

**COMMITTEE OF THE WHOLE – Minutes of Meeting
January 27, 2020**

The Village Board met as a Committee of the Whole in the Council Chambers of the Village Hall at 5:00 p.m. on Monday, January 27, 2020. In attendance were:

PRESENT:

Village Board

Harriet Rosenthal, Mayor
Robert Benton, Trustee
Thomas Jester, Trustee
Mary Oppenheim, Trustee
William Seiden, Trustee
Daniel Shapiro, Trustee
Barbara Struthers, Trustee

Staff

Kent Street, Village Manager
Andrew Lichterman, Asst. Village Manager
David Fitzgerald-Sullivan, Management Analyst
John Sliozis, Police Chief
Eric Burk, Finance Director
Bob Phillips, Public Works Director
Chris Fry, Police Commander
Andy Kupsak, Police Commander
Desiree Van Thorre, Administrative Services
Coordinator
Mary Glowacz, Administrative Intern

Absent

None

Public Comment

Elizabeth McCarty, 590 Whittier, reported that her northwest property line is shared with a commercial property, the Village Centre located at the corner of Waukegan Road and Deerfield Road. She reported excessive and unnecessary noise created by snow removal of less than two inches in accumulation. She noted a bobcat is utilized for snow removal into the early hours of the morning. She stated that she has informed both Village staff and the Police Department of this noise issue and has been told that, due to safety reasons snow removal is permitted. She reported that Deputy Chief Budny simply encouraged her to call dispatch to report a noise complaint when the bobcat is being utilized for long periods of time in the early hours of the morning. She stated that Assistant Manager Lichterman provided her with the Village's policy that snow needs to be removed so residents and patrons can get around safely and that it was not safe for the bobcat to move around when patrons are present. She also reported that Mr. Lichterman told her that there are different variables that come with living next to a shopping center. Ms. McCarty stated that she does not think that the snow regulations are transparent and wants snow removal noise restrictions to be put into place.

Mayor Rosenthal thanked Ms. McCarty for coming and noted that staff understands her frustrations. She noted that it can be difficult to plan for the weather due to its unpredictability. She asked if staff has directly reached out to the Village Centre property owner about this noise complaint. Mr. Lichterman noted that this property is not being treated any differently than any other commercial or residential property. He cited exceptions to the noise ordinance due to safety. Trustee Oppenheim commented that the Village should consider the heightened noise that is created by the large equipment

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utilized for snow removal at the Village Centre. Mr. Lichterman noted that staff worked with the center's snow removal contractor to help reduce the noise impacts and noted that the center must accommodate their own residents' snow removal and safety needs. Mayor Rosenthal asked staff to speak directly to the property owner about this noise complaint. She noted that due to safety reasons it is not practical to pass a code that restricts snow removal hours, but staff can ask the property owner to be more considerate of the times/duration that snow is removed from the center. Mr. Lichterman agreed that the Village will work with the property owner on this issue. Trustee Shapiro stated that one must consider that snow removal contractors have various clients and it is impractical to require snow to be removed immediately upon snowfall. He commented that the Board understands Ms. McCarty's frustrations and their goal is to find a fair solution for everyone. Ms. McCarty stated that her situation is unique and needs to be addressed. Trustee Shapiro stated that the Village is going to look into this issues and will make efforts to find a practical solution.

Active Shooter Training

Police Commander Kupsak provided active shooter training. Manager Street reported that similar training has been provided to the Plan Commission.

Presentation by Go Green Deerfield

Art Wilde of Go Green Deerfield thanked the Mayor and Board for putting this topic on the agenda. He stated that it is important to address this issue now to reduce its future impact on our children and grandchildren. He stated Go Green's goals are to reduce greenhouse gas emissions by 45% by 2030 and be 100% carbon neutral by 2050. These goals are in line with the UN Climate Change Report. He outlined local sources of carbon dioxide emissions, including goods, food, building energy, services, and transportation. He outlined initial policy concepts that are measurable and being done in other communities. He requested that the Mayor and Board commit to reducing the Village's carbon footprint by passing a Proclamation and authorizing creating a green action task force to work on implementing policies. He stated that the Village has a track record of being a leader in standing up for important issues and that this is an opportunity for the Village to be a model for other communities on addressing this issue. He noted the group would like to deliver a draft a sustainability plan for Board approval within the first six months, and go before the Board for a vote on the proclamation within 30-days.

Mayor Rosenthal stated that she appreciates Go Green's initiatives and concise presentation. She asked how reductions in Deerfield's carbon footprint could be measured. Mr. Wilde stated that there are various tools for measuring reductions; stating that energy is the easiest to measure. He sighted electrical consumption measurements that appear on utility bills as an example, as well as available studies that help quantify savings. Mayor Rosenthal inquired about the current baseline. The group cited Local Governments for Sustainability and the Global Protocol for Community-Scale as reliable sources for determining Deerfield's current baseline, noting that Evanston is currently utilizing these platforms.

Trustee Oppenheim asked if this data would be easily available to staff and noted concerns with time and expense with tracking the Village's carbon footprint reductions. Trustee Shapiro noted that it would be beneficial for staff to speak with Evanston about

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their experiences. Trustee Oppenheim stated that she can get behind supporting these initiatives, but wants to ensure that the measures are calculable and noted the limitations of staff time. Mr. Wilde noted that other communities have confirmed that tools are available to collect comprehensive data in an efficient, non-burdensome manner for staff.

Mayor Rosenthal stated the importance of getting initial stakeholders involved and invested early on in the process; noting the importance of having the Park District and other community stakeholders involved. Trustee Struthers noted the importance of getting the schools involved right away. Trustee Oppenheim agreed and noted that most schools have environmentally green committees. Trustee Seiden inquired about working with other communities. Mr. Wilde confirmed that Go Green has utilized other communities as resources in their research.

Trustee Shapiro inquired about Go Green's involvement with the Sustainability Commission. Mr. Wilde noted that Don Anderson from the Sustainability Commission is present tonight. Amy Call stated that she is a member of both groups and that she envisions future partnerships as it is a large task that cannot be accomplished by one group alone. Mr. Wilde noted that the goal of the task force is to activate the community. Trustee Oppenheim noted that she appreciated the presentation's connection to the Village's Comprehensive Plan. She noted the importance of Go Green, the Sustainability Commission, the Village and community stakeholders working together to accomplish this goal in the most practical and efficient manner.

Mayor Rosenthal commented that this will involve a lot of financial decisions. Mr. Street commented that Board direction will help him prioritize staff time to address these goals. Trustee Jester noted that he would not support the Proclamation as it is currently written. Mayor Rosenthal asked the Board to carefully look over the Proclamation and provide staff with any suggested edits. There was a conversation about when the Proclamation should appear on the Board agenda. Mayor Rosenthal summarized that there is a general consensus for the Proclamation to appear on the February 18 meeting agenda.

Trustee Oppenheim moved to enter into closed session pursuant to Section 2 (c) 11 of the Illinois Open Meetings Act. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Benton, Jester, Oppenheim, Mayor Rosenthal, Seiden, Shapiro, Struthers (7)

NAYS: None (0)

Board went into closed session at 6:05 p.m. and returned to open session at 6:26 p.m.

Village Attorney Cost Recovery Code Provisions

Mr. Street outlined the memo from the Village Attorney regarding cost recovery from petitioners for land use petitions. Mr. Lichterman discussed the options available and noted that independent business owners commonly inquire about petition fees. Trustee Oppenheim inquired about the cost for smaller projects. Trustee Shapiro stated that he does not like the idea of all third party costs being passed on to the petitioner and pointed

out the potential financial hardship that this would have on smaller businesses and a single homeowner petitioning the Village.

Mayor Rosenthal stated that she is in favor of requiring an escrow and recovering the Village's actual costs for these services. Trustee Struthers asked about the estimated annual financial recovery. Mr. Lichterman noted the Village budgets about \$200,000 in attorney fees annually. Trustee Shapiro stated that he likes the Des Plaines model, which exempts small projects. Trustee Jester noted that all outside third party services should be included. Trustee Seiden commented that the Village may be less attractive to businesses, from a financial perspective, if petitioners are required to pay attorney costs. Trustee Shapiro noted that one- and two-unit residential structures would be exempt. Mr. Street noted the escrow would be proportional to the size of the project. There was a consensus to exempt other taxing bodies and charitable and religious organizations. Mr. Street thanked the Board for providing direction and noted that a report would be presented to the Village Board on this matter at a regular meeting.

Strategic Planning Discussion

Trustee Oppenheim stated that she has gone through the strategic planning process in the past and found it useful. Trustee Jester noted he has participated in the strategic planning process in his professional life and noted that strategic planning can be beneficial during changes in leadership. He commented that he does not think that there will be substantive, long term benefits from the process in the Village's case. He asked for examples of potential changes that would benefit the Village. He asked his fellow trustees for ideas or examples of strategic goals. Trustee Oppenheim noted the earlier discussion from Go Green is an example. She stated that strategic planning is meant to clarify the Village's position on specific topics and realign priorities that guide decision-making. She stated that new issues are constantly arising and strategic planning would allow the Village to develop effective strategies for dealing with such issues.

Trustee Jester stated that he is satisfied with how the Board has been addressing issues and doesn't see the lasting benefits of a strategic plan. Trustee Seiden commented that he has participated in strategic planning in the past and found the process to be a waste of time and money. Trustee Struthers noted that she has seen strategic plans both work and not work in the past and she has her doubts about entering into the strategic planning process. Mayor Rosenthal compared the strategic planning process to the Police Department accreditation process and noted that it is a check on what the Village is doing and how the Village is doing it. Trustee Seiden asked if there has been any cases over the past few years in which a strategic plan would have been beneficial. Trustee Shapiro stated that the Village is fortunate to have such a strong staff and that although a strategic plan is not needed at this time it would be wise for the Board to revisit the prospect on an annual basis. Trustee Oppenheim commented that she has found the strategic planning process to be valuable in similar public body settings.

Mr. Street noted that creating a strategic plan is extremely time demanding and requires a commitment by all parties involved in order to efficiently and effectively work. Chief Sliozis reported that the Police Department has a five year strategic plan and noted that the process required a lot of time and work, but was worthwhile. He noted that the Police Department does refer to their strategic plan and that the strategic plan is revisited on an

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annual basis when creating the upcoming year's budget. Mayor Rosenthal stated that the Board would not pursue strategic planning at this time but requested that this matter be revisited during budget planning.

Affordable Housing Discussion

Mr. Lichterman outlined the memo and highlighted the new affordable housing figures from the State. Trustee Jester noted that the Village is at 8 percent affordable housing. Mayor Rosenthal noted that some of the increase could be due to a depressed real estate market. Trustee Struthers commented that the Village is very close to the State's recommendation for 10 percent affordable housing.

Mayor Rosenthal noted that the focus should be on determining whether the Board finds it necessary to further regulate affordable housing. Trustee Shapiro stated that the Village must separately define affordable housing. Trustee Oppenheim asked if the Village should legislate inclusionary zoning, in which new developments are required to commit a certain number of units to affordable housing. She stated that it is the Village's moral and ethical obligation to pass an ordinance. Trustee Jester disagreed, noting that there are not likely to be additional multi-unit developments built due to the restricted amount of buildable land in the Village. He noted that it would be a waste of money to pay our attorney to write an ordinance that will not likely be utilized.

Trustee Shapiro stated that having an ordinance in place clearly provides developers with all the information and rules from the start, allowing them to better plan. Trustee Struthers stated that she would have liked to see affordable housing on Samantha's Way and Elysian Way and would like these types of developments to consider including affordable housing going forward. Trustee Seiden noted that as a home rule community, the Village is not required to provide affordable housing. He believes that requiring affordable housing is using taxpayer dollars for charity. Mayor Rosenthal commented that the Village should look at size and scale in order to determine the parameters that would best suit Deerfield. Trustee Jester agreed that the starting point should be looking at the scale. There was a consensus for staff to prepare a report discussing the appropriate scale for when an affordable housing requirement would be required.

Adjournment

There being no further business or discussion, Trustee Benton moved to adjourn the meeting. Trustee Shapiro seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 7:10 p.m.

Respectfully submitted,
Mary Glowacz
Administrative Intern