



THE REGULAR COUNCIL MEETING MINUTES
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
HELD ON MONDAY, APRIL 22, 2019 AT 6:30 P.M.

**IN THE COUNCIL CHAMBERS, PROSPECT HEIGHTS CITY HALL,
8 NORTH ELMHURST ROAD, PROSPECT HEIGHTS, ILLINOIS
MAYOR NICHOLAS J. HELMER PRESIDING**

CALL TO ORDER – At 6:35 PM, Mayor Nicholas J. Helmer called to order the Regular Meeting of the City Council of Prospect Heights at 8 N. Elmhurst Road, Prospect Heights, IL 60070.

ROLL CALL FOR QUORUM – City Clerk Morgan-Adams called roll. A quorum was present.

ELECTED OFFICIALS PRESENT – Mayor Helmer, Treasurer Tibbits, City Clerk Morgan-Adams; Aldermen – Dolick, Rosenthal, Williamson, Ludvigsen

OTHER OFFICIALS PRESENT: City Administrator Wade, Assistant to the City Administrator Falcone, Police Chief Zawlocki, Attorney Kearney, Digital Communications Technician Colvin, Public Works Superintendent Roscoe, Finance Director DuCharme, and Deputy Clerk Schultheis.

PLEDGE OF ALLEGIANCE – Led by Audience Member - led by NRC Commissioner Ed Madden

INVOCATION – Led by Thornton's Real Estate Representative Dennis Somers.

APPROVAL OF MINUTES

A. April 8, 2019 Regular Workshop Meeting Minutes

B. March 25, 2019 Executive Session Minutes, *not for public release*

C. February 25, 2019 Executive Session Minutes, *not for public release*

D. March 5, 2019 Executive Session Minutes, *not for public release*

E. April 8, 2019 Executive Session Minutes, *not for public release*

F. March 5, 2019 Special Meeting Minutes Open Session – Alderman Dolick moved for an omnibus approval of the April 8, 2019 Regular Workshop Meeting Minutes; March 25, 2019 Executive Session Minutes, *not for public release*; February 25, 2019 Executive Session Minutes, *not for public release*; March 5, 2019 Executive Session Minutes, *not for public release*; April 8, 2019 Executive Session Minutes, *not for public release* and March 5, 2019 Special Meeting Minutes Open Session; seconded by Alderman Ludvigsen.

ROLL CALL VOTE:

AYES –	Ludvigsen, Rosenthal, Dolick, Williamson
NAYS -	None
ABSENT -	None

Motion carried 4 - 0

PRESENTATIONS - None

APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS

A. Appointment of 3rd Ward Alderman Wendy Morgan-Adams to the Ad Hoc Willow Road Project Committee Effective May 6, 2019 – Alderman Williamson moved to approve appointment of Third Ward Alderman-elect Wendy Morgan-Adams to the Ad Hoc Willow Road Project Committee effective May 6, 2019; seconded by Alderman Dolick.

ROLL CALL VOTE:
AYES – Ludvigsen, Rosenthal, Dolick, Williamson
NAYS - None
ABSENT - None

Motion carried 4 - 0

B. Building Safety Month Proclamation – Building and Development Director Peterson read a statement paraphrasing the proclamation, and highlighting the importance of Building Safety – For Informational Purposes only

PUBLIC COMMENT (Agenda Matters)

Amy Sobczak – 2016 E Avon Lane, Arlington Heights – spoke on behalf of the Natural Resources Commission (NRC). She noted that her son had been involved for five years in the NRC programs as a volunteer. She advocated more money being allotted in the budget for the NRC in order to continue their work.

Therese Hoesli – 502 Frankie Court, PH – Wanted to know if there were any regulations regarding construction and lawn mowing hours? Building and Development Director Peterson said that typically the hours of construction are Monday-Saturday 7 AM to 6 PM. He also added that there are noise constraints

She also wanted to know if the Police that monitor the traffic at the Bridge Church are paid for by the Bridge Church?

Chief Zawlocki said that the Bridge Church pays for the added Police coverage.

Her follow up question was - "Is Prospect Heights liable for overtime?"

Finance Director DuCharme replied that there is no pension exposure based on overtime with the Church – this work does not count toward the officers' pension.

Ed Madden – 611 N Elmhurst Road – said that the concepts of the NRC are important, especially now that we are celebrating Earth Day. He stated that this was mostly a volunteer network that exists on grants and donations; and noted that the NRC does hundreds of thousands of dollars of work. He said that the Council had wasted money for decades on the Prospect Heights Arena land, and that the City had been sued because of attorney fraud. He stated that Ward 4 had been the biggest benefactor of the NRC. The bottom line was that the NRC needed \$20,000 per year to operate effectively.

Mayor Helmer noted his appreciation of the NRC.

Joanna Prisiajniouk – 108 N. Schoenbeck -Said that she sent an email to the Council, and she read that email regarding her support of the NRC.

Rodney Adams – 400 Crest Hill Drive -said that he is involved with the NRC through Rotary.

Wendy Morgan-Adams – 400 Crest Hill Drive -Said that the NRC is preserving and protecting natural areas. She noted that residents admire the NRC and want it to continue. She received letters in favor of funding the NRC. She said that it would cost \$30,000 to have Public Works do the job that the NRC's \$4500 intern does. She asked that the Council not penalize the NRC.

Marcia Jendreas – 31 S Wildwood Drive – said that she had been a resident in the City for 42 years. She said that people in Country Gardens were not happy with the high prairie. She said that the

City should not pay the NRC for having to work on Park District property. City Clerk Morgan-Adams said that we should not divide the City into districts as it was all Prospect Heights. Ms. Jendreas replied that the NRC was supposed to be volunteers.

STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS

A. Chicago Executive Airport Budget Presented by Jason Griffith, Director of Finance – CEA Executive Director Jamie Abbot and CEA Finance Director Griffith presented the Chicago Executive Airport Budget. Executive Director Abbott said that the revenue has been reevaluated to \$4.7 million; and that the operating expenses are down .26%. The master plan public meeting is still scheduled for July 11th.

Executive Director Abbott noted that the City does not contribute any funds to the airport, as it is self-sustaining.

Executive Director Abbott said that the Airport is unsure what the legislature will do with the sales tax distribution.

Alderman Ludvigsen asked if there was any potential liability to the City to have to fund the Airport. Executive Director Abbott said that he did not know the answer to that question.

B. March Treasurer's Report Presented by Finance Director Michael DuCharme – gave an overview of the March Treasurer's Report.

Director of Building and Development Peterson – River Trails Association has been issued a permit to start rebuilding the buildings lost in the fire.

City Clerk Morgan-Adams – reminded everyone that the Swearing In Ceremony for the newly-elected officials would be at the Rob Roy Golf Course on Monday, May 6th at 6:30 PM.

Alderman Rosenthal – said that he is an advocate of the NRC. He wanted to know what projects that they had for 2019/20; and how they would prioritize the \$20,000 in funds if they received it. He said that he had asked the NRC to provide this information before, but he had not received an answer. He said that he wanted the NRC to be more innovative, but their leadership said it would be too much trouble. City Clerk Morgan-Adams responded the NRC did not say it would not become a 501(c)3, they just said that they could not do it in 2019/20; and the NRC was never asked about their projects.

Mayor Helmer stated that the NRC had to stay active, and that as soon as new members were on the Council, he would ask for an amendment to the Budget if the sitting Council did not approve the funding.

Treasurer Tibbits – noted that Arbor Day would be held on April 26th between the Fire Department and the Police Department at 10 AM.

A/V issues – he asked for an increase in the hours for A/V Specialist Colvin.

Police Chief Zawlocki – said that the new recruits had graduated the Academy. He noted that the Police Citizen's Academy was in full swing, and that Officers O'Connor and Stone had been commended for buying and installing the mailbox of an elderly resident after it had been knocked down.

May 17 would be Cops on A Rooftop at Dunkin Donuts – for the Special Olympics.

CONSENT AGENDA -

A. O-19-09 Staff Memo and Ordinance Amending Title 1 of City Code and Adopting the Pay Plan (Compensation of Officers, Employee Salaries and Pay Plan) *(2nd Reading)*

B. O-19-11 Staff Memo and Ordinance Establishing Water Rates for FY2019-20 *(2nd Reading)*

C. O-19-12 Staff Memo and Ordinance Approving the Official Zoning Map for the City of Prospect Heights *(2nd Reading)*

Alderman Dolick moved to Approve O-19-09 Ordinance Amending Title 1 of City Code and Adopting the Pay Plan (Compensation of Officers, Employee Salaries and Pay Plan); O-19-11 Ordinance Establishing Water Rates for FY2019-20; O-19-12 Ordinance Approving the Official Zoning Map for the City of Prospect Heights; seconded by Alderman Ludvigsen.

ROLL CALL VOTE: AYES – Ludvigsen, Rosenthal, Dolick, Williamson
 NAYS - None
 ABSENT - None

Motion carried 4 - 0

OLD BUSINESS

A. O-19-10 Staff Memo and Ordinance Adopting the FY2019-20 Budget for the City of Prospect Heights – Finance Director DuCharme stated that the NRC Budget number was reduced to \$5,000, as had been directed after the first reading.

Alderman Rosenthal moved to accept the Budget as amended prior to the Second Reading, amended to correct the scrivener’s error; seconded by Alderman Dolick.

ROLL CALL VOTE: AYES – Ludvigsen, Rosenthal, Dolick, Williamson
 NAYS - None
 ABSENT - None

Motion carried 4 - 0

Alderman Rosenthal moved to approve O-19-10 Ordinance Adopting the FY2019-20 Budget for the City of Prospect Heights as amended; seconded by Alderman Ludvigsen.

Discussion followed – Alderman Williamson asked about NRC interns as City employees with no supervision. NRC representative Sievertson said that the interns are supervised by the NRC Commissioners. Alderman Williamson said that there was concern regarding the potential liability to the City. He noted that there was a lack of structure to the NRC, and that the NRC often did not recognize boundaries between different government entities such as the Park District and the School Districts. The reply from Mr. Sievertson was that the interns were trained and supervised, and that there is an educational component.

It was noted by a supporter in the audience that the NRC interns receive college credit.

The Alderman said that the main concern was the City’s potential liability.

Alderman Ludvigsen said that as the City’s revenues were declining, available monies should not be given to volunteer groups. He said that last year’s contribution was \$5000 and that this year’s contribution should be \$5000.

Alderman Dolick noted that the NRC is valued but that work done on park District should not be paid by the City.

City Clerk Morgan-Adams said that even though the City Council is willing to pay a \$120,000 increase to include travel time for the City Attorney fees, it is not willing to fund the NRC for its work.

Mayor Helmer said that the City always finds revenue to get things done.

Alderman Rosenthal requested a point of order and asked for a vote on the budget.

ROLL CALL VOTE: AYES -- Ludvigsen, Rosenthal, Dolick, Williamson
 NAYS - None
 ABSENT - None

Motion carried 4 - 0

NEW BUSINESS

A. R-19-09 Resolution Approving the FY2020 Budget for Chicago Executive Airport – Alderman Williamson moved to Approve R-19-09 Resolution Approving the FY2020 Budget for Chicago Executive Airport; seconded by Alderman Ludvigsen.

ROLL CALL VOTE: AYES – Ludvigsen, Rosenthal, Dolick, Williamson
NAYS - None
ABSENT - None

Motion carried 4 - 0

B.R-19-10 Resolution Authorizing Inter-fund Transfers from General Fund Reserves

- a. FY19-20 (budgeted): \$250,000 to the Capital Improvement Fund for future improvements and \$68,000 to the Parking Fund for FY19-20 operations
- b. FY19-20 (not budgeted): \$265,000 to the Capital Improvement Fund for future improvements

Alderman Ludvigsen moved to approve R-19-10 Resolution Authorizing Inter-fund Transfers from General Fund Reserves

- a. FY19-20 (budgeted): \$250,000 to the Capital Improvement Fund for future improvements and \$68,000 to the Parking Fund for FY19-20 operations
- b. FY19-20 (not budgeted): \$265,000 to the Capital Improvement Fund for future improvements; seconded by Alderman Rosenthal.

ROLL CALL VOTE: AYES – Ludvigsen, Rosenthal, Dolick, Williamson
NAYS - None
ABSENT - None

Motion carried 4 - 0

C.R-19-11 Staff Memo and Resolution Authorizing Expenditure in Excess of \$10,000 (Landscape Concepts Management, \$38,735.00) for Tourism District Landscaping Summer and Fall Plantings, Spring Bulbs, and Seasonal Amendments. – TABLED. It was noted that the contract did not come in showing grass mowing; only maintenance. The Council would like an itemized contract.

D. Requested Waiver of First Reading per Liquor Commissioner Helmer's Request O-19-13

Staff Memo and Ordinance Amending the Number of B-2 Liquor Licenses (retail sale of wine and beer, but not for consumption on premises where sold), with hours of Monday through Saturday 8:00am to 2:00am and Sunday 12:00noon to 2:00am, from 1 to 2 by Request from Thornton's, Inc. 1600 N. Rand Road (**1st Reading**) - Thornton's Real Estate Representative Dennis Somers was available to answer questions. He stated that Thornton's is a 24-hour store on a 24 hour rode, and he believes that Thornton's qualifies for B-2 hours. Mayor Helmer noted that the B-2 is not available until the Council votes to approve it. **Alderman Rosenthal moved to waive the first reading of the Request O-19-13 Ordinance Amending the Number of B-2 Liquor Licenses (retail sale of wine and beer, but not for consumption on premises where sold), with hours of Monday through Saturday 8:00am to 2:00am and Sunday 12:00noon to 2:00am, from 1 to 2 by Request from Thornton's, Inc. 1600 N. Rand Road; seconded by Alderman Dolick.**

Discussion followed.

Alderman Williamson wanted to know what the urgency was to waive first reading, as there was no building. He wanted to defer the decision to the incoming Council. Alderman Ludvigsen noted that the 2 AM was a very late hour. The earlier hours were not a problem, but the later hours might be

an issue. It was noted by Chief Zawlocki that there had not been any issues with the existing gas station selling alcohol.

MOTION WAS WITHDRAWN UNTIL THE MAY 13TH WORKSHOP MEETING.

0-19-13 Staff Memo and Ordinance Amending the Number of B-2 Liquor Licenses (retail sale of wine and beer, but not for consumption on premises where sold), with hours of Monday through Saturday 8:00am to 2:00am and Sunday 12:00noon to 2:00am, from 1 to 2 by Request from Thornton's, Inc. 1600 N. Rand Road (*2nd Reading*) – **NO WAIVER OF FIRST READING. NO MOTION.**

0-19-14 Staff Memo and Ordinance Amending Chapter 2, Section 11 of Title 9 - Possession of Cannabis – Chief Zawlocki stated that the City's local ordinance needed to conform with Cook County, as Cook County would no longer be process misdemeanor 100 grams of cannabis or less. Attorney Kearney noted the adjustment of the fine amount in the ordinance. – **First Reading**

DISCUSSION/SELECTION OF TOPICS FOR UPCOMING WORKSHOP MEETING, ITEMS LISTED PREVIOUSLY:

APPROVAL OF WARRANTS

A. Approval of Expenditures

General Fund	\$131,240.12
Motor Fuel Tax Fund	\$0.00
Palatine/Milwaukee Tax Increment Financing District	\$0.00
Tourism District	\$910.68
Development Fund	\$0.00
Drug Enforcement Agency Fund	\$34,995.00
Solid Waste Fund	\$0.00
Special Service Area #1	\$0.00
Special Service Area #2	\$0.00
Special Service Area #3	\$0.00
Special Service Area #4	\$0.00
Special Service Area #5	\$261.98
Special Service Area #8 – Levee Wall #37	\$0.00
Special Service Area-Constr #6 (Water Main)	\$0.00

Special Service Area- Debt #6	\$0.00
Capital Improvements	\$0.00
Palatine Road Tax Increment Financing District	\$0.00
Road Construction	\$0.00
Road Construction Debt	\$0.00
Water Fund	\$25,267.68
Parking Fund	\$1,641.68
Sanitary Sewer Fund	\$2,056.04
<u>Road/Building Bond Escrow</u>	<u>\$2,673.00</u>
TOTAL	\$199,046.18
 <u>Wire Payments</u>	
4/12/2019 PAYROLL POSTING	\$140,229.28
POLICE PENSION PAYMENTS	\$63,156.26
TOTAL WARRANT	\$402,431.72

City Clerk Morgan-Adams read the warrants.

Alderman Dolick moved to approve the warrants as read; seconded by Alderman Rosenthal to include a Total of \$199,046.18; 4/12/2019 Payroll Posting of \$140,229.28; Police Pension payments of \$63,156.26; and a TOTAL WARRANT of \$402,431.72.

ROLL CALL VOTE:

AYES -	Ludvigsen, Rosenthal, Dolick, Williamson
NAYS -	None
ABSENT -	None

Motion carried 4 - 0

PUBLIC COMMENT (Non-Agenda Matters) - none

EXECUTIVE SESSION - Sale of City-owned property

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT - At 8:20 PM, Alderman Ludvigsen moved to close open session and go into executive session to discuss sale of city-owned property; seconded by Alderman Williamson.

ROLL CALL VOTE:

AYES -	Ludvigsen, Rosenthal, Dolick, Williamson
NAYS -	None
ABSENT -	None

Motion carried 4 - 0

Approved by the City Council of Prospect Heights on this the 13th day of May, 2019.



Deputy City Clerk Schultheis



Mayor Nicholas J. Helmer

