

ROLLING MEADOWS CITY COUNCIL
COMMITTEE OF THE WHOLE
February 16, 2010

COUNCIL IN ATTENDANCE: Mayor Ken Nelson, Aldermen John Pitzafarro, Barb Lusk, Larry Buske, Brad Judd, Glenn Adams, John D' Astice, Jim Larsen

STAFF IN ATTENDANCE: City Manager Sarah Phillips, Public Works Director Fred Vogt, Police Chief Dave Scanlan, Fire Chief Ron Stewart, City Attorney Jim Macholl, Assistant City Manager Barry Krumstok

DISCUSSION ITEMS:

1) Tuition Reimbursement

Ms. Phillips: They asked NWMC to complete a survey of the 43 surrounding communities. They received responses from 22. Staff took those and looked at things that were different from ours. That information is included in the packet. The most important are the first six listed which are:

1. Amend policy to include a broad statement of "The tuition assistance program is a discretionary program subject to the availability of funds and may be discontinued at any time by the Mayor and City Council or the City Manager.
2. Require an employee to have at least three years of service with the City before they are eligible for the tuition reimbursement program.
3. Before approval of reimbursement, employee must be meeting performance expectations based upon their yearly performance evaluations.
4. Establish an employee education request for reimbursement form which must be completed and submitted to Human Resources for approval prior to enrolling in any course. Human Resources, with input from the applicable department head and taking into account the employee's current and future job assignments, potential impact on the employee's work responsibilities and availability of funding, will advise the employee in writing as to whether their request has been approved. Such requests will be due to the City by October 1 for the following budget year. Attached to the form should be the school schedule and classes in order for the City to properly evaluate budget considerations for reimbursement.
5. Amend provision for employees who voluntarily leave City employment after receiving tuition assistance requiring them to reimburse the City according to the following schedule: less than one year = 100%; one to two years 75%; two to three years 50%; over three years from the time between receiving assistance and terminating employment = 0%.
6. Establish criteria used to determine whether the course is directly or indirectly related to an employee's position and responsibilities. The following points will be examined in relation to each application for tuition reimbursement:
 - a. The immediate benefit which the course would provide to the employee, and the immediate effect which it would have on job performance. The opinion of the employee's Department head in regard to the specific benefit to the department, the City and to the employee's overall educational pursuits.
 - b. The employee's written explanation of the benefits (both personal and job related) provided by the course.
 - c. In the event that the course for which tuition reimbursement is requested is not directly related to the employee's present position and responsibilities, the request may be evaluated in terms of the benefits the course would provide by preparing the employee for another position within the organization for which they may be eligible (e.g. a course which provides supervisory training for an employee in a non-supervisory position who may soon be placed in a supervisory position).
 - d. Whether or not the course for which tuition reimbursement funds are requested is to be taken as part of a program leading to a college degree which is related to the employee's position and responsibilities (e.g. some courses required for a college degree may not appear to be job related when examined in isolation, but may be classified as job related when viewed in the context of the employee's degree program).

Options for council to consider are:

Option 1: No change to reimbursement schedule however, the above recommendations will be implemented as a part of the policy.

Option 2: Directly related and receives an A, B or Pass = 75% reimbursement. Indirectly, but reasonably job related and required for a degree which is directly job related = 50% reimbursement. The City shall reimburse an employee 25% of the unit cost regardless of whether the course is directly job related, if a grade of "C" is attained. No reimbursement will be provided for a grade of "D" or lower or fail.

Option 3: The reimbursable amount for tuition is a maximum of \$4,500 per employee per fiscal year. Amounts will be reimbursed after the completion of a course, providing a grade of "C" or better is obtained. The course or degree program must be job related to qualify for reimbursement. Undergraduate and graduate courses, offered through accredited colleges, universities and technical schools are reimbursable if an employee's Department Director and the Director of Human Resources determine that the courses relate to the employee's current or potential work assignments with the City. Approval must be obtained in advance of registration.

Alderman Lusk: Likes having all the above Statements put into the ordinance. She also likes Option 3; having a cap. \$4500 is a reasonable amount for anyone entering into a program. Also likes the statement that the program could be discontinued at any time based on funds.

Alderman D'Astice: Is okay with Statements 1, 2, 3 & 4. As far as Statement 5, he thinks "voluntary" should be stricken. He also thinks that the employee should have to stay longer. If they leave before 3 years they would have to pay back 100%, if they leave between 3-5 years they would have to pay back 75%, and if they leave after 5 years they would not have to pay back anything.

Ms. Phillips: Staff did not feel it would be fair to make someone pay back their tuition reimbursement if they were laid off. That would be an involuntary separation.

Mr. D'Astice: With regards to the Options, he likes Option 2 the best but is not in favor of. He thinks that if the class is "directly related", an "A" gets 75%, a "B" gets 50% and a "C" or Pass gets 25%. If "indirectly related", an "A" or "B" gets 50% and "C" or Pass gets 25%.

Mayor Nelson: Is he talking about the degree program itself? A degree program may require a class that is not necessarily "directly related" to the job, but the degree program is.

Alderman D'Astice: That is not what it is saying here.

Ms. Phillips: The intent is if you are taking a class and it is "directly related" to your job and a part of a degree program and you get an "A" or "B" you would get 75%. If it is "reasonably related" and required for a degree, it would be 50%.

Alderman D'Astice: Is wondering if Option 2 should read "..... and/or required for a degree".

Alderman Judd: Statement 5 – is this on some kind of sliding scale? If someone had been taking classes for 4 years and stayed an additional 2 years would they owe 50% of the entire amount?

Ms. Phillips: No, they would only owe for the classes that fell into the last 3 years from the point that they last received a reimbursement.

Alderman Judd: Statement 4 – You can't ask some one to give a list of the classes that they will be taking in the fall of the following year.

Mayor Nelson: I think the intent is to determine how many classes you might want to take in the coming year.

Ms. Phillips: It is really more of knowing how many hours you think you might want to take.

Alderman Judd: Then asking for a school schedule should be stricken. He likes Option 3 the best. He is comfortable with a \$4500 cap and he does not care what courses are taken.

Alderman Larsen: With respect to the Options; is there any reason why we could not combine them? He is in favor of a cap. He would like to see that combined with Option 2. He would like to be sure that whatever someone is studying is directly related to their job or something in the City. With regards to Alderman D'Astice's comments about enforcing the reimbursement should someone leave involuntarily seems unduly harsh and he is not in favor of that. Generally, he is comfortable with what he is seeing here. We want to have this benefit available to people, but it also has to benefit the City at the end of the day.

Alderman Lusk: Has no problem combining Options 2 and 3. Also, she has no problem with Alderman D'Astice's suggestion to take out the "and" and use "or" in Option 2. Has no problem not asking for reimbursement when we lay someone off but when someone is removed for cause they should be expected to reimburse. She would like that spelled out in the ordinance.

Alderman Pitzafarro: Agrees that if someone is laid off it is adding insult to injury to ask for reimbursement. With regards to what is "related" and "not related". How do we spell that out?

Alderman Larsen: Ultimately, it is the city's decision. If someone is taking a course of study for a degree and a requirement is a Fine Arts Course that is different than someone just wanting to take a French course.

Ms. Phillips: It would be determined by Human Resource, Department Heads and other Staff.

Mayor Nelson: Do we have any legal issues making that call?

Mr. Macholl: Not as long as we determine a standard.

Alderman Buske: Statement 1 – Yes; Statement 2 – would like to see that changed to 5 years; Statement 3 – Yes, Statement 4 – Yes; Statement 5 – It would be harsh to ask for reimbursement when someone is laid off. As far as Option 2, he thinks we will have to combine some of these. The decision as to whether a course is "directly" or "indirectly" related should be left up to the City Manager and the Department Heads. Also, he likes 75% for "A", 50% for "B" and 25% for "C" or Pass with a cap at \$3000. He does not think the City should pay 100% for anything.

Alderman Larsen: Agrees with Alderman Buske's contention that we are not the exclusive source of funds for their education.

Alderman D'Astice: He does not have a problem with people having to be here for 3 years before they are eligible, but they should also stay here 3 years afterwards. Option 2, he agrees that the class should be related or reasonably related AND part of a degree program.

Mayor Nelson: Adding "or" gives us some discretion. There are some Police and Fire courses that are beneficial to the degree, but not part of a degree program.

Alderman D'Astice: He likes capping it, but is still somewhat uncomfortable with the percentages.

Mayor Nelson: Recapped the suggestions and asked for a show of hands.

Requirement that they have to be here at least 3 years – OK

Voluntary vs. Involuntary – Voluntary

Employee must reimburse 100% if they voluntarily leave employment before 3 years and 75% if they voluntarily leave employment between 3-5 years after their reimbursement.

Alderman Buske: There are only 4 ways to leave employment, they are laid off, they quit, they retire or they quit. Just spell it out in the ordinance.

Alderman Judd: What if someone should have to leave because their spouse gets transferred? What about a situation similar to that?

Alderman D' Astice: If an extreme circumstance arises it could be discussed at that time.

Mayor Nelson: Everyone seems to be okay with the \$4500 cap.

Ms. Phillips: Clarified how she came up with that number.

Mayor Nelson: Another issue is "job related and/or....."

Alderman D' Astice: He is okay with the "or" as long as we are not exposed.

Mr. Macholl: Does not see a problem with that.

Mayor Nelson: Everyone seems comfortable with the following percentages: 75% for an "A", 50% for a "B" and 25% for "C" or Pass.

Alderman Adams: There are situations where the Police and Fire are manned 24 hours a day, 7 days a week and there have been times when people have had to take off to attend classes and we then have to hire someone at overtime pay.

Ms. Phillips: That is part of the union contract and would have to be negotiated. Fire is entitled to be let go 30 minutes before and 30 minutes after class.

Chief Stewart: There are situations where it is required for a period of 2 ½ to 3 hours.

Alderman Larsen: How frequent is this?

Chief Stewart: The budget last year had \$8000 for college overtime reimbursement. He does not believe that we used that full amount.

Alderman Judd: If he is reading this correctly, they get paid to take a class and we also have to pay someone overtime to take their place while they are in class.

Alderman D' Astice: Thinks that this should be looked at during union negotiations.

Alderman Judd: Is there any intention of opening union negotiations?

Ms. Phillips: No.

2) Alarm Ordinance

Alderman Buske: He has an alarm in his home and had received papers from the Police Department noting the fees/fines. It had been passed that seniors would pay 50% of the alarm license fee and any fines would be 50% and that was not on there. Also, when the alarm system started there were three false alarms that were not charged. Now, there is only one false alarm at no charge with the second one being fined at \$350. That is way out of control. False alarms do happen. He thinks a mistake may have been made. He would like to see it go back to 3 false alarms at no charge.

Alderman Lusk: She had the minutes from the 2006 meeting pulled and at that time she had requested that senior false alarms at no charge be raised from 3 to 4 and their license fees and fines be at 50%. About 1 year later it started to change where seniors were only being allowed 1 false alarm and they were being charged thereafter at \$350 per false alarm. This needs to be readdressed. She understands that there has been an increase in false alarms, but cannot see charging \$350. She would like to go back to 2 false alarms, 4 for the seniors, with the third false alarm fined at \$100 and thereafter they could be charged \$350.

Alderman Larsen: He does not have access to the existing ordinance which makes him a little uncomfortable discussing this.

Alderman Buske: Recalls that we were also taking about the Fire Department fines at the same time and wonders if the Police and Fire fines got mixed in together.

Alderman Lusk: She is wondering if everyone would be more comfortable if we postponed this discussion and had Staff come up with a synopsis of what happened.

Chief Stewart: Another approach could be to separate Police and Fire alarms.

Chief Scanlan: We had looked at the ordinance and noticed that something was wrong. We have not billed anyone at the higher rates. Our goal is to reduce the false alarms and one way to do that is through fines. We currently get about 800 a year.

Alderman Pitzafarro: Have we budgeted for these fines coming in?

Chief Scanlan: Yes, it is based on historical data which is why we noticed that something was wrong.

Alderman Pitzafarro: He agrees that \$350 is excessive.

Mayor Nelson: This does need to be addressed and addressed quickly. The issue of the seniors should be a number of false alarms in any given time frame. He is requesting that Staff come back in March with more details and proposals.

3) Billboard Proposal

Ms. Phillips: As part of looking at revenue enhancements since Sam's Club left, we had a billboard company come back to us proposing to put a billboard up along Route 53. Currently we are in negotiations with the company. We are looking at what types of controls we can put in place that will limit where these billboards can go, how many of them can there be, the content of them, and so on. Would council like staff to come back with a proposal?

Alderman Buske: Back in 2007 this company had been turned down. We were concerned about sign pollution.

Ms. Phillips: IDOT requires 500 feet separation, but we could look at being more stringent.

Alderman Buske: Do we still have in the ordinance that it could not be placed in a spot where residents could see it?

Mr. Macholl: We had done that with flashing signs in connection with banks, but does not recall addressing the billboard issue.

Alderman Lusk: When we turned this down in 2007 she was concerned about opening a Pandora's Box. She wants to make sure that they stay in the industrial area.

Alderman Pitzafarro: Is in favor of this for the revenue.

Mayor Nelson: Consensus seems to be to continue with negotiations.

4) Video Gaming

Mayor Nelson: The State Capital Bill was passed about 1 year ago with about 1/3 of the funds coming from video gambling. The bill that authorized the video gambling was then broken down as to how much the state would get and how much would go to local communities. Communities could also opt out by ordinance. Nothing has changed in this law at this point. There are other bills currently in the state legislature doing away with video gambling and another that would charge cities that opted out.

Alderman Lusk: Her biggest concern about the opt out clause is that we really can't make a decision now without knowing what the financial impact could mean to us.

Ms. Phillips: If the bill passes, we could be paying rather than receiving funds.

Mayor Nelson: The good thing is that we do not have to do anything right now. Many communities are waiting to see what the rules will be before making a decision.

Mr. Macholl: The legislation where we would have to pay is in the very early stages.

Alderman Larsen: Opting in or out at this time really serves no purpose other than making a political statement.

Ms. Phillips: Her suggestion would be take a survey of the 25 eligible businesses. We could do that while we are waiting to see what the rules are.

Alderman Larsen: Does not see any need to take a survey at this point and also sees no need to make a decision right now.

Alderman Adams: His major concern with this is that what "the state giveth, the state taketh away". If we do get involved with video gaming we will need to protect ourselves by establishing our own tax that would be guaranteed.

Mayor Nelson: Suggested doing a "wait and see".

5) Downtown Marketing Study

Ms. Phillips: We have been talking with our Economic Development Committee and discussing how we want to proceed with marketing our downtown area. We have the Dominick's site, the Wellington site and some vacancies in the Jewel shopping center. What we want to be able to do in the changing times is to commit our efforts to marketing to the right types of businesses that this community can support. Part of this marketing analysis will provide us the avenue to do that. This study will put together the types of businesses that the community wants and that they can support through research that they do that includes interviewing residents, local businesses and looking at where our spending dollars go. We have also been looking at possibly getting a headhunter to go out and really market these particular pieces of property, but they will want a marketing analysis done to help in that process. Staff and the Economic Development Committee recommend this marketing study and pay for it out of the TIF funds. They also recommend a Financial or Economic Development Analysis to determine all the financing tools that would be available to anyone wanting to come into the City. A lot of things have changed in the last year. More monies are available to small businesses through the stimulus package.

Alderman Buske: He does not want to see any more housing in the downtown area. He wants to see more retail. He would like to ask Ms. Phillips to express to them that we want more retail.

Ms. Phillips: Mentioned that some communities have put a moratorium on banks. One community put a moratorium on any non-tax generating business. She has asked Mr. Macholl to look into this.

Alderman Lusk: Has no problem with a moratorium. She fully agrees with Alderman Buske. She wants to see more retail/restaurants in the downtown area.

Alderman Pitzafferro: Also likes the idea of the moratorium. He was under the impression that this is an analysis of what professionals think will come here. How can we tell them that we want an emphasis on no housing?

Ms. Phillips: We can certainly do that, but does not think that we would be approaching it in the right manner. We should let them do what they do and through the interview process they will hear what people want. We know that the Dominick's site will probably have a housing component.

Alderman Pitzafarro: We shouldn't dictate to them to do the study, but only come back with what we tell you we want.

Mayor Nelson: Agreed. We should let them tell us what will work here.

Ms. Phillips: Even if there is a housing component, there will also be some retail in front of it.

Alderman Pitzafarro: He agrees with Alderman Buske about not wanting more housing, but we should let them do their analysis and let them tell us what they think will work here.

Mayor Nelson: What action is needed?

Ms. Phillips: A Resolution could be brought forward at the next meeting. She would also like to bring something forward with regards to a moratorium.

Alderman Adams: One thing he really likes is that they will also be going out and talking to residents. Will the study focus in on what is a reasonable leasing rate? It has been frustrating in our downtown area that we have many empty stores because the rents have been too high.

Ms. Phillips: One sample study that they had completed did include that information.

Alderman Adams: Suggested taking a look at some of our rules and regulations and think about changing things with regards to bars and restaurants. We have an ordinance that you can't serve alcohol without serving food. Do we want to take a look at that?

Alderman Judd: Likes the concept of re-addressing a lot of things that we have in place. As far as the housing component, one of things that we need to be cognizant of is that the Dominick's site has been empty for a long time and even if we put some large box store in there we run the risk of somebody just disappearing. We need to look at the housing aspect. That is money that will be around forever. At this rate he is not sure if this is money well spent. He is not saying he is against it, but is not sure if he is for it either.

Ms. Phillips: One of the reasons that we are looking at it right now is that the TIF is due to expire at the end of next year. At the end of next year it will have close to \$1,000,000 in it. If we are not able to use those monies to attract someone in, then the monies go back and they will not be available to us.

Alderman Buske: Agrees with Alderman Adams about changing the downtown. He added that a few years back we were trying to get people to rent in the Jewel shopping center. It seemed like every time a lead came in it died. One business was interested, but they chose not to because the rent was too high. A study was done and we were the highest in the area. He feels this is the time for this analysis, but he will not be in favor of any more housing.

Mayor Nelson: Directed Staff to bring forth a Resolution.

6) Emergency Operations Plan Update

Ms. Phillips: Our Emergency Operations Plan is due for an update. We thought it was due April 1st and have now found out that it is due March 1st. With the limited staff she does not think we will be able to meet the deadline. We have found a consultant to update our plan for \$3500, which is down from around \$6000. Staff would like to bring forth a Resolution to update our Plan. We do have some grant funds available.

Alderman Buske: We aren't talking about redoing this entire thing?

Ms. Phillips: No. This would be an update. It is required every two years.

Mayor Nelson: Directed Staff to bring forth a Resolution.

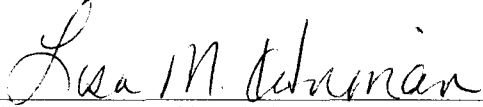
Mayor Nelson: Reminded the public that the Fire Department will be doing some training at Barker Lake.

ADJOURNMENT:

Meeting adjourned at 9:35 p.m.

Respectfully submitted by Lisa M. Hinman, City Clerk

February 16, 2010 Committee of the Whole Minutes approved by Council on March 9, 2010



Lisa M. Hinman, City Clerk