

	The Council of the City of Waukegan met in regular session on Monday, September 19, 2011 at 7:00P.M. In the City Council Chambers, City Hall 100 North Martin Luther King Jr. Avenue. City Clerk, Wayne Motley, Corporation Counsel, Newton Finn and Treasurer John Schwab were present.
	<b><u>ROLL CALL:</u></b> Present: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome and TenPas Absent: Mayor Sabonjian
APPOINT ALDERMAN TENPAS AS CHAIRMAN PRO-TEM APPROVED	1. Motion by Alderman Moisio, seconded by Alderman Koncan to appoint Alderman TenPas as Chairman Pro-tem. <b>ROLL CALL:</b> AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None <b>MOTION PASSED</b>
	<b><u>INVOCATION:</u></b> ALDERMAN NEWSOME LED THE ALDERMEN IN PRAYER. Moment of silence.
Sonny Garza 1417 Metropolitan	<b><u>AUDIENCE TIME:</u></b> 2. He advised the aldermen that the Puerto Rican Society would be hosting a fundraising event for the Arecibo Youth Organization this Saturday. He asked the aldermen to attend and show their support.
Joice Evans 829 McAlister	3. She indicated that allowing children to walk home from the school busses is dangerous, she asked if it could be possible to reroute the busses. She also discussed the noise ordinance. She wonders why some people are allowed to play loud music. She advised the aldermen that she is doing the job that her alderman should be doing. She mentioned that when she brings a problem to the attention of city officials they will not speak to her.
Terry Harris 918 Linden	4. He discussed the Art Space Project and the hiring of local residents and contractors. It is his opinion that since the city is spending tax dollars on the project we should use local residents and union workers.
Julie Ahern 2348 Lewis Ave.	<b><u>AUDIENCE TIME cont.:</u></b> 5. She mentioned that Andrew Cooke is attempting to generate funds. They are involved in a fundraiser with U.S. Cellular she asked Waukegan residents and Aldermen to support their efforts.
Chris Blanks 409 Oak	6. He invited the aldermen to attend a meeting of his organization to discuss fair enforcement of the laws in the 1 <sup>st</sup> Ward. He indicated that residents of Waukegan should be able to help the police do their jobs.
Stacey Bullard 2835 Belvidere	7. He advised the aldermen that he is a member of the Black Chamber of Commerce. He discussed participation in the building and development of the Art Space Project. He mentioned that other cities will not let outside union workers on building sites. He said that "we need to utilize our local workers on this project, put the money back into our community and hire local workers".
Todd Binning 32 N. Genesee St.	8. He mentioned that the Friends of the Waukegan Beach along with over 100 Waukegan residents cleaned up the beach in September. He thanked them for their commitment to our community.
Mary Oakes 1944 Ash Street	9. The President of Waukegan Main Street advised the aldermen that Artwauk had a great turn out last Saturday in downtown Waukegan she said that over 1000 people attended the event. She mentioned that Oktoberfest will be next Saturday and that for a donation of \$25.00 food, beer and dance music will be provided from 6-10 p.m.
APPROVE MINUTES OF SEPTEMBER 6, 2011 APPROVED	<b><u>MINUTES:</u></b> 10. Motion by Alderman Koncan, seconded by Alderman Valko to approve September 6, 2011 Council Regular Meeting. <b>MOTION PASSED</b>
PRESENTATION FROM	<b><u>RESOLUTIONS/PROCLAMATIONS:</u></b>

<p>CLC ON LAKESHORE CAMPUS EXPANSION APPROVED</p>	<p>11. Dr. Jerry Weber, Presentation from CLC on Lakeshore Campus Expansion and its economic impact. MOTION PASSED</p>
<p>ALLOW ALDERMAN NEWSOME TO READ RESOLUTION WHICH WAS PRESENTED TO WAUKEGAN BY THE WAUKEGAN TOWNSHIP APPROVED</p>	<p>12. Motion by Alderman Beadling, seconded by Alderman Moisio to allow Alderman Newsome to read a Resolution on thanking the city for its support from the Waukegan Township (Walk For Seniors). MOTION PASSED</p>
<p>APPROVE THE COLLECTIVE BARGAININGS AGREEMENT WITH AFSCME AMEND MOTION FAILED</p>	<p><b><u>COMMITTEE REPORTS:</u></b> <b><u>LABOR RELATIONS:</u></b> 13. Motion by Alderman Moisio, seconded by Alderman Rivera to approve the Collective Bargaining Agreement between the City of Waukegan and the American Federation of State, County &amp; Municipal Employees (AFSCME), AFL, CIO, Local #2837, Council 31. 14. Alderman TenPas advised the aldermen that he was not pleased with the language in Section 11.1 in the contract between the City of Waukegan and A.F.S.C.M.E. He indicated that he is his opinion that the language would impact an employee who is promoted to a management position and then for whatever reason is thrust back into the union work force. He felt as though the employees in this position should not lose their seniority. Alderman TenPas then made a motion to amend the contract as follows: “Seniority shall be defined as an employee’s length of continuous service since the last day of hire with the city”. Alderman Moisio advised him that this contract was negotiated by the union and the City of Waukegan and that it was ratified by its members prior to tonight’s city council meeting. It was his opinion that we either had to hold this item over or vote on it as presented. Alderman Rivera mentioned that, if the city intends to discuss this matter further we need to go into executive session. Alderman Beadling, asked, who put the language in the contract? Tina Smigielski, advised him that the language was pre existing and that it has been in all previous contracts with A.F.S.C.M.E. Alderman Cunningham advised that it is his opinion that the intent of the contract was not to penalize union members should they return to the union after leaving a management position. He then mentioned that the city is doing things backwards and that we should step back and review the entire contract. Alderman Moisio called for the question. Alderman Cunningham, then moved to hold this matter over, he said, “if you don’t want to discuss it, then we can talk about it another day.” Alderman TenPas advised Alderman Cunningham that he could hold it over if he wanted to. He then reminded him that he made a motion to amend the original motion. Alderman Cunningham then seconded the motion to amend the motion. Alderman Valko advised the aldermen that if the amended motion were passed it is his opinion that the entire agreement would have to be re-negotiated. Corporation Counsel Newton Finn was asked his opinion on the comment made by Alderman Valko. Mr. Finn indicated that it was his opinion that Alderman Valko was correct. Alderman May, advised the alderman that each of them had several opportunities prior to this meeting to attend several labor relations meetings where this topic was discussed in detail. She then indicated that she supported calling for the question. <b><u>LABOR RELATIONS cont.:</u></b> Alderman Moisio advised Alderman TenPas that his concerns were discussed completely in the labor relations meetings prior to tonight’s city council meeting. He then mentioned that the agreement was a good deal for both parties and the</p>

	<p>proof is in the fact that the union ratified it already. Alderman Moisio called for the question to amend the motion. 15. Motion by Alderman TenPas, seconded by Alderman Cunningham to amend the motion. ROLL CALL: AYES: Aldermen Cunningham &amp; TenPas NAYS: Aldermen May, Valko, Rivera, Koncan, Moisio, Beadling, and Newsome ABSENT: None MOTION FAILED Alderman Cunningham withdrew his hold over</p>
APPROVE THE COLLECTIVE BARGAINING AGREEMENT WITH AFSCME APPROVED	<p>16. Motion by Alderman Moisio, seconded by Alderman Rivera to approve the Collective Bargaining Agreement between the City of Waukegan and the American Federation of State, County &amp; Municipal Employees (AFSCME), AFL, CIO, Local #2837, Council 31. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome NAYS: TenPas ABSENT: None MOTION PASSED</p>
AWARD CONTRACT TO ALPINE DEMOLITION FOR 100 N. SHERIDAN ROAD APPROVED	<p>17. Motion by Alderman May, seconded by Alderman Cunningham to award a contract to Alpine Demolition Inc. for the demolition and remediation of 100 N. Sheridan Road, in an amount not to exceed \$799,000.00, budget code 307-130726392. The total amount of the contract is \$799, 000.00 of which the demolition costs of \$527,000.00 will be paid by the City using bond proceeds and the remediation costs of \$272,000 will be reimbursed to the City by the College of Lake County. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p>
AWARD A CONTRACT TO LAKE COUNTY GRADING FOR THE DEMOLITION OF 34 N. SHERIDAN ROAD APPROVED	<p><b><u>JUDICIARY COMMITTEE REPORT cont.:</u></b> 18. Motion by Alderman May, seconded by Alderman Cunningham to award a contract to Lake County Grading for the demolition of 34 N. Sheridan Road, in an amount not to exceed \$58,195.00, Budget Code 246-124624438 (Community Revitalization Program). ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p>
ADOPT A RESOLUTION FOR THE BELVIDERE MALL REDEVELOPMENT SPECIAL TAX ALLOCATION FUND 11-R-91 APPROVED	<p><b><u>FINANCE COMMITTEE REPORT CHAIRMAN ALDERMAN NEWSOME:</u></b> 19. Motion by Alderman Newsome, seconded by Alderman Beadling to adopt a Resolution deeming certain funds in the Belvidere Mall Redevelopment Special Tax Allocation Fund as “surplus” funds and directing the payment and distribution thereof. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p>
ADOPT AN ORDINANCE	<p>20. Motion by Alderman Newsome, seconded by Alderman Beadling to adopt an</p>

<p>DISSOLVING THE BELVIDERE MALL TIF DISTRICT 11-O-92 APPROVED</p>	<p>Ordinance dissolving the Belvidere Mall TIF District. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p>
<p>ADOPT A RESOLUTION DEEMING CERTAIN FUNDS IN THE LEWIS AVENUE REDEVELOPMENT SPECIAL TAX ALLOCATION FUND 11-R-93 APPROVED</p>	<p><b><u>FINANCE COMMITTEE REPORT cont.:</u></b> 21. Motion by Alderman Newsome, seconded by Alderman Beadling to adopt a Resolution deeming certain funds in the Lewis Avenue Redevelopment Special Tax Allocation Fund as “surplus” funds and directing the payment and distribution thereof. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p>
<p>ADOPT AN ORDINANCE DISSOLVING THE LEWIS AVENUE TIF DISTRICT 11-O-94 APPROVED</p>	<p>22. Motion by Alderman Newsome, seconded by Alderman Beadling to adopt an Ordinance dissolving the Lewis Avenue TIF District ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p>
<p>AUTHORIZE TO USE BOND PROCEEDS TO FUND THE AWARD OF A CONTRACT FOR LIFT STATION REPAIRS APPROVED</p>	<p>23. Motion by Alderman Newsome, seconded by Alderman Beadling to authorize to use bond proceeds to fund the award of a contract to Kelso-Burnett Company for lift station repairs, in an amount not to exceed \$47,240.00, budget code 555-916027691. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p>
<p>AUTHORIZE THE USE BONDS PROCEEDS TO FUND THE AWARD OF A CONTRACT APPROVED</p>	<p>24. Motion by Alderman Newsome, seconded by Alderman Beadling to authorize to use bond proceeds to fund the award of a contract to Kelso-Burnett Company for a portable lift station generator, in an amount not to exceed \$67,780.00, budget code 555-916027691. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p>
<p>AUTHORIZE TO USE BOND PROCEEDS TO FUND THE AWARD OF A CONTRACT TO SUBURBAN CONCRETE APPROVED</p>	<p><b><u>FINANCE COMMITTEE REPORT cont.:</u></b> 25. Motion by Alderman Newsome, seconded by Alderman Beadling to authorize to use bond proceeds to fund the award of a contract to Suburban Concrete for the 2011/2012 sidewalk program, in the amount not to exceed \$116,150.00, budget code 312-131227620. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None</p>

	<p>ABSENT: None  MOTION PASSED</p>
<p>AUTHORIZE TO USE BOND PROCEEDS TO FUND THE AWARD OF A CONTRACT TO ALPINE DEMOLITION APPROVED</p>	<p>26. Motion by Alderman Newsome, seconded by Alderman Beadling to authorize to use bond proceeds to fund the award of a contract to Alpine Demolition Inc. for the demolition of 100 N. Sheridan, in an amount not to exceed \$527,000.00, budget code 307-130726392.  ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas  NAYS: None  ABSENT: None  MOTION PASSED</p>
<p>APPROVE MINUTES OF SEPTEMBER 12, 2011 APPROVE</p>	<p><b><u>FINANCE COMMITTEE/PUBLIC WORKS COMMITTEE:</u></b>  27. Motion by Alderman Moisio, seconded by Alderman Koncan to approve the Minutes of the September 12, 2011 joint meeting of the Finance and Public Works Committees.  MOTION PASSED</p>
<p>WAIVE THE COMPETITIVE QUOTE FOR THE WAUKEGAN WATER SERVICE EXPANSION BUSINESS PLAN APPROVED</p>	<p>28. Motion by Alderman Moisio, seconded by Alderman Koncan to waive the competitive quote process due to THE PROFESSIONAL SERVICES EXEMPTION and authorize the award of a contract to Public Financial Management Inc. for the development of a City of Waukegan Water Service Expansion Business Plan (Phase 1) in an amount not to exceed \$75,000, Budget Code 555-916024438.  ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas  NAYS: None  ABSENT: None  MOTION PASSED</p>
<p>WAIVE THE COMPETITIVE QUOTE FOR WATER SUPPLY EXPANSION ANALYSIS ENGINEERING STUDY APPROVED</p>	<p><b><u>FINANCE COMMITTEE/PUBLIC WORKS COMMITTEE cont.:</u></b>  29. Motion by Alderman Moisio, seconded by Alderman Koncan to waive the competitive quote process due THE PROFESSIONAL SERVICES EXEMPTION and authorize the award of a contract to MWH Americas, Inc. for a Water Supply Expansion Analysis Engineering Study in an amount not to exceed \$45,000.00, Budget Code 555-916024435.  ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas  NAYS: None  ABSENT: None  MOTION PASSED</p>
<p>AWARD THE LOW QUALIFIED BIDDER TO WAUKEGAN ROOFING APPROVED</p>	<p><b><u>PUBLIC WORKS COMMITTEE CHAIRMAN ALDERMAN MOISIO:</u></b>  30. Motion by Alderman Moisio, seconded by Alderman Koncan to award the low qualified bidder to Waukegan Roofing of Waukegan, IL for an amount not to exceed \$66,990.00 using bond proceeds.  ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas  NAYS: None  ABSENT: None  MOTION PASSED</p>
<p>APPROVE THE REDUCTION OF THE MAINTENANCE LETTER OF CREDIT FOR J. LAWRENCE DEVELOPERS</p>	<p>31. Motion by Alderman Moisio, seconded by Alderman Koncan to approve the reduction of the maintenance letter of credit for J. Lawrence Developers and Centex/Pulte Developers from ten percent to five percent for both.  ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling,</p>

APPROVED	Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED
AWARD A CONTRACT TO THE LOWEST QUALIFIED BIDDER APPROVED	<b><u>PUBLIC WORKS COMMITTEE cont.:</u></b> 32. Motion by Alderman Moisio, seconded by Alderman Koncan to award a contract to the lowest qualified bidder, Curran Contracting of Crystal Lake, Illinois, for the CDBG Road Program, in an amount not to exceed \$197,124.00, using funds from the CDBG program. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED
ADOPT AN ORDINANCE AMENDING THE REDEVELOPMENT AGREEMENT AUTHORIZING 11-O-95 APPROVED	<b><u>ECONOMIC DEVELOPMENT CHAIRMAN ALDERMAN RIVERA:</u></b> 33. Motion by Alderman Rivera, seconded by Alderman to adopt an Ordinance amended the Redevelopment Agreement (as presented) for Artspace Karcher Lofts and the Ordinance (as presented) authorizing the Amended Redevelopment Agreement. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED
AUTHORIZE THE PLAT OF SURVEY DEDICATION ON BLANCHARD ROAD APPROVED	<b><u>OLD BUSINESS:</u></b> 34. Motion by Alderman Moisio, seconded by Alderman Newsome to authorize the Plat of Survey dedication on Blanchard Road. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED
APPROVE PAYROLL DATED SEPTEMBER 8, 2011 APPROVED	<b><u>NEW BUSINESS:</u></b> 35. Motion by Alderman Newsome, seconded by Alderman Koncan to approve of Payroll dated September 8, 2011 in the amount of \$1,272,033.28. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED
APPROVE BILLS DATED SEPTEMBER 19, 2011 APPROVED	36. Motion by Alderman Newsome, seconded by Alderman Koncan to approve of Bills dated September 19, 2011 in the amount of \$1,384,092.02. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED
APPROVED BLOCK PARTIES APPROVED	37. Motion by Alderman May, seconded by Alderman Rivera to approve all Block Parties. MOTION PASSED
ACCEPT & PLACE ON FILE THE TRASURER'S	38. Motion by Alderman Newsome, seconded by Alderman May to accept and place on file Treasurer's Report from the Treasurer's Office for August 2011.

REPORT APPROVED	MOTION PASSED
APPROVE THE WAUKEGAN HIGH SCHOOL HOMECOMING BONFIRE APPROVED	39. Motion by Alderman Moisio, seconded by Alderman Valko to Authorize Waukegan High School to hold their Homecoming Bonfire on the beach on Sept. 21 from 6-8 p.m. MOTION PASSED
ADOPT AN ORDINANCE APPROVING THE CONDITIONAL USE PERMIT 11-O-97 APPROVED Alderman May	<p><b><u>ORDINANCES/RESOLUTIONS :</u></b></p> <p>40. Motion by Alderman Rivera, seconded by Alderman May to adopt as presented an Ordinance approving the Conditional Use Permit for a Demolition Recycling Establishment at 3051 W. Apple Ave. Zoning Calendar # 2352. ROLL CALL: AYES: Aldermen May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, Newsome, and TenPas NAYS: None ABSENT: None MOTION PASSED</p> <p><b><u>ALDERMEN’S TIME:</u></b></p> <p>41. She thanked Artspace Fund Raising members for their dedication and commitment to the project. She said that the Artwauk last Saturday was outstanding. She suggested that residents in her ward to get involved in the Neighborhood Watch Program. She mentioned that there will be curb side leaf pick up this year. She asked residents to go to radio station LITE fm.com and volunteer to help with the “Paint the Town” project.</p>
Alderman Valko	42. He thanked Mr. Binning, Ann Lynn, and Noelle Kisher-Lepper for all of their hard work on city projects.
Alderman Rivera	43. He has a Neighborhood Watch in his ward and he thanked those who participate in it there are over 60 people registered. He advised that the Fiestas Patrias Parade was a wonderful event and well organized. He thanked the staff members who put the redevelopment agreement together it was a difficult job. He mentioned that there was a lot of hard work resolving the AFSCME agreement. He thanked those involved in the Artwauk project; he said it was an outstanding event with a great turnout. He advised that there is a lot of great food downtown and suggested that residents get down there and check it out, jump on the band wagon.
Alderman Cunningham	44. He advised that Artspace will do fine. We got it done; the goal is to get things done in Waukegan. The parade (Mexican) was wonderful. He feels that community policing is outstanding, it is working well in his ward, and he gave credit to Chief Greathouse. He is glad that the leaf pickup will continue.
Alderman Koncan	45. He advised that school kids are still walking a long distance from the bus drop off. He advised all to drive carefully. He is glad that leaf pickup will continue, bag them keep them out of the streets.
Alderman Moisio	46. He is glad to see that CLC is now off of square #1. He mentioned that cities that grow have an educational component in their downtown. Artwauk is outstanding. It is his opinion that water contracts for water expansion is better than having a casino. He feels that water contracts will help our revenue stream. He agreed that we cannot continue to nickel & dime the public.
Alderman Beadling	47. No comment.
Alderman Newsome	48. Congrats to Artspace. She mentioned that Artspace will help change the perception of Waukegan.
Alderman TenPas	49. Neighborhood Watch is good for Waukegan as are block parties we need to get to know our neighbors. He reminded residents that landscapers are required to remove the trees they cut or trim. He asked residents to bag their leaves. He then expressed his concerns with the seniority issue in the AFSCME contract. He said, “we need to look out after our employees.”
ADJOURNMENT	50. Motion by Alderman Rivera, seconded by Alderman Cunningham to adjourn.

APPROVED

TIME: 8:50 P.M.  
MOTION CARRIED