



THE REGULAR COUNCIL MEETING MINUTES
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
HELD ON MONDAY, OCTOBER 22, 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 6:32 PM, Mayor Nicholas J. Helmer called to order the Regular Meeting of the City Council of Prospect Heights at 8 North Elmhurst Road, Prospect Heights, IL 60070.

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

ELECTED OFFICIALS PRESENT – Mayor Helmer, City Clerk Morgan-Adams, Treasurer Tibbits; Aldermen – Ludvigsen, Dolick, Rosenthal, Williamson

ABSENT – Alderman Messer (by previous notification)

OTHER OFFICIALS PRESENT – City Administrator Wade, Assistant to the City Administrator Falcone, deputy Clerk Schultheis, Deputy Chief Zawlocki, Director of Building and Development Peterson, Public Works Superintendent Roscoe, Digital Communications Technician Colvin, Finance Director DuCharme, and City Attorney Kearney.

PLEDGE OF ALLEGIANCE – Led by Audience Member - led by Dr. Jacob Diliberto

INVOCATION – Led by Reverend Joe Kamanda – Glory House Church

APPROVAL OF MINUTES

A. October 8, 2018 Regular Workshop Meeting Minutes – **Alderman Ludvigsen moved to Approve the October 8, 2018 Regular Workshop Meeting Minutes as presented; seconded by Alderman Dolick.**

VOICE VOTE: All Ayes, No Nays

Motion carried 4 – 0, Alderman Messer absent.

PRESENTATIONS

- A. Presentation by Harper College** – Jeff Julian spoke regarding a referendum on the November Ballot – He said that the college serves a community of \$520,000. He said that the measure that would not raise taxes seeks up to \$180 million to support a community-driven plan for Harper's future that drives economic opportunity, educates for today's high-tech jobs, and maintains and improves campus infrastructure. He noted that this is the fiftieth anniversary of the college. The College underwent a two-year engagement process to determine where the community would like to see Harper in 10 years. A task force of community members solicited input from thousands of taxpayers, students, faculty, staff, community leaders and businesses through a series of engagement sessions and surveys.

There were questions from the Council regarding the possibility of adding IT jobs to the curriculum. Mr. Julian responded that there was flexibility to address careers as they emerged.

When asked if there a specific initiative for the Prospect Heights campus, Mr. Julian said that he would have to get back to the Council with an answer.

It was noted by Alderman Ludvigsen that he is a graduate of Harper College and he praised the College for its Healthcare field of study. He noted that the facility needed more parking spaces. City Clerk Morgan-Adams said that it was important for the residents of Prospect Heights to know how the Referendum affected them directly. – **no action was taken.**

B. Status Report and Discussion of Solid Waste and Recycling Request For Proposals by Assistant to the Administrator Peter Falcone – City Administrator Wade said that the contract with the Solid Waste and Recycling provider expires in 2019. He said that competitive RFP's had been requested, and that three respondents had been selected for review and comparison. It was noted that the new contract would be for seven years. It was noted that the decision for the contract had to be made by November 14.

Assistant to the City Administrator Falcone and SWANCC Representative Dave Bowen put together a master spreadsheet to help compare prices and services.

Aldermen asked City Attorney if this issue was eligible for discussion in executive session. Attorney Kearney said that there was no exception that could be made for waste removal to be put on the executive session under any of the executive sessions permissible topics.

Assistant to the City Administrator Falcone said that the fee for disposal at SWANCC was not included in the spreadsheet, and that the rates shown were strictly for collection.

There was discussion of multiple day pick up and which days would be best for pick up, as well as which days would be the cheapest for pick up.

There was discussion of the possibility of splitting the companies – with one handling commercial and one handling residential.

There was the question as to how landscaping waste would be picked up and whether or not there should be stickers.

Assistant to the City Administrator Falcone said that the annual increases proposed are be based on CPI for Chicago and Kenosha – 1.5% floor and 3.5% ceiling for rate increases.

There were discussions regarding dumpster sizes for commercial and residential use. There were discussions whether or not new dumpsters would be provided.

The three companies that had representatives speak were Lake Shore, Flood Brothers and the incumbent, Republic.

There were discussions regarding how waste was broken down – Single Family House, Multi Family and townhouses.

There were discussions regarding different rates for different types of dwellings.

City Administrator Wade said that the Staff is looking to get the best price for the City. The cheapest day is the day that the company has the capacity. If the City is interested in cost – the best way to proceed might be to get a one company for residential and one for commercial.

It was noted by Attorney Kearney that this issue would be on the November 12, 2018 Agenda, and that Staff would be issuing a recommendation.

APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS

A. Appointment of Mark Malouf to the Ad Hoc Prospect Heights City Redevelopment Committee – Alderman Rosenthal moved to approve the Appointment of Mark Malouf to the Ad Hoc Prospect Heights City Redevelopment Committee; seconded by Alderman Williamson.

VOICE VOTE:

All Ayes, No Nays

Motion carried 4 – 0, Alderman Messer absent.

PUBLIC COMMENT (agenda matters) - None

STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS

A. Chicago Executive Airport Report Presented by Director Jim Kiefer – Director Kiefer said that the NBAA had its yearly convention and the number one highlight was the strike down of the privatization of air traffic control. This is considered the best thing that could happen for the safety of the country.

- Congress has approved an FAA funding bill for years to come.
- Phase III of the Master Plan continues with a meeting with the SIG's (special interest groups) to talk about the future.
- TIP – Transportation Improvement Programs – Including the resurfacing of runway 1230 and the widening of runway 1230.
- Customs – has been put on the backburner for 6 months.
- Sound Attenuation Program – FAA has been asked to put up \$3.3 million; there is no State contribution; the CEA will have to put up \$340,000 initially. That amount has been budgeted.
- The CEA is in the final stages of purchasing property. There is an invitation from Louis University to hold some classes in that building. Students can come in and learn about aviation and aviation opportunities. There is a shortage of mechanics and pilots.

Alderman Rosenthal asked about funding for the attenuation program. Director Kiefer answered that the CEA puts it on the budget, and TIPs keeps evolving, and the FAA allotted an amount for the program. The initial funding 90% federal and 10% CEA.

Director Kiefer said that the CEA would be voting on getting a contractor for noise abatement. The Mayor said that DuPage Airport spends \$5 million and Gary is \$1.8 million; and the CEA believes that there will be a need of \$2 million. He said that the main issues were cost and location. He was wondering if the Customs was worth the cost?

Director Kiefer replied that the CEA does 500 customs operations. He said that there is a hidden profit in this – the FBO's require customs or they lose business. The FBO's generate a lot of tax money. A new apron has to be created to allow planes to pull up to the Customs Building. Gary's funding mechanism is O'Hare Airport.

Mayor Helmer – Flow through gas taxes - \$150,000 to the City – is still in abeyance.

Director Kiefer said that he expects that the local politicians will prevail and that the money will come to the municipalities. – **No action was taken**

B. September Treasurer's Report Presented by Finance Director DuCharme – Next month, the City will be six months into the new fiscal year. City Administrator Wade said there would be discussion of the Investment policy in upcoming meetings. Finance Director DuCharme said that the plan for cash management would be brought before the City Council.

C. American Association of Code Enforcement – National Code Compliance Month – Director of Building and Development Dan Peterson – Director Peterson noted that he is a past president of the American Association of Code Enforcement. He said that October is National Compliance Month, and that City has issued a Proclamation in support of Code Enforcement.

Alderman Williamson – Said that he would like to revisit staggered election terms. He noted that placing it on the ballot required signatures to be put on the April, 2019 elections. It was noted that the signatures would be needed to be collected by individuals.

Attorney Kearney said that the Referendum would read – “Shall the City have Staggered Elections?” If approved, the City would have to structure the Wards separately. That structuring of the wards would not be part of the referendum question.

Elected officials trying to get signatures for the Staggered Elections Referendum must say that they are collecting the signatures as private citizens. The petitions for running for office will be separate from the petitions for the Referendum.

It was noted that the outcome of the Referendum for staggered elections would not affect the April, 2019 vote. If approved, the staggered election terms would begin in the 2023 election. Attorney Kearney said that in 2023, two wards would have a two-year term. It was noted that the statute calls for the even numbered wards to be staggered, but that would need to be researched.

Attorney Kearney said that the verbiage in the petitions should be consistent, and that there should be a form. – **the general consensus of the Council and the Mayor was to proceed with researching the procedure for this referendum.**

Public Works Director Roscoe – said that Public Works was rodding storm drains.

- Street resurfacing is underway
- Surface grinding is underway
- New asphalt will be laid in the next few weeks
- Cook County did the street sweeping of Camp McDonald, as that is a county road.

Director of Building and Development Peterson – said that a cable was damaged in the storm. The company went out with Inspector Porzycki meeting with them. The company has already taken care of the issue.

The demolition of River Trails Apartment Condos started. Staff meeting with the architects on Building 13, as it has been deemed as salvageable. There will be code upgrades for the Building. There will be a construction design drawing within 30 days.

City Clerk Morgan-Adams – said that there will be two meetings regarding Home Rule – one on October 24th at City Hall and one on October 30th at the Gary Morava Center. Both meetings will begin at 6:30 PM.

Assistant to the City Administrator Falcone noted that there was a separate mailer that went out to all residents regarding the Home Rule Referendum. He also noted that the newsletter included information regarding Home Rule.

Deputy Clerk Schultheis –s aid that specimen ballots

Alderman Ludvigsen – Township Bus – a senior resident was worried that Prospect Heights residents could not use bus. Alderman Ludvigsen found that the seniors in the City can use the bus but it takes notification about two weeks in advance to schedule the bus.

Deputy Chief Zawlocki – said that the Police Test is to be administered on October 27th at Noon, and there will be an Orientation at 9 AM at MacArthur Middle School Cafeteria. There were 70 applicants for two immediate positions.

Treasurer Tibbits – Stated that there were signs being removed from properties regarding Home Rule and Town Hall Meetings.

CONSENT AGENDA - None

OLD BUSINESS

A. O-18-34 Ordinance Amending Chapter 11, Section 8 of Title 1 Raising the Operating Reserve of the General Fund (*2nd Reading*) – **Alderman Ludvigsen moved to approve Ordinance O-18-34 Amending Chapter 11, Section 8 of Title 1 Raising the operating Reserve of the General Fund; seconded by Alderman Rosenthal.**

ROLE CALL VOTE: AYES – Williamson, Dolick, Rosenthal, Ludvigsen
 NAYS - None
 ABSENT - Messer

Motion carried 4 – 0, one absent

NEW BUSINESS

A. R-18-38 Staff Memo and Resolution Establishing the Position of the City of Prospect Heights on the Use of Home Rule – **Alderman Dolick moved to approve Resolution R-18-38 Establishing the Position of the City of Prospect Heights on the Use of Home Rule; seconded by Alderman Rosenthal.**

ROLE CALL VOTE: AYES – Williamson, Dolick, Rosenthal, Ludvigsen
 NAYS - None
 ABSENT - Messer

Motion carried 4 – 0, one absent

Attorney Kearney said that this Resolution imposes no property taxes if Home Rule is passed except in the case of an emergency, such as a natural disaster or a funding shortfall from the State. It cannot be defined in the Resolution as there might be legitimate emergencies that were not included in a strictly worded definition. He noted that even without a definition of “every possible emergency,” it did not dilute the intent of the Resolution or the commitment of the City to not impose taxes without a referendum.

B. Request for 1st Read Waiver O-18-35

Staff Memo and Ordinance Approving a Special Use

Permit for an Automobile Storage Facility at 1326 N. Rand Rd. in the City’s B-3 Commercial, Wholesale and General Services District (*1st Reading*) – It was noted by Director Peterson that the owner wants what is a permitted, special use in the area. He has surplus parking of 6800 square feet. There would be no truck or trailer parking, no storage of banned materials, no idling of vehicles at night, the wooden fence would be repaired, and contact information for all stored vehicles would be available if there were an issue. This use was approved unanimously by the PZBA.

This area is not in a residential district.

The properties to the north are Arlington Heights car dealership, to the south a vacant lot where there is an application for a new use, and to the west is residential but there has been no opposition. The residential is separated by a seven-foot fence and a tree line.

It was noted that the storage of vehicles would have to follow the property maintenance code.

Aldermen noted that this is an area in the City’s business district and this use would not benefit the City

Applicant Joe Eberhardt said that his main business is the bicycle shop; and that it is a seasonal business with high taxes. Retail businesses are suffering and the parking lot usage would offer financial relief while not being visible from the street.

Alderman Ludvigsen is concerned with the direction of businesses in the area – there is an abundance of parking and parking rentals. The Mayor noted that with Life Storage the City had received tax deal, and that there might also be revenue from vehicle stickers.

Director Peterson said that special use does not transfer to new owners – it would only be with this owner and their current situation.

It was noted by Alderman Williamson that this might set a bad precedent as Nikko's was not allowed to have truck parking. There is a desire by the Council to keep trucks, buses and trailers from using the area for parking. Residents have made complaints when driving by areas that are used as parking lots. Director Peterson noted that Mr. Eberhardt's lot is the only listed a B-3 (that is the only type of lot that has permissible parking – it is an established, permitted use).

Alderman Dolick noted that there was a broken down truck on the lot in August and said it was visible from Rand Road.

It was noted that the situation has been going on for 1 ½ years before it came to the Council. It was suggested that there only be a couple of months given to relocate the vehicles. The Mayor noted that Mr. Eberhardt would need some time to find another resident tenant; possibly six months. Mr. Eberhardt said that he would do what was allowed in the allowable time, and that he did have a tenant for ½ the property. He requested to know what was permissible, because the land is just a parking lot.

The Mayor suggested that it might be a site for a building.

Attorney Kearney said that that there was a request for a waiver of first reading. – **There was no vote for a waiver of first reading. First Reading waiver request was withdrawn. This Ordinance will be on the Agenda at the November 12, 2018 City Council Regular Workshop.**

C. O-18-35 Staff Memo and Ordinance Approving a Special Use Permit for an Automobile Storage Facility at 1326 N. Rand Rd. in the City's B-3 Commercial, Wholesale and General Services District **(2nd Reading)** – **there was no second reading, only a first reading that was not waived.**

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

A. Home Rule Discussion – No Discussion

B. City Investment Policy – Discussion deferred until November 12, 2018

C. Staggered Elections – To be added to future workshop discussions

D. Sanitary Sewer Fees - To be added to future workshop discussions

APPROVAL OF WARRANTS

A. Approval of Expenditures

General Fund	\$91,105.28
Motor Fuel Tax Fund	\$0.00
Palatine/Milwaukee Tax Increment Financing District	\$131.00
Tourism District	\$16,296.60

Development Fund	\$0.00
Drug Enforcement Agency Fund	\$4,800.00
Solid Waste Fund	\$0.00
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	\$208.27
Special Service Area #8 – Levee Wall #37	\$0.00
Special Service Area-Constr #6 (Water Main)	\$0.00
Special Service Area- Debt #6	\$0.00
Capital Improvements	\$11,401.75
Palatine Road Tax Increment Financing District	\$0.00
Road Construction	\$0.00
Road Construction Debt	\$0.00
Water Fund	\$29,836.48
Parking Fund	\$39,401.24
Sanitary Sewer Fund	\$54,642.80
<u>Road/Building Bond Escrow</u>	<u>\$4,473.00</u>
TOTAL	\$252,296.42
<u>Wire Payments</u>	
10/12/2018 PAYROLL POSTING	\$139,063.45
OCTOBER ILLINOIS MUNICIPAL RETIREMENT FUND	\$0.00
POLICE PENSION PAYMENTS	\$78,548.05
TOTAL WARRANT	\$469,907.92

City Clerk Morgan-Adams read the Warrants

Alderman Rosenthal moved to approve the warrants as presented; seconded by Alderman Dolick to include a TOTAL of \$252,296.42; 10/12/2018 Payroll Posting of \$139,063.45, Police Pension Payments of \$78,548.05, and TOTAL Warrant of \$469,907.92.

ROLE CALL VOTE: AYES – Williamson, Dolick, Rosenthal, Ludvigsen
 NAYS - None
 ABSENT - Messer

Motion carried 4 – 0, one absent

PUBLIC COMMENT (Non-agenda matters) – Janusz Stanowski – HOA Board Member at River Trails noted that through the Polish media he had collected \$21000.00 for the fire victim relief. He was asking if there was any way that Prospect Heights could collect food from COSTCO. The Mayor said that the request was valid but that the Council Meeting was not the proper venue to pursue his request. He suggested that Mr. Stanowski meet with the Director of Building and Development and River Trails management.

EXECUTIVE SESSION – None

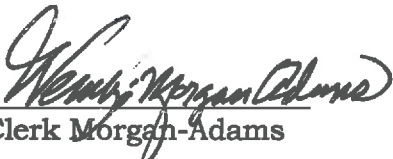
ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT – At 9:15 AM, Alderman Dolick moved to adjourn; seconded by Alderman Ludvigsen.

VOICE VOTE: All Ayes, No Nays

Motion carried 4 – 0, Alderman Messer absent.

Approved by the City Council of Prospect Heights on this the 12th day of November, 2018.


City Clerk Morgan-Adams


Mayor Nicholas J. Helmer

