



**THE REGULAR COUNCIL MEETING MINUTES**  
**OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS**  
**HELD ON TUESDAY, MAY 29, 2018 AT 6:30 P.M.**

**IN THE COUNCIL CHAMBERS, PROSPECT HEIGHTS CITY HALL,  
8 NORTH ELMHURST ROAD, PROSPECT HEIGHTS, ILLINOIS  
MAYOR NICHOLAS J. HELMER PRESIDING**

**CALL TO ORDER** – At 6:35 PM, Mayor Nicholas Helmer called to order the May 29, 2018 City Council Regular meeting at 8 N Elmhurst Road, Prospect Heights, IL 60070.

**ROLL CALL FOR QUORUM** – City Clerk Morgan-Adams called roll. A quorum was present.

**ELECTED OFFICIALS IN ATTENDANCE** – Mayor Helmer, Treasurer Tibbits, City Clerk Morgan-Adams, Aldermen – Rosenthal, Ludvigsen, Messer, Dolick, Williamson

**ABSENT** – None

**OTHER OFFICIALS IN ATTENDANCE** – City Administrator Wade, Assistant to the City Administrator Falcone, Police Chief Steffen, Deputy Clerk Schultheis, Superintendent Roscoe, Director of Building and Development Peterson, City Attorney Kearney, Digital Communications Technician Colvin, and Assistant Finance Director Graefen

**PLEDGE OF ALLEGIANCE** – Led by Audience Member – Mr. James Allenfort

**INVOCATION** – Led by Pastor Joe Kamanda of Glory House Church

**APPROVAL OF MINUTES**

**A.** May 14, 2018 Regular Workshop Meeting Minutes

**B.** May 14, 2018 Executive Session Meeting Minutes (*not for public release*) – **Alderman Williamson moved for omnibus approval of the May 14, 2018 Regular Workshop Minutes and the May 14, 2018 Executive Session Meeting Minutes (But not for public release); seconded by Alderman Messer. There was unanimous approval.**

**ROLL CALL VOTE:**

|         |                                                  |
|---------|--------------------------------------------------|
| AYES -  | Dolick, Messer, Williamson, Rosenthal, Ludvigsen |
| NAYS -  | None                                             |
| ABSENT- | None                                             |

Motion carried 5 - 0

**PRESENTATION**

**A.** Police Department Commendations Presented to Sergeant Coglianese, Corporal Bill Suerth and Officer Mitch Webber for the Arrest of a Dangerous Subject with a Loaded Handgun – Police Chief Steffen awarded commendations to Sgt. Coglianese, Corporal Suerth and Officer Webber for disarming a gang member carrying a loaded 9 mm weapon on March 25, 2018 in Palwaukee Plaza.

**APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS** - None

### **CITIZEN CONCERNS AND COMMENTS (agenda matters)**

Jerzy Muszynski – 211 S Gail Court is the applicant for the garage. He is requesting a waiver of first reading.

Danielle Dash – 207 S Gail Court – As PZBA Chairman noted that the case for the variance had been handled by the PZBA on April 25, 2018. The Commissioners voted to approve 5 – 0, and the Chairman had abstained. She noted that the only reason that the issue had come before the PZBA was due to the fact that the Building Department had issued the permit in error. She said that if the structure were allowed to remain as is, the applicant would have three garages.

She was also speaking as a neighbor to the applicant, and said that structure was only allowed to exist to keep the City from legal or compensatory obligations to the applicant based upon the structure built with the permit that the City issued in error. She said that the structure was an eyesore, and might cause flooding due to its elevation. She believed the solution was for the City to allow Mr. Muszynski to attach a two car garage to the existing structure.

James Allenfort – 209 S Gail Court – Believes that the additional impervious surface that would be added by Mr. Muszynski's garage would cause more flooding. He also believed that the structure's elevation was an eyesore.

### **STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS**

**A. Chicago Executive Airport Report Presented by Director William Kearns –**

- The Chicago Executive Airport had a \$469,000 surplus for its fiscal year
- The new Director for Economic Development, George Sakas, starts June 18<sup>th</sup>. He previously worked for the City of Gilbert.
- Saturday, June 30<sup>th</sup> is the Run the Runway and Rock the Runway.
- June 27<sup>th</sup> is the Joint Meeting of the City of Prospect Heights, the Village of Wheeling and the CEA. It will be held at the Ramada Inn – Tap House Grill. There will be a discussion regarding Phase III of the CEA master plan.
- The Noise Committee Regular Meeting will be held on June 6, 2018 at 6 PM.
- There is no update on the Fuel tax.
- Customs looking at Hangars 4 and 7 as a facility, and not at a standalone building.
- Al Palicki of Signature was inducted into the Aviation Hall of Fame.
- The CEA Pancake Breakfast is June 2, 2018

There was a question as to the role of the Economic Development Director – Director Kearns said that his role was to look for further business opportunities.

There was a question regarding itinerant planes at the airport, and Director Kearns said that the CEA does not have landing fees, but they do give fuel discounts for certain organizations.

Mayor Helmer noted that the NBAA Conference is October 16-18 in Orlando. The Mayor asked the Council to determine whose turn it was to attend with him.

**Director of Building and Development Peterson** – Noted that the City is talking to several new business ventures, and that new building construction is up.

**Superintendent of Public Works** – Noted that heavy rains have caused flooding. Water levels are at the eighth highest level in the last 18 years.

Hydrant testing is completed, and the City's hydrants excelled.

The Community Day event is Saturday, June 2<sup>nd</sup>, and includes a pancake breakfast.

**Alderman Rosenthal** – Commended the Public Works Department for their quick response to the water main break at Rob Roy.

**Alderman Ludvigsen** – Asked about the Consent Agenda item on crack sealing, and wondered if the \$15,000 amount was enough. Public Works Superintendent Roscoe said that it was the same amount as last year, and that this was the budgeted amount. He said that they are attempting to base the work on the pavement assessment plan.

- Alderman Ludvigsen asked why the City was not doing the same amount of work on Apple Drive as it was proposing for Winkelman – using Tourism District funds. City Administrator Wade said the work being done was based upon the pavement evaluation study. There had been a request for curbing for street restoration. He noted that Apple Drive was an extension of what had been discussed previously, and that there was also a drainage issue. Adding to the logistics is that the City has no jurisdiction beyond Piper Lane. Remediation work and drainage improvement would be carried out. City Administrator Wade noted that the decisions were based upon engineering suggestions and estimates, not financial expedience.

Other Aldermen voiced their concerns that Apple Drive was the priority. Superintendent Roscoe said that the cost for Apple Drive might go as high as \$67,000 to take care of the drainage issue, resurfacing and curb work.

- There was a question regarding why Thornton's was boarded up. Director of Building and Development Peterson said that Thornton's is under a lease, and has applied for permits.

**Police Chief Steffen** – Said that the Torch Run is June 10, 2018, and that the Police Department has eight runners participating. He said that the first Outreach event is in two weeks.

**Mayor Helmer** – Asked the Council to nominate two Parade Marshals for the Fourth of July parade

- The Mayor said that he would be meeting with Mrs. Sabath's third grade class at Betsy Ross Elementary School on May 31 after the students had written to him asking him questions about his role in the City.

- On June 6, the Mayor would be speaking at an event at Anne Sullivan School to recognize all of the good things that the students had done.

**B. April Treasurer's Report Presented by Assistant Finance Director Cheri Graefen** – Noted that the preliminary year ending General Fund numbers showed a surplus of \$1,352,000. the Budget surplus is \$456,000. It was noted that some of that was from a TIF payout. It was also noted that Mount Prospect owes the City money. There was also a question regarding collection of delinquent City Sticker funds as part of the Budget. Assistant Finance Director Graefen noted that any funds that were already collected were in the Budget, but there was still more revenue to be derived from the delinquent stickers.

## **CONSENT AGENDA -**

**A. Prospect Heights Fire Protection District Request to Promote the 75th Anniversary of Fire Service to the Prospect Heights Community on the City's 2019-2020 Vehicle Sticker**

**B. Staff Memo and Request for Approval of Contract for Smoke Testing of 10% of Sewers for Metropolitan Water Reclamation District Infiltration and Inflow Control Program with Sewer Assessment Services, for \$12,220.00**

**C. Staff Memo and Request for Approval of Contract for Crack Filling with Patriot Pavement Maintenance, for \$15,000**

**D. Staff Memo and Request for Authorization to Purchase a New Public Works Pickup Truck with Snow Plow to Replace an Existing 1997 Pickup Truck through the Municipal Purchasing Consortium, from Currie Motors, for \$36,960.25**

**E. R-18-12 Staff Memo and Resolution Authorizing City of Prospect Heights Application For Regional Transportation Authority "Access to Transit" Program for Wolf Road Pedestrian/Bicycle Multi-Use Path**

**F. R-18-13 Staff Memo and Resolution Authorizing Updated Membership Agreement with Northern Illinois Police Alarm System**

**Alderman Rosenthal moved for omnibus approval of Prospect Heights Fire Protection District Request to Promote the 75th Anniversary of Fire Service to the Prospect Heights Community on the City's 2019-2020 Vehicle Sticker, Contract for Smoke Testing of 10% of Sewers for Metropolitan Water Reclamation District Infiltration and Inflow Control Program with Sewer Assessment Services, for \$12,220.00, Contract for Crack Filling with Patriot Pavement Maintenance, for \$15,000, Authorization to Purchase a New Public Works Pickup Truck with Snow Plow to Replace an Existing 1997 Pickup Truck through the Municipal Purchasing Consortium, from Currie Motors, for \$36,960.25, R-18-12 Resolution Authorizing City of Prospect Heights Application For Regional Transportation Authority "Access to Transit" Program for Wolf Road Pedestrian/Bicycle Multi-Use Path, and . R-18-13 Resolution Authorizing Updated Membership Agreement with Northern Illinois Police Alarm System; seconded by Alderman Dolick. There was unanimous approval.**

**ROLL CALL VOTE:**       AYES -       Dolick, Messer, Williamson, Rosenthal, Ludvigsen  
                              NAYS -       None  
                              ABSENT-   None

Motion carried 5 - 0

**OLD BUSINESS** - None

#### **NEW BUSINESS**

**A. Staff Memo and Request for Authorization to Hire Replacement Police Officer – Alderman Williamson moved to Approve the Request for Authorization to Hire Replacement Police Officer; seconded by Alderman Dolick. There was unanimous approval.**

**ROLL CALL VOTE:**       AYES -       Dolick, Messer, Williamson, Rosenthal, Ludvigsen  
                              NAYS -       None  
                              ABSENT-   None

Motion carried 5 - 0

**B. Staff Memo and Request for City Council to Reject All the April 19th Sewer Cleaning, Inspection, and Televising Bids -- Alderman Rosenthal moved to Reject all April 19, 2018 Sewer Cleaning, Inspection, and Televising Bids; seconded by Alderman Williamson. There was unanimous approval.**

**ROLL CALL VOTE:**       AYES -       Dolick, Messer, Williamson, Rosenthal, Ludvigsen  
                              NAYS -       None  
                              ABSENT-   None

Motion carried 5 – 0

It was noted that the bids had come in higher than expected.

**C. Staff Memo and Request to Award Sewer Cleaning, Inspection, and Televising Contract to American Underground for \$191,700.00, through the Municipal Purchasing Consortium – Alderman Williamson moved to Award Sewer Cleaning, Inspection, and Televising Contract to American Underground for \$191,700.00, through the Municipal Purchasing Consortium subject to Attorney and Engineering review; seconded by Alderman Ludvigsen. There was unanimous approval.**

|                        |         |                                                  |
|------------------------|---------|--------------------------------------------------|
| <b>ROLL CALL VOTE:</b> | AYES -  | Dolick, Messer, Williamson, Rosenthal, Ludvigsen |
|                        | NAYS -  | None                                             |
|                        | ABSENT- | None                                             |

Motion carried 5 – 0

It was noted that American Underground did not bid on the April 19, 2018 Bid.

**D. Staff Memo and Request for Approval of a Utility Service Audit Agreement with Azavar Government Solutions – Alderman Messer noted that Section 1A needs to have added that the City may exclude from sharing revenue with Azavar for any companies the City has already identified. And Section 3, first paragraph, the City should not need written consent.**

**Alderman Ludvigsen moved to accept as amended Azavar Agreement Sections 1A for entities already audited and Section 3 removing written and accepted waiver of City's Findings to approve a Utility Service Audit Agreement with Azavar Government Solutions; seconded by Alderman Rosenthal. There was unanimous approval.**

|                        |         |                                                  |
|------------------------|---------|--------------------------------------------------|
| <b>ROLL CALL VOTE:</b> | AYES -  | Dolick, Messer, Williamson, Rosenthal, Ludvigsen |
|                        | NAYS -  | None                                             |
|                        | ABSENT- | None                                             |

Motion carried 5 – 0

**E. O-18-20 Staff Memo and Ordinance Approving a Side Yard Variance for 211 Gail Street (1st Reading) – It was noted that the applicant had requested a waiver of first reading. Director of Building and Development Peterson said that the applicant had been granted a permit last Fall but Staff had received complaints. A Department Review had determined that the structure was not allowable. The applicant applied for a side yard variation. The PZBA had voted to approve it 5 – 0 with the Chairman abstaining. The applicant has agreed to do landscaping.**

**Alderman Messer moved to approve the waiver of First Reading; seconded by Alderman Dolick. There was unanimous approval.**

|                        |         |                                                  |
|------------------------|---------|--------------------------------------------------|
| <b>ROLL CALL VOTE:</b> | AYES -  | Dolick, Messer, Williamson, Rosenthal, Ludvigsen |
|                        | NAYS -  | None                                             |
|                        | ABSENT- | None                                             |

Motion carried 5 – 0

**Alderman Rosenthal moved to approve O-18-20 – A Side Yard Variation for 211 S Gail Court; seconded by Alderman Messer.**

Discussion followed – 207 S Gail Court resident Danielle Dash said that the elevation not the height was not aesthetic. She believed that it would also allow the trucks at 211 S Gail Court to become compliant if the Truck Ordinance passed. She said that the Ordinance was allowing for the creation of three separate garages. She said that the City had not come forward with options that were amicable to the neighbors. She preferred to see the demolition of the partially completed garage and attach the two car garage to the existing garage.

The applicant said that he preferred to finish the project that was already started. He said that cost to knock down the project that was started would be cost prohibitive. He noted that he would be planting trees for additional landscaping and screening.

It was noted by Aldermen that five PZBA members had voted their approval. It was also noted that the applicant could build without a variance.

**There was unanimous approval.**

**ROLL CALL VOTE:**       AYES -       Dolick, Messer, Williamson, Rosenthal, Ludvigsen  
                              NAYS -       None  
                              ABSENT-   None

Motion carried 5 – 0

**F. O-18-21** Staff Memo and Ordinance for Commercial Truck Parking in Residential Zoning District Ordinance (**1st Reading**) – It was noted that this is an ongoing project to amend text to Title 5.

**G. Requested Waiver of 1st Reading O-18-22** Staff Memo and Ordinance Amending City Code to Include Collection Fees and Costs (**1st Reading**) – **Alderman Williamson moved to waive First Reading; seconded by Alderman Rosenthal. There was unanimous approval.**

**ROLL CALL VOTE:**       AYES -       Dolick, Messer, Williamson, Rosenthal, Ludvigsen  
                              NAYS -       None  
                              ABSENT-   None

Motion carried 5 – 0

**H. O-18-22** Staff Memo and Ordinance Amending City Code to Include Collection Fees and Costs (**2nd Reading**) – **Alderman Ludvigsen moved to approve an Ordinance Amending the City Code to Include Collection Fees and Costs; seconded by Alderman Rosenthal. There was unanimous approval.**

**ROLL CALL VOTE:**       AYES -       Dolick, Messer, Williamson, Rosenthal, Ludvigsen  
                              NAYS -       None  
                              ABSENT-   None

Motion carried 5 – 0

**DISCUSSION/SELECTION OF TOPICS FOR UPCOMING WORKSHOP MEETING, ITEMS LISTED PREVIOUSLY:**

**A.** Discussion of Home Rule Status

**APPROVAL OF WARRANTS**

**A.** Approval of Expenditures

General Fund \$54,270.97

|                                                     |                     |
|-----------------------------------------------------|---------------------|
| Motor Fuel Tax Fund                                 | \$0.00              |
| Palatine/Milwaukee Tax Increment Financing District | \$0.00              |
| Tourism District                                    | \$5,888.65          |
| Development Fund                                    | \$0.00              |
| Drug Enforcement Agency Fund                        | \$0.00              |
| Solid Waste Fund                                    | \$27,090.86         |
| Special Service Area #1                             | \$0.00              |
| Special Service Area #2                             | \$0.00              |
| Special Service Area #3                             | \$0.00              |
| Special Service Area #4                             | \$0.00              |
| Special Service Area #5                             | \$623.37            |
| Special Service Area #8 – Levee Wall #37            | \$89.60             |
| Special Service Area-Constr #6 (Water Main)         | \$0.00              |
| Special Service Area- Debt #6                       | \$0.00              |
| Road Construction                                   | \$0.00              |
| Road Construction Debt                              | \$0.00              |
| Water Fund                                          | \$5,781.16          |
| Parking Fund                                        | \$447.15            |
| Sanitary Sewer Fund                                 | \$335.94            |
| Road/Building Bond Escrow                           | \$0.00              |
| Police Pension                                      | <u>\$0.00</u>       |
| <b>TOTAL</b>                                        | <b>\$94,527.70</b>  |
| <b><u>Wire Payments</u></b>                         |                     |
| <b>5/25/2018 PAYROLL POSTING</b>                    | <b>\$148,215.38</b> |
| <b>POLICE PENSION PAYMENTS</b>                      | <b>\$61,439.17</b>  |

**TOTAL WARRANT**

\$304,182.25

**Alderman Rosenthal moved to approve the Warrants; seconded by Alderman Dolick to include TOTAL of \$94,527.70; 5/25/2018 PAYROLL POSTING of \$148,215.38; Police Pension Payments of \$61,439.17; and a TOTAL WARRANT of \$304,182.25. There was unanimous approval.**

**ROLL CALL VOTE:**      AYES -      Dolick, Messer, Williamson, Rosenthal, Ludvigsen  
                             NAYS -      None  
                             ABSENT-      None

Motion carried 5 – 0

**RESIDENT COMMENTS** (Non-agenda matters) - None

**EXECUTIVE SESSION**

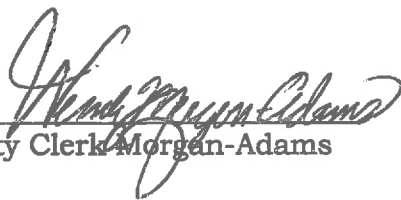
**ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED**

**ADJOURNMENT – At 8:36 PM, Alderman Ludvigsen moved to Adjourn the Open Session and go into Closed Session to discuss setting of the price of the sale of property owned by the City and Personnel to discuss Disciplinary removal of appointed individual and appointment replacement; seconded by Alderman Rosenthal. There was unanimous approval.**

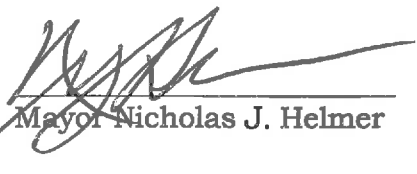
**ROLL CALL VOTE:**      AYES -      Dolick, Messer, Williamson, Rosenthal, Ludvigsen  
                             NAYS -      None  
                             ABSENT-      None

Motion carried 5 – 0

Approved by the City Council of Prospect Heights on this the 11<sup>th</sup> day of June, 2018.

  
City Clerk Morgan-Adams



  
Mayor Nicholas J. Helmer