Prospect Heights

CITY COUNCIL REGULAR MEETING
AGENDA
APRIL22, 2013
6:30 p.m.
City Hall
Prospect Heights, IL 60070

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **PLEDGE OF ALLEGIANCE – City Treasurer Tibbits**

IV. **INVOCATION – Alderman Mendez**

V. **PRESENTATIONS - Chicago Executive Airport FY14 Budget, Airport Manager Dennis Rouleau**

VI. **CLOSED SESSION**

VII. **RESIDENTS COMMENTS (Agenda Matters)**

VIII. **STAFF AND ELECTED OFFICIALS REPORTS**

City Administrator - Anne Marrin
City Engineer/Public Works Director - Jim Johnson
Director, Building & Zoning - Steve Skiber
City Treasurer - Rich Tibbits
City Clerk - Stacey Adamson
Aldermen
John Styler
Pat Ludvigsen
Scott Williamson
Bree Higgins
Luis Mendez
Mayor - Nicholas J. Helmer

IX. **ADOPTION OF CONSENT AGENDA - All items listed on the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless an Alderman or citizen so requests, in which event the item will be removed from the general order of business and considered under the Approval of Exceptions.**

A. Approval of Minutes, Regular City Council Meeting, April 8, 2013.

X. **APPROVAL OF EXCEPTIONS**

XI. APPROVAL OF CONTRACTS

XII. LEGISLATION

B. A Resolution Honoring the Prospect Heights Garden Club on their 15th Anniversary.
C. A Resolution Approving the Fiscal Year Budget for Chicago Executive Airport.
D. A Resolution Honoring Village of Mount Prospect Mayor Irvana K. Wilks for 22 Years of Service to the Community and the Northwest Municipal Conference.
E. A Resolution in Support of the Northwest Municipal Conference's Position on Immigration Reform.
F. A Resolution Appointing a Director and Alternates to the Solid Waste Agency of Northern Cook County (SWANCC).
G. An Ordinance Adopting the Annual Budget for Fiscal Year 2013-2014 (2nd Reading).
H. An Ordinance Amending Section 1-5-2 of the City Code to Modify the Meetings of the City Council (2nd Reading).
I. An Ordinance Amending Ordinance O-11-14 Regarding Water Rates (2nd Reading).
J. An Ordinance providing for the issuance of a $400,000 Special Service Area Number 8 Loan Note (2013 Interfund Loan Series) of the City of Prospect Heights, Cook County, Illinois, to Evidence an Interfund Loan from the Prospect Heights General Fund to the Prospect Heights Special Service Area 8 Project Fund, to pay the Costs of Improvements Within Said Special Service Area, and Providing for the Security for and Payment of said Note. (2nd Reading).

XIII. APPROVAL OF EXPENDITURES

K. Approval of Warrants

General Fund	$51,173.31
MFT Fund	$0.00
Palatine/Milwaukee TIF	$0.00
Convention & Visitors Bureau	$258.96
Development Fund	$265.89
Non-Home Rule Sales Tax Fund	$0.00
DEA Fund	$0.00
Solid Waste Fund	$33,779.34
SS Area #1	$0.00
SS Area #2	$0.00
SS Area #3	$0.00
SS Area #4	$0.00
SS Area #5	$0.00
SS Area #8 – Levee Wall #37	$0.00
SS Area-Constr #6 (Water Main)	$0.00
SS Area- Debt #6	$0.00
Road Construction	$0.00
Water Fund	$22,824.68
Parking Fund	$0.00
Road/Building Bond Escrow	$0.00
TOTAL Expenditures	$109,302.18
Wire Payments, Service Charges, & Payroll	$167,575.05
TOTAL	**$276,877.23**

XIV. COMMITTEE APPOINTMENTS

L. Appointment of Rodney Pace to the Chicago Executive Airport Board of Directors.

M. Reappointment of Mark Roscoe to the Planning & Zoning Board of Appeals.

XV. RESIDENTS COMMENTS (Non Agenda Matters)

XVI. UNFINISHED BUSINESS

XVII. NEW BUSINESS

N. Approval of a Contract for IT services with Xtivity Solutions, LLC.
O. Approval of a Proposal for Market Analysis on Piper Lane Properties with Gruen, Gruen and Associates.
P. Approval of a Waiver of Competitive Bidding and Awarding of a Contract to SDE Enterprises for Foundation Repair at City Hall.

XVIII. ADJOURNMENT

POSTED: April 18, 2013 1:30 p.m. by Robert Sabo, Deputy Clerk

This meeting will be televised on the following Prospect Heights Cable Channels: Comcast and WOW Channel 17and AT&T U-verse Channel 99

B

A RESOLUTION HONORING THE PROSPECT HEIGHTS GARDEN CLUB ON THEIR 15TH ANNIVERSARY

WHEREAS, the Prospect Heights Garden Club was first established in November, 1997; and

WHEREAS, the Prospect Heights Garden Club's Purpose is to be beneficial, charitable, educational and useful to the community and conducive to the well-being of our environment; and

WHEREAS, the Prospect Heights Garden Club has been an active part of the community with landscaping projects throughout Prospect Heights including City Hall, Blue Star Memorial, Police Station, Library, Post Office, Hillcrest Lake, City Signs, and various parks; and

WHEREAS, The Prospect Heights Garden Club is active during Garden Week, Arbor Day Community Activities, Community Christmas Trees & Santa Program, Fourth of July Parade, Wheeling Township Meals-On-Wheels, and Environmental Projects; and

WHEREAS, the Prospect Heights Garden Club contributes to Dollars for Scholars, Girl Scout Troop and local School horticultural projects; and

WHEREAS, the Prospect Heights Garden Club runs an Annual Perennial Plant Sale consisting of plants lovingly grown by members; and

WHEREAS, the Prospect Heights Garden Club has donated and arranged for the planting of twenty-nine trees around the community; and

WHEREAS, the Prospect Heights Garden Club hosts a monthly meeting for its members, with a Horticultural Report and informational speaker at each meeting,

NOW, THEREFORE BE IT RESOLVED THAT, the City Council of the City of Prospect Heights, hereby honors the Prospect Heights Garden Club on their 15th Anniversary.

PASSED AND APPROVED this __ day of _______, ____.

____
Nicholas J. Helmer, Mayor

ATTEST:

____
City Clerk

AYES:
NAYS:
ABSENT:

C

MEMO

TO: **Anne Marrin**
City Administrator

FROM: **Dennis G. Rouleau, C.M.**
Airport Manager

DATE: **April 12, 2013**

SUBJECT: **A RESOLUTION APPROVING THE FY14 BUDGET FOR CHICAGO EXECUTIVE AIRPORT**

Section 4.G, 3 of the current Intergovernmental Agreement requires the Chicago Executive Airport Board to propose for approval by the Municipalities an annual budget for both operating and capital needs. The attached budget meets that purpose.

Best Regards,
Dennis

RESOLUTION NO.__________

A RESOLUTION APPROVING THE FY14 BUDGET FOR CHICAGO EXECUTIVE AIRPORT

WHEREAS, the City of Prospect Heights and the Village of Wheeling have entered into an Intergovernmental Agreement dated July 1, 2005 for the Organization, Operation and Maintenance of the Chicago Executive Airport; and,

WHEREAS, Section 4.G, 3 of the said Agreement requires the Chicago Executive Airport Board to propose for approval by the Municipalities an annual budget for the Chicago Executive Airport; and,

WHEREAS, the Airport staff have prepared and presented to the Board of Directors the proposed budget for FYE April 30, 2014 totaling $9,067,058; and,

WHEREAS, the Board of Directors have reviewed the budget document in its entirety; and,

WHEREAS, the adoption of said budget constitutes the appropriation of monies for the Chicago Executive Airport in the FYE April 30, 2014; and,

WHEREAS, the Board of Directors deem it in the best interests of Chicago Executive Airport to recommend said budget as prepared for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COUNTY OF COOK, STATE OF ILLINOIS, that the Annual Budget for FYE April 30, 2014 totaling $9,067,058 is hereby approved.

PASSED AND APPROVED this ______ day of __________________, 2013

____
MAYOR

ATTEST:

____
CITY CLERK

AYES:

NAYS:

ABSENT:

D

(R-13-04) A Resolution Honoring Village of Mount Prospect Mayor Irvana K. Wilks for 22 Years of Service to the Community and NWMC

WHEREAS, Irvana K. Wilks, has been a resident of the Village of Arlington Heights since 1969 and was a Village Trustee for 14 years and has been the honorable Mayor of the Village of Mount Prospect since 2005; and

WHEREAS, Irvana K. Wilks, has announced that she will not be seeking another term and will be leaving her position as Mayor of the Village of Mount Prospect with an 8 year tenure in the position; and

WHEREAS, Irvana K. Wilks, has worked with the Village Board on significantly challenging issues that include the Randhurst Village redevelopment, the opening of the Community Connections Center, and continuing to provide Village services through trying economic times; and

WHEREAS, Irvana K. Wilks, has been significantly involved with and has given tremendous service to the Northwest Municipal Conference and has worked to uphold the wellbeing of municipalities in the Northwest suburbs; and

WHEREAS, Irvana K. Wilks, has been a close friend to the City of Prospect Heights; and

WHEREAS, the City of Prospect Heights does hereby celebrate **Irvana K. Wilks'** 22 years of public service as a former Trustee and as the Mayor of the Village of Mount Prospect and commends her tremendous achievements in her term of office and bestows upon her this honorary resolution in recognition of the exemplary service she has done with the Village of Mount Prospect and the Northwest Municipal Conference and wishes her and her family a long and well deserved retirement.

NOW, THEREFORE, BE IT RESOLVED, THAT I, Nicholas J. Helmer, Mayor of the City of Prospect Heights, Illinois, do hereby acknowledge and honor the magnificent term of service and accomplishments of **Irvana K. Wilks** and know that her passion for the Village of Mount Prospect and the Northwest Municipal Conference will be a great example for future generations of Mayors to come.

PASSED AND APPROVED, this 22nd day of April, 2013.

____
Nicholas J. Helmer, Mayor

ATTEST:

____
Stacey Adamson, City Clerk

AYES:
NAYS:
ABSENT:

Prospect Heights

E

NORTHWEST MUNICIPAL CONFERENCE
1616 East Golf Road
Des Plaines, Illinois 60016
(847) 296-9200 • Fax (847) 296-9207
www.nwmc-cog.org

NWMC

A Regional Association of Illinois Municipalities and Townships Representing a Population of Over One Million

To: NWMC Mayors and Managers

From: Mark Fowler
Executive Director

Date: April 11, 2013

Subject: Draft Model Resolution on Immigration Reform

Please find attached the Northwest Municipal Conference Immigration Reform Model Resolution 2013-9, which was adopted at the April 10, 2013 NWMC Board meeting for your use. When your municipality adopts the Resolution, please send a copy to the Conference and as directed on the document.

Thank you for your consideration of this model resolution.

RESOLUTION NO. R-13-__

A RESOLUTION IN SUPPORT OF THE NORTHWEST MUNICIPAL CONFERENCE'S POSITION ON IMMIGRATION REFORM

WHEREAS, the City of Prospect Heights is a member of the Northwest Municipal Conference (NWMC) – a corporate organization representing municipalities and townships chartered within the State of Illinois and Counties of Cook, DuPage, Lake, Kane and McHenry; and

WHEREAS, Article VII, Section 10 of the Constitution of the State of Illinois, and Chapter 5, Act 220, paragraphs 1 through 8, of the Illinois Compiled Statutes, authorize intergovernmental association and cooperation; and

WHEREAS, the public officials of the Northwest Municipal Conference represent forty-four local governmental bodies and a population of over 1.3 million residents; and

WHEREAS, the Northwest Municipal Conference established the NWMC Immigration Integration Committee in 2010 to address the integration of the immigrant population in the north/northwest suburbs of Chicago; and

WHEREAS, the NWMC Immigrant Integration Committee recommends this model resolution for consideration by the members of the Northwest Municipal Conference; and

WHEREAS, the City of Prospect Heights recognized that the immigration system in the United States is in need of meaningful reform; and

WHEREAS, the City of Prospect Heights urges the United States Congress to pass comprehensive legislation to reform the country's immigration system; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Prospect Heights supports immigration reform that: provides a clear and earned path to citizenship for undocumented immigrants; clears immigration backlogs; addresses the current labor market needs and improves state and local economic competitiveness; provides for effective employment verification; promotes immigrant integration; and, enhances national security and safety with a sensible enforcement policy.

BE IT FURTHER RESOLVED, that copies of this resolution shall be transmitted to the President and Vice President of the United States, the Majority and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and to each member of Congress elected from the State of Illinois.

PASSED AND APPROVED this __ day of ______, ____.

____
Nicholas J. Helmer, Mayor

ATTEST:

____
City Clerk

AYES:
NAYS:
ABSENT:

NORTHWEST MUNICIPAL CONFERENCE
RESOLUTION 2013-9

DRAFT MODEL RESOLUTION ON IMMIGRATION REFORM

WHEREAS, the (VILLAGE/CITY of __________) is a member of the Northwest Municipal Conference (NWMC) – a corporate organization representing municipalities and townships chartered within the State of Illinois and Counties of Cook, DuPage, Lake, Kane and McHenry; and

WHEREAS, Article VII, Section 10 of the Constitution of the State of Illinois, and Chapter 5, Act 220, paragraphs 1 through 8, of the Illinois Compiled Statutes, authorize intergovernmental association and cooperation; and

WHEREAS, the public officials of the Northwest Municipal Conference represent forty-four local governmental bodies and a population of over 1.3 million residents; and

WHEREAS, the Northwest Municipal Conference established the NWMC Immigrant Integration Committee in 2010 to address the integration of the immigrant population in the north/northwest suburbs of Chicago; and

WHEREAS, the NWMC Immigrant Integration Committee recommends this model resolution for consideration by the members of the Northwest Municipal Conference; and

WHEREAS, the (VILLAGE/CITY of __________) recognizes that the immigration system in the United States is in need of meaningful reform; and

WHEREAS, the (VILLAGE/CITY of __________) urges the United States Congress to pass comprehensive legislation to reform the country's immigration system; and

NOW, THEREFORE BE IT RESOLVED, that the (VILLAGE/CITY of __________) supports immigration reform that: provides a clear and earned path to citizenship for undocumented immigrants; clears immigration backlogs; addresses the current labor market needs and improves state and local economic competitiveness; provides for effective employment verification; promotes immigrant integration; and, enhances national security and safety with a sensible enforcement policy.

BE IT FURTHER RESOLVED, that copies of this resolution shall be transmitted to the President and Vice President of the United States, the Majority and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and to each member of Congress elected from the State of Illinois.

Passed this 10th day of April, 2013
Approved this 10th day of April, 2013

William D. McLeod
William D. McLeod, President
Northwest Municipal Conference and
Mayor Village of Hoffman Estates

ATTEST: Louella B. Preston
Louella B. Preston, Secretary
Northwest Municipal Conference and
Trustee, Village of Niles

F

Prospect Heights

To: Mayor Nicholas J. Helmer, City of Prospect Heights City Council

From: Anne Marrin, City Administrator

Date: April 22, 2013

Re: Resolution Appointing a Director and Alternates to the Solid Waste Agency of Northern Cook County (SWANCC)

Issue: The Bylaws of the Solid Waste Agency of Northern Cook County (SWANCC) require members to appoint a Director and Alternate(s) each year to the Board of Directors.

Analysis: Currently, the Mayor and City Administrator are the delegates with Alderman Bree Higgins being a second Alternate Director.

Recommendation: Staff recommends that the City Council pass a resolution designating Mayor Helmer (Director), and City Administrator, Anne Marrin (Alternate Director), as the City of Prospect Heights authorized delegates and Alderman Bree Higgins as second Alternate Director.

04/22/2013 Attachments: Resolution

RESOLUTION NO. _____

A RESOLUTION APPOINTING A DIRECTOR AND ALTERNATE DIRECTORS
<u>TO THE SOLID WASTE AGENCY OF NORTHERN COOK COUNTY</u>

WHEREAS, the bylaws of the Solid Waste Agency of Northern Cook County (hereinafter "SWANCC") require members to appoint a Director and Alternate Directors to the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COUNTY OF COOK, STATE OF ILLINOIS

<u>Section 1.</u> The Mayor and City Council of the City of Prospect Heights appoints Mayor Nicholas J. Helmer as the City's Director on the Board of Directors and appoints Anne Marrin, City Administrator, as its first Alternate Director and Brigitta "Bree" Higgins, Alderman, Ward 5, as its second Alternate Director, in each case for a term expiring April 30, 2014, or until his/her successor is appointed.

PASSED AND APPROVED this _____ day of ____________________, 2013.

____
Mayor

ATTEST:

____
City Clerk

AYES:
NAYS:
ABSENT:

G

Prospect Heights

To: Mayor Nicholas J. Helmer, City of Prospect Heights City Council

From: Stephanie Hannon, Finance Director

Date: April 16, 2013

Re: FY2013-FY2014Budget - Second Reading

The attached budget includes in the following changes from the first reading:

General Fund:

Revenue

1. Interfund Service Charge Revenue increased overall by $44,600 using the most current March actual expenses and time card information through April 13, 2013.
2. Public Safety Reimbursable Revenue increased by $1,469 which is related to the decrease in the Tourism District service charge adjustment.

Expenses

1. City Council and Boards – Increased by $25,000 comprised of a $10,000 increase in the AV equipment budget and $15,000 for contractual services for current volunteer.
2. Public Safety – Reduced by $18,327 to correct IMRF and insurance costs.
3. Capital Expenses – Increased by $205,000 which is comprised of $125,000 for air conditioner replacement, $60,000 for the front entrance stairs and railing reconstruction, and $20,000 for repair of City Hall foundation water leakage.

In conclusion, the changes result in a net decrease in net income to the General Fund of $165,554.

All Other Funds:

1. Road Construction Fund Expenses – Increased by $11,000 to reflect actual bid prices for a pick-up truck.
2. Road Construction Debt Service Revenue – Decreased by $50,204 based upon the actual Tax Levy Certification report amounts.
3. Water Fund Revenue – Increased by $20,090 for the water rate increase.
4. Interfund Service Charge Expense - net increase to impacted funds is $44,600 which is the adjustment related to using the most current March actual expenses and time card information through April 13, 2013.

ORDINANCE NO.________

AN ORDINANCE ADOPTING THE ANNUAL BUDGET 2013-2014

WHEREAS, the City Council of the City of Prospect Heights has adopted the "Budget Officer System" as provided in sections 8-2-9.1 through 8-2-9.10 of the Illinois Municipal Code (65 ILCS 5/8-2-9.1 – 8-2-9.10); and

WHEREAS, pursuant to the applicable ordinances and Statutes, an annual budget shall be adopted by the Corporate Authorities in lieu of the passage of any appropriation ordinance; and

WHEREAS, the City Council of the City of Prospect Heights has held all of the hearings and caused to be made all of the publications and notices required by law; and

WHEREAS, the Mayor and City Council have reviewed the budget for fiscal year 2013-2014 as presented by the City Administrator as the budget officer and have determined that it is in the best interests of the City of Prospect Heights;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS:

SECTION ONE: That the fiscal 2013-2014 budget for the City of Prospect Heights, Illinois, attached and incorporated into this ordinance as Exhibit A is hereby adopted and approved.

SECTION TWO: That the City Clerk of the City of Prospect Heights is directed to publish this Ordinance in pamphlet form.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its passage, approval and publication.

AYES:

NAYS:

ABSENT:

PASSED and APPROVED this ____day of _____, 2013.

____
Mayor

ATTEST:
(SEAL)

____
City Clerk

Published in pamphlet form ________________, 2013

H

Prospect Heights

To: Mayor Nicholas J. Helmer, City of Prospect Heights City Council

From: Anne Marrin, City Administrator

Date: April 8, 2013

Re: Ordinance Creating a City Council Workshop Meeting

Issue: As directed by the City Council, attached please find the ordinance creating one meeting per month as the "City Council Workshop Meeting" and replacing one Regular Council Meeting beginning May 13, 2013.

04/08/2013: Attachments: Ordinance

ORDINANCE NO. O-13-___
An Ordinance Amending Section 1-5-2, 5 and 13 of the City Code to Modify the Meetings of the City Council

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS as follows:

Section 1. That Title 1, Administration, Chapter 5. City Council, Section 1-5-2, MEETINGS OF THE COUNCIL, of the Prospect Heights City Code, as amended, is hereby further amended with deletions in strikethrough and additions in underline text so that the same shall be read as follows:

A. Regular Meetings: The regular meetings of the city council shall be held on the ~~second and~~ fourth Monday~~s~~ of each calendar month at six thirty o'clock (6:30) P.M. ~~immediately following the scheduled committee of the whole meeting, if any.~~ Regular meetings shall take place at a convenient location to be authorized by the corporate authorities of the city. Any regular meeting falling on a legal holiday observed by the city shall be held on the next day after the legal holiday at the same time and place. The city council shall provide a schedule of regular meetings at the beginning of each calendar or fiscal year in accord with the open meetings act, 5 Illinois Compiled Statutes 120/1 et seq., as amended.

B. Special Meetings:

1. Special meetings may be called by a majority vote of the city council taken at a regular or special meeting of the city council. No separate notice to individual council members not present when the vote to call a special meeting was taken is necessary to call the special meeting. The city administrator shall notify any alderman not present at the meeting of the date and time of the special meeting.

2. Special meetings may also be called by the mayor or by any three (3) members of the council by written request or notice being filed with the city clerk at least forty eight (48) hours prior to the time specified for such meetings. At least twenty four (24) hours' written notice of such special meeting shall be given by the clerk, which notice shall specify the time and purpose of such meeting and shall be delivered to each member of the council personally if he/she can be found; and, if he/she cannot be found, then by leaving a copy of such notice at the home of such council member in the presence of an adult member of the family of the alderman or mayor, as the case may be.

   The clerk shall cause an affidavit showing service of such notice as herein provided to be filed in her office prior to the time fixed for such special meeting; together with a statement of compliance with the notices to members of the media as provided in "an act in relation to meetings". Any special meeting attended by all of the members of the council shall be a regular meeting for the transaction of

571099

any business that may come before such meeting if all members are present and so agree.

C. ~~Committee Of The Whole~~ City Council Workshop Meetings: The City Council shall meet on the ~~Committee of the whole meetings shall meet regularly on the~~ second ~~and fourth~~ Monday~~s~~ of each month ~~prior to the regular city council meetings~~ at six thirty o'clock (6:30) P.M. at city hall to conduct a workshop meeting. In addition, the council may also meet ~~as a committee of the whole~~in a workshop format at such times as it determines necessary.

D. All meetings of the City Council shall comply with the Open Meetings Act.

Section 2. That Title 1, Administration, Chapter 5, City Council, Section 1-5-5, AGENDA AND ORDER OF BUSINESS, of the Prospect Heights City Code, as amended, is hereby further amended with deletions in strikethrough and additions in underline text so that the same shall be read as follows:

1-5-5: AGENDA AND ORDER OF BUSINESS:

A. City Council Workshop~~Committee Of The Whole~~: The city council workshop ~~committee of the whole~~ shall be a ~~workshop~~ meeting of the city council for purposes of informal discussion of city business. The mayor or any two (2) aldermen by written request directed to the city administrator may place a matter on the ~~committee of the whole~~workshop agenda for discussion purposes. Matters may be passed out of the city council workshop~~committee of the whole~~ and placed on the city council agenda by the affirmative vote of the majority of aldermen present.

1. Payment of Bills at Workshop Meetings. At each workshop meeting, the city council may take final action on payment of any city bills which are due as of the date of the workshop.

2. Final Action at Workshops. Provided the agenda complies with the Open Meetings Act, the city council may take final action on any matter at a city council workshop meeting, but with the exception of paying bills, such instances shall be infrequent.

3. Public comment shall be allowed at the beginning of each city council workshop meeting and shall be limited to matters listed on the agenda. The mayor or temporary chairman may limit the time of each speaker and/or allow public comment on non-agenda matters in his or her discretion, subject to being overruled by a majority of the aldermen present.

B. City Council Regular and Special Meetings: Generally, matters should appear first for discussion ~~on~~ at the ~~committee of the whole~~city council workshop prior to appearing for action on the regular or special city council agenda. The mayor may direct that any matter be placed on the agenda. The order of business at city council meetings shall be substantially as follows. The presiding officer at any city council meeting may adjust the order of business in his or her discretion subject to the procedure for appeals of the decision of the chair as set forth in this code. Members of the city council may, by motion, temporarily alter the order of business for any given meeting. This section is intended as a guide in the preparation of the city council agenda and is not intended to override the rules of procedure of the city council in the conduct of its business. Deviations from the order of business set forth below shall not affect the validity of any city council action:

1. Call to order.

2. Roll call.

3. Pledge Of Allegiance.

4. Petitions and communications.

   Persons desiring to address the city council during this section shall register with the city administrator a written request to address the council, or to have the matter put on the agenda, no later than Thursday preceding the regular meeting of the city council. Any such written request shall state the person's name and address, shall describe the nature of the matter to be presented, and shall identify the date of the meeting at which the person desires to make the presentation. The city administrator will place the matter on the agenda under "petitions and communications" for the meeting specified in the request. Any person registered to address the city council may speak for five (5) minutes.

5. Residents' comments (agenda matters).

   Residents desiring to address the city council shall register with the city clerk on a form provided at the council meeting. On the form the requester shall state the resident's name and address, and the subject matter to be presented. The clerk shall provide the forms of requesters to the mayor. Residents speaking on agenda matters will be recognized by the mayor and allowed to address the city council at this time. The mayor may recognize or refuse to recognize any person who has not registered with the city clerk. Should there be a challenge to the decision, a majority vote of the council is in order. Any resident who has registered and/or is recognized may speak for five (5) minutes only.

6. Reports and communications from the mayor, officers, and special commissions.

7. Consent agenda.

   All items on the consent agenda shall be adopted by the city council in a single motion following an affirmative roll call vote. Any member of the city council may request removal of any item from the consent agenda for separate discussion. The failure to remove any item or items from the consent agenda by any alderman or the mayor shall be deemed to constitute unanimous consent as to the inclusion of each item or items on the consent agenda. Unless otherwise prohibited by law, any ordinance, resolution, order or motion may be placed on the consent agenda.

8. Approval of exceptions.

   Consideration of consent agenda items that have been removed for separate discussion and for awarding of bids.

9. Legislation.

The city administrator shall maintain a list of all legislation, action on which has been tabled or otherwise postponed, and shall indicate the status of said legislation monthly.

a. Pending matters.

b. Plan/zoning board of appeals report.

If the city council has by motion approved the recommendation as submitted by the plan/zoning board of appeals to the city council, the city council may waive first reading of an ordinance granting such action recommended by the plan/zoning board of appeals.

If the city council has by motion approved the recommendation as submitted by the plan/zoning board of appeals to the city council, the city council may adopt a resolution approving the action recommended by the plan/zoning board of appeals.

c. Resolutions.

d. Ordinances, first reading.

e. Ordinances, second reading.

10. Approval of expenditures.

11. Residents' comments (non agenda matters).

Residents desiring to address the city council shall register with the city clerk on a form provided at the council meeting. On the form the requester shall state the resident's name and address, and the subject matter to be presented. The clerk shall provide the forms of requesters to the mayor. Residents speaking on non agenda matters will be recognized by the mayor and allowed to address the city council at this time. The mayor may recognize or refuse to recognize any person who has not registered with the city clerk. Should there be a challenge to the decision, a majority vote of the council is in order. Any resident who has registered and/or is recognized may speak for five (5) minutes only.

12. Executive session.

13. Adjournment.

Section 3. That Title 1, Administration, Chapter 5, City Council, Section 1-5-13, **PARTICIPATION IN CITY COUNCIL MEETINGS**, of the Prospect Heights City Code, as amended, is hereby further amended with deletions in strikethrough and additions in underline text so that the same shall be read as follows:

1-5-13, **PARTICIPATION IN CITY COUNCIL MEETINGS BY AUDIO OR VIDEO CONFERENCE**

A. The mayor and any alderman shall be allowed to participate in and vote, as set forth in this code, in any city council ~~committee of the whole~~workshop, regular and special meetings, via telephone or any other electronic communication device, but only in the

~~event that: a) mayor or alderman is physically unable to attend the city council meeting due to illness, injury, absence from town or upon prior approval of a majority of the mayor and city council, and b) a quorum of the city council is physically present at said meeting~~compliance with the Open Meetings Act and this code. In the event of a conflict between the Open Meetings Act and this Code, the Open Meetings Act shall control.

B. Eligibility. If a quorum of the Corporate Authorities is physically present as required by Section 2.01 of the Open Meetings Act, any alderman or the mayor may attend the meeting by video or audio conference if such alderman or the mayor is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. Audio or video conference attendance shall be in accord with this section.

C. Notice to Clerk. If a member of the Corporate Authorities wishes to attend a meeting by video or audio conference, the member must notify the city clerk in writing or by email at least forty-eight (48) hours before the meeting. The clerk of his or her designee, after receiving the electronic attendance request, shall inform the mayor and city council of the request for electronic attendance.

D. Audio standards. To be allowed to attend by audio or video conference, there must be suitable equipment available in the room where the meeting is to be physically held which will provide a clear, audible, two-way transmission of the audio from the physical meeting to all members desiring to attend remotely and from the member(s) attending remotely to the physical meeting in sufficient volume to be comfortably heard by members, the City clerk, and the public in physical attendance. The telephonic connection shall be of sufficient quality to carry uninterrupted audio of the meeting. Cellular/wireless phone and speakerphone usage by members attending remotely is discouraged.

E. Determination of mayor or temporary chairman. The mayor (if physically present), or duly elected temporary chairman of the meeting, may refuse to allow a member to attend by video or audio conference if he or she determines that the audio standards set forth above cannot be met. The mayor or temporary chairman shall make such determination as a matter of record and direct the clerk or recording secretary note such determination in the minutes of the meeting. Members may override the determination of the mayor or chairman if a majority of the Members physically present determine that the audio transmissions meet the above audio standards. Such override shall be upon motion passed by the affirmative vote of a majority of the members physically present.

F. Remote attendance of mayor / chairman must physically attend. The Mayor may attend a meeting by audio or video conference, but may not chair. In the physical absence of the mayor, a member must be physically present to serve as temporary chairman.

G. Rights of Remote Member. A member permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. Accordingly, although the mayor cannot chair the meeting, the mayor may break a tie or vote when statutorily permitted when attending electronically. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the clerk and placed in the minutes for the corresponding meeting. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.

Section 4. The city administrator is directed to publish an amended schedule of meetings which conforms to this ordinance as soon as practicable and take such other steps necessary to conform with the Open Meetings Act.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED and APPROVED this ____ day of ___________, 2013.

____
Nicholas J. Helmer, Mayor

ATTEST:

____
City Clerk

AYES:
NAYS:
ABSENT:

Published in pamphlet form: ___________, 2013

I

Prospect Heights

To: Mayor Nicholas J. Helmer, City of Prospect Heights City Council

From: Anne Marrin, City Administrator

Date: April 8, 2013

Re: Ordinance Amending Ordinance 0-11-14 Regarding Water Rates

---

Issue: This past fiscal year the Council directed a Water Rate Study that was completed by Baxter & Woodman and presented to the Council in December.

The conclusion of the study showed that the rates must be increased in order to sustain the Water Fund. Attached is the ordinance with the new rates as discussed at the Budget Workshop.

04/08/2013: Attachments: Ordinance

02/25/2013

ORDINANCE NO. ___________

AN ORDINANCE AMENDING ORDINANCE NO. 0-11-14

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: Title 1, Chapter 7, Section 15.J Water Rates of the City Code is hereby amended as follows:

H. Water Rates

Each and every business or residential dwelling unit utilizing the City's water distribution system shall be considered a facility. Any facility having connection with the City's distribution system that may hereafter be constructed and used in connection with the distribution system shall pay the following rates per month:

	FY 2012	FY 2013
Monthly Customer Delivery Charge	$18.98	$ 20.30
Monthly Infrastructure Reserve charge	$ 8.99	$ 9.45
Monthly Debt Service Charge	$ 5.97	$ 5.97
Water Supply Charge per 1,000 Gallons	$ 6.08	$ 6.49

Supply charges by the city water supplier will be based on actual billed charges to the City and will be determined on an annual basis.

Water Rate effective date shall be May 1, 2013.

SECTION TWO: This ordinance shall be in full force and effect upon its passage, approval. And publication in pamphlet form and posting as prescribed by law.

AYES:

NAYS:

ABSENT:

PASSED this __________ day of ____________________, 2013.

APPROVED this ________ day of ____________________, 2013.

____
Nicholas J. Helmer, Mayor

ATTEST:

____
Stacey Adamson, City Clerk

Published in pamphlet form ____________________, 2013.

ORDINANCE NO. ________

AN ORDINANCE AMENDING ORDINANCE NO. O-10-08

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: Title 1, Chapter 7, Section 15.J. Water Rates of the City Code is hereby amended to read as follows:

H. Water Rates

Each and every business or residential dwelling unit utilizing the City's water distribution system shall be considered a facility. Any facility having a connection with the City's distribution system that may hereafter be constructed and used in connection with the distribution system shall pay the following rates per month:

	FY 2011	**FY 2012**
Monthly Customer Delivery Charge	$18.90	$18.98
Monthly Infrastructure Reserve Charge	$ 8.21	$ 8.99
Monthly Debt Service Charge	$ 6.50	$ 5.97
Water Supply Charge per 1,000 Gallons	$ 7.78	$ 6.08

Water rate effective date shall be May 1, 2011

SECTION TWO: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form and posting as prescribed by law.

AYES:
NAYS:
ABSENT:

PASSED and APPROVED this ________day of ________________, 2011

____
Mayor

ATTEST:

____
City Clerk

Published in Pamphlet form: Effective Date:

J

Prospect Heights

To: Mayor Nicholas J. Helmer and City Council

From: Stephanie Hannon, Finance Director

Date: April 4, 2013

Re: SSA #8 Term Note

SSA #8 currently owes SSA#5 - $170,334 and the General Fund $121,764.36 for a total debt of $292,098. The City Attorney will be drafting an ordinance establishing a Term Note for SSA#8 for a maximum amount of $400,000 at a rate of 2.50%. The term note will be for 5 years. The note and its terms have been incorporated in the proposed FY2013-2014 budget.

ORDINANCE NUMBER ______

AN ORDINANCE providing for the issuance of a $400,000 Special Service Area Number 8 Loan Note (2013 Interfund Loan Series) of the City of Prospect Heights, Cook County, Illinois, to Evidence an Interfund Loan from the Prospect Heights General Fund to the Prospect Heights Special Service Area 8 Project Fund, to pay the Costs of Improvements Within Said Special Service Area, and Providing for the Security for and Payment of said Note.

Adopted by the City Council on the ____ day of ________ 2013.

Published in Pamphlet Form by authority of said Corporate Authorities on the ____ day of ________ 2013.

TABLE OF CONTENTS

[This Table of Contents is for the convenience of the reader only and does not form a part of this Ordinance.]

ORDINANCE NUMBER ______

AN ORDINANCE providing for the issuance of a $400,000 Special Service Area Number 8 Loan Note (2013 Interfund Loan Series) of the City of Prospect Heights, Cook County, Illinois, to Evidence an Interfund Loan from the Prospect Heights General Fund to the Prospect Heights Special Service Area 8 Project Fund, to pay the Costs of Improvements Within Said Special Service Area, and Providing for the Security for and Payment of said Note.

PREAMBLES

WHEREAS

A. The City of Prospect Heights, Cook County, Illinois (the *"City"*), is a duly organized and existing city, municipality, unit of local government, and political subdivision of the State of Illinois, operating pursuant to the provisions of the Illinois Municipal Code, as amended, and all laws amendatory thereof or supplementary thereto (the *"Act"*), and also the Special Service Area Tax Law, as amended (the *"SSA Law"*).

B. The Mayor and City Council of the City (who hereinafter may be referred to as the *"Corporate Authorities"*), by Ordinance Number **O-10-47**, adopted on December 13, 2010, did propose the establishment of Special Service Area Number Eight of the City (*"SSA 8"*) in order to provide certain services, namely, the acquisition of necessary land rights and the construction, maintenance and operation of Levee 37 and related flood control measures (the *"Services"*), together with any such other further services necessary and/or incidental to the accomplishment of the aforesaid improvements, and to provide for the issuance of special service area bonds of SSA 8 in not to exceed the aggregate principal amount of $500,000, bearing interest at a rate not to exceed the greater of 9% per annum or 125% of the rate for the most recent date shown in the 20 G.O. Bonds Index of average municipal bond yields as published in the most recent edition of The Bond Buyer, published in New York, New York, at the time the contract is made for the sale of the Bonds, said bonds to mature within 20 years from the date of issuance thereof, and to provide for the levy of a direct annual tax sufficient on all property subject to taxation within the Area to pay the interest on the Bonds as the same comes due and to discharge the principal thereof at maturity, and to provide for the levy and collection of special service area taxes in each year at the rate of not to exceed 1.41% to provide the Services, and did call a public hearing for the 24th day of January, 2011 (the *"Hearing"*).

C. The Corporate Authorities gave proper notice (the *"Notice"*) of the Hearing, by publication and by mailing, all as required by the SSA Law, as evidenced by the official files and records of the City now on file in the office of the City Clerk.

D. The Hearing was held and adjourned on the 24th day of January, 2011.

E. At the Hearing, all interested persons affected by SSA 8 were permitted to file written objections thereto and to be heard orally thereon.

F. On May 9, 2011, the Corporate Authorities adopted Ordinance No. O-11-11 to establish SSA 8.

G. Pursuant to said Ordinances, Notice and Hearing (collectively, the *"SSA Proceedings"*), SSA 8 has been properly established.

H. SSA 8 is located wholly within the corporate territory and boundaries of the City (and solely within Cook County, Illinois), and SSA 8 is contiguous.

I. SSA 8 will benefit specially from the Services.

J. The Services are unique and in addition to the municipal services provided to the City as a whole.

K. The creation of a special service area, other than SSA 8, has not been proposed in the territory comprising SSA 8 during the two years preceding the adoption of this Ordinance.

L. The Corporate Authorities previously have and it is hereby again found and determined that in order to promote the health, safety, welfare and convenience of the residents of SSA 8, it is necessary, advisable and in the best interests of SSA 8 and the property owners therein to undertake the capital improvements constituting the Services (the *"Project"*), all as generally shown on preliminary plans and costs estimates approved by the City.

M. The Corporate Authorities have determined that the estimated total cost of the Project, including capitalized interest and expenses incidental thereto, is currently not more than $400,000.

N. The City is now authorized to provide the Services, construct the Project, and proceed with the financing contemplated thereby and therein.

O. The Prospect Heights General Fund (the *"PHGF"*) has sufficient funds on hand to enable said fund to advance $400,000 to the SSA 8 Project to enable the construction of the Project, such money to be repaid by SSA 8 to the PHGF on the terms herein provided.

NOW THEREFORE Be It Ordained by the City Council of the City of Prospect Heights, Cook County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. Definitions. Words and terms used in this Ordinance shall have the meanings given them, unless the context or use clearly indicates another or different meaning is intended. Words and terms defined in the singular may be used in the plural and vice-versa. Reference to any gender shall be deemed to include the other and also inanimate persons such as corporations, where applicable.

A. The following words and terms are as defined in the preambles.

Act

City

Corporate Authorities

Hearing Notice

PHGF

Project

Services

SSA 8

SSA Law

SSA Proceedings

B. The following words and terms are defined as set forth.

"Designated Officials" means the Mayor and City Clerk of the City.

"Note" means the $400,000 Special Service Area Number 8 Loan Note (2013 Interfund Loan Series), authorized to be issued by this Ordinance.

"Note Fund" means the Note Fund established and defined in this Ordinance.

"Note Register" means the books of the City kept by the Note Registrar to evidence the registration and transfer of the Notes.

"Note Registrar" means the City Clerk.

"Ordinance" means this Ordinance, numbered as set forth on the title page hereof, and passed by the Corporate Authorities on the ____ day of ________ 2013.

"Revenues" means the taxes levied in SSA 8 to pay the Note.

C. Definitions also appear in the above preambles or in specific sections, as appearing below. The table of contents preceding and the headings in this Ordinance are for the convenience of the reader and are not a part of this Ordinance.

Section 2. Incorporation of Preambles. The Corporate Authorities hereby find that all of the recitals contained in the preambles to this Ordinance are true, correct and complete and do incorporate them into this Ordinance by this reference.

Section 3. Determination to Issue Note. It is necessary and in the best interests of the City and for the public health, safety, welfare and convenience to provide for the payment of the

Project, to pay all related costs and expenses incidental thereto, and to borrow money from the PHGF and issue the Note for such purposes.

Section 4. Note Details. There shall be issued and delivered to the PHGF the Note in the aggregate principal amount of $400,000. The Note shall be designated *"Special Service Area Number Eight Loan Note (2013 Interfund Loan Series)"*; be dated the date of actual delivery thereof (the *"Dated Date"*) which shall not be later than May 1, 2013; and shall also bear the date of authentication thereof. The Note shall be in fully registered form and shall be in the full denomination of $400,000. The amount of the Note less principal payments made from time to time thereon shall be the *"Outstanding Principal Amount"* of the Note. The Outstanding Principal Amount of the Note shall bear interest at the rate of 2.5% per annum. The Outstanding Principal Amount of the Note shall become finally due and payable five (5) years from the Dated Date. The Note shall be in fully registered form, shall be a single Note in the full authorized amount thereof, and shall become due and payable at maturity. The interest on and principal of the Note shall be payable in lawful money of the United States of America upon presentation at the office of the Note Registrar.

Section 5. Execution; Authentication. The Note shall be executed on behalf of the City by the manual or duly authorized facsimile signature of the Mayor of the City and attested by the manual or duly authorized facsimile signature of its City Clerk, as they may determine, and shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the City. In case any such officer whose signature shall appear on the Note shall cease to be such officer before the delivery of the Note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. The Note shall have thereon a certificate of authentication, substantially in the form hereinafter set forth, duly executed by the Note Registrar as authenticating agent of the City and showing the date of authentication. The Note shall not be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Note Registrar by manual signature, and such certificate of authentication upon the Note shall be conclusive evidence that the Note has been authenticated and delivered under this Ordinance.

Section 6. Optional Redemption and Prepayment. The Note shall be subject to redemption and prepayment on any date in any even amount of $100 or integral multiple thereof.

Section 7. Registration of the Note; Person Treated as Owner. The City Clerk shall cause a book (the *"Note Register"*) for the registration of the Note, registered continuously in the name of the PHGF.

Section 8. Form of the Note. The Note shall be in substantially the form hereinafter set forth.

REGISTERED
NO. ONE

REGISTERED
$400,000

UNITED STATES OF AMERICA

STATE OF ILLINOIS

THE COUNTY OF COOK

CITY OF PROSPECT HEIGHTS

SPECIAL SERVICE AREA NUMBER EIGHT LOAN NOTE
(2013 INTERFUND LOAN SERIES)

Interest Rate: 2.5%	Final Maturity Date: ________ __, 2018	Dated Date: ________ __, 2013	CUSIP: N/A

Registered Owner: CITY OF PROSPECT HEIGHTS GENERAL FUND

Principal Amount: FOUR HUNDRED THOUSAND DOLLARS

KNOW ALL PERSONS BY THESE PRESENTS that the City of Prospect Heights, Cook County, Illinois, a municipality, unit of local government, and political subdivision of the State of Illinois (the *"City"*), hereby acknowledges itself to owe solely from the sources so provided below and for value received promises to pay to the Registered Owner identified above the Principal Amount identified above and to pay interest on the Outstanding Principal Amount of this Note from the later of the Dated Date of this Note identified above or from the most recent interest payment date to which interest has been paid or duly provided for, at the Interest Rate per annum identified above, on that date which is six (6) months after the Dated Date, and semiannually thereafter until the entire principal amount is paid. The principal of this Note outstanding from time to time (the *"Outstanding Principal Amount"*) shall become due and payable on the Final Maturity Date identified above. Interest and principal of this Note is payable in lawful money of the United States of America upon presentation of this Note by the Registered Owner hereof at the office of the City Clerk, Prospect Heights, Illinois (the *"Note Registrar"*).

This Note has been issued for the purpose paying the costs of the Project, and of paying expenses incidental thereto, all as described and defined in the Ordinance authorizing this Note (the *"Ordinance"*), pursuant to and in all respects in compliance with the applicable provisions of the Illinois Municipal Code, as supplemented and amended (the *"Act"*), the Special Service Area Law, as amended (the *"SSA Law"*), and with the Ordinance, which Ordinance has been duly adopted by the City Council of the City on the ____ day of ________ 2013, approved by the Mayor of the City, and published, in all respects as by law required.

This Note is payable solely and only from taxes (the *"Revenues"*) levied within Special Service Area Number Eight within the City, and not otherwise, and is not an obligation or indebtedness of the City other than as payable from the Revenues.

This Note is subject to provisions relating to registration and such other terms and provisions relating to security and payment as are set forth in the Ordinance, to which reference is hereby expressly made, and to all the terms of which the Registered Owner hereof is hereby notified and shall be subject.

The Note is subject to redemption and prepayment on any date in any even amount of $100 on integral multiple thereof.

The City and the Note Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and neither the City nor the Note Registrar shall be affected by any notice to the contrary.

It is hereby certified and recited that all conditions, acts, and things required by the Constitution and Laws of the State of Illinois to exist or to be done precedent to and in the issuance of this Note, have existed and have been properly done, happened, and been performed in regular and due form and time as required by law; that the indebtedness of the City and SSA 8, represented by this Note, and including all other indebtedness of the City and SSA 8, howsoever evidenced or incurred, does not exceed any constitutional or statutory or other lawful limitation.

This Note shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Note Registrar.

IN WITNESS WHEREOF the City of Prospect Heights, Cook County, Illinois, by its City Council, has caused this Note to be executed by the manual or duly authorized facsimile signature of its Mayor and attested by the manual or duly authorized facsimile signature of its City Clerk and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing hereon and as of the Dated Date identified above.

ATTEST:

____
Mayor, City of Prospect Heights
Cook County, Illinois

____
City Clerk, City of Prospect Heights
Cook County, Illinois

[SEAL]

Date of Authentication: __________, 2013

CERTIFICATE
OF
AUTHENTICATION

This Note is the Note described in the within-mentioned Ordinance and is the Special Service Area Number Eight Loan Note (2013 Interfund Loan Series), of the City of Prospect Heights, Cook County, Illinois

____
City Clerk

Note Registrar and Paying Agent:
City Clerk

Section 9. Security for the Note; Plan of Repayment. The Note is payable solely and only from taxes (the *"Revenues"*) levied within Special Service Area Number Eight within the City, and not otherwise, and is not an obligation or indebtedness of the City other than as payable from the Revenues.

Section 10. Delivery of Note. The Designated Officials are hereby authorized to proceed to deliver the Note to the PHGF at the price of par value thereof.

Section 11. Creation of Funds and Appropriations. Funds are established and Note proceeds and other funds of the City are hereby appropriated as follows:

A. The Revenues when collected shall be deposited into "Special Service Area Number Eight Loan Note (2013 Interfund Loan Series) Fund" (the *"Note Fund"*), hereby created, which shall be the fund for the payment of principal of and interest on the Note.

B. The principal proceeds of the Note shall be deposited into the SSA 8 Project Fund (the *"SSA 8 Project Fund"*), hereby created. Moneys in such fund shall be withdrawn from time to time as needed for the payment or reimbursement of costs of the Project and paying the fees and expenses incidental thereto.

C. Funds on deposit in the Note Fund or SSA 8 Project Fund may be invested in any lawful manner.

Alternatively to the creation of the funds described above, the City Treasurer may allocate the Note repayment moneys or the proceeds of the Note to one or more related funds of the City already in existence and in accordance with good accounting practice.

Section 12. Publication of Ordinance. A full, true, and complete copy of this Ordinance shall be published promptly after passage in pamphlet form by authority of the Corporate Authorities.

Section 13. Superseder and Effective Date. All ordinances, resolutions, and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect immediately upon its passage, approval, and publication.

AYES: ______________________________

NAYS: ______________________________

ABSENT: ______________________________

ADOPTED: __________, 2013

APPROVED: __________, 2013

s/ ______________________________
NICHOLAS J. HELMER,
Mayor, City of Prospect Heights
Cook County, Illinois

RECORDED In City Records: __________, 2013.

PUBLISHED in pamphlet form by authority of the Corporate Authorities on April __, 2013.

ATTEST:

____
Stacey Adamson, City Clerk,
City of Prospect Heights
Cook County, Illinois

N

April 18, 2013

To: Mayor Nicholas J. Helmer
City of Prospect Heights City Council

From: Anne Marrin, City Administrator

Re: Approval of a Contract with Xtivity Solutions, Inc. for IT Services

Xtivity Solutions, Inc. has been working very hard to get the City to where it needs to be in the IT Department. They have to date implemented Spam eliminating software to decrease the intrusions of Spam e-mails. They have setup a new SonicWall which helps protect and run the City's IT infrastructure. Xtivity Solutions, Inc. has provided the City with documentation of an inventory of every phone and IT component owned by the City. This document also includes all passwords, IP addresses, licenses and equipment installed. They have worked extensively to get the IT system to where it needs to be. They will additionally assist the City in creating IT policies that focus on best practices and security. Staff has reviewed the attached contract and recommends the approval of a contract with Xtivity Solutions, Inc. for IT Services.

Sincerely,

Anne Marrin
City Administrator

PROPOSAL

City of Prospect Heights
IT Service Contract

Submitted
By:

SOLUTIONS, LLC.

March 22, 2013

The enclosed data, furnished in connection with this Proposal is CONFIDENTIAL and PROPRIETARY, and shall not be disclosed directly or indirectly, and shall not be copied in any form, used or disclosed in whole or part for any purpose other than for the customers right to examine this Proposal, unless otherwise agreed in writing by Xtivity Solutions LLC.

Xtivity Solutions LLC, 655 W. Grand Ave., Suite 300, Elmhurst IL. 60126

CONTENTS

SERVICE DESCRIPTION

Xtivity Solutions, LLC is a leading provider of Network services and Technology solutions. Our Mission is to provide infrastructure and technology tools to enable your Company/Business to succeed at the highest levels.

Our services include: Management of corporate, municipal and private Networks, service and configurations of Computers and Servers, maintaining a Response Center, providing Data Backup Services, Allowing for remote Disaster Recovery, as well as Development and Optimization of solutions customized to your needs. We emphasize working with customers to identify their immediate needs, as well as anticipating and planning for growth.

3 Year Service and Maintenance Contract includes:

Infrastructure:

Server solutions
Data protection and backup
Messaging solutions
Desktop and Laptop support and Help Desk

Security Services:

Vulnerability & Penetration testing
Routing, Spam Protection
IM security
VPN services
Firewall Security

Network Solutions:

Network Cable testing
Network Design
Router and Switch Administration
Wireless Solutions
VPN Solutions
DNS Administration
Firewall Administration

Monitoring:

Server
Network
Desktop

Service Agreement Terms

For the terms of this 36-month agreement Xtivity Solutions will support the City of Prospect Heights for all IT services listed above for the following locations: Village Hall, Police Department and Public Works. Our service is categorized in two (2) levels of support for response time and fixing of the reported problem.

<u>This agreement does not include critical call escalation and resolution.</u> If an occurrence is escalated to the critical level and immediate response time is requested, then a pre-agreed hourly rate (listed below) will be charged.

<u>This agreement is based on labor services only.</u>

How Service requests work:
A designated pool of employees (DPE) will be given the responsibility from the City of Prospect Heights (CPH) to interact with Xtivity and issue the appropriate reports and requests. These assigned DPE's must be authorized to make decisions on the service levels assigned to the problem and any additional charges that may occur. Xtivity will also work with any assigned CPH IT Administrator to determine if the reported event can be resolved over the phone.

All service requests shall be submitted to Xtivity via phone or email. After discussing the issue in detail with CPH, Xtivity will;

a) Designate the appropriate level of support required for the specific issue
b) Commit to a response time until a technician is dispatched
c) Issue a "best guess" when the issue will be resolved

All service requests will have time and date stamps and will be recorded to ensure Xtivity's response time is within the stated time frame. Calls that are made after Xtivity's normal business hours (9 am to 5 pm) will be handled within 4 hours of response time.

A support number and email address will be assigned to CPH for all CPH Service calls.

INCIDENT CLASSIFICATION PROCESS

Incidents received by the Support desk are assigned priority levels based on the following:

Priority 1 - Critical

In case there is a downtime affecting more than 30% of the entire network it is updated as a Critical case. A Priority 1 fault will have a critical impact to the service infrastructure. There will be critical impact to a large part of the customer's infrastructure or an entire service is unavailable. Priority 1 faults will cause critical business impact and/or severe financial impact and will therefore not be constrained by time of day. These are to be treated with the highest priority. All Critical Cases will be directly assigned to the Incident Manager.

Priority 1 classifications will be handled as follows:

Once DPE calls or emails a service request and it is determined that the service level is classified as Priority 1, and CPH DPE requests a tech to be onsite immediately, Xtivity will provide best efforts to have service technician onsite immediately. Service rate will be charged at $195 per hour. Once service technician is onsite, reported issue will be fixed approximately within 4 to 8 hours.

Priority 2 - High

In case there is a downtime affecting 10% - 30% of the entire service infrastructure it is updated as a High priority case.

Priority 2 classifications will be handled as follows:

Once DPE calls or emails a service request and it is determined that the service level is classified as Priority 2, Xtivity will respond via phone or email within one (1) hour. Xtivity will initially dedicate best efforts to resolve the service request online. If problem can't be resolved online a technician will be dispatched to CPH within 6 hours. Once service technician is onsite, reported issue will be fixed approximately within 3 to 4 hours.

Priority 3 - Medium

In case there is a downtime affecting 1% - 10% of the entire service infrastructure it is updated as a Medium priority case.

Priority 3 classifications will be handled as follows:

Once DPE calls or emails a service request and it is determined that the service level is classified as Priority 3 or 4, Xtivity will respond via phone call or email within 4 hours. Xtivity will initially dedicate best efforts to resolve the service request online. If this cannot be resolved online Xtivity will dispatch a service technician within 24 hours. Once service technician is onsite, reported issue will be fixed approximately within 1 to 2 hours.

Priority 4 - Support / Service Request

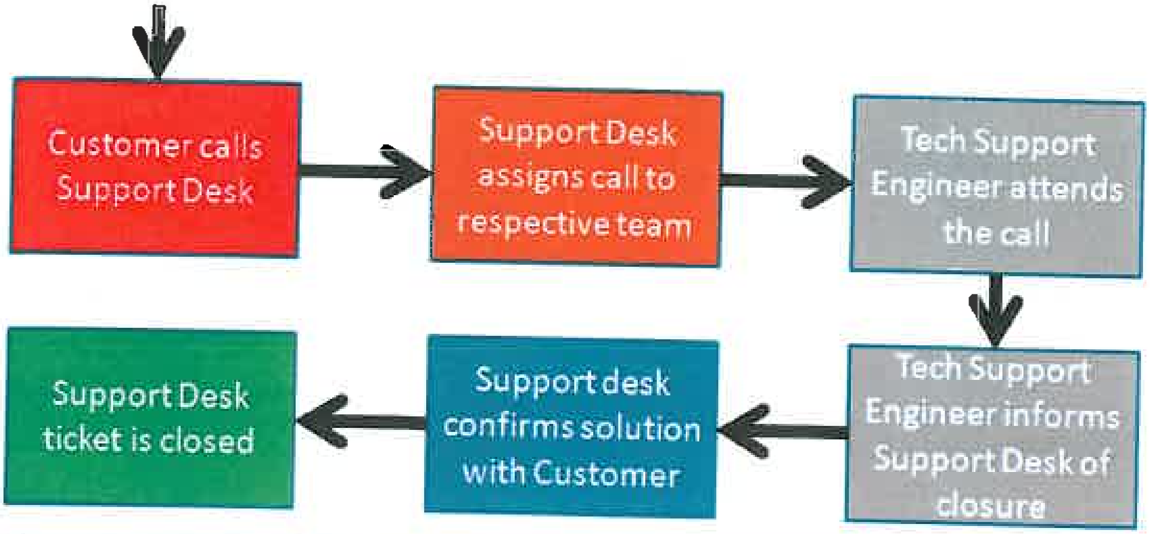
These are the faults, which do not affect service infrastructure, and there is no impact on the core business of the customer. All calls are immediately assigned to the respective team irrespective of the priority levels, whereas the escalation process varies for calls with different priority levels.

Priority 4 classifications will be handled as follows:

Once DPE calls or emails a service request and it is determined that the service level is classified as Priority 3 or 4, Xtivity will respond via phone call or email within 4 hours. Xtivity will initially dedicate best efforts to resolve the service request online. If this cannot be resolved online Xtivity will dispatch a service technician within 24 hours. Once service technician is onsite, reported issue will be fixed approximately within 1 to 2 hours.

INCIDENT INVESTIGATION & DIAGNOSIS

Listed below are the activities that should take place during the incident management process with a brief description for each of the activities.



Activity	Description
User logs Call with Support Desk	• User calls or emails to contact Support Desk • User provides details and brief description of problem • Support Desk creates a Ticket and provides user the Incident Number
Support Desk assigns call to Technology Support Team	• Support Desk assigns the Ticket on tool to the Technology Support Team (Level 1 Tech Team)
Technology Support Engineer attends the call	• Support Desk takes periodic updates from Tech Team on the resolution progress • Support Desk updates user on the current status received from Tech Team on the resolution progress
Technology Support Engineer informs Support Desk of call closure or with status of unresolved call	• Technology Support Engineer gives the description of resolution for resolved /closed calls • Reasoning for unresolved/open calls • Support Desk to follow standard escalation process for unresolved /open calls • An Incident Report is generated within 24 hours of completion of Incident • Incident Report circulates with 24 hours of completion Incident

Support desk

US direct Number: +1 630 832 5400
US Number toll free: +1 877 735 7685
Email: support@xtivitysolutions.com

PRICING

Support task description
Server support
Computer/notebook support
Backup storage ($70 per GB)
Email account support

NOTE

Hourly charges for critical service levels or any services outside of this agreement will be charged at $195 per hour

Total Services Cost: **$3,250.00**

TERMS

Price Adjustments: The monthly pricing can increase depending on adjustments made to the City of Prospect Heights network. If the number of devices, PC's, Laptops or servers increase, the monthly charge will be increased proportionally based on the chart listed above.

Payment Schedule: Payment is due net 30 from invoice date. If any fees or expenses are not paid within thirty (30) days after they are due, Xtivity may, at its option, charge interest at a rate of 1 ½ percent per month. City of Prospect Heights also agrees to pay such fees and costs, when services are rendered outside of this agreement.

Governing Law: This agreement shall be governed by and construed and enforced in accordance with the laws of the State of Illinois as it applies to a contract made and performed in such state.

Contract Term: This contract will be in place for 36 calendar months. This contract is subject to automatic renewal annually from the date of inception, if a 60 days written notice of termination or modification is not received by either party.

Termination: Contract may be cancelled by either party, for cause, only if reported fault was not corrected within thirty (30) days, given a sixty (60) day written notice and a buyout payment of 50% of the remaining contract term if termination given is for no cause.

Exclusions:

- Any problems resulting from modifications to customer's network not authorized by Xtivity
- Any problems resulting from modifications to customer's software not authorized by Xtivity
- Any modifications resulting from employees installing own software to customer's computers or devices
- Any problems resulting from hardware that is out of warranty
- Any problems resulting from software that is out of license
- Any problems resulting from software that is out of warranty

Acceptance of Agreement: City of Prospect Heights and Xtivity Solutions LLC agree to the maintenance and service agreement outlined in this document.

SERVICE CONTRACT	
ACCEPTED AND AGREED	ACCEPTED AND AGREED
Xtivity Solutions, LLC	
By: ______________________	By: ______________________
Name: Terry Crowley	Name: ______________________
Title: ______________________	Title: ______________________
Date: March __, 2013	Date: ______________

Xtivity Solutions LLC, 655 W. Grand Ave., Suite 300, Elmhurst IL. 60126

April 4, 2013

Ms. Anne Marrin
City Administrator
City of Prospect Heights
8 North Elmhurst Road
Prospect Heights, Illinois 60070.

Dear Ms. Marrin:

Gruen Gruen +Associates ("GG+A") is pleased to submit this proposal to assist representatives of the City of Prospect Heights to (1) evaluate the land use development options associated with all city- owned property on the north and south sides of Piper Lane, east of Pinecrest Drive and west of Burning Bush Lane; and (2) identify and help implement a disposition program that results in beneficial development, including positive fiscal impacts to the City.

Objective and Criteria to Sort Out Feasible from Infeasible Land Uses and Set the Stage for Disposition and Development

The goal of the process that GG+A will work with you to complete is to identify a land use mix and program that maximizes value of the land and other fiscal, economic and social benefits to the City. To sort out feasible from infeasible uses and set the stage for disposition and development, the land use options or development program must meet two related criteria. First, the use options or development program must be responsive to the demands of those which will rent or buy building space so that rather than sit vacant the space will be occupied by users. Second, the test of investment feasibility must be met such that the rents or prices paid by the users to occupy the building space must be equal to or greater than the costs of creating and operating the building space.

Accordingly, GG+A will conduct market research and financial analysis to screen or sort out those options likely to meet the related tests of market responsiveness and investment feasibility. We will also identify a strategic disposition and marketing plan and potential developer and user targets and be available to help the City implement the disposition program to monetize the land assets and attract development to accomplish civic objectives.

SCOPE OF WORK

The first priority is to conduct a market reconnaissance or overview. This will sort or screen out which land uses are worth evaluating further because they are likely to be market responsive and potentially financially feasible to build, operate, and sustain. It will exclude those uses unlikely to be market responsive or which would require so much subsidy or

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DEERFIELD, IL 60015

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MIDWEST@GGASSOC.COM

incentive to permit an investment feasibility threshold to be met that it is unlikely to make sense to pursue further. Therefore, we suggest the following scope of work with which we would coordinate with you to complete.

1. Kick-off Meeting to Hypothesize Use Options and Tour the Property

We suggest we begin by touring the property with City representatives and meeting to hypothesize land use options that would be acceptable to study and to identify the factors or reasons why these uses might appeal to businesses or consumers and what disadvantages or constraints would be associated with the location. We would test and add to these hypothesized use options in subsequent tasks.

2. Conduct Interviews With Businesses, Real Estate Brokers, Developers or Other Knowledgeable Individuals to Identify Opportunities and Constraints

We will conduct interviews with businesses, real estate brokers, developers or other knowledgeable individuals to obtain information and insights on the market areas from which consumers or users will be attracted, the supply alternatives with which development of uses at the property will compete, the advantages and disadvantages of the location for the potential uses, and the rents and absorption or occupancy rates that could be potentially achieved.

3. Review Competing Supply and Analyze Available Real Estate Market or Other Secondary Data

We will supplement the interviews with a review of primary supply competition and analysis of available relevant real estate market or secondary data.

4. Synthesize Research to Identify Potential Market Responsive Land Use/Real Estate Product Options

We will summarize in a report the results of our market research and analysis, including estimates of how much of what types of building space can be supported at the site along with estimates of obtainable rents or prices for the space. The characteristics of the products and development that will help maximize penetration into obtainable demands will be described.

5. Meet With City Representatives to Review Implications of Report and Evaluate Real Estate Economics and Feasibility of Potential Development Alternatives

We will review the outputs and implications of the market research and analysis with City representatives and then for those land use development alternatives found worthwhile to evaluate further, we will draw on the results of the market research to evaluate the real estate economics and therefore financial feasibility and supportable land values of alternative land use programs.

GG+A will use its real estate investment analysis program REALISM™ to estimate the land value that would be supported by each of the development options. For each development scenario, the estimated financing, administrative, and marketing costs of development will be considered along with annual operating costs, income-producing rents and forecasted absorption factors to synthesize the real estate economics of each development option into cash flow forecasts and estimates of market and residual values. This analysis will be done from the perspective of a developer and will reflect capital market conditions and investment returns required by developers and their financing sources.

The real estate economic analysis will be directed toward identifying those development uses/products that can be expected to be feasible without any public policy changes or other incentives, or alternatively, how much inducement would be required to move potential types of projects to the point where they would become feasible.

The results of the real estate investment analysis of identified prototypical development options will facilitate the evaluation of options for development in terms of: (1) their likelihood given market conditions with- and without-changes in public policies and actions; and (2) the relative degree and type of public support, if any, required for the encouragement of development not likely to occur under the status quo.

6. Prepare Report on the Results of the Real Estate Economic Analysis and Meet with City Representatives to Review Implications for Marketing Disposition and Development Strategy

GG+A will synthesize the results of the market and real estate economic assessment of the prototypical development options postulated for the property to identify whether the test of feasibility is likely to be met, and if not, the order of magnitude of the gap for the alternatives evaluated. We will prepare a report on the results of the research and analysis outlined above. We will hold a workshop with Prospect Heights' representatives to review the implications for the strategic policy actions and disposition marketing procedures for the City-owned property.

7. Identify Strategic Action Plan and Provide Implementation Support for Disposition and Development of The City-Owned Property

We will also identify the key planning and marketing actions and other strategic issues and actions suggested as the result of the information and insights gained from the tasks completed above. We will recommend an organizational and decision-making structure for the City/consultant team charged with responsibility of implementation of the disposition and development of the property. GG+A will complete the following as warranted:

- formulate a developer- and user-solicitation program and process for soliciting proposals for the implementation of the disposition and development of the property;

- prepare high-quality and highly-motivating solicitation materials that includes (i) a description of project parameters, (ii) market support, and (iii) a description of the actions the City will take to facilitate desirable private feasible development of the property;

- conduct developer focus panels and bidders' conferences;

- evaluate responses (including estimating fiscal and/or economic impacts of proposed developments) and help select the best offer or offers;

- manage the due diligence process;

- assist in negotiation of the development agreement(s)/purchase and sale agreements(s); and

- monitor performance.

STAFF RESPONSIBILITY

Aaron N. Gruen, Principal, will be in charge of this project for Gruen Gruen + Associates. Working closely with Aaron Gruen will be Debra Jeans, Principal, along with Andrew Ratchford, Senior Analyst and other staff with appropriate and training and experience.

COST AND DURATION

Our charges for professional services are based on the actual time devoted to your project by our personnel billed at standard rates. The 2013 billing rates for the professional staff assigned to the project are as follows:

Staff Person	Standard Hourly Rate
Aaron N. Gruen, Esq., Principal	$225
Debra L. Jeans, Principal	$225
Andrew Ratchford, Senior Analyst	$125
Research Assistant/Research Associate	$65-110

Expenses such as for travel, communication, and report production will be invoiced to you at their cost to us. Invoices will be submitted on a monthly basis and are payable upon receipt.

For tasks 1 through 6 described above, we request that you authorize a budget for professional services and expenses not to exceed $37,000, without prior written approval. We will be prepared to estimate a not to exceed budget for task 7 after the first five tasks are completed.

GENERAL PROVISIONS

Our agreement may be terminated on fifteen (15) days' written notice by either party or such lesser time as we may find necessary to conclude the work currently underway and summarize our findings to you.

In the event of litigation to enforce this agreement, Illinois law will apply. The prevailing party in any litigation or arbitration between us will be entitled to reasonable attorneys' fees and costs.

LIABILITY FOR COSTS AND DAMAGES

Gruen Gruen + Associates shall not be liable for any costs or damages resulting from the use of any information, data projections, analyses, recommendations, methods, or any other material resulting from our work in any amount that exceeds $25,000, or the fees and costs actually paid pursuant to this engagement, whichever is less. Nor shall Gruen Gruen + Associates be liable for costs or damages to any project due to judicial or administrative action, whether or not such action is based on the form or content of this report. Any services required by any party in any litigation on or related to this report shall be paid for by the party requesting such services at current consulting rates.

ACCEPTANCE

We look forward with much enthusiasm to the possibility of working with you on this exciting and challenging project. Naturally, please contact us if you have any questions regarding our submission.

Very truly yours,

GRUEN GRUEN + ASSOCIATES LLC
An Illinois Limited Liability Company

By: Aaron N Gruen

Aaron N. Gruen
Principal

Accepted for:
CITY OF PROSPECT HEIGHTS
By: ____________________
Title: ____________________
Date: ____________________

P

Prospect Heights

To: Anne Marrin, City Administrator

From: James H. Johnson, Public Works Director/City Engineer

Date: April 18, 2013

Re: City Hall Drainage

City hall continues to experience foundation leaks during rain events. To address this problem, City staff met with SDE Enterprises to install a runoff collection system to direct rainwater away from the building to the storm sewer in the west parking lot. To that end, SDE prepared the attached proposal in the amount of $18,750. City staff reviewed the proposal and recommends approval. Staff also asks that the Council waiver competitive bidding due to the immediate need to address the problem.

RECEIVED CITY OF PROSPECT HEIGHTS
2013 APR -9 PM 2:03

SPE Enterprises, Inc.

Dedicated to Quality and Excellence

Steve Skiber
Director of Building and Zoning
The City of Prospect Heights

April 9, 2013

Reference: Rain and storm water collection and removal, north elevation of Prospect Heights City hall 8 N. Elmhurst Road

- Remove and store eleven fence panels
- Remove and discard twelve 4x4 cedar fence posts
- Excavate to proper elevation and install four twenty four inch precast concrete catch basins with open grate covers
- Install approximately two hundred feet of eight inch PVC pipe from east to west
- Connect six inch PVC pipe to four building roof down spouts
- Install approximately eighty feet of six inch PVC pipe from four building roof down spouts and connect individual branch runs to PVC main line
- Back fill and compact excavation
- Grade entire north elevation and contour to create proper drainage to each precast concrete catch basins
- Saw cut approximately fifty feet of asphalt parking lot to existing concrete storm water catch basin
- Excavate and install approximately fifty feet of eight inch PVC pipe to existing parking lot storm water catch basin.
- Core and connect eight inch PVC pipe to existing parking lot storm water catch basin
- Parking lot excavation to be back filled and compacted to grade with stone
- Install twelve new cedar 4x4 fence post set in concrete
- Reinstall eleven existing fence panels
- Seed and install straw blanket to entire area that was affected

303 South Parkway • Prospect Heights, IL 60070 • 847-670-8961

As requested by Steve Skiber as a cost savings to the City of Prospect Heights in the amount of $4,700.00. Joint operations with public works are as follows:

- Extra excavation material will be hauled off site by City of City Prospect Heights
- Parking lot asphalt to be replaced by City of Prospect Heights
- All parking lot storm catch basins to be cleaned and flushed by City of Prospect Heights

S.D. Enterprises, Inc. is licensed and bonded in the City of Prospect Heights, Illinois.

The City of Prospect Heights will supply any city permits necessary to start project at no cost to S.D. Enterprises, Inc.

We propose to furnish equipment, materials and labor to complete the project in accordance with above specifications. The payment is to be made upon completion of project.

Total Price: **$ 18,750.00**

We would like to thank you for the opportunity to review and propose a bid for your project. Please contact me directly if you have any questions or concerns. We look forward to working with you in the future.

Sincerely,

Scott DeGraf

Scott DeGraf, President
S.D. Enterprises, Inc.

cc: Jim O'Neil, Pubic Works

SD Enterprises, Inc.

—— *Dedicated to Quality and Excellence* ——

Acceptance of Proposal

The price, specification and condition are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Accepted and agreed:

City of Prospect Heights

Signature: ____________________________________, date _____

Signature: ____________________________________,date______

S.D. Enterprises, Inc.

Scott DeGraf

Scott DeGraf, President

City of Prospect Heights Copy

303 South Parkway • Prospect Heights, IL 60070 • 847-670-8961