

	<p>The Council of the City of Waukegan met in regular session on Monday, May 7, 2012 at 7:18P.M. In the City Council Chambers, City Hall 100 North Martin Luther King Jr. Avenue. Mayor Sabonjian, City Clerk, Wayne Motley, and Attorney, Newton Finn was present.</p> <p><u>ROLL CALL:</u></p> <p>Present: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>Absent: None</p>
	<p><u>INVOCATION:</u></p> <p>Moment of silence.</p>
	<p><u>MAYOR’S COMMENTS:</u></p> <p>Mayor Sabonjian took this opportunity to introduce:</p> <p>The 2012 Police Officer of the Year, Patrolman Michael Mandro The 2012 Police Supervisor of the Year, Sgt. Edgar Navarro The 2012 Firefighter of the Year, Ken Mayfield The 2012 Fire Department Supervisor of the Year Lt. Matt Burluson The 2012 Telecommunications Employee of the year, Megan Grana</p> <p>He then presented all of them with a resolution acknowledging their accomplishment.</p>
Barbara Murphy 26777 W. Cubin Barrington	<p><u>AUDIENCE TIME:</u></p> <p>1. She was concerned because local dog and cat breeders were not consulted and asked for their input prior to finalizing this ordinance. It is her opinion that the \$200.00 fee will impact local breeders.</p>
Violet Ricker 203 W. Water Street	<p>2. She is the Director of Main Street. She thanked everyone who attended their night on Main Street event two weeks ago. She invited all residents to attend their fundraiser on May 14, 2012, Lunch With The Mayor at the Genesee Theatre. She also advised the residents that in two weeks they will kick off ‘Bike to Work Week’. She encouraged everyone to walk, ride or take public transportation this week to show their support for the program.</p>
Dr. Edna Martin 60 W. Edgity Lane Libertyville	<p>3. She expressed her concerns for the proposed breeders fees in Chapter 4 Section 67 of the City Code. She asked the aldermen to re-evaluate this section prior to passing it.</p>
Judy Warling 2517 W. Ridgeland Ave.	<p>4. She advised the aldermen that she was opposed to the dog breeding ordinance. She indicted that Chapter 4 Section 67 would impact local professional breeders.</p>

<p>Alice Browne 228 N. Genesee St.</p>	<p><u>AUDIENCE TIME cont.:</u></p> <p>5. She spoke of the number of parking violations she has received on her vehicle and the fact that as a result of the tickets her vehicle was booted. It is her opinion that she is being targeted by the police department.</p>
<p>APPROVE MINUTES OF APRIL 16, 2012</p> <p>APPROVED</p>	<p><u>MINUTES:</u></p> <p>6. Motion by Alderman Koncan seconded by Alderman Newsome to approve Minutes of April 16, 2012 Regular Meeting and Executive Session Minutes.</p> <p>MOTION PASSED</p>
<p>ADOPT A RESOLUTION FOR CHRISTOPHER TAN COCHRAN-WOODS</p> <p>APPROVED</p>	<p><u>RESOLUTIONS/PROCLAMATIONS/PRESENTATIONS:</u></p> <p>7. Motion by Alderman May, seconded by Alderman TenPas to adopt a Resolution for Christopher Tan Cochran-Woods, Eagle Scout.</p> <p>MOTION PASSED</p>
<p>ADOPT A RESOLUTION FOR BIKE MONTH</p> <p>APPROVED</p>	<p><u>RESOLUTIONS/PROCLAMATIONS:</u></p> <p>8. Motion by Alderman May, seconded by Alderman TenPas to adopt a Resolution for Bike Month, Parks Week, Bike the Amstutz.</p> <p>MOTION PASSED</p>
<p>ADOPT A PROCLAMATION FOR PUBLIC WORKS WEEK</p> <p>APPROVED</p>	<p>9. Motion by Alderman May, seconded by Alderman TenPas to adopt a Proclamation for Public Works Week.</p> <p>MOTION PASSED</p>
<p>ADOPT A RESOLUTION FOR HONORARY MAIN STREET</p> <p>APPROVED</p>	<p>10. Motion by Alderman May, seconded by Alderman TenPas to adopt a Resolution for Honorary Main Street.</p> <p>MOTION PASSED</p>
<p>ADOPT AN ORDINANCE TO APPROVE THE APPLICATION FOR THE CONDITIONAL USE PERMIT FOR TOW YARD AT 3030 TENTH STREET</p>	<p><u>COMMITTEE REPORTS:</u></p> <p><u>JUDICIARY COMMITTEE REPORT CHAIRMAN</u> <u>ALDERMAN MAY:</u></p> <p>11. Motion by Alderman May, seconded by Alderman Rivera to adopt as presented an Ordinance to approve the application, as presented, allowing a Conditional Use Permit for a tow yard and auto repair</p>

<p>12-O-29</p> <p>APPROVED</p>	<p>facility at 3030 Tenth Street.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>ADOPT AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 4, ANIMAL, OF THE CITY CODE AND TO EXCLUDE CHAPTER 4-67</p> <p>12-O-30</p> <p>APPROVED</p>	<p>12. Motion by Alderman May, seconded by Alderman Rivera to adopt as presented an Ordinance to repeal and replace Chapter 4, Animals, of the City Code of the City of Waukegan and to exclude Chapter 4-67.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moio, and Newsome</p> <p>NAYS: Alderman Beadling</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>ADOPT AN ORDINANCE TO REPEAL SECTION 11-29 OF CHAPTER 11, HEALTH AND SANITATION OF THE CITY CODE</p> <p>12-O-31</p> <p>APPROVED</p>	<p>13. Motion by Alderman May, seconded by Alderman Valko to adopt as presented an Ordinance to Repeal Section 11-29 of Chapter 11, Health and Sanitation, of the City Code of the City of Waukegan.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moio, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>ABSTAIN: Alderman Beadling</p> <p>MOTION PASSED</p>
<p>ADOPT AN ORDINANCE TO AMEND SECTION 2-525 OF CHAPTER 2, ADMINISTRATION OF THE CITY CODE</p> <p>12-O-32</p> <p>APPROVED</p>	<p><u>JUDICIARY COMMITTEE REPORT cont.:</u></p> <p>14. Motion by Alderman May, seconded by Alderman Rivera to adopt as presented an Ordinance to amend Section 2-525 of Chapter 2, Administration, of the City Code of the City of Waukegan.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moio, Beadling, and Newsome</p>

	<p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>APPROVE OMNIBUS VOTE ON AGENDA</p> <p>APPROVED</p>	<p>15. Motion by Alderman Moisio, seconded by Alderman Newsom to approve omnibus vote on agenda under Judiciary Committee E-J.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>APPROVE EJ & E EASEMENT RELEASE FOR RAILROAD TRACKS</p> <p>APPROVED</p>	<p>16. Motion by Alderman Moisio, seconded by Alderman Newsome to approve EJ & E Easement release for railroad tracks, spurs and switch tracks.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>CARRIED BY OMINBUS VOTE</p>
<p>APPROVE ROADWAY EASEMENT RELEASE TO MAINTAIN AND USE ROADWAY</p> <p>APPROVED</p>	<p>17. Motion by Alderman Moisio, seconded by Alderman Newsome to approve Roadway Easement release to maintain and use roadway.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>CARRIED BY OMINBUS VOTE</p>
<p>APPROVE GENERAL MOTORS EASEMENT RELEASE FOR DRAIN LINE</p> <p>APPROVED</p>	<p><u>JUDICIARY COMMITTEE REPORT cont.:</u></p> <p>18. Motion by Alderman Moisio, seconded by Alderman Newsome to approve General Motors Easement Release for drain line</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera,</p>

	<p>Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>CARRIED BY OMINBUS VOTE</p>
<p>APPROVE GENERAL MOTORS EASEMENT FOR GAS TRANSMISSION LINE</p> <p>APPROVED</p>	<p>19. Motion by Alderman Moisio, seconded by Alderman Newsome to approve General Motors Easement release for gas transmission line.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>CARRIED BY OMINBUS VOTE</p>
<p>APPROVE GENERAL MOTORS EASEMENT RELEASE FOR SANITARY SEWER LINES</p> <p>APPROVED</p>	<p>20. Motion by Alderman Moisio, seconded by Alderman Newsome to approve General Motors Easement release for sanitary sewer lines, a water intake line and railroad switching rights.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>CARRIED BY OMINBUS VOTE</p>
<p>APPROVE GENERAL MOTORS EASEMENT RELEASE FOR A ROADWAY</p> <p>APPROVED</p>	<p>21. Motion by Alderman Moisio, seconded by Alderman Newsome to approve General Motors Easement Release for a roadway.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>CARRIED BY OMINBUS VOTE</p>
<p>APPROVE AN ORDINANCE AMENDING CHAPTER 14</p>	<p>22. Motion by Alderman May, seconded by Alderman Newsome to approve an ordinance amending Chapter 14 of the City Code of the City of Waukegan regarding license suspension procedures.</p> <p>HELD OVER BY ALDERMAN TENPAS</p>

HELD OVER	
GO OUT OF ORDER TO PLACE ITEM C ON AGENDA AT THIS TIME	<u>JUDICIARY COMMITTEE REPORT cont.:</u> 23. Motion by Alderman Rivera, seconded by Alderman May to go out of order and place item C under New Business on agenda at this time.
APPROVED	MOTION PASSED
APPROVE AN AGREEMENT WITH THE COUNTY OF LAKE FOR RIGHT OF FIRST REFUSAL ON THE TURBERCULOSIS SANITORIUM	<u>NEW BUSINESS:</u> 24. Motion by Alderman Moisiso, seconded by Alderman Newsome to approve an agreement with the County of Lake for Right of First Refusal on the Tuberculosis Sanitorium. ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisiso, Beadling, and Newsome
APPROVED	NAYS: None ABSENT: None MOTION PASSED
GRANT PERMISSION TO AWARD THE BIDS FOR THE COPPERHORNS AND HYDRANTS	<u>PUBLIC WORKS COMMITTEE CHAIRMAN ALDERMAN MOISIO:</u> 25. Motion by Alderman Moisiso, seconded by Alderman Rivera to grant permission to award the bids for the Copperhorns and Hydrants (see attached).
APPROVED	ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisiso, Beadling, and Newsome NAYS: None ABSENT: None MOTION PASSED
GRANT PERMISSION TO AWARD THE BIDS FOR THE MANHOLE AN CATCH BASIN	26. Motion by Alderman Moisiso, seconded by Alderman May to grant permission to award the bids for the Manhole and Catch Basin Frames and Grates (see attached).
APPROVE	ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisiso, Beadling, and Newsome NAYS: None

	<p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>GRANT PERMISSION TO AWARD THE BID FOR M.F.T. ASPHALT AND REBID CONCRETE</p> <p>APPROVED</p>	<p><u>PUBLIC WORKS COMMITTEE cont.:</u></p> <p>27. Motion by Alderman Moisio, seconded by Alderman Rivera to grant permission to award the bid for the M.F.T. Concrete and Asphalt.</p> <p>Motion by Alderman Moisio, seconded by Alderman TenPas to amend the motion to approve the asphalt bid but reject the concrete bid and re-bid it.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>REQUEST AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF LAKE</p> <p>APPROVED</p>	<p><u>PUBLIC SAFTY COMMITTEE REPORT CHAIRMAN ALDERMAN KONCAN:</u></p> <p>28. Motion by Alderman Koncan, seconded by Alderman Cunningham to request for authorization to enter into a Memorandum of Understanding with the County of Lake granting \$5,638.00 of the joint award of \$28,189.00 from the 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) program award, to the County of Lake and \$22,551.00 to the City of Waukegan.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>SOLICIT BIDS FOR A MAINTENANCE AGREEMENT AND SITE-SPECIFIC REPAIRS FOR THE EMERGENCY WARNING SIREN</p>	<p>29. Motion by Alderman Koncan, seconded by Alderman Cunningham to solicit bids for a maintenance agreement and site-specific repairs for the Emergency Warning Siren System.</p> <p>MOTION PASSED</p> <p><u>PUBLIC SAFTY COMMITTEE REPORT cont.:</u></p>

<p>SYSTEM</p> <p>APPROVED</p> <p>APPROVE TO PAY THE ANNUAL MEMBERSHIP ASSESSMENT FEE TO THE NORTHEASTERN IL REGIONAL CRIME LAB</p> <p>APPROVED</p>	<p>30. Motion by Alderman Koncan, seconded by Alderman Valko to approve to pay the 2012/2013 annual membership assessment fee and maintenance agreement fee of \$111,634.27 to the Northeastern IL Regional Crime Lab, 1000 Butterfield Road, Suite 1009, Vernon Hills, IL 60061.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moasio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>ADOPT AN ORDINANCE AMENDING CHAPTER 15 REGARDING PANHANDLING</p> <p>HELD OVER</p>	<p>31. Motion by Alderman Koncan, seconded by Alderman Cunningham to adopt an Ordinance amending the Waukegan Code of Ordinances Chapter 15, "Offenses" regarding panhandling.</p> <p>HELD OVER BY ALDERMAN RIVERA</p>
<p>APPROVE AN ORDINANCE FIXING THE SALARIES</p> <p>REFERRED TO COMMITTEE</p>	<p><u>LABOR RELATIONS COMMITTEE:</u></p> <p>32. Motion by Alderman Koncan, seconded by Alderman Cunningham to approve an Ordinance Fixing the Salaries and Wages to be paid to Management and Non-Union Employees of the City of Waukegan, Illinois Effective May 1, 2012.</p> <p>Alderman Koncan advised the aldermen that he had a problem with specific items in the agreement. He made a motion to place this agreement back into the Labor Relations Committee for further discussion. It was seconded by Alderman Cunningham. The Labor Relations Meeting is scheduled for May 16, 2012 at 4:00 P.M.</p> <p>REFERRED BACK TO COMMITTEE</p>
<p>APPROVE THE ANNUAL APPROPRIATION ORDINANCE</p> <p>12-O-33</p> <p>APPROVED</p> <p>ACCEPT THE AMENDED ANNUAL</p>	<p><u>OLD BUSINESS:</u></p> <p>33. Motion by Alderman Rivera, seconded by Alderman Cunningham, to approve the Annual Appropriation Ordinance of the City of Waukegan, Illinois for the Fiscal Year beginning May 1, 2012 and ending April 30, 2013.</p> <p>Motion by Alderman Rivera, seconded by Alderman May to amend the appropriation ordinance to include Option #1 as presented to the aldermen by Tina Smigielski, the Finance Director which eliminates</p>

APPROPRIATION
ORDINANCE

the \$ 10,000.000.00 Neighborhood Transform Project from the budget and retains the Safer Grant.

APPROVED

ROLL CALL: AYES: TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling

NAYS: Newsome

ABSENT: NONE

MOTION PASSED

OLD BUSINESS cont.:

34. Motion by Alderman Rivera, seconded by Alderman May to accept as amended the Annual Appropriation Ordinance of the City of Waukegan, Illinois for the Fiscal Year beginning May 1, 2012 and ending April 30, 2013 in the dollar amount of \$137,769,135.00.

Motion by Alderman TenPas to amend the motion and remove the Safer Grant from the Appropriation Ordinance, motioned died for a lack of a second.

ROLL CALL:

Alderman TenPas requested to hold this item over. Alderman TenPas was advised by the Mayor that he could not hold this item over because the roll call was being taken on the amended motion.

Alderman TenPas then asked that this item be placed back into the Finance Committee.

Alderman Valko called for the question.

ROLL CALL: Alderman TenPas made a motion to send this item back to the Finance Committee.

Mayor Sabonjian indicated to Alderman TenPas that the vote was in progress and his motion was invalid.

Alderman Moisio asked Alderman TenPas to allow this vote to proceed and that the alderman will resolve any issue he had with it at a later time.

Corporation Counsel, Newton Finn, advised Alderman TenPas of the

	<p>proper voting procedure.</p> <p>Mayor Sabonjian then asked Clerk Motley to continue with the vote.</p> <p>ROLL CALL: Alderman TenPas made a motion to refer this item back to the Finance Committee.</p> <p>Mayor Sabonjian instructed Clerk Motley to skip Alderman TenPas and proceed with the vote.</p> <p>ROLL CALL:AYES: Alderman TenPas (refused), May, Valko, Rivera, Moisio, Beadling</p> <p>NAY: Cunningham, Koncan, Newsome</p> <p>ABSENT: NONE</p> <p>MOTION: PASSED</p>
<p>APPROVE PAYROLL DATED APRIL 18, 2012</p> <p>APPROVED</p>	<p><u>NEW BUSINESS:</u></p> <p>35. Motion by Alderman Newsome, seconded by Alderman May to approve payroll dated April 18, 2012 in the amount of \$1,241,679.29.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>APPROVE BILLS DATED APRIL 7, 2012</p> <p>APPROVED</p>	<p>36. Motion by Alderman Newsome, seconded by Alderman Moisio to approve bills dated April 7, 2012 in the amount of \$1,900,514.35.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
<p>AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT WITH</p>	<p>37. Motion by Alderman May, seconded by Alderman Rivera to authorize the Mayor to sign an agreement with F.I.S.T. to maintain and operate the concession stand, surrounding parking lots and the beach</p>

F.I.S.T	area of the Waukegan Municipal Beach beginning May 26, 2012.
APPROVED	<p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moisiso, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
Alderman TenPas	<p><u>ALDERMEN'S TIME:</u></p> <p>38. He mentioned that he was opposed to the bonus program which was presented in the Labor Relations Committee. It is his position that the city should not have to pay its employees to live in our city. He also mentioned that the new owners of recently purchased foreclosed homes should get them up to code as soon as possible.</p>
Alderman May	39. She thanked the members of F.I.S.T for their commitment to cleaning up and maintaining the Waukegan Lakefront. She advised our residents that the Annual Bulldog Run will be held on May 20th.
Alderman Valko	40. He advised the aldermen that Fiamico Ristorante in Waukegan was named one of the best restaurants on the North Shore.
Alderman Rivera	<p><u>ALDERMEN'S TIME cont.:</u></p> <p>41. He discussed the Casino Bill #18-49 and the fact that it will take a 3/5 vote to over ride the Governor's veto should he choose to veto the bill. He also indicated that he would much rather spend 10 million dollars to improve the city streets. He stated that , he is opposed to utilizing money to purchase and tear down vacant homes.</p>
Alderman Cunningham	42. He thanked Chief Greathouse for the police department's response to the difficulties on Ravine Street. He acknowledged Pastor Francis for his 20 years of service at the Shiloh Baptist Church.
Alderman Koncan	43. He indicated that he was opposed to the current Appropriation Ordinance. It is his opinion that the aldermen should review the budget line item by line item.
Alderman Moisiso	44. He advised that the aldermen are watching the city's finances very carefully. He thanked the aldermen for passing Animal Ordinance.
Alderman Beadling	45. He wanted to know how someone finds out about the city's animal rules and regulations.
Alderman Newsome	46. She is concerned with the fact that our residents do not follow our ordinances simply because they do not know what they are. She mentioned that the city needs to educate our residents as to our laws and regulations.
EXECUTIVE SESSION	47. Motion by Alderman Beadling, seconded by Alderman TenPas to go into Executive Session to discuss Pending Litigation. TIME:

APPROVED	<p>9:40P.M.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moio, Beadling, and Newsome</p> <p>NAYS: None</p> <p>ABSENT: None</p> <p>MOTION PASSED</p>
RECONVENED	<p>48. City Council reconvened. TIME: 8:12 p.m.</p> <p>ROLL CALL: AYES: Aldermen TenPas, May, Valko, Rivera, Cunningham, Koncan, Moio, Beadling, and Newsome</p> <p>ABSENT: None</p>
<p>ADJOURNMENT</p> <p>APPROVED</p>	<p>49. Motion by Alderman TenPas, seconded by Alderman Beadling to adjourn. TIME: 10:03P.M.</p> <p>MOTION CARRIED</p>