

November 7, 2022

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order on November 7, 2022, at 7:30 p.m. at Deerfield Village Hall. The clerk called the roll and announced that the following were

Present: Dan Shapiro, Mayor
Robert Benton
Larry Berg
Rebekah Metts-Childers
Mary Oppenheim
William Seiden

Absent: Elaine Jacoby

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

PLEDGE OF ALLEGIANCE

Larry Mason and Matt Kerbis from the Deerfield Family Theater led those in attendance in reciting the Pledge of Allegiance. The new Deerfield Family Theater production is Big Fish. The performances will be held this weekend and next weekend at 1221 Lake Cook Road. Deerfield Family Theater also has a podcast.

PROCLAMATION

Mayor Shapiro proclaimed the month of November as National Native American Heritage Month and called upon all people of Deerfield, Illinois, to celebrate the rich cultures of indigenous people, honor their sacrifices, acknowledge the unique challenges Native Americans face, historically and in the present and celebrate this month with appropriate programs and activities.

Trustee Benton moved to accept the accept the Proclamation. Trustee Berg seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

DOCUMENT APPROVAL

Trustee Oppenheim moved to approve the minutes from the October 17, 2022, Board of Trustees meeting and October 11, 2022, Committee of the Whole. Trustee Benton seconded the motion. The motion passed unanimously on a voice vote.

TREASURER'S REPORT

Finance Director Eric Burk presented highlights from the September 2022 Treasurer's Report. Sales tax is consistent with last month and continues to be higher than last year, likely due to increased costs. Water and sewer billings increased which is typical this time of year, but are down from

the same period last year. Hotel tax decreased from last month's yearly high, but continues to exceed prior year amounts. Second installment of Lake County property tax was received. Mr. Burk reported the Village has received \$1.26 million from ARPA in addition to the sixth installment of Rebuild IL Bonds issued by the State. Notable expenditures in September include engineering and construction costs. Mr. Burk noted the large expenditures to come include the Village's contributions to the Police Pension Fund, debt service payments and the transfer to the refuse fund.

BILLS AND PAYROLL

Trustee Benton moved to approve the bills and payroll dated November 7, 2022. Trustee Metts-

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

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

PUBLIC COMMENT

Jennifer Goldstone and Rick Cervarich from the Deerfield Caucus reported the Caucus town meeting

will be held next Tuesday at 7:00 p.m. at Caruso Middle School. Ms. Goldstone noted the nominating committee has put forth three candidates for the slate; however, there are six candidates. Attendees will have the opportunity to vote and the three highest vote getters will comprise the Deerfield Caucus Party slate for the April 2023 election.

REPORTS

CONSIDERATION AND ACTION ON THE PLAN COMMISSION REPORT AND RECOMMENDATION ON THE REQUEST FOR A TEXT AMENDMENT TO ALLOW AN INDOOR CHILDREN'S PLAYGROUND AS A SPECIAL USE IN THE C-2 OUTLYING COMMERCIAL DISTRICT; A SPECIAL USE TO PERMIT THE PROPOSED INDOOR CHILDREN'S PLAYGROUND FOR KIDS EMPIRE AT 405 LAKE COOK ROAD, UNITS A-4 AND A-5; AN AMENDMENT TO THE DEERFIELD PARK PLAZA PLANNED UNIT DEVELOPMENT (PUD) FOR AN EXTERIOR CHANGE TO RAISE THE ROOF OF THE TENANT SPACE AND EXCEPTIONS TO THE DEERFIELD ZONING ORDINANCE TO ALLOW THE WALL SIGN TO BE LOCATED 33 INCHES ABOVE THE ROOF DECK OF

The Plan Commission held a Public Hearing on September 22, 2022, to consider the request for a Text Amendment to allow an indoor children's playground as a Special Use in the C-2 Outlying Commercial District, a Special Use to permit the proposed indoor children's playground for Kids Empire to be located at 405 Lake Cook Road, units A-4 and A-5, an amendment to the Deerfield Park Plaza PUD for an exterior change to raise the roof of the tenant space and exceptions to the Deerfield Zoning Ordinance to allow the wall sign to be located 33 inches above the roof deck of the building and a parking exception to the Deerfield Park Plaza Planned Unit Development.

The indoor facility will have a large, two-story playground and a smaller "toddler" play area for infants and toddlers. All children must be accompanied by a parent or guardian as no drop-offs are allowed.

**THE BUILDING AND A PARKING
EXCEPTION TO THE DEERFIELD
PARK PLAZA PLANNED UNIT
DEVELOPMENT**

The Plan Commission voted 5-0 in favor of the request.

Attorney Larry Freedman pointed out Kids Empire has 39 facilities in 12 states. He noted the proposed signage was approved by the Appearance Review Commission. Trustee Oppenheim expressed concern about the parking as it gets crowded due to the Secretary of State office. She noted most of the business' use will be during off peak hours.

Trustee Berg moved to accept the report and recommendation of the Plan Commission on the request for a Text Amendment to allow an indoor children's playground as a Special Use in the C-2 Outlying Commercial District; a Special Use to permit the proposed indoor children's playground for Kids Empire at 405 Lake Cook Road, units A-4 and A-5; an Amendment to the Deerfield Park Plaza Planned Unit Development (PUD) for an exterior change to raise the roof of the tenant space and exceptions to the Deerfield Zoning Ordinance to allow the wall sign to be located 33 inches above the roof deck of the building and a parking exception to the Deerfield Park Plaza Planned Unit Development and direct the Village Attorney to prepare the Ordinance. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

CONSENT AGENDA

**ORDINANCE O-22-33 AUTHORIZING
TEXT AMENDMENTS TO ARTICLE
7.02-C TO ALLOW AN ESSENTIAL
SERVICE ANTENNA SUPPORT
STRUCTURE MONOPOLE AS A
SPECIAL USE IN THE P-1 PUBLIC
LANDS DISTRICT, ARTICLE 7.05-E TO
ALLOW AN ESSENTIAL SERVICE
ANTENNA SUPPORT STRUCTURE TO
EXCEED 35 FEET, TO ARTICLE 7.02-C
TO ALLOW A REGIONAL STORM
WATER FACILITY AS A SPECIAL USE
IN THE P-1 PUBLIC LANDS DISTRICT,
AND ARTICLE 14.02 TO ADD THE
DEFINITION OF A REGIONAL STORM
WATER FACILITY**

An Ordinance authorizing Text Amendments to Article 7.02-C to allow an essential service antenna support structure monopole as a Special Use in the P-1 Public Lands District, Article 7.05-E to allow an essential service antenna structure support to exceed 35 feet, to Article 7.02-C to allow a regional storm water facility as a Special Use in the P-1 Public Lands District and Article 14.02 to add the definition of a Regional Storm Water Facility.

**ORDINANCE O-22-34 AUTHORIZING
SPECIAL USES TO ALLOW A**

An Ordinance authorizing Special Uses to allow a Village-owned Regional Storm Water Facility and

VILLAGE-OWNED REGIONAL STORM WATER FACILITY AND A WEC BUSINESS SERVICES LLC PRIVATE ANTENNA SUPPORT STRUCTURE AT 909 LAKE COOK ROAD a WEC Business Services LLC private antenna support structure at 909 Lake Cook Road.

RESOLUTION R-22-57 APPROVING A LICENSE AGREEMENT WITH WEC BUSINESS SERVICES LLC TO PLACE A PRIVATE ANTENNA SUPPORT STRUCTURE AT 909 LAKE COOK ROAD A Resolution approving a license agreement with WEC Business Services LLC to place a private antenna support structure at 909 Lake Cook Road.

Trustee Metts-Childers moved to approve the Consent Agenda and adopt the Ordinances and Resolution. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)
NAYS: None (0)

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

Public Hearing on the Fiscal Year 2023 Annual Budget

Trustee Seiden moved to open the Public Hearing. Trustee Oppenheim seconded the motion. The motion passed unanimously on a voice vote.

Mr. Burk reported the Public Hearing was properly noticed and the budget was available on the Village website and at Village Hall. There were two Committee of the Whole meetings and changes discussed at those meetings are reflected in the materials. The proposed budget totals \$57,331,634, which is a 7% increase to the prior year. The operating budget is \$33.5 million, which is a 5% increase over 2022 due to contractual increases and the price of commodities. This year's capital budget is \$7.9 million. Staff estimates the Village needs approximately \$5 million to cover ongoing infrastructure costs including street rehab, water main replacement, storm and sanitary sewer and lead sewer line replacements.

The 2023 major capital projects include the street rehabilitation program, Waukegan Road water main project, WRF improvements and various other water and sewer projects. The 2023 budget is partially funded by the 2022 property tax levy.

Mayor Shapiro thanked Mr. Burk and Village staff for their hard work. Trustee Seiden noted the Trustees also put in hours of work. Trustee Oppenheim is encouraged that the budget is largely in line with the projections.

There was no public comment.

Trustee Benton moved to close the Public Hearing. Trustee Oppenheim seconded the motion. The motion passed unanimously on a voice vote.

RESOLUTION R-22-58 APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH THE ILLINOIS COUNCIL OF POLICE A Resolution approving a Collective Bargaining Agreement with the Illinois Council of Police.
Mr. Street reported staff is recommending the Board approve the agreement, which has been ratified by the membership. It is a four-year agreement.

Trustee Oppenheim moved to adopt the Resolution approving a Collective Bargaining Agreement with the Illinois Council of Police. Trustee Metts-Childers seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)
NAYS: None (0)

RESOLUTION R-22-59 APPROVING A COLLECTIVE BARGAINING AGREEMENT WITH THE IUOE LOCAL 150 A Resolution approving a Collective Bargaining Agreement with the IUOE.
The four-year agreement stipulates wage and salary increases consistent with the Village Board's previous direction.

Trustee Berg moved to adopt the Resolution approving a Collective Bargaining Agreement with the IUOE Local 150. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)
NAYS: None (0)

RESOLUTION R-22-60 TO AWARD CONTRACT FOR THE WAUKEGAN ROAD WATER MAIN IMPROVEMENT PROJECT A Resolution to award the contract for the Waukegan Road water main improvement project.
Assistant Director of Public Works and Engineering Tyler Dickinson reported the Village put the project out for bid in October. The low bidder came in slightly over the budgeted amount of \$4,010,000. The project will have some water service line and traffic impact. Staff is

confident Lenny Hoffman Excavating, Inc., will complete the project in a timely and efficient manner. Trustee Oppenheim expressed concern over the timing.

Trustee Seiden moved to adopt the Resolution awarding the contract for the Waukegan Road water main improvement project to Lenny Hoffman Excavating, Inc., in an amount not to exceed \$4,059,990.10. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

RESOLUTION R-22-61 APPROVING PHASE III ENGINEERING SERVICES CONTRACT Mr. Dickinson reported staff selected Civiltech Engineering to assist with the construction engineering for the Waukegan Road water main replacement project. Their proposal is \$293,387 and the Village budgeted \$340,000 in fiscal year 23.

Trustee Berg moved to adopt the Resolution approving the Phase III engineering services contract to Civiltech Engineering in an amount not to exceed \$293,387. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

RESOLUTION R-22-62 APPROVING AN IGA WITH WEST DEERFIELD TOWNSHIP Director of Public Works and Engineering Bob Phillips noted West Deerfield Township is responsible for road maintenance within unincorporated Lake County between Lake Eleanor and Reservoir 27. They are not in a position to continue winter maintenance and are looking to the Village for continued snow and ice control. Staff does not believe performing this function will have impact on Village operations. Trustee Seiden asked if there is an escalator if the Village determines their costs are higher. Mr. Phillips believes this will not be the case. Mr. Street noted if there are extraordinary circumstances, the Village will go back to the Township. Mr. Schuster stated there is a 30-day termination clause in the agreement.

Trustee Oppenheim moved to adopt the Resolution approving an Intergovernmental Agreement with West Deerfield Township for road maintenance. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

ORDINANCE O-22-35 AMENDING VARIOUS SECTIONS OF THE Fiscal Clerk Mary Otto reported licensing regulations are in place to advance the policy

MUNICIPAL CODE OF THE VILLAGE OF DEERFIELD, 1975, AS AMENDED, TO AMEND OR REMOVE OBSOLETE BUSINESS AND VEHICLE LICENSING REQUIREMENTS objectives in the Village. A recent review of the regulations revealed some obsolete regulations. Staff will continue to review obsolete regulations.

Trustee Berg moved to amend various sections of the Village of Deerfield Municipal Code, as amended, to amend or remove obsolete business and vehicle licensing requirements. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

DISCUSSION

Re-Appointments to Boards and Commissions:

Lisa Dunn, Appearance Review Commission Chair - 3 Year Term

Troy Mock, Appearance Review Commission - 3 Year Term

Robert Speckmann, Board of Zoning Appeals Chair - 5 Year Term

Leonard Adams, Board of Zoning Appeals - 5 Year Term

Jeffrey Marks, Fine Arts Commission Chair - 3 Year Term

Dorothy Fiedler, Fine Arts Commission - 3 Year Term

William Keefe, Plan Commission - 3 Year Term

Mark Anfonson, Police Pension Board - 2 Year Term

Michael Shalen, Sustainability Commission - 3 Year Term

Amy Call, Sustainability Commission - 3 Year Term

Kevin Whitney, Volunteer Engagement Commission - 3 Year Term

Jonathan Kohl, Volunteer Engagement Commission - 3 Year Term

Trustee Benton moved to accept the reappointments to Boards and Commissions. Trustee Oppenheim seconded the motion. The motion passed unanimously on a voice vote.

ADJOURNMENT

There being no further business or discussion, Trustee Oppenheim moved go into Closed Session pursuant to 5ILCS 120/2(c)1, 120/2(c)2 and 120/2(c)21. Trustee Berg seconded the motion. The motion passed by the following vote:

AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

The meeting was adjourned to Closed Session at 8:27 p.m.

Trustee Benton moved to adjourn the open session of the meeting. Trustee Oppenheim seconded the motion. The motion passed by the following vote:

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AYES: Benton, Berg, Metts-Childers, Oppenheim, Seiden (5)

NAYS: None (0)

The open session of the meeting was adjourned at 9:26 p.m.

The next regular Board of Trustees meeting is scheduled to take place on Monday, November 7, 2022, at 7:30 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk