

**CITY COUNCIL MEETING  
MINUTES – January 8, 2019**

**Mayor Prejna called the Council meeting to order at 7:30 p.m.**

**Pledge of Allegiance to the Flag**

**ROLL CALL:**

Present: Cannon, Budmats, Majikes, Gallo, Banger, D’Astice, Williams

Absent: 0

**Mayor Prejna** - With 7 present and 0 absent there is a quorum.

Members of the audience are reminded that these proceedings are being videotaped for current and future broadcast over the City’s cable television channel.

**Staff Members Present:** City Manager Barry Krumstok, Deputy City Clerk Judy Brose, Finance Director Melissa Gallagher, Deputy Fire Chief Jeff Moxley, Police Chief John Nowacki, Director Public Works Fred Vogt, Assistant Director Public Works Rob Horne, Business Advocate Martha Corner, City Attorney Jim Macholl

**MOTION TO APPROVE MINUTES:**

**Mayor Prejna:** The first order of business is to approve the minutes from the December 18, 2018 City Council Meeting. Is there a motion to approve the minutes? Alderman Budmats made the motion and it has been seconded by Alderman Williams. Are there any corrections, additions, or deletions to the minutes?

Seeing none, the question is shall the minutes be approved? All those in favor say aye; those opposed say nay. The ayes have it and the minutes are approved.

**MOTION TO DEVIATE:**

None

**MAYOR'S REPORT:**

**Mayor Prejna** – For those of you that had the opportunity to be at the Historical Society on Sunday afternoon, they had about 50 people and it was appreciated. I do want you to know Mr. Banger, that I made sure that I got all the cookies that you normally get.

**WARD REPORTS:**

**Mayor Prejna** - Are there any Ward Reports this evening? Seeing none, that moves us on.

**MEETING OPEN TO THE PUBLIC FOR 20 MINUTES:**

**Mayor Prejna** – We have no one on the sign-in sheet to speak tonight.

Mayor Prejna closed the floor.

➤ **PENDING:**

**A) Ordinance No. 19-01 - Approve Elimination of the Vehicle Sticker Requirement (2<sup>nd</sup> Reading)**

**Mayor Prejna** - This Ordinance, if adopted, would eliminate the Vehicle Sticker Requirement. The City Council approved Ordinances #18-17 and #18-48 to establish the Natural Gas Tax. The Natural Gas Tax will help fund capital, roadway improvements in the Local Road Fund. Nicor Gas Company has implemented the Natural Gas Tax effective December 1, 2018. As discussed with the City Council, after Nicor Gas Company implemented the Natural Gas Tax, an Ordinance eliminating the Vehicle Sticker requirement would be brought forth for approval.

**Mayor Prejna** - Is there a motion to adopt this Ordinance? Alderman Banger has made the motion and it has been seconded by Alderman Williams. Is there any discussion? Seeing none, will the Clerk please call the Roll.

AYES: Williams, Cannon, Budmats, Majikes, Gallo, Banger, D’Astice

NAYS: 0

ABSENT: 0

**Mayor Prejna** - With 7 in favor and 0 opposed this Ordinance is approved.

**B) Ordinance No. 19-02 - Approve Amendment to the Development Agreement of 3- Com/Atrium at 3800 Golf Road for the Installation of a City Entry Marker/Tenant Sign (2<sup>nd</sup> Reading)**

**Mayor Prejna** - This Ordinance, if adopted, would provide for an amendment to the “3-Com Development Agreement” (now Atrium) to allow the installation of a City of Rolling Meadows entry marker and tenant sign for off-premise businesses. This sign was authorized for purchase by the City Council on September 11, 2018.

Section 4-A-10 of the Development Agreement states, “The City Council may approve signs without a prior hearing before the City’s Plan Commission.” This matter is being presented at this time for City Council approval.

**Mayor Prejna** - Is there a motion to adopt this Ordinance? Alderman Cannon has made the motion and it has been seconded by Alderman Banger. Is there any discussion? Seeing none, will the Clerk please call the Roll.

AYES: Cannon, Budmats, Majikes, Gallo, Banger, D’Astice, Williams

NAYS: 0

ABSENT: 0

**Mayor Prejna** - With 7 in favor and 0 opposed this Ordinance is approved.

**C) Ordinance No. 19-03 - Approval Request to Modify an Existing Special Use to Allow the Use to Continue with the Land – 3975 Algonquin Rd – Luxury Auto Imports, Inc. (2<sup>nd</sup> Reading)**

This Ordinance, if adopted, would modify an existing special use for Luxury Auto Imports, Inc. at 3975 Algonquin Road. The petitioner is requesting that the approved Special Use permit be granted to the land, instead of to the owner.

The petitioner is also requesting the special use permit be modified to allow up to 15 cars to be parked for sale on site, and to allow all mechanical repairs to be performed on site. This request is presented as a separate ordinance for your consideration, as the Planning and Zoning Commission chose to separate the matters for voting purposes.

**Mayor Prejna** - Is there a motion to adopt this Ordinance? Alderman D'Astice has made the motion and it has been seconded by Alderman Majikes. Is there any discussion?

**Alderman Williams** - I found it difficult to understand what this does for the City. Does this tie the City's hands in any way as to how the property might be sold at some future date or does it just provide for it to be able to be sold as a used automobile place?

**Mayor Prejna** – Mr. Vogt, I will give that one to you.

**Fred Vogt, Public Works Director** - Thank you Mayor. The discussion that Staff has had and the discussion that Planning and Zoning Commission had at their meeting, was what's in the City's best interest in terms of flexibility? If the special use is provided to the land as opposed to the way it was approved several years ago to the owner, then somebody could come in and purchase the property and purchase the business and operate it in the same way as it has been in the past several years. Staff had some concerns with that, given the location of the property, as did the Planning and Zoning Commission which is why they voted in the negative to recommend this. They separated the motion into two separate units, this being one of them and voted against this but voted in favor of the petitioner's other request to park additional vehicles and expand on the use of the property itself within the building for the business. It's up to the Council as to whether the Council is comfortable with the current use, being able to be continued or extended to any future potential purchasers of the property should the current owner wish to sell the property or not.

**Mayor Prejna** – Further discussion?

**Alderman Williams** – Thank you. That's fine.

**Mayor Prejna** – Yes, Mr. Cannon.

**Alderman Cannon** - I'm confused, why would it be negative to allow it to stay as a car dealer going forward? I don't understand why it would be negative.

**Fred Vogt, Public Works Director** - If I could try to speak for the Planning and Zoning Commission regarding the discussion they had, they felt that the City had more flexibility with it if the property were to be sold by the current owner, the purchaser would need to come back to the City if they wished to continue the type of use that's in existence right now, rather than just automatically have it transferred to a new owner.

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**Alderman Cannon** – Okay, I guess I understand that. A couple comments I would like to make. If people remember back eight or nine years ago this property sat there, it was a carwash that was very unsuccessful. The persons who owned the property at that time didn't do much to take care of it, did no landscaping, did nothing to make it look like a nice building.

This gentleman and his company came in with many people on the Council against him turning into a car dealership, what I would classify as almost phony arguments to not let him come in there and all kinds of negative comments were made including the Mayor at the time. We still passed it and it's become a very successful business and we just seem to keep on making it harder and harder for him to be successful. A car dealer needs cars to be able to sell them. When I look at some of the notes from the discussion that went on in the Planning Commission, I'm just really confused as to why we would want make obstacles for anybody who wants to do business in our town, assuming they're not doing anything illegal. It just seems to me the tone of this whole thing is negative as opposed to positive. I'm thrilled that this gentleman has his business here and it's against a lot of obstacles he succeeded and wants to succeed even more. My just general thoughts is that we should try to do everything we can to make this man successful. We don't have many car dealers in our town, we have one and maybe half of another one and they generate a lot of revenue for the town. They bring people to our town, it's nothing but a win-win for us. I guess I'm just concerned about the attitude we have towards some of these things. This guy has made a really unattractive area into a nice looking building now. Thank you for listening.

**Mayor Prejna** – Thank you. Is there any further discussion? Seeing none, will the Clerk please call the Roll.

AYES: Budmats, Majikes, Gallo, Banger, D'Astice, Williams, Cannon  
NAYS: 0  
ABSENT: 0

**Mayor Prejna** - With 7 in favor and 0 opposed this Ordinance is approved.

**D) Ordinance No. 19-04 - Approve of a Sign Appeal for an Electronic Message Board Sign for the Property Located at 2550 Quentin Road (2<sup>nd</sup> Reading)**

This Ordinance, if adopted, would approve a sign appeal to allow an electronic message board sign to display City information at the property known as 2550 Quentin Road.

The subject sign has been contemplated for several years. It is intended to provide information about City events, as well as other important City information, to residents located west of IL Route 53.

**Mayor Prejna** - Is there a motion to adopt this Ordinance? Alderman D'Astice has made the motion and it has been seconded by Alderman Cannon. Is there any discussion? Seeing none, will the Clerk please call the Roll.

AYES: Majikes, Gallo, Banger, D'Astice, Williams, Cannon, Budmats  
NAYS: 0  
ABSENT: 0

**Mayor Prejna** - With 7 in favor and 0 opposed this Ordinance is approved.

➤ **CONSENT ORDINANCES (1<sup>st</sup> Reading):**

**Mayor Prejna** - The next item on the agenda is the Consent Ordinances in for 1<sup>st</sup> Reading. It consists of two (2) items E and F. Does any Alderman wish to remove an item from the Consent Agenda for Ordinances? Mr. Cannon.

**Alderman Cannon** – I would like to pull Item F.

**Mayor Prejna** – We no longer have a consent agenda.

**E) Ordinance No. 19-00 - Amend Chapter 6 Alcoholic Beverages, Article II Licenses, Section 6-77 Hours and Days of Sale for Class A1, Class A2, Class A3, Class D, and Class G1 Liquor Licenses (1<sup>st</sup> Reading)**

This Ordinance, if adopted, will change weekend & holiday hours of operation for establishments holding Class A1, Class A2, Class A3, Class D, and Class G1 liquor licenses.

**Mayor Prejna** – Do I have a motion to move this forward for the 2<sup>nd</sup> reading? Alderman Williams has made the motion and it has been seconded by Alderman Cannon. Is there any discussion? Is there any discussion? Seeing none, will the Clerk please call the Roll.

AYES: Gallo, Banger, D’Astice, Williams, Cannon, Budmats, Majikes  
NAYS: 0  
ABSENT: 0

With 7 in favor and 0 opposed this Ordinance will be moved forward for the 2<sup>nd</sup> Reading.

**F) Ordinance No. 19-00 - Approve a Request to Modify an Existing Special Use to Allow Additional Cars to be Parked For Sale on Site and Allow All Mechanical Repairs to be Performed on Site – 3975 Algonquin Rd – Luxury Auto Imports, Inc. (1<sup>st</sup> Reading)**

This Ordinance, if adopted, would modify an existing special use for Luxury Auto Imports at 3975 Algonquin Road. The petitioner is requesting a) the ability to perform all mechanical repairs at this facility and b) the ability to store 15 cars for sale on site outside the building.

**Mayor Prejna** – Do I have a motion to move this forward for the 2<sup>nd</sup> reading? Alderman Williams has made the motion and it has been seconded by Alderman D’Astice. Mr. Cannon you were the person who pulled this.

**Alderman Cannon** - Thank you Mr. Mayor. I drove by the facility today and I don't know if anybody has been by there, there's a huge crane in Mr. Kim's parking lot, they're installing the sign. Because of the size of the crane they had to take out all three pillars that were in front that took up about 10 feet of space so I would like to add an amendment to add 2 more cars for his ability to store them in front because of the space that is now available. He didn't think he had to take the islands out but they did, so now the islands

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are gone and there's at least 10 to 12 feet more of width in front that wasn't there before. So I would like to make amendment to add at least 2 cars to the front.

**Mayor Prejna** – Do I have a second? It has been seconded by Alderman D'Astice. Is there a discussion? Seeing none, will the Clerk please call the Roll.

AYES: Banger, D'Astice, Williams, Cannon, Budmats, Majikes, Gallo  
NAYS: 0  
ABSENT: 0

With 7 in favor and 0 opposed this Ordinance as amended will be moved forward.

**Mayor Prejna** – This brings us back to the original amendment, to approve a request for modifying the existing special use to allow additional cars, as amended by Mr. Cannon. Do I have a motion? Alderman Banger has made the motion and it has been seconded by Alderman Cannon. Is there a discussion on the as amendment? Mr. D'Astice.

**Alderman D'Astice** - I have two questions. Number 6 says “No “For Sale” signs, price tags, stickers, or any attention getting devices of any kind indicating cars for sale outside of the building.” I'm not sure and I'd like to make a motion for the petitioner to come up to the dais.

**Mayor Prejna** – We have a motion to open the floor. Do we have a second? All those in favor say aye; those opposed say nay.

Mayor Prejna opens the floor to the public by unanimous consent.

**Mayor Prejna** – Would you please take the podium?

**Alderman D'Astice** - Mr. Kim, my question is, number 6 says “No “For Sale” signs, price tags, stickers, or any attention getting devices of any kind indicating cars for sale outside of the building.” Are you okay with that or would you prefer to at least put price tags or for sale sign or something? Most car dealerships I've seen do that. I just like to ask you, does this hurt your business or does it make no difference to you?

**Nicholas Kim, Owner of Luxury Auto Imports, Inc.** - As far as the signs, I'm okay with it because most of the sales are generated from Internet leads, so I'm okay with it Sir.

**Alderman D'Astice** - Okay, while you're up there I have a second question. Number 10 says “Landscape screening is to be placed along Algonquin Road; use of low to mid-range high shrubs, such as honeysuckle or dogwood that can be maintained at a four to six foot height.” If you put 6 foot bushes up no one will see the cars, again does that impact your business or should this be 3 or 4 feet high? To have nice landscaping but 6 foot high is going to hide your business from everybody, it's up to you Sir.

**Nicholas Kim, Owner of Luxury Auto Imports, Inc.** - It would be a negative impact because Algonquin Road is sloped toward the north side so if they were driving by they wouldn't see any cars parked there and half the building would be covered up because of the shrubs.

**Alderman D'Astice** - Are you okay with putting lower shrubs in?

**Nicholas Kim, Owner of Luxury Auto Imports, Inc.** - If I can.

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**Alderman D’Astice** - To beautify the area, I’m going to say 2 to 3 feet tall because I understand the slope of the road, a 6 foot bush is going to hide your business.

**Nicholas Kim, Owner of Luxury Auto Imports, Inc.** - They would be blocking the whole building.

**Alderman D’Astice** - I do see the need to put some nice landscaping there.

**Nicholas Kim, Owner of Luxury Auto Imports, Inc.** - Yes, I will address that.

**Alderman D’Astice** - So you would be okay with some lower rise landscaping?

**Nicholas Kim, Owner of Luxury Auto Imports, Inc.** – Yes.

**Alderman D’Astice** – Okay, thank you, Sir.

**Mayor Prejna** – Any questions? Seeing none, do I have a motion to close the floor? Alderman Williams has made the motion and it has been seconded by Alderman D’Astice. All those in favor say aye; those opposed say nay.

Mayor Prejna closed the floor to the public by unanimous consent.

**Alderman D’Astice** – My motion for number 10 would be, we do want landscape screening there but maintained at a height of 2-3 feet tall.

**Mayor Prejna** – Just to clarify, we’re still on Ordinance F and you have a motion to....how would you clarify this?

**Alderman D’Astice** – I would just say, I would leave it as but change “be maintained at a 2 to 3 foot height.”

**Mayor Prejna** – Is there discussion on this motion? Okay, we have a motion to amend Ordinance F, to change #10 to read “be maintain at a 2 to 3 foot height.” Do I have a motion? Alderman D’Astice has made the motion and it has been seconded by Alderman Williams. Is there a discussion on this motion? Seeing none, will the Clerk please call the Roll.

AYES: D’Astice, Williams, Cannon, Budmats, Majikes, Gallo, Banger  
NAYS: 0  
ABSENT: 0

With 7 in favor and 0 opposed the Ordinance as amended will be move forward.

**Mayor Prejna** – Going back to Ordinance F, as amended by Alderman D’Astice and Alderman Cannon and as originally written. Do I have a motion to move forward with this Ordinance? Alderman D’Astice has made the motion and it has been seconded by Alderman Cannon. Is there a discussion on this motion? Seeing none, will the Clerk please call the Roll.

AYES: Williams, Cannon, Budmats, Majikes, Gallo, Banger, D’Astice  
NAYS: 0  
ABSENT: 0

With 7 in favor and 0 opposed this Ordinance moves forward to 2<sup>nd</sup> Reading as amended.

➤ **NEW BUSINESS:**

**G) MOTION TO APPROVE PAYMENT OF BILLS ON WARRANT 1/8/2019**

**Mayor Prejna:** The next item of business is a motion to approve the Warrant from January 8, 2019 as presented by the Finance Department. Is there a motion to approve the warrant? Alderman Banger made the motion and it has been seconded by Alderman Williams. Is there any discussion? Seeing none, will the Clerk please call the roll.

AYES: Cannon, Budmats, Majikes, Gallo, Banger, D’Astice, Williams,

NAYS: 0

ABSENT: 0

**Mayor Prejna** - With 7 in favor and 0 opposed this Warrant is approved.

➤ **CONSENT RESOLUTIONS:**

**Mayor Prejna** - The next item on the agenda are the Consent Resolutions. It consists of one item.

**H) Resolution No. 19-R-01 - Award a Contract for Professional Services to Teksa Associates for Comprehensive Plan Update Completion and Zoning Code Updates**

This Resolution, if adopted, would authorize a contract to be awarded for professional services to assist the City in providing completion of an update to its Comprehensive Plan (began in 2018) and to its Zoning Code.

The proposal by Teska Associates, Evanston, IL is to complete the Comprehensive Plan update services, and to update the Zoning Code, at a cost not to exceed \$65,000. This will be “Phase 2” of the processes.

Teska Associates began the process of updating the City’s Comprehensive Plan in May, 2018 (“Phase 1”). This effort is nearing completion as of late December, 2018 with the receipt of the final draft. It is anticipated that the City’s Planning and Zoning Commission will be presented a draft updated Comprehensive Plan at its regularly scheduled meeting on February 5, 2019. Upon its review and approval by the Planning and Zoning Commission, the document will be presented to the City Council for input and approval.

**Mayor Prejna** - Is there a motion to adopt this Resolution? Alderman D’Astice has made the motion and it has been seconded by Alderman Williams. Is there any discussion? Mr. Cannon.

**Alderman Cannon** - No discussion, Mr. Mayor. Just wanted to ask a question to either Barry or Melissa, is \$65,000 the total? I know we've paid them some money on this last warrant, didn't we?

**Barry Krumstok, City Manager** - In 2018 it was \$60,000 for the Comp Plan and starting the process. This phase 2 is \$65,000 to complete the rest of the Comp Plan and do the Zoning. So that is the total of the two phases.

**Alderman Cannon** - \$65,000 to complete? Or \$125,000?

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**Barry Krumstok, City Manager** – It's \$125,000 overall for the two phases.

**Alderman Cannon** – Okay, thank you.

**Mayor Prejna** - Further discussion? Seeing none will the Clerk please call the roll.

AYES: Budmats, Majikes, Gallo, Banger, D'Astice, Williams

NAYS: Cannon

ABSENT: 0

**Mayor Prejna** - With 6 in favor and 1 opposed this Resolution is adopted.

**Mayor Prejna** – This now brings us to Other Business & Reports.

**OTHER BUSINESS & REPORTS:**

**Mayor's Appointments:** None

**Mayor's Proclamations:** None

**City Clerk's Report:** None

**City Staff Reports:**

**Barry Krumstok, City Manager went over the following:**

**1) Community Items of Interest:**

- 1) Public Works will continue to provide Christmas Tree disposal service to all refuse customers until January 11<sup>th</sup>. Residents should remove lights, tinsel and ornaments, and place trees at the curb (cut side facing the street) on their regular refuse collection days.
- 2) Thank you to everyone who donated blood at the December 19<sup>th</sup> City Blood Drive.
- 3) Thank you to everyone who participated in the 5<sup>th</sup> Annual Police Department Social Media Holiday House Contest Campaign. This year's winners were: 1<sup>st</sup> Place = 3708 Rywick Court; 2<sup>nd</sup> Place = 3504 Piper Court; 3<sup>rd</sup> Place = 2612 Rohlwing Road; 1<sup>st</sup> Runner-Up = 2205 Cardinal Drive; and 2<sup>nd</sup> Runner-Up = 3603 Bobwhite Lane. Pictures of the houses that won can be seen on the Police Department Facebook page.
- 4) City Hall will be closed for the Martin Luther King, Jr. Holiday on Monday, January 21<sup>st</sup>. There will be regular refuse and recycling collection on this day and throughout the week.
- 5) The City, SWANCC, and Elgin Recycling are conducting a holiday light recycling program again. Collection boxes are located outside of City Hall. Items that are accepted include the following items: mini-lights (or Italian lights), c7 lights, C9 lights, rope lights, and LED lights, etc....All colors and lengths will be accepted. The City cannot accept garland, live greens, wreaths, or other non-recyclables. The program runs through February 15, 2019.

**Barry Krumstok, City Manager went over the following:**

**2) COW Agenda**

- 1) K-9 Update (1 year since the program was brought back in the City)
- 2) 2018 Bonds Update
- 3) 2019 Bonds – Next Steps
- 4) Increase the Age to Purchase Tobacco and Electronic Cigarette Products from 18 to 21
- 5) Sunset/Brookview Sanitary Sewer Improvements Update
- 6) Community Development Update
- 7) 2018 Economic Development Summary

**MATTERS NOT ON THE AGENDA:**

None

**CLOSED SESSION:**

**Mayor Prejna** - There are two (2) items that will be discussed in Closed Session.

**Personnel – 5 ILCS 120/2 (1) of the Illinois Open Meetings Act**

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Is there a motion to go into Closed Session? Alderman Banger has made the motion and it has been by Alderman Majikes. Is there any discussion? Seeing none, will the Clerk please call the roll.

AYES: Majikes, Gallo, Banger, D’Astice, Williams, Cannon, Budmats

NAYS: 0

ABSENT: 0

**Mayor Prejna** - With 7 in favor and 0 opposed we will now enter Closed Session. The audience and press are advised that we do not anticipate taking any action upon returning to Open Session.

**ADJOURNMENT:**

**There being no further business, by unanimous consent the City Council meeting was adjourned at 7:58 p.m.**

Respectfully submitted by: Judy Brose, Deputy City Clerk