

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, NOVEMBER 7, 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 6:04 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, November 7, 2022.

ROLL CALL

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

CLOSED SESSION

Moved by Brookman, seconded by Oskerka to convene 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: 6 - Lysakowski, Oskerka, Zadrozny,
Brookman, Chester, Smith

NAYS: 0 - None

ABSENT: 2 - Moylan, Ebrahimi

Motion declared unanimously carried.

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

The City Council reconvened at 7:00 p.m.

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

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

PRAYER AND PLEDGE

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

PROCLAMATIONS

City Clerk Mastalski read a proclamation by Mayor Goczkowski declaring November 11, 2022 as Veterans Day.

Mayor Goczkowski presented the proclamation to members of the Vietnam Veterans of America Chapter 311 and the American Legion Post 36.

City Clerk Mastalski read a proclamation by Mayor Goczkowski declaring November as National Native American and Alaska Native Heritage Month.

MINUTES OF THE PUBLIC HEARINGS HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS DES PLAINES CIVIC CENTER, MONDAY, NOVEMBER 7, 2022

**PUBLIC HEARING/
CONSIDER MAJOR
VARIATIONS FOR
MOBILE RADIO
SERVICE FACILITY**

Mayor Goczkowski called the Public Hearing for reconsideration of 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), to order at 7:07 p.m.

This request for major variations for a proposed cell tower extension (Ordinance Z-28-22) was

Ordinance

Z-28-22

not approved by the City Council at the September 19, 2022 meeting, as the ordinance failed on first reading. However, at its October 3 meeting, the Council passed a motion to reconsider this request at the November 7 meeting.

The petitioner, Michael Gasser on behalf of New Cingular Wireless PCS, LLC, has requested Major Variations to add a 30-foot-tall expansion onto an existing 60-foot-tall commercial mobile radio service facility located in the rear of the Extra Space Storage property at 2064-2074 Mannheim Road. The subject property is located within the M-2 General Manufacturing district and consists of one lot with a multi-level building, small storage pods with paved access, and surface parking. The subject property is located along Mannheim Road and is currently accessed by two curb cuts. Access to the existing commercial mobile radio service facility is limited to the gated area located directly north of the commercial storage facility building. The existing commercial mobile radio service facility on site is classified as a freestanding (secondary principal use) as it does not relate to the commercial storage facility use (i.e., Extra Space Storage).

The petitioner wishes to modify the existing commercial mobile radio service facility by adding a 30-foot-tall tower extension with 12 new antennae and related equipment to address coverage and equipment requirements without the addition of a new monopole. The proposed extension would result in a monopole height of 90 feet with an overall equipment height of 93.5 feet. All regulations in Section 12-8-5 apply for commercial mobile radio service facilities. However, the two regulations in conflict with the petitioner's proposal are noted below pursuant to Section 12-8-5.B:

- No commercial mobile radio service facility shall be located in any required yard, nor shall a freestanding commercial mobile radio service facility be located within fifty feet (50') of any property boundary line.
- A freestanding commercial mobile radio service facility shall be set back from any residential zoning district a distance equivalent to its height; provided however, that in no case shall a freestanding commercial mobile radio service facility be located closer than one hundred feet (100') from any residential district.

Since the proposal does not align with the aforementioned regulations above, major variation requests are required.

The PZB recommended (7-0) that the City Council approve the Major Variation requests without any conditions.

Moved by Brookman, seconded by Chester, to Approve the 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 voice vote, the vote was:

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

NAYS: 0 - None

ABSENT: 1 - Moylan

Motion declared carried.

Advanced to Second Reading by Brookman, seconded by Chester, to Adopt the 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: 7 - Lysakowski, Oskerka, Zadrozny, Brookman,
Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 1 - Moylan

Motion declared carried.

Mayor Goczkowski adjourned the Public Hearing at 7:08 p.m.

**ALDERMAN
ANNOUNCEMENTS**

Alderman Oskerka mentioned Forest School is having their annual Turkey Trot on Thanksgiving Day, and that more information can be found at forestschoolareaturkeytrot.com.

Alderman Zadrozny stated he is hosting a ward meeting on Wednesday, November 9th at 7:00 p.m. at Golf Road Baptist Church.

Alderman Smith mentioned current leaf pick-up will run through November 30th.

**MAYORAL
ANNOUNCEMENTS**

Mayor Goczkowski mentioned upcoming City holiday events – Holiday Tree Lighting on Friday, December 2nd and Winter Fair on Saturday, December 3rd. He also stated the Youth Commission is holding a Holiday Hoopla on Saturday, December 10th from 1:00-3:00 p.m.

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 Oskerka, 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: 7 - Lysakowski, Oskerka, Zadrozny, Brookman,
Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 1 - Moylan

Motion declared carried.

**CITY CLERK
ANNOUNCEMENTS/
COMMENTS**

City Clerk Mastalski reminded residents that November 8, 2022 is Election Day; and she gave further details regarding the ballots.

**MANAGER’S
REPORT**

City Manager Bartholomew mentioned it has been one year since the grand opening of the Des Plaines Theatre, and he invited the operator, Ron Onesti, to say a few words.

Ron Onesti spoke on the progress of the Des Plaines Theatre and future endeavors. He also presented the City with a plaque.

CONSENT AGENDA

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

Upon voice vote, the vote was:

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

NAYS: 0 - None

ABSENT: 1 - Moylan

Motion declared carried.

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

Upon roll call, the vote was:

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

NAYS: 0 - None

ABSENT: 1 - Moylan

Motion declared carried.

Minutes were approved; Ordinances M-31-22, M-32-22, M-33-22, M-34-22 were approved; Ordinances M-29-22, M-30-22, Z-32-22, Z-33-22 were adopted; Resolutions R-169-22, R-170-22, R-171-22, R-172-22, R-174-22, R-175-22, R-176-22, R-177-22 were adopted.

PROVIDE FOR ABATEMENT/ 2022 TAX LEVY/ SERIES 2009A

Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve First Reading of Ordinance M-31-22, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2022 TAX LEVY FOR THE 2009 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009A. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance
M-31-22**

PROVIDE FOR ABATEMENT/ 2022 TAX LEVY/ SERIES 2018

Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve First Reading of Ordinance M-32-22, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2022 TAX LEVY FOR THE 2018 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2018. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance
M-32-22**

LEVY TAXES/ SSA 15

Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve First Reading of Ordinance M-33-22, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NO. 15 OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance
M-33-22**

TERMINATE SSA/ 9, 10, & 14

Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve First Reading of Ordinance M-34-22, AN ORDINANCE TERMINATING EXPIRED SPECIAL SERVICE AREAS 9, 10 AND 14. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance
M-34-22**

APPROVE TSK ORD NO 23/ PROF ENG SVCS/ TROTTER & ASSOC

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-169-22, A RESOLUTION APPROVING TASK ORDER NO. 23 UNDER A MASTER CONTRACT WITH TROTTER & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES. Motion declared carried as approved unanimously under Consent Agenda.

Consent Agenda**Resolution
R-169-22****APPROVE CHG
ORD NO 1/ FIRE
STATION #61/
MANUSOS GC**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-170-22, A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE AGREEMENT WITH MANUSOS GENERAL CONTRACTING, INC. FOR THE FIRE STATION #61 INTERIOR RENOVATIONS PROJECT Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-170-22****RESCIND R-113-22
& AUTH PURCH/
RADIO EQUIP &
RADIO PROG SVCS/
CHICAGO COMM**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-171-22, A RESOLUTION RESCINDING RESOLUTION R-113-22 AND AUTHORIZING THE PURCHASE OF MOTOROLA RADIO EQUIPMENT FROM MOTOROLA INC., AND RADIO PROGRAMMING SERVICES FROM CHICAGO COMMUNICATIONS. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-171-22****APPROVE TSK ORD
NO 2/ PROF ENG
SVCS/
CHRISTOPHER B.
BURKE ENG**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-172-22, A RESOLUTION APPROVING TASK ORDER NO. 2 UNDER A MASTER CONTRACT WITH CHRISTOPHER B. BURKE ENGINEERING, LTD. FOR PROFESSIONAL ENGINEERING SERVICES. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-172-22****AUTH EXEC OF
AGRMTS/ CDBG
FUNDS**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-174-22, A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH SUBRECIPIENTS OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-174-22****AUTH EXPEND OF
FUNDS/ DELL &
MICROSOFT**

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-175-22, A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS UNDER AGREEMENTS WITH DELL MARKETING L.P. AND MICROSOFT CORPORATION. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-175-22****AUTH EXPEND OF
FUNDS/ AMB 62/
KARDS**

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-176-22, A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO KARDS INC. FOR THE REPAIR OF AMBULANCE 62. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-176-22**

**RELEASE OF
CERTAIN MINS/
CLOSED SESSION**

Moved by Brookman, seconded by Zadrozny, to Approve Resolution R-177-22, A RESOLUTION RELEASING CERTAIN MINUTES OF CERTAIN CLOSED MEETINGS OF THE CITY COUNCIL. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-177-22**

**SECOND READING/
ORDINANCE
M-29-22**
Consent Agenda

Moved by Brookman, seconded by Zadrozny to Approve Ordinance M-29-22, AN ORDINANCE AMENDING TITLE 13 OF THE DES PLAINES CITY CODE REGARDING SUBDIVISION PROCEDURES AND PLATS. Motion declared carried as approved unanimously under Consent Agenda.

**SECOND READING/
ORDINANCE
M-30-22**
Consent Agenda

Moved by Brookman, seconded by Zadrozny to Approve Ordinance M-30-22, AN ORDINANCE AMENDING TITLE 13 OF THE DES PLAINES CITY CODE REGARDING SUBDIVISION PUBLIC IMPROVEMENTS AND FINANCIAL GUARANTEES. Motion declared carried as approved unanimously under Consent Agenda.

**SECOND READING/
ORDINANCE
Z-32-22**
Consent Agenda

Moved by Brookman, seconded by Zadrozny to Approve Ordinance Z-32-22, AN ORDINANCE AMENDING SECTION 12-7-1 OF THE DES PLAINES ZONING ORDINANCE REGARDING THE PERMITTED NUMBER OF PRINCIPAL BUILDINGS ON A ZONING LOT (CASE# 22-041-TA). Motion declared carried as approved unanimously under Consent Agenda.

**SECOND READING/
ORDINANCE
Z-33-22**
Consent Agenda

Moved by Brookman, seconded by Zadrozny to Approve Ordinance Z-33-22, AN ORDINANCE AMENDING THE TEXT OF THE DES PLAINES ZONING ORDINANCE REGARDING DRIVE-THROUGH MENU BOARDS SIGNS. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve the Minutes of the Special Meeting of the City Council - 2023 Budget Hearing #2 of October 12, 2022, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve the Minutes of the City Council meeting of October 17, 2022, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES**
Consent Agenda

Moved by Brookman, seconded by Zadrozny, to Approve the Closed Session Minutes of the City Council meeting of October 17, 2022, as published. Motion declared carried as approved unanimously under Consent Agenda.

APPOINTMENT

Mayor Goczowski read the following appointment for consideration; no action was required:

Appointments:

FIRE PENSION BOARD

Don Smith – Term to Expire 11/21/2025

BOARD OF FIRE & POLICE COMMISSIONERS

Kristy Garceau – Term to Expire 11/21/2025

Kristy Garceau thanked the City Council for the opportunity to be considered for appointment.

NEW BUSINESS

FINANCE & ADMINISTRATION – Alderman Zadrozny, Chair

**WARRANT
REGISTER**
**Resolution
R-178-22**

Alderman Zadrozny presented the Warrant Register.

Alderman Chester asked for clarification regarding following items – Total 100 - General Fund \$463,469.06 and Item 392 – Improvements \$1,043,604.13.

Moved by Zadrozny, seconded by Brookman, to Approve the Warrant Register of November 7, 2022 in the Amount of \$5,019,266.38 and Approve Resolution R-178-22.

Upon roll call, the vote was:

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

NAYS: 0 - None

ABSENT: 1 - Moylan

Motion declared carried.

**CONSIDER
AMENDMENTS TO
THE INVESTMENT
POLICY**
**Resolution
R-179-22**

Assistant City Manager/Director of Finance Wisniewski reviewed a memorandum dated October 26, 2022.

Each year the City complies with the Illinois Truth in Taxation Act (ITTA) requirements as it pertains to the issuance of the property tax levy. The ITTA requires the City to provide notice and conduct a public hearing if the proposed aggregate levy is 5% or more than the previous year's property tax extension. The aggregate levy is defined as the combination of the annual corporate levy and all other special purpose levies. The aggregate levy does not include debt service levies and levies made for the purpose of paying amounts due under public building commission leases. Under the ITTA, the City would be prohibited from levying any amount greater than 5% of the previous year's property tax extension if we failed to comply with this specific notice and hearing provisions.

Since the 2022 estimated aggregate levy is below the 5% of the 2021 property tax extension (-2.91% decrease), the City is not required to publish a legal notice and hold a public hearing. However, staff recommends publishing a legal notice and holding a public hearing as it would provide the City Council with increased flexibility in determining the 2022 property tax levy amount and more opportunity for public input.

Below is a schedule of the key dates and actions that must be observed in order to facilitate the review and approval of the 2022 property tax levy:

- *November 7* - Approval of the 2022 Proposed Property Tax Levy Resolution and Public Notice
- *November 7-14* - Publication of Property Tax Levy Public Hearing Legal Notice in local newspaper
- *November 21* - Public Hearing on the Property Tax Levy Ordinance 1st Reading of the Property Tax Levy Ordinance
- *December 5* - 2nd Reading and Approval of the Property Tax Levy Ordinance
- *December 27* - Last day to file the Tax Levy Ordinance with the Cook County Clerk's Office

The hearing for the 2022 estimated property tax levy is scheduled for Monday, November 21, 2022, at 7:00pm (at the beginning of the regularly scheduled City Council meeting).

Staff recommends the City Council approve Resolution R-179-22 and Legal Notice for publication and hold the public hearing on the 2022 estimated property tax levy.

Moved by Zadrozny, seconded by Brookman, to Approve the Resolution R-179-22, A RESOLUTION ESTIMATING THE AMOUNT OF FUNDS NECESSARY TO BE RAISED THROUGH TAXATION UPON THE TAXABLE PROPERTY WITHIN THE CITY.

Upon roll call, the vote was:

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

NAYS: 0 - None

ABSENT: 1 - Moylan

Motion declared carried.

ADJOURNMENT

Moved by Brookman, seconded by Chester to adjourn the meeting. The meeting adjourned at 7:26 p.m.

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

APPROVED BY ME THIS 18th

DAY OF November _____, 2022

/s/ Andrew Goczkowski
Andrew Goczkowski, MAYOR