

**CITY OF PROSPECT HEIGHTS
REGULAR CITY COUNCIL MEETING
October 22, 2012**

MINUTES

CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Mayor Helmer at City Hall, 8 North Elmhurst Road, Prospect Heights, Cook County, Illinois.

ROLL CALL

Present: Mayor Helmer, Aldermen Higgins, Ludvigsen, Mendez, Styler, Williamson
Absent: None

A quorum was present. Also present: City Clerk Adamson, City Treasurer Tibbits, City Administrator Marrin, City Attorney Zimmermann, City Engineer/Public Works Director Johnson, Director of Building and Zoning Skiber, and Finance Director Hannon.

PLEDGE OF ALLEGIANCE

Alderman Higgins asked everyone to stand and join her in the Pledge.

INVOCATION

The invocation was given by Joe Schuerman.

PRESENTATIONS

Baker Tilly, City Auditors Presentation of Audit for FY2011.

The City issues a Comprehensive Annual Financial Report. There is more information in the audit report than some other communities present. The City provides more information to the reader of the financial statements and more transparency of government. The beginning of the audit is a letter from the auditors. Everything else within the audit is the City's information. The auditors elaborated on various funds within the audit. The General Fund had revenues in excess of expenditures of about \$1.2 million. Approximately \$1.8 million was transferred in over the year so the total fund balance increased by approximately \$3 million. The large transfer in came from the Special Service Areas which was a onetime transfer which will not be repeated every year. The Water and Parking Funds both had operating income and met operating expenses. In the General Fund, revenues slightly exceeded budget figures and expenditures were slightly less than budgeted. The City's internal controls were reviewed. Overall, the audit went very smooth.

Finance Director Hannon explained that Baker Tilly was very helpful and made the audit process easy.

Cathy Powers, Executive Director of the Wheeling/Prospect Heights Chamber of Commerce.

Executive Director Powers reported that the Wheeling/Prospect Heights Chamber of Commerce attended the inaugural City business forum which was a very productive event for the businesses in town. The Chamber will be holding a business to business expo which gives businesses an opportunity to interact with each other. The event will be October 29 from 3pm – 6pm at the Hilton Chicago Northbrook. November 5 is the Putting on the Ritz event at the Westin Chicago Northshore from 5pm – 8pm. November

14 is Wine Down Wednesday which will be at Bill Stasek Chevrolet from 4:30pm – 6:30pm. The event will be a wine tasting event.

CLOSED SESSION

Mayor Helmer moved closed session to the end of the meeting.

RESIDENTS COMMENTS (Agenda Matters)

There were none.

REPORTS AND COMMUNICATIONS

City Administrator Marrin reported that Metra is holding public input sessions for their strategic plan which will guide the agency. For a list of schedules and times, go to www.metrarail.com. The water rate study draft will be presented to staff and the report will be presented at the November 13 City Council meeting. Staff continues to work with CivicPlus for the website design. Staff will come to City Council and to staff to review the website implementation.

Alderman Higgins thanked Runway's and Player's for their continued hard work in the City.

City Engineer/Public Works Director Johnson reported that Roads 2012 is wrapping up. Weather permitting, the City should be finishing surface in Country Gardens. The finishing was slightly delayed due to issues in a couple locations, specifically Wildwood, that the City wanted to look at before proceeding. Landscaping will follow weather permitting.

Director of Building and Zoning Skiber reported that the City received permits for five townhomes at the Lexington development at Rob Roy. The City received preliminary plans to build a fixed base operator on the Southeast corner of Chicago Executive Airport. There are three single family homes being built in the City. The House of Music and Entertainment has had their final inspections and hopes to have a soft opening Friday, November 2. Village Cycle Sport is moving along with their renovations at 1326 N. Rand Road.

City Treasurer Tibbits reported that there is a Treasurer's Report which was prepared by Finance Director Hannon. The newsletter was delivered last week in time for the Police Center open house. The A/V Department attended the event and filmed video which will be run on the cable channel. Patrick and Rich attended a meeting of local cable channel operators. The meeting was helpful because it allows attendees to exchange information and find out what is happening in other municipalities. He attended a seminar sponsored by AVI Systems which is a group of audio visual integrators. There were fifty booths sponsored by well-known A/V equipment suppliers.

City Clerk Adamson reported that the Young Eagles Program is Saturday, October 27 at Chicago Executive Airport. The Presidential Primary Election is on November 6, 2012.

Alderman Ludvigsen commented that he would like to discuss what will happen with phase III road work with regards to drainage. There is still a significant amount of money left from the first two phases of bond money which could jump start some of the drainage projects. He would like to see a budget put together by Baxter and Woodman with specific amounts for different phases of each of the drainage projects so the City can start letting contracts for engineering to get that process moving.

Alderman Williamson commented that Bernie Walsh had passed away. Many people knew her from the Prospect Heights Park District. Bernie was a part of Alderman Williamson's daily routine. Anytime he would pick up his sons at the Park District, he would say hi to her. He said a few words in memory of Bernie. Alderman Williamson asked the City Council to discuss the Old Town Sanitary District under New Business. He would like additional information on the upcoming referendum and information on rumors of the City taking over the District itself. There is a meeting coming up Thursday, October 25 regarding the proposed Zoning change to the property at the Southeast corner of Elmhurst Road and Palatine Road. There is a proposed used car business for that location.

Alderman Mendez commented that he would like to see a report on installing a sidewalk on Apple Drive for school children to walk on instead of walking in the street.

Alderman Higgins left the meeting to attend the Prospect Heights Police Department Citizen's Police Academy at 6:50pm.

ADOPTION OF CONSENT AGENDA

A. Approval of Minutes, Regular City Council Meeting, October 8, 2012.

B. Approval of Regular City Council Meeting Calendar for 2013.

Motion made by Alderman Styler, seconded by Alderman Mendez to approve Items A and B of the consent agenda as presented. The motion was unanimously approved by a roll call vote.

ROLL CALL AYES: Aldermen Ludvigsen, Mendez, Styler, Williamson

NAYS: None

ABSENT: Alderman Higgins

Motion carried.

APPROVAL OF EXCEPTIONS

There were none.

APPROVAL OF CONTRACTS

C. Approval of a Contract with Baxter and Woodman for Bridge Inspection Program and Services for \$2,500 for the Years 2013-2016.

Alderman Williamson asked to table the item due to a lack of information and he would like to discuss it with City Engineer/Public Works Director Johnson.

Mayor Helmer removed item C and no motions were made.

LEGISLATION

D, F, and G. Omnibus motion to approve Items D, F, and G

Motion made by Alderman Styler, seconded by Alderman Williamson to approve items D, F, and G by omnibus motion. The motion was unanimously approved by a roll call vote.

ROLL CALL AYES: Aldermen Ludvigsen, Mendez, Styler, Williamson

NAYS: None

ABSENT: Alderman Higgins

Motion carried.

- D. (O-12-37) An Ordinance Approving an Economic Incentive Agreement at Prospect Crossing Shopping Center

ORDINANCE ADOPTED
OMNIBUS VOTE

- F. (O-12-39) An Ordinance Amending Police Title 1, Chapter 16 of the City of Prospect Heights City Code.

ORDINANCE ADOPTED
OMNIBUS VOTE

- G. (O-12-40) An Ordinance Amending Titles 9 and 10 of the Prospect Heights City Code Related to Vehicle Sticker Fees.

ORDINANCE ADOPTED
OMNIBUS VOTE

- E. (O-12-38) An Ordinance Amending FY 2012-2013 Budget

Motion made by Alderman Styler, seconded by Alderman Mendez to approve an Ordinance amending FY 2012-2013 Budget. Motion failed due to no vote taken.

Alderman Ludvigsen commented that he would like to remove the additional Public Works position from January moving forward. He is not opposed to looking at it for the next fiscal year. There are a lot of things going on at the moment. He feels that the City doesn't quite know what type of person Public Works needs. He wants to get a person who has skills that Public Works needs to fill. He would like to amend the motion to approve to remove any items within the amended budget that relate to the public worker 1 position.

City Engineer/Public Works Director Johnson commented that the extra public works employee could be held to get additional information to the City Council on why that person would be needed. Brent Zimmermann is moving to Public Works to replace Sean Heber's position who replaced Tim Brodnan's position.

Finance Director Hannon commented that an amended motion to remove one Public Works worker from an ordinance amending FY 2012-2013 budget would reduce the total Public Works budget by \$26,663. The reductions would be Salaries by \$15,965, IMRF by \$2,006, Social Security by \$990, Medicare by \$232, Health Insurance by \$7,430, and life insurance by \$40 all within the Public Works budget.

Motion made by Alderman Ludvigsen, seconded by Alderman Styler to amend an Ordinance Amending FY 2012-2013 to remove the addition of a new Public Works worker resulting in the reduction of the expense line items of salaries by \$15,965, IMRF by \$2,006, social security by \$990, medicare by \$232, health insurance by \$7,430, and life insurance by \$40 all within the Public Works portion of the budget. The motion was unanimously approved by a roll call vote.

ROLL CALL AYES: Aldermen Ludvigsen, Mendez, Styler, Williamson

NAYS: None

ABSENT: Alderman Higgins

Motion carried.

Motion made by Alderman Styler, seconded by Alderman Ludvigsen to approve an Ordinance Amending FY 2012-2013 Budget as amended. The motion was unanimously approved by a roll call vote.

ROLL CALL AYES: Aldermen Ludvigsen, Mendez, Styler, Williamson
NAYS: None
ABSENT: Alderman Higgins

Motion carried.

H. An Ordinance Amending Title 10 of the Prospect Heights City Code Related to Yield Signs (1st Reading)

City Attorney Zimmermann commented that the changes in Ordinance are in bold and underlined text.

This being first reading, no vote was taken.

I. An Ordinance Amending Title 10, Chapter 14 of the City Code Related to the City of Prospect Heights Automated Traffic Law Enforcement System (1st Reading).

Alderman Williamson commented that this Ordinance does not reference any new red light cameras and only has to do with the current existing camera.

This being first reading, no vote was taken.

APPROVAL OF EXPENDITURES

J. Approval of Warrants

General Fund	\$ 66,682.42
MFT Fund	\$ 0.00
Palatine/Milwaukee TIF	\$ 39.00
Convention & Visitors Bureau	\$ 0.00
Development Fund	\$ 0.00
Non-Home Rule Sales Tax Fund	\$ 0.00
DEA Fund	\$ 1,389.00
Solid Waste Fund	\$ 0.00
SS Area #1	\$ 0.00
SS Area #2	\$ 0.00
SS Area #3	\$ 0.00
SS Area #4	\$ 0.00
SS Area #5	\$ 23.36
SS Area #8–Levee Wall #37	\$ 0.00
SS Area–Constr #6 (Water Main)	\$ 0.00
SS Area–Debt #6	\$ 0.00
Road Construction	\$ 487,737.43
Water Fund	\$ 1,391.14
Parking Fund	\$ 328.97
Road/Building Bond Escrow	\$ 2,000.00
Total Expenditures	\$ 559,591.32
Wire Payments, Service Charges,	\$ 250,288.48

& Payroll

TOTAL \$ 809,879.80

Motion made by Alderman Styler, seconded by Alderman Williamson, to approve warrants in the amount of \$559,591.32 and wire payments, service charges, and payroll in the amount of \$250,288.48, for total expenditures of \$809,879.80. The motion was unanimously approved by a roll call vote.

ROLL CALL AYES: Aldermen Ludvigsen, Mendez, Styler, Williamson

NAYS: None

ABSENT: Alderman Higgins

Motion carried.

COMMITTEE APPOINTMENTS

There were none.

RESIDENTS COMMENTS (Non Agenda Matters)

There were none.

UNFINISHED BUSINESS

K. Review and Discussion of City Signage.

Mayor Helmer commented that proposals were passed out to the City Council.

City Administrator Marrin commented that the five locations proposed for the signage are Camp McDonald Road and Wolf Road, Hintz Road and Elmhurst Road, Camp McDonald Road and Rand Road, Willow Road and Rand Road, Wolf Road and Euclid Avenue.

Mayor Helmer commented that the cost of the signs total \$6,050 for five signs not installed. The bid would be for the printed sign and all poles as depicted in the quote.

Alderman Styler asked if Public Works would be installing the signs.

Mayor Helmer commented that Public Works would install the signage.

Alderman Mendez asked about putting a sign at the exit at Palatine Road onto Milwaukee Avenue.

Mayor Helmer commented that the five locations were selected at the moment and future locations may be considered.

Alderman Williamson commented that he felt that the City agreed to do sealed bids. He would like to have sealed bids. He also would like to see the specs. The City should be presenting to the graphics company so that the sign companies can bid on signs as they will be printed.

NEW BUSINESS

L. Discuss of House of Music and Entertainments (H.O.M.E.), Liquor License Amendment to Include a "Beer of the Month Club" for Specialty Craft Beer Only.

Bill Nazha of House of Music and Entertainment explained that a letter was sent to Mayor Helmer requesting the permission to have a club which would entitle a member to get discounts at their location, first shot at any tickets for events sold, free meals on

birthdays, and a beer of the month. The growler would hold 60 ounces of beer that will be special beer that will be made available for each month. The club member can bring in the growler and it would be filled and sealed or a plastic bottle can be given.

Mayor Helmer asked if this is a new idea or if it is used by other businesses.

Mr. Nazha commented that it would work similar to Cooper's Hawk Winery where someone fills out a form and a card is issued. Every time that person comes to the establishment, the card could be used for discounts. Once a month, people can come and pick up a growler of beer to consume off premises. Additionally, as a club member, if someone orders a 22 ounce beer, it would be sold for the price of a 16 ounce beer.

Alderman Williamson asked if the proposal is to have someone pick up the bottle and take it home with them and asked if there will be any hours that people can pick them up.

Mr. Nazha said that it would be a program where someone comes in and picks up the beer for consumption off premises and certain hours can be set for the program.

Alderman Williamson commented that he is not comfortable with any alcohol being sold for consumption off premises.

Mr. Nazha commented that they would like to have the club membership in place by the grand opening to bring in more business. The jar and mug will be sealed when it is taken home.

Alderman Mendez commented that he is not against the idea and sees no problem with it.

Alderman Ludvigsen commented that he feels HOME should open first and then evaluate this program. He would like to see a track record and see some history before amending what is already a special liquor license. He feels that a lot of logistics needs to be worked out to make the program work.

Mr. Nazha commented that they would like to do the program by the Grand Opening which would be in thirty to forty days.

Alderman Ludvigsen commented that if it happened so quick, he would say no. If they come back to the City Council with a track record of the business being open and showing that there have been no incidents or problems, then he could understand the request.

Alderman Styler has no objection and feels that it is a good promotional idea.

M. Discussion of a Concept Plan for a Kiddie Academy Located at 1219 and 1215 N. Rand Road, Prospect Crossing Shopping Center.

Mr. Nazha commented that Kiddie Academy has been operating since 1981. They started in Baltimore, MD and have been in business for 31 years. They operate in 22 states. They offer a unique business where parents can bring six month olds and up to their day care. They are a good company and they would like to be in the Arlington Heights and Prospect Heights area. They currently have six locations in the Northwest Suburbs. They are planning on making the former carwash location to be the entrance where parents drop off and pick up kids. The operation hours are 7:00am to 6:00pm

Monday through Friday. Playgrounds are mandated by the State so they are required to have an outdoor playground. It would be used less than two hours per day.

Director of Building and Zoning Skiber commented that Prospect Crossing is a commercial PUD established in 1988. There was a Resolution passed by the City Council in 1992 that allowed for a similar use which was a child activity center which is a similar concept however it did not provide for an outdoor playground area. The owners would need to petition and apply for a special use permit and amend the PUD to allow for an outside playground area and he has spoken with the owners about the process to do so. There is normal plan review, fire prevention, and project review that will be required with the project.

Alderman Ludvigsen commented that this is a good case for the Plan/Zoning Board of Appeals to review.

Director of Building and Zoning Skiber commented that there is a daycare at Palwaukee Plaza that has an outdoor playground area that has a traffic aisle and staff is familiar with the safety precautions needed.

Alderman Williamson commented that his only concern has to do with having a day care next to an establishment that serves alcohol.

Mr. Nazha commented that they checked on that and there are no provisions prohibiting a day care being near an establishment that serves alcohol. The business would bring a minimum of 140 families to the shopping center on a daily basis five days a week. 140 is the number of kids they need to operate and they believe they will meet those numbers.

Discussion of Old Town Sanitary District.

Alderman Williamson asked what could be communicated about the referendum item on the ballot and why there will be an increase.

City Attorney Zimmermann commented that Old Town Sanitary District is a separate taxing body.

Mayor Helmer commented that his concern is with the way referendums are worded in general. This referendum states that it is an 83% increase. It is somewhat defined as \$4.80 per \$100,000 EAV.

City Attorney Zimmermann commented that it is a PTELL which is a tax cap law. The referendum asks for an increase in the extension limitation. The reason that number says what it says is because they are asking the public to increase the numerator in the extension limitation equation. If CPI is 3%, what they are really asking is for an increase in the limiting rate of 80% on top of 3%. Instead of a 3% cap, it would be a 5.4% cap.

Alderman Williamson commented that the referendum is there however it does not equate to what was being paid five years ago. He has been hearing rumors about the City taking over the district.

Mayor Helmer commented that several months ago the topic was discussed. His concern was that if they don't have enough money to operate which they indicate they don't, then it could mean that the district would get disbanded. The Old Town Sanitary District takes care of a majority of the sanitary sewers in the City. The City investigated a possible purchase of Old Town Sanitary but nothing has come of it.

City Attorney Zimmermann commented that Old Town Sanitary owns the sewer lines however the City is and has been performing all of the work on them for years under an arrangement that the City has. The City now bills Old Town on an overhead rate. The district has operated with one technical employee for a long time.

Alderman Williamson asked if there has been talks of value.

City Attorney Zimmermann commented that what Mayor Helmer said is accurate. There were discussions about solidifying the arrangement.

Alderman Williamson feels the arrangement is good. He is just curious about where the City is at with that issue.

Mayor Helmer commented that as soon as more information comes forward, the City Council will be made aware.

Alderman Ludvigsen asked if the City Attorney has the direction to discuss the issue with Old Town Sanitary District if Old Town is dissolved or incorporated by the City.

City Attorney Zimmermann commented that the Mayor had directed him to do that. Old Town Sanitary District is its own municipal corporation. They made the determination to do a PTELL referendum. They did discuss a number of ways that the City could formalize the long standing arrangement. A few different options were discussed that Old Town Sanitary District would explore and get back to the City.

Alderman Styler commented that there are two referendum items on the ballot. He encourages people to pass the Old Town Sanitary District referendum and the referendum question from the State.

ADJOURNMENT

Motion made by Alderman Styler, seconded by Alderman Mendez, to adjourn the Regular City Council Meeting and to go into closed session for the purposes of setting of the price for the sale of real estate or the lease of real estate and probable litigation. The motion was unanimously approved by a voice vote.

VOICE VOTE AYES: Aldermen Ludvigsen, Mendez, Styler, Williamson

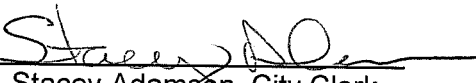
NAYS: None

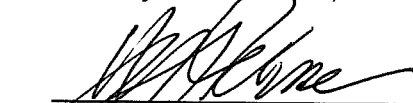
ABSENT: Alderman Higgins

Motion carried.

Motion carried by voice vote at 7:40 p.m.

Approved by the Prospect Heights City Council this 13th day of November, 2012.


Stacey Adamson, City Clerk


Nicholas J. Helmer, Mayor

