

**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 18, 2021**

**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, October 18, 2021.

**ROLL CALL**

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

**PUBLIC COMMENT**

Resident Craig Weiss spoke regarding the temporary limited parking on Danbury Lane due to the street resurfacing; and gave a viewpoint on the potential townhouse development on Oakton Street.

**ALDERMEN ANNOUNCEMENTS**

Alderman Chester mentioned the Des Plaines Park District is renovating Arndt Park.

**MAYORAL ANNOUNCEMENTS**

On March 16, 2020, 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 July 29, 2020.

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

Moved by Brookman, seconded by Oskerka, to extend the March 16, 2020 Declaration of Civil Emergency until the adjournment of the next regular, special, or emergency meeting of the City Council.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**CONSENT AGENDA**

Moved by Chester, seconded by Lysakowski, to establish the Consent Agenda.

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi  
NAYS: 0 - None  
ABSENT: 0 - None  
Motion declared carried.

Moved by Brookman, seconded by Lysakowski, to approve the Consent Agenda.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi  
NAYS: 0 - None  
ABSENT: 0 - None  
Motion declared carried.

Minutes were approved; Request was approved; Appointments were approved; Ordinance M-17-21, M-18-21, M-19-21, M-20-21, M-21-21, M-22-21, M-23-21, M-24-21, M-25-21 were approved; Ordinance M-16-21, Z-48-21 were adopted; Resolutions R-160-21, R-164-21, R-165-21, R-166-21, R-167-21, R-168-21, R-171-21 were adopted.

**AMEND CITY  
CODE/ CLASS A  
LIQ LIC/ 1476  
MINER ST  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-17-21, AN ORDINANCE AMENDING THE CITY CODE TO ADD ONE CLASS "A" LIQUOR LICENSE. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance  
M-17-21**

**APPROVE CLASS M  
LIQ LIC/CHG OF  
OWNERSHIP/  
1585 RAND ROAD  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve, "CLASS M" LIQUOR LICENSE CHANGE OF OWNERSHIP (GAS STATION/RETAIL SALES BEER & WINE ONLY FOR OFF-SITE CONSUMPTION) FOR SHARDA04 CORPORATION D/B/A 7-ELEVEN #33055E, 1585 RAND ROAD. Motion declared carried as approved unanimously under Consent Agenda.

**AUTH 2021 TAX  
LEVY ABATE/  
2009A TAXABLE GO  
REFUND BONDS  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-18-21, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2021 TAX LEVY FOR THE 2009 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009A. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance  
M-18-21**

**AUTH 2021 TAX  
LEVY ABATE/  
2014B GO REFUND  
BONDS  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-19-21, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2021 TAX LEVY FOR THE 2014 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014B. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance  
M-19-21**

**AUTH 2021 TAX**  
**LEVY ABATE/ 2018**  
**GO REFUND**  
**BONDS**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-20-21, AN ORDINANCE PROVIDING FOR THE ABATEMENT OF THE 2021 TAX LEVY FOR THE 2018 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2018. Motion declared carried as approved unanimously under Consent Agenda.

Ordinance  
M-20-21

**AUTH 2021 TAX**  
**LEVY ORD FOR**  
**SPL SVC AREA/ #9/**  
**624-640 W.**  
**ALGONQUIN RD**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-21-21, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NUMBER 9 OF THE CITY OF DES PLAINES, COOK COUNTY, IL. Motion declared carried as approved unanimously under Consent Agenda.

Ordinance  
M-21-21

**AUTH 2021 TAX**  
**LEVY ORD FOR**  
**SPL SVC AREA/ #10/**  
**642-658 W.**  
**ALGONQUIN RD**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-22-21, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NO. 10 OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

Ordinance  
M-22-21

**AUTH 2021 TAX**  
**LEVY ORD FOR**  
**SPL SVC AREA/ #14/**  
**2140 & 2148**  
**PLAINFIELD DR**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-23-21, AN ORDINANCE LEVYING TAXES FOR SPECIAL SERVICE AREA NO. 14 OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

Ordinance  
M-23-21

**AUTH 2021 TAX**  
**LEVY ORD FOR**  
**SPL SVC AREA/ #15/**  
**345 & 353**  
**ARDMORE RD**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-24-21, 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-24-21

**AUTH TERM EXP**  
**SPL SVC AREAS/ #8,**  
**#11, #12, & #13**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve First Reading of Ordinance M-25-21, AN ORDINANCE TERMINATING EXPIRED SPECIAL SERVICE AREAS 8, 11, 12 AND 13. Motion declared carried as approved unanimously under Consent Agenda.

**Ordinance  
M-25-21**

**APPROVE HAZ  
MIGR GRANT  
AGRMT/ IEMA  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve Resolution R-160-21, A RESOLUTION APPROVING A GRANT AGREEMENT WITH THE ILLINOIS EMERGENCY MANAGEMENT AGENCY. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-160-21**

**APPROVE AMD TO  
CH VI/  
INVESTMENTS/ FIN  
PLCY & PROC  
MANUAL  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve Resolution R-164-21, A RESOLUTION ADOPTING AN AMENDED INVESTMENT POLICY FOR THE CITY OF DES PLAINES. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-164-21**

**ADOPT CLIM ACT  
PLAN/ CHICAGO  
REGION  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve Resolution R-165-21, A RESOLUTION ENDORSING THE 2021 CLIMATE ACTION PLAN FOR THE CHICAGO REGION. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-165-21**

**APPROVE MBR  
MUN/ GREENEST  
REGION COMPACT  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve Resolution R-166-21, A RESOLUTION ENDORSING THE METROPOLITAN MAYORS CAUCUS' GREENEST REGION COMPACT 2. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-166-21**

**APPROVE 3 YR  
RENEWAL/  
MICROSOFT ENT  
AGRMT/ DELL  
MARKETING  
Consent Agenda**

Moved by Brookman, seconded by Lysakowski to Approve Resolution R-167-21, A RESOLUTION APPROVING AN AGREEMENT WITH TYLER TECHNOLOGIES FOR THE PURCHASE AND IMPLEMENTATION OF EXECUTIME SOFTWARE. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-167-21**

**APPROVE CHG  
ORD NO. 1/ ARROW  
RD CONSTR COMP/  
GRANT FUND  
PROJS  
Consent Agenda  
Resolution  
R-168-21**

Moved by Brookman, seconded by Lysakowski to Approve Resolution R-168-21, A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO AN AGREEMENT WITH ARROW ROAD CONSTRUCTION COMPANY FOR THE 2020 CAPITAL IMPROVEMENT PROGRAM - CONTRACT A, STREET AND ADA IMPROVEMENTS. Motion declared carried as approved unanimously under Consent Agenda.

**APPOINTMENT/  
LISA DU BROCK/  
LIBRARY BOARD  
OF TRUSTEES**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve the APPOINTMENT FROM OCTOBER 4, 2021 CITY COUNCIL AGENDA OF LISA DU BROCK TO THE LIBRARY BOARD OF TRUSTEES – TERM TO EXPIRE JUNE 30, 2022. Motion declared carried as approved unanimously under Consent Agenda.

**APPOINTMENT/  
THOMAS WEAVER/  
PLANNING &  
ZONING BOARD**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve the APPOINTMENT FROM OCTOBER 4, 2021 CITY COUNCIL AGENDA OF THOMAS WEAVER TO THE PLANNING & ZONING BOARD – TERM TO EXPIRE APRIL 30, 2023. Motion declared carried as approved unanimously under Consent Agenda.

**SECOND READING/  
ORDINANCE  
M-16-21**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve Ordinance M-16-21, AUTHORIZING THE DISPOSAL OF THE LISTED VEHICLES/EQUIPMENT THROUGH OBENAUF AUCTION SERVICE, INC, ROUND LAKE, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**SECOND READING/  
ORDINANCE  
Z-48-21**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve Ordinance Z-48-21, AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT AND MAJOR VARIATION FOR A CONVENIENCE MART FUELING STATION USE AT 2000 MANNHEIM ROAD, DES PLAINES, ILLINOIS. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE MSTR  
CNTRCT & TASK  
ORD NO. 1/  
TRANSYSTEMS/  
CAPITAL PROJS**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve Resolution R-171-21, A RESOLUTION APPROVING A MASTER CONTRACT WITH TRANSYSTEMS CORPORATION FOR PROFESSIONAL ENGINEERING SERVICES AND TASK ORDER NO 1 OFR ALGONQUIN ROAD GRADE SEPARATION PHASE I ENGINEERING. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-171-21**

**APPROVE  
MINUTES**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve the Minutes of the City Council meeting of October 4, 2021, as published. Motion declared carried as approved unanimously under Consent Agenda.

**APPROVE  
MINUTES**  
Consent Agenda

Moved by Brookman, seconded by Lysakowski to Approve the Closed Session Minutes of the City Council meeting of October 4, 2021, as published. Motion declared carried as approved unanimously under Consent Agenda.

**UNFINISHED  
BUSINESS**

**SECOND READING/  
CONSIDER  
AMENDING  
CHAPTER 12 OF  
TITLE 15 OF THE  
CITY CODE**  
Ordinance  
M-15-21

The City operates two separate TV channels on Comcast, Wide Open West (WOW) and AT&T – Des Plaines Government Access Channel 17 and Public Access Channel 24. The live broadcasting and webcasting of City Council meetings and broadcasting of other video programming require high-tech equipment and infrastructure. Media Services estimates that current PEG capital needs are more than \$200,000 over the next three to five years.

Pursuant to the U.S. Cable Act and authorized by the Illinois Cable and Video Competition Law, units of government can impose by Ordinance the collection of a PEG Access Support

Fee from franchise holders providing cable and video service in the City for capital costs associated with PEG access.

The amount of the PEG Access Support Fee imposed by this Ordinance shall be one percent (1%) of the gross revenues for AT&T and WOW, and up to \$0.35 per subscriber per month for Comcast.

The City currently collects a PEG Capital Fee from WOW, which generated \$18,168.09 in 2020. If approved by Council, the City will begin collecting up to \$0.35 per customer per month from Comcast and similarly request collection of a PEG Fee from AT&T. The total potential revenue from these PEG Fees is approximately \$81,168 annually.

Staff recommends the City Council approval of Ordinance Amending Chapter 12 of Title 15 of the City of Des Plaines City Code to Establish and Impose a Public, Educational, and Governmental (PEG) Access Support Fee.

Moved by Moylan, seconded by Oskerka, to Adopt the Ordinance M-15-21, AN ORDINANCE AMENDING CHAPTER 12 OF TITLE 15 OF THE CITY OF DES PLAINES CITY CODE TO ESTABLISH AND IMPOSE A PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS SUPPORT FEE.

Upon roll call, the vote was:

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

NAYS: 2 - Chester, Smith

ABSENT: 0 - None

Motion declared carried.

## **NEW BUSINESS**

### **WARRANT REGISTER Resolution R-169-21**

### **FINANCE & ADMINISTRATION** – Alderman Zadrozny, Chair

Alderman Zadrozny presented the Warrant Register.

Moved by Zadrozny, seconded by Oskerka, to approve the Warrant Register of October 18, 2021 in the Amount of \$3,831,309.80 and approve Resolution R-169-21.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

### **2021 ESTIMATED PROPERTY TAX LEVY RESOLUTION Resolution R-170-21**

Alderman Zadrozny presented the 2021 Estimated Property Tax Levy Resolution.

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.

The first step in complying with the requirements of the ITTA is to determine whether the 2021 estimated aggregate levy is 5% or more than the 2020 property tax extension.

Since the 2021 estimated aggregate levy is below the 5% of the 2020 property tax extension (-2.91% decrease), the City is not required to publish a legal notice and hold a public hearing. However, staff recommend publishing a legal notice and holding a public hearing as it would provide the City Council with increased flexibility in determining the 2021 property tax levy amount and more opportunity for public input.

The schedule of the key dates and actions that must be observed in order to facilitate the review and approval of the 2021 property tax levy:

- October 18 - Approval of the 2021 Proposed Property Tax Levy Resolution and Public Notice
- October 18-25 - Publication of Property Tax Levy Public Hearing Legal Notice in local newspaper November 1 Public Hearing on the Property Tax Levy Ordinance 1st Reading of the Property Tax Levy Ordinance
- November 15 - 2nd Reading and Approval of the Property Tax Levy Ordinance
- December 28 - Last day to file the Tax Levy Ordinance with the Cook County Clerk's Office

It is noted that the levy amounts presented are preliminary – the City Council may change the levy amounts prior to the final approval of the Tax Levy Ordinance at the November 15th City Council meeting.

Staff recommends the City Council approve the Resolution and Legal Notice for publication and hold the public hearing on the 2021 estimated property tax levy on Monday, November 1, 2021, at 7:00pm (at the beginning of the regularly scheduled City Council meeting).

Moved by Zadrozny, seconded by Chester, to approve the 2021 Estimated Property Tax Levy Resolution and approve Resolution R-170-21.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

### **COMMUNITY DEVELOPMENT** – Alderman Chester, Chair

Director of Community and Economic Development Carlisle reviewed a memorandum dated October 5, 2021.

### **CONSIDER** **APPROVING** **MAJOR** **VARIATION FROM** **SECTION 12-9-6.C.** **OF THE CITY OF** **DES PLAINES** **ZONING** **ORDINANCE TO** **ALLOW A** **PARKING PAD AT** **2071 PINE STREET** **(CASE #21-039-V)** **Ordinance** **Z-49-21**

The petitioner, Jay Sheth, is requesting variations to install one off-street parking space, defined by the Zoning Ordinance as a “parking pad,” of approximately 200 square feet in the front of his townhouse unit at 2071 Pine Street. For access, the parking pad will require a short “residential driveway,” also defined by the Ordinance, as well as a driveway apron in the public right-of-way to connect the parking pad with the street. The subject property is 1,314 square feet in area and 18 feet wide. It is improved with the petitioner's townhouse unit, which is adjoined under one roof with three other townhouse units, all of which are separated by vertical walls and individually owned. The existing residence is set back 25 from the west (front) property line and built to the north and south (side) lot lines, where it adjoins other townhouse units. Therefore, it is nonconforming with the minimum side yard setback (5 feet), as well as the minimum lot area per unit of 2,800 square feet. Per the Ordinance, each of separately owned townhouse units, including the subject property, is its own zoning lot. The subject property includes one deeded parking space in the parking lot to the east, accessible from Chestnut Street. With only one space, the property is nonconforming, as two off-street spaces are

required per townhouse unit per Section 12-9-7. The front yard is currently landscaped with grass and plantings, and is delineated by a chain-link fence.

In Section 12-9-6.C., the Ordinance states that off-street parking spaces may be located “on surface lots, underground, under a building, or in parking structures.” “Parking pad” is defined in the Ordinance as exactly the kind of facility the petitioner is proposing: adjacent to a driveway, providing access to a single motor vehicle (Section 12-13-3). But a parking pad is distinct from a surface lot, which refers to a parking facility with more than one space. In 2019 the City adopted text amendments aimed at mostly eliminating parking pads for single-family detached properties. However, “parking pad” was not stricken entirely from the Ordinance, signaling that it may be appropriate for some districts or uses. Nonetheless, the lack of mention of parking pad in 12-9-6 necessitates a major variation in this case.

Furthermore, Section 12-7-1.C. contains a table of permitted obstructions in required yards. The table refers to driveways multiple times but does not identify them as a permitted obstruction. Therefore, strict adherence to the Ordinance would permit only an eight-foot-wide driveway – to allow five feet on each side – which would be substandard. Instead, the petitioner is proposing an 11-foot-wide by 18-foot-long parking pad, which would reasonably accommodate the bumper-to-bumper length and door swing of a sedan vehicle. The parking pad would be accessed by a short residential driveway that is part of the same surface.

To accommodate the project, the petitioner also seeks a reduction of the required side yard to 3.5 feet from the minimum five. This is a 30 percent reduction and falls under a minor variation that may be granted by the Zoning Administrator per Section 12.3.6. While the yard reductions are required for the driveway, they are not required for the parking pad because Section 12-9-6.C allows off-street parking in any required yard in the R-3 district.

The PZB recommended approval by a 5-0 vote with conditions. If the City Council ultimately approves the request, the following conditions are recommended:

1. The front segment of chain-link fence is removed to accommodate the project;
2. The parking pad, driveway, and driveway apron cannot obstruct access to any utilities, with modifications to the final project design as necessary to comply, while still complying with all other City regulations; and
3. On-site landscaping shall be installed at the north and eastern edges of the parking pad.
4. Added by the PZB: The petitioner must first propose a permeable paver surface with the permit submittal. If the City Engineer reviews and does not believe a permeable surface is reasonable in this location, it may be rejected and the petitioner can then propose a fully pervious surface such as concrete.

Moved by Brookman, seconded by Chester, to Approve the Ordinance Z-49-21 as amended removing condition number four, AN ORDINANCE APPROVING A MAJOR VARIATION FROM SECTION 12-9-6.C. OF THE CITY OF DES PLAINES ZONING ORDINANCE TO ALLOW A PARKING PAD AT 2071 PINE STREET (CASE #21-039-V).

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

Advanced to second reading by Brookman, seconded by Chester, to Adopt the Ordinance Z-49-21 as amended removing condition number four AN ORDINANCE APPROVING A MAJOR VARIATION FROM SECTION 12-9-6.C. OF THE CITY OF DES PLAINES ZONING ORDINANCE TO ALLOW A PARKING PAD AT 2071 PINE STREET (CASE #21-039-V).



Upon roll call, the vote was:

AYES: 8- Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**CONSIDER**  
**GRANTING A**  
**CONDITIONAL USE**  
**PERMIT FOR THE**  
**OPERATION OF A**  
**TRADE**  
**CONTRACTOR USE**  
**AT 110 S RIVER**  
**ROAD, SUITE 5, DES**  
**PLAINES, IL**  
**Ordinance**  
**Z-50-21**

Director of Community and Economic Development Carlisle reviewed a memorandum dated October 5, 2021.

The petitioner, Neil Hansen, has requested a Conditional Use Permit to operate a carpet, upholstery, and air duct cleaning business, The Bright Side, INC., at 110 S. River Road, Suite 5. The subject property contains a multi-tenant building with a surface parking area. The subject property is located along River Road east of the Rand Road Community Mobile Home Park and north of Pesche's Flowers. The subject property is currently accessed by two curb cuts off River Road. The petitioner began operating The Bright Side, INC. out of this location in May 2021 without a business license. Thus, the petitioner is requesting a conditional use permit to bring his trade contractor use into compliance with the Des Plaines Zoning Ordinance.

The existing one-story, 26,320-square-foot building is made up of five suites with a front customer entrance and service entrance with garage door at the rear of the unit. Suite 5 has its main entrance on the south side of the building and consists of approximately 2,573 square feet. The existing suite is mostly open with one frame partition separating the main entrance, offices, and restrooms from the open shop floor. Based on the Floor Plan, the petitioner proposes to utilize the existing frame partition area as an office and waiting area with the restrooms, totaling approximately 1,294 square feet. The remaining area, totaling approximately 1,279 square feet, will be utilized for storage and open shop area. The petitioner's proposal does not include any changes to the building. The dumpster for this suite will be stored inside the building at all times with the exception of trash pickup days in compliance with Section 12-10-11 of the Zoning Ordinance.

Pursuant to Section 12-9-7 of the Zoning Ordinance, the following off-street parking requirements apply:

- 1 parking space for every 200 square feet of gross floor area for office spaces; and
- 1 parking space for every 1,500 square feet of gross floor area for warehouse space (i.e., accessory storage).

Thus, a total of six parking spaces, including one handicap accessible parking space, are required. The Site Plan, completed in coordination with the property owner, indicates all of the available parking for the entire site totals 78 parking spaces and four accessible spaces with unloading areas. The available parking on the property meets the parking requirement for the proposed trade contractor use. The Bright Side, INC. will be open on Monday through Friday from 7 am to 7 pm, Saturday from 9 am to 12 pm, and closed on Sundays. Their services will include the cleaning of carpets, upholstery, and air ducts off-site at customer's houses. There are six employees including the owner. However, a maximum of two employees will be present on site at a given time.

The PZB recommended (5-0) that the City Council approve the request with conditions. Similarly, staff recommends approval of the requests via Ordinance Z-50-21, which approves a conditional use, subject to the following conditions.

Condition of Approval:

1. That the parking area shall be repaved with a dust-free hard surface and the parking spaces shall be painted on the property to match the approved Site Plan

Moved by Lysakowski, seconded by Brookman, to Approve the Ordinance Z-50-21, AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A TRADE CONTRACTOR USE AT 110 S RIVER ROAD, SUITE 5, DES PLAINES, IL.

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0- None

ABSENT: 0 - None

Motion declared carried.

Advanced to second reading by Lysakowski, seconded by Chester, to Adopt the Ordinance Z-50-21, AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A TRADE CONTRACTOR USE AT 110 S RIVER ROAD, SUITE 5, DES PLAINES, IL.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**CONSIDER**  
**APPROVING A**  
**ZONING MAP**  
**AMENDMENT AND**  
**MAJOR**  
**VARIATION FROM**  
**SECTION 12-7-1 OF**  
**THE CITY OF DES**  
**PLAINES ZONING**  
**ORDINANCE FOR**  
**2805-2845**  
**MANNHEIM RD**  
**Ordinance**  
**Z-51-21**

Director of Community and Economic Development Carlisle reviewed a memorandum dated October 5, 2021.

Image Des Plaines LLC is contract purchaser of the approximately four-acre site at the southeast corner of Mannheim Road and Pratt Avenue, roughly bordered by the Canadian National rail line on the east and I-90/ Tollway on the south. Aside from an existing billboard in the southwest corner, the site is currently vacant. Image Des Plaines is partnering with Chicago-based developer GW Properties to propose a full redevelopment of the largely vacant site with the following concepts:

- A 5,000-square-foot building, currently envisioned as a Class A restaurant
- A 10,500-square-foot multi-tenant commercial building containing a mix of restaurants and retail
- 212 surface parking spaces, including eight mobility impaired accessible spaces
- A 19,000-square-foot above-ground basin for stormwater - A new electronic message board billboard in the southeast corner of the site (a separate application has been filed regarding the billboard: Case 21-042- TA-V)

The existing zoning designation, C-2, allows restaurants and retail only when they are accessory to an office or hotel. A map amendment to C-3 would entitle both restaurants and retail as permitted uses. The developer has begun negotiations with multiple tenants, one of which was divulged during the public hearing as Outback Steakhouse, which would occupy the single-tenant, northern building.

The Tentative Plat of Subdivision shows the land being delineated into four lots of record: Lot 1 (northernmost) is the standalone restaurant with parking, Lot 2 is the multi-tenant restaurant-retail development with parking and stormwater basin, and Lots 3 and 4 are for billboards. Lots 3 and 4 will not meet minimum lot dimensions, and Lot 4 will not front on a public street, requiring variation at the time of approval of the Final Plat of Subdivision. Otherwise, the Tentative Plat meets the requirements as expressed in Section 13-2-2. Of note, the Plat labels a 12-inch sanitary sewer running north-south and bisecting the property. The City's Public Works and Engineering Department will require the sewer connection to be maintained via an easement indicated on the Final Plat. Other underground infrastructure on site may be abandoned, as the previous Alger Street and Railroad Avenue were vacated in years past. The

Site Plan indicates an easement and access drive from the parking lot area in Lot 2 to the billboard area, which will be necessary for maintenance and repair to the billboard.

Although the full development after subdivision may exist eventually under separate ownership, it will be built upon as a unit under common ownership, which makes it one zoning lot at this time of initial review. Section 12-7-1 limits zoning lots to one principal building except in instances of planned unit development (PUD), C-4-zoned regional shopping centers, and other large-lot institutional and industrial development. The petitioner is not applying for a PUD nor do they propose joining all of the potential commercial tenants under one roof, in large part because of the site-selection demands of the potential tenants. Therefore, the petitioner is seeking a variation from this provision.

The following is an estimated application of the parking requirements (Section 12-9-7) for the various uses, with some assumptions based on the envisioned mix of tenants and their possible layouts:

- Restaurant (Class A) / North Building: 1 space for every 100 square feet of net floor area, or 1 space for every 4 seats, whichever is greater, plus 1 space for every 3 employees.
  - Comment: Employee counts and detailed floor plans are not yet available, but Lot 1 of the subdivision is shown with 97 parking spaces. Assuming 4,000 square feet of net floor area and 30 employees (restaurant staff working at one time), the requirement would be around 50 spaces. The parking appears to be ample and, in fact, much could be utilized by the uses in the other building if necessary.
- Restaurants (Class B) / South Building: 1 space for every 50 square feet of net floor area, or 1 space for every 4 seats, whichever is greater, plus 1 space for every 3 employees.
  - Comment: Employee counts are not yet available, but Lot 2 of the subdivision is shown with 115 parking spaces. Assuming 5,000 square feet of net area plus 15 employees, the requirement is 105 spaces.
- Retail establishment / South Building: 1 space for every 250 square feet of gross floor area.
  - Comment: The estimated requirement would be 16 spaces, although there are specific types of retail establishments that have separate ratios than the general one used here.

In summary, the total parking requirement is estimated around 170-175 spaces, so the parking would likely be more than sufficient. Regarding traffic, the petitioner submitted a study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.). The study concludes that while the development and uses can be expected to generate additional traffic, the existing roadway system can accommodate the traffic without the need for additional signals, lanes (e.g. turn or deceleration lanes), or other substantial changes to either Mannheim or Pratt. The study also concludes the site layout allows for efficient internal circulation and access. While the conclusions generally seem reasonable, the Illinois Department of Transportation will need to permit the proposed driveway to Mannheim. IDOT may require this to be altered to a "right-in, right-out" configuration.

The PZB voted 5-0 to approve the Tentative Plat of Subdivision and 5-0 to recommend approval of the Map Amendment and Major Variation. Should the City Council approve the requests, staff and the PZB suggest the following conditions:

1. All proposed ground and building-mounted signs must comply with all provisions of Section 12-11, or the petitioner must obtain zoning approval.
2. A lighting plan labeling all building-mounted and freestanding light fixtures and providing photometric details must be submitted and approved with the building permit.

3. Grading/drainage and other on-site infrastructure and public improvement details are provided to the satisfaction of the Public Works and Engineering Department with the submission of the Final Plat of Subdivision.

Moved by Chester, seconded by Brookman, to Approve the Ordinance Z-51-21, AN ORDINANCE APPROVING A ZONING MAP AMENDMENT AND MAJOR VARIATION FROM SECTION 12-7-1 OF THE CITY OF DES PLAINES ZONING ORDINANCE FOR 2805-2845 MANNHEIM RD.

Upon voice vote, the vote was:

AYES: 8- Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0- None

ABSENT: 0 - None

Motion declared carried.

Advanced to second reading by Chester, seconded by Brookman, to Adopt the Ordinance Z-51-21, AN ORDINANCE APPROVING A ZONING MAP AMENDMENT AND MAJOR VARIATION FROM SECTION 12-7-1 OF THE CITY OF DES PLAINES ZONING ORDINANCE FOR 2805-2845 MANNHEIM RD.

Upon roll call, the vote was:

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

NAYS: 1 - Moylan

ABSENT: 0 - None

Motion declared carried.

**CONSIDER**  
**APPROVING TEXT**  
**AMDS RELATED**  
**TO BILLBOARDS**  
**AND A VARIATION**  
**FOR A PROPOSED**  
**NEW BILLBOARD**  
**AT 2805-2845**  
**MANNHEIM**  
**Ordinance**  
**Z-52-21**  
**Z-53-21**

Director of Community and Economic Development Carlisle reviewed a memorandum dated October 5, 2021.

Image Des Plaines LLC is contract purchaser of the site at the southeast corner of Mannheim Road and Pratt Avenue, bordered by the Canadian National rail line on the east and I-90/Tollway on the south. Aside from an existing static billboard in the southwest corner of the site, it is currently vacant. In the southeast corner of the site, the petitioner intends to erect a new electronic message board billboard on one sign face (facing east), a static billboard on the other sign face (facing west), on a structure not to exceed 99 feet in height. Each 1,200-square-foot sign face is aimed at I-90 traffic. The last time the City raised its allowance for number of billboard permits was in 2005 by Ordinance Z-24-05. The new billboard would be wholly within Lot 4 in the subdivision proposed in the Tentative Plat of Subdivision that is part of the application for Case 21-041-MA-TSUB-V. Permitting and erecting the billboard is integral to the financing for the restaurant-and-retail proposal inherent to that application.

However, permitting the billboard requires 1.) a text amendment to Section 12-11-5 to allow an electronic message board as an initial installation, as currently they may only occur through conversions of existing static, non-electronic billboards; 2.) a text amendment to Section 12-11-6 to increase the number of available billboard permits (both static and electronic message board) within the City from 12 to 13; 3.) another text amendment to 12-11-6 to exempt all billboards from the signage limitation of 600 square feet on parcels of less than 5 acres; and 4.) a variation from the provision that requires at least 300 feet between any portion of a billboard and a residential property line. The closest portion of the proposed billboard "V" (i.e. two sign faces) is the northeast corner. Per the measurement method prescribed by the Ordinance, the billboard is 127 feet from residentially zoned property, which is PIN 09-33-302-002, an unimproved, wooded property owned by ComEd. However, the closest lot line of a property improved with a residence is 316 feet away. Based on staff review, the proposed billboard would meet the other zoning and location requirements, which generally include:

- The proposed location must be on a lot zoned C-1, C-2, C-3, M-1 M-2 or M-3 (the subject site is currently zoned C-2 and proposed as C-3);
- The billboard must be within 660 feet of I-90 or I-294
- The proposed billboard must satisfy the spacing requirements of the Illinois Advertising Control Act
- All third-party government approvals must be obtained

The petitioner has already sought approval from the Illinois Department of Transportation and the Federal Aviation Administration. However, no billboard can be constructed on this property without first obtaining approval from the City of Des Plaines.

The PZB voted 5-0 to recommend approval of both the text amendments and variation. Should the City Council vote to approve the request, the PZB and staff recommend the following conditions for the variation:

1. The elevation drawing is revised so the billboard structure will not exceed 99 feet in height.
2. All required Illinois Department of Transportation (IDOT) and Federal Aviation Administration (FAA) approvals are completed and obtained.

Additionally, the PZB and staff recommend the billboard permit be tied to the construction of the proposed commercial development at 2805-2845 Mannheim, proposed through Case 21-041-MAP-TSUB-V.

Representatives for Image Des Plaines LLC and the developers associated with the site spoke in favor of the request for a billboard to be approved for this property.

Moved by Chester, seconded by Brookman, to DENY the Ordinance Z-52-21, AN ORDINANCE AMENDING THE TEXT OF THE DES PLAINES ZONING ORDINANCE REGARDING BILLBOARDS (CASE# 21-042-TA-V).

Upon roll call, the vote was:

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

NAYS: 1 - Zadrozny

ABSENT: 0 - None

Motion declared carried.

Due to the passed motion to DENY the Ordinance Z-52-21, therefore there was not a vote on Ordinance Z-53-21, AN ORDINANCE APPROVING A MAJOR VARIATION FROM SECTION 12-11-6.B OF THE CITY OF DES PLAINES ZONING ORDINANCE AT 2805-2845 MANNHEIM ROAD (CASE #21-042-TA-V).

**CONSIDER**  
**APPROVING AN**  
**AMDS TO A COND**  
**USE FOR A LOCAL**  
**ALT SIGN REG FOR**  
**2980-3000 RIVER**  
**ROAD**  
**Ordinance**  
**Z-54-21**

Director of Community and Economic Development Carlisle reviewed a memorandum dated October 6, 2021.

The applicant, Michael Tobin on behalf of Midwest Gaming & Entertainment, has requested a Conditional Use Amendment for an existing LASR to allow for increased signage on the property located at 2980-3000 S. River Road. The existing property contains a 140,363-square-foot casino building, a four-story parking garage with a pedestrian bridge connecting from the second level of the garage to the casino building, and a two-story office building with a surface parking lot. A casino expansion is underway that will result in an approximately 225,000-square-foot building with an expanded number of gaming positions (from 1,200 to 2,000), as well as an enlarged parking structure (now 3,063 total parking spaces). The two-story expansion of the casino building has led to new gaming space, a small food and beverage outlet, and a more than 10,000-square-foot multipurpose event area, with associated back-of-house areas.

With all lots combined, the property encompasses 20.017 acres in land area. This request comes after the previous two Planned Unit Development Major Amendment requests to expand the existing parking garage (approved December 2, 2019 through Ordinance Z-33-19) and expand the existing casino building (approved March 15, 2021 through Ordinance Z-31-21) to accommodate necessary floor area and parking for the expansion. The most currently approved LASR was embedded into the approval of Ordinance Z-33-19. Pursuant to Section 12-11-8 of the Zoning Ordinance, Planned Unit Developments may establish a LASR plan via a conditional use for their property subject to review and approval from the Planning and Zoning Board pursuant to the procedures for conditional uses.

The existing building and site as a whole currently contain a variety of different building and freestanding signage ranging from directional to video signs with a total count of 95 signs. However, the petitioner is requesting to add 20 new static signs, replace 15 existing static signs, add eight new LED signs, and replace one existing LED sign totaling 28 new signs altogether:

- Static Signs: The new static signs consist of identity, directional, and clearance bar signs proposed at and around vehicle/pedestrian entrances/access drives and bus stop/rideshare pickup/drop-off areas. The existing static signs to be replaced are directional signs to assist motorists and pedestrians in navigating the property.
- LED Signs: The new LED signs consist of identification signs positioned in high visible areas to attract motorists and pedestrians to the property. There is one new LED sign proposed for the east elevation facing the main entrance. However, the remainder of the new LED signs are located on the west elevation facing I-294. The existing LED sign at the northwest corner of the River Road/Devon Avenue intersection is the only LED sign being replaced as part of this request.

The PZB recommended (5-0) that the City Council approve the request without conditions. Similarly, staff recommends approval of the requests via Ordinance Z-54-21, which approves a conditional use with the following conditions:

1. A three-foot landscape bed in all directions be provided at the base of all freestanding signs, per the standards set forth in Section 12-11-4(G). This landscaping shall be comprised of low-lying evergreen shrubs, perennials, and annuals.
2. That structural design plans shall be provided for all signage at time of permit.
3. The applicant shall provide sight line analysis for vehicle-to-vehicle sightlines and vehicle-to-pedestrian/bicycle sightlines showing that the sign position does not intrude upon the AASHTO Green Book sight triangles for the freestanding signs proposed along the roadway driveways and site access drives. The location of the freestanding signs may have to be slightly adjusted at the time of building permit review to comply with AASHTO site triangle clearance.

Moved by Chester, seconded by Brookman, to Approve the Ordinance Z-54-21, AN ORDINANCE APPROVING AN AMENDMENT TO A CONDITIONAL USE FOR A LOCAL ALTERNATIVE SIGN REGULATION FOR 2980-3000 RIVER ROAD, DES PLAINES, ILLINOIS (CASE #21-040-CU LASR).

Upon voice vote, the vote was:

AYES: 8 - Lysakowski, Moylan, Oskerka, Zadrozny,  
Brookman, Chester, Smith, Ebrahimi

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**PUBLIC SAFETY**– Alderman Oskerka, Chair

**CONSIDER**  
**APPROVING ONE**  
**YR AGMT WITH**

A Request for Proposals for crossing guard services was released on June 15, 2021. Three responses were received on June 29, 2021.

**ANDY FRAIN SVCS**  
**FOR CROSSING**  
**GUARD SVCS**  
**Resolution**  
**R-163-21**

The City received three responses to the Request for Proposals: Andy Frain Services, located in Aurora, Illinois, Cross Safe located in Charlotte, North Carolina, and Star Detective & Security located in Chicago, Illinois. Pricing for the three proposals based on an estimated 12,279 hours of crossing guard services: Star Detective & Security - \$282,828.00; Andy Frain Services - \$333,574.23; and Cross Safe \$424,907.34. The City will only be invoiced for actual crossing guard hours.

Although Star Security's proposal was lower than Andy Frain Services, they do not possess the experience and expertise that Andy Frain does. Star Detective & Security's references provided in their proposal were all related to providing security officers, not crossing guards. Andy Frain Services is a local firm that is currently providing crossing guard services to several Chicagoland municipalities and school districts, including Oak Park, Carol Stream, Bolingbrook, West Chicago, and Evanston. Andy Frain Services has substantially the most experience in providing crossing guard services out of the three proposers. Additionally, all references provided by Andy Frain Services are positive. Based on these factors, staff is recommending an award to Andy Frain Services to provide crossing guard services to the City.

The City of Des Plaines is the current provider of crossing guard services to Des Plaines' schools. The crossing guard program is managed by the Police Department and funded out of the General Fund.

Crossing guards are provided at approximately 25 locations covering School District 59 and School District 62. During the 2020-2021 school year, there were 31 part-time crossing guards. The current rate of pay is approximately \$15.90 per hour. The program is overseen by the Chief of Police, with the daily operational oversight conducted by several Police personnel. The Human Resources division provides administrative support related to hiring, recruiting, and processing of candidates. Additionally, the Police Department provides substitutions for crossing guard absences when needed.

The 2021 budget to maintain crossing guards is \$185,400 for temporary pay. This basic cost does not include other costs incurred to support the program. The City pays approximately \$1,000 per year for equipment and \$1,040 for background checks and physical examinations. Administrative expenses provided by Police personnel are approximately 1,450 hours or \$104,000 annually. The annual administrative cost provided by the Human Resources division including recruitment is estimated to be 10 hours or approximately \$780. The staff time spent on administration is compounded in years with high turnover among the part-time crossing guard staff.

Turnovers and daily sick calls create gaps in crossing guard coverage that require Police personnel to fill in. Police personnel are also required in scenarios where, even without turnover and sick calls, the City does not have the adequate number of part-time crossing guards to cover all crossing locations. For 2020-2021, the Police Department provided crossing guard coverage for approximately 400 hours. Including salary and benefits, utilizing Police personnel adds an estimated \$24,700 to the crossing guard program. In total, staff estimates that the annual cost for the City to manage the crossing guard program is \$316,920. Costs not considered in the above analysis include unemployment insurance and workers compensation. Additionally, having a third-party vendor assume the risks of the crossing guard program will reduce the City's exposure to potential litigation.

Staff recommends City Council consider awarding the crossing guard services contract to Andy Frain Services for a one-year term from January 1, 2022 to December 31, 2022 with three optional one-year extensions.

Moved by Chester, seconded by Brookman, to defer to the Committee of the Whole meeting on November 4, 2021 the Resolution R-163-21, A RESOLUTION APPROVING AN AGREEMENT WITH ANDY FRAIN SERVICES FOR CROSSING GUARD SERVICES.  
No Vote.

A substitute motion moved by Oskerka, seconded by Zadrozny, to defer to the City Council meeting on November 1, 2021 the Resolution R-163-21, A RESOLUTION APPROVING AN AGREEMENT WITH ANDY FRAIN SERVICES FOR CROSSING GUARD SERVICES.

Upon roll call, the vote was:

AYES: 6 - Lysakowski, Moylan, Oskerka,  
Zadrozny, Chester Ebrahimi

NAYS: 2 - Brookman, Smith

ABSENT: 0 - None

Motion declared carried.

**CONSIDER**  
**AMENDING**  
**CHAPTER 6 OF**  
**TITLE 2 OF THE**  
**CODE**  
**CONSIDERING THE**  
**BOARD OF FIRE**  
**AND POLICE**  
**COMMISSIONERS**  
**Ordinance**  
**M-14-21**

Over the past year, Staff has reviewed, evaluated the researched the current responsibilities and powers of the Board of Fire and Police Commissioners (BFPC) set forth in Chapter 6 of Title 2 of the City Code. In reviewing the code and evaluating the best practices set forth by other area municipalities that pertain to responsibilities and powers of a BFPC, Staff recommends the changes as presented in the Ordinance.

The City established a BFPC in 1935. The powers and duties of the BFPC are outlined and governed in Chapter 6 of the City Code. Their primary duties and powers, in brief, are to conduct the process establishing a hiring list for City of Des Plaines Probationary Patrol Officers and Probationary Firefighters; extend promotional examinations and establish lists for commissioned ranks in the Fire and Police Department; and to conduct disciplinary hearings if so elected under the Collective Bargaining Agreements.

The City of Des Plaines has home rule authority that allows the City to self-govern provided that the State's General Assembly did not explicitly limit that power or authority in a specific area. The City has the right, under its home rule authority, to govern the rules and regulations of the BFPC (unless explicitly limited by statute).

In reviewing Chapter 6 of Title 2 of the City Code, Staff identified that the City Council has previously not exercised its home rule authority concerning the adoption of rules governing the BFPC, and allowed the BFPC to adopt and amend the Rules and Regulations that govern their body without prior review and consent by Council. The recommended amendments to the Ordinance require City Council to prepare and approve the Rules and Regulations of the BFPC.

As is consistent with other Boards and Commissions within the City, the amendments clarify that City Council employs the attorney of its own choosing to represent the BFPC and extends a Commissioner's term of appointment from one year to two years. The changes further state that the Chairman of the BFPC, with consent of the City Council, will be appointed by the Mayor each year.

The City of Des Plaines and the BFPC is under the purview of the Freedom of Information Act (FOIA) and the Personnel Records Review Act, which requires certain documentation to be maintained and provided under strict deadlines. Staff currently does not have regular access to historical files. This is primarily due to the sensitive nature of much of the documentation including, but not limited to, psychological and medical examinations, as well as personal and identifiable information of employees and candidates like home address and social security numbers.

The City currently has a protected structure set-up to properly maintain this confidential information, which is currently housed in Human Resources. All information is behind a closed



door, in locked cabinets and is properly maintained by Human Resources Personnel only who are trained to manage sensitive documentation.

The proposed changes allow the City Manager to select a member of City Staff to serve as the Secretary of the BFPC. It further clarifies that this role will be responsible for taking all meeting minutes and is the custodian of all records pertaining to the business of the BFPC. The City Manager intends to designate the Human Resources Director in that role if the amendments are approved. These changes will allow for strictly controlled access to pertinent employment documentation and the historical files of the Commission, which are to be located at City Hall only.

Staff recommends the changes as presented in the Ordinance.

Moved by Oskerka, seconded by Chester, to defer to the City Council meeting on November 1, 2021 the Ordinance M-14-21, AN ORDINANCE AMENDING CHAPTER 6 OF TITLE 2 OF THE CITY CODE OF THE CITY OF DES PLAINES CONCERNING THE BOARD OF FIRE AND POLICE COMMISSIONERS.

No Vote.

A substitute motion moved by Brookman, seconded by Smith, to defer to the Committee of the Whole meeting on November 4, 2021 the Ordinance M-14-21, AN ORDINANCE AMENDING CHAPTER 6 OF TITLE 2 OF THE CITY CODE OF THE CITY OF DES PLAINES CONCERNING THE BOARD OF FIRE AND POLICE COMMISSIONERS.

Upon roll call, the vote was:

AYES: 5- Moylan, Brookman, Chester,  
Smith, Ebrahimi

NAYS: 3- Lysakowski, Oskerka, Zadrozny

ABSENT: 0 - None

Motion declared carried.

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

Mayor Goczkowski added if residents are seeking further information from their Aldermen, individuals can subscribe at [desplaines.org/mycity](http://desplaines.org/mycity).

**ADJOURNMENT**

Moved by Brookman, seconded by Chester to adjourn the meeting. The meeting adjourned at 8:16 p.m.

/s/ Jessica M. Mastalski  
Jessica M. Mastalski – City Clerk

APPROVED BY ME THIS 1st

DAY OF November, 2021

/s/ Andrew Goczkowski  
Andrew Goczkowski, MAYOR