



THE CITY COUNCIL WORKSHOP TELECONFERENCE MEETING MINUTES
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
HELD ON MONDAY, JULY 13, 2020 AT 6:30 P.M.

CALL TO ORDER AND ROLL CALL – At 6:30 PM, Mayor Nicholas J. Helmer called to order the City Council Regular Workshop Teleconference Zoom meeting. Deputy Clerk Schultheis read the Covid-19 Modification orders from the Governor and the Agenda preamble.

City Clerk Prisiajniouk called roll. A quorum was present.

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

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

Alderman Quinn moved to accept the Zoom platform and begin the meeting; seconded by Alderman Cameron. There was unanimous approval.

VOICE VOTE - All ayes, no nays

Motion carried 5 - 0

APPROVAL OF MINUTES

A.June 22, 2020 Regular Teleconference City Council Meeting Minutes – **Alderman Morgan-Adams moved to approve the June 22, 2020 Regular Teleconference Minutes as presented; seconded by Alderman Dolick. There was unanimous approval**

ROLL CALL VOTE:

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

Motion carried 5 - 0

APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS

A.Proclamation in Recognition of the Retirement of Police Sergeant John Yanke – Chief Zawlocki read the proclamation dedicated to the career achievements of Sgt. Yanke. He is one of the original seventeen Prospect Heights Police officers, having started with the City in 1990. Sgt. Yanke thanked the Council, Staff, Police Department and the Community; and noted that the thirty years went by “in the blink of an eye.”

STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS

A.Administrator's Report – Hillcrest Lake Art Displays – City Administrator Wade said that he had spoken to the artists and that the intention of the artwork display was to brighten people's day. He

noted that they also understood that the displays could not be put on public property. The artists had agreed to remove the artwork from Hillcrest Lake by August 9, 2020. **Alderman Quinn moved to have the artwork left up until the August 9, 2020 removal date; seconded by Alderman Morgan-Adams. There was unanimous approval**

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

Motion carried 5 - 0

It was noted by City Administrator Wade that the artists were very cooperative, and were well-known for their work with children and within the community. He added that the Park District might be interested in some of their displays.

Alderman Quinn – Ward 2 – thanked Sgt. Yanke for his stellar career with the City.

- She thanked the artists for the aesthetic artwork display that they had put up around the Slough and Hillcrest Lake.

Alderman Cameron – Ward 1 and Alderman Dolick – Ward 5 - both thanked Sergeant Yanke for his service.

Alderman Ludvigsen – Ward 4 – thanked Sergeant Yanke for his service, and thanked the Police Department for doing a great job.

- He commented that it was unfortunate that the artwork displayed at Hillcrest and the Slough had become the focus of the previous meeting. He said that it should have been kept at a much lower level.

Alderman Morgan-Adams – Ward 3 – noted that the artwork was beautiful. She said that she would like to be on a committee to explore displays for future artwork and artists.

- She thanked Sergeant Yanke for his years dedicated to the Police Department and the City.
- - Alderman Morgan-Adams noted that she had attended the PZBA meeting regarding the Lexington Homes project. She said that the PZBA had been weighing all the evidence.

Treasurer Tibbits – said that the Cable Channel was down because of a problem with the power source. He said that there was a call to a service to help fix the issue.

- He said that he had written to City Administrator Wade regarding a Resolution for Home Rule. He noted that he would bring up the topic during the Workshop discussion.

Public Works Director Roscoe – said that upon the request of the City, IDOT has rethought the southbound Wolf Road closure, and it was reopened on July 8; which helped traffic flow in Prospect Heights.

Director of Building and Development Peterson – said that the PZBA had continued the Lexington Homes public hearing to July 30. It will be a Zoom Meeting.

- On July 23, the PZBA will have its regular meeting – the topics will be the new ownership of Nikkos Restaurant; an Edwards Avenue variation, and Crown Castle cell tower.

City Clerk Prisiajiniouk – thanked Sergeant Yanke for his service.

- She noted that she had requested Staff to cross reference the businesses on our sites to have a Yellow Pages look. This will make it more convenient to the residents.

- Noted that the Heroes Act has a 2020 estimated allocation of \$5,270,00 and an estimated 2021 allocation of \$2,635,000. She said that is in addition to the money that Commissioner Silvestri write is being allocated to Illinois cities to cover COVID costs.

Mayor Helmer – noted that Commissioner Silvestri had written to the City, that \$331,113.47 had been allocated to Prospect Heights as part of this round of the Cares Act reimbursement.

Police Chief Zawlocki – Noted that the Police Department had been awarded \$4300 for ballistic shields, as a grant from Commonwealth Edison.

NEW BUSINESS

A.O-20-21 Staff Memo and Ordinance Directing the Sale of Surplus Property: Public Works Vehicle - 1999 FORD F350 VIN#3FDWF36S6XMA27340 – 77,050 miles (**1st Reading**) – This is a First Read regarding the sale of a Bucket Truck – **No action was taken.**

B.O-20-22 Staff Memo and Ordinance Approving a Special Use Permit to Allow an Adult-Use Cannabis Dispensary Organization at 1434 N. Rand Road, Prospect Heights, IL (**1st Reading**) – City Administrator Wade said that the City had spent six months actively assessing the sale of cannabis after the State legalized it. An Ad Hoc Cannabis Committee was set up to review and make recommendations to the Council about cannabis sales and what part of the City might even be eligible for a dispensary. When the Council passed the Ordinance allowing for a dispensary, their stipulations were much more restrictive than what the Committee had suggested and that the State had said was legal.

Director Peterson said that the City had passed the requirements for the dispensary before 2020. He noted that ALL of the Ad Hoc Cannabis Committee meetings were public. He added that the Committee had looked at proximity to schools and would only allow in certain districts. Only three locations were suggested by the Committee – Rand Road/Milwaukee Avenue/Palatine Road. The recommended distance was 750 feet from a school. The Director said that the requirements fit into the 2014 Economic Development Plan of the City. He said that on December 9, 2019; the City Council voted unanimously to approve the one dispensary at a 3% tax rate.

Director Peterson said that in the ensuing months, the City had received many requests calls for non-permitted uses. All were denied. In April, 2020, applicants from Zen Leaf submitted an application that went through the PZBA, whereby it was approved 6 – 1.

The location is a retail district, in a vacant bank building that was not producing any revenue. This will produce tax revenue.

Zen Leaf's Executive Vice President Anthony Marsico said that he had with him the Urban Planner Adam Rack and Security Firm. Adam Rack said that he was representing Prospect Heights Real Estate LLC – 1434 N Rand Road in the B-2-A district. He said that Zen Leaf has modified its opening hours so that they will not coincide with rush hour or the opening of the high school. The application was based on the Standards for Special Use:

- Establishment maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- The special use will not be injurious to the use and enjoyment of other property in the community for the for the purposes already permitted nor diminish or impair property values in the community.
- The establishment of the special use will not impede the normal and ordinary development and improvement of the of surrounding property for uses permitted in the district.
- Adequate measures have been or will be taken to provide ingress or egress so designed to minimize traffic congestion in public streets.
- Special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the city's council pursuant to the recommendations of the plan/zoning board of appeals.
- The area described in the petition does not lie wholly or partly in a flood plain, as defined by the flood control ordinances of the city or if it does lie wholly or partly within the flood plain, that adequate provisions for damage, runoff control and floodwater retention, as appropriate, have been made.

For the record, Zen Leaf has met all the standards.

Mr. Marisco said that he has been in the business for five years, and is in several states. It was noted that there are many layers of security and crime deterrence. It was noted that compliance is subject to the IDFPR (Illinois Department of Financial and Professional Regulation). As there are only 55 dispensaries in Illinois, each dispensary is under constant scrutiny. It is not like the issues that are arising in California and Colorado where there are thousands of dispensaries.

Security – there is 90-day playback on security footage, dispensaries avoid high crime areas, potential buyers must present credentials just to walk in. the Staff has been trained how to check for ID's and fraudulent ones.

Illinois requires a third party security system – Zen Leaf's security is Silver State and it is run by ex-law enforcements and military.

Mr. Marisco noted that Chief Zawlocki and Alderman Dolick had visited and reviewed the security in the St. Charles facility on June 22, 2020. There is a no loitering policy. Cultivation centers insure that the cannabis is processed in the state of Illinois.

Alderman Ludvigsen said that the City spent a great deal of time on this subject in 2019, and was confident that it had been well-thought out.

Alderman Cameron asked if an adult would be able to walk in with a younger person. Mr. Marsico replied that a younger person would not be allowed access to the building.

Alderman Cameron noted that she had never seen any issues with the medical marijuana facility in Mount Prospect.

Alderman Quinn wanted to know how many employees would be hired and how many per shift. She noted that she was concerned about safety during opening and closing.

Mr. Marisco said that there would be 30/40 full time and part time workers, and during normal business hours there would be 10 employees in the store; and there would never be more than 15.

Ed Farrell of Silver Star said that the law required a third party present at all times for security. It was also stated that there was a preparatory procedure for opening and closing, and there are inventory checks every 30-60 minutes on site. Customers and employees are walked to cars. He added that the facility is not opened or closed until there are sweeps securing the place.

Alderman Dolick said that he was impressed with security at the St. Charles facility and that there was no loitering. He was also satisfied that the hours of operation had been changed so that it did not coincide with school openings and rush hour.

- **First Reading. No action was taken.**

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

George Harris – Prospect Heights resident – said that he was confident that the City had vetted Zen Leaf, but he was worried about the school being nearby. He said that he has experience with young people with addictions. He stated that there was a long term philosophical aspect – he said that while there was much revenue to be made it had to be weighed against having even one person being negatively affected by at the school. He would like to see the store moved further away from the school. He said that this was an ethical question.

Sharon Hoffman – Member of the Ad Hoc Cannabis Committee and Prospect Heights resident – said that she was impressed with Zen Leaf. She also noted that while communities had voted cannabis dispensaries down; several, including Arlington Heights were once again looking to revisit its use. She added that the Zen Leaf had proven it could dispense cannabis safely, and that cannabis was made legal by the State. She noted that while there are cameras everywhere around Zen Leaf; it would be much easier for a teenager to buy illegal cannabis around Hersey HS where cameras did not exist everywhere. She said that she was pleased that the City was setting up a very secure dispensary, rather than have a neighboring community set up a dispensary where our City could not control the restrictions and regulations.

Sebastian Emmanuel – said that he is a social worker, and he believes that the dispensary is an attractive nuisance. He said that marijuana is a gateway drug, and that people who use marijuana are five times more likely to try more powerful drugs. He said that cannabis use in teenagers leads to bad grade and a greater likelihood of suicide. He noted that when grades went down, real estate values went down because the quality of the schools went down.

Daniel Petro – is a resident of Arlington Heights and President of the Wheeling Township Board of Education – he expressed his concern and objection to the dispensary. He said it sends the wrong message to the children. He noted that there are several schools within the vicinity including St. Viator, Hersey HS, and MacArthur Middle School. He said that the school spends a great deal of time teaching the students that drugs are harmful, damage motor skills and have a negative impact on success. He said that having a dispensary sends a contradictory message to the students. He added that cannabis is a gateway drug.

Kris Zerfass – said that she is a member of Link Together Coalition – a group that promotes healthy youth and families by decreasing teen alcohol and drug use.

Jorie Ouimet – was not on the call, but is also a member of Link Together Coalition

Hanna Castleton – Spoke on behalf of the Coalition. She noted that cannabis impaired driving. She also said that she was concerned about the dispensary's location. She said that the location will allow it to be seen by children of all ages. She noted that the names and flavors of the types of cannabis being sold were meant to attract young people, even though the legal age is 21. She said that teens would know how to consume the edible cannabis, and that they would know how to vape it. She said that there was a much higher percentage of PCP in cannabis than in the 1970's.

Mayor Helmer stated that these were all the same type of objection. he said that there were venues selling liquor and cigarettes much closer to the schools, but that people were focusing on cannabis. He added that the cannabis that children are getting would be from the streets – they would not be able to get through the security of the dispensary nor would they be able to afford it.

Lori Naumowicz – She noted that Hersey still has an open campus and allows students off campus during lunch. She said that it was a concern that the students were near to the dispensary. She added that Arlington Heights had voted against the dispensary, and that Mount Prospect did not support recreational cannabis. She expressed concern about the amount of security that was needed, and wanted to know why the dispensary was put so close to schools and main roads. She complained that Zen Leaf did nothing to show that they understood what Zen Leaf was doing to our City. She repeated that the location was too visible. She said that the dispensary sent the wrong message; and she wanted to know what Zen Leaf would do to support and educate the community's youth?

Mayor Helmer asked why she did not have the same concerns about liquor sales, lottery tickets, and vape shops? He said that children that were using marijuana were not getting it from dispensaries; and that it was up to parents to watch and educate their children. He continued that the Police Department was capable of handling the situation. He also said that the traffic study showed that the patterns would not be disruptive, and that the dispensary needed to be in a highly visible area for safety reasons.

Louis – resident of Prospect Heights. Showed support for the dispensary. He believes that it will be great for the City.

C.R-20-18 Commission Memo and Resolution Authorizing the Funding for a Green Regions. Matching Grant for a Pollinator Park at Hillcrest Lake – **Alderman Dolick moved to approve R-20-18 Resolution Authorizing the Funding for a Green Regions. Matching Grant for a Pollinator Park at Hillcrest Lake; seconded by Alderman Quinn. There was unanimous approval.**

ROLL CALL VOTE:

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

Motion carried 5 - 0

OLD BUSINESS - None

DISCUSSION TOPICS FOR THIS MEETING:

A.Home Rule Discussion – Treasurer Tibbits said that he had sent an email to the City Administrator to discuss how to allay the fears of residents about taxes. He asked that the City rescind the old resolution and add a new resolution stating that the City does not contemplate raising taxes, and if the City did want to raise taxes it would be through a binding referendum. He stated that this would prove that the City did not want Home Rule to raise taxes. He said that Home Rule would raise revenue without the need to raise taxes.

Treasurer Tibbits said that there is no Resolution for Home Rule on the Agenda tonight, but he would like to put it on for the July 27th Meeting. **Mayor Helmer requested that the Resolution for Home Rule be put on the July 27, 2020 meeting.**

C.Speed Bump Discussion – City Administrator Wade said that the survey showed that the vast majority of the residents were obeying the speed limits in the monitored areas of Rob Roy. It was not believed that any structural response was needed. It was noted that the Fire Department was against speed bumps due to possible damage to emergency equipment. Public Works Director Roscoe suggested that the City might want to institute a speed bump policy.

Mayor Helmer said that he had been part of a speed bump study with former Prospect Heights Police Chief Dunne. He said that speed bumps get chopped up in the winter with the snow removal trucks and garbage trucks tear them apart. He said that after the study, it was decided to eliminate potholes in the City. He said that speed bumps were a waste of time, and that he was against them.

Alderman Dolick said that speed bumps create more issues than they solve.

Alderman Quinn thanked Police Chief Zawlocki for doing the study in Rob Roy. She noted that technology does change, and that the Council needed to listen to the residents.

City Administrator Wade recommended a Resolution against Speed Bumps.

Alderman Quinn suggested a protocol to do speed studies to track issues.

City Administrator Wade noted that even when they are installed they create conflict.

Director Roscoe said that smaller streets should not even be considered; only cut through streets.

Alderman Morgan-Adams wants the City to have a policy.

Alderman Ludvigsen suggested that also look at Stop Signs, and that the Ordinance be a comprehensive traffic policy.

Mayor Helmer asked that Aldermen Ludvigsen and Morgan-Adams take the lead on the traffic policy.

Alderman Cameron asked if the policy would be for private and City streets or just City streets.

Mayor Helmer said much of the studies on this have already been done. Alderman Cameron noted that there are speed bumps in River Trails, and people ignore them.

APPROVAL OF WARRANTS

A.Approval of Expenditures

General Fund	\$80,188.16
Motor Fuel Tax Fund	\$0.00
Palatine/Milwaukee Tax Increment Financing District	\$1566.08
Tourism District	\$1,417.38

Development Fund	\$0.00
Drug Enforcement Agency Fund	\$0.00
Solid Waste Fund	\$29,570.09
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	\$303.30
Special Service Area #8 – Levee Wall #37	\$7,855.11
Special Service Area-Constr #6 (Water Main)	\$0.00
Special Service Area- Debt #6	\$0.00
Capital Improvements	\$28,383.40
Palatine Road Tax Increment Financing District	\$0.00
Road Construction	\$0.00
Road Construction Debt	\$0.00
Water Fund	\$6,176.25
Parking Fund	\$882.08
Sanitary Sewer Fund	\$31,855.61
<u>Road/Building Bond Escrow</u>	<u>\$29,603.00</u>
TOTAL	\$217,800.46
<u>Wire Payments</u>	
7/03/2020 PAYROLL POSTING	\$163,626.71
6/22/2020 POLICE PENSION FUNDING	\$75,337.40
JUNE ILLINOIS MUNICIPAL RETIREMENT FUND	<u>\$23,145.45</u>
TOTAL WARRANT	\$479,910.02

City Clerk Prisiajniouk rad the warrants

Alderman Morgan-Adams moved to approve the warrants as read; seconded by Alderman Quinn to include a TOTAL of \$217,800.46; 7/03/2020 PAYROLL POSTING of \$163,626.71; 6/22/2020 POLICE PENSION FUNDING of \$75,337.40; JUNE ILLINOIS MUNICIPAL RETIREMENT FUND of \$23,145.45; and a TOTAL WARRANT of \$479,910.02. There was unanimous approval.

ROLL CALL VOTE:

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

Motion carried 5 - 0

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

EXECUTIVE SESSION - None

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT – At 8:16 PM, Alderman Dolick moved to Adjourn; seconded by Alderman Quinn. There was unanimous approval.

ROLL CALL VOTE:

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

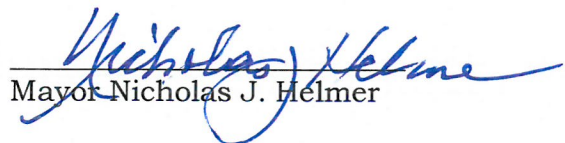
Motion carried 5 - 0

OLD BUSINESS - None

Approved by the City Council of Prospect Heights on this the 27th day of July, 2020.



Deputy Clerk Schultheis



Mayor Nicholas J. Helmer