THE REGULAR COUNCIL MEETING MINUTES
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
HELD ON MONDAY, OCTOBER 28, 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 6:30 PM, Assistant to the City Administrator Falcone called to order the October 28, 2019 Regular City Council Meeting at 8 N Elmhurst Road, Prospect Heights, IL 60070.

ROLL CALL FOR QUORUM – City Clerk Prisiajniouk called roll. A quorum was present.
ELECTED OFFICIALS PRESENT – Mayor Helmer, City Clerk Prisiajniouk, Aldermen – Cameron, Ludvigsen. Morgan-Adams, Dolick
ABSENT – Alderman Quinn (by previous notification), Treasurer Tibbits (by previous notification)
OTHER OFFICIALS PRESENT - City Administrator Wade, Assistant to the City Administrator Falcone, Director of Building and Development Peterson, Public Works Director Roscoe, Attorney O'Driscoll, Deputy Clerk Schultheis, Digital Communications Technician Colvin, and Finance Director DuCharme.

PLEDGE OF ALLEGIANCE – Led by Audience Member - Thomas Huitink

INVOCATION – Led by Pastor Rod Krueger, Our Redeemer Lutheran Church

APPROVAL OF MINUTES
A.October 14, 2019 Regular City Council Workshop Minutes – **Alderman Dolick moved to approve the October 14, 2019 Regular City Council Workshop Minutes as presented; seconded by Alderman Morgan-Adams.**
VOICE VOTE: All Ayes, No Nays

Motion carried 4 – 0; Alderman Quinn absent.

PRESENTATIONS
A. Cannabis Committee Update by Chairman Huitink – Chairman Huitink noted that the inaugural meeting was on October 22, 2019. He said that the Committee did not want to impose their personal views on cannabis into their decision; and instead, consider the results of the referendum and the initial results of the Prospect heights survey, as well as actions of surroundings municipalities. **The unanimous decision of the Committee was to move forward with allowing cannabis sales.**
He noted that there were decisions that would need to be made regarding zoning, tax rates on cannabis, and designated areas before presenting to the Council for approval. Chairman Huitink said that there will be meetings in the next consecutive Tuesdays.

Alderman Cameron asked if the survey was unanimous. Chairman Huitink said that there was a 60-40 split in favor of cannabis sales.
Alderman Dolick asked if there would be a public forum? Chairman Huitink said that it was on the agenda to discuss public forums, and the meetings are all open meetings. But, he noted that it would not be an effective use of time to have residents who might be passionate or emotional about the subject to debate the topic with the Committee.
Chairman Huitink also stated that he does not believe that the financial gain from the sale of cannabis will be as dramatic as some are predicting, as this has not happened in states or communities where cannabis sales are legal.
Alderman Morgan-Adams commented that there will be public forums when the PZBA and the City Council take up the matter
City Administrator Wade said that there were 212 responses to the cannabis survey, in which 64% were in favor of sales and 36% against, thus far, in the survey results.
Alderman Ludvigsen stated that polls are not reliable. He noted that the election results were 50-50, and there were some precincts in Prospect Heights that were opposed. He added that he did not believe that the cannabis would produce as much revenue as expected. He wanted to make certain that any dispensary was kept far away from schools, churches, or daycare.
There were questions regarding whether or not extra police would be needed.
Chairman Huitink stated that whether or not the City opts for cannabis, cannabis will be legal and will be all around the City.
There was discussion regarding how far any dispensaries should be from areas where there are children present.
Mayor Helmer said that he had spoken to seven mayors and that 1500 feet is the general number of feet that the dispensaries would be from schools or daycare.
The Mayor estimated that the City could generate up to $250,000 in cannabis tax revenue.
City Clerk Prisiajniouk said that she works with senior citizens and that there has been a switch away from opioids to medicinal marijuana for seniors.
Alderman Morgan-Adams moved to accept the report of the Ad Hoc Cannabis Committee Chairman and to direct the Staff and City Attorney to prepare a text amendment for PZBA review
***There was no second. There was no vote.**

Alderman Ludvigsen asked how the vote could be taken if the Council did not know what the text amendment would state.
The Mayor said that the Council needed a list of what needed to be voted on. Alderman Ludvigsen agreed and said that the City Attorney should be directed to write a "shell" ordinance with blanks for the information that the Council would need to decide.
There was discussion whether or not a "Special" City Council was needed to discuss the issue before it would be sent to the PZBA. Director of Building and Development Peterson gave dates for getting PZBA information sent to the media, stating that there was a minimum of 15 days for notification.
Director of Building and Development Peterson said that there would be a full public hearing at the PZBA meeting.
Attorney O'Driscoll said that he would reach out to the Aldermen after the Ad Hoc Adult Cannabis Use Committee meeting on October 29th. He said that he would get the individual recommendations of the Aldermen to write the DRAFT.
It was noted that the deadline for the decision as to be made by the December 9th meeting.

APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS - None

PUBLIC COMMENT (Agenda Matters) – Mariusz Folta commented on his disappointment with the Committee's pro-cannabis stance. He noted that the survey only included 212 responses out of a population of 17,000. He believed that the election question was poorly worded. He does not believe that this is an issue in which the government should get involved.

MAYOR HELMER'S ASSIGNED REPORTS

A.City Treasurer Richard Tibbits -

- **a.** Treasurer's Update
- **b.** Audio/Visual Update - **Absent.**

B.Alderman Michelle Cameron - No Report Assigned – **No report**

C. Alderman Kathleen Quinn - No Report Assigned - **Absent**

D.Alderman Wendy Morgan-Adams - No Report Assigned – Noted that she had given her report earlier in the Meeting as pertained to the cannabis committee.

EAlderman Patrick Ludvigsen - No Report Assigned- said that he wanted **R-19-45** Resolution Authorizing an Agreement for the Regulation of Parking Area Traffic, Parking, Use and Maintenance Between the City of Prospect Heights and Stery Trucking/Quality Truck Repair removed because there were a few items that needed to be adjusted.

F.Alderman Matthew Dolick - Report on Palwaukee Plaza Vacancies – noted that he had a meeting with Ted Arvanitis of Pabcor. Pabcor said that Palwaukee Plaza has 74-75% occupancy. He said that the majority of businesses in the area are Mom and Pop shops. The two chains are Family Dollar and Subway. The former Ruffolos is the largest vacancy. He said that Pabcor was looking at having a medical facility (perhaps for blood donations or urgent care dialysis)) and Goodwill as tenants. There is a Comed transformer that needs to be removed from the old Denny's site. Director of Building and Development Peterson said that he had spoken with Comed about removing the item. Comed has replaced telephone poles that were leaning. Alderman Dolick said that Ted Arvanitis had positive things to say about the Prospect Heights staff/police department and public works.
Alderman Cameron asked if Family Dollar would want to move to the old Ruffolo's space. It was noted that the costs would go up with the extra space.

G.Finance Director Michael DuCharme - Report on Year-to-Date Revenue and Expenses. Is the City earning enough revenue to cover anticipated 2019-2020 expenses? – Discussed the September Treasurer's Report. He said that it is on the website with all of the revenues and expenses listed. He noted that there were no items of concern in the budget. He added that cannabis tax revenue could be a new way that the City could increase revenue.

H.Building and Economic Development Director Dan Peterson -

a. Update on commercial real estate vacancies. Prospect Crossing specifically.
b. Report on the meeting, plans and goals of the Economic Development Committee
c. Report on how many apartment units the City has. How many have had a complete property inspection. Have these inspections been paid for? Is there a backlog of bills?
d. What are the results of the auction of the former Hardee's property?

Director of Building and Development Peterson said that in 2018 all licenses were consolidated and on track with fee collections. Inspections have been streamlined. The City has 253 known businesses – of those 245 have paid full licenses. The City collected $150,000 in licensing fees.

He noted that Discount Liquors will be closing at the end of the year. He noted that there were about twenty vacancies throughout the City.

He said that the City has 1791 apartment flats. Code Enforcement officer Porzycki has 100% inspection compliance.

He said that the new Holiday Inn Express will talk to the Hardees owners about access. The cross access easement is valid but was never recorded by Country Inn and Suites. He stated that there would be a real/estate auction for the former Hardees with an opening bid of $175,000 on property that was valued at over $1,000,000.

Director of Building and Development Peterson said that he would be meeting with the former Redevelopment Commission within the next two weeks, as it would become the Economic Development Committee.

Director Peterson updated the Council on the permits issued for some of the units that were damaged in the Quincy Park fire. He noted that not all of the units were ready for inspection yet.

I.Assistant City Administrator Peter Falcone -

e. (Following Ad Hoc Cannabis Committee Chairman's report) How are we to inform the public regarding keeping the public advised and involved in the cannabis discussion - direct mail or town hall meetings?

f. Report on the City's vehicle sticker issuance and payments to date. Are there any outstanding? –

Assistant to the City Administrator Falcone said that the cannabis that he would be speaking with Staff and the Cannabis Committee to see how best to get information and updates to the general public. He said that a direct mailing might not be practical or timely as it between two-three weeks to reach residents.

He said that vehicle sticker scofflaws were being pursued through comparison to the list from the Secretary of State. Late Notices were followed by tickets, which were followed by having their accounts sent to collections (where they had to pay through a third party group). The City has worked diligently, he noted, to make certain that everyone is complying.

J.Director of Public Works Mark Roscoe - Report on Storm Water Flooding on Dorset Street and Status of Identified Plugged Drain Pipe in that area. Recommendation of Next Steps. – Noted that Public Works had used a router and a camera and were able to make it about 137 feet from the roadway north and cleaned out mud, stone and rock and old, drain tile. The camera only was able to make it about 7 feet. The pipe has collapsed down to the point where the camera could no longer fit. The entire length of the clay pipe is in bad shape. He said that there needs to be a [pipe connecting Marion Court over to Dorset and on the way to Olive and down the line. There is a fifty year old pipe in there, but it has been breaking down and may not have been big enough to begin with. It started as a six-inch pipe, but has now collapsed to a much smaller diameter. GHA has been commissioned to look at this area. A pipe going from Marion to Dorset is only a small piece top the puzzle. It will not stop the flooding in a larger rain event. The Engineer and Director Roscoe are looking at putting together something that might focus on the smaller issue to alleviate the smaller rain events, because a large-scale plan is years away. It is believed that a backyard pipe that goes from Dorset should go to Marion (about 500 feet of pipe).

Residents can do something on their own knowing that a larger scale, City project is in the works.

John Anda – resident – said that there are two levels of water. There is the 2-3 inch level where the yards flood. He said that Marion has no drain line, and a pipe was put in privately. Marion empties their water – it drains into Dorset.
The level two situation is when there are 5-6 inches of rain. Backyards and front streets flood. Needs to be resolved immediately. Wants to get pipe replaced.
Director Roscoe noted that Engineer Glenn would look into the cost.
Mr. Anda did not think that 500 feet was needed, and estimated that only 180 feet would be needed.
Alderman Ludvigsen said that this is not a City easement, and is a privately-owned pipe. The City cannot repair and maintain private areas everywhere in the City that has flooding issues. He suggested that the City look into a program that might provide a 50/50 match. We need to be fair if we do it for one resident, and we need to make certain that the City has a program to pay for this type of solution.
Mayor Helmer said that he would like a report from the engineer within the next two weeks.

K.City Administrator Wade - Recap of Administrator's Report – Noted that the reconstruction of Plaza Drive has begun.

L.Mayor Helmer – the mayor said that he would like to resolve the liquor licensing laws. He stated that it has been a Workshop item for years. The next Workshop will settle and remove the issue.

STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS
A.Chicago Executive Airport Report Presented by Director William Kearns – Director Kearns said that the NBAA Conference was well-received. He noted that the attendees were able to see a lot of the new technology regarding sustainable aviation fuel.
- He said that the CEA was in the last phase of the master plan. He said that the master plan would be on the City Council Agenda in November.
- He noted that the launching of the "QuieterHome" residential noise insulation program. On November 12, 2019 from 6 – 8 PM at the Ramada Inn – there will be a presentation regarding the program.
- He said that bid documents were going out for the demolition of Hangar 4, which is the location for the new customs facility. The new facility should generate some permits for the City of Prospect Heights
- Work is continuing on the construction of a classroom in the Southwest T-hangars for the Aviation Academy – where local students can learn aviation mechanics
- Chairman Kearns said that the rehabilitation of runway 1230 was complete.
- Chairman Kearns mentioned the rebuilding of Industrial Drive.

B.September Treasurer's Report Presented by Finance Director Michael DuCharme – previously discussed by Finance Director DuCharme.

CONSENT AGENDA –
It was noted by the City Administrator that Item A, R-19-45 Resolution Authorizing an Agreement for the Regulation of Parking Area Traffic, Parking, Use and Maintenance Between the City of Prospect Heights and Stery Trucking/Quality Truck Repair would be tabled.

A.R-19-45 Staff Memo and Resolution Authorizing an Agreement for the Regulation of Parking Area Traffic, Parking, Use and Maintenance Between the City of Prospect Heights and Stery Trucking/Quality Truck Repair – **TABLED**

B.R-19-46 Staff Memo and Resolution Authorizing a Civil Engineering Services Agreement with Gewalt Hamilton Associates, Inc. for Review of Sanitary Sewer Inspection Videotapes and the Creation of a Sanitary Sewer Capital Improvement Plan for a cost not to exceed $19,800
C.R-19-47 Staff Memo and Resolution Authorizing Agreement with Midwest Water Group for Water Sample Station Installation on the City Fresh Water System for $8,216.00
E.R-19-49 Resolution Amending R-19-37, Ad Hoc Adult Recreational Cannabis Committee –
Alderman Ludvigsen moved to for omnibus approval of R-19-46 Resolution Authorizing a Civil Engineering Services Agreement with Gewalt Hamilton Associates, Inc. for Review of Sanitary Sewer Inspection Videotapes and the Creation of a Sanitary Sewer Capital Improvement Plan for a cost not to exceed $19,800; R-19-47 Resolution Authorizing Agreement with Midwest Water Group for Water Sample Station Installation on the City Fresh Water System for $8,216.00 and R-19-49 Resolution Amending R-19-37, Ad Hoc Adult Recreational Cannabis Committee; seconded by Alderman Morgan-Adams.

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

Motion carried 4 – 0, one absent.

D.R-19-48 Staff Memo and Resolution Authorizing Agreement with Gewalt Hamilton for Analysis and Plan for Winkleman Road Street Lighting as Requested by Prospect Heights Tourism Board – there were concerns from the Council regarding the lighting on Winkelman. Alderman Cameron requested more information. City Administrator Wade said that the Tourism Board was asking for the money to be used on this project because they believed it was available to them. The cost of designing and permits would be about $15,000; and the actual work would be about $105,000. It was suggested by the Director of Public Works Roscoe that a member from the Tourism Board speak at the Council Meeting to discuss the plans. Alderman Cameron said that more lighting would be beneficial on Winkelman and Apple not just Winkelman.
It was suggested that the Council wait until after the next Tourism Board Meeting December 6th.
Alderman Ludvigsen moved to TABLE R-19-48 Resolution Authorizing Agreement with Gewalt Hamilton for Analysis and Plan for Winkleman Road Street Lighting as Requested by Prospect Heights Tourism Board; seconded by Alderman Dolick.

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

Motion carried 4 – 0, one absent.

OLD BUSINESS - None

NEW BUSINESS - None

DISCUSSION/SELECTION OF TOPICS FOR UPCOMING WORKSHOP MEETING:

A. Liquor License Code Review

B. 2020 Census

C. Staggered Elections

APPROVAL OF WARRANTS

A. Approval of Expenditures

General Fund	$53,761.03
Motor Fuel Tax Fund	$0.00
Palatine/Milwaukee Tax Increment Financing District	$2,273.00
Tourism District	$16,687.34
Development Fund	$0.00
Drug Enforcement Agency Fund	$26,335.50
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	$0.00
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	$4,160.80
Palatine Road Tax Increment Financing District	$0.00
Road Construction	$0.00
Road Construction Debt	$0.00
Water Fund	$12,678.72
Parking Fund	$18,080.00
Sanitary Sewer Fund	$3,851.71
Road/Building Bond Escrow	$6,734.00

TOTAL	**$144,562.10**
Wire Payments	
10/25/2019 PAYROLL POSTING	**$157,460.15**
10/18/2019 POLICE PENSION PAYMENTS	**$74,178.14**
TOTAL WARRANT	**$376,200.39**

City Clerk Prisiajniouk read the warrants.
Alderman Dolick moved to approve the warrants as presented; seconded by Alderman Morgan-Adams to include a TOTAL of $144,562.10; 10/25/2019 PAYROLL POSTING of $157,460.15; 10/18/2019 POLICE PENSION PAYMENTS of $74,178.14; and TOTAL WARRANT of $376,200.39.

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

Motion carried 4 – 0, one absent.

PUBLIC COMMENT (Non-Agenda Matters) – Susan Mazzarella said that the pond on the golf course can only take so much water and then it begins to back up. She stated that while the surveys provide data, she believed it would be more helpful if the City spoke to residents. Public Works Director Roscoe noted that the Arlington Countryside will have a 42 inch pipe and it will not raise the level of the creek.

EXECUTIVE SESSION - None

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT – At 8:58 PM, Alderman Dolick moved to Adjourn; seconded by Alderman Morgan-Adams.

VOICE VOTE: All ayes, no nays

Motion carried 4 – 0; Alderman Quinn absent.

Approved by the City Council of Prospect Heights on this the 11th day of November, 2019.

City Clerk Prisiajniouk

CITY OF PROSPECT HEIGHTS CORPORATE SEAL Incorporated A.D. 1976 ILLINOIS

Mayor Nicholas J. Helmer