

**CITY COUNCIL
MEETING MINUTES
May 26, 2020**

Mayor Gallo called the Council meeting via Zoom Teleconferencing to order at 7:30 p.m.

Pledge of Allegiance to the Flag – Led Girl Scout Troop 41031 via Video

ROLL CALL:

Present: Cannon, Budmats, O'Brien, Vinezeano, Bisesi, D'Astice, Sanoica

Absent: 0

With 7 present and 0 absent there is a quorum.

Members of the virtual audience are reminded that these proceedings are being recorded for current and future broadcast.

Staff Members Present Remotely: City Manager Barry Krumstok, Finance Director Melissa Gallagher, Deputy City Clerk Judy Brose, Assistant to the City Manager Lori Ciezak, Police Chief John Nowacki, Deputy Fire Chief Jeff Moxley, Director Public Works Rob Horne, Assistant Director Public Works Jo Ellen Charlton, Business Advocate Martha Corner, City Attorney Melissa Wolf

Members of the public will be afforded the opportunity for public comment as long as they provided their contact credentials and the subject matter for which they would like to speak about before the deadline as noted on tonight's agenda. In addition, written comments that were submitted prior to the meeting will also be read.

MOTION TO APPROVE MINUTES:

The first order of business is to approve the minutes from the *April 21, 2020 Committee of the Whole Meeting*. Is there a motion to approve the minutes? Alderman Budmats made the motion and it has been seconded by Alderman O'Brien. Are there any corrections, additions, or deletions to the minutes? Seeing none, all those in favor say aye; those opposed say nay. The ayes have it and the minutes are approved.

The next set of minutes are for the *May 12, 2020 City Council Special Meeting*. Is there a motion to approve the minutes? Alderman Vinezeano made the motion and it has been seconded by Alderman Budmats. Are there any corrections, additions, or deletions to the minutes? Are there any corrections, additions, or deletions to the minutes? Seeing none, all those in favor say aye; those opposed say nay. The ayes have it and the minutes are approved.

The next set of minutes are for the *May 12, 2020 City Council Meeting*. Is there a motion to approve the minutes? Alderman Budmats made the motion and it has been seconded by Alderman O'Brien. Are there any corrections, additions, or deletions to the minutes? Are there any corrections, additions, or deletions to the minutes? Seeing none, all those in favor say aye; those opposed say nay. The ayes have it and the minutes are approved.

MOTION TO DEVIATE: None

MAYOR'S REPORT:

Last week on Thursday, May 21st the COVID-19 test site at Rolling Meadows High School held a press event. The site actually went live on Friday, May 22nd. We did start to see traffic that Friday and any logistics or coordination is currently being done and is a very fluid process. I have not gotten any serious complaints about the way it's set up and I hope they get the results that we're looking for so we can trace and track those that we need to help keep this virus under control.

On Friday, I went to the East Park Apartments for the Mobile Food Pantry which is sponsored by Willow Creek. I met the Director of Compassion and Justice, a wonderful man with a great team volunteers. It was a great turnout from a resident perspective and the Stadium donated 100 full size pizzas to give away in addition to those who were coming for the food pantry items, they weren't expecting that at all but it was very much appreciated. Thanks to Willow Creek for your efforts with the Mobile Food Pantry and thanks to the Stadium for the 100 free large pizzas, it was greatly received.

As we start getting to the end of May and into June, you're going to start seeing information on the Phase 3 reopening for the City. Information and timelines are going to be available on the City's website and they're going to be resident friendly. This will enable residents what are curious about what is opening when, where and how. You will be able to access that information through our website and staff is currently working with the business entities in the community to make sure they integrate well and appropriately in the phases where they belong. If there are any questions or comments feel free to address them with staff but again the information will be posted shortly on our website. The information will contain timelines and be very resident friendly.

WARD REPORTS:

Alderman Sanoica – I wanted to thank all of the residents that reached out regarding flooding after the unusually heavy rains from May 14 through May 18th. Thank you also to Public Works for working around the clock to help residents. Public Works is committed to helping homeowners understand the City's capabilities in addressing some drainage concerns. Staff will continue to strive to remedy these issues, and I am committed to storm water drainage improvements in our budget and capital project planning for better drainage management going forward.

Additionally, the Home Owners Association of Creekside reached out to inquire whether any austerity measures would impact plans to resurface Crestwood Drive. As of now, the road improvement is scheduled for 2021, pending Council Approval. This item, among others, will be considered by the Council during our budget process this summer.

Lastly, as the Mayor mentioned, many thanks to Stadium Sports Club & Pizza located at 4015 W Algonquin Rd in Ward 7 for their generous donation of 100 hot pizzas at last Friday's mobile Food Pantry.

Alderman O'Brien – Following suit to Alderman Sanoica's comments, thanks to Public Works and the residents for reaching out. Just this morning some of the great guys and gals from Public Works were out here taking care of an issue related to the flooding, I certainly saw that first hand and the residents appreciate that.

Also, I had a call from a resident, it was the first one I received regarding this, and spoke with Mayor Gallo regarding the City providing face coverings. At the current time, that is not the intent of the City as we're making sure our first responders and the emergency staff have those and since those are readily available through online outlets. What I tried to do to help this resident is provide other outlets that were available if they were having a problem finding them retail wise, put them in touch with some online stores that I know other residents have had some luck with. There was also a concern about that a couple of residents didn't have online access through a computer or smart phone so I worked with the resident that reached out regarding about possibly getting in touch with a family member or friend or being able to help through City Staff and myself to order that for them in that they provide the applicable information for delivery to the resident. I just wasn't sure if any other Alderman had received those calls that the Mayor and myself had received. We provided them some resources that were available and should we need to discuss this as a Council in the future we'll certainly do so.

MEETING OPEN TO THE PUBLIC FOR 20 MINUTES:

The next step is to open the meeting to the public but the Deputy City Clerk didn't receive any requests for public comment or any written comments so we'll move on to the next item on the agenda.

➤ **PENDING:**

None

➤ **ORDINANCES:**

The next item on the agenda are the Ordinances. It consists of one (1) item, item A.

Staff is requesting a waiver of 1st reading for item A so this Ordinance can be approved immediately. Is there an Alderman willing to make a motion to waive the 1st reading for this Ordinance? Alderman D'Astice has made the motion and it has been seconded by Alderman Cannon.

A) Ordinance No. 20-21 – Approve Confirming and Extending the State of Emergency within the City of Rolling Meadows Due to the COVID-19 Pandemic (1st Reading)

Is there any discussion? Seeing none, the question is shall the Ordinance be moved forward for final approval? Will the Clerk please call the Roll.

AYES: Bisesi, D'Astice, Sanoica, Cannon, Budmats, O'Brien, Vinezeano
NAYS: 0
ABSENT: 0

With 7 in favor and 0 opposed, the Ordinance does move forward for final approval.

Ordinance No. 20-21 is now back for final approval. Is there a motion to adopt this Ordinance? Alderman Sanoica has made the motion and it has been seconded by Alderman Budmats. Is there any discussion? Seeing none, the question is shall this Ordinance be adopted. Will the Clerk please call the Roll.

AYES: D'Astice, Sanoica, Cannon, Budmats, O'Brien, Vinezeano, Bisesi
NAYS: 0
ABSENT: 0

With 7 in favor and 0 opposed. This Ordinance is adopted.

➤ **NEW BUSINESS:**

B) MOTION TO APPROVE PAYMENT OF BILLS ON WARRANT 5/26/2020

The next item of business is a motion to approve the Warrant from May 26, 2020 as presented by the Finance Department. Is there a motion to approve the Warrant? Alderman O'Brien made the motion and it has been seconded by Alderman Budmats. Is there any discussion? Seeing none, will the Clerk please call the Roll.

AYES: Sanoica, Cannon, Budmats, O'Brien, Vinezeano, Bisesi, D'Astice
NAYS: 0
ABSENT: 0

With 7 in favor and 0 opposed. This Warrant is approved.

➤ **CONSENT RESOLUTIONS:**

The next items on the agenda are the Consent Resolutions. It consists of three (3) items, items C thru E. Does any Alderman wish to remove any item from the Consent Agenda for Resolutions? Seeing none, the Chair declares it in order for one motion to consider the three (3) Resolutions in one motion without debate. Is there such a motion? Alderman D'Astice has made the motion and it has been seconded by Alderman Bisesi. The question is, shall the Resolutions be adopted?

C) Resolution No. 20-R-56 – Approve the Release of Committed Funds in the General Fund

D) Resolution No. 20-R-57 – Approve Amending FY 2020 Budget - Transfer Funds from the Liability Insurance Fund to the General Fund

E) Resolution No. 20-R-58 – Approve Amending FY 2020 Budget - Transfer Funds from the Health Insurance Fund to the General Fund

The question is shall the three (3) Resolutions be adopted? Will the Clerk please call the Roll.

AYES: Cannon, Budmats, O'Brien, Vinezeano, Bisesi, D'Astice, Sanoica
NAYS: 0
ABSENT: 0

With 7 in favor and 0 opposed, the Resolutions are adopted.

OTHER BUSINESS & REPORTS:

Mayor's Appointments:

Planning & Zoning Commission – Appointment

- Liza Morrison

I would like Council's approval for the appointment of *Liza Morrison* to the *Planning & Zoning Commission*. Is there a motion to approve this appointment? Alderman Sanoica made the motion and it has been seconded by Alderman Vinezeano. Is there any discussion? See none, will the Clerk please call the Roll.

AYES: Budmats, O'Brien, Vinezeano, Bisesi, D'Astice, Sanoica, Cannon
NAYS: 0
ABSENT: 0

With 7 in favor and 0 opposed, *Liza Morrison* is appointed to the *Planning & Zoning Commission*.

Economic Development Committee – Appointment

- Craig Carlson

I would like Council's approval for the appointment of *Craig Carlson* to the *Economic Development Committee*. Is there a motion to approve this appointment? Alderman Budmats made the motion and it has been seconded by Alderman Vinezeano. Is there any discussion? Will the Clerk please call the Roll.

AYES: O'Brien, Vinezeano, Bisesi, D'Astice, Sanoica, Cannon, Budmats
NAYS: 0
ABSENT: 0

With 7 in favor and 0 opposed, *Craig Carlson* is appointed to the *Economic Development Committee*.

Mayor's Proclamations: None

City Clerk's Report: None

City Staff Reports:

Barry Krumstok, City Manager went over the following:

1) Community Items of Interest:

- 1) In observance of the 60th annual National Public Works Week this month, the City's Public Works Staff is coordinating a "No Contact" "Fill a Truck" food drive. The event will be held on Wednesday and Thursday, May 27th and 28th in the City Hall parking lot from 9:00am to 2:00pm both days. Collected food donations will be provided to the Elk Grove Township and the Palatine Township Food Pantries. Food and personal items needed within our community are at an all-time high. A list of recommended non-perishable foods and household items is available on the City of Rolling Meadows website. The next time you are doing your shopping, please consider picking up some of those items and asking for them to be bagged separately at check out. Donors are encouraged to place donation items in the back seat or trunk of your car and bring them to the City Hall parking lot on the 27th and 28th. Again, drop off hours will be between 9:00 am and 2:00 pm. A Public Works employee wearing the appropriate face covering and gloves will unload your car for you, and you can leave the event without getting out of your vehicle. Please come out and participate in this great opportunity to help support our community!
- 2) A friendly reminder for safe and proper disposal of gloves and masks – plastic gloves, face masks cannot be placed in recycling bins at home. All gloves and face masks should be placed in a trash bag. When you are out in the community or shopping, please dispose of gloves and masks in a garbage bag and not in shopping carts or on the ground. Let's keep each other safe and healthy! *Please also maintain social distancing.*
- 3) As a friendly reminder, DO NOT flush any type of WIPES down the toilet! Only flush toilet paper down the toilet. Flushing wipes (even ones that say "flushable") create sewer issues and back-ups. Do not flush: wipes, disposable wipes, cleaning wipes, cleaning related cloths, Kleenex or other items down the toilet. Dispose of these items in your trash receptacles. This is very important to share with your friends, family and neighbors.
- 4) If you have not done so, please take a few minutes out of your day to respond to the U.S. Census Survey. Rolling Meadows is doing a great job at responding at this time. Rolling Meadows response rate is 73.7% and is outpacing the overall state response at 64.7% (as of May 18th). Everyone "wins" when you respond to the 2020 Census because when everyone is counted, there are more opportunities for shaping our community's future. As a reminder, you may respond to the U.S. Census survey online at 2020census.gov or by phone at 844-330-2020 or using your printed U.S. Survey to respond by mail. Please respond today!
- 5) A reminder for the community – the Internal Revenue Service announced that the federal income tax filing due date is automatically extended from April 15, 2020 to July 15, 2020. The IRS urges taxpayers who are due to a refund to file as soon as possible. The State of Illinois also extended the Illinois income tax filing to July 15th.
- 6) Another friendly reminder for residents and businesses, if you are having a hard time paying your utility bill or food & beverage payments, please contact Finance at (847) 394-8500 or by email at finance@cityrm.org and they may be able to place you on a payment plan.

- 7) Thank you to everyone at the City and in the community who has volunteered their time and efforts for the Mobile Food Pantry. Over the last few weeks, these efforts have provided meals and necessities for hundreds of families. Mobile Food Pantry events will continue on Friday's in May. Please see the City's website for information in English and Spanish. In addition, the City would like to thank our business community for donating Rolling Meadows' grocery and restaurant gift cards to families in need.
- 8) Please Shop and Order in Rolling Meadows (it is more important than ever). During these times, it is significant to remember our big boxes, restaurants and small businesses.
- 9) Future topics at June Committee meetings:

Economic Development (*Tuesday, June 2nd at 6:00 pm in the Council Chambers*): cancelled at this time.

Planning and Zoning Commission: (*Tuesday, June 2nd at 7:30 pm in the Council Chambers*): Tentatively scheduled public hearings and discussions consist of: 1) a Special Use to allow outdoor storage and variations to the required rear and side yard pavement setbacks at 4000 Industrial Avenue, M-1 Manufacturing, Michael De Carlo, Di Carlo Construction, Petitioner; 2) and Amendment to the Ramlin Rose Planned Development to authorize an additional 65 space parking lot and associated improvements at the Preserves of Woodfield, 4700 Arbor Drive, R-3 General Residence District, David Foes, Redwood Construction, Petitioner; 3) a Text Amendment to define and regulate Adult-Use Cannabis Craft Grower Business Establishments and Adult-Use Cannabis Infuser Organizations as special uses in the M-1 and M-2 Zoning Districts in the City of Rolling Meadows, Illinois, City of Rolling Meadows, Petitioner; and 4) an Amendment to an existing special use granted for the "City Hall" property commonly known as 3600 Kirchoff Road to authorize the additional property at 2809 Owl Lane as a Municipal Use, and a Plat of Subdivision to authorize the consolidation of multiple lots into one lot, City of Rolling Meadows, Petitioner.

- 10) I also want to mention that late this afternoon the Assistant Director Public Works sent out an email regarding three different scenarios about outdoor seating that we have. We hope that people would apply for scenario two right now and get them up and running by Friday when it's allowed. Scenario three we will be working on with some other changes that we've been looking at. The biggest thing we look for is making sure that you're following all the State guidelines but also safety and health and we make sure that you're not in the fire lanes or handicap. We will still have to deal with some legal issues at the next meeting but we hope that people apply for scenario two and then if they need to move to scenario three we should have that up and running soon. To all those locations that were mentioned already have outdoor seating, Bulldog Ale House, Jimmy Johns, Stadium, La Charanga, Oberweis, Potbelly, Sabroso, Noodles, Grande Jakes, Comet Frozen Custard, Chipotle, Five Guys, Roosters, McDonalds (Krichoff), Pita Pita, Rep's Place, Starbucks, Panera and Dunkin Donuts (Algonquin Rd). We are working on each of those and anybody who calls we ask for the site plan. The need to make sure there is social distancing and they follow State of Illinois guidelines.

Alderman Sanoica – I've had some businesses reach out to me with questions about the seating, will this information be available online, on our website where they can view before they call the City?

Barry Krumstok, City Manager – Some of this will be posted tomorrow morning. We want to get the information out so they can see what the three different scenarios that we're talking about. If there are

any questions they can reach out to Martha Corner, Jo Ellen Charlton or Don Wenzel. They must submit a site plan so we can look at it and they must communicate with the property owners so they know what's going on. This will out there tomorrow and hopefully start emailing it to businesses. Some of the businesses have that have communicated with us is that's in the report near the end and we're working with Bigby's who sent their site plan today.

Barry Krumstok, City Manager went over the following:

2) April 2020 New Businesses

- 1) MB Homecare d/b/a Touching Hearts at Home – In-Home Companions for Seniors/Persons w/Disabilities
- 2) PHP Construction LLC – General Contractor
- 3) SEA Ltd. – Engineering Legal Services

MATTERS NOT ON THE AGENDA:

Alderman D'Astice – I sincerely appreciate that Staff has put out a memo regarding outdoor seating. I think we need to move a little quicker on the restaurants who wish to apply for temporary coronavirus outdoor dining relief scenario number three. I say that because all of our restaurants have been shut down for nearly 3 months and while it's nice that they might be able to open up with two tables and and 12 people, being an expert in this area it's kind of hard to bring in a chef or cook, server and a dishwasher to handle 12 covers. What I'd like to propose at this point is a motion to allow Manager Krumstok emergency authority to approve scenario three for any of those restaurants who wish to and can provide the proper information or to Jo Ellen so they can open up with a maximum seating capacity on Friday. By maximum seating capacity, I am suggesting that the Manager consider the face of the storefront. If Rep's has 30 linear feet of space on his front sidewalk divided by 6 foot he could put five tables out there. I'm not sure how many he had approved previously. If Bigby's has 60 feet divided by 6 foot they could put 10 tables out there. These businesses need our help and waiting two more weeks to June 9 for us to approve it, it will hurt them. I'm going through a similar process with our restaurant in the hotel that I work at and we're trying to maximize the amount of people we could put out there so we could start to get some cash back. I would like to make a motion that the Manager has the authority to review and approve scenario three and then we could review it again on June 9. Let's give our restaurants a break.

Mayor Gallo - Before we do that I need to ask for Manager Krumstok perspective. How many restauranters has come to you and could this not just be done behind the scenes with staff and the Community Development Department before we have to make motions and make any changes right now? Is this something you're seeing with urgency from restaurateurs? I'm not opposed to it I just need to hear what Staff is dealing with on a daily basis right now.

Barry Krumstok, City Manager - The ones who have contacted us since Friday and we're working with are the Stadium, Red Apple, Rep's, Ramen House, Grande Jakes, Sushi Station and Bigby's. Bigby's had a similar request and were requesting the special use last year and they never applied. I do want to remind people that it's not 6 feet from table to table, you have to consider social distancing so it's a little bit longer than the 6 feet. We're still having issues with Sushi Station as how they would do it in their area because of Algonquin Road and Wintrust Bank. Grande Jakes has been pretty easy to work with. We're still working with Ramen House, we need to evaluate one more thing with legal. We have been working with Rep's place, we're going to have to decrease some of the seating because of the 6 feet requirement. We're also taking into account his expansion so that seating area is available. We've been working with Anna's

Red Apple with some other scenarios, we're working on how he's shutting off the road and making it a little bit easier for the seating area. The Stadium submitted one site plan but they were in our fire lane and that's an issue we're trying to resolve. He's also looking to open it up for his other restaurants that are in the area, La Charanga and Giant Sakura. Between Jo Ellen, Don, Elizabeth Payne and Martha, we're working with the ones that have contacted us.

Mayor Gallo – I understand the plight that our restaurateurs and small business in general are going through but I don't want to see Council make hasty decisions that could jeopardize any health or human welfare after the amount of time we've taken to try and control efforts and control this Covid 19 regardless of its impact specifically in Meadows or not if Council wants to remain cognizant of this. While Alderman D'Astice still has the floor with this requested motion to allow Barry to move forward with scenario three, is there a second? Alderman Bisesi has seconded the motion. Is there any discussion?

Jo Ellen Charlton, Assistant Director Public Works - We have been working feverishly over the last couple of business days to determine whether there are ways to move beyond what we're proposing tonight. Specifically, we did talk to the owner of Bigby's who provided us with some examples of what some of the other communities are offering and we have asked our legal representatives to advise us on some of those. Our main priority at this point is that we don't want to jeopardize any of our potential funding by violating any government orders. We're being very cognizant of the fact that we want to make sure that we're moving forward in the right direction and not violating any rules or regulations whether they're state or local regulations. The zoning ordinance, specifically, is what limits our ability to jump ahead and it is one of the questions we've asked legal to give us an opinion on. If we allow people to remove parking spaces or modify their approved circulation plan, they're not going to be in compliance with the zoning ordinance. Want to make sure that we're taking the right steps and having Council authorize those types of changes. That's one of the things we're concerned about. Another thing is that we're asking legal counsel to look into are the indemnifications. Unlike some of the communities who are offering outdoor seating on their public streets or on their public sidewalks, in those instances the communities own those facilities and can regulate how they're modified, changed or closing the streets or whatever. We're asking at this point for consideration to modify what's been approved on private property. In some cases a restaurant doesn't have the authority to regulate what's happening on private property, they need to request permission from their landlords or property owners. Also, in those instances and unlike City streets and sidewalks we're already indemnified for, we have insurance that covers us for actions that happen or that could happen in those instances. If we're allowing modifications not in compliance with our zoning code to occur on private property we want to make sure that we're requesting and receiving proper indemnifications from both the property owners and the businesses who will be conducting things that don't otherwise comply with the code. Those are some of the things that we are thinking about and we're just as anxious to get the restaurants open as everyone else is, we're just hoping at this point to take extra precautionary steps. If legal counsel decides between now and June 9 there's a way to execute this order administratively or through the Mayor as his authority as Liquor Commissioner for example, we absolutely would forward that to the Mayor for his consideration but at this point we don't have what I believe is sufficient legal knowledge to move forward without Council action.

Alderman Vinezeano – I was actually going to bring this very topic up on matters not on the agenda so thank you Alderman D'Astice. The last several days I have been working with staff and several of the local businesses in getting their surveys and applications into staff and I do appreciate staff working with those couple of businesses that I've been helping assist in this process. The communication I've had with staff is really encouraging then to push this through, we have to help these businesses be prepared for Friday. They've been shut down with very minimally producing revenue which then is revenue to the City and I've expressed this many times over to staff and I know they've put in a lot of work and a lot of hours in this. I just want to reiterate again this is temporary, this is a very temporary process and I know we need

to go through legal and through a process in itself but this is a very temporary process that we need to help the businesses out in getting patrons back in to their business until they could get back up to full capacity. I think as a City we need to be business friendly on this and anyway we can do I know businesses that I've dealt with they don't know which way to go and they don't know who to talk to. They've talked to our Business Advocate and then they are told that they need to talk to the City Manager and then they need to talk to Public Works and they're very confused and they don't know who to talk to. We need to get this process down, we need to make it very quick and seamless for these businesses and I very much want to see this done before June 9 or we may not have some of these businesses come the middle of June. They may not be able to open back up and then that would be more revenue loss for the City.

Melissa Wolf, City Attorney - I just wanted to comment on some of the protocols that will have to be put in place with respect to these restaurants opening up will require potentially City code changes that cannot be implemented by the City Manager alone. We are working with staff from the legal perspective to evaluate the guidelines that they're developing regarding the expanded opening of businesses if they're not already authorized to do by the City Code or the City's Zoning Ordinance. Although, the Manager has certain authority some of the regulations that would need to be implemented to allow these businesses to open up will require City Code changes. Legal is going to be working with staff to see if there is an avenue to make those changes administratively either through the Mayor's executive powers, there may be certain things that have to come before the City Council.

Alderman Cannon - I agree with everything that has been said so far. I would reiterate my take on Mr. D'Astice's original proposal was I don't think anyone is asking anybody to break any rules or regulations or any state laws but to move as quickly as we can. I would like to see it move as quickly as possible because I think June 9 is too late, anything we can do beforehand would be much appreciated. I would hope that Martha or someone else is reaching out to some of these businesses because maybe they would consider putting tables in front of their place if they knew they could do that.

Mayor Gallo – That's what I was saying earlier after Alderman D'Astice brought this up. I do believe staff is already working among the Community Development Department and those business entities who are asking for some sort of service here and making this motion and setting this up is essentially is not really augmenting what is already being done. City manager couldn't do anything that requires Council approval for changing codes or ordinances. I think we're already doing that without this motion even being necessary.

Alderman Sanoica - I just wanted to suggest that if this is something that requires Council action that we would set up an emergency meeting or a special meeting and then meet remotely sooner if June 9 is not fast enough. I don't know if it's not fast enough from a staff capacity point or if Alderman Cannon was referring to a revenue standpoint. Alderman Cannon, could you clarify that last point for me?

Alderman Cannon - All I am suggesting is that it might be too late for some businesses. Most of these companies have been out of business for 10 weeks now or at a reduced rate of revenue and none of their bills have gotten smaller other than staffing decreases. Most of them must be desperate for income.

Alderman Sanoica - If that's the situation that we're dealing with the businesses in your Ward and if we did code changes I would encourage the Council to consider meeting before our next June meeting in order to handle this.

Alderman O'Brien - Similar to what my fellow councilmembers said, I am certainly all for this. Just an idea that they want to toss out there. In this proactive note that's going to go out tomorrow could we put a deadline in there that by close of business day tomorrow they have to notify the City if they'd like to

open on Friday? I know we get into timelines and if it's a 48 hour notice of a special meeting that we can have another special meeting on Thursday so they could move forward on Friday? I don't know how quickly the site plans can be reviewed. Is it possible to have a meeting on Thursday night for proposed ordinance changes?

Melissa Wolf, City Attorney - From the Open Meetings Act perspective, as you know 48 hours' notice is required for meeting unless it's an emergency meeting then it's soon as practicable. From Staff evaluation perspective I would have to defer to the Manager or Jo Ellen with respect to what kind of materials are going to be required to evaluate and how long staff would need.

Jo Ellen Charlton, Assistant Director Public Works - I just wanted to talk a little bit about what scenario one and two allows. For scenario one and two, by this Friday any existing business who have obtained prior approvals under scenario one can open with no additional applications or anything. Under scenario two, that scenario normally requires applications, payment of \$100 fee and an issuance of a permit. Staff is recommending at this point that we go ahead and let people know in the correspondence that people can move forward under that scenario so long as they comply with the City's regulations that are already in City Code and provided that they also comply with the state codes and that when we bring that revision to you on June 9 you will ratify that decision. Scenario three requires additional amendments to City Code that we don't feel like we could go beyond. What we're suggesting is that people use scenario two for the nine days that occur between Friday and June 9 to get them through until Council can do a full consideration of the other requirements. However, also understanding that we're already in communication with those businesses. Our intent would be to queue them up with the right application materials and everything we think we might need in anticipation that you will consider and finalize your decision on June 9 so on June 10 if we've been working with businesses we basically can have them on the ground running.

Alderman O'Brien – If someone does reach out to staff tomorrow, there is nothing that should prohibit them from opening Friday if they wanted to? We would just correct it on the backend?

Jo Ellen Charlton, Assistant Director Public Works – Correct. That would be our intent is to suggest they can move forward, comply with the regulations as best they understand them and we'll retrofit it and review things as we go along. If we need to make tweaks or modifications because they didn't get something quite right we'll work with them on that.

Alderman O'Brien - I certainly agree with Alderman D'Astice's proposal knowing that we wouldn't prohibit anybody from going forward we would just align anything we need to on June 9.

Barry Krumstok, City Manager - Once they give us their site plan we will work with them. We need to make sure the 6 feet spacing and there are no safety concerns. Again, we're trying to work with everybody.

Alderman Vinezeano - I would like to see that we have a special meeting in a week. I think giving staff the week to get this finalized is a pretty good amount of time. I said this to staff, I think we kind of dropped the ball on this one, we needed to move on this several weeks ago. I know that we kind of waited for Governor Pritzker to give us more direction but we knew this was coming in so we need to advocate for businesses and not stall this any longer. I think another week for staff, legal and anyone else internally that needs to work on this for us to have a special meeting in a week to approve any ordinances that need to be temporarily approved is ample time. I would also encourage our Business Advocate and whoever else needs to reach out to all of our restaurants in our community because I've personally have spoken to two of them who knew nothing about being able to apply for any kind of outdoor seating. They said they never had it and they didn't think they could get it. Certainly, that was kind of alarming to me so we need

to reach out to these businesses and all of our restaurants and allow information to be known, that they can apply and it is available to them and we will work with them as a City get the ball rolling. I think the fact that we don't have that many come forward to the City yet because they may not know about it. The fact that most of the approved applications that we have are corporate businesses is alarming to me as well. It's very easy for corporate businesses to get things approved, they have legal and resources at their disposal. We need restaurants and our businesses and in order to do that we need to reach out to them whoever that may be with our staff and get them the information. I think having a week to do that is ample time to have those restaurants get us the information that we're requiring and to have that special meeting. That would be my request, to do that in one week.

Alderman Bisesi - In order to do scenario three, would we need to have things go through Planning and Zoning Commission before we can do anything?

Melissa Wolf, City Attorney - That's what we're evaluating and that's what we're obviously trying to avoid. We're working with staff to develop the appropriate regulations and procedures so that it can be implemented as quickly as possible. We are trying to accomplish that administratively without the Planning and Zoning Commission public hearing process.

Alderman Bisesi - If it is determined that something needs to go through Planning and Zoning, is there a deadline on when you can get that on the agenda for their meeting on Tuesday?

Melissa Wolf, City Attorney - Yes, there would have to be a public hearing, published notice in a paper that would have to be between 15 and 30 days. Those statutory requirements have not been waived by this emergency situation. There is a timeline and it wouldn't be able to go at this upcoming meeting if there's a zoning ordinance change. We're working with staff so it doesn't have to go through that process so we can do this as quickly as possible.

Alderman Bisesi - I'm in favor of a special meeting as soon as we can have it.

Alderman D'Astice - I'm glad that the Council recognizes the need for all of our restaurants to get back on track. I agree with Alderman Vinezeano, they can't wait two more weeks, I don't think some of them can wait until Friday. With that being said, I would like to restate my motion to allow Manager Krumstok the authority this week or until the special meeting that he is allowed to grant expanded temporary outdoor dining. Not that it necessarily has to take drive aisles or parking but maybe just the sidewalk that's in front of each of the restaurants so we don't have to go into zoning and each owner can get indemnification from their insurance company. Let's let those who can and those who want to have the ability to maximize the tables they can put on the sidewalks in front of their place of business and allow the Manager the authority to grant that until we have a special meeting one week from tonight that Alderman Vinezeano suggested.

Rob Horne, Director Public Works - I just wanted to make sure you know that one week from today is the Planning and Zoning Commission meeting and Jo Ellen and I are both required to attend that.

Mayor Gallo - That will be taken into consideration for the special meeting which is not part of this original motion.

Alderman Budmats - I need to comment on what was just proposed. If we're going to put tables on sidewalks that means we're going to have patrons of these restaurants probably walking in parking lots or streets and I don't want to see a situation where we've created a danger to people by temporarily suspending our rules. I would really like to know what our attorney says about this because I want to do

whatever we can to help businesses but I'm not looking to create additional liability for the City by alleviating long-standing rules which are there for the protection of the public.

Melissa Wolf, City Attorney - The motion that I heard did not say to alleviate the rules but to allow that seating in accordance with those rules that are already established to the maximum capacity. If there is any request in the motion to alleviate certain rules that have already been established that the City code change that the Manager could not unilaterally it would have to be a determination of the Council. If Alderman D'Astice could clarify because there are other requirements before the maximum seating capacity that would still have to be maintained.

Alderman D'Astice – That is correct. I just wanted to go to maximum seating capacity, not change any rules, not change the zoning just go to maximum capacity. If a business has the ability to put five tables up instead of the three they were approved for last year. If it fits with all the guidelines that we've already established that we allow the Manager to authorize the additional tables temporarily. No changing the law, just going to maximum capacity as soon as we can.

Mayor Gallo – Thank you. Just be cognizant of ADA rules and requirements and curbs etc. I would like the Clerk to call roll for those in favor of Alderman D'Astice's motion and request.

AYES: Vinezeano, Bisesi, D'Astice, Cannon, Budmats, O'Brien
NAYS: Sanoica
ABSENT: 0

With 6 in favor and 1 opposed. Manager Krumstok as the authority to expeditiously within the guidelines of any ordinances and rules that are pre-existing.

Alderman Vinezeano - I would like to make a motion for a special meeting for one week from today on this very topic.

Mayor Gallo - Is there a second for Alderman Vinezeano's request for a special meeting one week from today? Alderman D'Astice seconded the motion. Any discussion on arranging a special meeting?

Alderman Sanoica - Given that our Director of Public Works and our Assistant Director of Public Works won't be able to attend a meeting on Tuesday, I would suggest that Alderman Vinezeano altar her motion for a different date such as next week Wednesday or Thursday.

Alderman Bisesi - I was actually going to make a similar motion but I'm actually thinking sooner as early as Thursday or Friday or as early as it can be done.

Mayor Gallo – We have couple options here, we can vote this down and she can rephrase it or make an amendment to it.

Alderman Vinezeano – I would amend my motion to next Wednesday, June 3, 2020. I would like to give staff and Attorney Wolf enough time to get this in order so I think this week, as much as we'd like to see it done quickly, I do want it done properly and have all the information together so giving them enough time through next week is probably better than this week for staff.

Mayor Gallo - Is there a second to the amended motion? Alderman Sanoica has seconded the amended motion. Is there any discussion on this topic with the amended date of Wednesday, June 3, 2020?

Alderman Cannon - Whatever day we pick is it going to be enough time for staff and legal to get the information to us? If they could do it, I would prefer Monday. Let's get it done. I'm not in disagreement with Wednesday but let's do it sooner than later.

Mayor Gallo - The vote on the floor is for a special meeting this Wednesday, June 3. Is there any further discussion? Seeing none, will the Clerk please call the roll.

AYES: Bisesi, D'Astice, Sanoica, Cannon, Budmats, O'Brien, Vinezeano
NAYS: 0
ABSENT: 0

With 7 in favor and 0 opposed. We will hold a special meeting next week on Wednesday, June 3, 2020.

ADJOURNMENT:

Do I have a motion to adjourn? Alderman Budmats made the motion and it has been seconded by Alderman Vinezeano. All in favor say aye; opposed say nay. The ayes have it and this meeting is adjourned.

There being no further business, by unanimous consent the City Council meeting was adjourned at 8:41 p.m.

Respectfully submitted: Judy Brose, Deputy City Clerk

May 26, 2020 City Council Minutes Approved by Council on June 9, 2020.

Judy Brose

Judy Brose, Deputy City Clerk