

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DES PLAINES, ILLINOIS HELD VIA ZOOM VIDEO CONFERENCE ON MONDAY, MARCH 15, 2021**

**CALL TO ORDER:**

The regular meeting of the City Council of the City of Des Plaines, Illinois, was called to order by Mayor Bogusz at 7:00 p.m. The meeting was lived-streamed via: <http://desplaines.org/accessdeplaines> and played on DPTV Channel 17 on Monday, March 15, 2021.

**ROLL CALL:**

Roll call indicated the following Aldermen present: Lysakowski, Moylan, Rodd, Zadrozny, Brookman, Chester, Smith, Goczowski. A quorum was present.

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

**PRAYER AND PLEDGE:**

The prayer was offered by Alderman Brookman followed by the Pledge of Allegiance to the Flag of the United States of America offered by Alderman Rodd.

**PUBLIC HEARING/  
PY2019 CDBG  
CONSOLIDATED  
ANNUAL  
PERFORMANCE  
& EVALUATION  
REPORT:**

**MINUTES OF THE PUBLIC HEARING HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS DES PLAINES CIVIC CENTER, MONDAY, MARCH 15, 2021**

Mayor Bogusz called the Public Hearing to order at 7:01 p.m.

The Consolidated Annual Performance & Evaluation Report (CAPER) is an annual document detailing the accomplishments of the Community Development Block Grant (CDBG) program and requires City Council approval before submitting to the U.S. Department of Housing and Urban Development (HUD).

The City of Des Plaines Program Year (PY) 2019 CAPER summarizes the program performance of Year 5 of the CDBG Consolidated Plan, PY2019 Action Plan, October 1, 2019 to September 30, 2020. The CAPER reports on the expenditures and accomplishments of the public service, housing, and infrastructure programs performed in respect to the goals established in the Action Plan.

This public hearing will complete the required public comment period as required by HUD. The 15-day public comment period for the CAPER began February 26, 2021, following a public notice published in the Journal and Topics on February 10, 2021. The CAPER is available for public viewing at <http://desplaines.org/draft2019caper>, as well as at City Hall.

Moved by Smith, seconded by Rodd, to approve Resolution R-59-21, A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR PROGRAM YEAR 2019. Upon roll call, the vote was:

AYES: 7 - Moylan, Rodd, Zadrozny  
 Brookman, Chester, Smith, Goczkowski  
 NAYS: 0 - None  
 ABSENT: 0 - None  
 ABSTAIN: 1 - Lysakowski  
 Motion declared carried.

\*Alderman Lysakowski experienced technical issues.

With no public comments, the public hearing adjourned at 7:04 p.m.

**PUBLIC  
COMMENT:**

The City of Des Plaines continues to follow social distancing requirements. In response to the risks created by the COVID-19 outbreak, Governor Pritzker issued Executive Order 2020-07 on March 16, 2020, suspending the Open Meetings Act provision relating to in-person attendance by the members of the public body. Tonight's meeting is allowed to be conducted via video conferencing.

Public comments were allowed to be e-mailed to publiccomments@desplaines.org or phoned in to the City Clerk's Office by 5:00 p.m. on March 15, 2021. Three public comments were submitted to the City Council and are included as Exhibit A.

Resident Muhammad Tabani expressed his displeasure with the lack of work completed on the Blue Sky Development on North Avenue and does not want to see another development that has no guarantee to be completed.

**MAYORAL  
ANNOUNCEMENT**

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 Mayor Bogusz's Supplemental Order dated July 29, 2020.

Moved by Brookman, seconded by Goczkowski, to extend the Mayor's 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: 7 - Moylan, Rodd, Zadrozny  
 Brookman, Chester, Smith, Goczkowski  
 NAYS: 0 - None  
 ABSENT: 0 - None  
 ABSTAIN: 1 - Lysakowski  
 Motion declared carried.

**CITY CLERK  
ANNOUNCEMENT**

Early Voting begins at the Des Plaines Library on March 22, 2021.

**MANAGER'S  
REPORT:**

City Manager Bartholomew announced that notice was received that the City of Des Plaines will be receiving \$7.6 million in COVID relief funds. This item will be discussed in a Finance Committee meeting.

The Taste of Des Plaines and the first few Friday Nights Live activities are canceled.

A Closed Session meeting will be held immediately after the City Council meeting to discuss litigation.

**CONSENT  
AGENDA:**

Moved by Moylan, seconded by Goczkowski, to establish the Consent Agenda. Upon voice vote, the vote was:

- AYES: 7 - Moylan, Rodd, Zadrozny  
Brookman, Chester, Smith, Goczkowski
  - NAYS: 0 - None
  - ABSENT: 0 - None
  - ABSTAIN: 1 - Lysakowski
- Motion declared carried.

Moved by Brookman, seconded by Moylan, to approve the Consent Agenda. Upon roll call, the vote was:

- AYES: 7 - Moylan, Rodd, Zadrozny  
Brookman, Chester, Smith, Goczkowski
  - NAYS: 0 - None
  - ABSENT: 0 - None
  - ABSTAIN: 1 - Lysakowski
- Motion declared carried.

Minutes were approved; Resolutions R-55-21, R-58-21 were adopted.

**APPROVE AGMT/  
SUBRECIPIENTS  
OF CDBD:**

**Consent Agenda**

Moved by Brookman, seconded by Moylan to Approve Resolution R-55-21, A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH SUBRECIPIENTS OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG-CV3). Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-55-21**

**APPROVE AGMT/  
SHERWIN  
INDUSTRIAL:**

**Consent Agenda**

Moved by Brookman, seconded by Moylan to Approve Resolution R-55-21, A RESOLUTION APPROVING A NON-EXCLUSIVE EASEMENT AGREEMENT FOR A WATER TRANSMISSION MAIN AGREEMENT WITH SHERWIN INDUSTRIAL I, LLC. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-58-21**

**APPROVE**  
**MINUTES:**  
**Consent Agenda**

Moved by Brookman, seconded by Rodd, to approve the Minutes of the City Council meeting of March 1, 2021, as published. Motion declared carried as approved unanimously under Consent Agenda

**APPROVE**  
**MINUTES:**  
**Consent Agenda**

Moved by Brookman, seconded by Rodd, to approve the Closed Session Minutes of the City Council meeting of March 1, 2021, as published. Motion declared carried as approved unanimously under Consent Agenda

**UNFINISHED**  
**BUSINESS:**

**SECOND**  
**READING/**  
**Z-23-20:**

The petitioner, Cumberland Crossing, LLC, is proposing a full redevelopment of the existing Feather Factory manufacturing building property at 414 E. Golf Road with a 348-unit apartment building with amenities and a commercial out-lot. The petitioner also plans to relocate an existing commercial cell tower facility to another portion of the subject property. The subject property currently consists of three separate lots totaling 6.49-acres. The existing public access road to the Metra parking lot is located partially within the boundaries of the subject property and partially on the Union Pacific Railroad right-of-way pursuant to an existing easement agreement. This easement agreement will be renegotiated. The developer will also be reconstructing the Golf Road/Wolf Road/Seegers Road intersection at its own expense as part of this development project.

This is a Second Reading for Ordinance Z-23-20, Approving a Preliminary Planned Unit Development, Tentative Plat of Subdivision and Map Amendment for 414 E Golf Road.

Two resident spoke in opposition of the development. Residents of the Rethink Cumberland Crossing group formulated a list of additional conditions requesting be added as Conditions of Approval for the projects.

Moved by Brookman, seconded by Chester to postpone this item until next meeting to address the groups concerns. Upon roll call, the vote was:

AYES: 2 - Brookman, Chester

NAYS: 6 - Lysakowski, Moylan, Rodd, Zadrozny  
 Smith, Goczkowski

ABSENT: 0 - None

Motion failed.

Moved by Rodd, seconded by Moylan to approve Ordinance Z-23-20, APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT, TENTATIVE PLAT OF SUBDIVISION AND MAP AMENDMENT FOR 414 E GOLF ROAD. Upon roll call, the vote was:

AYES: 5 - Lysakowski, Moylan, Rodd, Zadrozny  
 Smith

NAYS: 3 - Brookman, Chester, Goczkowski

ABSENT: 0 - None

Motion declared carried.

**NEW BUSINESS:****FINANCE & ADMINISTRATION** – Alderman Chester, Chairman**WARRANT REGISTER:**

Moved by Chester, seconded by Smith, to approve the Warrant Register of March 15, 2021 in the Amount of \$13,177,783.55 and approve Resolution R-56-21. Upon roll call, the vote was:

**Resolution  
R-56-21**

AYES: 7 - Moylan, Rodd, Zadrozny  
Brookman, Chester, Smith, Goczkowski  
NAYS: 0 - None  
ABSENT: 0 - None  
ABSTAIN: 1 - Lysakowski  
Motion declared carried.

**COMMUNITY DEVELOPMENT** – Alderman Rodd, Chairman**CONSIDER FINAL  
PLAT OF  
SUBDIVISION/  
BAIG ESTATES/  
460 GOOD  
AVENUE:**

Community and Economic Development Director McMahon reviewed a memorandum dated February 24, 2021.

The petitioner is requesting a Final Plat of Subdivision under Section 13-2 of the Des Plaines Subdivision Regulations to split one lot into two lots of record in the R-1 zoning district at 460 Good Avenue. The petitioner, Samee Baig, is requesting a Final Plat of Subdivision for the property located at 460 Good Avenue. The subject property .596 acres in size and is comprised of one undeveloped lot as shown in the Plat of Survey.

The petitioner proposes to subdivide the existing lot into two lots of record and construct a new single-family home on each new lot. Lot 1 will serve as the western lot with access from Edward Court whereas Lot 2 will serve as the east lot with access from Good Avenue.

The petitioner's Final Plat of Subdivision shows the existing property being split into two lots each 90-feet in width and 13,020-square feet in area. The Final Plat of Subdivision shows a five-foot public utility and drainage easement at the rear, a five-foot public utility and drainage easement on the sides, a 25-foot building line in the front of each proposed lot, and ten foot public utility and drainage easement and sanitary sewer easement along the west side of Lot 1.

Staff recommended the adoption of Resolution R-57-21.

Moved by Rodd, seconded by Smith to approve Resolution R-57-21, A RESOLUTION APPROVING A FINAL PLAT OF SUBDIVISION FOR THE BAIG ESTATES SUBDIVISION LOCATED AT 460 GOOD AVENUE, DES PLAINES, ILLINOIS. Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Rodd, Zadrozny  
Brookman, Chester, Smith, Goczkowski  
NAYS: 0 - None  
ABSENT: 0 - None

Motion declared carried.

**CONSIDER**  
**MAJOR**  
**AMENDMENTS/**  
**3000 RIVER**  
**ROAD:**

Community and Economic Development Director McMahon reviewed a memorandum dated February 24, 2021.

The petitioner is requesting a Major Amendment to the Planned Unit Development (PUD) under Section 12-3-5 of the Des Plaines Zoning Ordinance, as amended, to construct a two-story addition onto the existing casino building and make various site adjustments at 3000 River Road, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

The applicant is requesting a Major Amendment to the Planned Unit Development to amend Ordinance Z-33-19 to allow for a proposed expansion of Rivers Casino, which is located at 3000 River Road, and the modification of the “Onsite Utility Maintenance Agreement” between Midwest Gaming & Entertainment, LLC and the City of Des Plaines recorded as Document Number 1129903055.

Mr. Wise and Mr. Shaffer explained that the request entails a proposal to expand the existing casino building with a two-story, approximately 84,000-square foot addition and various site adjustments to the parking garage, main site entrance, and circulation of the site. The two-story expansion is comprised of approximately 84,000-square feet of enclosed space distributed over two main levels and two smaller mezzanine levels, including approximately 33,000-square feet of new gaming space, small food and beverage outlet, 10,100-square foot multi-purpose event center, and associated back of house areas. The proposal to expand the casino building is a direct result of recent Illinois legislation that allows existing casinos to apply to expand from the former limit of 1,200 gaming positions to the new limit of 2,000 gaming positions. As cited in the applicant’s Project Narrative, the ownership team is proposing the casino building expansion with this Planned Unit Development Major Amendment request to reach 2,000 gaming positions.

The Des Plaines Zoning Ordinance Section 12-7-3.I. requires one parking space per gaming seat, the same parking regulation as the State of Illinois. The total number of parking spaces provided by the previous parking garage expansion far exceeds the parking count required by the Zoning Ordinance as 2,000 parking spaces are required and 3,063 spaces will be provided. The proposed parking is high in order to accommodate the approximately 1,200 employees that work at Rivers Casino and the expansion of the casino to reach 2,000 gaming positions.

The Planning and Zoning Board recommended (6-0) that the City Council approve the requests without any conditions.

Staff recommended the adoption of Ordinance Z-31-21.

Moved by Chester, seconded by Brookman to approve Ordinance Z-31-21, AN ORDINANCE APPROVING A MAJOR AMENDMENT TO AN EXSISTING PLANNED UNIT DEVELOPMENT FOR 2980-3000 RIVER ROAD, DES PLAINES, ILLINOIS (RIVERS CASINO, CASE #21-0025-PUD-A). Upon roll call, the vote was:

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

Moved by Rodd, seconded by Chester to Advance to Second Reading and adopt Ordinance Z-31-21, AN ORDINANCE APPROVING A MAJOR AMENDMENT TO AN EXSISTING PLANNED UNIT DEVELOPMENT FOR 2980-3000 RIVER ROAD, DES PLAINES, ILLINOIS (RIVERS CASINO, CASE #21-0025-PUD-A).

Upon roll call, the vote was:

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

**CLOSED  
 SESSION:**

Moved by Smith, seconded by Goczkowski to adjourn to Closed Session to discuss Litigation. Upon roll call, the vote was:

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

**ADJOURNMENT:** The meeting adjourned at 8:52 p.m.

/s/ Laura Fast  
 Laura Fast, Deputy City Clerk

APPROVED BY ME THIS 5th

DAY OF April, 2021

/s/ Matthew J. Bogusz  
 Matthew J. Bogusz, MAYOR