

**CITY COUNCIL MEETING  
MINUTES – July 28, 2009**

**Mayor Protem Barb Lusk called the Council meeting to order at 7:30 p.m.**

**Pledge of Allegiance to the Flag:** Mayor Protem Lusk led the pledge

**ROLL CALL:**

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

Absent: Pitzafarro

**Staff Members Present:** City Manager Sarah Phillips, Finance Director Jim Egeberg, Public Works Director Fred Vogt, Community Development Director Valerie Dehner, Deputy Police Chief Dave Scanlan, Fire Chief Ron Stewart, City Attorney Jim Macholl, Assistant City Manager Barry Krumstok, Assistant City Engineer Jason Souden

Mayor Protem Barb Lusk read the following statement:

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

**MOTION TO APPROVE MINUTES:**

Alderman Pitzafarro arrived at 7:32pm

Alderman D’Astice moved to approve the minutes of the July 14, 2009 Council Meeting and the July 21, 2009 Committee of the Whole Meeting; seconded by Alderman Larsen.

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

Nays: 0

Absent:

**Minutes Approved**

**MOTION TO DEVIATE:**

None

**MAYOR'S REPORT:**

Mayor Protem Lusk reported on the following:

A citywide blood drive is being held on Wednesday, July 29<sup>th</sup> from 1:00pm – 7:00pm in the City Hall Council Chambers.

The Rolling Meadows Senior Center will be conducting Moonlight & Music on Thursday, July 30<sup>th</sup>. The musical guest will be Don & Susan Reitsma. Doors open at 6:00pm with the performance from 7:00pm – 8:30pm. It is being held in the courtyard at Park Central (3000 Central Road). The fee is \$4. Bring your own lawn chair and picnic supper. Popcorn, iced tea & lemonade will be provided at the event. For more information, please contact the Senior Center at 847-818-3205.

A note from the Rolling Meadows Senior Center: Beginning July 1<sup>st</sup> all brand new members who join will receive a new ½ year price of \$10 for residents and \$12.50 for non-residents.

The annual Cornfest is scheduled for this Saturday, August 1<sup>st</sup>.

A free child car seat safety check is being held Saturday, August 15<sup>th</sup> at Bethel Lutheran Church (3839 Frontage Road) from 10:00am – 1:00pm. This free safety check is sponsored by the Rolling Meadows Police Department, Bethel Lutheran Church, Illinois Department of Transportation, Rolling Meadows Police Neighborhood Resource Center Foundation, and Centro San Bonifacio. Drop-ins are welcome, but it is preferred that you contact the Rolling Meadows Police Neighborhood Resource Center to sign up for this event at 847-506-2060.

**WARD REPORTS:**

**Ward 1 – Alderman Pitzafferro:**

None

**Ward 2 – Alderman Lusk:**

None

**Ward 3 – Alderman Buske:**

Alderman Buske: Received a call from a resident on Dove regarding a neighbor whose child was riding a battery operated vehicle that travels about 2-3 mph. A resident complained and the neighbor was told that it was ok for the child to ride the vehicle on the walkways. A couple of days later an officer told her that her child could not ride the same type vehicle because it was against the City ordinance.

Deputy Chief Scanlan: Sgt. John Freeze is working on a newsletter outlining what the ordinance says. We do deal with the complaints on a case by case basis.

**City Council Meeting**  
**July 28, 2009**  
**Page 3**

Alderman Buske: Clarified that these are not the pocket rocket type vehicles, but the battery operated vehicles for young children.

Deputy Chief Scanlan: Staff will look into the two calls and get the specifics and will get back to Alderman Buske.

Alderman Larsen: What is the age of the current Ordinance?

Alderman D'Astice: About 5 years.

Alderman Larsen: Some of the electric ones can go up to 15 mph. He feels that maybe we should revisit the Ordinance.

Deputy Chief Scanlan: We have different problems in different parts of the city. Some areas have sidewalks and some do not. The areas without the sidewalks seem to have the most problems.

Alderman Buske: He is talking about the battery operated vehicles that only go about 2 – 3 mph. He would like to read the ordinance first and go from there.

Deputy Chief Scanlon: He will get that information to the Aldermen.

**Ward 4 – Alderman Judd:**

None

**Ward 5 – Alderman Adams:**

None

**Ward 6 – Alderman D'Astice:**

None

**Ward 7 – Alderman Larsen:**

None

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

No one came forward.

Mayor Protem Barb Lusk closed the floor.

**PENDING:**

**A. Ordinance No. 09-26 - Authorize the City to Borrow Funds from the Water System Loan Program**

Mayor Protem Barb Lusk read the background on this Ordinance.

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

Alderman D'Astice: Passing this Ordinance does not commit the City to taking these funds?

Mr. Macholl: Correct.

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

Nays: none

Absent:

**Ordinance Passed**

➤ **CONSENT: ORDINANCES FOR 1<sup>ST</sup> READING:**

**B. Ordinance - Amend Special Use to Enlarge Outdoor Seating Area - Red Apple Pancake House, 2121 Plum Grove Road**

**C. Ordinance - Amend the Gould Planned Development to Allow Additional Signage - Cricket Communications, Inc., 2850 Golf Road**

Alderman Judd requested Item B be removed.

Alderman D'Astice made a motion to accept the revised Consent Agenda, seconded by Alderman Adams.

**Unanimous**

➤ **NEW BUSINESS:**

**Item B from Consent Agenda: Ordinance - Amend Special Use to Enlarge Outdoor Seating Area - Red Apple Pancake House, 2121 Plum Grove Road**

Mayor Protem Barb Lusk read the background on this Ordinance.

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

Alderman Judd: There are some requirements for the structure itself. Are there any additional requirements from an insurance perspective due to the closeness to the road? Should we consider it?

Ms. Dehner: It has never been discussed.

**City Council Meeting**  
**July 28, 2009**  
**Page 5**

Alderman Judd: Believes that they are only about 9 feet from the road.

Ms. Dehner: It is about 26 feet from the back of the curb.

Alderman Judd: What is the 15 foot front yard set back?

Ms. Dehner: There is a space right of way between the back of the curb to the property line. Then it is 15 feet that is required from the property line to the beginning of the building.

Alderman Buske: Does not see a problem with this at all. He believes that the extra wall that was put up goes above and beyond what it is expected.

Alderman Pitzafarro: Concurred with Alderman Buske.

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

Nays: none

Absent:

**Approved on First Reading**

**D. Motion to Approve Payment of Bills on Warrant 7-28-09**

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

Alderman Buske – Pages 36 & 39: Returned money for ambulance billings. What is happening?

Chief Stewart: He will check into the issue and get the specifics.

Alderman D'Astice made a motion to amend the warrant to remove the tuition reimbursement (\$4880) on Page 15 from the warrant, seconded by Alderman Larsen.

Roll on Motion:

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

Nays: none

Absent:

**Motion Passed**

Alderman Buske: What is taking so long in getting the information that was requested?

Ms. Phillips: Further information was requested from the former employee and it has not been received. There will be a determination before the next Council meeting.

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

Nays: none

Absent:

**Warrant Passed**

**E. Resolution No. 09-R-77 / Approve Temporary Easement Agreement with Carriageway**

Mayor Protem Barb Lusk read the background on this Resolution.

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

Alderman D'Astice: It would seem on the surface that this is a band-aid. What is going on with the bridge?

Mr. Vogt: The proposed action would allow Fire Department equipment to access the 3 Fountains on the Lake condominium complex. The structural integrity of the bridge for normal weighted vehicles and trucks is fine. The east side of the bridge is more deteriorated than the rest of the bridge. We are at least two years away from securing funding for this project.

Mr. Souden: Construction would most likely take place in 2011.

Alderman Judd: Do we anticipate completing the project by the end of 2011?

Mr. Souden: Yes.

Alderman Judd: There is no cost to the City for the easement?

Mr. Vogt: Not for the easement.

Alderman Judd: Would we have to come up with additional funds for the temporary road?

Mr. Souden: Yes.

Alderman Judd: What would be the cost?

Mr. Souden: About \$10,000 or less.

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

Nays: none

Absent:

**Resolution Passed**

**F. Resolution No. 09-R-78 / Approve Fairfax Avenue Two-Lot Subdivision, 2600 Benton Street**

Mayor Protem Barb Lusk read the background on this Resolution.

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

Alderman Lusk: She noticed on the southeast portion of the property that there are drainage issues. Will we be doing anything to address that issue?

Ms. Dehner: There has been very positive dialogue. It can be addressed in the same way, but may entail cooperation from a neighbor.

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

Nays: none

Absent:

**Resolution Passed**

**G. Resolution No. 09-R-79 / Approve Change Order # 1 Sanitary Sewer on Old Plum Grove Road**

Mayor Protem Barb Lusk read the background on this Resolution.

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

Alderman Buske: 7 property owners responded and 4 want to be hooked up?

Mr. Vogt: Correct, within the next couple of years.

Alderman Buske: If they wait several years will it cost them more?

Mr. Vogt: In all likelihood. These are the prices we have now.

Alderman Buske: Have all the laterals been put in? Have they been stubbed off?

Mr. Vogt: We have provided stubs to all the properties on the south side of the street where the sanitary sewer main is located. These 7 are for the properties on the north side of the street.

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

Nays: none

Absent:

**Resolution Passed**

**H. Resolution No. 09-R-80 / Approve Contract to Remove Dutch Elm Diseased Trees**

Mayor Protem Barb Lusk read the background on this Resolution.

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

Alderman Judd made a motion to remove Section 2, Part C, seconded by Alderman D' Astice.

Alderman Buske: Would like further explanation on the motion.

Alderman Judd: Item C is for 11 trees that we may possibly remove pending review. He would rather just wait until they are reviewed and determine how many trees will need to be removed. He is concerned that if we approve the removal of all 11 trees, and less are removed, the money may end up in "lala land".

Alderman Buske: Are all the trees diseased?

Mr. Vogt: 13 trees are diseased. 11 others show signs of the early stages. He pointed out that for the 11 trees, the funds are being requested in case we need to remove them. If the trees are not removed the money will not be spent.

Alderman Buske: Do we have all the money?

Mr. Vogt: Yes. He pointed out that we will be able to provide for any tree replacements for this year.

Alderman Buske: Will vote to leave Resolution as is.

Alderman Larsen: If it turns out that the trees are not removed, the money would not go into the "nether regions"...it would just not be spent out of the budget.

Mr. Vogt: Any funds not spent would stay in the Forestry Fund.

Alderman Larsen: Could any extra money be spent on trees?

Mr. Vogt: It could be considered in the fall (September or October).

Alderman Larsen: Will not support the motion.

Alderman Pitzafarro: Can see Alderman Judd's point. It would be very easy for Staff to come back should the trees need to be removed.

Alderman Buske: What do we spend for a tree on average?

Mr. Vogt: \$250 – \$300.

Alderman Buske: Where would Staff expect to get the money?

Mr. Vogt: There is money in the tree replacement line item.

Alderman Buske: If the money is not spent on this item it would be used for something else like tree trimming or stump removal. It will stay in the Forestry Division.

Mr. Vogt: Funds will be spent as needed.

Alderman Larsen: Is in favor of leaving the Resolution as is. We are not talking about general budget reductions. This is specific to the forestry account. It should be left to Mr. Vogt's discretion.

Roll on motion:

Yeas: Pitzaferro, Judd, Adams

Nays: Lusk, Buske, D'Astice, Larsen

Absent:

**Motion Failed**

Roll on Resolution:

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

Nays: Pitzaferro, Judd

Absent:

**Resolution Passed**

**I. Resolution No. 09-R-81 / Approve Authorization for Grant Regarding Phase IV Salt Creek**

Mayor Protem Barb Lusk read the background on this Resolution.

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

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

Nays: none

Absent:

**Resolution Passed**

**J. Resolution No. 09-R-82 / Approve Acceptance of Property Conveyance (Continental Towers)**

Mayor Protem Barb Lusk read the background on this Resolution.

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

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

Nays: none

Absent:

**Resolution Passed**

**DISCUSSION ITEMS:**

**1) Staff Traffic Advisory Report**

Mr. Vogt: The following items were discussed at the July 1, 2009 meeting.

1) Speeding on Jay Lane between Grouse and Central:

The resident who brought this matter to the Committee was contacted by the Police Department to confirm a future effort to increase enforcement on Jay Lane, the stop signs requested on Grouse would not affect vehicle speed on Jay Lane, and for installation of speed control signs on Jay Lane.

2) Oriole Lane/Campbell Street intersection site-line problem:

The one bush that was identified for causing site-line blockage has now been removed.

3a) Jay Lane parking questions – Can parking be allowed during school hours

3b) Fulle Street turn maneuver questions – Can left turns be restricted on Jay Lane

We will wait for evaluation of these two issues when the high school opens.

Although not a discussion item on the July 1, 2009 meeting, a letter was sent to residents in the Brookmeade/Magnolia area by the Police Department.

Alderman D'Astice: Who received the letter? He had about 5 residents say that they do not like the stop sign and none have said that they like it.

Mr. Vogt: He has received comments both in favor and opposed.

Deputy Chief Scanlan: The letter was limited. Not everyone in the whole area received it.

Alderman D'Astice: Suggested anyone with comments email him.

**OTHER BUSINESS & REPORTS:**

Mayor's Appointments:     **1) Appoint Warner Cruz to Economic Development Committee - Term to Expire 4/30/12**

Alderman Pitzafarro made a motion to approve the appointment; seconded by Alderman Buske.  
**Unanimous**

Mayor's Proclamation:

City Clerk's Report:

City Staff Reports:         **SR1) PO Disclosure Over \$2500.00**

Alderman D'Astice: What is the Sidewalk Trip Hazard Pilot Program?

Mr. Vogt: It is a grinding service of trip hazards. We felt that this could be done rather than removing the entire square.

Alderman D'Astice: Have we considered mud jacking?

Mr. Vogt: We have had several experiences and none have been good for a long period of time. The settlement occurs again.

Alderman Buske: How much was budgeted in the sidewalk fund?

Mr. Vogt: The funds are in the Road Fund. There is \$120,000 in the budget for sidewalk and curb replacements. We have contracted for \$87,000 of which we have about \$15,000 still uncommitted.

Alderman Buske: What is difference between grinding and cutting?

Mr. Vogt: They have the same end result, but rather than grinding off from the top they cut/slice from the side of the concrete.

**SR2) June 2009 Financial Report**

Alderman Judd: Believes that we may have roughly an \$800,000 hole in the budget at the end of the year. He is concerned that we are not addressing this fast enough.

Mr. Egeberg: Will gladly sit down with Alderman Judd and discuss where he came up with his methodology. He noted the trends in receiving various revenues.

Alderman D'Astice: Agreed 100% with Alderman Judd and would like something in writing from Mr. Egeberg. If we are currently down \$200,000 what are we doing to offset this?

Mr. Egeberg: This is preliminary data and nothing is put in place. At the June Committee of the Whole meeting Staff was instructed to cut \$600,000 and that has been done.

Alderman D'Astice: Would like this issue on the next Committee of the Whole meeting.

Alderman Buske: Is Staff prepared for another 2% cut if needed?

Ms. Phillips: It can be discussed at the next Committee of the Whole Meeting.

Alderman Larsen: He is hearing that Council would like Staff to be proactive and does not believe that Council has that confidence right now. Council relies on Staff to be proactive.

Alderman Lusk: She does have confidence in the Staff.

**MATTERS NOT ON THE AGENDA:**

Alderman Judd: Asked for clarification that \$1,000,000 was moved out of the Vehicle Replacement Fund. Was there guidance to do that? He knows that he was adamantly opposed.

Ms. Phillips: There was guidance to do that after the June 6<sup>th</sup> budget meeting. The \$1,000,000 is proposed to be moved for the 2010 budget. The money has not been moved out.

Alderman Buske: Is there any truth that they will be cutting 3 of the crossing guards.

Deputy Chief Scanlan: He has not heard that information.

**ADJOURNMENT:**


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

**UNANIMOUS**

City Council meeting of July 28, 2009 adjourned at 8:49 p.m.

Respectfully submitted by: Lisa M. Hinman, City Clerk

July 28, 2009 Minutes Approved by Council on August 11, 2009



\_\_\_\_\_  
Lisa M. Hinman, City Clerk