

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, JULY 6, 2015

CALL TO ORDER:

The regular meeting of the City Council of the City of Des Plaines, Illinois, was called to order by Mayor Bogusz at 6:01 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, July 6, 2015.

ROLL CALL:

Roll call indicated the following Aldermen present: Robinson, Sayad, Chester, Smith and Charewicz. Alderman Rodd arrived at 6:23 p.m. Aldermen Haugeberg and Brookman were absent.

Also present were: City Manager Bartholomew, Assistant City Manager/Director of Finance Wisniewski, Director of Community and Economic Development Sakas, Senior Planner Mangum, Civil Engineer Peebles, Fire Chief Wax, Police Chief Kushner, and General Counsel Friedman.

EXECUTIVE SESSION:

Moved by Robinson, seconded by Chester, to go into Executive Session to discuss Personnel. Upon roll call, the vote was:

AYES: 6-Robinson, Rodd, Sayad,
Chester, Smith, Charewicz

NAYS: 0-None

ABSENT: 2-Haugeberg, Brookman

Motion declared carried.

The City Council recessed at 6:02 p.m.

The City Council reconvened at 7:10 p.m.

Roll call indicated the following Aldermen present: Robinson, Rodd, Sayad, Chester, Smith and Charewicz. Aldermen Haugeberg and Brookman were absent.

PRAYER AND PLEDGE:

The opening prayer was given by Reverend Gregory Barrette of the United Northwest Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

CITIZEN PART.:

Resident Wayne Serbin addressed the City Council stating that Arnie Seegers has served as a volunteer on the Plan Commission for 10 years and Zoning Board of Appeals for 37 years and should be given a plaque.

CITY CLERK ANNOUNCEMENTS:

City Clerk Ludwig made the following announcements:

- The Maine West High School students who participated in the Clinical Government class volunteered to help the City Council with ideas to increase growth and development in Des Plaines;
- Thank you to the Special Events Commission for the 4th of July parade.



**CONSENT
AGENDA:**

Motion by Sayad, seconded by Robinson, to establish the Consent Agenda. Motion declared carried.

Motion by Rodd, seconded by Chester, to approve the Consent Agenda. Upon roll call, the vote was:

AYES: 6-Robinson, Rodd, Sayad,
Chester, Smith, Charewicz

NAYS: 0-None

ABSENT: 2-Haugeberg, Brookman

Motion declared carried.

Minutes were approved; Staff recommendations and requests were approved; Resolutions R-113-15, R-115-15, R-117-15, R-119-15 and R-122-15 were adopted; and Ordinances Z-14-15 and Z-21-15 were adopted.

**ADOPT IDOT
CONSTRUCTION
ON STATE
HIGHWAYS:**

**Consent
Agenda**

**Resolution
R-113-15**

Moved by Rodd, seconded by Chester, to concur with Staff recommendation to adopt the Illinois Department of Transportation Construction on State Highways Resolution for 2015 and 2016; and further recommend to adopt Resolution R-113-15, A RESOLUTION REGARDING PERMITS GRANTED BY THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF STREET IMPROVEMENTS ON STATE HIGHWAYS MAINTAINED BY THE CITY. Motion declared carried as approved unanimously under Consent Agenda.

**AUTHORIZE
PURCHASE OF
HOLIDAY TREE:**

**Consent
Agenda**

**Resolution
R-115-15**

Moved by Rodd, seconded by Chester, to concur with Staff recommendation to Authorize Purchase of a 30-foot Pre-Lit Sequoia Holiday Tree from Four Seasons Décor, Inc., 1510 Morgan Trail, McHenry, Illinois 60051 in the amount of \$28,050 (Budgeted Funds – TIF #1/Other Supplies); and further recommend to adopt Resolution R-115-15, A RESOLUTION AUTHORIZING THE PURCHASE OF A HOLIDAY TREE FROM FOUR SEASONS DÉCOR, INC. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
LOCAL AGR.
WITH FEDERAL
PARTICIPATION/
IDOT/ CENTRAL
RD. BICYCLE
SHOULDERS:**

**Consent
Agenda**

**Resolution
R-117-15**

Moved by Rodd, seconded by Chester, to concur with Staff recommendation to approve execution of Local Agency Agreement for Federal Participation with IDOT for Central Road Bicycle Shoulders with a Local Match for the Project, including Construction Engineering, not-to-exceed \$333,924.00; and further recommend to adopt Resolution R-117-15, A RESOLUTION APPROVING THE EXECUTION OF A LOCAL AGENCY AGREEMENT WITH IDOT IN CONNECTION WITH THE CONSTRUCTION OF PAVED SHOULDERS ALONG CENTRAL ROAD. Motion declared carried as approved unanimously under Consent Agenda.

**ACCEPT PUBLIC
IMPROV'S/**

Moved by Rodd, seconded by Chester, to concur with Staff recommendation to accept Public Improvements for Lexington Park PUD (Planned Unit



**LEXINGTON
PARK PUD/ 254
LAUREL AVE.:**
Consent
Agenda

Development), 254 Laurel Avenue, Case #05-031-PUD; and further recommend to adopt Resolution R-119-15, A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS FOR THE LEXINGTON PARK SUBDIVISION PHASES I AND II, LOCATED AT 254 LAUREL AVENUE, DES PLAINES, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-119-15**

**APPROVE
PARKING REG.
AGR./ 655
SEEGERS RD.:**
Consent
Agenda

Moved by Rodd, seconded by Chester, to concur with Staff recommendation to approve Parking Regulation Agreement for 655 Seegers Road; and further recommend to adopt Resolution R-122-15, A RESOLUTION APPROVING AN AGREEMENT WITH NWH, LLC, FOR THE ENFORCEMENT OF PARKING AND TRAFFIC REGULATIONS IN THE PARKING LOCATED AT 655 SEEGERS ROAD, DES PLAINES, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-122-15**

**ACKNOWLEDGE
RECEIPT/ 2013
MOTOR FUEL
TAX AUDIT
REPORT/ IDOT:**
Consent
Agenda

Moved by Rodd, seconded by Chester, to concur with Staff recommendation to acknowledge receipt of 2013 Motor Fuel Tax Audit Report from Illinois Department of Transportation (IDOT) and direct the City Clerk to file Report as permanent record. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE NEW
OWNERSHIP/
CLASS E LIQ.
LIC./ 694 LEE ST.:**
Consent
Agenda

Moved by Rodd, seconded by Chester, to concur with Staff recommendation to approve new ownership for existing Class E Liquor License for Taqueria Y Restaurant Mexico LLC, 694 Lee Street d/b/a Taqueria Mexico. Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE
Z-14-15
CITYWIDE TEXT
AMENDMENT/
ZONING
ORDINANCE:**
Consent
Agenda

Moved by Rodd, seconded by Chester, to adopt Ordinance Z-14-15, Ordinance Z-14-15, AN ORDINANCE AMENDING THE TEXT OF THE CITY ZONING ORDINANCE AND CODIFYING THE ZONING ORDINANCE AS TITLE 12 OF THE CITY CODE (CASE 15-005-TA). Motion declared carried as approved unanimously under Consent Agenda.

**ORDINANCE
Z-21-15
SIGN
VARIATIONS/
2434-2454 EAST
DEMPSTER ST.:**

Moved by Rodd, seconded by Chester, to adopt Ordinance Z-21-15, AN ORDINANCE APPROVING MAJOR VARIATIONS FROM SECTIONS 11.4-7, 11.5-2.C, AND 11.6.B OF THE CITY OF DES PLAINES ZONING ORDINANCE TO ALLOW THE INSTALLATION OF A MONUMENT SIGN AT 2434 AND 2454 E. DEMPSTER STREET, DES PLAINES, ILLINOIS (CASE #15-028-V). Motion declared carried as approved



**Consent
Agenda**

unanimously under Consent Agenda.

**AUTHORIZE BID/
2015-2017 MULTI-
YEAR HOLIDAY
DECORATIONS:**

Moved by Rodd, seconded by Chester, to authorize the City Clerk to concur with Staff recommendation to advertise bid for the 2015-2017 Multi-Year Holiday Decoration contract. Motion declared carried as approved unanimously under Consent Agenda.

**Consent
Agenda**

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

FINANCE & ADMINISTRATION – Alderman Smith, Chair

**WARRANT
REGISTER:**

City Manager Bartholomew answered questions from the Aldermen.

Moved by Sayad, seconded by Chester, to recommend to the City Council approval of the July 6, 2015 – Warrant Register, in the total amount of \$5,468,662.16; and further recommend that Resolution R-118-15 be adopted at appropriate time this evening. Motion declared carried.

COMMUNITY DEVELOPMENT – Alderman Charewicz, Chair

**COND. USE
PERMIT/ 885-911
E. TOUHY AVE.:**

Deferred from May 18, 2015 and June 1, 2015 City Council Agendas.

Director of Community and Economic Development Sakas reviewed his Memorandum of June 30, 2015 regarding modification of a Conditional Use Permit for a Convenience Mart Fueling Station located at 885-911 Touhy Avenue, Case #15-027-CU. City staff mediated an agreement between Petitioner Speedway, LLC and the neighboring property at 999 East Touhy, Siete7, LLC, regarding a parking easement.

Mr. Tom Burney, a representative for Speedway, LLC, addressed the Committee of the Whole giving credit to City Manager Bartholomew for mediating between the parties.

Mr. Patrick Devereaux of Siete7, LLC, addressed the Committee of the Whole giving credit to Director Sakas and City Manager Bartholomew for mediating the agreement between the parties.

Moved by Smith, seconded by Chester, to recommend to the City Council approval of Ordinance Z-18-15 at the appropriate time this evening. Motion declared carried.

**MAP
AMENDMENT/
N.E. CORNER**

Senior Planner Mangum reviewed his Memorandum dated June 9, 2015 regarding consideration of a Zoning Map Amendment, Properties East of Orchard Place, South of I-90, North of Higgins Road and West of the Canadian

**HIGGINS RD.
AND ORCHARD
PLACE:**

National Railroad Tracks (Zoning Case #15-026-MAP) by Petitioner Rosemont Park District requesting an Amendment to the Official Des Plaines Zoning Map, as amended, to reclassify the properties from the R-1 Single Family Residential Zoning District and C-2, Limited Office Commercial Zoning District to the C-3, General Commercial Zoning District. The Plan Commission, after having heard and fully considered the evidence, voted (4-0) to *recommend approval* of the Map Amendment from R-1 and C-2 to C-3 and Staff concurred.

Moved by Chester, seconded by Charewicz, to recommend to the City Council to **DENY** approval of Ordinance Z-22-15 at the appropriate time this evening. Motion declared **FAILED**. Aldermen Chester, Smith and Charewicz agreed. Aldermen Robinson, Rodd and Sayad did not agree.

Moved by Sayad, seconded by Robinson, to recommend to the City Council approval of Ordinance Z-22-15 at the appropriate time this evening. Motion declared **FAILED**. Aldermen Robinson, Rodd and Sayad agreed. Aldermen Chester, Smith and Charewicz did not agree.

**CLASS 6b
RESOLUTION
REQUEST/ 520
SANTA ROSA
DRIVE:**

Economic Development Coordinator Pruss reviewed the Memorandum dated June 18, 2015 by Director of Community and Economic Development Sakas regarding a Class 6b Resolution Request by applicant Clingan Steel, Inc. for 520 Santa Rosa Drive.

Moved by Sayad, seconded by Robinson, to recommend to the City Council approval of Resolution R-120-15 at appropriate time this evening. Motion declared carried.

**UNFINISHED
BUSINESS:**

**AUTHORIZE
POWER SUPPLY
AGREEMENT:**

Director of Public Works and Engineering Oakley reviewed his Memorandum dated June 18, 2015 regarding the bid results for Municipal Electric Aggregation solicited the morning of July 6, 2015 and answered questions from the Aldermen.

**Resolution
R-121-15**

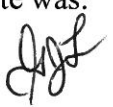
Moved by Rodd, seconded by Charewicz, to **DENY** approval of Resolution R-121-15, A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A POWER SUPPLY AGREEMENT FOR THE CITY'S ELECTRICITY AGGREGATION PROGRAM. Upon roll call, the vote was:

AYES: 5-Robinson, Rodd,
Chester, Smith, Charewicz

NAYS: 1-Sayad

ABSENT: 2-Haugeberg, Brookman

Motion declared carried.



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

NEW BUSINESS:

WARRANT REGISTER:

Resolution R-118-15

Moved by Smith, seconded by Chester, to concur with recommendation of Committee of the Whole to adopt Resolution R-118-15, 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: \$5,468,662.16. Upon roll call, the vote was:

AYES: 6-Robinson, Rodd, Sayad,
Chester, Smith, Charewicz

NAYS: 0-None

ABSENT: 2-Haugeberg, Brookman

Motion declared carried.

COND. USE PERMIT/ 885-911 E. TOUHY AVE.:

Ordinance Z-18-15

Moved by Charewicz, seconded by Rodd, to concur with recommendation of Committee of the Whole to place on First Reading Ordinance Z-18-15, AN ORDINANCE AMENDING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A CONVENIENCE MARK FUELING STATION AT 885-911 TOUHY AVENUE, DES PLAINES, ILLINOIS (CASE #14-024-CU-V). Upon roll call, the vote was:

AYES: 6-Robinson, Rodd, Sayad,
Chester, Smith, Charewicz

NAYS: 0-None

ABSENT: 2-Haugeberg, Brookman

Motion declared carried.

ORDINANCE Z-18-15 COND. USE PERMIT/ 885-911 E. TOUHY AVE.:

Moved by Charewicz, seconded by Sayad, to advance to Second Reading and adopt Ordinance Z-18-15, AN ORDINANCE AMENDING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A CONVENIENCE MARK FUELING STATION AT 885-911 TOUHY AVENUE, DES PLAINES, ILLINOIS (CASE #14-024-CU-V). Upon roll call, the vote was:

AYES: 6-Robinson, Rodd, Sayad,
Chester, Smith, Charewicz

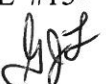
NAYS: 0-None

ABSENT: 2-Haugeberg, Brookman

Motion declared carried.

MAP AMENDMENT/ N.E. CORNER HIGGINS RD. AND ORCHARD PLACE:

Moved by Charewicz, seconded by Chester, to concur with recommendation of Committee of the Whole to **DENY** Ordinance Z-22-15, AN ORDINANCE APPROVING A ZONING MAP AMENDMENT AND REZONING THE PROPERTIES LOCATED AT THE NORTHEAST CORNER OF HIGGINS ROAD AND ORCHARD PLACE, DES PLAINES, ILLINOIS (CASE #15-026-MAP). Upon roll call, the vote was:



**Ordinance
Z-22-15**

AYES: 3-Robinson, Rodd, Sayad
NAYS: 3-Chester, Smith, Charewicz
ABSENT: 2-Haugeberg, Brookman
Motion declared **FAILED**.

**CLASS 6b
RESOLUTION
REQUEST/ 520
SANTA ROSA
DRIVE:**

Moved by Charewicz, seconded by Robinson, to concur with recommendation of Committee of the Whole to adopt Resolution R-120-15, A RESOLUTION SUPPORTING AND CONSENTING TO APPROVAL OF CLASS 6b CLASSIFICATION FOR THE PROPERTY LOCATED AT 520 SANTA ROSA DRIVE. Upon roll call, the vote was:

**Resolution
R-120-15**

AYES: 6-Robinson, Rodd, Sayad,
Chester, Smith, Charewicz
NAYS: 0-None
ABSENT: 2-Haugeberg, Brookman
Motion declared carried.

ADJOURNMENT:

Moved by Chester, seconded by Smith, that the regular meeting of the City Council adjourn. Motion declared carried. Meeting adjourned at 8:21 p.m.



Gloria J. Ludwig, MMC – CITY CLERK

APPROVED BY ME THIS _____

DAY OF _____, 2015

Matthew J. Bogusz, MAYOR