

April 18, 2005

The regular meeting of the Board of Trustees of the Village of Deerfield was called to order by Mayor Harris in the Council Chamber of the Village Hall on Monday, April 18, 2005, at 7:35 P.M. The Clerk called the roll and announced that the following were:

Present: Steve Harris, Mayor
Robert Benton
Jerry Kayne
Harriet Rosenthal
William Seiden
Vernon Swanson
Matthew Wylie

and that a quorum was present and in attendance. Also present were Village Attorney Peter Coblentz and Village Manager Robert Franz.

PLEDGE OF ALLEGIANCE

Jennifer Davis led those in attendance in reciting the Pledge of Allegiance. Mayor

Harris reported that, after doing the minutes for the Board of Trustees meetings for the last 11½ years, Mrs. Davis is giving up that duty. Mayor Harris presented Mrs. Davis with a basket of flowers.

APPROVAL OF MINUTES

Trustee Benton made a motion to approve the minutes of the previous meeting. Trustee

Rosenthal seconded the motion. The motion passed unanimously.

BILLS AND PAYROLL

Trustee Rosenthal moved to approve the Bills and Payroll. Trustee Wylie seconded the

motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)

NAYS: None (0)

TREASURER'S REPORT

Bob Fialkowski presented highlights from the March Treasurer's Report. Sales tax received in March (for December sales) is an 11.1% increase over the same period last year, and it is the first time that Deerfield has ever collected over \$400,000 in a single month. State income tax is also over budget, but hotel tax is not doing well. As of March 31, 2005, 100% of available cash was invested at an estimated average interest rate of 3.41%, compared to an average rate of 2.80% for the 90-day Treasury Bill.

REPORT ON DEPARTMENTAL OBJECTIVES,
FINANCE DEPARTMENT

Mr. Fialkowski presented highlights from the Report on Departmental Objectives for the Finance Department. Among their accomplish-

ments were:

- Completed work on the annual financial report for 2003-04 that included implementation of new infrastructure reporting requirements,
- Assisted in ongoing negotiations with the police and public works unions,

- Rolled out the new MUNIS budgeting process to all departments for on-line input of budget requests and current year projected data,
- Processed an average of 113 cash transactions per day,
- Are preparing to send out nearly 15,000 vehicle license renewal applications utilizing updated forms,
- Did a number of installations and upgrades in the technology area.

PUBLIC COMMENT

There was no public comment on non-agenda items.

CHANGE IN MEETING AGENDA

Mr. Coblentz reported that staff needs to undertake, on an emergency basis, construction of the Juniper Court water main replacement. In order to comply with the requirements of the Open Meetings Act, the agenda must formally be amended to add this item. Mr. Coblentz therefore asked for a motion to amend tonight's agenda by adding to the New Business portion an item authorizing awarding a contract for construction of the Juniper Court water main replacement. Trustee Wylie so moved. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)

NAYS: None (0)

REPORTS

REPORT AND RECOMMENDATION OF BZA
RE REQUEST OF DR. AND MRS. BRUCE
BROWN FOR A REAR YARD VARIATION
FOR THEIR PROPERTY AT 1630 PORTAGE
PASS

The Board of Zoning Appeals held a public hearing on March 15th to consider the request of Bruce and Andrea Brown for a rear yard variation for their property at 1630 Portage Pass. The variation would permit construction of a one story garage encroaching an additional 15' into an existing non-conforming rear yard of 25.45'. If built, the garage would leave a rear yard of 10.416' in lieu of the 40' specified in the zoning ordinance. On a motion to grant the variation, the vote was 4-0 in favor of the request.

Trustee Rosenthal requested an explanation of Clint Case's memo that accompanied the BZA recommendation. BZA Chairman Bob Speckmann explained that, for this residence, if the requested variance is granted, the building footprint has the potential to be quite large. In his memo Mr. Case proposes that the BZA recommendation be amended to state that since the perceived front yard is actually on Portage Pass (not North Avenue) a restriction should be placed on the side yard (which is the perceived back yard) to make it a 35' setback instead of an 8' setback. Trustees, Mr. Coblentz and the petitioner discussed the issue, after which Trustee Seiden made a motion to accept the report and recommendation of the BZA, with the change suggested by Mr. Case, and to direct preparation of an ordinance. Trustee Wylie seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)

NAYS: None (0)

Mr. Case agreed to identify other residences in the Village that have the same type of siting problem as the Brown's home on Portage Pass.

Mayor Harris advised the Browns to discuss this matter with Mr. Case before the next meeting to see if it interferes with any future plans they may have.

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION AND REPORT AND RECOMMENDATION OF THE VCDC RE SPECIAL USE (CLASS B) FOR BLDG. 9, 710 ROBERT YORK AVENUE (DEERFIELD SQUARE)

The Plan Commission held a public hearing on March 24th. It is their recommendation that Deerfield Square's request for approval of a Class B special use for Starland children's facility in Building 9 at 710 Robert York Avenue be approved. The motion passed 4-0. The VCDC held a workshop meeting on April 6th

to consider the same request. By a vote of 7-0, with one person recusing herself, they also recommended that the special use be granted.

Trustee Rosenthal made a motion to accept the report and recommendation of the Plan Commission and the report and recommendation of the VCDC and to direct preparation of an ordinance. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)
NAYS: None (0)

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION RE AMENDMENT TO A SIGN PLAN FOR 1717 DEERFIELD ROAD (PRENTISS PROPERTIES)

The Plan Commission held a public hearing on March 24th. It is their recommendation that Prentiss Properties and Warady & Davis' request for an amendment to a sign plan, including sign modifications for the area and

location of the sign, be approved with the following conditions:

- that the height of the sign remain at 67" from the ground to the top of the sign;
- that the size of the sign face be reduced so that "CPAs and Consultants" be removed from the sign, and an appropriate green border be reworked;
- that the petitioners agree that they will not make a request for any further ground signage other than replacement of the existing Dade Behring sign if they leave;
- that the landscaping existing on the property be manicured to the extent possible so the wording on the Warady & Davis sign is more visible; and
- that the existing address sign to the south of the Dade Behring sign be removed.

The motion passed 4-0.

Trustee Wylie made a motion to accept the report and recommendation of the Plan Commission and to direct preparation of an ordinance. Trustee Rosenthal seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)
NAYS: None (0)

CONSENT AGENDA

ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN AND AUTHORIZING A SPECIAL USE PLANNED UNIT DEVELOPMENT IN THE I-1 OFFICE, RESEARCH AND RESTRICTED INDUSTRIAL DISTRICT (TAKEDA PHARMACEUTICALS)

An ordinance approving a final development plan and authorizing a special use planned unit development for the Takeda Pharmaceuticals property in the I-1 Office, Research and Restricted Industrial District. First Reading.

ORDINANCE O-05-11 ADOPTING ANNUAL BUDGET FOR 2005-06

An ordinance adopting the annual budget for 2005-06 in the amount of \$56,047,119. Second Reading.

ORDINANCE O-05-12 AMENDING THE WAGE AND SALARY PLAN

Reading.

An ordinance amending the wage and salary plan and establishing the compensation of officers and employees for fiscal year 2005. Second

ORDINANCE O-05-13 AMENDING THE ZONING ORDINANCE TO AUTHORIZE PRIVATE ELEMENTARY AND MIDDLE SCHOOLS AS A SPECIAL USE IN AN I-1 OFFICE, RESEARCH AND RESTRICTED INDUSTRIAL DISTRICT PLANNED UNIT DEVELOPMENT (SOCRATES GREEK AMERICAN SCHOOL)

An ordinance amending the zoning ordinance to authorize private elementary and middle schools as a special use in an I-1 Office, Research and Restricted Industrial Planned Unit Development. Second Reading.

ORDINANCE O-05-14 AMENDING ARTICLE 9.02C OF THE ZONING ORDINANCE TO AUTHORIZE SIGNAGE FOR PRIVATE ELEMENTARY AND MIDDLE SCHOOL FACILITIES IN THE I-1 OFFICE, RESEARCH AND RESTRICTED INDUSTRIAL DISTRICT (SOCRATES GREEK AMERICAN SCHOOL)

An ordinance amending Article 9.02C of the Zoning Ordinance to authorize signage for private elementary and middle school facilities in the I-1 Office, Research and Restricted Industrial District. Second Reading.

ORDINANCE O-05-15 APPROVING FINAL DEVELOPMENT PLAN AND AUTHORIZING AN AMENDMENT TO A SPECIAL USE PLANNED UNIT DEVELOPMENT FOR THE SOCRAATES GREEK AMERICAN SCHOOL IN THE I-1 OFFICE, RESEARCH AND RESTRICTED INDUSTRIAL DISTRICT

An ordinance approving a final development plan and authorizing an amendment to a special use planned unit development for the Socrates Greek American School in the I-1 Office, Research and Restricted Industrial District. Second Reading.

ORDINANCE O-05-16 RE WATER RATE INCREASE

An ordinance increasing the water rate to \$3.12 per 100 cubic feet. Second Reading.

Trustee Rosenthal moved for acceptance of the Consent Agenda and adoption of the ordinances. Trustee Wylie seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)
NAYS: None (0)

OLD BUSINESS

DISCUSSION RE SIDEWALK IMPROVEMENTS IN CONNECTION WITH DIMMEYDALE/AMBLESIDE WATER MAIN IMPROVEMENT (HELD OVER FROM 4/4/05) The Ambleside/Dimmeydale water main project allows the Village to look at some options for sidewalk replacement: 3' wide sidewalks could be reinstated, 5' wide carriage walks could be installed; or the walk could be relocated further off the street, creating a 5' parkway. Staff recommends not creating a parkway, but putting in a 5' carriage walk on both sides of the street with a 4" barrier curb.

Barbara Struthers commented there are a number of trees that would be lost if the sidewalks in that area are changed in any way. The Village should be as mindful of tree preservation as they are asking Village residents to be.

Trustee Seiden reported that he spoke with almost all the residents on Ambleside, and most prefer a 5' carriage walk with a 4" barrier curb. Doing this on the water main side of the street only would necessitate the removal of just one tree, which Trustee Seiden would propose that the Village replace as a good faith gesture. He would propose doing nothing on the other side of the street at this time, since that would necessitate tree removal and since no work is needed at this time.

Trustees spent several minutes discussing a variety of options, after which Trustee Seiden made a motion to replace the current 3' carriage walk and existing curb on the water main side of the street only with a 5' carriage walk and a 4" barrier curb. Trustee Swanson seconded the motion. Trustee Seiden added that replacing the aforementioned tree is also a part of his motion.

After additional discussion, mostly on the pros and cons of doing both sides of the street at once, a vote was taken. The outcome was as follows:

AYES: Rosenthal, Seiden, Swanson (3)
NAYS: Benton, Kayne, Wylie (3)

The vote being tied, Mayor Harris voted "Aye".
The motion therefore passed.

APPROVAL OF CONTRACT WITH URBAN FOREST MANAGEMENT RE ADMINISTRATION OF TREE PRESERVATION ORDINANCE Urban Forest Management, Inc., the firm that advised the task force and board during the process of creating a tree preservation ordinance, has submitted a proposal for providing services such as plan reviews, site reviews, and inspections connected with implementing the ordinance. Staff has reviewed the proposal and recommends that the board approve it.

After discussion, Trustee Rosenthal made a motion to accept the proposal of Urban Forest Management. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Rosenthal, Seiden, Swanson, Wylie (5)
NAYS: Kayne (1)

NEW BUSINESS

PUBLIC HEARING RE ACCEPTANCE OF
CREDIT CARDS BY VILLAGE

Mayor Harris opened the public hearing. Mr. Fialkowski explained that State statute requires that prior to accepting credit cards, it is necessary for a governmental body to hold a public hearing. He noted that proper notice of the public hearing was given.

Ellasion Phillips explained that the Finance Department is proposing to begin accepting credit cards for on-line payment of vehicle stickers using the State's e-pay program. The Finance Department will use this as a test to see if residents like and will use the system. There would be no cost to the Village; however, the resident would incur a sliding scale fee from the credit card company. Ms. Phillips noted that no over-the-counter credit card payments will be accepted, but a direct debit system for payment of utility bills is being considered.

After trustees had discussed the proposal for several minutes (and a resident expressed his support of the program) Trustee Benton made a motion to close the public hearing. Trustee Kayne seconded the motion. The motion passed unanimously. The Finance Department will proceed with the necessary steps to begin the program.

ORDINANCE AMENDING THE 2004-05
BUDGET RE POLICE PENSION FUND

The Village has received the actuarial analysis for the Police Pension Fund that contains the required contribution by the Village to that Fund. For several reasons, which Mr. Fialkowski enumerated, the required contribution increased this year from \$325,762 to \$614,326. This amount is greater than the budget line item provided in the police department administration budget, and it will put the division over budget for the year; however, the Village should still end the year under budget in the General Fund. Mr. Fialkowski is recommending adoption of an ordinance amending the 2004-05 annual budget to recognize the expenditure. The amendment would increase the line item by \$284,000. This will stand as a First Reading.

ORDINANCE O-05-17 RESERVING VOLUME
CAP RE PRIVATE ACTIVITY BONDS

Home rule units in Illinois are annually allocated private activity bond cap for use in issuing industrial revenue bond type financing for local projects. This year the amount for Deerfield is \$1,538,560. In the past, the Village has been offered up to 1.5% of the total cap amount as a fee for ceding its allocation; however, this year the Village has not yet received a specific request to cede its full allocation to an identified project. Mr. Fialkowski has been advised that the Village can cede the allocation to itself prior to the May 1 deadline. Doing so will allow the Village to dedicate the cap to a project later in the year. If no project comes to fruition, the Village would have the opportunity to cede its volume cap at a lower rate to Lake County Partners. Mr. Fialkowski recommends adoption of an ordinance reserving the Village's private activity bond cap. Due to the May 1 deadline, he recommends passage of the ordinance on First Reading.

Trustee Seiden moved for a waiver of the rules. Trustee Swanson seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)
NAYS: None (0)

Trustee Rosenthal moved for adoption of the ordinance. Trustee Seiden seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)
NAYS: None (0)

AUTHORIZATION TO ACCEPT CONTRACT WITH MUNICIPAL GIS PARTNERS, INC. The Village is a member of the GIS Consortium that consists of eight member communities jointly implementing GIS in their towns. The consortium has an agreement with Municipal GIS Partners, Inc. (MGP) to provide support services as well as staffing and consulting work in an effort to implement GIS in each town. This arrangement provides for a discounted fee structure and allocates MGP's staff hours based on the level of service required for each town. The cost for the 2005-06 fiscal year is \$61,167, which was authorized in the 2005-06 budget. This is the third year of Deerfield's involvement with MGP, and staff has been very pleased with their performance. Staff recommends acceptance of the contract with Municipal GIS Partners, Inc. in an amount not to exceed \$61,167.

Trustee Swanson so moved. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)
NAYS: None (0)

AUTHORIZATION TO ACCEPT CONTRACT WITH OWEN AYRES & ASSOCIATES RE PHOTOGRAMMETRIC MAPPING AND AERIAL PHOTOGRAPHY Last year the GIS Consortium, of which Deerfield is a part, contracted with Owen Ayres & Associates Professional Services to provide professional services relating to photogrammetric mapping and aerial photography. The GIS Consortium-initiated program enables member communities to acquire accurate base mapping at discounted rates. This is the second year for the program. Approximately 25% of the Village will be photographed this year, adding to the approximately 30% that was completed last year. The cost to Deerfield is \$31,546.80, which is within the budgeted amount for 2005-06. Staff was pleased with Owen Ayres in the past year and would like to continue to take advantage of their competitive pricing. Staff therefore recommends acceptance of the contract in an amount not to exceed \$31,546.80.

After discussion, Trustee Rosenthal so moved. Trustee Wylie seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)
NAYS: None (0)

AUTHORIZATION TO AWARD CONTRACT FOR CONSTRUCTION OF THE JUNIPER COURT WATER MAIN REPLACEMENT A water main parallel to Juniper Court which crosses under the West Fork of the North Branch of the Chicago River has been compromised and is leaking. A new section of water main pipe (approximately 150') needs to be installed under the river. The Director of Public Works and Engineering requested quotes from three contractors to complete the work utilizing directional drilling methods. Mrs. Little requests

that the Mayor and Board waive the competitive bidding process and award the contract to DeMuth, Inc., which submitted the low quote of \$15,500.

Since the work is an emergency and needs to be done without delay, Mr. Coblentz suggested that the Board vote to approve the contract at this meeting, then put it on the Consent Agenda of the next meeting to ratify approval.

Trustee Swanson moved to approve the contract with DeMuth, Inc. in an amount not to exceed \$15,500. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Kayne, Rosenthal, Seiden, Swanson, Wylie (6)
NAYS: None (0)

DISCUSSION

COMMUNICATOR

Chief Sliozis briefly reported on the Communicator phone system, which was recently used for the first time on a Village wide basis for the water boil order. It took the Communicator approximately 40 minutes to call the 6000 numbers in the system. Chief Sliozis encouraged anyone who has not signed up for this program to do so by calling the Police Department.

ELECTION CANVASS

Mr. Franz reported that the Canvassing Board will meet on Thursday, April 21st at 4:15 to canvass the results of the April 5th election.

ADJOURNMENT

There being no further business to discuss, Mayor Harris adjourned the meeting at 8:52 p.m.

APPROVED:

Mayor

ATTEST:

Village Clerk