

**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 3, 2016**

**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. in the Eleanor Rohrbach Memorial Council Chambers, Des Plaines Civic Center on Monday, October 3, 2016.

**ROLL CALL:**

Roll call indicated the following Aldermen present: Haugeberg, Robinson, Rodd, Sayad, Brookman, and Chester. A quorum was present. Aldermen Smith and Charewicz were absent.

Also present were: City Manager Bartholomew, Assistant City Manager/Director of Finance Wisniewski, Director of Community and Economic Development McMahon, Economic Development Coordinator Pruss, Fire Chief Wax, Police Chief Kushner, Director of Public Works and Engineering Oakley and General Counsel Matthew Norton.

**PRAYER AND PLEDGE:**

The opening prayer was given by Reverend Gary Houdek of the Golf Road Baptist Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

**CITIZEN PART.:**

Resident Brian Burkross addressed the City Council commenting on the presentation made by students from Maine West High School regarding refugees; Cook County beverage tax; and the Senate Resolution presented by Senator Laura Murphy.

Resident Ron Moore addressed the City Council commenting on the Cable Channel 17 schedule; regulation of drones and the Des Plaines Theater.

Residents Sara Schmidt and Fran Volpe addressed the City Council each reading a statement regarding the issue of refugees.

Mr. Bill Christian of Elk Grove Village addressed the City Council commenting on the issue of refugees.

Mr. Art Ellingsen of Arlington Heights addressed the City Council commenting on the issue of refugees.

**PRESENTATION:**

State Senator Laura Murphy presented a Senate Resolution recognizing the Des Plaines Fire Department's 125<sup>th</sup> Anniversary.

**SWEARING-IN CEREMONY:**

Fire Chief Wax introduced five new Firefighter candidates. Mayor Bogusz administered the Oath of Office to: Alexander Demma, Brent Hoffman, Chris Dammers, Michael Genova and Patrick O'Mara.

**CITY CLERK**  
**ANNOUNCEMENTS:**

City Clerk Ludwig announced various community events taking place during October and the request from the Cook County Clerk for election judges for the November 8 Election.

**CONSENT**  
**AGENDA:**

Motion by Chester, seconded by Robinson, to establish the Consent Agenda, except for items 4, 4a, 5, and 5a. Motion declared carried.

Motion by Haugeberg, seconded by Rodd, to approve the Consent Agenda. Upon roll call, the vote was:

AYES: 5-Haugeberg, Robinson, Rodd, Sayad,  
Chester

NAYS: 0-None

ABSENT: 3-Brookman, Smith, Charewicz

Motion declared carried.

Staff recommendations and requests were approved; Ordinance M-27-16 was placed on First Reading; Resolutions R-144-16, R-150-16, and R-154-16 were adopted; and Minutes of the Regular Council Meeting of September 19, 2016 was approved.

**ADOPT POTABLE**  
**GROUNDWATER**  
**USE**  
**RESTRICTION/**  
**607 EAST**  
**OAKTON ST.:**

Moved by Haugeberg, seconded by Rodd, to concur with Staff recommendation to adopt Potable Groundwater Use Restriction Ordinance for 607 E. Oakton Street, Des Plaines to allow for Elmer’s Service Station the ability to obtain a No Further Remediation Letter from the Illinois Environmental Protection Agency; and further recommend to place on First Reading Ordinance M-27-16, AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD AT 607 EAST OAKTON STREET IN THE CITY OF DES PLAINES. Motion declared carried as approved unanimously under Consent Agenda.

**Consent**  
**Agenda**

**Ordinance**  
**M-27-16**

**ACCEPT BID**  
**AWARD/**  
**PURCHASE**  
**ROCK SALT:**

Moved by Haugeberg, seconded by Rodd, to concur with Staff recommendation to Accept Rock Salt Bid Award through the State of Illinois CMS 2016-2017 Rock Salt Procurement Contract PSD 4018184, at a Cost of \$42.46 per Ton payable to Compass Minerals America, Inc., 9900 West 109<sup>th</sup> Street, Overland Park, Kansas (Budgeted Funds – MFT Funds/Commodities/Ice Control); and further recommend to adopt Resolution R-144-16, A RESOLUTION AUTHORIZING THE PROCUREMENT OF ROCK SALT FROM COMPASS MINERALS AMERICA, INC. Motion declared carried as approved unanimously under Consent Agenda.

**Consent**  
**Agenda**

**Resolution**  
**R-144-16**

**APPROVE**  
**LICENSE AGR./**  
**OPERATION**  
**NORTH POLE/**  
**1486 AND 1486 ½**  
**MINER ST.:**

Moved by Haugeberg, seconded by Rodd, to concur with Staff recommendation to approve a License Agreement with Operation North Pole, Inc., 50 West Oakton Street, Des Plaines, Illinois for the Temporary Use of City-Owned Property at 1486 and 1486 1/2 Miner Street; and further recommend to adopt Resolution R-150-16, A RESOLUTION APPROVING A LICENSE AGREEMENT WITH OPERATION NORTH POLE, INC., TO PERMIT THE TEMPORARY USE OF 1486 AND 1486 ½ MINER STREET FOR THE STORAGE OF TOYS AND

**Consent**

**Agenda** CHILDREN’S COATS. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-150-16**

**AUTHORIZE  
AGR./ CMAP/  
NEW  
COMPREHENSIVE  
PLAN:**

Discussion was held. Community and Economic Development Director McMahon answered questions from the Aldermen.

**Resolution  
R-152-16**

Moved by Haugeberg, seconded by Rodd, to authorize Staff to enter into an Intergovernmental Agreement with the Chicago Metropolitan Agency for Planning (CMAP) for purposes of creating a new Comprehensive Plan for the City of Des Plaines to be completed in the Year 2018 with a Local Cost Match of 20% or \$24,000; and to adopt Resolution R-152-16, A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CHICAGO METROPOLITAN AGENCY FOR PLANNING. Upon roll call, the vote was:

- AYES: 6-Haugeberg, Robinson, Rodd, Sayad,  
Brookman, Chester
  - NAYS: 0-None
  - ABSENT: 2-Smith, Charewicz
- Motion declared carried.

**APPROVE ROAD  
RECONSTRUCTION  
AGR./  
CONTRACT  
60X13 – CHANGE  
ORDER #1  
ANNUAL AUDIT  
SVCS./ 2016-2018:**  
**Consent  
Agenda**

Moved by Haugeberg, seconded by Rodd, to approve Des Plaines River Road Reconstruction Contract 60X13 – Change Order #1 with Greco Contractors, Inc., 2100 S. Mt. Prospect Road, Des Plaines, Illinois in the amount of \$700,000.00 (Source of Funding – Water/Sewer Fund and Grant Funded Projects). (Also authorize City Manager to enter into such Additional Change Orders as necessary to account for unanticipated costs in an aggregate amount of \$1,045,006.67 raising the total not-to-exceed amount of contract to \$15,200,000.00. All change orders will be funded by IDOT in the same proportions as the original contract); and adopt Resolution R-154-16, A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO A CONSTRUCTION CONTRACT WITH GRECO CONTRACTORS, INC., FOR THE DES PLAINES RIVER ROAD RECONSTRUCTION CONTRACT 60X13. Motion declared carried as approved unanimously under Consent Agenda.

**Resolution  
R-154-16**

**MINUTES/  
REGULAR MTG.:**  
**Consent  
Agenda**

Moved by Haugeberg, seconded by Rodd, to approve Minutes of Regular City Council Meeting of September 19, 2016, as published. Motion declared carried as approved unanimously under Consent Agenda.

**MAYOR BOGUSZ DECLARED THAT THE CITY COUNCIL WAS NOW  
RESOLVED INTO A COMMITTEE OF THE WHOLE**

**FINANCE & ADMINISTRATION:** – Alderman Sayad, Vice Chair



**WARRANT REGISTER:**

Moved by Sayad, seconded by Haugeberg, to recommend to the City Council approval of the October 3, 2016 – Warrant Register, in the total amount of \$4,491,374.88; and further recommend that Resolution R-155-16 be adopted at appropriate time this evening. Motion declared carried.

**LEGAL AND LICENSING** – Alderman Haugeberg, Chair

**DISCUSSION/ MODIFICATION OF CODE OF ETHICS:**

Consideration of an Ordinance Amending Chapter 9 Title 1 of the Des Plaines City Code Modifying the Code of Ethics (deferred from 9/19/2016 City Council Agenda) – ORDINANCE M-28-16.

Discussion was held. General Counsel Norton answered questions from the Aldermen.

Moved by Brookman, seconded by Chester, to recommend to the City Council approval of an Ordinance amending Chapter 9 Title 1 of the Des Plaines City Code modifying the Code of Ethics; and further recommend that Ordinance M-28-16 be adopted at appropriate time this evening.

Moved by Sayad, seconded by Rodd, to adopt a substitute motion to change the amount of business done with the City from \$1,000.00 to zero (\$0.00) as of November 1, 2016. Motion declared failed. Aldermen Rodd and Sayad agreed. Aldermen Haugeberg, Robinson, Brookman and Chester did not agree.

Assistant City Manager/Director of Finance Wisniewski answered questions from the Aldermen.

On the original motion to approve Ordinance M-28-16, motion declared carried.

**MAYOR BOGUSZ ASSUMED THE CHAIR AND DECLARED THE CITY COUNCIL BACK IN SESSION.**

**UNFINISHED BUSINESS:**

**ORDINANCE M-26-16 AMEND CITY CODE/ ADD POSITION:**

Discussion was held.

Moved by Brookman, seconded by Chester, to adopt Ordinance M-26-16, AN ORDINANCE AMENDING CHAPTER 8 OF TITLE 1 OF THE CITY OF DES PLAINES CITY CODE. Upon roll call, the vote was:

AYES: 6-Haugeberg, Robinson, Rodd, Sayad, Brookman, Chester

NAYS: 0-None

ABSENT: 2-Smith, Charewicz

Motion declared carried.

**REJECT ALL BIDS/ 2017-2018 ELEVATOR**

Discussion was held.

**INSPECTION SERVICES:**

Moved by Haugeberg, seconded by Chester, to adopt Resolution R-153-16, A RESOLUTION REJECTING ALL BIDS FOR ELEVATOR INSPECTION AND PLAN REVIEW SERVICES. Motion declared carried.

**Resolution  
R-153-16**

**NEW BUSINESS:**

**WARRANT REGISTER:**

Moved by Sayad, seconded by Rodd, to concur with recommendation of Committee of the Whole to adopt Resolution R-155-16, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES PLAINES THAT THE FOLLOWING BILLS ARE DUE AND PAYABLE AND THAT THE MAYOR AND CITY CLERK BE AND ARE HEREBY AUTHORIZED TO MAKE PAYMENT FOR SAME. Total: \$4,491,374.88. Upon roll call, the vote was:  
AYES: 6-Haugeberg, Robinson, Rodd, Sayad,  
Brookman, Chester  
NAYS: 0-None  
ABSENT: 2-Smith, Charewicz  
Motion declared carried.

**Resolution  
R-155-16**

**AMEND CITY CODE/ CODE OF ETHICS:**

Moved by Haugeberg, seconded by Sayad, to place on First Reading Ordinance M-28-16, AN ORDINANCE AMENDING CHAPTER 9 OF TITLE 1 OF THE CITY OF DES PLAINES CITY CODE. Motion declared carried.

**Ordinance  
M-28-16**

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 9:10 p.m.

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Gloria J. Ludwig, MMC – CITY CLERK

APPROVED BY ME THIS \_\_\_\_\_

DAY OF \_\_\_\_\_, 2016

\_\_\_\_\_  
Matthew J. Bogusz - MAYOR