



**THE CITY COUNCIL TELECONFERENCE MEETING
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
HELD ON MONDAY, JULY 27, 2020 AT 6:30 P.M.**

CALL TO ORDER AND ROLL CALL – At 6:30 PM, Mayor Nicholas J. Helmer called to order the Zoom Teleconference Meeting. Deputy City Clerk Schultheis read the preamble to the Agenda.

City Clerk Prisiajniouk called roll. A quorum was present.

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

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

He asked for a motion to conduct the teleconference meeting

Alderman Morgan-Adams moved to conduct the Zoom Teleconference meeting; seconded by Alderman Dolick. There was unanimous approval.

VOICE VOTE: All Ayes, No Nays.

Motion carried 5 – 0

APPROVAL OF MINUTES

A. July 13, 2020 City Council Workshop Teleconference Minutes – **Alderman Dolick moved to approve the July 13, 2020 City Council Workshop Teleconference Minutes as presented; seconded by Alderman Quinn. There was unanimous approval.**

ROLL CALL VOTE:

AYES -	Quinn, Morgan-Adams, Cameron, Ludvigsen, Dolick
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

A.Chicago Executive Airport Monthly Update Presented by Director William Kearns – Director Kearns that the airport had a busy June. He noted that it was a v-shaped recovery. He said that the operational figures of 2020 matched those of 2019.

- He noted that fuel flowage was off by 32000 gallons.
- he said that the financials are good, and expenses have been kept low. He said that the airport has been keeping cash in the General Fund.
- The RSIP zoned insulation project has garnered more interest. There are now 275 applicants. Some, he stated were residents of Piper Lane. The sound testing will begin in August.
- The Customs Building construction will start this Fall. The first clearance through the new Customs should begin next Spring.
- The Wheeling Fire Department and Prospect Heights Fire District are using Hangar 4 for training.
- there are no major summer construction projects.
- the Joint Meeting of Wheeling/Prospect Heights/CEA is tentatively set for September 16. Details will follow.

Alderman Cameron asked what the hours were for the airplanes to take off and land. Director Kearns replied that there are no limitations on the flying hours. The FAA does not allow restrictions on flying, however, the Tower is not 24 hours

B.June Treasurer's Report Presented by Finance Director Cheri Graefen – Director Graefen said that for the past two months the City has stayed close to Budget, but and the City's tax revenue still looked strong because there is a three month lag.

She noted that the City has not dipped into its reserves yet, but noted that hotel/food/beverages will be hit hard.

Alderman Quinn asked why there was a past due for the Tourism District. Finance Director Graefen explained that the bigger hotels have had a terrible cash flow so there has been no hotel distribution. She said that she was putting together numbers for the Hilton and Crowne Plaza regarding funds that will be coming to the City from the hotels.

Mayor Helmer asked where the money from liquor licenses was recorded. Director Graefen said that it is in the Detailed Revenue Report. The Mayor noted that most of the liquor licenses had been paid – there were only five that were outstanding.

Alderman Ludvigsen inquired as to whether or not hotels submit their taxes in a report, and if we knew their occupancy rates. Director Graefen said that the only reports that have been submitted thus far are for April and May. – **No action was taken.**

C.Recreational Equipment in Front and Side Yards Report by Building and Community Development Director Dan Peterson – Director Peterson said that Code Inspector Porzycki had driven through the City and tallied basketball nets, swings, etc. He said that the City Code was written with an outright ban on recreational equipment in the front yard. In the past this had been a non-issue, but when it was reported to the City; it either had to be enforced or changed. The decision had been to look into amending the Code to allow portable nets and goals, tire swings in trees, basketball hoops. His Department had asked other communities how they handle the same issue, and found that most do not even address the issue. There was a need to make certain that basketball hoops were set far enough back off the street. The Staff was seeking the Council's direction.

Alderman Ludvigsen asked if the Ordinance amendment would be written that the City "may" enforce the Code? Director Peterson said that currently the code was written so it "must" be enforced; the Staff was looking for the leeway to allow uses that are not a problem. The Staff would like to grandfather in the existing portable structures as legal, non-conforming.

Director Peterson said that he would submit an application for the code amendment to the PZBA.

Alderman Morgan-Adams – Said that last week, Governor Pritzker paid attention to the request of the local Cook County suburbs, and the decision is to keep the Cook County suburbs from being lumped into the same restrictions as Chicago.

City Clerk Prisiajouiouk said that she is working with Staff to provide a link to the businesses via the website. The businesses will be categorized and there will be a search option. She added that there are many businesses that had addresses in other municipalities that were actually under Prospect Heights jurisdiction.

- The Clerk discussed the property tax rebate – she said if there were questions, one should contact Michael Richards at 312-603-5542.

Treasurer Tibbits – asked residents to remember to provide census information.

City Administrator Wade – the first meeting in August is typically cancelled, but it will be needed as a special meeting, and the August 24th meeting can be cancelled. He asked for direction from the Council. Attorney O'Driscoll noted that there is decision regarding Crown Castle that has a deadline that will need to be addressed before the scheduled August 24th meeting.

All Aldermen were in favor of an August 10th Special meeting, and a cancellation of the August 24th meeting.

Public Works Director Roscoe – said that progress has been made in the Kennilworth routing project.

Director of Building and Development Peterson – noted that the construction on Prospect Heights Plaza is moving along. They have a tenant – Garfield's Liquor – the formal application will be on the Agenda.

- There is an interest in having sports betting at Hawthorne in Players Pub
- The PZBA approved 5 – 0 for the new restaurant – Park Local –where Nikko's used to be.
There will be an Ordinance upcoming.

Assistant City Administrator Falcone – the September 12 Census Block Party has been cancelled because of the Covid-19 risks. However, there will be scheduled, smaller events with the Library and Park District such as drive-in movies and concerts, and a possible art contest. City Administrator Wade noted that there had been a great deal of help and cooperation from the Library and Park District. Assistant City Administrator Falcone said that the events and promotional items were through the generosity of the Cook County Census Outreach grant.

Mayor Helmer – said that he would like to see Players Pub and Hawthorne sports wagering completed as quickly as possible. Director Peterson said that if the normal PZBA route were followed, the sports wagering would not be heard until August 27, and would not get to Council until the September 14th meeting. He noted that Hawthorne had asked to start their sports wagering in August. The Mayor added that their deadline to start was August 18. Attorney O'Driscoll said that the City would have to review options that it had to accommodate that deadline. Mayor Helmer stated that it would be a "fairly simple" text amendment. Director Peterson agreed that it was a straightforward text amendment but that it required a public hearing

OLD 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 (**2nd Reading**) – **Alderman Morgan-Adams moved to approve O-20-21 Ordinance Directing the Sale of Surplus Property:**

Public Works Vehicle - 1999 FORD F350 VIN#3FDWF36S6XMA27340 – 77,050 miles; seconded by Alderman Dolick. There was unanimous approval.

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

Motion carried 5- 0

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 (2nd Reading) – Alderman Morgan-Adams moved to Approve O-20-22 Ordinance Approving a Special Use Permit to Allow an Adult-Use Cannabis Dispensary Organization at 1434 N. Rand Road, Prospect Heights, IL; seconded by Alderman Dolick. There was unanimous approval.

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

Motion carried 5- 0

NEW BUSINESS

A.R-20-19 Staff Memo and Resolution Rescinding Resolution R-20-17 (Resolution Authorizing Home Rule Referendum to be Placed on November 6th Ballot) – It was noted the Aldermen Dolick and Ludvigsen had sponsored the Resolution in light of the ongoing Covid crisis and restrictions on gatherings. Alderman Dolick thanked Treasurer Tibbits for his efforts to date but noted that the Census and the pandemic made for bad timing for this important issue. Alderman Dolick moved to approve R-20-19 Resolution Rescinding Resolution R-20-17 (Resolution Authorizing Home Rule Referendum to be Placed on November 6th Ballot); seconded by Alderman Ludvigsen. There was unanimous approval.

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

Motion carried 5- 0

B.O-20-23 Staff Memo and Ordinance Granting a Special Use for the Property Located at 10 E. Camp McDonald Road (Crown Castle LLC –PZBA #20-02SU: “mono-pine” design) (1st Reading)

C.O-20-23 Staff Memo and Ordinance Granting a Special Use for the Property Located at 10 E. Camp McDonald Road (Crown Castle LLC –PZBA #20-02SU: “mono-pole” design) (1st Reading) – Karl Camillucci of Taft Stettinius & Hollister spoke on behalf of Crown Castle. Director Peterson added that there was no height relief variation that was needed. He said that the PZBA was not supportive of the monopole or monopine. Mr. Camillucci’s presentation concluded with a request for approval as he said the site was compliant, zoned for a tower, leased land, not in a flood plain, met all of the special use requirements and design options had been provided.

Alderman Ludvigsen asked what type of majority was needed to overturn a PZBA recommendation. Attorney O’Driscoll said that a simple majority of 3 of the five was needed.

Mr. Camillucci noted the history of the request for the monopole (which was first files in March, 2019). He said that the first hearing were in April and May. 2019 and that Crown Castle had redesigned their monopole in response to the hearings (January 23, 2020). He said that the request was then sent back to the PZBA, and reheard on July 23, 2020. He added that Crown Castle was willing to build either option – monopole or monopine. He stated that Engineers had verified that there were coverage gaps and that the location was the only viable one.

Alderman Ludvigsen asked when Crown castle had looked at other locations? Mr. Camillucci said that in the Spring, there was a search to find other locations, but there was not a match. Crown testified that it had tried to locate other locations.

Alderman Ludvigsen asked if there was verification that other sites were explored fully? Mr. Camillucci responded that other sites were found not to be viable. Alderman Ludvigsen asked for Crown Castle's definition of residential as they claimed not to put their towers in residential areas? Mr. Camillucci replied that they do not put towers on residential property, only within commercial property, as is the case with the proposed tower location. He noted that all other possible locations were zoned R-1.

Alderman Ludvigsen asked who Mr. Camillucci's client was – Crown Castle or the carrier? He replied that he represents Crown Castle, as they own the tower.

Alderman Ludvigsen asked if the FCC regulations applied to property owners, too? Or, is it just carriers? The response was that the FCC rulings under the telecommunications Act applies to the carriers and the authority of the location. And it limits the authorities' ability to regulate those locations.

Alderman Ludvigsen asked if the possibility of another tower could be eliminated by collocating the carriers? Mr. Camillucci said that it does not eliminate the possibility of another tower but it limits the impact when there are multiple carriers on one tower. Alderman Ludvigsen asked if he meant that it was possible that another pole would be placed around there because Mr. Camillucci had stated that there were no other locations but this spot that were viable? Mr. Camillucci responded that no other property owners were willing to allow a tower on their location. He said that there might be future interest by property owners if it were needed. Alderman Ludvigsen asked if the lack of an agreement with other property owners was financial or due to engineering? Mr. Camillucci said that he did not know the underlying reasons no agreement was reached. Alderman Ludvigsen insisted that he would have to know the reasons, as he was in on those conversations. Mr. Camillucci affirmed that he was not involved in the conversations with other property owners. Alderman asked if there was a financial reason why there would be three carriers on this tower? Mr. Camillucci replied that he was not able to answer because he was not familiar with the rents. He noted that he was a land use counselor not the carriers' attorney. It was added that the City's zoning code required three antennae per pole

Alderman Ludvigsen asked what assurances the City had that bad weather would not cause one of the 12 x 12 panels to fall off and hit a house. Mr. Camillucci said that natural disasters do not have guarantees, and assured him that the arrays will be to code.

Alderman Morgan-Adams asked why the towers are not smaller? Mr. Camilucci replied that there needs to be space on the pole for the antennae arrays, and noted that the heights were calculated by engineers. Director Peterson said that the Fire District Chief Smith and Deputy Chief Jones had testified at the PZBA hearing in January and last April, 2019 that the 110-foot pole is the required height that the Fire District needs to operate their radios. Mayor Helmer said that the Fire District had a vested interest in tower because the Fire District would be compensated for the tower. He said that he and the former Tressler attorney had looked into having the tower put on City property seven or eight years back, but the Fire District wanted to keep the tower on their property to keep the money.

Alderman Quinn asked about FCC radiation emissions – she asked if that increased by adding carriers? Mr. Camillucci said that the FCC data applies to each antenna and multiple arrays. Alderman Quinn's follow up question was that it was one cell now, did three cells triple the emissions? Mr. Camillucci said that the new antennae will be of a different type but all at safe levels.

Alderman Quinn asked if it would be possible to see documentation as to the other locations?

Mr. Camillucci said that the public hearing record was opened and closed. He added that he would check with Crown Castle, but that some of the contact was via phone calls.

Alderman Morgan-Adams asked if there was any research regarding what these towers did to property values? Mr. Camillucci said he did not know of any studies, but that the tower was going where it was now and has been since the Nineties. Mayor Helmer said that a 110 tower fifty feet from a house would affect the sale price. Mr. Camillucci replied that there was already a 112-foot pole 50 feet from that same house.

Mayor Helmer asked if the City would be sued if it did not approve the tower? Mr. Camillucci said Crown Castle would like the approval of the Board and felt that they had tried to comply with the wishes of the City and the residents, and added that disapproval would be a violation of the law. Alderman Ludvigsen asked how a 110 tower and three arrays was compliance as it was no different from the original application. Mr. Camillucci said that the initial request was for a 115-foot tower and lightning rods. Crown redesigned the tower lower.

Alderman Ludvigsen said that he is concerned that the tower is being designed to accommodate more clients. Mr. Camillucci disagreed, and said that the interest was to cover the current services gap.

Crown castle Real Estate Project Manager Travis Schank said that there had been some negotiations with on the corner across from the current location, but it was not zoned to allow the tower nor leasable. He noted that the current tower was originally built by Sprint. But having the tower owned by Crown Castle allowed for collocation of carriers.

Attorney O'Driscoll said that the vote will take place at the next meeting.

Mr. Scott Lehor – 90E Clarendon – said that he had not been aware of the discussion at this meeting, and thought that the next discussion would be on August 10. Director Peterson said that Mr. Lehor's presentation was part of the documentation that the City Council had. He said that there was a worry about the property values. He also said that the Fire District was no longer on the Zoom Meetings.

Mrs. Amy Lee Lehor – 90 E Clarendon – said that the special use is for a concealed, stealth pole, not what is being suggested by Crown Castle. She said that there is also a concern about the girth of the pole. She noted that the cell tower will only bring about \$18,000 per year.

The Mayor made final comments regarding his disappointment with the lack of other sites for the tower. – **No action was taken**

DISCUSSION TOPICS FOR NEXT WORKSHOP MEETING:

- A.**Home Rule Discussion
- B.**Traffic Safety Policy and Procedures Discussion

APPROVAL OF WARRANTS

A.Approval of Expenditures

General Fund	\$95,988.69
Motor Fuel Tax Fund	\$0.00

Palatine/Milwaukee Tax Increment Financing District	\$673.08
Tourism District	\$3,270.67
Development Fund	\$0.00
Drug Enforcement Agency Fund	\$8,905.30
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	\$34,917.22
Palatine Road Tax Increment Financing District	\$673.08
Road Construction	\$0.00
Road Construction Debt	\$0.00
Water Fund	\$30,513.25
Parking Fund	\$0.00
Sanitary Sewer Fund	\$5,160.69
<u>Road/Building Bond Escrow</u>	<u>\$6,675.10</u>
TOTAL	\$186,777.08
<u>Wire Payments</u>	
7/17/2020 PAYROLL POSTING	\$206,317.17
7/20/2020 POLICE PENSION FUNDING	<u>\$81,421.60</u>
TOTAL WARRANT	\$474,515.85

City Clerk Prisiajniouk read the warrants

Alderman Dolick moved to approve the warrants as presented; seconded by Alderman Quinn to include a TOTAL of \$186,777.08; 7/1/2020 PAYROLL POSTING of \$206,317.17; 7/20/2020 POLICE PENSION FUNDING of \$81,421.60; and a TOTAL WARRANT of \$474,515.85. There was unanimous approval.

ROLL CALL VOTE:

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

Motion carried 5- 0

PUBLIC COMMENT ON NON-AGENDA MATTERS (Five Minute Time Limit) – City Clerk Prisiajniouk asked if Hawthorne was a new location. Mayor Helmer responded that it is part of Players Pub. He added that they would like to add betting on football and other sports, and that this will also mean more revenue for the City – **No action was taken.**

EXECUTIVE SESSION

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT – At 9:01 PM, Alderman Morgan-Adams moved to Adjourn; seconded by Alderman Quinn. There was unanimous approval.

ROLL CALL VOTE:

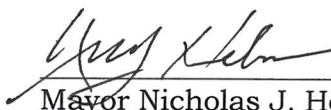
AYES -	Dolick, Morgan-Adams, Ludvigsen, Quinn, Cameron
NAYS -	None
ABSENT -	None

Motion carried 5- 0

Approved by the City Council of Prospect Heights on this the 10th day of August, 2020.



Deputy Clerk Schultheis



Mayor Nicholas J. Helmer

