

June 1, 2020

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Harriet Rosenthal remotely on June 1, 2020, at 7:30 p.m. The clerk called the roll and announced that the following were:

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

Absent: Robert Benton

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

Chief Sliozis lead those in attendance in reciting the Pledge of Allegiance.

MOMENT OF SILENCE

Those in attendance observed a moment of silence in memory of George Floyd and others who have suffered.

Mayor Rosenthal noted anyone who watched the video of the murder knows it is horrendous. The words we feel are so difficult. If you live in Deerfield and have visited any of our public buildings, you have seen signs stating "Hate Has No Home Here." The Village Board has signed a pledge stating anyone is welcome in Deerfield. We stand with those that are suffering and want our residents to know we stand with you. We will not tolerate bigotry or hate. That is not who we are or what we are about. Mayor Rosenthal, the Board and Dispatch Center received numerous calls, emails and texts about the email that went out yesterday. We wanted residents to receive credible information rather than what they read on social media. Mayor Rosenthal's heart breaks for the county. We must be better and do better as we all deserve better. We stand in solidarity with those being brutalized.

POLICING IN DEERFIELD

Chief Sliozis, on behalf of the Deerfield police officers, extended his condolences to the family of George Floyd. The Deerfield Police Department has a zero tolerance for racial profiling and expressly prohibits all bias based policing by policy. Officers are regularly trained in cultural diversity, ethics, constitutional law, procedural justice, human rights, cultural competency, de-escalation techniques and cultural sensitivity. The Department has also installed and mandated the use of in-car mobile video recorders and traffics stops are reviewed on a monthly basis for appropriate behavior by Deerfield officers. The Department is also accredited by the Commission on Accreditation for Law Enforcement Agencies and annually reviewed to ensure

we are meeting in excess of 400 national standards as established by nationally recognized law enforcement associations.

The Department has been in close and regular communication with numerous other law enforcement agencies to ensure an adequate response to reports of civil unrest. We also ask the public to cautiously participate in or take for fact what is seen in social media. Much misinformation has been distributed resulting in fear and apprehension. Residents are encouraged to contact the Police Department with questions, concerns and needs for service.

The Department recognizes that more needs to be done. Tragedies like the death of George Floyd continue to occur indicating more needs to be done by all. We look forward to working with our community members and beyond to seek a solution. As we have heard many times, actions speak louder than words. At this point I ask that everyone act appropriately, be smart and be safe.

DOCUMENT APPROVAL

Trustee Oppenheim moved to accept the minutes from the May 18, 2020, Board of Trustees meeting.

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

TREASURER'S REPORT

Finance Director Eric Burk presented highlights from the April 2020 Treasurer's Report representing one third of the Fiscal Year. Sales tax net of rebate decreased from the same period of the prior two years due primarily to economic incentive activity. Hotel tax includes payments from two of the six hotels. April collection of March Food and Beverage tax decreased from the prior year. Building permit revenue includes primarily small residential projects along with two larger receipts. Notable expenditures include purchase of a Public Works truck, IT equipment, DBR Community Marketing, repairs at 333 Warwick and engineering and construction costs for infrastructure projects. General liability insurance and debt service payments will be made in May.

BILLS AND PAYROLL

Trustee Shapiro moved to approve the Bills and Payroll dated June 1, 2020. Trustee Struthers

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

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

NAYS: None (0)

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 120,260 confirmed cases of COVID-19 and 5,390 deaths in the state; 8,331 cases and 272 deaths are confirmed in Lake County with more than 85 cases confirmed in the Village. A free, state-operated Community Based Testing Site is located at 2161 Northwestern Avenue, Waukegan, IL and is open every day from 8 a.m. to 4 p.m. with capacity to test up to 750 individuals per day. Individuals will be required to show photo identification.

On May 29, 2020, the entire State entered into Phase 3 of the Restore Illinois plan. The Stay at Home Order has been lifted, but face coverings are still required in public places or when unable to maintain a six-foot social distance. Gatherings of 10 people or fewer are permitted. Non-essential businesses are allowed to return to work with IDPH approved safety guidance; telework is strongly encouraged wherever possible. Restaurants are open for delivery, pick-up, drive-thru and on-premises consumption is allowed for outdoor dining only with social distancing requirements. Personal services facilities may open but must ensure the use of face coverings, adherence to social distancing requirements and use of capacity limitations. Health and fitness clubs can provide outdoor classes and one-on-one personal training. Retail stores can also open with capacity limitations. The earliest that any region in the state can move into Phase 4 is June 26.

On May 30, Mayor Rosenthal issued a new Supplemental Order which continues to require face coverings when working in or patronizing a retail business open to the public. Face coverings remain required in indoor common areas of multi-unit commercial and residential buildings such as elevators, hallways and lobbies, in outdoor common areas of multi-unit commercial and residential buildings such as patios and parking lots, when social distancing of at least six feet from persons who are not members of the same household or residence cannot be maintained.

Village operations and services continue uninterrupted. Staff has drafted a return to work policy with the intent of re-opening Village facilities to the public on July 6, once physical changes and other precautionary measures have been implemented. Consistent with Phase 3 directives and State guidance that permit on-premises food and beverage consumption, staff has prepared a draft temporary outdoor seating application, pending Village Board approval. This process would allow for administrative approval of new or expanded outdoor seating areas at restaurants, many of which would otherwise require a four-month special use amendment process. Staff is working with the DBR Chamber of Commerce to help educate food and beverage establishments on the state guidelines as well as the pending temporary outdoor seating application process.

Remember with the Stay at Home Order lifted and additional businesses now able to open, the CDC advises that limiting face-to-face contact with others is the best way to reduce the spread of COVID-19, and that social distancing is among the best tools to slow the spread of the virus.

Mayor Rosenthal summarized the Village is at Phase 3 and there are new guidelines and rules. Trustee Oppenheim received an email from the Park District that allowed double tennis play on all high school courts. Mayor Rosenthal explained the single restriction was part of Phase 2. Mr. Street thanked everyone for their assistance.

CONSENT AGENDA

ORDINANCE O-20-10 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) – 2R

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. Second Reading.

ORDINANCE O-20-11 AMENDING SECTIONS 3-8 AND 3-9 OF THE MUNICIPAL CODE TO CREATE A CLASS D3 LICENSE CLASSIFICATION SERVICE OF ALCOHOLIC BEVERAGES TO ALLOW IN PRIVATE DINING FACILITIES LOCATED WITHIN INSTITUTIONAL RESIDENTIAL FACILITIES AND AMENDING THE 2020 FEE RESOLUTION – 2R

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. Second Reading.

Trustee Struthers moved to accept the Consent Agenda and adopt the Ordinances. Trustee Shapiro seconded the motion. The motion passed by the following vote:

AYES: Jester, Oppenheim, Seiden, Shapiro, Struthers (5)  
NAYS: None (0)

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

RESOLUTION R-20-14 PROVIDING VILLAGE PERSONNEL DIRECTION TO PROVIDE ADDITIONAL FLEXIBILITY TO FOOD AND BEVERAGE SERVICE ESTABLISHMENTS TO FACILITATE OUTDOOR SERVICE DURING THE COVID-19 EMERGENCY

A Resolution to provide Village personnel direction to provide additional flexibility to food and beverage service establishments to facilitate outdoor service during the Covid-19 emergency.

Mr. Lichterman noted strict enforcement of certain Municipal Codes and Ordinances may not be practical as it could take several months. Staff

worked together and performed a comprehensive review of the guidelines and there is a declaration relieving the Village of responsibility. Mr. Lichterman noted the staff directive would

expire when the Governor's order expires or 90 days from the Resolution. This Resolution would bypass the Appearance Review Commission and Plan Commission protocol.

Trustee Struthers asked if the Village has heard from restaurants that want to offer outdoor dining. Mr. Lichterman stated the Village has heard from restaurants that want to offer outdoor dining, but none have requested outdoor dining in the parking lot. Mayor Rosenthal indicated some locations would need approval from their landlord.

Trustee Oppenheim believes many restaurants will have second thoughts about offering outdoor dining because it will be difficult to satisfy the State requirements. Mr. Lichterman stated restaurants would have additional costs for furniture and tents. The guidelines are very comprehensive and require disposable menus, six feet between tables, immediate seating (no waiting), restroom compliance, no shared condiments, disinfecting between seatings, etc. The State also recommends plexiglass between tables. The restaurants need to make their decision, but the Village is a partner with them if they have a thorough, thoughtful plan.

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

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

NAYS: None (0)

CONSIDERATION OF THE EXTENSION Mr. Elrod noted the Declaration of Emergency OF MAYOR ROSENTHAL'S MARCH 16, expires at the end of tonight's meeting. He 2020, DECLARATION OF EMERGENCY recommends extending the Declaration until the adjournment of the next regular Board of Trustees meeting on June 15, 2020. Several orders have been issued, and this past Friday, many were repealed. Mr. Elrod noted the face covering requirement was reaffirmed.

Trustee Shapiro moved to extend Mayor Rosenthal's Declaration of Emergency until the adjournment of the June 15, 2020 Board of Trustees meeting. Trustee Struthers seconded the motion.

Mr. Elrod explained the State legislature has codified what the Governor has done to allow virtual meetings during a declared emergency. The Mayor, Village Manager, Village Attorney or another elected official needs to be present at Village Hall. Every vote needs to be done with a roll call as voice votes are not allowed. Mr. Elrod noted this has not been signed by the Governor so it is not in effect at this time.

Mr. Street noted someone needs to be available if a person comes to Village Hall and wants to make a comment. Mr. Elrod noted if the Governor were to make an order that it would be unsafe to open a Village Hall for any purpose, that requirement would be eliminated. He believes the purpose of the intent was to accommodate someone unable to join a meeting electronically. There needs to be audio or video of the meeting in real time. The requirement of an email for public comment can continue. A hand written/delivered public comment is also acceptable. This

is evolving and there will be some interpretation. Mr. Street noted the Village is set up for this and trying to address any issues. Trustee Jester suggested setting up an iPad at the Police Department for social distancing.

DISCUSSION

PHASE 3

Mayor Rosenthal explained in Phase 3 of Covid-19, the CDC is still advising limiting face to face contact is the best way to reduce the spread of the Covid-19 while social distancing and not gathering in groups of 10 or more is the best way to slow the spread. She urged residents to wear face coverings, cover coughs and sneezes, disinfect surfaces and wash hands frequently.

PUBLIC COMMENTS

Mr. Street read public comments received during the meeting.

David Pfeffer asked about specifics behind de-escalation techniques and trainings. He asked how long and frequently they occur. Chief Sliozis will reach out to Mr. Pfeffer directly.

Nicole Mincu asked the Board to share information on what residents can do to show support in the Black Lives Matter movement. Mayor Rosenthal shared Ms. Mincu's email attachment with staff and will share it with the Board. If anyone wants to discuss this as Village policy, it can be brought up at the next Board of Trustees meeting.

Mayor Rosenthal received a number of emails from Deerfield High School graduated seniors, who are passionate about what is going on in the country. She asked them to continue reaching out to the Trustees. They are responding the best they can to the questions.

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 8:20 p.m.

The next regular Board of Trustees meeting is scheduled to take place on Monday, June 15, 2020, at 7:30 p.m.

APPROVED:

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Mayor

ATTEST:

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Village Clerk