



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

CALL TO ORDER – At 6:37 PM, Alderman Morgan-Adams called to order the July 22, 2019 City Council Regular Meeting at City Hall, 8 North Elmhurst Road, Prospect Heights, IL 60070.

ROLL CALL FOR QUORUM – Deputy Clerk Schultheis called roll. A quorum was present.
ELECTED OFFICIALS PRESENT - Mayor Helmer, Treasurer Tibbits, Aldermen – Cameron, Ludvigsen, Dolick, Morgan-Adams

ABSENT – City Clerk Prisiajniouk (by previous notification), Alderman Quinn (by previous notification)

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

PLEDGE OF ALLEGIANCE – Led by Audience Member William Kearns

INVOCATION – Led by Tim Hetzner, Lutheran Church Charities

APPROVAL OF MINUTES

A. July 8, 2019 Regular Workshop Meeting Minutes – There was a need for clarification regarding what was recorded in the Minutes regarding the Ad Hoc Committee’s mission and intent. Alderman Quinn had asked that the Minutes reflect that Alderman Morgan-Adams’ comments on the mission of the Ad Hoc Committee did not include the concept of the City creating its own Chamber; Alderman Morgan-Adams stated that her commentary did include looking at all options and solutions including, possibly, a new Chamber. – **Alderman Ludvigsen moved to TABLE the approval of the July 8, 2019 Regular Workshop Meeting Minutes; seconded by Alderman Dolick.**

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

Motion carried 4 – 0, one absent

July 8, 2019 Regular Workshop Meeting Executive Session Minutes (Not for Public Release) – Alderman Ludvigsen moved to approve the July 8, 2019 Regular Workshop Meeting Executive Session Minutes, but not for public release; seconded by Alderman Morgan-Adams.

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

Motion carried 4 – 0, one absent

PRESENTATIONS - None

APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS - None

PUBLIC COMMENT (Agenda Matters) – None

STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS

A. Chicago Executive Airport Report Presented by Director William Kearns –

- Road Construction due to three projects. Rehabilitating and resurfacing Runway 1230. Will be going on for about a month. The main runway will stay open. Tower Road is being rehabbed. It will stay open throughout the project – one lane only. Industrial Drive is getting new sanitary sewers – do not use that road.
- Collings Foundation will be presenting World War II aircraft from July 25th through July 29th. They will have B-24, P-51 Mustang, B-40 Flying Fortress, and B-25.
- US Customs Project – contract to prepare demo of Hangar 4. There will be design of the underground utilities. Construction of the Customs Facility will start in the Spring of 2020.
- Joint Review Board Meeting will be on September 18th at Chevy Chase Golf Club.
- The Master Plan Open House was July 11th and was attended by around 100 people.

B. June Treasurer’s Report Presented by Assistant Finance Director Cheri Graefen – Assistant Director Graefen said that there were two excess income tax revenues that the City received. \$458,000 and video gaming tax receipt of \$58,000.

Mayor Helmer asked if the Money Management company used by the City had an earnings report? Assistant Finance Director Graefen said that she had tried to contact PMA in the morning, and was waiting for a report from them. She said that the report would be on the August 26th Agenda.

Public Works Director Roscoe – Said that the Public Works Department had been working through issues with excessive heat and heavy rains that had caused ponding. Crews had been out before, during and after the events to take care of any possible problems due to the storms.

He said that Public Works is painting crosswalks for the upcoming school year and changing Stop Signs. Director Roscoe said that Public Works Crews were constantly repairing signs as needed, as well as a sign program to update signs neighborhood by neighborhood

He noted that Owen Court was a street that had been underwater after the storms, and possibly was still closed.

Director of Building and Development Peterson – said that River Trails Building 13 has been issued occupancy permits. They started moving in over the weekend. Second Floor occupancy inspections will be conducted the coming week with move in beginning at the end of the week. First Floor inspections to start by Monday. The building should be occupied by the end of July.

- Congressman Schneider's Public hearing on the Foxcon Development potential impact regarding environmental rules on flooding. Lake County has done a detailed study and it appears that the flooding issues will be exasperated from the impact of Wisconsin's actions.
- Conor Commercial had its groundbreaking on July 18.
- Aldi's had its groundbreaking on July 18.
- Noted that Deli-4-You is scheduled to close on the property. Attorney Kearney said that it was set to close on August 7th.

Alderman Dolick – Ward 5 –said that he has gotten positive responses from his ward regarding the paint striping and crosswalks.

Director Peterson said that Quincy park is still waiting for a settlement from their insurance company from the fire.

Alderman Ludvigsen – Ward 4 – Said that he wanted more specific information regarding the land purchase on Camp McDonald. Director Peterson said that the City was formally notified of the purchase on Friday. There are no formal applications or plans. A year ago they approached the City to see if a religious organization could be in that land.

- Asked for an update on Levee 37. Director Peterson said that engineer Berecz has been in contact with the IDNR and they are waiting on a schedule. This is to address an IDOT pipe issue. The final certification will not be done by FEMA until the whole wall is certified. IDNR has been responsive but the issue is pending.

- Alderman Ludvigsen read a Ward 2 updated from Alderman Quinn regarding the census. We have secured permission to use Census logos. Looking into free materials that the City can use. On August 2nd there will be an article in the "Village Voice" newsletter from Rob Roy and Brookdale will host a census event in September. Fairway Estates block party in September will distribute information on the census.

Alderman Morgan-Adams – Ward 3 – Wanted to correct two misstatements made by the *Journal and Topics* –

1) Said she did *not* resign as a member of the Wheeling Prospect Heights Chamber. She has not resigned.

2) She did not urge the City to drop the Chamber. She said that the task force was to look into options, one of which would be to work with the Chamber to resolve any issues.

- Said she had talked with City Administrator Wade and the Park District to set up a meeting the NRC and the residents to discuss their work and resident concerns. That meeting will be within the next month.

Alderman Cameron – Ward 1 – said that residents of River Trails Building 13 were very excited to be moving back into their homes.

- Levee 37 there had been a worry that flood insurance might be obsolete, but that question was taken care of.

Police Chief Zawlocki – noted that there had been an Outreach outing at Camp Duncan on July 10th.

- On July 14th there was a classic car event in which the Hummer was shown in the Long Grove charity outing for the Special Olympics.

- Sergeant Stone will be retiring on August 24th.

- National Nite Out will be held on August 6th.

- The July 25th Outreach event already has 109 children signed up and will be held at the Chicago Fire stadium.

- Officer Dean Savas will be leaving the Police Department and Michael Cierniak will be sworn in.

CONSENT AGENDA - None

OLD BUSINESS

A. R-19-20 Resolution Determining the Appropriateness for Class 6B Status Pursuant to the Cook County Real Property Classification Ordinance as Amended July 17, 2013 for Certain Real Estate Owned by Conor Globe Prospect Heights I LLC, located at 35 Piper Lane, Prospect Heights, Cook County, IL – It was noted by the Mayor that this did not affect the City or cost the City any money. City Administrator Wade said that this action was meant to incentivize developers and to make the underused property more competitive with lower taxed areas like Wisconsin and Lake County.

Alderman Dolick moved to approve R-19-20 Resolution Determining the Appropriateness for Class 6B Status Pursuant to the Cook County Real Property Classification Ordinance as Amended July 17, 2013 for Certain Real Estate Owned by Conor Globe Prospect Heights I LLC, located at 35 Piper Lane, Prospect Heights, Cook County, IL; seconded by Alderman Ludvigsen.

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

Motion carried 4 – 0, one absent

NEW BUSINESS

A.R-19-21 Resolution Approving an Amendment to the Towing & Vehicle Storage Contract with Hillside Auto Body and Service, Inc. – there had been an RFP issued at the request of the Mayor. Hillside Towing was present to answer questions. Attorney Kearney said that pursuant to the last Council meeting when a 60-day extension was allotted, and the Resolution would authorize the extension. If the Resolution is passed, the RFP would be halted and Hillside Towing would be awarded the two-year extension

Alderman Morgan-Adams moved to Table the Resolution for one month.

She stated that as there was an RFP being circulated and there was already a 60-day extension, there would be no harm to go through the RFP.

Alderman Ludvigsen stated that the Resolution had been delayed a long time and that an RFP had already been done last year.

Mayor Helmer said that this mimicked the situation the City had with waste haulers, and that the Council had gone through a second RFP. He noted that the other two towing companies were in Prospect Heights. He said that Hillside is in Arlington Heights. The Mayor stated that the City had received a letter from Mr. Pascucci of Gene's Towing discussing his connection to the City.

The Mayor asked why the City passed a 60-day extension if not to explore options.

Alderman Ludvigsen called the question.

Alderman Ludvigsen said the Council has already gone through an RFP, and Hillside has met all expectations. He did not see why the Council would need to go through the process again.

Alderman Morgan-Adams said that the contract did not say that the City was obligated to renew the contract of the Towing service did a "good job." The City had the right to terminate at its discretion.

Mayor Helmer added the City had to look at issues from a money perspective.

The Mayor requested to know if Hillside had a towing license.

Alderman Cameron asked what Hillside did wrong that they could not extend the contract?

It was noted that they had not done anything wrong.

Alderman Dolick seconded the Motion.

DISCUSSION – Alderman Dolick worried that companies would see the City as not being loyal to provider of services that was doing well.

Alderman Ludvigsen wanted to know why the Mayor did not have the issues he was presenting in the first RFP. He stated that the Council is not in favor of another RFP.

ROLL CALL VOTE: AYES – Morgan-Adams
 NAYS – Ludvigsen, Dolick, Cameron
 ABSENT - Quinn

Motion fails 1 – 3, one absent

Alderman Ludvigsen moved to approve R-19-21 Resolution Approving an Amendment to the Towing & Vehicle Storage Contract with Hillside Auto Body and Service, Inc; seconded by Alderman Dolick.

Discussion – asked Hillside representatives to approach the podium. Mayor Helmer said that his concerns were that Hillside was not in Prospect Heights and therefore the City would not receive tax revenue and proper licensing; and that Arlington heights had not been satisfied with the company.

- One of the owners of Hillside noted that his company had brought over equipment to help Prospect Heights install its gun range, when there was flooding on the east side they brought their tractor trailers in and sand, when there was a fire on the east side and a 53’ trailer was needed Hillside brought their trailer over, when the Police car needed to be painted for the parade Hillside took care of it, Special Olympics event, they tow City vehicles and they participated in the Fourth of July parade – all done without requesting payment from the City.
- They also said that they spent \$71,000 in 2018 at NAPA auto parts, of which, the tax money went to Prospect Heights. They use a Prospect Heights auto parts store thought they have other options. They have been buying NAPA auto parts for over 25 years.
- Properly licensed by the state. They have their USDOT and ICC numbers.

Alderman Morgan-Adams asked for clarification of the Arlington Heights-Hillside issue. Attorney Kearney said that Director Peterson had contacted his counterpart in the Arlington Heights building department to clarify. Hillside had moved locations and a condition of their Special Use was that they would demo and clean up their old location. They had fallen behind in their clean up and had been put on notice that they were outside of the terms of the Special Use; however, it was discovered that they are now compliant and in good standing with Arlington Heights. Director Peterson said that Director of Community development in Arlington heights Charles Perkins said that Hillside was in good standing, and they have applied for the appropriate permits.

Alderman Dolick stated that towing contracts is for accidents and administrative tows, and that there is not a great deal of tax revenue produced. The cars are not repaired there under the contract; it is just for towing. Hillside said that over 90% of accidents are totaled. No sales tax generated from towing.

ROLL CALL VOTE: AYES – Cameron, Ludvigsen, Dolick
 NAYS – Morgan-Adams
 ABSENT – Quinn

Motions carried 3 – 1, one absent

B.R-19-22 Resolution Directing the Appropriation of \$2,500 to the Prospect Heights Natural Resources Commission for Material, Supplies, and Equipment – **Alderman Dolick moved to approved R-19-22 Resolution Directing the Appropriation of \$2,500 to the Prospect Heights Natural Resources Commission for Material, Supplies, and Equipment; seconded by Alderman Morgan-Adams.**

ROLL CALL VOTE: AYES – Morgan-Adams
 NAYS – Dolick, Cameron, Ludvigsen
 ABSENT – Quinn

Motion fails 1 – 3, one absent

C.Request for Waiver of 1st Reading O-19-22 Staff Memo and Ordinance Approving a Final Plat of Resubdivision of Lutheran Church Charities Prospect Heights Consolidation (**1st Reading**) **Alderman Dolick moved to waive first reading of O-19-22 Ordinance Approving a Final Plat of Resubdivision of Lutheran Church Charities Prospect Heights Consolidation; seconded by Alderman Morgan-Adams.**

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

Motion carried 4 – 0. One absent

D.O-19-22 Staff Memo and Ordinance Approving a Final Plat of Resubdivision of Lutheran Church Charities Prospect Heights Consolidation (**2nd Reading**) – Director of Building and Development Peterson said that he had put updated material at the desks of the elected officials that highlighted the plan for the action to be taken. The PZBA approved it unanimously.

Alderman Dolick moved to approve O-19-22 Ordinance Approving a Final Plat of Resubdivision of Lutheran Church Charities Prospect Heights Consolidation; seconded by Alderman Ludvigsen.

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

Motion carried 4 – 0. One absent

E.Request for Waiver of 1st Reading O-19-23 Staff Memo and Ordinance Amending the City Zoning Map (**1st Reading**) **Alderman Ludvigsen moved to waive first reading of -19-23 Ordinance Amending the City Zoning Map; seconded by Alderman Morgan-Adams.**

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

Motion carried 4 – 0. One absent

F.O-19-23 Staff Memo and Ordinance Amending the City Zoning Map (**2nd Reading**) – **Alderman Dolick moved to approve O-19-23 ordinance Amending the City Zoning Map; seconded by Alderman Ludvigsen.**

ROLL CALL VOTE: AYES – Cameron, Dolick, Ludvigsen, Morgan-Adams
 NAYS – None

ABSENT – Quinn

Motion carried 4 – 0. One absent

G.O-19-24 Staff Memo and Ordinance Amending Title 5, Chapter 7 Section 6C of the City of Prospect Heights Zoning Code Adding Permitted Special Uses (**1st Reading**) – Director of Building and Development Peterson said that previously the applicant withdrew this request. Stery Trucking has applied for a more specific special uses and for tractor and truck repairs and rental/leasing. That is part of their business plan, and is approved on their B-3 lot. Part of the lot is currently B-4, so there is a required text amendment. PZBA recommended approval of amendment and uses with specific conditions.

Alderman Dolick noted his concern with truck repair. The area of repair has been moved further north which has helped the situation. He wanted to know the type of repairs.

The Alex, the manager, stated that transmission changes are done inside the building. Oil changes would possibly be done outside. Everything is cleaned up on a daily basis, and could be checked. Alderman Dolick said that he sees vehicles at the site that have been parked there for months that are not operable, the south side.

Alex said that has been a 2005 truck there used for parts, and it will be moved by the end of the month.

Alderman Dolick said that if this is approved, Stery will only have 30 days to remove vehicles.

Alex said that there will be a wooden fence around the property that will have an electrical gate fence, and there will be an emergency gate only from Piper Lane.

Alderman Dolick asked about snow removal equipment on the lot.

Alex answered that there is snow removal equipment there. He said there will only be one loader.

Alderman Dolick wants to make certain that the special use makes clear what will be allowed and not allowed. Director Peterson said that there would be a specific list of what would be allowed.

Attorney Kearney said that there could be an amendment for specific usage.

Alderman Ludvigsen noted that while the application called for 78 parking spots, both maps show 68. He added that he is not in favor of any repairs done at the facility. He wants the facility to be limited to leasing and park Stery trucks there. Alderman Ludvigsen listed 15 restrictions, among them – No construction or construction materials, no unattached trailers, lanes to be clearly marked and numbers, hazardous materials, cannot push responsibility to tenants on lot – Stery is responsible, no access on to Piper Lane except for emergency usage, no chain link fence (Mr. Kirk said it is a wooden fence, eight feet high), access agreements with the Police must be viewed by the Council, no temporary facilities like restrooms, and adherence to the extensive work that must be done to the facility to bring it up to the caliber of the City codes (Director Peterson discussed the issues that the Engineer had required). Alderman Ludvigsen said that Stery must buy a Vehicle sticker for all 68 spots. Also, drainage cannot be affected, and is being reviewed by the City.

Alderman Dolick noted that there needed to be a safety zone maintained for the airport. He said that there had been occasions when he had seen a trailer in the safety zone. Mr. Kirk responded that security gates will be set up, and the site will be secured. Public Works Director Roscoe said that the Airport is also redoing their signage to keep vehicles out of the safety zone. –

No action was necessary.

H.O-19-25 Staff Memo and Ordinance Granting a Special Use Permit for the Property Commonly Known as 35 E. Palatine Road (**1st Reading**) – Discussed – **no action necessary.**

I.R-19-23 – Semi-Annual Review of the Executive Session Minutes *(but not for public release)* –
Alderman Morgan-Adams moved for approval of R-19-23 Semi-Annual Review of the Executive Session Minutes (but not for public release); seconded by Alderman Dolick.

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

Motion carried 4 – 0. One absent

DISCUSSION/SELECTION OF TOPICS FOR UPCOMING WORKSHOP MEETING:

A.Liquor License Code Review –

B.Economic Redevelopment

C.Term Limits of Elected Officials – Attorney Kearney stated that Governor Pritzker’s term limit restrictions will apply by office not by time as a politician.

D.Chamber of Commerce

E.City Water

APPROVAL OF WARRANTS

A.Approval of Expenditures

General Fund	\$113,120.26
Motor Fuel Tax Fund	\$0.00
Palatine/Milwaukee Tax Increment Financing District	\$0.00
Tourism District	\$1,822.85
Development Fund	\$0.00
Drug Enforcement Agency Fund	\$1,758.00
Solid Waste Fund	\$27,324.27
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	\$0.00
Special Service Area #8 – Levee Wall #37	\$0.00
Special Service Area-Constr #6 (Water Main)	\$0.00
Special Service Area- Debt #6	\$0.00

Capital Improvements	\$26,241.92
Palatine Road Tax Increment Financing District	\$3,566.00
Road Construction	\$0.00
Road Construction Debt	\$550.00
Water Fund	\$19,050.60
Parking Fund	\$0.00
Sanitary Sewer Fund	\$110.97
<u>Road/Building Bond Escrow</u>	<u>\$0.00</u>
TOTAL	\$193,544.87
<u>Wire Payments</u>	
7/5/2019 PAYROLL POSTING	\$171,629.65
POLICE PENSION PAYMENTS	\$69,156.25
JUNE ILLINOIS MUNICIPAL RETIREMENT FUND	\$17,965.46
TOTAL WARRANT	\$452,296.23

City Administrator Wade read the warrants.

Alderman Morgan-Adams moved to approve the Warrants as presented; seconded by Alderman Dolick to include a TOTAL of \$193,544.87, 7/5/201 payroll Posting of \$171,629.65, Police Pension Payments of \$69,156.25, June Illinois Municipal Retirement Fund of \$17,965.36, and TOTAL WARRANT of \$452,296.23.

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

Motion carried 4 – 0. One absent

PUBLIC COMMENT (Non-Agenda Matters) – Alan Kossof of 11 E Leon asked about the vacant land behind his home owned by Ben Solis. He said that the land had been subdivided and sold, and he was expressing his concerns. 506-508 Camp McDonald had been bought by Dharma Drum Mountain Buddhist Association. They now own four lots. Mr. Kossof has spoken with them and Mr. Solis that they intend to seek an application for special use. He and twenty of his neighbors have concerns about potential changes to the neighborhood that might include a temple and community center with a focus on commerce. There is a fear that this residential area will change. Attorney Kearney said that there is a process that the City follows, and there is also a federal law that contains restrictions when dealing with religious institutions. There will be a memo circulated

to Council and the PZBA regarding those restrictions. There are certain federal and state statutes that will be followed should an application come to the City.

Director of Building and Development Peterson said that there is a lengthy process that includes reviews, zoning relief requests, meetings with Staff and the applicants, requirements for design must be submitted and accepted, lighting approved, engineering, and public meetings/open house all before the final Staff and Engineering review before brought to a vote before Council.

For the public hearing, all residents within 450 feet will be notified of the meeting. Testimony will be given by the applicant and residents, and the PZBA will make a recommendation. The Council will then vote.

City Administrator Wade suggested that Mr. Kossof use the Enews and websites as a source of information.

Alderman Ludvigsen stated that the special use application had to meet the City's criteria, and reiterated that there was a process that would be followed. He told Mr. Kossof that he could call him if there were more questions. The Aldermen said that the Council had to be wary of several lots being purchased at a time for special use.

EXECUTIVE SESSION - None

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT – At 8:32 PM, Alderman Ludvigsen moved to Adjourn; seconded by Alderman Morgan-Adams.

VOICE VOTE: All ayes, no nays

Motion carried 4 – 0; Alderman Quinn absent

Approved by the City Council of Prospect Heights on this the 26th day of August, 2019



Deputy Clerk Schultheis



Mayor Nicholas J. Helmer