

June 20, 2023

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order on June 20, 2023, at 7:30 p.m. at Deerfield Village Hall. The clerk called the roll and announced that the following were

Present: Robert Benton
Larry Berg
Elaine Jacoby
Rebekah Metts-Childers
Mary Oppenheim
William Seiden

Absent: Dan Shapiro, Mayor

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

In the absence of Mayor Shapiro, Trustee Seiden moved to nominate Trustee Berg as Mayor Pro Tem. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote.

PLEDGE OF ALLEGIANCE

Alex Shvartsman, USA Judo Youth National Champion Intermediate Male Over 42kg led those in attendance in reciting the Pledge of Allegiance. Mayor Pro Tem Berg congratulated Mr. Shvartsman on his achievement and presented him with a sign recognizing his achievement that will also be placed at the entrances to the Village. Mr. Shvartsman thanked the Village and the community and is looking forward to becoming a State and Olympic champion in the future.

PROCLAMATION

Mayor Pro Tem Berg read the Juneteenth Proclamation for the Village of Deerfield.

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

DOCUMENT APPROVAL

Trustee Oppenheim moved to approve the minutes from the June 5, 2023, Board of Trustees meeting. Trustee Jacoby seconded the motion. The motion passed unanimously on a voice vote.

BILLS AND PAYROLL

Trustee Seiden moved to approve the bills and payroll dated June 20, 2023. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)
NAYS: None (0)

PUBLIC COMMENT

There were no Public Comments on non-agenda items.

REPORTS

CONSIDERATION AND ACTION ON THE REPORT AND RECOMMENDATION OF THE PLAN COMMISSION RE: REQUEST OF THE DEERFIELD PARK DISTRICT FOR AN AMENDMENT TO A SPECIAL USE TO PERMIT PHASE 2 RENOVATIONS TO JEWETT PARK

The Plan Commission held a Public Hearing on May 25, 2023, to consider the request of the Deerfield Park District for Phase 2 renovations to Jewett Park. The Plan Commission reviewed the plans and found them to be consistent with and in compliance with the Village's Northwest Quadrant Master Plan. The Phase 2 renovations include the addition of a concert pavilion, a new playground, a natural area with picnic shelter, a council ring, native plant and pollinator areas, interpretive signage, a sculptural water fountain area and improved ADA accessibility throughout the area of the park. Two additional elements that have been added to the Phase 2 renovations include a challenge course and a family game area. The challenge course will target ages 13 and up, and the family game area includes: bocce, ping-pong, baggo and gaga. The Park District would like to begin Phase 2 renovations in the fall of 2023 with a projected completion date of June 2024. The Plan Commission voted 6-0 in favor of the request.

Mr. Street added the Appearance Review Commission conducted a final review of the elements proposed for Phase 2 of the Jewett Park Renovation and voted 6-0 in favor of the renovation.

Jan Caron, President of the Park District Board, reported they held focus groups, met with community members and determined a major goal of the project is to create multi-generational uses within the park. Ms. Caron stated the Park District is proud to have received a \$600,000 grant for the renovations. Jay Zahn, Director of Parks, presented highlights of the Phase 2 Renovation, which is will take place on the north side of the property.

Trustee Seiden asked about the location of the challenge course. Mr. Zahn stated it is near the playground and that the challenge course will not provide as much noise as the previously-proposed pickleball courts. Trustee Metts-Childers believes the plan is fantastic. She expressed concern about the proximity of the challenge course to the playground area, noting teenagers frequently use inappropriate language. Mr. Zahn reported they will consider screening the area. Trustee Seiden asked if the challenge course could be moved. Mr. Zahn stated there will be concrete footings so it will not be easy to move. Trustee Jacoby suggested flipping the game plaza area and challenge course. Elias Martin reported they looked at flipping the area, but were unable to move it without harming trees. Trustee Metts-Childers asked if the council ring area could fit the challenge course. Mr. Martin noted they wanted to keep the council ring closer to the seating area. Mr. Zahn stated the challenge course will be too tall for younger kids, but understands the Trustee's concern about foul language and will look into how to address that concern.

Trustee Oppenheim is pleased to see the northwest area being developed. She believes the plan looks nice and the nature area preserves the woodland sense while providing open space and tranquility. She likes the multi-generational appeal. Trustee Metts-Childers likes all of the activity in Phase 1, but is concerned about having the challenge course adjacent to the children's play area.

Joab Silverglade expressed concern about the density because of the proximity to his home. He believes the challenge course and gaga pit will be loud, and are close to his backyard. He believes noise is cumulative and the more that is added on, the louder it becomes. Mr. Silverglade asked about additional buffering and would like to work with the park district.

Trustee Jacoby asked if the challenge course had lights. Mr. Zahn noted the only lights are on the baseball fields. Trustee Oppenheim asked if there are plantings planned on the north end. Mr. Zahn reported they have plantings planned for the north end and have added additional plantings for screening. Trustee Oppenheim believes the plantings will provide adequate screening. Trustee Seiden asked how the proximity of the challenge course to the playground area would be addressed. Mr. Zahn will look into it but is not sure how it can be achieved. Trustee Seiden asked for a First Reading and Second Reading of the Ordinance. Trustee Oppenheim asked what that would accomplish. Trustee Seiden noted it would give the Park District the opportunity to address the concern. Mr. Zahn stated putting the challenge course on the north end does not fit into the plan. He believes there would be too many problems. Ms. Caron reported Park District staff put a lot of time and thought into the plan. She noted the goal of adding multi-generational features and keeping the existing trees were the main drivers of the plan and she does not believe an additional two weeks would be sufficient to redesign the plan. Ms. Caron does not believe there is a good way to move the challenge course.

Trustee Oppenheim moved to accept the report and recommendation of the Plan Commission regarding the request for an Amendment to a Special Use to permit Phase 2 renovations to Jewett Park and prepare the Ordinance. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

CONSIDERATION AND ACTION ON
THE REPORT AND
RECOMMENDATION OF THE PLAN
COMMISSION RE: REQUEST FOR AN
AMENDMENT TO A SPECIAL USE TO
ALLOW CHANGES TO AN APPROVED
MASTER PLAN FOR RENOVATIONS
TO THE TENNAQUA CLUB AT ONE
TENNAQUA LANE

The Plan Commission held a Public Hearing on May 25, 2023, to consider the request for an Amendment to a Special Use to allow changes to an approved Master Plan for renovations to the Tennaqua Club. Aside from the physical changes to the property, the petitioner is requesting an Amendment to the Special Use to allow the phases of development to be extended to 2030. The Plan Commission voted 4-0 (2 recusals) in favor of request.

Nick Alex, President Emeritus of Tennaqua Club, reported they are proposing changes to improve their club. In 2018, he appeared before the Board for an amendment to make improvements to their club with the goal of increasing their membership. Mr. Alex noted the vision and continued execution of their master plan has increased their membership exponentially. He stated they are 40 percent complete with the amendment that was approved five years ago and need to make additional improvements to the pool, pool deck, parking, clubhouse in addition to more pickleball courts. Mr. Alex stated they are trying their best to make the improvements away from the neighbors.

Trustee Seiden moved to accept the report and recommendation of the Plan Commission regarding the request for an Amendment to a Special Use allow changes to the approved Master Plan for renovations to the Tennaqua Club and extend the phases of development to 2030 and prepare the Ordinance. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

CONSIDERATION AND ACTION ON THE REPORT AND RECOMMENDATION OF THE PLAN COMMISSION ON THE REQUEST FOR AMENDMENTS TO THE DEERFIELD COMPREHENSIVE PLAN; TEXT AMENDMENTS TO THE ZONING ORDINANCE TO CREATE A NEW ENTERTAINMENT AND RETAIL ZONING DISTRICT SOUTH OF LAKE COOK ROAD; AND REZONING OF PROPERTIES LOCATED AT 0, 1411, 1415, 1417, 1419, 1425, 1435 AND 1445 LAKE COOK ROAD

The Plan Commission held a Public Hearing on April 20, 2023, to consider creating a new C-4 Entertainment and Retail Zoning District that would be congruent to the boundaries of the proposed TIF District on Lake Cook Road. The Plan Commission voted 5-0 in favor of amending the Comprehensive Plan and adding a Text Amendment to the Zoning Ordinance to create the C-4 District to facilitate the redevelopment of the subject property with residential and medical office uses as secondary limited uses. If the Village supports the creation of the new C-4 Entertainment and Retail Zoning District, it is recommended the ARC's jurisdiction be expanded to include the C-4 District.

Assistant Village Manager Andrew Lichterman reported this recommendation regarding the redevelopment of the area will increase the property values and marketability of the property. He noted there are no specific proposals as this time. Mr. Lichterman gave a PowerPoint presentation showing the area with the current I-1 Office Zoning. Mr. Lichterman reported the language for the proposed amendment to the comprehensive plan would add retail, restaurant and entertainment uses and would replace the undesirable uses to protect the residential uses to the north. He noted future retail, restaurant and entertainment uses will be carefully and critically reviewed and evaluated so they do not adversely impact the surrounding residential areas to the north of Lake Cook Road and the Village as a whole.

Mr. Lichterman outlined the proposed Special Uses for the C-4 Entertainment and Limited Retail Business District. He stated large, special event venues with high parking demand are not being contemplated for this subject area. Mr. Lichterman reported all of the uses in this Zoning District would be Special Uses and approved as a PUD. He noted the minimum lot size would be five acres so it is unlikely standalone stores are developed. Trustee Oppenheim noted other uses could be proposed. Mr. Schuster stated businesses not on the list would require a Text Amendment and that businesses on the list would need to meet Special Use criteria and additional consideration.

Staff recommends the Appearance Review Commission's purview be expanded to include the new C-4 District. Trustee Oppenheim believes the proposed amendment is thorough, detailed, and complete and that she is very impressed by the Plan Commission and staff's work. Mayor Pro Tem Berg reiterated Trustee Oppenheim's commendation.

Trustee Oppenheim moved to accept the report and recommendation of the Plan Commission on the request for Amendments to the Deerfield Comprehensive Plan and a Text Amendment to the Zoning Ordinance to create a new Entertainment and Retail Zoning District south of Lake Cook Road; and rezoning of specific properties and direct the Village Attorney to prepare the Ordinances. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

CONSENT AGENDA

ORDINANCE O-23-14 GRANTING RELIEF FROM ARTICLE 2.03-D, (3) & (5) OF THE DEERFIELD ZONING ORDINANCE FOR THE PROPERTY LOCATED AT 855 FAIR OAKS AVE. TO PERMIT THE CONSTRUCTION OF A DETACHED TWO CAR GARAGE SIX FEET FROM THE PRINCIPAL STRUCTURE IN LIEU OF THE MINIMUM TEN FEET AND SIDE AND REAR PROPERTY LINES OF TWO FEET IN LIEU OF FIVE FEET SPECIFIED IN THE DEERFIELD ZONING ORDINANCE

An Ordinance granting relief from Article 2.03-D (3) & (5) of the Deerfield Zoning Ordinance for the property located at 855 Fair Oaks Avenue to permit the construction of a detached two-car garage six (6) feet from the principal structure in lieu of the minimum ten (10) feet and side and rear property lines of two (2) feet in lieu of five (5) feet specified in the Deerfield Zoning Ordinance.

Trustee Benton moved to accept the Consent Agenda and adopt the Ordinance. Trustee Seiden seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

RESOLUTION R-23-28 AWARDING THE ASSISTANT DIRECTOR OF PUBLIC WORKS AND CONTRACT FOR ADA TRANSITION PLAN Engineering, Tyler Dickinson, reported all municipalities are required to provide adequate accommodations for those with accessibility challenges. Mr. Dickinson noted the ADA transition plan is a guideline for managers to follow when considering budgetary proposals for annual repairs and upgrades, and having a plan is now a federal requirement.

Mr. Dickinson reported the Village budgeted \$100,000 for the preparation of an ADA transition plan during fiscal year 2023. He stated that if approved, the plan will include an inventory of current programs and services, a facilities inventory (sidewalks, buildings, signalized intersections, website review), budget outline, and transition plan development. Mr. Dickinson reported the intention of the plan is to help realize an annual budgetary allowance that will bring the Village into compliance within a 10-year period. Mr. Dickinson stated the Engineering Department selected Kimley-Horn Associates to perform the ADA Transition Plan.

Trustee Seiden moved to approve the Resolution awarding the contract for an ADA Transition Plan to Kimley-Horn in an amount not to exceed \$51,400. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

RESOLUTION R-23-29 AUTHORIZING THE PURCHASE OF TWO NEW POLICE ADMINISTRATIVE VEHICLES Deputy Chief Fry stated the Department is requesting authorization to purchase two (2) 2023 Ford Explorer XLT's from Curry Motors for a price of \$81,800 to replace two older model administrative vehicles. He reported both vehicles have surpassed their expected lifespan. Deputy Chief Fry noted the hybrid versions are not available at this time due to high demand. He also noted the vehicles would have to be outfitted for police administrative use by Havey Communications at a cost of \$4,000 per vehicle.

Trustee Seiden moved to approve a Resolution authorizing the purchase of two 2023 Ford Explorer XLT's from Curry Motors with Havey outfitting the vehicles for a combined price of \$89,800. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

RESOLUTION R-23-30 APPROVING AN INDEMNIFICATION AGREEMENT WITH THE VILLAGE OF NORTHBROOK REGARDING THE CONTINUED EMPLOYMENT OF A PART-TIME EMPLOYEE

Deputy Chief Budny reported the Department is requesting approval of an indemnification agreement between the Village of Northbrook and the Village of Deerfield for the continued employment of Telecommunicator Brian Riley. Mr. Riley has been an employee since 1995. Deputy Chief Budny noted the Resolution also requests the

Village Manager have the ability authorize an annual extension of the agreement for the next four (4) years.

Trustee Oppenheim moved to approve the Resolution authorizing an indemnification agreement between the Villages of Northbrook and Deerfield regarding the continued employment of Telecommunicator Brian Riley. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

RESOLUTION R-23-31 AUTHORIZING AN INTERNET SERVICES CONTRACT RENEWAL/MODIFICATION

Director of Information Technology Matt Weiss reported the Village has contracted with Comcast to provide Internet services for the Village. Mr. Weiss noted the Village needs to renew terms at this time,

and is also recommending increasing the scope of contracted services to include additional Internet bandwidth, as well as to add DDoS (distributed denial-of-service) protection features. Mr. Weiss reported the monthly cost would be \$3,002.73 plus applicable taxes and fees.

Trustee Oppenheim moved to approve the Internet Services Contract renewal/modification at the monthly cost of \$3,002.73 plus applicable taxes and fees. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Jacoby, Metts-Childers, Oppenheim, Seiden (6)

NAYS: None (0)

DISCUSSION

CITIZENS POLICE ACADEMY UPDATE

Trustee Jacoby recently graduated from the

Deerfield Citizens Police Academy, which is an eight-week training program. She described it as an incredible experience and she is so proud of the men and women of the Deerfield Police. She encouraged everyone to apply to the program. Trustee Seiden previously attended CPA and also found it to be a great experience.

BAXTER/BRIDGE STATEMENT

Mr. Street read the following statement from Mayor Shapiro about the Baxter/Bridge proposal:

“Earlier this month, Bridge Industrial withdrew its petitions to annex, rezone, and develop the Baxter property. At this time, we are unaware of their future plans, although it has been reported that they are in discussions with Lake County. It remains uncertain whether they will abandon their desire to purchase the 102 acres altogether or approach Lake County with revised plans. If the latter occurs, any zoning or land use process, including potential restrictions, would be handled by Lake County rather than the Village.

Like any developer, Bridge approached us to express their interest in developing and annexing the property, which has been owned by Baxter for nearly 50 years. As part of our standard procedure, we listened to their proposals and gathered relevant information. It is important to note that meeting with developers is a typical and necessary step in understanding a project. However, engaging with developers should not be misconstrued as endorsing, supporting, or approving a project, despite what some may assume. Communicating with developers about the process and addressing pertinent issues is simply part of our responsibilities as a Village. There is nothing nefarious about this practice, and suggesting otherwise only leads to unwarranted suspicions and hampers future development opportunities in our community.

Our Village takes great pride in its outstanding schools, parks, services and dedicated police force. We are a caring and compassionate community, ensuring the well-being of our children and elderly residents. We embrace openness, extend a warm welcome to all, and foster a genuine sense of community. However, during the Bridge development discussions, it was disheartening to witness instances where innuendo, rumors, and smear campaigns overshadowed thoughtful public debate and discussion. Passionate and principled arguments should never be sacrificed at the expense of baseless accusations.

As the process unfolded over the past several months, it became apparent to me that Bridge struggled to present a compelling case, and their plans raised more questions than answers. Legitimate concerns emerged regarding traffic, pollution, noise, and alternative uses that had not been adequately addressed. The hearing process and public participation provided valuable opportunities for the Plan Commission and the public to ask tough questions, ultimately highlighting several unresolved issues. Whether you supported, opposed, or remained neutral towards the proposed development, I appreciate that Village residents and others voiced their opinions. Engaging in honest debate, free from harsh judgment or incredulity, often leads to better decision-making.

Looking ahead, I have directed our staff to undertake a thorough review of our processes, notification policies, requirements, and performance standards for industrial spaces. Just as we have had past projects and development opportunities in Deerfield, we can expect similar ventures and exciting changes in the years to come. I eagerly anticipate exploring these opportunities with future developers, our staff, the Village Board, and the Plan Commission. Most importantly, I encourage their active participation in the public hearing process, which is a vital part of our magnificent community.”

TRUSTEE IN THE TOWN

Trustee Seiden reported Mayor Shapiro and Trustee Jacoby will be at the Farmers Market this Saturday from 9:00 a.m. to noon for Trustee in the Town.

Board of Trustees meeting

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ADJOURNMENT

There being no further business or discussion,

Trustee Benton moved to adjourn the meeting.

Trustee Oppenheim seconded the motion. The motion passed unanimously on a voice vote. The meeting was adjourned at 9:12 p.m.

The next regular Board of Trustees meeting is scheduled to take place on Wednesday, July 5, 2023, at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk