

February 3, 2020

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 February 3, 2020, at 7:30 p.m. The clerk called the roll and announced that the following were:

Present: Harriet Rosenthal, Mayor
Robert Benton
Tom Jester
Mary Oppenheim
Dan Shapiro
Barbara Struthers

Absent: William Seiden

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

PLEDGE OF ALLEGIANCE

Mary Gramins lead those in attendance in reciting the Pledge of Allegiance.

PROCLAMATION – 100TH
ANNIVERSARY OF THE LEAGUE
OF WOMEN VOTERS

Mayor Rosenthal proclaimed February 14, 2020 as the date to celebrate the League of Women Voters of Deerfield and its vision of a democracy where every person has the desire, the right, the

knowledge and the confidence to participate.

Trustee Struthers moved to accept the Proclamation. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote.

Ms. Gramins thanked the Village for recognizing the League of Women Voters. In 1919, the government passed the 19th Amendment allowing women to vote and the League was formed to help inform the new voters. The League is a non-partisan group. In Deerfield, they registered 129 high school students and hosted candidate forums in the last year.

DOCUMENT APPROVAL

Trustee Oppenheim moved to accept the minutes from the January 21, 2020, Board of Trustees

meeting and the January 27, 2020, Committee of the Whole meeting. Trustee Shapiro seconded the motion. The motion passed unanimously on a voice vote.

TREASURER'S REPORT

Finance Director Eric Burk presented highlights from the December 2019 treasurer's report

representing the unadjusted and unaudited report for fiscal year 2019. Sales tax net of the rebate decreased. Water and sewer billing increased from the prior year. Hotel tax increased from prior year. Building permit revenue exceeds the budget. The Village has recovered 56 percent of funds from IMET.

BILLS AND PAYROLL

Trustee Struthers moved to approve the Bills and Payroll dated February 3, 2020. Trustee

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

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

NAYS: None (0)

PUBLIC COMMENT

There were no Public Comments on non-agenda items.

REPORTS

FORWARDING OF THE PLAN
COMMISSION RECOMMENDATION
ON THE REQUEST FOR APPROVAL OF
AN AMENDMENT TO A SPECIAL USE
TO ADD FOUR (4) PICKLEBALL
COURTS TO DEERSPRING PARK

Mayor Rosenthal indicated the Park District has requested this item be continued to a later date. Mr. Street noted the Park District is meeting on February 6, 2020.

Trustee Oppenheim moved to continue discussion to March 16, 2020. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

CONSIDERATION AND ACTION OF
THE PLAN COMMISSION
RECOMMENDATION ON THE
REQUEST FOR A SPECIAL USE TO
PERMIT THE ESTABLISHMENT OF A
RESTAURANT FOR BRUNCH CAFÉ AT
THE SOUTH END OF THE CADWELL'S
CORNERS SHOPPING CENTER, AND
AN AMENDMENT TO THE
COMMERCIAL PLANNED UNIT
DEVELOPMENT (PUD) FOR EXTERIOR
CHANGES TO THE CADWELL'S
CORNERS SHOPPING CENTER
(PROPERTY OWNER NORCOR
CADWELL'S ASSOCIATES AND
BUSINESS BRUNCH CAFÉ)

The Plan Commission held a Public Hearing on January 9, 2020, to consider a request for a Special Use to permit a Brunch Café at the south end of the Cadwell's Corners Shopping Center and an amendment to the Commercial PUD for exterior changes to the Center. The Plan Commission voted 6-0 in favor of the requests with the condition that there will be no breakfast lunch tagline on the signage, garbage pickup will be no earlier than 7:00 a.m., a "No Thru Traffic" sign will be posted along the back of the Center and the Appearance Review Commission approve the updated lighting plan for the property. The Appearance Review Commission met on January 27, 2020 to consider the updated lighting plan for the center. The ARC voted 4-0 in favor of the request.

Shawn Devine from Norcor Cadwell Associates, the property owner of Cadwell's Corners, highlighted some of the key points of their request. They are requesting a Special Use for Brunch

Café, a color change and façade change. The Brunch Café request meets Village requirements and they have agreed to comply with the loading requirements of the center. In addition, ownership will construct a brick garbage structure as well as additional landscape screening. They also consulted with Lakeshore Recycling to minimize noise disturbance to the neighbors. Mr. Devine noted they agreed to place prominent signage at the restaurant and garbage enclosure to direct any residents to contact ownership if there are any issues. He believes the potential for adverse impacts is minimal.

The façade modifications include splitting the former Fresh Thyme space into Planet Fitness and Dollar Tree. Dollar Tree expressed concern about the lack of visibility and signage available for their business. The new façade was enhanced to address their concern and will not have negative impact on the area.

They are requesting permission to change the shopping center colors to remove the red and yellow color combination. The new neutral color scheme will provide a fresh, more contemporary look and will attract tenants to the center.

Mayor Rosenthal believes this is a great improvement. Andy Zatos, owner of Brunch Café, stated they have other locations in the suburbs. They are open from 6:30 a.m. to 2:30 p.m. every day. Mayor Rosenthal noted the arbor vitae will be located in front of the church. Village Planner Dan Nakahara noted they have not heard back from the church. Mayor Rosenthal noted some residents were concerned about odors. If this becomes an issue, this may be revisited.

Trustee Shapiro inquired about the wording on the new sign. Mr. Devine noted that an appeal is not part of the request at this time. The signage, as approved, would not include the tag line. Ms. Delevitt noted the ARC has traditionally eliminated tag lines if it is not part of their registered name. Because the business is called Brunch Café, the name conveyed the message. Mayor Rosenthal noted the sign is larger because it does not have the tag line. Mr. Street noted the simplified proposal is a start, but the petitioner may come back for an appeal.

Trustee Oppenheim moved to accept the report and recommendation of the Plan Commission. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Mr. Street reported the petitioner would like to proceed with a building permit, at their own risk. Based on the Board's decision, he will work with the Village Attorney and petitioner to provide an agreement. Mr. Devine stated they are committed to completing the façade by April 1 for Dollar Tree. Mr. Street noted there will be an action item at the next Board of Trustees meeting.

CONSIDERATION AND ACTION OF
THE PLAN COMMISSION
RECOMMENDATION ON THE
REQUEST FOR A SPECIAL USE TO

The Plan Commission held a Public Hearing on January 9, 2020, to consider a request for a Special Use for a massage establishment in Deerfield Park Plaza Shopping Center. The Plan Commission

ALLOW A MASSAGE ESTABLISHMENT voted 6-0 in favor of the request.

IN UNIT A3 IN THE DEERFIELD PARK

PLAZA SHOPPING CENTER AT 405

LAKE COOK ROAD (MOSAIC

PROPERTIES AND ASIAN FOOT SPA)

Trustee Oppenheim moved to accept the report and recommendation of the Plan Commission. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

CONSIDERATION AND ACTION OF
THE PLAN COMMISSION

RECOMMENDATION ON THE

REQUEST FOR A SPECIAL USE TO

ALLOW A MASSAGE

ESTABLISHMENT IN SUITES 119 AND

100B IN THE 400 LAKE COOK ROAD

BUILDING (PROPERTY OWNER

IMPERIAL REALTY AND BUSINESS A

PLUS MASSAGE)

The Plan Commission held a Public Hearing on January 9, 2020, to consider a request for a Special Use to allow a massage establishment in the 400 Lake Cook Road building. The Plan Commission voted 6-0 in favor of the request.

At their January 27, 2020 meeting, the Appearance Review Commission was pleased with the sign changes.

Trustee Struthers noted the parking lot is not in great shape. Julia Klairmont, representing Imperial Realty, stated they would be fixing the parking lot in the spring.

Trustee Oppenheim moved to accept the report and recommendation of the Plan Commission. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

CONSENT AGENDA

ORDINANCE AMENDING SECTIONS

6.01-C AND 9.02-C OF THE DEERFIELD

ZONING ORDINANCE OF 1978, AS

AMENDED, TO PERMIT A PRIVATE

PRESCHOOL AS A SPECIAL USE AND

SIGNS FOR PRIVATE PRESCHOOL

USES IN THE I-1 OFFICE, RESEARCH,

AND RESTRICTED INDUSTRIAL

DISTRICT- 1R

An Ordinance amending Sections 6.01-C and 9.02-C of the Deerfield Zoning Ordinance of 1978, as amended, to permit a private preschool in the I-1 Office, Research and Restricted Industrial District. First Reading.

ORDINANCE AUTHORIZING A

SPECIAL USE PERMIT AND

An Ordinance authorizing a Special Use Permit and amendment to an Industrial Planned Unit

AMENDMENT TO AN INDUSTRIAL PLANNED UNIT DEVELOPMENT FOR THE ESTABLISHMENT OF A PRIVATE PRESCHOOL FACILITY (1085 LAKE COOK ROAD) – 1R Development for the establishment of a private preschool. First Reading.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

AUTHORIZATION TO AWARD WRF PROCESS INVESTIGATION PROJECT The Village's sanitary treatment and conveyance system services more than seven square miles and provides collection, treatment and disposal of the Village's sanitary waste. In 2019, the WRF had a significant odor event related to the disposal and transportation of bio-solids. As a result, funds were budgeted for calendar year 2020 to conduct a process investigation to review the treatment operations and existing odor conditions.

Water Reclamation Facility Supervisor Brandon Janes indicated the Department interviewed several qualified environmental firms in an effort to select the firm that may provide the best service with respect to operations and odor remediation and believe Donohue Associates, along with Webster Environmental Associates, will meet the Village's needs. The Village budgeted \$50,000 for this project, which is less than the proposal. Staff recognized efficiencies in other projects and is proposing to utilize those savings to cover the additional expense.

Trustee Oppenheim moved to award the contract for the WRF Process Investigation Project to Donohue Associates in the amount of \$86,000. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO APPROVE BIOSOLIDS REMOVAL In November 2019, the Trustees authorized expenditures up to \$25,000 to cover the cost of bio-solid hauling. Due to the field conditions, the hauling could not be completed until January 2020. By this time, the storage barn had filled to capacity and the total volume removed increased resulting in an increased cost.

Mayor Rosenthal questioned the difference in cost. Mr. Janes explained this is a one-time adjustment. Due to the additional distance, the cost increased by \$10 per cubic yard.

Trustee Struthers moved to approve biosolid removal in the amount of \$48,897.80. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO APPROVE
ADDITIONAL EXPENDITURES FOR
THE CONSTRUCTION ENGINEERING
SERVICES FOR THE 702 ELM STREET
DEVELOPMENT

Assistant Village Engineer Tyler Dickenson reported the redevelopment agreement for 702 Elm Street states the engineering oversight costs are the developer's responsibility. Therefore, the Village will be paying all engineering fees and seeking reimbursement from the owner. The

demolition was completed in 2018, but the development has progressed slower than expected resulting in increased engineering oversight costs. Through 2019, the Village has been billed roughly \$20,000 for engineering oversight for this project. Due to a longer than anticipated project schedule, staff is requesting that the Trustees approve additional expenditures of \$20,000 to this contract for the continued construction engineering and oversight which would bring the total contract, which is billed hourly and only as needed, up to \$40,000.

Trustee Oppenheim moved to approve the additional expenditures of \$20,000. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO AWARD
CONTRACT FOR CONSTRUCTION
ENGINEERING SERVICES FOR THE
ORACLE INNOVATIONS LAB
REDEVELOPMENT PROJECT

Mr. Dickenson reported the Village requires inspections to be performed throughout the construction process. Staff intends to contract with Manhard Consulting for engineering services. Mayor Rosenthal expressed concern that the Village may be spreading the consultant too thin. Mr.

Dickenson noted Manhard Consulting has deep capabilities and staff to perform well. Mr. Street requested staff advise them of this concern. Mr. Dickenson indicated the cost is covered by permit fees.

Trustee Oppenheim moved to award the contract for construction engineering services for the Oracle Innovations Lab redevelopment project to Manhard Consulting in an amount not to exceed \$25,000. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO APPROVE
ADDITIONAL EXPENDITURES FOR
GENERAL ENGINEERING

Mr. Dickenson explained the Department performs various utility and site inspections as part of the permitting process. Last year, the Village

INSPECTIONS FOR THE 2019
CALENDAR YEAR

contracted with Manhard Consulting to perform these inspections on an as-needed basis. The final contract value for 2019 was \$22,083, which exceeds

the approved amount by \$2,083.

Trustee Oppenheim moved to approve the total expenditure for general engineering inspections for the 2019 calendar year in the amount of \$22,083. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO AWARD
ENGINEERING CONTRACT FOR THE
STORM WATER MASTER PLAN

Mr. Dickinson reported that during the 2019 budget meetings, the Engineering Department expressed the desire to initiate a master plan for the storm sewer system in 2020.

The scope of the master plan includes studying and analyzing the existing storm sewer system, building and confirming a hydraulic model, determining flood reduction projects, preparing a Village wide drainage study report and exploring the possible validity of a future storm water utility fee. Due to the overall complexity and size of the project, it is anticipated that the final report will not be completed until mid-2021.

The Village selected Christopher B. Burke Engineering Ltd. as the most qualified firm for this project. The Department planned for \$225,000 over the next two years to complete this project. Although the proposal exceeds the budgeted amount, staff would like to utilize the savings from other professional service contractors to help offset the overage.

Mayor Rosenthal believes this is a good example of strategic planning for one department. Trustee Oppenheim noted the Village does a lot of work with Christopher B. Burke and questioned if they are spread too thin. Mr. Dickenson noted they are very large and have their own water and hydrology department. Mr. Street asked that this concern be conveyed to the company.

Trustee Oppenheim moved to award the engineering contract for the storm water master plan to Christopher B. Burke Engineering Ltd. in an amount not to exceed \$253,799. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO AWARD THE
CONSTRUCTION CONTRACT FOR

Mr. Dickenson reported the Woodvale Avenue reconstruction project includes improvements to

THE WOODVALE AVENUE
RECONSTRUCTION PROJECT

Woodvale Avenue, Woodridge Court and North Avenue east of Wincanton Road. The scope of work for the project includes a full roadway

reconstruction on Woodvale Avenue and Woodridge Court, roadway patching on North Avenue, storm sewer installation and adjustments, water main replacement where needed, installation of a new native landscaped swale, sidewalk widening / replacement and parkway restoration. Weather depending, the project is anticipated to begin in April with a completion date of early September. The Department has budgeted \$2 million for this project as part of the 2020 Capital Improvement Program. The low bidder, A Lamp Concrete Contractors is pre-qualified by IDOT to perform the work.

Mr. Dickenson sat with representatives from A Lamp to discuss the Village's concerns regarding their performance on some of last year's projects. He is confident they will do better.

Trustee Struthers moved to award the Woodvale Avenue reconstruction project to A Lamp Concrete Contractors in the amount of \$1,925,163. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

DISCUSSION

KUDOS TO PUBLIC WORKS

Trustee Benton thanked the Public Works Department for fixing the pavement on Kates Road

Following the water main break.

THANK YOU

Mayor Rosenthal thanked those that attended the Northwest Municipal Conference legislative

brunch. She noted the State legislature will not look at taxes for non-retail service establishments at this time. She believes the Village needs to keep letting the legislature know that this is important.

CONGRATULATIONS

Mayor Rosenthal reported the DHS Warrior Dance Team took first place in State. They will be

honored at a future meeting.

ADJOURNMENT

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

Trustee Shapiro seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 8:48 p.m.

The next regular Board of Trustees meeting will take place on Tuesday, February 18, 2020, at 7:30 pm.

APPROVED:

Mayor

ATTEST:

Village Clerk