



**THE CITY COUNCIL REGULAR TELECONFERENCE MEETING MINUTES**  
**OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS**  
**HELD ON WEDNESDAY, SEPTEMBER 30, 2020 AT 6:30 P.M.**

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

City Clerk Prisiajniouk called roll. A quorum was present.

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

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

**Mayor Helmer called for a Moment of Silence in honor of the victims of COVID-19.**

**APPROVAL OF MINUTES**

**A.**September 14, 2020 Workshop Regular Meeting Teleconference Minutes – **Alderman Dolick moved to approve the September 14, 2020 Regular Workshop Meeting Teleconference Minutes as presented; seconded by Alderman Morgan-Adams. There was unanimous approval.**

**ROLL CALL VOTE:**

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

Motion carried 5 – 0

**APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS** - None

**PUBLIC COMMENT ON AGENDA MATTERS (*Five Minute Time Limit*)** – Mayor Helmer said that Public Comment would be saved until after each Agenda Item.

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

**A.**August Treasurer's Report Presented by Finance Director Cheri Graefen – Finance Director Graefen said that we are 34% into the new fiscal year, and revenues are showing that they are 37%. So the City is still on target with its revenues. However, in September, the City realized lower tax revenue.

Police Chief Zawlocki – noted that on Sunday, September 27, the Police Department gave a test looking to create a new police candidate list. There were 44 applicants that took the test.

- On Saturday, October 3, there will be a Sergeant's Test given at City Hall.

Mayor Helmer asked for an update on the fatal crash by the Airport. Chief Zawlocki said that the accident was in Wheeling, though it had been reported in the news as Prospect Heights. He said that a box truck had collided with another box truck and that two were deceased.

Public Works Director Roscoe – said that Public Works had wrapped up its summer projects, and were into the Fall and Winter projects.

- He noted that Public Works was operating within its budget.

Director of Building and Development Peterson – stated that he has finished the plan reviews for Prospect Heights Public Library remodeling. He said that the Library will be closed for several months, as this is a major remodeling project.

- It was noted that IDOT has agreed to issue the permits to allow NICOR to run a new gas line to Fry the Coop within the next 3-4 weeks.

- Zen Leaf has its final inspection.

Mayor Helmer said that the River Trails Library might not be open to Prospect Heights residents during the time the PHPL is closed. Director Peterson said that he was not aware of that restriction.

Alderman Quinn – thanked the Census participants, especially the City Staff and the social workers. She noted that Assistant City Administrator Falcone had coordinated the Census events. It was noted that our region is 90% complete.

Alderman Morgan-Adams – asked if the City was going to extend through October, the census sign up?

Assistant City Administrator Falcone said that the latest information that he has from the Census is that things will be wrapping up on October 5. He noted that the City was still accepting resident participants.

City Clerk Prisiajnuok – said that the census information would offer language assistance and flyers.

- She said that the Wheeling Chamber is still a work in progress, and currently Northbrook has invited Prospect Heights businesses to attend their activities.

City Administrator Wade – Said that the Prospect Heights Library has requested to use the lobby of City Hall for a few Saturdays to offer passport service. This will only be while the Library is under construction. They would need the City lobby for 4-6 hours. Staff believes that it can handle this safely.

Mayor Helmer suggested that the Library must meet in the lower level and not in the lobby. City Administrator Wade said that the lobby is preferred because of the need for electricity and lighting.

**The unanimous consensus of the Aldermen was to allow the Library to use the City Hall lobby on the necessary Saturdays to handle its passport operations while the Library is under construction.**

City Administrator Wade said that the Illinois Department of Health released Halloween guidelines today. He asked the Council members if the City would permit Trick or Treating between the hours of 2 – 7 PM on Saturday, October 31. Trick or Treaters must abide by IDPH and City guidelines. Alderman Morgan-Adams said that she was in favor of Trick or Treaters, but that residents might want to put signs on their door letting children know whether or not they wanted the Trick or Treaters.

Alderman Quinn suggested that homes that wanted Trick or Treaters leave their lights on, so parents do not allow their children to approach homes where the residents are not going to come to the door.

Alderman Dolcik said that he was fine with keeping the Halloween tradition.

It was also noted that there will be a Sunflower Art display around Hillside Lake on October 10-21, and Spookfest at the Park District on October 17. The scarecrow artwork will have a City entry. Alderman Morgan-Adams said that families should not rely on the lights being on as a welcoming sign because it will be dark out and people might just have their lights on because of the hour.

City Administrator Wade said that the local census representative and the regional census representative, along with Assistant City Administrator Falcone, as well as the social workers Rebeca Rosario and Casey Fuit that were hired to assist were able to produce results that showed 5% more participation than in the 2010 census. He also noted that Assistant City Administrator Falcone was able to create a series of events to successfully expend the \$25000 in grant money to promote the census.

Assistant City Administrator Falcone – said that the City was 5% above the 2010 census and that the City had a good turnout for the census across the boards – The east side of the City and the west side. He said that there were three September events – on the 18<sup>th</sup> the “Movie in the Park” in River Trails, the 19<sup>th</sup> there was the showing of “Grease” in a drive-in style fashion at Prospect Heights park District; and the 20<sup>th</sup> was a Concert in the Park with 125 participants. He thanked Cook County for the grant.

## **OLD BUSINESS**

**A.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) (**2nd Reading**) – Crown Castle Attorney Karl Camillucci of Taft Stettinius and Hollister offered the design alternatives to meet the request of Council and residents. He said that that Council had wanted a canister design to enclose the antennae; and to use the existing pole and not a replacement pole. He noted that Crown Castle had explored the possibilities and the new design presented incorporated into it the requests. The design does use the existing pole and hardens it to support the additional weight. The canister design encloses the additional facilities, and the height and dimensions will remain about the same as the existing pole. He added that the previous designs were better for Crown Castle for network demands. The new design was to address the concerns of the residents and the Council.

Alderman Quinn asked if the top of the canister was solid? Attorney Camillucci said that it was solid and that it was the size needed to enclose the wireless mechanisms, but he was not certain that it was capped on the top.

Travis Schenk – the Network real estate manager for Crown Castle – said that he believed that the canister was capped. He noted that it was designed to keep out weather and animals.

Alderman Quinn asked if the color of the canister could be changed from white to blue to blend in with the sky. Travis Schenk – the Network real estate manager for Crown Castle said that the color chosen was based on the studies that looked into the color that best matched the sky in the region that the structure was located. He said that the color could be changed but that the color they chose (which was actually not considered to be white) was the color that matched this region.

**PUBLIC COMMENT** - Resident Scott Lehor of 9 E Clarendon –noted that it had been a long process but had produced positive results. He thanked Director Peterson, the mayor, City Attorney O’Driscoll, Alderman Ludvigsen, and Crown Castle in appreciation of their responsiveness to the community. He asked if it were possible to construct a 102’ tower with a ten-foot antenna, instead of a 112’ tower? Attorney Camillucci stated that it would be difficult to do because the antenna needs the 112’ so that it does not pick up interference, and the entire structure’s height and space is needed for the three carriers.

Mr. Lehor said that instead of the light blue suggested by Alderman Quinn, he would rather have the color that Crown Castle selected that would go with the region.

Mr. Lehor also asked if the generator would be loud. Travis Schenk replied that they are designed with low decibel technology, and they do not run on a daily basis. They run on emergency basis and for tests only.

Mr. Lehor asked if there was going to be any additional lighting. Attorney Camillucci said “no.” – **This version of the Ordinance was not approved.**

**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-pole” design) (2nd Reading) – Alderman Ludvigsen moved to approve O-20-23 Ordinance Granting a Special Use for the Property Located at 10 E. Camp McDonald Road (Crown Castle LLC, PZBA 20-02SU) monopole design with the following conditions – 1) use of the current pole with some hardening, 2) the antennae are enclosed in a canister style design as referenced on the preliminary drawings tag revision number 11 dated 9/20 3) the measurements and layout will be substantially similar to the preliminary drawings, and 4) the final design and construction shall remain entirely in the footprint the lease property; seconded by Alderman Dolick.**

Discussion followed – Alderman Morgan-Adams asked if the canister was see-through. Travis Schenk said that it was not see-through but it does allow wind to travel through.

**There was unanimous approval.**

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

Motion carried 5- 0

## **NEW BUSINESS**

**A.O-20-37 Staff Memo, Finding of Facts, and Ordinance Granting a Map Amendment, Special Use, PUD and Plat of Subdivision to Lexington Homes 1001 and 999 Oak Avenue (1st Reading) – City Administrator Wade said that this was a first read and there would be no vote at this meeting. Director Peterson gave the background of the property, and said that the plan was to build 69 townhomes – the 5.23 acre property has been vacant for 4 years, and Lexington Homes is offering drainage improvement, a community well, a land swap with the Park District, fire hydrants, as well as other improvements. There were three conditions related to the PUD. The PZBA recommended approval of the following:**

- rezoning from R-1 to R-2 (recommended 6 – 0)
- a special use to allow a PUD (recommended 6 – 0)
- Approved in part and denied in part the conditions of the PUD. They approved the west deviation of the standards to allow a 20’ setback; they did grant building separations between the units from 23’ to 24’. They denied in part the yard separation along the north property line. By PUD standards it is 50’, but by R-2 standards it’s 20’ but the applicant is proposing 25’
- they did approve the preliminary plan, which was amended by the applicant showing that they did not need the east property deviation from the standard.

It was noted that there had been a traffic study. Tree removal, tree preservation and landscaping had been addressed. There was a full engineering study. A water source had been identified for a community well.

Director Peterson said that there had been 58 disapproving emails from 45 residents, as well as 20 residents who had made oral comments against.

It was also noted that part of the PZBA approval was preliminary

Nate Wynsma – VP of Lexington Homes – Gave a presentation for the 69 units. A large stormwater management area and redevelopment of Muir Park. Key elements in the design of the community

are the property line, the influence of Lexington Homes on surrounding properties and the influence of surrounding properties. The west side property line is parking spaces. The south is Muir Park. To the east is Single family neighborhood. Little vegetation or fence lines. That would be an impact to those properties if something were built. Buildings 5 and 6 would have an enhanced approach. On the north side, it is heavily vegetated. The grade of the Lexington Development will be even with the adjoining properties. Ends of buildings will face north property line. Focus of comments from public were related to north line.

He discussed proposed enhancements including the proposed enhancements to architecture in the buildings that face north. The lower level is brick, and the living level is bay windows and the third level is shuddered – Buildings 1 – 4.

These are two car garage townhomes set to cost in the low to mid \$300,000 price range – 1700 - 1900 sq ft.

Luay Alboona – KLOA – did the traffic study. He stated that the project would have little effect on the level of service in traffic. He said that the streets can support additional traffic. He conducted a trip generation analysis – which is a breakdown of peak hour traffic study. He stated that the school that had been there generated more traffic.

Sharon Dixon – Dixon Design Studio - Landscape architect – She prepared the landscape plan. She said that there would be an entrance monument at the intersection of Drake Terrace and Oak. She said there was the proposed use of native grasses and flowers. She said that the proposal was to have the foundations of the buildings landscaped on three sides. She said that there will be open courtyard areas. She said that they paid special sensitivity to the neighbors to the north and east in regards to existing trees and landscape. There will be six feet high fences and landscaping on both side of the fence to separate the single family homes and screened out headlight. There would be fences on oak Avenue to screen out headlights. On the east border there would fencing and larger canopy trees.

Alderman Cameron said that the area only has one way in and one way out – she wanted to know if the traffic study was done during a busy time of day? What times? Mr. Alboona replied that the study was done during peak traffic hours from 6 – 9 AM and from 4 PM - 7PM.

Alderman Cameron asked if there would be sidewalks? Mr. Wynsma noted that everywhere on the design renderings were there gray or white lines was a proposed sidewalk, and the path encompasses the entire park.

Alderman Quinn asked the traffic study date. Mr. Alboona replied – February, 2020.

Alderman Quinn said that given that there were going to be 69 units, there were probably going to be more than the 26 cars [that Mr. Alboona had said was the average traffic pattern during peak times]. Mr. Alboona responded that the study showed there were 26 cars in one hour, not the entire day. He added that not everyone would be on the streets at the same time.

Alderman Quinn asked what were the highest traffic hours? Mr. Alboona said 7:15 AM - 8:15 AM – there were 26 cars during that hour. He added that the analysis showed that traffic would not be an issue.

Alderman Quinn said that four buildings that abutted up to single family homes. She said that they appeared to have alleys and she wanted to know how the headlights would be blocked out? She said that there were no roadways. Mr. Wynsma said that the grades of the motor courts would be even to the single family home backyards, and they will be fenced and landscaped.

Alderman Quinn asked if the fencing was continuous. Mr. Wynsma said that the fence was in three sections and heavily landscaped. He said that there would be evergreens 7-8 feet tall when planted and crabtrees that are 6-8 feet tall. Ms. Dixon said that at installation there would be deciduous trees about 15 feet tall. The trees would be placed in the most advantageous spots to screen at installation.

Alderman Quinn asked if Lexington Homes had engaged the neighborhood outside of the PZBA? Mr. Wynsma said that there had been a neighborhood meeting regarding the property, and there

had been a large showing of neighbors. He added that the neighborhood had been shown the Lexington Homes plan. Alderman Quinn asked how many attended? Mr. Wynsma said between 50-80.

Alderman Quinn asked about the plan to have only 61 units? Mr. Wynsma replied that 61 units was the number if the Park District was not involved.

Alderman Morgan-Adams said that she was comfortable with the traffic study. She noted that the Fire Department had approved the road scheme. She added that if the Lexington Homes plan were approved, they would be planting "real" trees. She noted that drainage issues would be improved, and that fire hydrants would be installed in the single family area as well. She said that sidewalks would be put in and the community will have its own water supply. She said that she was worried that there were only 40 guest parking spaces. She asked if Lexington Homes would extend the amount of spaces? Mr. Wynsma said that there will be twenty-six parking spaces maintained by the association. There will be 40 guest spots north of Buildings 9-10-11-12. The Park district will have athletic uses for the area. The parking area can be changed if needed.

Alderman Morgan-Adams asked what sort of stormwater drainage would be done? Todd Schaeffer of Haeger Engineering said that the eastern third of the park district site is a stormwater detention basin. That was a joint venture between the Wheeling and Prospect heights park districts. All stormwater goes easterly. The proposed basin would handle a 100-year event. The proposal is to provide stormwater management and maintain storage volume.

Alderman Morgan-Adams asked about construction and that might create road damage and safety issues. Mr. Wynsma said that there would be surety bonds that would cover protection of the site. Protocols would be maintained regarding materials, debris, soil erosion control, there would be resurfacing for a portion of Elmhurst Road and Drake. Director Peterson added that the construction plan is in place, and there would have to approval as Elmhurst Road is state and county road. The City would look at the construction impact and there would be road bonds.

Alderman Morgan-Adams asked if there would be pollution because of the massive grading project. Mr. Wynsma said that they would demolish the existing structure and remove the asbestos. The grading would be a 2-3 week project. Director Peterson said that the developer must install erosion control protection.

Alderman Morgan-Adams asked for explanation of the process with the deep well. Mr. Wynsma replied that there would be two wells for a redundant system. The Pump House would be near Oak Avenue. There will be a hydrological study for quality and volume of water. There would need to be approval from the EPA. Alderman Morgan-Adams noted that Lexington Homes had built the well in Rob Roy.

Alderman Morgan-Adams asked how long this process would take. The reply was 2 ½ to 3 years.

Alderman Morgan-Adams asked what the length of time that residents would be inconvenienced by construction. Mr. Wynsma said 4 – 6 months.

Alderman Ludvigsen noted that this was not the first time that the Council was hearing the scope of the project. He said that the Aldermen had met with Lexington Homes individually. He stated that this was not an either or case. It was not only a decision to either allow Lexington Homes in or allow nothing in. he said that this was a decision about what type of project should go in.

Alderman Ludvigsen asked how a school was able to go in an area that is currently R-1. Director Peterson replied that the original elementary school predated the City. He noted that the area is R-1 with permitted use for a school. Alderman Ludvigsen asked if a preschool could go there? Director Peterson said theoretically yes. He noted that nothing would have to change if a school wanted to take the spot. They would have to come to Council to renew the current spot. Schools or churches could go in the permitted use.

Alderman Ludvigsen said that \$20 million of value would be added to this property if Lexington Homes goes through. He said that Lexington Homes is looking to add landscaping and trees and

other value. Would a school or church need to add any landscaping. Director Peterson said they would not have to improve anything.

Alderman Ludvigsen asked if this was going in as a rental unit. Director Peterson stated that the applicant testified that this would be built as owner occupied, and the declarations and covenants for the HOA were to follow in the same.

Alderman Ludvigsen said that it is not a new concept for the City to approve developments operating with a deep well. He cited examples of the other developments in the City. Director Peterson agreed. He said that Aspired Living operates with two wells, much like what is being proposed here. They have been able to prove that there is water in the area. That is a must before permits are issued to continue.

Alderman Ludvigsen discussed the issue of tree removal. He noted that the area where the trees are being removed do not have very large trees, nor are they desirable growth. Lexington is proposing to upgrade the landscaping. He added that the existing lot line to the north is a zero lot line – this will be improved by the development.

Alderman Ludvigsen asked if Lexington intends to build out regardless of sales. Nate Wynsma replied that they will presell. They will hold off on development until the building is half sold, and then they will begin construction. He added that the first six to seven buildings will go in quickly.

Alderman Dolick said that he was concerned about in and out traffic on Oak Avenue. He wanted to know if this had been reviewed and approved by the Fire District and the Police Department for emergency vehicles. Director Peterson stated that the Fire District had approved the street as being safe for a fire truck's turning radius, and approved the hydrants.

Alderman Dolick asked if there were engineering standards in place for the wells that were being drilled. Director Peterson answered that the engineering standards would be addressed.

#### **PUBLIC COMMENT –**

Hilary Ann Feldman – 860 Tanglewood Drive – said that she had sent a statement to Council. She had requested that her letter be kept as part of the public record. She said that she was disturbed at the consideration of such a large development that did not benefit the local residents. She noted that there is already bad flooding in the area, and the project might exacerbate that. She noted that she is a nature lover and hates to see the open lands be taken away – she said that there are already healthy, mature trees there. She said that Lexington Homes claim that the walking path would be the same is incorrect because the open lands would be replaced with a development. She said that they did not want to be Wheeling – they did not want 69 homes “jammed” into a park. She said that the residents had hired an attorney to fight the project.

Paul Gebert – 1105 Drake – said that he had requested that his email be kept part of the public record. He said that this was a high density development. He noted that 60-100 residents had addressed the PZBA to let them know of their discontent with the project. He said that Lexington Homes had not positively answered how the development benefits those who already live there. He said that an R-2 status did not fit into an R-1 neighborhood. He added that the development would negatively affect property values. He said that the PZBA did not take into account any of the comments by the residents. He said that the wetlands would be destroyed and that 200 trees would be shut down.

James Piccuch – 13 Prospect Drive – had requested to speak at the meeting, but his wife said that he was no longer available to comment.

Steve Drake – 7 Prospect Drive – Asked why Council would think it was acceptable to ignore the unanimous objections of residents to the project? He asked that the Council not support the decision of the PZBA because the PZBA commissioners had said that they were afraid of being sued and that is why they voted in favor of the development. He added that the behavior of the PZBA commissioners should be investigated. He said that considering the COVID situation and the lack of ability for people to gather, the project should be delayed. He said he still needed to see detailed information as to how this project benefitted the residents surrounding the project. He quoted

Mayor Helmer at the August 10, 2020 City Council Workshop regarding Crown Castle project as saying, “don’t alienate residents.” Mr. Drake added that the KLOA expert’s report had a “glaring omission.” It did not provide pedestrian studies. Mr. Drake said that the study was done for a one hour period on February 6, 2020. He said that the community would take legal action if this project were approved.

Greg Buchberger – 1100 Honeysuckle Drive – he said that he had sent an email to Council. he lives on the eastern border of the proposed development. He said that Lexington Homes should not be adjacent to single family homes on three sides.

Irwin Sing – 108 Eleanor Drive – Said that no one is listening to the residents. He quoted Alderman Morgan-Adams in her campaign promise “if elected, I will work for our residents.” He said that the campaign promise was not being kept because they wanted her to oppose the development.

Marilyn Breden – 1010 Prospect Drive – said that there is no left turn out of Oak Avenue. She wanted to know if that would be changed. Mayor Helmer replied that this was not the forum for that discussion, and suggested that she speak Director of Building and Development Peterson.

Asad Ali Khan – 114 Eleanor Drive – said that the area should be kept to ½ acre lots, and not converted to townhomes. He opposes the Lexington Homes development.

Lenny Asaro – Attorney from Dinmore and Shohl – said he was representing certain residents opposed to the development. He said that the Council would be voting on this project without confidence, and that it was a “contravention” of the City’s Comprehensive Plan. He said that there had been no application made to amend the comprehensive plan, so this project would be setting a precedent as the use was not consistent with the comprehensive plan. He said that if the City approved the development without the confidence that the applicant’s development would not have any evidence except for the applicant’s testimony that it would not have a negative impact on the surrounding community. He said that he had attended the PZBA meetings and there was minimal effort to comply with the Open Meetings Act. He added that the City Council Meetings did not clearly show who was actually listening on the Zoom teleconference. He believed that the spirit and the intent of the Open Meetings Act was not being met because the aldermen were not on the video the entire time. If approval is granted for this development, he intends to bring this up as a legal issue.

Mayor Helmer told the attorney that he should contact the City Attorney. He suggested getting the City Attorney’s number from Deputy Clerk Schultheis.

Alderman Ludvigsen replied that he had never heard an attorney make this type of argument before regarding a lack of attendance in the meeting. Alderman Ludvigsen commented to the residents who claimed that there was no traffic when the property was a school because the kids took the bus – he noted that most children are driven to school. Parents drop their children off at school creating traffic jams during drop off and pick up times near any school.

Alderman Ludvigsen related how the residents around Crown Castle initially fought the development, but there were meetings and the residents’ concerns were heard and there was a good conclusion as both sides were able to have their needs met. He believes that it is possible to do the same with Lexington Homes.

Mayor Helmer asked to move on. Mr. John Albrecht and Kevin Lynch asked to speak. Attorney Tom Burney asked for a five-minute recess, which was granted.

John Albrecht – Said he did not understand how the Council could allow Lexington 69 units in an area that cannot support it without zoning changes and variances. He said that they are so close together they don’t have room for driveways. He asked to leave John Muir Park alone.

Alderman Ludvigsen asked for a point or order, and wanted to know if the Mayor was still on the Zoom call. He responded that he was still on.

Kevin Lynch - 680 W Highgoal, Wheeling – said the development diminishes the value of the surrounding properties, and it creates hardship. He said that the property did not meet the LaSalle Sinclair Act regarding the need to rezone. He said that it violated the factors of that Act. He also stated that the City never put the property on the open market. He said the Comprehensive Plan of 2014 called for the City to focus on purchasing future park lands. He said that the City’s plan called to acquire more park land. He said the Lexington Homes was a negative impact because of traffic, stormwater impact, and long term threat to well water, and danger to high school students having to walk on a narrow street with no sidewalks. He said that there was pressure being put on the City to abandon the Comprehensive Plan.

Janet Albrecht – 606 Equestrian Drive – her home overlooks Muir Park. Up until this meeting, the residents have felt that the elected officials have not listened to them. She said that there are no heritage trees at Muir Park, but there are trees there with value. She said that nature is restorative. She wants the residents’ voices to be taken into serious consideration. She said that Lexington Homes has said has been taken at their word regarding their intentions and the conclusion of their studies. She said that it will not enhance the lives of the existing residents. She implored Alderman Morgan-Adams to represent their wishes.

Mark Linzing – at 1017 Drake Avenue said that during heavy rains, streets in the area frequently become impassable. He said that Lexington could alleviate the water problem. He said that they have done nothing to improve the subdivision. He also feels disgraced that there has been preferential treatment support by the PZBA for Lexington Homes. He said that the Council has ignored public sentiment, as has the PZBA. He said that the detention pond will be large, and encroaches on the proposed park. He said the parking spaces also impose upon the park. he said that variances being granted will be for 19 individual buildings. He said that the density will cause the look of alleys. He said that there are over 600 signatures on an online protest.

Rachel Albrect – 606 Equestrian Drive – she said the park is in “our ”backyard. She said that Lexington Homes will take away space. She said that the residents know how this will affect the community.

AnnMarie Sentowski – 585 Equestrian Drive – she said that she lives in Wheeling across from the park. She said that she does not feel that they were alerted about the meetings. She only lives one miles from the development. She said that it will have a negative impact. She noted that there is a great deal of wildlife. She said they are also concerned about flooding. She is worried about Police protection with the additional crowds. She is worried about lighting, and traffic.

Attorney Tom Burney asked to speak about the public comments. Mayor Helmer said that the Council tends not to allow rebuttal, but the Attorney could set up a meeting with Mr. Burney.

**No action was taken**

**B.R-20-23** Commission Memo and Resolution Requesting Council Approval for the Prospect Heights Natural Resources Commission to Conduct a Prescribed Burn of Tully Park, St. Alphonsus Liguori Parish prairie, the Nature Preserve at Morava Center, 408 Hillcrest Drive, Heron Pond, 9 East Marion, 102 Creek Court, 103 Creek Court, and the Prospect Heights Slough Scheduled for Fall 2020 and Spring 2021 – City Administrator said that this is the annual request of the NRC.

**Alderman Morgan-Adams moved to approve R-20-23 Resolution Requesting Council Approval for the Prospect Heights Natural Resources Commission to Conduct a Prescribed Burn of Tully Park, St. Alphonsus Liguori Parish prairie, the Nature Preserve at Morava Center, 408 Hillcrest Drive, Heron Pond, 9 East Marion, 102 Creek Court, 103 Creek Court, and the Prospect Heights Slough Scheduled for Fall 2020 and Spring 2021; seconded by Alderman Quinn. There was unanimous approval.**

**ROLL CALL VOTE:**

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

Motion carried 5- 0

**C.O-20-34** Ordinance Amending Title 5, Chapter 9, Section 4 of the Prospect Heights City Code (Temporary Signs) (**1st Reading**) – City Administrator Wade said that this would put the City Code in compliance with state signage. – **No action taken**

**D.O-20-35** Ordinance Amending Title 3, Chapter 9, Section 3 of the Prospect Heights City Code (Accumulation of Garbage and Refuse) (**1st Reading**) – Ordinance prevents people from hauling their own garbage except in cases where the contractor supplies their own equipment. - **No action taken**

**E.O-20-36** Staff Memo and Ordinance Terminating the Designation of the Milwaukee Avenue/Palatine Road Redevelopment Project Area, as Created by City of Prospect Heights Ordinance Nos. O-96-10, O-96-11, and O-96-12 Adopted April 15, 1996, as a Tax Increment Financing Redevelopment Project Area and Dissolving the Palatine Road Redevelopment Project Area Special Tax Increment Allocation Fund (**1st Reading**)

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

**A.**Traffic Safety Policy and Procedures Discussion

**B.**Zoom Meeting Discussion

#### **APPROVAL OF WARRANTS**

**A.** Approval of Expenditures

|                                                     |             |
|-----------------------------------------------------|-------------|
| General Fund                                        | \$88,573.04 |
| Motor Fuel Tax Fund                                 | \$0.00      |
| Palatine/Milwaukee Tax Increment Financing District | \$673.08    |
| Tourism District                                    | \$2,157.65  |
| Development Fund                                    | \$0.00      |
| Drug Enforcement Agency Fund                        | \$4,738.57  |
| 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                             | \$700.00    |
| 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                           | \$0.00                    |
| Palatine Road Tax Increment Financing District | \$673.08                  |
| Road Construction                              | \$0.00                    |
| Road Construction Debt                         | \$0.00                    |
| Water Fund                                     | \$38,090.76               |
| Parking Fund                                   | \$153.35                  |
| Sanitary Sewer Fund                            | \$37,807.34               |
| <u>Road/Building Bond Escrow</u>               | <u>\$1,002.00</u>         |
| <b>TOTAL</b>                                   | <b>\$174,568.87</b>       |
| <b><u>Wire Payments</u></b>                    |                           |
| <b>9/11/2020 PAYROLL POSTING</b>               | <b>\$176,095.52</b>       |
| <b>9/21/2020 POLICE PENSION FUNDING</b>        | <b><u>\$88,157.03</u></b> |
| <b>TOTAL WARRANT</b>                           | <b>\$438,821.42</b>       |

City Clerk Prisiajniouk read the warrants.

**Alderman Dolick moved to Approve the warrants as presented; seconded by Alderman Ludvigsen to include TOTAL of \$174,568.87; 9/11/2020 PAYROLL POSTING of \$176,095.52; 9/21/2020 POLICE PENSION FUNDING of \$88,157.03; and a TOTAL WARRANT of \$438,821.42. There was unanimous approval.**

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

Motion carried 5- 0

**PUBLIC COMMENT ON NON-AGENDA MATTERS (*Five Minute Time Limit*)** – Alderman Ludvigsen said that the City needed a plan to go back to City Hall. He stated that municipalities such as Northbrook, Wheeling, District 214 and Mount Prospect had modified their meetings with new guidelines. He asked that the Staff and Council develop a game plan. Alderman Morgan-Adams agreed. City Administrator Wade said that it would be on the next meeting Agenda for discussion. Alderman Ludvigsen said to look into ways to set up and separate the attendees. – **No action was taken.**

**EXECUTIVE SESSION** -None

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

**ADJOURNMENT** – At 10:20, Alderman Dolick 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 12<sup>th</sup> day of October, 2020.



Deputy Clerk Schultheis



Mayor Nicholas J. Helmer

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**From:**  
**Sent:** Wednesday, September 30, 2020 4:33 PM  
**To:** Karen Schultheis  
**Subject:** Reasons to Vote NO to Lexington Townhomes Development

\*\*\*\*\* THIS IS AN EXTERNAL EMAIL \*\*\*\*\*

Karen: Please submit this comment for consideration at tonight's city council meeting. Thanks!

- Greg Biuchberger

Mr. Helmer & City Council Members:

Following is a partial list of problems with this proposed development that should elicit a NO vote. This is not a complete list as other residents have not seen it. Please refer to the circulated petitions and submitted emails for a more complete description.

- Reduced values & loss of location appeal for adjacent single family homes
- Astounding loss of green space & park enjoyment
- Increased traffic & serious risk to children & pedestrians in Drake Terrace
- Possible future water supply problems in old & new neighborhoods
- Possible problems with stormwater drainage & unknown effect on close neighbors
- Increased stress on Ridgefield drainage ponds
- Serious pedestrian risk & road damage during construction
- Inadequate setbacks on east & north sides
- Construction pollution from massive grading required
- Inadequate guest parking especially during games
- Increased light & noise pollution for neighbors
- Poor accommodation for garbage pickup

I live with my wife and two disabled adult children on the eastern border of the proposed development and will have to deal with most of these issues. A development of this high a density should not be placed adjacent to single family homes on three sides. I maintain that the negative impact of this development on the neighbors would be substantial and serious.

Also, the loss of all the trees on this property will degrade the character of every house on its borders, as well as the character of both Muir Park and Pleasant Run Park. It will transform a serene, quite beautiful backdrop to a wide open, harsh, flavorless setting. I don't know how badly the village needs the tax revenue, but it should not come at this expense, our expense.

Sincerely,

Greg Buchberger

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**From:**  
**Sent:** Sunday, September 27, 2020 4:50 PM  
**To:** Karen Schultheis  
**Subject:** Wish to speak at the 9/30 6:30 pm PH city council meeting and enter into public record

\*\*\*\*\* THIS IS AN EXTERNAL EMAIL \*\*\*\*\*

Hello Karen,

I wish to speak at the meeting and enter into the public record the below information which was emailed 9/27 to the PH mayor and alderman.

Thanks,  
Paul Gebert

~~~~~  
Please do not vote for any high density development at the old JFH school and John Muir park

- a. Not one person at the four zoning board meetings, which had anywhere from 60 to 100 people attend stated that they want the development. It took four meetings due to the sheer number of PH residents who wanted to address the board with their concerns.
- b. Lexington still has not furnished what they have been requested by Dan Peterson, per Exhibit 33 <https://www.prospect-heights.il.us/DocumentCenter/View/2404/Exhibit-33---Engineering-Report--69-Unit-Plan-081720>. Why would you vote for something when you don't even have all the information to make a decision?
- c. Lexington has yet to answer a question which I posed months ago, which is how would the development positively impact PH and Wheeling residents that live nearby, There's a reason they didn't answer that.
- d. The traffic from the proposed development will empty out onto Drake Terrace, a 19' narrow side street with no sidewalks, instead of emptying out onto Elmhurst Road. Residents walk their dogs, take their children for bike rides, and push baby strollers in the street. The added traffic will be a real hazard.
- e. The proposed development is to be R-2 which does not fit into the existing R-1 zoned Prospect Heights neighborhood.
- f. The development would also destroy a significant amount of open green space and interfere with the surrounding community's ability to access, enjoy, and otherwise make use of our public park.
- g. Multiple people are very concerned about the impact on the private well water supply for our houses. Back in 2006 some wells went dry which means it can happen again. No good can come from doubling the amount of water taken out of the ground as the number of proposed homes is nearly identical to the amount of houses in the entire Drake subdivision.
- h. The high-density development negatively impacts property values. Lexington Homes could provide no written evidence to state that the specific proposed development would not negatively impact nearby Prospect Heights' property values when asked at the 8/20 meeting.
- i. The zoning board did not take into account any testimony from residents or from Attorney Lenny Asaro who is representing the interests of some of the residents when they made their recommendation.

The proposed development doesn't fit with the Prospect Heights Comprehensive Plan, which states the city's future plans should preserve the quality of life and partial rural feel for its residents was not followed by the zoning board.

\* It doesn't agree with the Prospect Heights city code for zoning, specifically Section 5-1-3

(see [https://www.sterlingcodifiers.com/codebook/index.php?book\\_id=920](https://www.sterlingcodifiers.com/codebook/index.php?book_id=920)).

\* It cuts into the park space of the John Muir Park.

\* It will require over 200 trees to be cut down. Those mature trees positively impact the neighborhood by helping to alleviate flooding in the area, and providing shade and a windbreak.

\* It requires the nearby wetland to be destroyed.

The Plan section Natural Resources and Infrastructure Goals and Objectives states:

- \* Preserve and enhance natural resource amenities and open spaces that are important to the community such as the Isaak Walton Park and Slough, Hillcrest Pond and Walnut Woods Park.
- \* Create development controls to protect natural resource sustainability and the rural open space character.

The Plan's section Natural Resources and Infrastructure Policy Statements states:

- \* Identify additional opportunities for open space and parks within residential neighborhoods. Consider creating easements and setbacks for current natural features to allow for public access and greater utilization of these resources.
- \* Provide better access for pedestrians and cyclists to existing parks and open space.

The Plan does not call for or permit multi-family residential housing on the subject site.

How is voting for a high density development helping Prospect Heights achieve its goals for preserving and promoting natural resources? It would be great if the park district made the park bigger and put in some public restrooms and a water fountain. Another ball field and/or additional playground equipment on the site of the old school would greatly benefit the area residents. It would become a real destination park which some other towns have but is lacking in Prospect Heights.

At the very least, the area should stay zoned as single family residential. We do not want an obtrusive town home development to destroy this neighborhood's green space and semi-rural character.

Please support your residents and the people who voted you into office. We request that the Prospect Heights city council vote down any high density development at the site of the old JFH school and John Muir park. I live down the street from the proposed development so I would be negatively impacted by the development should it be approved.

Sincerely,  
Paul Gebert

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**From:** ..  
**Sent:** Wednesday, September 30, 2020 3:56 PM  
**To:** Karen Schultheis  
**Subject:** Public Comment - Lexington Homes  
**Attachments:** 860 Tanglewood Dr - Our Yard Flooding.jpg; Neighbor Yard w Pump.jpeg; Eleanor Dr Drainage Backup.jpeg; Neighbor Yard & Our Yard Flooding.jpeg; Neighbor Yard looking to Eleanor Dr.jpeg

\*\*\*\*\* THIS IS AN EXTERNAL EMAIL \*\*\*\*\*

To Whom It May Concern:

My name is Hilary Feldman. My husband and I live at 860 Tanglewood Drive (Ridgefield subdivision) in Wheeling. Our back yard is at the dead end of Eleanor drive in Prospect Heights.

I'm not sure I'll be able to stay at the meeting long enough to actually speak (I hope so, but i'm not sure). However, I do want to be heard, so I'm submitting this written statement, with attached photos, which is a more complete version of the statement I sent to City Council members.

My husband and I are very disturbed at the idea of a large development going into the Muir Park area, and we join the coalition of local residents speaking out against the Lexington Homes proposal. Aside from financial gains for the developer, builder, and the City of PH, no one has been able to express any real benefit to this project. It doesn't improve the quality of life for anyone in PH, and it will more than likely diminish the quality of life for those of us in the adjacent neighborhoods. Further, there are so many reasons -- insufficient drainage, loss of trees and open land, ingress/egress issues, terrible disruption in the sleepy Muir Park neighborhood -- not to move forward.

Already, due to a terribly deficient drainage system in the PH neighborhood, runoff from that neighborhood flows into our yard, and our backyard fills up like a bathtub whenever we have heavy rain. The same is true for our neighbor to the north, who has had to install a pump specifically to address this flooding. Removing open land, land that soaks up water, and basically doubling the population over our fence can only make an already bad situation worse. [See attached photos]

As a nature lover, I always hate to see open lands go, and I especially hate to lose trees. The trees there provide a nice border between the ballfield and the playground, provide homes for wildlife, soak up lots of water, and help clean the air. We would hate to see them go.

I heard one Zoning Board member (I don't remember who) citing the fact that the surrounding towns are doing lots of building and PH should be, too. Why? First of all, Wheeling is a completely different type of community than PH. PH has older homes on large lots. It's a low-density city. Wheeling has a large industrial base, houses on small lots, many apartment buildings, and even a trailer park. Comparing the two towns in order to justify cramming 69 townhomes into a park and adjacent land is just ridiculous.

Money and greed should NOT be the reasons to move forward with this project. Please represent the interests of the *community*, not the builder, and VOTE NO on the Lexington Homes development.

Thank you!

