

**CITY COUNCIL MEETING
MINUTES – January 9, 2018**

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

Pledge of Allegiance to the Flag:

Mayor Prejna: Before the Clerk calls the roll we have three aldermen that are absent tonight. Alderman Majikes, Alderman D’Astice, and Alderman Veenbaas either between business or family emergencies, so will the Clerk please call the roll?

ROLL CALL:

Present: Cannon, Budmats, Gallo, Banger

Absent: Majikes, D’Astice, Veenbaas

Staff Members Present: City Manager Barry Krumstok, Deputy City Clerk Ginny Cotugno, Assistant to the City Manager Lori Ciezak, Finance Director Melissa Gallagher, Fire Chief Terry Valentino, Police Chief John Nowacki, Public Works Director Fred Vogt, Assistant Public Works Director Rob Horne, Business Advocate Martha Corner, and City Attorney Jim Macholl

Mayor Prejna 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:

Mayor Prejna: The first item on the agenda this evening is a motion to approve the minutes from the December 12, 2017 Committee-of-the-Whole meeting and the December 19, 2017 Council meeting. Is there such a motion? Alderman Budmats made the motion and it was seconded. Are there any additions, deletions, or corrections to the minutes? Seeing none the question is shall the minutes be approved? Will the Clerk please call the roll?

AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D’Astice, Veenbaas

The minutes are approved.

MOTION TO DEVIATE:

None

MAYOR'S REPORT:

Mayor Prejna: I would like to thank those of you that came out to the Historical Society on Sunday. They have their open house for members of the community. I believe Alderman Majikes, myself, Banger, were there and Mr. Banger, I was informed that everyone just was overwhelmed by your

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discussion about bees and honey. I just want you to know that they are asking that it may become an annual event for you just to come back there and do that. Thank you for attending. Are there Ward Reports this evening?

WARD REPORTS: None

MEETING OPEN TO THE PUBLIC FOR 20 MINUTES:

Mayor Prejna opened the floor to the public.

Mayor Prejna: Our first and only signatory is Steve Holish. Good evening Mr. Holish.

Steve Holish: Good evening. I think I'll make this kind of brief. It's regarding the antenna structures. Basically it went through the Planning Commission and it went through the amendment process. They suggested that you change it to 45 feet and I think it was based on making it similar to the small cellular site amendment that's down in the State and that was already passed by, to make it 45 feet and that's a good thing. I mean restrict the utilities and everything else, but the reducing a normal cell tower to 45 feet isn't very good for the cellular industry. It's not good for economics because two reasons, they don't get the coverage they really need at 45 feet and based on my experience putting up cell towers throughout the county the only time you usually put anything under 75 feet is in clear line of site and I did a search on my area within a four mile radius of my house, there's 91 cell sites. And out of that 91 cell sites there's only 4 that are only 35 feet. All the rest are in excess of 100 feet, 150 feet, so basically if you're going to go forward and reduce this to 45 feet I don't think there's many providers that are going to come through and request a variance because it's just a lot of work and it's not really efficient on their end. What's good about it is if you make it 75 feet they can put it on top and they're done. If they ask for like 115 feet like the one Dishner (?) did, which I don't think is going to pass anyway, they can also use that for the economic advantage by lowering antennas farther down at let's say 80 feet. That way they not only get the advantage of having good coverage for them, but they also provide access to other people at 80 feet and provides a good economic thing for the City. So, I think going forward it doesn't make a whole lot of sense to change it down to 45 feet. It should stay at 75 feet and if anybody's going to come forward it will be very rare because anybody's going to come through and want a variance for over 75 feet anyway. That's all I got. Thank you.

Mayor Prejna: And I thank you for coming forward this evening.

Mayor Prejna closed the floor.

➤ **PENDING**

A. Ordinance No. 18-01 / Amend City Code for a Small Cell Antenna/Tower Right-of-Way Siting Ordinance (2nd Reading)

Mayor Prejna read the background on the ordinance.

Mayor Prejna: Is there a motion to approve the ordinance? Alderman Banger made the motion and it has been seconded. Is there any discussion on the ordinance? Mr. Cannon

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Alderman Cannon: Mr. Mayor, I was under the impression that this rule or law was already passed by the State Senate. Is that true, or not true? Do you know?

Mayor Prejna: I'm going to let Mr. Macholl, since he's been handling this for the City.

Mr. Macholl: It was up for discussion to be up for action sometime this spring. I don't know that it's passed. This is pending legislation when we drafted this ordinance.

Alderman Cannon: Oh, because I was told that it was passed in December. I must have gotten bad information.

Mr. Macholl: Maybe I got bad information and maybe it did pass in December. If it did pass in December, this ordinance is formatted based on what was passed.

Alderman Cannon: Okay, thank you.

Mayor Prejna: Is there any further discussion? Will the Clerk please call the roll?

AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D'Astice, Veenbaas

The ordinance was adopted.

B. Ordinance No. 18-02 / Approve a Text Amendment Modifying Notification Requirements for Public Hearings (2nd Reading)

Mayor Prejna read the background on the ordinance.

Mayor Prejna: Is there a motion to approve the ordinance? Alderman Cannon made the motion and it has been seconded. Is there any discussion on the ordinance? Seeing none, the Clerk will please call the roll.

AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D'Astice, Veenbaas

The ordinance was adopted.

C. Ordinance No. 08-03 / Amend City of Rolling Meadows Personnel Rules & Regulations with Respect to its Policy against Discrimination & Harassment, Including Sexual Harassment (2nd Reading)

Mayor Prejna read the background on the ordinance.

Mayor Prejna: Is there a motion to approve the ordinance? Alderman Banger made them motion and it has been seconded. Is there any discussion on the ordinance? Seeing none, the Clerk will please call the roll.

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AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D' Astice, Veenbaas

The ordinance was adopted.

D. Ordinance No. 08-04 / Designate an Area in the City of Rolling Meadows as a Conservation Area and in need of Renewal – 2550 Golf Road (2nd Reading)

Mayor Prejna read the background on the ordinance.

Mayor Prejna: Is there a motion to approve the ordinance? Alderman Cannon made the motion and it has been seconded. Is there any discussion on the ordinance? Seeing none, the Clerk will please call the roll.

AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D' Astice, Veenbaas

The ordinance was adopted.

➤ **CONSENT ORDINANCES:**

E. Ordinance / Amend the Comprehensive Zoning Code – Antenna (1st Reading) (Postponed at the December 19th Council Meeting)

F. Ordinance / Amend Code to Allow City Manager to Sign Documents (1st Reading)

G. Ordinance / Approve Text Amendment to Zoning Code to Allow Small Private Lending Libraries in Front Yard (1st Reading)

H. Ordinance / Amend Code with Respect to this Policy Against Discrimination & Harassment, including Sexual Harassment for Elected Officials and Commission Members (1st Reading)

Mayor Prejna: That brings the council to the consent ordinances for this evening. There are four of them that could be grouped together in a Consent Agenda if the council so wishes. They are Items E through H. Would any alderman like any of those items removed from the Consent Agenda? Mr. Cannon

Alderman Cannon: E and G

Mayor Prejna: Anything? The Chair declares it in order for one motion to adopt F & H without debate. Is there such a motion? Alderman Budmats made the motion to move both ordinances forward for 2nd Reading and it has been seconded.

Mayor Prejna read the background on the ordinances.

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Mayor Prejna: Again, the question is shall both ordinances be moved forward for 2nd Reading? The Clerk will please call the roll.

AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D' Astice, Veenbaas

The Clerk will move the ordinances forward for 2nd Reading.

E. Ordinance / Amend the Comprehensive Zoning Code – Antenna (1st Reading) (Postponed at the December 19th Council Meeting)

Mayor Prejna read the background on the ordinance.

Mayor Prejna: Is there a motion to move this ordinance forward for 2nd Reading? Alderman Banger has made the motion and it has been seconded. Mr. Cannon, you have come forward with this one.

Alderman Cannon: Thank you Mr. Mayor. I will not support this because I think it's anti-business. I think we just heard a resident who has been in the cell industry who has done a lot of research on this and even by his, without getting into it real heavy, the information he has come forward with I think it should alarm us a little bit that we're willing to change the whole ordinance and make it less attractive for people to build these when we have 90+ of them just in one part of the City that are all above this size. I talked to another gentleman who's also, that actually builds cell towers currently, and his take on it, he said you know what, it's not the end of the world, but he said I think a lot of people will come to your town and because they see the restrictions you placed on them, they won't even pursue going forward with it. I just really feel like after we just got done doing our survey just a few months ago about being cooperative with business and making us an easier town to do business with, this just seems counterproductive to that, so I will not be supporting this tonight.

Mayor Prejna: Thank you Mr. Cannon. Any further discussion? Mr. Banger

Alderman Banger: Thank you. I completely agree with Alderman Cannon so I will also be voting no on this.

Mayor Prejna: Thank you. Any further? Mr. Gallo

Alderman Gallo: And I also agree with that sentiment and the fact that the industry has done a good job at setting the standards for the range of height which is effective and appropriate for communications to incur so I will also be voting no.

Mayor Prejna: Thank you. Any further comments? Will the Clerk please call the roll?

AYES: 0

NAYS: Cannon, Budmats, Gallo, Banger

ABSENT: Majikes, D' Astice, Veenbaas

The ordinance fails due to a lack of a majority.

G. Ordinance / Approve Text Amendment to Zoning Code to Allow Small Private Lending Libraries in Front Yard (1st Reading)

Mayor Prejna read the background on the ordinance.

Mayor Prejna: Do we have a motion to move this ordinance forward for 2nd Reading? Alderman Banger made the motion and it was seconded. Mr. Cannon

Alderman Cannon: Thank you Mr. Mayor. I don't really know a lot about these. I've talked to a couple of people who are more knowledgeable than I am. I guess I ask the question are we overkilling on something that people have with really good intentions with what they're doing. I think we only have two of these structures up right now and the third person that bought this forward is the reason why this is before us. I don't think we're going to have dozens of these around town. I think the people who have built them have been very caring about the way they built them. I just don't really see the need for us to start regulating these things and getting all kinds of ordinances and fee structures and permits and inspections. I just think it's more than what we need to do. I think all the people that have come forward that do this really have good intentions and I think we're, again, we're just overkilling something that doesn't need to be overkilled. Thank for listening to my thoughts.

Mayor Prejna: Any other thoughts? Mr. Banger

Alderman Banger: Thank you. I guess I might be an expert on these. I have one in front of my house and I also installed one at the Community Garden and I think they've been up almost a year now. It's been a fantastic response from both my neighborhood and the Community Garden members and actually folks walking past. We have a lot of magazines in those so I've talked to some passerby's who said they took magazines, clipped pictures out of them, and then put them back in there. They just make scrapbooks apparently, so I've had no problem with the two I have and I think it's a great thing we should encourage. Motion to amend this, I'm fine with the permitting process. I do not want a permit fee. I don't want our City inspectors looking at these things. Strike the permit fee and I would like to on Section 4 that's going to strike the inspection of this. I'll plug the Rolling Meadows Public Library. They have a book in their collection that is a collection of pictures and stories about free little libraries and I would recommend anybody who wants design ideas or just to see what those are all about to check that title out. What I would suggest, this reminded me of the backyard beekeeping law which was too much of a law and so when I got involved with taking another crack at that I insisted that there be a nominal permit fee, if we were going to permit those, and also I didn't want inspections, especially with beehives. That's certainly not part of the City's inspector's job description, so I would like to make a motion to amend this. I'm fine with the permitting process and I'll even buy into that because some people would probably sink these four feet in the ground and cut through a fiber optic line, so if the City has some guidelines that is part of the permitting process I'm super cool with that. I do not want a permit fee. I don't want to pamper this in any way, shape, or form. And I also do not want our City inspectors spending time looking at these things. The guidelines that can be issued by the City when the permit is issued can spell out the few things that we should adhere to which is get it off the sidewalk on your own property and don't sink it in the ground unless you have one calls done, so I would like to make a motion to strike the, or zero out, the permit fee and I would also like to on Section 4, it's going to require a building permit, review and inspection, I'd like to strike the inspection portion of that.

Mayor Prejna: Okay, do we have a second to Mr. Banger, Mr. Macholl?

Mr. Macholl: I'm sorry, can we clarify exactly what your motion was?

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Alderman Banger: My motion is zero dollars for permit fee and I'm not even sure, is that, okay and for Number 4, installing such structure shall require a building permit review and inspection, I want to strike that inspection portion.

Mr. Macholl: Okay, I apologize. I just want to make sure I understood what the motion was.

Mayor Prejna: Do we have a second? Mr. Cannon has seconded it. Any further discussion? Mr. Gallo

Alderman Gallo: I have a quick question. Alderman Banger, maybe you can help me with this and even Director Vogt. Do we have to apply for a permit when we're putting in a new mailbox in our yard by chance? Is that something we would have to apply for? And are these similar to a mailbox, the post?

Mayor Prejna: Mr. Vogt, please

Mr. Vogt: My understanding is if it's just a standard mailbox with the 4x4 post, the answer is no. If it's any type of structure beyond that then the answer is yes.

Alderman Gallo: Ok, so just a standard mailbox, are these lending libraries just a standard 4x4 post in most cases or are they something different?

Alderman Banger: In most cases. For example, my free little library at the Community Garden is sunk in the ground. My free little library in front of my house is on a pedestal and I didn't want to sink it into the ground. And there can be a variety. This actually has specified guidelines for minimum/maximum height which is fine. It's low enough for little kids and not too high for them not to be able to reach, so I'm fine with everything else about this. Just any talk of permit fees and inspections, I don't think they're necessary.

Alderman Gallo: Okay, thank you. I would hate to see this be a bottleneck in the Community Development Department to sink a 4x4 post if we didn't have to do the same for a mailbox.

Mayor Prejna: Mr. Krumstok

Mr. Krumstok: The one thing that I would mention is obviously we have a good tenant of the little libraries, but he actually did J.U.L.I.E. locates and that's one of our bigger concerns that we have so good tenant, good builder, but other people this just makes sure that we're following the rules and we're not hitting anything. So specifically, yes we do have some mailboxes that go in, but typically, not always, there's going to be a J.U.L.I.E. locate. This is one more reason why we really want people to come in for the permit.

Mayor Prejna: Mr. Vogt, please

Mr. Vogt: And if I could point out to council, staff's interpretation of the Code right now being silent is that these accessory structures would not be allowed, so I would encourage, regardless of whatever the consideration is in regards to permits or fees or inspection and the like, that if you're in support of allowing these in people's yards that you would approve the ordinance in kind as presented so that the Code can be amended to allow them.

Mayor Prejna: Thank you, any further discussion on the amendment? Mr. Macholl are we good to call for a vote on this now? Okay, the Clerk please call the roll on the amendment.

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AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D'Astice, Veenbaas

The amendment passes.

Mayor Prejna: We'll now vote on, we need a motion to vote. We need a motion on the amended small libraries ordinance. Do I have such a motion? Mr. Banger has made the motion and Mr. Cannon has seconded it. Any further discussion? Will the Clerk please call the roll?

AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D'Astice, Veenbaas

The ordinance will move forward as amended.

➤ **NEW BUSINESS:**

I. MOTION TO APPROVE PAYMENT OF BILLS ON WARRANT 1-9-18.

Mayor Prejna: Is there a motion to approve the January 9, 2018 Warrant as presented by the Finance Department? Alderman Banger made the motion and it has been seconded. Is there any discussion? Seeing none, the Clerk will please call the roll.

AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D'Astice, Veenbaas

The warrant was approved.

➤ **CONSENT RESOLUTIONS:**

J. Resolution No. 18-R-01 / Approve Fire Truck Purchase

K. Resolution No. 18-R-02 / Approve Ambulance Purchase

L. Resolution No. 18-R-03 / Approve Power Load and Power Cot Assembly for Ambulance

M. Resolution No. 18-R-04 / Award Contract for 2018 Sanitary Sewer Rehabilitation Engineering

N. Resolution No. 18-R-05 / Approve a Class 7b Real Estate Tax Assessment for Substantial Rehabilitation of Commercial Development in the City of Rolling Meadows – 2550 Golf Road

O. Resolution No. 18-R-06 / Award Contract for Traffic Signal Maintenance for 2018

Mayor Prejna: That brings the council to the resolutions for this evening. There are six of them that could be grouped together in a Consent Agenda if the council so wishes. They are Items J through O. I'm going to pull N because I'm told that it needs more polishing. So that will give us, does any alderman like any other of those items stricken from the Consent Agenda? That give us resolutions J, K, L, M, and O. Is there such a motion? Alderman Budmats made the motion and it has been seconded. The question is shall all five resolutions be adopted?

Mayor Prejna read the background on the resolutions.

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Mayor Prejna: Again, the question is shall all five of these resolutions be adopted. The Clerk will please call the roll.

AYES: Cannon, Budmats, Gallo, Banger

NAYS: 0

ABSENT: Majikes, D' Astice, Veenbaas

The resolutions were adopted.

N. Resolution No. 18-R-05 / Approve a Class 7b Real Estate Tax Assessment for Substantial Rehabilitation of Commercial Development in the City of Rolling Meadows – 2550 Golf Road

Postponed to January 23, 2018 Council Meeting

OTHER BUSINESS & REPORTS:

Mayor's Appointments: None

Mayor's Proclamations: None

City Clerk's Report: None

City Staff Reports:

1) Community Items of Interest

- 1) Thank you to everyone who donated Blood at the December 19th City Blood Drive.
- 2) The City thanks Meijer's and Papa Saverio's for donating gift cards to the winners of the 4th Annual Police Department Social Media Holiday House Contest Campaign. This year's winners were: 1st Place = 3603 Bobwhite Lane; 2nd Place = 3504 Piper Court; 3rd Place = 2102 Fulle Street; 1st Runner-Up = 3702 Meadow Drive; and 2nd Runner-Up = 2203 Cardinal Drive. Pictures of the houses that won can be seen on the Police Department facebook page.
- 3) City Hall will be closed for the Martin Luther King, Jr. Holiday on Monday, January 15th. There will be regular refuse and recycling collection on this day and throughout the week.
- 4) Public Works will provide Christmas tree pick-up service to all refuse customers during the week of January 8th. Residents should remove lights, tinsel and ornaments, and place trees at the curb (cut side facing the street) on their regular refuse collection days.
- 5) The City, SWANCC, and Elgin Recycling are conducting a holiday light, extension cord, and wire 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, LED lights, extension cords, house wire, computer wire, 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 16, 2018.

- 6) We do want to thank Joann Fitch for 21+ years of service. She is retiring. She asked for no proclamation so that's why you don't have a proclamation, but from City staff we do appreciate all of her service and obviously all the work that she did in Public Works. Congratulations on retirement to Joann Fitch.

2) Presentation of the January 16th Committee-of-the-Whole Agenda

Mr. Krumstok presented the agenda for the January 16, 2018 Committee-of-the-Whole Meeting

MATTERS NOT ON THE AGENDA:

Mayor Prejna: I only have one. Chief, were you able to get an answer? I'm sorry for the late, I did get some calls from some seniors later this afternoon, or today. They were concerned that the place cards they put on their rearview windows, the handicap cards, what if they fell off, but they were still on the dashboard or if they're not on the dashboard they've heard that we would ticket them if they weren't on the rearview mirror. So Chief?

Chief Nowacki: Yes Mayor, there are two locations that are acceptable to hang the handicap placard. One is the rearview mirror and you could also place it on the dashboard. Those two locations are acceptable. I do recommend, however, that motorists do hang them on the rearview mirror when they're parking their car. It's easier for us to see when we do enforcement. That way it allows us to check the lots a little bit quicker, but both locations are acceptable and within compliance with the Illinois Vehicle Code.

Mayor Prejna: Thank you Chief. We appreciate it. Are there any other Matters Not on the Agenda?
Mr. Cannon

Alderman Cannon: Thank you Mr. Mayor. I just had a quick question since we're well represented by Public Works here tonight. I was just wondering, I think there are two, Rob's looking away. He's afraid of what I'm going to ask him. No, I'm not looking for a loan Rob. I was wondering if you guys could assure us that we are moving forward with engineering on streets. We're ready to go for bidding soon?

Mr. Vogt: My understanding is that we're meeting with the engineer, have been. We'll be having another meeting next week with them and can certainly give you an update in terms of where we are, but our target is still to have the plans and specs complete by the end of January and have that out for bid at some point in February with a bid opening in March.

Alderman Cannon: Great, I guess the sister question to that is do we have just in case we can come up with some extra money somewhere, unlikely but possible, do we have some backup streets to do further if we can?

Mr. Vogt: We've included that at this point just almost because it fell into our lap in terms of doing the estimates and the field survey, so there is a backup plan, so to speak, that if we do have favorable bids to the point where we would look to add, we have candidates to add.

Alderman Cannon: Wonderful, great. Mr. Mayor, going forward, I know we have a number of important issues that are going to be coming up in front of the council soon, I just want to forewarn the

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Council I'm going to be gone on the February 13th meeting. So I just wanted to give you a heads up. Thank you.

Mayor Prejna: Thank you. Mr. Banger

Alderman Banger: Thank you Mr. Mayor. First off, I'd like to formally ask that we get a discussion on the COW agenda at some point, hopefully sooner than later, about Old Public Works. We're going to be going to the bond market soon for a couple of fire stations and I think now is the time. We've been talking about this building for the six years I've been on council. It hasn't gotten any better and we deferred most of the big ticket items for maintenance. My feeling all along has been tear down and replace, or relocate that and build the new, but I'd like to get that in front of the council as soon as it can be put on a COW agenda, FYI Barry. Number two I'm going to be submitting reports to the council probably in the next couple weeks. Our first year of beekeeping is backyard beekeeping since we passed that ordinance last year is over for me. My six beehives all ended miserably, dead, but I'm better beekeeper as a result and I'll just give some details about how the first year went and what its shaping up to be next year. Also we're entering our 4th year of the Rolling Meadows Community Garden. I'm also going to try to cook up and probably with the help of my daughter submit a report to you about that. And then finally this is fair warning, after I get my fuzzy chicks in a row I'm going to be submitting another request to either talk about or just get some ordinance in front of us for backyard chickens and my timing will be over the winter so I can put in my spring chick order and I'm going to have some residents who actually have been wanting this for some time and want to talk to us about that as well. So that's all I have for tonight. Thank you.

Mayor Prejna: Will we be coming forward with a honey tax and an egg tax next?

Alderman Banger: No more taxes.

Mayor Prejna: Any other alderman, Matters not on the Agenda?

CLOSED SESSION:

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

Mayor Prejna: We were scheduled to go into Closed Session tonight. I'm pulling that since we have three out of the seven alderman are absent tonight for various reasons, so do we have a motion to adjourn? Alderman Banger made the motion and it was seconded. All in favor? Opposed? The ayes have it and we're adjourned.

ADJOURNMENT:

There being no further business, by unanimous consent the meeting adjourned.

City Council meeting of January 9, 2018 adjourned at 8:09pm.

Respectfully submitted by: Ginny Cotugno, Deputy City Clerk

January 9, 2018 Council Minutes Approved by Council on January 23, 2018.

Ginny Cotugno, Deputy City Clerk