

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DES PLAINES, ILLINOIS HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS, DES PLAINES CIVIC CENTER, MONDAY, DECEMBER 3, 2012**

**CALL TO ORDER:**

The regular meeting of the City Council of the City of Des Plaines, Illinois, was called to order by Mayor Martin J. Moylan at 6:30 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, December 3, 2012.

**ROLL CALL:**

Roll call indicated the following Aldermen present: Haugeberg, Robinson, Bogusz, Sayad, Walsten, Wilson and Charewicz. Alderman Brookman was absent.

Also present were: City Manager Bartholomew, Director of Finance Wisniewski, Director of Human Resources Earl, Director of Public Works and Engineering Oakley, Director of Community & Economic Development Dambach, Police Chief Kushner, Fire Chief Wax, General Counsel Friedman, General Counsel Weiss.

**PRAYER AND PLEDGE:**

The opening prayer was given by The Reverend Daniel Thomas of the Chicago Marthoma Church, followed by the Pledge of Allegiance to the Flag.

**EXECUTIVE SESSION:**

Moved by Bogusz, seconded by Robinson, to go into Executive Session to discuss Pending Litigation. Motion passed unanimously without objection.

The City Council recessed at 6:31 p.m.

The City Council reconvened at 7:15 p.m.

Roll call indicated the following Aldermen present: Haugeberg, Robinson, Bogusz, Sayad, Walsten, Wilson and Charewicz. Alderman Brookman was absent.

**PRESENTATION:**

Ms. Cindy Morgan, 9646 Redding Circle, addressed the City Council and presented information regarding the Deep Green organization, proposed green initiatives and a possible community center. This was referred to the Legal and Licensing Committee for further discussion.

**CITIZEN PARTICIPATION:**

Mr. Wayne Serbin, 835 Pearson Street, addressed the City Council stating that the holidays are coming; for people 65 and older, the Frisbie Senior Center is hosting a holiday buffet at 12:30 a.m. on Christmas Day for seniors who do not have a place to go; they should bring cookies to share; reservations need to be made by December 18th.

Mr. James Massoth, 449 North Mount Prospect Road, addressed the City Council asking that the Council look at the new bike path route near DiMucci Park which is unsafe; it encourages children to ride on a designated truck route; the street is not wide enough. This matter was referred to Director of Public

dfz

**CITIZEN  
PARTICIPATION:**  
(Cont'd)

Works and Engineering Oakley.

Mr. Danny Gillespie, 790 Lee Street, addressed the City Council stating his concerns that Fire Engine 83 is broken again; we have use of the Rosemont truck; we need a new one; it keeps breaking down; nothing is getting done; we need a new truck badly.

Alderman Walsten stated that an agreement was made two years ago with the owner of the Des Plaines Theater. The agreement has a deadline of December 15, 2012 to resolve building code issues. Alderman Walsten requested that this matter be placed on the December 17, 2012 Council meeting agenda.

City Manager Bartholomew gave a brief history of the Des Plaines Theater and the building code violations. It was the consensus of the Council that these issues be referred to the Building and Code Committee for further discussion and then present recommendations to the Council.

Moved by Haugeberg, seconded by Walsten, to extend the agreement until January 15, 2013 and refer this matter to the Building and Code Committee. Motion declared carried.

**CONSENT  
AGENDA:**

Motion by Sayad, seconded by Robinson, to establish the Consent Agenda except for Items 3, 3a and 8a. Motion declared carried.

Motion by Robinson, seconded by Sayad, to approve Consent Agenda except for Items 3, 3a and 8a. Upon roll call, the vote was:

AYES: 7-Haugeberg, Robinson, Bogusz, Sayad,  
Walsten, Wilson, Charewicz

NAYS: 0-None

ABSENT: 1-Brookman

Motion declared carried.

Minutes were approved; Staff recommendations and requests were approved; Ordinances M-35-12, M-36-12, M-37-12, M-38-12, M-39-12, M-40-12, M-41-12, M-42-12, M-43-12, M-44-12, M-45-12, M-46-12, M-47-12, M-48-12, M-49-12, M-50-12, M-51-12, M-52-12, M-53-12, M-54-12, M-55-12, M-56-12, and M-58-12 were adopted.

**MINUTES:**  
**Consent  
Agenda**

Moved by Robinson, seconded by Sayad, to approve minutes of the Special Meeting of the City Council held November 13, 2012, as published. Motion declared carried as approved unanimously under Consent Agenda.

Moved by Robinson, seconded by Sayad, to approve minutes of the Regular Meeting of the City Council held November 19, 2012, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE LIQ.**

Alderman Walsten requested that this Item be removed from Consent Agenda.

*hjt*

**LIC. / 1155**  
**OAKTON ST./**  
**CLASS B-1:**

**Ordinance**  
**M-60-12**

Moved by Wilson, seconded by Charewicz, to concur with Staff recommendation to approve new Liquor License for Kmart Stores of Illinois, LLC d/b/a Kmart Store #4214, 1155 Oakton Street, Classification B-1 Bulk Sales, Liquor not primary product; and further recommend to place on First Reading Ordinance M-60-12, AN ORDINANCE AMENDING TITLE 4, "BUSINESS REGULATIONS," CHAPTER 4, "INTOXICATING LIQUORS," SECTION 5, "LICENSE FEES AND NUMBER," OF THE DES PLAINES CITY CODE TO ADD ONE CLASS B-1 LIQUOR LICENSE FOR KMART STORES OF ILLINOIS, LLC D/B/A KMART STORE #4214 LOCATED AT 1155 E. OAKTON STREET, DES PLAINES, ILLINOIS. Upon roll call, the vote was:

AYES: 4-Haugeberg, Sayad,  
Wilson, Charewicz  
NAYS: 3-Robinson, Bogusz, Walsten  
ABSENT: 1-Brookman  
Motion declared carried.

**ORDINANCE**  
**M-35-12**  
**APPROVE LIQ.**  
**LIC. / 623 NORTH**  
**WOLF RD./**  
**CLASS A:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-35-12, AN ORDINANCE AMENDING TITLE 4, "BUSINESS REGULATIONS," CHAPTER 4, "INTOXICATING LIQUORS," SECTION 5, "LICENSE FEES AND NUMBER," OF THE DES PLAINES CITY CODE TO ADD ONE CLASS A LIQUOR LICENSE FOR KATIE'S KITCHEN, LLC D/B/A KATIE'S KITCHEN LOCATED AT 623 N. WOLF ROAD, DES PLAINES, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-36-12**  
**YEAR 2012**  
**TAX LEVY/**  
**SPECIAL SVC.**  
**AREA #5:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-36-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER FIVE OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-37-12**  
**YEAR 2012**  
**TAX LEVY/**  
**SPECIAL SVC.**  
**AREA #6:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-37-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER SIX OF THE CITY OF DES PLAINES, COOK COUNTY. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-38-12**  
**YEAR 2012**  
**TAX LEVY/**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-38-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER SEVEN OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.



**SPECIAL SVC.****AREA #7:****Consent****Agenda****ORDINANCE****M-39-12****YEAR 2012****TAX LEVY/****SPECIAL SVC.****AREA #8:****Consent****Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-39-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER EIGHT OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE****M-40-12****YEAR 2012****TAX LEVY/****SPECIAL SVC.****AREA #9:****Consent****Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-40-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER NINE OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE****M-41-12****YEAR 2012****TAX LEVY/****SPECIAL SVC.****AREA #10:****Consent****Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-41-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER TEN OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE****M-42-12****YEAR 2012****TAX LEVY/****SPECIAL SVC.****AREA #11:****Consent****Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-42-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER ELEVEN OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE****M-43-12****YEAR 2012****TAX LEVY/****SPECIAL SVC.****AREA #12:****Consent****Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-43-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER TWELVE OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.



**ORDINANCE**  
**M-44-12**  
**YEAR 2012**  
**TAX LEVY/**  
**SPECIAL SVC.**  
**AREA #13:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-44-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER THIRTEEN OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-45-12**  
**YEAR 2012**  
**TAX LEVY/**  
**SPECIAL SVC.**  
**AREA #14:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-45-12, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER FOURTEEN OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-46-12**  
**ABATEMENT/**  
**YEAR 2003C**  
**GO BONDS:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-46-12, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2012 TAX LEVY FOR THE 2003 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2003C. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-47-12**  
**ABATEMENT/**  
**YEAR 2004A &**  
**YEAR 2004B**  
**GO BONDS:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-47-12, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2012 TAX LEVY FOR THE 2004 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2004A AND SERIES 2004B. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-48-12**  
**ABATEMENT/**  
**YEAR 2005A,**  
**2005C**  
**GO BONDS:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-48-12, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2012 TAX LEVY FOR THE 2005 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2005A AND SERIES 2005C. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-49-12**  
**ABATEMENT/**  
**YEAR 2005D**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-49-12, ABATEMENT OF THE 2012 TAX LEVY FOR THE 2005 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2005D. Motion declared carried as approved unanimously under Consent Agenda.

**GO BONDS:**

Consent  
Agenda

**ORDINANCE**  
**M-50-12**  
**ABATEMENT/**  
**YEAR 2005E,**  
**F & G**

**GO BONDS:**

Consent  
Agenda

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-50-12, ABATEMENT OF THE 2012 TAX LEVY FOR THE 2005 GENERAL OBLIGATION BONDS, SERIES 2005E, SERIES 2005F, AND SERIES 2005G. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-51-12**  
**ABATEMENT/**  
**YEAR 2007A & B**

**GO BONDS:**

Consent  
Agenda

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-51-12, ABATEMENT OF THE 2012 TAX LEVY FOR THE 2007 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2007A AND SERIES 2007B. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-52-12**  
**ABATEMENT/**  
**YEAR 2008A**  
**GO BONDS:**

Consent  
Agenda

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-52-12, ABATEMENT OF THE 2012 TAX LEVY FOR THE 2008 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008A. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-53-12**  
**ABATEMENT/**  
**YEAR 2009A**  
**GO BONDS:**

Consent  
Agenda

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-53-12, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2012 TAX LEVY FOR THE 2009 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009A. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-54-12**  
**ABATEMENT/**  
**YEAR 2009B**  
**GO BONDS:**

Consent  
Agenda

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-54-12, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2012 TAX LEVY FOR THE 2009 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009B. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-55-12**  
**ABATEMENT/**  
**YEAR 2010A & B**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-55-12, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2012 TAX LEVY FOR THE 2010 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010A AND SERIES 2010B. Motion declared carried as approved

**GO BONDS:**  
**Consent**  
**Agenda**

unanimously under Consent Agenda.

**ORDINANCE**  
**M-56-12**  
**ABATEMENT/**  
**YEAR 2011**  
**GO BONDS:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-56-12, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2012 TAX LEVY FOR THE 2011 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-59-12**  
**PROPOSED**  
**PROPERTY TAX**  
**LEVY:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-59-12, AN ORDINANCE LEVYING TAXES FOR THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE**  
**M-57-12**  
**GENERAL**  
**OBLIGATION**  
**REFUNDING**  
**BONDS, SERIES**  
**2012:**

Alderman Bogusz requested that this Item be removed from Consent Agenda.

Director of Finance Wisniewski explained the bond sale process and that the Ordinance has been amended with the appropriate numbers.

Moved by Bogusz, seconded by Robinson, to adopt Ordinance M-57-12, ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012, OF THE CITY OF DES PLAINES, ILLINOIS, AS AMENDED. Upon roll call, the vote was:

AYES: 7-Haugeberg, Robinson, Bogusz, Sayad,  
Walsten, Wilson, Charewicz

NAYS: 0-None

ABSENT: 1-Brookman

Motion declared carried.

**ORDINANCE**  
**M-58-12**  
**DOG**  
**ORDINANCE:**  
**Consent**  
**Agenda**

Moved by Robinson, seconded by Sayad, to adopt Ordinance M-58-12, AN ORDINANCE AMENDING TITLE 6, "POLICE REGULATIONS," CHAPTER 1A, "DOGS AND CATS," OF THE DES PLAINES CITY CODE, AS AMENDED. Motion declared carried.

**COMMISSION**  
**APPOINTMENT:**  
**Consent**  
**Agenda**

**COMMISSION APPOINTMENT:**  
Presented for your consideration – **NO ACTION REQUIRED:**

**YOUTH COMMISSION**  
Darren N. Brown – Term to Expire 12/01/14

**MAYOR MOYLAN DECLARED THAT THE CITY COUNCIL WAS NOW RESOLVED INTO A COMMITTEE OF THE WHOLE**

**FINANCE & ADMINISTRATION** – Alderman Bogusz, Chair

**WARRANT REGISTER:**

Moved by Wilson, seconded by Charewicz, to recommend to the City Council approval of the December 3, 2012 – Warrant Register, in the total amount of \$8,216,714.31; and further recommend that Resolution R-147-12 be adopted at appropriate time this evening. Motion declared carried.

**MAYOR MOYLAN ASSUMED THE CHAIR AND DECLARED THE CITY COUNCIL BACK IN SESSION.**

**WARRANT REGISTER:**

**Resolution R-147-12**

Moved by Bogusz, seconded by Haugeberg, to concur with recommendation of Committee of the Whole to adopt Resolution R-147-12, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES PLAINES THAT THE FOLLOWING BILLS ARE DUE AND PAYABLE AND THAT THE MAYOR AND CITY CLERK BE AND ARE HEREBY AUTHORIZED TO MAKE PAYMENT FOR SAME. Total: \$8,216,714.31. Upon roll call, the vote was:

AYES: 7-Haugeberg, Robinson, Bogusz, Sayad,  
Walsten, Wilson, Charewicz

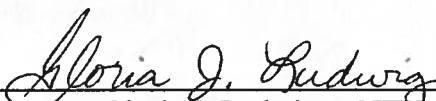
NAYS: 0-None

ABSENT: 1-Brookman

Motion declared carried.

**ADJOURNMENT:**

Moved by Walsten, seconded by Robinson, that the regular meeting of the City Council adjourn. Motion declared carried. Meeting adjourned at 8:05 p.m.

  
\_\_\_\_\_  
Gloria J. Ludwig – CITY CLERK

APPROVED BY ME THIS \_\_\_\_\_

DAY OF \_\_\_\_\_, 2012

\_\_\_\_\_  
Martin J. Moylan, MAYOR