

AGENDA
OF BUSINESS TO BE BROUGHT BEFORE THE MEETING
OF THE CITY COUNCIL OF ELMHURST, ILLINOIS, 209 NORTH YORK
MONDAY, SEPTEMBER 21, 2009
7:30 P.M.

1. **Executive Session 7:00 p.m. – Personnel, Land Acquisition & Litigation (Conf. Room #2)**
2. **Call to Order/Pledge of Allegiance**
3. **America the Beautiful – Performed by Kevin Shehan & Sue Kim**
4. **Roll Call**
5. **Recognition – Charlie Kern, World Masters Athletics Champion Men’s 1,500 Meter Run**
6. **Swearing-In of Recruit Police Officers Kyle Dieling & Adrian Ravelo**
7. **Receipt of Written Communications and Petitions from the Public**
8. **Public Forum**
9. **Consent Agenda**
 - a. Minutes of the Regular Meeting Held on Tuesday, September 8, 2009 (City Clerk Spencer): Approve as published
 - b. Accounts Payable – September 21, 2009 Total \$ 1,944,610.28
 - c. Bid, Design-Build Precast Concrete Package for the First Street Parking Garage (City Clerk Spencer): Refer to the Public Works and Buildings Committee
 - d. Bid, Spring Road Sidewalk Improvements (City Clerk Spencer): Refer to the Public Works and Buildings Committee (see item 9h)
 - e. Regulation of Pawn Shops and Payday Loan Establishments (City Manager Borchert): Refer to the Public Affairs and Safety Committee
 - f. Report – Illicit Discharge Detection and Elimination Ordinance and Intergovernmental Agreement (PW&B)
 - g. Report – State of Illinois Joint Purchase Contract for Rock Salt (PW&B)
 - h. Report – Bids, Spring Road Business District Sidewalk Improvements (PW&B) (see item 9d)
 - i. Report – Video Gaming in Elmhurst (PA&S)
 - j. Report – Hillside and Fairfield Avenues at Wilson Street Stop Sign Request (PA&S)
 - k. Report – Bensenville Fire Protection District #1 Six-Month Extension (PA&S)
 - l. Report – Real Estate Consultant Services (F,CA&AS)
 - m. Report – Rental Residential Regulations – Request for Review (DP&Z)
 - n. Report – Zoning Ordinance Text Amendments for Payday Loan Establishments – Request for Review (DP&Z)
 - o. O-35-2009 – An Ordinance Authorizing the Sale By Auction of Personal Property Owned By the City of Elmhurst
 - p. O-36-2009 – An Ordinance Making Appropriations for Special Service Area Number Twelve of the City of Elmhurst for the Fiscal Year Beginning May 1, 2009 and Ending April 30, 2010
 - q. O-37-2009 – An Ordinance Making Appropriations for Special Service Area Number Thirteen of the City of Elmhurst for the Fiscal Year Beginning May 1, 2009 and Ending April 30, 2010
 - r. O-38-2009 – An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between Elmhurst Knights of Columbus and the City of Elmhurst, DuPage and Cook Counties, Illinois
 - s. O-39-2009 – An Ordinance Approving and Authorizing the Execution of Restated and Amended Cooperation Agreement Between the Elmhurst Heritage Foundation and the City of Elmhurst, DuPage County, Illinois

- t. R-32-2009 – A Resolution Authorizing the Execution of a Contract Between the City of Elmhurst, Illinois, and Utility Dynamics Corporation, for the Spring Road Business District Lighting Improvements
- u. R-33-2009 – A Resolution Authorizing the Execution of a Purchase Order Between the City of Elmhurst, Illinois and Steiner Electric Company, for the Spring Road Business District Streetlight Materials
- v. R-34-2009 – A Resolution Authorizing the Execution of a Purchase Order Between the City of Elmhurst, Illinois, and Insituform Technologies (Sub-Contractor is Suburban General), for the 2009 Sanitary Sewer CIPP Lining Change Order
- w. R-35-2009 – A Resolution Authorizing the Execution of a Purchase Order Between the City of Elmhurst, Illinois, and Cargil, Inc. Salt Division, for the 2009-10 State of Illinois Joint Purchase Contract for Rock Salt

10. Committee Reports

- a. Report – Case Number 09 P-06/City of Elmhurst Zoning Ordinance Text Amendment (DP&Z)

11. Reports and Recommendations of Appointed and Elected Officials

- a. Updates (Mayor DiCianni)

12. Ordinances

- a. MCO-18-2009 – An Ordinance Prohibiting Video Gaming Within the City of Elmhurst

13. Other Business

14. Announcements

15. Adjournment

PLEASE NOTE:

- Electronic Communication Devices may be "on," but must be set to a silent /vibrate mode.
- Individuals must exit the Council Chambers when using Electronic Communication Devices to send or receive audio or text messages.
- Any person who has a disability requiring a reasonable accommodation to participate in this meeting, should contact Valerie Johnson, ADA Compliance Officer, Monday through Friday, 9:00 a.m. to 4:30 p.m., City of Elmhurst, 209 N. York Street, Elmhurst, IL 60126, or call 630-530-8095 TDD, within a reasonable time before the meeting. Requests for a qualified interpreter require five (5) working days' advance notice.

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF THE ELMHURST, ILLINOIS
HELD ON TUESDAY, SEPTEMBER 8, 2009
209 NORTH YORK STREET
ELMHURST, ILLINOIS

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**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON TUESDAY, SEPTEMBER 8, 2009
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 19

1. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:36 p.m.

Present: Diane Gutenkauf, Pat Shea, Norman Leader, Susan J. Rose, Michael J. Bram, Stephen Hipskind, Kevin L. York, Chris Nybo, Chris Healy, Steve Morley, Jim Kennedy, Patrick Wagner

Absent: Paula Pezza, Mark A. Mulliner

Also in Attendance: City Attorney Storino, City Manager Borchert, Fire Chief Kopp

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

2. None.

PUBLIC FORUM

3. Katie Muno
134 Larch Ave
Elmhurst, IL 60126

Spoke of the change in the plan for the windows in the First Street Parking Deck. She requested an amendment be added to the resolution to reflect the change of the use of the windows.

Sharie Yarems
539 Van Auken St.
Elmhurst, IL 60126

Spoke of the Pawn Shop on north York Street. She spoke of the lack of due diligence of zoning for Pawn Shops in this area of town.

CONSENT AGENDA

4. The following items on the Consent Agenda were presented:
 - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, AUGUST 17, 2009 (City Clerk Spencer): Approve as published
 - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, AUGUST 17, 2009 (City Clerk Spencer): Receive and place on file
 - c. MINUTES OF THE SPECIAL MEETING HELD ON MONDAY, AUGUST 24, 2009 (City Clerk Spencer): Approve as published
 - d. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, AUGUST 24, 2009 (City Clerk Spencer): Receive and place on file
 - e. MINUTES OF THE SPECIAL MEETING HELD ON MONDAY, AUGUST 31, 2009 (City Clerk Spencer): Approve as published
 - f. ACCOUNTS PAYABLE – AUGUST 31, 2009 TOTAL \$ 3,261,334.56
 - g. BID, SPRING ROAD BUSINESS DISTRICT – LIGHTING IMPROVEMENTS (City Clerk Spencer): Refer to the Public Works and Buildings Committee (See Item j)

August 19, 2009

TO: Mayor DiCianni and Members of the City Council
RE: Bid, Spring Road Business District – Lighting Improvements

In response to an invitation to bid on the Spring Road Business District Lighting Improvements advertised in the Elmhurst Press on Friday, July 17, 2009, bids were received from four area contractors.

Bids were opened at 10:00 a.m. on Tuesday, August 18, 2009, and following is a summary of the bids received:

<u>Contractor</u>	<u>Total Cost</u>
Utility Dynamics Corporation (Oswego, IL)	\$232,592.00
Ground Hog Utility Construction (Roselle, IL)	\$279,645.00
Gaffney's P.M.I. (Batavia, IL)	\$284,388.90
Tri-tech Electric, Inc. (Romeoville, IL)	\$375,451.50

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- h. PARKING CLASSIFICATIONS FOR HEALTH CLUBS – ALDERMEN SHEA & LEADER (City Manager Borchert): Refer to the Development, Planning and Zoning Committee

August 26, 2009

To: Mayor DiCianni and Members of the City Council
Re: Parking Classifications for Health Clubs – Ald. Shea and Ald. Leader

It is respectfully requested that the attached correspondence from Ald. Shea and Ald. Leader regarding the current parking classifications for Health Clubs be referred to the Development, Planning and Zoning Committee for review and report back to the City Council with recommendations.

Respectfully submitted,
/s/ Thomas P. Borchert
City Manager

- i. TEMPORARY USE PERMIT REQUEST CLOVERS GARDEN CENTER – FALL 2009 (City Manager Borchert): Concur with the City Manager's recommendation

August 31, 2009

To: Mayor DiCianni and Members of the City Council
Re: Temporary Use Permit Request – Clovers Garden Center – Fall 2009

The Clovers Garden Center has requested a Temporary Use Permit for the "Garden Center" and the proposed temporary structure at the southwest corner of North and York in the CVS parking lot. Temporary uses of this type are addressed in Section 4.10 Temporary Uses and Events, of Elmhurst Zoning Ordinance.

Clovers Garden Center requests permission to use the southwest corner of the CVS Pharmacy lot at York and North as they have in previous years. This permit will be for this year only for the time frame from September 4, 2009 through November 4, 2009 for the display and sale of fall plants, flowers and pumpkins.

This request is the second request for the calendar year 2009 for Clovers Garden Center at this location. Please note, however, that this request for a special permit and request for authorization to

issue the permit will necessitate that the code referenced term not to exceed three permits of thirty days each, or 90 days, will be exceeded in that the first request of Clovers for this calendar year was for 90 days. The Clovers Garden Center request for this year is very close to their previous years' requests, if not exactly the same, which have been well received by the community and well handled by the facilities at the commercial retail site. This particular code was previously forwarded to the Zoning and Planning Commission for their review and consideration for modification which resulted in a report indicating that City Council has authority to approve or not approve specific requests and that the process was working well for the community.

It is, therefore, the City Manager's intention, unless directed otherwise, in accordance with the provisions of Section 4.10 of the Elmhurst Zoning Code, to approve a Temporary Use Permit to allow the "Garden Center" to operate in the CVS parking lot, as requested, and with the understanding that the approval does include for the calendar year 2009 a previous 90 day permit for a spring center and the current request for an approximate 60 day fall Temporary Use Permit.

Respectfully submitted,
/s/ Thomas P. Borchert
City Manager

- j. REPORT – BIDS, SPRING ROAD BUSINESS DISTRICT LIGHTING IMPROVEMENTS The following report of the Public Works and Buildings Committee was presented:

August 24, 2009

TO: Mayor DiCianni and Members of the City Council
RE: Bids, Spring Road Business District Lighting Improvements

The Public Works and Buildings Committee met on Monday, August 24, 2009 to review bids for the Spring Road Business District Lighting Improvements. Bids were received from four (4) area contractors and are summarized on Attachment "A".

The bids received will provide for the removal of existing light poles and handholes and installation of a new lighting system including light poles and foundations, conduit, wire, handholes, traffic control, and other related work. The contract requires that the above work be completed by October 30, 2009.

Utility Dynamics Corporation submitted the lowest responsible bid meeting all of the bidding requirements. Utility Dynamics has performed similar work for the City of Aurora, Christopher Burke Engineering, and Robinson Engineering. It is reported that the work was completed in a satisfactory manner. Monies for this work have been provided in the amount of \$250,000 in the FY09/10 Budget in account number 110-6041-432-80-15.

It is, therefore, the recommendation of the Public Works and Building Committee that the low bid in the amount of \$232,592.00 from Utility Dynamics Corporation be accepted and that a resolution authorizing this contract be prepared.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman
/s/ Michael J. Bram
Vice-Chairman
/s/ Pat Shea
/s/ Chris Healy

- k. REPORT – PROPOSAL – SPRING ROAD BUSINESS DISTRICT STREETLIGHT MATERIALS
The following report of the Public Works and Buildings Committee was presented:

August 24, 2009

To: Mayor DiCianni and Members of the City Council

RE: Proposal – Spring Road Business District Streetlight Materials

The Public Works and Buildings Committee met on Monday, August 24, 2009 to discuss expenditures for streetlight poles, arms, and luminaires for the Spring Road Business District Lighting Improvements project.

In an effort to realize a lower cost for purchase of these items, staff proposes to purchase these items independent from the construction contract, similar to the previous Streetscape projects. The lighting materials specified were approved by the City's Electrical Division.

Proposals were requested from six (6) vendors for the desired pole, arm, and luminaire assemblies. Proposals were received from five vendors and are summarized as follows:

<u>Company</u>	<u>Total Cost</u>
Steiner Electric Company Elk Grove Village, IL	\$111,749.83
Revere Electric Supply Company Chicago, IL	\$112,707.75
Crescent Electric Supply Company Elk Grove Village, IL	\$112,843.47
Villa Park Electric Supply Company Addison, IL	\$113,805.30
Graybar Electric Supply Company Glendale Heights, IL	\$113,904.69

The proposals are for the purchase of 42 poles with single luminaire and one pole with single luminaire and photocell. These lighting elements will be installed on Spring Road between Vallette Street and the Canadian National Railroad. It should be noted that the above material is not an extra to the project, but is an anticipated cost thereof. There is currently an 8-10 week delivery on the items listed above.

Monies for the purchase of these streetlight poles and luminaires have been provided for in the FY 2009/20010 Budget, Account Number 110-6041-432-80-15 in the amount of \$120,000.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the proposal from Steiner Electric Company for the total cost of \$111,749.83 be accepted and that a resolution authorizing this purchase be prepared.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

1. REPORT – 2009 SANITARY SEWER CIPP LINING CHANGE ORDER The following report of the Public Works and Buildings Committee was presented:

August 24, 2009

TO: Mayor DiCianni and Members of the City Council
RE: 2009 Sanitary Sewer CIPP Lining Change Order

The Public Works and Buildings Committee met on Monday, August 24, 2009 to discuss issuing a change order to Insituform Technologies USA, Inc., the contractor currently completing the 2009 Sanitary Sewer CIPP Lining Project for the City.

The proposed change order provides for the replacement and repair of an existing sanitary sewer in north Elmhurst located at the dead end of Emroy Avenue, north of North End Avenue. The sewer repair will correct a bottleneck condition identified by the City's consulting engineers, MWH Engineering, that exists at this location. It is expected that increasing the size of the sewer line will reduce or eliminate surcharging conditions which occur in the area during heavy rain events. These sewer lines, in most cases, are located in rear-yard property easements. The total length of pipe being replaced is approximately 265 feet.

Insituform Technologies provided general pricing as part of their original bid for sewer point repairs. They have submitted a proposal to complete this work. Staff also solicited a proposal from Neri Brothers Construction, a contractor also doing sewer and watermain installation work for the City, to ensure Insituform's pricing is competitive. Listed below are the two proposals:

Insituform Technologies (sub-contractor is Suburban General) LaGrange Park, Il	\$58,485.00
Neri Brothers Construction Roselle, Il	\$117,865.00

Insituform's sub-contractor, Suburban General, has previously done satisfactory work for the City in similar rear-yard situations.

Funds have been provided in the 2009/2010 budget, Municipal Utility Fund, Sanitary Sewer Replacement/Lining Program, account number 510-6056-502-80-13, in the amount of \$950,000 for the contractual rehabilitation of sewers. The current contract amount with Insituform is \$881,657.70. The project is substantially complete and staff does not anticipate any additional change orders. The final contract value will not exceed the budgeted amount.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the change order, submitted by Insituform Technologies USA, Inc., in the amount of \$58,485.00, be accepted and that a resolution authorizing this change order be prepared.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Michael J. Bram

Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- m. REPORT – QUALIFICATION BASED SELECTION FOR THE ANAEROBIC DIGESTER DESIGN ENGINEER The following report of the Public Works and Buildings Committee was presented:

August 31, 2009

To: Mayor DiCianni and Members of the City Council

Re: Qualification Based Selection for the Anaerobic Digester Design Engineer

The Public Works and Buildings Committee met on August 24, 2009 to discuss proposals submitted by two consulting engineers for the wastewater treatment plant anaerobic digester design. The two engineers proposing are Baxter & Woodman of Crystal Lake, Illinois and Greeley & Hansen of Chicago, Illinois.

The anaerobic digester capacity at the Wastewater Treatment Plant is the same as originally constructed in 1936. Over the past 15 – 20 years improvements have been installed that add efficiencies to the process, add storage of biosolids before and after digestion, made structural

improvements and other repairs. Also various equipment upgrades have been installed to improve the safety of the process. With all of that work none have actually increased the capacity of the vessels. The capacity remains the same as in 1936 when the tanks were constructed.

In the past five years staff have been struggling with process problems that are directly attributable to capacity issues. These process problems demand a significant amount of staff time to address and could cause damage to gas pumping and safety equipment. In addition to the capacity problems there are two potential problems of concern that staff has brought to the attention of the Committee. First is pending regulation changes, which if implemented by Illinois EPA, may result in significant increases in biosolids loading to the digesters. Second, there is no remaining capacity available for population increases or new industries (such as food processing which can contribute significant loads to the collection system) that move into town that may stress the solids treatment process further.

In 2007, because of the process problems, staff authorized an engineering study of the anaerobic digester to analyze the process loadings, including tank capacities, with the goal of examining the anaerobic digestion process in total. The engineering analysis was completed in 2008 and recommended an additional digester was necessary to meet current and future process needs. Subsequent to that study funds were budgeted in the FY 09/10 budget to do the design phase of the project.

Staff came to the Public Works Committee in June with a comparison of three engineering consultants capable of performing this project for the City. The Committee directed staff to return to two of those consultants to develop more detailed proposals including costs for the engineering design work on through the development of construction documents.

Staff has had several meetings with both Greeley & Hanson and Baxter & Woodman over the past few months to review the scope of the project, to discuss the operational concerns, as well as the capacity concerns that are being experienced at the Wastewater Treatment Plant. Both consultants made several visits to the plant to better understand the particular needs and limitations that exist at the facility. Staff received proposals from both consultants in early August and has reviewed those proposals. The Baxter & Woodman proposal was more detailed and complete than the Greeley & Hansen proposal. The proposal includes all aspects of the solids handling train, from beginning to end, and makes recommendations on improvements necessary throughout that process train. The Baxter & Woodman proposal would meet the time frame necessary to make a timely application for stimulus / loan dollars by the deadline of March 31, 2010.

In the fiscal 2010 budget, staff projected engineering costs of \$110,000. However, the Baxter & Woodman proposal, which covers the entire solids handling train, is proposed at \$440,000. Normally, if a project is over budget, the project would be delayed until such time as funds are available. Due to the current injection of federal stimulus dollars into water and wastewater projects in Illinois, this project's engineering schedule has been accelerated to meet the application deadline. It has been determined that a portion of the sanitary sewer repair budget line, 510.6056.502.80.13, will not be used in fiscal 2010, and staff recommends that those funds be allocated to cover the budget shortfall. Funds for this engineering design portion of anaerobic digester project are, therefore, available in the wastewater treatment plant improvements line 510.6057.502.80.20, and in the sanitary sewer repair line 510.6056.502.80.13.

The Public Works and Buildings Committee recommends that Baxter & Woodman of Crystal Lake, Illinois be authorized to proceed with the design of the additional anaerobic digester and that the design is completed for application to IEPA by the March 31, 2010 deadline for stimulus dollars or revolving loan funding.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- n. REPORT – FIRST STREET PARKING DECK FINAL DESIGN APPROVAL The following report of the Public Works and Buildings Committee was presented:

August 24, 2009

TO: Mayor DiCianni and Members of the City Council
RE: First Street Parking Deck Final Design Approval

The Public Works and Buildings Committee met on Monday, August 24, 2009 and several times prior to discuss the construction of a new parking deck on the northwest corner of First Street and Larch Avenue.

The Committee has reviewed the proposed plan for the parking deck with City staff, members of the design and construction team, ARCO/Murray, and the neighbors of Larch Avenue. Additionally, several elected officials have met with the Larch Avenue residents at various informational meetings that the City has hosted. Also, City staff will distribute a notice to the neighborhood indicating that final design approval will be on the Monday, September 8, 2009 City Council agenda prior to that meeting.

The City has purchased the property at 175 West First Street and is currently demolishing the existing building. The property was purchased to construct a five story parking deck to supplement a large need for additional parking within the Central Business District (CBD). Both the Chamber of Commerce and the Elmhurst City Centre organizations have voiced support for the deck as well as individual merchants.

In an attempt to make the parking deck, which is located within the C-4 zoning district fit in well with the adjacent residential area the City has made layout of the structure, layout of the entrances and exits, final roadway configurations, and the facades which would be used on the outside of the building part of it's ongoing dialog with the residents on Larch Avenue. The residents have generally stated that they are supportive of the plan and the aesthetic finishes to the building. The final facades are shown in Attachment 'A'.

Relative to storm water management, the City will be improving both the quantity and quality of storm water runoff from the site. The quantity of runoff will be decreased due to the increase in pervious surface. Currently the site is essentially 100% paved. After development the site will be 15% pervious, basically grass. This results in a decrease in runoff of approximately 12%.

Also, the City will incorporate Storm Water Quality Best Management Practices (BMP's) into the design to improve the quality of the storm water which leaves the site. The existing site has no water quality BMP measures. The new sewer system will include an oil-water separator which will remove any fuel or oils which may drip onto the parking deck surface from the water prior to it leaving the site.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the City proceed with the design and construction of the First Street parking deck as described above.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/us/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- o. REPORT – METRO PARAMEDIC SERVICES CONTRACT The following report of the Public Affairs and Safety Committee was presented:

August 24, 2009

To: Mayor DiCianni and Members of the City Council

Re: Metro Paramedic Services Contract

The Public Affairs and Safety Committee met on July 13, 2009 and again on July 27, 2009 and August 24, 2009 to discuss cost savings suggestions for the Metro Paramedic Services Contract dated 9/1/2009 – 8/31/2010.

Per their current contract, Metro was to replace both ambulances during the contract year. In a cost savings measure, Metro recommended replacing the ambulances chassis with new chassis, along with a refurbished box. The estimated cost savings should not be less than \$150,000 for both ambulances.

Metro agreed that the cost savings should be relayed to the City of Elmhurst. However, it should be up to Fire Chief Kopp to determine whether the ambulances should be upgraded at all as there is only 1 year left on the contract, which would therefore permit the full savings of the cost of an ambulance to be passed through to the City. Due to the economic situation, Metro Paramedic Services was also asked to evaluate the contract as a whole for any other cost savings measures.

After re-evaluating the contract, Metro uncovered an estimated \$214,000 in savings to the City, including savings for the new ambulances.

The number one issue with the contract ambulance service is turnover of contract medics. It has been difficult to retain experienced medics for the Elmhurst contract. After a discussion with Metro administration regarding medic turnover, it is recommended that a portion of the savings to the City be used to help stabilize medic turnover with the following recommendation.

Increase the base salary of the current contract medics by 5% and add holiday pay incentives to those medics on duty. The cost of this stabilization recommendation is approximately \$47,000, leaving a total cost savings (rebate) to the City of \$167,000. Increasing the base pay and the incentive for holiday pay should assist in reducing the amount of turnover, therefore, improving emergency medical services to the community. The actual method for increasing base pay and holiday pay should be approved by the Fire Chief not to exceed \$47,000.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that (I) amend the Metro contract to take advantage of the minimum \$214,000 in savings (subject to approval of and direction by the Fire Chief as provided above), (II) not more than \$47,000 of the estimated cost savings to the Metro contract be used to assist in stabilizing paramedic turnover in an effort to improve emergency medical services in Elmhurst in a manner acceptable to the Fire Chief, and (III) that the Fire Chief and his staff begin work on a business plan to provide options available to the City at the end of the current Metro contract.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Patrick Wagner
Chairman

/s/ Chris Nybo
Vice-Chairman

/s/ Paula Pezza

- p. REPORT – CITY OF ELMHURST ADJUDICATION PROCESS The following report of the Public Affairs and Safety Committee was presented:

August 24, 2009

To: Mayor DiCianni and Members of the City Council
RE: City of Elmhurst Adjudication Process

The Public Affairs and Safety Committee met on June 22, 2009 and again on August 24, 2009 to discuss an Adjudication Process for the City of Elmhurst. Adjudication is a method of processing non-moving traffic violations, parking violations, building code violations, administrative tows and chronic nuisance complaints within the City of Elmhurst.

The benefits to the City include:

- Cases are moved up in priority level as compared to the current county system where cases are often continued as a result of being grouped in a courtroom with cases of “greater” importance.
- The goal of adjudication is to gain compliance with City ordinance and code with the process of escalating punishment. Fines and orders can be increased if the deadline for compliance is not met, thereby increasing responsibility for habitual offenders
- Case presentation is straight forward and easily understandable from the resident’s point of view. Residents are allowed to speak from their perspective and the City is able to present simple and effective cases due to the relaxed rules of evidence.
- In most cases, the fine cost covers the cost of the hearing

The Committee believes that local adjudication will benefit the City in obtaining compliance with City ordinance and code in a fair and judicial manner to both residents and the City.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the process of adjudication for Elmhurst and directs the city attorney to draft the appropriate ordinance and procedures to allow Elmhurst to move forward with adjudication.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Patrick Wagner
Chairman

/s/ Chris Nybo
Vice-Chairman

/s/ Paula Pezza

- q. REPORT – KNIGHTS OF COLUMBUS – OKTOBERFEST FUNDRAISER The following report of the Public Affairs and Safety Committee was presented:

August 24, 2009

To: Mayor DiCianni and Members of the City Council
Re: Knights of Columbus – Oktoberfest Fundraiser

The Public Affairs and Safety Committee met on August 24, 2009 to discuss the request from the Knights of Columbus to hold an Oktoberfest Fundraiser on Saturday, September 26, 2009 from 3:00 p.m. until 11:00 p.m. A representative from the Knights of Columbus was available to answer the Committee’s questions.

The Knights of Columbus would like to hold an Oktoberfest Fundraiser benefiting Knights of Columbus charities, which are many and include, Ray Graham Association, Misericordia, NEDSRA, Special Olympics of Illinois, Easter Sears, and Visitation Parish’s Special Education Program. The location for this event will be the city parking lot located behind the Knights of Columbus Hall located at Vallette and S. York Road.

Set up will commence at 8:00 a.m. on Saturday, September 26, 2009, with the event running from 3:00 p.m. until 11:00 p.m., with the sale of alcoholic beverages ceasing at 10:30 p.m. The venue will include a large tent covering approximately ¼ of the parking lot with beer garden and beer dispenser locations separately fenced off. Beverages will include beer, wine, soft drinks and bottled water. Food will be provided by the staff of Mama Maria’s Elmhurst. Two polka bands will play in consecutive shifts.

Security will be provided by a combination of professional security officers, including off-duty police officers and Knights of Columbus volunteers. ID’s will be checked and verified. Those over 21 must show official bracelet.

Proof of insurance will be provided to and approved by the City Attorney prior to the event.

All layout/staging plans and operational parameters will be finalized only after ongoing consultation and discussion with the approval of the Elmhurst Police, Fire and Public Works Departments.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the Knights of Columbus request to hold an Oktoberfest Fundraiser in the city parking lot located behind the Knights of Columbus Hall located at Vallette and S. York Road on Saturday, September 26, 2009 from 3:00 p.m. to 11:00 p.m., with the sale of alcoholic beverages ceasing at 10:30 p.m.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Patrick Wagner
Chairman
/s/ Chris Nybo
Vice-Chairman
/s/ Paula Pezza

- r. REPORT – IMMACULATE CONCEPTION PARISH BLOCK PARTY REQUEST FOR TEMPORARY USE The following report of the Public Affairs and Safety Committee was presented:

August 24, 2009

To: Mayor DiCianni and Members of the City Council
Re: Immaculate Conception Parish Block Party - Request for Temporary Use

The Public Affairs and Safety Committee met on August 24, 2009 to discuss the request from Immaculate Conception Parish to hold a Block Party on Saturday, September 12, 2009 following an outdoor Mass at 4:00 p.m. A representative from the Immaculate Conception Parish was available to answer the Committee's questions.

The Parish Block Party will be located on Immaculate Conception Parish Property, with boundary streets being Cottage Hill on the west, York Road on the east, Arthur Street on the north and the Immaculate Conception High School driveway on the south. Cottage Hill between Arthur Street and Church Street and Arthur Street between York Road and Cottage Hill will be closed from 3:00 p.m. until 10:00 p.m. to allow for set up and removal of the event

After Mass at 4:00 p.m., there will be games and Moon jumps for children, food vendor (Fratello's), a D.J. Magician and Balloon Artist and a Beer Garden. The Beer Garden will be enclosed by orange construction fencing. MG Concessions will sell beer and wine for the event. They use licensed and bonded bartenders. They hold an Illinois liquor license and will name Immaculate Conception Parish and the Diocese of Joliet as additional insured's on their policy. MG Concessions will also provide a security guard that is Blue Card Certified to oversee all that enter and leave the beer garden. Immaculate Conception will provide volunteers to help the security guard.

There will be only one way in and out of the beer garden. All that have been "carded" and are of age will receive a wristband to wear for entrance into the beer garden. Beer and wine will be sold from 5:00 p.m. until 9:30 p.m.

Proof of insurance will be provided to and approved by the City Attorney prior to the event.

All layout/staging plans and operational parameters will be finalized only after ongoing consultation and discussion with the approval of the Elmhurst Police, Fire and Public Works Departments.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the Immaculate Conception Parish's request to close Cottage Hill between Arthur Street and Church Street and Arthur Street between York Road and Cottage Hill from 3:00 p.m. until 10:00 p.m. for their Parish Block Party to be held on Saturday, September 12, 2009 following an outdoor Mass at 4:00 p.m.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Patrick Wagner
Chairman
/s/ Chris Nybo

Vice-Chairman
/s/ Paula Pezza

- s. REPORT – MANAGEMENT AND LEASING AGREEMENTS FOR 180 W. PARK AVENUE AND 242 N. YORK STREET The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage.

August 25, 2009

To: Mayor DiCianni and Members of the City Council
Re: Management and Leasing Agreements for 180 W. Park Avenue and 242 N. York Street

The Finance, Council Affairs and Administrative Services Committee met August 24, 2009, to review management and leasing agreements with David King & Associates, Inc., for 180 W. Park Avenue and 242 N. York Street.

As the City Council will recall, the property at 180 W. Park Avenue was purchased in January 2006, and the City contracted with David King & Associates, Inc., to provide management and leasing services for that property. The agreements for these services cover the period July 1, 2006 through November 30, 2012. Since this property is not scheduled for further development in the near future, renewal leases are being extended to November 30, 2014. Staff recommends that the management and leasing agreements for 180 W. Park Avenue be extended to November 30, 2014, to be consistent with the lease arrangements.

The management agreement provides for services including, but not limited to, the following: collect all rents; maintain all records and pay all expenses except property tax; purchase and supervise all repairs and maintenance (over \$1,000 requires approval); purchase equipment and supplies (over \$1,000 requires approval); prepare monthly financial statements; and develop an annual operating budget. The fee for these services would remain at the current rate of 4% of gross income with a minimum fee of \$1,000 per month. The leasing agreement provides that David King & Associates serve as the City's leasing agent for the 180 W. Park Avenue property. The fee structure remains the same and is as follows: for a new tenant, the fee is 7% of one year average annual rent and 2% of the balance of the rent for the remainder of the term of the lease. If an existing lease is renewed, the fee is one-half the fee for a new tenant. The fees for management and leasing services are competitive, and the City has not received tenant complaints about the service. Staff recommends approving the management and leasing agreements for 180 W. Park Avenue for a term ending November 30, 2014. The Finance Committee concurred with staff recommendation.

The Finance Committee also reviewed the management agreement with David King & Associates for the property at 242 N. York Street. The current agreement expires on September 30, 2010, and the fee structure is also 4% of gross income with a minimum fee of \$1,000 per month. Two tenants remain in this building, one on a month to month basis and one with a multi-year lease. Since development may occur in the near future, staff recommended that the term of the agreement remain as is, and not be extended. The Finance Committee concurred with staff recommendation.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare management and lease agreements with David King & Associates, Inc., for the 180 W. Park Avenue property, to expire November 30, 2014.

Respectfully submitted,
Finance, Council Affairs and
Administrative Services Committee

/us/ Stephen Hipskind

Chairman

/s/ Kevin York

Vice-Chairman

/s/ Mark Mulliner

/s/ Diane Gutenkauf

- t. O-31-2009 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-31-2009 was presented for passage.

- u. O-32-2009 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-32-2009 was presented for passage.

- v. O-33-2009 – AN ORDINANCE APPROVING A COMMUNICATION SITE LEASE AGREEMENT FOR THE PROPERTY LOCATED AT 364 SCOTT STREET

Ordinance O-33-2009 was presented for passage.

- w. O-34-2009 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN IMMACULATE CONCEPTION PARISH AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-24-2009 was presented for passage.

- x. ZO-07-2009 – AN ORDINANCE AMENDING ORDINANCE NUMBER ZO-01-2009 TO AUTHORIZE AN EXTENSION OF TIME FOR THE CONDITIONAL USE FOR THE PROPERTY LOCATED AT 188 WEST BUTTERFIELD ROAD, ELMHURST, ILLINOIS

Ordinance ZO-07-2009 was presented for passage.

- y. R-29-2009 – A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF ELMHURST, ILLINOIS, AND TOTAL PARKING SOLUTIONS, INC., FOR THE INSTALLATION AND MAINTENANCE OF A PAY-BY-SPACE AUTOMATED PARKING PAYMENT SYSTEM

Resolution R-29-2009 was presented for passage.

- z. R-30-2009 – A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS BETWEEN THE CITY OF ELMHURST, ILLINOIS, AND AT&T CORPORATION FOR THE PROVISION OF CENTREX TELECOMMUNICATIONS SERVICE

Resolution R-30-2009 was presented for passage.

Alderman Bram removed item **4n. Report – First Street Parking Deck Final Design Approval**. Alderman Rose removed items **4l. Report – 2009 Sanitary Sewer CIPP Lining Change Order**, **4m. Report – Qualification Based Selection for the Anaerobic Digester Design Engineer** and **4s. Report – Management and Leasing Agreements for 180 W. Park Avenue and 242 N. York Street**.

Alderman Wagner moved to approve the contents of the Consent Agenda less items **4l. Report – 2009 Sanitary Sewer CIPP Lining Change Order**, **4m. Report – Qualification Based Selection for the Anaerobic Digester Design Engineer**, **4n. Report – First Street Parking Deck Final Design Approval** and **4s. Report – Management and Leasing Agreements for 180 W. Park Avenue and 242 N. York Street**. Alderman Healy seconded. Roll call vote:

Ayes: Wagner, Healy, Gutenkauf, Shea, Leader, Rose, Bram, Hipskind, York, Nybo, Morley, Kennedy

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

Alderman Rose moved to approve item **4l. Report – 2009 Sanitary Sewer CIPP Lining Change Order**. Alderman Kennedy seconded.

Alderman Rose stated she pulled item **4l. Report – 2009 Sanitary Sewer CIPP Lining Change Order** to ask the Public Works and Buildings Committee if there will be an impact on Indiana Street.

Alderman Bram stated the reach could impact Indiana and the north side of town.

Discussion ensued.

Roll call vote on item **4l. Report – 2009 Sanitary Sewer CIPP Lining Change Order**:

Ayes: Rose, Kennedy, Gutenkauf, Shea, Leader, Bram, Hipskind, York, Nybo, Healy, Morley, Wagner

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

Alderman Rose moved to approve item **4m. Report – Qualification Based Selection for the Anaerobic Digester Design Engineer**. Alderman Kennedy seconded.

Alderman Rose stated she pulled item **4m. Report – Qualification Based Selection for the Anaerobic Digester Design Engineer** to ask a couple of questions regarding the projected engineering costs: how much is budgeted for this line item and what if the City doesn't get any stimulus dollars for this.

Alderman Kennedy stated it's three times the amount. The City feels due to capacity and age an additional anaerobic digester is necessary. He stated this report is for a design to be in place to be able to apply for stimulus dollars.

Alderman Rose asked for a clarification if there are not any stimulus dollars the project will not proceed forward.

Alderman Kennedy replied that is correct, the project would be put on the shelf.

Discussion ensued.

Roll call vote on item **4m. Report – Qualification Based Selection for the Anaerobic Digester Design Engineer**:

Ayes: Rose, Kennedy, Gutenkauf, Shea, Leader, Bram, Hipskind, York, Nybo, Healy, Morley, Wagner

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

Alderman Kennedy moved to approve item **4n. Report – First Street Parking Deck Final Design Approval**. Alderman Shea seconded.

Alderman Kennedy reviewed item **4n. Report – First Street Parking Deck Final Design Approval** adding that there are some concerns from the neighborhood that have been addressed by City staff. He stated the City will work on those improvements.

Alderman Bram stated that he pulled item **4n. Report – First Street Parking Deck Final Design Approval** not because he doesn't support the project, but because he is not pleased with the process. He stated questions were unanswered regarding parking and 1st floor retail. Alderman Bram stated he felt there was not enough discussion on other options.

Alderman Gutenkauf moved to amend the committee report to include a statement regarding the windows on the northside of the façade that they are non-functioning, only aesthetic and light won't shine through. Alderman Kennedy seconded.

Discussion ensued.

Roll Call vote to amend item **4n. Report – First Street Parking Deck Final Design Approval:**

Ayes: Gutenkauf, Kennedy, Shea, Leader, Rose, Bram, Hipskind, York, Nybo, Healy, Morley, Wagner

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

Roll call vote to approve item **4n. Report – First Street Parking Deck Final Design Approval** as amended:

Ayes: Kennedy, Shea, Gutenkauf, Leader, Rose, Bram, Hipskind, York, Nybo, Healy, Morley, Wagner

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

Alderman Rose stated she pulled item **4s. Report – Management and Leasing Agreements for 180 W. Park Avenue and 242 N. York Street** in error.

Alderman Hipskind asked to sign the report.

Alderman Healy, point of order, asked for clarification on the procedure for signing committee reports when Aldermen are absent from the meeting at which the topic was discussed.

City Attorney Storino stated until a standard practice is developed, who can sign reports will be decided on a case by case basis.

Alderman Hipskind withdrew his signature from the report.

Alderman Rose moved to approve item **4s. Report – Management and Leasing Agreements for 180 W. Park Avenue and 242 N. York Street**. Alderman York seconded. Roll call vote:

Ayes: Rose, York, Gutenkauf, Shea, Leader, Bram, Hipskind, Nybo, Healy, Morley, Kennedy, Wagner

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

COMMITTEE REPORTS

5. a. REPORT – CONSULTANT AGREEMENT FOR ADMINISTRATIVE SERVICES The following report of the Finance, Council Affairs and Administrative Services Committee was presented:

August 25, 2009

To: Mayor DiCianni and Members of the City Council
Re: Consultant Agreement for Administrative Services

The Finance, Council Affairs and Administrative Services Committee met August 24, 2009, to review contracting with Mr. Ken Bartels for certain administrative services.

City Manager Borchert addressed the Finance Committee regarding the current fiscal challenges and the continued need to be as frugal and cost effective as possible. In that regard, two layoffs have occurred: the Development Director position in the Elmhurst Historical Museum, and the Economic Development Manager in the Planning, Zoning and Economic Development Department. Some pieces of the workload handled by these two positions will be redistributed internally, and other

pieces would benefit from consulting expertise. Specific areas of responsibility for consulting services are enhanced communication to the community, fundraising for the Elmhurst Historical Museum and economic development including strategic planning.

City Manager Borchert recommends that the City contract with Mr. Ken Bartels, a longtime Elmhurst resident and an active member of the Elmhurst community, for the above-stated consulting services. During twenty-eight years of service at Elmhurst College, as Vice President for College Advancement for twenty-six years and as Vice President for College Relations for two years, Mr. Bartels gained invaluable experience in fundraising campaigns and communications with outside constituencies, and developed strong community ties. Mr. Bartels was also a Director of the Elmhurst Economic Development Corporation from 1996-2001, serving as Chair from 2000-2001. With his experience and the skill sets that have been developed in the areas of fundraising, communications and economic development, Mr. Bartels is uniquely qualified to provide consulting services to the City of Elmhurst in these areas. Staff further recommends that Mr. Bartels provide consulting services 10-15 hours per week, with a total annual cap of 845 hours, at a rate of \$90 per hour, for a three year term. Funds are available in the fiscal 2010 due to the staff reductions noted previously. After review and discussion, the Finance Committee concurred with staff recommendation.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare a consultant agreement with Mr. Ken Bartels for administrative services as described above.

Respectfully submitted,
Finance, Council Affairs and
Administrative Services Committee

/s/ Stephen Hipskind
Chairman

/s/ Kevin York
Vice-Chairman

/s/ Mark Mulliner

/s/ Diane Gutenkauf

Alderman Rose moved to approve item **5a. Report – Consultant Agreement for Administrative Services**. Alderman Wagner seconded.

Alderman Rose stated she had a couple of questions regarding the report. Alderman Rose asked how much is the City saving and are there any performance indicators established.

City Manager Borchert stated he didn't have any performance indicators established. He stated he had discussed with Mr. Bartels the three areas of fund raising, communication and economic development and the objectives in the three categories.

Alderman Rose stated in the area of fund raising, benchmarks would be meaningful. She also asked about savings to the City.

Mayor DiCianni stated there would be a savings of approximately \$200,000. He explained how valuable Mr. Bartels will be to the City.

Discussion ensued regarding the time and use of Mr. Bartels.

Roll call vote on item **5a. Report – Consultant Agreement for Administrative Services:**

Ayes: Rose, Wagner, Gutenkauf, Shea, Leader, Bram, Hipskind, York, Nybo, Healy, Morley, Kennedy

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

6. a. UPDATES (Mayor Marcucci)

Mayor DiCianni stated on Thursday, September 10, 2009 York High School will host a *Forum on Heroin* in the gymnasium. He stated Police Chief Neubauer and three (3) reformed drug addicts will be among the speakers. The community is invited, parents as well as children. Mayor DiCianni stated heroin is becoming a big problem in our society.

Mayor DiCianni spoke on the pawn shop in north Elmhurst. He stated the City can't outlaw pawn shops; the City is forming an ordinance to put the pawn shops in a C3 Zoning Conditional Use. This way the City can control their use and location.

b. 2010/11 BUDGET SCHEDULE (City Manager Borchert)

City Manager Borchert reviewed the 2010/2011 target dates and budget schedule with Council. He explained the role of the elected officials as it pertains to the budget preparation. He stated the Mayor and City Council's message to the City Manager regarding the budget goals is due to him, with a target date of October 26, 2009.

The City Manager stated if there were to be a tax levy, the date is December 7, 2009 and a public hearing is necessary. On December 21, 2009 the City Council approves the 2009 property tax levy, if it is not approved on December 7, 2009. He stated the budget is a two fold document, Expenses & Revenues.

Mayor DiCianni stated sales tax in Elmhurst is down and the reserves have been spent. He stated tough decisions will have to be made, and he is looking forward to reviewing the recommendations from the Finance Task Force.

ORDINANCES

7. a. MCO-16-2009 – AN ORDINANCE TO AMEND ARTICLE VII ENTITLED, “STOPPING, STANDING, AND PARKING,” OF CHAPTER 44 ENTITLED, “MOTOR VEHICLES AND TRAFFIC.” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

Ordinance MCO-16-2009 was presented for passage.

City Attorney Storino stated a motion, second and voice vote is needed to remove MCO-16-2009 from the table before making a motion to accept the ordinance.

Alderman Healy moved to remove item 7a. **MCO-16-2009 – An Ordinance to Amend Article VII Entitled, “Stopping, Standing, and Parking,” of Chapter 44 Entitled, “Motor Vehicles and Traffic,” of the Municipal Code of the City of Elmhurst, Illinois** from the table. Alderman Nybo seconded. Voice vote motion carried.

Alderman Morley moved to accept the ordinance as read. Alderman York seconded.

Alderman Nybo moved to amend MCO-16-2009 removing in section 2 the line stating on those days school is in session. Alderman Wagner seconded.

City Attorney Storino stated the ordinance was tabled two weeks ago to make that very correction.

Alderman Nybo stated I withdraw my amendment to the motion.

Roll call vote on item 7a. **MCO-16-2009 – An Ordinance to Amend Article VII Entitled, “Stopping, Standing, and Parking,” of Chapter 44 Entitled, “Motor Vehicles and Traffic,” of the Municipal Code of the City of Elmhurst, Illinois:**

Ayes: Morley, York, Gutenkauf, Shea, Leader, Rose, Bram, Hipskind, Nybo, Healy, Kennedy, Wagner

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

RESOLUTIONS

8. a. R-31-2009 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSULTING AGREEMENT BETWEEN KEN BARTELS AND THE CITY OF ELMHURST, ILLINOIS

Resolution R-31-2009 was presented for passage.

Alderman Healy moved to approve item **8a. R-31-2009 – A Resolution Authorizing the Execution of a Consulting Agreement Between Ken Bartels and the City of Elmhurst, Illinois.** Alderman York seconded.

Discussion ensued regarding what measures and objectives for Mr. Bartels in his role with fund raising, Communication and economic development.

Alderman Bram point of order regarding the memo given tonight stating the 90 day termination agreement needs to be put in the resolution for tonight’s approval.

City Attorney Storino stated that it has already been put in the resolution.

Roll call vote to approve item **8a. R-31-2009 – A Resolution Authorizing the Execution of a Consulting Agreement Between Ken Bartels and the City of Elmhurst, Illinois:**

Ayes: Healy, York, Gutenkauf, Shea, Leader, Rose, Bram, Hipskind, Nybo, Morley, Kennedy, Wagner

Nays: None

Results: 12 ayes, 0 nays, 2 absent
Motion duly carried

OTHER BUSINESS

9. Alderman Morley asked when will the Finance Task Force give their formal recommendation and in what format will it be given.

Mayor DiCianni replied Monday, October 5, 2009.

City Manager Borchert stated the task force will first present to the Mayor and then present to the full Council at the first Council meeting in October.

Mayor DiCianni stated the Task Force has been working very hard and he is looking forward to their recommendation.

Alderman Healy asked that the Task Force report be given to the Council one (1) week prior to the meeting so that there will be enough time to review it, make notes and prepare questions.

Alderman Rose stated she would request that the recommendation of the Task Force be given at the second Council meeting in October, so that there is plenty of time for Council to review it.

ANNOUNCEMENTS

10. City Manager Borchert announced that the DuPage Mayors & Managers Conference (DMMC) will meet on September 16, 2009. Any Council member who would like to attend, please RSVP with the Administration Office.

City Manager Borchert stated the City received the Daniel Burnham Award, recognizing the City's Comprehensive Plan from the American Planning Association (APA), Illinois Chapter. It is an award for excellence. He congratulated the City Council and the Zoning and Planning Commission.

Mayor DiCianni announced on Saturday, September 12, 2009 ECAF will hold its Gala & Auction for the rain barrels. The Gala will take place at the Diplomat West.

The Mayor announced that that 2nd Annual Brianna's Walk benefiting the Center for Speech and Language Disorders will take place on Sunday, September 12, 2009 at 10:00 a.m. at Berens Park.

Alderman Bram asked if the upcoming meeting on the Elgin O'Hare – West Bypass is open to the public.

Mayor DiCianni stated the meeting is open to the public and he and City Manager Borchert will attend. He stated hopefully the issue regarding the 3rd Ward and 294 access will be addressed.

Alderman Gutenkauf announced she and Alderman Pezza will host a Town Hall Meeting at 7:00 p.m. on Thursday, September 17, 2009 at the Elmhurst Public Library. Mayor DiCianni will be at the meeting as well.

ADJOURNMENT

11. Alderman York moved to adjourn the meeting. Aldermen Hipskind seconded. Voice Vote. Motion carried. Meeting adjourned 9:37 p.m.

Peter P. DiCianni, III, Mayor

Patty Spencer, City Clerk

VOW

CITY OF ELMHURST

ACCOUNTS PAYABLE SUMMARY SHEET

SEPTEMBER 21, 2009

<u>CHECKS</u>	<u>REGULAR</u>	<u>INTERIM</u>	<u>TOTAL</u>
GENERAL FUND	\$720,543.21	\$99,691.38	\$820,234.59
LIBRARY FUND	250.88	-	250.88
REDEVELOPMENT	365,849.10	78,941.70	444,790.80
STORMWATER	37,330.35	-	37,330.35
INDUSTRIAL DEVELOPMENT	433.33	-	433.33
PUBLIC FACILITIES CONSTR	312,689.14	-	312,689.14
MUNICIPAL UTILITY FUND	323,039.36	443.81	323,483.17
PARKING REVENUE SYSTEM FUND	4,798.02	-	4,798.02
POLICE PENSION FUND	-	600.00	600.00
	<u>1,764,933.39</u>	<u>179,676.89</u>	<u>1,944,610.28</u>

FINANCE REVIEW

Mary E. Boston

CITY MANAGER REVIEW

James [Signature]

TO THE CITY TREASURER,

THE PAYMENT OF THE ABOVE LISTED AMOUNTS HAS BEEN APPROVED BY THE CITY COUNCIL AT A MEETING HELD ON SEPTEMBER 21, 2009 AND YOU ARE HEREBY AUTHORIZED TO PAY THEM FROM THE APPROPRIATE BUDGET ACCOUNT.

MAYOR

CITY CLERK

BANK: 01

VEND NO INVOICE NO	VENDOR NAME VOUCHER NO	P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0014859 07513	ABRAHAM LINCOLN PRESIDENTIAL LIBRY 008056		01 09/21/2009	110-7060-451.60-64	MICROFILM	94.50	
VENDOR TOTAL *						94.50	
0008401 15951	ACCURATE TANK TECHNOLOGIES 007492		01 09/21/2009	110-6047-512.80-98	FUEL MGMT SYSTEM	8,660.00	
VENDOR TOTAL *						8,660.00	
0000009 264779 264572 264264 264809 264257 264335 264575	ACE HARDWARE 007932 007732 007733 008065 007458 007730 007731		01 09/21/2009 01 09/21/2009 01 09/21/2009 01 09/21/2009 01 09/21/2009 01 09/21/2009 01 09/21/2009	110-4020-422.50-08 110-5030-421.50-01 110-5030-421.40-98 110-5030-421.40-33 110-6044-435.40-98 110-6046-418.50-01 110-6046-418.50-01	PAINT/BRUSHES NUTS/BOLTS/SCREWS/WASHERS BATTERIES RANGE SUPPLIES STREET LT REPAIR FASTENERS BENCH REPAIR	31.12 2.48 10.79 14.00 .65 11.20 .90	
VENDOR TOTAL *						71.14	
0010266 1292380180 1292380176 1292400018 1292400122 1292300064 1292360084	ACME TRUCK BRAKE & SUPPLY 007622 007623 007624 007625 007659 007660		01 09/21/2009 01 09/21/2009 01 09/21/2009 01 09/21/2009 01 09/21/2009 01 09/21/2009	110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-02 110-6047-512.50-16 110-6047-512.50-16	TRK/PARTS F-1 TRK/PARTS F-1 CORE CREDIT CALIPER REPAIR BRAKE PARTS/SUPPLIES/F-2 CORE CREDIT	27.52 1,932.24 1,000.00- 350.00 6,224.76 1,000.00-	
VENDOR TOTAL *						6,534.52	
0004998 000055405	ADAMS JO ANNE K UT		01 00/00/0000	510-0000-113.02-00	UB CR REFUND	15.00	
VENDOR TOTAL *						15.00	
0000803 64371	AIR ONE EQUIP, INC 007945		01 09/21/2009	110-4020-422.50-08	GAS SENSOR REPAIR	616.80	
VENDOR TOTAL *						616.80	
0018099 09/11/2009	AISLE STYLE BRIDALS, INC 008086		01 09/21/2009	310-0089-461.60-18	RETAIL BUSINESS GRANT	1,828.22	
VENDOR TOTAL *						1,828.22	
0000016 64071	ALEXANDER EQPT CO INC 007456		01 09/21/2009	110-6043-434.50-08	CABLING EQPT	345.60	
VENDOR TOTAL *						345.60	
0016508 1055 1054 1053	ALL AMERICAN LANDSCAPING LTD 007440 007441 007442		01 09/21/2009 01 09/21/2009 01 09/21/2009	110-6043-434.30-34 110-6043-434.30-34 110-6043-434.30-34	CUT GRASS 782 SAYLOR CUT GRASS 137 VILLA CUT GRASS 387 SCOTT	140.00 140.00 140.00	
VENDOR TOTAL *						420.00	
0004999	ALLIANCE PLUMBING						

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0004999 AUG 2009	ALLIANCE PLUMBING 007407		01	09/21/2009	110-4025-424.30-12	PLUMBING INSPECTIONS	3,543.68	
VENDOR TOTAL *							3,543.68	
0016250	ALLIED GARAGE DOOR INC							
0000012675	007736		01	09/21/2009	110-6046-418.50-01	DOOR REPAIR	148.50	
0000012190	007737		01	09/21/2009	110-6046-418.50-01	DOOR REPLACEMENT	2,041.00	
VENDOR TOTAL *							2,189.50	
0000078	ALLIED WASTE SERVICES #551							
7311973	007873		01	09/21/2009	110-6045-441.30-65	REFUSE COLLECTION	200,376.10	
7311973	007874		01	09/21/2009	110-6045-441.30-83	REFUSE COLLECTION	14,400.00	
0551-007314602	007990		01	09/21/2009	110-6045-441.30-65	WASTE DISPOSAL	1,047.82	
VENDOR TOTAL *							215,823.92	
0013770	ALPINE SAP, INC - CAROL STREAM							
5090	007432		01	09/21/2009	510-6050-501.30-52	RPZ TESTING	2,167.50	
5091	007924		01	09/21/2009	510-6050-501.30-52	RPZ TESTING	2,103.75	
VENDOR TOTAL *							4,271.25	
0008457	AMERICAN ASSN OF POLICE POLYGRPHSTS							
10-1948	007774		01	09/21/2009	110-5030-421.60-37	MEMBERSHIP	125.00	
VENDOR TOTAL *							125.00	
0005297	AMERICAN CHARGE SERVICE							
09/09/2009	007993		01	09/21/2009	110-0083-443.60-49	SENIOR CITIZEN TAXI SVC	425.60	
VENDOR TOTAL *							425.60	
0013022	AMERIGAS - PALATINE							
5356-429746A	007985		01	09/21/2009	110-6047-512.40-98	SUPPLIES	199.93	
VENDOR TOTAL *							199.93	
0006708	AMLINGS FLOWERLAND							
04051955	007962		01	09/21/2009	110-4020-422.40-98	FLOWER ARRANGEMENT	30.99	
04049929	007963		01	09/21/2009	110-4020-422.40-98	FLOWER ARRANGEMENT	57.95	
04051955	007961		01	09/21/2009	110-4025-424.40-98	FLOWER ARRANGEMENT	40.00	
04050078	008061		01	09/21/2009	110-5030-421.60-98	FLOWER ARRANGEMENT	85.94	
VENDOR TOTAL *							214.88	
0013255	ANDERSON ELEVATOR CO							
96249	007728		01	09/21/2009	110-6046-418.30-25	MONTHLY MAINT FEE	156.51	
VENDOR TOTAL *							156.51	
0000035	ANDERSON LOCK							
0589574	007929		01	09/21/2009	510-6057-502.50-01	DOOR REPAIR	232.15	
VENDOR TOTAL *							232.15	
0004791	ANIMAL CARE EQPT & SVCS							
1103087	007683		01	09/21/2009	110-5030-421.40-98	ANIMAL CONTROL SUPPLIES	28.68	

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0018177	BARTELS CONSULTING, KEN						
09/10/2009	007995		01 09/21/2009	110-1001-411.30-52	PROFESSIONAL SVCS	90.00	
09/10/2009	007994		01 09/21/2009	110-7060-451.30-52	PROFESSIONAL SVCS	675.00	
VENDOR TOTAL *						765.00	
0008569	BATTERIES PLUS						
288-158393	007711		01 09/21/2009	110-5030-421.40-98	LITHIUM	104.00	
53574	007712		01 09/21/2009	110-5030-421.40-98	LITHIUM	104.00	
VENDOR TOTAL *						208.00	
0014328	BATTERIES UNLIMITED INC						
10672	007724		01 09/21/2009	110-6046-418.50-01	BATTERIES	78.56	
VENDOR TOTAL *						78.56	
0013718	BENES, JAMES J, & ASSOCS. INC						
1091.100	007670		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	159.45	
1091.110	007671		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	79.72	
1091.119	007672		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	227.01	
1091.124	007673		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	283.76	
1091.139	007674		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	1,275.58	
1091.156	007675		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	249.98	
1091.164	007676		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	79.72	
1091.167	007677		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	79.72	
1091.169	007678		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	3,470.01	
1091.087	008070		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	840.48	
1091.100	008071		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	478.34	
1091.110	008072		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	454.02	
1091.119	008073		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	56.75	
1091.124	008074		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	778.46	
1091.126	008075		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	466.18	
1091.139	008076		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	1,036.41	
1091.169	008077		01 09/21/2009	110-6040-431.30-26	PROF ENG SVCS	2,343.74	
VENDOR TOTAL *						12,359.33	
0000060	BERGHEGER, BRIAN						
09/09/2009	008054		01 09/21/2009	110-7060-451.60-54	EXPENSE REIMBURSEMENT	132.22	
09/09/2009	008055		01 09/21/2009	110-7060-451.60-98	EXPENSE REIMBURSEMENT	1.42	
VENDOR TOTAL *						133.64	
0000059	BERGHEGER, BRIAN-PETTY CASH						
8/3-9/9	008019		01 09/10/2009	110-7060-451.40-33	OFFICE SUPPLIES	CHECK #: 128514	4.00
8/3-9/9	008020		01 09/10/2009	110-7060-451.60-42	VOLUNTEER RECRUITMENT	CHECK #: 128514	89.81
8/3-9/9	008021		01 09/10/2009	110-7060-451.60-54	TRAVEL EXPENSE	CHECK #: 128514	26.00
8/3-9/9	008022		01 09/10/2009	110-7060-451.60-65	PROGRAMS EXPENSE	CHECK #: 128514	65.05
8/3-9/9	008023		01 09/10/2009	110-7060-451.60-98	MISC EXPENSE	CHECK #: 128514	9.78
VENDOR TOTAL *						.00	194.64
0013075	BERKELEY TRUCKING INC						
34981	007406		01 09/21/2009	510-6052-501.30-81	SPOILS HAUL OUT	5,180.00	

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0013075	BERKELEY TRUCKING INC						
					VENDOR TOTAL *	5,180.00	
0000061	BERKHEIMER CO INC, G W						
046875	007742		01 09/21/2009	110-6046-418.50-01	HVAC REPAIR	75.50	
046030	007743		01 09/21/2009	110-6046-418.50-01	AIR DUCT EXTENDED	149.38	
					VENDOR TOTAL *	224.88	
0010307	BEST QUALITY CLEANING INC						
34849	007377		01 09/21/2009	110-6046-418.30-14	CLEANING SVC	6,509.00	
34850	007379		01 09/21/2009	110-6046-418.30-14	CLEANING SVC	150.00	
34852	007381		01 09/21/2009	110-6046-418.30-14	CLEANING SVC	95.00	
34849	007378		01 09/21/2009	510-6057-502.30-14	CLEANING SVC	339.00	
34851	007380		01 09/21/2009	510-6057-502.30-14	CLEANING SVC	625.00	
					VENDOR TOTAL *	7,718.00	
0018156	BLS LANDSCAPE SERVICES INC						
09-3546	007425		01 09/21/2009	110-6041-432.50-01	RESERVOIR ROAD REPAIR	2,350.00	
					VENDOR TOTAL *	2,350.00	
0014870	BOUNDTREE MEDICAL, LLC						
87090989	008059		01 09/21/2009	110-4020-422.40-45	DEFIB PADS/GLOVES	478.34	
					VENDOR TOTAL *	478.34	
0007199	BRETT EQPT CORP						
INV-016019	007616		01 09/21/2009	110-6047-512.50-16	-STOCK	7.65	
INV-016017	007617		01 09/21/2009	110-6047-512.50-02	POWER SUPPLY REPAIR	72.00	
INV-016018	007618		01 09/21/2009	110-6047-512.50-16	HIGHLIGHTER SOLARIS	375.00	
CCNOTE-000245	007619		01 09/21/2009	110-6047-512.50-16	RETURNED MERCHANDISE	10.85	
					VENDOR TOTAL *	443.80	
0007850	BREWER CO						
495619	007717		01 09/21/2009	110-6041-432.40-52	PAVEMENT STRIPING MACHINE	416.70	
					VENDOR TOTAL *	416.70	
0001899	BRISTOL HOSE & FITTING MAIN WAREHSE						
00223409	007615		01 09/21/2009	110-6047-512.50-16	TRK/PARTS F-1	26.59	
00223801	007915		01 09/21/2009	510-6057-502.50-08	GREASE LINE REPLACEMENT	29.16	
					VENDOR TOTAL *	55.75	
0014051	BROOKHOLLOW EVERYDAY CARD						
91438060	007480		01 09/21/2009	110-1001-411.40-98	CARDS STOCK	359.26	
					VENDOR TOTAL *	359.26	
0016420	BROWNDUCK						
30917	007433		01 09/21/2009	110-6041-432.40-62	PW UNIFORMS	342.68	
30917	007434		01 09/21/2009	510-6052-501.40-62	PW UNIFORMS	342.67	
					VENDOR TOTAL *	685.35	
0009305	BULLSEYE IMPRINTING & EMBROIDERY						

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0009305 3544	BULLSEYE IMPRINTING & EMBROIDERY 007936		01	09/21/2009	110-4020-422.40-62	UNIFORM SUPPLIES	3,011.25	
						VENDOR TOTAL *	3,011.25	
0000084 08/15-08/31/09	BURGIN, DENNIS 007504		01	09/21/2009	110-0086-453.30-52	CATV PROF SVCS	449.00	
						VENDOR TOTAL *	449.00	
0009267 544088 543963 546109	C J C AUTO PARTS & TIRES 007642 007643 008040		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW79	66.19	
			01	09/21/2009	110-6047-512.50-16	HOSE	17.39	
			01	09/21/2009	110-6047-512.50-16	BRAKE CLEAN	169.80	
						VENDOR TOTAL *	253.38	
0008716 017307	CASE LOTS INC 007908		01	09/21/2009	110-6046-418.40-24	SUPPLIES	198.60	
						VENDOR TOTAL *	198.60	
0012836 110718 110720 110719	CERTIFIED FLEET SERVICES, INC 007550 007551 007552		01	09/21/2009	110-6047-512.50-02	AERIAL LIFT INSPECTION/	375.00	
			01	09/21/2009	110-6047-512.50-02	AERIAL LIFT INSPECTION/	635.00	
			01	09/21/2009	110-6047-512.50-02	CRANE INSPECTION/PW17	325.00	
						VENDOR TOTAL *	1,335.00	
0014291 30919	CERTIFION CORP-ENTERSECT 008067		01	09/21/2009	110-5030-421.30-98	MONTHLY SVC	84.95	
						VENDOR TOTAL *	84.95	
0000106 144532	CHARLES EQUIPMENT CO 007549		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW198	81.68	
						VENDOR TOTAL *	81.68	
0014402 322790 323068 323419	CHICAGO PARTS & SOUND LLC 007547 007548 007750		01	09/21/2009	110-6047-512.50-16	TRK/PARTS F-1	77.58	
			01	09/21/2009	110-6047-512.50-16	TRK/PARTS PD-9	87.55	
			01	09/21/2009	110-6047-512.50-16	PARTS/SUPPLIES	186.88	
						VENDOR TOTAL *	352.01	
0000112 0398161611	COCA-COLA BOTTLING CO 007383		01	09/21/2009	110-1001-411.60-98	RESTOCK VENDING MACHINE	119.40	
						VENDOR TOTAL *	119.40	
0000114 7067401028 8327608004 6983225007 6729081007 8409121006 0055090072	COM ED 007843 007846 007854 007855 007857 007506		01	09/21/2009	110-4022-423.30-24	MONTHLY ELECTRIC	1,412.92	
			01	09/21/2009	110-4022-423.30-24	MONTHLY ELECTRIC	29.54	
			01	09/21/2009	110-4022-423.30-24	MONTHLY ELECTRIC	28.72	
			01	09/21/2009	110-4022-423.30-24	MONTHLY ELECTRIC	20.89	
			01	09/21/2009	110-4022-423.30-24	MONTHLY ELECTRIC	31.74	
			01	09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	20.06	

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0000114	COM ED						
08090-54019	007507		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	823.34	
1843000001	007610		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	130.36	
4248089012	007841		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	56.88	
8256051035	007842		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	28.21	
0174056074	007844		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	151.63	
3000022009	007845		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	83.88	
0114017015	007847		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	211.79	
6563743015	007848		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	29.23	
7065190004	007849		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	189.59	
6563744012	007850		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	65.69	
6897727003	007851		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	122.89	
6981441003	007852		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	281.74	
0323144010	007853		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	52.82	
6563745019	007856		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	23.27	
8234047019	007858		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	16.18	
0477145001	007859		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	103.42	
0833090001	007860		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	21.12	
1459073058	007861		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	87.30	
8745264008	007863		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	14.94	
8745266002	007864		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	14.94	
8634040009	007865		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	15.70	
8577587009	007866		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	20.27	
8577601004	007867		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	25.51	
8661049027	007868		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	21.12	
8075341005	007870		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	21.12	
8157271002	007871		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	289.68	
46091-64001	007872		01 09/21/2009	110-6044-435.30-24	MONTHLY ELECTRIC	9,648.03	
8661158012	007862		01 09/21/2009	110-6046-418.30-24	MONTHLY ELECTRIC	71.08	
8745412004	007869		01 09/21/2009	530-0088-503.30-24	MONTHLY ELECTRIC	57.91	
					VENDOR TOTAL *	14,223.51	
0006475	COMMUNICATIONS DIRECT INC						
SR89015	007771		01 09/21/2009	110-5030-421.30-98	MONTHLY MAINT FEE	812.00	
					VENDOR TOTAL *	812.00	
0000594	CONSERV FS, INC						
1244299-IN	007716		01 09/21/2009	110-6043-434.40-09	CHEMICALS	220.00	
					VENDOR TOTAL *	220.00	
0013685	CONSERVATION DESIGN FORUM						
6248	007918		01 09/21/2009	305-6041-432.80-22	PROFESSIONAL SVCS	350.00	
					VENDOR TOTAL *	350.00	
0018058	CONST & GEOTECH MATL TESTING INC						
852	008051		01 09/21/2009	110-6041-432.80-15	STREET RESURFACING	8,185.70	
					VENDOR TOTAL *	8,185.70	
0007535	CONTRACTORS EQUIPMENT RENTAL						

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0007535 060853	CONTRACTORS EQUIPMENT RENTAL 007451		01	09/21/2009	110-6041-432.40-98	RED SAFETY FLAGS	24.00		
VENDOR TOTAL *							24.00		
0009471 9/8/09 9/8/09 9/8/09 9/8/09 9/8/09 9/8/09	COSTCO - OAKBROOK 007922 007928 007927 007923 007925 007926		01	09/09/2009	110-1001-411.40-98 110-4020-422.40-24 110-5030-421.40-98 110-6040-431.40-98 510-6050-501.40-98 510-6055-502.40-98	SUPPLIES SUPPLIES SUPPLIES SUPPLIES SUPPLIES SUPPLIES	CHECK #: CHECK #: CHECK #: CHECK #: CHECK #: CHECK #:	128378 128378 128378 128378 128378 128378	143.39 98.64 148.78 143.39 143.39 143.40
VENDOR TOTAL *							.00	820.99	
0016155 480	CR EMBROIDERY 008058		01	09/21/2009	110-4025-424.40-62	UNIFORM SUPPLIES	350.82		
VENDOR TOTAL *							350.82		
0018157 28035	CUMMINGS, CAROLINE 007483		01	09/21/2009	110-0000-331.07-00	OVERCHARGED VEH STICKER	18.00		
VENDOR TOTAL *							18.00		
0010912 634084	DILEO'S PIZZERIA 008016		01	09/10/2009	110-5030-421.60-98	RETIREMENT LUNCHEON	CHECK #: 128511	775.90	
VENDOR TOTAL *							.00	775.90	
0010805 196693	DISPATCH AUTOMOTIVE INC 006681		01	09/10/2009	110-6047-512.50-02	REBUILD MOTOR/PW17	CHECK #: 128108	145.00-	
VENDOR TOTAL *							.00	145.00-	
0017351 902 850 901	DON-EZ SERVICES, INC 007437 007438 007439		01	09/21/2009	110-6043-434.30-34 110-6043-434.30-34 110-6043-434.30-34	CUT GRASS 651 LORRAINE CUT GRASS 414 VERRET CUT GRASS 555 FAY	120.00 125.00 120.00		
VENDOR TOTAL *							365.00		
0005777 4 09-0727-1 09-0818-1 09-0727-1	DOWN UNDER CONSTRUCTION 007960 007958 007957 007959		01	09/21/2009	110-6041-432.30-55 305-6041-432.80-22 310-0089-461.80-24 510-6056-502.30-90	2009 REAR YARD DRAIN PROG COMPENSATORY STORAGE WATER SERVICE/CITY CENTRE SEWER LINE REPLACEMENT	12,949.35 15,499.26 2,775.00 1,250.00		
VENDOR TOTAL *							32,473.61		
0000152 1658109	DREISILKER ELECTRIC MOTORS 007721		01	09/21/2009	110-6046-418.50-01	EXHAUST REPAIR	122.20		
VENDOR TOTAL *							122.20		
0002581 09/08/2009	DUFORT, MARY CHRISTINE 007931		01	09/21/2009	110-4020-422.40-98	EXPENSE REIMBURSEMENT	76.25		
VENDOR TOTAL *							76.25		
0000157	DUPAGE ANIMAL HOSPITAL								

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VEND NO INVOICE NO	VENDOR NAME VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0000157	DUPAGE ANIMAL HOSPITAL							
173816	007682	01		09/21/2009	110-5030-421.60-01	ANIMAL CONTROL	240.00	
174344	008063	01		09/21/2009	110-5030-421.60-70	ANIMAL CONTROL	78.75	
174395	008064	01		09/21/2009	110-5030-421.60-01	ANIMAL CONTROL	400.00	
VENDOR TOTAL *							718.75	
0009400	DUPAGE COUNTY CHIEFS OF POLICE ASSN							
09/10/09	008018	01		09/10/2009	110-5030-421.60-11	MEETING REGISTRATIONS	CHECK #: 128513	180.00
VENDOR TOTAL *							.00	180.00
0011695	DUPAGE COUNTY FIRE INVESTIGATION							
9/24/09	008013	01		09/10/2009	110-4020-422.60-11	MEETING REGISTRATIONS	CHECK #: 128508	75.00
VENDOR TOTAL *							.00	75.00
0000161	DUPAGE COUNTY RECORDER							
200908130118	007965	01		09/21/2009	110-1001-411.30-54	RECORDING SVCS	38.00	
200908120155	007966	01		09/21/2009	110-1001-411.30-54	RECORDING SVCS	8.00	
200908130119	007967	01		09/21/2009	110-1001-411.30-54	RECORDING SVCS	54.00	
200908280133	007968	01		09/21/2009	110-1001-411.30-54	RECORDING SVCS	9.00	
200908310038	007969	01		09/21/2009	110-1001-411.30-54	RECORDING SVCS	45.00	
200908310271	007970	01		09/21/2009	110-1001-411.30-54	RECORDING SVCS	9.00	
VENDOR TOTAL *							163.00	
0007246	DUPAGE COUNTY TREASURER-IT							
6617	008068	01		09/21/2009	110-5030-421.30-27	MONTHLY FEE	250.00	
VENDOR TOTAL *							250.00	
0012179	DUPAGE JUVENILE OFFICERS ASSN							
09/16/2009	007686	01		09/21/2009	110-5030-421.60-11	ANNUAL AWARDS LUNCHEON	36.00	
10/28/09	008062	01		09/21/2009	110-5030-421.60-11	REGISTRATION	225.00	
VENDOR TOTAL *							261.00	
0000164	DUPAGE MATERIALS CO							
61159MB	007753	01		09/21/2009	110-6041-432.40-02	ASPHALT	405.96	
61071MB	007754	01		09/21/2009	110-6041-432.40-02	ASPHALT	506.94	
61070MB	007974	01		09/21/2009	110-6041-432.40-02	ASPHALT PRIMER	60.00	
61190MB	007975	01		09/21/2009	110-6041-432.40-02	ASPHALT PRIMER	60.00	
61207MB	007976	01		09/21/2009	110-6041-432.40-02	ASPHALT PRIMER	90.00	
61191MB	008044	01		09/21/2009	110-6041-432.40-02	ASPHALT	287.13	
61208MB	008045	01		09/21/2009	110-6041-432.40-02	ASPHALT	298.35	
VENDOR TOTAL *							1,708.38	
0000167	DUPAGE TOPSOIL INC							
029960	007875	01		09/21/2009	110-6043-434.40-59	TOPSOIL	265.00	
VENDOR TOTAL *							265.00	
0000169	DUPAGE WATER COMMISSION							
8357	007612	01		09/21/2009	510-6050-501.90-90	FIXED COST ASSESSMENT	29,735.55	
8357	007611	01		09/21/2009	510-6051-501.30-20	WATER CONSUMPTION	209,905.44	

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0000169	DUPAGE WATER COMMISSION									
								VENDOR TOTAL *	239,640.99	
0012301	E KINAST DISTRIBUTORS, INC	857221	007729		01	09/21/2009	110-6046-418.50-01	CABINET/BOOK SHELF	167.04	
								VENDOR TOTAL *	167.04	
0014731	ECS									
08-3210	007651				01	09/21/2009	110-1001-411.20-07	CHECKS/BANKING FEE	.45	
08-3210	007652				01	09/21/2009	110-4020-422.20-07	CHECKS/BANKING FEE	51.08	
08-3210	007653				01	09/21/2009	110-5030-421.20-07	CHECKS/BANKING FEE	51.08	
08-3210	007650				01	09/21/2009	110-6040-431.20-07	W/C CLAIMS	725.00	
08-3210	007654				01	09/21/2009	110-6040-431.20-07	CHECKS/BANKING FEE	90.45	
08-3210	007655				01	09/21/2009	510-6050-501.20-07	CHECKS/BANKING FEE	6.08	
08-3210	007656				01	09/21/2009	510-6055-502.20-07	CHECKS/BANKING FEE	25.86	
								VENDOR TOTAL *	950.00	
0000176	ELMHURST CAMERA IMAGE CENTER	544720	007418		01	09/21/2009	110-4020-422.30-28	FS #2 FILM PROCESSING	96.52	
								VENDOR TOTAL *	96.52	
0000177	ELMHURST CHAMBER OF COMMERCE	09/04/2009	008053		01	09/21/2009	110-7060-451.30-52	CHAMBER DIRECTORY 2009	288.75	
								VENDOR TOTAL *	288.75	
0001579	ELMHURST CITY CENTRE									
9/1/09	007391				01	09/02/2009	110-0000-311.01-52	RE TAX DIST - SSA #6		CHECK #: 128368 28,512.93
9/1/09	007392				01	09/02/2009	110-0000-311.01-52	INT ON UNDIST TAX SSA 6		CHECK #: 128368 .66
9/1/09	007393				01	09/02/2009	110-0000-311.01-53	RE TAX DIST SSA #7		CHECK #: 128368 22,918.70
9/1/09	007394				01	09/02/2009	110-0000-311.01-53	INT ON UNDIST TAX SSA 7		CHECK #: 128368 .33
2008	008101				01	09/21/2009	110-0000-311.01-52	RE TAX DIST - SSA #6	44,431.73	
2008	008102				01	09/21/2009	110-0000-311.01-53	RE TAX DIST - SSA #7	26,845.70	
9/1/09	007395				01	09/02/2009	310-0089-461.60-61	TIF I CONTRIB TO SSA 6		CHECK #: 128368 62,777.93
9/1/09	007396				01	09/02/2009	310-0089-461.60-61	TIF I CONTRIB TO SSA 7		CHECK #: 128368 16,163.77
2008	008103				01	09/21/2009	310-0089-461.60-61	TIF I CONTRIB TO SSA #6	137,503.35	
2008	008104				01	09/21/2009	310-0089-461.60-61	TIF I CONTRIB TO SSA #7	35,403.73	
								VENDOR TOTAL *	244,184.51	130,374.32
0014621	ELMHURST CLAIMS ACCOUNT - CLAIM SVC									
7504366944	007399				01	09/03/2009	110-4020-422.20-07	SELF INSURED LOSS FUND		CHECK #: 128372 68.72
7504366944	007400				01	09/03/2009	110-5030-421.20-07	SELF INSURED LOSS FUND		CHECK #: 128372 1,055.68
7504366944	008025				01	09/21/2009	110-5030-421.20-07	SELF INSURED LOSS FUND	1,270.56	
7504366944	007401				01	09/03/2009	110-6040-431.20-07	SELF INSURED LOSS FUND		CHECK #: 128372 43,505.76
7504366944	008026				01	09/21/2009	110-6040-431.20-07	SELF INSURED LOSS FUND	337.15	
7504366944	007402				01	09/03/2009	510-6050-501.20-07	SELF INSURED LOSS FUND		CHECK #: 128372 157.02
								VENDOR TOTAL *	1,607.71	44,787.18
0014698	ELMHURST CLAIMS ACCT (ALTERNATIVE)	7504366944	007661		01	09/21/2009	110-0082-416.60-02	SELF INSURED LOSS FUND	20,000.00	

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0014698	ELMHURST CLAIMS ACCT (ALTERNATIVE)							
VENDOR TOTAL *							20,000.00	
0015836 723770	ELMHURST INDEPENDENT - ROCK VALLEY 007474			01 09/21/2009	110-3015-414.30-54	09 ZBA-07 LEGAL NOTICE	63.00	
VENDOR TOTAL *							63.00	
0000185 72802	ELMHURST MAILBOX CENTER 007430			01 09/21/2009	510-6057-502.30-33	LAB SAMPLE SHIPPING	113.40	
VENDOR TOTAL *							113.40	
0015636 E00002411500	ELMHURST MEMORIAL HOSP-REMITT DR 007398			01 09/02/2009	110-2007-413.30-47	E00002411500	CHECK #:	128370
VENDOR TOTAL *							.00	397.28
0010853 116	ELMHURST MEMORIAL HOSPITAL GUILD 007944			01 09/21/2009	382-0000-463.80-35	FRAMES	300.00	
VENDOR TOTAL *							300.00	
0018161 53691 53691	ELMHURST MEMORIAL OCC - WOOD DALE 007662 007663			01 09/21/2009 01 09/21/2009	110-1003-412.30-47 110-2007-413.30-47	PHYSICAL DRUG SCREEN	595.00 230.00	
VENDOR TOTAL *							825.00	
0017934 53820	ELMHURST MEMORIAL OCCUP CAROL STRM 008048			01 09/21/2009	110-1003-412.30-47	STRESS TEST	220.00	
VENDOR TOTAL *							220.00	
0017204 290308.05	ENGINEERING RESOURCE ASSOCS, INC 008050			01 09/21/2009	305-6041-432.80-22	PROFESSIONAL SVCS	21,255.21	
VENDOR TOTAL *							21,255.21	
0017007	FACILITY SOLUTIONS GROUP							
1773942-00	007408			01 09/21/2009	110-2006-413.40-98	BATTERIES	14.33	
1773942-00	007409			01 09/21/2009	110-4020-422.40-98	BATTERIES	14.33	
1773942-00	007410			01 09/21/2009	110-5030-421.40-98	BATTERIES	14.33	
1773942-00	007411			01 09/21/2009	110-6041-432.40-98	BATTERIES	14.33	
1773942-00	007412			01 09/21/2009	110-6043-434.40-98	BATTERIES	14.33	
1773942-00	007413			01 09/21/2009	110-6044-435.40-98	BATTERIES	14.33	
1774014-00	007909			01 09/21/2009	110-6044-435.40-98	SUPPLIES	329.95	
1766802-00	007986			01 09/21/2009	110-6044-435.40-98	IGNITOR ROUND CASE	303.50	
1773942-00	007414			01 09/21/2009	110-6046-418.40-98	BATTERIES	14.33	
1766802-00	007987			01 09/21/2009	110-6046-418.50-01	BULB	129.95	
1773942-00	007415			01 09/21/2009	110-6047-512.40-98	BATTERIES	14.33	
1773942-00	007416			01 09/21/2009	110-7060-451.40-98	BATTERIES	14.32	
1773942-00	007417			01 09/21/2009	510-6052-501.40-98	BATTERIES	14.32	
VENDOR TOTAL *							906.68	
0013212	FEDEX							

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0013212	FEDEX								
9-309-33903	007765		01	09/21/2009	110-7060-451.60-44	SHIPPING FEES	11.24		
9-316-84627	007911		01	09/21/2009	210-8070-452.30-49	SHIPPING FEES	21.89		
						VENDOR TOTAL *	33.13		
0005438	FLEET SAFETY SUPPLY								
48425	007546		01	09/21/2009	110-5030-421.40-31	REAR LIGHTING/PD-17	127.78		
						VENDOR TOTAL *	127.78		
0003165	FLEXIBLE								
2643	007453		01	09/21/2009	110-6041-432.40-52	SIGNS/POSTS/PAINT	391.60		
						VENDOR TOTAL *	391.60		
0002222	FORESMAN, RICH								
08/15-08/31/09	007502		01	09/21/2009	110-0086-453.30-52	CATV PROF SVCS	130.00		
						VENDOR TOTAL *	130.00		
0004582	FOUST CO, E L								
34181	007725		01	09/21/2009	110-5030-421.50-01	HEPA FILTERS	2,513.60		
						VENDOR TOTAL *	2,513.60		
0010732	FULLIFE SAFETY CENTER								
11889	007988		01	09/21/2009	110-6043-434.40-98	SUPPLIES	21.60		
11889	007989		01	09/21/2009	510-6051-501.40-98	SUPPLIES	21.60		
						VENDOR TOTAL *	43.20		
0003929	FUTURE ENVIRONMENTAL, INC								
235713	007984		01	09/21/2009	110-6047-512.40-98	FILTER CONTAINER PICK-UP	100.00		
						VENDOR TOTAL *	100.00		
0003749	G M MOUNTING & LAMINATING, INC								
0000009598	007937		01	09/21/2009	110-4022-423.40-98	LAMINATING MAPS	49.00		
						VENDOR TOTAL *	49.00		
0007214	GALLAGHER AJ, RISK MGMT SVCS INC								
450648	007664		01	09/21/2009	110-1001-411.20-07	EXCESS WORKERS COMP	22.48		
450648	007665		01	09/21/2009	110-4020-422.20-07	EXCESS WORKERS COMP	2,551.93		
450648	007666		01	09/21/2009	110-5030-421.20-07	EXCESS WORKERS COMP	2,551.93		
450648	007667		01	09/21/2009	110-6040-431.20-07	EXCESS WORKERS COMP	4,519.28		
450648	007668		01	09/21/2009	510-6050-501.20-07	EXCESS WORKERS COMP	303.53		
450648	007669		01	09/21/2009	510-6055-502.20-07	EXCESS WORKERS COMP	1,292.85		
						VENDOR TOTAL *	11,242.00		
0016266	GATEHOUSE MEDIA SUBURBAN NEWSPAPERS								
88888-135746	006432		01	09/10/2009	110-4020-422.60-98	SUBSCRIPTION	CHECK #:	128150	19.95-
88888-135746	006432		01	09/10/2009	110-4020-422.60-98	SUBSCRIPTION	CHECK #:	128507	19.95
88888-135746	006942		01	09/10/2009	110-4020-422.60-98	SUBSCRIPTION	CHECK #:	128150	19.95-
88888-135747	006942		01	09/10/2009	110-4020-422.60-98	SUBSCRIPTION	CHECK #:	128507	19.95
88888-135747	006433		01	09/10/2009	110-4020-422.60-98	SUBSCRIPTION	CHECK #:	128150	19.95-

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0016266 88888-135747	GATEHOUSE MEDIA 006943			01 09/10/2009	110-4020-422.60-98	SUBSCRIPTION	CHECK #: 128150	19.95-
							VENDOR TOTAL *	19.95-
0000242 9065408347	GRAINGER 007707			01 09/21/2009	110-6043-434.40-98	SUPPLIES	16.56	39.90-
9065408347	007708			01 09/21/2009	110-6044-435.40-98	SUPPLIES	156.10	
9056582639	007710			01 09/21/2009	110-6046-418.50-01	EPOXY/MIXING NOZZLE	474.48	
9065408347	007709			01 09/21/2009	110-6047-512.40-98	SUPPLIES	32.94	
							VENDOR TOTAL *	680.08
0011686 143353	GRAND AUTO PARTS 007938			01 09/21/2009	110-4020-422.60-68	FILTER	19.42	
143286	007634			01 09/21/2009	110-6047-512.50-16	TRK/PARTS PW109	5.00	
143245	007635			01 09/21/2009	110-6047-512.50-16	TRK/PARTS PD-31	52.50	
143246	007636			01 09/21/2009	110-6047-512.50-16	TRK/PARTS PD-9	136.00	
143055	007637			01 09/21/2009	110-6047-512.50-16	STOCK	9.18	
143354	007638			01 09/21/2009	110-6047-512.50-16	STOCK	28.00	
143244	007639			01 09/21/2009	110-6047-512.50-16	FILTERS	33.84	
							VENDOR TOTAL *	283.94
0017898 09/03/2009	HAND, JONATHAN 007761			01 09/21/2009	110-7060-451.60-11	EXPENSE REIMBURSEMENT	115.00	
09/03/2009	007762			01 09/21/2009	110-7060-451.40-98	EXPENSE REIMBURSEMENT	15.52	
09/03/2009	007763			01 09/21/2009	110-7060-451.60-54	EXPENSE REIMBURSEMENT	15.40	
							VENDOR TOTAL *	145.92
0000633 02377138	HARRINGTON INDUSTRIAL PLASTICS LLC 007914			01 09/21/2009	510-6057-502.50-08	VALVE REPLACEMENT	100.61	
							VENDOR TOTAL *	100.61
0015904 9415249	HD SUPPLY WATERWORKS, LTD 007481			01 09/21/2009	510-6052-501.40-51	SERVICE LINES	116.00	
							VENDOR TOTAL *	116.00
0018149 515 HAMPSHIRE	HENNESSEY, JOEY 007446			01 09/21/2009	110-6041-432.30-55	DRAINS/TIE-IN REIMB	1,000.00	
							VENDOR TOTAL *	1,000.00
0012629 45-38145-PL-006007886	HNTB-GREAT LAKES DIV 007473			01 09/21/2009	110-3015-414.60-10	COMPREHENSIVE PLAN SVCS	12,406.57	
							VENDOR TOTAL *	12,406.57
0006864 027616/6585263	HOME DEPOT 1919-NORTHLAKE 007473			01 09/21/2009	110-6044-435.40-06	FOUNTAIN WIRE	160.40	
							VENDOR TOTAL *	160.40
0012341 028826/5134587	HOME DEPOT 1982-OAKBROOK TERR 007472			01 09/21/2009	110-4020-422.50-01	STOCK PLUGS	233.96	

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0012341	HOME DEPOT	1982-OAKBROOK TERR						
028582/5013655	007471		01	09/21/2009	110-6044-435.40-06	FOUNTAIN WIRE	52.00	
024537/9024456	007745		01	09/21/2009	110-6044-435.40-98	WIRE	66.00	
024424/9024537	007746		01	09/21/2009	110-6046-418.50-01	BOOK SHELF	93.48	
						VENDOR TOTAL *	445.44	
0000280	HURLEY CO, CLAUDE H							
5723	007943		01	09/21/2009	382-0000-463.80-28	PROFESSIONAL ENG SVCS	4,478.25	
						VENDOR TOTAL *	4,478.25	
0017689	IDEK GRAPHICS							
435	007727		01	09/21/2009	110-6046-418.50-01	NAME PLATE	45.00	
						VENDOR TOTAL *	45.00	
0007329	IKON OFFICE SOLUTIONS							
5012271163	007613		01	09/21/2009	110-2007-413.30-21	COPIER MAINT	405.56	
5012271163	007614		01	09/21/2009	110-3015-414.30-21	COPIER MAINT	405.56	
5012242891	007685		01	09/21/2009	110-5030-421.30-21	COPIER MAINT	172.43	
						VENDOR TOTAL *	983.55	
0013660	INFOTRACK INFORMATION SERVICES, INC							
34109	007767		01	09/21/2009	110-7060-451.60-42	BACKGROUND CHECKS	115.00	
						VENDOR TOTAL *	115.00	
0007892	INTELLISYS INC							
090601ELM	007426		01	09/21/2009	510-6057-502.50-08	SOFTWARE MAINT CONTRACT	550.00	
						VENDOR TOTAL *	550.00	
0010731	INTERSTATE BATTERY SYSTEM OF							
3637717	007644		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW80	78.95	
130050684	007719		01	09/21/2009	110-6047-512.50-16	PARTS/SUPPLIES	351.80	
						VENDOR TOTAL *	430.75	
0008734	INTL BODY SHOP INC							
18442	007679		01	09/21/2009	110-5030-421.60-27	TOWING SVC/CASE#09-032667	450.00	
						VENDOR TOTAL *	450.00	
0018150	INTL REAL ESTATE DEV, LLC							
111/115 W THIRDOO7445			01	09/21/2009	310-0089-461.80-24	STSCAPE/UTIL REIMBURSEMNT	146,737.32	
						VENDOR TOTAL *	146,737.32	
0000344	JC LICHT - NETWORK PLACE							
1203-5701308	007880		01	09/21/2009	110-4020-422.60-68	PAINT/STAINS	38.77	
						VENDOR TOTAL *	38.77	
0000976	JIM'S TOWING							
88530	007680		01	09/21/2009	110-5030-421.60-27	TOWING SVC/CASE#09-34643	350.00	
						VENDOR TOTAL *	350.00	
0000022	JULIANNES BAKERY							

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000022 159	JULIANNE BAKERY 008017		01	09/10/2009	110-5030-421.60-98	RETIREMENT LUNCHEON	CHECK #: 128512	55.00
						VENDOR TOTAL *	.00	55.00
0000312 08-09-0483 08-09-0483	JULIE INC 007912 007913		01	09/21/2009 09/21/2009	110-6040-431.30-80 510-6050-501.30-80	JULIE LOCATES JULIE LOCATES	62.32 62.33	
						VENDOR TOTAL *	124.65	
0013509 0586372-IN	K A STEEL CHEMICALS INC 007429		01	09/21/2009	510-6057-502.40-10	LIQ CHLORINE DISINFECTANT	2,897.41	
						VENDOR TOTAL *	2,897.41	
0018155 343	KAUFMAN, ELLIOT 007482		01	09/21/2009	530-0000-341.50-00	PARKING PASS REFUND	25.00	
						VENDOR TOTAL *	25.00	
0000323 157025 157446 155617 157024 157794	KIEFT BROTHERS, INC - A/P 007447 007448 007449 007450 007973		01	09/21/2009 09/21/2009 09/21/2009 09/21/2009 09/21/2009	110-6041-432.40-08 110-6041-432.40-08 110-6041-432.40-08 110-6041-432.40-08 110-6041-432.40-08	INLET REPAIR INLET REPAIR INLET REPAIR INLET REPAIR INLET GRATE	275.00 324.90 302.00 127.00 220.00	
						VENDOR TOTAL *	1,248.90	
0011896 1193220 1194335 1185865	KIMBALL MIDWEST 007538 007539 007540		01	09/21/2009 09/21/2009 09/21/2009	110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-16	NUTS/BOLTS BRASS FITTINGS/NUTS/BOLTS NUTS/BOLTS	396.35 251.39 512.45	
						VENDOR TOTAL *	1,160.19	
0015276 3459 3456 3457 3455 3458	KING, DAVID & ASSOCS, INC 007485 007883 007884 007885 007486		01	09/21/2009 09/21/2009 09/21/2009 09/21/2009 09/21/2009	110-6046-418.60-69 110-6046-418.60-69 110-6046-418.60-69 110-6046-418.60-69 310-0089-461.30-52	AUG MGMNT FEE PROPERTY MANAGEMENT SVCS PROPERTY MANAGEMENT SVCS PROPERTY MANAGEMENT SVCS AUG MGMNT FEE	2,197.87 1,960.20 3,191.40 3,084.48 1,000.00	
						VENDOR TOTAL *	11,433.95	
0016535 1	KINGS POINT GENERAL CEMENT 007930		01	09/21/2009	110-6041-432.80-15	RELOCATION IL PRAIRIE	13,574.50	
						VENDOR TOTAL *	13,574.50	
0007611 MR Refund	KUBIESA, SPIROFF, GOSSELEAR MR		01	09/08/2009	110-0000-115.07-01	326575	50.00	
						VENDOR TOTAL *	50.00	
0006150 8/27/09	LAFIN, KENNETH 007487		01	09/21/2009	110-5030-421.60-05	EXPENSE REIMBURSEMENT	8.25	

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0006150	LAFIN, KENNETH							
						VENDOR TOTAL *	8.25	
0000800 2002213	LASER ASSOCS, STEPHEN A 007657		01	09/21/2009	110-1003-412.30-52	INDIVIDUAL ASSESSMENT	1,050.00	
						VENDOR TOTAL *	1,050.00	
0002524 1205344	LAW BULLETIN 008069		01	09/21/2009	110-5030-421.30-98	COURT DOCKETS	35.00	
						VENDOR TOTAL *	35.00	
0005225 9/24-25/09	LAW ENFORCEMENT FOUNDATION OF IL 007496		01	09/02/2009	110-5030-421.60-11	CONFERENCE REGISTRATION	CHECK #: 128374	110.00
						VENDOR TOTAL *	.00	110.00
0013313 893103 892727 892651 892747 892775 892848	LEACH ENTERPRISES, INC 007910 007455 007535 007536 007537 007751		01	09/21/2009	110-6044-435.40-98 110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-16	FILTERS PARTS/SUPPLIES TRK/PARTS F-1 TRK/PARTS PW176T FILTERS/WIPER BLADE FILTERS	25.92 41.60 294.11 11.66 183.18 85.92	
						VENDOR TOTAL *	642.39	
0005326 1/646700	LESMAN INSTRUMENT CO 007422		01	09/21/2009	510-6052-501.50-18	RESERVOIR BALL VALVE REPR	623.60	
						VENDOR TOTAL *	623.60	
0012723 103874020090831007772	LEXISNEXIS 007772		01	09/21/2009	110-5030-421.30-98	MONTHLY FEE	525.00	
						VENDOR TOTAL *	525.00	
0000509 08/15-08/31/09	LILJEBERG, GLEN R. 007503		01	09/21/2009	110-0086-453.30-52	CATV PROF SVCS	142.50	
						VENDOR TOTAL *	142.50	
0000617 44942	M & M REPORTING, INC 007906		01	09/21/2009	110-3015-414.30-13	COURT REPORTING	780.75	
						VENDOR TOTAL *	780.75	
0017418 2009	MABAS DIVISION XII 007947		01	09/21/2009	110-4020-422.60-37	MEMBERSHIP	1,775.00	
						VENDOR TOTAL *	1,775.00	
0017360 08-00000738	MAGIC IRRIGATION 006707		01	09/10/2009	110-0000-332.03-00	PERMIT REFUND	CHECK #: 128506	111.00
						VENDOR TOTAL *	.00	111.00

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0000352	MAGID GLOVE							
81072	007385		01	09/21/2009	110-6041-432.40-98	OTHER SUPPLIES	22.29	
81072	007386		01	09/21/2009	110-6043-434.40-98	OTHER SUPPLIES	22.29	
81072	007387		01	09/21/2009	110-6044-435.40-98	OTHER SUPPLIES	22.29	
81072	007388		01	09/21/2009	110-6046-418.40-98	OTHER SUPPLIES	22.29	
81072	007390		01	09/21/2009	510-6052-501.40-98	OTHER SUPPLIES	111.44	
81072	007389		01	09/21/2009	510-6057-502.40-98	OTHER SUPPLIES	22.28	
						VENDOR TOTAL *	222.88	
0007259	MARCOTT ENTERPRISES, INC							
15814	007431		01	09/21/2009	510-6057-502.30-58	DRYING BED SAND	810.57	
						VENDOR TOTAL *	810.57	
0018018	MARQUARDT & BELMONTE, PC							
2624	008000		01	09/21/2009	110-0081-415.30-63	TRAFFIC PROSECUTIONS	3,494.83	
2625	008001		01	09/21/2009	110-0081-415.30-19	DUI PROSECUTIONS	4,174.65	
						VENDOR TOTAL *	7,669.48	
0015536	MARTENSON TURF PRODUCTS, INC							
31603	007878		01	09/21/2009	110-6043-434.40-27	HYDROMULCH	241.20	
31603	007879		01	09/21/2009	110-6043-434.40-50	SEED	2,050.00	
						VENDOR TOTAL *	2,291.20	
0014316	MATSAS, STRAT							
9484	007457		01	09/21/2009	110-6043-434.30-22	DED REMOVAL REIMBURSEMENT	748.00	
						VENDOR TOTAL *	748.00	
0007176	MCCANN INDUSTRIES INC							
01248702	008078		01	09/21/2009	110-6041-432.40-09	CONCRETE CURING COMPOUND	78.10	
01248810	008079		01	09/21/2009	110-6041-432.40-09	CONCRETE CURING COMPOUND	78.10	
01248145	008080		01	09/21/2009	110-6041-432.40-09	CONCRETE CURING COMPOUND	47.60	
07108864	008081		01	09/21/2009	110-6041-432.40-44	BLADE	55.20	
07108756	007526		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	32.98	
07109070	007527		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	245.11	
07108863	007528		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	88.17	
07109071	007529		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	15.54	
07109072	007530		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	35.49	
07109073	007531		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	92.36	
07108862	007532		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	68.37	
07108814	007533		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	500.96	
07108926	007534		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PW74	137.55	
						VENDOR TOTAL *	1,475.53	
0001614	MCGUIRE, MAUREEN							
3077	007382		01	09/21/2009	110-1001-411.60-40	AUG NEWSLETTER	2,476.25	
						VENDOR TOTAL *	2,476.25	
0017232	MCHUGH CONST, JAMES							
450	008082		01	09/21/2009	382-0000-463.80-35	FIRE STATION CONSTRUCTION	304,649.58	

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0017232	MCHUGH CONST, JAMES						
					VENDOR TOTAL *	304,649.58	
0002941	MCMaster-CARR SUPPLY CO						
34863284	007934		01 09/21/2009	110-4020-422.60-68	METAL-FACED GASKET	18.38	
36551503	007935		01 09/21/2009	110-4020-422.60-68	SCREWS	75.87	
35670509	007738		01 09/21/2009	110-6046-418.50-01	BENCH REPAIR	57.88	
35688136	007739		01 09/21/2009	110-6046-418.50-01	RETURNED MERCHANDISE	15.68	
35761178	007740		01 09/21/2009	110-6046-418.50-01	BENCH REPAIR	10.66	
					VENDOR TOTAL *	147.11	
0010734	MEADE ELECTRIC CO INC						
642170	007463		01 09/21/2009	110-6044-435.50-21	EVP REPAIR LAKE/GRAND	386.80	
					VENDOR TOTAL *	386.80	
0000366	MEL'S ACE HARDWARE						
410218/4	007948		01 09/21/2009	110-4020-422.50-08	OIL/FINISH RESTOR	23.38	
410856/4	007981		01 09/21/2009	110-6043-434.40-53	HAND PRUNERS	15.74	
					VENDOR TOTAL *	39.12	
0014625	MEL'S CAR CARE CENTER						
51296	007640		01 09/21/2009	110-6047-512.50-02	AIR COMPRESSOR/PW160	85.00	
					VENDOR TOTAL *	85.00	
0007591	MENARDS - HILLSIDE						
98988	007723		01 09/21/2009	110-4020-422.50-01	HANDRAIL	30.88	
					VENDOR TOTAL *	30.88	
0017680	METRO NORTH INDUSTRIAL TIRE & SPPLY						
64270	007525		01 09/21/2009	110-6047-512.50-20	TIRES/PW64,PW100	145.00	
					VENDOR TOTAL *	145.00	
0000368	METRO PARAMEDIC SERVICES, INC						
278-000582	007516		01 09/21/2009	110-0084-442.30-01	AMBULANCE SVC/OCT 2009	22,558.06	
					VENDOR TOTAL *	22,558.06	
0002641	METROPOLITAN FAMILY SVCS DUPAGE						
JULY 2009	007648		01 09/21/2009	110-0083-443.60-48	SENIOR SVCS	5,539.75	
AUG 2009	007649		01 09/21/2009	110-0083-443.60-48	SENIOR SVCS	5,601.07	
					VENDOR TOTAL *	11,140.82	
0002070	METROPOLITAN INDUSTRIES, INC						
0000221262	007428		01 09/21/2009	510-6056-502.50-11	BERKLEY/ADAMS PUMP REPL	1,911.97	
					VENDOR TOTAL *	1,911.97	
0018102	MEYER, STEPHEN						
08-00000738	006707		01 09/10/2009	110-0000-332.03-00	PERMIT REFUND	CHECK #: 128228	111.00-
					VENDOR TOTAL *	.00	111.00-
0000631	MIDWEST ELECTRICAL APPLIANCE						

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0000631 90273	MIDWEST ELECTRICAL 007946		01 09/21/2009	110-4020-422.50-08	APPLIANCE STOVE REPAIR	518.54	
					VENDOR TOTAL *	518.54	
0017838 10132	MIDWEST RECORD SERVICES LLC 007770		01 09/21/2009	110-5030-421.30-40	MICROFILM	233.95	
					VENDOR TOTAL *	233.95	
0016423 #10/09 RENT	MLRP 388 CAROL LLC 008083		01 09/21/2009	110-7060-451.60-47	MONTHLY RENT/OCT 2009	3,507.29	
					VENDOR TOTAL *	3,507.29	
0007257 IL10-395409	MOTION INDUSTRIES, INC 007916		01 09/21/2009	510-6057-502.50-08	DRIVE BELTS REPLACEMENT	135.76	
					VENDOR TOTAL *	135.76	
0000378 89979180	MOTOROLA - COLLECTION CTR DR 007524		01 09/21/2009	110-5030-421.40-41	BATTERIES	94.20	
					VENDOR TOTAL *	94.20	
0018164 980 S FAIRFIELD	MUELLER, CARL 007718		01 09/21/2009	510-6056-502.30-89	OVERHEAD SEWER REIMBURSE	3,675.00	
					VENDOR TOTAL *	3,675.00	
0007206 6/1/09-5/31/10	MUNICIPAL CLERKS OF DUPAGE COUNTY 008085		01 09/21/2009	110-1001-411.60-11	MEMBERSHIP	35.00	
					VENDOR TOTAL *	35.00	
0011645 00113095_SNV	MUNICIPAL EMERGENCY SERVICES 007933		01 09/21/2009	110-4020-422.40-62	UNIFORM SUPPLIES	4,943.44	
					VENDOR TOTAL *	4,943.44	
0018087 1283527	MWH AMERICAS, INC 007907		01 09/21/2009	110-6040-431.30-26	LOCAL DRAINAGE STUDIES	6,452.50	
					VENDOR TOTAL *	6,452.50	
0000383 93340 93341	NAFISCO, INC 007971 007972		01 09/21/2009 01 09/21/2009	110-6041-432.30-06 110-6041-432.30-06	BARRICADE RENTAL BARRICADE RENTAL	249.60 76.80	
					VENDOR TOTAL *	326.40	
0014420 260525	NAPA AUTO PARTS 007645		01 09/21/2009	110-6047-512.50-16	TRK/PARTS PW5	182.36	
					VENDOR TOTAL *	182.36	
0007064 09-07	NERI BROTHERS CONST INC 008049		01 09/21/2009	510-6056-502.80-13	PUBLIC UTILITY IMPROVMENT	52,907.83	
					VENDOR TOTAL *	52,907.83	
0018178	NESKE, CHERYL						

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0018169 111	PARKER, LORI A 007881		01	09/21/2009	530-0000-341.50-00	PARKING PERMIT REFUND	75.00	
						VENDOR TOTAL *	75.00	
0008717	PAT KEAN'S FRIENDLY FORD							
155573	007541		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PD-16	82.70	
155717	007542		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PD-15	297.35	
155648	007543		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PD-8	20.23	
155732	007544		01	09/21/2009	110-6047-512.50-16	STOCK	71.00	
155731	007545		01	09/21/2009	110-6047-512.50-16	TRK/PARTS PD-13	71.00	
155811	007749		01	09/21/2009	110-6047-512.50-16	PARTS/SUPPLIES	130.98	
						VENDOR TOTAL *	673.26	
0005900 18502	PETTIBONE & CO, P F 008066		01	09/21/2009	110-5030-421.40-11	BADGES	326.35	
						VENDOR TOTAL *	326.35	
0017611 M033155	PIERCE MANUFACTURING INC 007941		01	09/21/2009	110-4020-422.80-06	ORDER CHANGE/NEW ENGINE	514.08	
						VENDOR TOTAL *	514.08	
0000437	PORTER PIPE & SUPPLY CO							
10377505-00	007460		01	09/21/2009	110-6044-435.40-06	FOUNTAIN CONDUIT	18.39	
10381331-00	007461		01	09/21/2009	110-6044-435.40-70	FOUNTAIN CONDUIT	270.00	
10385456-00	007462		01	09/21/2009	110-6044-435.40-70	FOUNTAIN CONDUIT	250.95	
						VENDOR TOTAL *	539.34	
0013302 13348	PRECISION CONTROL SYSTEMS OF 007726		01	09/21/2009	110-5030-421.50-01	MONTHLY MAINT FEE	251.00	
						VENDOR TOTAL *	251.00	
0014926	PRECISION LUBRICANTS							
182815	007519		01	09/21/2009	110-6047-512.40-34	OIL	501.00	
182813	007520		01	09/21/2009	110-6047-512.40-34	OIL	349.98	
182816	007521		01	09/21/2009	110-6047-512.40-34	OIL	447.50	
182814	007522		01	09/21/2009	110-6047-512.40-34	OIL	495.00	
183085	007523		01	09/21/2009	110-6047-512.40-98	ANTI-FREEZE	372.48	
						VENDOR TOTAL *	2,165.96	
0000444	PROSAFETY INC							
1/857360	008033		01	09/21/2009	110-6041-432.40-98	SUPPLIES	28.56	
1/857360	008034		01	09/21/2009	110-6043-434.40-98	SUPPLIES	28.56	
1/857360	008035		01	09/21/2009	110-6044-435.40-98	SUPPLIES	28.56	
1/857360	008036		01	09/21/2009	110-6046-418.40-98	SUPPLIES	28.56	
1/857360	008037		01	09/21/2009	110-6047-512.40-98	SUPPLIES	28.56	
1/857360	008038		01	09/21/2009	510-6052-501.40-98	SUPPLIES	28.55	
1/857360	008039		01	09/21/2009	510-6057-502.40-98	SUPPLIES	28.55	
						VENDOR TOTAL *	199.90	
0018151	RADOVANOVIC, SNEZANA							

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0018151 1174	RADOVANOVIC, SNEZANA 007443		01	09/02/2009	510-6056-502.30-90	SAN LINE REPL REIMB	2,000.00	
						VENDOR TOTAL *	2,000.00	
0016300 76190	RB ENTERPRISES 007479		01	09/21/2009	110-6043-434.30-34	MOW/LANDSC CONTRACT	7,166.70	
						VENDOR TOTAL *	7,166.70	
0008861 09-04048 09-04148	ROYAL RECOGNITION 007384 007905		01	09/21/2009	110-2007-413.60-23	SERVICE AWARDS	514.72	
			01	09/21/2009	110-2007-413.60-23	SERVICE AWARD	194.31	
						VENDOR TOTAL *	709.03	
0006411 560629	RUSSO'S POWER EQPT 007877		01	09/21/2009	110-6043-434.50-08	CHAINSAW BAR OIL	119.28	
						VENDOR TOTAL *	119.28	
0001751 3086175 RI 3091071 RI 3086174 RI	S & S INDUSTRIAL SUPPLY 007435 008041 007436		01	09/21/2009	110-4020-422.40-24	JANITORIAL SUPPLIES	56.88	
			01	09/21/2009	110-6046-418.40-24	GLASS CLEANER	47.76	
			01	09/21/2009	110-6047-512.50-16	PARTS/SUPPLIES	61.20	
						VENDOR TOTAL *	165.84	
0000473 237786	SAKASH, JOHN CO INC 007940		01	09/21/2009	382-0000-463.80-35	HOSE HOIST	2,568.50	
						VENDOR TOTAL *	2,568.50	
0010169 62175 62140	SEAWAY SUPPLY 008042 008043		01	09/21/2009	110-6046-418.40-24	SUPPLIES	367.50	
			01	09/21/2009	510-6057-502.40-98	SUPPLIES	65.00	
						VENDOR TOTAL *	432.50	
0000491 727551 719485	SHEMIN NURSERIES 007876 007980		01	09/21/2009	110-6043-434.40-50	SEED	237.00	
			01	09/21/2009	110-6043-434.40-09	HERBICIDE	319.90	
						VENDOR TOTAL *	556.90	
0001674 91143 91144	SHORE GALLERIES 007419 007420		01	09/21/2009	110-5030-421.40-01	AMMUNITION	799.64	
			01	09/21/2009	110-5030-421.40-01	AMMUNITION	719.76	
						VENDOR TOTAL *	1,519.40	
0010072 ARV/11009717	SNAP-ON INDUSTRIAL 007518		01	09/21/2009	110-6047-512.40-53	SMALL TOOLS	15.33	
						VENDOR TOTAL *	15.33	
0011495 231581	SOUTH SIDE CONTROL SUPPLY CO 007756		01	09/21/2009	110-6046-418.50-01	HVAC REPAIR	219.00	
						VENDOR TOTAL *	219.00	
0018176	SPIROFF & GOSSELAR, LLC					VENDOR TOTAL *	219.00	

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0018176	SPIROFF & GOSSELAR, LLC							
58010M	008006		01	09/21/2009	110-0081-415.30-44	PROFESSIONAL SVCS	315.75	
58010M	008007		01	09/21/2009	110-0081-415.30-36	PROFESSIONAL SVCS	15,962.00	
58010M	008008		01	09/21/2009	310-0089-461.30-52	PROFESSIONAL SVCS	4,563.00	
VENDOR TOTAL *							20,840.75	
0016159	STEFANS, MICHELLE							
09/10/2009	007964		01	09/21/2009	110-4025-424.60-11	EXPENSE REIMBURSEMENT	36.61	
VENDOR TOTAL *							36.61	
0006770	STI-CO INDUSTRIES INC							
0000103038	007942		01	09/21/2009	382-0000-463.80-35	ANTENNA REPLACEMENT	692.81	
VENDOR TOTAL *							692.81	
0017966	STORINO, RAMELLO & DURKIN							
48487	008105		01	09/21/2009	110-0081-415.30-36	PROFESSIONAL SVCS	24,343.90	
48490	008108		01	09/21/2009	110-0081-415.30-36	PROFESSIONAL SVCS	831.25	
48491	008109		01	09/21/2009	110-0081-415.30-36	PROFESSIONAL SVCS	5,875.40	
48535	008110		01	09/21/2009	110-0081-415.30-36	PROFESSIONAL SVCS	11.00	
48488	008106		01	09/21/2009	310-0089-461.30-52	PROFESSIONAL SVCS	1,347.50	
48489	008107		01	09/21/2009	310-0089-461.30-52	PROFESSIONAL SVCS	9,619.94	
VENDOR TOTAL *							42,028.99	
0008443	STREICHER'S							
1659725	007684		01	09/21/2009	110-5030-421.40-98	PEPPER SPRAY	102.79	
VENDOR TOTAL *							102.79	
0008228	SUBURBAN LABORATORIES INC							
97341	007919		01	09/21/2009	510-6057-502.30-33	LAB TESTING	390.00	
97384	007921		01	09/21/2009	510-6057-502.30-33	LAB TESTING	207.00	
VENDOR TOTAL *							597.00	
0007885	SUBURBAN LIFE PUBLICATIONS							
7370	007488		01	09/21/2009	110-6040-431.30-54	SPRING RD SIDEWALK NOTICE	185.43	
7357	007490		01	09/21/2009	110-6040-431.30-54	FIRST ST PARKING NOTICE	205.20	
7674	008046		01	09/21/2009	110-6040-431.30-54	LEGAL NOTICE	195.31	
7356	007424		01	09/21/2009	305-6041-432.80-22	PROJECT PUBLICATION	225.88	
7370	007489		01	09/21/2009	510-6050-501.30-54	SPRING RD SIDEWALK NOTICE	185.43	
7357	007491		01	09/21/2009	510-6050-501.30-54	FIRST ST PARKING NOTICE	205.20	
7674	008047		01	09/21/2009	510-6050-501.30-54	LEGAL NOTICE	195.32	
7355	007423		01	09/21/2009	510-6052-501.50-07	PROJECT PUBLICATION	225.88	
VENDOR TOTAL *							1,623.65	
0002854	SUNRISE COMMUNICATIONS, INC							
1984	007681		01	09/21/2009	110-0086-453.30-52	VIDDLER MONTHLY HOSTING	50.00	
VENDOR TOTAL *							50.00	
0000512	SURE LUBRICANTS, INC							
34995	007421		01	09/21/2009	510-6056-502.40-98	LIFT STATIONS OIL	629.25	

BANK: 01

VEND NO INVOICE NO	VENDOR NAME VOUCHER NO	P.O. NO	BNK NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0005044	TRANSYSTEMS CORP							
INV-0001690916	007888		01	09/21/2009	110-6041-432.80-15	PROFESSIONAL ENG SVCS	13,431.19	
INV-0001690912	007889		01	09/21/2009	110-6041-432.80-15	PROFESSIONAL ENG SVCS	351.56	
INV-0001690879	007890		01	09/21/2009	110-6048-513.80-25	PROFESSIONAL ENG SVCS	16,162.93	
INV-0001690880	007891		01	09/21/2009	110-6048-513.80-25	PROFESSIONAL ENG SVCS	6,466.00	
INV-0001690917	008052		01	09/21/2009	310-0089-461.80-26	PROFESSIONAL ENG SVCS	15,514.05	
						VENDOR TOTAL *	51,925.73	
0018154 083	TREVINO, LUCERO 007484		01	09/21/2009	530-0000-341.50-00	PARKING PASS REFUND	25.00	
						VENDOR TOTAL *	25.00	
0006627 13681	TRI-TECH ELECTRIC, INC 007444		01	09/21/2009	310-0089-461.80-24	TREE UP-LIGHTS	5,815.32	
						VENDOR TOTAL *	5,815.32	
0002337 194-88	UNION PACIFIC RAILROAD CO 007646		01	09/21/2009	530-0088-503.30-59	PARKING LOT LEASE	2,526.53	
						VENDOR TOTAL *	2,526.53	
0005115 4578 4578	UNIVERSAL TAXI DISPATCH, INC 007759 007760		01	09/21/2009	110-0083-443.60-49	SENIOR CITIZEN TAXI SVC	364.80	
			01	09/21/2009	110-0083-443.60-19	DISABLED CITIZEN TAXI SVC	29.80	
						VENDOR TOTAL *	394.60	
0006266 AUG 2009	UNTOUCHABLE AUTO WASH 007769		01	09/21/2009	110-6047-512.50-16	CAR WASHES	344.00	
						VENDOR TOTAL *	344.00	
0017465	UPS SHIPPER 5A30E3							
00005A30E3359	007747		01	09/21/2009	110-4020-422.30-49	SHIPPING FEES	6.45	
00005A30E3369	008031		01	09/21/2009	110-5030-421.30-49	SHIPPING FEES	6.47	
00005A30E3359	007748		01	09/21/2009	110-6047-512.40-98	SHIPPING FEES	4.73	
00005A30E3369	008032		01	09/21/2009	110-6047-512.40-98	SHIPPING FEES	5.90	
00005A30E3369	008030		01	09/21/2009	510-6052-501.40-98	SHIPPING FEES	10.95	
						VENDOR TOTAL *	34.50	
0000550 08/15-08/31/09	URICK, EUGENIE 007505		01	09/21/2009	110-0086-453.30-52	CATV PROF SVCS	650.00	
						VENDOR TOTAL *	650.00	
0000555 AUG 2009 AUG 2009 AUG 2009 AUG 2009	VAN SLYKE ENTERPRISES 007996 007999 007997 007998		01	09/21/2009	110-3015-414.30-12	CITY PROPERTY PLANNING	1,850.00	
			01	09/21/2009	110-3015-414.30-12	METRA STATION	75.00	
			01	09/21/2009	310-0089-461.30-52	TIF I	3,741.67	
			01	09/21/2009	320-0090-462.30-52	TIF II	433.33	
						VENDOR TOTAL *	6,100.00	
0014891	VILLA PARK ACE							

PREPARED 09/15/2009, 12:40:04
 PROGRAM: GM339L
 CITY OF ELMHURST, ILLINOIS
 CITY

EXPENDITURE APPROVAL LIST
 AS OF: 09/21/2009 CHECK DATE: 09/24/2009

BANK: 01

VEND NO INVOICE NO	VENDOR NAME VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0014891 214038/2	VILLA PARK ACE 007917		01	09/21/2009	510-6057-502.50-08	FASTENERS	5.30	
						VENDOR TOTAL *	5.30	
0000560	VILLA PARK ELECTRICAL SUPPLY							
01726063	007464		01	09/21/2009	110-6044-435.40-06	FOUNTAIN SUPPLIES	236.30	
01726063	007465		01	09/21/2009	110-6044-435.40-98	FOUNTAIN SUPPLIES	48.20	
01726061	007466		01	09/21/2009	110-6044-435.40-06	FOUNTAIN WIRE	481.17	
01726060	007467		01	09/21/2009	110-6044-435.40-06	FOUNTAIN WIRE	420.05	
01725741	007468		01	09/21/2009	110-6044-435.40-06	MERCHANDISE RETURN	35.07-	
01726226	007469		01	09/21/2009	110-6044-435.40-06	FOUNTAIN WIRE	39.05	
01725872	007470		01	09/21/2009	110-6044-435.40-98	FOUNTAIN GROUND CLAMPS	24.75	
01725671	007722		01	09/21/2009	110-6046-418.50-01	LIGHT LENS	167.40	
01726239	007517		01	09/21/2009	110-6047-512.50-16	BULBS	97.44	
						VENDOR TOTAL *	1,479.29	
0000561	VILLA PARK MATERIAL CO INC							
83908	007977		01	09/21/2009	110-6041-432.40-14	CONCRETE	2,090.00	
83871	007978		01	09/21/2009	110-6041-432.40-14	CONCRETE	2,872.50	
						VENDOR TOTAL *	4,962.50	
0013353 39304031	VWR INTL INC 007427		01	09/21/2009	510-6057-502.40-25	LAB SUPPLIES	69.41	
						VENDOR TOTAL *	69.41	
0015717	WENTWORTH TIRE-BENSENVILLE							
479653	007626		01	09/21/2009	110-6047-512.50-20	TIRES/PW24	96.29	
479767	007627		01	09/21/2009	110-6047-512.50-20	TIRES/PW34	305.44	
479766	007628		01	09/21/2009	110-6047-512.50-20	TIRES/PW116	305.44	
479921	007629		01	09/21/2009	110-6047-512.50-20	TIRES/PD-17	495.68	
479769	007630		01	09/21/2009	110-6047-512.50-20	TIRES/F-2	305.44	
479768	007631		01	09/21/2009	110-6047-512.50-20	TIRES/STOCK	305.44	
479839	007632		01	09/21/2009	110-6047-512.50-20	TIRE DISPOSAL	8.75	
						VENDOR TOTAL *	1,822.48	
0010416 293238	WEST SUBURBAN LIVING 007766		01	09/21/2009	110-7060-451.60-51	SUBSCRIPTION	12.00	
						VENDOR TOTAL *	12.00	
0000576	WEST SUBURBAN OP, INC.							
89017	007775		01	09/21/2009	110-5030-421.40-33	STACKING TRAY SET	32.96	
90741	007776		01	09/21/2009	110-5030-421.40-33	STAMP	25.95	
3188CM	007777		01	09/21/2009	110-5030-421.40-33	RETURNED MERCHANDISE	7.68-	
90957	007982		01	09/21/2009	110-6040-431.40-33	SUPPLIES	49.76	
90921	008057		01	09/21/2009	110-7060-451.40-33	SUPPLIES	21.53	
90957	007983		01	09/21/2009	510-6050-501.40-33	SUPPLIES	49.77	
						VENDOR TOTAL *	172.29	
0004668	WEST TOWN REFRIGERATION							

BANK: 01

VEND NO INVOICE NO	VENDOR NAME VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0004668	WEST TOWN REFRIGERATION							
183007	007734	01		09/21/2009	110-7060-451.50-01	HVAC REPAIR	181.25	
183008	007735	01		09/21/2009	110-7060-451.50-01	HVAC REPAIR	155.00	
						VENDOR TOTAL *	336.25	
0016356	WILLIAMS ARCHITECTS							
0013479	007764	01		09/21/2009	110-7060-451.80-23	PROF SVCS/CHURCHVILLE	12,395.44	
						VENDOR TOTAL *	12,395.44	
0005674	WINKLER'S TREE SERVICE INC							
39640	007475	01		09/21/2009	110-6043-434.30-22	PRIVATE DED REMOVAL	3,887.94	
39644	007476	01		09/21/2009	110-6043-434.30-88	PUBLIC DED REMOVAL	15,943.96	
39646	007477	01		09/21/2009	110-6043-434.30-88	STUMP REMOVAL	3,876.98	
39645	007478	01		09/21/2009	110-6043-434.30-88	STUMP REMOVAL	3,822.00	
39653	007493	01		09/21/2009	110-6043-434.30-88	STUMP REMOVAL	3,729.98	
39654	007494	01		09/21/2009	110-6043-434.30-88	STUMP REMOVAL	3,931.96	
						VENDOR TOTAL *	35,192.82	
0010931	WORLD FUEL SERVICES							
254934	007778	01		09/21/2009	110-6047-512.40-19	GASOLINE	13,384.68	
						VENDOR TOTAL *	13,384.68	
0006927	YORKE PRINTE SHOPPE							
21718	007658	01		09/21/2009	110-1001-411.60-40	NEWSLETTER/SEPT 2009	4,407.00	
						VENDOR TOTAL *	4,407.00	
0018153	ZASADZINSKI, JOHN							
29271	007397	01		09/02/2009	110-6043-434.30-22	DED REMOVAL REIMBURSEMENT	CHECK #: 128369	1,067.23
						VENDOR TOTAL *	.00	1,067.23
0000583	ZEP SALES & SERVICE							
30396238	007713	01		09/21/2009	110-6046-418.40-24	SUPPLIES	171.13	
						VENDOR TOTAL *	171.13	
0016413	4IMPRINT							
1590019	008060	01		09/21/2009	110-4020-422.60-25	DEDICATION MAGNETS	189.15	
						VENDOR TOTAL *	189.15	
						HAND ISSUED TOTAL ***		179,676.89
						TOTAL EXPENDITURES ****	1,764,933.39	179,676.89
						*****		1,944,610.28
					GRAND TOTAL			



CITY OF ELMHURST

209 NORTH YORK STREET
ELMHURST, ILLINOIS 60126-2759
(630) 530-3000
www.elmhurst.org

DOW
PETER "PETE" DICIANNI
MAYOR
PATTY SPENCER
CITY CLERK
DAVID DYER
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

September 17, 2009

TO: Mayor DiCianni and Members of the City Council

RE: **Bid, Design-Build Precast Concrete Package for the First Street Parking Garage**

In response to an invitation to bid on the Design-Build Precast Concrete Package for the First Street Parking Garage advertised in the Elmhurst Press on Friday, August 21, 2009, bids were received from three contractors.

Bids were opened at 10:00 a.m. on Tuesday, September 1, 2009, and following is a summary of the bids received:

<u>Contractor</u>	<u>Total Cost</u>
Illini Precast (Westchester, IL)	\$1,984,000.00
IPC, Inc. (DesMoines, IA)	\$1,984,300.00
Dukane Precast, Inc. (Naperville, IL)	\$2,350,000.00

Respectfully submitted,

Patty Spencer / ENWOW
Patty Spencer
City Clerk

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9-17-09



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VOW
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MAYOR
PATTY SPENCER
CITY CLERK
DAVID DYER
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

September 9, 2009

TO: Mayor DiCianni and Members of the City Council

RE: Bid, Spring Road Sidewalk Improvements

In response to an invitation to bid on the Spring Road Sidewalk Improvements advertised in the Elmhurst Press on Friday, August 21, 2009, bids were received from ten (10) area contractors.

Bids were opened at 10:00 a.m. on Tuesday, September 8, 2009, and following is a summary of the bids received:

<u>Contractor</u>	<u>Total Cost</u>
Schroeder & Schroeder, Inc. (Skokie, IL)	\$281,949.00
TBS Construction & Excavating, Inc. (Naperville, IL)	\$290,562.50
Copenhaver Construction, Inc. (Gilberts, IL)	\$301,653.00
Triggi Construction, Inc. (West Chicago, IL)	\$328,670.00
G & M Cement Construction, Inc. (Addison, IL)	\$336,066.06
Alliance Contractors, Inc. (Woodstock, IL)	\$341,761.60
Kings Point General Cement, Inc. (Bensenville, IL)	\$378,102.00

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Elected Officials

09/17/09

Page 2

TO: Mayor DiCianni and Members of the City Council

RE: **Bid, Spring Road Sidewalk Improvements**

<u>Contractor</u>	<u>Total Cost</u>
Landmark Contractors, Inc. (Huntley, IL)	\$400,533.78
Continental Construction Company, Inc. (Evanston, IL)	\$418,740.00
Martam Construction, Inc. (Elgin, IL)	\$483,903.00

Respectfully submitted,

Patty Spencer

Patty Spencer
City Clerk



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PATTY SPENCER
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CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

September 17, 2009

To: Mayor DiCianni and Members of the City Council

Re: Regulation of Pawn Shops and Payday Loan Establishments

It is respectfully requested that the attached memorandum from Alderman Susan Rose be referred to the Public Affairs and Safety Committee for their evaluation and recommendation back to the City Council.

Respectfully submitted,

Thomas P. Borchert
City Manager

TPB/pd
Attachments

Copies To All
Elected Officials

9-17-09

To: Mayor Peter P. DiCianni
City Manager, Thomas Borchert

From: Alderman Susan J. Rose *SR*

Subject: Regulation of Pawn Shops and Payday Loan Establishments

Date: September 15, 2009

After recent discussions by the Zoning & Planning Commission and the Development, Planning & Zoning Committee, I believe we should consider further regulation of both pawn shops and payday loan establishments in Elmhurst.

As of 2006, there were 214 licensed pawnshops in Illinois and 11,000 nationwide. In Du Page County, there are currently 11 licensed pawnshops, up from 7 in 2006. These pawnshops are located in Villa Park, Glendale Heights (2), Aurora (4), Naperville (2), West Chicago, and Westmont. It is clear that in a troubled economy, the number of such businesses is growing. I believe that pawnshops and payday loan establishments can be both indicators of a declining economy as well as catalysts for neighborhood decline. In 2000, Assistant Police Chief James T. Hurley (Ft. Lauderdale, FL Police Department) suggested that "unchecked pawn industry contributes to the rate of property crime" because of the lack of regulation of the flow of stolen property through the shop. Our own Police Chief, Steve Neubauer, is on record stating that "pawnshops can be the recipient of stolen property." In addition, payday loan establishments and other predatory lending "businesses" prey on those struggling in a depressed economy.

Despite television shows (*Pawn Stars*) and other attempts to portray pawn shops as retail establishments, they are not. They are loan companies that hold goods for periods of time as collateral which can then be sold at a profit (between 22 – 26% nationally) when not redeemed. Payday loan establishments can be even more insidious, charging as much as 450% yearly for small loans that quickly mushroom into even more crippling debt.

According to Elmhurst Police Chief Steve Neubauer, current Illinois law requires a set of regulatory actions which includes providing local police departments with a list of daily pawned items, and allows police to give to pawn shop owners a list linking names of persons pawning items with those who have convictions for theft.

Several issues were raised in commission and committee discussions that I believe need to be pursued. First, should we establish some type of local licensing of pawn shops and payday loan establishments with a fee that would cover additional police work required by law? Second, what other regulatory methods are necessary to both preserve the quality of our neighborhoods and insure public safety as they relate to pawnshops (distance from particular institutions, restrictions on types of merchandise that can be sold, alarms, etc.)? Third, what enforcement mechanisms are appropriate for these types of businesses? Fourth, how do other communities in Du Page County regulate such establishments and should we consider adopting some of their methods?

I would respectfully ask that this issue be referred to the appropriate committee for deliberation and appropriate legislative action.



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THOMAS P. BORCHERT
CITY MANAGER

September 14, 2009

TO: Mayor DiCianni and Members of the City Council

RE: **Illicit Discharge Detection and Elimination Ordinance and Intergovernmental Agreement**

The Public Works and Buildings Committee met on Monday, September 14, 2009 to review a modification to the City's Ordinance on Stormwater and Floodplains. The City of Elmhurst has adopted and follows the DuPage County Countywide Stormwater and Flood Plain Ordinance. The principal purpose of the Ordinance is to promote effective stormwater management measures.

The United States Congress adopted the Clean Water Act and, thereafter, the Water Quality Act to combat water pollution. The Illinois Environmental Protection Agency has issued a General National Pollution Discharge Elimination System (NPDES) permit for discharges from small municipal separate storm sewer systems. The NPDES permitting program requires municipalities to develop, adopt and implement an ordinance for the detection, prohibition and elimination of illicit discharges into the storm sewer system. The DuPage County Stormwater Management Division worked closely with the municipal engineers to develop a program to prevent water pollution and to comply with the requirements of the general NPDES Phase II permits. On May 26, 2009 the DuPage County Board approved the adoption of the DuPage County Illicit Discharge Detection and Elimination (IDDE) Ordinance.

An Intergovernmental Agreement (IGA) between DuPage County and the City of Elmhurst outlines the responsibilities for full participation in the DuPage County's illicit discharge detection and elimination program. DuPage County will monitor the outfalls, trace illicit discharges and provide information to the City as necessary for the City to carry out enforcement proceedings if violations occur. DuPage County will also prepare the IDDE section of the annual NPDES report on behalf of the City. The City will provide storm sewer atlas information to the County and assist the County with access to the storm sewer system for tracing activities. The City is required to provide DuPage County with documentation of any enforcement action and prosecution for inclusion in the annual report.

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Elected Officials

9-17-09

cc: P.W. and
Bldg. Comm.

Mayor JPB
Hughes Strickland
9-10-09

Page 2

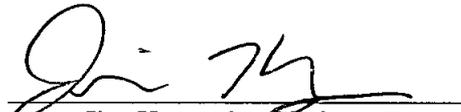
TO: Mayor DiCianni and Members of the City Council

RE: Illicit Discharge Detection and Elimination Ordinance and Intergovernmental Agreement

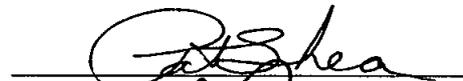
It is therefore, the recommendation of the Public Works and Buildings Committee that the City Attorney prepare a resolution to adopt the DuPage County Illicit Discharge Detection and Elimination Ordinance and that the appropriate City officials be authorized to sign the Full Participation Intergovernmental agreement between the City of Elmhurst and DuPage County for the implementation of the illicit discharge detection and elimination program.

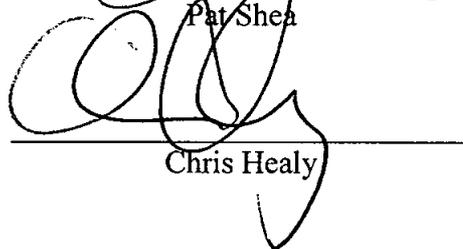
Respectfully submitted,

PUBLIC WORKS AND BUILDINGS COMMITTEE


Jim Kennedy, Chairman


Michael Bram, Vice Chairman


Pat Shea


Chris Healy

O R D I N A N C E

OSM-002-09

ADOPTION OF CHAPTER 16 OF THE DUPAGE COUNTY CODE - DU PAGE
COUNTY ILLICIT DISCHARGE DETECTION AND ELIMINATION ORDINANCE

WHEREAS, the United States Congress has adopted the Clean Water Act and, thereafter, the Water Quality Act to combat water pollution; and

WHEREAS, the aforesaid Federal legislation authorized the establishment of the National Pollution Discharge Elimination System ("NPDES") permitting program, under which permitting is, generally, administered by the states; and

WHEREAS, the Illinois Environmental Protection Agency ("IEPA") has issued a General National Pollution Discharge Elimination System Permit for Discharges from Small Municipal Separate Storm Sewer Systems ("Phase II") to the County of DuPage and several DuPage County municipalities (the "co-permittees"); and

WHEREAS, NPDES Permits require permittees to develop, adopt and implement an ordinance for the detection, prohibition and elimination of illicit discharges into the storm sewer systems of the permittees; and

WHEREAS, the Illinois General Assembly has authorized the County of DuPage to prevent the pollution of any stream or any body of water within the County by 55 ILCS 5/5-15015; and

WHEREAS, illicit discharges of pollutants into storm sewer systems is a significant source of water pollution to DuPage County streams and waterbodies; and

WHEREAS, the County has adopted the DuPage County Stormwater Management Plan (the "Plan"), pursuant to 55 ILCS 5/5-1062, which plan recognizes that improved water quality is an integral part of the proper management of storm and flood waters; and

WHEREAS, the DuPage County Stormwater Management Division has worked closely with the municipal engineers of the co-permittee municipalities to develop a program to detect, prohibit and eliminate illicit discharges into the storm sewer systems of the County and co-permittees in order to prevent water

pollution, and in particular, to comply with the requirements of their General NPDES Phase II permit; and

WHEREAS, the DuPage County Stormwater Management Division and the municipal engineers of the co-permittee municipalities have developed a program that includes public education, monitoring and tracing of illicit discharges and a proposed ordinance as the enforcement component thereof; and

WHEREAS, the proposed Illicit Discharge Detection and Elimination Ordinance has undergone a thirty (30) day agency, public and community review; and

WHEREAS, the proposed Illicit Discharge Detection and Elimination Ordinance is intended to reduce and, or, prevent the pollution of any stream or any body of water within the County, and to reduce and, or, prevent pollutants from entering the Waters of the United States; and

WHEREAS, improving water quality in the County, and reducing or eliminating the public's exposure to water-borne pollutants is in the best interests of the County and its residents; and

WHEREAS, the Stormwater Management Planning Committee of the DuPage County Board has reviewed and recommends approval of the Illicit Discharge Detection and Elimination Ordinance; and

WHEREAS, the Stormwater Management Planning Committee further recommends that the Illicit Discharge Detection and Elimination Ordinance be incorporated into Appendix F of the Plan as an amendment thereto; and

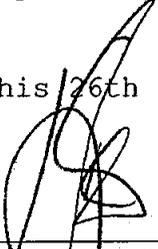
WHEREAS, the Stormwater Management Planning Committee further recommends that the Illicit Discharge Detection and Elimination Ordinance take effect upon adoption by the County Board.

NOW, THEREFORE, BE IT ORDAINED by the DuPage County Board, that the Illicit Discharge Detection and Elimination Ordinance is hereby adopted as attached; and

BE IT FURTHER ORDAINED by the DuPage County Board pursuant to authority granted to the County of DuPage by the Illinois General Assembly, the DuPage County Illicit Discharge Detection and Elimination Ordinance, Chapter 16 of the DuPage County Code shall become effective immediately upon approval; and

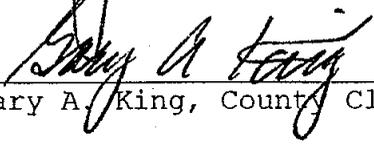
BE IT FURTHER ORDAINED that the County Clerk shall publish this Ordinance in the newspaper of general circulation in the County of DuPage.

Enacted and approved this 26th day of May, 2009 at Wheaton, Illinois.



Robert J. Schillerstrom, Chairman
DuPage County Board

ATTEST:



Gary A. King, County Clerk

Ayes: 17
Absent: 1

DuPage County
Illicit Discharge Detection and Elimination Ordinance

COUNTY OF DUPAGE, ILLINOIS

ILLICIT DISCHARGE DETECTION AND ELIMINATION ORDINANCE

**For Inclusion into Appendix F of the
DuPage County Stormwater Management Plan**

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ARTICLE 1. AUTHORITY AND PURPOSE.

Sec. 16-1. Statutory Authority.

1. This Ordinance shall be known, and may be cited, as the DuPage County Illicit Discharge Detection and Elimination Ordinance.
2. The DuPage County Stormwater Management Committee (the "Committee") and the DuPage County Board promulgate this Ordinance pursuant to their authority to adopt ordinances regulating the quality of all stormwater runoff channels, streams, and basins in DuPage County, in accordance with the adopted DuPage County Stormwater Management Plan (the "Plan"). The Plan represents the County's policy for management of stormwater quantity and quality. The statutory authority for this Ordinance is contained in 55 ILCS 5/ ¶¶ 5-1041, 5-1042, 5-1049, 5-1062, 5-1063, 5-1104, 5-12003, and 5-15001 *et seq.*; and 415 ILCS 5/43, and other applicable authority, all as amended from time to time.
3. As applicable, the municipalities within DuPage County may promulgate and enforce this Ordinance pursuant to 65 ILCS 5/1-2-1, 5/11-12-12, 11-30-2, 11-30-8, and 5/11-31-2 and such other authority as applicable to those communities.

Sec. 16-2. Purposes of this Ordinance.

1. The purpose of this Ordinance is to ensure the health, safety, and general welfare of the citizens of DuPage County, and protect and enhance water quality in a manner pursuant to and consistent with the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*) through the regulation of non-stormwater discharges to the storm drainage system. This Ordinance establishes methods for controlling the introduction of discharges other than those occurring as a direct result of precipitation and, or, snow melt into the municipal separate storm sewer system (MS4) and the storm drainage system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) Phase II permit process. Other purposes of this Ordinance include:
 - a. To regulate the contribution of pollutants to the MS4 and the storm drainage system by non-stormwater discharges; and
 - b. To prohibit illicit connections and discharges to the MS4 and the storm drainage system.
2. The purposes of this Ordinance are consistent with the Plan and advance the following objectives of the Plan:
 - a. Protect and enhance the quality, quantity, and availability of surface and

groundwater resources.

- b. Preserve and enhance existing aquatic and riparian environments and encourage restoration of degraded areas.
 - c. Promote equitable, acceptable, and legal measures for stormwater management.
3. The purposes of this Ordinance shall be implemented by its provisions.

Sec. 16-3. through 16-10. Reserved.

ARTICLE 2. DEFINITIONS.

Sec. 16-11. Interpretation of Terms and Words.

For the purposes of this Ordinance, the terms and words used herein shall be interpreted as follows:

1. Words used in the present tense include the future tense; and
2. Words used in the singular number include the plural number and words used in the plural number include the singular number; and
3. The words "shall", "will", and "must" are mandatory, not permissive; and
4. The phrase "Director" refers to the individual responsible for the enforcement.

Sec. 16-12. Definitions.

For the purposes of this Ordinance, the following words and terms shall have the meanings set forth except where otherwise specifically indicated. Words and terms not defined shall have the meanings indicated by common dictionary definition.

Building. A structure that is constructed or erected partially or wholly above ground and is enclosed by walls and a roof. The term "building" includes manufactured homes and includes both the above-ground and the below-ground portions of the structure.

Clean Water Act (CWA). The Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*), and any subsequent amendments thereto.

Committee. The Stormwater Management Committee of the DuPage County Board,

authorized by 55 ILCS 5/5-1062.

Community. Any municipality, or the unincorporated County, within DuPage County acting as a unit of local government.

County. The County of DuPage, Illinois.

Department. The DuPage County Stormwater Management Division or successor agency.

Director. The DuPage County Director of Stormwater Management or successor position or his or her designee.

Drain. Piping and appurtenances for conveying a fluid.

Facility. Something that is built, installed, or established to serve a particular purpose.

Hazardous Materials. Any material which may cause, or significantly contribute to, a substantial hazard to human health, safety, property, or the environment.

Illicit Connections. An illicit connection is defined as either of the following:

1. Any drain or conveyance, whether on the surface or subsurface that allows an illicit discharge to enter the storm drainage system including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drainage system and any connections to the storm drainage system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by the community or,
2. Any drain or conveyance connected from a commercial or industrial land use to the storm drainage system that has not been documented in plans, maps, or equivalent records and approved by the community.

Illicit Discharge. Any direct or indirect non-storm water discharge to the storm drainage system, except as exempted in Section 16-41.3 of this Ordinance.

Industrial Activity. Activities subject to an industrial NPDES stormwater permit, as defined in 40 CFR, Section 122.26 (b)(14).

Line. A hollow conduit through which fluids are transported between two or more points.

Municipal Separate Storm Sewer System (MS4). A conveyance or system of conveyances (including but not limited to sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, and storm

sewers) owned or operated by a governmental entity and designed or used for collecting or conveying stormwater, and that is not used for collecting or conveying sewage.

National Pollutant Discharge Elimination System (NPDES) Permit. A permit issued by Illinois Environmental Protection Agency (IEPA) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Stormwater Discharge. Any discharge to the storm drainage system that is not the direct result of precipitation and, or, snow melt in the tributary drainage basin.

Notice of Intent (NOD). Illinois Environmental Protection Agency Notice of Intent to participate in coverage under the General Permit to Discharge Storm Water Associated with Industrial Activity.

Parcel. Contiguous land under single ownership or control.

Person. Any individual, association, partnership, public or private corporation, municipality, political subdivision, government agency, or any other legal entity, including heirs, successors, agents, officers, and assigns of such entity.

pH Neutral. pH value between 6.5 and 9.0 Standard Units.

Plan. The DuPage County Stormwater Management Plan, adopted by the DuPage County Board in September 1989, as amended from time to time.

Pollutant. Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, wastewater, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Runoff. The waters derived from precipitation and, or, melting snow within a tributary drainage basin that exceeds the infiltration capacity of that basin.

Sewage. Polluted stormwater, wastewater, or other refuse liquids usually conveyed by sewers.

Sewer. An artificial conduit to carry off sewage and, or, surface water (as from rainfall), including sanitation, stormwater, and, or, combined sewers.

Sewerage. A system of sewers and appurtenances for the collection, transportation, pumping, and treatment of sewage.

Storm Drainage System. A facility by which stormwater is collected and, or, conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Stormwater. Any surface flow, runoff, and drainage from any form of natural precipitation, and resulting from such precipitation.

Structure. Anything that is erected or constructed. The term "structure" includes, without limitation: buildings, manufactured homes, tanks, dams, sewers, constructed channels, outfalls, parking lots, driveways, roads, sidewalks, and concrete patios.

Wastewater. Water that has been used and is not for reuse unless treated by a wastewater treatment facility.

Waters of the United States. As defined in the CWA, "Waters of the United States" applies only to surface waters, rivers, lakes, estuaries, coastal waters, and wetlands. Not all surface waters are legally "Waters of the United States." Generally, those waters include the following:

- All interstate waters;
- Intrastate waters used in interstate and, or, foreign commerce;
- Tributaries of the above;
- Territorial seas at the cyclical high tide mark; and
- Wetlands adjacent to all the above.

Sec. 16-13. through 16-20. Reserved.

ARTICLE 3. GENERAL PROVISIONS.

Sec. 16-21. Applicability.

This Ordinance shall apply to all water entering the storm drainage system from any developed or undeveloped lands within the jurisdiction of the Department, unless explicitly exempted by Section 16-41.3 of this Ordinance, including any amendments or revisions thereto.

Sec. 16-22. Interpretation.

1. The provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, prosperity, and general welfare and the environment of the residents of the County, and to effectuate the purposes of this Ordinance and enabling legislation.
2. Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other applicable statute, law, ordinance, regulation, or rule, the provision that is most restrictive or imposes the higher standards or requirements shall apply.
3. The provisions of this Ordinance shall be interpreted to be cumulative of, and to impose limitations in addition to, all other ordinances, laws, codes, and regulations, in existence or which may be passed governing any subject matter of this chapter. To the greatest extent possible, the provisions of this Ordinance shall be construed to be consistent with, and not in conflict with, the provisions of such other ordinances, laws, codes, and regulations, and with each other, to the end that all such provisions may be given their fullest application.

Sec. 16-23. through 16-30. Reserved.

ARTICLE 4. ADMINISTRATION.

Sec. 16-31. Participating Communities.

Participating communities within DuPage County shall promulgate and enforce this Ordinance in accordance with the following participation levels. Participation levels shall be established through the adoption of inter-governmental agreements.

1. Duties of a Full Participant community include:
 - a. Completion of an inter-governmental agreement for full participation in the Illicit Discharge Detection and Elimination Program.
 - b. Provide the Department with a current storm sewer atlas. An updated storm sewer atlas shall be provided to the Department annually.
 - c. Provide assistance to the Department in acquiring access to the storm drainage system as mutually deemed necessary.
 - d. Provide timely prosecution of persons found to be in violation of this Ordinance when necessary per Article 8 of this Ordinance.

- e. Provide the Department with documentation of any enforcement action or prosecution from the previous one (1) year for inclusion in the IEPA Annual Facility Inspection Report.
2. Duties of a Partial Participant community include:
- a. Completion of an inter-governmental agreement for partial participation in the Illicit Discharge Detection and Elimination Program.
 - b. Provide the Department with a current storm sewer atlas. An updated storm sewer atlas shall be provided to the Department annually.
 - c. Tracing discharges to their source when the Department determines that an illicit discharge has been located within the jurisdiction of the community.
 - d. Provide timely prosecution of persons found to be in violation of this Ordinance when necessary per Article 8 of this Ordinance.
 - e. Provide the Department with documentation of any enforcement action or prosecution from the previous one (1) year for inclusion in the IEPA Annual Facility Inspection Report.
3. Duties of a Non-Participant community include:
- a. Responsible for developing and implementing an Illicit Discharge Detection and Elimination Program to ensure compliance with the IEPA NPDES regulations within municipal limits on its own behalf.
 - b. If an inter-governmental agreement is not submitted to the County for partial or full participation, the community will be designated as a non-participant.

Sec. 16-32. Responsibility for Administration.

The Department shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted or duties imposed upon the Department may be delegated in writing by the Director to persons or entities acting in the beneficial interest, or in the employ of, the Department as representatives, contractors, designees and, or, assigns.

Sec. 16-33. Duties of Director.

The duties and functions of the Director shall include:

1. Determining policy related to and directing the enforcement of this Ordinance, as applicable;
2. Supervising the execution of this Ordinance; and
3. Notifying the communities, and the IEPA, of any amendments to this Ordinance.

Sec. 16-34. Representative Capacity.

In all cases when any action is taken by the Director, or his or her duly appointed designee, to enforce the provisions of this Ordinance, such action shall be taken in the name of and on behalf of the County, and neither the Director nor his or her designee, in so acting for the County shall be rendered personally liable.

Sec. 16-35. through 16-40. Reserved.

ARTICLE 5. DISCHARGE PROHIBITIONS.

Sec. 16-41. Prohibition of Illicit Discharges.

1. No person shall place, drain, or otherwise discharge, cause, or allow others under their control to place, drain, or otherwise discharge into the storm drainage system or MS4 any pollutants or waters containing any pollutants, other than normal storm water unless specifically exempted in Section 16-41.3 of this Ordinance.
2. The following discharges into the MS4 or the storm drainage system shall be prohibited:
 - a. Discharges that are not a direct result of precipitation and, or, snow melt within the drainage area of the MS4.
 - b. Discharges from an illicit connection.
3. The following discharges are exempt from discharge prohibitions established herein provided they do not cause an adverse effect on water quality as determined by the Director:
 - a. Discharges caused by governmental public works and stormwater management units as part of their standard operations in compliance with all applicable regulations.

- b. Discharges required by law or authorized by permit, including any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the USEPA and, or, IEPA.
- c. Water line and fire hydrant flushing.
- d. Landscape irrigation water.
- e. Rising ground waters.
- f. Ground water infiltration.
- g. Pumped ground water.
- h. Discharges from potable water sources.
- i. Foundation drains.
- j. Air conditioning condensate.
- k. Irrigation water (except for wastewater irrigation).
- l. Springs.
- m. Water from crawl space pumps.
- n. Footing drains.
- o. Storm sewer cleaning water.
- p. Water from any outdoor residential, charitable, or automobile dealership premise car wash.
- q. Routine external building washdown which does not use detergents.
- r. Flows from riparian habitats and wetlands.
- s. Dechlorinated pH neutral swimming pool discharges.
- t. Residual street wash water.
- u. Discharges or flows from fire fighting activities.
- v. Dechlorinated water reservoir discharges.

- w. Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed).
- x. Discharges associated with dye testing of water line, sanitary sewers, storm sewers, private drains or septic systems; however, this activity shall not take place until the discharger, or tester, has provided notification to the Department at least two (2) full business days prior to the test date, unless an emergency situation does not allow time for such notification.
- y. Other discharges approved by the Department as being substantially like any of the discharge types enumerated in Section 16-41.3 of this Ordinance.

Sec. 16-42. Prohibition of Illicit Connections.

1. The construction, use, maintenance, or continued existence of illicit connections to the storm drainage system or MS4 is prohibited.
2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
3. A person is considered to be in violation of this Ordinance if the person connects a line conveying sewage to the storm drainage system or MS4, or allows such a connection to continue.
4. Connections in violation of this Ordinance must be disconnected and redirected, if necessary, to an approved wastewater management system or the sanitary sewer system upon approval of the Department and the appropriate sanitary treatment facility.
5. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system or MS4, shall be located by the owner or occupant of that property upon receipt of written Notice of Violation from the Department requiring that such locating be completed. Such notice shall specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, MS4, sanitary sewer system, or other discharge point be identified. Results of these investigations are to be documented and provided to the Department.

Sec. 16-43. through 16-49. Reserved.

ARTICLE 6. INDUSTRIAL ACTIVITY DISCHARGES.

Sec. 16-50. Submission of Notice of Intent (NOI) to the Department.

1. Any person operating a facility subject to the IEPA's General Permit to Discharge Storm Water Associated with Industrial Activity shall submit a copy of the Notice of Intent (NOI) to the Department at the same time the operator submits the original Notice of Intent to the IEPA as applicable.
2. The copy of the Notice of Intent may be delivered to the Department either in person or by mailing it to:

Notice of Intent to Discharge Stormwater
DuPage County Stormwater Management Division
421 North County Farm Road
Wheaton, IL 60187

3. A person commits an offense if the person operates a facility that is discharging stormwater associated with industrial activity without having submitted a copy of the Notice of Intent to do so to the Department.

Sec. 16-51. through 16-55. Reserved.

ARTICLE 7. COMPLIANCE MONITORING.

Sec. 16-56. Notification of Spills.

1. Notwithstanding other requirements of law, as soon as any person owning, leasing or exercising control over a property, or responsible for emergency response for a property, has information of any known or suspected spill of materials which are resulting or may result in illicit discharges or pollutants discharging into the MS4 or the storm drainage system, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such spill.
 - a. In the event of such a spill, said person shall immediately notify local emergency dispatch services and act in accordance with Illinois Emergency Management Agency (IEMA) and IEPA regulations.
 - b. Said person shall notify the Department of the spill in person or by phone, facsimile, or email no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Department within three (3) business days of the phone

notice.

- c. If the spill emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the spill and the actions taken to prevent its recurrence. Such records shall be retained for at least five (5) years.
2. Proper notice, including containment and cleanup as outlined in Section 16-56.1, shall exempt the notifying parties from applicable fines set forth in Section 16-66.
3. Failure to provide notification of a release as provided above is a violation of this Ordinance.
4. Notwithstanding the language of paragraph 2 of this provision, a party causing a spill that contaminates or harms a storm sewer system shall not be relieved of liability for damages resulting from such act.

Sec. 16-57. through 16-60. Reserved.

ARTICLE 8. VIOLATIONS, ENFORCEMENT, AND PENALTIES.

Sec. 16-61. Enforcement: Violations.

1. The Director shall have primary responsibility for the enforcement of the provisions of this Ordinance. The County may enter into agreements with other governmental units for the purpose of implementing this Ordinance.
2. A person violates this Ordinance when that person:
 - a. Performs any act expressly prohibited by any provision of this Ordinance; or
 - b. Disobeys, neglects, or fails to carry out or comply with any provision of this Ordinance or of any order or notice issued by the Director; or
 - c. Allows any condition or act that violates any provision of this Ordinance to continue unabated on property owned, leased, managed, or under the control of such person; or
 - d. Directs, orders, permits, or allows a second person to do any act expressly prohibited by any provision of this Ordinance, or to maintain or continue unabated any condition or act that violates any provision of this Ordinance on property owned, leased, managed or under the control of the first person.

Sec. 16-62. Notice to Correct Violations: Director May Take Action.

1. The Director may issue a Notice of Violation ordering a person to take action to achieve compliance with the provisions of this Ordinance and, or, to cease and desist from any action conducted in violation of this Ordinance. Failure to comply with the terms and conditions of a Notice of Violation and, or, order to cease and desist shall constitute a violation of this Ordinance.
 - a. The Director shall set forth the form and content of any notices issued under this Ordinance.
 - b. The Director may issue a Warning of Violation ordering a person to take action to achieve compliance with the provisions of this Ordinance. If a person fails to comply with the terms and conditions of a warning, the Director may, thereafter, issue a Notice of Violation.
 - c. The Director may issue a Warning of Violation and disburse educational materials outlining appropriate measures to minimize the discharge of pollutants.
2. If a person fails to comply with an order issued under this section, the Director may direct the appropriate legal counsel to commence any legal proceeding authorized by this Ordinance, under the law or equity, necessary to enforce any provision of this Ordinance and, or, to protect public health and safety. Any legal action brought under this Ordinance shall be in the name of the County of DuPage.

Sec. 16-63. Emergency Cease and Desist Orders.

1. The Department may obtain an emergency order in the event of the following:
 - a. Any person has violated, or continues to violate, any provision of this Ordinance or any order issued hereunder, or that the person's past violations are likely to recur; and
 - b. That the person's violation has caused or contributed to an actual or threatened discharge to the MS4 or storm drainage system and an imminent threat of violation is present.
2. The Department may issue the emergency order to the violator directing that the violator:
 - a. Immediately cease and desist all such violations;
 - b. Immediately comply with all Ordinance requirements; and

- c. Take such appropriate preventive action as may be needed to properly address a continuing or threatened violation, including immediately halting operations and, or, terminating the discharge.
3. Any person notified of an emergency order under this Subsection shall immediately comply and stop or eliminate its endangering discharge. In the event of a discharger's failure to immediately comply voluntarily with the emergency order, the Department may take such steps as deemed necessary to prevent or minimize harm to the MS4, storm drainage system, or Waters of the United States, and, or, endangerment to persons or to the environment, including immediate termination of a facility's water supply, sewer connection, or other municipal utility services. The Department may allow the person to recommence its discharge when it has demonstrated to the satisfaction of the Department that the period of endangerment has passed, unless further termination proceedings are initiated against the discharger under this Ordinance. A person that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful discharge and the measures taken to prevent any future occurrence, to the Department within fifteen (15) days of receipt of the emergency order. Issuance of an emergency cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the violator.

Sec. 16-64. Violations Deemed a Public Nuisance.

Any condition caused or permitted to exist in violation of any provision of this Ordinance shall constitute a threat to public health and safety and is declared and deemed a public nuisance.

Sec.16-65. Nuisance Abatement.

Whenever a nuisance shall be found to exist on any premise, the Director may order such nuisance to be abated upon determination that the nuisance constitutes a threat to public health or safety.

1. In the event of an emergency situation, as determined by the Director, involving an immediate threat to public health and safety, the Director may direct legal counsel to immediately commence any legal or equitable proceeding necessary to restrain, abate, and, or, remedy said situation. The Director may take such action without having to first issue a Notice of Violation to the person(s) having control of, or acting as agent for, such premise where the nuisance is located, or, waiting for such person(s) to abate or remove such nuisance as previously ordered by the Director.
2. In all other cases, the Director may notify, in writing, the person(s) having control of, or acting as agent for, such premise where the nuisance is located and directing such person(s) to abate or remove such nuisance within such time as is stated on the notice.

Upon the failure or refusal of such person(s) to comply with the notice, the Director may direct that appropriate proceeding commence to compel the abatement, or removal, of such a nuisance in any manner allowed by law, equity, or this Ordinance and, or, authorizing the Department to act to abate, or remove, such nuisance. The person(s) having control of such premises, in addition to the other remedies provided by this Ordinance, shall be liable to the Department for any costs incurred by the Department to effect such abatement, or removal, including reasonable attorney's fees and other costs of enforcement, to be recovered by a court of competent jurisdiction.

Sec. 16-66. Fines.

Any person violating any provision of this Ordinance shall be guilty of a petty offense. Such violation shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) each day, or any portion of a day, during which such violation is committed, continued, or permitted shall constitute a separate offense and shall be punishable as such.

Sec. 16-67. Remedies Not Exclusive.

The remedies listed in this Ordinance are not exclusive of any other remedy available under this Ordinance or under any applicable Federal, State, or local law and do not supersede or limit, any and all other penalties provided by law. The Director may seek, at his discretion, cumulative remedies.

Sec. 16-68. through 16-75. Reserved.

ARTICLE 9. SUSPENSION OF MS4 ACCESS.

Sec. 16-76. Suspension of MS4 Access Due to Detection of Illicit Discharges.

1. Any person discharging to the MS4 in violation of this Ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The Department shall notify a violator of the proposed termination of its MS4 access. The violator may petition the Department for a reconsideration and hearing. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the Department.
2. In emergency situations, the Department may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge, which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4, storm

drainage system, or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Department may take such steps as deemed necessary to prevent or minimize damage to the MS4, storm drainage system, or Waters of the United States, or to minimize danger to public health and safety. The Department shall obtain an emergency court order authorizing such termination.

Sec. 16-77. through 16-85. Reserved.

ARTICLE 10. APPEALS.

Sec. 16-86. Right to Appeal.

1. Every request for an appeal shall be made, in writing, to the Director. The Director may delegate the hearing of appeals to the Stormwater Committee of the DuPage County Board in the manner provided for below.
2. Any person aggrieved by any decision, ruling, or determination by the Director, or by any interpretation or application of any provision of this Ordinance may appeal such matter. An appeal of any decision made by the Director shall be made within seven (7) days of the decision contested, excepting an appeal involving the assessment charge or calculation of any fine or penalty in which cases which an appeal shall be brought before said amount becomes thirty (30) days past due.
 - a. The appeal procedure shall commence when the person aggrieved notifies the Director, in writing, of the intent to appeal the decision of the Director. Such notice shall contain a short, clear, statement stating the following:
 - i. Identifying the decision of the Director which such person is appealing and how this Ordinance has been misread, misinterpreted, or misapplied in this instance and, or, any mistakes of fact the aggrieved believes the Director to have relied upon.
 - ii. The name and both a mailing address and a telephone number of the person making the request, which contact information shall be used for giving notices related to the appeal. The person making the request shall attach all written materials on which he or she intends to rely upon in support of the request.
 - b. The Director may, without conducting a hearing, grant relief sought by the appeal, or may set the matter over for a hearing in the manner provided in Section 16-86.2.c.
 - c. Upon receipt of such Notice of Appeal, if relief is not granted by the Director

in accordance with Section 16-86.2.b of this Ordinance, the Director shall set a date for a hearing. Such hearing shall take place no fewer than fourteen (14) days nor more than thirty (30) days from the date that the Director receives such Notice of Appeal unless the Director and party requesting the hearing agree to a different schedule. The Director shall notify the person making the appeal of the date of such hearing.

- d. At the hearing the person making the appeal may appear in person or represented by counsel, or submit his case in writing. The decision concerning the appeal shall be in writing, shall be communicated to the person making the appeal, and shall state a finding upon which the decision is based.
3. The Stormwater Committee shall have the authority to reverse, modify, or affirm any decision, ruling, or determination by the Director made pursuant to this Ordinance upon appeal. The Stormwater Committee shall not act in a manner that would violate or in any way conflict with any Federal or State standard or requirement. The Committee or County Board may adopt such additional rules and procedures, as it deems appropriate for performing such matters.
4. The decision of the Committee may be appealed to the County Board in accord with the County Board Rules.

Sec. 16-87. Enforcement Measures after Appeal.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within seven (7) days of the decision of the Director or Committee upholding the decision of the Department, then representatives of the Department are authorized to take any and all measures necessary to abate the violation and, or, restore the property. In no case shall an appeal stay or bar the County from commencing a legal action seeking emergency relief.

Sec. 16-88. through 16-95. Reserved.

ARTICLE 11. MISCELLANEOUS PROVISIONS.

Sec. 16-96. Severability.

The provisions of this Ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

-FULL PARTICIPANT AGREEMENT-

**AN INTERGOVERNMENTAL AGREEMENT BETWEEN
THE [REDACTED] OF [REDACTED]
AND THE COUNTY OF DUPAGE, ILLINOIS
FOR THE IMPLEMENTATION OF THE
ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM**

THIS INTERGOVERNMENTAL AGREEMENT is entered into this _____ of _____, 2009 between the [REDACTED] of [REDACTED] of DuPage County (hereinafter referred to as the "MUNICIPALITY") a body corporate and politic, with offices at [REDACTED], Illinois [REDACTED]-[REDACTED] and the County of DuPage, Illinois (hereinafter referred to as the "COUNTY") a body corporate and politic, with offices at 421 North County Farm Road, Wheaton, Illinois 60187-3978.

RECITALS

WHEREAS, the MUNICIPALITY and COUNTY are public agencies within the meaning of the Illinois "Intergovernmental Cooperation Act", as specified in Illinois Statute, 5 ILCS 220/1 *et. seq.*, and as authorized by Article 7, Section 10 of the Constitution of the State of Illinois; and

WHEREAS, the purposes of the "Intergovernmental Cooperation Act" and Article 7 of the Constitution of the State of Illinois include fostering cooperation among governmental bodies; and

WHEREAS, General National Pollutant Discharge Elimination System ("NPDES") Permit No. ILR40 authorizes discharges from Small Municipal Separate Storm Sewer Systems (MS4s); and

WHEREAS, MS4s are defined in 40 CFR 122.26(b)(16) as designated for permit authorization pursuant to 40 CFR 122.32; and

WHEREAS, the COUNTY and MUNICIPALITY each submitted an Illinois MS4 Notice of Intent ("NOI") to the Illinois Environmental Protection Agency ("IEPA") for coverage under ILR40; and

WHEREAS, the COUNTY and MUNICIPALITY noted on their respective NOI that they intend to act as cooperating permit holders to fulfill the requirements of ILR40's Illicit Discharge Detection and Elimination (IDDE) minimum control measure; and

WHEREAS, the General NPDES Permit No. ILR40 requires development, implementation, and enforcement of a storm water management program designed to reduce the discharge of pollutants from small municipal storm sewer systems to the maximum extent practicable to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 III. Adm. Code, Subtitle C, Chapter 1) and the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*); and

WHEREAS, the storm water management program must include the minimum control measures described in the General NPDES Permit No. ILR 40, Part IV, Section B; and

-FULL PARTICIPANT AGREEMENT-

WHEREAS, the General NPDES Permit No. ILR40 Part IV, Section D authorizes Sharing Responsibility; and

WHEREAS, the COUNTY agrees to develop and implement a program to monitor and trace illicit discharges into small MS4s on behalf of the MUNICIPALITY as one of the minimum control measures for its stormwater management program; and

WHEREAS, the COUNTY and the MUNICIPALITY recognize that additional benefits of illicit discharge detection and elimination include increased water quality, reduction in pollutant loads in waterways, improved wildlife habitat, and public education opportunities; and

WHEREAS, the COUNTY has adopted the DuPage County Illicit Discharge Detection and Elimination Ordinance (ORDINANCE) to ensure the health, safety, and general welfare of the citizens of DuPage County, and protect and enhance water quality in a manner pursuant to and consistent with the Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*) through the regulation of non-storm water discharges to the storm drainage system; and

WHEREAS, the MUNICIPALITY has adopted an [REDACTED] ordinance pursuant to [REDACTED]; and

WHEREAS, the COUNTY and the MUNICIPALITY have determined that it is in their best interest to cooperate in the enforcement and implementation of their respective ordinances; and

WHEREAS, the COUNTY and the MUNICIPALITY have determined that it is reasonable, necessary, and in the public interest and welfare for the COUNTY to conduct monitoring and tracing responsibilities associated with illicit discharge detection and elimination subject to the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the foregoing preambles and the promises, terms and conditions set forth herein, and in the spirit of intergovernmental cooperation, the parties agree as follows:

1.0 RECITALS INCORPORATED.

1.1 The foregoing recitals are hereby incorporated as though fully set forth herein.

2.0 COUNTY RIGHTS AND RESPONSIBILITIES.

2.1 The COUNTY agrees to undertake the monitoring of outfalls and tracing of illicit discharges within the municipal limits of the MUNICIPALITY utilizing COUNTY personnel and equipment.

-FULL PARTICIPANT AGREEMENT-

- 2.2 The COUNTY agrees to prepare, at its sole expense, plans, processes, and procedures for the program meeting the requirements of the NPDES permit to monitor and trace illicit discharges into the MS4 on behalf of the MUNICIPALITY.
- 2.3 The COUNTY agrees to obtain copies of the Notice of Intent (NOI) for each facility within the jurisdiction of the COUNTY and the MUNICIPALITY having an individual NPDES permit to discharge storm water associated with industrial activity through the IEPA for the purposes of fair and accurate monitoring and tracing.
- 2.4 The COUNTY agrees to monitor MS4 outfalls within the jurisdiction of the MUNICIPALITY, and to the extent it is so authorized, trace all discharges determined to be illicit with the objective of identifying the source of such illicit discharge.
- 2.5 The COUNTY agrees to notify the MUNICIPALITY within a reasonable time prior to the COUNTY conducting dye testing as part of tracing procedures.
- 2.6 The COUNTY agrees to notify the MUNICIPALITY within twenty four (24) hours of detecting an illicit discharge within the municipal limits of the MUNICIPALITY. Promptly upon completion of the COUNTY'S investigation, the COUNTY shall inform the MUNICIPALITY of the location of the illicit discharge, the time(s) and date(s) of the discharge, and any additional information that would be necessary or prudent for the MUNICIPALITY to have in order to carry out enforcement proceedings.
- 2.7 The COUNTY agrees to provide the MUNICIPALITY with any information required for enforcement action and prosecution by the MUNICIPALITY and produce County personnel in court, as necessary and upon adequate notice.
- 2.8 The COUNTY agrees to create and manage a countywide hotline for reporting illicit discharges.
- 2.9 The COUNTY agrees to prepare the Illicit Discharge Detection and Elimination section of the annual report on behalf of the MUNICIPALITY. The annual report is required by the IEPA and is due by June 1st of each year in accordance with General NPDES Permit No. ILR40. The COUNTY will submit a copy of the Illicit Discharge Detection and Elimination section annual report to both the IEPA and the MUNICIPALITY.

3.0 MUNICIPALITY RIGHTS AND RESPONSIBILITIES

-FULL PARTICIPANT AGREEMENT-

- 3.1 The MUNICIPALITY agrees to provide the COUNTY with a current storm sewer atlas. If a storm sewer atlas is not available, the MUNICIPALITY will work to provide a storm sewer atlas to the COUNTY within ~~months~~ years.
- 3.2 The MUNICIPALITY agrees to provide annual updates of the storm sewer atlas to the COUNTY.
- 3.3 The MUNICIPALITY agrees to assign to the COUNTY any rights of access to the storm drainage system under the jurisdiction of the MUNICIPALITY as the COUNTY deems necessary.
- 3.4 The MUNICIPALITY agrees to provide timely prosecution of any person found to be in violation of their ordinance that fail to come into compliance in accordance with the ordinance, provided that the MUNICIPALITY receives timely notification from the COUNTY that a violation exists. Further, the COUNTY agrees to provide prosecution witnesses required without cost to the MUNICIPALITY.
- 3.5 The MUNICIPALITY shall provide the COUNTY with documentation of any enforcement action and prosecution from the previous one (1) year for inclusion in the annual report.

4.0 GOVERNMENT REGULATION.

- 4.1 The COUNTY and the MUNICIPALITY shall each comply with the applicable requirements of all county, municipal, state, federal and other applicable governmental authorities, now in force, or which may hereafter be in force, pertaining to the performance of this Agreement, with the most stringent standards governing.

5.0 MISCELLANEOUS TERMS.

- 5.1 This Agreement shall be approved by Ordinance and executed for and on behalf of the COUNTY and MUNICIPALITY.
- 5.2 Certified copies of each party's respective adopting ordinance or resolution shall be attached hereto and made a part hereof as evidence of the authority exercised by the undersigned officers of the COUNTY and MUNICIPALITY.
- 5.3 This Agreement shall become effective upon the date set forth above, and continue in full force and effect unless terminated in accord with Paragraph 5.5, below.

-FULL PARTICIPANT AGREEMENT-

Notices served personally or by facsimile transmission and e-mail shall be effective upon receipt, and notices served by mail shall be effective upon receipt as verified by the United States Postal Service. Each party may designate a new location for service of notices by serving notice thereof in accordance with the requirements of this paragraph.

8.0 TERM OF AGREEMENT

- 8.1 As will be used for staff and budget requirements, the COUNTY and the MUNICIPALITY agree to not change enforcement status within the term of this Agreement.

- 8.2 This agreement will expire on the 31st of March, 2013. This agreement can be extended for additional NPDES permit cycles at the mutual agreement of both parties. The permit cycle is defined for a five (5) year period beginning one (1) year before the expiration date of the current NPDES permit for the MUNICIPALITY and continues until one (1) year before the expiration of the subsequent NPDES five (5) year permit.

9.0 SEVERABILITY

- 9.1 In the event any provision of this Agreement shall be held to be unenforceable or void, such provision shall be deleted and all other provisions shall remain in full force and effect to the fullest extent allowed by law and equity.

10.0 GOVERNING LAW

- 10.1 This Agreement will be governed by the laws of the State of Illinois as to both interpretation and performance. The forum for resolving disputes concerning the party's respective performance, or failure to perform, under this Agreement, will be the judicial circuit court for DuPage County.

IN WITNESS WHEREOF, the parties to this Agreement set their hands and seals as of the date first written above.

BY _____
NAME
TITLE



CITY OF ELMHURST

209 NORTH YORK STREET
ELMHURST, ILLINOIS 60126-2759
(630) 530-3000
www.elmhurst.org

VOW
PETER "PETE" DICIANNI
MAYOR
PATTY SPENCER
CITY CLERK
DAVID DYER
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

September 14, 2009

TO: Mayor DiCianni and Members of the City Council

RE: State of Illinois Joint Purchase Contract for Rock Salt

The Public Works and Buildings Committee met on Monday, September 14, 2009 to review the price for rock salt in the FY 2009-10 Joint Purchase Contract awarded by the State of Illinois, Department of Central Management Services (CMS).

The City uses rock salt to deice roadways during winter snow storms. The State Joint Purchase program provides the City delivery performance, material quality assurance, and pricing that the City could not achieve by contracting on its' own. Terms of the CMS contract are provided in Attachment "A".

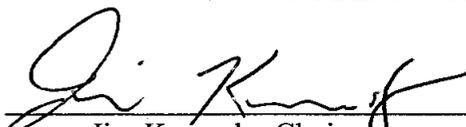
The City requested 3,500 tons of rock salt for the 2009-10 winter season. The Joint Purchase Contract requires the City to purchase a minimum of 80% (2,800 tons) of that amount, and up to a maximum of 120% (4,200 tons) of the amount requested. The City will receive rock salt from Cargill Incorporated Salt Division at a bid price of \$66.61 per ton. The cost of salt has increased by \$7.36 per ton over last year's State contract price.

Funds have been provided in the FY2009/10 budget, in account number 110-6042-433-40-46, in the amount of \$157,500 for the purchase of rock salt. Funding in the amount of \$186,508 is required to purchase the minimum 2,800 tons. Funding in the amount of \$279,762 would be required for the City to purchase the maximum 4,200 tons. The dollar amount over the budgeted amount will be allocated to the Parking System Fund. Due to anticipated receipt of federal grant funds the Parking System Fund has sufficient funds to pay for the additional salt.

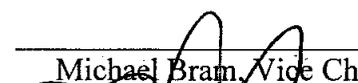
It is, therefore, the recommendation of the Public Works and Buildings Committee that the purchase of rock salt from Cargill Incorporated Salt Division, through the State of Illinois Joint Purchase Contract, at the contracted price of \$66.61 per ton, not to exceed \$279,762 be approved and a resolution authorizing this contract be prepared.

Respectfully submitted,

PUBLIC WORKS AND BUILDINGS COMMITTEE



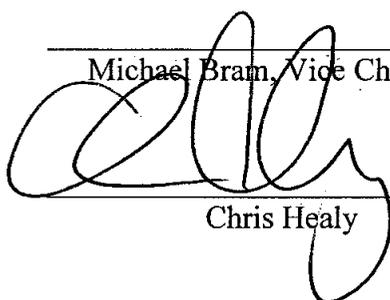
Jim Kennedy, Chairman



Michael Bram, Vice Chairman



Pat Shea



Chris Healy

cc: P.W. and
Bldg. Comm.

*Mayor TPB
Hughes
Streich
9-10-09*

Copies To All
Elected Officials

9-17-09

City of Elmhurst
Salt History

9/09

Fiscal Year	# Storms	Cost/ton	\$ Amount Budgeted	\$ Actual Expenditure
2009/10		\$ 66.61	\$157,500	
2008/09	31	\$ 59.25	\$120,000	\$269,000
2007/08	48	\$ 38.62	\$100,000	\$203,537
2006/07	19	\$ 36.23	\$100,000	\$118,276
2005/06	15	\$ 33.58	\$100,000	\$85,917



July 17, 2009

Dear Joint Purchasing Participant:

Subject: 2009-2010 Rock Salt, Bulk Contract Information

In completing the 2009 – 2010 Rock Salt season contract re-procurement, the State of Illinois did not encounter the types of supply-related issues experienced in the 2008 – 2009 season. We have made every effort to secure Road Salt at the best available price for participants in our contract re-procurement, and can gladly report that all locations across the State were able to have their supply needs met through the State's procurement efforts.

We do recommend that participating agencies and governmental entities examine their application rates and roadway priorities in order to minimize next season's cost while also ensuring the safety of the public.

Enclosed is a copy of the requisition you submitted to us for the purchase of rock salt. The information from the requisition, including purchase commitment, can be used to submit your requirements to this year's contract vendor:

Contract: PSD 4015784	Term: July 2009 - June 2010
Cargill Incorporated Salt Division	FEIN Number: 41-0177680
24950 Country Club Blvd., # 450	
North Olmsted, OH 44070	
Phone (800) 600-7258	Contract Name: Brett Miller

The contract price per ton, F.O.B. destination, is \$ **.66 .61** Emergency pickup of salt at vendor's warehouse is available at the price of \$-78.00 per ton. Warehouses are open Monday through Friday, 7:00 a.m. to 3:00 p.m. Please contact the vendor during regular business hours for the specific warehouse location in your area.

The additional price per ton to have rock salt delivered in trucks equipped with coal/grain chute openings in the tailgate to permit controlled off-loading of rock salt onto conveyors is \$20.00 per ton. Contact vendor for availability in your area and scheduling deliveries.

You are responsible for issuing your own purchase order document to the vendor. Orders may be placed with the vendor via telephone, with a written or fax confirmation to follow immediately. *You are strongly encouraged to order early and to store as much salt as possible in order to help prevent potential salt shortages this winter.* Also, you need to make every effort to place orders in full truckload lots (22-25 tons) or multiples of such.



Your governmental unit is responsible for ensuring that the 80 or 100 percent minimum guaranteed purchase commitment (as noted on your Requisition) is met before the end of the winter season, June 30, 2010. The vendor is required to furnish not less than 120-percent (if needed) of the contract quantity by March 1, 2010. Your governmental unit is responsible for processing vendor invoices in a timely manner.

Delivery shall be made as soon as possible after vendor receipt of order by phone or mail. The maximum time from receipt of order to the actual delivery for orders placed between December 1, 2009 through April 1, 2010 shall not exceed seven working days, unless as modified in the Order Guidelines herein..

For orders placed between December 1, 2009 and April 1, 2010, if a vendor is unable to make delivery within the order timeline, local governmental units shall have the right to retain \$.20 per ton per working-day as liquidated damages on the undelivered portion of the order. For orders placed prior to 9:00 a.m. on a given day, that day to be considered as the first calendar day of the seven-day delivery period. For an order placed after 9:00 a.m. on a given day, the following day shall be considered as the first calendar day of the seven day delivery period.

CMS reserves the right to mitigate application of liquidated damages imposed against a vendor, in the event of orders exceeding the maximum percentages outlined below:

An agency may order up to 20-% of their awarded contract tonnage in any given week and vendor shall deliver within 7 working-days after receipt of order. Quantity ordered above the 20-% threshold shall have an extended deliver time of one-working-day for each one-percentage-point above the 20-% guideline. For example, if an agency orders 25-% of their awarded total 100 ton, delivery of the first 20 ton (20-%) shall be within 7 working-days after receipt of order, the remaining 5 ton should be delivered within 12 working-days after receipt of order.

If after seven working-days of liquidated damages assessment, the vendor has still failed to deliver, local governmental unit shall have the right to terminate an order and purchase road salt or abrasives from another source, or take action consistent with public safety as needed to continue daily business. Any and all additional costs incurred may be collected from the original vendor, in addition to liquidated damages, by participant's legal action.

All deliveries shall be covered with approved weatherproof materials. The vendor shall ensure that delivery person inspects the inside of the trailer and that all salt is removed from the trailer before leaving a delivery point. The vendor will ensure all weights and measures shown on delivery tickets are correct. Local governmental units reserve the right to require that delivery trucks occasionally be directed to a scale in the vicinity of the delivery point as a check on delivered truckloads.



Deliveries of rock salt containing any foreign material such as mud, rocks, grader teeth, wood, tarpaulins, etc., may be rejected at the delivery site. In the event that any foreign material is discovered in dumped deliveries, the salt and foreign matter may be reloaded onto the cartage hauler's truck by the local governmental unit and returned for credit, or the vendor shall immediately ship a specification compliant load of replacement salt, or issue a refund to the governmental unit consistent with the contract price.

In December 2009, the contract vendor shall have in place stockpile(s) located in or near Illinois covering the tonnage awarded for the northern regions of the State, and in January of 2010 the contract vendor shall have in place stockpile(s) in or near to Illinois covering the total tonnage awarded for all regions of the State. At our discretion, we will inspect the stockpiles to ensure that these stockpiles are in sufficient quantities, and that vendor commitments to the stockpiles are with the users of this contract.

The contract pricing shall remain firm for the entire contract period, for up to the 120-% guaranteed limit, unless otherwise changed by mutual agreement. The contract price for purchases made in excess of the 120% guaranteed limit is subject to increase if vendor's costs for providing rock salt increase by more than 5-%. Contract vendor must submit to CMS documentation justifying the increase for acceptance prior to implementation.

Unless an emergency exists, those local governmental units under their 120-% purchase threshold shall receive salt deliveries prior to those local governmental units over their 120-% purchase threshold. In the case of an emergency, effort will be made to have the vendor ship enough salt to aid affected local governmental units through the emergency.

Enhanced rock salt 2009 - 2010 season availability from Cargill Inc. Deicing:

The Department of Central Management Services requested pricing for an enhanced rock salt option in the invitation for bid, and received an offering from Cargill's' Deicing Unit. Their prices are made available to any joint purchasing participant awarded in the Cargill Rock Salt Contract as an up-charge per ton option and are to be added to your order as a separate line item. Locations interested in ordering this enhanced salt option must call the vendor to facilitate ordering arrangements.

Cargill Salt Division is providing the following Price structure for 2009 – 2010 Season:

- IDOT District No. 1 \$-14.75 Price up-charge per ton.
- IDOT District No. 2 \$-14.75 Price up-charge per ton.
- IDOT District No. 3 \$-14.75 Price up-charge per ton.
- IDOT District No. 4 \$-14.75, Price up-charge per ton.
- IDOT District No. 5 No Bid-\$ offered for this district.
- IDOT District No. 6 No Bid-\$ offered for this district.
- IDOT District No. 7 No Bid-\$ offered for this district.
- IDOT District No. 8 \$-14.75 Price up-charge per ton.
- IDOT District No. 9 No Bid-\$ offered for this district.



ILLINOIS

Pat Quinn, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

James P. Sledge, Director

The enhanced salt product features additional pre-treatment of approved road salt with a product providing enhanced melting performance, with reduced corrosion and clumping.

It is hoped that this information will be beneficial to you in the utilization of this contract. If you have any further questions concerning the rock salt contract, please feel free to contact me at (217) 782-8091.

Sincerely,

Wayne Ilsley, Buyer
Bureau of Strategic Sourcing And Procurement

GovSalt.doc



CITY OF ELMHURST

209 NORTH YORK STREET
ELMHURST, ILLINOIS 60126-2759
(630) 530-3000
www.elmhurst.org

V DW
PETER "PETE" DICIANNI
MAYOR
PATTY SPENCER
CITY CLERK
DAVID DYER
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

September 14, 2009

TO: Mayor DiCianni and Members of the City Council

RE: **Bids, Spring Road Business District Sidewalk Improvements**

The Public Works and Buildings Committee met on Monday, September 14, 2009 to review bids for the Spring Road Business District Sidewalk Improvements. Bids were received from ten (10) area contractors and are summarized on Attachment "A".

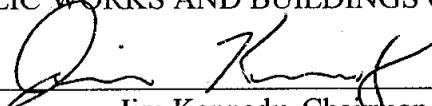
The bids received will provide for partial replacement of existing concrete sidewalk, removal of existing trees, installation of new trees and tree grates, decorative benches and trash receptacles, traffic control, and other related work. The contract requires that the above work be completed by November 20, 2009.

Schroeder & Schroeder, Inc. submitted the lowest responsible bid meeting all of the bidding requirements. Schroeder & Schroeder has performed similar work for the Villages of River Forest, Schaumburg, and Winnetka. It is reported that the work was completed in a satisfactory manner. Monies for this work have been provided in the amount of \$300,000 in the FY09/10 Budget in account number 110-6041-432-80-15.

It is, therefore, the recommendation of the Public Works and Building Committee that the low bid in the amount of \$281,949.00 from Schroeder & Schroeder, Inc. be accepted and that a resolution authorizing this contract be prepared.

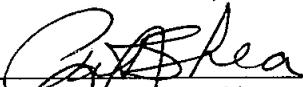
Respectfully submitted,

PUBLIC WORKS AND BUILDINGS COMMITTEE



Jim Kennedy, Chairman

Michael Bram, Vice Chairman



Pat Shea



Chris Healy

cc: P.W. and
Bldg. Comm.

*Mayor TPB
Hughes Streets
9-10-09*

Copies To All
Elected Officials
9-17-09

ATTACHMENT "A"

<u>Contractor</u>	<u>Total Price</u>
Schroder & Schroeder, Inc. Skokie, IL	\$281,949.00
TBS Construction Naperville, IL	\$286,962.50
Copenhaver Construction, Inc. Gilberts, IL	\$301,654.50
Triggi Construction, Inc. West Chicago, IL	\$328,670.00
G&M Cement Construction Addison, IL	\$329,766.06
Alliance Contractors, Inc. Woodstock, IL	\$341,761.60
Kings Point General Cement, Inc. Bensenville, IL	\$378,102.00
Landmark Contractors, Inc. Huntley, IL	\$400,533.78
Continental Construction Co. Evanston, IL	\$418,740.00
Martam Construction, Inc. Elgin, IL	\$483,903.00



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VOW

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THOMAS P. BORCHERT
CITY MANAGER

September 14, 2009

To: Mayor DiCianni and Members of the City Council

Re: Video Gaming in Elmhurst

The Public Affairs and Safety Committee met on August 24, 2009 and again on September 14, 2009 to consider the recently passed State of Illinois Public Act 096-0034 legalizing Video Gaming in the State of Illinois as a way to generate revenue.

It is the belief of the Public Affairs and Safety Committee that video gaming is inappropriate for Elmhurst due to the possible negative social costs. Video gaming would also place an additional burden upon the Elmhurst Police Department.

The law includes a provision for local governments to prohibit video gaming. Section 27 reads: "Prohibition of video gaming by political subdivision. A municipality may pass an ordinance prohibiting video gaming within the corporate limits of the municipality."

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council authorize the City Attorney to prepare the appropriate ordinance prohibiting video gaming in Elmhurst.

Respectfully submitted,
Public Affairs and Safety Committee

Patrick Wagner, Chairman

Chris Nybo, Vice Chairman

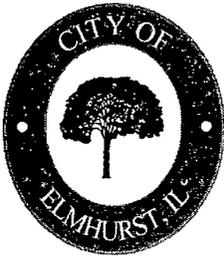
Paula Pezza

Agenda/pa&s/2009 reports/no video gaming

**PUBLIC AFFAIRS &
SAFETY COMMITTEE**

Copies To All
Elected Officials
9-17-09

Mayor TPB Ailly
Kopp Neubauer Johnson
9-10-09



CITY OF ELMHURST

209 NORTH YORK STREET
ELMHURST, ILLINOIS 60126-2759
(630) 530-3000
www.elmhurst.org

VOW
PETER "PETE" DICIANNI
MAYOR
PATTY SPENCER
CITY CLERK
DAVID DYER
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

September 14, 2009

To: Mayor DiCianni and Members of the City Council

RE: Hillside and Fairfield Avenues at Wilson Street
Stop Sign Request

The Public Affairs and Safety Committee met on September 14, 2009 to discuss the status of the request for Stop Signs at the intersections of Hillside and Fairfield Avenues at Wilson Street.

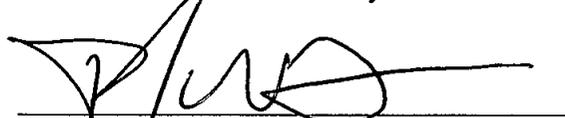
In response to a neighborhood request, Brent Coulter of Coulter Transportation Consulting reviewed the intersections of Hillside and Fairfield Avenues at Wilson Street. The request was to install stop signs at the intersections. Mr. Coulter's findings cite that yield signs are warranted on the Wilson Street approaches to both Hillside and Fairfield Avenues, based on existing intersection sight distances of between 60 to 100 feet.

During the process of performing the requested reviews, Mr. Coulter noted that the geographical area bounded by Vallette and Madison Streets, Berkley Avenue, and Spring Road would have one remaining uncontrolled intersection. Upon further investigation, Mr. Coulter found sight lines which support installation of yield signs on the Hillside Avenue approach to McKinley Avenue.

Therefore, staff recommends that yield signs be placed at this intersection as well. The Public Affairs and Safety Committee concurs with the City Engineering recommendation.

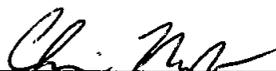
It is, therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinances be drafted and adopted by the City Council to provide Yield Signs at the Wilson Street approach to Hillside and Fairfield Avenues at Wilson Street and the Hillside Avenue approach to McKinley Avenue.

Respectfully submitted,
Public Affairs and Safety Committee


Patrick Wagner, Chairman

**PUBLIC AFFAIRS &
SAFETY COMMITTEE**

*Mayor TPB
Patty Spencer
Korap
Newbauer
9-10-09*


Chris Nybo, Vice Chairman
agenda/pa&s/2009 reports/Stop Sign Hillside and Fairfield at Wilson Street

Paula Pezza

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9-17-09



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CITY MANAGER

September 14, 2009

To: Mayor DiCianni and Members of the City Council

RE: **Bensenville Fire Protection District #1
Six-Month Extension**

On September 14, 2009, the Public Affairs and Safety Committee met to discuss the status of the intergovernmental agreement with the Bensenville Fire Protection District #1 (BFPD). Per council action in the fall of 2008, the BFPD #1 was given a one-year extension to develop a plan to provide funding to continue fire protection services through the City of Elmhurst.

At the September 8, 2008 Public Affairs and Safety Committee meeting, a number of residents of BFPD #1 stated that they preferred to have Elmhurst as their first responding fire department and that they would work with the Fire Protection Board and their neighbors to find a way to pay the agreement calculated annual service fee and to catch up to the past payment short falls.

The City of Elmhurst sent out a survey with three options:

1. Annexation into the City of Elmhurst
2. Develop a Special Service Area
3. Terminate Service

The vast majority of responses selected termination of service with the stipulation that they develop their own fire protection district and levy a tax of .40%. The research was done on the possibility of implementing a new district and increasing the tax levy to .40%. This process would be time consuming and difficult. After a meeting with the District Board, the Board offered to place a referendum on the February 2010 ballot to increase the tax levy to .40% which would allow the district to pay its fair share for fire protection services.

It is therefore the recommendation of the Public Affairs and Safety Committee that a six-month extension would be appropriate to allow the referendum to be proposed and the results to be determined to allow the district to pay their fair share of payments to the City of Elmhurst.

Respectfully submitted,
Public Affairs and Safety Committee

Patrick Wagner, Chairman
Chris Nybo, Vice Chairman
Paula Pezza



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THOMAS P. BORCHERT
CITY MANAGER

September 15, 2009

To: Mayor DiCianni and Members of the City Council

Re: Real Estate Consultant Services

The Finance, Council Affairs and Administrative Services Committee meet twice, most recently September 14, 2009, to review real estate consultant services provided by Van Slyke Enterprises, Inc.

As the City Council is aware, the City of Elmhurst has utilized the real estate consultant services of Mr. Charles R. Van Slyke, Jr., president of Van Slyke Enterprises, Inc., since February 1988. Mr. Van Slyke has consulted with the City Manager and City Council concerning matters relating to City property records, tax exempt status, matters relating to economic development and redevelopment of the City of Elmhurst, including but not limited to, real estate development and redevelopment and negotiations of leases, easements and the purchase and sale of property and all related matters on a project by project basis as directed. Mr. Van Slyke brings unique technical expertise relative to commercial real estate management, and efficiency and effectiveness in dealing with DuPage County relative to Elmhurst and County real estate issues. Mr. Van Slyke's extensive real estate experience has been utilized to assist with projects in the Mayor/Manager's office and in the Planning, Zoning and Economic Development department.

The consultant agreement between Mr. Van Slyke and the City of Elmhurst has expired, and staff recommends entering into a new agreement with Van Slyke Enterprises, Inc. The Finance Committee reviewed the real estate consultant's responsibilities, and the number of hours worked in the recent past (1,004 in fiscal 2007, 809 in 2008, 1,024 in 2009 and 201 during first quarter of 2010). It was the consensus of the Finance Committee that a consultant for real estate services provided the City with flexibility to use the services as needed, and that Mr. Van Slyke was well-qualified to provide that service. The Finance Committee also agreed on a cap, without further review by City Council, of 1,040 hours annually (20 hours per week average), a contract term of three years, and an hourly rate of \$100 for the duration of the contract. After review and discussion, the Finance Committee concurred with staff recommendation to enter into a new agreement with Van Slyke Enterprises, Inc.

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Elected Officials

9-17-09

Page 2

September 15, 2009

To: Mayor DiCianni and Members of the City Council

Re: Real Estate Consultant Services

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare a consultant agreement with Van Slyke Enterprises, Inc., for real estate consultant services as described above.

Respectfully submitted,
FINANCE, COUNCIL AFFAIRS AND
ADMINISTRATIVE SERVICES
COMMITTEE

Stephen W. Hipskind /mka
Stephen W. Hipskind, Chairman

Mark A. Mulliner /mka
Mark A. Mulliner

Kevin L. York /mka
Kevin L. York, Vice Chairman

Diane Gutenkauf /mka
Diane Gutenkauf



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THOMAS P. BORCHERT
CITY MANAGER

September 9, 2009

TO: Mayor DiCianni and Members of the City Council

RE: Rental Residential Regulations – Request for Review

The Development, Planning and Zoning Committee met to review the topic of rental residential regulations on June 8, July 13 and 27, and September 14, 2009. The Committee has reviewed similar requests in the past, as they related to property maintenance issues primarily for residential locations. Most recently, this was considered as a separate request for review of vacant properties, in March 2009.

At all DPZ Committee meetings, the Committee and Staff, including at times Police Chief Neubauer, Fire Chief Kopp, PZED Director Said and Zoning & Planning Administrator Werner, discussed current status of rental properties in the community. Some existing issues with rental homes are partly attributable to the current economic situation, which has resulted in more homeowners (who may have little to no experience in rental property) renting out properties that would have otherwise sold.

It was specifically noted that both the Police Chief and Fire Chief support the Chronic Nuisance Ordinance, and believe it can effectively control property issues through its use. The Chronic Nuisance Ordinance, as a "performance" measurement of a property, allows the City to pursue owners of those locations with persistent illegal activities, such as physical maintenance or resident behavior (whether owners or tenants), and it has been especially useful for single-family properties. The following additional comments were identified by the Committee as factors in this review:

- In situations of problematic resident conduct, Police Chief Neubauer stated that the Police Department responds when promptly informed of such complaints. Chief Neubauer emphasized that neighbors should call 911 when disruptive behavior is observed.
- Review of rental residential *licensing* from other communities indicates that such programs are more appropriate for multi-family residential areas due to the concentration of dwelling units (typically be a single ownership party) in relatively close proximity. This translates to easier enforcement, inspection and overall administration for such multi-family applications.
- No data has been found or provided to support the need for a new rental residential ordinance, especially considering the predominance of single-family housing in the Elmhurst community. Current city budget restrictions and limited funds from rental licensing program fees would not cover the significant costs for staff administration of a rental residential program. The Committee therefore concluded that the implementation of this type of program is cost prohibitive.

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9-17-09

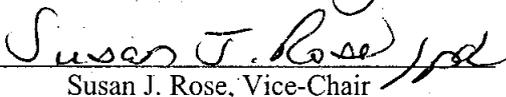
- The Committee also concluded that the impending local adjudication process would further help code enforcement in the community. Local adjudication is a process whereby the City will create its own “code hearing unit” with a local hearing officer, who will conduct hearings locally regarding all matters of code enforcement, including the Chronic Nuisance Ordinance, as well as other matters. This translates to more efficient and timely review of violations, thereby speeding up corrective action and compliance.
- Even before implementing local adjudication, the Police Chief indicates that the City’s Chronic Nuisance Ordinance continues to be a very effective tool for code enforcement for single-family home properties (including rental properties). Since the program started at the beginning of 2008:
 - 1) There have been a total of 93 cases; 17 cases addressed code enforcement issues such as property maintenance, while the remaining 76 were for parties, drinking, drug, and other behavioral violations.
 - 2) The Police Department has experienced a 95% “success rate” for the Program. Of the 93 properties identified, only 5 received a second violation notice within 180 days, while no properties have risen to a level of 3 violations within 180 days. If there were 3 violations on the property within 180 days, the owner could be fined up to \$1000 per day.
 - 3) Using the Chronic Nuisance ordinance the Police Department has received good cooperation from property owners to reconcile issues on their properties in all cases except one.

In conclusion, the Committee supports continued City enforcement efforts through existing tools such as the Chronic Nuisance Ordinance and impending local adjudication. The Committee does not support creating a new ordinance for rental residential licensing. Therefore, it is the recommendation of the Development, Planning and Zoning Committee that no new ordinance be created at this time.

Respectfully submitted,
DEVELOPMENT PLANNING AND ZONING COMMITTEE



Steven Morley, Chair



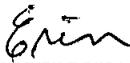
Susan J. Rose, Vice-Chair

Norman Leader, Ald. 2nd Ward



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CITY MANAGER

September 15, 2009

TO: Mayor DiCianni and Members of the City Council

RE: **Case Number 09 P-06/City of Elmhurst Zoning Ordinance Text Amendment**

Request by the City of Elmhurst, as petitioner, to amend certain provisions of the Elmhurst Zoning Ordinance with respect to pawnshop uses in Commercial Districts.

The Development, Planning and Zoning Committee met on September 14, 2009, to review the application and details regarding this request. The Committee reviewed applicable sections of the Zoning Ordinance, and the transcript of the public hearing.

The City of Elmhurst, as applicant, is requesting amendments to the Zoning Ordinance as follows:

- Delete Pawnshops as a permitted use in the C-1, C-2, and C-4 Districts;
- Pawnshops would continue to be a permitted use in the C-3 District. (*Note: The Zoning & Planning Commission determined that pawnshops should be a Conditional Use in the C3 district which the DPZ Committee also supported*);
- Add a definition for Pawnshops.

The DPZ Committee's discussion focused on a number of aspects associated with pawnshops and zoning regulations. They concluded, based on advice of Staff and City Attorney, that it is advisable to provide a mechanism to allow such uses in a limited area of the community. After discussion, the Committee concurred with the recommendation that the most appropriate area for such uses is the C-3 District, and they noted that there are 4 areas of C-3 zoning located in various areas of Elmhurst.

The Committee emphasized that it is important to provide significant controls in the Zoning Ordinance regarding pawnshops, hence they concurred with the recommendation that such uses only be allowed as conditional uses. The Committee reviewed the Standards for Conditional Uses and agreed that these Standards address potential issues associated with pawnshops, such as public health and safety.

The Committee then discussed other related matters, including pawnshop licensing, and zoning and licensing matters related to payday loan establishments. The Committee noted that pawnshops are financial institutions by definition, not retail stores, as they loan money in

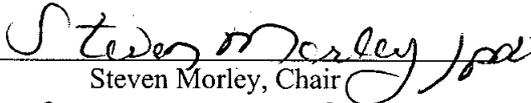
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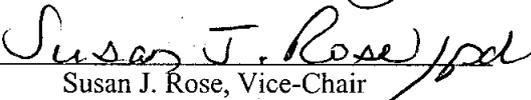
exchange for goods received as collateral. The Committee will submit a separate report recommending review of zoning regulations for payday loan establishments, and Ald. Rose provided a report recommending further review of licensing matters related to such businesses.

The Committee concluded review and discussion with a positive recommendation regarding the proposed text amendments as detailed above. Therefore, the Development, Planning and Zoning Committee recommend approval of the requested text amendments as outlined in the Zoning and Planning Commission report. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

Respectfully Submitted,
DEVELOPMENT PLANNING AND ZONING COMMITTEE



Steven Morley, Chair



Susan J. Rose, Vice-Chair

Norman Leader, Ald. 2nd Ward

VOW

O - 35 - 2009

AN ORDINANCE AUTHORIZING THE SALE
BY AUCTION OF PERSONAL PROPERTY
OWNED BY THE CITY OF ELMHURST

WHEREAS, in the opinion of at least three-fourths of the corporate authorities of the City of Elmhurst, it is no longer necessary or useful to or for the best interests of the City of Elmhurst to retain ownership of the personal property hereinafter described, and

WHEREAS, it has been determined by the Mayor and Council of the City of Elmhurst to sell said personal property.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Elmhurst, Du Page and Cook counties, Illinois as follows:

SECTION 1. In accordance with Section 11-76-4 of the Illinois Municipal Code (65ILCS 5/11-76-4), the Mayor and Council of the City of Elmhurst find that the personal property described as follows:

<u>Vehicle</u>	<u>Vin Number</u>
1999 GMC Jimmy 4-dr 4X4 tan	1GKDT13W4X2552165
1996 Toyota Avalon 4dr blue	4T1BF12B1TU130390

These vehicles now owned by the City of Elmhurst are no longer necessary or useful to the City of Elmhurst and the best interests of the City of Elmhurst will be serviced by there sale.

SECTION 2. The City Manager is hereby authorized and directed to sell the aforementioned personal property now owned by the City of Elmhurst.

SECTION 3. Upon payment of the price determined by auction, the City Manager is hereby authorized and directed to convey and transfer title to the aforesaid personal property, to the successful bidder.

SECTION 4. This ordinance shall be in force and effect from and after its passage, by a vote of at least three-fourths of the corporate authorities, and approval in the manner provided by law.

Approved this _____ day of _____, 2009.

Peter P. DiCianni, III, Mayor

Passed this _____ day of _____, 2009.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

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9-17-09

COUNCIL ACTION SUMMARY

SUBJECT: An Ordinance Authorizing the Sale by Auction and Disposal of Personal Property Owned by the City of Elmhurst

ORIGINATORS: Thomas P. Borchert, City Manager

DESCRIPTION OF SUBJECT MATTER:

The City of Elmhurst has been provided a 2006 1999 GMC Jimmy 4-dr 4X4 tan, VIN # 1GKDT13W4X2552165 and a, 1996 Toyota Avalon 4dr blue, VIN # 4T1BF12B1TU130390 through the Police Department's Article 36 Forfeiture. These vehicles serve no police or City purpose and should be declared surplus and auctioned or disposed of, and the attached ordinance allows that process to be implemented.

Memo

To: Tom Borchert
From: Evidence Custodian R.Miklas #89
CC: Deputy Chief Panico
Date: 9/16/2009
Re: Seizure Vehicles

Sir,

This memorandum is to advise you that the City of Elmhurst through the police department has been awarded two vehicles that we wish to auction off by electronic means, selling on E-Bay / Sending to auction or junking as they serve no useful purpose for the city. These vehicles were seized under Article 36 Forfeiture for driving offenses.

The police department is requesting through ordinance to auction or junk the following vehicles through E-Bay:

1. 1999 GMC Jimmy 4-dr 4X4 tan. VIN; 1GKDT13W4X2552165
Mileage 113,774. Case No. 09-11950 / 09 MR 684
2. 1996 Toyota Avalon 4-dr blue. VIN; 4T1BF12B1TU130390
Mileage 224,435. Case No. 09-004245 / 09 MR 315

Epur

O-36-2009

**AN ORDINANCE MAKING APPROPRIATIONS FOR
SPECIAL SERVICE AREA NUMBER TWELVE OF THE
CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING
MAY 1, 2009 AND ENDING APRIL 30, 2010**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS AS FOLLOWS:

SECTION 1. Findings. City of Elmhurst Special Service Area Number Twelve has been created by an Ordinance entitled:

"AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA NUMBER TWELVE OF THE CITY OF ELMHURST"

adopted and effective July 20, 2009, pursuant to the Special Service Area Tax Law 35 ILCS 200/27-5 et seq. Said Special Service Area Number Twelve consists of the territory described in the ordinance aforesaid. The City of Elmhurst is now authorized to levy taxes for special services in said Special Service Area.

SECTION 2. That the following sums are hereby appropriated to pay the necessary expenses of Special Service Area Number Twelve for the fiscal period beginning May 1, 2009 and ending April 30, 2010, such appropriations being made for the following objects and purposes:

**APPROPRIATIONS
SPECIAL SERVICE AREA NUMBER TWELVE**

	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>
	<u>Appropriated</u>	<u>Payable from</u>	<u>To Be Raised</u>
		<u>Other Sources</u>	<u>by Tax Levy</u>
DEBT SERVICE			
<u>Account No.</u>			
90-01 Repayment of Loan to Capital Improvement Fund	\$ 10,920		\$ 10,920
Total Appropriations	\$ 10,920		\$ 10,920

SECTION 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of the conflict.

SECTION 4. The City Clerk is hereby authorized and directed to file this Ordinance in the Office of the DuPage County Clerk and the Office of the Cook County Clerk on or before the time required by law.

**Copies To All
Elected Officials
9-17-09**

SECTION 5. This Ordinance shall be in full force and effect after passage and approval according to law.

Approved this _____ day of _____, 2009.

Peter P. DiCianni III, Mayor

Passed this _____ day of _____, 2009.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

SSA#12Appropriation

COUNCIL ACTION SUMMARY

SUBJECT: Appropriation Ordinance for Special Service Area Number Twelve
(North Side of Gladys Avenue between Garden and West Avenues)

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Special Service Area Number Twelve was established in July 2009 to provide special municipal services to said area in addition to services provided to the City generally. Such special services include but are not limited to the installation/construction of public sidewalks and improvements and appurtenances relating thereto. Since the City provided the total initial funding for the project, the funds appropriated and taxes levied for Special Service Area Number Twelve are for the sole purpose of repaying the Capital Improvement Fund for the property owners' share of the initial funding. This special service area will exist for a period of ten years.

As a special service area is a separate taxing district within the City, it is necessary to have a separate appropriation ordinance. An ordinance appropriating those funds necessary to provide for the repayment to the City of the owners' share of the cost of the sidewalk project described above is attached for Council consideration.

O-37-2009

**AN ORDINANCE MAKING APPROPRIATIONS FOR
SPECIAL SERVICE AREA NUMBER THIRTEEN OF THE
CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING
MAY 1, 2009 AND ENDING APRIL 30, 2010**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS AS FOLLOWS:

SECTION 1. Findings. City of Elmhurst Special Service Area Number Thirteen has been created by an Ordinance entitled:

"AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA NUMBER THIRTEEN OF THE CITY OF ELMHURST"

adopted and effective June 15, 2009, pursuant to the Special Service Area Tax Law 35 ILCS 200/27-5 et seq. Said Special Service Area Number Thirteen consists of the territory described in the ordinance aforesaid. The City of Elmhurst is now authorized to levy taxes for special services in said Special Service Area.

SECTION 2. That the following sums are hereby appropriated to pay the necessary expenses of Special Service Area Number Thirteen for the fiscal period beginning May 1, 2009 and ending April 30, 2010, such appropriations being made for the following objects and purposes:

**APPROPRIATIONS
SPECIAL SERVICE AREA NUMBER THIRTEEN**

	<u>Amount</u> <u>Appropriated</u>	<u>Amount</u> <u>Payable from</u> <u>Other Sources</u>	<u>Amount</u> <u>To Be Raised</u> <u>by Tax Levy</u>
DEBT SERVICE			
<u>Account No.</u>			
90-01 Repayment of Loan to Capital Improvement Fund	\$29,757		\$29,757
Total Appropriations	\$29,757		\$29,757

SECTION 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of the conflict.

SECTION 4. The City Clerk is hereby authorized and directed to file this Ordinance in the Office of the DuPage County Clerk and the Office of the Cook County Clerk on or before the time required by law.

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Elected Officials
9-17-09**

SECTION 5. This Ordinance shall be in full force and effect after passage and approval according to law.

Approved this _____ day of _____, 2009.

Peter P. DiCianni III, Mayor

Passed this _____ day of _____, 2009.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

SSA#13Appropriation

COUNCIL ACTION SUMMARY

SUBJECT: Appropriation Ordinance for Special Service Area Number Thirteen
(Prospect Avenue)

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

As the Council will recall, Special Service Area Number Thirteen was established in June 2009 to provide special municipal services to said area in addition to services provided to the City generally. Such special services include but are not limited to the construction and installation of water lines, pipes, valves, and meters, sanitary sewer lines and pipes, pavement replacement and repair, parkway restoration, street paving, maintenance and repair and all other improvements and appurtenances relating thereto. Since the City provided the total initial funding for the project, the funds appropriated and taxes levied for Special Service Area Number Thirteen are for the sole purpose of repaying the Capital Improvement Fund for the property owners' share of the initial funding. This special service area will exist for a period of twenty years.

As a special service area is a separate taxing district within the City, it is necessary to have a separate appropriation ordinance. An ordinance appropriating those funds necessary to provide for the repayment to the City of the owners' share of the cost of the project described above is attached for Council consideration.

O-38-2009

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN ELMHURST KNIGHTS OF COLUMBUS, ELMHURST AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

WHEREAS, Elmhurst Knights of Columbus, Elmhurst (“Licensee”) seeks to utilize part of the right-of-way of the City of Elmhurst (the “Property”) for its Oktoberfest fundraiser event (the “Event”) as described in the agreement attached hereto as Exhibit A (the “Agreement”); and

WHEREAS, the City Council of the City of Elmhurst finds it to be desirable and in the best interest of the City of Elmhurst to grant to the Licensee a non-exclusive license to enter on the Property for the purpose of presenting its Event subject to the terms of the Agreement.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois, as follows:

1. That the Non-Exclusive License Agreement, attached hereto and made a part hereof as Exhibit A, is approved and execution of the License Agreement by the Mayor and City Clerk is hereby ratified.
2. That the officials, officers, employees and agents of the City are authorized to take such actions and execute such documents as are necessary to carry out the purpose and intent of this Ordinance and the License Agreement.
3. That this Ordinance shall be in full force and effect upon and after its passage and approval in the manner provided by law.

**Copies To All
Elected Officials
9/17/09**

PRESENTED to the City Council of the City of Elmhurst, Illinois, this 21st day of September, 2009.

PASSED by the City Council of the City of Elmhurst, Illinois, this _____ day of September, 2009.

APPROVED by the Mayor of the City of Elmhurst, Illinois, this _____ day of September, 2009.

Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes: _____

Nays: _____

Absent: _____

EXHIBIT A

NON-EXCLUSIVE LICENSE AGREEMENT

Non-Exclusive License Agreement

This License Agreement ("License") is made and entered into on this ____ day of September, 2009 by and between the City of Elmhurst, Illinois, an Illinois municipal corporation (herein referred to as "Licensor") and Knights of Columbus, Elmhurst (herein referred to as "Licensee").

Licensee desires to enter onto the property commonly known as the City Parking Lot located at Vallette and South York Road, Elmhurst, Illinois, as illustrated in Exhibit A attached hereto and made a part hereof (the "Property"), for the purpose of utilizing the Property for an "Oktoberfest Fundraiser" event (the "Event"), and the Licensor is willing to grant Licensee a non-exclusive license to do so, on the terms and conditions set forth below.

Licensor hereby grants Licensee and its contractors, subcontractors, invitees, employees and agents (collectively, the "Users"), a temporary non-exclusive license to enter on the Property for the purposes of utilizing the Property for the Event, subject to the following terms and conditions:

(1) **TERM.** The term of this License shall be one day, beginning September 26, 2009 at 8:00 AM and ending at 11:00 PM (the "License Term").

(2) **RESTRICTION ON USE.** Licensee and Users shall only use the Property for the purposes of the Event. Licensee and Users shall not store or permit any storage of any materials or items on the Property. Licensee and Users shall only use the Property between the hours of 8:00 AM and 11:00 PM. The Licensee shall not alter the Property in any fashion without the written consent of the Licensor. The Licensee's use of the Property shall not be exclusive and shall not interfere with the Licensor's use of or access to the Property.

Licensee shall not carry on, upon the Property, or any part thereof, or permit to be carried on, any trade, business or use of an unsafe or unhealthful nature, or which shall constitute a nuisance. Licensee shall not use, or permit to be used, said Property, or any part thereof, for any illegal, immoral, or adult business (as defined in the Municipal Code of the City of Elmhurst) or purpose whatsoever. Licensee and Users shall comply with the requirements of the City of Elmhurst Police and Fire Departments in producing the Event and shall confer with said departments to ensure safety and compliance with all City Ordinances.

(4) **CONDITION; MAINTENANCE; REPAIR.** Licensee accepts the Property in its current condition and Licensor makes no representations concerning the condition of the Property. Licensor has no duty or obligation to maintain or repair the Property during the License Term. Any maintenance or repairs made to the Property by the Licensee shall be made at the sole expense of the Licensee and the Licensee shall have no right to recover any amounts for said maintenance or repairs from the Licensor. Further, Licensor shall not be liable to Licensee or Users for any damage or injury to any of them or their property occasioned by the failure of the Licensor to keep the Property maintained and in repair. Except as approved by the Licensor, Licensee and Users shall not attach, affix or exhibit or permit to be attached, affixed or exhibited any articles of permanent or

semi-permanent character or any sign, attached or detached, with any writing, printing of symbols thereof, on or about the Property, or upon any appurtenances thereto.

(5) ASSUMPTION OF RISK. Licensee and Users shall use the Property at their own risk and Licensor shall not be liable for any damage to person or property resulting, directly or indirectly, from Licensee's and Users' use of the Property.

(6) INSURANCE AND INDEMNIFICATION. Licensee shall indemnify and save harmless Licensor and its officials, officers, employees, staff, contractors, agents, representatives, consultants, successors and assigns (collectively, the "Indemnitees"), from and against any and all losses, damages, claims, actions, liabilities, costs and expenses including, without limitation, attorneys' fees and expenses, that the Indemnitees may suffer, incur or sustain arising out of or relating to the activities of Licensee or the Users of the Property, or any invitees thereof, under this License, or any acts or omissions of Licensee or its contractors, agents, employees, tenants, invitees or representatives hereunder; or with respect to or arising out of any use of the Property or the rights herein granted, or the performance or non-performance of Licensee's obligations hereunder.

No later than ten (10) days prior to the Event, the Licensee shall furnish, or cause its contractors to furnish, to the Licensor, a certificate of insurance evidencing commercial general liability insurance with minimum limits of One Million Dollars (\$1,000,000.00) combined single limit per occurrence and Two Million Dollars (\$2,000,000.00) general aggregate limits and otherwise reasonably satisfactory to the Licensor. The insurance policy shall be expressly endorsed to include the Licensor, as additional insured. Such insurance shall be maintained during the License Term.

(7) HAZARDOUS WASTE, SUBSTANCES, MATERIALS; EXPLOSIVES. Licensee shall not store, house, possess or permit any hazardous waste, hazardous substances, hazardous materials, or explosives, upon the Property, or any part thereof.

(9) ZONING. Nothing contained herein shall be construed as the Licensor's approval or granting of any zoning or license requirements, application or petition.

(10) REVOCATION. This License and any rights granted herein may be revoked by the Licensor at any time

[REST OF PAGE LEFT INTENTIONALLY BLANK]

LICENSOR

City of Elmhurst, an Illinois municipal corporation

By: _____
Peter P. DiCianni, Mayor

Attest: _____
Patty Spencer, City Clerk

LICENSEE

Knights of Columbus, Elmhurst

By: _____

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

Before me, the undersigned, a Notary Public in and for said county and state, on this day of September _____, 2009, personally appeared Peter P. DiCianni and Patty Spencer, to me known to be the President and Clerk, respectively, of the City of Elmhurst, an Illinois municipal corporation, who executed the foregoing License Agreement and acknowledged to me that they executed the same as their free and voluntary act and deed and as the free and voluntary act of the City of Elmhurst, for the uses and purposes therein set forth.

Notary Public

My Commission Expires: _____

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

On this ____ day of September, 2009, before me, a Notary Public in and for said State, personally appeared, _____, to me personally known, who being by me duly sworn did say that he executed the said instrument as his voluntary act and deed for the purposes set forth herein.

Notary Public

My Commission Expires: _____



Knights of Columbus would like to hold an Oktoberfest Fundraiser benefiting Knights of Columbus charities, which are many and include, Ray Graham Association, Misericordia, NEDSRA, Special Olympics of Illinois, Easter Seals, and Visitation Parish's Special Education program.

Date: Saturday, September 26th, 2009

Time: Set-up: Saturday morning at 8:00 am. Event time: 3:00pm -- 12:00 midnight

Location: City Parking lot located behind the Knights of Columbus Hall located at Vallette and S. York Road . Approval already gained from neighbor, Olympic Chiropractic

Venue: Large tent covering approximately 1/4 of parking lot. Beer garden and beer dispenser locations separately fenced-off.

Beverages: A. Alcohol: Beer and wine
B. Soft drinks and bottled water

Food: Provided by professional staff of Mama Maria's Elmhurst : owner Jim Calzante.

Music: Two polka bands playing in consecutive shifts

Insurance: \$1,000,000 in place for Knights of Columbus and City of Elmhurst.

Security: Combination of professional security officers, including off-duty police officers and Knights of Columbus volunteers. IDs checked and verified. Those over 21 must show official bracelet.

Restrooms: regular and handicapped accessible bathrooms available in the Knights of Columbus Hall.

Schedule of Events:

3:00 pm -- Tent opens
4:00 pm -- Outdoor Catholic Mass celebrated by Fr. John Breslin, Fr. Guido
5:00 pm -- Food and beer garden open
6:00 pm -- First band starts
9:00 pm -- Second band starts
11:45 pm -- Beer and wine sales end
12:00 am -- Event ends

Pete Alfini
Grand Knight, Ph. 630-800-8072
Knights of Columbus , Elmhurst

"Serving Elmhurst since 1918"

**PUBLIC AFFAIRS &
SAFETY COMMITTEE**

*Mayor TPB Alfini
Kopp
Dandauer
Spencer
8-20-09*



Plan for Selling Liquor at Knights of Columbus Oktoberfest: September 26, 2009

Application: We will apply for license with insurance: \$1,000,000 in place for Knights of Columbus and City of Elmhurst.

Venue: Large tent surrounded by temporary security gate on three sides and the Knights Hall on the fourth side.

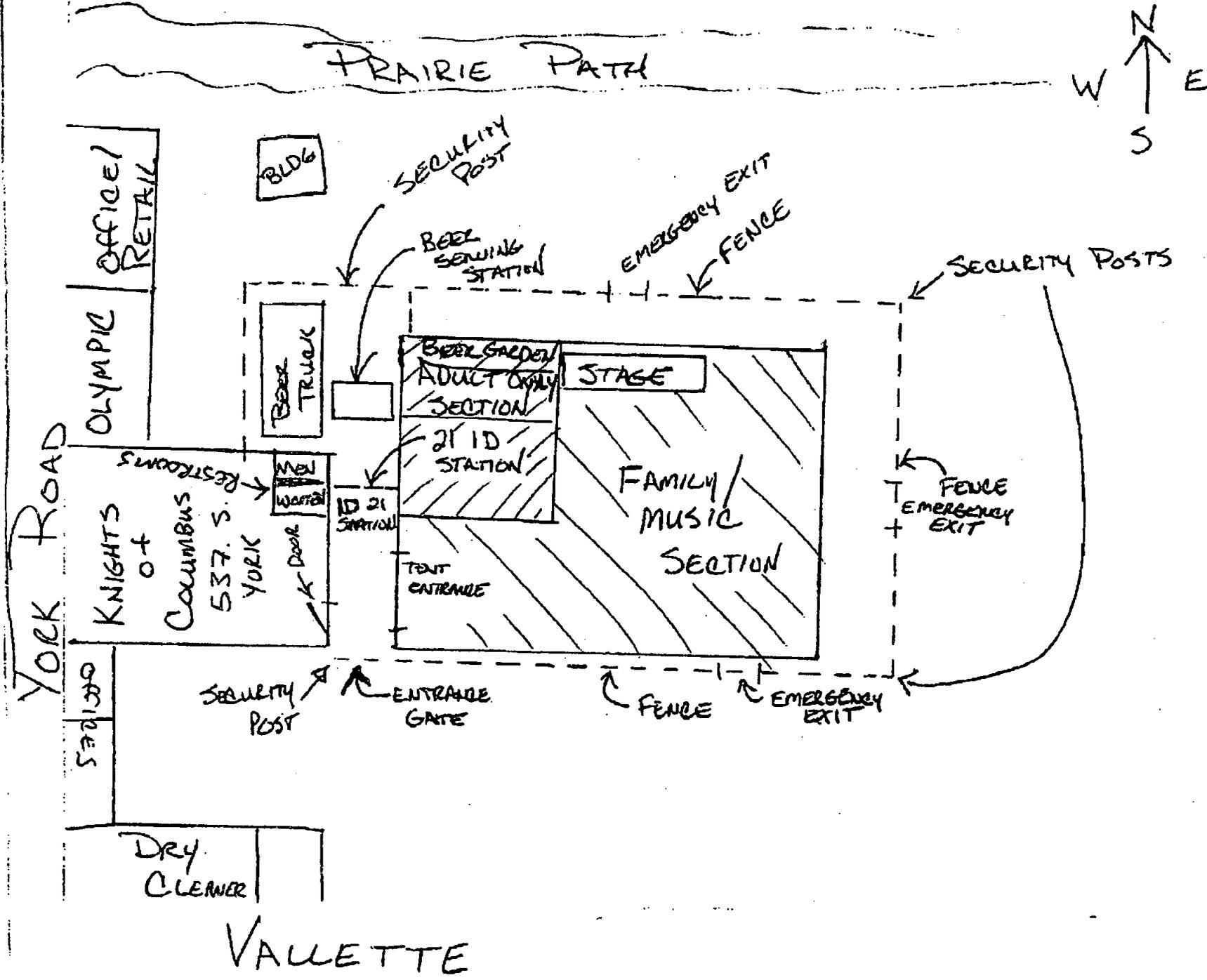
Location of beer and wine service station: northwest corner of city parking lot. All alcoholic beverages will be under security watch the entire event.

Sales process: all potential patrons will be ID'd at the 21 ID Station by security. Upon proper ID check, eligible patrons will receive a bracelet to show ticket seller that they are eligible. Then, eligible patrons may enter and purchase a ticket for alcoholic beverages. Ticket may be exchanged for alcoholic beverage at service station.

Security: Combination of professional security officers, including off-duty police officers and Knights of Columbus volunteers. IDs checked and verified. Those over 21 must show official bracelet.

Seating area: Patrons may consume beverages any under the tent, but a separate "beer garden/adult section" will be located next to the beer service station.

Hours: 3:00pm-11:45 pm. Tent closes at 12:00 pm.



O-39-2009

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION
OF RESTATED AND AMENDED COOPERATION AGREEMENT BETWEEN THE
ELMHURST HERITAGE FOUNDATION AND THE CITY OF ELMHURST,
DUPAGE COUNTY, ILLINOIS**

WHEREAS, the City of Elmhurst, having reviewed the proposed Restated and Amended Cooperation Agreement between the City of Elmhurst and the Elmhurst Heritage Foundation attached hereto as Exhibit A and made a part hereof, finds it necessary and in the best interest of the City of Elmhurst to amend the Cooperation Agreement with the Elmhurst Heritage Foundation as specified in the attached Exhibit A.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elmhurst, DuPage County, Illinois, as follows:

1. That the Restated and Amended Cooperation Agreement, attached hereto and made a part hereof as Exhibit A, is approved and execution of the Restated and Amended Cooperation Agreement by the Mayor and City Clerk is hereby ratified.
2. That the officials, officers, employees and agents of the City are authorized to take such actions and execute such documents as are necessary to carry out the purpose and intent of this Ordinance and the Restated and Amended Cooperation Agreement.
3. That this Ordinance shall be in full force and effect upon and after its passage and approval in the manner provided by law.

PRESENTED to the City Council of the City of Elmhurst, Illinois, this 21st day of September, 2009.

PASSED by the City Council of the City of Elmhurst, Illinois, this _____ day of September, 2009.

APPROVED by the Mayor of the City of Elmhurst, Illinois, this _____ day of September, 2009.

Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes: _____

Nays: _____

Absent: _____

EXHIBIT A

**RESTATED AND AMENDED COOPERATION AGREEMENT
BETWEEN THE CITY OF ELMHURST
AND THE ELMHURST HERITAGE FOUNDATION**

**AGREEMENT
BETWEEN THE CITY OF ELMHURST
AND THE ELMHURST HERITAGE FOUNDATION**

This Cooperation Agreement, dated as of _____ 1, 2009, but actually executed and delivered the date last hereinbelow written, by and between the City of Elmhurst, DuPage County, Illinois (the "*City*"), and the Elmhurst Heritage Foundation (the "*Foundation*"), for and in consideration of mutual covenants set forth:

WHEREAS, the Elmhurst Historical Commission and the Elmhurst Historical Museum Foundation have merged to become the Foundation; and

WHEREAS, the Foundation is charged with the responsibility to support the Elmhurst Historical Museum (the "*Museum*"), a department of the City; with fostering awareness of and public advocacy for the Museum; and with promoting and maintaining the Museum for the purpose of meeting the research, information, recreation and cultural needs of all residents of the City by providing them with historical resources in a variety of formats, exhibits, services and programs; and

WHEREAS, the Foundation supports the efforts of the Museum to collect, preserve, exhibit and interpret significant objects and documents that chronicle the historical importance of the City; and

WHEREAS, the Foundation has as its purpose the soliciting of contributions and funding for the Museum from individuals, foundations and corporations ("*Private Funds*" or "*Private Funding*") in its effort to create a substantial permanent endowment and to provide additional funding for the Museum; and

WHEREAS, the Foundation's fundraising efforts are designated to augment the efforts of the City to fund ongoing Museum activities and acquisitions and related financial needs ("*Public Funding*"), and until April 30, 2012, to make gifts to the City to be used to fund such activities and acquisitions only when the City is unable to provide sufficient funding due to a fiscal crisis; and

WHEREAS, the goal of the Foundation is to raise Private Funds to complement and augment Public Funding in a cooperative effort to support, enrich and enhance the Museum; and

WHEREAS, the Museum will benefit from the Foundation's cooperative efforts to correspondingly raise Private Funding levels in order to assist the Museum in attaining its goals and objectives of quality services; and

WHEREAS, the Museum depends on the long-term, continued and increasing commitment of the City, as the bearer of a great public trust, to provide Public Funds for the Museum, such Public Funding being enhanced by the philanthropic commitment on the part of individuals, corporations and Foundation ("*Foundation Contributors*") to provide Private Funding for the Museum; and

WHEREAS, the success of the Foundation efforts to raise Private Funds is contingent upon and facilitated by (i) establishing and maintaining an independent private-sector organization such as the Foundation, (ii) Foundation Contributors being assured that their gifts will not be offset by corresponding reductions in Public Funding, except when the City is unable due to a fiscal crisis to provide sufficient funding therefor, such exception lasting no later than April 30, 2012, and (iii) some form of public acknowledgements of gifts and contributions, as memorialized by a plaque, book plates and the like; and

WHEREAS, it is appropriate and in the best interests of the City that the City demonstrate its commitment that Private Funding provided by the Foundation is to be devoted exclusively to

developing and augmenting the resources and services of the Museum that are not otherwise provided for through other means of funding, including Public Funds and from public and private grants, except, until April 30, 2012, when other means of funding are unavailable due to a fiscal crisis, the funding provided by the Foundation may be used by the City to fund certain resources and services of the Museum normally provided by the City; and

WHEREAS, the Foundation will make disbursements, expenditures or transfers of money or property exclusively to or for the benefit of the Museum, *provided* that no such disbursement, expenditure or transfer of funds or property will be made to pay the ordinary operation, or maintenance expenses of the Museum, except that the Foundation may until April 30, 2012, make gifts to the City which may be used by the City to fund ordinary operation or maintenance expenses of the Museum when sufficient funding from the City is unavailable due to a fiscal crisis; and

WHEREAS, for the Foundation to be successful and effective in its fundraising efforts and to achieve its articulated goals, the City must commit to be integrally involved throughout the process.

NOW, THEREFORE, BE IT AGREED BY THE CITY OF ELMHURST, DUPAGE COUNTY, ILLINOIS, AND THE ELMHURST HERITAGE FOUNDATION AS FOLLOWS:

Section 1. The City and the Foundation agree that all of the recitals contained in the preambles to this Agreement are true, correct and complete and agree to incorporate them into this Agreement by this reference.

Section 2. The Foundation, as an independent 501(c)(3) organization, agrees to advise the Museum Director and City on matters relating to Museum operations and general policies that govern the implementation of the mission and long-range plan of the Museum.

Section 3. The City agrees that the Private Funding contributed by the Foundation and for the benefit of the Museum shall be considered as an additional, and not as an alternative, source of revenue for the Museum and increased Private Funding shall not be the basis or justification for offsetting reductions in Public Funding by the City.

However, when the City is unable to provide sufficient funding due to a fiscal crisis, the Foundation may temporarily provide gifts to the City to be used for funding and working capital to maintain programming and services in order to maintain the programs and exhibits of the Museum and to promote community interest in the Museum. The authority provided in this paragraph shall expire on April 30, 2012, and shall be annually reviewed by both the City and the Foundation.

Section 4. The City agrees to cooperate and assist the Foundation, to the extent that it is able to do so in accordance with applicable law, in the Foundation's efforts to solicit Private Funding.

Section 5. The Foundation and the City agree that the Museum Director or his or her designee shall attend all meetings of the Board of Directors of the Foundation (the "*Board*") and its Executive Committee and report on the activities of the Museum to the Board and such Executive Committee at each meeting thereof.

Section 6. The City agrees, if requested, to cooperate with and assist the Foundation's Finance Committee in efforts to develop a specific spending agenda (the "*Spending Agenda*") for Private Funds.

Section 7. The Foundation agrees that the use of Private Funds by the Museum shall be restricted to and targeted for programs the Foundation has identified pursuant to the Spending Agenda, within the time frames specified therein.

The remainder of this page is intentionally blank.

IN WITNESS WHEREOF the City has caused this Agreement to be signed in its name by its Mayor, and to be attested by the City Clerk under its corporate seal hereunto affixed; and the Foundation has caused this Agreement to be signed in its name by the President of the Board of Trustees of the Foundation and to be attested by the Secretary of said Board under its seal hereunto affixed, all this _____ day of _____, 2009.

CITY OF ELMHURST
DUPAGE COUNTY, ILLINOIS

By: _____
Mayor

ATTEST:

City Clerk

[SEAL]

ELMHURST HERITAGE FOUNDATION

By: _____
President, Board of Trustees

By: _____
Secretary, Board of Trustees

[SEAL]

UOW

R - 32 - 2009

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A CONTRACT BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND UTILITY DYNAMICS CORPORATION, FOR THE
SPRING ROAD BUSINESS DISTRICT LIGHTING IMPROVEMENTS**

PASSED AND APPROVED BY
THE MAYOR AND CITY COUNCIL
THE 21ST DAY OF SEPTEMBER, 2009

Copies To All
Elected Officials
9-17-09

R - 32 - 2009

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A CONTRACT BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND UTILITY DYNAMICS CORPORATION FOR THE
SPRING ROAD BUSINESS DISTRICT LIGHTING IMPROVEMENTS**

WHEREAS, it is the opinion of a majority of the corporate authorities of the City of Elmhurst (“the City”), that it is advisable, necessary and in the public interest that the City of Elmhurst engage in the Spring Road Business District Lighting Improvement; and

WHEREAS, the City has solicited proposals and has received a satisfactory proposal for a contract for the Spring Road Business District Lighting Improvements with Utility Dynamics Corporation, (the “Contractor”); and

WHEREAS, it is the opinion of a majority of the corporate authorities of the City that it is advisable, necessary and in the public interest that the City of Elmhurst enter into a contract with the Contractor for the Spring Road Business District Lighting Improvements..

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Elmhurst, DuPage County, Illinois as follows:

Section 1. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

Section 2. It is hereby determined that it is advisable, necessary and in the public interest that the City enter into the Contract with the Contractor, which Contract is attached hereto marked as Exhibit “A”, for the Spring Road Business District Lighting Improvements.

Section 3: The corporate authorities of the City hereby approve the Contract and the Mayor be and is hereby authorized and directed to execute, and the City Clerk be

and is hereby authorized and directed to attest, on behalf of the City, the Contract by and between the City and the Contractor in substantially the form attached hereto as Exhibit "A", with such changes therein as may be approved by the officials executing the same, their execution thereof shall constitute conclusive evidence of their approval of the same.

Section 4: The officials, officers, employees and agents of the City are authorized to take such actions and execute such documents as are necessary to carry out the purpose and intent of this Resolution and the Contract.

Section 5: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

APPROVED this 21st day of September, 2009, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me the _____ day of September, 2009.

Peter P. DiCianni III, Mayor of the
City of Elmhurst, DuPage County, Illinois

ATTESTED and filed in my office,
this _____ day of September, 2009.

Patty Spencer, Clerk of the City
of Elmhurst, DuPage County, Illinois

Exhibit A

**CONTRACT BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND UTILITY DYNAMICS CORPORATION, FOR THE
SPRING ROAD BUSINESS DISTRICT LIGHTING IMPROVEMENTS**

CONTRACT

THIS CONTRACT, made the 9th day of September, 2009, by and between Utility Dynamics Corporation (hereinafter referred to as the "Contractor"), and the City of Elmhurst, DuPage County, Illinois (hereinafter referred to as the "City"),

WITNESSETH:

The Contractor and the City, for and in consideration of the payments to be made by the City and the agreements set forth in the Proposal hereto attached, to be made Contractor, and according to the terms of the Contract Bond, the City and the Contractor agree that the Contractor at its own proper cost and expense shall perform the following Work, furnish all materials and labor necessary to complete the Work and in full compliance with all of the terms of this contract and the requirements of the City under it.

ARTICLE I: SCOPE OF WORK

The Contractor shall perform everything required to be performed, and shall provide and furnish all labor, materials, plant, tools, equipment, and other necessary apparatus and all transportation services required to complete all the work required for the Spring Road Business District Lighting Improvements, Project No. 09-36 in the City of Elmhurst, DuPage County, Illinois, all in strict accordance with the contract documents, which contract documents are made a part of this contract; and the Contractor shall do everything required by this contract and other documents constituting a part thereof all in strict compliance with Notice to Bidders and Invitation for Bids, the Specifications, Special Provisions, Proposal and Contract Bond which are essential documents of and made a part of this Contract.

ARTICLE II: TIME OF COMMENCEMENT AND COMPLETION

The work to be performed under this contract shall be commenced within (10) calendar days after the date the City gives the Contractor written notice to proceed. The work shall be substantially completed on or before **Friday, October 16, 2009**, with such extensions of time as are provided for in the contract documents.

ARTICLE III: THE CONTRACT PRICE

The City will pay the Contractor at the unit prices provided in the Contractor's proposal as full compensation for furnishing all the materials, for doing all work contemplated and specified in this contract, for all loss or damage arising out of the nature of the work or from any action of the elements or from any unforeseen difficulties which may be encountered in the prosecution of the same, for all risks of every description connected with the work, and for well and faithfully completing the work, and the whole thereof, in full compliance with the plans and contract documents, and within the time stated in the proposal hereby made a part hereof, which time is hereby declared to be of the essence of this contract.

The total contract price is two hundred thirty two thousand Dollars (\$232,592.00)
five hundred ninety two and 00/100

ARTICLE IV: PAYMENT

Partial payment, acceptance, and final payment is to be made to the Contractor in accordance with and subject to the provisions embodied in the Special Provisions, which are made a part of this Contract.

Final Payment

Final payment, constituting the entire unpaid balance of the contract sum, shall be paid by the Department to the Contractor as follows:

As soon as the work under this contract is completed and accepted by the Department, the Department will within thirty (30) days process a final estimate of payment. Within thirty (30) days after approval of the final estimate of payment, payment will be issued to the Contractor.

ARTICLE V: COMPONENT PARTS OF THE CONTRACT

This contract consists of the following component parts, all of which are as fully a part of this contract as if herein set out verbatim, or if not attached, as if attached hereto and are collectively referred to as the contract documents:

1. Addenda, if any (none unless indicated here) 2
2. Request for Proposals
3. Instructions to Bidders
4. Proposal
5. Contract
6. Contract Bond
7. Bidder's Certification
8. Special Provisions
9. Plans and Drawings
10. The "Standard Specifications for Road and Bridge Construction" adopted January 1, 2007, as amended by the ERRATA to the Standard Specifications for Road and Bridge Construction, adopted January 1, 2007 and revised January 1, 2009 (hereinafter referred to as the "Standard Specifications for Road and Bridge Construction") issued by the Illinois Department of Transportation. (Note: Not furnished by the City, but available from the Illinois Department of Transportation. See <http://www.dot.state.il.us>).
11. The "National Manual on Uniform Traffic Control Devices for Streets and Highways" (2003 Edition) supplemented by the "Illinois Supplement to the National Manual on Uniform Traffic Control Devices for Streets and Highways" (2003 Edition) issued by the Illinois Department of Transportation. (Note: Not furnished by the City, but available from the Illinois Department of Transportation. See <http://www.dot.state.il.us>).

12. All of the Supplemental Specifications listed herein and those Recurring Special Provisions and Recurring Local Roads and Streets Special Provisions, adopted January 1, 2009, indicated on the Check Sheet included herein supplement the Standard Specifications for Road and Bridge Construction, the Bureau of Design and Environment (BDE) Special Provisions, indicated on the Check Sheet included herein, the Local Roads Special Provisions, LR 105, "Cooperation with Utilities"; LR 107-4, "Insurance"; LR 107-5 "Substance Abuse Prevention Program" and the "Manual for Materials Inspection," January 1, 2007, all issued by the State of Illinois, Department of Transportation. (Note: Not furnished by the City, but available from the Illinois Department of Transportation. See <http://www.dot.state.il.us>).

If there are any inconsistencies in the contract documents which are not clarified by an Addendum, the better quality or greater quantity shall be provided in accordance with the City's interpretation thereof.

ARTICLE VI: COMPLIANCE WITH LAWS AND REGULATIONS

The Contractor shall comply with all applicable laws, regulations and rules promulgated by a Federal, State, County, Municipal or other governmental unit or regulatory body which are now in effect or which may be in effect during the performance of the work. Included with the scope of the laws, regulations and rules referred to in this paragraph but in no way to operate as a limitation, are all forms of traffic regulations, public utility and Intrastate and Interstate Commerce Commission regulations, Workers' Compensation Laws, Prevailing Wage Laws, the Social Security Act of the Federal Government and any of its titles, the Illinois Human Rights Act and regulations, EEOC statutory provisions and rules and regulations, OSHA statutory provisions and rules and regulations, and State and Federal EPA statutory provisions and rules and regulations.

ARTICLE VII: MISCELLANEOUS PROVISIONS

Independent Contractor. The Contractor shall have full control of the means and methods of performing the work which is the subject of this contract and the Contractor, its employees, representatives or subcontractors shall, in no sense, be deemed employees of the City, it being specifically agreed that with respect to the City, the Contractor and any party employed by the Contractor bears the relationship of an independent contractor.

No Third Party Rights. Nothing contained in the contract documents shall create a contractual relationship between the City and any third party; however, it is understood and agreed that the City is an intended third-party beneficiary of all contracts, subcontracts, purchase orders and other agreements between the Contractor and third parties. The Contractor shall incorporate the obligations of this contract in its respective subcontracts, supply agreements and purchase orders.

Assignment of Contract. The Contract shall be deemed to be exclusive between City and Contractor. This Contract shall not be assigned by the Contractor without first obtaining permission in writing from the City. The City may refuse to accept any substitute Contractor for any reason.

Notices. Written notices between the City and the Contractor shall be deemed sufficiently given after being placed in the United States mail, registered or certified, postage pre-paid, addressed to the above parties as follows:

a. If to the City

City of Elmhurst
209 North York Road
Elmhurst, Illinois 60126
Attn: Mr. Thomas P. Borchert, City Manager

b. If to Contractor:

Attn: _____

c. Either party may change its mailing address by giving written notice to the other party as provided above. ~~Whenever this contract requires one party to~~ give the other notice, such notice shall be given only in the form and to the addresses described in this paragraph.

Entire Contract. This Contract (including the contract documents) represents the entire and integrated Contract between the parties and supersedes all prior negotiations, representations or understandings, whether written or oral. In case of conflict between the terms contained herein and those contained in the General Conditions, the terms herein shall control. This Contract may only be amended or a provision hereof waived by the parties by written instrument executed by authorized signatories of the Department and Contractor. This Contract is executed that day and year first written above.

Additional Documents. The Contractor shall furnish any required affidavit or certificate, in connection with work covered by this contract as provided by law.

Governing Law. This contract shall be governed by the laws of the State of Illinois. Venue for any disputes between the parties shall be proper only in the Circuit Court for the 18th Judicial Circuit, DuPage County, Illinois.

IN WITNESS WHEREOF, the parties hereto have executed this contract the day and year first written above.

CONTRACTOR:

By: _____
Its _____
President

Attest: _____
Its _____
Secretary

CITY OF ELMHURST

By: _____
Peter "Pete" Dicianni
Mayor

Attest: _____
Patty Spencer
City Clerk

CONTRACT BOND

KNOW ALL MEN BY THESE PRESENTS that we
Utility Dynamics Corporation Principal (hereinafter referred to as the
"Contractor"), and _____
(hereinafter referred to as the "Surety"), are held and firmly bound unto the City of Elmhurst,
DuPage and Cook Counties, Illinois (hereinafter referred to as the "City"), in the penal sum of
_____ (\$ _____) lawful money of the United States, for the payment
of which sum of money, well and truly to be made, we bond ourselves, our heirs, executors,
administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, that whereas the
Contractor has entered into a contract with the City, bearing a date of _____
September 9, A.D. 20 09 for the Spring Road Business District Lighting
Improvements, Project No. 09-36, in the City of Elmhurst, DuPage and Cook Counties, Illinois,
which said contract is made a part of this bond the same as though set forth herein,

NOW, THEREFORE, if the Contractor shall well and faithfully do and perform the
things agreed by it to be done and performed according to the terms of said contract; and shall
pay all lawful claims of subcontractors, material men, and laborers for labor performed and
materials furnished in the carrying forward, performing or completing of said contract; we
agreeing that this undertaking shall be for the benefit of any subcontractor, material men or a
laborer having a just claim, as well as for the City herein, then this obligation shall be void;
otherwise the same shall remain in full force and effect; it being expressly understood and agreed
that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal
amount of this obligation as stated herein.

The said Surety, for value received, hereby stipulates and agrees that no change,
extension of time, alteration, or addition to the terms of any contract documents comprising said
contract, or to the work to be performed thereunder, shall in any way affect its obligations on this
bond, and it does hereby waive notice of any such change, extension of time, alteration or
addition to the work or to the terms of said contract documents comprising said contract.

thereto, as its Principal, and his/her name as Attorney In Fact, as the free and voluntary act of said Principal for the uses and purposes therein set forth, and that he/she executed the said instrument under authority given to him/her by said Principal.

Given under my hand and Notarial Seal this _____ day of _____, A.D., 20__.

Notary Public

**APPROVED THIS 8th day of September A.D., 20 09
CITY OF ELMHURST**

By: _____
Its Mayor , **Peter P. DiCianni III**

Attest: _____
Its City Clerk , **Patty Spencer**

STATE OF ILLINOIS)
) SS

COUNTY OF DUPAGE)

I, _____, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that Peter P. DiCianni III, Mayor of the City of Elmhurst, and Patty Spencer, its City Clerk, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Mayor and City Clerk, respectively, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act and as such Mayor and City Clerk, respectively, and as the free and voluntary act of the City of Elmhurst for the uses and purposes therein set forth.

Given under my hand and notarial seal, this _____ day of _____, 20__.

Notary Public

BIDDER'S CERTIFICATION

The assurances hereinafter made by the Contractor are each a material representation of fact upon which reliance is placed by the City of Elmhurst in entering into the contract with the Contractor. The City of Elmhurst may terminate the contract if it is later determined that the Contractor rendered a false or erroneous assurance, and the surety providing the performance bond shall be responsible for the completion of the contract.

I, _____, hereby certify that I am the _____,
(Name of Person Certifying) (Office of Person Certifying)
of Utility Dynamics Corp, and as such hereby represent and warrant to the City of Elmhurst, a
(Name of Contractor)
municipal corporation, that the Contractor and its shareholders holding more than five percent (5%) of the outstanding shares of the corporation, its officers and directors are:

- (A) not delinquent in the payment of taxes to the Illinois Department of Revenue in accordance with 65 ILCS 5/11-42.1-1;
- (B) not barred from contracting as a result of a violation of either Section 33E-3 (bid rigging) or 33E-4 (bid-rotating) of the Criminal Code of 1961 (720 ILCS 5/33E-3 and 5/33E-4);
- (C) not in default, as defined in 5ILCS 385/2, on an educational loan, as defined in 5ILCS 385/1;

In addition, the Contractor hereby represents and warrants to the City of Elmhurst, that:

- (A) the Contractor has and will comply with all laws relating to the payment of general prevailing wages in accordance with the Illinois Prevailing Wage Act (820 ILCS 130/0.01 *et seq.*);
- (B) the Contractor has and will comply with all laws relating to the employment preference to veterans in accordance with the Veterans Preference Act (330 ILCS 55/0.01 *et seq.*);
- (C) the Contractor has and will comply with all laws relating to the employment of Illinois workers in accordance with the Employment of Illinois Workers on Public Works Act (30 ILCS 570/1 *et seq.*);
- (D) the Contractor, pursuant to 30 ILCS 580/1 *et seq.* ("Drug-Free Workplace Act"), will provide a drug-free workplace by:
 - (1) Publishing a statement:
 - a. Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance including

cannabis, is prohibited in the Contractor's workplace;

- b. Specifying the actions that will be taken against employees for violations of such prohibition;
 - c. Notifying the employee that, as a condition of employment on such Contract, the employee will:
 - i. Abide by the terms of the statement;
 - ii. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;
- (2) Establishing a drug-free awareness program to inform employees about:
- a. the dangers of drug abuse in the workplace;
 - b. the Contractor's policy of maintaining a drug-free workplace;
 - c. any available drug counseling, rehabilitation, and employee assistance program; and
 - d. the penalties that may be imposed upon employees for drug violations;
- (3) Making it a requirement to give a copy of the statement required by Subsection (D)(1) to each employee engaged in the performance of the Contract, and to post the statement in a prominent place in the workplace;
- (4) Notifying the Village within ten (10) days after receiving notice under paragraph(D)(1)e from an employee or otherwise receiving actual notice of such conviction;
- (5) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted, as required by 30 ILCS 580/5;
- (6) Assisting employees in selecting a course of action in the event drug counseling treatment and rehabilitation is required and indicating that a trained referral team is in place;
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of this section;
- (E) the Contractor has not excluded and will not exclude from participation in, denied the benefits of, subjected to discrimination under, or denied employment to any

person in connection with any activity funded under the contract on the basis of race, color, age, religion, national origin, disability, or sex;

- (F) the Contractor, at the time the Contractor submitted a bid on this contract, had an Illinois Department of Human Rights pre-qualification number or had a properly completed application for same on file with the Illinois Department of Human Rights, as provided for in 44 Illinois Administrative Code 750.210;
 - (G) no City officer, spouse or dependent child of a City officer, agent on behalf of any City officer or trust in which a City officer, the spouse or dependent child of a City officer or a beneficiary is a holder of any interest in the Contractor; or, if the Contractor's stock is traded on a nationally recognized securities market, that no City officer, spouse or dependent child of a City officer, agent on behalf of any City officer or trust in which a City officer, the spouse or dependent child of a City officer or a beneficiary is a holder of more than one percent (1%) of the Contractor, but if any City officer, spouse or dependent child of a City officer, agent on behalf of any City officer or trust in which a City officer, the spouse or dependent child of a City officer or a beneficiary is a holder of less than one percent (1%) of such Contractor, the Contractor has disclosed to the City in writing the name(s) of the holder of such interest.
-
- (H) no officer or employee of the City has solicited any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer from the Contractor in violation of Section 15.02 of Chapter 15 of the Elmhurst Municipal Code; and
 - (I) the Contractor has not given to any officer or employee of the City any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer in violation of Section 15.02 of Chapter 15 of the Elmhurst Municipal Code.
 - (J) in compliance with the Substance Abuse Prevention on Public Works Projects Act (Public Act 95-0635), the Contractor is a party to a collective bargaining agreement dealing with the subject matter of the Substance Abuse Prevention on Public Works Projects Act or has in place and is enforcing a written program which meets or exceeds the program requirements of the Substance Abuse Prevention on Public Works Projects Act.
 - (K) neither it nor any of its principals, shareholders, members, partners, or affiliates, as applicable, is a person or entity named as a Specially Designated National and Blocked Person (as defined in Presidential Executive Order 13224) and that it is not acting, directly or indirectly, for or on behalf of a Specially Designated National and Blocked Person and that the Contractor and its principals, shareholders, members, partners, or affiliates, as applicable, are not, directly or

VOW

R - 33 - 2009

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND STEINER ELECTRIC COMPANY, FOR THE
SPRING ROAD BUSINESS DISTRICT STREETLIGHT MATERIALS**

PASSED AND APPROVED BY
THE MAYOR AND CITY COUNCIL
THE 21st DAY OF SEPTEMBER, 2009

Copies To All
Elected Officials

9-17-09

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND STEINER ELECTRIC COMPANY FOR THE
SPRING ROAD BUSINESS DISTRICT STREETLIGHT MATERIALS**

WHEREAS, it is the opinion of a majority of the corporate authorities of the City of Elmhurst (“the City”), that it is advisable, necessary and in the public interest that the City of Elmhurst engage in the Spring Road Business District Streetlight Materials Purchase; and

WHEREAS, the City has solicited proposals and has received a satisfactory proposal for a purchase order for the Spring Road Business District Streetlight Materials with Steiner Electric Company, (the “Supplier”); and

WHEREAS, it is the opinion of a majority of the corporate authorities of the City that it is advisable, necessary and in the public interest that the City of Elmhurst enter into a purchase order with the supplier for the Spring Road Business District Streetlight Materials Purchase.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Elmhurst, DuPage County, Illinois as follows:

Section 1. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

Section 2. It is hereby determined that it is advisable, necessary and in the public interest that the City enter into a purchase order with the Supplier, which purchase order is attached hereto marked as Exhibit “A”, for the Spring Road Business District Streetlight Materials Purchase.

Section 3: The corporate authorities of the City hereby approve the purchase order and the Mayor be and is hereby authorized and directed to execute, and the City

Clerk be and is hereby authorized and directed to attest, on behalf of the City, the purchase order by and between the City and the Supplier in substantially the form attached hereto as Exhibit "A", with such changes therein as may be approved by the officials executing the same, their execution thereof shall constitute conclusive evidence of their approval of the same.

Section 4: The officials, officers, employees and agents of the City are authorized to take such actions and execute such documents as are necessary to carry out the purpose and intent of this Resolution and the purchase order.

Section 5: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

APPROVED this 21st day of September, 2009, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me the _____ day of September, 2009.

Peter P. DiCianni III, Mayor of the
City of Elmhurst, DuPage County, Illinois

ATTESTED and filed in my office,
this _____ day of September, 2009.

Patty Spencer, Clerk of the City
of Elmhurst, DuPage County, Illinois

Exhibit A

**PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND STEINER ELECTRIC COMPANY, FOR THE
SPRING ROAD BUSINESS DISTRICT STREETLIGHT MATERIALS
PURCHASE**



CITY OF ELMHURST

209 N. York St. Elmhurst, IL 60126
Phone (630) 530-3000 Fax (630) 530-6403

09-36

PURCHASE ORDER NUMBER

21839

F

Our purchase order number must appear on your invoice in order to process it for prompt payment.

<p>Steiner Electric Company Attn: Valerie Blaszk 1250 Touhy Avenue Elk Grove Village, IL 60007</p>	<p>Date: August 26, 2009</p> <p>Mark shipment for: City of Elmhurst Attn: Greg Bree Public Works Garage 985 S. Riverside Drive Elmhurst, IL 60126 All shipments to be made prepaid unless otherwise specified.</p>
---	--

Quantity	Description	Amount	Appropriation Code
42	Lighting Standard, Complete, Material only: * Pole * Single arm assembly * 1 fixture (100W) @ \$2,598.21	\$109,124.82	110-6041-432-80-15
1	Lighting Standard, Complete, Material only: * Pole * Single arm assembly * 1 fixtures (100W) with photo Cell @ \$2,625.01	2,625.01	
Total bid price		\$111,749.83	
DELIVERY: 8-10 WEEKS Per your written proposal dated August 4, 2009.			

SUBJECT TO TERMS AND CONDITIONS ON REVERSE SIDE

Special Instructions:

Sales to the City of Elmhurst are exempt from Illinois Sales Tax under 35 ILCS 105/3-5(4).
Our tax exempt # E 9997-4460-05

Approved For Issue:  Authorized Signature	Date: 9/29/09
Received By: _____ Authorized Signature	Date: _____

VENDORS

Erin

R - 34 - 2009

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND INSITUFORM TECHNOLOGIES (SUB CONTRACTOR IS SUBURBAN
GENERAL, FOR THE
2009 SANITARY SEWER CIPP LINING CHANGE ORDER**

PASSED AND APPROVED BY
THE MAYOR AND CITY COUNCIL
THE 21st DAY OF SEPTEMBER, 2009

Copies To All
Elected Officials

9-17-09

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND INSITUFORM TECHNOLOGIES (SUB-CONTRACTOR IS SUBURBAN
GENERAL) FOR THE
2009 SANITARY SEWER CIPP LINING CHANGE ORDER**

WHEREAS, it is the opinion of a majority of the corporate authorities of the City of Elmhurst (“the City”), that it is advisable, necessary and in the public interest that the City of Elmhurst engage in the 2009 Sanitary Sewer CIPP Lining Change Order; and

WHEREAS, the City has solicited proposals and has received a satisfactory proposal for a purchase order for the 2009 Sanitary Sewer CIPP Lining Change Order with Insituform Technologies (sub-contractor is Suburban General), (the “Supplier”); and

WHEREAS, it is the opinion of a majority of the corporate authorities of the City that it is advisable, necessary and in the public interest that the City of Elmhurst enter into a purchase order with the supplier for the 2009 Sanitary Sewer CIPP Lining Change Order.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Elmhurst, DuPage County, Illinois as follows:

Section 1. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

Section 2. It is hereby determined that it is advisable, necessary and in the public interest that the City enter into a purchase order with the Supplier, which purchase order is attached hereto marked as Exhibit “A”, for the 2009 Sanitary Sewer CIPP Lining Change Order.

Section 3: The corporate authorities of the City hereby approve the purchase order and the Mayor be and is hereby authorized and directed to execute, and the City

Clerk be and is hereby authorized and directed to attest, on behalf of the City, the purchase order by and between the City and the Supplier in substantially the form attached hereto as Exhibit "A", with such changes therein as may be approved by the officials executing the same, their execution thereof shall constitute conclusive evidence of their approval of the same.

Section 4: The officials, officers, employees and agents of the City are authorized to take such actions and execute such documents as are necessary to carry out the purpose and intent of this Resolution and the purchase order.

Section 5: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

APPROVED this 21st day of September, 2009, pursuant to a roll call vote as follows:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTENTION: _____

APPROVED by me the _____ day of September, 2009.

Peter P. DiCianni III, Mayor of the
City of Elmhurst, DuPage County, Illinois

ATTESTED and filed in my office,
this _____ day of September, 2009.

Patty Spencer, Clerk of the City
of Elmhurst, DuPage County, Illinois

Exhibit A

**PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND INSITUFORM TECHNOLOGIES (SUB-CONTRACTOR IS SUBURBAN
GENERAL), FOR THE
2009 SANITARY SEWER CIPP LINING CHANGE ORDER**

PURCHASE REQUISITION – CITY OF ELMHURST

DATE 9/15/09	REQUESTED BY O'Donovan	DEPARTMENT PW/Utilities	HOW SHIP FOB	PURPOSE OR REASON FOR PURCHASE Sanitary Sewer Point Repair	
SHIP TO City of Elmhurst 985 S. Riverside Drive, Elmhurst, IL 60126			PROJECT WHERE USED (Location) 836 Emroy		
QUANTITY	DESCRIPTION	UNIT COST	TOTAL COST	CHARGE TO ACCOUNT	
1	Sanitary Sewer Repair (Lump sum)	\$58,485.00	\$58,485.00	510-6056-502-80-13	
	Change Order w/Insituform				
REMARKS Per City Council approval (see attached)			TOTAL EST. COST \$58,485.00		
VENDOR OR SUGGESTED SOURCE Insituform Technologies USA, Inc.			APPROVED BY	P.O. NUMBER	
ADDRESS P. O. Box 674060 Dallas, Texas 75267-4060			DATE	DATE	

INSTRUCTIONS TO FINANCE DEPARTMENT

- MAIL ORIGINAL PURCHASE ORDER TO VENDOR
- RETURN ORIGINAL PURCHASE ORDER TO O'Donovan
- FAX COPY OF PURCHASE ORDER TO VENDOR AT () -
- RETURN COPY OF COMPLETED PURCHASE ORDER TO

VDW

R - 35 - 2009

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND CARGIL, INC. SALT DIVISION, FOR THE
2009-10 STATE OF ILLINOIS JOINT PURCHASE CONTRACT FOR ROCK
SALT**

**PASSED AND APPROVED BY
THE MAYOR AND CITY COUNCIL
THE 21st DAY OF SEPTEMBER, 2009**

**Copies To All
Elected Officials**

9-17-09

**A RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND CARGILL INC. SALT DIVISION, FOR THE
2009-10 STATE OF ILLINIOS JOINT PURCHASE CONTRACT FOR ROCK
SALT**

WHEREAS, it is the opinion of a majority of the corporate authorities of the City of Elmhurst (“the City”), that it is advisable, necessary and in the public interest that the City of Elmhurst engage in the 2009-10 State of Illinois Joint Purchase Contract for Rock Salt; and

WHEREAS, the City has solicited proposals and has received a satisfactory proposal for a purchase order for the 2009-10 State of Illinois Joint Purchase Contract for Rock Salt with Cargil, Inc. Salt Division; and

WHEREAS, it is the opinion of a majority of the corporate authorities of the City that it is advisable, necessary and in the public interest that the City of Elmhurst enter into a purchase order with the supplier for the 2009-10 State of Illinois Joint Purchase Contract for Rock Salt.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Elmhurst, DuPage County, Illinois as follows:

Section 1. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

Section 2. It is hereby determined that it is advisable, necessary and in the public interest that the City enter into a purchase order with the Supplier, which purchase order is attached hereto marked as Exhibit “A”, for the 2009-10 State of Illinois Joint Purchase Contract for Rock Salt.

Section 3: The corporate authorities of the City hereby approve the purchase order and the Mayor be and is hereby authorized and directed to execute, and the City Clerk be and is hereby authorized and directed to attest, on behalf of the City, the purchase order by and between the City and the Supplier in substantially the form attached hereto as Exhibit "A", with such changes therein as may be approved by the officials executing the same, their execution thereof shall constitute conclusive evidence of their approval of the same.

Section 4: The officials, officers, employees and agents of the City are authorized to take such actions and execute such documents as are necessary to carry out the purpose and intent of this Resolution and the purchase order.

Section 5: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

APPROVED this 21st day of September, 2009, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me the _____ day of September, 2009.

Peter P. DiCianni III, Mayor of the
City of Elmhurst, DuPage County, Illinois

ATTESTED and filed in my office,
this _____ day of September, 2009.

Patty Spencer, Clerk of the City
of Elmhurst, DuPage County, Illinois

Exhibit A

**PURCHASE ORDER BETWEEN THE CITY OF ELMHURST, ILLINOIS,
AND CARGIL, INC. SALT DIVISION, FOR THE
2009-10 STATE OF ILLINOIS JOINT PURCHASE CONTRACT FOR ROCK
SALT**

A Purchase Order will be issued upon approval of R-35-2009.



CITY OF ELMHURST

209 NORTH YORK STREET
ELMHURST, ILLINOIS 60126-2759
(630) 530-3000
www.elmhurst.org

VDW
PETER "PETE" DICIANNI
MAYOR
PATTY SPENCER
CITY CLERK
DAVID DYER
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

September 15, 2009

TO: City Manager Thomas P. Borchert

FROM: Development, Planning and Zoning Committee

RE: Zoning Ordinance Text Amendments for Payday Loan Establishments – Request for Review

DATE: September 15, 2009

Based on Development, Planning and Zoning Committee discussion at the September 14, 2009 Committee meeting regarding pawnshops and payday loan businesses, we respectfully request that the City Council authorize City application for text amendments regarding payday loan establishments. This would allow Staff to submit an application on the City's behalf for detailed review by the Zoning & Planning Commission. The DPZ Committee proposes that more restrictive zoning controls be put in place for payday loan establishments. The Committee notes that in difficult economic times, it is possible that such businesses could become more prevalent, and even predominant, without more restrictive controls.

The Committee proposes these restrictions to protect the community due to the potentially predatory nature of payday loan establishments. Such businesses provide short-term loans at interest rates that are very unfavorable for the typical consumer. In a more difficult economic climate, there can be an increase in the number of consumers with short-term financial difficulties, prompting them to pay bills and expenses on a "paycheck-to-paycheck" basis.

On a related note, Alderman Rose submitted a separate request for review of licensing and related regulations for these types of establishments, to establish comprehensive City controls regarding payday loan (and pawnshop) businesses.

It is therefore respectfully requested that the City Council authorize City staff to file application to the Zoning and Planning Commission for text amendments regarding payday loan establishments.

Respectfully submitted,
DEVELOPMENT PLANNING AND ZONING COMMITTEE

Steven Morley jpd
Steven Morley, Chair

Susan J. Rose jpd
Susan J. Rose, Vice-Chair

Norman Leader, Ald. 2nd Ward

Copies To All
Elected Officials

9-17-09

MCO-18 - 2009

AN ORDINANCE PROHIBITING VIDEO GAMING WITHIN THE CITY OF ELMHURST

WHEREAS, the Video Gaming Act (230 ILCS 40/1 *et seq.*) (the "Act") authorizes video gaming and the operation of video gaming terminals at certain types of establishments within the State of Illinois; and

WHEREAS, Section 27 of the Act provides that a municipality may pass an ordinance prohibiting video gaming within the corporate limits of the municipality; and

WHEREAS, the City of Elmhurst (the "City") is a home rule unit of local government under the provisions of Article 7, Section 6 of the Illinois Constitution; and

WHEREAS, except as limited by Article 7, Section 6, the City of Elmhurst, as a home rule unit of local government, has the authority to exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to regulate for the protection of the public health, safety and welfare; and

WHEREAS, the corporate authorities of the City of Elmhurst find and determine that the use of video gaming terminals in establishments within the City would be detrimental to the public health and safety of the City and its residents; and

WHEREAS, the City has determined that any public benefit derived from the use of video gaming terminals in establishments within the City is outweighed by a variety of adverse impacts on residents of the City, including, but not limited to, the potential for corruption, the impact on the cost of law enforcement, regulatory difficulties, and high social costs; and

WHEREAS, the legalization of video gaming within the City is not consistent with the City's desire to maintain a family-friendly environment for residents and their children; and

WHEREAS, the corporate authorities find that it is in the best interests of the City and its residents for the City to prohibit video gaming; and

WHEREAS, this ordinance is being enacted pursuant to both the statutory authority provided by Section 27 of the Act and also pursuant to the powers which the City has under the Illinois Constitution as a home rule unit of local government; and

WHEREAS, it is the intent of the corporate authorities of the City in enacting this ordinance to prohibit video gaming and the operation of video gaming terminals within the corporate limits of the City as would otherwise be allowed under the Act.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois as follows:

Copies To All Elected Officials
09-03-09
09-17-09

SECTION 1. The recitals to this ordinance as set forth above are incorporated into and made a part of this ordinance.

SECTION 2. That Section 31.40 entitled, "Automatic amusement devices," of Article III entitled, "Amusements," of Chapter 31 entitled, "Business Licensing, Regulation and Registration," of the Elmhurst Municipal Code is amended to read as follows:

"31.40 Automatic amusement devices.

A license shall be required for each coin-in slot, mechanical and/or electronic amusement device, including jukeboxes. An electronic amusement device does not include a video gaming terminal as defined in the Video Gaming Act (230 ILCS 40/5)."

SECTION 3. That Section 51.41 entitled, "Gambling," of Chapter 51 entitled, "Offenses Against Public Peace, Safety and Morals," of the Elmhurst Municipal Code is amended as follows:

By amending Section 51.41 as follows:

By amending subparagraph (b) as follows:

By adding subparagraph (b) (10) to read as follows:

"10. Possession, use or operation of video gaming terminal as authorized by the Video Gaming Act (230 ILCS 40/1 *et seq.*)"

SECTION 4. That Section 51.41.1 entitled, "Video gaming prohibited," of Chapter 51 entitled, "Offenses Against Public Peace, Safety and Morals," of the Elmhurst Municipal Code is added to read as follows:

"51.41.1 Video gaming prohibited.

(a) Video gaming as authorized by the Video Gaming Act (230 ILCS 40/1 *et seq.*) is prohibited within the corporate limits of the City of Elmhurst. For the purposes of this section, video gaming means the possession, use or operation of any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including, but not limited to, video poker, line up, and blackjack, utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash."

SECTION 5. That Section 51.42 entitled, "Gambling devices," of Chapter 51 entitled, "Offenses Against Public Peace, Safety and Morals," of the Elmhurst Municipal Code is amended as follows:

By amending Section 51.42 as follows:

By amending subparagraph (a) as follows:

By adding subparagraph (a) (2) to read as follows:

“2. Any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including, but not limited to, video poker, line up, and blackjack, utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash.”

SECTION 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Approved this _____ day of _____, 2009.

Peter P. DiCianni III, Mayor

Passed this _____ day of _____, 2009.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: An Ordinance Prohibiting Video Gaming Within the City of Elmhurst

ORIGINATOR: Public Affairs and Safety Committee

DESCRIPTION OF SUBJECT MATTER:

The State of Illinois passed the Video Gaming Act (230 ILCS 40/1 et seq.) (the "Act") which will allow video gambling terminals to be operated at certain types of establishments (mainly holders of liquor licenses for consumption on the premises). Section 27 of the Act allows the City to pass an ordinance prohibiting video gaming within its corporate limits. This ordinance amends certain sections of the Elmhurst Municipal Code to prohibit video gaming.