

March 16, 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 March 16, 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 Kent Street, Village Manager and Steven Elrod, Village Attorney.

PLEDGE OF ALLEGIANCE

Mayor Rosenthal lead those in attendance in reciting the Pledge of Allegiance.

DOCUMENT APPROVAL

Trustee Oppenheim moved to accept the minutes from the March 2, 2020, 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 2, 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

Assistant Village Manager Andrew Lichterman reported on the COVID-19 virus. The virus is a

new strain of the coronavirus and can result in serious illness and death. There have been dozens of cases reported in the State and one reported case in the Village. On Tuesday, March 10, 2020, the Village met with community stakeholders including the school districts, Lake County Health Department, North Shore Hospital System and the Cities of Highland Park and Highwood. On Wednesday, March 11, 2020, the Village executive staff met with the Deerfield Park District, Deerfield-Bannockburn Fire Protection District and the Deerfield Library to review impacts to each entity, possible closing protocols and continuity of operation plans. On Friday, March 13, 2020, the Village issued a new administrative workplace policy in response to Covid-19 allowing a large amount of the Village workforce to work remotely beginning today while continuing to provide public services. These policies are in place through at least April 1, 2020. Village meetings have been cancelled with the exception of the Board of Trustees and other emergency meetings. On Saturday, March 14, 2020, the Village's executive staff team held a conference

call to review each department's continuity of operations plans. Staff worked closely with the Lake County Department of Public Health and the Illinois Department of Public Health to obtain information and protocols related to an individual with a confirmed case of Covid-19 and a relative of a Deerfield High School student. Yesterday, Governor Pritzker mandated all bars and restaurants close for onsite consumption by 5:00 p.m. today through Monday, March 30, 2020. Home food delivery, drive-thru and curbside delivery will be allowed. The Village website has a link to take out and delivery options and is working with the DBR Chamber of Commerce to assist the business community.

Today, the Governor issued Executive Order #5 mandating that all public and private gatherings of 50 or more are prohibited in the State. This does not include essential services such as grocery stores, gas stations or hardware stores. Section 6 allows a quorum of a public body, such as the Village Board, to be allowed to meet telephonically.

Mr. Lichterman reported the various public entity closings including the school districts, library, park district and Patty Turner Center. The food pantry and Township have limited capabilities. The Village buildings, except the police station, are closed for at least two weeks. Plans are in place for all essential Village services to continue and staff is available primarily via phone or email. Waste collection will continue as scheduled.

The Village's top priority is to promote the health and safety of the residents and staff. They will continue to evaluate and refine these plans.

Staff is requesting residents to continue hand washing, routine cleaning of frequently touched surfaces and practice social distancing. Look for reliable sources for more information. Mr. Lichterman thanked everyone for their support. Mayor Rosenthal thanked the staff for keeping the Village running. She reminded people that Village business can be conducted by calling the Village Hall number or Public Works number. She urged residents to not overload the police dispatchers.

### REPORTS

CONSIDERATION AND ACTION 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 (DEERFIELD  
PARK DISTRICT)

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It is recommended that this agenda item be tabled to the April 20, 2020 Board of Trustees.

Trustee Shapiro moved to table this agenda item to the April 20, 2020 Board of Trustees meeting. Trustee Oppenheim seconded the motion. The motion passed unanimously on a voice vote.

CONSIDERATION AND ACTION ON  
THE REPORT AND  
RECOMMENDATION OF THE PLAN

Trustee Oppenheim noted the only change is the properties that were acquired by the Park District by Jewett Park. They were rezoned from residential

COMMISSION ON THE REQUEST FOR to public land.  
APPROVAL OF 2020 ZONING  
ORDINANCE MAP

Trustee Oppenheim moved to accept the report and recommendation of the Plan Commission approving the 2020 Zoning Ordinance map. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

CONSENT AGENDA

There was no Consent Agenda.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

ORDINANCE O-20-09 AMENDING THE MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD REGARDING EMERGENCY MANAGEMENT AND DISASTER DECLARATIONS AND AUTHORITIES Mr. Elrod reported the Village Manager, Assistant Village Manager and Mayor determined it is important to have the Village up-to-date on the emergency powers available. The Village has adopted an emergency management plan, but has not considered what is available from the Illinois Municipal Code. The powers allow the Mayor to enact certain extraordinary powers if an emergency is declared. This is an Ordinance amending the Village Code to include what is available in Section 11-1-6 of the Illinois Municipal Code. If an emergency is declared, the Mayor would be able to enact the provisions set forth in the Statute, which will now be part of Chapter 2 of the Village's Municipal Code.

Trustee Jester moved to waive the First Reading of the Ordinance and approve the Ordinance amending the Deerfield Municipal Code. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Mr. Elrod reported Mayor Rosenthal now has the power to declare a State of Emergency. Mayor Rosenthal hereby issued a Declaration of Emergency for the Village of Deerfield on March 16, 2020 based on COVID-19 respiratory disease. In order to prevent the spread of the COVID-19 virus in the Village and to protect residents in the Village from disease and death, Mayor Rosenthal finds it is necessary to issue the Declaration to implement Emergency regulations and

orders. The Village may enter into contracts for the emergency purchase of goods and services that may be necessary for the preparation for, response to and recovery from the Covid-19 pandemic. The Mayor and Village Manager are hereby authorized to execute such contracts in accordance with applicable law. This Declaration constitutes a declaration of civil emergency under the Village's collective bargaining agreements. She directs the Village Manager to implement such emergency staffing protocols and procedures as may be necessary for the preservation of public health and safety. Mayor Rosenthal directs all Village officials and employees to take all practical steps to best utilize the resources of all agencies for the response to and recovery from the COVID-19 pandemic. This Declaration takes effect immediately.

Mr. Elrod explained the Mayor chose to exercise three areas; emergency purchasing, emergency staffing and cooperation with other governmental agencies. That is the extent of the emergency order the Mayor executed today. This order is effective for seven (7) days unless the Village Board chooses to extend the duration.

Trustee Oppenheim moved to extend the Emergency Declaration to the next time the Village Board adjourns the next meeting. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-20-09 APPROVING A POLICY CONCERNING ATTENDANCE AT VILLAGE MEETINGS BY VIDEO OR AUDIO CONFERENCE Trustee Struthers noted this was considered years ago, but the Trustees decided not to adopt it because it could be a disservice to residents not being able to see the Trustees input. Trustee Oppenheim explained that under the current circumstances, she can see why it would be considered now as the Trustees want to make every effort to make the Village run. She would like to tighten the Resolution so it can only be used in emergencies. Trustee Shapiro noted the Governor made an Executive Order mandating an amendment to the Open Meetings Act to allow attendance by video or audio conference during the Covid-19 emergency. Mr. Elrod noted this Resolution would still require a quorum be present. The only reason this would be allowed if the Trustee has an illness, the Trustee is away from the Village for employment or Village purposes or if they are attending a family emergency. These reasons can be further limited. Mr. Elrod noted if the Trustee meets these qualifications and sends the appropriate notice to the Village Clerk, the Trustees present could still restrict this Trustee from voting. Trustee Struthers noted in the previous discussion, they discussed adding limitations so a Trustee would not take advantage of being out of town for work. Trustee Oppenheim added it supports the Trustee's interaction as well. Trustee Shapiro suggested limiting the electronic attendance to twice per year for employment. The Trustees believe that is reasonable.

Trustee Oppenheim moved to accept the Resolution with the amendment in Section 3-2 that limits the number of times a Trustee can be present electronically because of employment to two

times within a one-year (12-month) period. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

<u>AUTHORIZATION TO AWARD PHASE I ENGINEERING SERVICES FOR THE HAZEL AVENUE INFRASTRUCTURE PROJECT</u>	Authorization to award Phase I engineering services for the Hazel Avenue infrastructure project to BLA, Inc. in an amount not to exceed \$179,756.
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<u>AUTHORIZATION TO AWARD CONTRACT FOR 2020 STREET REHABILITATION PROJECT</u>	Authorization to award contract for the 2020 street rehabilitation project to A-Lamp Concrete Contractors in an amount not to exceed \$2,779,405.
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<u>AUTHORIZATION TO AWARD PHASE III ENGINEERING SERVICES FOR THE DEERFIELD ROAD PROJECT</u>	Authorization to award Phase III engineering services for the Deerfield Road project to Civiltech Engineering, Inc. in an amount not to exceed \$107,131.
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<u>AUTHORIZATION TO PURCHASE POLICE ADMINISTRATIVE VEHICLE</u>	Authorization to purchase a 2020 Ford Explorer Interceptor Hybrid for use as an administrative vehicle from Currie Motors Chevrolet of Forest Park in an amount not to exceed \$36,081.
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<u>RESOLUTION R-20-10 APPROVING A SETTLEMENT AGREEMENT</u>	A Resolution approving a settlement agreement in the amount of \$15,000 for an easement for the property located at 1549 Stratford Road. Trustee Struthers questioned why the Village should assume financial responsibility for this situation. Director of Public Works and Engineering Bob Phillips stated there is a low spot in a neighborhood causing water to be trapped in that area. The owner of one of the properties made improvements to an area in between two homes to allow water to pass through. The Village agreed to work with the homeowner. Purchasing the easement allows the Village to ensure that area is properly maintained.
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<u>RESOLUTION R-20-11 AUTHORIZING AGREEMENT WITH LEXISNEXIS FOR ACCIDENT REPORTING</u>	A Resolution authorizing an agreement with LexisNexis for accident reporting.
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Trustee Oppenheim moved approval on an Omnibus vote. Trustee Shapiro seconded the motion. Trustee Struthers had a question on the Resolution to adopt a First Amendment to a non-exclusive easement agreement. The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-20-12 TO ADOPT A FIRST AMENDMENT TO A NON-EXCLUSIVE EASEMENT AGREEMENT A Resolution to adopt a First Amendment to a non-exclusive easement agreement. Trustee Struthers questioned the 'Assignment of Rights' section of the Resolution. Mr. Elrod explained this would allow the Village to hire a contractor to construct and maintain the water main.

Trustee Struthers moved to adopt the Resolution. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

### DISCUSSION

#### CONGRATULATIONS

Trustee Oppenheim thanked the Police Department for their first hybrid vehicle purchase.

Trustee Benton congratulated the DBR Chamber of Commerce for quickly creating a roster of restaurants in Deerfield that are offering carry out and delivery so residents can keep those businesses open.

#### THANK YOU

Trustee Shapiro thanked the Mayor and Village staff for all of their assistance during these extraordinary times. Mayor Rosenthal indicated the Village website is being updated frequently, and suggested directing people to the Department of Health or the Village website. Trustee Struthers noted the Board received an email from residents willing to help. Mayor Rosenthal will reach out to people if volunteer assistance is needed.

#### VOTE TOMORROW

Trustee Oppenheim reminded everyone to vote in the primary election tomorrow. She noted all but one polling location in Deerfield will be open,

#### ADJOURNMENT

There being no further business or discussion, Trustee Benton moved to adjourn the meeting. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 8:20 p.m.

The next regular Board of Trustees meeting is scheduled to take place on Monday, April 6, 2020, at 7:30 p.m.

APPROVED:

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Mayor

Board of Trustees Meeting  
March 16, 2020  
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ATTEST:

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Village Clerk