



**THE CITY COUNCIL MEETING MINUTES**  
**OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS**  
**HELD ON MONDAY, FEBRUARY 13, 2023 AT 6:30 P.M.**

**CALL TO ORDER AND ROLL CALL** – At 6:30 PM, Acting Mayor Dolick called to order the February 13, 2023 Regular Prospect Heights City Council meeting at City Hall, 8 North Elmhurst Road, Prospect Heights, IL 60070.

Deputy Clerk Schultheis read the preamble to the Meeting.

City Clerk Prisiajniouk called roll. A quorum was present.

**ELECTED OFFICIALS PRESENT** – Acting Mayor/Alderman Ward 5 Dolick, Treasurer Tibbits, City Clerk Prisiajniouk Aldermen – Dash, Cameron, Morgan-Adams, Ludvigsen

**OTHER OFFICIALS PRESENT** – City Administrator Wade, Assistant City Administrator Wade, Director of Building and Development Peterson, Public Works Director Roscoe, Deputy Clerk Schultheis, Police Chief Caponigro, Attorney Hess, Assistant Finance Director Tannehill, Digital Communications Technician Colvin.

**PLEDGE OF ALLEGIANCE** – Acting Mayor Dolick led the Council in the pledge.

**APPROVAL OF MINUTES**

**A. January 23, 2022 City Council Regular Meeting Minutes – Alderman Dash moved approve the January 23, 2023 City Council Regular Meeting Minutes, as presented; seconded by Alderman Morgan-Adams. There was unanimous approval.**

**ROLL CALL VOTE:**

|          |                                                |
|----------|------------------------------------------------|
| AYES -   | Dash, Ludvigsen, Cameron, Dolick, Morgan-Adams |
| NAYS -   | None                                           |
| ABSENT - | None                                           |

Motion carried 5 – 0

**PRESENTATION** - None

**APPOINTMENTS, CONFIRMATIONS, AND PROCLAMATIONS** - None

**PUBLIC COMMENT ON AGENDA MATTERS (*Five Minute Time Limit*)** - Nicholas Colombe – 408 Owen Court - spoke regarding short term rentals. His family had lived in Prospect Heights until he was transferred to California in 2019. He had rented his house, and when the tenant's lease expired, he decided to use EVOLVE for short term rental. He has had no issues with the renters, has made generous profits, and has paid hotel taxes to the City. He noted that he mostly has corporate travelers.

**CONSENT AGENDA** - None

**OLD BUSINESS** - None

## **NEW BUSINESS**

**A.O-23-01** Staff Memo and Ordinance for Consideration of a Text Amendment to Title 5 Chapter 2: Definitions and Chapter 6 adding Short-Term Rentals to the R-1 Single Family District (**1st Reading**)

**F.O-23-04** Staff Memo and Ordinance for Consideration of Changes to Title 3 Chapter 7 the Property Rental Code Adding Regulation for Short-Term Rentals (**1st Reading**)

Mayor Dolick asked that the Council look at **O-23-01** Staff Memo and Ordinance for Consideration of a Text Amendment to Title 5 Chapter 2: Definitions and Chapter 6 adding Short-Term Rentals to the R-1 Single Family District and **O-23-04** Staff Memo and Ordinance for Consideration of Changes to Title 3 Chapter 7 the Property Rental Code Adding Regulation for Short-Term Rentals together as they are both FIRST READING and both pertain to short term rentals.

Director Peterson noted that the PZBA had a public hearing and unanimously approved the short term rentals to R1 homes only. They also approve of the rules and regulations that will govern the short term rentals (Title 3, Chapter7)

- The short term rentals will only be in the R1 district
- The fee schedule is \$500 application fee (to include an “intense” background search). The applicant must have a vendor such as Airbnb or VRBO.
- They must come to the Council for approval.
- The applicant must have insurance
- Unit occupancy inspection
- Video cameras outside the house. Video cameras must storage capacity. Video cameras will confirm who the occupants are.
- Marketplace vendor must pay the taxes – the City will not be responsible for getting taxes collected.
- The City can audit vendors.
- No less than three day rentals
- The City can revoke and/or penalize any non-compliance.

Alderman Ludvigsen asked if the City could limit the number of cars/people?

Director Peterson replied that there is an occupancy limit. Overbooking is not allowed. The City abides by the International Property Maintenance Code- they set the standards. Parking, as per City ordinance must be at the site.

Alderman Ludvigsen said that he did not like the look of many cars in the driveway. Director Peterson said that based on the houses that we have, he did not think that there would be a different look.

Alderman Ludvigsen said that he did not see Prospect Heights as a vacation draw. He wants rentals to maintain the single family look. He asked if the owner had to be the applicant. Director Peterson replied that part of the application includes that only the owner and not a third party can rent the property.

Alderman Ludvigsen wanted to make certain that the wording was modified so that it only applied to single family homes and not townhouses. He did not want to see inexpensive homes being bought to turn around and use as short term rentals.

Director Peterson said that the wording would be tweaked to remove townhouses, and that he did not know the value added or detriment to short term rentals in an area.

Alderman Ludvigsen stressed the importance of the City setting up controls. Mr Colombe said that as an owner of a short term rental, ratings for the property were very important. High ratings would be needed to stay in the short term rental business. Repeat customers were necessary. He

noted that he invested \$50,000 in the property just to help it be more accommodating to guests. He added that the Prospect Heights greater surroundings has about 500,000 people. There are weddings and events that people come to stay in this area, and it has a close proximity to Chicago. Alderman Ludvigsen noted that this is a very different use and that the City was “treading” into an area that residents might feel would take away from the community.

Director Peterson responded that until Mr. Colombe started sending in tax revenue checks to the City, the City was not even aware it was permitted. That is why the City should control and update policies on short term rental.

Alderman Morgan-Adams asked of the rentals were ongoing or if there were interruptions. Mr. Colombe replied that the average stay was 5-6 nights, and the average guest size was 6. He noted that they are typically booked 20-22 days per month.

Alderman Morgan-Adams asked if there was a cleaning crew after each booking? Mr. Colombe replied “yes.” He said that the renters pay a cleaning service fee.

Alderman Morgan-Adams asked if an abundance of these rentals was going to have a bad effect on the neighborhood. Director Peterson said that the City currently only has Mr. Colombe as a short term rental owner.

Alderman Morgan-Adams asked if there were a growing number of short term rentals, could the City become more restrictive. Director Peterson said the if the City accepts the controls as presented, it would be the strictest codes on the books.

Alderman Cameron asked who manages the property? Mr. Colombe said It is multi-layered. He has a network of contacts of landscapers, cleaning crew premium service on demand, cameras monitored remotely. His vendor EVOLVE serves a mediator and can initiate eviction of a renter.

Mayor Dolick asked how the property is accessed? Mr. Colombe said that there are coded door locks, and a physical key box on site. The codes are changed every month.

**B. Requested Waiver of First Reading O-23-02** Staff Memo and Ordinance Granting Certain Variations reducing the required reverse corner side yard and fence material for the Property at 226 Fairway Drive, Prospect Heights, IL (**1st Reading**) – Director Peterson noted that the PZBA had approved the variations 5 – 0; and that neighbors support the variation. **Alderman Ludvigsen moved to approve the waiver of First Reading for O-23-02 Staff Memo and Ordinance Granting Certain Variations reducing the required reverse corner side yard and fence material for the Property at 226 Fairway Drive, Prospect Heights, IL; seconded by Alderman Morgan-Adams. There was unanimous approval.**

**ROLL CALL VOTE:**

|          |                                                |
|----------|------------------------------------------------|
| AYES -   | Ludvigsen, Cameron, Dolick, Morgan-Adams, Dash |
| NAYS -   | None                                           |
| ABSENT - | None                                           |

Motion carried 5 – 0

**C. O-23-02** Staff Memo and Ordinance Granting Certain Variations reducing the required reverse corner side yard and fence material for the Property at 226 Fairway Drive, Prospect Heights, IL (**2nd Reading**) – **Alderman Ludvigsen moved to approve O-23-02 Staff Memo and Ordinance Granting Certain Variations reducing the required reverse corner side yard and fence material for the Property at 226 Fairway Drive, Prospect Heights, IL; seconded by Alderman Cameron. There was unanimous approval.**

**ROLL CALL VOTE:** AYES - Cameron, Dolick, Morgan-Adams, Dash, Ludvigsen  
 NAYS - None  
 ABSENT - None

Motion carried 5 – 0

**D. Requested Waiver of First Reading O-23-03** Staff Memo and Ordinance Granting Certain Variations to reduce the required interior side yards from 15’ to 12.35’ for the Property at 406 W. Willow Rd., Prospect Heights, IL (**1st Reading**)- Director Peterson noted that the PZBA had approved the variation unanimously. – **Alderman Morgan-Adams moved to waive First Reading of Reading O-23-03 Staff Memo and Ordinance Granting Certain Variations to reduce the required interior side yards from 15’ to 12.35’ for the Property at 406 W. Willow Rd., Prospect Heights, IL; seconded by Alderman Cameron. There was unanimous approval.**

**ROLL CALL VOTE:** AYES - Dolick, Morgan-Adams, Dash, Ludvigsen, Cameron  
 NAYS - None  
 ABSENT - None

Motion carried 5 – 0

**E.O-23-03** Staff Memo and Ordinance Granting Certain Variations to reduce the required interior side yards from 15’ to 12.35’ for the Property at 406 W. Willow Rd., Prospect Heights, IL (**2nd Reading**) – **Alderman Morgan-Adams moved to approve O-23-03 Staff Memo and Ordinance Granting Certain Variations to reduce the required interior side yards from 15’ to 12.35’ for the Property at 406 W. Willow Rd., Prospect Heights, IL; seconded by Alderman Dash. There was unanimous approval.**

**ROLL CALL VOTE:** AYES - Morgan-Adams, Dash, Ludvigsen, Cameron, Dolick  
 NAYS - None  
 ABSENT - None

Motion carried 5 – 0

**STAFF, ELECTED OFFICIALS, AND COMMISSION REPORTS**

City Clerk Prisiajniouk – noted that there is a Wheeling Chamber of Commerce networking event every second Tuesday of the month at the Deerfield Bakery from 7:45 AM to 9 AM.

City Clerk Prisiajniouk noted that she is the Secretary of the Chamber.

She said that on February 16 there is a Multi-Chamber Mega Event from Noon – 1:30 PM with networking potential with multiple chambers.

**APPROVAL OF WARRANTS**

**A. Approval of Expenditures**

|                                                     |              |
|-----------------------------------------------------|--------------|
| General Fund                                        | \$251,760.44 |
| Motor Fuel Tax Fund                                 | \$0.00       |
| Palatine/Milwaukee Tax Increment Financing District | \$0.00       |
| Tourism District                                    | \$1,447.05   |
| Development Fund                                    | \$0.00       |
| Drug Enforcement Agency Fund                        | \$1,167.06   |
| Solid Waste Fund                                    | \$64,020.46  |

|                                                           |                     |
|-----------------------------------------------------------|---------------------|
| Special Service Area #1                                   | \$0.00              |
| Special Service Area #2                                   | \$0.00              |
| Special Service Area #3                                   | \$0.00              |
| Special Service Area #4                                   | \$0.00              |
| Special Service Area #5                                   | \$260.90            |
| Special Service Area #8 – Levee Wall #37                  | \$291.41            |
| Special Service Area-Constr #6 (Water Main)               | \$0.00              |
| Special Service Area- Debt #6                             | \$0.00              |
| Capital Improvements                                      | \$60,029.96         |
| Palatine Road Tax Increment Financing District            | \$1,167.06          |
| Road Construction                                         | \$0.00              |
| Road Construction Debt                                    | \$0.00              |
| Water Fund                                                | \$13,808.74         |
| Parking Fund                                              | \$1,036.77          |
| Sanitary Sewer Fund                                       | \$21,871.19         |
| Road/Building Bond Escrow                                 | \$3,600.00          |
| Police Pension                                            | \$0.00              |
| <b>TOTAL</b>                                              | <b>\$420,461.04</b> |
| <b><u>Wire Payments</u></b>                               |                     |
| <b>1/27/2023 PAYROLL</b>                                  | <b>\$177,403.65</b> |
| <b>JANUARY ILLINOIS MUNICIPAL RETIREMENT FUND PAYMENT</b> | <b>\$16,221.05</b>  |
| <b>TOTAL WARRANT</b>                                      | <b>\$614,085.74</b> |

City Clerk Prisiajniouk read the warrants.

**Alderman Morgan Adams moved to approve the Warrants as presented; seconded by Alderman Cameron to include a TOTAL of \$420,461.04; 1/27/2023 Payroll of \$177,403.65; January Illinois Municipal Retirement Fund of \$16,221.05 and a TOTAL WARRANT of \$614,085.74. . There was unanimous approval.**

**ROLL CALL VOTE:**       AYES -       Dash, Ludvigsen, Cameron, Dolick, Morgan-Adams  
                                   NAYS -       None  
                                   ABSENT -   None

Motion carried 5 – 0

**PUBLIC COMMENT ON NON-AGENDA MATTERS (*Five Minute Time Limit*) - None**

**EXECUTIVE SESSION** None

**ADJOURNMENT – At 7:30 PM, Alderman Dash moved to Adjourn; seconded by Alderman Ludvigsen. There was unanimous approval.**

**VOICE VOTE:** All Ayes, No Nays

Motion carried 5 – 0

Approved by the City Council of Prospect Heights on this the 27<sup>th</sup> day of February, 2023.



Deputy Clerk Schultheis



Acting Mayor Dolick

