

June 15, 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 15, 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
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, who was in the Village Hall lobby, and Steven Elrod, Village Attorney.

PLEDGE OF ALLEGIANCE

Trustee Mary Oppenheim lead those in attendance in reciting the Pledge of Allegiance.

DOCUMENT APPROVAL

Trustee Jester moved to accept the minutes from the June 1, 2020, Board of Trustees meeting.

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

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

NAYS: None (0)

BILLS AND PAYROLL

Trustee Oppenheim moved to approve the Bills and Payroll dated June 15, 2020. Trustee Seiden

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

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

NAYS: None (0)

RESOLUTION R-20-15 AMENDING A SUPPLEMENTAL RULE CONCERNING PUBLIC COMMENTS DURING VIRTUAL MEETINGS OF THE VILLAGE BOARD AND OTHER VILLAGE BOARDS, COMMISSIONS AND COMMITTEES

A Resolution that stipulates additional Public Comment rules for Village Board and Commission meetings that are conducted through phone or held virtually, in accordance with Section 2.06(g) of the Illinois Open Meetings Act.

Mr. Elrod reported that in addition to the previously adopted Resolution regarding Public Comment for meetings conducted through phone or held virtually, the supplemental rule includes the following:

“In addition, members of the public may provide oral comments by telephone or web-based video conference during all meetings of the Village Board or any subsidiary board, committee, or commission of the Village conducted through telephone or virtual means during the time designated for public comment or during the consideration of items on the agenda provided that such comments do not exceed three minutes in duration.”

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

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

NAYS: None (0)

PUBLIC COMMENT

Mayor Rosenthal reported that the emails received before the meeting would be read during the first

Public Comment. If any emails are received during the meeting, they would be read during the second Public Comment. If someone wants to make a comment via Zoom, they need to raise their hand or press *9.

Mr. Street read the Public Comment emails received prior to the meeting.

Benjy Sachs expressed concern about systemic racism. He urged the Board to consider a citizen's board to review police actions.

Francesca Rascati is frustrated to see nothing being done to change inequities, especially with the police department. Deerfield is beyond the average for stopping black drivers versus white drivers. Ms. Rascati noted racism was acknowledged at the June 1, 2020, Board of Trustees meeting but does not believe it is enough.

Alec Lopata, lifelong resident, wants to rename Mitchell Park. He believes Deerfield needs to become more anti-racist and needs more deliberate conversations about becoming more anti-racist. He hopes the Board will establish a task force to address these concerns, and believes the community is intensely interested.

Caroline Hsu appreciates the moment of silence for George Floyd, but believes a civilian review board needs to be established to address disproportionate number of residents to the black people being pulled over. All discrimination needs to be addressed and action needs to be taken to avoid discrimination in the future.

Mayor Rosenthal received many emails and phone calls similar to these and asked Chief Sliozis to report on a citizen police review board and removal of school resource officers.

Chief Sliozis indicated the Deerfield Police Department has a zero tolerance for racial profiling and expressly prohibits all bias-based policy. Officers are regularly trained in cultural diversity, ethics, Constitutional law, procedural justice, human rights, cultural competency, de-escalation techniques and cultural sensitivity. Since 2003, the Department minority traffic stop information

has been at an acceptable level and not exceeded the “benchmark” as established by the Illinois Department of Transportation. He reminded the Board and community that the Deerfield Police Department is entering its 15 year of accreditation by the Commission on Accreditation for Law Enforcement Agencies. The department is reviewed annually on more than 400 national standards.

Deerfield has previously prohibited the use of choke holds three years ago, which was prior to the State prohibition of choke holds. The Department has been in close and regular communication with other law enforcement agencies to determine an adequate response to reports of civil unrest. The Department participates in several regional and state task forces designed to respond to those types of situations and have shared resources and manpower with other agencies. We also ask the public to cautiously participate in or take for fact what is seen in social media.

Deerfield is served by civilian members of the community and is willing to work with all members of the community.

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.

Mayor Rosenthal noted the naming of Mitchell Park is a Park District issue and the Village Board has forwarded the emails to the Park District.

Mayor Rosenthal provided a history of Affordable Workforce Housing in Deerfield. She reported Zion Woods is a workforce subsidized project which was approved in August 2018. The Deerfield Library has a lot of information on the history of integrated and affordable housing. She thanked everyone for their emails and calls intended to hold the Board accountable for their claims of inclusivity.

Mr. Street reported there were no additional Public Comments.

REPORTS

REPORT FROM STAFF RE: COVID-19 AND VILLAGE OPERATIONS Assistant Manager Andrew Lichterman presented highlights from the staff report dated June 15, 2020.

There are 132,543 confirmed cases of COVID-19 and 6,308 deaths in the state; 9,076 cases and 374 deaths are confirmed in Lake County with more than 100 cases confirmed in the Village. A free, state-operated Community Based Testing Site is located at 102 West Water Street, Waukegan, 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 earliest that any region in the State can enter into Phase 4 is June 26, 2020. On June 6, the Village received further IDPH guidance clarifying public pool closures including but not limited to, swimming pools, water parks, splash pads, spas and whirlpools. The guidance states these facilities are not to be opened to the public except for lap swimming, diving, swimming lessons, swim team practices and therapy pool use.

On June 5, Mayor Rosenthal issued a new Supplemental Order that directs face coverings are required when performing landscape services, including without limitation, while on the way to and from a work site or at any time while at a work site, when social distancing of at least six feet from persons who are not members of the same household or residence cannot be maintained.

On June 3, Deerfield residents and students organized a peaceful protest for change, love, peace and solidarity in honor of George Floyd. A group of approximately 300 peaceful protesters gathered at the intersection of Deerfield and Waukegan Roads at 5:30 p.m. and proceeded to march east and west down Deerfield Road for approximately an hour and half. Police and Public Works staff were present to assist with crowd control and to ensure the participants were protected from vehicular traffic. The peaceful protest was a well-organized display of free speech and no incidents were reported.

Staff began to review and approve temporary outdoor seating applications for restaurants desiring to expand or create new outdoor dining locations. The temporary outdoor dining approvals are only valid during Phase 3 of the Restore Illinois Plan.

Saturday was the kick off for the 2020 Farmer's Market season. The new market is dedicated to providing food in a safe, open-air shopping experience. The new rules space out vendors, limit the number of patrons allowed to shop at one time, require face coverings, and provide increased sanitation. Patrons are not allowed to touch the merchandise. Shoppers are asked to follow a one-way traffic pattern, limit one person per household and dogs are not allowed. To provide for better social distancing, the Farmers Market has been moved to Park Avenue between Jewett Park Drive and Hazel Avenue. The market will be held every Saturday from 7 a.m. to 12:30 p.m. through October 10, except July 4.

Staff has drafted a Return to Work Policy with the intent of reopening Village facilities to the public on July 6, once physical changes and other precautionary measures have been implemented. Highlights from the report include:

- All employees will be required to take their temperature at least one hour prior to arriving to work. An employee with temperature of 100.4 degrees or higher should notify their supervisor and remain home.
- Each department Director will be responsible for ensuring proper social distancing and are encouraged to continue allowing remote work, if effective. Department Directors should stagger employee schedules for employees that are required to be physically present.

- Increased sanitation practices, face coverings and social distancing will be required by employees.
- Internal meetings should be held remotely to the extent possible.
- Restrooms will be for employee use only.
- Facility enhancements such as sneeze guards at customer service counters and floor markings in public areas identifying 6 feet of physical separation will be installed.
- The Village Hall, Police Department Lobby and Public Works facility will open to the public on July 6, with limited hours of public access.
- All visitors and members of the public will be required to wear a face covering to enter the building.
- Village employees will not be permitted to schedule in-state or out-of-state conferences/training without prior Village Manager approval.
- Personal travel should follow Secretary of State and CDC Guidelines.

Please be responsible and observe social distancing and wear a face covering when at least 6 feet of social distance cannot be maintained. Remember gatherings must be limited to groups of 10 or less during Phase 3 of the Restore Illinois Plan.

Management Analyst David Fitzgerald-Sullivan, noted the Farmer's Market opened on Saturday and was very successful. He thanked the Farmer's Market Committee and Chairperson Nancy Anderson for their hard work. Everyone was happy there was a Farmer's Market and the face covering rule was enforced. He is looking forward to the Farmer's Market next week.

Trustee Shapiro suggested having someone take employee's temperatures before they walk into the building. Mr. Lichterman explained it would become a medical record which would need to be maintained in personnel files. It is an option, but at this point, staff recommends employees take temperatures on their own and advise their supervisor if they have a temperature. Trustee Shapiro noted another option would be the honor system. Mr. Lichterman will bring that to the team.

CONSIDERATION AND ACTION ON
THE REPORT AND
RECOMMENDATION OF THE PLAN
COMMISSION 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, INC. AND WALGREENS
CO.)

Mayor Rosenthal indicated the petitioners have requested this item be tabled to the July 6, 2020, Board of Trustees meeting.

Trustee Shapiro moved to table this item to the July 6, 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)

CONSENT AGENDA

RESOLUTION R-20-16 AUTHORIZING A RESIDENTIAL LEASE AGREEMENT BETWEEN THE VILLAGE OF DEERFIELD AND LAURA SIMO FOR PREMISES AT 1219 CARLISLE PLACE A Resolution authorizing a residential lease agreement between the Village of Deerfield and Laura Simo for the rental of Village owned property at 1219 Carlisle Place.

Trustee Struthers moved to accept the Consent Agenda and passage of the Resolution. Trustee Jester seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

CONSIDERATION OF THE EXTENSION OF MAYOR ROSENTHAL'S MARCH 16, 2020, DECLARATION OF EMERGENCY Mr. Elrod noted the Declaration of Emergency of Mayor Rosenthal's March 16, 2020, Declaration of Emergency recommends extending the Declaration until the adjournment of the next regular Board of Trustees meeting on July 6, 2020.

Mr. Elrod noted the Mayor has issued and modified some declarations. Now that Governor Pritzker signed the Bill regarding the Open Meetings Act, Mayor Rosenthal determined it is not feasible to hold meetings at the Village Hall at his time. The Village is following enhanced rules for this meeting. This is all done pursuant to the Mayor's emergency power.

Trustee Seiden moved to extend Mayor Rosenthal's Declaration of Emergency until the end of the next regular Board of Trustees meeting on July 6, 2020. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO EXECUTE THE PHASE I ENGINEERING SERVICES CONTRACT FOR THE NORTHWEST Director of Public Works and Engineering, Bob Phillips, reported the Northwest Quadrant Redevelopment Task Force has been meeting for

QUADRANT REDEVELOPMENT PROJECT

several years to discuss plans to rehabilitate and reorganize the Northwest Quadrant which includes Deerfield Road to the south, Waukegan Road to the east, Park Avenue and the Metra Station to the west, and Hazel Avenue to the north.

During the 2020 budget discussions, the Village programed for the ultimate reconstruction of the Northwest Quadrant in 2021 and 2022 with the Phase I and Phase II engineering taking place in 2020 - 2021. Having this work completed in time for Lake County's 2022 Call-For-Projects will improve the Village's chances at securing federal funding for the construction project.

The preliminary scope of work is expected to include complete roadway reconstruction and resurfacing, water main replacement, sanitary sewer point repairs and lining, storm sewer improvements, installation of new sidewalks, and parkway restoration.

The Department has proposed \$200,000 for this expenditure in the 2020 budget. Staff is requesting authorization to award Phase I engineering services contract for the Northwest Quadrant Redevelopment Project to Gewalt Hamilton Associates in the amount not to exceed \$115,066.

Trustee Jester asked if this was a Phase I project. Mr. Phillips stated this is Phase I.

Trustee Struthers moved to award the Phase I engineering services contract for the Northwest quadrant Redevelopment Project to Gewalt Hamilton Associates in an amount not to exceed \$115,066. Trustee Shapiro seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

AUTHORIZATION TO APPROVE SPRING 2020 BIOSOLIDS REMOVAL

Mr. Phillips reported the biosolids hauling could not be accomplished in the Fall of 2018 or the Spring of 2019 due to extreme weather conditions.

To manage the risk of odor complaints the hauler, Stewart Spreading, provided a proposal to complete the Spring 2020 hauling by transporting the biosolids to fields around their headquarters in LaSalle County. The storage barn was able to be completely cleaned out on June 1. The total amount of material removed was 747 cubic yards which equates to \$24,613.65.

Trustee Oppenheim asked if the expense is in line with the budget. Mr. Phillips noted he would look at it and talk to all three vendors to get close to the \$40,000 budget. Trustee Benton congratulated the Public Works department for their ability to complete this job in one day.

Trustee Jester moved to authorize an additional \$24,613.65 for biosolids removal from Stewart Spreading, Inc. Trustee Seiden seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

RESOLUTION R-20-17 APPROVING AN AMENDED INTERGOVERNMENTAL AGREEMENT AMONG THE MEMBER AGENCIES OF THE MAJOR CRASH ASSISTANCE TEAM OF LAKE COUNTY

Chief Sliozis reported the Village has been part of the Lake County Major Crash Assistance Team since July 2004. In 2019, MCAT was activated 31 times, including drone assistance. MCAT has recently begun providing other mutual aid tools through the provision of Drug Recognition Experts, officers that are specially trained in the recognition

and prosecution of impaired drivers.

Because of those services, the MCAT Board of Directors has requested the execution of a revised Intergovernmental Agreement. All of the other services and provisions remain the same, as does the \$250 annual fee.

Trustee Oppenheim moved to adopt the Resolution approving an amended Intergovernmental Agreement among members of the Major Crash Assistance Team of Lake County. Trustee Struthers seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

DISCUSSION

POLICE DEPARTMENT

Trustee Seiden noted the Village has a small percentage of black people that live in Village but a higher ticket rate. Very few of those arrested in Deerfield live in Deerfield. Many ticket stops are people that work in Deerfield or pass through the Village.

Trustee Seiden was on the Committee to pick the Chief of Police. In 2005, the Department started the accreditation process. They are one of less than 50 agencies that are accredited. Trustee Seiden believes Deerfield has a superb police force with excellent leadership and extremely competent officers and staff. One of biggest questions is that people were comparing traffic stops with the population. We need to recognize that there are many people driving through Deerfield and that work in the Village.

BI-WEEKLY MEETING

Mayor Rosenthal indicated she had her bi-weekly meeting with Senator Julie Morrison and Representative Bob Morgan. They are happy to be informed about what is happening in Deerfield. Mayor Rosenthal asked them to write a letter for when the Village asks for State funding. Mr. Street added they discussed policing issues and the general reaction from other communities.

PUBLIC COMMENTS

Mr. Street read public comments received during the meeting.

Dr. Evan Kune reaffirmed the emails read earlier and hopes the community will seek out other workforce housing.

ADJOURNMENT

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

Trustee Benton seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 8:30 p.m.

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

APPROVED:

Mayor

ATTEST:

Village Clerk