



**THE CITY COUNCIL WORKSHOP TELECONFERENCE MEETING MINUTES
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS
HELD ON MONDAY, SEPTEMBER 14, 2020 AT 6:30 P.M.**

CALL TO ORDER AND ROLL CALL – At 6:30 PM, Mayor Helmer called to order the September 14, 2020 Regular City Council Workshop Zoom Teleconference Meeting.
City Clerk Prisiajniouk called roll. A quorum was present.
ELECTED OFFICIALS PRESENT – Mayor Helmer, Treasurer Tibbits, City Clerk Prisiajniouk
Aldermen – Quinn, Morgan-Adams (able to access the Zoom Meeting at 6:44 PM), Ludvigsen, Dolick
ABSENT – Cameron (by previous notification)
OTHER OFFICIALS PRESENT – Acting City Administrator Falcone, Police Chief Zawlocki, Attorney O’Driscoll, Public Works Director Roscoe, Deputy Clerk Schultheis, Director of Building and Development Peterson, Assistant Finance Director Tannehill and Digital Communications Technician Colvin.

APPROVAL OF MINUTES

A. August 10, 2020 Special Teleconference City Council Meeting Minutes – **Alderman Dolick moved to Approve the August 10, 2020 Special teleconference City Council Meeting minutes, as presented; seconded by Alderman Quinn.**

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

Motion carried 3 – 0, Alderman Cameron absent, Alderman Morgan-Adams had technical difficulty accessing the Meeting

APPOINTMENTS/CONFIRMATIONS AND PROCLAMATIONS - None

PUBLIC COMMENT ON AGENDA MATTERS (*Five Minute Time Limit*) - None

STAFF, ELECTED OFFICIALS, and COMMISSION REPORTS

Alderman Quinn – Ward 2 – thanked Public Works Director Roscoe for repairing the Golf Cart crossing signage and repainting the street striping by the golf course.

City Clerk Prisiajniouk – reminded the public of the importance of the census to residents in the City and the state of Illinois. She said that the City could lose representatives in Congress if people did not participate. This would also imply less benefits for the neediest citizens.

Acting City Administrator Falcone – noted that the Review of the Executive Session Minutes Resolution R-20-21 had been TABLED because the Attorney did not want blanket destruction of the Minutes. It will be reviewed by the Attorney and be deferred until October.

- he also noted that there would be many requests for waiver of first read at this meeting because the September 30th meeting will have a full Agenda. He said that Crown castle was originally on the August 10th Meeting; then they were not ready for the August 24th meeting and Crown Castle requested to be put on the September 30th Meeting. The Acting City Administrator said that there was no action needed to slate Crown Castle for the September 30th meeting.

Alderman Ludvigsen wanted to know if the Council could waive first reading with less than four aldermen present. It was then noted that Alderman Morgan-Adams had been able to access the meeting at 6:44 PM. Attorney O’Driscoll stated that the Council now had enough Aldermen present to waive first read.

Mayor Helmer – thanked City Clerk Prisiajniouk for her assistance and persistence with information on the Intergovernmental Agreement with Cook County to Provide Coronavirus Relief Funds Under the Cook County COVID-19 Funding Response Plan. The mayor asked when the City would receive the money? Acting City Administrator Falcone said that the City would send in the Resolution and packet by September 21, and the money was hoped to be received by October 7.

Acting City Administrator Falcone thanked City Clerk Prisiajniouk for her comments on the census. He noted that the last reported statistics showed that the City was 3.5% higher in headcount than in 2010. He noted that there has been a tremendous push, as these are the final days for counting. He said that Social workers Casey and Rebeca had done an outstanding job in areas in which the residents do not speak English as a first language. He said that there would be three more Census events:

The Pixar movie “Onward” would be shown on September 18 at 7:30 PM at River Trails

There would be a drive-in movie “Grease” shown at Prospect Heights Park District on a giant screen on Saturday, September 19 at 7:30 PM

The final Census event will be on Sunday from 1-4 PM with a Concert featuring a live band at River Trails

Mayor Helmer- Asked Director Peterson if there is any truth to the issues that the State is having with cannabis dealers? Will this affect the City?

Director Peterson replied that the State’s response to recent claims regarding cannabis is unclear. He said that the City has not been affected thus far and the City is scheduled to start getting revenue from Zen Leaf starting in 2021.

Public Works Director Roscoe – said that trees are supposed to be planted will go in in the Spring to give them a better chance at survival, as they will avoid the road salt.

- He said that the last of the turf sod issues were being handled on Schoenbeck Road.
- IDOT – Milwaukee Bridge ramp will be opened by the end of the year.
- Cook County is working on the Kennilworth sinkhole that is on the guardrail.

Police Chief Zawlocki – stated that there are 81 officers that are signed up to take the Police candidate’s test on Sunday, September 27.

City Attorney O’Driscoll – said that there will be an update from the Governor in two weeks. It is currently believed that the order will remain unchanged.

Deputy Clerk Schultheis – said that the next Regular City Council meeting will be Wednesday, September 30 in observance of the Jewish holidays. It is not a Special Meeting, as it was stated on our published calendar as September 30.

Assistant Finance Director Tannehill – said that the audit is almost complete. He noted that thus far there are no major issues.

NEW BUSINESS

A.Request for 1st Read Waiver O-20-28 Staff Memo and Ordinance Granting Certain Variations for the Property at 213 Shannon Dr., Prospect Heights, IL (**1st Reading**) – **Alderman Ludvigsen moved to waive First Reading of O-20-28 Ordinance Granting Certain Variations for the Property at 213 Shannon Dr., Prospect Heights, IL; seconded by Alderman Dolick.**

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

Motion carried 4 – 0, one absent

B.O-20-28 Staff Memo and Ordinance Granting Certain Variations for the Property at 213 Shannon Dr., Prospect Heights, IL (**2nd Reading**) - **Alderman Dolick moved to Approve O-20-28 Ordinance Granting Certain Variations for the Property at 213 Shannon Dr., Prospect Heights, IL; seconded by Alderman Ludvigsen.**

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

Motion carried 4 – 0, one absent

C.Request for 1st Read Waiver O-20-29 Staff Memo and Ordinance Granting Certain Variations for the Property at 100 S. Wheeling Rd., Prospect Heights, IL (**1st Reading**) – **Alderman Quinn moved to waive first read of O-20-29 Ordinance Granting Certain Variations for the Property at 100 S. Wheeling Rd., Prospect Heights, IL; seconded by Alderman Dolick.**

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

Motion carried 4 – 0, one absent

D.O-20-29 Staff Memo and Ordinance Granting Certain Variations for the Property at 100 S. Wheeling Rd., Prospect Heights, IL (**2nd Reading**) – **Alderman Ludvigsen moved to Approve O-20-29 Ordinance Granting Certain Variations for the Property at 100 S. Wheeling Rd., Prospect Heights, IL; seconded by Alderman Dolick.**

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

Motion carried 4 – 0, one absent

E.Request for 1st Read Waiver O-20-30 Staff Memo and Ordinance Approving a Special Use Permit and Variation for an Electronic Message Center Sign at 1318 N. Rand Rd., Arlington Heights, IL (**1st Reading**) – **Alderman Dolick moved to Waive first read of O-20-30 Ordinance Approving a Special Use Permit and Variation for an Electronic Message Center Sign at 1318 N. Rand Rd., Arlington Heights, IL; seconded by Alderman Morgan-Adams.**

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

Motion carried 4 – 0, one absent

F.O-20-30 Staff Memo and Ordinance Approving a Special Use Permit and Variation for an Electronic Message Center Sign at 1318 N. Rand Rd., Arlington Heights, IL (**2nd Reading**) - **Alderman Dolick moved to Approve O-20-30 Ordinance Approving a Special Use Permit and Variation for an Electronic Message Center Sign at 1318 N. Rand Rd., Arlington Heights, IL; seconded by Alderman Morgan-Adams.**

Discussion followed. Alderman Ludvigsen asked if the variation followed the user or the property? Director of Building and Development Peterson said that special use goes with the User, but that the sign goes with the property.

Alderman Ludvigsen said that he wanted to make certain that the special use only went with the user, so that a new owner would have to come back to the Council.

Director of Building and Development Peterson said that Staff would be fine with this, and that the Special Use will be tied to the user, and not the land.

Alderman Dolick amended the motion to reflect to correct the Ordinance to show that the Special Use is tied to the user and not the property; seconded by Alderman Quinn.

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

Motion carried 4 – 0, one absent

G.Request for 1st Read Waiver O-20-31 Staff Memo and Ordinance Amending Title 5, Chapter 2, Section 3 of the City of Prospect Heights Zoning Code Definition of Off-Track Betting Facility (**1st Reading**) – **Alderman Ludvigsen moved to waive first read of O-20-31 Ordinance Amending Title 5, Chapter 2, Section 3 of the City of Prospect Heights Zoning Code Definition of Off-Track Betting Facility; seconded by Alderman Morgan-Adams.**

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

Motion carried 4 – 0, one absent

H.O-20-31 Staff Memo and Ordinance Amending Title 5, Chapter 2, Section 3 of the City of Prospect Heights Zoning Code Definition of Off-Track Betting Facility (**2nd Reading**) **Alderman Dolick moved to Approve O-20-31 Ordinance Amending Title 5, Chapter 2, Section 3 of the City of Prospect Heights Zoning Code Definition of Off-Track Betting Facility; seconded by Alderman Morgan-Adams.**

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

Motion carried 4 – 0, one absent

I.Request for 1st Read Waiver O-20-32 Staff Memo and Ordinance Amending Title 5, Chapter 3, Section 4G of the City of Prospect Heights Zoning Code Table of Permitted Accessory Buildings, Structures and Uses (**1st Reading**) – **Alderman Quinn moved to waive first reading of O-20-32 Ordinance Amending Title 5, Chapter 3, Section 4G of the City of Prospect Heights Zoning**

Code Table of Permitted Accessory Buildings, Structures and Uses; seconded by Alderman Dolick.

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

Motion carried 4 – 0, one absent

J.O-20-32 Staff Memo and Ordinance Amending Title 5, Chapter 3, Section 4G of the City of Prospect Heights Zoning Code Table of Permitted Accessory Buildings, Structures and Uses (*2nd Reading*) Alderman Morgan-Adams Approve O-20-32 Ordinance Amending Title 5, Chapter 3, Section 4G of the City of Prospect Heights Zoning Code Table of Permitted Accessory Buildings, Structures and Uses; seconded by Alderman Dolick.

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

Motion carried 4 – 0, one absent

K.Request for 1st Read Waiver O-20-33 Staff Memo and Ordinance Directing the Sale of Surplus Property: Police Vehicle - 2011 Ford Crown Victoria VIN# 1FABP7BV0BX104438 (*1st Reading*) – Alderman Dolick moved to waive first reading of O-20-33 Ordinance Directing the Sale of Surplus Property: Police Vehicle - 2011 Ford Crown Victoria VIN# 1FABP7BV0BX104438; seconded by Alderman Quinn.

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

Motion carried 4 – 0, one absent

L.O-20-33 Staff Memo and Ordinance Directing the Sale of Surplus Property: Police Vehicle - 2011 Ford Crown Victoria VIN# 1FABP7BV0BX104438 (*2nd Reading*) - Alderman Morgan-Adams moved to Approve O-20-33 Ordinance Directing the Sale of Surplus Property: Police Vehicle - 2011 Ford Crown Victoria VIN# 1FABP7BV0BX104438; seconded by Alderman Ludvigsen.

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

Motion carried 4 – 0, one absent

M.R-20-21 Resolution Relating to the Semi-Annual Review of Closed Session Minutes – Alderman Morgan-Adams moved to TABLE R-20-21 Resolution Relating to the Semi-Annual Review of Closed Session Minutes; seconded by Alderman Ludvigsen.

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

Motion carried 4 – 0, one absent

N.R-20-22 Staff Memo and Resolution Approving an Intergovernmental Agreement with Cook County to Provide Coronavirus Relief Funds Under the Cook County COVID-19 Funding Response

Plan – **Alderman Dolick moved to Approve R-20-22 Resolution Approving an Intergovernmental Agreement with Cook County to Provide Coronavirus Relief Funds Under the Cook County COVID-19 Funding Response Plan; seconded by Alderman Quinn.**

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

Motion carried 4 – 0, one absent

OLD BUSINESS

A.O-20-25 Letter of Request and Ordinance Increasing the Number of Class C Liquor Licenses (full liquor) from 3 to 4 and Reducing the Number of Class C-1 Liquor Licenses (beer and wine only) from 4 to 3 at the request of Park Local Restaurant, 1421 N Rand Road (**2nd Reading**) – **Alderman Morgan-Adams moved to Approve O-20-25 Ordinance Increasing the Number of Class C Liquor Licenses (full liquor) from 3 to 4 and Reducing the Number of Class C-1 Liquor Licenses (beer and wine only) from 4 to 3 at the request of Park Local Restaurant, 1421 N Rand Road; seconded by Alderman Dolick.**

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

Motion carried 4 – 0, one absent

Director Peterson said that Park Local was finalizing blueprints, and permits were expected by the end of the month.

B.O-20-26 Staff Memo and Ordinance Approving Certain Variations for 905 Edward Rd., Prospect Heights (reduce side yard setback and increase the size of recreational vehicle) (**2nd Reading**) – **Alderman Dolick moved to Approve O-20-26 Ordinance Approving Certain Variations for 905 Edward Rd., Prospect Heights (reduce side yard setback and increase the size of recreational vehicle); seconded by Alderman Ludvigsen.**

Discussion followed – there were questions as to whether the case should be sent back to the PZBA because of new evidence. It was noted by Director Peterson that the new evidence was denied at the August 27, 2020 PZBA meeting. He added that the new recreational vehicle was a self-created hardship. The PZBA felt that a compliant trailer was needed, and they rejected the driveway, also.

Alderman Ludvigsen stated that the driveway that would be created would be 17 inches off the lot line. He said that the City could keep allowing driveways to go to the lot line.

Alderman Morgan-Adams asked if the lot line could be reduced. Director Peterson replied that the applicant wanted a new driveway and it was approved because it met the standards but then it was found to be too close to the lot line. He noted that the encroachment was along the side of the house. While there were no complaints from the neighbors, it was noted that the City does not grant variations for oversized vehicles.

Alderman Quinn asked if the applicant would have to park the vehicle where the neighbors wanted it. Director Peterson said that the applicant had agreed to abide by conditions given.

Alderman Ludvigsen said that the applicant should move the HVAC unit to keep the five foot lot line. Director Peterson said that he could achieve that if he moved the HVAC to the backyard. Alderman Ludvigsen noted the driveway's contour differences. Director Peterson said that there is existing fencing, and that there would need to be curbing and pitching to reduce potential drainage issues. He added that the applicant was willing to do that.

Alderman Ludvigsen said that while he was against a zero lot line, he did not mind the camper. Alderman Morgan-Adams noted that if the applicant was willing to move the HVAC, she did not have an issue with the request. Director Peterson said that the PZBA did not have an issue with the driveway variation, just the reason for the variation request.

Attorney O'Driscoll said that it would be possible to split the variations. Alderman Morgan-Adam asked if the motion could be amended so that if the equipment is moved and there is a compliant situation, the recreational vehicle could be approved. Attorney O'Driscoll stated that there would be no need for a second variation, if the driveway variation were altered.

Director Peterson said that approval of the camper would have to come after the driveway is compliant. He asked the applicant if he was willing to move the HVAC. The applicant said that he would move the HVAC.

Alderman Ludvigsen said that the approval would be based upon a compliant driveway

Alderman Dolick withdrew his motion.

Alderman Dolick moved to TABLE Approve O-20-26 Ordinance Approving Certain Variations for 905 Edward Rd., Prospect Heights (reduce side yard setback and increase the size of recreational vehicle until the first City Council meeting in October; seconded by Alderman Morgan-Adams.

ROLL CALL VOTE:

AYES -	Morgan-Adams, Dolick, Ludvigsen, Quinn
NAYS -	None
ABSENT -	Cameron

Motion carried 4 – 0, one absent

DISCUSSION TOPICS FOR THIS MEETING:

A.Traffic Safety Policy and Procedures Discussion – Acting City Administrator Falcone said that the policy would formalize, in writing, City procedures. He said that the policy was put together with the help of Public Works, the Police Department, the City Engineer, the Administration and the Department of Building and Development. Mayor Helmer noted that he had worked on this same policy of procedures five years ago and he wondered if it was new.

Acting City Administrator Falcone said that it was not new; it was just putting the policy that was being practiced in writing. Public Works Director Roscoe said that it acted as a blueprint with which the City could work. – **no action was taken**

B.Zoom Meeting Discussion – Treasurer Tibbits said that City Hall had a new recording system. He noted that the City could have hybrid zoom meetings where Staff and Council could be present, and presenters could hold a meeting in person. He said that it would help with the flow of the meeting and help the public that was viewing through Zoom.

Mayor Helmer said that Zoom participants could have their faces shown from their homes. He said that he was adamant that there would be no meetings at City Hall. He added that he refused to sit together.

Mayor Helmer asked Council who had the right to make the decisions how the meetings would be run.

Alderman Quinn said that she agreed with the Mayor that City Hall was not safe for in-person meetings. She also encouraged officials at public events to wear masks. She added that there were photos on the website that showed public officials not practicing social distancing nor wearing masks.

Mayor Helmer replied that when you are speaking at a public event, you cannot wear a mask.

Alderman Morgan-Adams said that Council should be on video on Zoom. She said that it was important that the public see the Mayor's and Council's demeanor. She added that the residents wanted to see their faces.

Mayor Helmer asked said that he was prominently featured on Enews, and he was wearing a mask.

The Mayor said that the Art Show at Rob Roy had people walking around without masks. Alderman Quinn said that there was only one person without a mask. She also said that the Mayor was not masked in the Ribbon Cutting at Lola's Pizza Palace.

Treasurer Tibbits said that he had measured the chairs at the dais and every other chair was almost six feet apart.

Alderman Ludvigsen said that he agreed with a hybrid approach. He said that the presentations needed to be in person, and that they were difficult to see on the screens.

The suggestion was to get approval from the State to have a hybrid situation where the aldermen can be present but the residents kept on Zoom.

The Mayor asked who determines where Council meets? Attorney O'Driscoll said that by the Governor's order there was an amendment to the Open Meetings Act. He said that none of the laws specify that you cannot have a hybrid meeting. Hybrid meeting would be permitted. He said that it is not clear if it is the Council or the City Administrator who decides where to meet. He said that there were "multiple methodologies."

Alderman Morgan-Adams felt that her comments had been ignored. She said that if the meetings were held at City Hall, the Council and Staff would have to wear masks. She thought the most economical approach would be to have video Zoom meetings. She wants the elected officials seen.

Alderman Ludvigsen said that he agreed with Alderman Morgan-Adams. Video on Zoom was not as good as in person but the faces of the Council should be seen. He said that he wants to catch facial nuances.

Alderman Ludvigsen requested an official memo from the Attorney on the subject.

Alderman Quinn said that she would not go in a room with outsiders, and questioned the safety of having in person meetings when decisions were no better or worse.

Alderman Ludvigsen noted that the Mayor had been out for other events such as the charity golf outing and the grand opening at Lola's.

City Clerk Prisiajniouk said that six feet social distancing had to be practiced whether inside or outside.

Alderman Morgan-Adams restated that it was not good that the Council was meeting by phone and not helping residents. – **No action was taken.**

APPROVAL OF WARRANTS

A. Approval of Expenditures

General Fund	\$177,762.87
Motor Fuel Tax Fund	\$0.00
Palatine/Milwaukee Tax Increment Financing District	\$0.00
Tourism District	\$1,243.63
Development Fund	\$0.00
Drug Enforcement Agency Fund	\$0.00
Solid Waste Fund	\$29,570.09
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	\$286.58
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	\$8,659.93
Palatine Road Tax Increment Financing District	\$0.00
Road Construction	\$0.00
Road Construction Debt	\$450.00
Water Fund	\$12,832.93
Parking Fund	\$318.47
Sanitary Sewer Fund	\$1,313.00
<u>Road/Building Bond Escrow</u>	<u>\$8,885.80</u>
TOTAL	\$241,323.30
 <u>Wire Payments</u>	
8/28/2020 PAYROLL POSTING	\$159,668.24
8/26/2020 POLICE PENSION FUNDING	\$73,254.80
AUGUST ILLINOIS MUNICIPAL RETIREMENT FUND	<u>\$22,836.11</u>
TOTAL WARRANT	\$497,082.45

City Clerk Prisiajniouk read the Warrants

Alderman Dolick moved to approve the Warrants as presented; seconded by Alderman Quinn to include a TOTAL of \$241,323.30; 8/28/2020 PAYROLL POSTING of \$159,668.24; 8/26/2020 POLICE PENSION FUNDING of \$73,254.80; AUGUST ILLINOIS MUNICIPAL RETIREMENT FUND of \$22,836.11 and TOTAL WARRANT of \$497,082.45.

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

Motion carried 4 – 0, one absent

PUBLIC COMMENT ON NON-AGENDA MATTERS (Five Minute Time Limit) - None

EXECUTIVE SESSION - None

ACTION ON EXECUTIVE SESSION ITEMS, IF REQUIRED

ADJOURNMENT – At 8:23 PM, Alderman Dolick moved to Adjourn; seconded by Alderman Quinn.

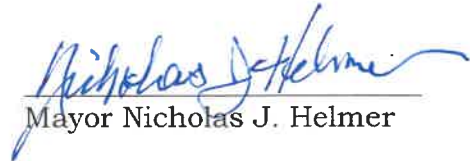
VOICE VOTE: All Ayes, No Nays

Motion carried 4 – 0; Alderman Cameron absent.

Approved by the City Council of Prospect Heights on this the 30th day of September, 2020.



Deputy Clerk Schultheis



Mayor Nicholas J. Helmer

