



**THE REGULAR CITY COUNCIL MEETING MINUTES**  
**OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS**  
**HELD ON MONDAY, FEBRUARY 24, 2020 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 6:36 PM, Mayor Helmer called to order the February 24, 2020 City Council Meeting. Alderman Ludvigsen read the City Council Meeting preamble, giving the date and location at 8 North Elmhurst Road, Prospect Heights, IL 60070.

**ROLL CALL FOR QUORUM** – City Clerk Prisiajنيouk called roll. A quorum was present.  
**ELECTED OFFICIALS PRESENT** – City Clerk Prisiajنيouk, Mayor Helmer, Treasurer Tibbits  
**ALDERMEN** – Ludvigsen, Morgan-Adams, Dolick, Cameron, Quinn  
**OTHER OFFICIALS PRESENT** – Police Chief Zawlocki, City Administrator Wade, Director of Building and Development Peterson, Public Works Director Roscoe, Deputy City Clerk Schultheis, Digital Communications Technician Colvin, and Attorney Kearney.

**PLEDGE OF ALLEGIANCE** - Led by Audience Member – Jim Loerzel

**INVOCATION** – led by Pastor Rod Krueger – Our Redeemer Lutheran Church

**APPROVAL OF MINUTES**

**A.**February 10, 2020 Regular City Council Workshop Minutes – **Alderman Dolick moved to approve the February 10, 2020 Regular Workshop Minutes as presented; seconded by Alderman Quinn. There was unanimous approval.**

**VOICE VOTE:** All ayes, no nays

Motion carried 5 - 0

**PRESENTATIONS** - None

**APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS** - None

**PUBLIC COMMENT ON AGENDA MATTERS (*Five Minute Time Limit*) –**

Jim Loerzel - wants more education regarding the 6/24 runway. He said that the Airport Board had refused to have a dialogue with him regarding runway safety. He requested that the City Council have the Airport take out the removal of runway 6/24.

He stated that he can justify every statement that he has made regarding his contact with the Airport. He added that if the ALP is approved as is, the FAA will not judge the Airport's decision to remove the runway; stating that the City Council meeting was the last resort to express public concerns about safety issues if the runway is removed.

He noted that the Airport was willing to spend \$3 million dollars on a Customs facility even though it is 7/10 of 1% of their operations. He concluded that Runway 6/24 is safe, and has five years left in it, 70% of all aircraft can use it, and discretionary income may be available to maintain it.

Madeleine Monaco – Said that she is a pilot and one of three who founded the Pilot's Association. She is a former Prospect Heights alderman and CEA Representative. She stated that the Airport did not announce their plans to close the runway at the shareholder's meeting. She said that the FBO's lobbied for longer runways. She said that, in the past, Wheeling and Prospect Heights refused to allow the Airport to expand, so the CEA had to change their plan.

She said that this new plan could cost \$10 million dollars of revenue to be lost or displaced to the City, and the flight schools could lose aircraft classrooms. Parking spaces for events would be eliminated.

Rogers Faden – said that he has been an airport tenant for 12 years, and is on the District 30 School Board. he said that 6/24 is the true crosswind runway. He said that it was the only viable runway for small aircraft when the wind is blowing. He said that the airport had been willing to spend three million dollars of non-reimbursable money. He said that there is sufficient land in the ALP without having to close down runway 6/24. He added that there will not be any need to do maintenance on runway 6/24 for 3-4 years.

He said that while the FAA would not fund a third runway, a crosswind runway is reimbursable. He stated that the Alp is a flawed plan.

Thomas Fichs – Said that he is a physician in Glenview and a pilot. Three weeks ago he landed on 6/24 – which was the only option because the winds were so bad. That was the only safe runway given the crosswinds.

Arthur Gunn – Said that he has a passion for Runway 6/24. On January 31<sup>st</sup>, he saw what the CEA Executive Director has sent the City Council. he said that when he met with Executive Director Abbott and Economic Development Director Sakas met with him on July at Butterfields, there was no mention of the closure of Runway 6/24. He said that had it been mentioned, he would have "gone off the ledge" at that time. He said that when they met, he loaned the Airport an American flag and certificate that it was flown by an F-16 over the Afghanistan. According to Mr. Gunn, they also talked about his concern about the airport being closed on June 29. He said that his concern was that the pilots should have been told earlier of the closing.

He said that they also talked about a stakeholders' meeting, and that Director Abbott said that they should get together quarterly, but that has not happened. Mr. Gunn said that there was no mention of the ALP or runway closure. Mr. Gunn sent an email to the Council from July 3<sup>rd</sup> from Mr. Abbott to Mr. Gunn. He said that there was no information in the email about ALP or the runway.

Mr. Gunn said that he is the Treasurer of three international pilots' groups – they bring \$1million to the area when they have their annual event. Because the CEA is thinking of closing runway 6/24; the Pilots' groups has dropped the CEA as the venue. If the CEA drops the closure of 6/24; they will support using the airport as the venue.

Robert Mark – said that he has been flying at CEA for over 40 years. He said that after the Director Abbott had written down misstatements that Mr. Mark had made, Mr. Mark had requested to know what they were, and was never shown any. He said that Director Kearns had quoted some passages

that he said Mr. Mark had written. But, Mr. Mark said that he had never written what was being quoted. He said that CEPA can support everything that they had ever said, but that there was a lack of transparency from the CEA.

Mayor Helmer asked that Mr. Mark stop making disparaging remarks. He said to stick to the point.

Mr. Mark said that the FAA's Deputy Administrator for Airports is coming in April to discuss the runway safety hotspots. He asked to TABLE the ALP until that meeting. He added that the runway is a distraction from the overall plan – there are City assets involved.

Mayor Helmer said that he heard from these discussions that the CEPA wanted the Customs Office closed.

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

**A.** Chicago Executive Airport Monthly Update Presented by Director James Kiefer – He said that his goal was to give a status of the airport. They are ready for winter, and have crews prepared.

- Master Plan is under review, and the Airport is looking for the ALP to be approved.
- He said that there are over 30 projects.
- Residential Sound Insulation program - there are currently 75 people who have shown interest. They had expected more people to show interest, so there will be a second attempt to drum up interest.
- Customs Bldg – three-quarters of the airport is operated by the FBO's. All three want a Customs Bldg.
- Waiting for NICOR gas relocation, and tearing down of Hangar 4. Some of that Customs money is reimbursable for anything concrete that surrounds that building.
- Atlantic is building another hangar.
- Budget Workshop – will submit the budget to the City in two months.
- Lewis University and District 214 – University Aviation Academy has their own hangar.
- Public Relations website regarding the fire department training at hangar 4.
- New noise complaints coming out of Glenview. It is believed to be O'Hare restructuring of their approach/takeoffs.

Alderman Ludvigsen – asked about the sales tax. He said that there was a fear that all of the tax money was going to go to O'Hare.

Board Chairman Harris said that there has been no recent change. Any tax that is gained by activity on the runway, such as fuel sales, that goes back to Prospect Heights and Wheeling with stipulations that it has to be used on aviation-related uses as per the IGA. There are questions between IDOR and IDOT as to what an "aviation-related use" is.

Director Kiefer said that a few years ago there was a power grab, and that Midway and O'Hare wanted to take the lion's share of the money. That was stopped.

Alderman Ludvigsen asked if the City was still getting that money. It was believed that IDOR is keeping the money. It is not coming to the City.

Chairman Harris said that distribution of the money was not a responsibility of the airport. It's a state level question.

**B.** January Treasurer's Report Presented by Finance Director Michael DuCharme – Finance Director DuCharme was not present due to illness. – **No report.**

Police Chief Zawlocki – said that there will be a March 1 test given to police officer candidates.

- He said that the 2020 Citizens Police Academy will begin on April 8

Mayor Helmer expressed his condolences on behalf of the City for the passing of Chief Zawlocki's mother.

Alderman Quinn – Ward 2 – said that Assistant City Administrator Falcone had ordered street stencils that will advertise Census 2020.

Mayor Helmer – said that the Assistant City Administrator has asked that any resident that wished to assist in the Census campaign, come to the City and get a sign to put on their lawn promoting Census participation.

City Administrator Wade – said that the budget will be provided to the City Council this week. He noted that it is a stable budget.

- He said that Schoenbeck sidewalk begins this Spring.

City Clerk Prisiajaniouk – noted that she and Director Peterson had attended the Greater Wheeling Chamber of Commerce as the representative from the City. She announced dates for upcoming chamber events –

Employment Law Update on March 20  
Career Fair – April 23  
Golf Outing – July 24  
Taste of the Town – October 8  
State of Manufacturing – October 22

- She noted the IML has answers for the regulation of cannabis on their website.

Alderman Morgan-Adams – Ward 3 – Discussed the Census Block party on April 18.

- Asked the City Administrator that if there are any meetings that involve the Third Ward issues with townhouses; she would like notification. Director Peterson said that there is an applicant, Crown Castle that owns the tower that was approved in 1998. It is behind the fire station. They are looking for special use to handle the needs. A public hearing was held, and the PZBA made a recommendation. It will come up for consideration by the Council on March 9, 2020 Regular Workshop Meeting.

Alderman Ludvigsen – Ward 4 – noted that the Car Wash was doing well.

- He noted that the City is up to 15 video gaming sites.  
- Alderman Ludvigsen stated that while the State is regulating the City's Red Light cameras, it has done nothing to curtail the video gaming. He believes that the City should be able to regulate video gaming.

Building and Development Director Peterson – Stated that two weeks ago, he and the Economic Development Directors of Arlington Heights and Mount Prospect met with State Representative Walker to discuss changes to the TIF's and grant applications. He said that the State is making it more difficult to support and incentivize development.

He added that there were new programs that would give significant tax rebates to small businesses.

- Final inspections for the Conor McShane Building on Piper Lane.
- The condos at River Trails are issuing permits, and are expected to be occupied within 6 weeks

Public Works Director Roscoe – said that there will be an RFP for the landscaping for the Tourism District will be going out later this week.

- On March 11, there will be a City website posting for a seasonal worker at \$14 per hour.

- He also noted that snow forecast and Public Works was prepared.

Mayor Helmer - Asked for an update on the Lexington Townhome development. City Administrator Wade said that it was in review and that the City was looking at the TIF. Storm water was to be addressed with the TIF. He added that the City was keeping a list of any money spent that was to be reimbursed if the deal proceeds.

- Mayor Helmer said that Census workers are paid \$29 per hour.
- He noted that St. Alphonsus Church was talking about the possibility of their land being used for assisted living housing. He said that it appeared that the Church was proceeding with the project.

#### **CONSENT AGENDA -**

**A.R-20-10** Staff Memo and Resolution Adopting the Complete Streets Policy of the City of Prospect Heights

**B.O-20-04** Staff Memo and Ordinance Directing the Sale of Surplus Property (*2nd Reading*) – **Alderman Morgan-Adams moved for omnibus approval of R-20-10 Resolution Adopting the Complete Streets Policy of the City of Prospect Heights and O-20-04 Ordinance Directing the Sale of Surplus Property; seconded by Alderman Quinn. There was unanimous approval.**

**ROLL CALL VOTE:**

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

Motion carried 5 – 0

Alderman Ludvigsen asked about the scope of the Complete Streets policy. City Administrator Wade said that it was a requirement for surface transportation money. He said that the City had control of it, and it was aspirational in nature.

#### **OLD BUSINESS**

**A.R-20-05** Resolution Approving the Airport Layout Plan for Chicago Executive Airport (*Tabled from January 27, 2020 Meeting*) – **Alderman Quinn moved to TABLE R-20-05 Resolution Approving the Airport Layout Plan for Chicago Executive Airport until the March 9, 2020 Meeting; seconded by Alderman Cameron. There was unanimous approval.**

**ROLL CALL VOTE:**

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

Motion carried 5 – 0

Alderman Dolick said that he did not need extra time but given the importance of the issue, he wanted everyone to feel comfortable with their understanding of the material.

#### **NEW BUSINESS**

**A.O-20-05** Staff Memo and Ordinance Granting Certain Variations for the Property at 33 E. Palatine Road, Stery Trucking (*1st Reading*) (*Tabled from February 10, 2020 Meeting*) –

Director Peterson noted that the PZBA had granted approval with the condition that any landscaping on their side of the fence be three feet or lower.

**Alderman Quinn moved to Waive first reading of O-20-05 Ordinance Granting Certain Variations for the Property at 33 E. Palatine Road, Stery Trucking; seconded by Alderman Morgan-Adams**

Discussion – it was noted that this was not posted so it could not be waived.

**Alderman Quinn withdrew her motion.**

It was noted that this will be a second reading at the March 9, 2020 Meeting.

**B.R-20-11** Staff Memo and Resolution Recommending Bid Approval for Phase I Sewer Rehabilitation – **Alderman Ludvigsen moved to approve R-20-11 Resolution Recommending Bid Approval for Phase I Sewer Rehabilitation; seconded by Alderman Quinn. There was unanimous approval.**

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

Motion carried 5 – 0

It was noted that Graziano Sewer and Water was the lowest bid.

**C.O-20-06** Staff Memo and Ordinance Amending Titles 3, 9, 10, and Cannabis Offenses & Regulations (**1st Reading**) – It was noted that the Attorney and the Police Chief were working to make certain that the City Code complied with State restrictions regarding under 21-prohibition of use and parental control – **No action was taken.**

#### **DISCUSSION TOPICS FOR WORKSHOP MEETING:**

**A.**2020 Census – discussed previously

**B.**Home Rule

**C.**Mayor Helmer asked that term limits and staggered elections be kept on the Workshop Topics Agenda

#### **APPROVAL OF WARRANTS**

##### **A.** Approval of Expenditures

|                                                     |              |
|-----------------------------------------------------|--------------|
| General Fund                                        | \$177,905.07 |
| Motor Fuel Tax Fund                                 | \$0.00       |
| Palatine/Milwaukee Tax Increment Financing District | \$199,551.67 |
| Tourism District                                    | \$984.09     |
| Development Fund                                    | \$0.00       |
| Drug Enforcement Agency Fund                        | \$0.00       |
| 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                         | \$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                            | \$16,650.00              |
| Palatine Road Tax Increment Financing District  | \$549.90                 |
| Road Construction                               | \$0.00                   |
| Road Construction Debt                          | \$0.00                   |
| Water Fund                                      | \$28,787.65              |
| Parking Fund                                    | \$601.85                 |
| Sanitary Sewer Fund                             | \$3,918.16               |
| <u>Road/Building Bond Escrow</u>                | <u>\$1,290.00</u>        |
| <b>TOTAL</b>                                    | <b>\$430,238.39</b>      |
| <b><u>Wire Payments</u></b>                     |                          |
| <b>2/14/20 PAYROLL POSTING</b>                  | <b>\$159,035.91</b>      |
| <b>2/20/20 POLICE PENSION FUNDING</b>           | <b>\$66,568.23</b>       |
| <b>ILLINOIS POLICE PENSION FUND ASSOCIATION</b> |                          |
| <b>RETIREMENT HEALTH CARE FUNDING</b>           | <b><u>\$8,710.89</u></b> |
| <b>TOTAL WARRANT</b>                            | <b>\$664,553.42</b>      |

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 \$430,238.39; 2/14/2020 PAYROLL POSTING of \$159,035.91; 2/20/2020 POLICE PENSION FUNDING of \$66,568.23; ILLINOIS POLICE PENSION FUND ASSOCIATION RETIREMENT HEALTH CARE FUNDING of \$8,710.89; and a TOTAL WARRANT of \$666,553.42. There was unanimous approval**

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

Motion carried 5 - 0

**PUBLIC COMMENT ON NON-AGENDA MATTERS (*Five Minute Time Limit*)** – Director Harris said that CEPA comparing Customs to Runway 6/24 is not comparing apples to apples. Customs is an Unfunded mandate. He noted that Homeland Security has required it. There are parts of the Customs construction that is reimbursable, and the Airport has raised jet fuel prices not on piston engine plane fuel.

He stated that while he was not at the Butterfield meeting, two employees of the airport were there. He did have a 90-minute phone call on June 7, 2019 with the CEPA president. That meeting was partly about the 6/24 runway. He said that he has spent more time with the CEPA representatives that the FBO's; and FBO's are 90% of the Airport business.

He read a letter from FAA #3 DeKirk Schaeffer from Washington DC that supports the CEA's efforts to eliminate unneeded infrastructure. It reduces the complexity of hotspots. The letter validates that the Airport plan is safe.

**EXECUTIVE SESSION – Pending Litigation**

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

**ADJOURNMENT – At 8:00 PM; Alderman Morgan-Adams moved to end Open Session and go into Closed Session to discuss Pending Litigation; seconded by Alderman Dolick. There was unanimous approval.**

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

Motion carried 5 - 0

Approved by the City Council of Prospect Heights on this the 9<sup>th</sup> day of March, 2020.

  
City Clerk Prisiajnicuk



  
Mayor Nicholas J. Helmer