

**CITY COUNCIL MEETING
MINUTES – July 27, 2010**

Mayor Ken Nelson called the Council meeting to order at 7:30 p.m.

Pledge of Allegiance to the Flag: Mayor Nelson led the pledge

ROLL CALL:

Present: Pitzaferro, Lusk, Buske, Judd, Adams, D’Astice, Larsen

Absent:

Staff Members Present: City Manager Sarah Phillips, Facilities Superintendent Don Wenzel, Assistant Community Development Director Jim Sylverne, Fire Chief Ron Stewart, Police Chief Dave Scanlan, Senior Accountant Rob Fredrickson, City Attorney Jim Macholl, Assistant City Manager Barry Krumstok

Mayor Ken Nelson read the following statement:

MEMBERS OF THE AUDIENCE ARE REMINDED THAT THESE PROCEEDINGS ARE BEING VIDEO TAPED FOR CURRENT AND FUTURE BROADCAST OVER THE CITY’S CABLE TELEVISION CHANNEL.

MOTION TO APPROVE MINUTES:

Alderman Pitzaferro moved to approve the minutes of the July 13, 2010 Council Meeting; and the July 20, 2010 Committee of the Whole Meeting; seconded by Alderman Lusk.

Alderman Judd: Revision to comment on Item 3.

Yeas: Pitzaferro, Lusk, Buske, Judd, Adams, D’Astice, Larsen

Nays: 0

Absent:

Minutes Approved as amended

MOTION TO DEVIATE:

Alderman D'Astice made a motion to deviate, seconded by Alderman Buske.

Unanimous

- 1) Presentation of AAIM Awards to Police Officers by the Mayor**
- 2) Public Hearing – Community Development Block Grant (CDBG) Program**

The Cook County Bureau of Administration requires the City of Rolling Meadows to hold a Public Hearing regarding the use of Cook County Community Development Block Grant Funds. This Hearing is to solicit input from the Community regarding the change of project scope for funding from the 2008 CDBG Program Year. The City is required to follow the established procedures of the Cook County Community Development Block Grant Program regarding project submittal and established limitations on funding.

Let the record show this Public Hearing opened at 7:35 p.m. on Tuesday, July 27, 2010.

The Cook County Community Development Block Grant Program funds a variety of needs some of which include Single Family Rehabilitation, Fair Housing Activities, Housing Counseling, Affordable Housing Opportunities, Infrastructure Improvements, Commercial Rehabilitation, Capital Improvements and Public Service Activities.

The City of Rolling Meadows is considering making a request to change the project scope for the 2008 Cook County Development Block Grant which the City had received and was for making handicapped access improvements that would be compliant with the American with Disabilities Act (ADA) at the Police Neighborhood Resource Center.

The change of project scope would include the following requests:

- ADA compliant improvements to the primary elevator within City Hall
- ADA inspection services within City Hall
- Repairs or improvements to other ADA deficient items as may be identified within City Hall

No other parties have requested applications to date for use of Cook County Community Development Block Grant funds for the 2008 program year.

The City of Rolling Meadows encourages any interested parties or organizations to present any current or future request or ideas regarding the use of Cook County Community Development Block Grant Program funds.

Is there anyone in the audience who wishes to speak regarding the Cook County Community Development Block Grant Program?

No one came forward.

Let the record show this hearing closed at 7:37 p.m., Tuesday, July 27, 2010.

MAYOR'S REPORT:

A City Wide Blood Drive will be held Wednesday, July 28th from 1:00 to 7:00pm in the City Hall Council Chambers. All participating blood donors can join the City in a free BBQ and they will receive a commemorative t-shirt.

Please plan on attending Cornfest which is scheduled for Saturday, August 7th from 11:00am to 7:00pm at the Community Church of Rolling Meadows.

Since the devastating fire at the WING's thrift shop in Palatine, many residents have inquired where donations and drop offs can be delivered. You can now make those deliveries to the WING's location at 345 N. Eric Drive in Palatine. This is in the vicinity of Colfax and Smith by the railroad tracks. This location is open seven days a week from 10:00am to 4:00pm.

On Wednesday, July 28th, beginning at 7:00pm, the Rolling Meadows Library will be hosting Steve Frenzel as he presents the program "Baseball at the Movies". For more information please contact the Library at 847-259-6050 or visit the website at www.rmlib.org.

The Rolling Meadows Senior Center will be conducting Moonlight & Music on Thursday, July 29th. The musical guest will be "The Paul Germano Orchestra". Doors open at 6:00pm; performance is from 7:00 to 8:30pm. The location will be the beautiful courtyard at Park Central (3000 Central Road). The fee for this event is \$4.00. Bring your own lawn chair and picnic supper. Fresh popped popcorn, iced tea, and lemonade will be provided at the event. For more information, please contact the Senior Center at 847-818-3205.

The 2010 Census is not over. Your help is still needed for a complete and accurate count. Please cooperate with Census workers that contact you via phone or in person. Workers should only be conducting follow-up and field verifications.

WARD REPORTS:

Ward 1 – Alderman Pitzaferro:

No report.

Ward 2 – Alderman Lusk:

The City of Excellence will be at Cornfest.

She received several complaints this week about ComEd and overnight parking. Our current ordinance does not allow for overnight parking and believes that we need to address this ordinance.

Ward 3 – Alderman Buske:

He received a call regarding charging Chase Bank when we are not charging the other banks.

Ms. Phillips: This “in-lieu of sales tax” is new. We could not go back and make this retroactive to the other banks.

Ward 4 – Alderman Judd:

No report.

Ward 5 – Alderman Adams:

No report.

Ward 6 – Alderman D’Astice:

No report.

Ward 7 – Alderman Larsen:

He wanted to follow-up on the power outages during the previous storms. When will we receive feedback from ComEd?

Mr. Krumstok: They will most likely be back in September.

Alderman Larsen: He would like that information posted on the website for the residents.

MEETING OPEN TO THE PUBLIC FOR 20 MINUTES:

Mr. Tom Litzler, Ramco-Gershenson: Here on behalf of Chase and will be available for any questions.

Mayor Ken Nelson closed the floor.

➤ **PENDING:**

A. Ordinance 10-22 / Approve an Amendment to the Rolling Meadows Shopping Center Planned Development and a Special Use for a Drive-Thru Bank – Chase Bank (2nd Reading)

Mayor Ken Nelson read the background on this Ordinance.

Alderman Larsen made a motion to accept the Ordinance, seconded by Alderman Buske.

Alderman Buske: Spoke with several residents in his Ward. He sees a problem with this business not bringing in tax dollars and how many customers it will attract. We have 3 banks in that shopping center already and he will not support this. He was hoping for a restaurant in the area and believes that we lost out on that. Believes it is the wrong use for that property.

Alderman Judd: Thinks there is a problem with this Ordinance. At first reading, we amended this Ordinance to include a reference to CPI and it is not in the current Ordinance in front of us.

Mr. Macholl: That would be included in the formal agreement which is Item K on the agenda.

Alderman D’Astice: If Council made an amendment to an ordinance, who has the right to arbitrarily change it without notifying the Council?

Mr. Macholl: The decision was made by him, that those modifications were best left in the agreement separate and apart from the Ordinance.

Mayor Nelson: As the chair, he could entertain a motion to move Item K up and consider it jointly with Item A.

Alderman Buske: Made a motion to move Item K up and consider with Item A, seconded by Alderman Lusk.

Yeas: Pitzafarro, Lusk, Buske, Judd, Adams, D’Astice, Larsen

Nays:

Absent:

Motion Passed

Mayor Nelson: read the background on Resolution No. 10-R-87 / Approve Development Agreement with Chase Bank.

Alderman Pitzafarro: If we had not caught that, could we have approved A and not K?

Mayor Nelson: That could have possibly occurred.

Alderman Pitzafarro: Why do we vote on any ordinances if you feel you can take something out?

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Mr. Macholl: Does not believe that he takes anything out because he can. The direction from the Council was to impose payment in lieu of sales tax. At the time, there was only the ordinance so that was what was moved to amend. The best way to deal with that was through a separate agreement. He does not just change an ordinance. If we had passed Item A and not Item K we could have revisited A.

Alderman Larsen: This is not the first time that we had votes that were directly related to each other. He remembers early on in his tenure, that he voted for one and not the other. We retain Mr. Macholl for his legal expertise. Could we get a memo as to how items are related before a meeting?

Mr. Macholl: Certainly.

Alderman Lusk: Agrees with Alderman Buske that we have too many banks in that area. She will not support.

Mayor Nelson: Pointed out that this bank is moving from another location on Kirchoff.

Alderman Pitzafarro: If they are willing to pay the in lieu of fee he does not understand why we would not do that.

Mayor Nelson: Stressed that this is not a new bank coming into the downtown. This would be an expansion of their business.

Alderman Larsen: Agrees that it is unfortunate that we could not get something else in that area, but does not want to leave this lot empty. He will support.

Alderman Judd: Are we voting for both of these simultaneously?

Mayor Nelson: Yes.

Alderman Judd: In Item K, if Chase sells they would continue to have to pay the "in lieu of" fee?

Mr. Macholl: Yes.

Alderman Judd: Has no issue with this or the bank. He believes this might draw people to the downtown area.

Alderman Buske: Chase is currently right across the street from his house. Once this building goes up it is using a space that could be used for better purposes. We just spent \$26,000 on a survey and he does not believe that it said we should have another bank in that area. Sometimes it is worth waiting than just trying to fill the space.

Alderman Pitzafarro: This in lieu of fee is to offset the tax

Mayor Nelson: The fee is based on the average tax dollars per square foot in the downtown area?

Ms. Phillips: Correct.

Alderman Buske: The in lieu of took part of the blow away, but he still does not agree.

Alderman Judd: Sears disappeared, Blockbuster, Sherwin Williams also disappeared. This bank will most likely not be going anywhere.

Mayor Nelson: This will be a new building and will add value to the property.

Ms. Phillips: Correct.

Yeas: Pitzafarro, Judd, Adams, D'Astice, Larsen

Nays: Lusk, Buske

Absent:

Ordinance Passed

➤ **CONSENT: ORDINANCES FOR 1ST READING:**

B. Ordinance / Amend Liquor Code – Add Liquor Classification “P”

Alderman Buske requested Item B be removed from the Consent Agenda.

➤ **NEW BUSINESS:**

Item B from the Consent Agenda: Ordinance / Amend Liquor Code – Add Liquor Classification “P”

Alderman Adams made a motion to approve on first reading, seconded by Alderman D'Astice.

Alderman Buske: The Council Action Summary is talking about selling beer at the Meadows Ice Arena. “P” allows them to sell anything.

Mayor Nelson: The “P” license existed for some time and the Park District had not used it for a few years.

Alderman Buske: If they get this, can a person bring in their own booze?

Mr. Macholl: There is a provision that would allow that, but may also come within a different classification.

Mayor Nelson: If someone brings in their own alcohol and they don't charge and is only being served to the party guests that would follow under different rules. This would be for sale and consumption.

Alderman Buske: Who faces the liability?

Mr. Macholl: The Park District would cover that.

Alderman D'Astice: Is fine with the ordinance. He requests that there be more accuracy in the writing of the Council Action Summary.

Ms. Phillip: The intent is to only use this at the West Meadows Ice Arena only during the Hit Men home hockey games.

Mayor Nelson: With this the Park District felt they would have more control.

Alderman Lusk: Understands this is a resurrection of an old license, but cannot support this.

Alderman Judd: Does this open the Park District to anything, should alcohol be brought to a baseball field.

Mr. Macholl: No, he does not think so. They would not be selling directly or thru a private party.

Alderman Judd: Would be inclined to restrict this to the West Meadows Ice Arena, but would like to know what Council thinks.

Alderman Buske: Does not want to limit them to just this building. We are just giving them back a license that they previously had.

Yeas: Pitzafarro, Buske, Judd, Adams, D'Astice, Larsen

Nays: Lusk

Absent:

Ordinance Passed

➤ **NEW BUSINESS:**

C. Motion to Approve Payment of Bills on Warrant 7-27-2010

Alderman Buske made a motion to approve Warrant, seconded by Alderman Larsen.

Alderman Buske: Page 24: How does the Hotel Tax sharing work?

Ms. Phillips: The hotels pay us a percentage and a portion gets refunded.

Alderman Buske: Why?

Mayor Nelson: When we imposed this tax, part of the revenues were to be used for development of tourism, so the hotels get a slight rebate for their advertising efforts.

Ms. Phillips: They pay an 8% tax and we rebate them 2%.

Yeas: Pitzafarro, Lusk, Buske, Judd, Adams, D'Astice, Larsen

Nays: none

Absent:

Warrant Passed

D. Resolution No. 10-R-80 / Revise the 2008 Community Development Block Grant (CDBG) Program

Mayor Ken Nelson read the background on this Resolution.

Alderman Lusk made a motion to accept the Resolution, seconded by Alderman Buske.

Yeas: Pitzafarro, Lusk, Buske, Judd, Adams, D'Astice, Larsen

Nays: none

Absent:

Resolution Passed

E. Resolution No. 10-R-81 / Award Contract for Pavement Striping

Mayor Ken Nelson read the background on this Resolution.

Alderman Buske made a motion to accept the Resolution, seconded by Alderman Larsen.

Yeas: Pitzafarro, Lusk, Buske, Judd, Adams, D'Astice, Larsen

Nays: none

Absent:

Resolution Passed

F. Resolution No. 10-R-82 / Award Contract for Road Salt

Mayor Ken Nelson read the background on this Resolution.

Alderman Larsen made a motion to accept the Resolution, seconded by Alderman Pitzafarro.

Alderman Larsen: What did we pay last year?

Mr. Wenzel: The same.

Alderman Larsen: This whole process is definitely working and commends Public Works.

Yeas: Pitzafarro, Lusk, Buske, Judd, Adams, D'Astice, Larsen

Nays: none

Absent:

Resolution Passed

G. Resolution No. 10-R-83 /Accept Grant from Illinois Law Enforcement Alarm System for Purchase of Technology Equipment for the EOC

Mayor Ken Nelson read the background on this Resolution.

Alderman Lusk made a motion to accept the Resolution, seconded by Alderman D' Astice.

Alderman Buske: This and the next 3 are all covered by grants.

Alderman Judd: Can we group them together?

Mr. Macholl: Yes.

Mayor Nelson: Will entertain a motion to group this item and the next three.

Alderman Buske: Made a motion to group Items G thru J, seconded by Alderman Pitzafarro.

Yeas: Pitzafarro, Lusk, Buske, Judd, Adams, D' Astice, Larsen

Nays: none

Absent:

Motion Passed

H. Resolution No. 10-R-84 /Award Contract for Purchase of High Speed Wireless Communications for the EOC

I. Resolution No. 10-R-85 /Award Contract for Purchase of Smart Board Equipment for the EOC

J. Resolution No. 10-R-86 /Award Contract for Purchase of Videoconferencing Equipment for the EOC

Alderman D' Astice: They do not exceed the \$70,000?

Mr. Wenzel: They do not.

Yeas: Pitzafarro, Lusk, Buske, Judd, Adams, D' Astice, Larsen

Nays: none

Absent:

Resolutions Passed

K. Resolution No. 10-R-88 / Approve Settlement Agreement for SSA # 4

Mayor Ken Nelson read the background on this Resolution.

Alderman D' Astice made a motion to accept the Resolution, seconded by Alderman Larsen.

Yeas: Pitzafarro, Lusk, Buske, Judd, Adams, D' Astice, Larsen

Nays: none

Absent:

Resolution Passed

DISCUSSION ITEMS:

1) Woodfield Chicago Northwest Convention Bureau

Mr. Dave Parulo, Interim President: He is visiting to tell Council about a new initiative that they are starting off in 2011. Since inception, they have been a membership organization. In 2011, they will move to a non-membership model. The goal is to incorporate a new inclusive tourism marketing plan.

Alderman Buske: How far is the Convention Center booked up?

Mr. Parulo: Does not have those numbers, but trending is now running about 66% occupancy.

Mayor Nelson: Clarified that the Bureau does not run the Convention Center. Thinks this is an exciting new program and was delighted to be a part of the discussions.

Alderman Judd: Will you be looking to increase revenues from the City.

Mr. Parulo: We are hoping to strengthen the relationship with the City so you maintain your continued reinvestment with us. We are hoping to offset some of the money we are leaving on the table with some of the marketing opportunities. We feel this is the correct thing to do for tourism marketing.

Alderman Judd: What kind of increase for the City?

Mr. Parulo: No increase.

Alderman Judd: Who are members in this area?

Mr. Parulo: Rolling Meadows, Arlington Heights, Schaumburg, Elk Grove Village, Roselle, Wooddale and Streamwood.

Alderman D' Astice: Are you going to generate leads for the hotels?

Mr. Parulo: Yes.

2) Gas Station Liquor License

Chief Scanlan: This is based on discussions at a previous meeting. We talked about some specific regulations. Staff recommendation is to take what we currently have in the B-1 license and modify the current ordinance as opposed to enacting a separate ordinance. Both service stations that have licenses are somewhat in compliance. Overall they are doing a pretty good job. Staff is looking for recommendations.

Alderman Buske: Would like a new classification for gas stations serving just beer and wine.

Mayor Nelson: One of the things we were interested in was allowing them to only sell beer and wine. Is that best served under separate licensing or changing the B-1 and grandfathering the others in?

Mr. Macholl: We would have to grandfather the others, but we could also change it to just have beer and wine.

Alderman Pitzafarro: Recalls that he was for allowing the gas station to have a liquor license. That said, he agrees that they should only be allowed to sell beer and wine.

Mayor Nelson: We might be better off offering a "D" license and not issuing any more "B-1" licenses.

3) City Clerk

Mayor Nelson: We have, in the past, sought to do away with the position of the elected City Clerk. He is suggesting it is time to readdress this and make this position an appointed position. The duties of the clerk have changed dramatically over the years and the duties of this position could easily be handled by someone on Staff. His proposal is to ask Council to vote to put the referendum on the November ballot.

Alderman Pitzafarro: Are there term limits?

Mayor Nelson: 3 terms.

Alderman Pitzafarro: Say it passed, who would sit in that position? An employee?

Mayor Nelson: Yes. The Deputy City Clerk would naturally take that appointment.

Alderman Pitzafarro: Does not understand the impetus behind this? He is concerned about a City employee doing this work for \$3000/year.

Mayor Nelson: They would not get \$3000/year. They would do it as part of their duties.

Alderman Pitzafarro: Is concerned about this concept. He is also concerned about adjusting their scheduled to fill in these hours. Thinks there is a tremendous value in this \$3000 stipend and getting someone who wants to do the job.

Mayor Nelson: He has never questioned that. This is not a personality thing. The role of this position has changed over the years.

Alderman Buske: Has lived here for 40 years and can recall this coming to referendum three times and was defeated all three times. He does not believe in pushing referendums. He does not want to take away the voting rights of the residents. The people have spoken. Maybe we should put the garbage issue on a referendum. That would be a better use of time.

Alderman D'Astice: If this position takes so many hours per week and we are already short staffed will this person have the time to do it? And if they do, they are probably not working to the full extent of what we are paying them to do right now.

Mayor Nelson: That is a valid point, but believes it was time to look at this again.

Alderman Larsen: Can we talk the next time we meet?

Mayor Nelson: The deadline is the 16th of August for referendums.

Alderman Larsen: Why not bring legislation forward, we could always vote in down.

Alderman D'Astice: Is not in favor. Lisa does a lot of work for the money.

Alderman Judd: Leave well enough alone.

Alderman Larsen: Thought he brought up the idea for putting the garbage collection up for referendum.

Mayor Nelson: There are procedures that need to be followed. Speak to the City Manager a week before the meeting.

Alderman Pitzafarro: If he had to make a decision right now he would be against putting it on a referendum. He does not believe that our staff would have the extra time. They are already stretched to the max.

Alderman Lusk: Has no problem bringing it forward next week for further discussion.

Alderman Adams: City Clerk is fine the way it is, but does not have a problem putting it on a referendum.

Mayor Nelson: Show of hands to bring back for further discussion - 2 Yeas.

OTHER BUSINESS & REPORTS:

Mayor's Appointments:

Mayor's Proclamation:

City Clerk's Report:

City Staff Reports:

1) PO Disclosure Over \$2500.00

MATTERS NOT ON THE AGENDA:

Alderman Buske: A garbage referendum should be further discussed at a Committee of the Whole meeting, correct?

Mayor Nelson: Not necessarily. Typically, it is only fair that we have a public discussion.

Alderman Judd: Would like an update on New World and the other one.

Ms. Phillips: Final payment was already authorized.

Alderman Judd: We are placing bricks on the sidewalk with concrete. Why are we spending money on that?

Mr. Wenzel: The bricks were put in as part of a bikepath grant and the contractor did not install them properly. Staff has taken it upon themselves to repair them and it is funded through the bikepath maintenance fund.

Alderman Judd: Can we seek restitution?

Mr. Wenzel: No.

Ms. Phillips: It is really a trip and fall hazard.

Alderman Judd: This \$10,000 for the garbage quotes. How would it cost \$10,000?

Ms. Phillips: The cost of staff time for an RFP of that magnitude would cost approximately \$10,000.

Alderman Judd: How?

Ms. Phillips: Writing the RFP (27-30 pages), sending it out, advertising and the process of accepting and negotiating.

Alderman Judd: Is still interested in pursuing.

Alderman Buske: Believes the bricks became unsettled due to trucks driving on them. What are we doing with the motorcycles?

Ms. Phillips: They did not sell so they are still sitting in the garage. The idea is to wait and get further instructions or wait until the economy gets better and someone will pay the asking price.

Alderman Judd: With regards to the garbage referendum, that would not necessarily have to be put on the November ballot? It could be put on the April ballot?

Mayor Nelson: Could be either one.

Alderman Larsen: That would then table the discussion for now.

Mayor Nelson: The law prohibits us from taking sides. We can only put out factual information.

CLOSED SESSION:

1) Personnel

Alderman Lusk made a motion to enter into Closed Session, seconded by Alderman Buske.
Unanimous

ENTERED INTO CLOSED SESSION: 9:29 pm

Alderman Pitzaferra made a motion to go into Open Session; seconded by Alderman D'Astice.
Unanimous

RETURNED TO OPEN SESSION: 10:30 pm

ADJOURNMENT:

There being no further business, Alderman D'Astice moved to adjourn, seconded by Alderman Buske.

UNANIMOUS

City Council meeting of July 27, 2010 adjourned at 10:31 p.m.

Respectfully submitted by: Lisa M. Hinman, City Clerk

July 27, 2010 Minutes Approved by Council on August 10, 2010



Lisa M. Hinman, City Clerk