

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 4, 2024

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 7:00 p.m. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, November 4, 2024.

ROLL CALL

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

Also present were: City Manager Wisniewski, Director of Finance Podbial, Director of Public Works and Engineering Oakley, Director of Community and Economic Development Rogers, Battalion Chief Ciraulo, Deputy Police Chief Shanahan, 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 Moylan.

MINUTES OF THE PUBLIC HEARINGS HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS DES PLAINES CIVIC CENTER, MONDAY, NOVEMBER 4, 2024

**PUBLIC HEARING/
LEVYING TAXES FOR
DES PLAINES FOR THE
TAX LEVY YEAR
BEGINNING JAN 1, 2024
& ENDING DEC 31, 2024**

Mayor Goczkowski called the Public Hearing for consideration of levying taxes for the city of Des Plaines, Cook County, Illinois for the tax levy year beginning January 1, 2024 and ending December 31, 2024, to order at 7:01 p.m.

Director of Finance Podbial reviewed a memorandum dated October 17, 2024.

**Ordinance
M-22-24**

Illinois Truth in Taxation Act (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 the City failed to comply with this specific notice and hearing provisions.

Presented for City Council approval is the 2024 Tax Levy representing a 2.91% decrease from the 2023 Property Tax Extension. Section 18-15 of the Illinois Property Tax Code requires that the City adopt a tax levy ordinance and file it with the County Clerk's office by the last Tuesday in December (Tuesday, December 31 for 2024).

The 2024 Tax Levy is scheduled for first reading on November 4th (in conjunction with the public hearing on the Tax Levy) and second reading on November 18th. The County Clerk's office filing deadline of December 31, 2024 remains firm and the City Council must adopt a tax levy of some amount on or before the evening of December 31st, or the City would be prohibited from levying any property tax.

The 2024 Tax Levy, which includes the general (corporate) fund, police and fire pension funds, public library fund, and bond & interest (debt service) fund, totals \$31,323,825. This represents a decrease of \$939,715 or -2.91% from the 2023 Property Tax Extension.

Staff recommends the City Council formally adopt the 2024 Property Tax Levy Ordinance.

Moved by Sayad, seconded by Brookman, to Approve First Reading of Ordinance M-22-24, AN ORDINANCE LEVYING TAXES FOR THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS FOR THE TAX LEVY YEAR BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2024.

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Mayor Goczkowski adjourned the Public Hearing at 7:03 p.m.

PROCLAMATION

City Clerk Mastalski read a proclamation by Mayor Goczkowski declaring the month of November as National Native American Heritage Month.

**ALDERMAN
ANNOUNCEMENTS**

Alderman Brookman encouraged the community to vote.

Alderman Walsten encouraged the community to vote.

Alderman Smith encouraged the community to vote.

Alderman Charewicz mentioned the Chamber of Commerce is hosting a career fair on November 6th at the library, Izaak Walton is having a Turkey Raffle on November 21st, and the Center of Concern is having an Adopt an Older Adult donation fundraiser. He also mentioned the next 8th ward meeting will be December 3rd at 7:00 p.m. at the conservatory.

Alderman Sayad encouraged voting. He thanked staff for help with the budget.

**MAYORAL
ANNOUNCEMENTS**

Mayor Goczkowski stated that early voting has concluded and the Des Plaines Library is not a polling place tomorrow; residents can look up their polling place on the Cook County Clerk website. He also mentioned the City and the park district teamed up to host a Pumpkin Smash this past Saturday; he thanked staff and the volunteers from Clean Up Give Back. He also stated the City's leaf collection has started; further details found at desplainesil.gov/leafcollection. He mentioned the upcoming winter celebrations – Holiday Tree Lighting on December 6th and the Winter Fair on December 7th.

CONSENT AGENDA

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

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

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

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Minutes were approved; Ordinance M-20-24 was adopted; Resolutions R-181-24, R-182-24, R-183-24 were adopted.

**AUTH EXEC OF
SUBREC AGRMT/
CDBG FUNDS/ NW HSG
PARTNERSHIP**
Consent Agenda

Moved by Brookman, seconded by Oskerka, to Approve Resolution R-181-24, A RESOLUTION AUTHORIZING THE EXECUTION OF SUBRECIPIENT AGREEMENTS WITH NORTH WEST HOUSING PARTNERSHIP REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT FUND. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-181-24

**AUTH PROC/ ROCK
SALT/ COMPASS
MINERALS**
Consent Agenda

Moved by Brookman, seconded by Oskerka, to Approve Resolution R-182-24, A RESOLUTION AUTHORIZING THE PROCUREMENT OF ROCK SALT FROM COMPASS MINERALS, INC. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-182-24

**APPROVE TO 8/ IEPA/
GABRIEL ENVIRON
SVCS**
Consent Agenda

Moved by Brookman, seconded by Oskerka, to Approve Resolution R-183-24, A RESOLUTION APPROVING TASK ORDER NO. 8 WITH GABRIEL ENVIRONMENTAL SERVICES, INC. FOR FILING A NO FURTHER REMEDIATION LETTER APPLICATION WITH THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (1173-77 E. WALNUT STREET). Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-183-24

**SECOND READING/
ORDINANCE
M-20-24**
Consent Agenda

Advanced to second reading by Brookman, seconded by Oskerka, to Adopt the Ordinance M-20-24, AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS “A” LIQUOR LICENSE. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES**
Consent Agenda

Moved by Brookman, seconded by Oskerka, to Approve the Minutes of the Special Meeting of the City Council – Budget Hearing #1 of October 10, 2024, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES**
Consent Agenda

Moved by Brookman, seconded by Oskerka, to Approve the Minutes of the Special Meeting of the City Council – Budget Hearing #2 of October 16, 2024, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE
MINUTES**
Consent Agenda

Moved by Brookman, seconded by Oskerka, to Approve the Minutes of the City Council meeting of October 21, 2024, 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 October 21, 2024, as published. Motion declared carried as approved unanimously under Consent Agenda.

UNFINISHED BUSINESS

**CONSIDER
APPROVING COND USE
PERMITS FOR TRADE
CONTR USES AT 965 &
975 RAND RD**
Ordinance
Z-14-24

Mayor Goczkowski stated the petitioner requested Ordinance Z-14-24 be postponed from the agenda due to their expectation to add major variation requests to their conditional use application.

Without objection, Ordinance Z-14-24 was pulled from tonight’s agenda.

**DISC RE PROPOSED
REG ON REC
VEHICLES**

Mayor Goczkowski stated that the item has received a lot of resident input and as a result he requested the discussion be deferred to the second meeting in November so that staff has more time to continue to receive resident feedback and incorporate it into the memorandum for discussion.

Without objection, the discussion was deferred to the second City Council meeting in November.

NEW BUSINESS

FINANCE & ADMINISTRATION – Alderman Sayad, Chair

**WARRANT
REGISTER
Resolution
R-180-24**

Alderman Sayad presented the Warrant Register.

Alderman Sayad stated the current reserve balance is \$29,371,496.00.

Moved by Sayad, seconded by Lysakowski, to Approve the Warrant Register of November 4, 2024, in the Amount of \$3,356,612.69 and Approve Resolution R-180-24.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

COMMUNITY DEVELOPMENT – Alderman Moylan, Chair

**CONSIDER AN ORD
APPROVING A COND
USE PERMIT & MAJOR
VAR TO ALLOW A RES
ZONED ASSY USE AT
1345 E. PRAIRIE AVE
Ordinance
Z-24-24**

Director of Community and Economic Development Rogers reviewed a memorandum dated October 28, 2024.

The petitioner is requesting the following items: (i) a Conditional Use to allow a residentially zoned assembly use in the R-4 zoning district; and (ii) a Variation for off-street parking at 1345 Prairie Avenue.

Petitioner St. Vakhtang Gorgasali Orthodox Church, represented by Arsen Mskhvilidze, has requested a Conditional Use Permit to allow the operation of a residentially zoned assembly use and major variation for off-street parking at 1345 Prairie Avenue. The 12,000-square-foot property contains a single-story building comprised of approximately 3,850 square feet with a frame shed, patio, paved pedestrian entry area, and no off-street parking area. The subject property is a corner lot with the front property line adjacent to Graceland Avenue on the east and the corner-side property line adjacent to Prairie Avenue to the north.

The St. Vakhtang Gorgasali Orthodox Church primarily operates on the weekends providing services from 9 a.m. to 12 p.m. on both days. However, they will also be open for special Christian holidays, some of which fall on weekdays.

The staff includes the priest, two assistants, two singers, and a board of three church members. A typical weekend service is anticipated to include no more than 30 individuals. However, major holidays can generate up to 80 individuals for a service or event.

The proposed use intends to utilize both on-street parking and off-street parking on nearby properties to fulfill its parking obligation given the non-existent parking area on the subject property and limited space to install a new parking area. The plan to do this using remote off-street parking and on-street parking options.

The proposed religious institution is categorized as a residentially zoned assembly use which requires a conditional use in the R-4, Central Core Residential district.

There was a previous assembly use operating on the subject property as a nonconforming use given that no conditional use is on file authorizing the assembly use. After the termination of this use in 2017, any future assembly use would require the approval of a conditional use permit prior to its operation. As such, the petitioner has submitted a conditional use request to operate a residentially zoned assembly use (i.e., church) on the property.

The existing two-story building includes a first floor and a basement area. The proposal includes minor alterations to the interior of the building consisting of: (i) removal of the existing kitchen and gas fired appliances from the lower level and (ii) removal of the existing raised platform in the sanctuary to make the floor level consistent throughout that space. There are no plans to alter the existing exterior of the building, including the building material of face brick.

Occupying this building may require ADA accessibility improvements within the building and site under the City's building code. The petitioner must be aware of this which will be addressed during building permit/certificate of occupancy review as this is not directly germane to the Conditional Use process.

Activities and operations of the proposed assembly use that generates excessive or noise/sound that escapes the subject property must comply with Sections 12- 12-8 and 6-2-7 of the City's code. This could include, but not be limited to, amplified bell ringing, calls to pray, processions, worship services' music and activities, etc.

Pursuant to Section 12-9-7 of the Des Plaines Zoning Ordinance, the minimum off-street parking requirement is based upon the specific type of assembly use. The Petitioner's Project Narrative indicates that there is fixed seating in the narthex space but not in the sacristy or sanctuary spaces. Based on this and the required off-street parking requirements, a total of 29 off-street spaces—including at least two accessible spaces—are required for the proposed residentially zoned assembly use on the subject property. The subject property currently does not have any established off-street parking spaces, and the Site Plan does not propose any new parking spaces. Consequently, the lack of off-street parking accommodations does not meet Zoning Ordinance requirements and requires a major variation.

Given the lack of off-street parking on the subject property and the limited space to install new off-street parking spaces with the current property configuration and development, the petitioner has applied for a major variation to reduce the required off-street parking requirement on the subject property to zero with a plan to utilize existing off-street parking on one nearby property as well as on-street parking on surrounding streets.

While staff recognize the physical constraints for on-site off-street parking on the subject property, an additional parking option has been provided by the petitioner in support of their major variation request. The petitioner's Project Narrative outlines their plan to accommodate their required parking supply in three ways:

- a. Use the public parking spaces in the Welkin parking garage across Graceland Ave;
- b. Use the existing public on-street parking in the immediate surrounding neighborhood; and
- c. Enter into a shared parking agreement with the responsible party at 780 Lee St. to use 31 off-street parking spaces on this private property.

Method a. and b. are publicly available and regulated parking for use by anyone but cannot be solely dedicated to the petitioner's use as these parking spaces are specifically intended

to be generally available to the community on a first-come-first-served basis. Further, both on-street parking and public stalls in the Welkin parking garage are likely to be at least partially occupied by other vehicles during these specific time frames.

Method c. could be a reliable location for a dedicated supply of parking spaces, but 780 Lee St. is approximately 936 feet away from the subject property along the pedestrian sidewalks on Prairie Ave. and Lee St. and may not be ideal proximity to the subject property. Additionally, there appears to be only 34 spaces currently at the rear and sides of 780 Lee St. These existing parking spaces currently serve an existing multi-tenant office building that is approximately 13,400 square feet in size. Under the City's parking regulations, this existing office building could require up to 44 parking spaces based on the building size.

There have been inquiries from the public related to this proposed use, but no written comments have been provided yet.

The PZB voted 4-1 (with one abstain vote) to recommend that City Council approve the conditional use and major variation requests with the staff recommended conditions.

If the City Council decides to approve these requests, staff and the PZB recommend the following conditions.

1. Prior to the issuance of a certificate of occupancy, the petitioner shall provide confirmation that all required off-street parking for the assembly use is satisfied through an executed shared parking agreement, the construction of on-site parking area installation, or a combination of the two in conformance with Section 12-9-7 of the Zoning Ordinance. The on-site parking area shall meet the requirements of Section 12-9-6 and Site Plan Review standards pursuant to Section 12-3-2.B.
2. Any installation of noise generating equipment on the site (bells, speakers, etc.) and all activities on this site must be in compliance with Section 12-12-8 of the Zoning Ordinance and Section 6-2-7 of the Police Regulations.
3. Prior to installation of any additional seating or expansion of operations related to the proposed use, contact City Staff to determine compliance with this conditional use ordinance and all other applicable regulations.

A member of the congregation spoke regarding the specifics of the Saturday service and Sunday school.

Marian Cosmides expressed her view of being in favor of approving the ordinance due to the historical significance of the church and its community building capability.

Resident Gentle Halsell stated he does not see an issue with the distance of the parking. He also stated he has had issues with the lighting conditions for the sidewalks and had had issues with his living conditions at his current residence. He also mentioned his concern with the amount of traffic and the speed of traffic in this area.

Moved by Oskerka, seconded by Moylan, to Deny Ordinance Z-24-24, AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT AND MAJOR VARIATION TO ALLOW A RESIDENTIALLY ZONED ASSEMBLY USE AT 1345 E. PRAIRIE AVENUE, DES PLAINES, ILLINOIS (Case #24- 044-CU-V).

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

CONSIDER AN ORD
EXT THE TERM &
APPROVING AMENDED
TAX INC REDEV PLAN
& PROJ FOR THE
HIGGINS RD/
MANNHEIM RD REDEV
PROJ AREA NO 6
Ordinance
M-23-24

Director of Community and Economic Development Rogers reviewed a memorandum dated October 24, 2024.

The City Council considered a second amendment to the Tax Increment Redevelopment Plan and Project for the Higgins Road/Mannheim Road TIF District No. 6.

Tax increment finance (TIF) funding is an incentive method used to better the economic condition of a specified area. TIF funding freezes the assessed valuation of a given area for a period of time. The development that subsequently occurs in the area results in an increase in the valuation of the district. The incremental property tax increase is deposited into a segregated fund of the City, which in turn utilizes those funds to provide incentives for the initial and additional development.

TIF District No. 6 was created in 2001, to the north and east at the intersection of Mannheim and Higgins Roads. Construction of a commercial strip center concluded in early 2007, with Starbucks and Potbelly restaurants as occupants. In 2014, the district was amended and restructured to include only properties north of Pratt Avenue, and the remaining properties to the south became part of the new TIF No. 7. The original term of TIF No. 6 was set to expire at the end of 2025.

Over the past few years, a sizable portion of TIF District No. 6 has been in the midst of redevelopment. The former Café La Cave banquet hall was demolished, and site work began for the construction of the restaurants Raising Canes, Guzman y Gomez Taqueria, and Cava Mediterranean Grill. Extending the term of TIF No. 6 would better ensure that the TIF No. 6 Redevelopment Plan is implemented, including further public improvements within the district that will promote further long-term growth benefitting the City and its residents.

TIF districts in Illinois are allowed to exist for 23 years. Extensions for an additional 12 years are possible when passed by the State and then amended by the municipality. On August 9, 2024, Illinois Public Act 103- 1016 amended the TIF Act by adding a new Section 11-74.4-3.5(c)(274), which authorized the extension of the term of TIF No. 6 from December 31, 2025 to December 31, 2037.

The Illinois TIF Act permits the City to extend the term of TIF No. 6 after the City has convened a joint review board (JRB) meeting and conducted a public hearing regarding the matter. At their September 3, 2024 meeting, City Council authorized a JRB meeting and the necessary public hearing to consider the extension.

The JRB convened on Friday, September 20, 2024, and had the opportunity to discuss the amendment of the term of TIF District No. 6. During this meeting, the JRB unanimously recommended the attached resolution to extend the term of the TIF.

A public hearing, required by Section 5(c) of the Illinois Tax Increment Allocation Redevelopment Act, took place on October 21, 2024, during the City Council meeting.

Moved by Walsten, seconded by Smith, to Approve First Reading of Ordinance M-23-24, AN ORDINANCE EXTENDING THE TERM AND APPROVING AN AMENDED TAX INCREMENT REDEVELOPMENT PLAN AND PROJECT FOR THE HIGGINS ROAD/ MANNHEIM ROAD REDEVELOPMENT PROJECT AREA NO. 6.

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Sayad,
Brookman, Walsten, Smith, Charewicz

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Alderman Walsten asked if the ordinance could be advanced to second reading.

City Manager Wisniewski recommended not advancing tonight to allow for public comment.

**CONSIDER AUTH THE
PURCH OF THE PROP
LOC AT 678 LEE ST &
1382 PRAIRIE AVE**
**Resolution
R-184-24**

Director of Community and Economic Development Rogers reviewed a memorandum dated October 28, 2024.

The City Council considered the purchase and sale agreement for 678 Lee Street.

The City Council previously directed the City Manager to negotiate with the owner of the historic 1927 commercial building and associated parking stalls to acquire the property. The City Manager has negotiated a purchase price of \$1,890,000 for the properties.

Resident Tom Lovestrand stated it is his opinion that too many City Council decisions are done in behind closed doors without transparency and without public opinion.

Moved by Moylan, seconded by Brookman, to Approve Resolution R-184-24, A RESOLUTION AUTHORIZING THE PURCHASE OF THE PROPERTY LOCATED AT 678 LEE STREET AND 1382 PRAIRIE AVENUE, DES PLAINES, ILLINOIS.

Upon roll call, the vote was:

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

NAYS: 1 - Sayad

ABSENT: 0 - None

Motion declared carried.

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

Mayor Goczkowski and Alderman Brookman encouraged the community to vote.

ADJOURNMENT

Moved by Brookman, seconded by Oskerka, to adjourn the meeting. Upon voice vote, motion declared carried. The meeting adjourned at 8:04 p.m.

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

APPROVED BY ME THIS 18th
DAY OF November, 2024

/s/ Andrew Goczkowski
Andrew Goczkowski, MAYOR