

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, MAY 15, 2023

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 6:01 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, May 15, 2023.

ROLL CALL

Roll call indicated the following Aldermen present: Oskerka, Brookman, Walsten, Smith, Charewicz. Absent: Lysakowski, Moylan, Sayad. A quorum was present.

CLOSED SESSION

Moved by Smith, 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: 5 - Oskerka, Brookman, Walsten,
Smith, Charewicz

NAYS: 0 - None

ABSENT: 3 - Lysakowski, Moylan, Sayad

Motion declared unanimously carried.

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

The City Council reconvened at 7:02 p.m.

Roll call indicated the following Alderman present: Moylan, Oskerka, Sayad, Brookman, Walsten, Smith, Charewicz. Absent: Lysakowski. 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 Friedman.

PRAYER AND PLEDGE

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

Mayor Goczkowski addressed the active shooter protocol which was initiated Maine West High School this past week, and commended the Police and Fire Chiefs and the police, fire, and public works personnel for their amazing response.

PUBLIC COMMENT

Tom Lovestrand commented on communication between the Aldermen and their constituents.

ALDERMAN ANNOUNCEMENTS

Alderman Oskerka thanked everyone who donated to the post office food drive.

Alderman Sayad stated he will be having a ward meeting on May 24, 2023 at 7:00 p.m. at the Golf Road Baptist Church. He thanked the police for their help with a personal episode he had at his house. He mentioned about working with the Director of Finance about creating a sheet that will be given to the Aldermen with a summary of financial information. He also thanked the staff in the IT department and the City Clerk's office for their excellence and professionalism.

Alderman Walsten thanked Director of PW&E Oakley for taking care of the problem on Chestnut.

Alderman Smith announced she will be hosting a ward meeting on May 25, 2023 at 6:30 p.m. at Frisbie Center. She also stated there will be a Food Truck fest on May 23, 2023 at Friendship Park.

Alderman Charewicz stated the City is having a Food Truck Round Up on May 23, 2023 from 5-8 p.m. at Friendship Park and Conservatory, He stated he will be there the entire time for an eighth ward meet and greet, and that he is also looking to update the eighth ward contact database for anyone who is seeking the newsletter and other communication. He also mentioned the History Center is hosting their annual meeting tomorrow from 6-8 p.m. at the Conservatory. He thanked the police, fire, and public works department for their showcase of professionalism, and stated he was impressed with the support received from the surrounding communities in regard to the incident at Maine West.

Police Chief Anderson thanked everyone for their comments; mentioning this was a team effort. He stated he is very grateful that no one was injured and there was no active shooter, but that it did highlight the professionalism of the team. He also recognized everyone that came to help, and hopes the students and staff have recovered from the stressful situation.

**MAYORAL
ANNOUNCEMENTS**

Mayor Goczkowski encouraged anyone that wants to get email updates to go to desplaines.org/mycity to subscribe.

CONSENT AGENDA

Resident Tom Lovestrand requested Item #7 to be removed from the Consent Agenda.

Moved by Sayad, seconded by Brookman, to Establish the Consent Agenda without Item #7.

Upon voice vote, the vote was:

AYES: 7 - Moylan, Oskerka, Sayad, Brookman,
Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 1 - Lysakowski

Motion declared carried.

Moved by Oskerka, seconded by Walsten, to Approve the Consent Agenda without Item #7.

Upon roll call, the vote was:

AYES: 7 - Moylan, Oskerka, Sayad, Brookman,
Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 1 - Lysakowski

Motion declared carried.

Minutes were approved; Ordinance M-11-23 was approved; Resolutions R-95-23, R-97-23, R-98-23, R-99-23, R-101-23 were adopted.

City Clerk Mastalski read the item removed from the consent agenda.

**DECL JETTER AS
SURPLUS/ APPROVE
JETTER PURCH/
SOURCEWELL
Consent Agenda**

Moved by Oskerka, seconded by Walsten, to Approve First Reading of Ordinance M-11-23, AN ORDINANCE DECLARING AN AMERICA JETTER OWNED BY THE CITY OF DES PLAINES AS SURPLUS AND APPROVING THE PURCHASE OF A VAC-CON SEWER JETTER TRUCK THROUGH SOURCEWELL. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance
M-11-23**

**APPROVE
ADDENDUM/ IGA
WITH CHICAGO/
EOWA**

Consent Agenda

Moved by Oskerka, seconded by Walsten, to Approve Resolution R-95-23, A RESOLUTION APPROVING A FIRST ADDENDUM TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CHICAGO IN CONNECTION WITH THE ELGIN O'HARE WESTERN ACCESS PROJECT. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-95-23**

**APPROVE AGRMT/
FOIA SW/ GRANICUS**

Consent Agenda

Moved by Oskerka, seconded by Walsten, to Approve Resolution R-97-23, A RESOLUTION APPROVING A THIRD RENEWAL OF THE AGREEMENT WITH GRANICUS LLC FOR FREEDOM OF INFORMATION ACT PUBLIC RECORDS TRACKING SOFTWARE. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-97-23**

**APPROVE PURCH/
NW EQUIP/ POLICE**

Consent Agenda

Moved by Oskerka, seconded by Walsten, to Approve Resolution R-98-23, A RESOLUTION APPROVING THE PURCHASE OF NETWORK EQUIPMENT FOR THE POLICE DEPARTMENT ADDITION. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-98-23**

**APPROVE PURCH/
LAPTOPS/ POLICE**

Consent Agenda

Moved by Oskerka, seconded by Walsten, to Approve Resolution R-99-23, A RESOLUTION APPROVING THE PURCHASE OF 18 DELL LAPTOPS FOR THE POLICE DEPARTMENT. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-99-23**

**AUTH MEMBERSHIP/
NWMC**

Consent Agenda

Moved by Oskerka, seconded by Walsten, to Approve Resolution R-101-23, A RESOLUTION AUTHORIZING THE CITY OF DES PLAINES TO RENEW ITS MEMBERSHIP IN THE NORTHWEST MUNICIPAL CONFERENCE. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-101-23**

**AUTH PURCH/
PROPERTY/
269 RIVER RD**

Consent Agenda

Item #7 was removed from the Consent Agenda at the request of Resident Tom Lovestrand.

Tom Lovestrand asked the City Council to delay the vote until further questions can be answered about the purchase.

City Manager Bartholomew gave further details regarding the purchase.

**Resolution
R-103-23**

Moved by Brookman, seconded by Charewicz, to Approve Resolution R-103-23, A RESOLUTION AUTHORIZING THE PURCHASE OF THE PROPERTY LOCATED AT 269 RIVER ROAD, DES PLAINES, ILLINOIS.

Upon roll call, the vote was:

AYES: 6 - Moylan, Oskerka, Brookman,
Walsten, Smith, Charewicz

NAYS: 1 - Sayad

ABSENT: 1 - Lysakowski

Motion declared carried.

**APPROVE
MINUTES
Consent Agenda**

Moved by Oskerka, seconded by Walsten, to Approve the Minutes of the City Council meeting of May 1, 2023, as published. Motion declared carried as approved unanimously under Consent Agenda.

**REPORT OUT BY
COMMITTEE ON
COMMITTEES**

**COMMITTEE
RECOMMENDATION
OF APPOINTMENTS
AND DESIGNATION
OF CHAIRS**

Alderman Brookman gave an overview of the recommendation of committee appointments and designation of chairs for the years 2023-2025.

BUILDING CODE

Chairman: Lysakowski
Vice-Chair: Smith
Member: Moylan

COMMUNITY DEVELOPMENT

Chairman: Moylan
Vice-Chair: Brookman
Member: Lysakowski

COMMUNITY SERVICES

Chairman: Smith
Vice-Chair: Oskerka
Member: Walsten

ENGINEERING

Chairman: Walsten
Vice-Chair: Sayad
Member: Charewicz

FINANCE & ADMINISTRATION

Chairman: Sayad
Vice-Chair: Walsten
Member: Smith

LEGAL & LICENSING

Chairman: Brookman
Vice-Chair: Charewicz
Member: Oskerka

PUBLIC SAFETY

Chairman: Oskerka
Vice-Chair: Lysakowski
Member: Sayad

PUBLIC WORKS

Chairman: Charewicz
Vice-Chair: Moylan
Member: Brookman

**CONSIDER
DESIGNATING THE
CHAIRS, VICE-
CHAIRS, AND
MEMBERS OF THE
COMMITTEES**

Moved by Sayad, seconded by Brookman, to Approve the Resolution R-102-23, A RESOLUTION DESIGNATING THE CHAIRS, VICE-CHAIRS AND MEMBERS OF THE STANDING COMMITTEES OF THE DES PLAINES CITY COUNCIL.

Upon voice vote, the vote was:

AYES: 7 - Moylan, Oskerka, Sayad, Brookman,
Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 1 - Lysakowski

Motion declared carried.

NEW BUSINESS

FINANCE & ADMINISTRATION – Alderman Sayad, Chair

**WARRANT
REGISTER**

Alderman Sayad presented the Warrant Register.

**Resolution
R-100-23**

Alderman Sayad questioned items regarding outside legal services.

Moved by Walsten, seconded by Smith, to Approve the Warrant Register of May 15, 2023 in the Amount of \$4,541,728.64 and Approve Resolution R-100-23.

Upon roll call, the vote was:

AYES: 7 - Moylan, Oskerka, Sayad, Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 1 - Lysakowski

Motion declared carried.

COMMUNITY DEVELOPMENT – Alderman Moylan, Chair

Director of Community & Economic Development Carlisle reviewed a memorandum dated May 15, 2023.

CONSIDER
APPROVING
CONDITIONAL USE
PERMITS TO ALLOW
THE OPERATION OF
A COMMERCIALY
ZONED ASSEMBLY
USE AND PRIVATE
SCHOOL AT 820-848
LEE ST
Ordinance
Z-10-23

The petitioner is requesting a conditional use permit (i) to operate a Commercially Zoned Assembly Use in the C-5 Zoning District, in accordance with a project narrative that has been revised since initial entitlement (2019); and (ii) to operate a private elementary and high school in the C-5 Zoning District.

The petitioner has submitted this application to amend the conditional use to allow for assembly uses related and unrelated to the school to be held on their property. The petitioner and property owner, Little Bulgarian School (LBS), is requesting a conditional use for the following:

1. Allow commercially zoned assembly uses at 832 Lee St., open to the public and not restricted to the school activities. These events may include athletic events, performances, fundraisers, cultural events, or other events. The petitioner requests that the school be able to rent or lend facilities to third parties that:
 - a. Support and promote the school;
 - b. Celebrate, promote, support, and educate about Bulgarian culture, arts, and history;
 - c. Support and promote civic education, volunteerism, and community engagement;
 - d. Support the activities of community residents and other community, educational, and cultural groups, and organizations.
2. Allow for a private school for students of all ages (elementary, high school, adult classes) to operate seven days a week.

The petitioner does not have any plans to alter the interior or exterior of any of the properties at 820-848 Lee Street. All proposed uses will be located inside the building. Most students participating in classes or programs will likely be dropped off and picked up by parents.

The proposed private school would require one space for each classroom, plus one space per 200 square feet of area devoted to offices, plus one space for every six students based on maximum enrollment. During the previous entitlement process in 2019, it was determined 73 spaces were required to meet the anticipated parking demand. The updated floor plan allows a greater portion of the building to be excluded from the parking calculation, and thus reducing the amount of necessary parking from 73 to 67 spaces. The parking variation from the original Z-12-19 that reduced the required parking from 73 to 63 spaces is still valid and applicable. In addition to the 63 spaces available for the property, a parking agreement allows the petitioner to use 28 parking spaces at 854 Lee Street (Immanuel Lutheran Church’s west parking lot) during the hours of 6:39PM to 11:30PM Monday through Friday and Saturday from 1:30PM to 11:59PM and Sunday from 1:30PM to 11:30PM. The parking agreement is active until August 31, 2025, with terms allowing for renewal after this date.

The PZB voted 6-0 to recommend approval of the conditional use request. Should the City Council vote to approve the requests, the PZB recommends the following conditions, which are incorporated in the approving ordinance:

1. The operation of the commercially zoned assembly and private school uses shall be located only within the School Building at 832 Lee Street. The Single-Family Homes shall not be used for commercially zoned assembly or private school uses.
2. Any expansion of any use shall require the Petitioner to obtain an amendment to the Conditional Use Permits.
3. The Subject Property may only be used as a commercially zoned assembly use for uses that (i) either relate to the private school or are open to the public; and (ii) meet any of the following goals of the private school:
 - a. Support and promote the school;
 - b. Celebrate, promote, support, and educate about Bulgarian culture, arts, and history;
 - c. Support and promote civic education, volunteerism, and community engagement;
 - d. Support the activities of community residents and other community, educational, and cultural groups, and organizations.
4. The maximum number of people in any space shall not exceed the maximum occupancy load prescribed by the Fire Department. Every room or space that is an assembly occupancy shall have the occupant load of that room or space posted in a conspicuous place, near the main exit.
5. No alcohol shall be served during any event unless approved by the City of Des Plaines, as required by the Fire Department. On-premises food preparation is not allowed in the School Building unless the Owner constructs a commercial-grade kitchen in the School Building that that complies with all applicable ordinances and laws. Food prepared off premises may be served on the Subject Property.
6. The Petitioner shall maintain the Parking Lease Agreement as long as the Subject Property is used for commercially zoned assembly use and a private school. Any amendment to the Parking Lease Agreement shall be approved by the Director of Community and Economic Development.

Karl Camillucci, the attorney for the petitioner, spoke on their behalf.

Moved by Walsten, seconded by Sayad, to Approve the Ordinance Z-10-23, AN ORDINANCE APPROVING CONDITIONAL USE PERMITS TO ALLOW THE OPERATION OF A COMMERCIAL ZONED ASSEMBLY USE AND PRIVATE SCHOOL AT 820-848 LEE STREET, DES PLAINES, ILLINOIS (Case # 23-013-CU).

Upon voice vote, the vote was:

AYES: 7 - Moylan, Oskerka, Sayad, Brookman,
Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 1 - Lysakowski

Motion declared carried.

**OTHER MAYOR/
ALDERMEN
COMMENTS FOR
THE GOOD OF THE
ORDER**

Alderman Moylan requested cancelling the City Council meeting on July 3, 2023 due to the holiday.

Moved by Moylan, seconded by Brookman, to cancel the City Council meeting of July 3, 2023.

Upon voice vote, the vote was:

AYES: 7 - Moylan, Oskerka, Sayad, Brookman,
Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 1 - Lysakowski

Motion declared carried.

Alderman Sayad requested further consideration of removing the five-minute rule from public comment.

City Manager Bartholomew explained that in order for an item to be placed on the agenda it must be done by the Mayor or with the request of at least three Aldermen.

Alderman Brookman stated Elrod and Friedman held a seminar last Friday, and that it was very informational.

Mayor Goczkowski reiterated that Tuesday, May 23, 2023 is the Food Truck Round Up, and he encouraged everyone to come out to Friendship Park and Conservatory from 5-8 p.m.

Alderman Walsten stated a resident brought up an issue about a tattered American Flag located at the old Caputo’s building, and requested an update from Director of CED Carlisle.

Director of CED Carlisle stated code enforcement has contacted the owner and strongly encouraged them to take it down even though it is not a violation of City code.

ADJOURNMENT

Moved by Brookman, seconded by Oskerka to adjourn the meeting. Upon voice vote, motion declared carried. The meeting adjourned at 7:54 p.m.

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

APPROVED BY ME THIS 5th
DAY OF June, 2023

/s/ Andrew Goczkowski
Andrew Goczkowski, MAYOR