



CITY COUNCIL AGENDA

Monday, November 15, 2021

Regular Session – 7:00 p.m.

Room 102

CALL TO ORDER

REGULAR SESSION

ROLL CALL

PRAYER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

(matters not on the agenda)

ALDERMEN ANNOUNCEMENTS/COMMENTS

MAYORAL ANNOUNCEMENTS/COMMENTS

Motion to Extend Declaration of Civil Emergency

CITY CLERK ANNOUNCEMENTS/COMMENTS

MANAGER'S REPORT

CITY ATTORNEY/GENERAL COUNSEL REPORT

CONSENT AGENDA

1. **FIRST READING – ORDINANCE M-28-21:** Adding a New Class “B” Liquor License (Retail/Bulk/Alcohol Primary Sales for Off-Site Consumption Only) for Cosecha Wine & Spirits, LLC, 1670 South River Road
2. **FIRST READING – ORDINANCE M-29-21:** Terminating the Designation of TIF #1 as a Redevelopment Project Area Under the Tax Increment Allocation Redevelopment Act
3. **RESOLUTION R-180-21:** Approving the Rock Salt Bid Award Through the State of Illinois CMS Rock Salt Procurement Contract at a Cost of \$47.33 per Ton Delivered Payable to Compass Minerals America, Inc., Overland Park, Kansas. Budgeted Funds – MFT Funds/Commodities/Ice Control.
4. **RESOLUTION R-181-21:** Waiving Competitive Bidding Requirements and Approving the Plumbing Services Master Contract Between the City of Des Plaines and JOS Services, Inc., Lake Bluff, Illinois
5. **RESOLUTION R-182-21:** Waiving Competitive Bidding Requirements and Approving the Electrical Services Master Contract Between the City of Des Plaines and Super Electric Construction Company, Chicago, Illinois
6. **RESOLUTION R-183-21:** Approving a Local Agency Agreement with the Illinois Department of Transportation (IDOT) and an Engineering Services Agreement with Christopher B. Burke Engineering, Ltd. for the Oakton Street Sidepath Project in the Amount Not-to-Exceed \$158,625. Budgeted Funds – Grant Funded Projects.
7. **RESOLUTION R-184-21:** Approving Task Order No. 7 with Christopher B. Burke Engineering, Ltd. for Professional Engineering Services for the Forest Avenue Flood Improvement Design in the Amount Not-to-Exceed \$288,500. Budgeted Funds – Capital Projects.
8. **SECOND READING – ORDINANCE M-26-21:** Levying Taxes for the City of Des Plaines, Cook County, Illinois for the Fiscal Year Beginning January 1, 2022 and Ending December 31, 2022
9. **SECOND READING – ORDINANCE M-27-21:** Amending Section 10-8-2 of the City Code of the City of Des Plaines Regarding Local Amendments to the National Electrical Code
10. **RESOLUTION R-188-21:** Awarding the Bid for Street Sweeping Services from 2022-2024 to Lakeshore Recycling Systems, LLC, West Chicago, Illinois in the Amount of \$470,790.85. Budgeted Funds – Street Maintenance/Miscellaneous Contractual Services.
11. Minutes/Regular Meeting – November 1, 2021
12. Minutes/Closed Session – November 1, 2021
13. **RESOLUTION R-191-21:** Approving the Assignment of Lease Agreement with Onesti Entertainment Corporation for the Operation of the Des Plaines Theatre to Onesti DPT, Inc.

UNFINISHED BUSINESS

N/A

NEW BUSINESS

1. FINANCE & ADMINISTRATION – Alderman Artur Zadrozny, Chair
 - a. Warrant Register in the Amount of \$3,088,302.07 – **RESOLUTION R-186-21**
2. COMMUNITY DEVELOPMENT – Alderman Malcolm Chester, Chair
 - a. Consideration of a Resolution in Support of a Cook County Class 6b Tax Incentive for TMI Properties, LLC, 25 Howard Avenue, Des Plaines, Illinois – **RESOLUTION R-187-21**
 - b. Consideration of Zoning Text Amendments Related to Collective Parking, Electric Vehicle Charging in Parking Areas, Changes to Parking in Planned Unit Developments – **FIRST READING – ORDINANCE Z-55-21**
 - c. Consideration of Conditional Use and Variations for a Livery Service Use at 580 S. Wolf Road – **FIRST READING – ORDINANCE Z-56-21**
 - d. Consideration of Compliance and Abeyance of Zoning Enforcement Agreement for Commercial Parking at 3001 Mannheim Road – **RESOLUTION R-189-21**
3. PUBLIC SAFETY – Alderman Sean Oskerka, Chair
 - a. Consideration of an Intergovernmental Agreement Between the Village of Mount Prospect, the Village of Elk Grove Village, the City of Des Plaines, and the Elk Grove Rural Fire Protection District for the Coordination, Planning, Funding, and Provision of Fire Protection and Emergency Medical Services to Certain Unincorporated Areas in Cook County – **RESOLUTION R-190-21**
 - b. Consideration of Amendments to Chapter 6 of Title 2 of the Des Plaines City Code Concerning the Board of Fire and Police Commissioners – **FIRST READING – ORDINANCE M-14-21**

OTHER MAYOR/ALDERMEN COMMENTS FOR THE GOOD OF THE ORDER

ADJOURNMENT

ORDINANCES ON THE AGENDA FOR FIRST READING APPROVAL MAY ALSO, AT THE COUNCIL’S DISCRETION, BE ADOPTED FOR FINAL PASSAGE AT THE SAME MEETING.

City of Des Plaines, in compliance with the Americans With Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in the meeting(s) or have questions about the accessibility of the meeting(s) or facilities, contact the ADA Coordinator at 391-5486 to allow the City to make reasonable accommodations for these persons.



CITY MANAGER'S OFFICE

1420 Miner Street
Des Plaines, IL 60016
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desplaines.org

MEMORANDUM

Date: November 10, 2021
To: Mayor Goczowski and Aldermen of the City Council
From: Michael G. Bartholomew, City Manager *MB*
Subject: Assignment of Lease Agreement with Onesti Entertainment Corporation

Issue: Now that the Des Plaines Theatre is operational, the Onesti Entertainment Corporation has filed their status with the State of Illinois as what is known as a “Special Purpose Entity” under the name Onesti DPT, Inc. for purposes of serving as the operator of the Des Plaines Theatre. Our attorneys have reviewed this matter and recommend that we assign the originally issued lease agreement with Onesti Entertainment Corporation for the operation of the Des Plaines Theatre to Onesti DPT, Inc. for consistency purposes.

Recommendation: I recommend approval of the attached resolution for the assignment of the Des Plaines Theatre lease agreement to be transferred to Onesti DPT, Inc.

Attachments: Resolution R-191-21

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CITY OF DES PLAINES

RESOLUTION R - 191 - 21

**RESOLUTION APPROVING THE ASSIGNMENT OF LEASE
AGREEMENT WITH ONESTI ENTERTAINMENT
CORPORATION FOR THE OPERATION OF THE DES
PLAINES THEATRE TO ONESTI DPT INC.**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the City to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the City is the owner the real property commonly known as the Des Plaines Theatre and located at 1476 Miner Street, 1486 Miner Street, and 1486 1/2 Miner Street, Des Plaines, Illinois 60016 (collectively, the “*Premises*”); and

WHEREAS, Onesti Entertainment Corporation, an Illinois corporation (“*OEC*”), agreed to lease the Premises and operate it in accordance with certain operational conditions (“*Operational Conditions*”); and

WHEREAS, on May 20, 2019, the City and OEC entered into that certain Lease Agreement for the Premises which was approved by the City Council on May 20, 2019 pursuant to City of Des Plaines Resolution R-107-19. (“*Lease Agreement*”); and

WHEREAS, since the execution of the Lease Agreement, the owners of OEC have created a special purpose entity, Onesti DPT, Inc. (“*Assignee*”) to hold the lease and operating rights for the Premises; and

WHEREAS, the City has determined that the assignment of the Lease Agreement to the Assignee will not impair the City’s rights and will be in the best interest of the City and its residents; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Plaines, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the City Council.

SECTION 2: APPROVAL OF ASSIGNMENT OF LEASE AGREEMENT. The City Council hereby approves the assignment of the Lease Agreement and all rights and responsibilities created pursuant to said Agreement to Onesti DPT, Inc. and authorizes the City Manager to execute such documents and consents as may be necessary to effectuate such assignment.

SECTION 3: EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval according to law.

PASSED this ____ day of _____, 2021.

APPROVED this ____ day of _____, 2021.

VOTE: AYES ____ NAYS ____ ABSENT ____

MAYOR

ATTEST:

Approved as to form:

CITY CLERK

Peter M. Friedman, General Counsel