

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, OCTOBER 3, 2022

CALL TO ORDER

The regular meeting of the City Council of the City of Des Plaines, Illinois, was called to order by Mayor Goczkowski at 6:03 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, October 3, 2022.

ROLL CALL

Roll call indicated the following Aldermen present: Lysakowski, Moylan, Oskerka, Zadrozny, Brookman, Smith, Ebrahimi. Absent: Chester. A quorum was present.

CLOSED SESSION

Moved by Oskerka, seconded by Zadrozny to enter into Closed Session under the following sections of the Open Meetings Act – Probable or Imminent Litigation, Personnel, Sale of Property, Purchase or Lease of Property, and Litigation.

Upon roll call, the vote was:

AYES: 7 - Lysakowski, Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 1 - Chester

Motion declared unanimously carried.

The City Council recessed at 6:04 p.m.

The City Council reconvened at 7:05 p.m.

Roll call indicated the following Alderman present: Moylan, Oskerka, Zadrozny, Brookman, Smith, Ebrahimi. Absent: Lysakowski, Chester. A quorum was present.

Also present were: City Manager Bartholomew, Assistant City Manager/Director of Finance Wisniewski, Director of Public Works and Engineering Oakley, Director of Community and Economic Development Carlisle, Fire Chief Anderson, Police Chief Anderson, and General Counsel Weiss.

PRAYER AND PLEDGE

The prayer and the Pledge of Allegiance to the Flag of the United States of America were offered by Alderman Oskerka.

PROCLAMATION

City Clerk Mastalski read a proclamation by Mayor Goczkowski declaring October as Global Diversity Awareness Month and October 3rd to October 7th, 2022 as National Diversity Week.

PUBLIC COMMENT

Resident Marian Cosmides asked about the process for a resident to request an Economic Development Commission.

Mayor Goczkowski stated residents can submit a suggestion to the City, and if an Economic Development Commission is reestablished, the appointments are made by the Mayor.

Resident Marian Cosmides also requested a weight limit sign to be posted on Webford Avenue.

Director of Public Works and Engineering Oakley stated a weight limit sign can be added to Webford Avenue.

Resident Marian Cosmides thanked her neighbors for a well-attended block party on Webford Avenue.

Resident Liz Bowman mentioned there is a new Facebook organization group called Des Plaines Migrants Resources and Support with approximately over two hundred members to

help in any way they can. She stated on behalf of the group she came in to say thank you for the gracious response. She also welcomed others to join the group.

**ALDERMAN
ANNOUNCEMENTS**

Alderman Oskerka welcomed the new migrants that are seeking asylum in the community.

Alderman Brookman moved to reconsider her vote on Ordinance Z-28-22 due to the City being unaware of a Federal regulation.

Moved by Brookman, seconded by Zadrozny, to Reconsider Ordinance Z-28-22, AN ORDINANCE APPROVING MAJOR VARIATIONS TO ALLOW AN EXTENSION OF AN EXISTING COMMERCIAL MOBILE RADIO SERVICE FACILITY AT 2064-2074 MANNHEIM ROAD, DES PLAINES, ILLINOIS (Case #22-026-V).

Upon roll call, the vote was:

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 2 - Lysakowski, Chester

Motion declared carried.

Alderman Brookman also stated she is hosting a ward meeting on Wednesday, October 19th at 7:00 p.m. at Good Shepard Church – lower level.

**MAYORAL
ANNOUNCEMENTS**

Mayor Goczkowski stated Des Plaines received approximately eighty asylum seekers over the weekend that will be staying in the City. He stated he encourages everyone to look at the City's website and Facebook page, and other media outlets if they have any questions, or reach out to him directly.

On May 3, 2021, a Declaration of Civil Emergency for the City of Des Plaines related to the COVID-19 emergency was authorized. The Declaration provided that: (1) the City may enter into contracts for the emergency purchase of goods and services; (2) the City Manager may implement emergency staffing protocols pursuant to the City's respective collective bargaining agreements; and (3) directed City officials and employees to cooperate with other government agencies.

In accordance with Illinois statutes, the Mayor's Declaration lasted only for a period of seven days, unless it was extended by action of the City Council. At each subsequent City Council meeting, the City Council, by motion, extended the Declaration until the next adjournment of the next special or City Council meeting. This extension of the Declaration includes the Supplemental Order dated January 3, 2022.

Mayor Goczkowski presented an extension to the Declaration of Civil Emergency.

Moved by Brookman, seconded by Zadrozny, to extend the May 3, 2021 Declaration of Civil Emergency until the adjournment of the next regular, special, or emergency meeting of the City Council including the Supplement Order dated January 3, 2022.

Upon roll call, the vote was:

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 2 - Lysakowski, Chester

Motion declared carried.

CONSENT AGENDA

Moved by Oskerka, seconded by Moylan, to Establish the Consent Agenda.

Upon voice vote, the vote was:

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 2 - Lysakowski, Chester

Motion declared carried.

Moved by Brookman, seconded by Oskerka, to Approve the Consent Agenda.

Upon roll call, the vote was:

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 2 - Lysakowski, Chester

Motion declared carried.

Minutes were approved; Ordinances M-26-22, M-27-22 were adopted; Resolutions R-156-22, R-157-22, R-159-22, R-99-22 were adopted.

**APPROVE AGRMT/
CUST SVCS/
CRYSTAL MAINT
Consent Agenda**

Moved by Brookman, seconded by Oskerka, to Approve Resolution R-156-22, A RESOLUTION APPROVING AN AGREEMENT WITH CRYSTAL MAINTENANCE PLUS CORP. FOR CUSTODIAL SERVICES. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-156-22**

**AUTH FUND/
PURCH FORD
TRKS/ ST OF IL
Consent Agenda**

Moved by Brookman, seconded by Oskerka, to Approve Resolution R-157-22, A RESOLUTION AUTHORIZING ADDITIONAL FUNDING FOR THE PURCHASE OF FORD TRUCKS THROUGH THE STATE OF ILLINOIS JOINT PURCHASING MASTER CONTRACT. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-157-22**

**AUTH PURCH/
ALARM MON SVCS/
EMERG 24
Consent Agenda**

Moved by Brookman, seconded by Oskerka, to Approve Resolution R-159-22, A RESOLUTION AUTHORIZING THE PURCHASE OF ELEVATOR ALARM MONITORING SERVICES FROM EMERGENCY 24, INC. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-159-22**

**SECOND READING/
ORDINANCE
M-26-22
Consent Agenda**

Moved by Brookman, seconded by Oskerka, to Approve Ordinance M-26-22, AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS "A" LIQUOR LICENSE AND REMOVE ONE CLASS "AB-1" LIQUOR LICENSE. Motion declared carried as approved unanimously under Consent Agenda.

**SECOND READING/
ORDINANCE
M-27-22
Consent Agenda**

Moved by Brookman, seconded by Oskerka, to Approve Ordinance M-27-22, AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS "A" LIQUOR LICENSE AND REMOVE ONE CLASS "H1" LIQUOR LICENSE. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE HAZ MIT
GRANT AGRMTS/
MWRD & IDNR
Consent Agenda**

Moved by Brookman, seconded by Oskerka, to Approve Resolution R-99-22, A RESOLUTION APPROVING A HAZARD MITIGATION GRANT AGREEMENT WITH THE METROPOLITAN WATER RECLAMATION DISTRICT AND A HAZARD MITIGATION GRANT AGREEMENT WITH THE ILLINOIS DEPARTMENT OF NATURAL RESOURCES. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-99-22**

**APPROVE
MINUTES
Consent Agenda**

Moved by Brookman, seconded by Oskerka, to Approve the Minutes of the City Council meeting of September 19, 2022, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES
Consent Agenda**

Moved by Brookman, seconded by Oskerka, to Approve the Closed Session Minutes of the City Council meeting of September 19, 2022, as published. Motion declared carried as approved unanimously under Consent Agenda.

**UNFINISHED
BUSINESS**

**CONSIDER AMEND
TITLE 13 OF THE
CITY CODE RE
SUBD PROC AND
PLATS**

Alderman Brookman stated Alderman Chester would like to be in attendance for consideration of Ordinances M-29-22 and M-30-22; for this reason, she requested to defer these Ordinances to the next City Council meeting on October 17, 2022.

**Ordinance
M-29-22**

Moved by Brookman, seconded by Oskerka, to Defer Ordinance M-29-22, AN ORDINANCE AMENDING TITLE 13 OF THE DES PLAINES CITY CODE REGARDING SUBDIVISION PROCEDURES AND PLATS and Ordinance M-30-22, AN ORDINANCE AMENDING TITLE 13 OF THE DES PLAINES CITY CODE REGARDING SUBDIVISION PUBLIC IMPROVEMENTS AND FINANCIAL GUARANTEES to the City Council meeting on October 17, 2022.

**CONSIDER AMEND
TITLE 13 OF THE
CITY CODE RE
SUBD PUBLIC IMP
AND FIN GNTEES**

Upon roll call, the vote was:

**Ordinance
M-29-22**

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi
NAYS: 0 - None
ABSENT: 2 - Lysakowski, Chester
Motion declared carried.

NEW BUSINESS

FINANCE & ADMINISTRATION – Alderman Zadrozny, Chair

**WARRANT
REGISTER**

Alderman Zadrozny presented the Warrant Register.

**Resolution
R-158-22**

Moved by Zadrozny, seconded by Brookman, to Approve the Warrant Register of October 3, 2022 in the Amount of \$4,593,300.38 and Approve Resolution R-158-22.

Upon roll call, the vote was:

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi
NAYS: 0 - None
ABSENT: 2 - Lysakowski, Chester
Motion declared carried.

COMMUNITY DEVELOPMENT - Alderman Brookman, Vice-Chair

**CONSIDER
APPROVING A MAP
AMENDMENT AND**

Director of Community & Economic Development Carlisle reviewed a memorandum dated September 22, 2022.

**MAJOR
VARIATIONS OF
THE ZONING
ORDINANCE AT
1946 AND 1990
WHITE STREET
(ARNDT PARK)
Ordinance
Z-30-22**

The petitioner, the Des Plaines Park District, is requesting a Map Amendment to rezone the subject property from R-1 Single Family Residential District to I-1 Institutional District. Their intent is to bring the zoning in line with the district typical for parks of more than two acres (I-1) and also to capitalize on the I-1 allowance for more than one principal building per zoning lot. There is currently only one principal building, but in adding the pool and an aquatic building, there are proposed to be two, which is not allowed in R-1. The associated variations will facilitate revitalization of the park to include a new pool and bathhouse, free game court, new playground equipment, two picnic shelters, lighting, landscaping, expansion of the parking lot, and a new walking loop around the park.

Project Details

The Arndt Park Aquatic and Recreation Facility is a proposed enhancement of an existing park facility. One component of the proposed project is the interior and exterior remodeling of the existing 2,617-square-foot field house.

New building construction would include a new 5,115-square-foot aquatic center to the north of the fieldhouse. Outdoor pool facilities would include six lap lanes, a shallow area, a dive well depth, pool deck, an on-deck picnic area, and shade structures. The interior of the building is proposed to include a building/concession center, restrooms, locker rooms, storage, mechanical maintenance areas, and a lifeguard office. Proposed additions to the park overall include a new walking path loop, free game court, new playground equipment, two picnic shelters, security lighting, and an expanded parking lot.

Access to the site will continue to be provided along White Street. New lighting will be located around the aquatic building and will not exceed the spillage requirements.

Development Standards for I-1 Versus R-1

Parks are a permitted use within R-1 zoning districts. However, the intended zoning for public facilities, including parks, is I-1 zoning. Re-zoning this area to I-1 would more closely align with the existing and future use of this park area.

Development Standards for I-1

Amending the zoning of a property requires the new property to meet the bulk matrix requirements.

Required Buffering Between Institutional and Residential Districts

A required buffer area including an eight-foot-tall, solid fence, shade trees, and shrubs is required to exist between any institutional district abutting a residential district. A section of the west and east boundary is abutting residences and is required to provide this buffer. However, due to the existing open space and turf in these areas, the petitioner has included a variation request to Section 12-10-9.C to grant relief from the requirement. There is existing fencing in these areas that has stood for years, and the petitioner is arguing existing conditions should suffice, while also allowing desired visibility into the park.

Compliance with the Comprehensive Plan

The proposed project, including the proposed site improvements, address various goals of the 2019 Comprehensive Plan to “Promote Recreational Facilities to Boost the Local Economy” and policy 7.12 to “Continue to implement the Des Plaines Park District’s Strategic Plan.”

Variations

The District is seeking multiple variations, three of which are driven by its desire to expand the existing parking lot. The expansion is intended to accommodate an anticipated growth in visitors to the park with the construction of the new pool facilities.

Outdoor parks require a minimum of two spaces plus one space for every half acre of property.

For this 12.75-acre park, thirty (30) spaces are required, including two (2) accessible parking spaces. The site currently has sufficient parking per the requirements – even with adding the aquatic facilities – with an existing sixty-six (66) total parking spaces, including three (3) accessible spaces. However, the District believes it is prudent to add parking. The proposed new lot will provide ninety-seven (97) total spaces, four (4) of which are accessible spaces.

Parking Lot Location and Curb

The I-1 district limits the location of parking in required yards to the rear. The petitioner has included a variation to the I-1 standards to allow for parking in the front yard. The existing parking lot is located in the front yard is proposed to be expanded to the north. In addition, a variation is included to vary the location of the curb and gutter. Parking areas are required to have curb and gutter located a minimum distance of 3.5 feet from any adjacent property line or right of way line, but the existing parking lot – and thus the proposed extension – are directly next to the White Street right of way.

Parking Lot Landscaping

Landscaping is required to be located on the interior of parking lots and the perimeter. The petitioner has included a variation to reduce parking lot landscaping in both locations.

Landscaping

Landscaping will be provided around the proposed building, including shade trees, ornamental trees, shrubs, grasses, and turf. The petitioner has requested a Major Variation to Section 12-10-9.C to reduce the landscape buffer requirements for required fencing and landscaping adjacent to the residential zoning districts to the west and east.

The PZB recommended (7-0) that the City Council approve the proposed map amendment and variations as presented.

Staff and the PZB suggest the following condition:

1. Plans may be required to be revised during the building permit process to adhere to applicable local and state building and engineering requirements.

Des Plaines Park District Executive Director Don Miletic spoke on behalf of the petitioner.

Moved by Moylan, seconded by Brookman, to Approve the Ordinance Z-30-22, AN ORDINANCE APPROVING A MAP AMENDMENT AND MAJOR VARIATIONS OF THE CITY OF DES PLAINES ZONING ORDINANCE AT 1946 AND 1990 WHITE STREET (ARNDT PARK).

Upon voice vote, the vote was:

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 2 - Lysakowski, Chester

Motion declared carried.

Advanced to second reading by Brookman, seconded by Oskerka, to Adopt the Ordinance Z-30-22, AN ORDINANCE APPROVING A MAP AMENDMENT AND MAJOR VARIATIONS OF THE CITY OF DES PLAINES ZONING ORDINANCE AT 1946 AND 1990 WHITE STREET (ARNDT PARK).

Upon roll call, the vote was:

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 2 - Lysakowski, Chester

Motion declared carried.

CONSIDER
APPROVING
MAJOR
VARIATIONS FOR
RESIDENTIAL
DRIVEWAY
WIDTH,
RESIDENTIAL
WALKWAY
SETBACK, AND
PATIO SETBACK
AT 815 THACKER
STREET
Ordinance
Z-31-22

Director of Community & Economic Development Carlisle reviewed a memorandum dated September 22, 2022.

Based on City records, there have been continuous violations attributed to this property from 2019 to present in regard to work being completed without proper building permits starting with the removal of the residential driveway. The next scheduled court date is October 25, 2022, and the City Council's decision will be central in the hearing.

The petitioner, Miguel Pulido, is requesting Major Variations for the following: (i) to allow the width of a residential driveway to be 22'-11," resulting in 2.55 parking spaces, where a maximum width of 20 feet is permitted for a residential property without a garage or carport; (ii) a variation to allow a residential driveway on a property with no garage or carport without the installation of evergreen shrub landscaping along the entire exterior edge of the driveway; (iii) to allow a residential walkway to be six inches from the property line where the minimum is one foot from the property line; and (iv) to allow a patio to be six inches from the property line where the minimum is five feet in the R-1 Single Family Residential District at 815 Thacker Street. These requests are related to existing structures and surfaces on the subject property that were installed without a building permit and do not comply with the applicable regulations in the Zoning Ordinance. Note that the proposed driveway width equates to 2.55 off-street parking spaces which makes the request ineligible for a minor variation under Section 12-3-6.E.1.e. The subject property is 11,878 square feet and is currently improved with a one-story, 1,561-square-foot residence.

The petitioner has done the following work on the subject property, which is the genesis of the variation requests:

- The existing concrete residential driveway has been widened to 22'-11" and is only six inches off the east property line;
- There is no evergreen shrub landscaping installed along the entire exterior (east) edge of the driveway for a property without a garage;
- The existing concrete residential walkway has been widened to 6'-6" and is only six inches off the east property line; and
- The existing concrete patio dimensions have been expanded to 16'-0" long by 15'-0" wide and the patio is now only six inches off the east property line.

Since the aforementioned improvements on the subject property do not meet the requirements above, a major variation request is required for each item with the exception of the driveway setback request which is a minor variation decided by the Zoning Administrator.

Staff recommended the following conditions of approval:

1. All improvements may not encroach in any easements or create any drainage concerns.
2. Petitioner must install at least three-foot-wide landscape areas on the west side of the driveway and in front of the residence populated with shrubs and perennials. A landscape plan must be submitted to the City identifying the landscape areas, their dimensions, and the names, quantity, and location of the planting material to be installed within them.
3. The plans submitted at the time of building permit application must be revised to include dimensions and labels necessary to denote the improvements and to comply with applicable City codes.
4. Petitioner must apply for and obtain all required building permits for the improvements. All documents submitted as part of the building permit application process must be sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building and life safety codes.

Moved by Oskerka, seconded by Smith, to Deny the Ordinance Z-31-22, AN ORDINANCE APPROVING MAJOR VARIATIONS FOR RESIDENTIAL DRIVEWAY WIDTH, RESIDENTIAL WALKWAY SETBACK, AND PATIO SETBACK AT 815 THACKER STREET (Case #22-032-V).

Upon roll call, the vote was:

AYES: 6 - Moylan, Oskerka, Zadrozny,
Brookman, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 2 - Lysakowski, Chester

Motion declared carried.

ADJOURNMENT

Moved by Brookman, seconded by Oskerka to adjourn the meeting. The meeting adjourned at 7:34 p.m.

/s/ Jessica M. Mastalski
Jessica M. Mastalski – CITY CLERK

APPROVED BY ME THIS 17th

DAY OF October, 2022

/s/ Andrew Goczkowski
Andrew Goczkowski, MAYOR