

**COMMITTEE-OF-THE-WHOLE
MINUTES
May 21, 2019**

Mayor Gallo called the Committee-of-the-Whole meeting to order at 7:30 p.m.

COUNCIL IN ATTENDANCE: Aldermen Mike Cannon, Nick Budmats, Kevin O'Brien, Jon Bisesi, John D'Astice and Lara Sanoica

COUNCIL MEMBERS ABSENT: None

STAFF IN ATTENDANCE: City Manager Barry Krumstok, Deputy City Clerk Judy Brose, Assistant to City Manager Lori Ciezak, Police Chief John Nowacki, Fire Chief Terry Valentino, Assistant Director of Public Works Rob Horne, Business Advocate Martha Corner, City Attorney James Macholl

Mayor Gallo – The floor will be open to the audience for 20 minutes to address the City Council on matters that are on the agenda after the City Council discusses with Staff. We ask that persons wishing to address the City Council keep their comments to 5 minutes in length. Comments must be addressed to the Council as a whole through the Mayor, and profanity may not be used in any form.

1) Newly Elected Officials Training

Jim Macholl, City Attorney – If you have any questions as we go through this, just stop me and I'll be happy to answer them. There will be a part 2 to this training at a future date.

The City of Rolling Meadows is a Home Rule Community. As a result, the City has powers that are greater than a Non-Home Rule community.

- 1) **Increased Taxing Authority**
As a Home Rule municipality the city has the power to tax except as limited by the Constitution or the state legislature. The Constitution prohibits the city to tax income, earnings or occupations.
- 2) **Increased Regulatory Authority**
While Non-Home Rule municipalities have only the power to regulate as provided by statutes, the city as a Home Rule municipality has broader powers to regulate to protect the health, safety and welfare of its citizens, provided a regulation is not:
 - a) Pre-empted by the state legislature. (Examples of those limitations on occupations consist of licensing and regulating real estate brokers, architects, barbers or engineers, or;
 - b) Are prohibited by the constitution as matters of "state wide" concern. (Examples of matters of state wide concern are the Illinois Motor Vehicle Code, the Open Meetings Act or the Freedom of Information Act.)

Back in 1975/76, the City of Urbana passed an ordinance that decreased the age limit for consuming alcoholic beverages from 21 to 19. The Courts later ruled that it was a matter of state wide jurisdiction, for the State to determine what the minimum age to consume alcoholic beverages are.

Rolling Meadows is a Managerial Form of Government. The City Manager is responsible for the day-to-day operations of the City. The City Manager is also in charge of hiring & firing except for items before the Police & Fire Commission. Duties, authority, personnel, and limitations of authority are prescribed by State Statute or

the City Code of Ordinances. The City Manager is appointed by a majority of the City Council and serves for an indefinite term. City Manager sets agendas. The City Manager has a broad range of powers which are specifically set forth in 2-224 of the Code of Ordinances.

City Manager is authorized to make applications for grants (not everything City applies for and receives is seen by the City Council-like TIPP grant, DUI, safe driving and other PD ones).

City Council Determines the Policy for the City. This policy is in the form of ordinances and resolutions adopted by the City Council and as may be codified into the City's Code of Ordinances. The City Council determines the City's annual budget and attendant therewith the taxes and fees imposed by the City.

The City's elected Officials are:

1) **Mayor**

Duties of the Mayor:

- 1) The Mayor shall be the Chief Executive Officer of the City.
- 2) The Mayor shall act for and on behalf of the City on formal occasions and receptions. In his absence or inability to attend any such function, the Council may select any other city officer to so act.
- 3) As the Local Liquor Commissioner, the mayor shall have the power to revoke or suspend and/or fine liquor licenses.
- 4) The Mayor shall sign, ordinances, resolutions and contracts on behalf of the city; and
- 5) In addition, the Mayor shall perform all other duties and shall have all additional powers that are or may be prescribed by state laws or city ordinances.
- 6) Voting - The Mayor shall not vote on any ordinance, resolution or motion except: (i) where the vote of the Aldermen has resulted in a tie and the matter does not involve a resolution, or motion which creates any liability against the City or the expenditure or appropriation of its money; or (ii) where four of the Aldermen then holding office have voted in favor of an ordinance, resolution or motion; or (iii) where a vote greater than a majority of the corporate authorities is required by law to adopt an ordinance, resolution, or motion. In each instance specified, the Mayor shall vote unless the ordinance, resolution, or motion has received a vote sufficient for adoption. Nothing in this section shall deprive an acting Mayor or Mayor pro tem from voting in his capacity as Alderman, but he shall not be entitled to another vote in his capacity as acting Mayor or Mayor pro tem.

Notwithstanding the above, in the event that an ordinance or resolution requires a vote of the "corporate authorities" the Mayor shall vote.

Veto Power - The Mayor does have the power to veto any ordinance and any resolution or motion providing for the expenditure of funds or incurring any liability. The City Council may override the veto by a 2/3rds vote of the Council. Any veto shall be voted on by the Council at the next regularly scheduled meeting of the Council.

2) **Aldermen**

Duties of the Aldermen:

- 1) The Council shall be the legislative division of the City Government and shall perform such other duties and have such powers as may be authorized by statute.

- 2) Voting - The passage of all ordinances for whatever purpose and of any resolution or motion (i) to create any liability against the city or (ii) for the expenditure or appropriation of its money, shall require the concurrence of a majority of the Aldermen, unless otherwise expressly provided by law. The yeas and nays shall be taken upon the question of the passage of the designated ordinances, resolutions, or motions and recorded in the journal of the City Council. Likewise, the yeas and nays shall be taken upon the question of the passage of any other resolution or motion at the request of any Alderman and shall be recorded in the journal.

The City's ordinances provide that each Council member shall vote unless excused by the Council.

- 3) **City Clerk** – An Elective Office which is currently vacant.

Duties and authority:

- 1) The City Clerk shall seal and attest all City contracts and all other documents as shall require this formality.
- 2) The Clerk shall be the custodian of the city seal and shall affix its impression on documents whenever this is required.
- 3) The City Clerk shall be the custodian of all documents belonging to the City, which are not assigned to the custody of some other city officer by law.
- 4) The City Clerk shall keep and maintain a proper index to all documents and records kept by him, so that ready access thereto and use thereof may be had.
- 5) In addition to the duties provided in this division, the City Clerk shall perform such duties and functions as may be required by statute or ordinance.

Deputy City Clerk - The City Manager is authorized to appoint a Deputy Clerk, who shall have the power and duty to execute all documents required by law or ordinance to be executed by the City Clerk and affix the city seal thereto whenever required. The City Manager can appoint himself as the Deputy City Clerk.

City Council interaction with City Staff:

- 1) Takes less than an hour- OK if mentioned to Department Head.
- 2) Over an hour of work then it must be directed to the City Manager. City Manager may approve, deny or refer the matter to the City Council for discussion.
- 3) If request will take more than four hours to research and prepare a response, the request must be approved by motion of the City Council.
- 4) Department Heads must advise the City Manager in writing of all requests and the City Manager must report to the City Council the results of all Council member requests.
- 5) Council should notify City Manager before contact to City Attorney.
- 6) Any discussions with City Staff.

Meetings

Regular Meetings

The regular meetings (2nd, 3rd and 4th Tuesdays of Month) of the City Council are published at the end of each year for the following year. A quorum of the City Council is required to conduct a meeting. A

quorum would consist of 5 members of the City Council. In the event there was not a quorum, the City Council would call the meeting to order, state that a quorum is not present and adjourn the meeting.

Special Meetings

Special meetings of the City Council may be called by the Mayor or by any three members of the Council in writing filed with the Clerk. Notice of all special meetings shall be given as required by the Illinois Open Meetings Act, 5 ILCS 120/1 et seq. Not less than 48 hours prior to such meeting, the City Clerk shall cause notice of such meeting to be given to each member of the City Council. The notice shall specify the time and purpose of such meeting and shall be delivered to each member of the Council personally if he can be found, and if he cannot be found by leaving a copy of such notice at the home of such council member with an adult member of the family of the Alderman. The Clerk shall execute an affidavit showing service of such notice as provided in this section or a bona fide attempt to make service on each Alderman as provided in this section, which affidavit shall be filed in his office prior to the time fixed for such special meeting. Special meetings may be held without such notice in a bona fide emergency. Any special meeting attended by all members of the Council shall be a regular meeting for the transaction of business, provided that agenda items are disclosed at the time of notification of the special meeting.

Consent Agendas

The City agenda contains ordinances and resolutions which are located on a consent agenda. The consent agenda is designed to allow the Council to pass several ordinances or resolutions by unanimous consent of the Council. If council member wishes to remove a matter from the consent agenda, the Alderman shall request that the item be pulled from the agenda to allow discussion on that particular item. If the matter is not pulled from the consent agenda, it may be approved by unanimous consent without discussion.

Roberts Rules - The City has adopted Roberts Rules of Order unless the City Council has adopted an ordinance to the contrary of Roberts Rules of Order in which case the City's ordinance takes precedence.

Motions

When a motion is made, it requires a second to place the matter for discussion or debate before the Council. A council member is permitted to speak not more than two times on a pending motion, unless allowed by the Council and then only when a council member who has not spoken desires to speak on the question. No member shall speak for more than 10 minutes. Once the Mayor has called for a vote, a council member must vote yea or nay. A council member cannot explain or make a speech prior to voting. Once the Mayor announces the vote, a council member cannot change the vote.

Precedence of Motions and Requirements of Motions - the Code of Ordinances provides for the precedence of motions and how motions are to be made. They are set forth at Section 2-103 through 2-113. Those sections are as follows:

1) Sec. 2-103. - Precedence of motions.

(a) When a question is under debate in the council, the following motions shall be in order and shall have precedence over each other in order, as listed:

- 1) To adjourn to a day certain;
- 2) To adjourn;
- 3) To take a recess;
- 4) To lay on the table;
- 5) The previous question;
- 6) To refer;
- 7) To amend;
- 8) To defer or postpone to a time certain;
- 9) To defer or postpone (without reference to time); and
- 10) To defer or postpone indefinitely

(b) Motions (a)(2), (4) and (5) shall be decided without debate.

2) Sec. 2-104. - Motions to adjourn.

(a) A motion to adjourn the council shall always be in order except: (1) When a member is in possession of the floor; (2) While the yeas and nays are being called; (3) When the members are voting; (4) When adjournment was the last preceding motion; and (5) When it has been decided that the previous question shall be taken. (b) A motion simply to adjourn shall not be subject to amendment or debate, but a motion to adjourn to a time certain shall be. (c) The Council may at any time adjourn over one or more regular meetings, on a vote of a majority of all the Aldermen authorized by law to be elected.

3) Sec. 2-105. - Moving the previous questions.

When the previous question before the council is moved on the main question and seconded, it shall be put in this form: "Shall the main question now be put?" If such motion is carried, all further amendment and all further motions and debate shall be excluded and the question put without delay, upon the pending amendments in proper order, and then upon the main question.

4) Sec. 2-106. - Motions to lay on the table and take from the table.

(a) A councilmember's motion simply to lay a question on the table shall not be debatable; but a motion to lay on the table and publish, or with any other condition, shall be subject to amendment and debate. (b) A motion to take any motion or other proposition from the table may be proposed at the same meeting at which such motion or proposition was laid upon the table, provided two-thirds of the aldermen vote therefor. (c) A motion to lay any particular motion or proposition on the table shall apply to that motion or proposition only. An amendment to the main question or pending question may be laid on the table, and neither the main question nor such other pending question shall be affected thereby.

5) Sec. 2-107. - Motion to postpone or defer.

(a) When consideration of a councilmember's motion or other proposition is postponed indefinitely, it shall not be again taken up at the same meeting. (b) A motion to postpone indefinitely shall not open the main question to debate. (c) A motion to defer or postpone, without any reference to time, shall not be construed as a motion to postpone indefinitely, but shall be considered to be of the same general nature and to possess the same general attributes, so far as applicable under the rules in this division, as a motion to postpone indefinitely or to a time certain.

6) Sec. 2-108. - Motion to amend.

(a) A councilmember's motion to amend an amendment shall be in order, but to amend an amendment to an amendment shall not be entertained. (b) An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different subject shall not be in order. (c) On an amendment to strike out and insert, the paragraph to be amended shall first be read as it stands, then the words proposed to be stricken out, then those to be inserted, and finally the paragraph as it will stand if so amended shall be read. (d) An amendment to the main question or other pending question may be referred to a committee, and neither the main question nor such other pending question shall be affected thereby.

7) Sec. 2-109. - Filling of blanks.

When a blank is to be filled by the council, and different sums or times proposed, the question shall be taken first on the least sum or the longest time.

8) Sec. 2-110. - Motion to substitute.

A substitute for any original proposition under debate or for any pending amendment to such proposition may be entertained, notwithstanding that at such time further amendment is admissible, and if accepted by the council by vote shall entirely supersede such original proposition or amendment, as the case may be, and cut off all amendments appertaining thereto.

9) Sec. 2-111. - Motion to reconsider.

(a) A vote or question may be reconsidered at any time during the same council meeting or at the first regular meeting held thereafter. A motion of reconsideration, having been once made and decided in the negative, shall not be renewed, nor shall a motion to reconsider be reconsidered. (b) A motion to reconsider must be made and seconded by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law. However, when a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered.

The Open Meetings Act

The Open Meetings Act (“OMA”) provides that all meetings, with certain exceptions, shall be open to the public. If an exception to the OMA applies, the Council may retire to a closed session to discuss the matter.

Prior to going into a close session, there must be a vote to go into a closed session, a second to the motion and a roll call vote. The Mayor will also announce the section of the OMA allowing to go into closed session along with a general description of the notice of the matter to be discussed. The Mayor will also announce whether the Council plans to return to open session.

The exception to the requirement for an Open Meeting are as follows:

Exceptions. A public body may hold closed meetings to consider the following subjects:

(1) *The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to*

determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with this Act.

(2) *Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.*

(3) *The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance.*

(4) Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning.

(5) *The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.*

(6) *The setting of a price for sale or lease of property owned by the public body.*

(7) The sale or purchase of securities, investments, or investment contracts. This exception shall not apply to the investment of assets or income of funds deposited into the Illinois Prepaid Tuition Trust Fund.

(8) Security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property.

(9) Student disciplinary cases.

(10) The placement of individual students in special education programs and other matters relating to individual students.

(11) *Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.*

(12) The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self-insurance pool of which the public body is a member.

(13) Conciliation of complaints of discrimination in the sale or rental of housing, when closed meetings are authorized by the law or ordinance prescribing fair housing practices and creating a commission or administrative agency for their enforcement.

(14) Informant sources, the hiring or assignment of undercover personnel or equipment, or ongoing, prior or future criminal investigations, when discussed by a public body with criminal investigatory responsibilities.

(15) Professional ethics or performance when considered by an advisory body appointed to advise a licensing or regulatory agency on matters germane to the advisory body's field of competence.

(16) Self-evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member.

(17) The recruitment, credentialing, discipline or formal peer review of physicians or other health care professionals, or for the discussion of matters protected under the federal Patient Safety and Quality Improvement Act of 2005, and the regulations promulgated thereunder, including 42 C.F.R. Part 3 (73 FR 70732), or the federal Health Insurance Portability and Accountability Act of 1996, and the regulations promulgated thereunder, providing medical care, that is operated by the public body.

- (18) Deliberations for decisions of the Prisoner Review Board.
- (19) Review or discussion of applications received under the Experimental Organ Transplantation Procedures Act.
- (20) The classification and discussion of matters classified as confidential or continued confidential by the State Government Suggestion Award Board.
- (21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.
- (22) Deliberations for decisions of the State Emergency Medical Services Disciplinary Review Board.
- (23) The operation by a municipality of a municipal utility or the operation of a municipal power agency or municipal natural gas agency when the discussion involves (i) contracts relating to the purchase, sale, or delivery of electricity or natural gas or (ii) the results or conclusions of load forecast studies.
- (24) Meetings of a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.
- (25) Meetings of an independent team of experts under Brian's Law.
- (26) Meetings of a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.
- (27) (Blank).
- (28) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Illinois Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Illinois Public Aid Code.
- (29) Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America.
- (30) Those meetings or portions of meetings of a fatality review team or the Illinois Fatality Review Team Advisory Council during which a review of the death of an eligible adult in which abuse or neglect is suspected, alleged, or substantiated is conducted pursuant to Section 15 of the Adult Protective Services Act.
- (31) Meetings and deliberations for decisions of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act.
- (32) Meetings between the Regional Transportation Authority Board and its Service Boards when the discussion involves review by the Regional Transportation Authority Board of employment contracts under Section 28d of the Metropolitan Transit Authority Act and Sections 3A.18 and 3B.26 of the Regional Transportation Authority Act.
- (33) Those meetings or portions of meetings of the advisory committee and peer review subcommittee created under Section 320 of the Illinois Controlled Substances Act during which specific controlled substance prescriber, dispenser, or patient information is discussed.
- (34) Meetings of the Tax Increment Financing Reform Task Force under Section 2505-800 of the Department of Revenue Law of the Civil Administrative Code of Illinois.
- (35) Meetings of the group established to discuss Medicaid capitation rates under Section 5-30.8 of the Illinois Public Aid Code.

The Open Meetings Act prohibits a majority of a quorum to discuss city business unless the discussion follows a public notice, agenda and notice to the newspapers as required by the OMA. As applied to the City, a majority of a quorum consists of three (3) council members.

The OMA defines a “meeting” as follows:

"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business.

As set forth in the definition of a “meeting”, the communication can be of an electronic means such as telephone calls, e-mails, texts or chat rooms. There is no clear definition as to what is considered “contemporaneously”. If a council member sends an e-mail discussing city business to each of the other aldermen, there is no violation of the OMA at that point since there is no discussion of city business. If an alderman responds, then a discussion begins. If that response is only to one other council member, there is no violation of the OMA since it is not taking place by a majority of a quorum. However, if the council member “replies to all” then a discussion violates the OMA as it would be the same as if all of the council members were in one room discussing city business.

Pursuant to Section 1.05 (b) of the Open Meetings Act (“OMA”), each elected and appointed member of a public body subject to OMA must successfully complete the electronic training must complete the electronic training not later than 90 days after the member takes the oath of office or otherwise assume responsibilities as a member of a public body. A member who completes the training and files a copy of the certificate of completion with the public body is not required to subsequently complete this training.

Freedom of Information Act

The City receives a great volume of Freedom of Information Act Requests (“FOIA”) each year. Pursuant to the FOIA, the City has five (5) business days to respond to the request. The City may request an additional five (5) business days to respond.

While the FOIA does not normally involve council members, it is important to note that e-mails and text messages from a council member’s private device may be required to be produced to respond to a FOIA request. While the courts have held that a council member is not a “Public body” as defined in the FOIA, are exceptions.

The exceptions are as follows:

- 1) It is sent to a City account;
- 2) It is sent or received during a meeting of the City Council; or
- 3) They are sent to a majority of the City Council.

You may wish to and it would be greatly preferred, that you use your City e-mail account for e-mails to other council members. In the event that one of the above three (3) exceptions apply, you will need to obtain any of the e-mails which may be the subject of a FOIA request to the City. If the city e-mail account is used, the City can more easily obtain those e-mails and respond to a FOIA request.

Conflicts of Interest

Statutory Conflicts

Section 3.1-55-10(a) of the Illinois Municipal Code states:

A municipal officer shall not be financially interested directly in the officer's own name or indirectly in the name of any other person, association, trust, or corporation in any contract, work, or business of the municipality, or in the sale of any article whenever the expense, price, or consideration of the contract, work, business, or sale is paid either from the treasury or by an assessment levied by statute or ordinance. A municipal officer shall not be interested, directly or indirectly, in the purchase of any property that (i) belongs to the municipality, (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the municipality.

The Municipal Code accepts the following from the statutory conflicts:

A. Council member may provide materials, merchandise, property, services, or labor to the municipality if the contract is with a person, firm, partnership, association, corporation, or cooperative association in which the interested member has less than a 7 ½ % share in the ownership and

(1) the interested member publicly discloses the nature and extent of the interest prior to or during deliberations concerning the proposed award of the contract;

(2) the interested member abstains from voting on the award of the contract; and

(3) those members presently holding office approve the contract by a majority vote. In addition, if the amount of the contract exceeds \$1,500, the contract must be awarded after sealed bids to the lowest responsible bidder or awarded without bidding if the amount is less than \$1,500. The contract may not be awarded if it would cause the aggregate amount of all contracts awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed \$25,000. or;

B. The amount of the contract does not exceed \$2,000 and the award of the contract would not cause the aggregate amount of all contracts awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed \$4,000 provided the council member and

(1) publicly disclose the nature and extent of the interest prior to or during the deliberations concerning the proposed award of the contract;

(2) abstain from voting on the award of the contract; and

(3) the award of the contract is be approved by a majority vote of the City Council.

C. A council member may provide goods and services if the contract is with a person, firm, partnership, association, corporation, or cooperative association in which the interested member has less than a 1 % share in the ownership and

(1) the council member publicly discloses the nature and extent of the interest before or during deliberations concerning the proposed award of the contract;

(2) the interested member abstains from voting on the award of the contract; and

(3) the remaining of the council approve the contract by a majority vote.

D. Public utility service contracts awarded when one or more members of the governing body are employees of or hold an ownership interest of no more than 7 1/2% in the public utility company are not barred by statute.

E. The council member is not deemed interested if he or she owns or holds an interest of 1% or less through a mutual fund, in a company doing business with the municipality and that company's stock is traded on a nationally recognized securities market.

F. A council member is not deemed interested if the council member is an employee of a company or owns or holds an interest of 1% or less in the officer's individual name in a company, or both, that company is involved in the transaction of business with the municipality, and that company's stock is traded on a nationally recognized securities market, provided the council member:

- (1) publicly discloses the interest before deliberations;
- (2) refrains from evaluating, recommending, approving, deliberating, or otherwise participating in the negotiation, approval, or both, of the contract, work, or business;
- (3) abstains from voting on the award of the contract; and
- (4) the contract is approved by a majority vote of the City Council.

Indirect Interests

The above statutory provisions relative to conflicts apply whether a council member has a direct interest or holds the interest in the name of another individual or entity. If the municipal contract is to benefit an employer of the council member there may be an indirect conflict. The courts have held that awarding a contract to a spouse, in and of itself, is not a per se conflict. The reason being that spouses have the right to enter into contracts for their own business and those contracts are considered to be the property of the spouse and not of the marriage.

Prevailing Wages

Effective June 1, 2019, the City will no longer have the ability or the responsibility to determine the Prevailing Wages for contractors and laborers in the City. The establishment of the prevailing wages will be determined by the state legislature.

Alderman Bisesi – I have one question and this may pertain to Alderman O'Brien as well, back when we were on the Planning & Zoning Commission we were encouraged to have statements of fact, reasoning and support of our votes, that is not the case when we're voting here?

Jim Macholl, City Attorney – No, when you both were members of the Planning & Zoning Commission made recommendations to the City Council, those were to be based on the facts and findings as a result of the hearings that you conducted but that's not applicable here. Now that you're on the Council or perhaps before that, you've seen ordinances dealing with Zoning matters and one of the whereas clause is always *the Council has reviewed the findings and recommendations of the Planning & Zoning Commission* so that necessitated having to go through that process along with your fellow members.

Barry Krumstok, City Manager – In the Code it actually says when you vote is yea or nay. There is no explanation of why you're voting.

Mayor Gallo – Typically, the opinion or justification for your direction comes at discussion time.

Barry Krumstok, City Manager – It's been some time since we ordered the books, the books are yours and there is a lot more reading. We also provided you with the list for Mayor Pro Tem. Also, you will need to complete the Open Meetings Act training, the link is on the handout, it's pass/fail and at the end you will get a certificate. This is a document that was created back in 2012 because they really wanted training. Also, if you want to you can do some additional training on FOIA's. The Deputy Clerk and I have to do annual training on all this stuff as well. When you have those certificates provides us with a copy. Happy reading.

Jim Macholl, City Attorney – In respect to the Open Meetings Act, that Act provides that a violation of the OMA is a class C misdemeanor, punishable up to 30 days incarceration and/or a fine of \$1500. It's taken very seriously and I'm certain each and every one of you will take it seriously. Thank you.

Alderman Budmats – In closed session we had discussed the City Manager's salary and goals. Would it be appropriate then to also discuss evaluating his goals and his performance that should also occur in a closed session as well?

Jim Macholl, City Attorney – That would be capable of going into a closed session.

2) Census 2020 & Complete Count Committee

Barry Krumstok, City Manager – Every 10 years we go through this process and each time we've had a Complete Count Committee. The Resolution that you have in front of you was provided by the Census Bureau. We can eliminate some of the sub committees and what we've done in the past is created one Complete Count Committee. We open it up to whatever you decide, at least one or two Aldermen and try getting members of the community. The Complete Count Committee really needs to get the word out there and make sure people are comfortable with filling out the Census. April 1, 2020 is Census Day. The biggest push we actually have had the last time we did this is actually in East Park, making sure there are Spanish translators and making sure people feel comfortable because it's very important that we do the Complete Count not just for national affects but for actually for local representation. Part of that local representation is that once the census is completed and those tracts are turned back to the City of Rolling Meadows, between Public Works, Community Development, the City Manager and City Attorney, we actually re-do the Wards. We make sure the Wards are close population wise. It's another reason why the Complete Count is really important.

Through the State of Illinois, you've always heard me talk about distributive funds and population funds, if our population is higher typically we get more MFT money and some other amounts. It really is important for the City of Rolling Meadows to have a good Ad Hoc Complete Count Committee.

Alderman Sanoica – Mr. Krumstok, could you please explain the type of collaboration between the Census employees/official counters and the Committee that Rolling Meadows would put together?

Barry Krumstok, City Manager – In the past, we reached out to the Census Bureau and they either had a member come to meetings or they provided information to us and we pull a lot of information from their website. We have not walked with them but what we've done and I'll use East Park as an example, we either had our own translators to go in there and explain what the Census was and making sure they understood how important it was. If we knew when a Census individual was going to be there, we would have someone there but we typically do not know. We pulled a lot of stuff off the website and had it translated. At one point, we were using 6 different Census Bureau translated forms for people to understand how important this was.

Alderman Sanoica – So then would you say the purpose of the Committee is more to the lay the ground work for the Census Counters themselves?

Barry Krumstok, City Manager – That is correct and making sure people understand the importance and why this is necessary. We've had discussions of what the Census questions be will and we want people to feel comfortable of why they're filling it out for the City of Rolling Meadows.

Alderman Cannon - When we did the last Census most of us were not here then, is there any area in the City specifically where you had issues in a sense that we didn't get a good count? I know the count is crucial.

Barry Krumstok, City Manager – I can talk about the last two. We were concerned about East Park because of what happened in 2000 and in 2010 we did target that area. We also started looking at Woodfield Gardens which is now a different name and we also looked more at the apartments. We thought our numbers were higher from talking to the management to what people actually submitted but those were the two targeted areas that we had. We also had people walk most of the areas. We had a small enough group but we also used News & Views, water bills and we also had notices put in the churches. We tried the communication pieces.

Alderman Cannon - When we did the last one do you feel that we were undercounted by much?

Barry Krumstok, City Manager – I still think those two areas that I mentioned we were still slightly undercounted and I think in the residential we did very well.

Mayor Gallo - If any of you feel that you're inspired or inclined to participate as an Alderman on this committee please let me know, otherwise I'll follow up within a week or so and see if there is any engagement and I will forward it to Manager Krumstok.

3) Community Development and Public Works Update

Rob Horne, Assistant Director Public Works – In January of this year, staff presented to the City Council observations made in the Community Development Department Division of Public Works. As part of those observations, there were two primary issues which were categorized as Staff and Operations, both of which involved a need to evolve, a lack of regular leadership, and a need to break away from “individually-focused work”.

Shortly after the presentation in January, staff needed to shift its focus on numerous Department personnel priorities that are now coming to a conclusion.

Community Development Update:

- Staff has developed more user-friendly permit forms to take the place of the multiple forms historically used. Staff continues the development of more user-friendly forms and supplemental/procedural information. Focus now is on Express Permits designed to expedite smaller or emergency related permits.
- It was difficult and unsustainable for the Director and Assistant Director to provide the regular and predictable supervision needed on a daily basis. Therefore, as a result of the Succession Planning process, supervision would be provided by Don Wenzel and Elizabeth Payne in the Division, which has provided much needed stability and direction to the staff. Don has provided accountability, common sense, and follow-thru for the inspectors and has acted as the lead/point person for contacts, which has helped the entire Division.
- Staff is focusing on training. 60% of the staff is new within the last year, in their new role. The Division lost approximately 50 years of experience with recent retirements, but have been replaced with positive, energetic people who have a great attitude for the job. However, the experience lost will take time to recover from.
- Staff is now utilizing third-party inspection and plan review services for commercial projects whenever possible. Residential and high-priority commercial projects may still be reviewed in-house to expedite reviews and/or keep costs down for residents. Inspection services are being utilized to primarily on

commercial and trade-specific disciplines. This will continue so that the City's inspectors can provide more comprehensive and customer-assistance focused service. Also, it will benefit the permit applicants while new inspectors become more comfortable and experienced in their role.

- Staff is also planning appropriate times to perform property maintenance and other inspection services during off hours.
- Staff had hoped to incorporate this change prior to the summer, but was unable to compile and distribute the information necessary to prepare residents, businesses and contractors of the change. The target now will be to begin a notification process over the winter months and start to incorporate the change early in 2020.
- Staff has completed over 50% of the comprehensive revisions of the fee schedule revisions. Some of the more complex fee sections remain, which staff plans to investigate further with other communities and the consultant working through the City's Zoning Code changes.
- The building code amendments have not been started. The newer version of International Codes will be reviewed for adoption later this year, which will include revised building code amendments.
- Staff and Teska Consultants are working through the zoning code revisions now. This includes introducing the Planning and Zoning Commission to a draft copy of the initial code framework revisions, which is currently planned for the July meeting. Additionally, staff will be preparing information for the council to discuss and provide direction on policy decisions, such as billboards.
- The new City Comprehensive Plan was updated and approved by the City Council in April of 2019. Although, a consultant was utilized for this project, it was a significant impact on staff time throughout the project.
- The City Council authorized the addition of a full-time (from part-time) clerical position, which has helped in stabilizing the clerical support staff. Staff continues to employ the services of a third-party inspection and plan review service. The transition is not without hurdles, but staff is overcoming them and improving the system regularly. Two vacant Inspector positions were filled (one at the very end of 2018 and one this past April). The two new Inspectors were internal applicants that were transferred from Public Works. While they lack experience, they make up for it with positive attitudes and great customer service skills.

Public Works Update:

Over the last nine (9) months or so, the Utility Division has made great strides in related to process, procedure and SCADA improvements. Additionally, over the last year the Vehicle Services Division has begun performing select vehicle up-fitting services in an effort to reduce costs and decrease problems associated with 3rd party up-fitting services. In an effort to acknowledge these efforts, below is a list of summarized items that reflect those improvements.

Vehicle Services has developed in house vehicle up-fitting services, which provides cost savings of between \$2,500 and \$4,000/vehicle, depending on what equipment can be salvaged for new vehicle purchases.

Utilities Division

Evaluation and refinement of the J.U.L.I.E. ticket work order process. Initial estimates indicate annual staff time savings could be approximately 450 staff hours annually.

Logging data related to station recording and well operation on cloud with iPads using Google Sheets for daily, weekly, and monthly IEPA required tracking. Saves approximately 84 hours of staff of time annually, as opposed to manual entry. This improvement also reduces number transfers accuracy dramatically.

Water Division “To Do List” – Live cloud based task tracking. Staff can add maintenance tasks and sign off on completed tasks through a shared format. Time savings are unknown, but collaborative access saves time and data sharing creates increased communication, efficiencies, and clarity in the Division.

Reduced costs related to postage and printing (approximately \$3,000) for the IEPA required Consumer Confidence Report by posting on the City website instead of mailing to each customer.

Elimination of three reports (“H2O”, Finance Compliance, and JAWA Estimate), all of which were determined to be an unnecessary duplication of information. Saves approximately sixty (60) hours of staff time annually.

Phase 1 SCADA upgrades

This improvement (completion pending) will eliminate costly and problematic AT&T alarm circuits to Northwest Central Dispatch (NWCD) for SCADA alarm notifications, with a cost effective auto dialer. Improvement saves City approximately \$8,300 annually due to the elimination of a phone circuit, which instead the City now pays \$86.40 annually for a POTS line already in use.

Staff eliminated problematic and costly AT&T alarm circuits to NWCD for entry alarm monitoring at a cost of \$9,600 annually at Well Houses (1 & 2) by installing a \$172.80/month POTS phone line. Total annual savings for both sites is approximately \$9,400.

In summary, Staff has been very pleased with the services provided by Teska Consultants in the completion of the Comprehensive Plan. However, the demands on City staff were and will continue to be significant. Similar efforts to those related to the Comprehensive Plan will be repeated as staff and Teska work with the Planning and Zoning Commission and City Council to renew and modernize the City’s Zoning Code, which will include a more comprehensive City Sign Code.

Additionally, by the end of this summer it is expected that (*barring any unforeseen circumstances*) the Public Works Department will have no vacancies for funded positions within the Department for the first time since the beginning of January 2018. With seven (7) retirements since that time, and twelve (12) vacancies, reassignments, promotions, or similar since February of this year, staff will be looking forward to long overdue stability throughout the department. With this stability, it is expected that there will be an opportunity for even greater strides in all areas of Public Works.

In January, staff offered the opportunity for Council members to spend time with staff in Community Development and/or Public Works to understand the operations and process. Given the recent influx of new

members of the Council, that offer is extended as well. As always, Staff is open to any feedback related to the information provided or any other matters related to the operation.

Mayor Gallo - I appreciate this, I know Staff is appreciative of the changes that are going on and residents as well. Early on as Alderman I had some residents approach me with some of the issues of Community Development and being able to go back to them and let them know that there are some critical changes taking place. More importantly, the commonsense corrections that are taking place or probably taking place, for example if a resident is building a new house or adding an addition, they submit their plans and drawings and some of the aspects call out the request to know which specific brand of HVAC when really they should just be able to provide the appropriate tonnage for the condenser and move on until the appropriate item is purchased. A lot of times a general contractor or subcontractor can get a different machine for a different rate.

Rob Horne, Assistant Director Public Works – I understand that and we are working through those. We are trying to encourage what's called conditions of the permit, we can require a condition of the permit that states that the contractor provide a cut sheet on the specific unit that is going to be installed prior to inspection and that can move it through the review process. We are trying to move forward and I think we are better than we were two years ago actually I'm fairly certain of that. In the past we never issued a temporary certificate of occupancy, we have done several of those in the last six months. Those are not unique, they were never done here. We are trying to provide a more common sense approach and Don Wenzel is bringing that to the division. It is a hard change to make but it's a change that we have to make. It doesn't open up the City to any liability because when you do it as a condition of permit and you sign the conditions it means that it is now part of the approved plan.

Barry Krumstok, City Manager - Just one other comment, it's come from the Council before about weekend hours. We are having those discussions with Staff so we have not forgotten that one. When we do know those weekend hours we will post those.

Alderman Budmats - the third party inspection firm that you started to use, who are you using and how did you obtain them?

Rob Horne, Assistant Director Public Works – We are using is BNF Technical and quite honestly I have over a decade of experience with them, I know what their services are and I know what they provide. It is a service for service contract, it's no cost to the City as we pass the cost on to the applicant. There's no cost to the City to use them. We use other consultants as well, fire safety consultant, plumbing inspector and structural inspector. There is no cost to the City, it's simply a pass-through cost to the applicant. We make sure that the cost is consistent with other communities.

Alderman Budmats – How are we making sure that the fees of outside contractors are charging are in line with other communities are charging for those same services to their residents because sometimes consultants fees vary by community? I'm not looking to see Rolling Meadows residents pay more than maybe Oak Park.

Rob Horne, Assistant Director Public Works – before we enter into any agreement with them we do some investigation to make sure the fees they're proposing were consistent. They can't change the fees unless we

authorize the change to occur or they give us notice. The primary reason that we are using them is that we do not use them on residential projects. We try to use our in-house inspectors on residential projects to keep those costs at a minimum so we don't have to pass on those significant costs. The only time we use a consultant on a residential home is for a brand-new single-family home which we do use our engineering consultant to do the site engineering review.

Alderman Budmats – For example, the proposed development on the old Dominick's property is multifamily, I'm assuming that will all be outside engineering.

Rob Horne, Assistant Director Public Works – Yes, those are considered commercial buildings even though it's residential homes, the construction type is considered commercial because there's more than two homes connected.

Alderman O'Brien - Some of things that I have heard is more on the commercial side, is that they'll get the inspection report back and it's not approved but it won't help them fix the problem. I don't know if that's a legality thing for the City or we're not there to tell people how to engineer things. Is that something that's going to be addressed? Or is that really a hands off approach, we'll tell you what's wrong but we're not going to tell you how to fix it. To avoid paying multiple inspection fees, if we can tell them how to fix it, it could save time and money.

Rob Horne, Assistant Director Public Works – It's a touchy subject because usually an inspector/construction observation engineers that we have on a site, one of the first things they talk about is I can tell you if it's wrong but I can't tell you what to do to fix it. However, especially at the plan review stage are really trying to push our staff to be more corrective in their discussions with architects and residents, to not only say this doesn't meet code to say to achieve code you need to have handrails, etc. We are trying to get better at doing this.

Alderman Sanoica - Thank you for giving us a summary of all these improvements. Is there anything that you would be able to suggest from us as City Council to help you achieve some of these goals faster?

Rob Horne, Assistant Director Public Works – The best thing for us is if any one comes to you about any issue and I know as Mayor or Alderman you want to help them, I would just ask that your first question be have you talked to staff? If that answer is no, please ask them to talk to us. We have a commercial business owner in the community that has had very bad things to say about Community Development and I've been involved with Community Development since May 2017 and I have not one time had a conversation with that person nor has Fred. That's the biggest problem, sometimes it gets to your level and it becomes a problem before Staff have even had a chance to try and address it.

Barry Krumstok, City Manager - First ask them if they talked to Staff and if they say yes then contact Staff and let them give their side of the story. Staff documents everything, when permit is received, when plan review is done, etc. Sometimes the owner of the property is using an architect or construction manager and they're not giving the owner the correct information.

Rob Horne, Assistant Director Public Works – Sometimes the owner doesn't tell you the full story. They may tell you that they submitted their permit on March 1st and they still don't have it, but they don't tell you that they received the plan review comments March 15th but didn't respond to them.

Alderman Sanoica – For the small tasks that you would want to get done, is there anything that you would want? Such as a subcommittee or additional staff in order to be able to check off some of the tasks such as the fee schedule and making sure that they're consistent and comparable.

Rob Horne, Assistant Director Public Works – I will never turn down extra staff. Right now I think we've been working for almost a 1 ½ years on a succession plan. We have not been fully staffed at Public Works since January 2018, it is nobody's fault it's just been retirements or reassignments. I feel strongly that within the 2-3 months we will be fully staffed and I don't sense any retirements in the future so I before I propose that we need help I'd like to at least see what we can do with a full staff. I would just ask for a little patience and tell me if there's a problem when it comes up and allow me an opportunity to correct it.

Barry Krumstok, City Manager – We do appreciate the Council giving us the part-timer and full-timer because it's really helped a lot.

4) Community Message Sign – 2550 Quentin Road

Rob Horne, Assistant Director Public Works – An electronic message sign was designed and proposed for the 2550 Quentin Road location that is owned by the NSMJAWA (Joint Action Water Agency). The purpose of this sign is to improve communications for City information, and it is intended to be utilized in a similar manner to the existing community message sign location on Kirchoff Road in front of City Hall.

On December 4, 2018, the Planning and Zoning Commission held a public hearing on a sign appeal for the proposed sign. Two residents attended this public meeting to speak on the matter of the proposed sign, one of them (Alderman Cannon) in support of the sign, and the other expressing concerns regarding desiring that the sign not be used for general advertising and to have the lighting of the sign dimmed.

In January, 2019, the City Council approved Ordinance 19-04, giving approval to the City's sign appeal for the proposed electronic message sign at 2550 Quentin Road. There were no public comments provided at that time.

In February, 2019, the City Council approved Resolution 19-R-31 that authorized the purchase of an electronic community message sign from Parvin-Clauss, in the amount of \$39,185.

In March, 2019, the City began to receive inquiries regarding the proposed sign from residents in the general neighborhood (primarily Plum Grove Creeks subdivision) that were opposed to the proposed installation of the sign. Staff placed a "hold" on the purchase order that had been prepared for the ordering of the sign from the manufacturer. This remains the status of the proposed sign.

On March 26, 2019, City Council was presented a proposed easement agreement for approval (by Resolution) on the 2550 Quentin Road property that would allow the proposed sign to be placed there. The matter was postponed to allow for a public information meeting to be held where interested residents could comment on the proposed sign.

Letters were sent to 610 resident addresses (all addresses to the west of Salt Creek) in early April to notify them of the public information meeting schedule for Thursday, April 11 at 7:00 pm. The meeting invite brought out approximately 60 residents, of which 28 homes were represented by attendees residing in the area near Quentin Road.

We can address the possible actions one at a time.

1. Proceed with the project by having the sign that was already approved for purchase fabricated and installed. Approve the proposed easement agreement with JAWA at 2550 Quentin Road.

Alderman Cannon – I was the person who brought this forward thinking that it would be something positive for my area, obviously I learned late in the process that many people in my area didn't like it. I still think the theory behind it is valid, the location obviously is not. I would like to see us consider it somewhere else but I'm not in a position to make a recommendation as to where to put it. I will definitely not be voting to put this here as I promised the people that I talked to about this, there's a number of them in the audience right now. I am not supporting this anymore.

Alderman Bisesi - I would echo what Mr. Cannon said, it appears that there's little desire to have this there. However, being involved in the Comprehensive Plan and hearing what several people said I do believe that there's hopefully a place for something like this on the west side of town.

Alderman O'Brien - I would probably just second at on what Mr. Bisesi said, being part of the Planning and Zoning Commission that looked at this in the Comp Plan it's clear that something like this is needed. Not that we had 60 people attend in support of the location at the Planning and Zoning meeting, we did have some attendance that was supportive of the location but it was probably not in their backyard. There's definitely a need for this if we can find a location that is more feasible.

Mayor Gallo - Just to be clear, you're saying that there is a need for some sort of informational signage to exist in that geographic area?

Alderman O'Brien - Correct. Not at that specific location but on the west side of Route 53 based on feedback of the focus groups for the Comp Plan.

Mayor Gallo - I will echo the sentiments of the residents who were here at the Town Hall Meeting, they are not inclined to believe that a sign is the most opportune way or beneficial way to get messages out there.

2. Do not proceed with the project. Have the previously approved purchase order for the proposed sign rescinded by resolution at a future City Council meeting.

Alderman O'Brien - My initial thought is that this is not the best way to go because I think it was clearly heard that residents do want some type of communication on the west side of Route 53. I would not be in favor of getting rid of this project altogether.

Barry Krumstok, City Manager – I think of what I heard from the Council so far, I think #3 is going to be the easiest vote for us. Just trying to make this move along quicker.

3. Do not install the proposed sign at 2550 Quentin Road as planned, but select a different location for the sign. (Staff's recommended choice)
 - a. Some possible locations are listed here for consideration:
 - Countryside Park on Euclid Avenue (Rolling Meadows Park District)
 - Northeast corner of Euclid Avenue and Hicks Road (right-of-way where an entry marker currently exists)
 - South Park at the intersection of Euclid Avenue and Rohlwing Road (Salt Creek Park District)
 - Current Fire Station 16 at 2411 Plum Grove Road
 - Vacant lot at Euclid Avenue and Brockway Street intersection – southeast corner
 - Plum Grove Road intersection with Kirchoff Road

- Northeast corner of Quentin Road and Hartung Road (existing easement)
- Fox Lane at Cottonwood Park (Palatine Park District)

Easements would be required for most of these locations, possibly more readily available from other public agencies.

4. Give consideration to some other type of public communication improvements in the City to strive to unify information distribution with particular focus on areas of the community to the west of IL Route 53 expressway.

Under any of these options, it is recommended that the City act to approve the proposed easement with JAWA for the 2550 Quentin Road property to allow for possible future consideration of some type of signage (electronic, non-electronic, entry marker) at that location.

Rob Horne, Assistant Director Public Works – Another consideration is that you still approve the easement on the 2550 Quentin Rd. site given all the work that has occurred to secure that, it wouldn't be bad to have it for future need if the City Council were to decide at a future time for a City entry marker or landscaping amenity or something like that there.

Mayor Gallo – This particular parcel of land that we're looking to purchase, it's not really the hottest commodity. So if we were to table this because residents in that Ward were vehemently opposed to moving forward with this and having messaging in this location because it's just inopportune. There's always opportunity later to go back and revisit purchasing of this parcel but given the fact that that Ward is able to activate so well for communication. You can put together a group of residents in that area to tell us how they would like to receive information.

Rob Horne, Assistant Director Public Works – I would be happy to do that. I want to make sure just in case I didn't take this through the entire process, the parcel that we're looking at is about the size of this table and there is no charge for it or it's \$1.00. I just want to make sure that everybody knows that there's no financial obligation. It's an agency that we work with and because they changed their whole Ordinance is the reason I even brought it up.

Mayor Gallo - It's a matter of administrative work not necessarily dollars.

Alderman Budmats - We could do that as long as we made a motion not to put an electronic sign there so we can put those residents at ease.

Barry Krumstok, City Manager – What we would do is accept the easement and then rescind the sign because that sign was being fabricated for that location. Then we would look for another location and then communicate to the residents when we found something.

Rob Horne, Assistant Director Public Works – Just for the Council benefit, there are some potential opportunities for cost-sharing with other agencies. We just started an initial discussion but I think it would be intriguing to Council to hear about those. We certainly would pursue those if directed.

Alderman Cannon - Just to reiterate we're not purchasing this, we're just buying a \$1.00 easement. Just to give a little historical insight to this, I've been talking about this for a long time but the City Council has been talking about using signs as one way to better communicate with the public. It's not the only way but it is a way. We have them planned for the two new fire stations so it's not only for Quentin Road. It's just another avenue to communicate with the public.

Alderman Sanoica - Some the comments in the packet from the April 11 meeting that some residents asked if there were any studies out of the Traffic Committee for safety reasons, my question would be if we could do any additional research or studies on what receives the most amount of traffic from Rolling Meadows residents?

Rob Horne, Assistant Director Public Works – Like hits on a website or something like that?

Alderman Sanoica -Yes, but for physical people. At a certain intersection if you know that the northeast corner of Euclid Avenue and Hicks Road, that's on your way to Route 53, is that something that's going to be more popular than Quentin Road? Where some of the residents had explained that very few people actually use that particular road for visibility reasons.

Rob Horne, Assistant Director Public Works – Once we vetted out the locations, there are probably a variety of ways we could extract that information. Traffic counts would be one item or survey monkey. Most of the corridors that we are looking at are either east-west, north-south, two-lane or four-lane thoroughfares. The expectation is that we're not going to be able to put an electronic sign on all of them.

Alderman Budmats - One of these listed is Fire Station 16 at 2411 Plum Grove Road, I've heard at this table that certain people are interested in selling that property once the new station is built to recapture some of the costs etc. So if we were thinking about putting a sign there we might have to separate out now a parcel for that sign rather than go back later and try to do so after the parcel is no longer ours.

Alderman O'Brien - In talking with some of the residents an idea was to use the two new fire stations, we have one on the south side of town and we have one in front of City Hall. Is that the plan now? Is that what you are referencing Mr. Cannon?

Barry Krumstok, City Manager – There are two additional that are planned. We're talking about that area further west.

Alderman Bisesi - The list definitely needs to be refined. A lot of these locations are really not that far away from the new fire stations which would be redundant. I would rather not put one up at all versus one that's too close to the other one.

Alderman D'Astice - I agree with Mr. Bisesi. If our goal is to try and convey information of what's happening in and around the City to more residents on the west side of the City then I think it's contingent that we get a new list of viable locations. Once we have that list we can decide which are the best and narrow it down to 2 or 3 locations and then send out 610 more letters because we don't want to have this blow up in our faces again. We might find that people don't want to have a sign in the locations that we've selected. If our goal is to communicate to residents on the west side, then select locations that achieve that goal, do a survey and come back with the final results.

Mayor Gallo - To that point, it's about getting those in that particular Ward without stepping on your toes, Alderman Cannon. Connecting with the residents in the 1st Ward and where they would see value and where their eyes go regularly when they're driving or commuting to and from their homes and then use those locations and bring them back to Public Works and to the Council to see if there is viability with any of the locations they come up with.

Alderman Sanoica - Is it possible that we can pursue both options #3 and #4 concurrently? I see that perhaps option #4 would actually support option #3 in the future.

Barry Krumstok, City Manager – Yes.

Rob Horne, Assistant Director Public Works – I just want to clarify, what we're envisioning is bringing back 3 potential options along with some pros and cons and maybe some visual photos to see what it looks like. Once we get feedback from the Council as to wanting to pursue those then we would send out and look for feedback, correct?

Mayor Gallo – Yes.

Alderman O'Brien - A potential location change could impact pricing?

Barry Krumstok, City Manager – It could.

Mayor Gallo - Any other questions? Seeing none, we'll open the floor. The only signatory is Nancy M.

Nancy Mau of Mill Creek Lane, Rolling Meadows - I am in Mike Cannon's Ward, Ward 1. When I saw the agenda item today, I went on Facebook and spoke to all the neighbors in my group. Most of these people were at the meeting on April 11 and their answer to me was why are we still pursuing the sign, its \$40,000, our neighborhood is full of potholes and we have flooding issues. \$40,000 would be better spent on flooding and dealing with the road issues then a sign that people said that they will not read and they're not benefit out of. One of the reasons why this sign here works is that you're at a stoplight. These proposed sites are not stoplights. I was looking at the list is, Hartung and Quentin is going to be just as bad as Silent Brook if not worse. When you're on Quentin over there by Hartung the road curves, it's a very hard intersection to turn out of that neighborhood the last thing we need is more distracted drivers in that area. It's a low point of the road, it's flooded, when its winter it's snowy, it's a really dangerous intersection to begin with and no stoplights. We really don't need a light there. Even more so putting the sign in our neighborhood park which is actually Palatine not even Rolling Meadows Park District. The people to go to the park are either our neighborhood or the apartments in Schaumburg. It's not a big Rolling Meadows area and it's a little neighborhood you're not going to have any through traffic. The people in my neighborhood they really want to know from Facebook, Twitter people are now knowing that you can sign up electronically on the website to get emails. They say in this day and age we really don't want to sign on our edge of town. It's not the best way to use money and we really don't want it.

Mayor Gallo closed the floor.

Barry Krumstok, City Manager – Before Lori starts we do have some other information regarding community events. I will let her tell you before she gets to the tree lighting discussion.

Lori Ciezak, Assistant to City Manager – We just had a Community Events Foundation meeting and we are very happy to announce that one of our volunteers had been working very diligently since last summer in contacting a certain company that owns the Clydesdale horses and as a result we will be getting them for our 4th of July Parade this year. It's very exciting and we're meeting with police and Public Works to take the necessary steps for security, space allotment, marketing and everything that goes with that. It should be a historic 4th of July event this year and we're happy to announce it this evening.

5) Tree Lighting Relocation for 2019

For many years, the location of the City's Holiday Tree Lighting Ceremony has taken place in front of the McDonald's on Kirchoff Road, where a substantial evergreen subsides, and serves as the City's honorary,

decorated tree. With limited space at this location, paired with an increase of attendance due to the Spaghetti Dinner, and a construction mishap that distorted this tree last year, many members of the community and the Community Events Foundation Committee are asking for a location change for the annual Tree Lighting event. A formal discussion was held at a recent meeting of the Rolling Meadows Community Events Foundation Committee, and they too agreed that a new location would greatly enhance the festive event. Consequently, both community members and City Staff believe it would be in the best interest of the City to research and secure a new Holiday Tree Lighting tree and ceremony location.

PROPOSED NEW LOCATION

After careful review and consideration of many factors, City Staff has determined that the best new location for the City's Holiday Tree Lighting Ceremony would be the green space across from City Hall. This location was deemed most suitable because of:

- its location along the Kirchoff Road Corridor and its proximity to the shopping district;
- the available parking spaces immediately surrounding it and in the nearby shopping district;
- the capacity to support a large crowd size;
- the capacity to support the electrical needs of the display; and
- the lot location is currently owned by the City of Rolling Meadows.

ACTION ITEMS TO SECURE A NEW LOCATION

The following actions have occurred or will need to take place by City Staff to make the necessary adjustments and preparations for future Holiday Tree Lighting Ceremonies to be held at this new location:

- Public Works has identified a tree that would be donated by a resident that meets the necessary requirements for the City's use; Public Works would arrange to have this tree transported to the new tree lighting location;
- The Public Works Department would plant this new evergreen in the determined location sometime in early fall;
- Consider a City easement of the corner portion of land so that the City keeps possession of it regardless of a future sale of the property;
- Develop a plan to secure adequate electrical needs, by using power from the street lights at this location, and
- Develop a traffic flow and parking plan with the City's Police and Public Works Departments.

SUMMARY

Staff requests Committee of the Whole discussion and direction. Actions to consider would include:

- Approval for a change of location for the Holiday Tree Lighting Ceremony and tree;
- Approval for the tree removal and move;
- Approval for electrical work to be completed; Staff to also work on a decoration plan of the new site as well, and
- Staff to look for a sleigh ride options to transport guests from the tree lighting to the Spaghetti Dinner at Fire Station #15 on Meadow Drive immediately after the ceremony.

Mayor Gallo – Would that sleigh shuttle operate round-trip then to return those individuals who rode it to the fire station?

Lori Ciezak, Assistant to City Manager – Yes, if that was something that we did want to look into we would certainly sit down, map it out and make sure that the police department and Public Works are in agreement, the wagon fits on the sidewalk and can make the necessary turns, etc.

Mayor Gallo - Manager Krumstok do you believe we can take these information points and consolidate them to a single vote when it comes time?

Barry Krumstok, City Manager – Yes, with Council's approval to say yes that would go a long direction to what we need to do.

Alderman Budmats - Do we have an approximate cost for the electrical work, the tree replanting, some kind of budget that you think that it would cost to make this piece of land ready for the holiday season?

Rob Horne, Assistant Director Public Works – We'll have to bring that back, we've had preliminary conversations with the contractor doing the Kirchoff Road work. We haven't received a price yet. The discussions regarding the tree just started to formalize in the last 2 to 3 weeks. I don't have firm numbers yet.

Alderman Budmats - It feels like a stop gap measure, if the fire station is no longer going to be there and one of them will be on Hicks Road and there is land that the City is already involved with off of Kirchoff, would that be a place to plant the tree? Is there enough space to have the tree lighting there and it could be a permanent location assuming that the spaghetti dinner is going to continue, then that would be a better location if we were going to sell the property across the street? Is that a location that was under consideration?

Rob Horne, Assistant Director Public Works – I think there have been some internal discussions and I probably don't want to discuss anything further on that. You probably want to talk to the City Manager. There were some discussion about utilizing that site. Currently there's a vacant home that is between the proposed fire station and Rotary Park. There's been discussions about putting the tree at Rotary Park and bringing people down from the new fire station. The new fire station will not have an enormous parking lot which would be a concern.

Mayor Gallo - Going back to this location, do we have a theoretical size we're already looking at and compounding that with how much space we would need for residents and attendees? Eventually and hopefully there will be some acreage sold. I don't know if we have to factor in contingency clauses with the sale of that property.

Rob Horne, Assistant Director Public Works – The easement discussion would really not occur until a developer comes through or if we wanted to pursue something earlier. My recommendation would be about a 50 x 50 square at the very corner. Right now I believe the area is used really well for signage and such. I think it's a positive thing for the community anyway. If the tree wasn't kept there as a holiday tree we can certainly integrate the community sign with landscaping and still make a nice amenity for the City. My thought with those kind of easements are that they don't hurt the City at all to have those. My expectation is that it would not hurt the development at all because I don't think we would want the development to build that close to that intersection.

Mayor Gallo - It's more or less to allow those who end up eventually developing that location to allow gatherings/congregations of folks to be on the property depending on what ends up happening there.

Rob Horne, Assistant Director Public Works – This may be a preliminary thing until more of a long-term solution can be found. I think there's a lot of good benefits to using this area. One of the things that we talk about internally, is trying to draw people who don't live in the City to the community.

Alderman D'Astice - I need more information before I can say yes or no to this. I don't know if we should plant a tree or just put one up like Chicago does. I like to see what we're going to do for parking because I don't know where the parking is going to be. Is it going to be in the grass? We don't have that much parking here compared to the shopping center. I cannot support this at this time with the information that we have. Once we get more information we can talk about it. I recall that piece of property cost the City \$1 million back then and it's probably not worth \$1 million today. Cutting out 250 ft.² could be detrimental for us trying to sell the property which by the way there should be a sign out there and we should be selling it now.

Mayor Gallo - Let me rephrase this then, instead of providing Staff direction on these points, could we provide Staff the opportunity to investigate this further and come back with more details? If you have better points to get answered provide that to them so they can bring it back. If we could at least allow them to know if we should pursue this or should we just 86 it.

Alderman Cannon - I agree with most of the points Mr. D'Astice made. As you may be aware, I've asked that by the June COW meeting that we have a discussion about getting rid of empty properties and both fire stations. I'm hoping that we'll at least have a discussion about that property next month. I compliment Lori and other people for coming up with another idea but I am concerned that if we actually do decide as a group to sell that property I think an easement could possibly be detrimental. I would ask you to consider coming back with plan B or plan C of maybe other locations. I also asked a long time ago to consider moving the event to a Saturday as opposed to a Thursday night and I expressed my reasons at the time. I thought a Saturday event would be much more beneficial to more people in the City. Many people in our town, the husband and wife work full time and it's difficult for some families to be there at 6:00 pm on a week night. It's just an opinion but I would like to pursue that also.

Mayor Gallo – To recap, should we reiterate what we should do for Staff, so Staff has some direction. We'll make a straw vote to allow Staff to continue pursuing this opportunity but with a couple caveats that maybe you will look for other areas throughout the City that are equally conducive or more conducive than this.

Alderman Sanoica – I would request clarification as to why the location would need to be close to a shopping district?

Rob Horne, Assistant Director Public Works – Parking with the opportunity to use the sleigh to bring people back and forth. It's a close large parking area.

Alderman Sanoica – Okay. I was going to say if it was for an opportunity for small businesses maybe we could look into having something similar to what they do in downtown Chicago and have a small market with other vendors to help offset some of the costs as well. Similar to our city markets in the summer but a winter version.

Alderman Bisesi - The only other thing I would like to add is with the various choices or potential locations, to fully understand the parking because I know from other community events that I've run I don't think people will necessarily want the entire town walking across their front lawn. Depending on where it is, parking may just be the street and I know that limits locations. I just would like to know exactly how we are going to deal with parking especially if it's going to be moved to a Saturday. If attendance goes up by 50% it's a lot of cars.

Mayor Gallo – We'll look for a straw vote to investigate further. Find alternative locations and provide greater details such as parking etc.

Rob Horne, Assistant Director Public Works – Just to clarify, we will make sure that we have a site plan for each location showing parking opportunities and pedestrian traffic opportunities, we'll show costs regarding the tree, electrical fees, any fees that's associated with it, we'll identify all of them so City Council has them for decision making.

Mayor Gallo – With a quick show of hands who is in favor to allow Staff to investigate to find alternative locations, greater details with a subset of details within there. I think that's unanimous.

6) Hotel/Internet Tax

Barry Krumstok, City Manager - Back in 2013 the City joined numerous municipalities in a class action suit to recover unremitted hotel tax revenue from online travel companies. We did not prevail. Recently, Schaumburg amended its hotel/motel tax to ensure online travel companies would pay the full tax on the price they sell rooms.

City Attorney, Jim Macholl, drafted an Ordinance following the Schaumburg case. We believe it is correct to pass this at this point as it does capture online travel fees. We do not know how much that would be to the City of Rolling Meadows but we believe it's time to do it. We do know that some of the municipalities that were a part of the class action lawsuit are also looking at doing the same thing now.

Alderman D'Astice - I am in full support of this. The hotels charge full tax to everyone whether it's booked online or by phone. The customers are paying it, it's not going to increase anybody's charges. It's not going to do anything to anybody and it's not going to put us at a competitive disadvantage. The Expedia, Orbitz, Travelocity, etc. will now have to pay the tax that they've been pocketing this whole time.

Mayor Gallo - Once we approve this Ordinance, how do we ensure that the taxes make its way from the booking engine to the City of Rolling Meadows?

Barry Krumstok, City Manager – That would be the State of Illinois when they actually file their taxes, they would collect and remit back to us. Hotel/motel tax we do remit some of that quarterly to each of the hotel/motel and we actually use hotel motel/ tax with food and beverage to fund part of our stuff to the Chamber of Commerce.

Alderman O'Brien - Is this for any online booking? Is it just Expedia, Orbitz, etc.? I know it says a 30 day limit so if somebody is renting a motel room at Motel 6 for the residents that would not necessarily be applicable the way I was reading the statute. It's just the online stuff regardless if it's Airbnb when somebody rents out their house for a month.

Jim Macholl, City Attorney - It could apply to the Airbnb but they would be more difficult to keep track of.

Alderman O'Brien - It's for the physical brick and mortar hotels?

Jim Macholl, City Attorney – Correct.

Alderman D'Astice - If you stay in a hotel for 30 consecutive days you pay no tax anyhow so doesn't matter.

Alderman Sanoica - Do we know where the State of Illinois is trying to go with taxing Airbnb and other home sharing services?

Barry Krumstok, City Manager – I've heard that they've been thinking about it but there's nothing that I've seen in the legislative updates. They're having difficulty on how to deal with the online sales tax distribution so that's what they're really trying to focus on during this legislature for the next few weeks.

Alderman Sanoica - Would this Ordinance apply to hotels that are utilizing Airbnb for other sharing services? If they put a listing that's who is ultimately responsible for the tax but it wouldn't apply for a single-family home where someone's renting out a room for two or three days?

Jim Macholl, City Attorney – It could apply. My response to Alderman O'Brien's question had to do with the practical aspect of actually collecting the tax not whether or not there's a liability for the tax but how are you going to keep track of all that?

Alderman Sanoica – If we have a resident that approaches us and they ask that they are going to have a room that's available on Airbnb seasonally, would this tax apply to them?

Jim Macholl, City Attorney – Yes.

Mayor Gallo - If there are no further comments or questions, I would like to take a straw vote. Who is in favor of moving this Ordinance to a 1st and 2nd reading? All in favor raise your hands. Looks like it's unanimous.

Is there a motion to adjourn? Alderman Budmats has made the motion and it has been seconded by Alderman Cannon. All in favor say aye; those opposed say nay. The ayes have it and the meeting is adjourned.

There being no further business, by unanimous consent the Committee-of-the Whole meeting was adjourned at 9:31 p.m.

Respectfully submitted by: Judy Brose, Deputy City Clerk