

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DES PLAINES, ILLINOIS HELD VIA ZOOM VIDEO CONFERENCE ON MONDAY, MARCH 1, 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/accessdesplaines> and played on DPTV Channel 17 on Monday, March 1, 2021.

ROLL CALL:

Roll call indicated the following Aldermen present: Lysakowski, Moylan, Rodd, Zadrozny, Brookman, Chester, Smith, Goczkowski. 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 Zadrozny followed by the Pledge of Allegiance to the Flag of the United States of America offered by Alderman Rodd.

**PUBLIC HEARING/
414 E. GOLF RD:**

MINUTES OF THE PUBLIC HEARING HELD IN THE ELEANOR ROHRBACH MEMORIAL COUNCIL CHAMBERS DES PLAINES CIVIC CENTER, MONDAY, MARCH 1, 2021

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

The petitioner, Cumberland Crossing, LLC, is proposed 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.

On October 19, 2020 the Des Plaines City Council considered the original request of a 6-story, 449 unit multi-family residential development with a 2,000 square foot commercial out lot building constructed in two phases. The City Council tabled the item to the next City Council meeting so that more information could be gathered. Prior to the next City Council meeting, the petitioner requested the item be pulled from the agenda so that the project team could engage the surrounding neighborhood to gather input to their concerns about this project. Over the month of January 2021, the petitioner conducted five virtual meetings to better describe the projects benefits and listen to the residences concerns. After gathering the information at these meetings, the petitioner's project team re-grouped and brought back a revised plan consisting of:

- A five-story, 348-unit apartment building down from six-stories and 449 units. This reduces the overall density from 69.2 units per acre to 53.6 units per acre.
- Reduced height from 71'-4" to 59'-10"
- 448 parking spaces (395 internal and 53 surface) down from 494 spaces, which is an increase in the parking ratio to 1.3 per unit up from 1.1 per unit;
- A one-story, 2,000-square foot commercial building with patio area, drive-through, and thirteen parking spaces; and
- A relocated cell tower area with a 30-foot by 40-foot enclosure.

The entire project is scheduled to be completed in one phase between May 2021 and December 2022. At this time, the petitioner is requesting the following exceptions for mixed-use Planned Unit Developments:

- A building height exception of 59'-10" where the maximum allowed is 45 feet for building within the C-3 zoning district.
- A minimum lot area exception of 812.5-square feet per unit where the minimum lot area is 1,815-square feet per unit.

The complete proposal includes the installation of 494 total parking spaces for the apartment building and thirteen parking spaces for the stand-alone commercial out-lot proposed to be a quick service food establishment. Previously, all multiple-family dwellings were required to have a minimum of two spaces per dwelling unit. However, in March 2020, Ordinance Z-9-20 lowered the required off-street parking requirements on C-3 Mixed-Use Planned Unit Development zoned lots that are within 2,500-feet of an operational passenger rail train station.

The Planning and Zoning Board recommended (5-2) that the City Council approve the request with the five conditions in the Staff Report.

Three conditions were added by staff for City Council consideration after the September 22, 2020 Planning and Zoning Board meeting stating that the petitioner shall fully reconstruct the Golf Road/Wolf Road/Seegers Road intersection as part of the development, that the petitioner shall obtain approval of its final engineering plans for the subject property from the Public Works and Engineering Department, and that the final plans submitted with the Final Plat of PUD shall be in substantial compliance with the Preliminary Plat of PUD.

Andy Odenbach of Terra Carta Partners provided an overview of the proposed changes.

In addition to the eight members of the public who spoke against the revised plan, an email was received which included the names of 120 residents who oppose the request for a variance saying it is still too dense, too large and will negatively impact property values. Several of the commenters said that they were unaware that this item would be voted on tonight.

Moved by Zadrozny, seconded by Rodd, to approve Ordinance Z-23-20, AN ORDINANCE APPROVING A PRELIMINARY PLANNED UNIT DEVELOPMENT, TENTATIVE PLAT OF SUBDIVISION AND MAP AMENDMENT FOR 414 E GOLF ROAD (CASE #20-031-PPUD-TSUB-CU-MAP).

Upon roll call, the vote was:

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

NAYS: 3 - Brookman, Chester, Goczkowski

ABSENT: 0 - None

Motion declared carried.

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 1, 2021.

Resident John Maag reminded Senior Citizens who need any type of assistance to contact the Center for Concern.

Resident Leslie Wester suggested that the City promote a Spring Clean-Up day

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 Smith, seconded by Moylan, 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: 8 - Lysakowski, Moylan, Rodd, Zadrozny
Brookman, Chester, Smith, Goczkowski

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**MANAGER'S
REPORT:**

City Manager Bartholomew announced that Cook County and FEMA have partnered to open a mass COVID-19 vaccination site at the previous K-Mart building on Oakton beginning this week.

Representatives from Lakeshore Recycling Systems described how the inclement weather altered the timely distribution of the new waste hauling containers. All issues should be handled within the next week.

**CONSENT
AGENDA:**

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

AYES: 8 - Lysakowski, Moylan, Rodd, Zadrozny
Brookman, Chester, Smith, Goczkowski

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

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

Appointments/Re-Appointments were approved; Minutes were approved; Ordinance Z-23-20 was approved; Ordinances M-3-21, Z-29-21 and Z-30-21 were adopted; Resolutions R-45-21, R-46-21, R-47-21, R-51-21, R-52-21, R-53-21, R-54-21 were adopted.

**APPROVE
PURCHASE/
CURRIE
MOTORS:
Consent Agenda**

Moved by Brookman, seconded by Rodd, to approve Resolution R-45-21, A RESOLUTION AUTHORIZING THE PURCHASE OF ONE FORD POLICE FLEET VEHICLE FROM CURRIE MOTORS OF FRANKFORT, ILLINOIS at a not-to-exceed cost of \$33,574. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-45-21****APPROVE
RENEWAL AGMT/
POLICE LAW
INSTITUTE:
Consent Agenda**

Moved by Brookman, seconded by Rodd, to approve Resolution R-46-21, A RESOLUTION APPROVING AN AGREEMENT WITH POLICE LAW INSTITUTE, INC FOR POLICE DEPARTMENT TRAINING. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution
R-46-21****APPROVE TASK
ORDER/**

Moved by Brookman, seconded by Rodd, to approve Resolution R-47-21, A RESOLUTION APPROVING TASK ORDER NO. 3 WITH MANUSOS GENERAL

MANUSOS
GENERAL
CONTRACTING:
Consent Agenda

CONTRACTING, INC FOR CONSTRUCTION SERVICES AT THE DES PLAINES THEATRE. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-47-21

PERMITS
GRANTED BY
IDOT:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Resolution R-51-21, A RESOLUTION REGARDING PERMITS GRANTED BY THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF STREET IMPROVEMENTS ON STATE HIGHWAYS MAINTAINED BY THE CITY. Motion declared carried as approved unanimously under Consent Agenda

Resolution
R-51-21

APPROVE
AUTHORIZATION
OF MFT FUNDS:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Resolution R-52-21, A RESOLUTION FOR MAINTENANCE UNDER THE ILLINOIS HIGHWAY CODE (21-00225-00-RS). Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-52-21

SECOND
READING/
ORD. M-3-21:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Second Reading Ordinance M-3-21, AN ORDINANCE MAKING APPROPRIATIONS TO DEFRAY THE EXPENSES OF THE CITY OF DES PLAINES, COOK COUNTY, ILLINOIS FOR MUNICIPAL PURPOSES DESIGNATED AS THE "ANNUAL APPROPRIATION ORDINANCE" FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021. Motion declared carried as approved unanimously under Consent Agenda

SECOND
READING/ORD.
Z-29-21:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Second Reading Ordinance Z-29-21, AN ORDINANCE APPROVING MAJOR VARIATIONS FOR SECTION 12-3-6 OF THE CITY OF DES PLAINES ZONING ORDINANCE AT 1415 REDEKER ROAD, DES PLAINES, ILLINOIS (CASE #20-045-V). Motion declared carried as approved unanimously under Consent Agenda

SECOND
READING/
ORD. Z-30-21:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Second Reading Ordinance Z-30-21, AN ORDINANCE APPROVING A TENTATIVE PLAT OF SUBDIVISION AND MAJOR VARIATIONS FROM SECTION 12-3-6 OF THE CITY OF DE PLAINES ZONING ORDINANCE AT 10 S RIVER ROAD, DES PLAINES, ILLINOIS (CASE #20-046-SUB-V). Motion declared carried as approved unanimously under Consent Agenda

APPOINTMENTS/
REAPPOINTMENTS
Consent Agenda

Resident Earl Wilson suggested that the Appointments and Re-Appointments be postponed until after the April election when the new members of the City Council are seated.

Moved by Brookman, seconded by Rodd, to approve Appointments from February 16, 2021 of Michelle Shimon and Christine Halblander to the Library Board of Trustees, Terms to Expire June 30, 2022. Motion declared carried as approved unanimously under Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Re-Appointments from February 16, 2021 of Thomas Green to the Board of Fire & Police Commissioners, Term to Expire April 30, 2023. Motion declared carried as approved unanimously under Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Re-Appointments from February 16, 2021 of Bruce Lester, Denise Hudec, Vincent Rangel, and Nicholas Harkovich to the Library Board of Trustees, Terms to Expire June 30, 2023. Motion declared carried as approved unanimously under Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Re-Appointments from February 16, 2021 of Joseph Catalano to the Planning & Zoning Board, Term to Expire April 30, 2023. Motion declared carried as approved unanimously under Consent Agenda.

Moved by Brookman, seconded by Rodd, to approve Re-Appointments from February 16, 2021 of Rosalie Cullotta, Gloria Ludwig, Erin Doerr, and Joanie Sebastian to the Youth Commission, Terms to Expire September 4, 2024. Motion declared carried as approved unanimously under Consent Agenda

APPROVE
MINUTES:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve the Minutes of the City Council meeting of February 16, 2021, as published. Motion declared carried as approved unanimously under Consent Agenda

APPROVE
AMENDMENT/
GRANICUS, LLC:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Resolution R-53-21, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH GRANICUS, LLC FOR THE GOV DELIVERY COMMUNICATIONS SOLUTION, WEBSITE DESIGN, DEVELOPMENT, HOSTING, AND SUPPORT SERVICES. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-53-21

APPROVE
AGMT/AFSCME:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve Resolution R-54-21, A RESOLUTION APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES. Motion declared carried as approved unanimously under Consent Agenda.

Resolution
R-54-21

APPROVE
MINUTES:
Consent Agenda

Moved by Brookman, seconded by Rodd, to approve the Closed Session Minutes of the City Council meeting of February 16, 2021, as published. Motion declared carried as approved unanimously under Consent Agenda

NEW BUSINESS:**FINANCE & ADMINISTRATION** – Alderman Chester, Chairman**WARRANT
REGISTER:****Resolution
R-48-21**

Moved by Chester, seconded by Goczkowski, to approve the Warrant Register of March 1, 2021 in the Amount of \$2,688,168.37 and approve Resolution R-48-21.

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.

COMMUNITY DEVELOPMENT – Alderman Rodd, Chairman**CONSIDER FEE IN
LIEU OF OPEN
SPACES/
1425 ELLINWOOD
STREET:**

Community and Economic Development Director McMahon reviewed a memorandum dated February 18, 2021.

On February 19, 2019, the City Council approved the Final Plat of Subdivision for the Ellinwood Apartment multi-family development 1425 Ellinwood Street. This development is subject to the City's Park Land Dedication ordinance, requiring either an on-site land dedication or a fee-in-lieu, or a combination of both. The total park land dedication generated by the proposed development is 2.01 acres. Staff has calculated the total non-adjusted impact fee-in-lieu of dedication at an amount of \$403,396.40, based upon the final approved architectural plans.

The provisions of the Park Land Dedication ordinance grant authority to the Council to approve a fee-in-lieu of on-site dedication in the event that the proposed development is small, or in the event that the land available for dedication is inappropriate or insufficient for park or recreational purposes. Additionally, the Council can approve credits from the fee-in-lieu when on-site private improvements are provided in place of a land dedication.

This development does not have sufficient land area for on-site dedication. As such, a fee-in-lieu of land dedication is appropriate. This development is solely within the Des Plaines Park District boundaries. These monies may be utilized by the Park District to acquire nearby land, or improve local or regional park facilities.

As approved, the development includes a 0.94 acre private on-site outdoor recreation area to include a pool area and deck at 0.47 acre and .46 acres of outdoor terrace spread out over five residential floors. Staff has calculated the value of the proposed on-site and off-site park improvements as Total Required Fee-In-Lieu, \$403,396.40; Pool and Deck, \$58,727.38; Terrace Space, \$58,310.02; Total \$117,037.40; Fee in Lieu after Credits, \$286,359.00.

Staff has consulted with the Des Plaines Park District regarding the proposed park land credits. The Park District has indicated that they support the requested credits as they will reduce the burden on the existing and future park facilities.

On November 3, 2020 the City's Building Division issued a building permit to Bayview-Compasspoint Ventures, LLC for the construction of a 212 residential unit, mixed-use development, and collected \$286,359.00 for the park land dedication, fee-in-lieu.

Staff recommended the adoption of Resolution R-49-21.

Moved by Rodd, seconded by Lysakowski to approve Resolution R-49-21, A RESOLUTION APPROVING A LAND DEDICATION CREDIT FOR PRIVATE OPEN SPACES AND RECREATION AREAS AND THE RELEASE OF FEE-IN-LIEU FUNDS FOR THE RESIDENTIAL DEVELOPMENT LOCATED AT 1425 ELLINWOOD STREET. 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
ADOPTION OF
SMALL BUSINESS
GRANT
PROGRAM:

Community and Economic Development Director McMahon reviewed a memorandum dated February 19, 2021.

At the January 19, 2021 City Council meeting, staff was directed to prepare a small business grant program for qualifying Des Plaines businesses and restaurants in response to the widespread economic disruption caused by the Covid-19 pandemic.

In early 2020, Illinois Governor J.B. Pritzker's issued a number of Executive Orders in an effort to protect the general public from contracting and spreading the virus that causes Covid-19. These Executive Orders had a major impact on small businesses, many of which had to close until restrictions were slowly lifted. When infection rates began to decline, the "Restore Illinois" program was launched which initiated a phased reopening approach for non-essential businesses. One aspect of safely reopening a business under Restore Illinois was the additional expense of purchasing Personal Protective Equipment (PPE) for employees, purchasing and installing protective shielding, and/or providing outside dining options.

The aim of this program is to help defray the costs associated with safely reopening businesses by reimbursing businesses for the unique expenses incurred in order to comply with the Restore Illinois program.

Staff proposed the use of the \$150,000 designated in the Community and Economic Development budget for the Business Assistance Grant Program to fund the Small Business Safe Reopening Grant Program. The maximum amount of each grant will be \$2,000 per business location within the City of Des Plaines corporate limits. Grants are reimbursements to business owners for the costs associated with a safe reopening, including, but not limited to: Plexiglas shields, facemasks for employees or customers, hand sanitizers, floor decals, and the purchase or rental of outdoor tables, tents, umbrellas, fencing or other equipment for outdoor dining areas.

Staff recommended approval of Resolution R-50-21.

Moved by Rodd, seconded by Goczowski to approve Resolution R-50-21, A RESOLUTION APPROVING THE ESTABLISHMENT OF AND ALLOCATION OF FUNDS FOR A SMALL BUSINESS SAFE REOPENING GRANT PROGRAM.

Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Rodd, Zadrozny
Brookman, Chester, Smith, Goczowski

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

**CLOSED
SESSION:**

Moved by Zadrozny, seconded by Chester to adjourn to Closed Session to discuss Personnel and Litigation. Upon roll call, the vote was:

AYES: 8 - Lysakowski, Moylan, Rodd, Zadrozny
Brookman, Chester, Smith, Goczowski

NAYS: 0 - None

ABSENT: 0 - None

Motion declared carried.

ADJOURNMENT: The meeting adjourned at 9:48 p.m.

/s/ Jennifer L. Tsalapatanis
Jennifer L. Tsalapatanis – City Clerk

APPROVED BY ME THIS 15th

DAY OF March, 2021

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