



**PROSPECT HEIGHTS REGULAR CITY COUNCIL MEETING MINUTES
MONDAY, AUGUST 24, 2015 – 6:30 PM
8 North Elmhurst Road
Prospect Heights, IL 60070**

CALL TO ORDER – At 6:37 PM, Mayor Helmer called to order the August 24, 2015 Prospect Heights City Council Regular Meeting at 8 North Elmhurst Road, Prospect Heights, IL 60070.

ROLL CALL FOR ATTENDANCE – City Clerk Morgan-Adams called the roll.

IN ATTENDANCE – Aldermen Rosenthal, Williamson, Ludvigsen, Messer, Derwin, and Mayor Helmer.

Other Elected Officials in Attendance – Treasurer Tibbits and City Clerk Morgan-Adams

Also, In Attendance: Building and Development Director Peterson; Finance Director Hannon; Public Works Director Cutaia, City Attorney Zimmermann; Acting Assistant to the City Administrator Deol; City Engineer Barecz; Deputy Clerk Schultheis; Police Chief Dunne; City Administrator Wade and Deputy Police Chief Steffen

PLEDGE OF ALLEGIANCE – Led by Building and Development Director Peterson

INVOCATION – City Clerk Morgan-Adams gave the invocation.

Items J, K, L, M and N were moved ahead of Item A.

APPROVAL OF MINUTES –

A. July 20, 2015 City Council Special Meeting Minutes

B. July 27, 2017 City Council Regular Minutes

Alderman Rosenthal moved to approve Items A and B with amendments to Item A; seconded by Alderman Derwin. There was unanimous approval.

ROLL CALL AYES – Rosenthal, Williamson, Messer, Derwin, Ludvigsen
NAYS – None

Motion carried 5 - 0

PROCLAMATIONS, CONGRATULATORY RESOLUTIONS AND AWARDS
None

APPOINTMENTS AND CONFIRMATIONS

- C. Appearance Committee – Wendy Morgan-Adams
- D. Finance Committee – Thomas Huitink
- E. Finance Committee – Colleen Paton
- F. Plan and Zoning Board of Appeals – Scott DeGraf

Alderman Ludvigsen moved for omnibus approval of Items C,D,E and F; seconded by Alderman Williamson.

Alderman Rosenthal had questions regarding the Finance Committee – its role, the make-up of the committee members and their qualifications, and their responsibilities and duties. Mayor Helmer said that Finance Director Hannon would be the Committee Chairwoman.

ROLL CALL AYES – Ludvigsen, Williamson, Messer, Derwin
NAYS – Rosenthal

Motion carried 4 – 1.

CITIZEN CONCERNS AND COMMENTS (agenda matters) - None

STAFF REPORTS

Building and Zoning Director Peterson – discussed the upcoming Car Cruise on Sunday, September 13, 2015.

Alderman Williamson – said that he wanted to move Item I to Executive Session.

Alderman Williamson moved to move Item I to Executive Session; seconded by Alderman Ludvigsen. There was unanimous approval.

ROLL CALL AYES – Rosenthal, Williamson, Messer, Derwin, Ludvigsen
NAYS – None

Motion carried 5 – 0

Alderman Williamson moved to add Personnel to Executive Session to discuss performance of the Economic Development Director; seconded by Alderman Ludvigsen. There was unanimous approval.

ROLL CALL AYES – Rosenthal, Williamson, Messer, Derwin, Ludvigsen
NAYS – None

Motion carried 5 - 0

CONSENT AGENDA

- G. Copy Machine Agreement – **Alderman Ludvigsen moved to Approve Item G;**

seconded by Alderman Derwin. There was unanimous approval.

ROLL CALL AYES – Rosenthal, Williamson, Messer, Derwin, Ludvigsen
 NAYS – None

Motion carried 5 - 0

H. Camp McDonald Road Parking Lot Construction and House Demolition, Chicagoland Paving, in the amount of \$317,740. – Alderman Ludvigsen moved to Approve Item H subject to lease approval; seconded by Alderman Derwin.

Aldermen noticed that they had not seen all of the information on this item, and did not realize that it was over budget. Finance Director Hannon noted that there was no revenue source for it yet.

Alderman Ludvigsen withdrew his motion. Item TABLED by consensus.

OLD BUSINESS

I. Consideration of Proposed Sale of City-Owned Property – Piper Lane, Presentation by Finance Director Hannon – EXECUTIVE SESSION

NEW BUSINESS

J. Presentation by Tim Kupczyk, Representing Hillcrest Lake Homeowner's Association, regarding Hillcrest Lake – Tim Kupczyk, HOA President of Hillcrest Lakes. He noted that HOA had started in 1957. In 1987, the lake was donated to the City of Prospect Heights. In the last two years, he said, the lake levels had dropped from 3' to 1'. He said that the mosquito population in the lake was booming. He noted that the lake water level had gone down while the lake bottom level had risen. He noted that a 24" – 350 foot pipe between 412 and 414 Hillcrest had accumulated debris that was restricting water flow. He also felt that Wheeling's Heritage Park was holding back water in reservoirs. Further, he stated that since the 1990's the accretion of sediment had not been controlled. He said that the lake level needed to be stabilized or the fish and wildlife population would suffer.

The suggestion of the HOA President was a flash board riser. He also wanted a restocking of the lake, the killing of the weeds, and the reversal of the sediment build up. Several Aldermen contended that the problem could not be resolved by a flashboard riser, and that further entities would be needed to look for permanent solutions. There was also worry that any precipitous actions by the Council without expert investigation might cause flooding and other consequences.

Other Aldermen suggested that a quick fix was needed immediately. The HOA residents were in favor of the riser being installed immediately.

Aaron Peterson who lives at the low point of Owen Court. He wanted to make certain that any riser installed would have a check valve so that he was not flooded.

Resident at 406 Owen Court said that he was told by the County that there was a preliminary plan by the MWRD to raise Owen Court and Hillcrest Road. City Engineer Berecz replied that the MWRD had completed Phase I of that study but were in a holding pattern – there was 30% design completion. It might be more than a year before there was

construction. City Administrator Wade said that the MWRD is also targeted to help when it floods.

Alderman Rosenthal moved to Direct the City Engineer with plans from Company to address issues; seconded by Alderman Derwin.

Alderman Rosenthal moved to withdraw his motion; seconded by Alderman Derwin – Motion Withdrawn

The consensus was to allow the City Administrator to move forward with addressing the flooding issue.

K. Report and Recommendation of the Natural Resources Commission regarding Hillcrest Lake – Ed Madden

He noted that the NRC was promoting professional environmental assessment of Hillcrest Lake. He noted that the history of the lake included 1955 – Willow Road being built over the wetland making two wetlands. He said that the matter of the Slough and Hillcrest Lake required experts. It was noted that the companies Hey and Associates and Globetrotters would work together. The estimated total cost would be \$16,000.

Alderman Ludvigsen moved to Approve Expenditures for Hey and Associates in the amount of \$5700; seconded by Alderman Williamson. There was unanimous approval.

ROLL CALL VOTE

AYES – Williamson, Derwin, Rosenthal, Ludvigsen,
Messer
NAYS – None

Motion carried 5 – 0

L. Ordinance Regarding Special Use Allowing Sit-Down Restaurant at Stella's, 1201 N. Elmhurst Road (Waiver of 1st Reading) and Report and Recommendation of Plan/Zoning Board of Appeals – Alderman Messer moved to waive First Reading of Item L; seconded by Alderman Derwin.

Discussion followed to table the Item. The Mayor asked for a decisive action based upon the timeframe of the requestor and the recommendation of the PZBA.

ROLL CALL VOTE

AYES – Williamson, Derwin, Rosenthal, Ludvigsen,
Messer
NAYS – None

Motion carried 5 – 0

Alderman Messer moved to Approve Item L; seconded by Alderman Derwin.

Reverend Eric Schlichting of Lutheran Church of the Good Shepherd spoke regarding the nature of the venue; saying that while not opposed to its being there; he felt that there was a transparency issue regarding the nature of the business. He said that the zoning question presented to the congregation was that there was a restaurant being put near the church, when, in fact, Stella's is primarily a video gaming facility. He noted that there is a pre-school on the church grounds.

The Mayor remarked that the Presbyterian Church had said that they did not condone or oppose the restaurant; and that the City already have establishments that currently have video gaming. There has been no increased crime or incidents or complaints. The Mayor also noted that Stella's was not a tavern and that there were no cigarettes in the establishment.

Gary Leff – Stella's requestor discussed the fact that his company would be investing \$200,000 in the facility; and that no one under 21 could enter the facility even if they were with a parent.

City Attorney Zimmermann stated that the City does not regulate video gaming, the state does. He continued that once an establishment received a liquor license, the state was the issuer of the video gaming license.

There were questions from Aldermen regarding the need for more video gaming.

ROLL CALL VOTE AYES – Messer, Rosenthal, Derwin
 NAYS – Williamson, Ludvigsen

Motion carried 3 – 2

M. Police Department Report and Recommendation regarding Firing Range – Deputy Police Chief Steffen discussed funding mechanisms for the range and the material for the range. It will be a completely enclosed structure and no ammo or weapons will be kept there. It will also have a security system.

Alderman Rosenthal moved to Approve Item M; seconded by Alderman Williamson. There was unanimous approval.

ROLL CALL VOTE AYES – Williamson, Derwin, Rosenthal, Ludvigsen,
 Messer
 NAYS – None

Motion carried 5 – 0

N. Ordinance Regarding Discussion and Selection of Topical Items for City Council Workshop. Alderman Rosenthal moved to Approve Item N; seconded by Alderman Williamson. There was unanimous approval.

ROLL CALL VOTE AYES – Williamson, Derwin, Rosenthal, Ludvigsen,
 Messer
 NAYS – None

Motion carried 5 – 0

O. Ordinance Regarding Map Amendment at 11 east Camp McDonald Road, R-1 to B-1 to Allow for Parking Lot Use (Waiver of 1st Reading)- Alderman Williamson moved to waive the first reading; seconded by Alderman Ludvigsen. There was unanimous approval.

ROLL CALL VOTE AYES – Williamson, Derwin, Rosenthal, Ludvigsen,
 Messer
 NAYS – None

Motion carried 5 – 0

Alderman Williamson moved to Approve Item O; seconded by Alderman Rosenthal.

Aldermen asked if there was final approval on the agreement. It was noted that the agreement had not been finalized.

ROLL CALL AYES – Ludvigsen, Rosenthal, Derwin, Messer
 NAYS – Williamson

Motion passed 4 - 1

APPROVAL OF BILLS

P. Approval of Warrants

General Fund	\$248,978.56
MFT Fund	\$0.00
Palatine/Milwaukee TIF	\$2,846.39
Tourism District	\$571.61
Development Fund	\$702.84
DEA Fund	\$32,315.05
Solid Waste Fund	\$681.30
SS Area #1	\$485.77
SS Area #2	\$500.01
SS Area #3	\$504.89
SS Area #4	\$495.12
SS Area #5	\$1,803.18
SS Area #8 – Levee Wall #37	\$544.76
SS Area-Constr #6 (Water Main)	\$0.00
SS Area- Debt #6	\$732.31
Road Construction	\$1,006.52
Road Construction Debt	\$0.00
Water Fund	\$29,644.55
Parking Fund	\$907.71
Road/Building Bond Escrow	\$500.00
TOTAL	\$323,220.57
7/24/15 PAYROLL	\$141,431.28
 8/7/15 PAYROLL	 \$134,743.84
 7/2015 IMRF PAYMENT	 \$18,239.11
 TOTAL WARRANT	 \$617,634.80

City Clerk Morgan-Adams read the Warrants.

Alderman Rosenthal moved to Approve Item P; seconded by Alderman Derwin with a TOTAL of \$323,220.57; 7/24/15 Payroll of \$141,431.28; 8/7/15 PAYROLL of \$134,743.84; 7/2015 IMRF Payment of \$18,239.11; and TOTAL WARRANT of \$617,634.80. There was unanimous approval.

ROLL CALL AYES – Rosenthal, Williamson, Messer, Derwin, Ludvigsen
 NAYS – None

Motion carried 5 - 0

RESIDENTS' COMMENTS (Non-agenda matters) - None

EXECUTIVE SESSION

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT – At 8:41 PM; Alderman Rosenthal moved to Adjourn the Open Session of the meeting and go into Executive Session; seconded by Alderman Messer. There was unanimous approval.

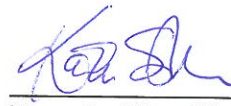
ROLL CALL AYES – Rosenthal, Williamson, Messer, Derwin, Ludvigsen
 NAYS – None

Motion carried 5 - 0

Approved by the City Council of the City of Prospect Heights on this the 16th day of September, 2015



Mayor Nicholas J. Helmer



Deputy City Clerk Karen Schultheis

