event. Today, 115 people on average died from opioid overdose. The media attention to one event is enormous, but the media attention to overdoses is not even close. Although there is an intensive amount of attention during mass shooting events, the media pushes the agenda to an extreme. Opioid overdose will not get national coverage. Deerfield does not have a problem with semi-automatic rifles. He questioned what will happen after the next mass shooting, after this Ordinance is passed. He questioned whether the Village would try for a ban on handguns.

Daphne Browdy, 1516 Darren Drive, is a DHS student. She is speaking on behalf of a generation whose experiences and generation have witnessed school shootings for their entire lives. Mass shootings are a norm to this generation. Mental illness is very prevalent. She respects Second Amendment rights, but not if your interest in possessing a gun is worth more than my safety. Ms. Browdy does not feel safe going to school and questioned how she can be sure that someone that is a gun owning, law abiding citizen does not go into the school. Some gun owners are not law abiding citizens. She is the face of a generation that is changing the world.

Bradley Rish, 1485 Berkley Court, finds the ban offensive. People have had to protect their businesses with guns. Twice in February, AR15s were used by law abiding citizens to stop crimes. Mr. Rish opposes the ban and thinks it is bad policy. If a ban is enacted, he does not think the police officers should get special consideration because they carry a badge. There are between 3 and 14 million AR15s in this country. From 1994 – 2004 there was an assault weapon ban. The worst school massacre did not use a firearm; rather, the assailant used dynamite.

Jordana Bornstein, 1022 Central Avenue, is a Deerfield High School student. She thanked the Mayor and Board of Trustees for their work to pass the Ordinance. As a student, it makes her feel safer. She believes the ban is precautionary. As a student, she would not want to hear about someone being killed. By Deerfield enacting the Ordinance, it will set a precedent for other municipalities and the State.

Zoie Richardson, 946 Clay Court, is a Deerfield High School Student. A lot of adults have spoken. They do not walk through school hallways every day. If all the teachers were suddenly armed, it would be difficult to focus on school due to fear. Last week, a teacher's firearm went off in school. She noted that she understands there are many issues in society to address, including safe driving and drug abuse. But she believes guns are what kill people. If they are taken away, it will help the situation.

Andrew Tobin, 841 Fox Hunt Trail, believes what the Board is doing is a true act of courage. They stand as real leaders in front of the issue. He believes the issue has made teenagers more interested in government. We all watch the news. Gun violence drains America's reputation and is a singularly American problem.

David Carrabotta, of Niles, noted that to get into a courthouse, both he and his bags needed to be scanned to ensure there were no weapons. People are background checked before getting a FOID card or concealed carry license. Officers secure the courthouse doors. Instead of gutting the Second Amendment, he believes the Village needs to do something else. There is a way the schools can be made safer. There are alternatives that can be made available, such as securing the schools instead of taking away the rights of others.

Steven Nagy, 1304 Kenton Road, thanked the Trustees. The Village needs to stop something before it happens. They need to stop people that are not law abiding citizens; need to prevent people from having access to these types of weapons. This is a big issue that needs to be looked at now.

Sarah Gordon, 420 Carriage Way, is a Deerfield High School student. She feels both sides were present today. Ms. Gordon reminded the Board that 560 Deerfield High School students walked out of their classes last Wednesday in support of what is going on here and in solidarity with Parkland Florida students. We are all responsible for our own behavior. But if you give a person a gun, you give them a way to do horrible things. The Board is being preemptive. There may not be an issue today, but there could be. This Ordinance is constitutional. She believes the Board should take any and all actions to prevent a mass atrocity.

This will stand as a First Reading.

ORDINANCE ADDING CHAPTER 12 (HEALTH), ARTICLE 8 (PAVEMENT SEALANTS), AS AMENDED, TO THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD TO REGULATE THE

An Ordinance adding Chapter 12 (Health), Article 8 (Pavement Sealants), as amended, to the Municipal Code of the Village of Deerfield to regulate the use and sale of coal tar pavement sealants and licensing of pavement sealant professionals in the Village of

USE AND SALE OF COAL TAR

PAVEMENT SEALANTS AND

LICENSING OF PAVEMENT SEALANT

PROFESSIONALS IN THE VILLAGE OF

DEERFIELD – 1R

Deerfield. First Reading.

Trustee Jester listened to the presentation on this issue and believes there is little question there is

not a toxicity issue or danger to Deerfield

Residents. The Science has been distorted and he

will vote against the proposed amendment.

Trustee Struthers has heard in 50 years of meetings that there are PAH sources in coal tar. She believes coal tar sealants should be banned in the Village. Mayor Rosenthal indicated this would stand as a 1st Reading.

Mr. Lichterman noted if the Ordinance is approved, it would take effect April 13, 2018.

Otherwise, the Village could allow additional time and it would take effect May 1, 2018.

ORDINANCE O-18-04 AMENDING THE
MUNICIPAL CODE TO CREATE A

CLASS E LIQUOR LICENSE FOR

BARTACO AT 711 DEERFIELD ROAD,

UNIT A AND REDUCING THE

NUMBER OF CLASS C LICENSES BY

ONE – 2R

An Ordinance amending the Municipal Code of the Village of Deerfield to create a Class E liquor

license for Bartaco located at 711 Deerfield Road,

Unit A, and reducing the number of Class C

licenses by one. Second Reading.

Trustee Shapiro moved to adopt the Ordinance.

Trustee Benton seconded the motion. The motion

passed by the following vote:

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

NAYS: None (0)

ORDINANCE O-18-05 AUTHORIZING
THE REDEVELOPMENT OF THE 99 S.

WAUKEGAN ROAD PROPERTY

(FORMER OFFICE DEPOT); A SPECIAL

USE FOR A CHICK-FIL-A

RESTAURANT WITH A DRIVE-THRU,

AND A TEXT AMENDMENT FOR A

MULTIPLE USE UNIFIED

DEVELOPMENT (WAUKEGAN LAKE

COOK LLC, CHICK-FIL-A) – 2R

An Ordinance authorizing the redevelopment of the property located at 99 South Waukegan Road

(former Office Depot); a Special Use for a

Chick-Fil-A Restaurant with a drive-thru and a Text

Amendment for a multiple use unified development.

Second Reading.

Trustee Shapiro asked for clarity between the

Special Use and the Text Amendment. As they are

two separate matters, he believes they should be

considered separately. Trustee Shapiro expressed

concern if they are looked at as one Ordinance as there would be challenges with only one Ordinance. He indicated there is some concern on the Text Amendment for a multiple use unified development and for a Special Use including a drive-thru without a signalized intersection.

Mr. Rose stated approval of the Text Amendment would allow the site to be developed as a de facto PUD. If the Text Amendment were denied, they could go through the regular PUD process which would allow multiple buildings on the property. Trustee Shapiro asked whether the proposed Text Amendment recognizes one drive-thru use and one hypothetical use. Trustee Shapiro questioned why a Text Amendment is needed at this point if there is no consideration of a second building at this point. Mr. Rose stated they petitioned to move for the Text Amendment at the same time as it is their objective to develop the site with the two buildings. Mayor Rosenthal noted Section 2 allows a 5,000-square-foot Chick-Fil-A plus an 8,000-square-foot building. Trustee Seiden questioned whether each building could have a drive-thru. Mayor Rosenthal noted they have not come to the Village requesting a special use for the drive thru. Trustee Oppenheim noted the original discussion explained it was done this way to expedite things so they could move forward with both buildings.

Mayor Rosenthal expressed concern on allowing a drive thru without a signalized intersection. She does not understand why the Village would approve that variation.

Trustee Oppenheim moved to approve a Chick-Fil-A Restaurant with canopies with the ARC provisions of not using EIFS and not having canopy over menu board. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: Seiden (1)

NEW BUSINESS

RESOLUTION R-18-03 AUTHORIZING THE NON-RENEWAL OF MEMBERSHIP IN THE HIGH-LEVEL <u>EXCESS LIABILITY POOL</u>	Finance Director Eric Burk reported the High-Level Excess Liability Pool has reached its useful term. He believes it makes more sense to roll excess coverage into the Municipal Insurance Cooperative Agency and have all insurance in one place. Based on current cost estimates, the new premium will save the Village about \$48,000.
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Trustee Seiden moved to approve the Resolution. Trustee Jester seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-18-04 AUTHORIZING ENROLLMENT IN MUNICIPAL INSURANCE COOPERATIVE AGENCY EXCESS LIABILITY INSURANCE <u>COOPERATIVE POOL</u>	A Resolution authorizing enrollment in the Municipal Insurance Cooperative Agency Excess Liability Insurance Cooperative Pool. Trustee Jester moved to approve the Resolution.
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Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO SUBMIT JOINT PURCHASING REQUISITION TO PURCHASE SALT UNDER THE STATE OF ILLINOIS JOINT PURCHASING CONTRACT AND THE LAKE COUNTY JOINT AGENCY BULK ROCK SALT PURCHASE	Bob Phillips, Deputy Director of Public Works and Engineering, reported the time has come to purchase salt for the 2018 – 2019 season. The Village usually purchases 1,000 tons of salt from State and County contracts. He noted salt purchases have been trending down and the Village has 1,500 tons in reserves.
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Trustee Oppenheim moved to authorize the purchase of bulk rock salt from both the State and County contracts in an amount not to exceed the budgeted amount of \$140,000. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO APPROVE LETTER OF UNDERSTANDING WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR ADA SIDEWALK RAMPS	Mr. Phillips reported that IDOT is planning to install ADA compliant sidewalk approaches along Waukegan Road north of Deerfield Road. IDOT requested a letter of understanding that the Village would take control of the maintenance.
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Trustee Struthers moved to approve the letter of understanding with IDOT for ADA sidewalk ramps. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO APPROVE BIO-SOLIDS REMOVAL CONTRACT	Wastewater Reclamation Supervisor Brandon James, explained the previous contract ended last year. Staff sought proposals from two companies that do this type of work. Stewart Spreading had low price of \$22.95 per cubic yard with a one day haul. The contract includes 2018 – 2020 plus two optional 1 year extensions.
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Trustee Seiden moved to waive the competitive bidding and accept the proposal from Stewart Spreading in an amount not to exceed \$46,000. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

DISCUSSION

VOTE

Mayor Rosenthal reminded everyone that tomorrow is last day to vote.

ADJOURNMENT

There being no further business or discussion,
Trustee Oppenheim moved to adjourn the meeting.

Trustee Shapiro seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:05 p.m.

The next regular Board of Trustees meeting will take place on Monday April 2, 2018 at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk

TREASURER'S REPORT
February 28, 2018

HIGHLIGHT REPORT February 28, 2018

SALES TAX (non home-rule)*

SALES MONTH	RECEIPT MONTH	2016 ACTUAL	2017 ACTUAL	2018 ACTUAL	% CHANGE PRIOR YR. PERIOD	TOTAL 12 MONTHS RUNNING	% CHANGE ANNUAL TOTALS
						3,579,134	
October	January	278,067	317,680	291,739	-8.2%	3,605,891	0.7%
November	February	315,746	269,189	282,597	5.0%	3,530,216	-2.1%
December	March	287,077	313,834		8.5%	3,522,234	-0.2%
January	April	330,267	254,592		-29.7%	3,605,308	2.4%
February	May	256,915	248,933		-3.2%	3,631,778	0.7%
March	June	248,202	331,276		25.1%	3,598,979	-0.9%
April	July	271,834	298,304		8.9%	3,569,558	-0.8%
May	August	328,464	295,665		-11.1%	3,514,107	-1.6%
June	September	316,427	287,006		-10.3%	3,671,697	4.5%
July	October	379,610	322,095		-17.9%	3,730,267	1.6%
August	November	269,009	428,663		37.2%	3,704,326	-0.7%
September	December	304,460	363,030		16.1%	3,717,734	0.4%
TOTAL		3,586,078	3,730,267	574,336			4.0%
YTD Subtotal		593,813	586,869	574,336			

*net of Walgreen's rebate

MAJOR REVENUE SOURCES

Revenue Items	February	Fiscal YTD	Projected YTD	Variance	FY Budget	Current FY Projection
Sales Tax (non-HR)	372,491	727,921	866,667	(138,746)	5,200,000	5,200,000
Home Rule Sales Tax	293,317	572,286	725,000	(152,714)	4,350,000	4,350,000
Water Sales	279,281	619,659	765,000	(145,341)	4,590,000	4,590,000
Interest*	64,472	115,506	45,967	69,539	275,800	275,800
Sewer Use Charge	194,612	427,735	508,500	(80,765)	3,051,000	3,051,000
Hotel Tax	136,210	251,304	316,667	(65,363)	1,900,000	1,900,000
Electric Utility Tax	137,761	243,883	208,333	35,550	1,250,000	1,250,000
State Income Tax	206,574	349,286	283,333	65,953	1,700,000	1,700,000
Food & Beverage Tax	44,641	90,827	83,333	7,494	500,000	500,000
Building Permits	54,546	128,415	154,167	(25,752)	925,000	925,000

*All budgeted funds (excluding police pension)

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

Revenues	2,052,576	3,925,574	4,513,430	(587,856)	32,640,028	32,640,028
Expenditures	1,936,899	3,627,604	4,724,102	(1,096,498)	33,223,025	33,223,025

REVENUES AND EXPENDITURES

Sales tax net of rebate increased from the same period of last year due largely to increased use tax and business reopenings. The decrease from two years ago is due to non-recurring sales and loss of a business. Water and sewer revenue reflect lower usage months, but have increased slightly from the prior year. Hotel tax is consistent with the prior year. Electric utility taxes decreased from the prior year as it included two payments. Approximately, \$34,000 was recovered from IMET. Large expenditures include Snow & Ice Removal, engineering costs for infrastructure projects and garage inventory purchases. Overall operating expenditures are below projection due to timing of seasonal/once-a-year expenditures such as general liability insurance, memberships and special events.

CASH AND INVESTMENTS

As of February 28, 2018, 100% of available cash was invested at an estimated average annualized interest rate of 1.42 compared to an average rate of 1.57% for the 90-day Treasury bill.

CASH POSITION ANALYSIS

February 28, 2018

TOTAL CASH AND INVESTMENTS

	CURRENT MONTH	PRIOR MONTH	CHANGE	EXPLANATION
OPERATING FUNDS				
GENERAL	16,228,327	16,139,679	88,648	
ENHANCED 911	965,407	986,724	(21,317)	
WATER	(660,104)	(670,741)	10,637	
SEWER	734,494	739,293	(4,799)	
REFUSE	430,102	500,867	(70,765)	
PARKING LOTS	288,163	293,131	(4,968)	
GARAGE	(19,192)	(8,101)	(11,091)	Shop Supplies
VEH & EQUIP	5,343,230	5,267,514	75,716	
DEBT SERVICE	205,396	176,917	28,479	
TOTAL ALL OPERATING	23,515,823	23,425,283	90,540	
CAPITAL FUNDS				
INFRASTRUCT REPLACE.	6,915,490	7,168,080	(252,590)	
MOTOR FUEL TAX	384,188	340,605	43,583	
TOTAL ALL CAPITAL	7,299,678	7,508,685	(209,007)	
TOTAL CAP. AND OPER.	30,815,501	30,933,968	(118,467)	
OTHER FUNDS				
POLICE PENSION	47,544,370	49,034,665	(1,490,295)	Mkt val adj
EAST SHORE RADIO	162,010	163,253	(1,243)	
2011 B SINKING FUND *	4,338,171	4,349,815	(11,644)	
IMET LIQUIDATING TRUST	617,630	651,616	(33,986)	Partial recovery

* Restricted for payment of 2011B bonds in 2028

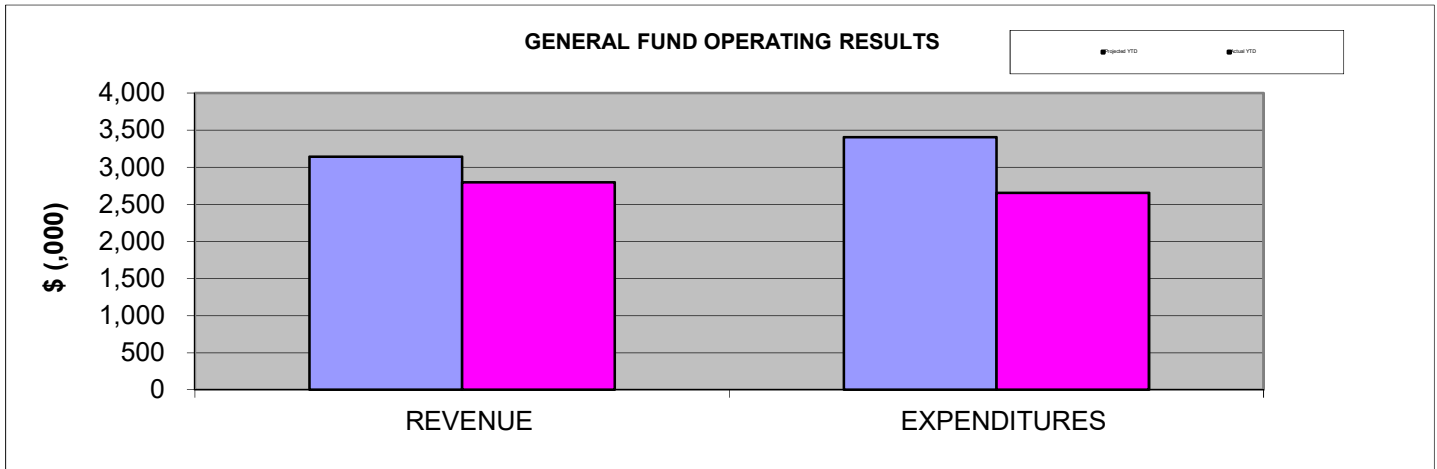
Village of Deerfield
Expenditure Report - February 28, 2018 - 16% of Year

FUND/DEPARTMENT (function)	February Expenditures	Projected Y-T-D	Actual Y-T-D	Variance	Budget 2018	% of Budget	Prior Year %
10 GENERAL FUND							
Finance	264,493	739,983	464,511	275,472	6,395,882	7.3%	10.8%
Administration	141,646	337,065	261,850	75,215	2,022,391	12.9%	11.1%
Comm. Development	90,154	223,883	173,099	50,784	1,343,296	12.9%	13.2%
Engineering	50,467	146,915	94,672	52,243	881,492	10.7%	12.1%
Street	278,166	479,424	487,969	(8,545)	2,876,546	17.0%	11.9%
Police	581,518	1,477,446	1,174,149	303,297	9,964,678	11.8%	12.1%
TOTAL GENERAL	1,406,444	3,404,717	2,656,250	748,467	23,484,285	11.3%	11.6%
54 SEWER							
Administration	31,595	108,785	62,487	46,298	2,475,138	2.5%	2.5%
Cleaning & Maint.	18,738	61,850	36,802	25,048	371,100	9.9%	14.4%
Construction	26,539	63,167	54,456	8,711	379,000	14.4%	13.9%
Treatment Plant	121,906	286,260	213,623	72,637	1,717,560	12.4%	13.0%
TOTAL SEWER	198,778	520,061	367,368	152,693	4,942,798	7.4%	7.9%
50 WATER							
Administration	40,257	114,565	79,380	35,185	687,392	11.5%	12.5%
Main & Hydrant Maint.	45,209	114,783	84,181	30,602	688,700	12.2%	10.7%
Distribution	191,580	464,067	350,168	113,899	2,784,400	12.6%	11.6%
Meter Maintenance	9,035	37,817	19,378	18,439	226,900	8.5%	9.7%
TOTAL WATER	286,081	731,232	533,107	198,125	4,387,392	12.2%	11.5%
70 GARAGE	45,596	68,092	70,879	(2,787)	408,550	17.3%	12.4%
TOTAL PUBLIC WORKS	808,621	1,798,809	1,459,323	339,486	12,615,286	11.6%	10.3%
17 ENHANCED 9-1-1	29,287	74,905	55,736	19,169	449,432	12.4%	12.2%
58 REFUSE	115,726	251,266	222,654	28,612	1,507,598	14.8%	15.0%
60 PARKING LOT (village)	8,954	22,733	16,975	5,758	136,400	12.4%	14.9%
60 PARKING LOT (combined)	8,826	34,242	16,887	17,355	205,450	8.2%	12.2%
22 INFRAS. REPLACE.	68,585	965,753	68,585	897,168	5,794,515	1.2%	0.8%
14 MFT	0	0	0	0	0	#DIV/0!	0.0%
80 POLICE PENSION	234,919	533,250	468,753	64,497	3,199,500	14.7%	16.5%
21 VEH/EQUIP REPLACE.	16,650	102,938	16,650	86,288	617,625	2.7%	0.6%
35/36 DEBT SERVICE	511	62	573	(511)	4,266,877	0.0%	0.0%

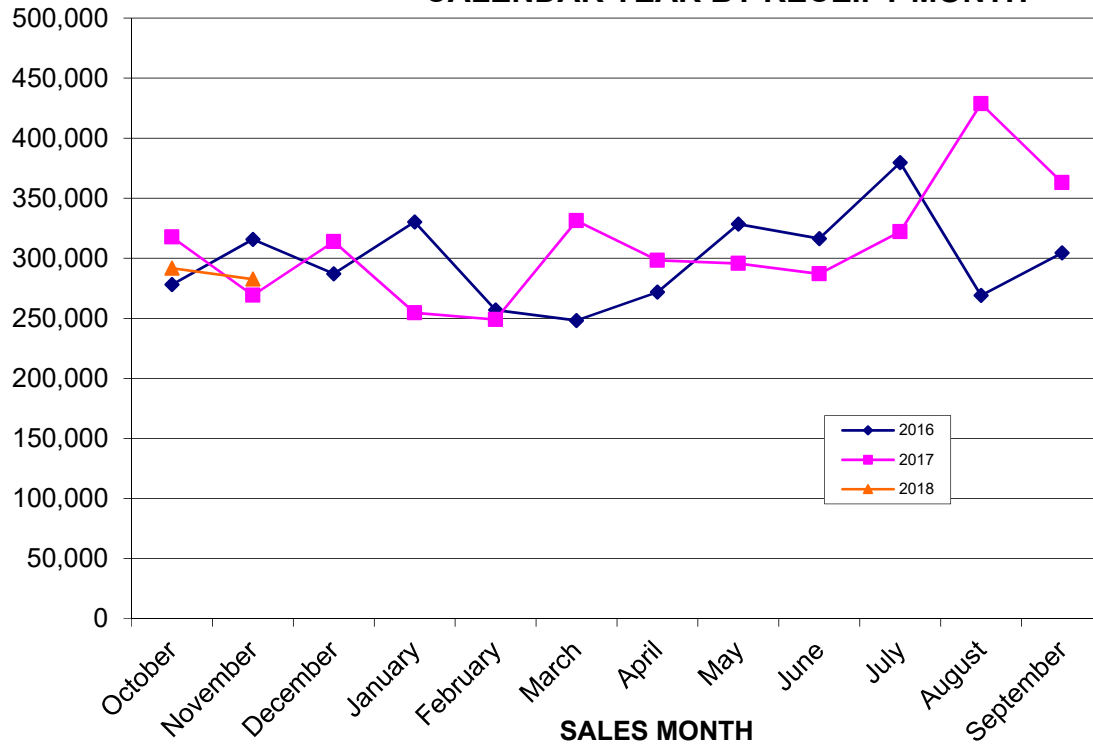
Village of Deerfield
Revenues vs Expenditures
February 28, 2018
(Amounts x 1,000)

FUND:	2018		2017	
	ACTUAL Month	PROJECTED Y-T-D	ACTUAL Y-T-D	ACTUAL Y-T-D
10 GENERAL				
Revenues:				
Property Taxes	27	27	27	6
St Income Tax	207	283	350	204
Sales Tax (non HR)	372	867	727	986
Electricity Tax	138	208	244	228
Telecomm Tax	110	242	227	241
HR Sales Tax	220	542	429	656
Hotel Tax	136	317	251	280
Interest Earnings	39	23	62	19
Fees & Fines	21	51	38	46
Vehicle Licenses	1	1	1	2
Building Permits	55	154	129	160
Other Rev	214	427	313	334
REVENUE	1,540	3,141	2,798	3,162
EXPENDITURES	1,406	3,405	2,656	2,997
Contribution to				
Fund Balance	134	(264)	142	
54 SEWER				
REVENUES	199	518	437	382
EXPENDITURES	199	520	367	383
Contribution to				
Fund Balance	0	(3)	70	
50 WATER				
REVENUES	286	788	635	523
EXPENDITURES	286	731	533	498
Contribution to				
Fund Balance	0	57	102	
70 GARAGE				
REVENUES	27	68	56	59
EXPENDITURES	46	68	71	50
Contribution to				
Fund Balance	(19)	(1)	(15)	
22 REPLACEMENT (Infrastructure)				
REVENUES	139	318	283	1,040
EXPENDITURES	69	966	69	90
Contribution to				
Fund Balance	70	(648)	214	
14 MFT				
REVENUES	44	79	86	84
EXPENDITURES	0	0	0	0
Contribution to				
Fund Balance	44	79	86	
80 POLICE PENSION				
REVENUES	(1,248)	266	189	1,848
EXPENDITURES	235	533	469	467
Contribution to				
Fund Balance	(1,483)	(267)	(280)	

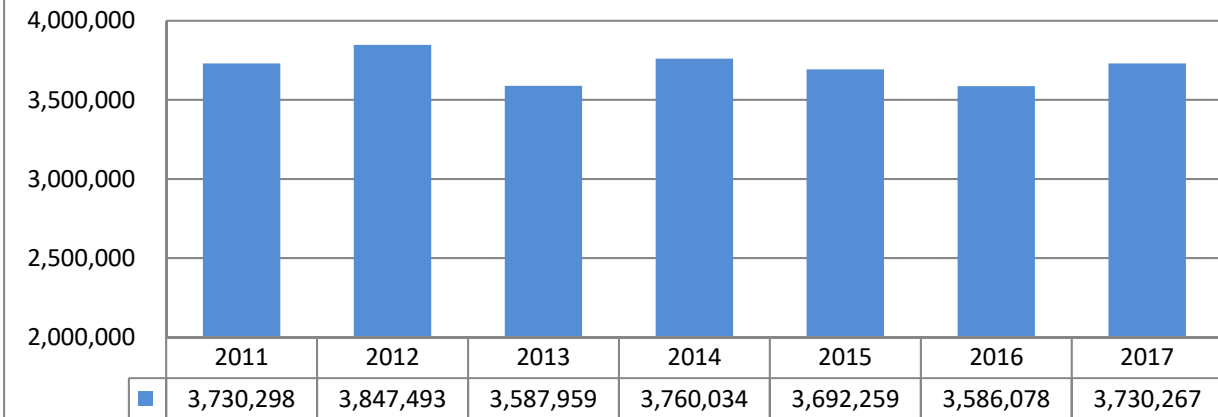
FUND:	ACTUAL Month	2017	ACTUAL Y-T-D	2016
		PROJECTED Y-T-D		ACTUAL Y-T-D
58 REFUSE				
REVENUES	43	91	90	88
EXPENDITURES	116	251	223	222
Contribution to Fund Balance	(73)	(160)	(133)	
35/36 DEBT SERVICE				
REVENUES	17	835	(59)	6
EXPENDITURES	1	0	1	0
Contribution to Fund Balance	16	835	(60)	
60 PARKING				
REVENUES	13	48	33	34
EXPENDITURES	18	57	34	38
Contribution to Fund Balance	(5)	(9)	(1)	
17 ENHANCED 9-1-1				
REVENUES	28	55	52	50
EXPENDITURES	29	75	56	54
Contribution to Fund Balance	(1)	(20)	(4)	
21 VEH/EQUIP REPLACE				
REVENUES	76	139	149	132
EXPENDITURES	17	103	17	6
Contribution to Fund Balance	59	36	132	



SALES TAX RECEIPTS - REGULAR 1% CALENDAR YEAR BY RECEIPT MONTH



SALES TAX RECEIPTS - REGULAR 1% CALENDAR YEAR RECEIPT MONTH



**BILLS & PAYROLL
FOR THE
APRIL 2, 2018
VILLAGE BOARD MEETING**

April 2, 2018 Board Meeting

Vendor	Invoice #	Description	Org	Obj	Total Invoice
1ST AYD CORPORATION	PSI178273	CLEANER & RUST REMOVER	502050	5421	225.61
1ST AYD CORPORATION	PSI178273	CLEANER & RUST REMOVER	702050	5421	243.52
1ST AYD CORPORATION	PSI178313	HYDRANT GREASE	502050	5421	258.55
					727.68
ABC COMMERCIAL MAINTENANCE SERVICES INC	2018-03-19	CLEANING SERVICES - MAR 18	101210	5320	900.00
ABC COMMERCIAL MAINTENANCE SERVICES INC	2018-03-19	CLEANING SERVICES - MAR 18	102010	5320	450.00
ABC COMMERCIAL MAINTENANCE SERVICES INC	2018-03-19	CLEANING SERVICES - MAR 18	102038	5320	150.00
ABC COMMERCIAL MAINTENANCE SERVICES INC	2018-03-19	CLEANING SERVICES - MAR 18	106010	5320	900.00
ABC COMMERCIAL MAINTENANCE SERVICES INC	2018-03-19	CLEANING SERVICES - MAR 18	542052	5320	220.00
					2,620.00
AMERICAN FIRST AID SERVICES INC	62605	FIRST AID SUPPLIES	102010	5410	29.13
AMERICAN FIRST AID SERVICES INC	62605	FIRST AID SUPPLIES	102110	5410	29.11
AMERICAN FIRST AID SERVICES INC	62605	FIRST AID SUPPLIES	502010	5410	29.13
AMERICAN FIRST AID SERVICES INC	62605	FIRST AID SUPPLIES	542010	5410	29.13
					116.50
AMERICAN PLANNING ASSN	0791	JOB AD: PLANNING & DESIGN SPECIALIST	101330	5336	100.00
APCO INTERNATIONAL INC	00036672	TRAINING: FRY	106010	5212	675.00
AQUAFIX INC	23657	BUG JUICE - WRF	542052	5422	3,520.00
ASSOCIATED TECHNICAL SERVICES LTD	29888	LEAK LOCATE - LAUREL/PINE	502050	5365	794.50
AVALON PETROLEUM COMPANY	021376	FUEL - ULTRA LOW SULFUR DIESEL	100000	1510	13,614.00
AVALON PETROLEUM COMPANY	563076	FUEL - REG 10% ETHANOL	100000	1510	16,544.00
					30,158.00
BERNAS, RICHARD	031418	TRAVEL REIMBURSEMENT	106033	5211	286.32
BUILDING & FIRE CODE ACADEMY	50204	COURSE MATERIALS - HANSEN	101330	5212	129.63
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	101111	5550	94.38
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	101330	5550	47.19
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	102010	5550	94.38
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	102110	5550	86.43
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	106010	5550	94.38
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	502010	5550	53.42
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	542010	5550	47.19
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	542052	5550	160.10
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	602019	5550	42.35
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	702050	5550	39.24
CALL ONE	1119314-031518	HARDLINE TELECOM SERVICES: 031518 - 041418	930000	2150	683.81
					1,442.87
CARNER, WESLEY	031218	TRAVEL REIMBURSEMENT (DARE TRAINING)	106033	5415	295.00
CHICAGO AREA RUNNERS ASSOCIATION	103823031418	FAMILY DAYS - ROTARY RACE	101210	5386	250.00
CHICAGO TRIBUNE MEDIA GROUP	CTCM850328	LEGAL NOTICE: PLAN COMM / TENNAQUA	101330	5336	55.49
CHICAGO TRIBUNE MEDIA GROUP	CTCM850329	LEGAL NOTICE: PLAN COMM / CATERPILLAR	101330	5336	74.69
CHICAGO TRIBUNE MEDIA GROUP	CTCM850330	LEGAL NOTICE: PLAN COMM / MASSAGE HEIGHTS	101330	5336	49.09
CHICAGO TRIBUNE MEDIA GROUP	CTCM856006	LEGAL NOTICE: BZA / 636/695 BRIERHILL	101330	5336	57.89
CHICAGO TRIBUNE MEDIA GROUP	CTCM859115	LEGAL NOTICE: PLAN COMM / REVA	101330	5336	122.40
CHICAGO TRIBUNE MEDIA GROUP	CTCM859270	LEGAL NOTICE: PLAN COMM / WALGREENS	101330	5336	216.58
					576.14
CHRISTOPHER B. BURKE ENGINEERING LTD	141979	KATES RD WTR TWR REHAB/012818 - 022418	222082	5362	1,686.60
CINTAS	022600584	MATS - VH	101111	5320	31.50
CINTAS	022603659	MATS - VH	101111	5320	31.50
					63.00
CIORBA GROUP INC	09-23466	PFINGSTEN/KATES RD REHAB/PH III/010117 - 012618	222082	5362	4,379.15
CIORBA GROUP INC	10-23510	PFINGSTEN/KATES RD REHAB/PH III/012718 - 022318	222082	5362	2,484.03
					6,863.18
CITY OF HIGHLAND PARK	009155-022818	WATER PURCHASES - FEB 18	502031	5423	91,186.11
CITY OF HIGHLAND PARK	009530-022818	WATER PURCHASES - FEB 18	502031	5423	12,068.19
CITY OF HIGHLAND PARK	020587-022818	WATER PURCHASES - FEB 18	502031	5423	43,241.18
					146,495.48
CIVILTECH ENGINEERING INC	46363	GREENWOOD AVE/PH II/012718 - 022318	222082	5362	5,265.78
COLLEGE OF LAKE COUNTY	R20671	TRAINING	106010	5212	225.00
COMCAST	0459766-031418	TRN STN INTERNET SRVC: 031818 - 041718	102038	5550	129.85
COMED	0210000007-022118	A/C 0210000007 01/23/2018 TO 02/21/2018	542052	5510	48.37
COMED	0263148072-022118	A/C 0263148072 01/23/2018 TO 02/21/2018	502031	5510	2,099.54
COMED	0297076067-022218	A/C 0297076067 01/24/2018 TO 02/22/2018	542052	5510	191.44
COMED	0441157035-022118	A/C 0441157035 01/23/2018 TO 02/21/2018	102050	5510	53.66
COMED	0507100076-022218	A/C 0507100076 01/24/2018 TO 02/22/2018	542052	5510	456.39
COMED	0593070056-022118	A/C 0593070056 01/23/2018 TO 02/21/2018	102050	5510	48.21
COMED	0603118092-022218	A/C 0603118092 01/24/2018 TO 02/22/2018	542052	5510	48.92
COMED	0744127017-022118	A/C 0744127017 01/23/2018 TO 02/21/2018	542052	5510	41.90
COMED	1093039047-022118	A/C 1093039047 01/23/2018 TO 02/21/2018	602038	5510	22.00
COMED	2055118031-022118	A/C 2055118031 01/23/2018 TO 02/21/2018	102050	5510	58.82
COMED	2763162001-022218	A/C 2763162001 01/24/2018 TO 02/22/2018	502031	5510	247.82
					3,317.07
CORE & MAIN LP	I582380	PIPE COUPLING & GASKETS	502050	5421	433.60
CORE & MAIN LP	I587673	HYDRANT EXTENSIONS	502050	5421	1,179.00
					1,612.60

April 2, 2018 Board Meeting

Vendor	Invoice #	Description	Org	Obj	Total Invoice
CRAFTWOOD LUMBER CO	243711	PAINT FOR MAILBOX REPAIR	102036	5470	9.27
CRAFTWOOD LUMBER CO	243884	MAILBOX REPAIRS	102036	5470	254.85
CRAFTWOOD LUMBER CO	243885	TAPE - WRF	542052	5470	13.78
CRAFTWOOD LUMBER CO	243967	MAILBOX REPAIRS	102036	5470	251.96
CRAFTWOOD LUMBER CO	244210	REPLACEMENT MAILBOX - 1455 ROSEWOOD	102036	5421	99.00
					628.86
CROSS MATCH TECHNOLOGIES INC	290986	FINGERPRINT READERS (50)	176020	5370	2,700.00
CROSS MATCH TECHNOLOGIES INC	291013	MULTI-FACTOR AUTHENTICATION SOFTWARE	176020	5370	9,625.00
					12,325.00
DEBRA J. KOOPMANN & ASSOCIATES LLC	176/197/214/V18002	EAP - FEB/MAR 2018	101111	5365	100.00
DEERFIELD ELECTRIC CO INC	110168	WIRING MODIFICATION - WRF	542052	5322	873.82
DEERFIELD GOLF CLUB	12032017	BOARDS & COMMISSIONS RECEPTION	101210	5387	2,700.96
DUMMIES UNLIMITED INC	18-1082	ARREST/CONTROL TRAINING DUMMY	106034	5810	3,423.30
DYNEGY ENERGY SERVICES	147136818021	A/C 0195097137 01/24/2018 TO 02/21/2018	502031	5510	2,237.87
DYNEGY ENERGY SERVICES	147136918021	A/C 0411051084 01/23/2018 TO 02/21/2018	542052	5510	2,502.22
DYNEGY ENERGY SERVICES	147137018021	A/C 0465035072 01/24/2018 TO 02/21/2018	502031	5510	590.70
DYNEGY ENERGY SERVICES	147137118021	A/C 0606055010 01/24/2018 TO 02/21/2018	502031	5510	1,889.50
DYNEGY ENERGY SERVICES	147137218021	A/C 0822171022 01/24/2018 TO 02/21/2018	542052	5510	1,768.39
DYNEGY ENERGY SERVICES	147137318021	A/C 0927104050 01/23/2018 TO 02/20/2018	542052	5510	1,867.93
DYNEGY ENERGY SERVICES	147137418021	A/C 3547124017 01/23/2018 TO 02/20/2018	542052	5510	16,044.97
					26,901.58
EMPLOYMENT SCREENING ALLIANCE	14036	LIQUOR LICENSE BACKGROUND CHECK	106010	5387	18.50
ENABLED ENTERPRISES LLC	031618	ELECTRIC BIKE BATTERY	106034	5460	300.00
FAMILY SERVICE OF LAKE COUNTY	FEB18	EAP - FEB 18	101111	5365	275.00
FITZGERALD, DAVID	108625	MEETING SUPPLIES	101210	5387	11.08
FITZGERALD, DAVID	311769	MEETING SUPPLIES	101210	5387	74.80
					85.88
FRY, CHRISTOPHER	021918	TUITION REIMBURSEMENT	106034	5122	870.00
GALLS LLC	009358673	APPAREL: HURY	106034	5130	48.99
GALLS LLC	009362828	APPAREL: GLOWACZ	106020	5130	54.52
GALLS LLC	009367584	APPAREL: GOODWIN	106034	5130	35.26
GALLS LLC	009433181	APPAREL: KUPSAK	106034	5130	28.40
					167.17
GERBER - BUFFALO GROVE	1421018488	VEHICLE MAINTENANCE	106034	5326	798.69
GEWALT-HAMILTON ASSOCIATES INC	4382.045-7	WARRINGTON ESSEX DRAINAGE/PH I/121817 - 012118	222082	5990	8,996.50
GHA TECHNOLOGIES INC	10011172	UPS BATTERIES	542052	5322	176.74
GRAINGER INC	9635700546	RETURNED CABLE GRIPS - WRF	542052	5470	(349.72)
GRAINGER INC	9681076080	SPILL KIT - WRF	542052	5470	96.60
GRAINGER INC	9702482366	LIFTING GEAR - WRF	542052	5470	217.86
GRAINGER INC	9716312146	HVAC REPLACEMENT MOTOR - WRF	542052	5470	428.13
GRAINGER INC	9722445880	KEYSTOCK FOR MOTOR - WRF	542052	5470	27.81
GRAINGER INC	9725643812	FUNNELS - WRF	542052	5470	19.11
					439.79
GRAY, GEORGE BARRETT	1043013818	FAMILY DAYS - ROTARY RACE SUPPLIES	101210	5386	69.95
HEALY ASPHALT COMPANY, LLC	12889	COLD PATCH	102050	5421	3,098.37
HIGHLAND PARK FORD	113878	TRAILER HITCH KIT	702050	5470	265.50
HOME DEPOT CREDIT SERVICES	2564579	MAINTENANCE SUPPLIES - WRF	542052	5470	75.83
HOME DEPOT CREDIT SERVICES	3161921	KEYS - WRF	542052	5470	4.76
HOME DEPOT CREDIT SERVICES	3565027	SUPPLIES - WRF	542052	5470	68.70
HOME DEPOT CREDIT SERVICES	4030355	LIGHT BULBS	101210	5460	39.86
HOME DEPOT CREDIT SERVICES	4030355	LIGHT BULBS	106010	5460	92.99
HOME DEPOT CREDIT SERVICES	4202086	RETURN CREDIT - WRF	542052	5470	(59.92)
HOME DEPOT CREDIT SERVICES	6592679	PAINT FOR MAILBOX REPAIRS	102036	5470	13.46
HOME DEPOT CREDIT SERVICES	8065305	PRY BARS	102036	5460	9.97
HOME DEPOT CREDIT SERVICES	9075483	LIGHT BULBS	106010	5460	63.91
					309.56
IAFCI	2018	DUES: LORENZ/TOKARZ	106033	5330	10.00
ILLINOIS ASSN OF WASTEWATER AGENCIES	4301	IAWA CONFERENCE/JANES/022718 - 030118	542052	5210	206.00
ILLINOIS STATE POLICE	022818	LIQUOR LICENSE BACKGROUND CHECKS	106010	5387	54.00
INTEGRATED PROCESS SOLUTIONS INC	PAY APP 2	WILMOT LIFT STATION PUMP REPLACEMENT	222082	5990	5,347.20
INTERNATIONAL POLICE MOUNTAIN BIKE ASSOCIATION	20180308-01	INSTRUCTOR COURSE: DAVIE	106034	5212	825.00
JANES, BRANDON	1043923518	IAWA CONFERENCE - JANES	542052	5211	93.29
JG UNIFORMS, INC	33324	APPAREL: GLOWACZ	106020	5130	437.48
JG UNIFORMS, INC	33325	APPAREL: SCHWARTZ	106034	5130	223.15
JG UNIFORMS, INC	33326	APPAREL: RODRIGUEZ	106034	5130	64.00
JG UNIFORMS, INC	33327	APPAREL: GONZALEZ	106020	5130	60.50
JG UNIFORMS, INC	33328	APPAREL: CETNAROWICZ	106034	5130	303.00
JG UNIFORMS, INC	33620	APPAREL: FERNEAU	106034	5130	158.06
JG UNIFORMS, INC	33621	APPAREL: MALDONADO	106034	5130	158.06
					1,404.25
JOHNSON, RICHARD OR NANCY	620782	TREE APPLICATION REFUND	100001	4232	75.00
KATZ, BRIAN	555625	MAILBOX REPAIR - 301 OAKMONT DR	102036	5470	39.00
KEBCOR.COM	4111-R	TRAINING: HALL	106034	5212	125.00
KIESLER'S POLICE SUPPLY INC	0852185	AMMUNITION	106034	5460	1,902.24
KING'S KENNELS	18-2263	IMPOUND FEE	101111	5325	15.00
KONICA MINOLTA BUSINESS SOLUTIONS	250606015	MFP MAINT/PW-STREETS/010118 - 031218	102010	5322	57.66
LAKE COUNTY TRUCK SALES	51684	MANUAL REGEN - #814	702050	5470	112.50
LAW ENFORCEMENT RECORDS MANAGERS OF IL	041918	CONFERENCE FEE: QUILL	106010	5212	35.00

April 2, 2018 Board Meeting

Vendor	Invoice #	Description	Org	Obj	Total Invoice	
LINDCO EQUIPMENT SALES, INC LINDCO EQUIPMENT SALES, INC	171151E 180008P	REPLACEMENT SNOWPLOW - #802 PLOW STANDS	102036 702050	5322 5470	9,969.00 <u>129.89</u>	10,098.89
LITTLE, BARBARA K.	5278131618	APWA MTG - LITTLE	102110	5410		50.00
LMK TECHNOLOGIES LLC LMK TECHNOLOGIES LLC	32876 33605	LINED SANITARY SEWER MAIN TAP KITS LINED SANITARY SEWER MAIN TAP KIT	542031 542031	5421 5421	1,883.00 <u>1,261.00</u>	3,144.00
MANHARD CONSULTING LTD	33157	NBWVG ASSISTANCE - THRU 02/23/18	102110	5362		5,440.00
MCCOWAN, IAIN B. MCCOWAN, IAIN B. MCCOWAN, IAIN B.	030918 031618 032218	TRAVEL REIMBURSEMENT (PARKING) TRAVEL REIMBURSEMENT TRAVEL REIMBURSEMENT	106034 106034 106034	5211 5211 5211	290.00 66.10 <u>43.51</u>	399.61
MENACKER, NADINE	FEB18	HOME GREETER - FEB 18	101210	5387		200.00
MIDWEST METER INC MIDWEST METER INC	0098868-IN 0098939-IN	WATER METERS WATER METERS	502054 502054	5810 5810	20,302.50 <u>20,265.00</u>	40,567.50
MURRAY, DEVIN MUTUAL SERVICES OF HIGHLAND PARK	621137 558287	TREE APPLICATION REFUND SHOP PAINT	100001 702050	4232 5322		75.00 32.39
NAKAHARA, DANIEL NAKAHARA, DANIEL	173213 PLNZ-21233	EXP REIMB - AICP EXAM REG / NAKAHARA EXP REIMB - AICP COURSE / NAKAHARA	101330 101330	5212 5212	425.00 <u>122.50</u>	547.50
NAPA AUTO PARTS - WHEELING	476450	FILTERS - #310	702050	5470		17.35
NORTH EAST MULTI REG TRAINING NORTH EAST MULTI REG TRAINING	232079 232754	TRAINING: LORENZ TRAINING: YODER	106033 106034	5212 5212	400.00 <u>125.00</u>	525.00
NORTH SHORE GAS NORTH SHORE GAS NORTH SHORE GAS	0601405013-031918 0604546645-032018 0607361216-031618	A/C 0601405013-00001 02/16/2018 TO 03/14/2018 A/C 0604546645-00001 02/16/2018 TO 03/15/2018 A/C 0607361216-00002 02/13/2018 TO 03/13/2018	101111 502031 542052	5520 5520 5520	34.59 230.22 <u>1,997.79</u>	2,262.60
NORTH SHORE TURF INC NORTH SHORE TURF INC NORTH SHORE TURF INC NORTH SHORE TURF INC NORTH SHORE TURF INC	3904 3905 3906 3907 3917	RESET PAVER STONES TREE TRIMMING - TRAIN STATION TREE TRIMMING - CEMETERY LOT MAINTENANCE AND CLEAN UP TREE TRIMMING - METRA LOT	502050 102037 101111 102037 102037	5365 5365 5324 5914 5365	1,295.00 2,152.50 446.25 542.50 <u>1,750.00</u>	6,186.25
NORTHEASTERN ILLINOIS PUBLIC SAFETY	17529	TRAINING: KUHLEIS	106034	5212		200.00
NORTHWEST POLICE ACADEMY NORTHWEST POLICE ACADEMY NORTHWEST POLICE ACADEMY	011118 020818 030818	TRAINING TRAINING TRAINING	106010 106010 106010	5212 5212 5212	90.00 90.00 <u>30.00</u>	210.00
OFFICE DEPOT OFFICE DEPOT	110410115001 116115789001	OFFICE SUPPLIES OFFICE SUPPLIES	106010 101111	5450 5450	69.99 <u>70.76</u>	140.75
O'LEARY'S CONTRACTORS EQUIPMENT O'LEARY'S CONTRACTORS EQUIPMENT	243958 243958	CUT OFF SAW & CART CUT OFF SAW & CART	102050 542031	5440 5440	867.50 <u>867.50</u>	1,735.00
OLSZEWSKI, MARK	1018483718	CDL RENEWAL - OLSZEWSKI	542052	5210		61.41
PDC LABORATORIES INC PDC LABORATORIES INC PDC LABORATORIES INC	890670 890671 891928	INDEPENDENT LAB TESTING - WRF INDEPENDENT LAB TESTING - WRF INDEPENDENT LAB TESTING - WRF	542052 542052 542052	5365 5365 5365	191.65 64.75 <u>114.50</u>	370.90
PEISER, BRIAN OR LISA PETTORELLI, STEVEN A. POLICE LAW INSTITUTE POWERDMS INC	621241 030918 13575 20156	TREE APPLICATION REFUND TRAVEL REIMBURSEMENT MONTHLY TRAINING SUBSCRIPTION SUBSCRIPTION	100001 106034 106034 106010	4232 5211 5212 5370		75.00 201.93 5,120.00 73.11
PRO-SAFETY INC PRO-SAFETY INC	2/847730 2/847770	SAFETY VESTS WORK GLOVES	542031 542031	5460 5460	269.25 <u>141.79</u>	411.04
RADAR MAN INC RED'S GARDEN CENTER INC ROSENTHAL, MURPHEY, COBLENTZ & DONAHUE SALATO, TREVOR SAMPSON, VAL F.	3761 70987 142M03062018 022218 18110	RADAR CERTIFICATION TOPSOIL VILLAGE ATTORNEY SERVICES - FEB 18 TRAVEL REIMBURSEMENT PRINTING - D-TALES MAR/APR 2018	106010 502050 101210 106034 101210	5322 5421 5360 5211 5335		500.00 280.00 14,160.89 131.00 1,975.00

April 2, 2018 Board Meeting

Vendor	Invoice #	Description	Org	Obj	Total Invoice
SE INC	18-183030	VEGETATION CLEAN UP - WATER TOWER PROJECT	502050	5365	1,165.00
SE INC	18-183034	SEAL CEMETERY LIMESTONE CAPS	101111	5324	139.75
SE INC	18-183036	GRAFFITI REMOVAL	102050	5365	95.00
SE INC	18-183049	SNOW REMOVAL/ICE CONTROL - DOWNTOWN/TRN STN	102036	5390	970.30
SE INC	18-183055	WAUKEGAN & DEERFIELD ROADS CLEAN UP	102050	5365	488.75
SE INC	18-183066	TRAIN STATION RAILING REPAIRS	602038	5390	1,374.00
SE INC	18-183068	DEEP CLEANING - TRAIN STATION STRUCTURE	102038	5321	685.00
SE INC	18-183070	TRAIN STATION GROUNDS CLEAN UP	602038	5390	398.00
					5,315.80
SECOND CHANCE CARDIAC SOLUTIONS	18-002-064	AED PADS	106034	5460	300.00
SHERIDAN AUTO PARTS	970108	CHAINSAW FUEL	102037	5420	119.84
SOKORELIS, JOANNA	030918	TRAVEL REIMBURSEMENT (DARE TRAINING)	106033	5415	295.00
STANDARD EQUIPMENT CO	P04544	JETTING HOSE & REEL - #702	542031	5421	1,736.15
STRAND ASSOCIATES INC	0136795	2018 MANHOLE REHAB PROGRAM: 02/01/18 - 02/28/18	222082	5362	1,688.38
SWAGIT PRODUCTIONS LLC	10536	VIDEO STREAMING SERVICES - FEB 18	101210	5364	645.00
THE CARPET GROUP INC	854444899	CARPET / VH OFFICES 007/008/009 / FINAL PMT	101210	5320	1,800.00
THE CHEVY EXCHANGE	58090	REPAIR PART - #706	702050	5470	26.34
THE CHEVY EXCHANGE	58269	SEAT COVER - #809	702050	5470	111.19
					137.53
THEODORE POLYGRAPH SERVICE	6045	PREEMPLOYMENT SCREENING: PUTZIGER	106010	5387	175.00
THOMSON REUTERS - WEST	837661262	CLEAR PLUS: JAN 18	106010	5370	201.75
THOMSON REUTERS - WEST	837825318	CLEAR PLUS: FEB 18	106010	5370	201.75
					403.50
URBAN FOREST MANAGEMENT INC	180214	FORESTRY SERVICES - AD HOC / FEB 18	102037	5365	127.50
URBAN FOREST MANAGEMENT INC	180215	FORESTRY SERVICES - INSPECTIONS / FEB 18	102037	5365	147.50
					275.00
USA FIRE PROTECTION INC	USA056241	2018 ANNUAL INSPECTION: SPRINKLERS/PRE-ACTION	101210	5320	950.00
USA FIRE PROTECTION INC	USA056241	2018 ANNUAL INSPECTION: SPRINKLERS/PRE-ACTION	106010	5320	950.00
					1,900.00
VOLLMAR CLAY PRODUCTS CO	175653	PRECAST CONCRETE INLETS	542031	5421	402.00
WALSTAD, BRUCE	031418	TRAINING: TOKARZ	106033	5212	125.00
WARD, MARGARET	622990	TREE APPLICATION REFUND	100001	4232	75.00
WAREHOUSE DIRECT OFFICE PRODUCTS	3807354-1	OFFICE SUPPLIES	106010	5450	61.53
WAREHOUSE DIRECT OFFICE PRODUCTS	3828653-0	OFFICE SUPPLIES	106010	5450	305.16
WAREHOUSE DIRECT OFFICE PRODUCTS	5917	OFFICE SUPPLIES	106010	5450	23.97
					390.66
WEISS, MATT	000273569	EXP REIMB - WRF SCADA VNC SOFTWARE SUBSCRIPTION	502010	5370	123.75
WEISS, MATT	114-1161415-9969851	EXP REIMB - ID PRINTER INK RIBBON	101210	5460	40.04
WEISS, MATT	114-7129619-7784261	EXP REIMB - PD SQUAD CELL CHARGERS	106034	5460	89.91
					253.70
WHOLESALE DIRECT INC	000232545	CAMERA TRAILER	702050	5470	68.09
WHOLESALE DIRECT INC	00232097	ARROW BOARD - #702	702050	5470	191.42
					259.51
WL CONSTRUCTION SUPPLY INC	17364	CONCRETE SAW BLADES	102050	5470	406.66
WL CONSTRUCTION SUPPLY INC	17364	CONCRETE SAW BLADES	502050	5810	406.65
WL CONSTRUCTION SUPPLY INC	17364	CONCRETE SAW BLADES	542031	5460	406.66
					1,219.97
Total Invoices					\$ 393,185.67
<u>Pre-Paid Checks</u>					
CLERK OF THE CIRCUIT COURT	623961	BOND MONEY TRANSFER	910000	2441	225.00
CLERK OF THE CIRCUIT COURT	625145	BOND MONEY TRANSFER	910000	2441	210.00
Total Pre-Paid Checks					\$ 435.00
<u>Pre-Paid Wire Transactions</u>					
BRIGHT START	PR031618	BS 03/16/18 PR	730000	2058	883.38
DEERFIELD POLICE PENSION	POLPEN031618	POLPEN CONTRIBS 03/16/18 PR	730000	2066	15,665.43
FEDERAL TAXES	PR031618	FICA/MC/FIT 03/16/18 PR	730000	2011	45,194.38
FEDERAL TAXES	PR031618	FICA/MC/FIT 03/16/18 PR	730000	2031	30,546.24
FEDERAL TAXES	PR031618	FICA/MC/FIT 03/16/18 PR	730000	2032	7,143.94
FEDERAL TAXES	PR031618	FICA/MC/FIT 03/16/18 PR	730000	2033	4,526.14
					87,410.70
ICMA	ICMAREG031618	ICMA REG 03/16/18 PR	730000	2042	21,651.65
ICMA	ICMAROTH031618	ICMA ROTH 03/16/18 PR	730000	2042	6,146.46
					27,798.11
ILLINOIS DEPT OF REVENUE	PR031618	SIT 03/16/18 PR	730000	2051	17,027.71
IMRF	IMRFFEB18	IMRF: FEB 18	101111	5140	0.02
IMRF	IMRFFEB18	IMRF: FEB 18	730000	2030	98,930.43
IMRF	IMRFFEB18	IMRF: FEB 18	730000	2092	25,014.79
					123,945.24
Total Pre-Paid Wire Transactions					\$ 272,730.57
Grand Total					\$ 666,351.24

**Village of Deerfield Payroll Summary Report
MARCH 2018**

FUND 10 GENERAL FUND

FINANCE DEPARTMENT

101111	5110	REGULAR SALARIES	\$ 73,593.71
101111	5111	PART TIME SALARIES	-
101111	5112	OVERTIME SALARIES	-

ADMINISTRATION

101210	5110	REGULAR SALARIES	92,694.63
101210	5111	PART TIME SALARIES	733.53
101210	5112	OVERTIME SALARIES	-

COMMUNITY DEVELOPMENT

101330	5110	REGULAR SALARIES	90,687.73
101330	5111	PART TIME SALARIES	821.56
101330	5112	OVERTIME SALARIES	255.78

STREET ADMINISTRATION

102010	5110	REGULAR SALARIES	24,911.33
102010	5111	PART TIME SALARIES	-
102010	5112	OVERTIME SALARIES	497.19

STREET SNOW & ICE REMOVAL

102036	5110	REGULAR SALARIES	-
102036	5111	PART TIME SALARIES	-
102036	5112	OVERTIME SALARIES	24,400.27

STREET FORESTRY

102037	5110	REGULAR SALARIES	-
102037	5111	PART TIME SALARIES	-
102037	5112	OVERTIME SALARIES	59.59

STREET TRAIN STATION MAINT

102038	5110	REGULAR SALARIES	849.91
102038	5111	PART TIME SALARIES	-
102038	5112	OVERTIME SALARIES	-

STREET MAINTENANCE

102050	5110	REGULAR SALARIES	44,949.90
102050	5111	PART TIME SALARIES	-
102050	5112	OVERTIME SALARIES	4,826.64

ENGINEERING DIVISION

102110	5110	REGULAR SALARIES	42,175.67
102110	5111	PART TIME SALARIES	-
102110	5112	OVERTIME SALARIES	\$ -

**Village of Deerfield Payroll Summary Report
MARCH 2018**

POLICE DEPT ADMINISTRATION

106010	5110	REGULAR SALARIES	\$ 67,817.78
106010	5111	PART TIME SALARIES	-
106010	5112	OVERTIME SALARIES	-

POLICE DEPT COMMUNICATIONS

106020	5110	REGULAR SALARIES	78,119.88
106020	5111	PART TIME SALARIES	6,381.40
106020	5112	OVERTIME SALARIES	1,213.69

POLICE DEPT INVESTIGATIONS

106033	5110	REGULAR SALARIES	71,319.75
106033	5112	OVERTIME SALARIES	6,805.98

POLICE DEPT PATROL

106034	5110	REGULAR SALARIES	385,616.44
106034	5111	PART TIME SALARIES	10,164.50
106034	5112	OVERTIME SALARIES	8,767.56

POLICE DEPT SPEC DETAIL (REIMBURSED)

106061	5112	OVERTIME SALARIES	7,281.26
		TOTAL FUND 10	<u>\$ 1,044,945.68</u>

FUND 50 WATER FUND

WATER DEPARTMENT ADMINISTRATION

502010	5110	REGULAR SALARIES	\$ 30,673.49
502010	5111	PART TIME SALARIES	-
502010	5112	OVERTIME SALARIES	497.96

WATER DEPT DISTRIBUTION

502031	5110	REGULAR SALARIES	10,741.25
502031	5112	OVERTIME SALARIES	959.25

WATER MAIN MAINTENANCE

502050	5110	REGULAR SALARIES	23,579.23
502050	5111	PART TIME SALARIES	-
502050	5112	OVERTIME SALARIES	1,311.86

WATER METER MAINTENANCE

502054	5110	REGULAR SALARIES	7,756.87
502054	5111	PART TIME SALARIES	-
502054	5112	OVERTIME SALARIES	202.72
		TOTAL FUND 50	<u>\$ 75,722.63</u>

**Village of Deerfield Payroll Summary Report
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FUND 54 SEWER FUND

SEWER ADMINISTRATION

542010	5110	REGULAR SALARIES	\$ 19,826.42
542010	5111	PART TIME SALARIES	-
542010	5112	OVERTIME SALARIES	-

SEWER LINE MAINTENANCE

542031	5110	REGULAR SALARIES	24,041.94
542031	5111	PART TIME SALARIES	-
542031	5112	OVERTIME SALARIES	1,332.00

SEWER CLEANING

542051	5110	REGULAR SALARIES	17,627.22
542051	5111	PART TIME SALARIES	-
542051	5112	OVERTIME SALARIES	548.08

WASTEWATER TREATMENT FACILITY

542052	5110	REGULAR SALARIES	75,841.10
542052	5111	PART TIME SALARIES	-
542052	5112	OVERTIME SALARIES	2,629.44
TOTAL FUND 54			<u>\$ 141,846.20</u>

FUND 58 REFUSE FUND

REFUSE LEAF COLLECTION

582053	5110	REGULAR SALARIES	\$ -
582053	5111	PART TIME SALARIES	-
582053	5112	OVERTIME SALARIES	-
TOTAL FUND 58			<u>\$ -</u>

FUND 60 PARKING LOTS - RESIDENTIAL

COMM PARK COMBINED REVENUE

602019	5110	REGULAR SALARIES	\$ 1,476.83
602038	5110	REGULAR SALARIES	1,476.83
602038	5112	OVERTIME SALARIES	-
TOTAL FUND 60			<u>\$ 2,953.66</u>

FUND 70 GARAGE FUND

GARAGE FUND EXPENDITURES

702050	5110	REGULAR SALARIES	\$ 19,355.41
702050	5112	OVERTIME SALARIES	2,375.89
TOTAL FUND 70			<u>\$ 21,731.30</u>

TOTAL ALL FUNDS \$1,287,199.47

To the Finance Director:

The payment of the above listed accounts has been approved by the Board of Trustees at their meeting held on April 2, 2018 and you are hereby authorized to pay them from the appropriate funds.

(Treasurer)

REQUEST FOR BOARD ACTION

Agenda Item: 18-33

Subject: Appeal of the Appearance Review Commission's Decision to Deny a detached canopy structure at 99 S. Waukegan Road, Chick-fil-A

Action Required: Consideration of Appeal

Originated By: Joseph F. Vavrina, Senior Project Manager at HR Green, representing Chick-fil-A

Referred To: Mayor and Board of Trustees

Summary of Background and Reason for Request

On February 26, 2018, the Appearance Review Commission conducted a final review of the 99 S. Waukegan Road project. Included in the proposal is a freestanding canopy for Chick-fil-A. The 44' by 25'-8" canopy covers the 2 menu board signs along with two lanes of the drive-thru queuing. The ARC found the structure to be similar in size and look to a gas station canopy, unattractive and not in keeping with the architectural character of the site and the community. The petitioner disagrees and therefore wishes to appeal the decision of the Appearance Review Commission, who unanimously denied, in their view, an unnecessary freestanding canopy structure.

Reports and Documents Attached:

Appeal letter from Joseph Vavrina, Senior Project Manager at HR Green representing Chick-fil-A
Memo from Jean Spagnoli, Village Planner dated March 6, 2018
Minutes from Appearance Review Commission meetings held on November 27, 2017, December 11, 2017 and February 26, 2018 (99 S. Waukegan Road portion only).
Petitioner's exhibits: site plan, photos of similar canopies, drawing of freestanding canopy, floor plan and elevations (99 S. Waukegan Road portion)

Date Referred to Board: 04-02-2018

Action Taken: _____



▷ 420 North Front Street | Suite 100 | McHenry, IL 60050
Main 815.385.1778 + Fax 815.385.1781

▷ HRGREEN.COM

March 19, 2018

Village of Deerfield
Mr. Kent Street, Village Manager
850 Waukegan Road
Deerfield, IL 60015

RE: Appearance Review Commission – Drive-Thru Canopy Appeal Request Letter
Chick-fil-A – 75S. Waukegan Road
HR Green Job No.: 171466

Dear Mr. Street:

On behalf of our client, Chick-fil-A, we would like to formally request an appeal before the Village Board to the Appearance Review Commission's (ARC) denial of the canopy proposed within the drive-thru facility. For purposes of supporting the appeal, I will first outline the function and purpose of the canopy and then address what I understood as one of the main concerns that were brought up by the Appearance Review Commission.

Chick-fil-A has been known for many years to provide an efficient, friendly, and accurate drive-thru experience for their guests. In fact over the last ten years Chick-fil-A has won best drive-thru in America as determined by a nationally recognized quick service authority. Out of all the quick service restaurants surveyed, Chick-fil-A scored the highest in order accuracy, friendliness of the order takers, and speed of service. In an effort to continually improve the drive-thru guest experience, Chick-fil-A is constantly exploring new innovations to enhance operations and in many respects have been known as the leaders in the industry in implementing cutting edge ideas to enhance their business. Chick-fil-A was one of the first quick service restaurants to move to an isolated dual lane drive-thru concept that separated the drive-thru lane from the parking lot rather than the traditional layout that typically wrapped the drive thru lane around the store with the parking located on the periphery of the site. This new concept provided a safer guest experience as their dine-in customers no longer had to dodge cars stacking in the drive-thru lane to get into the store. In addition to the enhanced safety the isolated concept provided, it also added a second order point and an extra drive thru lane to increase efficiency while providing more area to stack vehicles keeping them out of the parking lot and adjacent roadways.

Not long after the isolated concept was implemented, Chick-fil-A started to look at ways to further increase efficiency and reduce transaction times from order placement to pickup of food. The challenge Chick-fil-A faced was how to increase the amount of orders that can be placed and sent to the kitchen beyond the two they were limited to with the two order points so that the food is ready by the time the guests reach the pick-up window. Chick-fil-A then began to implement face-to-face ordering in the drive-thru, which stations team members in the drive-thru lanes with iPads to personally take orders from the drive-thru guests. Typically there will be two to three team members per lane in the ordering zone to speed up the process of placing the order, give the kitchen more time to prepare the food so that they can move cars through the drive-thru lane more quickly. As team members began to spend more and more time outside exposed to the elements, Chick-fil-A realized the importance of creating a more comfortable environment for them. As such, the idea of the canopy was developed which provides shelter over the ordering zone of the drive-thru lanes in order to protect the team members from rain, snow, cold, and heat. The canopy not only shields the team members from rain and snow but also provides some temperature control through the use of fans for cooling in the summer and heaters for heat in the winter. As an added benefit, the guest experience is also enhanced by providing customers with a protected area in which they can feel safe rolling down their car windows to place their order regardless of the weather. Chick-fil-A has and will always strive to provide not only the best guest experience but also employee experience. It is from that philosophy that Chick-fil-A chose to invest the capital to roll out the canopy on all new stores moving forward and in a phased roll out on existing restaurants. From a materials standpoint, the canopy is all metal that would be painted dark bronze to tie into the dark bronze metal awnings, coping, and storefront for the building to provide a consistent look amongst all the site amenities.



The main concern expressed by the ARC Committee was in reference to the mass of the structure. The design intent of the dimensions of the canopy was to provide shelter for enough cars/team members to maximize the number of orders that can be taken under protection of the canopies. The canopy provides protection for three car windows in each lane for a total of six cars protected while ordering. The approximate 10' height of the canopy has been minimized while meeting the minimum clearance requirements for the canopy and the fixtures mounted beneath it. In relation to the mass of the Chick-fil-A building itself and the Northshore Medical building immediately adjacent to it, the canopy's scale is actually quite minimal. The canopy has been located in an area of the site that is the least visible from either Waukegan Road or Lake Cook Road. The canopy is located over 200 feet from Waukegan Road and over 180 feet from Lake Cook Road; while being positioned behind a two story medical office building. In addition to this, the landscape plan has also been enhanced to strategically locate a variety of tree species in and around the canopy to not only block visibility of it from the surrounding public streets, but to also provide interest. We have numerous perspectives and animations we would like to present to the Board that will show visibility of or lack thereof of the canopy from various viewpoints of the project.

We respectfully request, on behalf of our client, Chick-fil-A, we be placed on the April 2, 2018 Village Board meeting to present the aforementioned appeal. If you have any questions or need additional information to process the appeal request, please do not hesitate to contact me at 815-759-8363.

Sincerely,

HR GREEN, INC.

A handwritten signature in black ink, appearing to read 'Joseph F. Vavrina'.

Joseph F. Vavrina, PE, LEED-AP
Senior Project Manager

JFV/dmw

ltr_ARC Appeal-031918-final.docx

Memorandum

To: Kent Street, Village Manager

From: Jean Spagnoli, Planner

Date: March 6, 2018

Subject: Appeal of ARC Decision, Chick-fil-A, 99 S. Waukegan Road:
detached accessory structure

On November 27, 2017 and December 11, 2017, the Appearance Review Commission conducted a preliminary review of the 99 S. Waukegan Road development project. On February 26, 2018, the petitioners came back to the Appearance Review Commission for a final review and approval. Minutes of the ARC meetings are attached. The Appearance Review Commission did not approve all of the requested items, one of which was the proposed detached canopy structure for Chick-fil-A. The Chick-fil-A petitioners wish to appeal this decision to the Mayor and Board of Trustees.

The Chick-fil-A petitioners proposed two very large canopy structures. One of which covers the drive-thru window, attached to the north elevation of the Chick-fil-A building, measuring 56'-0" x 11'-1". The other canopy is a freestanding structure which measures 44'-0" x 25'-8" and covers the menu board signs. The Appearance Review Commission unanimously denied the proposed freestanding canopy.

Findings

1. The proposed freestanding canopy (44'-0" x 25'-8") is similar in size to the gas station canopies in the Village. The BP canopy, 1460 Waukegan Road is 64' x 24' and the Shell canopy, 655 Waukegan Road is 52' x 32'.
2. None of the drive-thru facilities within the Village of Deerfield have a large freestanding canopy over their menu board signs.
3. None of the other Chick-fil-A's in the Chicagoland area have a detached canopy structure as part of their site development.
4. According to the petitioners, the purpose of the canopy is to provide cooling and heat for their employees during inclement weather. If needed, employees would be outside taking orders under the canopy for a couple hours at lunch and at

dinner time. Therefore, for the few hours of use, the ARC sees no necessity for having the canopy structure.

5. A gas station style canopy next to the Northshore Medical Group office building is unattractive and detracts from the quality of the architectural character of the buildings and site.
6. The Appearance Code states: *Structures shall be an appropriate scale and mass to be harmonious with their sites, neighboring buildings and developments, and the community.* The ARC finds the detached canopy structure to be too large in mass and not harmonious or compatible with the development and the community.
7. Proposed is landscape screening of the freestanding canopy which was found to be insufficient. It takes years to grow mature trees and the specified trees are deciduous, losing their leaves in fall. Thereby, allowing a clear view of the structure for approximately 7 months out of the year.

Conclusion

The Appearance Review Commission finds the Chick-fil-A detached canopy structure unnecessary and unattractive, looking like a gas station canopy, way too large in mass. All of which is not in keeping with the Deerfield Appearance Code.

Attachments

- Letter of Appeal from Joseph F. Vavrina, Senior Project Manager with HR Green representing Chick-fil-A
- Minutes from Appearance Review Commission meeting held on November 27, 2017; December 11, 2017; February 26, 2018, pertaining sections.
- Exhibits provided by petitioners: site plan, photos of similar canopies; drawing of freestanding canopy, floor plan and elevations.

Appearance Review Commission

Meeting Minutes

November 27, 2017

A meeting of the Appearance Review Commission was held on Monday, November 27, 2017 at 7:30 p.m. at the Village Hall Conference Room, 850 Waukegan Road, Deerfield, Illinois. Chairperson Lisa Dunn called the meeting to order at 7:30 p.m.

Present were

Beth Chaitman

Lisa Dunn, Chairperson

Sherry Flores

Tony Fulmer

Jason Golub

Elizabeth Low (Arrived 7:39 pm)

Absent was:

Daniel Moons

Also Present:

Jean Spagnoli, Village Planner

Jeri Cotton, Secretary

Business:

4. 99 S. Waukegan Road – Redevelopment, Preliminary Review

Brett Katz, President of Aries Real Estate, James Thornmeyer, Architect with OKW Architects, Josh Levy, President of Levco Developent, Joseph Vavrina, with HR Green and Kathryn Maxwell Talty with K M Talty Design were present. Mr. Katz explained they would like to redevelop the former Office Depot location into two buildings. One will be a standalone Chick-Fil-A restaurant with a drive thru and the other, an 8000 square foot building, would have the potential for another drive thru. Mr. Thornmeyer indicated they tried to find one tenant, but the size and shape of the existing building were not favorable. He noted the Chick-Fil-A restaurant will be located on the north end of the property. The proposals of the retail building could have a drive thru on the north endcap. Mr. Thornmeyer explained they will reuse the three access points to the property, as they have cross access agreements already in place. He indicated they are trying to reuse as much of the property as possible including curb cuts, fencing and landscaping materials. The existing curb and gutter are within 2 feet of the right-of-way,

so they are unable to add additional landscaping at that area. If they are required to have a 7 foot landscape strip, the retail building gets 10% smaller and the number of the parking spaces will be reduced.

Ms. Talty reviewed the preliminary landscape plan. She is in process of inventorying the existing landscaping. One of the primary objectives for the landscape plan is to maintain as much of the existing landscaping as possible. There is currently a 7' cedar stockade fence that will be maintained as well as a vegetative border along the fence. Ms. Talty explained the parking adjacent to Waukegan Road has a significant grade change. They reconfigured the parking slightly along the entry to establish some landscaping that will be more visually impactful. Ms. Talty noted the master planting list show examples of what may be used. As the tree inventory develops, they will determine which species will enhance the landscaping.

Mr. Thornmeyer showed the conceptual retail configurations. They propose adding flexibility for the mix of tenants as well as natural light. They propose stone at the base of the building to help break up the horizontal elements. The storefront frames and coping colors will be a range of bronze. The signage will be located on a metal panel on a raceway painted to match the backdrop color. The rear (east) elevation have an EIFS material that mimics brick. The trash enclosure for the retail building will match the building colors and materials. There will be a aluminum canopy on the west elevation.

Mr. Thornmeyer showed the proposed monument signs. One monument sign is proposed for Lake Cook Road, and will be centered within the landscape panel. This sign would have two tenants; Chick-Fil-A will be shown on both signs. The second sign will have four tenants and will be located on Waukegan Road.

Mr. Vavrina discussed the Chick-Fil-A building which will be an all brick building with bronze coping. The proposed signage will include an icon sign above the main entry. The other three elevations will have script signs. Mr. Vavrina explained the proposed signs will be above the roof deck, so they are proportionate to the building. The sign sizes comply with the sign provisions.

Mr. Vavrina explained they added a patio on the southwest corner with four tables with up to four seats each. The patio area will be fenced in for safety. The outdoor seating tables will each have an umbrella. The patio furniture will be stored offsite for the winter.

Ms. Low asked if the outdoor seating is ADA accessible. Mr. Vavrina indicated they would have one accessible outdoor table. Ms. Low asked about the trash enclosures. Mr. Varina explained the 6' high trash enclosures will be located adjacent to the parking area. They have mature vegetation and a significant buffer to assist with the noise and will add additional landscaping behind the trash enclosure.

Ms. Low expressed concern about the canopies. Mr. Vavrina explained the canopies are a new addition for Chick-Fil-A to provide some relief for the employees. The proposed canopy is 48' long x 20' wide and would be located in the 24' x 44' stacking area. Ms. Low questioned the hardship for the canopy. Mr. Vavrina explained they are adding the canopies for the safety and comfort of the employees. Mr. Levy noted they will bring wider images showing the canopies. Mr. Vavrina noted the rainwater will be internally collected, so there are no gutters near the canopies. The commissioners expressed concern about traffic exiting on Waukegan Road.

The commissioners discussed the proposed Chick-Fil-A wall signs. The front (south) elevation will have a 35 square foot icon sign. The sign will be a box sign that would be located 3.5' above the roof deck. The sign will be mounted at 13'9" from grade. The roof deck height is at 17'4". Ch. Dunn believes the sign could be brought down as it does not appear centered. Ms. Spagnoli noted the Commission could approve a sign that is 3' above the roof deck. The commissioners would prefer the sign be brought down by 6" so there is no variation.

The north (drive thru) elevation sign will be 58.75 square feet. The proposed sign is 4.5 feet above the roof deck. Mr. Vavrina explained bringing down the sign would make the sign go down to the darker brick. Ms. Low questioned whether the sign would be visible due to the medical building, canopy and grade change. Mr. Vavrina explained the sign would be visible from the signal going southbound on Waukegan Road. Mr. Levy believes the sign is necessary to provide a retail feel to the building. Ch. Dunn questioned whether the sign needs to be as large. Mr. Vavrina believes making the script smaller would make it less readable from the intersection of Lake Cook and Waukegan. The three script signs would have a 60" high "C". Ms. Low requested the ® be removed from the signs. Ch. Dunn noted if the signs were lowered, variations may not be required. She suggested bringing down the lighter brick color to the canopy and lowering a smaller sign so variations are not required. The commissioners would prefer keeping the sign within 3' of the roof deck.

The commissioners discussed the front (west) elevation facing Waukegan Road. The proposed sign is 58.75 square feet and is currently 3.6" above the roof deck. Ch. Dunn suggested bringing down the sign so a variance is not required. The commissioners agreed.

The commissioners discussed the rear (east) elevation that faces residential. Mr. Vavrina questioned the need for a large sign facing houses. Ch. Dunn questioned who would be able to see the sign, other than the neighbors. Mr. Vavrina noted they could make that sign smaller. He explained that there are no other signs that would be visible from Lake Cook Road. Ch. Dunn does not believe the sign would be visible from Lake Cook Road. The commissioners would not be in favor of having a sign facing residential.

The commissioners discussed the proposed ground signs. Mr. Katz noted the background color for the ground signs would be the same. Mr. Levy added they want

the signs to be sharp and sophisticated. There will be a uniform background and font color. The Waukegan Road monument sign will sit in a landscape bed. The Lake Cook sign will have low level shrubs around it. Mr. Thornmeyer noted they would not add a berm to make the sign higher. Ms. Spagnoli noted the Panera Bread monument sign is exactly the same size as the larger Waukegan Road sign.

Ch. Dunn asked about the landscape screening. Ms. Spagnoli noted the Zoning Ordinance requires peripheral screening of at least 4 feet high in the front yard. The Appearance Code requires a minimum of a 5 foot wide landscape buffer surrounding the lot perimeter, which shall be increased to 7 feet if the parking is perpendicular to the buffer. Ms. Spagnoli noted the petitioner is asking to completely remove this requirement. Ms. Low noted the Appearance Code also requires breaking up the parking lot with landscaping. Ms. Talty noted they have a large planting island along the drive thru lane, which is not typical in a parking lot. Ms. Spagnoli suggested adding landscaping along Waukegan Road. Ms. Low believes additional tree islands are needed along Waukegan Road and also should be added for an additional buffer between residential. Mr. Golub noted the drive aisle is 32' wide while most drive aisles are 22' - 24' wide. Mr. Thornmeyer noted the retail building would have to be reduced by 10%. The commissioners would prefer adding landscape planting areas. Ch. Dunn suggested beautifying the fence and adding landscaping. Mr. Levy noted they need every parking space, and need to ensure the development makes sense economically. He explained the site is challenging and it is critical to maintain the curb along Waukegan Road. They would look at reducing the drive aisle as well. Mr. Fulmer expressed concern about potential salt spray from Waukegan Road. Ms. Low recognizes that area is extremely challenging, but would like islands added in the parking lot and landscaping enhancements near the residential. Mr. Golub is not in favor removing the landscaping along Waukegan Road. Mr. Katz indicated their team would look at what can be done.

Ch. Dunn noted the Commission would like to see the canopies as well as the lighting plan.

The commissioners discussed the proposed retail building. Ms. Low questioned the size of the trash enclosure. Mr. Katz noted the lease agreement with Chick-Fil-A requires no sit down restaurants and no more than one additional restaurant on the site. Ms. Chaitman indicated the retail building looks utilitarian. Mr. Thornmeyer explained they introduced piers in assumed demising locations. The commissioners discussed the signage. Mr. Thornmeyer explained the signs would be mounted on a raceway, which could be flush within the fiber cement panel. Ch. Dunn understands the petitioner is trying to compliment the other buildings in the area, but does not believe it has architectural substance.

The petitioner will try to get the information together for the next Appearance Review Commission meeting.

Appearance Review Commission

Meeting Minutes

December 11, 2017

A meeting of the Appearance Review Commission was held on Monday, December 11, 2017 at 7:30 p.m. at the Village Hall Conference Room, 850 Waukegan Road, Deerfield, Illinois. Chairperson Lisa Dunn called the meeting to order at 7:30 p.m.

Present were

Lisa Dunn, Chairperson
Sherry Flores
Tony Fulmer
Jason Golub
Daniel Moons

Absent was:

Beth Chaitman
Elizabeth Low

Also Present:

Jean Spagnoli, Village Planner
Jeri Cotton, Secretary

Business:

3. 99 S. Waukegan Road – Redevelopment, Preliminary Review (continued)

Brett Katz, President of Aries Real Estate, Mike Fitzgerald, Architect with OKW Architects, Josh Levy, President of Levco Development, Jason Hill, Development Manager with Chick-fil-A and Kathryn Maxwell Talty with K M Talty Design were present.

Mr. Fitzgerald showed the photometric plan that incorporates the pole mounted light fixtures for the parking area, decorative wall fixtures for the building, utilitarian wall fixtures for the service areas, under canopy lighting for Chick-fil-A and wall mount fixtures for general lighting around the site. The photometrics show the light level at the east property line are 0.0 – 0.1. The photometrics show 0.2 – 0.8 at the Waukegan Road property line. There is a row of parking between Chick-fil-A and the North Shore Health building that has some light fixtures for parking and the drive aisle, for use by North Shore Health. The lighting spills over the lot line, as it serves North Shore Health.

The average foot candle is 0.4, the parking lot foot candle is 1.1 and the maximum foot candle is 2.6. Mr. Fitzgerald noted they may need to make some adjustments to the building light locations to accommodate the proper photometrics.

Mr. Hill reported the flag pole is 30 feet high. The light for the flag pole will be in a landscape bed. The commissioners were okay with the various fixtures, as presented. The commissioners expressed concern that there is some light spillage near the residential. Mr. Fitzgerald questioned whether the photometrics plan considered the fence and trees. He will ensure the fence and plantings are considered in the photometric plan. If it still spills over the property line, he will lower the 15 foot high fixture to get the photometrics to 0.0 at the residential lot line.

Mr. Fitzgerald explained they will have wall fixtures on the front (west) elevation. There will be service lighting above the five service doors on the east elevation as well as two service packs on the south elevation.

Mr. Fitzgerald discussed the proposed signage. They were initially concerned with the penetration of the signage on the façade, so they proposed a raceway. Mr. Fitzgerald explained they worked with the clients and propose two scenarios to mount signage. When mounting signage into the masonry, they will have individual flush mounted internally illuminated letters pinned into mortar joints. Signage on the fiber cement materials will have internally illuminated letters mounted onto a metal backer panel in a matched color that will be mounted to the building. The panels and signage will be replaced when the signage needs to be changed. The panel height will be consistent, but the length will vary. There will be space between the letters and the end of the sign panel.

The east elevation will have EIFS painted to match the brick along with a cast stone base. The cast stone base will be about 4 feet high. The eastern half of the north elevation and southern third of the south elevation will have EIFS. Mr. Moons does not believe painted EIFS should be placed on the north and south elevations, but he is okay with the painted EIFS on the east elevation. Mr. Fitzgerald explained they can use a super reinforcing mesh on the lower portion of the building. Mr. Moons expressed concern that the EIFS would not hold up as well over time. Mr. Fitzgerald believes wrapping to corner is appropriate and the metal frame that wraps around the fibrous cement would be the correct place to change materials. Mr. Golub does not believe the Commission has approved a building that is more than 50% EIFS. Ch. Dunn noted this is a smaller building than Deerbrook, but is a 4-sided building. The commissioners are okay with the EIFS on the east elevation, but not on the side elevations. The petitioner will look into replacing the EIFS.

Mr. Fitzgerald discussed the proposed monument sign and provided the dimensions for the tenant panels. The tenant panels will be approximately 5 feet wide. The Lake Cook Road ground sign will have smaller tenant panels with 2 feet 5 inches wide x 1 foot 2 inches high. The tenant panels will be a silvery white color letters with tenant selected fonts. Ms. Spagnoli noted the ground sign can be only 1 foot deep. It is currently just

over 2 feet. The commission can provide a variation. Mr. Fitzgerald indicated they could narrow the signs. Mr. Fitzgerald will speak with his sign manufacturer. The petitioners will bring forth more detail about reducing the depth of the sign for possible fast track consideration.

The petitioner will look into the rear and sides of the building, the width of the monument signs and the lighting along the east elevation.

Ms. Talty discussed the changes to the landscape plan. She inventoried the trees that were located in the survey. They are looking to keep a number of existing trees. Most of the canopy trees along the fence to the east are on private property. Ms. Talty noted they also added trees and bump outs. They strategically placed trees to accommodate headlights. The 7 feet 4 inches fence needs to be maintained.

Other landscape changes include relocating the entry monument sign to make it more of an entry to the development. The monument sign is a element in the landscaping. The Chick-fil-A trash enclosure has moved slightly, and will be treated with landscaping material. Mr. Fulmer questioned the use of the Endor Juniper. Ms. Talty noted that is a place older for a low growing juniper. They will also add plantings round the flag pole.

Mr. Golub questioned the difference between the planting along Waukegan Road and the planting near the drive thru. Ms. Talty indicated they would specify salt tolerant planting. The commissioners suggested hiding the fence with plantings. Ms. Talty will look into improving the look of the fence with plantings.

The commissioners discussed the Chick-fil-A building. Mr. Hill explained they changed the building to push the canopy back 40 feet from Waukegan Road, making a more attractive view for pedestrians. This will cause them to lose a couple of stacking spaces for the drive thru. Mr. Hill explained they removed the east elevation sign, so there will not be signage facing residential. They will also incorporate directional signage. The materials will be the same as presented at the last meeting. The materials will coordinate with the materials in the multi-tenant building, but will not have EIFS. The proposed light fixtures and awnings will be dark bronze. The dumpster structure will be all brick with composite wood gates. It should match the building.

The commissioners discussed the proposed signage. If the petitioner pushes the signs down too low, it would leave a lot of empty white space. They made it work above the entrance. The north elevation is doable but the west elevation creates a challenge because of the roof deck slope and the awning tiebacks. Mr. Hill asked the commissioners to consider the sign 3 feet 11 inches above the roof deck.

Mr. Moons believes the front (west) sign could be lowered and still look good. Mr. Hill could work with the Commission by lowering the sign by 6 inches. The commissioners agreed if the sign was lowered by 6 inches. They also believe the north elevation sign needs a variation. The commissioners were okay with the north and south elevation wall signs and would be in favor of lowering the west elevation wall sign by 6 inches.

The commissioners discussed the proposed canopies over the menu boards, which are approximately 10 feet high. Mr. Hill explained the purpose of the canopies is to provide team members with a comfortable area during inclement weather. The drive thru provides a more comfortable space for their employees to take orders. Ch. Dunn does not like the way the canopy looks as it will be visible from both Lake Cook and Waukegan Roads. She does not believe it is aesthetically appealing. Mr. Moons questioned why the lighting is over the passenger side of the right drive thru. Ms. Taltry noted they added landscaping to soften the overhang canopy. Mr. Levy believes the North Shore Medical building blocks the view from Waukegan Road.

Ms. Flores is not sure she likes the appearance and would prefer it not be visible from both Lake Cook and Waukegan Roads. Mr. Golub does not understand the point of the canopy but understands the petitioner's concern. Mr. Moons does not view it as a necessity, noting other drive thru facilities do not have canopies. Mr. Fulmer agreed. Ch. Dunn would prefer less mass. Mr. Hill believes the mass is needed based on the number of cars and team members.

The commissioners discussed the menu boards. Mr. Hill explained the order boards flip around for breakfast or lunch/dinner. They propose two 34 square foot menu boards. Although ground signs are typically 32 square feet maximum, other drive thru signs are larger.

The commissioner discussed the proposed variations. They believe the parking lot setbacks should meet the current requirements. Mr. Golub does not believe adding 2 additional shade trees and the additional landscape islands is enough. The commissioners are okay with proposed vines added to the east fence landscaping, the three bump outs in the parking lot and the trash enclosure screening. The petitioner will email the depth of the monument sign for possible fast track consideration.

Appearance Review Commission

Meeting Minutes

February 26, 2018

A meeting of the Appearance Review Commission was held on Monday, February 26, 2018 at 7:30 p.m. at the Village Hall Conference Room, 850 Waukegan Road, Deerfield, Illinois. Chairperson Lisa Dunn called the meeting to order at 7:33 p.m.

Present were

Lisa Dunn, Chairperson
Sherry Flores
Tony Fulmer
Jason Golub

Absent were:

Beth Chaitman
Elizabeth Low
Daniel Moons

Also Present:

Jean Spagnoli, Village Planner
Jeri Cotton, Secretary

3. 99 S. Waukegan Road Redevelopment, final review:

Brett Katz, President of Aries Real Estate, Mike Fitzgerald, Architect with OKW Architects, Josh Levy, President of Levco Development, Kathryn Maxwell Talty with K M Talty Design and Joe Vavrina, HR Green were present. The petitioners discussed the items that changed or required clarification from the last meeting.

Site Lighting

Mr. Levy explained the site lighting was revised to provide zero bleeding (zero foot candle) on Waukegan Road and on the neighboring residential property.

Elevation and Materials

Mr. Fitzgerald showed the proposed materials. The west elevation is comprised of 1/3 brick and 2/3 fiber cement ribbing. The east façade, they propose a cast stone base and an EIFS product to simulate brick. The EIFS product would be backed with a reinforcing, high impact mesh. Mr. Fitzgerald showed a sample of the EIFS product that creates a sense of true brick with a mortar joint and a fake face brick to match the proposed real brick. This material would also turn the corner on the north and south sides, along with the cast stone base. Mr. Fitzgerald explained there are a number of layers of high density and tensile strength fiber mesh, which would make it virtually impact free. It would be 8' above grade to make it indestructible. Above the 8', they would use the standard EIFS material. Mr. Fitzgerald explained the material would be used on the rear elevation and would have the appearance of brick. He believes this

material has a better aesthetic than a precast. Ms. Flores asked for an address of a nearby location that utilizes this material. Mr. Golub questioned why the EIFS would not be used on the entire building, so it all matches. Ms. Spagnoli read the Appearance Code, which prohibits EIFS from being used as the primary material and requires the same materials be used on all elevations that are visible to the public. Mr. Fitzgerald indicated the east elevation is the service area. He does not anticipate any patrons using doors on the east façade. Mr. Fitzgerald does not believe the EIFS is the primary material. From a cost standpoint, this project cannot support brick around the entire building. They are trying to get a durable material with a high quality appearance.

Mr. Katz spoke with the sign manufacturer about the ground sign depth. The manufacturer explained that the LED and internal post requires the depth to be at least 2' to avoid shadows. Ch. Dunn noted the Trustees granted the 24" depth.

Landscaping Plan

Ms. Talty tried to create enough variety within the plant species while using materials that would be tolerant to the parking lot situation. She also looked for plantings that are readily available. There will be some additional landscape around the multi-tenant building, including the possibility of pots. The perimeter landscaping is shown in great detail. Ms. Talty explained they added vines to cover some of the fence. She specified a plant material that could tolerate partial shade/partial sun conditions. Plants along the perimeter are strategically placed to screen the drive-thru from the residential. She used plants that have multi-seasonal value, including low evergreens. The majority of the plants have flowering qualities or fall color. The lawn areas were reduced as much as possible, for watering purposes.

Mr. Fulmer made some suggestions on specific planting materials. He noted they are having trouble with some of the listed planting materials. Ms. Talty will look at alternate materials. Ch. Dunn questioned the gap along the fence on the southern portion. Ms. Talty strategically concentrated the trees. Mr. Levy noted the plantings appear a lot fuller.

Freestanding Canopy

Mr. Vavrina showed perspective drawings including a birds-eye view. He explained the canopy is intended not to stand out. Ch. Dunn still believes the canopy looks like a gas station. The trees are not always going to be in bloom and she does not like the concept of the canopy, especially wedged between the two buildings. Mr. Golub noted other Chick-Fil-A locations do not have the large 56' long overhead cover that stick out 11' off the building. Mr. Vavrina explained the other locations will be retrofit with the large canopy. Mr. Fulmer questioned why the underside of the canopy is white, and calls a lot of attention to itself. Mr. Vavrina explained that is for team member safety. The other parts of the canopy are dark bronze and blend in with the façade. Mr. Vavrina explained the location of the canopy is tucked in the rear and not visible from Waukegan Road.

Directional Signage

Mr. Katz provided proposed directional signage, which are 2' square and non-illuminated to comply with the Sign Ordinance. There would be 2 double sided and 2 single signs that are 6' high. Ms. Spagnoli questioned how the sign would appear with a vertical arrow. Mr. Katz suggested turning the southernmost sign and moving it 5' to the south. Ms. Flores believes the signs are too high. Ms. Spagnoli noted most directional signage is 4' in height. The petitioners would like the signs lowered, so the height is similar to Starbucks across the street. Ch. Dunn suggested having the signs off Waukegan Road at 6' and the signs closer to the drive thru at 4' in height.

Sign Criteria

Mr. Katz explained the only colored sign on the monument sign will be Chick-Fil-A in red. The other signs will be white. The building signs will allow tenant color identity. The commissioners were okay with the proposed sign criteria.

Summary

Ch. Dunn summarized what the suggestions including the primary building material be brick. Mr. Levy noted it is difficult to tell that the EIFS material is not real brick. It will look nice, and is in the rear of the building. If they need to use brick on the back of the building, they will need to change the materials in the front of the building.

Mr. Golub moved to approve the site lighting as presented, subject to the petitioner providing information on the 3 sheets that were cut off in the packet. Mr. Fulmer seconded the motion. The motion passed by the following vote:

AYES: Dunn, Flores, Fulmer, Golub (4)

NAYS: None (0)

Ms. Flores moved to approve the EIFS as presented with the simulated brick in the rear of the building, pursuant to the drawings provided. Mr. Golub seconded the motion. The motion did not pass by the following vote:

AYES: Fulmer

NAYS: Dunn, Flores, Golub

Mr. Fulmer moved to approve the freestanding canopy as presented in the plans. Ms. Flores seconded the motion. The motion did not pass by the following vote:

AYES: None (0)

NAYS: Dunn, Flores, Fulmer, Golub (4)

Mr. Golub moved to approve the ground sign depth at 2' as presented. Ms. Flores seconded the motion. The motion passed by the following vote:

AYES: Dunn, Flores, Fulmer, Golub (4)

NAYS: None (0)

Mr. Fulmer moved to approve the landscaping plan as presented, pursuant to consideration of the suggestions made. Mr. Golub seconded the motion. The motion passed by the following vote:

AYES: Dunn, Flores, Fulmer, Golub (4)

NAYS: None (0)

Ms. Flores moved to approve the directional signs as presented. Mr. Fulmer seconded the motion. The motion did not pass by the following vote:

AYES: None (0)

NAYS: Dunn, Flores, Fulmer, Golub (4)

Mr. Golub moved to approve the directional signs as presented with the height of the signs off Waukegan Road at 6' and the height of the two northern directional signs at 4'. The directional arrow will be pointed upward on both signs on the east elevation. Mr. Fulmer seconded the motion. The motion passed by the following vote:

AYES: Dunn, Flores, Fulmer, Golub (4)

NAYS: None (0)

Mr. Golub moved to approve the sign criteria as presented. Mr. Fulmer seconded the motion. The motion passed by the following vote:

AYES: Dunn, Flores, Fulmer, Golub (4)

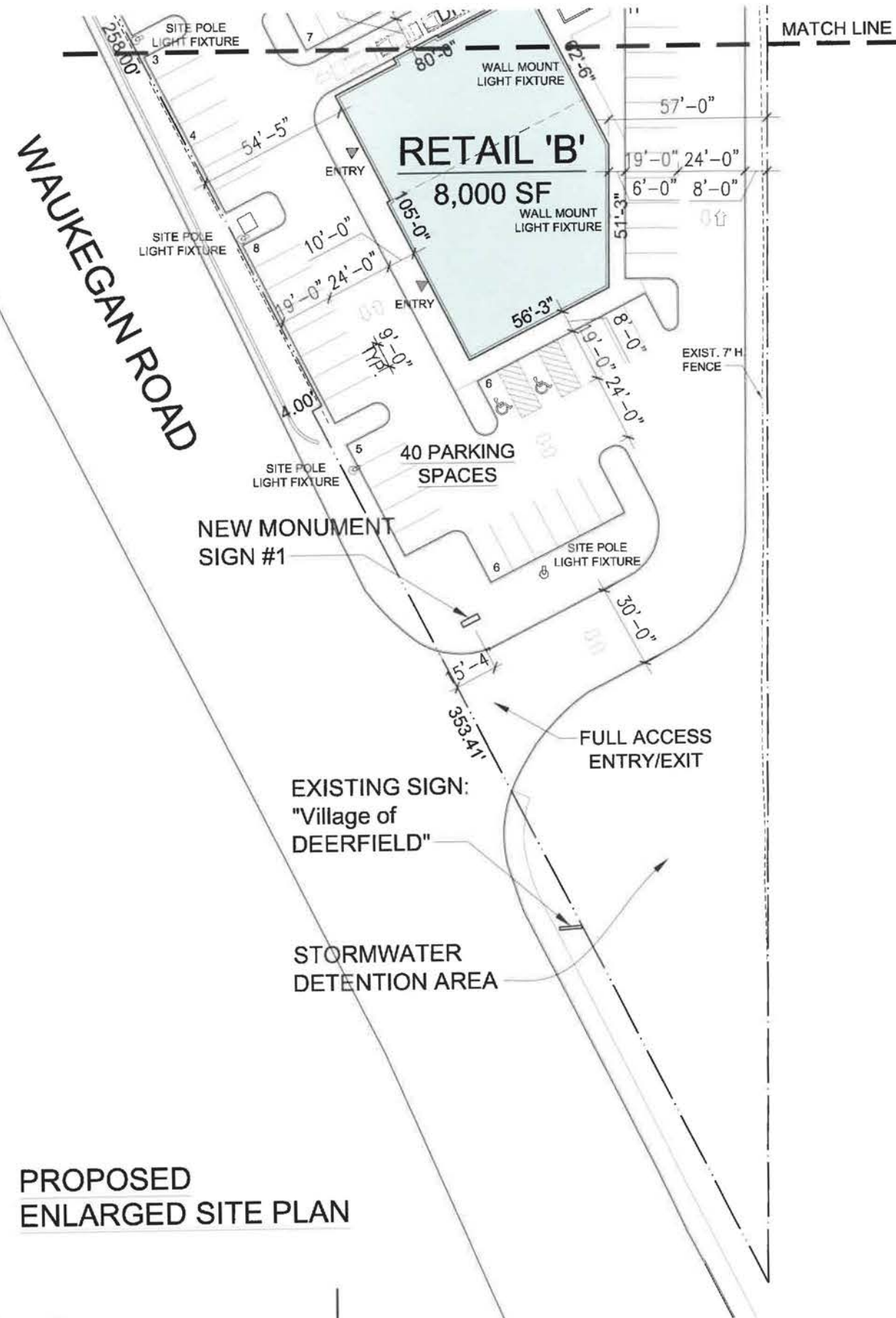
NAYS: None (0)

Mr. Fulmer moved to approve the overall development as presented on 12/11/2017, with the exceptions of what was voted on tonight. Ms. Flores seconded the motion. The motion passed by the following vote:

AYES: Dunn, Flores, Fulmer, Golub (4)

NAYS: None (0)

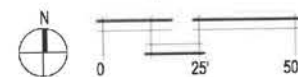
Respectfully submitted,
Jeri Cotton
Secretary



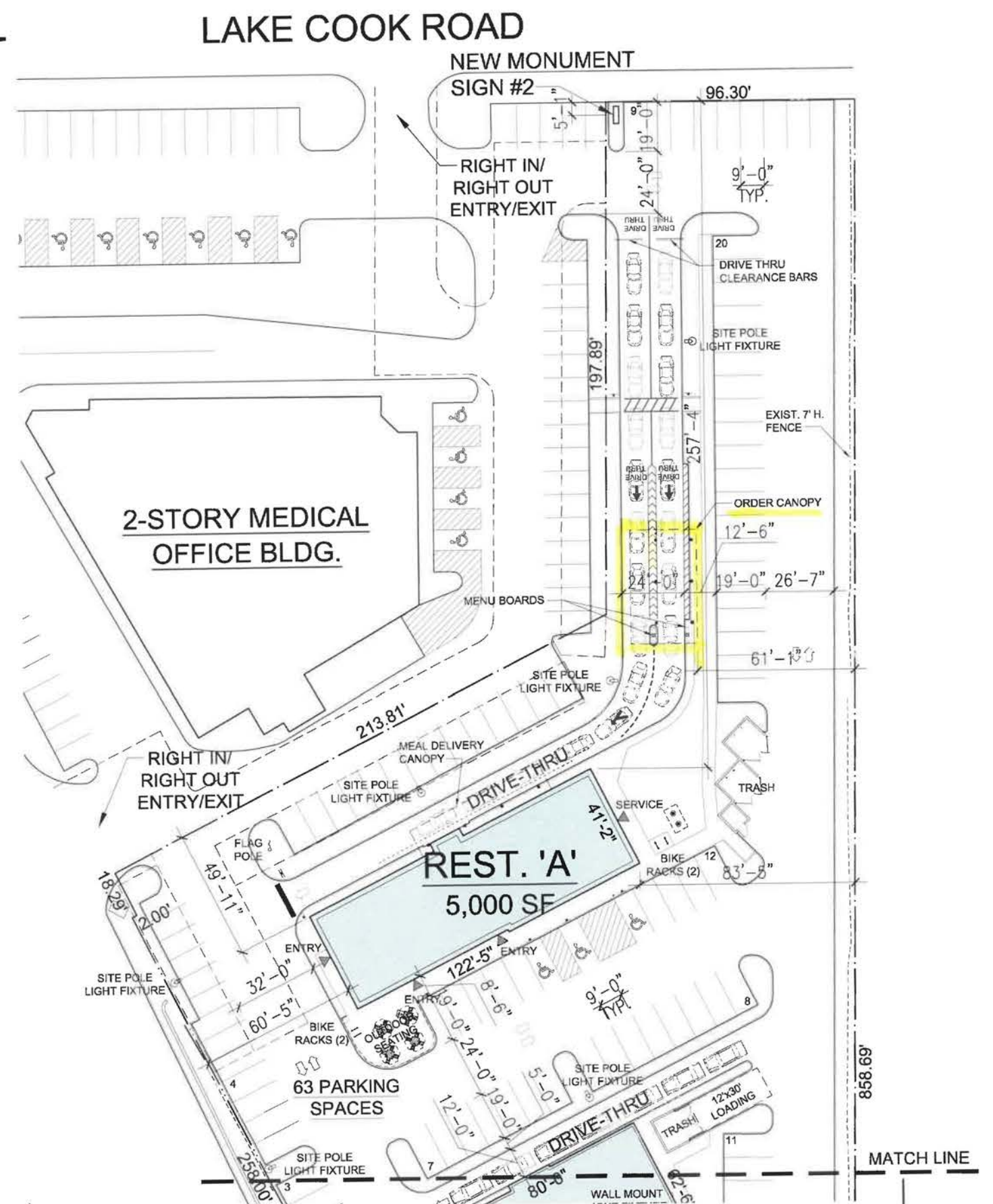
PROPOSED
ENLARGED SITE PLAN



OKW ARCHITECTS
600 W. Jackson, Suite 250
Chicago, IL 60661



LEVCO DEVELOPMENT



99 WAUKEGAN ROAD
Deerfield, Illinois

January 02, 2018 Project #: 16053

Tier 3 Order Canopy



Tier 3 Example Photos

Drive-thru Face-to-Face Design & Construction Guidelines

Date: 09/26/17

Sheet: A3.0



ORDER CANOPY - RESTAURANT 'A'

99 WAUKEGAN ROAD
Deerfield, Illinois

December 04, 2017 Project #: 16053

REQUEST FOR BOARD ACTION

18-34

Agenda Item: _____

Subject: Report and Recommendation of Staff re: Ordinance Amending Chapter 7 (Business),
Article 14 (Massage Establishments) to Regulate Massage Establishments

Action Requested: Acceptance

Originated By: Village Manager's Office

Referred To: Village Board of Trustees

Summary of Background and Reason for Request

At the March 19 Board meeting, the Village Board directed staff to prepare a report and recommendation concerning massage establishment regulations. The current massage establishment regulations in the Village Code were approved in 1997 and since that time, State regulations and industry practices have evolved. Staff is proposing new contemporary regulations to replace the antiquated regulations that currently exist. New massage establishment regulations would help further protect the public interest and serve to prevent establishments from being used for prostitution and the spread of disease through unsanitary practices and facilities. Notably, the new regulations would allow for inspection of the premises by Village code enforcement and police officers and license revocation if a violation was found.

Staff is seeking direction on several aspects of the proposal:

1. When massage services are an ancillary use, at a salon or spa, should they require a license?
2. What should the Initial Application and Annual Registration fees be?
3. Should the Village limit the number of licenses?
4. Should the Village permit and license outcall massage services?
5. Should the Village limit operating hours for massage establishments?

Assistant Village Manager Andrew Lichterman will be available at the April 2 Board meeting to answer questions.

Reports and Documents Attached:

Memorandum – dated March 28, 2018

April 2, 2018
Date Referred to Board: _____

Action Taken: _____

Memorandum



DATE: March 28, 2018
TO: Mayor and Board of Trustees
FROM: Andrew Lichterman, Assistant Village Manager
SUBJECT: **Report and Recommendation of Staff re: Massage Establishment – Business License**

Introduction

At the March 19 Board meeting, the Village Board directed staff to prepare a report and recommendation concerning massage establishment regulations that could be approved contemporaneously with consideration of the proposed special use approval of Massage Heights at 711 Waukegan Road. The current massage establishment regulations in the Village Code were approved in 1997 and since that time, State regulations and industry practices have evolved. Staff is proposing new contemporary regulations to replace the antiquated regulations that currently exist.

Recommendation

New massage establishment regulations would help further protect the public interest and serve to prevent establishments from being used for the purposes of prostitution and the spread of disease through unsanitary practices and facilities.

Business License

Staff recommends requiring massage establishments to obtain a business license in order to engage or carry on the business of massage. The license would expire on December 31 of each year and require an annual renewal.

An initial application would need to be filed with the Village Manager and list the ownership, location, and names of addresses of all employees, and describe the applicants business and background. All applicants would be fingerprinted by the Police Department. The Chief of Police would evaluate the application and conduct an investigation into the applicant's moral character and personal and criminal history.

No license would be issued to an applicant if the proposed operation does not comply with all applicable Village laws and codes. A license would also be denied if any owner has been convicted of a felony, sex offense, had a license revoked in the last ten years, or has been convicted of other local ordinance violations including fraud or deceit.

The license would also stipulate that a supervisor be on premises at all times. The license would be non-transferrable and must be displayed at all times. Every massage business should also be required to keep an appointment book with the name of every patron, date/time, services provided and the name of the massage therapist who performed the service.

Application Fees

Staff proposes that applicants pay an initial non-refundable application fee as well as an annual registration fee. A summary of the proposed fees as well as fees charged in surrounding communities are illustrated below.

<u>Municipality</u>	<u>Initial Application Fee</u> <u>(non-refundable)</u>	<u>Annual Registration Fee</u>
Deerfield (proposed)	\$100	\$ 35
Glenview	\$100	\$35
Lake Bluff	\$0	\$100
Morton Grove	\$1,000	\$500
Niles	\$150	\$250
Northbrook	\$0	\$50
Skokie	\$0	\$100
Wheeling	\$0	\$125.50

For reference purposes, the Village charges \$100 non-refundable application fees for commercial filming permits, \$50 non-refundable application fees for solicitation permits, and \$25 annual registration fees for chicken keeping.

In addition to the costs noted above, applicants would also be responsible for any direct costs associated with fingerprinting and photography necessary to complete the background check with the Police Department.

Inspections

The Building and Code Enforcement Supervisor would be permitted to periodically inspect the safety, structure and adequacy of plumbing, ventilation, heating, and other essential building elements. In addition, staff would be able to inspect the premises to ensure that the facility is kept in a sanitary condition, meaning that walls and floors are kept clean, towels and linens are changed and laundered and that no rooms where massage services are being conducted are capable of being locked.

The Chief of Police or any duly authorized police officer or building and code enforcement officer of the Village would have the right to enter the premises for the purpose of inspecting the premises and operation, including examination of the appointment book.

No employee of the massage establishment would be permitted to deny, impede or interfere with the inspection by the Village.

Prohibited Acts and Suspension or Revocation of License

As expected, certain acts, particularly those of a sexual nature, would be expressly prohibited by ordinance. Only licensed massage therapists would be permitted to administer or perform a massage at a massage establishment.

If a massage establishment violates the terms of the ordinance the business license would be revoked for a period of one year.

Exemptions and Monetary Penalties

The ordinance and massage regulations are intended to apply to massage therapists and would not apply to professionals holding a valid license to practice medicine, nursing, physical therapy, occupational therapy, athletic trainer, chiropractic or other healing arts under State law. The ordinance would also not apply to barbers or cosmetologists lawfully carrying on their respective businesses.

In addition to revocation of their license, massage establishments found guilty of violating the ordinance would incur a monetary fine consistent with other Village ordinance violations and could be contested in Circuit Court.

Additional Considerations

Outcall Massage Services

The Village could prohibit the ability for massage therapists to conduct “outcall” massage services to permanent residences and/or hotels. Historically, the Village has permitted “outcall” massage services under the condition that the massage therapist abide by the regulations in the Village Code and register their name and other information with the hotel’s front desk clerk.

Limiting the Number of Licenses and Ancillary Uses

The Village could also consider limiting the number of massage business licenses granted, as it does for liquor licenses. While some massage establishments would be a special use, requiring zoning approval by the Village Board, there are also two scenarios whereby a massage establishment could open as a permitted use by the Zoning Ordinance. Specifically, a massage establishment would be a permitted use on the second floor in the C-1 zoning district and a massage establishment would be a permitted use if the massage services were ancillary to the principal use of a beauty salon or spa in the C-2 zoning district.

If the Village is not concerned with massage services when they are conducted as an ancillary use, then perhaps a limit on the number is less preferred. On the contrary, if the Village Board is concerned with the number of massage establishments even when they may be an ancillary service, then a limit on the number may help the Village better serve the public welfare.

Hours of Operation

The Village may also wish to expressly prohibit massage establishments from operating during certain overnight hours. For instance, the ordinance could incorporate a provision that no massage establishment may operate during the hours of 10 p.m. to 6 a.m. For instance, this type of hourly limitation may provide the Village additional safeguards and would have no impact on Massage Heights, since they noted the latest they ever close is 10 p.m. and the earliest they ever open is 8 a.m.

Conclusion

Staff believes the recommendation outlined above serves to protect the public welfare by placing additional, contemporary, safeguards on massage establishments. The regulations proposed expressly prohibit unwanted behavior; allow a mechanism for Village inspections and revocation of the business license in the event a violation occurs.

Staff is seeking direction on several aspects of the proposal:

1. When massage services are an ancillary use, at a salon or spa, should they require a license?
2. What should the Initial Application and Annual Registration fees be?
3. Should the Village limit the number of licenses?
4. Should the Village permit and license outcall massage services?
5. Should the Village limit operating hours for massage establishments?

Assistant Village Manager Andrew Lichterman will be available at the April 2 Board meeting to answer questions.

REQUEST FOR BOARD ACTION

Agenda Item: 18-35

Subject: Report of Staff re: Extension of Final Development Plan for 8 Parkway North

Action Requested: Request for Extension of Final Development Plan

Originated by: Staff

Referred to: Mayor and Board of Trustees

Summary of Background and Reason for Request:

On April 18, 2016, the Board of Trustees approved the Final Development Plan for 8 Parkway North. The Parkway North Annexation Agreement allows for a Final Development Plan to be in effect for a period of two years before it expires, and is subject to further extension at the reasonable discretion of the Board of Trustees. The 8 Parkway North Final Development Plan expires on May 16, 2018. Extensions have been approved in the past for Deerbrook and Cadwells Corners. As Quadrangle Development Company has yet to secure a tenant for the property, they are requesting a two-year extension of the previously approved Final Development Plan for 8 Parkway North in the Parkway North Center. An extension will afford ownership additional time to secure a tenant for the 8 Parkway North property. If the Board approves the extension, an ordinance will be prepared for the next Board meeting on April 16, 2018.

Reports and Documents Attached:

Letter from Quadrangle

2016 Background Information:

Ordinance O-16-10, dated May 16, 2016, Approving the Final Development Plan for 8 Parkway North

Previously Approved March 24, 2016 Plan Commission Recommendation

2016 Final Site Plan

2018 Zoning Map

Date Referred to Board: April 2, 2018

Action Taken: _____



March 26, 2018

Members of the Deerfield Village Board
Village of Deerfield
850 Waukegan Road
Deerfield, Illinois 60015

Re: Extension Request / Final Development Plan
For 8 Parkway North / Parkway North Center PUD

Dear Mayor Rosenthal and Village Trustees:

The purpose of this letter is to formally request a two-year extension of the Village Board's approval of the Final Development Plan for 8 Parkway North.

Approval was granted to Quadrangle Parkway Holdings LLC by the Village Board on May 16, 2016 pursuant to Ordinance No. 0-16-10, entitled "An Ordinance Approving A Final Development Plan For 8 Parkway North In The Parkway North Center Planned Unit Development."

Pursuant to Section 7 "Duration of Approved Plans Approval" of the 5th Amendment To Annexation Agreement dated August 18th, 1997, to the Annexation Agreement dated February 4, 1985, approval of the 8 Parkway North Final Development Plan is for two (2) years, and is "subject to further extension in the reasonable discretion of the Board of Trustees." With the original approval being granted on May 16, 2016, the approval will end on May 15, 2018. If approved, the requested two year extension will extend the end date until May 15, 2020.

Project:

Eight Parkway North comprises both the Eight Parkway and Five Parkway sites. The sites are the last two development sites in the Parkway North Office Center. Per the approved Final Development Plan, the building will be setback from the east side of Saunders Road, overlooking the primary Park detention pond. The building will be approximately 200,000 SF in five (5) stories plus a lower level for parking and ancillary uses. The design incorporates modern office attributes, such as a 12' ceiling height on the first floor and 10' on all upper floors, increased interior light via a 10' high floor to



Members of the Deerfield Village Board

March 26, 2018

Page two

ceiling continuous window line, modern building HVAC systems, and parking allowing for up to approximately six (6) parking spaces per 1,000 RSF. The design of the building will conform to a LEED Silver certification standard.

We believe that the attributes and location of this site make it unique and one the best office sites in Lake County. The project is designed and is being marketed to prospective build-to-suit tenants that value a modern work environment, promoting employee health, efficiency, productivity, and hiring.

Project Status:

Since we acquired the sites in October of 2015, we have worked to address as many development tasks as possible and, as a result, we can now offer an 18 month delivery schedule from the point of tenant commitment. In addition to the Village Board's approval of our Final Development Plan, completed tasks include...

- Establishing our development team which has considerable experience working together, in the Village of Deerfield, and in Parkway North.
- Shell architectural plans are to the point of construction drawings, and civil engineering plans are 85% complete.
- The major construction cost components have been bid and value engineered.
- All necessary agreements for access, utilities and shared improvements have been fully executed with the adjoining property owners.
- Available and sufficient storm water, utility and green area capacities have been calculated and confirmed.
- The Park Association's Architectural Review Committee has reviewed and approved the design plans. Approval is for 5 years and expires December 28, 2020.
- The Fire Protection District has reviewed and approved the site plan.
- The LCDOT has approved a new full access driveway onto Saunders Road.
- The project is being marketed by Cushman & Wakefield brokerage. In coordination with C&W, the following marketing pieces have been created and hand delivered to all of the active real estate brokers in the market.
 - Project presentation boards.
 - Electronic brochure
 - Project marketing video
 - Email notifications

Each piece is regularly reissued to the brokerage community and, thereby, their clients.



Members of the Deerfield Village Board

March 26, 2018

Page three

Conclusion:

From the moment we acquired the site, Quadrangle has worked hard to move the project forward, reduce the time to delivery and to market a high quality, modern product that addresses the needs of Class A tenants and a market where the great majority of existing office inventory is at least twenty years old and functionally out of date. A build-to-suit requires a large tenant with foresight and financial commitment. In this past two years, we have competed for such transactions, but none have committed to our site or any other or made any final decisions regarding their plans.

As we compete for these build to suit tenants, speed to occupancy is critical. Approval of the Final Plans is the cornerstone of our 18 month delivery schedule and; hence, our efforts to bring a new corporate resident to Deerfield. We respectfully request that the Village Board grant this two year extension.

Sincerely,

Christopher Noon

Manager, Quadrangle Parkway Holdings LLC

President, Quadrangle Development Company

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

ORDINANCE NO. 0-16-10

**AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN
FOR 8 PARKWAY NORTH IN THE PARKWAY NORTH CENTER
PLANNED UNIT DEVELOPMENT**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

16th day of May, 2016.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
16th day of May, 2016.**

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

ORDINANCE NO. 0-16-10

**AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN
FOR 8 PARKWAY NORTH IN THE PARKWAY NORTH CENTER
PLANNED UNIT DEVELOPMENT**

WHEREAS, Quadrangle Parkway Holdings LLC ("Petitioner"), the owner of a 10.01 acre tract of property known as 5 Parkway North and 8 Parkway North, and legally described on Exhibit A attached hereto (hereinafter referred to as "8 Parkway North" or the "Subject Property"), petitioned the Plan Commission of the Village of Deerfield for approval of a Final Development Plan for 8 Parkway North as a Special Use Planned Unit Development of the Subject Property in the Parkway North Center Planned Unit Development in the I-1 Office, Research and Restricted Industrial District pursuant to the provisions of the Parkway North Center Annexation Agreement and the provisions of Article 6.01-C, Paragraph 5, Article 12.08, Article 12.09 and Article 13.11 of the Zoning Ordinance of the Village of Deerfield, as amended; and,

WHEREAS, the Plan Commission of the Village of Deerfield has held a public meeting to consider the Final Development Plan for 8 Parkway North as a Special Use Planned Unit Development of the Subject Property in the I-1 Office, Research and Restricted Industrial District, said meeting conforming in all respects, in both manner and form, with the requirements of the Zoning Ordinance of the Village of Deerfield; and,

WHEREAS, the Plan Commission has determined that the Final Development Plan for the Subject Property is in substantial conformance with the previously approved Preliminary Development Plan for the Parkway North Center Planned Unit Development; and,

WHEREAS, the Plan Commission of the Village of Deerfield, after considering the Final Development Plan for the Subject Property and the evidence and supporting materials offered at said meeting, has submitted its written report and recommendations to the President and Board of Trustees of the Village of Deerfield that the Final Development Plan for 8 Parkway North is in substantial conformance with the previously approved Preliminary Development Plan for the Parkway North Center Planned Unit Development and should be approved as a Special Use Planned Unit Development of the Subject Property in the I-1 Office, Research and Restricted Industrial District; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield are of the opinion that the Final Development Plan for 8 Parkway North should be approved as a Special Use Planned Unit Development of the Subject Property in the I-1 Office, Research and Restricted Industrial District, authorizing and permitting the construction, development and use of the Subject Property in accordance with the plans and documents attached hereto as Exhibit B hereof, which comprise the Final Development Plan for the Subject Property, and with the supporting materials submitted by the Petitioner which are incorporated herein and made a part hereof by this reference;

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: That the President and Board of Trustees of the Village of Deerfield do hereby find that the Final Development Plan for 8 Parkway North fully complies with the requirements and standards set forth in Article 6.01-C, Paragraph 5, Article 12.08, Article 12.09 and Article 13.11 of the Zoning Ordinance of the Village of Deerfield and with the applicable provisions of the Parkway North Center Annexation Agreement.

SECTION 2: That the President and Board of Trustees do hereby authorize and approve the Final Development Plan for 8 Parkway North Center PUD, attached hereto and made a part hereof as Exhibit B to this Ordinance, as a Special Use Planned Unit Development of the Subject Property in Parkway North Center Planned Unit Development in the I-1 Office, Research and Restricted Industrial District, subject to the conditions, regulations and restrictions set forth in Section 3 of this Ordinance.

SECTION 3: That the approval and authorization of said Final Development Plan for 8 Parkway North is hereby granted subject to the following conditions:

- A. Submission and approval of final engineering plans consistent with the Final Development Plan for the Subject Property prior to the commencement of any construction.
- B. Construction, development, maintenance and use of the Subject Property shall be in accordance with the documents, materials and exhibits comprising the Final Development Plan for the Subject Property attached hereto and made a part hereof as Exhibit B.
- C. Except as otherwise expressly provided in this Ordinance or in the Final Development Plan, the construction, development and use of the Subject Property shall be in accordance with the Parkway North Center Annexation Agreement.
- D. The gross leasable area of the office building proposed for the Subject Property shall not exceed 186,258 square feet.
- E. Compliance with all representations submitted and made by the Petitioner to the Plan Commission and to the President and Board of Trustees of the Village of Deerfield.

F. Continued compliance with all applicable provisions of the Zoning Ordinance of the Village of Deerfield.

SECTION 4: That the Final Development Plan hereby approved and authorized as a Special Use Planned Unit Development of the Subject Property in the I-1 Office, Research and Restricted Industrial District, shall be binding upon and inure to the benefit of Petitioner's successors, grantees, transferees and assigns, and any violations of the conditions hereinabove set forth by Petitioner or its successors, grantees, transferees or assigns shall authorize the revocation of the Special Use hereby authorized.

SECTION 5: That the Village Clerk is hereby authorized and directed to record this Ordinance in the Office of the Recorder of Deeds of Lake County, Illinois at Petitioner's expense.

SECTION 6: That 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, this Ordinance shall supersede state law in that regard within its jurisdiction.

[This Space Left Blank Intentionally]

SECTION 7: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 16th day of May, 2016.


AYES: Farkas, Jester, Nadler, Seiden, Shapiro, Struthers

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED this 16th day of May, 2016.


Village President

ATTEST:


Village Clerk

Exhibit B

Documents Comprising the Final Development Plan For 8 Parkway North

1. Site Plan – 8 Parkway North, dated March 10, 2016, by Wright Heerema Architects.
2. South East View of the proposed 8 Parkway North office building, dated February 12, 2016, by Wright Heerema Architects.
3. North West View of the proposed 8 Parkway North office building, dated February 12, 2016, by Wright Heerema Architects.
4. Sheet depicting south elevation and west elevation of proposed office building for 8 Parkway North, dated February 12, 2016, by Wright Heerema Architects.
5. Sheet depicting north elevation and east elevation of proposed office building for 8 Parkway North, dated February 12, 2016, by Wright Heerema Architects.
6. Lower Level Plan – 8 Parkway North, dated February 12, 2016, by Wright Heerema Architects.
7. First Floor Plan – 8 Parkway North, dated March 10, 2016, by Wright Heerema Architects.
8. Typical Floor Plan – 8 Parkway North, dated February 12, 2016, by Wright Heerema Architects.
9. Two sheets of detailed elevations (north and east, south and west) for proposed office building dated February 12, 2016, by Wright Heerema Architects.
10. Building Wall Sections, dated February 12, 2016, by Wright Heerema Architects.
11. Layout and Dimension Plan Sheet C1.0 by V3 Companies bearing a last revision date of 3/8/16.
12. Grading Plan Sheet C2.0 by V3 Companies bearing a last revision date of 3/8/16.
13. Utility Plan Sheet C3.0 by V3 Companies bearing a last revision date of 3/8/16.
14. Tree Preservation Plan for 8 Parkway North by the Lakota Group dated March 24, 2016.
15. Landscape Concept Plan for 8 Parkway North by the Lakota Group dated March 24, 2016.

16. Landscape Plan for 8 Parkway North by the Lakota Group dated March 24, 2016, including a plant palette by the Lakota Group dated march 24, 2016.
17. Roof Screen Section, dated March 10, 2016, by Wright Heerema Architects.
18. Electrical Site Plan by Kornacki & Associates, Inc. dated 03/09/2016.
19. Photometric Site Plan by Kornacki & Associates, Inc. dated 03/09/2016.
20. Fixture Schedule Sheet E3 by Kornacki & Associates, Inc. dated 03/09/2016.
21. Traffic Impact Study for Parkway North Lots 5 and 8 prepare by V3 Companies dated February 15, 2016.
22. Deerfield-Bannockburn Fire Protection District plan review letter for 8 Parkway North dated March 8, 2016.

REQUEST FOR BOARD ACTION**Agenda Item:** 13-87

Subject: Report and Recommendation of the Plan Commission for Approval of the Final Development Plan for 8 Parkway North in the Parkway North Center – Quadrangle Development Company

Action Requested: Approval of Recommendation

Originated by: Plan Commission

Referred to: Mayor and Board of Trustees

Summary of Background and Reason for Request:

The petitioners are requesting approval of the Final Development Plan for 8 Parkway North in the Parkway North Center Planned Unit Development. In 1997, the Parkway North Center Development received approval of a Preliminary Development Plan. According to the Parkway North Center annexation agreement, the Preliminary Development Plan (which approved for the northwest corner of the Parkway North Center in 1997) is good for the life of the annexation agreement which is in effect until 2023. Because the Preliminary Development Plan has been previously approved, the petitioner is now seeking approval of the Final Development Plan. The Plan Commission is recommending approval of the plan.

Reports and Documents Attached:

Report and Recommendation
Plan Commission Minutes – 3/24/16, 2/25/16
Airphoto
Zoning Map
1997 Previously Approved Preliminary Site Plan
Petitioner's Material
CBRE Brochure

Date Referred to Board: April 18, 2016

Action Taken: _____

RECOMMENDATION

To: Mayor and Board of Trustees

From: Plan Commission

Date: March 24, 2016

RE: Request for Approval of a Final Development Plan for 8 Parkway North in the Parkway North Center.

We transmit for your consideration a recommendation adopted by the Plan Commission of the Village of Deerfield on the request of the petitioners for a Final Development Plan for 8 Parkway North. The Plan Commission held a meeting on March 24, 2016. At that meeting, the petitioners presented testimony and documentary evidence in support of the request. A copy of the workshop minutes are attached.

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

FINDINGS OF FACT

Subject Property

The Subject property consists of the Parkway North Center. The property is approximately 86 acres and is located at the southeast corner of Deerfield Road and Saunders Road. The subject property is zoned I-1 Office, Research, and Restricted Industrial District. The site is currently developed with six office buildings (building's 1, 3, 4, 6, 9 and 10) a Marriott Suites Hotel (2 Parkway North), and a child care facility and health club in a one story building (5 Parkway North). The annexation agreement sets out the development requirements for the Parkway North Center Planned Unit Development. These development requirements for the proposed office building will be analyzed in a section below.

The specific property to be developed lies in the northwest corner of the Parkway North Center. It is the vacant parcel on the west side of the retention pond, and also the existing one story building that contains the day care and the health club (known as Parkway North 5 building) adjacent to the signalized entrance at Saunders Road and Parkway North Boulevard. This existing building is proposed to be razed as part of the plans for the new office building parking lot in this area. The total acreage involved for the proposed 8 Parkway North office building development is 10.01 acres.

Proposed Plan

The petitioners are proposing to construct a five-story office building (known as Eight Parkway North) on the west side of the existing retention pond. The proposed office building will be 186,258 square feet in gross leasable area, and 200,970 square feet in gross buildable area. A total of 1,138 parking spaces will be provided for the office building in a landscaped parking lot (1,038 spaces), and in an underground parking garage below the building (100 spaces). The entrance to the underground parking garage will be via a ramp located on the north side of the building. A vehicle drop-off area will be provided at the west side of the building where the main entrance to the building is located. A patio will be provided on the east side of the building facing the existing pond. The refuse area and loading docks will be shared with the existing office building 9 in a depressed service area at the northeast corner of the proposed office

building. The building will be architecturally similar to the existing buildings in the Parkway north Center but at the same time will have its own unique characteristics. A further explanation of the proposed building is contained in the petitioner's project description. The petitioners have indicated that the development will conform to the LEED Silver Certification.

Final Development Plan

The petitioners are seeking approval of a Final Development Plan for the Eight Parkway North development. In 1997, the Parkway North Center development received approval of a Preliminary Development Plan for the buildings shown on the attached Preliminary Development along with final Development Plan approval for office building 6 (which has been constructed in 1998). Office building 9 has also been granted Final Development Plan approval in 1999 and is constructed. At the time of Preliminary Development Plan approval in 1997, the approved plans contemplated that the office buildings on the west side of the pond (buildings 7A and 7B on the attached Preliminary Development Plan) could be developed as two buildings, or become a larger combined building.

According to the Parkway North Center annexation agreement, the Preliminary Development Plan (which approved for the northwest corner of the Parkway North Center in 1997) is good for the life of the annexation agreement which is in effect until 2023. Because the Preliminary Development Plan has been previously approved, the petitioner is only seeking approval of the Final Development Plan. A Final Development Plan doesn't require a public hearing with certified mailings, but a public meeting with the Plan Commission is required for the Final Development Plan. According to the Parkway North Center annexation agreement, a Final Development Plan remains in effect for a period of two years before it expires.

In 2001, a Final Development Plan for a five story office building was previously approved on this site, but it was never constructed and the Final Development Plan for the office building expired.

Parkway North Center Annexation Agreement Compliance

The Parkway North Center annexation agreement, which controls the development of this property, sets out the parameters with which the proposed development must comply.

Building Height: The annexation agreement permits building heights up to 75 feet plus elevator equipment override not to exceed 4 feet and skylighting not to exceed 6 feet. The height of the building is 75 feet to the top of the parapet and 87 feet to the top of the screen wall. The Zoning Ordinance allows a mechanical appurtenances and parapet walls to be 12 foot above the maximum building height of 75 feet, therefore 87 feet to the top of the screen wall is allowed ($75' + 12' = 87'$).

Setbacks: The Annexation Agreement calls for the setbacks to be 300 feet along Saunders Road and 250 feet along Deerfield Road, measured from the centerline of each road. The petitioner's plans show that the proposed office building far exceeds these requirements. The building will be approximately 420 feet from Saunders Road and far exceed the setback requirement from Deerfield Road (the adjacent existing office building 9 is closer to Deerfield Road).

Parking Setbacks: The annexation agreement allows parking within the setbacks along the northern, southern and western frontages of the property, except that at no time will parking be permitted with 100 feet of Deerfield Road and Saunders Road as measured from the centerline of these roads. The petitioner's plan meets this requirement.

Parking: The annexation agreement requires the petitioners to provide parking at 3.3 spaces per 1,000 square feet of gross leasable area (gla) with a condition that an additional .7 spaces per 1,000 square feet of gross building area (gba) will be landbanked. The landbanked spaces would need to be put in if required to meet future parking demands as reasonably determined by the Village. Until such as the additional parking is needed, the landbanked area is to remain landscaped. The proposed office building would require a total of 756 spaces based on the following:

186,258 gla x 3.3 / 1,000 = 614. 65 spaces for the building
200,970 gba x .7 / 1,000 = 140.67 spaces to be landbanked
Total = 756 spaces required (614.65+ 140.67 = 755.32 = 756 spaces)

Gross leasable area (gla), as defined by the annexation agreement, is measured from the interior faces of the interior walls, excluding any area utilized for elevator shafts and stairwells; floor spaces and shafts used for mechanical, telephone and electrical equipment; space devoted to off street parking or loading facilities; entrance lobbies and atrium type areas; public washrooms; mechanical penthouses; interior balconies and mezzanines; and enclosed porches.

Gross buildable area (gba), as defined by the annexation agreement is measured from outside glass line to outside glass line, excluding atrium areas above grade or first floor and excluding the areas defined in Article 8, Section 8.02-D, 1a through c of the Village Zoning Ordinance.

The petitioner's will be providing a total of 1,138 parking spaces for the new office building (1038 spaces at grade and 100 spaces in the garage underneath the building) for the office building, which exceeds the requirements of the annexation agreement. Since the petitioners are parking at a ratio of 6 spaces per 1,000 square feet, landbanking will not be required.

A total of 23 handicapped parking spaces are required by code. The petitioners are providing 25 handicapped parking spaces.

Parking Stall Size and Aisle Width:

Under the annexation agreement, the size of the parking stalls was allowed to be reduced to 8 ½ feet in width by 18 feet in length. The petitioner's plans indicate that a 8 ½ foot wide by 18 foot long parking stall is provided.

Density: The total gross leasable area (as defined above) allowed by the sixth amendment to Annexation Agreement is 1,585,583 square feet. The data below details the square footage constructed at the Parkway North Center:

Constructed to Date:

Office Building 1 (5 stories)	226,996 gla
Marriott Suites Hotel (6 stories)	171,090 gla
Office Building 3 (5 stories)	216,973 gla
Office Building 4 (5 stories)	152,434 gla
Office Building 6 (4 stories)	92,439 gla
Office Building 9 (5 stories)	115,785 gla
Office Building 10 (3 stories)	93,027 gla
Day care and health club building	18,290 gla
Total Constructed GLA to Date	1,087,034 gla

The total with proposed gla for Parkway 8 is 186,258 gla, and the 18,290 gla day care and health club building will be razed, bringing the total square gla in the Parkway North Development to 1,255,002 gla.

Access

Access to the Parkway North Development is from an access point on Saunders Road, and an access point on Deerfield Road. On Saunders Road, there is an existing signalized access point at Saunders Road and Parkway North Boulevard, and a new unsignalized access point on Saunders Road that will be provided when the new office building is constructed. This new full access unsignalized access point has approved by Lake County Highway Department (who has jurisdiction over Saunders Road). On Deerfield Road and Parkway North Boulevard, a signalized access point currently exists which became operational about two months ago.

The petitioners conducted a parking study for the proposed development. Table 1 in the petitioner's traffic study indicates the projected daily trip generation for the new office building including the am and pm peak traffic hours. The petitioner's traffic report also provides data on the existing traffic volumes in figure 5, the new office traffic volumes in figure 7, the background traffic in figure 8, and the future traffic volumes including the new office building in figure 9. Figure 6 indicates the future lane configuration on the new drive coming off of Saunders Road as well as the existing access points. Table 3 provides the level of service (definitions provided in table 2) for the signalized intersections as a result of the office building and table 4 provides the level of service at the new unsignalized intersection off of Saunders Road. A new northbound right turn lane is not required on Saunders Road for the office building. The petitioner's traffic study also provided left turn queue analysis as shown in table 5. The traffic study recommends that the westbound left turn lane on Deerfield Road be restriped to its maximum storage length of approximately 325 feet and the taper mirror the eastbound left turn lane at Deerfield Road and the 1-94 Southbound on ramp signalized intersection. The traffic study indicates there are no queueing issues at the new unsignalized driveway on Saunders Road.

Signage

The signage follows the previously approved signage plan for the Parkway North Center. When a future tenant(s) is known for the building, the petitioners will come back for any additional signage that was not part of the previously approved sign plan for Parkway North Center (eg. tenant wall sign).

Landscape Plan

The petitioner's landscape plan shows the proposed landscaping in the new parking lot and around the building. The plan shows the type, location, and quantities of the proposed landscaping for the new five story office building. Pedestrian paths will be provided as shown on the plans. The existing screening on the Saunders Road will remain in place as shown on the plans.

Trash Area Screening

The Zoning Ordinance requires that all refuse areas be fully screened by a fence or landscaped screening of a height sufficient to screen the containers from view. The trash area will be shared with building 9 in the depressed service area on the west side of building 9.

Utilities

As part of the approval of the Parkway North Development, the Village approved an overall plan for the various utilities required for the development. These utilities included water and storm water detention. Water service will be provided by the Deerfield /Riverwoods water system. Sanitary sewer facilities are not provided by the Village, but will be provided by Lake County's Special Service Area #5. Storm water will be conveyed to the existing storm water detention pond which is also an amenity to the site.

Lighting/Photometrics Plan

The petitioners have submitted a lighting plan for the subject property. The proposed light fixtures are described in the petitioner's lighting fixture schedule and the locations of the light poles and lit bollards are shown on the photometric plan. The light poles will be 25 feet in height in the main parking lot, and 14 feet high along the new driveway to Saunders Road. Bollards will also be utilized at the front of the building and they will be 3'6" in height. The photometric plan shows that lighting will approach zero at the property lines and not spill onto adjacent properties.

Screening of HVAC Rooftop Equipment

The petitioner's plan indicates that the rooftop HVAC equipment /mechanicals will be screened with screened walls as shown on the petitioner's drawings.

Bike Facilities

The Zoning Ordinance requires that, where appropriate, all developments in the I-1 Office and Research District have to provide for bicycle storage, safe and smooth internal circulation, and connections to adjacent developments and bike paths. The petitioner's plans indicate they will provide bike racks at the front of the building as shown on the site plan for any employees that may wish to bike to work. A few years ago, Deerfield Road was designated a regional bike corridor by the Northwest Municipal Conference. In the last few years, an underpass was created for bikes and pedestrians to cross under the Tollway ramp on the north side of Deerfield Road in Riverwoods, and further west on Deerfield Road a new bike path and bridge over the Des Plaines River was created by Lake County. The north side of

Deerfield Road is part of Deerfield's bike route in the Village's Comprehensive Plan, and bikes (and pedestrians) can now easily cross Deerfield Road with the new traffic signal that became operational a couple of months ago at the intersection of Deerfield Road and Parkway North Boulevard.

Fire Department Approval

The Deerfield Bannockburn Fire Protection District has approved the site plan for emergency vehicle accessibility. The fire department letter indicates a 19'5" wide fire lane is provided, but the site plan shows that a 20 foot wide fire lane is provided.

CONCLUSIONS

The preliminary development plan for an office building on this site was approved many years ago and the Parkway North Center annexation agreement allows the preliminary development plan to be good for the life of the annexation agreement. The applicant is now coming back to the Village for approval of the final development plan for the proposed office building.

The Plan Commission has reviewed the final development plan for the property and they believe it is in keeping with the high quality development that the Village desires. The Plan Commission believes the proposed development is well planned and will be an asset to the Parkway North Center and to the Village as a whole. The Plan Commission believes the proposed office building is aesthetically pleasing, well landscaped, and is consistent with the high quality development in the Parkway North Center. The Plan Commission also likes the LEED features of the proposed office building. The proposed development meets all of the requirements of the Parkway North Center annexation agreement.

In order to help in attracting a build to suit tenant for the office building, the developer wants to keep the approval process as short as possible for the future tenant by obtaining much of the approval at this time. If changes are needed to the final development plan at a later date for the tenant signage or the site plan, etc., the petitioner will come back to the Village for these changes.

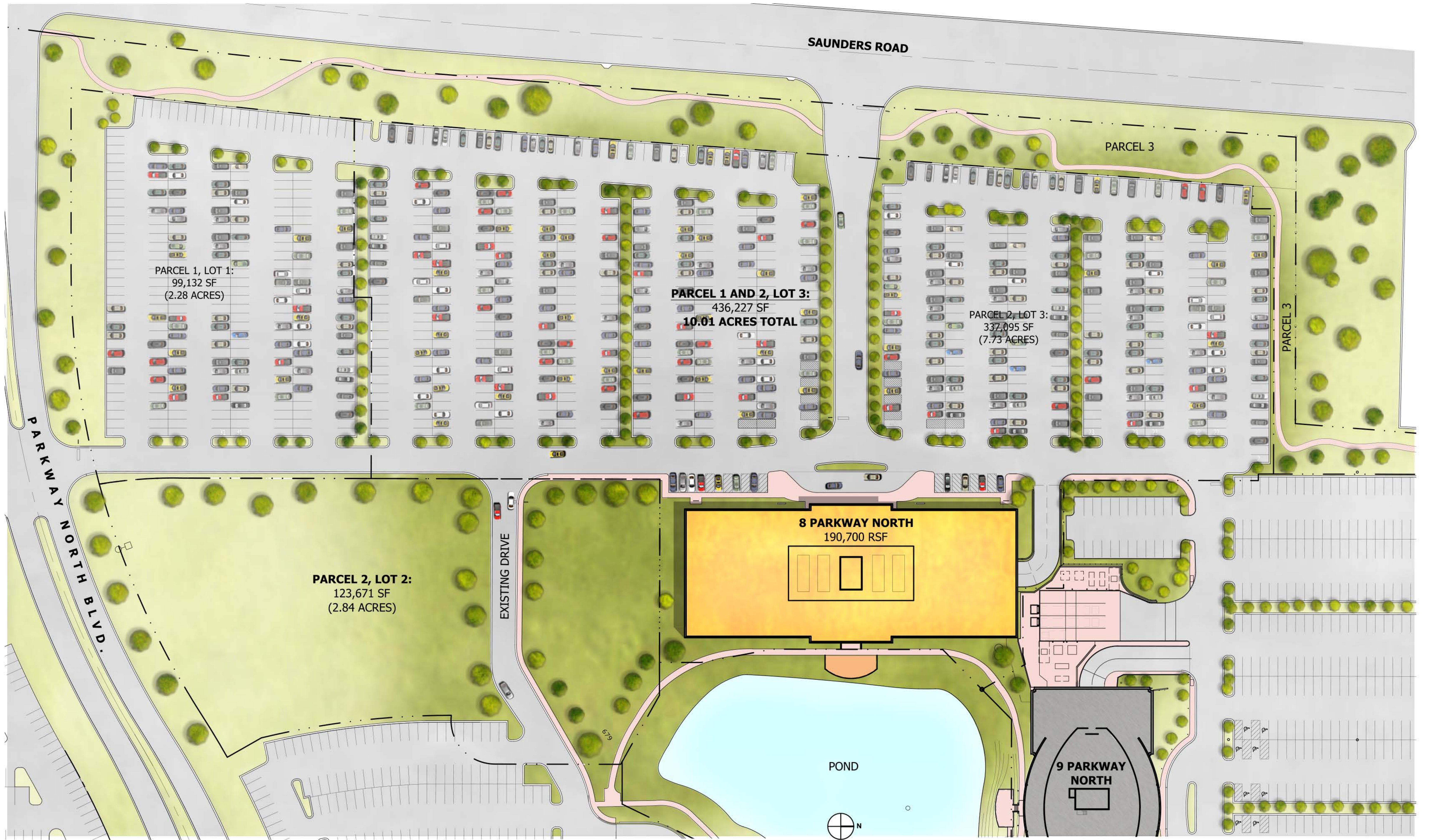
RECOMMENDATION

Accordingly, it is the recommendation of the Plan Commission that Quadrangle Development Company's request for approval of a Final Development Plan for approval of an office building, known as Eight Parkway North, be approved.

Ayes: (6) Benton, Berg, Bromberg, Jacoby, Shayman, Oppenheim

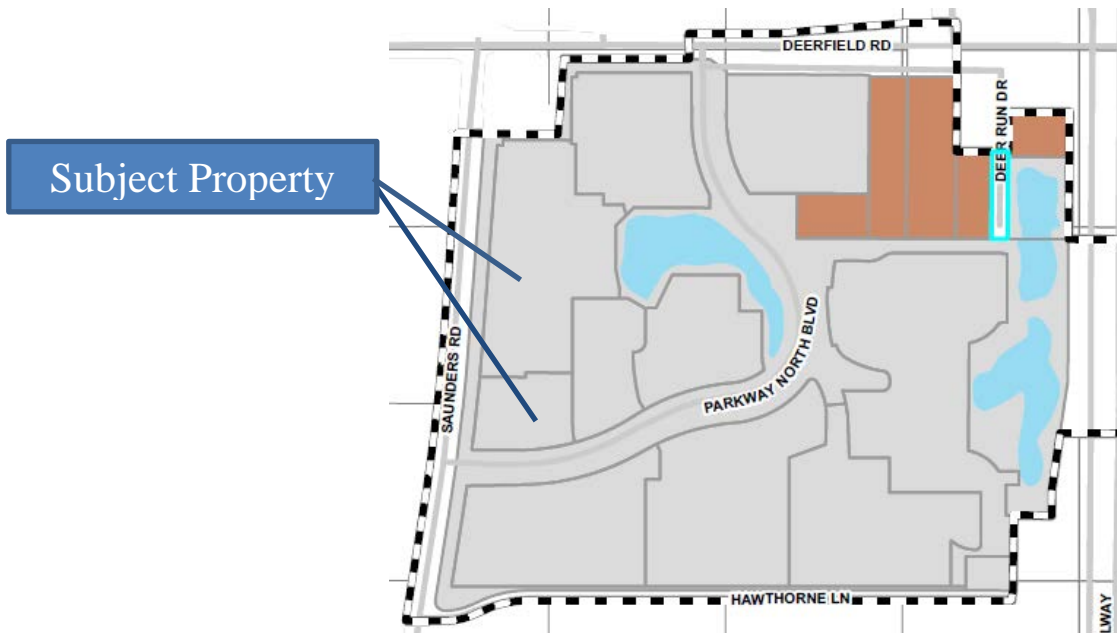
Nays: (0) None












Respectfully submitted,
Mary Oppenheim, Chairperson
Deerfield Plan Commission



MARCH 10, 2016

Village of Deerfield 2018 Zoning Ordinance Map



	R-1	SINGLE FAMILY DISTRICT ONE FAMILY DWELLINGS AND ACCESSORY USES
	R-2	SINGLE FAMILY DISTRICT SAME AS R-1
	R-3	SINGLE FAMILY DISTRICT SAME AS R-1
	R-4	SINGLE & TWO FAMILY ONE FAMILY & TWO FAMILY DWELLINGS & ACCESSORY USES
	R-5	GENERAL RESIDENCE ONE FAMILY & TWO FAMILY DWELLINGS & ACCESSORY USES
	C-1	VILLAGE CENTER
	C-2	OUTLYING COMMERCIAL
	C-3	LIMITED COMMERCIAL OFFICE
	I-1	OFFICE, RESEARCH, RESTRICTED INDUSTRY
	I-2	LIMITED INDUSTRIAL
	P-1	PUBLIC LANDS SCHOOLS, PARKS, PUBLIC BUILDINGS & CEMETERIES

REQUEST FOR BOARD ACTION

Agenda Item: 18-24-2

Subject Ordinance Amending Chapter 15 (Morals and Conduct), Article 11 (Assault Weapons), Section 15-87 (Safe Storage and Transportation of Assault Weapons) of the Municipal Code of the Village of Deerfield To Regulate the Possession, Manufacture and Sale of Assault Weapons in the Village of Deerfield

Action Requested: Second Reading Approval

Originated By: Village Board of Trustees

Referred To: Village Staff and the Village Attorney

Summary of Background and Reason for Request

The proposed ordinance would ban the possession, sale and manufacture of assault weapons and large capacity magazines in the Village and is based on the City of Highland Park ordinance that withstood a legal challenge. The proposed ordinance provides for an effective date 60 days after the ordinance goes into effect and does not otherwise regulate or prohibit rifles, shot guns, pistols or ammunition.

Following First Reading review at the March 19, 2018, Village Board meeting, the format of the proposed ordinance was modified to include all provisions of Article 11, Chapter 15 of the Deerfield Municipal Code pertaining to Assault Weapons. Proposed new language is underlined and proposed language to be deleted is marked by a ~~strike through~~. Noting that the Highland Park Municipal Code does allow retired law enforcement officers to possess assault weapons and high capacity magazines, a similar exemption was added to the proposed ordinance, including the requirement that they meet other applicable requirements and local safe storage regulations.

The Village Manager, Village Attorney and Police Chief will be available to respond to questions and Mayor Rosenthal recommends approval and adoption of the ordinance.

Reports and Documents Attached:

Copy of Proposed Ordinance
Correspondence received on this topic since the March 19, 2018 Village Board meeting

Date Referred to Board: April 2, 2018

Action Taken: _____

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 15 (MORALS AND CONDUCT),
ARTICLE 11 (ASSAULT WEAPONS), SECTION 15-87 (SAFE STORAGE OF
ASSAULT WEAPONS) AND SECTION 15-88 (TRANSPORTATION OF ASSAULT
WEAPONS) OF THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD
TO REGULATE THE POSSESSION, MANUFACTURE AND SALE OF ASSAULT
WEAPONS IN THE VILLAGE OF DEERFIELD**

WHEREAS, Chapter 15 (Morals and Conduct), Article 11 (Assault Weapons), Section 15-87 (Safe Storage of Assault Weapons; Exceptions) and Section 15-88 (Transportation of Assault Weapons; Exceptions) of the Municipal Code of the Village of Deerfield, as enacted by Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013), regulate the possession, storage and transportation of assault weapons in the Village of Deerfield; and

WHEREAS, the Firearm Concealed Carry Act, 430 ILCS 65/13.1(c), as amended by Public Act 98-63, § 150 (eff. July 9, 2013), provides that the Village of Deerfield, as a home rule unit of local government under the provisions of Article VII, Section 6 of the Illinois Constitution of 1970, may amend Village of Deerfield Ordinance No. 0-13-24, which was enacted on, before or within ten (10) days after the effective date of Public Act 98-63, § 150, pursuant to the Village's home rule exercise of any power and performance of 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, morals and welfare; and

WHEREAS, the corporate authorities of the Village of Deerfield find that, since the enactment of Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013), assault weapons have been increasingly used in an alarming number of notorious mass shooting incidents at public

schools, public venues, places of worship and places of public accommodation including, but not limited to, the recent mass shooting incidents in Parkland, Florida (Margery Stoneman Douglas High School; 17 people killed), Sutherland Springs, Texas (First Baptist Church; 26 people killed), Las Vegas, Nevada (Music Festival; 58 people killed), and Orlando, Florida (Pulse Nightclub; 49 people killed); and

WHEREAS, the corporate authorities of the Village of Deerfield find that assault weapons are dangerous and unusual weapons which are commonly associated with military or antipersonnel use, capable of a rapid rate of fire, have the capacity to fire a large number of rounds due to large capacity fixed magazines or the ability to use detachable magazines, present unique dangers to law enforcement, and are easily customizable to become even more dangerous weapons of mass casualties and destruction; and

WHEREAS, the corporate authorities of the Village of Deerfield find that amending Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013) to prohibit the possession, manufacture and sale of assault weapons in the Village of Deerfield may increase the public's sense of safety at the public schools, public venues, places of worship and places of public accommodation located in the Village of Deerfield; and

WHEREAS, the corporate authorities of the Village of Deerfield find that amending Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013) to prohibit the possession, manufacture and sale of assault weapons in the Village of Deerfield may increase the public's sense of safety by deterring and preventing a mass shooting incident in the Village of Deerfield, notwithstanding potential objections regarding the availability of alternative weaponry or the enforceability of such a ban; and

WHEREAS, the corporate authorities of the Village of Deerfield find that amending Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013) to prohibit the possession, manufacture

and sale of assault weapons in the Village of Deerfield may increase the public's sense of safety by effecting a cultural change which communicates the normative value that assault weapons should have no role or purpose in civil society in the Village of Deerfield; and

WHEREAS, the corporate authorities of the Village of Deerfield find that, since the enactment of Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013), the possession, manufacture and sale of assault weapons in the Village of Deerfield is not reasonably necessary to protect an individual's right of self-defense or the preservation or efficiency of a well-regulated militia; and

WHEREAS, the corporate authorities of the Village of Deerfield find that, since the enactment of Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013), courts throughout our State and Nation have uniformly upheld the constitutionality of local ordinances and legislation prohibiting the possession, manufacture and sale of assault weapons including, but not limited to, an ordinance enacted by the City of Highland Park, Illinois; and

WHEREAS, the corporate authorities of the Village of Deerfield find that, since the enactment of Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013), State and Federal authorities have failed to regulate the possession, manufacture and sale of assault weapons in the best interests for the protection of the public health, safety, morals and welfare of the Village of Deerfield; and

WHEREAS, the corporate authorities of the Village of Deerfield request that State and Federal authorities enact Statewide or Nationwide regulations to prohibit the possession, manufacture or sale of assault weapons; and

WHEREAS, the corporate authorities of the Village of Deerfield find that amending Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013) to prohibit the possession, manufacture

and sale of assault weapons in the Village of Deerfield is in the Village's best interests for the protection of the public health, safety, morals and welfare of the Village of Deerfield;

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 are incorporated into and made a part of this Ordinance as if fully set forth herein.

SECTION 2: Chapter 15 (Morals and Conduct), Article 11 (Assault Weapons), Section 15-86 (Definitions), Section 15-87 (Safe Storage of Assault Weapons; Exceptions) and Section 15-88 (Transportation of Assault Weapons; Exceptions) of the Municipal Code of the Village of Deerfield, as enacted by Village of Deerfield Ordinance No. 0-13-24 (July 1, 2013), shall be amended to read as follows (additions are indicated by underlining and deletions are indicated by ~~strikeout~~ markings):

Article 11. Assault Weapons.

Sec. 15-86. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Assault weapon means:

- (1) A semiautomatic rifle that has the capacity to accept a large capacity magazine detachable or otherwise and one or more of the following:
 - (A) Only a pistol grip without a stock attached;
 - (B) Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;
 - (C) A folding, telescoping or thumbhole stock;
 - (D) A shroud attached to the barrel, or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel; or

- (E) A muzzle brake or muzzle compensator.
- (2) A semiautomatic rifle that has a fixed magazine that has the capacity to accept more than ten rounds of ammunition.
- (3) A semiautomatic pistol that has the capacity to accept a detachable magazine and has one or more of the following:
 - (A) Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;
 - (B) A folding, telescoping or thumbhole stock;
 - (C) A shroud attached to the barrel, or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel;
 - (D) The capacity to accept a detachable magazine at some location outside of the pistol grip.
- (4) A semiautomatic shotgun that has one or more of the following:
 - (A) Only a pistol grip without a stock attached;
 - (B) Any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;
 - (C) A folding, telescoping or thumbhole stock;
 - (D) A fixed magazine capacity in excess of five rounds; or
 - (E) An ability to accept a detachable magazine.
- (5) Any shotgun with a revolving cylinder.
- (6) Conversion kit, part or combination of parts, from which an assault weapon can be assembled if those parts are in the possession or under the control of the same person.
- (7) Shall include, but not be limited to, the assault weapons models identified as follows:
 - (A) The following rifles or copies or duplicates thereof:
 - (i) AK, AKM, AKS, AK-47, AK-74, ARM, MAK90, Misr, NHM 90, NHM 91, SA 85, SA 93, VEPR;
 - (ii) AR-10;
 - (iii) AR-15, Bushmaster XM15, Armalite M15, or Olympic Arms PCR;
 - (iv) AR70;
 - (v) Calico Liberty;
 - (vi) Dragunov SVD Sniper Rifle or Dragunov SVU;
 - (vii) Fabrique National FN/FAL, FN/LAR, or FNC;
 - (viii) Hi-Point Carbine;
 - (ix) HK-91, HK-93, HK-94, or HK-PSG-1;
 - (x) Kel-Tec Sub Rifle;

- (xi) Saiga;
- (xii) SAR-8, SAR-4800;
- (xiii) SKS with detachable magazine;
- (xiv) SLG 95;
- (xv) SLR 95 or 96;
- (xvi) Steyr AUG;
- (xvii) Sturm, Ruger Mini-14;
- (xviii) Tavor;
- (xix) Thompson 1927, Thompson M1, or Thompson 1927 Commando; or
- (xx) Uzi, Galil and Uzi Sporter, Galil Sporter, or Galil Sniper Rifle (Galatz).

(B) The following pistols or copies or duplicates thereof, when not designed to be held and fired by the use of a single hand:

- (i) Calico M-110;
- (ii) MAC-10, MAC-11, or MPA3;
- (iii) Olympic Arms OA;
- (iv) TEC-9, TEC-DC9, TEC-22 Scorpion, or AB-10; or
- (v) Uzi.

(C) The following shotguns or copies or duplicates thereof:

- (i) Armscor 30 BG;
- (ii) SPAS 12 or LAW 12;
- (iii) Striker 12; or
- (iv) Streetsweeper.

“Assault weapon” does not include any firearm that has been made permanently inoperable, or satisfies the definition of “antique ~~firearm~~ handgun,” stated in this ~~section~~ Code, or weapons designed for Olympic target shooting events.

Detachable magazine means any ammunition feeding device, the function of which is to deliver one or more ammunition cartridges into the firing chamber, which can be removed from the firearm without the use of any tool, including a bullet or ammunition cartridge.

Large capacity magazine means any ammunition feeding device with the capacity to accept more than ten rounds, but shall not be construed to include the following:

- (1) A feeding device that has been permanently altered so that it cannot accommodate more than ten rounds.
- (2) A 22 caliber tube ammunition feeding device.
- (3) A tubular magazine that is contained in a lever-action firearm.

Muzzle brake means a device attached to the muzzle of a weapon that utilizes escaping gas to reduce recoil.

Muzzle compensator means a device attached to the muzzle of a weapon that utilizes escaping gas to control muzzle movement.

Sec. 15-87. Safe Storage of Assault Weapons; Exceptions.

(a) ~~Safe Storage.~~ It shall be unlawful to possess, bear, manufacture, sell, transfer, transport, store or keep any assault weapon in the Village, ~~unless such weapon is secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user. For purposes of this section, such weapon shall not be deemed stored or kept when being carried by or under the control of the owner or other lawfully authorized user.~~

(b) ~~Self defense exception.~~ ~~No person shall be punished for a violation of this section if an assault weapon is used in a lawful act of self defense or in defense of another.~~

(e) The provisions of this section, excluding those pertaining to the manufacture and sale of any assault weapon in the Village, do not apply to (i) any law enforcement officer, agent or employee of any municipality of the State of Illinois (ii) any law enforcement officer, agent or employee of the State of Illinois, of the United States, or of any other state (iii) any member of the military or other service of any state or the United States, including national guard and reserves, if the persons described are authorized by a competent authority to so carry an assault weapon loaded on a public way and such person is acting within the scope of his duties or training, or (iv) any qualified retired law enforcement officer, as that term is defined in 18 U.S.C. § 926C(c); however, any such assault weapon subject to the aforesaid exceptions under this section shall be safely stored and secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user, or broken down in a nonfunctioning state and not immediately accessible to any person, or unloaded and enclosed in a case, firearm carrying box, shipping box or other container by a person who has been issued a currently valid Firearm Owner's Identification Card, except as may otherwise be lawfully provided by the rules, regulations, general orders, ordinances or laws regulating the conduct of any such law enforcement officer, service member or qualified retired law enforcement officer.

Section 15-88. Transportation of Assault Weapons; Exceptions.

(a) It is unlawful and a violation of this section for any person to carry, keep, bear, transport or possess an assault weapon in the Village, ~~except when on his land or in his own abode, legal dwelling or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission,~~ except that this section does not apply to or affect transportation of assault weapons that meet one of the following conditions:

- (i) are broken down in a non-functioning state; ~~or~~ and
- (ii) are not immediately accessible to any person; or

(iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container by a person who has been issued a currently valid Firearm Owner's Identification Card, ~~or~~

(b) The provisions of this section do not apply to (i) any law enforcement officer, agent or employee of any municipality of the State of Illinois (ii) any law enforcement officer, agent or employee of the State of Illinois, of the United States, or of any other state (iii) any member of the military or other service of any state or the United States, including national guard and reserves officer, agent or employee of any municipality of the commonwealth, if the persons described are authorized by a competent authority to so carry an assault weapon loaded on a public way and such person is acting within the scope of his duties or training, or (iv) any qualified retired law enforcement officer, as that term is defined in 18 U.S.C. § 926C(c); however, any such assault weapon subject to the aforesaid exceptions under this section shall be safely transported in a locked container or equipped with a tamper-resistant mechanical lock or other safety device properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user, or broken down in a nonfunctioning state and not immediately accessible to any person, or unloaded and enclosed in a case, firearm carrying box, shipping box or other container by a person who has been issued a currently valid Firearm Owner's Identification Card, except as may otherwise be lawfully provided by the rules, regulations, general orders, ordinances or laws regulating the conduct of any such law enforcement officer, service member or qualified retired law enforcement officer.

Section 15-89. Penalty.

Any person who is found to have violated this Article shall be fined not less than \$250 and not more than \$1,000 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Every person convicted of any violation under this Article shall, in addition to any penalty provided in this Code, forfeit to the Village any assault weapon.

Section 15-90. Disposition of Assault Weapon and Large Capacity Magazine.

Any person who, prior to the effective date of Ordinance No. _____, was legally in possession of an Assault Weapon or Large Capacity Magazine prohibited by this Article, shall have 60 days from the effective date of Ordinance No. _____, to do any of the following without being subject to prosecution hereunder:

(a) Remove, sell or transfer the Assault Weapon or Large Capacity Magazine from within the limits of the Village;

(b) Modify the Assault Weapon or Large Capacity Magazine either to render it permanently inoperable or to permanently make it a device no longer defined as an Assault Weapon or Large Capacity Magazine; or

(c) Surrender the Assault Weapon or Large Capacity Magazine to the Chief of Police or his or her designee for disposal as provided in Section 15-91 of this Article.

Section 15-91. Destruction of Assault Weapons and Large Capacity Magazines.

The Chief of Police or his or her designee shall have the power to confiscate any assault weapon of any person charged with a violation under this Article. The Chief of Police shall cause to be destroyed each Assault Weapon or Large Capacity Magazine surrendered or confiscated pursuant to this Article; provided, however, that no Assault Weapon or Large Capacity Magazine shall be destroyed until such time as the Chief of Police determines that the Assault Weapon or Large Capacity Magazine is not needed as evidence in any matter. The Chief of Police shall cause to be kept a record of the date and method of destruction of each Assault Weapon or Large Capacity Magazine destroyed pursuant to this Article.

SECTION 3: The Village Manager, or his designee, is authorized and directed to submit to the Illinois Department of State Police a copy of this Ordinance, 30 days after its adoption, and any such other measures as may be necessary to effect the requirements of 430 ILCS 65/13.3.

SECTION 4: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 5: 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, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 6: 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 _____, 2018.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2018.

Village President

ATTEST:

Village Clerk

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 15 (MORALS AND CONDUCT),
ARTICLE 11 (ASSAULT WEAPONS), SECTION 15-87 (SAFE STORAGE OF
ASSAULT WEAPONS) AND SECTION 15-88 (TRANSPORTATION OF ASSAULT
WEAPONS) OF THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD
TO REGULATE THE POSSESSION, MANUFACTURE AND SALE OF ASSAULT
WEAPONS IN THE VILLAGE OF DEERFIELD**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

_____ day of _____, 2018.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
_____ day of _____, 2018.**

David E. Fitzgerald

From: cen271@protonmail.com
Sent: Thursday, March 22, 2018 8:26 AM
To: Andrew Lichterman
Cc: David E. Fitzgerald; Kent Street
Subject: Proposed assault weapon ordinance

Good morning Mr. Lichterman, thanks for replying to my call yesterday. Below is a statement supporting the proposed assault weapon ban:

To the Mayor and Deerfield Board of Trustees:

We are writing in support of the proposed ban on assault weapons as defined in the proposed amendment to ordinance no 0-13-24. While we recognize that there are freedoms under our Constitution that safeguard the right to own firearms, we also recognize that there are reasonable limits to those freedoms, limits which even the U.S. Supreme Court has acknowledged. We agree that assault weapons, as defined in the ordinance, do not serve a legitimate purpose that cannot be accomplished by other firearms and have no purpose or place in civil society.

Thank you for advancing this important discussion.

Angie and Chris Naylor
1023 Fair Oaks Ave.
Deerfield, IL 60015
847.444.0454.

David E. Fitzgerald

From: Harriet Rosenthal <harrietrose1@comcast.net>
Sent: Thursday, March 29, 2018 12:03 PM
To: Karen Hicks
Cc: Kent Street; Andrew Lichterman; David E. Fitzgerald
Subject: Re: Assault weapons ban

Thank you for your email. We will be sure to make it available to the Board of Trustees.

Happy holiday.

Best,

Harriet

Sent from my iPad

> On Mar 29, 2018, at 11:31 AM, Karen Hicks <hicksjk@sbcglobal.net> wrote:

>

> Dear Ms. Rosenthal,

>

> I wholeheartedly support the ban on assault weapons. They are unnecessary and dangerous. It's been shown that the average school shooter is 16 years old and gets access to this type of weapon from a family member.

>

> I'm encouraged that people are finally taking meaningful steps to keep our children safe.

>

> Karen Hicks

>

> Sent from my iPhone

David E. Fitzgerald

From: Noelle <noeller67@aol.com>
Sent: Monday, March 26, 2018 8:06 PM
To: Kent Street; Andrew Lichterman; David E. Fitzgerald
Subject: Assault Weapons Ban

Dear Mayor Rosenthal and Village Trustees,

I am a 15 year resident of Deerfield and while I respect the 2nd Amendment I do not think there is any reason for assault or assault-style weapons to be in the hands of anyone other than the police or military. I recently read about Steve Hemmert of Miami, Florida; Mr. Hemmert, a former U.S. Infantry officer, voluntarily turned in his two AR style rifles. I'm going to quote him because he articulates my feelings perfectly and as a gun owner his viewpoint cannot be ignored:

"There is no valid need for any civilian to own an AR. They make terrible self defense weapons because they can't safely be stored in a condition that makes them available to use quickly, and the rounds penetrate walls too easily. They aren't hunting rifles (it's not even legal to shoot a deer in some states with one). I know very well that my little AR is never going to be used to stand up to a government that has tanks and heavy machine guns. And God forbid someone steals them and uses them to kill more innocents.

Any honest gun owner will admit that the only lawful reason to own an AR is because they are fun to shoot (and they ARE fun to shoot)."

Please ban Assault Weapons in the Village of Deerfield.

Sincerely,

Noelle & Kevin Snow

1026 Sheridan Ave

March 24, 2018

Village of Deerfield
Mayor and Board of Trustees
850 Waukegan Road
Deerfield, Illinois 60015



RE: Proposed Government Confiscation of Firearms and Magazines; Notice of Class Action

Dear Mayor Rosenthal and Trustees:

We represent a group of law-abiding U.S. citizens who transport, store and shoot semi-automatic rifles and pistols with magazines which hold in excess of 10 rounds of ammunition. These include the so-called sporting rifle models known as Armalite-15 models. Our clients include Deerfield residents and residents of other Illinois municipalities.

We have been instructed to provide this letter by our clients anonymously, with hope you will not pass a Village ordinance attempting to ban semi-automatic firearms (including Armalite-15 and similar rifle models) and ammo magazines in excess of 10 rounds capacity. Should such an ordinance be passed, we have been instructed to file a class action lawsuit for denial of federal and state constitutional rights under the Second Amendment, including denial of the constitutional right to effectively participate in a militia (such as in the event of a nuclear explosion, a realistic threat), unlawful confiscation of private property by force of government (the police power), and for violation of other laws. We have been instructed to sue the Mayor and each Trustee individually for knowing and intentional violation of these rights. We have been instructed to ask the Mayor and Trustees to put the Village Attorney's malpractice insurance carrier on notice for providing incorrect advice as Deerfield missed the 10-day window of opportunity to pass such restrictions, as proved by Illinois State Senator (attorney) Raoul's recently proposed amendment to not passed, proposed state legislation, seeking to allow Illinois home rule municipalities to individually pass an "impossible to comply" patchwork of gun laws (which if passed will not stand constitutional muster) and the Highland Park Mayor's (an attorney) recent letter to Illinois state legislators.

As with most media spin, you have ignored that the cause of the Florida H.S. shooting was not the firearm, but the failure of the four county police officers (including the school safety officer) to enter the buildings and engage the criminal, and a local law enforcement and FBI failure to act on the multiple pre-event notices that the perpetrator would likely commit such a crime. Further, you are ignoring the fact that a H.S. shooter will likely be stopped by a school safety officer who is willing to engage, as happened 3/20/18 in Maryland. What have you done to spend taxpayer money on securing Deerfield school buildings???

Our clients have instructed us to remain anonymous at this time, for fear of reprisal. But, rest assured they are prepared to take the Village of Deerfield, and its Mayor and Trustees, all the way to the U.S. Supreme Court, which will be very expensive to defend.

Very truly yours,
A Chicago Law Firm

cc: Village Attorney, Deerfield Patch, Daily Herald, NRA

REQUEST FOR BOARD ACTION

18-25-2

Agenda Item: _____

Subject: Ordinance Adding Chapter 12 (“Health”), Article 8 (“Pavement Sealants”), As Amended,

To the Municipal Code of the Village of Deerfield to Regulate the Use and Sale of Coal

Tar Pavement Sealants and Licensing of Pavement Sealant Professionals

Action Requested: Approval

Village Manager’s Office

Originated By: _____
Village Board of Trustees

Referred To: _____

Summary of Background and Reason for Request

The ordinance now includes an effective date of May 1, 2018 to allow an education program to be implemented over the next month.

The education program includes multiple facets and will include:

- Mailing letters and making phone calls regarding coal tar sealants to:
 - (1) commercial property owners in the C-1, C-2, I-1 and I-2 zoning district,
 - (2) local area paving contracts
 - (3) other governmental entities in the Village including the school districts, township and park district
- Staff will also work with the Chamber of Commerce to utilize their e-blast system to communicate with the business community electronically.
- Staff will use a variety of platforms to communicate the coal tar ban directly to the residents. Staff will create a list of FAQ’s and a user guide as the primary educational materials. We will use a variety of platforms to spread the message including:
 - (1) Flyer in the water bill
 - (2) D-Tales
 - (3) E-blasts, website updates, social media posts, and slides on the government access channel
 - (4) Press releases
 - (5) Distribution of flyers at various events throughout the summer
 - (6) Flyers at the front desk

Reports and Documents Attached:

Ordinance

April 2, 2018

Date Referred to Board: _____

Action Taken: _____

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

ORDINANCE NO. _____

AN ORDINANCE ADDING CHAPTER 12 (“HEALTH”), ARTICLE 8 (“PAVEMENT SEALANTS”), AS AMENDED, TO THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD TO REGULATE THE USE AND SALE OF COAL TAR PAVEMENT SEALANTS AND LICENSING OF PAVEMENT SEALANT PROFESSIONALS

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

WHEREAS, the corporate authorities of the Village of Deerfield find that numerous academic and government studies have found that coal tar pavement sealants contain significantly higher concentrations of polycyclic aromatic hydrocarbons which may damage human health and the environment; and

WHEREAS, the corporate authorities of the Village of Deerfield find that there are readily available alternatives to coal tar pavement sealants which are commonly used by individuals and pavement sealant professionals in the Village of Deerfield; and

WHEREAS, the corporate authorities of the Village of Deerfield have determined that the regulations provided herein are in the best interests of the public health, safety and welfare of the Village of Deerfield;

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 are incorporated into and made a part of this Ordinance as if fully set forth herein.

SECTION 2: Chapter 12 (“Health”) of the Municipal Code of the Village of Deerfield shall be amended to add the following as Article 8, which shall be entitled “Pavement Sealants”, and which shall read as follows:

Article 8. Pavement Sealants

Sec. 12-53. Definitions.

For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Coal tar products means pavement sealant or sealcoat products that contain coal tar, coal tar pitch, coal tar derivatives, coal tar pitch volatiles, coal tar mixtures or any variation assigned the Chemical Abstracts Service (CAS) numbers 65996-93-2, 65996-89-6, or 8007-45-2.

Licensee means a holder of a pavement sealant professional's license issued by the Village of Deerfield, as well as the agents, employees and independent contractors of the licensee.

Pavement sealant professional means any person that employs one or more individuals for the purpose of providing pavement sealing for clients including, but not limited to, pavement sealing of any driveway, driveway approach, on or off-street parking area, playground, sidewalk, bike trail, patio, sports facility, loading area or facility, or roadway.

Pavement sealing means the application of sealant or sealcoat product to maintain any surface, including but not limited to, a driveway, driveway approach, on or off-street parking area, playground, sidewalk, bike trail, patio, sports facility, loading area or facility, street, highway, or roadway.

Person means any individual, association, partnership, firm, trust, corporation or limited liability company.

Vehicle means any motor-driven vehicle used by the licensee to transport employees or agents who work on pavement sealing, equipment, and/or debris.

Sec. 12-54. Sale of coal tar products prohibited.

No person may sell, offer or display for sale within the Village, at wholesale or retail, coal tar products of any kind.

Sec. 12-55. Use of coal tar products prohibited.

On public and private property, no coal tar products of any kind shall be applied or used on the surface of any a driveway, driveway approach, on or off-street parking area, playground, sidewalk, bike trail, patio, sports facility, loading area or facility, street, highway, roadway, or paved surface within the Village.

Sec. 12-56. Pavement sealant professional license required.

- (a) No pavement sealant professional shall perform any pavement sealing without first securing an annual license therefor from the Village. The failure to comply with this license requirement shall be deemed a violation of this Article.
- (b) Except as otherwise provided by an annual fee resolution, the annual pavement sealant professional license fee shall be One Hundred Dollars (\$100.00). All applicable license fees and any other required fees shall be paid prior to the issuance of any license.
- (c) The license term shall expire on December 31 of the calendar year for which it is issued unless sooner revoked as provided in this Article.
- (d) A license shall be a purely personal privilege, effective for a period not to exceed one (1) year after issuance unless sooner revoked as provided in this Article, and shall not constitute property. No license is transferable, separate or divisible, and such authority as a license confers shall be conferred only on the licensee named therein.

Sec. 12-57. Application for pavement sealant professional license.

- (a) An application for a pavement sealant professional license shall be made to the Village Manager on forms provided by the Village. The application shall be completed in full and signed by the applicant, if an individual, or by a duly authorized agent thereof, if not an individual, verified by oath or affidavit, and shall set forth the following information:
 - 1. Name and address of the applicant; if the applicant is a partnership, the application shall show for each partner his name and address and interest, and all information required by paragraphs (2) through (6) of this Section, and if the applicant is a corporation, the application shall state the name and address of the registered agent, and with respect to each director, and each shareholder owning ten percent (10%) or more of the corporation's shares, (i) his or her name and address, together with (ii) the information required by paragraphs (2) through (6) of this Section.
 - 2. Whether the applicant has ever been convicted of the commission of a felony under the laws of this State, or any other state, or under the laws of the United States.
 - 3. Whether applicant ever made an application for a license under this Article, or a

pavement sealant professional business license or similar license to a state or county, city, village or other unit of local government, and if so, where and when, and if such application was granted or denied, and if such application was denied, the reasons for the denial.

4. Whether a license was ever issued to the applicant under this Article or a pavement sealant professional license or similar license was ever issued by any state or county, city, village or other unit of local government, and if so, where and when, and if such license has ever been suspended or revoked and the reasons for the suspension or revocation.
 5. Whether the applicant has ever been convicted of a violation of any of the provisions of this Article or any ordinance of any other Illinois municipality which regulates pavement sealant professionals, or any Illinois statute regulating pavement sealant professionals.
 6. A statement that the applicant has received copies of, reviewed and understands the applicable ordinances of the Village including, but not limited to, the prohibition on the use and sale of coal tar products in the Village, and will promulgate same and educate its employees thereof.
 7. The number and kind of vehicles owned and controlled by the applicant.
 8. The location of the applicant's office and garage.
 9. The color scheme, insignia, trade name, and telephone number located upon and used to designate the vehicles of the applicant.
 10. A complete description of each vehicle including the year, make, model and motor or factory number ("VIN") of the vehicle.
 11. Evidence that the applicant is covered by policies of: comprehensive general liability insurance, including bodily injury and property damage; and adequate workers' compensation and vehicle insurance unless the Village Manager, in his or her sole discretion, waives any or all of these insurance requirements.
 12. Payment of the annual license fee.
- (b) The applicant shall submit a written authorization for the Village, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for a license.
 - (c) The applicant shall submit such other information, documentation, and identification as the Village Manager may deem necessary to determine the identity of the applicant or to process the application.

Sec. 12-58. Issuance, denial, suspension, renewal, and revocation of pavement sealant professional's license.

- (a) In addition to the provisions under Section 1-26 (“Suspension Or Revocation Of Licenses Or Permits; Refusal To Issue Licenses Or Permits”) of this Code, the Village Manager may deny, suspend, revoke, or refuse to issue or renew, a pavement sealant professional's license for any of the following reasons:
 - 1. The use or sale of coal tar products by the licensee within the Village;
 - 2. The applicant or licensee, if an individual; or any of the officers, directors, any person owning directly or beneficially more than ten percent (10%) of the stock of the corporation, if the applicant or licensee is a corporation; or any of the partners, including limited partners, if the applicant or licensee is a partnership; and the manager, assistant manager or any other person principally in charge of the operation of the business, has been:
 - (i) convicted of a felony under the laws of the State of Illinois or any other state, or under the Federal laws of the United States, within ten (10) years of the date of the application; or
 - (ii) convicted of any other criminal offense involving dishonesty, fraud, deceit or moral turpitude within ten (10) years of the date of the application; or
 - (iii) convicted of a violation of any provision of this Article or any applicable provision of this Code including, but not limited to, Chapter 14 (“Licenses”), Article 1 (“In General”) of this Code; or
 - (iv) convicted of a violation of an ordinance of any other unit of local government regulating pavement sealant professionals; or
 - (v) denied, suspended or revoked of a pavement sealant professional license or similar license by the Village or any other jurisdiction; or
 - (vi) subject to pending proceedings to suspend or revoke a pavement sealant professional license or similar license issued by the Village or any other jurisdiction; or
 - (vii) overdue on payment to the Village of fees, fines, or penalties assessed against the licensee or imposed upon the licensee in relation to the sale or use of pavement sealants; or
 - (viii) providing false, misleading or fraudulent statements of fact in the license application or in any document required by the Village in conjunction with the license application; or
 - (ix) failing to provide information required by the Village in conjunction with the

license application.

- (b) In the event that the application is denied for failure to comply with the requirements of this Article, the Village Manager shall immediately notify the applicant in writing of the reasons for the denial. If the failure is not cured within ten (10) days after the date on which the Village Manager denies the issuance of said license, the application shall be null and void.
- (c) No person whose license has been revoked may apply for a license for a period of one (1) year following the date of such revocation.
- (d) The renewal of a license shall follow the same provisions required for the issuance of a license under this Article.
- (e) Except as otherwise provided by this Section, the provisions of Section 1-26 of this Code shall govern the issuance, denial, suspension or revocation of this license.
- (f) The Village Manager shall have the discretion to deny, suspend or revoke a license for a single violation of this Article.

Sec. 12-59. Display of pavement sealant professional's license.

- (a) All vehicles operated by the licensee must at all times display:
 - 1. The information required by Section 12-59(a)(9) of this Article; and
 - 2. The pavement sealant professional's vehicle sticker issued by the Village upon issuance of a license in an open and conspicuous place in the front driver's side window of the vehicle.
- (b) The failure to comply with the provisions of this Section shall be deemed a violation of this Article.

Sec. 12-60. Penalty.

- (a) Any person found guilty of violating any provisions of this Article shall be fined in an amount not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00) for each offense. Every day that a violation exists constitutes a separate offense.
- (b) Any owner or occupant of property who permits a violation of Section 12-55 of this Article to exist or continue upon the property shall be fined in an amount not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) for each offense. Every day that such violation is permitted to exist, or is maintained by the owner of occupant, shall be considered a separate offense.

Sec. 12-61. Effective Date.

The effective date of this Ordinance shall be May 1, 2018.

SECTION 3: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

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, 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, except as otherwise provided herein.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2018.

Village President

ATTEST:

Village Clerk

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

ORDINANCE NO. _____

AN ORDINANCE ADDING CHAPTER 12 (“HEALTH”), ARTICLE 8 (“PAVEMENT SEALANTS”), AS AMENDED, TO THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD TO REGULATE THE USE AND SALE OF COAL TAR PAVEMENT SEALANTS AND LICENSING OF PAVEMENT SEALANT PROFESSIONALS

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

_____ day of _____, 2018.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
_____ day of _____, 2018.**

REQUEST FOR BOARD ACTION

Agenda Item: 18-28-1

Subject: Ordinance Authorizing an Amendment to a Sign Plan to Allow a New Ground Sign for Caterpillar Global Headquarters – 1R

Action Requested: First Reading

Originated by: Plan Commission

Referred to: Mayor and Board of Trustees

Summary of Background and Reason for Request:

On March 19, 2018, the Board of Trustees accepted the Plan Commission's recommendation of an Amendment to a Sign Plan to Allow a New Ground Sign for Caterpillar Global Headquarters.

Reports and Documents Attached:

Ordinance
Request for Waiver of Second Reading

Date Referred to Board: April 2, 2018

Action Taken: _____

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

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CORPORATE 500
PLANNED UNIT DEVELOPMENT SIGN PLAN TO ALLOW A NEW GROUND SIGN
FOR CATERPILLAR GLOBAL HEADQUARTERS AND NECESSARY SIGN
EXCEPTIONS**

WHEREAS, on February 22, 2018, the Plan Commission of the Village of Deerfield held a public hearing on the petition of Caterpillar, Inc. and Corporate 500 (the “Petitioners”), the tenant and owner of certain property commonly known as the Corporate 500 Planned Unit Development (the “Subject Property”), to approve an amendment to the Sign Plan for the Subject Property to allow a new ground sign for Caterpillar’s global headquarters (the “Caterpillar Ground Sign”) and necessary sign exceptions from Article 9.02-C, Paragraph 1 of the Zoning Ordinance of the Village of Deerfield to allow (i) the Ground Sign to be located 116 feet west of the existing Corporate 500 ground sign, (ii) the Ground Sign to have a surface area of 76 square feet in area per face and an aggregate surface area of 152 square feet, and (iii) the Ground Sign to be located in the perimeter setback of the Subject Property (the “Caterpillar Sign Modifications”); and,

WHEREAS, said public hearing was held pursuant to public notice duly given and published as required by statute and conforming in all respect, in both manner and form with the requirements of the statutes of the State of Illinois and the Zoning Ordinance of the Village of Deerfield; and,

WHEREAS, the Plan Commission of the Village of Deerfield, after considering the proposed amendment to the Sign Plan for the Subject Property and the evidence and supporting materials offered at said hearing, has submitted its written report and recommendation to the

President and Board of Trustees of the Village of Deerfield to approve an amendment to the Sign Plan for the Subject Property to allow the Caterpillar Ground Sign and Caterpillar Sign Modifications; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in and adopt the findings of fact, report and recommendation of the Plan Commission of the Village of Deerfield as the findings of fact of the President and Board of Trustees of the Village of Deerfield; and,

WHEREAS, the corporate authorities of the Village of Deerfield find that Petitioners' amendment to the Sign Plan for the Subject Property, the Caterpillar Ground Sign and the Caterpillar Sign Exceptions comply with the requirements and standards set forth in Articles 9.02-C, 13.08 and 13.11 of the Zoning Ordinance of the Village of Deerfield, and further find that the best interests of the Village of Deerfield will be served by amending the Sign Plan for the Subject Property to approve the Caterpillar Ground Sign and Caterpillar Sign Modifications, subject to the conditions, regulations and restrictions provided herein;

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 are incorporated into and made a part of this Ordinance as if fully set forth herein.

SECTION 2: The President and Board of Trustees of the Village of Deerfield authorize and approve an amendment to the Sign Plan for the Subject Property to allow for the installation and maintenance of the Caterpillar Ground Sign, subject to the conditions, regulations and restrictions set forth in Section 4 of this Ordinance.

SECTION 3: The President and Board of Trustees of the Village of Deerfield authorize and approve the Caterpillar Sign Exceptions from Article 9.02-C, Paragraph 1 of the Zoning Ordinance of the Village of Deerfield to allow (i) the Caterpillar Ground Sign to be located 116 feet west of the existing Corporate 500 ground sign, (ii) the Caterpillar Ground Sign to have a surface area of 76 square feet in area per face and an aggregate surface area of 152 square feet, and (iii) the Caterpillar Ground Sign to be located in the perimeter setback of the Subject Property, subject to the conditions, regulations and restrictions set forth in Section 4 of this Ordinance.

SECTION 4: This amendment to the Sign Plan for the Subject Property is granted subject to the following conditions, regulations and restrictions:

- (a) the construction, maintenance and use of the Caterpillar Ground Sign shall be in accordance with the supporting documents, materials and exhibits attached hereto incorporated herein as Exhibit A;
- (b) the construction, maintenance and use of the Caterpillar Ground Sign shall be in accordance with all representations made and submitted by the Petitioners to the Plan Commission and the President and Board of Trustees of the Village of Deerfield; and
- (c) compliance with all applicable requirements of the Zoning Ordinance and Municipal Code of the Village of Deerfield.

SECTION 5: The Village Clerk is hereby authorized and directed to record this Ordinance in the office of the Recorder of Deeds of Lake County, Illinois at Petitioner's expense.

SECTION 6: 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, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2018.

Village President

ATTEST:

Village Clerk

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

**AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CORPORATE 500
PLANNED UNIT DEVELOPMENT SIGN PLAN TO ALLOW A NEW GROUND SIGN
FOR CATERPILLAR GLOBAL HEADQUARTERS AND NECESSARY SIGN
EXCEPTIONS**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

_____ day of _____, 2018.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
_____ day of _____, 2018.**

EXHIBIT A

Documents Incorporated as Part of the Amendment to the Corporate 500 Sign Plan for the Caterpillar Ground Sign

1. Letter of Intent
2. Caterpillar Ground Sign Option A plans (4 sheets) by Parvin-Clauss Sign Company dated 6-21-17 with revised dates of 9-21-17, 11-1-17, 11-8-17, and 1-9-18
3. Project Spartan Signage Concept: Day
4. Project Spartan Signage Concept: Night
5. Project Spartan Signage Concept: View 1-4
6. Project Spartan Signage Concept: Materials
7. Caterpillar Ground Sign Placement by Parvin-Clauss Sign Company dated 2-12-18
8. Site Plan by Sherrill Associates, Inc. (3 sheets)
9. Landscape Plan by Moore Landscapes

From: Eric R. Nieukirk
To: [Kent Street](#)
Cc: [David E. Fitzgerald](#); [Jeff Ryckaert](#); [Daniel Nakahara](#); lstaszak@parvinclauss.com; mhansen@lpc.com
Subject: Request for Waiver of Caterpillar Monument Sign Second Reading
Date: Tuesday, March 27, 2018 9:40:50 PM

Kent,

Many thanks to you and Village staff for assisting Caterpillar with several portions of our new Global Headquarters project, including the proposed new monument sign on Lake Cook Rd.

After unanimous approval of our monument sign proposal, without modifications, by the Deerfield Plan Commission, and after unanimous approval by the Village Board last Monday, March 19th, and after, to the best of our knowledge, no negative input from community members throughout the public process, Caterpillar respectfully requests a waiver of the April 16th second reading of the ordinance related to our sign installation. This waiver will allow us to begin both fabrication and final installation work as soon as possible, which is desired by our company.

Please feel free to contact me to discuss further.

Thank you to the Village for their consideration.

Respectfully,
Eric Nieukirk

Eric R. Nieukirk
Corporate Real Estate & Economic Development Mgr.
Caterpillar Inc. | 100 NE Adams St. AB6120 | Peoria, IL 61629-6120
ph. 309.675.1440 | Nieukirk_Eric_R@cat.com

REQUEST FOR BOARD ACTION

Agenda Item: 18-29-1

Subject: Ordinance Authorizing a Class A Special Use for a Proposed Massage Establishment to be Located at 711 Waukegan Road – 1R

Action Requested: First Reading

Originated by: Plan Commission

Referred to: Mayor and Board of Trustees

Summary of Background and Reason for Request:

On March 19, 2018, the Board of Trustees accepted the Plan Commission's recommendation for a Class A Special Use for a Proposed Massage Establishment to be Located at 711 Waukegan Road.

Reports and Documents Attached:

Ordinance

Date Referred to Board: April, 2018

Action Taken: _____

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

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A CLASS A SPECIAL USE FOR A
MASSAGE HEIGHTS ESTABLISHMENT TO BE LOCATED
AT 711 WAUKEGAN ROAD**

WHEREAS, on February 22, 2018, the Plan Commission of the Village of Deerfield held a public hearing on the petition of Massage Heights (the “Petitioner”), the proposed tenant of the property at 711 Waukegan Road at the south end of the Deerfield Village Centre Planned Unit Development in the C-1 Village Center District (the “Subject Property”), for approval of a Class A Special Use, pursuant to Article 5.01-C, Paragraph 1, Subparagraph K-1, of the Zoning Ordinance of the Village of Deerfield, to authorize the establishment and operation of an approximately 3,990 square foot massage establishment at the Subject Property (the “Massage Heights Special Use”); and

WHEREAS, said public hearing was held pursuant to public notice given in the time and manner provided by law, and conforming in all respects, in both manner and form, with the requirements of the statutes of the State of Illinois and the Zoning Ordinance of the Village of Deerfield; and,

WHEREAS, the Plan Commission of the Village of Deerfield, after considering the evidence, testimony and supporting materials offered at said public hearing, filed its report containing its written findings of fact and recommendation to the President and Board of Trustees of the Village of Deerfield that the Massage Heights Special Use be authorized, except for the

window signage options presented to the Plan Commission, in accordance with the supporting documents, materials and exhibits attached hereto incorporated herein as Exhibit A; and

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in and adopt the findings of fact, report and recommendation of the Plan Commission of the Village of Deerfield as the findings of fact of the President and Board of Trustees of the Village of Deerfield; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield have determined that the Massage Heights Special Use for the Subject Property fully complies with the requirements and standards set forth in Article 5.01-C, Paragraph 1, Subparagraph K-1 and Article 13.11 of the Zoning Ordinance of the Village of Deerfield, and that the best interests of the Village will be served by the authorization and granting of the Massage Heights Special Use, subject to the conditions, regulations and restrictions provided herein;

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 are incorporated into and made a part of this Ordinance as if fully set forth herein.

SECTION 2: The President and Board of Trustees authorize and approve the establishment and operation of an approximately 3,990 square foot massage establishment at 711 Waukegan Road at the south end of the Deerfield Village Centre Planned Unit Development in the C-1 Village Center District as a Class A Special Use pursuant to Article 5.01-C, Paragraph 1, Subparagraph l, of the Zoning Ordinance of the Village of Deerfield (the “Massage Heights Special Use”), subject to the conditions, regulations and restrictions set forth in Section 3 of this Ordinance.

SECTION 3: The approval and authorization of the Massage Heights Special Use is granted, subject to the following conditions, regulations and restrictions:

- (a) The establishment, development, maintenance and use of the Subject Property for the Massage Heights Special Use shall be in accordance with the plans and supporting materials attached hereto and incorporated herein as Exhibit A, excluding the window signage options presented to the Plan Commission;
- (b) The establishment, development, maintenance and use of the Subject Property for the Massage Heights Special Use shall be in accordance with all representations made and submitted by Petitioner to the Plan Commission and to the President and Board of Trustees of the Village of Deerfield;
- (c) Compliance with the recommendations and requirements of the Appearance Review Commission; and
- (d) Compliance by the Applicant with all other applicable provisions of the Municipal Code and Zoning Ordinance of the Village of Deerfield.

SECTION 4: The Massage Heights Special Use as hereby authorized shall be binding upon and inure to the benefit of the Petitioner and Petitioner's successors, grantees, transferees and assigns, and any violation of this Ordinance or the conditions, regulations and restrictions set forth herein by the Petitioner and Petitioner's successors, grantees, transferees or assigns shall authorize the revocation of this Special Use.

SECTION 5: The Village Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form and to record this Ordinance in the office of the Recorder of Deeds of Lake County, Illinois at Applicants' expense.

SECTION 6: 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, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2018.

Village President

ATTEST:

Village Clerk

Exhibit A

Documents Incorporated as Part of the Massage Heights Special Use at 711 Waukegan Road

1. 711 Waukegan Road Shared Parking Analysis dated 12-20-17 by Walker Consultants for ECA Architects.
2. Massage Heights Plan Commission Submission Special Use dated 2-6-18.
3. Exterior Elevation Signage West/Northwest Elevation by ECA Architects.
4. Exterior Elevation Signage North Elevation by ECA Architects.
5. Naperville Example Window Graphics by ECA Architects.
6. Massage Heights Window Graphics Option 1 Plan Commission.
7. Massage Heights Window Graphics Option 2 Plan Commission.
8. Massage Heights Window Graphics Option 3 Plan Commission.
9. Massage Heights Window Graphics Option 4 Plan Commission.
10. Massage Heights Window Graphics Option 5 Plan Commission.
11. Door Signage Requirements by ECA Architects.

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

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A CLASS A SPECIAL USE FOR A
MASSAGE HEIGHTS ESTABLISHMENT TO BE LOCATED
AT 711 WAUKEGAN ROAD**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

_____ day of _____, 2018.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
_____ day of _____, 2018.**