

June 6, 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, June 6, 2005 at 7:38 P.M. The Clerk called the roll and announced that the following were:

Present: Steve Harris, Mayor
Robert Benton
Michelle Feldman
Harriet Rosenthal
William Seiden
Barbara Struthers
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

Mayor Harris asked Dr. Audrey Gordon from the Faith in Action Council of Lake County to lead those in attendance in reciting the Pledge of Allegiance. Dr. Gordon offered background information on volunteer services provided by the organization.

APPROVAL OF MINUTES

Trustee Benton made a motion to approve the minutes of the May 16, 2005 Board of Trustees meeting. Trustee Wylie seconded the motion. The motion passed, with all trustees voting in favor, with the exception of Trustee Rosenthal, who abstained.

BILLS AND PAYROLL

Trustee Wylie made a motion to approve the Bills and Payroll dated June 6, 2005. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal Seiden, Struthers, Wylie (6)

NAYS: None (0)

PUBLIC COMMENT

There was no public comment on non-agenda items.

REPORTS

REPORT AND RECOMMENDATION OF BOARD OF ZONING APPEALS RE REQUEST OF EMILY AND CRAIG SANDBERG, 1104 SOMERSET AVE. FOR RELIEF FROM THE ZONING ORDINANCE TO PERMIT THE ENCROACHMENT OF A FRONT PORCH ROOF STRUCTURE INTO THE 29' REQUIRED FRONT YARD

A public hearing was held on May 3, 2005 to consider the request of the petitioners for a variation to allow the construction of a front porch roof structure that would encroach approximately 5' into the 29' front yard required by the established setbacks section of the zoning ordinance. The BZA approved the petition by a vote of 4 to 1. After a brief discussion, Trustee Seiden moved, seconded by Trustee Feldman, to accept the report and

recommendation of the Board of Zoning Appeals and to direct preparation of an ordinance. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

**REQUEST FOR SPECIAL USE AND
OTHER ACTIONS NECESSARY TO
PERMIT THE ESTABLISHMENT OF A
BANK WITH A DRIVE-THROUGH AT
401 LAKE COOK ROAD (NATIONAL
CITY BANK AND LAKE COOK PLAZA**

The Board of Trustees tabled this request at the 5/16/05 meeting. Trustee Wylie moved, seconded by Trustee Benton, to remove the matter from the table. The motion passed unanimously.

Tony Burgoyne, GPD Group, explained that they made some changes since the last meeting. The proposed plan includes 360 degree access on all four sides of the site for fire access. The elevation of the canopy has been raised to allow 12' 6" vertical clearance necessary for emergency vehicle circulation. The site plan now complies with all Village setback requirements except the one way directional aisle space. The proposed 15' 6" and 16' 4" wide aisle widths have been reviewed by Metro Transportation and found acceptable.

Trustees expressed some concern about only having egress and ingress from one location at Lake Cook Road. Trustee Wylie suggested engaging in a traffic study for the center, since the Village is looking at the entire center, not just the bank. He believes that a traffic study is necessary to determine the best location for the inter-parcel access.

Mr. Burgoyne explained the requested variations:

- Reducing the aisle width for one-way traffic from 18' wide to 16' 4" and 15' 6" resulting in the loss of two spaces.
- The size of the signage for the proposed ground sign is 25' instead of 16' because the Village calculates square footage based on the entire size of the sign including the sign base.
- A text amendment is required to allow a drive-thru ATM as a special use in the C-2 Outlying Commercial District.
- Reducing the 4' high landscape berm along the north property line. The proposed mature height would be a 3.5' high evergreen shrub. The petitioners believe this provides sufficient screening because the bank is situated 3' – 5' lower than Lake Cook Road.
- The overall parking count has gone from 781 to 779 for the PUD.

Trustees discussed the aisle width and concluded that 12 spaces should be removed for traffic flow and safety reasons.

Bruce Bachman, co-owner of Lake Cook Plaza, explained that they are in dialogue with Deerbrook Mall representatives and have reached a tentative agreement on a cross connection. He said that it will take months to get written documentation. Lake Cook Partners has agreed to put money in escrow for construction costs and hope to obtain quick approval. The board agreed that every effort would be made to complete the traffic study by the July 5th village board meeting.

Trustee Wylie moved to accept the Plan Commission's recommendation for a special use and other actions necessary to permit the establishment of a bank with a drive-through at 401 Lake Cook Road and to direct preparation of an ordinance. The special use is contingent upon completion, review and acceptance of a village funded traffic study for the inter-parcel access between Deerbrook Mall and Lake Cook Plaza. Trustee Rosenthal seconded the motion.

David Marx, Plan Commission member, expressed his concern about a cross connection since it may create cut through traffic, which may be detrimental to both centers.

The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

REPORT AND RECOMMENDATION OF THE PLAN COMMISSION FOR A SPECIAL USE FOR A RETAIL FURNITURE STORE OVER 10,000 S.F., A SIGN MODIFICATION, AND AN AMENDMENT TO SIGN CRITERIA FOR REC ROOM FURNITURE AND GAMES IN CADWELLS CORNERS

The Plan Commission held a public hearing on May 12th. It is their recommendation that Cadwells Corners and Rec Room Furniture and Games' request for a furniture store at Cadwells Corners be approved. Specifically the Plan Commission voted to approve:

- A special use for a retail store with a gross floor area of more than 10,000 square feet in area.
- A sign modification to permit the proposed west wall sign to be located above the roof deck of the building.
- An amendment to the sign criteria to allow the letters to be taller than allowed by the sign criteria for the shopping center.

Trustees were enthusiastic about the proposed use. Trustee Wylie moved for acceptance of the Plan Commission's report and recommendation for Rec Room Furniture and Games and to direct preparation of an ordinance. Trustee Benton seconded the motion. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

CONSENT AGENDA

RESOLUTION R-05-09 APPROVING THE CLOSURE OF A PORTION OF WAUKEGAN ROAD FOR THE 4TH OF JULY PARADE.

A resolution allowing the closure of Waukegan Road from the intersection of Waukegan Road and Osterman Avenue north to Greenwood Avenue for the annual Fourth of July Parade on Monday, July 4th.

Trustee Struthers moved, seconded by Trustee Seiden, to adopt the resolution. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)
NAYS: None (0)

ORDINANCE O-05-23 CONSENTING TO THE VILLAGES OF ROUND LAKE HEIGHTS AND ISLAND LAKE AS ADDITIONAL MEMBERS OF THE SOLID WASTE AGENCY OF LAKE COUNTY, ILLINOIS (SWALCO)

An ordinance approving the addition of Round Lake Heights and Island Lake to become members of SWALCO without paying a late fee.

Trustee Struthers moved to waive the First Reading of the ordinance. Trustee Wylie seconded the motion. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)
NAYS: None (0)

Trustee Wylie moved, seconded by Trustee Struthers, to adopt the ordinance consenting to the Villages of Round Lake Heights and Island Lake as additional members of the Solid Waste Agency of Lake County (SWALCO) with no late fee. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)
NAYS: None (0)

OLD BUSINESS

AUTHORIZATION TO ACCEPT EXTRA WORK AND CHANGE AUTHORIZATIONS FOR STREETScape PHASE III CONTRACT WITH HOME TOWNE ELECTRIC.

Staff is requesting authorization for extra work and change orders for Streetscape Phase III improvements. The net change to the contract, including extra work and change orders, is \$2,586.78 less than the original awarded amount.

Trustee Wylie moved, seconded by Trustee Struthers, to accept the extra work and change authorizations for the Streetscape Phase III contract with Home Towne Electric and approve the total value of completed work in the amount of \$303,231.42. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)
NAYS: None (0)

AUTHORIZATION TO ACCEPT EXTRA WORK AND CHANGE AUTHORIZATIONS FOR WAUKEGAN-OSTERMAN INTERSECTION

Staff is requesting authorization for extra work and change orders for the Waukegan-Osterman intersection improvements. The net change to the contract, including extra work and change orders, is \$4,225.56

IMPROVEMENTS CONTRACT WITH CHICAGOLAND PAVING. less than the original awarded amount.

Trustee Benton moved, seconded by Trustee Rosenthal, to accept the extra work and change authorizations for the Waukegan-Osterman intersection improvements with Chicagoland Paving and approve the total value of completed work in the amount of \$544,663.96. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

AUTHORIZATION TO ACCEPT EXTRA WORK AND CHANGE AUTHORIZATIONS FOR THE 2004 STREET REHABILITATION PROGRAM WITH A-LAMP CONCRETE CONTRACTORS. Staff is requesting authorization for extra work and change orders for the 2004 Street Rehabilitation Program. The net change to the contract, including extra work and change orders, is \$82,413.80 more than the original awarded amount. It was explained that, due to an accounting misunderstanding, additional work was added to the contract, so more work was completed than originally planned.

Trustee Wylie moved, seconded by Trustee Struthers, to accept the work and change authorizations for the 2004 Street Rehabilitation Program with A-Lamp Concrete Contractors and approve the total value of completed work in the amount of \$789,343.80. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

AUTHORIZATION TO ACCEPT EXTRA WORK AND PAYMENT TO A-LAMP CONCRETE CONTRACTORS FOR CENTRAL AVENUE WATER MAIN CONTRACT Staff is requesting authorization for extra work and payment to A-Lamp Concrete Contractors for the Central Avenue water main. The net change to the contract, including extra work is \$735.45 less than the original awarded amount.

Trustee Benton moved, seconded by Trustee Rosenthal, to accept the extra work authorizations, make payment to A-Lamp Concrete Contractors for the Central Avenue water main, and approve the total value of completed work in the amount of \$568,679.03. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

AUTHORIZATION TO PAY HOME TOWNE ELECTRIC FOR SITE WORK ON BANK FINANCIAL PROPERTY IN CONNECTION WITH WAUKEGAN-OSTERMAN INTERSECTION IMPROVEMENT. As part of the Waukegan-Osterman intersection improvements, Bank Financial has provided an area of 763 square feet as right-of-way and permanent easement. The village arranged for mitigating improvements to be completed. Home Towne Electric has completed the relocation and installation

of all lighting and electrical work on bank property.
The Director of Public Works and Engineering is recommending authorization of payment to Home Towne Electric in the amount of \$8,057.60.

Trustee Rosenthal moved, seconded by Trustee Struthers, to authorize the payment to Home Towne Electric in the amount of \$8,057.60. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

NEW BUSINESS

ORDINANCE O-05-24 AMENDING WAGE AND SALARY PLAN. An ordinance amending the Wage and Salary Plan and establishing the compensation of officers and employees for fiscal year 2005-06 for the Village of Deerfield. Mr. Franz explained that a 3.25% increase is being requested by the public works union. Even though there is no settlement agreement, staff recommends the increase since it is the same given to all non-union employees.

Trustee Rosenthal moved, seconded by Trustee Struthers, to waive the first reading of the ordinance. The motion passed by a unanimous vote.

Trustee Wylie moved, seconded by Trustee Struthers, to adopt the ordinance. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

AUTHORIZATION FOR MAYOR TO SIGN COLLECTIVE BARGAINING AGREEMENT WITH THE ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL It was reported that the Village has reached agreement with the Illinois Fraternal Order of Police Labor Council. However, since a new Collective Bargaining Agreement has not yet been signed by the police union, this matter will be held over until the next meeting.

ANALYSIS AND AWARD OF BID FOR NEW 36,220 G.V.W.R. DUMP TRUCK. Two sealed bids for a new G.V.W.R. dump truck were opened and publicly read on May 27, 2005. The GMC C8500 model year 2006 meets Village specifications. After considering the trade-in of one 1994 Ford LN8000 dump truck with 10-foot Baker snowplow, Lake County Truck Sales in Waukegan had the lowest bid.

Trustee Wylie moved, seconded by Trustee Rosenthal, to award the bid for a new 36,220 G.V.W.R. dump truck to Lake County Truck Sales in an amount not to exceed \$48,999.00 including trade-in. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

AWARD OF CONTRACT FOR REPAIRS TO ANAEROBIC DIGESTER #1 PUMP AT THE WASTEWATER RECLAMATION FACILITY. The Anaerobic Digester #1 Pump is in need of repair. Five pump companies were contacted to quote on the work, and two quotes were received. It was recommended that the Board waive the competitive bidding process and award the contract for repairs to the anaerobic digester #1 “scum buster” pump at the wastewater reclamation facility to Illinois Pump, Inc. in an amount not to exceed \$13,183.

Trustee Seiden moved, seconded by Trustee Wylie, to waive the competitive bidding process and authorize the pump repair by Illinois Pump, Inc. in an amount not to exceed \$13,183. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers, Wylie (6)

NAYS: None (0)

DISCUSSION

- Trustee Rosenthal explained that since more services are being offered by banks, it is possible that the village may need to amend the parking requirements for banks. She recommended the Plan Commission be directed to look at the village’s definition of banks and report back to the Board.
- Trustee Benton asked that the Board consider potential regulations within the Village Center District to make bank buildings more user friendly should they ever be converted to other uses.
- Trustee Rosenthal reminded viewers of the art fair on 6/11 and 6/12, 10 A.M. – 5 P.M. in downtown Deerfield, and Trustee Struthers reminded them about the Three Men and a Truck food drive Saturday 6/11, 8 A.M. – 6 P.M. at the high school.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 9:30 P.M.

APPROVED:

Mayor

ATTEST:

Village Clerk