

THE CITY COUNCIL TELECONFERENCE MEETING
AND REBUILD ILLINOIS GRANT PUBLIC HEARING
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
HELD ON WEDNESDAY, MAY 27, 2020 AT 6:30 P.M.

CALL TO ORDER – At 6:30 PM, Mayor Nicholas J. Helmer called to order the Wednesday, May 27, 2020 City Council Regular Meeting via the Zoom teleconferencing platform. Deputy Clerk Schultheis read the COVID-19 modifications to the Meeting and the Meeting preamble.

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

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

OTHER OFFICIALS PRESENT – City Administrator Wade, Assistant City Administrator Falcone, Police Chief Zawlocki, Director of Building and Development Peterson, City Engineer Glenn, Public Works Director Roscoe, Finance Director Graefen, Deputy Clerk Schultheis, Digital Communications Technician Colvin, and City Attorney O'Driscoll.

PUBLIC HEARING - Rebuild Illinois Grant Application for Arlington Countryside Stormwater Management – At 6:34 PM, Alderman Morgan-Adams moved to open the public hearing for the Rebuild Illinois Grant Application for Arlington Countryside Stormwater Management; seconded by Alderman Dolick. There was unanimous approval.

ROLL CALL VOTE:

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

Motion carried 5 – 0

City Administrator Wade described the project – the City has been working on the stormwater improvement for Arlington Countryside for about a year. When the City sold the property on Piper Lane, money became available to begin this project. The neighborhood was chosen because it has experienced severe stormwater flooding issues. The engineering studies on this area go back as far as the 1980's – it is the low ground point of the City. In 2019, The City asked for assistance from the State and State Representative Mark Walker appropriated \$260,000 for assistance to the project. The City used the proceeds to conduct an engineering project to study a plan of attack on the situation. The bottom line is that the estimated cost to the project is \$3.5 million. The City can only afford to assign \$1.5 million to the project. The rest must come from grant money.

About one month ago, the City became aware of Rebuild Illinois grants for projects that are shovel-ready. The City qualifies as the engineering study is almost completed. As per the requirement of the grant application, several items must be entered into the record:

- The City will record the requirements of the grant
- A project description
- Public Comment

In terms of public participation has been provided on the City's website, www.prospect-heights.org, interested persons may contact the City at (847) 398-6070 (ext 202) to contact the City Administrator or by emailing the City Administrator at jwade@prospect-heights.org. A Notice of the public hearing was published in the Daily Herald in the allotted timeframe. The grant information is also available on the front page of the City's website.

Copies of the City's Arlington Countryside Stormwater improvement grant application is on the City's website; or by contacting the City Administrator.

The grant application calls for sign-in requirements. As the meeting was held virtually, the speakers were required to identify their names and addresses via phone. The phone numbers and email addresses were to be called into the City Administrator or emailed to him.

It was noted the project cost is: **\$3.5 million**; the City commitment is: **\$1.5 million** and the City's request from Rebuild Illinois is: **\$2.0 million**.

Project activities undertaken will include, but are not limited to: **Construction Engineering; construction of forced main storm sewer along Camp McDonald Road from the Arlington Countryside neighborhood to McDonald Creek; development of lift station detention basin property, associated costs related to permitting and bid development, and other project requirements.**

Project Activities that will be undertaken with additional project funding is provided by the City of Prospect Heights.

This project is not divisible, and cannot be achieved without the benefit of additional monies from the grant.

- **This project will not displace people.**
- **The need for prioritizing community development and housing is not applicable.**
- **The Public Hearing including scope, costs, cost benefits, impact on community**

finances and development. The Arlington Countryside neighborhood is bounded by Rand Road, East Olive Street, North Windsor Drive and East Oakton Street. The neighborhood was subdivided in the late 1940's and 1950's. Drainage in the neighborhood is generally west to east toward Tributary A of McDonald Creek along the eastern boundaries of the neighborhood, however Rand Road is several feet higher in areas in the neighborhood. As such, drainage from the neighborhood is limited to what can be drained through storm sewers. Due to the limited conveyance through the existing storm sewers, Arlington Countryside experiences significant flooding even with a relatively small storm event. The proposed project will construct a new force main storm sewer from Arlington Countryside neighborhood across Rand Road and along Camp McDonald Road directly to Tributary A of McDonald Creek. The project will also require the development and operation of a lift station and detention basin to hold and convey storm water.

Rand Road and Camp McDonald are under the jurisdiction of the Illinois Department of Transportation and Cook County Department of Transportation and Highways.

City Engineer Glenn gave the project description. He said that there was a proposed 6700 gallon per minute lift station at the lowest point. He noted that there would be just under 5000 feet of pipe running under the corresponding roads of 18" diameter- from the lift station.

The City was also proposing 3000 cubic yards of new storage to be excavated immediately adjacent to the Creek on Park District property to help mitigate those down the stream of the project. The idea is to create storage so that the water is not being moved from one area just to create issues in another area.

The engineering survey also included surrounding neighborhoods, and the underground utilities, it was decided that a 36" pipe that was gravity driven was not feasible. The 36" pipe would have created storage within the pipe, but once the City realized it needed a smaller pipe, the storage area was required.

The existing storm sewer will not be abandoned or altered. This project is in addition to the existing storm sewer. The proposed storm sewer and lift station would only run as needed, otherwise the existing storm sewer would operate.

Project Status – the City submitted for permit to IDOT for the Rand Road sector, as well as Cook County Transportation and Highways for the Camp McDonald. The Park District has been amenable to having the storage on their property but there is no written agreement on that yet. The City still needs to detail the actual design of the lift station as well as back-up power.

Project Schedule – Finish permit requirements and formalize construction documents in the Fall of 2020; release them for contractor bids in November, 2020; bring recommendation for the award to

the Council in December, 2020; and start construction in March, 2021. The projected will be completed around September, 2021.

Dave Ozawa – lives on Phelps Avenue. Said that that when they experienced flooding a week ago, the City had put a pump on Rand Road that pumped into IDOT storm sewer. In less than 12 hours the water had all drained away from the houses. He suggested that the City look into finding a way to send all of the water into the IDOT storm sewer. Engineer Glenn said that action taken during an emergency might not be granted on a regular basis by IDOT. He added that the State would not give the City a permit for a lift station to pump into their storm sewer. Whenever there is an emergency, Public Works is required to use their equipment to pump the water. Public Works is not designed to handle issues like this on a regular basis; their actions are based on emergency flooding.

Mr. Ozawa wanted to connect the storm sewers to IDOT to lessen the cost.

Public Works Director Roscoe said that the State IDOT pipe that runs down Rand Road is a higher elevation than Arlington Countryside, so the only way to convey water from Arlington Countryside into it is to pump it.

Mr. Ozawa noted that every time they flooded, Public Works brings in a large 6" pump and pump water from one storm sewer to the other. Director Roscoe said that it proves that the lift station design will work. The plan cannot be left in the area constantly and constantly connected to the IDOT storm sewer. IDOT storm sewer is not a solution, it is an emergency situation only.

Mayor Helmer suggested that Mr. Ozawa speak with some of his other neighbors that flood with the pumps running. A permanent solution is needed.

Alderman Ludvigsen said that the City has been reviewing this issue for years, and there is no easy fix. The way being suggested is the only way the City can eliminate the issue permanently. The City can only eliminate the water within the boundaries of the City – it cannot use IDOT storm sewers or dump it into neighboring communities.

Wilbert Koch – 1224 N Drury Lane – agrees with the project and gave it his thumbs up to proceed.

Jess Holman – 304 Elm Street – there is terrible flooding on the north side of Elm Street, and what is the effect of the proposed piping to McDonald Creek going to have on their property?

Engineer Glenn replied that the project would not negatively impact future projects. He stated that this was one step toward working down toward the Creek.

City Administrator Wade – added that the former City Engineer had made contact with IDOT a while ago, and IDOT said that they would not allow the permanent connection to their storm sewer.

At 7:05 PM, Alderman Dolick moved to close the Public Hearing and go back into open session; seconded by Alderman Morgan-Adams. There was unanimous approval.

ROLL CALL VOTE:

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

Motion carried 5 - 0

APPROVAL OF MINUTES

A. May 11, 2020 City Council Workshop Teleconference Minutes

B. April 27, 2020 Executive Session Minutes (*not for public release*)

C. May 11, 2020 Executive Session Minutes (*not for public release*) – Alderman Dolick moved for omnibus approval of the May 11, 2020 City Council Regular Teleconference Minutes; the April 27, 2020 Executive Session Minutes but not for public release; and the May 11, 2020 Executive Session Minutes but not for public release; seconded by Alderman Quinn.

Alderman Ludvigsen wanted to make certain that the May 11, 2020 Executive Session Minutes were the latest version.

There was unanimous approval.

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

Motion carried 5 - 0

APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS - None

PUBLIC COMMENT ON AGENDA MATTERS (*Five Minute Time Limit*) - None

STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS

Alderman Quinn – Ward 2 – Said that Public Works and City Hall had done a great job with flooding in her ward. She said that for the most part, her Ward did fine with the water.

- She said that there some residents interested in getting cameras on the public streets. And installing speed bumps.

Alderman Morgan-Adams – Ward 3 – thanked Public Works for being so responsive during the flooding situation.

- Happy to announce the general assembly restored the local government distributive fund. The 5% reduction is not being continued.

- She would like more information regarding the bill in the state as to the Open Meetings Act; specifically, the ability to conduct meetings by audio-video conference. She said that if the Emergency Open Meetings Act bill was not extended, this might be the last meeting by teleconference. Attorney O'Driscoll replied that the City was expecting the Governor to issue another order by May 29th, but no one is certain what will be contained in that order. Virtual attendance has not been signed by the Governor but it is expected to be extended.

Alderman Ludvigsen – Ward 4 – thanked Public Works for handling the water issues with the flooding. He noted that the City will need to look at the water levels at Hillcrest Lake and Owen.

- He thanked the Police Department for keeping the peace during these difficult times.

Treasurer Tibbits – said that the A/V Department has been in the process of a major upgrade of the City Council Chambers A/V. It should be ready for the June 8th. He said that this will be a new, high definition system.

Director of Building and Development Peterson – Noted that Governor Pritzker amended to uses of restaurants under Phase 3. Staff has contacted all of the restaurants regarding outdoor eating. He stated that while the Governor has not officially declared the start of Phase 3, it is widely assumed that the Governor will do so. The Staff has been talking with the local businesses about new guidelines. He added that the City has received thanks from the businesses for the assistance that has been provided.

Assistant City Administrator Falcone – said that June 13 is the SWANCC document destruction event. He said that the event was being held at the METRA station and was from 9 AM – Noon. The maximum was three bags of documents.

Police Chief Zawlocki – The Police Department has been very busy with Birthday Drive-bys and parades for residents celebrating events. There have been 23 to date. These will continue through the month of June.

Mayor Helmer – said that the City employees were doing a great job. He specifically gave kudos to the Public Works Department for handling the flooding issues and to the City's Digital Communications Technician Patrick Colvin for covering the drive by celebrations, at all times of day, during shelter in place.

City Clerk Prisiainioux – thanked Public Works for handling flooding issues.

A.Chicago Executive Airport Monthly Update Presented by Director James Kiefer – Director Kiefer stated that the revenues for the Chicago Executive Airport are down 46% from last month and that there has been rotating staff hours during this crisis. Crews are staggered. He also noted that the FBO's have been hit hard by the crisis.

- The Airport will be getting Federal money from the CARES Act. He said that as an airport, they cannot shut down and must manage 24/7.
 - The fiscal year ended at 83% of projected expenses and revenues of 100.5%.
 - Current projects – usually projects are 90% funded by the federal government but the Airport has been notified that they will be funded at 100%.
 - Runway 6/24 flooded, as well as some taxiways on the Des Plaines side.
 - Staff is working overtime to develop plans to adapt to these current situations.
 - Customs is on schedule.
 - Construction on the tower.
- Customs and Fuel flow are down, but the Airport is still operating well.

Alderman Ludvigsen expressed his support for the Airport Board is doing during this crisis.

Alderman Quinn said that she had received an email from Airport Board Director Court Harris right before the meeting; regarding an issue discussed in a previous Council meeting. She said that she believed that there is questionable leadership on the CEA Board. She would like to have a meeting with the Council regarding behavior from the Director that was not "transparent."

Director Kiefer said that he did not have the email, and there had been no illegal actions from the Board. He noted that Cody Rogers had done a "phenomenal job" as the Public relations firm, but in response to the controversy had resigned voluntarily. He said that there would be a three-month overlap and then the Public Relations search would go out to bid.

Alderman Quinn said the email from Chairman Harris said that there was no contract extension, and that the PR firm would not go past May 2020 as the functioning PR firm. She said that no one was disputing the ability of the PR firm, only questioning the relationship that was not disclosed between the Chairman and the PR firm.

Public Works Director Roscoe – Public Works appreciates its support from the City and the community. May 14 the City had the same amount of rainfall in one day that it had the entire month of April. Owen Court was covered with water and Willow Road was reduced to a single lane. May 17 – closed Willow Road.

On Sunday night there was almost 8 inches of rain. Fifteen residential streets were closed due to water, and fish actually swam across Elmhurst Road. There was major yard flooding on Schoenbeck Road near the new sidewalks, and there were ponding locations around the City. He added that Olive/Dorset/Clarendon received a lot of water.

Director Roscoe said that Levee 37 saved the City's eastside and that the River crested at 20 feet. He said that for the last three years, each May has seen a record rainfall, but the City was able to keep the situation under control so that no one needed to be relocated, and the Red Cross was not contacted.

Director Roscoe asked the residents to contact the Police Department first in a water emergency, as the Police are a 24/7 operation, and Public Works does not have a 24/7 hotline. He noted that

many residents had lost time in getting assistance by trying to contact Public Works, the mayor or aldermen.

Alderman Cameron asked if, during an emergency, residents have permission to park in the Palwaukee Plaza lot? She said that residents that had parked their cars there to avoid the flooding had been towed. She said that it cost over \$200 to get the car released.

Mayor Helmer said that the Staff would look into it. He said that it was stated in writing what can be done in an emergency or the threat of a flooding emergency.

B. April Treasurer's Report Presented by Finance Director Cheri Graefen – Director Graefen noted that the City's revenues were at 100% of what was budgeted; and expenses were 80%

OLD BUSINESS

A.O-20-17 Staff Memo and Ordinance Approving a Special Use Permit to Allow a Sit Down Restaurant with Drive-Thru at 580 N. Milwaukee Avenue - Fry the Coop (2nd Reading) – Alderman Quinn moved to approve O-20-17 Ordinance Approving a Special Use Permit to Allow a Sit Down Restaurant with Drive-Thru at 580 N. Milwaukee Avenue - Fry the Coop; seconded by Alderman Morgan-Adams. There was unanimous approval.

ROLL CALL VOTE:

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

Motion carried 5 - 0

NEW BUSINESS

A. Status Report and Recommendation for Cancellation of 2020 Rock n' Run the Runway and Independence Day Parade – City Administrator Wade stated the Wheeling and the Chicago Executive Airport had already cancelled. It was decided that it could not be postponed. It was also noted that the Fourth of July Parade would not be able to take place under the current COVID-19 restrictions, St. Alphonsus Church would not be able to stage the event, there could be no walkers due to restrictions, no gathering to watch the parade, and Hebron Church would not be able to host the annual post-parade lunch. – **Alderman Quinn moved to Cancel the 2020 Rock'n'Run the Runway and the 2020 Independence Day Parade; seconded by Alderman Cameron. There was unanimous approval.**

ROLL CALL VOTE:

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

Motion carried 5 - 0

B.R-20-14 Staff memo and Resolution Seeking Immediate Modifications to the Restore Illinois Plan to Reopen Businesses and Resume Civic Activity – City Administrator Wade said Prospect Heights falls in the nine county area of Chicago – NWMC voted to ask to break the nine county area. Cook County itself is huge. Recommendation is to look at this as part of 11 medical areas, and Prospect Heights would be viewed with different metrics. And there was a "respectful" request to consider ways restaurants could reopen. Governor has already relaxed restrictions on restaurants since this was first written.

Alderman Cameron noted the amount of COVID cases in Prospect Heights as of May 27th. Alderman Morgan-Adams refuted the fact that there were a high number of cases and noted that the City had the lowest number on the list in the County, and therefore, Prospect Heights should not be put in the same category as Chicago. She noted that the City relies on sales taxes to assist residents and offer services. She also noted that the Resolution was a request, not a demand. Alderman Cameron replied that she was giving information, and not replying to the Resolution.

Alderman Quinn said that she believed that all but one restaurant in Prospect Heights might not be able to open outdoors and that was because it did not have a large parking lot. She also stated that only a limited number of residents in Prospect Heights had been tested, so the City could not be certain of the statistics as there is a lot of multi-family housing. She said that the Resolution might be a waste of time, and that the City should be more cautious.

Alderman Morgan-Adams wanted to know what restaurants in Prospect Heights could use the parking lot for the outdoor seating in Ward 4. Director Peterson said that any restaurants can use the Prospect Crossing parking lot but at their own expense. We are requiring that each restaurant submit a safety plan and operation layout.

There was a discussion as to whether or not restaurants benefitted from outdoor seating. Director Peterson stated that restaurants that were amenable to outdoor seating were doing it at the request of their patrons. City Administrator thanked the Department of Building and Development for the work they have done to assist businesses during this crisis, and alert them to their options.

Alderman Ludvigsen clarified that this Resolution does not open any businesses, it only asks the Governor to use the already-created medical districts in the northeast portion of Illinois instead of lumping the City in with much larger zones.

Alderman Morgan-Adams moved to approve R-20-14 Resolution Seeking Immediate Modifications to the Restore Illinois Plan to Reopen Businesses and Resume Civic Activity; seconded by Alderman Dolick.

ROLL CALL VOTE:	AYE -	Ludvigsen, Dolick, Morgan-Adams
	NAY -	Cameron, Quinn
	ABSENT -	None

Motion carried 3 - 2

D. Request for Waiver of First Reading O-20-20 Staff Memo and Ordinance Regarding Chapter 1A, Section 3(L) of Title 3 and Chapter 10, Section 14 of Title 5 – Temporary Waiver of Fees for Accessory Use for Outdoor Seating (*1st Reading*) – **Alderman Dolick moved to waive the First Reading of O-20-20 Ordinance Regarding Chapter 1A, Section 3(L) of Title 3 and Chapter 10, Section 14 of Title 5 – Temporary Waiver of Fees for Accessory Use for Outdoor Seating; seconded by Alderman Quinn. There was unanimous approval.**

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

Motion carried 5 - 0

D.O-20-20 Staff Memo and Ordinance Regarding Chapter 1A, Section 3(L) of Title 3 and Chapter 10, Section 14 of Title 5 – Temporary Waiver of Fees for Accessory Use for Outdoor Seating (*2nd Reading*) – **Alderman Quinn moved to Approve O-20-20 Ordinance Regarding Chapter 1A, Section 3(L) of Title 3 and Chapter 10, Section 14 of Title 5 – Temporary Waiver of Fees for Accessory Use for Outdoor Seating; seconded by Alderman Dolick. There was unanimous approval.**

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

Motion carried 5 - 0

DISCUSSION TOPICS FOR NEXT WORKSHOP MEETING:

- There was a request from Alderman Quinn to review **speed bumps and speed platforms**

Alderman Quinn asked if the Cameras was a topic that needed to be put on as a Workshop Item, and City Administrator Wade said that it was not a Workshop topic.

- Alderman Ludvigsen asked for a topic regarding a high level discussion of the Christopher Burke study. He wanted new Aldermen to be made aware of the storm water study.

- Treasurer Tibbits asked that Home Rule be added to the Agenda. There was approval from Alderman Quinn and Cameron.

APPROVAL OF WARRANTS

A. Approval of Expenditures

General Fund	\$167,810.12
Motor Fuel Tax Fund	\$0.00
Palatine/Milwaukee Tax Increment Financing District	\$0.00
Tourism District	\$1,469.69
Development Fund	\$0.00
Drug Enforcement Agency Fund	\$1,166.00
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	\$567.27
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	\$110,952.00
Palatine Road Tax Increment Financing District	\$0.00
Road Construction	\$0.00
Road Construction Debt	\$0.00
Water Fund	\$42,838.37
Parking Fund	\$1,113.01

Sanitary Sewer Fund	\$905.92
<u>Road/Building Bond Escrow</u>	<u>\$0.00</u>
TOTAL	\$326,822.38
<u>Wire Payments</u>	
05/08/20 PAYROLL POSTING	\$152,729.68
05/22/20	\$158,774.56
04/20/20 POLICE PENSION FUNDING	<u>\$77,634.06</u>
TOTAL WARRANT	\$715,960.68

City Clerk Prisiajoniouk read the warrants.

Alderman Ludvigsen moved to Approve the warrants as presented; seconded by Alderman Quinn to include TOTAL of \$326,822.38; 05/08/20 PAYROLL POSTING of \$152,729.68; 05/22/20 of \$158,774.56; 04/20/20 POLICE PENSION FUNDING of \$77,634.06; and a TOTAL WARRANT of \$715,960.68. There was unanimous approval.

ROLL CALL VOTE:

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

Motion carried 5 - 0

PUBLIC COMMENT ON NON-AGENDA MATTERS (*Five Minute Time Limit*) - Rogers Faden - tenant of Chicago Executive Airport said that he had previously addressed the Wheeling Board also regarding the Public Relations services that were hired by the Board of Directors, specifying that the Public Relations firm had a business and personal connection to Chairman Court Harris that he did not disclose during the RFP process. He said that there was a conflict of interest. He asked that the Chairman be removed.

EXECUTIVE SESSION - None

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT - At 8:42 PM, Alderman Morgan-Adams moved to Adjourn; seconded by Alderman Quinn. 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 8th day of June, 2020


Deputy Clerk Schultheis




Mayor Nicholas J. Helmer

