

November 6, 2006

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, November 6, 2006 at 7:30 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 Bob Franz.

PLEDGE OF ALLEGIANCE

Sergeant Major Jeff Zinc and Tom Mann from the Marine Corps led those in attendance in reciting the

Pledge of Allegiance.

PROCLAMATION

Mayor Harris proclaimed November 5 – 11, 2006 as Marine Week in Deerfield. He commended

Sergeant Major Zinc on contributions the Marines have made worldwide.

Trustee Rosenthal made a motion to accept the proclamation. Trustee Seiden seconded the motion. The motion passed unanimously.

AWARD PRESENTATION

John Lenz from the Illinois Department of Natural Resources presented the village with the

Community Rating System Award. Mr. Lenz explained that Deerfield is one of only 207 communities in the United States that has achieved a rating of 7 in flood plain management. He explained that the Public Works Department's hard work will result in residents saving on their flood insurance. Mayor Harris accepted the award.

APPROVAL OF MINUTES

Trustee Seiden made a motion to approve the minutes from the October 16, 2006 Board of

Trustees meeting. Trustee Benton seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

BILLS AND PAYROLL

Trustee Wylie made a motion to approve the Bills and Payroll dated November 6, 2006. Trustee

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

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

NAYS: None (0)

COMMISSION APPOINTMENTS

Mayor Harris recommended the following commission appointments: Paul Blakley – Police

Commission, Elaine Jacoby – Plan Commission.

Trustee Struthers made a motion to approve the commission appointments. Trustee Seiden seconded the motion. The motion passed by the following vote:

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

NAYS: None (0)

PUBLIC COMMENT

Ron Schwartz, 1260 Greenwood, expressed concern over the proposed window signage ordinance. He is

unsure why neon window signs would be regulated and hopes signage is not over-regulated to the detriment of business.

Eric Hoffberg, 1428 Crowe, explained that the caucus nominating commission is in the process of scheduling and performing candidate assessment reviews. He noted that there is a lot that needs to be done before the spring elections. Mr. Hoffberg explained that the commission is a non-partisan, non-governmental volunteer group interested in assessing the candidates. He encouraged anyone interested in becoming a trustee to contact the caucus committee.

REPORTS

REPORT AND RECOMMENDATION
OF BOARD OF ZONING APPEALS RE:
REQUEST FOR RELIEF FROM
ARTICLE 2.02-D, PARAGRAPH 1, OF
THE ZONING ORDINANCE TO
PERMIT THE FINALIZATION OF A
NEW HOME WITH A 25 FOOT SET
BACK IN LIEU OF A 30 FOOT FRONT
YARD REQUIRED BY THE ZONING
ORDINANCE FOR THE PROPERTY
AT 1114 DAVIS AVENUE

The Board of Zoning Appeals held public hearings on September 19 and October 4, 2006 to discuss a request for setback relief for the property at 1114 Davis Avenue. Clint Case explained the situation, noting the Board of Zoning Appeals felt that the homeowner was not at fault.

Trustees questioned how the original survey showed the foundation to be in compliance. Mr. Case explained that he believed the initial survey was in compliance and he did not have a reason to

question it. Mr. Coblenz explained there is a professional licensure for surveyors, and the village may want to take action against the surveyor through the state licensing body.

Bob Speckmann, Chairman of the Board of Zoning Appeals, explained that they listened to the arguments and felt the homeowner did not have any knowledge of the error. He noted the house would have to be torn down and rebuilt in order to correct the foundation setback error.

Randy Schwartzman, 1122 Davis, reported that there were four families represented at the public hearing. Although he feels sorry for the petitioner, he believes the home should be in compliance with the ordinance because it detracts from the other properties and blocks their view. Mr. Case explained that the house meets side yard setbacks. Mr. Schwartzman questioned if the two lots that have not been developed would benefit from the average setback. Trustee Benton suggested removing the petitioner's house when determining the average setback for the other two lots.

Alina Kalembasa, 1285 Deerfield Road, stated that her house does not block anything. She said they did nothing wrong, and they are asking for a variance because of the contractor's mistake.

Trustee Seiden made a motion to table the discussion until the next meeting. He would like to see if anything else could be done to correct the situation and invite the neighbors to attend the meeting. Trustee Struthers seconded the motion. The motion failed by the following vote:

AYES: Feldman, Seiden (2)

NAYS: Benton, Rosenthal, Struthers, Wylie (4)

Trustee Rosenthal explained that she normally does not vote in favor of front yard setback variations; however, she does not believe the 30 foot front yard setback is noticeable from the street. She believes the developer, surveyor and village share the blame for this error.

Trustee Wylie made a motion to accept the report and recommendation of the Board of Zoning Appeals approving the variation for the property located at 1114 Davis Avenue and to direct preparation of the ordinance. Trustee Seiden seconded the motion. The motion passed by the following vote:

AYES: Benton, Rosenthal, Struthers, Wylie (4)

NAYS: Feldman, Seiden (2)

REPORT AND RECOMMENDATION
OF PLAN COMMISSION RE REQUEST
FOR APPROVAL OF A PRELIMINARY

The Plan Commission held a public hearing on October 12, 2006 to discuss the request for approval of a preliminary plat of resubdivision for the

PLAT OF RESUBDIVISION FOR THE
PROPERTY LOCATED AT 911
WESTCLIFF LANE (HAMMER)

property located at 911 Westcliff Lane.

Commission and to direct preparation of an ordinance. Trustee Benton seconded the motion. The motion passed by the following vote:

Trustee Rosenthal made a motion to accept the report and favorable recommendation of the Plan

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

REPORT AND RECOMMENDATION OF
PLAN COMMISSION RE: REQUEST
FOR APPROVAL OF AN AMENDMENT
TO A SPECIAL USE/PUD, A TEXT
AMENDMENT AND A SPECIAL USE,
INCLUDING A VARIATION FOR
PARKING, TO ALLOW A SYNAGOGUE
FOR CONGREGATION B'NAI
JEHOSHUA BETH ELOHIM AT 1101-
1201 LAKE COOK ROAD IN THE
DEERFIELD BUSINESS CENTER

The Plan Commission held a public hearing on October 12, 2006 to consider a request for approval of an amendment to a special use/PUD, a text amendment and a special use including a variation for parking, to allow a synagogue for Congregation B'nai Jehoshua Beth Elohim at 1101-1201 Lake Cook Road in the Deerfield Business Center.

Larry Freedman, an attorney with Ash, Anos, Logan, LLC, was in attendance. He explained that the petitioner has addressed all of the Plan Commission's recommendations and is in

negotiations with the neighbors.

Trustee Rosenthal expressed concern about parking during the Jewish High Holy days, when they fall on weekdays. Roy Splanski, 1907 Sheridan Road, Buffalo Grove and Chairman of the congregation's real estate committee, explained that they have spoken with several neighbors, including the Chicagoland Jewish High School, regarding supplementary parking. They are working on getting agreements in writing. Trustee Rosenthal explained that B'nai Tikvah provided shuttle service to auxiliary parking facilities and questioned whether this option had been discussed. Mr. Splanski responded that they would make other arrangements, if the need arose.

Trustee Struthers expressed concern about losing businesses and tax-generating property to a non-tax paying entity. She questioned why the congregation would put up a gate between the congregation and the Chicagoland Jewish High School. Mr. Splanski explained that their agreement with the Chicagoland Jewish High School is for overflow parking only. He explained that the gate would be opened for the Jewish High Holy days. He noted the congregation has an arrangement with the Deerfield Business Center as well.

Trustee Struthers questioned the sign, stating a 38 foot sign is not included as part of the PUD. She recommended the sign be non-illuminated. Mr. Freedman explained that the congregation thought they were in compliance and would revisit the proposed signage.

Trustee Rosenthal made a motion to accept the report and recommendation of the Plan Commission, including the changes made since the public hearing, and to direct preparation of the ordinance. Trustee Feldman seconded the motion. The motion passed by the following vote:

AYES: Benton, Feldman, Rosenthal, Seiden, Struthers (5)
NAYS: Wylie (1)

CONSENT AGENDA

ORDINANCE AMENDING SECTION 22-164 OF THE DEERFIELD MUNICIPAL CODE TO AUTHORIZE A 4-WAY STOP AT WILLOW AND GORDON – 1R

An Ordinance amending section 22-164 of the Deerfield Municipal Code to authorize a 4-way stop at Willow and Gordon. First reading.

ORDINANCE APPROVING AN AMENDMENT TO THE SIGNAGE PLAN FOR CORPORATE 500 CENTER TO ALLOW FOUR TENANT GROUND SIGNS – 1R

An Ordinance approving an amendment to the signage plan for Corporate 500 Center to allow four tenant ground signs. First reading.

ORDINANCE APPROVING TEMPORARY AND PERMANENT WINDOW SIGNAGE REGULATIONS

members were polled and believe there should be a regulation on size, but illuminated open/closed signs should be allowed.

Trustee Rosenthal explained that the ordinance is not ready, but noted there has been a lot of discussion about lit open/closed signs. She explained that Window Signage Committee

Trustee Seiden explained that he is not in favor of banning neon signs and suggested making all neon signs a special use. Trustee Rosenthal explained that the committee had strong opinions about regulating neon signs. She explained the focus of the sign ordinance is to regulate the size of signs, while encouraging creative window displays. She believes the ordinance will help business owners have signs that encourage people to shop in Deerfield.

OLD BUSINESS

There was no old business.

NEW BUSINESS

ORDINANCE O-06-49 AMENDING AND REVISING THE ANNUAL BUDGET OF THE VILLAGE OF DEERFIELD FOR THE FISCAL YEAR BEGINNING MAY 1, 2006 AND ENDING APRIL 30, 2007 An ordinance amending and revising the annual budget of the village of Deerfield for the fiscal year ending April 30, 2007.
Bob Fialkowski explained that this is a house cleaning ordinance to provide for payments and expenses that were not anticipated in the budget.

Trustee Rosenthal made a motion to waive the first reading of the ordinance. Trustee Benton seconded the motion. The motion passed by the following vote:

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

Trustee Seiden made a motion to pass an ordinance amending and revising the annual budget for the Village of Deerfield for the fiscal year ending April 30, 2007. Trustee Benton seconded the motion. The motion passed by the following vote:

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

DISCUSSION

UNFINISHED CONSTRUCTION Trustee Seiden reported that a Warrington resident asked if the trustees could consider an ordinance to regulate partially finished construction in the village. He noted this item would be addressed at the Committee of the Whole meeting immediately following.

DEERFIELD FOOTBALL Trustee Wylie congratulated the Deerfield High School football team on a fine season. He encouraged everyone to support the high school athletes.

VETERAN'S DAY SERVICE Mr. Franz reported that the American Legion Veteran's Day service would take place on Saturday, November 11th at 11:00 A.M. at Jewett Park.

LEAF PICK UP Mr. Franz noted that the leaf pick up program will end the week of November 13 – 17th. He explained that residents should get their leaves out to the curbs by then. He noted that bagged leaves will be picked up by the scavenger until the second Tuesday in December.

VOTE

Trustee Struthers encouraged all residents to vote in tomorrow's election.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 9:00 P.M.

APPROVED:

Mayor

ATTEST:

Village Clerk