

May 18, 2020

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Harriet Rosenthal remotely on May 18, 2020, at 7:30 pm. The clerk called the roll and announced that the following were:

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

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

PLEDGE OF ALLEGIANCE

Management Analyst David Fitzgerald, lead those in attendance in reciting the Pledge of Allegiance.

DOCUMENT APPROVAL

Trustee Shapiro moved to accept the minutes from the May 4, 2020, Board of Trustees meeting.

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

BILLS AND PAYROLL

Trustee Struthers moved to approve the Bills and Payroll dated May 18, 2020. Trustee Oppenheim

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

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

NAYS: None (0)

RAIN UPDATE

Director of Public Works and Engineering Bob Phillips reported in the past five days there were

two storms. On Friday, the Village received 2.7 inches of rain and on Saturday and Sunday another 2.95 inches of rain. The storms combined created some challenges because the soil was saturated, which impacted the storm sewers. The Thursday/Friday storm was a two-year frequency. There was one Wastewater Treatment Facility employee onsite at the treatment plant overnight. During the first storm, the reservoirs were one-quarter filled and there was no street flooding. During the second storm, another 2-year storm frequency, the WRF received a maximum flow of 30 million gallons per day. At 6 p.m. on Sunday, there was a flash of rain which caused street flooding. There was a lot of backyard and street flooding as well as a number of calls from new residents.

Trustee Struthers asked where the Bannockburn reservoir drains. Mr. Phillips noted it drains in the West Fork.

PUBLIC COMMENT

There were no Public Comments on non-agenda items. Mayor Rosenthal reminded residents they could send an email to [publiccomment@deerfield.il.us](mailto:publiccomment@deerfield.il.us) and it would be read at the end of the meeting.

REPORTS

REPORT FROM STAFF RE: COVID-19 AND VILLAGE OPERATIONS Assistant Manager Andrew Lichterman presented highlights from the staff report dated May 18, 2020.

There are 94,191 confirmed cases of COVID-19 and 4,177 deaths in the state. 6,489 cases and 215 deaths are confirmed in Lake County with more than 75 cases confirmed in the Village.

On May 5, Governor Pritzker announced Restore Illinois, a five-phase regional approach that offers more clarity on next steps including key metrics that the Illinois Department of Public Health (IDPH) will assess to determine when it is safe for a region to move forward. The plan uses four regions with the Village of Deerfield and greater Chicagoland area in the Northeast Illinois region. Currently, in Phase 2 – “Flattening,” essential stores are open with restrictions, while non-essential retail stores have reopened for curbside pickup and delivery. Residents are being directed to wear a face covering when outside the home and additional outdoor activities like golf have resumed while practicing social distancing.

Today, Mayor Rosenthal issued a Supplemental Order regarding racket sports pursuant to her March 16, 2020, Declaration of Emergency. The Order will permit the play of tennis, pickleball and paddle tennis in public and private courts if played in compliance with US Tennis Association guidelines, singles play only and nets are removed on courts adjacent to a court being used. The Deerfield Park District, Deerfield High School, Briarwood Country Club and Tennaqua Swim and Racquet Club, are expected to open for racquet sports tomorrow. Residents will need an online reservation in advance at [deerfieldparks.org](http://deerfieldparks.org). The public courts will be open daily from 8 a.m. to 8 p.m.

Due to the COVID-19 pandemic, the Village is looking closely at all special events and has made the difficult decision to reschedule the July 3 and 4 Family Days festivities. The Deerfield American Legion will not hold its regular Memorial Day ceremonies this coming Monday. Plans are in place to hold a Farmers Market with proper social distancing measures in place. The market will be moved to Park Avenue to provide adequate vendor and patron spacing and will begin on Saturday, June 13. The Village will continue to utilize its communication methods to update the public on changes to special events as the situation evolves.

The Police Department has responded to 141 calls related to Village Ordinance violations since March 17. The peak day was April 17 when it was 70 degrees and sunny, when the Department received 15 calls related to social distancing violations. Residents are encouraged to call the police non-emergency phone number if they observe violations.

The Finance Department is reviewing the financial impact of the pandemic on the Village. Economically sensitive revenues such as sales tax, hotel tax, motor fuel tax and the food and beverage tax are expected to be negatively impacted by 12 to 30 percent when annualized. As a result, Village departments have been asked to make significant cuts in anticipation of this revenue decline. In order to offset the lost revenue, the Village will explore operating reductions, capital reductions and use of reserves including approximately \$900,000 of operating costs and \$1.4 million of one-time expense reductions over the next two years. Staff will continue to evaluate expenditure reductions in conjunction with actual revenue loss. On a positive note, the Village received its first payment of \$206,000 related to Rebuild Illinois Bonds which was previously unexpected. The Village is scheduled to receive \$1.2 million over the next three years.

The Public Work and Engineering Department continues to make good progress on the Street Rehabilitation and capital improvement projects. The Community Development Department has seen an increase in permit applications for outdoor projects, house repairs, and improving patios, decks, fences and pools. The Department has seen an increase in requests for the installation of above ground swimming pools. It is important that residents receive the necessary permit and inspection review to ensure that all building, electrical and zoning code requirements are satisfied. The Administration Department continues to work closely with the Mayor and Village departments to ensure essential Village services continue uninterrupted. Department staff continues to issue regular and timely communication updates to the public, utilizing all of the Village's communication tools.

Trustee Jester asked why the fireworks were cancelled. Mr. Lichterman stated the Village is trying to avoid large gatherings, but believes there may be some alternatives. Trustee Jester suggested shooting off the fireworks so they could be seen throughout the Village. Mr. Street indicated it could be hard to resist gathering with neighbors, especially after dark. Mayor Rosenthal believes the prudent thing to do is to delay the fireworks.

Trustee Oppenheim asked if there is any statistical tracking for Covid-19 in Deerfield senior facilities. Mayor Rosenthal explained there was some misinformation on Patch today, as they lumped together the entire 60015 zip code. Mr. Street explained the IDPH website includes specific long-term care facilities.

Trustee Benton noted a number of communities within the Northwest Municipal Conference have been lobbying to ease the rules for reopening. Most of the communities in the North Shore have objected as the current measures seem to be working as expected. Mayor Rosenthal stated some municipalities want to subdivide into smaller regions so the suburbs are disassociated with the City of Chicago. They originally wanted to send a resolution to the Governor, but it was changed to a letter. Some communities wanted to discuss with their Boards. There were two abstentions, including Mayor Rosenthal, but the majority voted to send the letter. Mayor Rosenthal noted Representative Bob Morgan and Senator Julie Morrison are in support of the Governor's order.

CONSIDERATION AND ACTION OF      The Plan Commission concluded their Public

THE PLAN COMMISSION  
RECOMMENDATION ON THE  
REQUEST FOR A SPECIAL USE  
TO PERMIT THE ESTABLISHMENT  
OF A DRIVE-THRU FOR A  
WALGREENS PHARMACY STORE  
AT 95 S. WAUKEGAN ROAD (CHICK-  
FIL-A AND WALGREENS)

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Hearing on February 27, 2020. This item appeared on the April 20, 2020, Board of Trustees agenda, in order for the matter to not go beyond the 60 days of submittal to the Board. This item will be tabled until the June 15, 2020, Board of Trustees meeting.

Trustee Oppenheim moved to table this item until the June 15, 2020, Board of Trustees meeting.

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

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

NAYS: None (0)

#### CONSENT AGENDA

ORDINANCE AMENDING A SPECIAL  
USE TO PERMIT BUILDING  
ADDITIONS AND RENOVATIONS FOR  
CARUSO MIDDLE SCHOOL AT 1801  
MONTGOMERY DRIVE IN THE P-1  
PUBLIC LANDS DISTRICT (SCHOOL  
DISTRICT 109) – 1R

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An Ordinance amending a Special Use to permit building additions and renovations for Caruso Middle School at 1801 Montgomery Drive in the P-1 Public Lands District. First Reading.

ORDINANCE AMENDING SECTIONS  
3-8 AND 3-9 OF THE MUNICIPAL CODE  
TO CREATE A CLASS D-3 LIQUOR  
LICENSE CLASSIFICATION TO ALLOW  
SERVICE OF ALCOHOLIC BEVERAGES  
IN PRIVATE DINING FACILITIES  
LOCATED WITHIN INSTITUTIONAL  
RESIDENTIAL FACILITIES AND  
AMENDING THE 2020 FEE  
RESOLUTION – 1R

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An Ordinance amending Sections 3-8 and 3-9 of the Municipal Code to create a Class D-3 liquor license classification to allow service of alcoholic beverages in private dining facilities located within institutional residential facilities and amending the 2020 Fee Resolution. First Reading.

#### OLD BUSINESS

There was no Old Business.

#### NEW BUSINESS

CONSIDERATION OF THE EXTENSION  
OF MAYOR ROSENTHAL'S MARCH  
16, 2020, DECLARATION OF

Mayor Rosenthal issued a Declaration of Emergency on March 16, 2020, in relation to the COVID-19 emergency. The Declaration will

EMERGENCY expire at the end of tonight's meeting unless the Village Board extends the duration of the declaration.

Mr. Elrod noted the individual orders the Mayor has entered are entered only by her. She has consulted and advised the Board on the actions. The only action the Board can take is the extension of the Declaration of Emergency. Mr. Elrod, Mayor Rosenthal, Mr. Street and staff are recommending the Board extend the Declaration until the end of the June 1, 2020 Board of Trustees meeting. It has not been determined whether the meeting will be virtual or in person.

Trustee Seiden asked whether the Village could extend virtual meetings. Mr. Elrod noted any relaxation of virtual meetings would be done by the Governor. Unless that happens, a quorum must be present.

Trustee Seiden moved to extend the Declaration of Emergency to the end of the June 1, 2020, Board of Trustees meeting. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Mr. Elrod reported Mayor Rosenthal entered an order to allow various racket sports in the Village when played outdoors. That order became effective today. This is consistent with many neighboring communities. Trustee Oppenheim expressed concern as this appears to be something the Park District wants to do. She questioned who would be checking that doubles are not being played and how it would affect the Village's liability. Mr. Elrod is not concerned about the Village's liability as the Village has adopted safe regulations and guidelines. The guidelines are very conservative. It is expected the owners of the facilities will be responsible for ensuring the health and safety of the players. Mayor Rosenthal explained part of the discussion with the Park District is that the Village will not have a squad car sitting at the courts. Police cars are driving around and officers are looking at what is happening and will respond to calls. The Park District will lock the tennis courts from 8 p.m. to 8 a.m. Chief Sliozis noted members of the community will self-police and act accordingly. He has been in close contact with the Park District and will relay information daily.

AUTHORIZATION TO AWARD THE  
CONSTRUCTION CONTRACT FOR  
THE DEERFIELD ROAD  
RESURFACING PROJECT

Mr. Phillips reported the Deerfield Road Resurfacing Project has been identified for the 2020 season. The project will include improvements to Deerfield Road from the Metra viaduct to Wilmot Road and includes patching and resurfacing, underground utility repair, replacement of deficient concrete curbs and sidewalk, pavement striping, and parkway restoration. The Department has budgeted \$1 million for this project as part of the 2020 Capital Improvement Program, of which \$750,000 will come from the Village's Motor Fuel Tax allotment. The low bidder is A-Lamp Concrete Contractors, Inc. in the amount of \$1,029,762.

Trustee Oppenheim asked if A-Lamp would be overextended. Mr. Phillips believes this is a good time to complete the project. He is not concerned about A-Lamp being overextended.

Trustee Struthers moved to award the construction contract for the Deerfield Road Resurfacing Project to A-Lamp Concrete Contractors in an amount of \$1,029,762. Trustee Jester seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

Trustee Struthers asked about the underpass project. Mr. Phillips noted the contractor agreed to do that work at night, which would eliminate the bulk of the detour work.

### DISCUSSION

#### GOVERNOR'S ORDER

Trustee Struthers would like to see the Village separated from the City of Chicago in the reopening plan.

Mayor Rosenthal explained the Governor and Illinois Department of Public Health have authorized those not following the Governor's Order or Municipal Order to be charged with a Class A Misdemeanor which is punishable by a fine of up to \$2500 and a year in jail.

#### PUBLIC COMMENT

Mr. Street report no additional public comment had been submitted during the meeting.

#### ADJOURNMENT

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

Trustee Oppenheim seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 8:29 p.m.

The next regular Board of Trustees meeting is scheduled to take place on Monday, June 1, 2020 at 7:30 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk