



THE REGULAR COUNCIL MEETING MINUTES
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
HELD ON MONDAY, SEPTEMBER 23, 2019 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 6:34 PM, Alderman Dolick called to order the September 23, 2019 Council Meeting for the City of Prospect Heights at 8 North Elmhurst Road, Prospect Heights, IL 60070.

ROLL CALL FOR QUORUM – City Clerk Prisiajniouk called roll. A quorum was present.

ELECTED OFFICIALS PRESENT – Mayor Helmer, Treasurer Tibbits, City Clerk Prisiajniouk, Aldermen – Ludvigsen, Quinn, Dolick, Morgan-Adams, Cameron

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

PLEDGE OF ALLEGIANCE – Led by Audience Member – Robert Kirk

APPROVAL OF MINUTES

A. September 9, 2019 Regular City Council Workshop Minutes – **Alderman Dolick moved to approve the September 9, 2019 City Council Workshop Minutes as presented; seconded by Alderman Ludvigsen. There was unanimous approval.**

VOICE VOTE: All ayes, no nays

Motion carried 5 – 0

PRESENTATIONS

A. Presentation by PMA Financial Network on City Investments – Tim Matthews - Noted that the portfolio strives for safety, liquidity and yield.

SAFETY – they follow the state and City investment statutes. The City is invested in FDIC CD's. there are no derivatives.

LIQUIDITY – this is in regards to the terms of the investment.

YIELD – Performance. It was noted that the City's portfolio (yielding 2.42%) was beating the benchmark 180-day T-Bills (yielding 1.79%).

Mr. Matthews said that the investments were placed in April and May, 2019. He said that Treasury rates are going down, and that the Treasury curve was inverted (that is, short term rates are yielding more than long term rates).

Alderman Cameron asked who assigned the investments. He added that maturity dates of the instruments coincide with specific needs and liquidity. This is not a pension investment, he stated,

but short term investments. Portfolio Advisor Matthews said that they were assigned by the City Finance Director, Michael DuCharme.

PMA representative Matthews stated that Fed Funds are going down, and more rate cuts are expected.

He explained that PMA uses the Depository Trust Corporation – he said that CD's are purchased in the secondary market. He said that PMA wires money to banks that wire the money back to the City on the maturity.

It was noted that the Fed Fund Rate is currently 1.9%

Alderman Ludvigsen noted that PMA does not have any say in the selection of the CD's, they just have the available selection

Mr. Matthews noted that was correct. They have a network of 1500 banks based on the strength of their credit. There are 8500 banks in the US, but PMA selected the 1500 with the highest yielding and rated instruments.

APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS - None

PUBLIC COMMENT (Agenda Matters) - None

STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS

A. Chicago Executive Airport Report Presented by Director Jim Kiefer –

CEA Director Kiefer said that the Chicago Executive Airport goals were presented during the Joint Meeting.

- He said that the Customs Area will cost \$3,000,000; however, \$900,000 of that is for apron enhancement which is reimbursed by the Federal Government 95% and by the State 5%. The government does not reimburse the building but it does reimburse the apron.

Homeland Security approved 21% reduced size in the Customs Building.

- 1310 Departure was given up because of the cost, and would only take care of departing flights. It was only voluntary, and therefore it was not expected to pay off.

- The widening of 1230 is the number one project on TIPS (Transportations Improvement Plan). This allows the flights a better approach. This does not affect Prospect Heights negatively. He noted that 1230 goes over Forest Preserve to the East. It heads closer over the industrial park. The main runway is 1634. Wheeling would like to see more traffic on 1230.

Alderman Cameron asked about the cost for the Customs Building. Director Kiefer said that there are three FBO's that have international flights.

Alderman Dolick said that the CEA just finished resurfacing – if there is widening, will there be need to resurface again. Director Kiefer said that the CEA did not know when the money would be approved for the re-widening, so the Airport could not wait. He said the widening would not affect the resurfacing.

Director Kiefer said that the expansion of the width would allow the Falcon class planes to land. It would be widened by 100 feet.

Mayor Helmer said that the faster aircraft was safer and quieter. He asked that Director Kiefer talk more about the safety issues of the widening.

Director Kiefer said that the CEA has looked at increasing runway safety, and looking at critical juncture points where more than one plane intersects, and by getting rid of the third runway (which only took 2% of the flights) but if we make 1230 more lucrative that's more crosswinds that will not have to be an issue.

B. August Treasurer's Report Presented by Assistant Finance Director Cheri Graefen – Assistant Finance Director Graefen said that the City is on target for its fiscal year. She noted that the City is 1/3 through the fiscal year but only about 27% of expenses.

Treasurer Tibbits – discussed his attendance at the IML Conference in Chicago.

Police Chief Zawlocki – said that on Saturday, September 21, Officer Lange and Detective Caponigro did an Active Shooter Training at the Olive Tree Congregation. Last year, the same active shooter training was done at St. Alphonsus. The Police Department works with religious associations and schools.

He noted that Officers Deol and Coglianese rode the Metra trains teaching railway safety to the commuters.

Alderman Morgan-Adams – Ward 3 – said that she attended meetings on September 6 and 18th with the Greater Wheeling Chamber and noted that the Board and agreed not to change their bylaws so that Prospect Heights may maintain a seat on the Board of Directors as does Wheeling. The Chamber will also continue to be part of all City events. She said that the recommendation was that it was in the best interest of the City to remain in the Chamber. She noted that 2019 was already budgeted for, and that the City should pay its 2019 dues. Alderman Morgan-Adams said that she is the current representative, and would only stay on as such until the end of the year. She said that Dan Peterson, Director of Building and Development would become the new Board member representing the City.

City Clerk Prisiajouiouk said that new residents should look for their New Resident packets on the website. She highlighted the fact that she was able to search on the website for Animal Control; she also said that Prospect Heights has a Lending Closet for those who have temporary disabilities, and she suggested that residents consider volunteering for committees.

- She said that the Prospect Heights Rotary would be serving Bessie's Table – they serve food every Monday night at 5:30 PM. No questions asked – for those who are alone or lonely. It is located in Des Plaines in First United Methodist Church.

Alderman Ludvigsen – Ward 4 – Discussed a website that is online that neighbors use a chat room. He said that he liked the idea that the Assistant to the City Administrator Falcone is monitoring that website, as there is some inaccurate information that sometimes appears there. He noted that one of the issues was who is to be paying the garbage bills.

Assistant to the City Administrator Falcone said that the website often mixes municipalities, and he had to clear up that some of the residents were confusing Mount Prospect information with Prospect Heights information. he noted that he would residents contact City Hall to get the accurate and most up-to-date response to their questions and issues, rather than speculate online.

- Alderman Ludvigsen asked about the sidewalk between Willow and Campbell delay. – City Administrator Wade said this was not an eminent domain issue. The sidewalk is scheduled October/November.

Director of Building and Development Peterson – said that River Trails is getting the top framing for Building #14 and Building 16 has the mechanical systems installed. The goal is to have everyone back in the buildings by March, 2020.

- He said that there will be three zoning cases for the October meeting of the PZBA
- Director Peterson said that the City is wrapping up the summer season
- Thornton's is targeting October 10 as a Grand Opening day.

Public Works Director Roscoe – noted that there had been heavy rain, and the river crested at 19' but has now gone down to 14'.

City Administrator Wade – noted that Director Peterson had gotten commendation from Crowne Plaza. During a major event at the hotel, they had a gas service issue and Director Peterson was able to help with coordinating and calling for assistance from NICOR.

City Attorney Kearney said that when the City had sold 35 Piper Lane, there was a tax issue that required the establishment of a tax escrow of \$150,000 from the proceeds of the sale. The City has been able to clear the tax issue. The City has received the \$150,000 from the escrow account. The City also submitted an application to the County for a refund of \$34,000 taxes that were improperly paid in 2006. Attorney Kearney said that the City expects to have that processed in the next few weeks.

CONSENT AGENDA -

A. R-19-37 Resolution Establishing an Ad Hoc Adult Recreational Cannabis Committee – Alderman Ludvigsen asked that the Item be moved to New Business. **Item R-19-37 was moved to NEW BUSINESS as Item D.**

OLD BUSINESS

A. (Reconsidered on September 9, 2019) O-19-24 Staff Memo and Ordinance Amending Title 5, Chapter 7 Section 6C of the City of Prospect Heights Zoning Code Adding Permitted Special Uses **(2nd Reading)** – **Alderman Dolick moved to Approve O-19-24 Ordinance Amending Title 5, Chapter 7 Section 6C of the City of Prospect Heights Zoning Code Adding Permitted Special Uses; seconded by Alderman Morgan-Adams.** .

DISCUSSION – Alderman Ludvigsen said that there was an interchanging of two addresses in the Agenda. Director Peterson said that the request is for the Council to approve a text amendment, and that amendment adds a number of new items to be added as permitted special uses. This would apply to the B-4 property at 35 Piper. The 33 Piper Lane is in an area that already has these uses. The 33 Piper Lane is the applicant's address. The truck part itself is the 35 Piper Lane that needs special use permission.

Alderman Ludvigsen noted that this Ordinance does not supersede any requirements that they have now. He stated that the reason this was before the Council was because it was granted to Stery Trucking as a use because the City had thought that it was permissible. It was a mistake on the City's part, which predates any Staff present.

Alderman Dolick said that working that Staff, our Attorney and the applicant have all been cooperative in addressing the many issues. He said that repairs would be limited to minor repairs and that no non-reparable vehicles would be stored there.

City Attorney Kearney said that Section 3 of the Special Use states that no "Major" repairs may be done on the site, only minor repairs during business hours.

There was unanimous approval

ROLL CALL VOTE:	AYES -	Dolick, Morgan-Adams, Ludvigsen, Quinn, Cameron
	NAYS -	None
	ABSENT -	None

Motion carried 5 - 0

Attorney Kearney stated that this Ordinance is explicitly and only for text amendment to allow certain uses as special uses, and the "actual" Special Uses will be an Ordinance that will follow.

B.(Reconsidered on September 9, 2019) O-19-25 Staff Memo and Ordinance Granting a Special Use Permit for the Property Commonly Known as 35 E. Palatine Road **(2nd Reading) – Alderman Dolick moved to O-19-25 Ordinance Granting a Special Use Permit for the Property Commonly Known as 35 E. Palatine Road; seconded by Alderman Quinn. There was unanimous approval.**

DISCUSSION FOLLOWED – Alderman Ludvigsen commented that there was a memo from the architect which listed the things that were allowed and not allowed but the actual Ordinance itself has its own list. He wanted to make clear that the City was not voting on the list from the architect, but what was contained in the Ordinance.

Director Peterson said that the architect's list was not the same, and all of the items are addressed in the City Code or the Ordinance.

There was unanimous approval

ROLL CALL VOTE:	AYES -	Dolick, Morgan-Adams, Ludvigsen, Quinn, Cameron
	NAYS -	None
	ABSENT -	None

Motion carried 5 - 0

NEW BUSINESS

A.Request to Waive 1st Reading O-19-28 Memo and Ordinance to Increase the Number of Class A liquor licenses from 7 to 8; and decrease the number of C-1 liquor licenses from 6 to 5 – by request of El Paisa Alegre II Restaurant, 1 S. Wolf Road **(1st Reading) – Alderman Morgan-Adams moved to waive First Reading of O-19-28 Ordinance to Increase the Number of Class A liquor licenses from 7 to 8; and decrease the number of C-1 liquor licenses from 6 to 5; seconded by Alderman Cameron.**

DISCUSSION FOLLOWED – City Administrator Wade state that El Paisa Alegre II had requested the change in the license to accommodate their business.

Director Peterson said that they have an excellent Health Inspection record, and it is a well-run, family business. Chief Zawlocki stated that the Police have had no issues.

Alderman Ludvigsen noticed that there was a C-2 license that needs to be removed. This did not impact the Ordinance being discussed.

Alderman Quinn stated that there were some old costs in the information. It was noted that the errors would be corrected in the Ordinance.

There was unanimous approval

ROLL CALL VOTE:	AYES -	Dolick, Morgan-Adams, Ludvigsen, Quinn, Cameron
	NAYS -	None
	ABSENT -	None

Motion carried 5 - 0

B.O-19-28 Memo and Ordinance to Increase the Number of Class A liquor licenses from 7 to 8; and decrease the number of C-1 liquor licenses from 6 to 5 – by request of El Paisa Alegre II Restaurant, 1 S. Wolf Road **(2nd Reading) – Alderman Morgan-Adams moved to approve O-19-28 Ordinance to Increase the Number of Class A liquor licenses from 7 to 8; and decrease the number of C-1 liquor licenses from 6 to 5 – by request of El Paisa Alegre II Restaurant, 1 S. Wolf Road with the corrected costs; seconded by Alderman Ludvigsen. There was unanimous approval**

ROLL CALL VOTE:	AYES -	Dolick, Morgan-Adams, Ludvigsen, Quinn, Cameron
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NAYS - None
ABSENT - None

Motion carried 5 - 0

Assistant to the City Administrator Falcone will make the corrections.

C. Request From Mayor Helmer for Reconsideration of Plaza Drive Reconstruction Bid Award – Attorney Kearney stated that if there would need to be a super majority to reconsider the bid, and the bid would have to come from a member who did not vote against it. The only Alderman who had voted against the rewarding the bid was Alderman Morgan-Adams. – **No motion was made. No vote was taken. The direction is to move forward with the Plaza Drive Reconstruction bid that was accepted by City Council at the September 9, 2019 Workshop Meeting.**

D.R-19-37 Resolution Establishing An Ad Hoc Adult Recreational Cannabis Committee – Mayor Helmer asked that Aldermen find residents in their wards that would be interested in serving on this committee, who would be open-minded about the topic. Several of the aldermen suggested that they might have interested volunteers. The Mayor would like a date set up for these meetings, and he would like the Aldermen and Director Peterson to be part of the Committee in an advisory way. **Alderman Dolick moved to Approve R-19-37 Resolution Establishing An Ad Hoc Adult Recreational Cannabis; seconded by Alderman Morgan-Adams.**

DISCUSSION FOLLOWED – Alderman Ludvigsen asked that Section #2 reflect that the Committee may choose their own Chairman and Secretary.

There was a request to put a “sunset” in the Resolution so that it would end as of June 30, 2020. City Administrator Wade noted that State cannabis sales become legal January 1, 2020, so that decisions will need to be made quickly in order to insure that the City will get some of the finite number of licenses, if it opts to approve sales.

Director Peterson said that there will need to be time to bring text amendments before the PZBA to incorporate any changes that the City wants to adopt.

Attorney Kearney said that the purpose of the Committee was to make recommendations to the Board regarding a) legality of selling cannabis in the City; b) Zoning regulations; and c) licensing and licensing fees.

City Attorney Kearney said that there were substantive changes that were being suggested, so that the Council could not vote on the current Resolution.

Alderman Dolick moved to Table R-19-37 Resolution Establishing An Ad Hoc Adult Recreational Cannabis, and direct Counsel to incorporate the amendments into the Resolution to be brought back to the Council for approval on the October 14, 2019 regular Workshop Meeting; seconded by Alderman Morgan-Adams. There was unanimous approval

ROLL CALL VOTE:

AYES -	Dolick, Morgan-Adams, Ludvigsen, Quinn, Cameron
NAYS -	None
ABSENT -	None

Motion carried 5 - 0

DISCUSSION/SELECTION OF TOPICS FOR UPCOMING WORKSHOP MEETING:

A.Liquor License Code Review -

B.Term Limits of Elected Officials

C.City Water

APPROVAL OF WARRANTS**A. Approval of Expenditures**

General Fund	\$31,342.47
Motor Fuel Tax Fund	\$0.00
Palatine/Milwaukee Tax Increment Financing District	\$0.00
Tourism District	\$2,512.41
Development Fund	\$0.00
Drug Enforcement Agency Fund	\$37,109.31
Solid Waste Fund	\$27,324.27
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	\$277.53
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	\$6,563.50
Palatine Road Tax Increment Financing District	\$0.00
Road Construction	\$0.00
Road Construction Debt	\$0.00
Water Fund	\$27,270.56
Parking Fund	\$463.57
Sanitary Sewer Fund	\$886.62
<u>Road/Building Bond Escrow</u>	<u>\$28,136.00</u>

TOTAL	\$161,886.24
<u>Wire Payments</u>	
9/13/2019 PAYROLL POSTING	\$171,603.87
POLICE PENSION PAYMENTS	\$66,800.94
TOTAL WARRANT	\$400,291.05

City Clerk Prisiajniouk read the warrants.

Alderman Morgan-Adams moved to approve the warrants as presented; seconded by Alderman Dolick to include a TOTAL of \$161,886.24; 9/13/2019 PAYROLL POSTING of \$171,603.87; POLICE PENSION PAYMENTS of \$66,800.94; and a TOTAL WARRANT of \$400,291.05. There was unanimous approval

ROLL CALL VOTE:

AYES -	Dolick, Morgan-Adams, Ludvigsen, Quinn, Cameron
NAYS -	None
ABSENT -	None

Motion carried 5 - 0

PUBLIC COMMENT (Non-Agenda Matters) - None

EXECUTIVE SESSION - None request

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT - At 8:10PM, Alderman Dolick moved to Adjourn; seconded by Alderman Ludvigsen. There was unanimous approval.

VOICE VOTE: All ayes, no Nays

Motion carried 5 - 0.

Approved by the City Council of Prospect Heights on this the 14th day of October, 2019.


Deputy Clerk Schultheis




Mayor Nicholas J. Helmer