

**MINUTES OF A REGULAR MEETING OF  
THE CITY COUNCIL OF THE CITY OF HIGHLAND PARK, ILLINOIS**

**MEETING DATE:** Monday, October 14, 2013  
**MEETING LOCATION:** Council Chambers, City Hall  
1707 St. Johns Avenue, Highland Park, IL

**CALL TO ORDER**

At 8:13 p.m., the Mayor called the meeting to order and asked the Deputy City Clerk to call the roll:

**ROLL CALL**

**Members Present:** Mayor Roterling, Councilmen Stone, Kaufman, Frank, Blumberg, Naftzger, Knobel

**Members Absent:** None

The Mayor declared a quorum was present.

**Staff Present:** David Knapp, Ghida Neukirch, Paul Shafer, Pat Tanner, Ramesh Kanapareddy, Nikki Larson, Joel Fontane, Steve Earnhardt, Megan Fulara

**Also Present:** Corporation Counsel Steve Elrod, Hart Passman

The following items are listed in the order called.

**APPROVAL OF MINUTES**

A. Regular Meeting of the City Council – September 23, 2013

Councilman Naftzger moved approval of the minutes of the Regular Meeting of City Council held on September 23, 2013. Councilman Kaufman seconded the motion.

On a voice vote, the Mayor declared the motion passed unanimously.

**APPROVAL OF WARRANT LIST**

Councilman Naftzger moved to approve the warrant list. Councilman Blumberg seconded the motion.

On a roll call vote:

Voting Yea: Mayor Roterling, Councilmen Stone, Kaufman, Frank, Blumberg, Naftzger, Knobel

Voting Nay: None

The Mayor declared the motion passed.

## **REPORT OF THE MAYOR**

### A. Appointments:

Mayor Rotering made the following appointments:

<b><u>Board of Police and Fire Commissioners</u></b>	<b><u>Term</u></b>
Re-Appoint Timothy State to fill a vacancy	January 1, 2014-December 31, 2017
<b><u>Cultural Arts Commission</u></b>	
Re-Appoint Rhoda Pierce Appoint as Chair	January 1, 2014-December 31, 2017 January 1, 2014-December 31, 2015
Appoint Abby Neumann Vice Chair	January 1, 2014-December 31, 2015
Re-Appoint Jeffrey Arena	January 1, 2014-December 31, 2017
Appoint Stephen Eisenman	January 1, 2014-December 31, 2017
Appoint Judith Tepfer	January 1, 2014-December 31, 2017
<b><u>Design Review</u></b>	
Appoint Ben Kutscheid Chair	January 1, 2014-December 31, 2015
Appoint Marc Cable Vice Chair	January 1, 2014-December 31, 2015
<b><u>Historic Preservation</u></b>	
Re-Appoint David Rotholz	January 1, 2014-December 31, 2017
<b><u>Housing</u></b>	
Re-Appoint David Meek Appoint as Chair	January 1, 2014-December 31, 2017 January 1, 2014-December 31, 2015
Re-Appoint Kathryn Naftzger Appoint as Vice Chair	January 1, 2014-December 31, 2017 January 1, 2014-December 31, 2015
Re-Appoint Charles Adler	January 1, 2014-December 31, 2017
Appoint Bruce Elder to fill a vacancy	October 14, 2013-December 31, 2016
<b><u>Joint Plan Commission</u></b>	
Re-Appoint Lonni Berkley	January 1, 2014-December 31, 2017
<b><u>Library Board</u></b>	
Re-Appoint Rob Olian	January 1, 2014-December 31, 2017
Re-Appoint Leslie Axelrod	January 1, 2014-December 31, 2017

**Plan Commission**

Re-Appoint Cary Glenner January 1, 2014-December 31, 2017

**Police Pension Board**

Re-Appoint Mark Romo from FAV January 1, 2014-December 31, 2017

**Ravinia Festival Community Relations**

Re-Appoint Barbara Borden January 1, 2014-December 31, 2017

Appoint as Chair January 1, 2014-December 31, 2014

**Zoning Board of Appeals**

Re-Appoint David Hoffman January 1, 2014-December 31, 2017

Appoint as Chair January 1, 2014-December 31, 2015

Appoint Adam Hecht Vice Chair January 1, 2014–December 31, 2015

Councilman Frank moved to approve the Mayor’s appointments. Councilman Kaufman seconded the motion.

On a voice vote, the Mayor declared the motion passed unanimously.

**B. Proclamations:**

There were no proclamations made this evening.

**C. Other Business:**

1. Mayor Rotering stated that Mid-America Asset Management, Inc. has withdrawn their request to modify conditions of the Renaissance Place Special Service Area. A copy of a letter this effect from Mid-America was included in the agenda packet.
2. Fire Chief Pat Tanner addressed a proposed legislative action to retro-fit existing DOT-111 Rail Tank Cars that transport packing groups I and II hazardous materials. Councilman Blumberg moved adoption of a Resolution (No. R127-13) entitled, “A RESOLUTION IN SUPPORT OF THE RETROFITTING OF EXISTING DOT-111 RAIL TANK CARS THAT TRANSPORT HAZARDOUS MATERIALS.” Councilwoman Stone seconded the motion.

On a roll call vote:

Voting Yea: Mayor Rotering, Councilmen Stone, Kaufman, Frank, Blumberg,  
Naftzger, Knobel

Voting Nay: None

3. Mayor Rotering thanked the Fire Department for hosting an Open House where over 250 members of the public attended to kick-off Fire Prevention Week. Chief Tanner stated the Fire Department will be bringing back the pancake breakfast to raise funds for the antique fire engine. Mayor Rotering also noted the City’s second annual Blood Drive will be held at the Fire Department located at 1130 Central Avenue on November 2<sup>nd</sup> from 8:00 a.m.-2:00 p.m.

4. Mayor Roterling gave an update on the proposals received in response to the Request for Interest and Qualifications issued by the City. She noted that three respondents were invited for interviews: AMC Entertainment, Big Rock, LLC and the Alcyon Foundation. While AMC was unable to meet for an interview, Mayor Roterling gave an overview of proposals received and discussions had with both Big Rock LLC and the Alcyon Foundation. The City is currently waiting to receive a feasibility and business plan from Alcyon. The City has also provided them with 90 days to submit a plan.

## **BUSINESS FROM THE PUBLIC**

Lane Young, 1107 St. Johns Avenue, noted he is unable to access the City's website in areas where the City provides free wifi such as the Fire Station and City Hall.

Nelson Armour, 2713 Port Clinton Road, inquired about permanently inoperable weapons becoming operable again.

Corporation Counsel Steve Elrod noted this portion of the Ordinance has not changed and that permanently inoperable means just that; Weapons cannot be made operable again.

Mr. Armour also inquired about the term 'qualified' retired law enforcement officials.

Mr. Elrod stated the City did not devise this term but rather followed the Federal Code when drafting its Ordinance.

Police Chief Paul Shafer stated retired officers are eligible for concealed and carry as well as subject to the tests that determine their eligibility.

Mr. Armour also questioned the terms 'relic' and 'curio' with Corporation Counsel Steve Elrod again referencing the use of the Federal definitions of both to craft the City Ordinance.

Mr. Armour's final question was if the City had considered the use of 3D printers and their ability to produce guns while drafting the Ordinance banning Assault Weapons.

Mr. Elrod responded the City had not considered this possibility but may at a future date.

Benjamin Ferdinand, 217 Elder Lane, noted the provision in the Assault Weapons ban identifying retired law enforcement. He disclosed that he is a police officer and asked if his service arm is exempt from this provision.

Police Chief Paul Shafer noted weapons used in the course of duty are permissible.

Mr. Ferdinand also stated this Ordinance restricts his use of weapons beyond his service revolver.

Chief Shafer responded that was not the intention of the Ordinance.

Mr. Ferdinand asked if he would be in violation of the Ordinance if he were to remove his

weapon from safe storage to clean it.  
Corporation Counsel Steve Elrod stated that would be subject to Police enforcement.

Chief Shafer stated the Police do not intend to issue citations for such a situation.

Howard Gilbert, 219 Beech St, stated he finds the Assault Weapons Ban to be unconstitutional. He also stated he is troubled that \$100,000 has been budgeted for upgrades to the Fire Arms Training Facility and that as a citizen taxpayer he is unable to use this facility. Mr. Gilbert pointed out his City Fire Arms Card does not have a color code on the back and suggested persons in possession of such cards be exempt from this new policy. He also expressed that the City does not need \$234,000 worth of carbines.

Police Chief Paul Shafer responded the sale of the old combines will pay for the upgrades to the Fire Arms Training Facility.

Corporation Counsel Steve Elrod noted House Bill 183 was signed into law precluding the use of the City Fire Arms Cards to register guns.

Todd Vandermyde, 2341 Iroquois Lane, Yorkville, identified himself as the National Rifle Association Legislative Liaison. Mr. Vandermyde referenced several U.S. Supreme Court cases as well as stated the Illinois Supreme Court has not blessed Cook County's gun ordinance.

Conner Hendricks, 3104 Chatfield Drive, expressed his disappointment with the City Council regarding this decision.

## **SCHEDULED BUSINESS**

### A. Items for Omnibus Consideration

Councilwoman Stone requested item 2 be removed from the omnibus agenda and voted on separately. Councilman Frank moved to approve items 1 & 3 on the omnibus agenda. Councilman Blumberg seconded the motion.

On a roll call vote:

Voting Yea: Mayor Rotering, Councilmen Stone, Kaufman, Frank, Blumberg,  
Naftzger, Knobel

Voting Nay: None

The Mayor declared the motion passed.

## **Administration**

### 1. Adoption of an Ordinance Amending Chapter 134 of, and Adding Chapter 136 to, the City Code Concerning Assault Weapons

ADOPTION OF AN ORDINANCE (No. 101-13) AMENDING CHAPTER 134 OF, AND ADDING, CHAPTER 136 TO, "THE HIGHLAND PARK CODE OF 1968," AS AMENDED, REGARDING ASSAULT WEAPONS.

On an Omnibus vote:

Voting Yea: Mayor Rotering, Councilmen Stone, Kaufman, Frank, Blumberg,  
Naftzger, Knobel

Voting Nay: None

The Mayor declared the motion passed.

### **Community Development**

3. Adoption of an Ordinance Amending the City of Highland Park Annual Budget for the Fiscal Year Beginning January 1, 2013 and Ending December 31, 2013 to Cover the Costs of Services Provided by Gruen Gruen + Associates for its Third-Party Evaluation of Proposals for the Highland Park Theater, Located at 445 Central Avenue

ADOPTION OF AN ORDINANCE (No. 102-13) AMENDING THE ANNUAL BUDGET OF THE CITY OF HIGHLAND PARK, COUNTY OF LAKE, STATE OF ILLINOIS, FOR THE FISCAL YEAR, BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013.

On an Omnibus vote:

Voting Yea: Mayor Rotering, Councilmen Stone, Kaufman, Frank, Blumberg,  
Naftzger, Knobel

Voting Nay: None

The Mayor declared the motion passed.

### **Public Works**

2. Adoption of a Resolution Authorizing the Award of the 2013 Air Conditioner Replacement at Karger Center Contract to McDonough Mechanical Services, Inc., Waukegan, Illinois, in the Bid Amount of \$20,340

Councilwoman Stone moved to postpone this item until next month's City Council meeting. Councilman Knobel seconded the motion.

On a roll call vote:

Voting Yea: Mayor Rotering, Councilmen Stone, Kaufman, Frank, Blumberg,  
Naftzger, Knobel

Voting Nay: None

The Mayor declared the motion passed.

### **B. Other Business**

#### **Administration**

4. Consideration of the Following Items Related to the Installation of an Electric Vehicle Charging Station:

- a. An Ordinance Amending the City of Highland Park Annual Budget for the Fiscal Year Beginning January 1, 2013 and Ending December 31, 2013 for the Installation of Electric Vehicle Supply Equipment

- b. A Resolution Approving an Agreement with Green Wheels LTD for the Provision of Electric Vehicle Supply Equipment in an Amount not to Exceed \$15,000
- c. A Resolution Authorizing the Establishment of an Electric Vehicle Charging Station in the Port Clinton Upper Level Parking Garage

Administrative Intern Luke Banaszak gave an overview of the Electric Vehicle Charging Station proposal. Councilman Knobel thanked staff and Kymanox for their work on this project. She noted she finds it troublesome to use public funds on this project and asked for more details regarding sponsorship.

Intern Banaszak noted due to restrictions in the Sign Code sponsorship will be given in terms of recognition as a community partner in sustainability. Sponsors will be recognized on the City's website as well as in the *Highlander*.

Councilwoman Stone asked that Intern Banaszak speak to the business community support for this project.

Intern Banaszak noted the firm that manages Port Clinton suggested this location as the EV charging station.

Councilman Naftzger stated he would prefer sustainability initiatives be presented more strategically clearly listing the environmental, etc. impact as opposed to incidental projects launched randomly.

Mayor Rotering stated the revenues used to support this project come from funds generated by recycling. She noted that as previously stated in the budget presentation revenues are tied to expenditures. She stated that Council had identified 3 objectives and with this project they are gaining traction in sustainability. Going forward the Mayor would like to see clearer direction given with measurable objectives.

The Mayor noted that Tesla is planning on opening a business in Highland Park.

Councilwoman Stone moved for the omnibus adoption of items 4a, b & c. Councilman Franks seconded the motion.

**ADOPTION OF AN ORDINANCE (No. 103-13) AMENDING THE ANNUAL BUDGET OF THE CITY OF HIGHLAND PARK, COUNTY OF LAKE, STATE OF ILLINOIS, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013.**

**ADOPTION OF A RESOLUTION (No. R128-13) AUTHORIZING THE AWARD OF A CONTRACT TO GREEN WHEELS, LTD., OF CHICAGO, ILLINOIS FOR THE PURCHASE, INSTALLATION, AND MAINTENANCE OF AN ELECTRIC VEHICLE CHARGING STATION.**

**ADOPTION OF A RESOLUTION (No. R129-13) AUTHORIZING THE CITY MANAGER TO INSTALL AND ENFORCE SIGNS TO ESTABLISH TWO EXCLUSIVE ELECTRIC VEHICLE PARKING SPACES IN THE CITY-OWNED PARKING GARAGE ON SAINT JOHNS AVENUE BETWEEN CENTRAL AVENUE AND LAUREL AVENUE.**

On a roll call vote:

Voting Yea: Mayor Rotering, Councilmen Stone, Kaufman, Frank, Blumberg,  
Naftzger, Knobel

Voting Nay: None

The Mayor declared the motion passed.

5. Consideration of the Central Business District Draft Action Plan for the Proposed Special Service Area, #16

Deputy City Manager Ghida Neukirch gave a Power Point presentation explaining how the proposed Special Service Area (SSA) would work.

Councilman Naftzger questioned why the business owners' contribution was being considered to be reduced from \$300,000 to \$100,000.

Deputy City Manager Neukirch stated there is more than \$200,000 fund balance from the Alliance and as a result, there was an interest in reducing the proposed levy for year one of the SSA.

Councilman Naftzger also questioned why the business liaison charged with overseeing this SSA would be housed in City Hall.

Deputy City Manager Neukirch stated the Alliance would pay all personnel costs and locating this person in City Hall would relieve the Alliance from renting space at approximately \$800 a month.

Mayor Rotering requested measurable outcomes be identified with this proposed project.

Councilman Knobel thanked the President of the Property Owners Association Rick Nelson, Deputy City Manager Ghida Neukirch and Councilman Frank for their hard work in advancing this project. While she is grateful for their efforts, she noted she is not in support of several initiatives within the proposed plan.

Councilman Blumberg asked if the City owns property in the Central Business District. Deputy City Manager Neukirch noted the City does own property that is tax exempt.

Corporation Counsel noted that although the property is tax exempt the City can still object to the SSA.

Councilman Frank thanked Deputy City Manager Neukirch and noted the City needs to invest in the economic survival of downtown. He continued that doing so involves oversight and professional staff.

Councilman Kaufman agreed that identifiable goals were needed to support this project.



**Community Development**

**6. Consideration of a Request for a Referral to the Zoning Board of Appeals under the Compere Rule for Consideration of a Variation to Construct an Accessory Structure on a Lot Independent of a Principal Use, to Construct a Replacement Detached Garage on a Legal Lot of Record Separated from the Principal Structure by a City Owned Right-of-Way at 301 Central Avenue**

Councilman Naftzger moved to refer this consideration to the Zoning Board of Appeals. Councilman Blumberg seconded the motion.

On a roll call vote:

Voting Yea: Mayor Rotering, Councilmen Stone, Kaufman, Frank, Blumberg, Naftzger, Knobel

Voting Nay: None

The Mayor declared the motion passed.

**OTHER BUSINESS FROM THE COUNCIL**

Councilman Frank read a statement expressing the City’s appreciation of its neighbors who are here on active duty. He continued that the Assault Weapons Ban is not directed toward them or intended in a way to inhibit their obligations as service men and woman.

**OTHER BUSINESS FROM CITY STAFF**

Deputy City Manager Neukirch noted the 3<sup>rd</sup> quarter report of major projects & initiatives is in the Council’s packet.

**ADJOURNMENT**

Councilman Naftzger moved to adjourn. Councilman Kaufman seconded the motion.

The City Council adjourned its meeting at 9:26 p.m.

Respectfully Submitted,

Megan Fulara, Deputy City Clerk

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MINUTES APPROVED BY THE COUNCIL: October 28, 2013

WITH NO CORRECTIONS   X  

WITH CORRECTIONS \_\_\_\_\_

(SEE MINUTES OF MEETING FOR CORRECTIONS)