

VOW

**AGENDA
OF BUSINESS TO BE BROUGHT BEFORE THE MEETING
OF THE CITY COUNCIL OF ELMHURST, ILLINOIS, 209 NORTH YORK
MONDAY, FEBRUARY 1, 2010
7:30 P.M.**

1. **Executive Session 7:00 p.m. – Collective Bargaining (Conf. Room #2)**
2. **Invocation – Fr. Tony Taschetta, Pastor, Mary Queen of Heaven Parish**
3. **Pledge of Allegiance**
4. **Call to Order/Roll Call**
5. **Receipt of Written Communications and Petitions from the Public**
6. **Public Forum**
7. **Consent Agenda**
 - a. Minutes of the Regular Meeting Held on Tuesday, January 19, 2010 (City Clerk Spencer): Approve as published
 - b. Minutes of the Executive Session Held on Tuesday, January 19, 2010 (City Clerk Spencer): Receive and place on file
 - c. Accounts Payable – January 31, 2010 Total \$ 2,613,227.95
 - d. Bid, 2010-2012 Contract Turf and Landscape Maintenance (City Clerk Spencer): Refer to the Public Works and Buildings Committee
 - e. Change in Regular Council Agenda to Include Public Prayer – Aldermen Rose, Mulliner, Bram, Leader, Gutenkauf, Shea & Pezza (City Manager Borchert): Refer to the Finance, Council Affairs and Administrative Services Committee
 - f. Report – First Street Parking Deck Bids for Plumbing (PW&B)
 - g. Report – Illinois Prairie Path at York Street Pedestrian/Bicycle Crossing Review (PA&S)
 - h. Report – Bid, One (1) Toyota Sienna – LE (PA&S)
 - i. Report – Auditor's Fiscal 2009 Management Letter (F,CA&AS)
 - j. Report – Status Report of Pending Items (F,CA&AS)
 - k. O-02-2010 – An Ordinance Approving and Authorizing the Execution of Non-Exclusive License, Agreement By and Between Elmhurst Running Club, Inc. and the City of Elmhurst, DuPage and Cook Counties, Illinois
 - l. O-03-2010 – An Ordinance Authorizing the Sale of Surplus Personal Property of the City of Elmhurst
 - m. MCO-01-2010 – An Ordinance to Amend Article V Entitled, "Driving, Overtaking and Passing," of Chapter 44 Entitled, "Motor Vehicles and Traffic," of the Municipal Code of the City of Elmhurst, Illinois
 - n. MCO-02-2010 – 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
 - o. MCO-03-2010 – An Ordinance to Amend Article VI Entitled, "Special Stops," of Chapter 44 Entitled, "Motor Vehicles and Traffic," of the Municipal Code of the City of Elmhurst, Illinois
 - p. MCO-04-2010 – An Ordinance Amending Section 3.22 Entitled "Code Hearing Unit/Administrative Adjudication of Ordinance Violations" of Chapter 3 Entitled "City Administration" of the City of Elmhurst Municipal Code
 - q. MCO-05-2010 – An Ordinance Amending Section 44.200 Entitled "Violation of Article VII (Parking)" of Article IX Entitled "Penalties" of the Chapter 44 Entitled "Motor Vehicles and Traffic" of the Municipal Code of the City of Elmhurst, Illinois
 - r. MCO-06-2010 – An Ordinance Amending Section 36.11 Entitled "Limitation on Number of Licenses," of Article II Entitled "Retail Licenses" of Chapter 36 Entitled "Liquor" of the Municipal Code of Ordinances of the City of Elmhurst, DuPage and Cook Counties, Illinois
 - s. ZO-01-2010 – An Ordinance Granting a Conditional Use Permit for the Purpose of Erecting a Pylon Sign on the Property Commonly Known as 684 West Lake Street (Pump-It-Up)
 - t. R-02-2010 – A Resolution to Identify Legal Signatories and Depositories for the City of Elmhurst

- u. R-03-2010 – A Resolution to Approve and Authorize the City of Elmhurst Use of Investment Services Institutions and Authorized Signatories
- v. R-04-2010 – A Resolution to Approve and Authorize the Execution of a Construction Engineering Services Agreement for Federal Participation By and Between Transystems Corporation and the City of Elmhurst
- w. R-05-2010 – A Resolution to Approve and Authorize the Execution of an Intergovernmental Agreement Amendment By and Between the Illinois Department of Transportation and the City of Elmhurst
- x. R-06-2010 – A Resolution Relating to Participation By Elected Officials in the Municipal Retirement Fund
- y. R-07-2010 – A Resolution Authorizing the Execution of a Contract Extension Between Metro Paramedic Services, Inc. and the City of Elmhurst, Illinois
- z. R-08-2010 – A Resolution Approving PMA Financial Network, Inc. and PMA Securities, Inc. for Investment Services and Approving a Deposit Clearing Account With Harris N.A. for the City of Elmhurst

8. Committee Reports

- a. Report – Municipal Code of Ordinances Chapter 2 Revisions (F,CA&AS)
- b. Report – Property Tax Rebate Program (F,CA&AS)

9. Reports and Recommendations of Appointed and Elected Officials

- a. Updates (Mayor DiCianni)
- b. Report – DuPage River/Salt Creek Work Group Update (City Manager Borchert & WWTP Director Streicher)

10. Other Business

11. Announcements

12. 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, JANUARY 19, 2010
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, JANUARY 19 2010
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 7:00 P.M. – LITIGATION, LAND ACQUISITION AND PERSONNEL

1. Executive session was called to order at 7:05 p.m. by Mayor DiCianni for the purpose of discussing Litigation, Land Acquisition & Personnel.

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

Absent: Chris Nybo (arrived at 7:28 p.m.)

Also in attendance: City Attorney Storino, City Manager Borchert, Fire Chief/Acting City Manager Kopp

Alderman York moved to convene into executive session for the purpose of discussing Litigation, Land Acquisition & Personnel. Alderman Bram seconded. Roll call vote:

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

Nays: None

13 ayes, 0 nays, 1 absent
Motion duly carried

Alderman Pezza moved to adjourn executive session. Alderman Bram seconded. Voice vote. Motion carried. Executive session adjourned at 7:54 p.m.

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ ROLL CALL

Attendance: 17

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 8:01 p.m.

Present: Diane Gutenkauf, Paula Pezza, Pat Shea, Norman Leader, Susan J. Rose, Michael J. Bram, Stephen Hipskind, Kevin L. York, Chris Nybo (left at 8:25 p.m.), Chris Healy, Steve Morley, Jim Kennedy, Mark A. Mulliner, Patrick Wagner

Absent: None.

Also in Attendance: City Attorney Storino, City Manager Borchert, Fire Chief/Acting Assistant City Manager Kopp, Zoning Administrator Werner

AWARD PRESENTATION & RECOGNITION – DANIEL BURNHAM AWARD FOR A COMPREHENSIVE PLAN (ILLINOIS CHAPTER OF THE AMERICAN PLANNING ASSOCIATION)

3. Mayor DiCianni welcomed President of the Illinois Chapter of the American Planning Association, Karen Stonehouse who is present this evening to bestow the Daniel Burnham Award for a Comprehensive Plan to the City of Elmhurst. He also welcomed Phil Hanegraaf, Vice-President of HNTB Consulting, Zoning Administrator Than Werner and the past and present members of the Zoning & Planning Commission stating their hard work and dedication made this valuable plan a reality for Elmhurst.

President Stonehouse reviewed the criteria for the Daniel Burnham Award for a Comprehensive Plan stating that the City of Elmhurst was recognized among other things for their bold vision, use of subarea planning and substantial effort to gain public input, hosting over thirty (30) meetings with the community. She awarded the plaque to the past and present members of the Zoning & Planning Commission.

Consultant Hanegraaf thanked President Stonehouse and the IL Chapter of the American Planning Association for their recognition of Elmhurst for this award stating he was particularly pleased to see Elmhurst win. He stated the City appreciates open and honest dialogue and aspires for solutions that work. He congratulated and praised the Zoning & Planning Commission for their participation in this process, in particular Chairman Whistler for his endless hours to the community. He stated the City staff is committed to keeping the Elmhurst community talking and working together and the technical excellence of the Comprehensive Plan will be a true compass for the City.

Mayor DiCianni thanked City staff, Phil Hanegraaf, the members of the Zoning & Planning Commission and the City Council for putting the Comprehensive Plan into action for the City of Elmhurst. The Mayor also thanked President Stonehouse and the IL Chapter of the American Planning Association for recognizing Elmhurst with the Burnham Award.

PROCLAMATION – OFFICIAL RADON ACTION DAY

4. Mayor DiCianni stated the issue of radon was brought to the Council by resident Bill Trudeau, whose wife was diagnosed with lung cancer due to elevated radon levels in their home. The Mayor stated he himself has since had his home tested and he too had elevated radon levels that have since been taken care of. He stated testing is simple and relatively inexpensive and he encouraged all residents of Elmhurst whether their home is new or old, to test for radon.

The Mayor read a proclamation declaring January 19, 2010 official Radon Action & Awareness Day in the City of Elmhurst.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

5. None.

PUBLIC FORUM

6. Daniel Cusack
0S579 Kirk
Elmhurst, IL 60126

Spoke regarding the development of the new Elmhurst Hospital and its negative affects on area residents. He asked Council to consider the major problems residents are having now when discussing the new petition for annexation that was recently submitted by the Hospital.

CONSENT AGENDA

7. The following items on the Consent Agenda were presented:
- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, JANUARY 4, 2010 (City Clerk Spencer): Approve as published
 - b. ACCOUNTS PAYABLE – JANUARY 19, 2010 TOTAL \$ 1,029,777.99
 - c. BID, CITY OF ELMHURST 175 W. FIRST STREET PARKING GARAGE DESIGN BUILD PLUMBING (City Clerk Spencer): Refer to the Public Works and Buildings Committee

January 14, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Bid, City of Elmhurst 175 W. First Street Parking Garage Design Build Plumbing

In response to an invitation to bid for the City of Elmhurst 175 W. First Street Parking Garage Design Build Plumbing advertised in the Elmhurst Press on Friday, December 18, 2009, bids were received from three area contractors.

Bids were opened at 10:00 a.m. on Tuesday, January 5, 2010, and following is a summary of the bids received:

<u>Contractor</u>	<u>Total Cost</u>
U.S. Plumbing and Sewer (Elmhurst, IL)	\$105,850.00
MVP Plumbing Corporation (Montgomery, IL)	\$115,500.00
Lino and Poli Plumbing (Itasca, IL)	\$199,820.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- d. REGULATION OF ELECTRONIC SIGNS (City Manager Borchert): Refer to the Development, Planning and Zoning Committee

January 13, 2010

To: Mayor DiCianni and Members of the City Council
Re: Regulation of Electronic Signs

It is respectfully requested that the attached request from Alderman Rose and Alderman Morley regarding the regulation of electronic signs be referred to the Development, Planning and Zoning Committee for their review, evaluation and subsequent recommendation for City Council action.

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

- e. LUCKYMOTORS.COM – SALES TAX REBATE REQUEST (City Manager Borchert): Refer to the Finance, Council Affairs and Administrative Services Committee

January 14, 2010

To: Mayor DiCianni and Members of the City Council
Re: Lucky Motors.Com – Sales Tax Rebate Request

It is respectfully requested that the issue of a Lucky Motors.Com sales tax rebate to assist in the conversion of an Industrial Park site into a retail sales dealership facility for Lucky Motors.Com be forwarded to the Finance, Council Affairs and Administrative Services Committee,

In addition, Lucky Motors.Com has made a request for an additional form of sales tax rebate to assist with extraordinary advertising costs that are associated with their proposed car sales business venture in the City of Elmhurst. Acting Assistant City Manager Kopp and I have met with the principals of Lucky Motors.Com to explain Elmhurst's past practice in considering sales tax rebates for initial construction extraordinary expenses, but not heretofore for operating expenses. Nonetheless, the principals would wish the opportunity to present their request and proposal to the City for consideration.

It is therefore the recommendation that the attached request from Lucky Motors.Com be forwarded to the Finance, Council Affairs and Administrative Services Committee for their review, evaluation and recommendation for City Council consideration.

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

- f. REPORT – ST. CHARLES ROAD LAPP IMPROVEMENTS CONSTRUCTION ENGINEERING SERVICES The following report of the Public Works and Buildings Committee was presented for passage:

January 11, 2010

TO: Mayor DiCianni and Members of the City Council
RE: St. Charles Road LAPP Improvements Construction Engineering Services

The Public Works and Building Committee met on Monday, January 11, 2010 to discuss a proposal received from TranSystems Corporation for professional engineering services for construction of the St. Charles Road improvements from Poplar Avenue to York Street.

The improvements include removal and replacement of deteriorated sections of curb and gutter, pavement and sidewalks. The final pavement construction will include a 3 inch grind of the existing concrete and a 3 inch overlay with asphalt.

TranSystems assisted the City in the preparation of an American Recovery and Reinvestment Act (ARRA) funding application. ARRA funding for construction was approved through the DuPage Mayors and Managers Conference (DMMC). The St. Charles LAPP Improvements were approved for \$420,000 of ARRA highway funds. The construction estimate for this project is \$445,000.

TranSystems has assisted the City in the preparation of Phase I preliminary engineering and Phase II design engineering for this project. The Phase III construction engineering services include construction observation, inspection assistance, construction layout, project coordination, materials testing, final construction documents and as-built drawings in accordance with ARRA funding requirements. This project will be bid through the Illinois Department of Transportation (IDOT) on January 15, 2010. Construction is anticipated to begin in the spring of 2010.

TranSystems has proposed to do this work on a cost plus fixed fee basis with a total cost not to exceed \$46,375.76. The consultant fees and services are outlined in the IDOT Local Agency/Consultant, Construction Engineering Services Agreement for Federal Participation attached. These rates are consistent with fees for professional services on similar projects. TranSystems has completed similar work for the City in the past on various City projects in a satisfactory and professional manner. Monies for this project have been provided in the FY 2009/10 Budget, Account Number 110-6041-432-80-15 in the amount of \$50,000.

It is, therefore, the recommendation of the Public Works and Building Committee that the Construction Engineering Services Proposal from TranSystems Corporation for the St. Charles Road LAPP Improvements in the amount not to exceed \$46,375.76, be accepted, a resolution authorizing this contract be prepared and that the appropriate City agent be authorized to sign the IDOT Construction Engineering Services Agreement for Federal Participation.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- g. REPORT – ROUTE 83 AND LAKE STREET TRAFFIC SIGNAL UPGRADES – IDOT INTERGOVERNMENTAL AGREEMENT AMENDMENT The following report of the Public Works and Buildings Committee was presented for passage.

January 11, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Route 83 and Lake Street Traffic Signal Upgrades – IDOT Intergovernmental Agreement Amendment

The Public Works and Buildings Committee met on Monday, January 11, 2010 to discuss an Intergovernmental Agreement Amendment with the Illinois Department of Transportation (IDOT). The amendment covers the installation of LED traffic signals and an uninterrupted power supply (UPS) system at three major intersections within the City of Elmhurst. The intersections receiving the improvements are Route 83 with North Avenue, Route 83 with St. Charles Road, and Lake Street at the Illinois Route 83 east ramp/Grand Avenue.

These three intersections are major carriers of traffic involving multiple lanes and tens of thousands of cars traveling in different directions on any given day of the week. The City has experienced problems in the past during storms with power outages at these intersections. When an intersection as large as these goes dark the potential for serious traffic accidents is elevated greatly. In order to keep the traveling public safe the City of Elmhurst deploys Elmhurst police officers to perform traffic control duties at any of these intersections when they are without power.

With the large number of lanes and the volumes of traffic it takes twelve officers at one time to control all of these intersections during a power outage. During 2007, the intersection of North Avenue and Route 83 was without power for 36 hours. The City police personnel staffed this intersection for entire time.

As these intersections are staffed 24 hours per day, some of this work is occurring at night. This creates a potentially hazardous situation for the officers and the motoring public. In addition, the overtime costs are quite large. Working together the City engineering staff and the police department have been able to secure an upgrade to the three intersections listed above for an uninterrupted power supply. This will enable the signals to remain on even during a power outage and thereby eliminate the need for Elmhurst police officers to man the intersections. In addition, City staff through the Retrofit Road Program was able to get IDOT to pay for the entire upgrade including an

upgrade from the incandescent bulbs to LED for each of the intersections. The City will pay the contractor for the work and then be reimbursed by IDOT. The total value of the work at all three intersections is estimated to be \$59,978.00

The City is responsible, however, for the energy and maintenance costs on an ongoing basis. Those costs are part of an existing agreement which now needs to be amended to include these additional facilities. Attached is a copy of the intergovernmental agreement amendment.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the appropriate City agent be authorized to sign the intergovernmental agreement amendment for the work as outlined above.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Michael J. Bram

Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- h. REPORT – MONTROSE AVENUE AT HILLSIDE AND FAIRFIELD AVENUES STOP SIGN REQUEST The following report of the Public Affairs and Safety Committee was presented for passage:

January 11, 2010

To: Mayor DiCianni and Members of the City Council
RE: Montrose Avenue at Hillside and Fairfield Avenues Stop Sign Request

The Public Affairs and Safety Committee met on January 11, 2010 to discuss the neighborhood request for Stop Signs on Montrose Avenue at Hillside and Fairfield Avenues.

In response to a neighborhood request, the area surrounding Lincoln School was studied extensively by staff and the City's traffic consultant, Brent Coulter of Coulter Transportation Consulting in late 2008 and early 2009. Several changes were made to facilitate pedestrian safety including crosswalk striping, vehicular turn restrictions, and temporary street closures along Montrose Avenue and Vallette Street. In the Fall of 2009, another major improvement was completed in the area. The Illinois Prairie Path was re-aligned to cross at the intersection of Berkley Avenue, and the intersection was changed from a 2-way to a 4-way stop.

Subsequent to these changes and acclimation to the new traffic patterns, Mr. Coulter reviewed the intersections adjacent to Lincoln School. The warrants for 2-way stop control are met due to sight distance restrictions at the southeast corner of the intersection of Hillside and Montrose Avenues. It was also suggested for consistency surrounding the school and to improve driver expectation/behavior, that the adjacent intersection of Hillside and Fairfield Avenues be changed to a 2-way stop as well. Based on Mr. Coulter's findings, staff recommends that the existing yield signs on the northbound and southbound approaches to Montrose Avenue and Hillside and Fairfield be replaced with stop signs.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to replace the current yield signs with Stop Signs on the northbound and southbound approaches to Montrose Avenue at Hillside and Fairfield Avenues.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Chris Nybo
Vice-Chairman
/s/ Paula Pezza

- i. REPORT -- ADJUDICATION PROCESS -- ORDINANCE CHANGES The following report of the Public Affairs and Safety Committee was presented for passage:

January 11, 2010

To: Mayor DiCianni and Members of the City Council
Re: Adjudication Process – Ordinance Changes

The Public Affairs and Safety Committee met on January 11, 2010 to discuss changes to the Adjudication Process Ordinance. The adjudication ordinance was approved by the City Council on October 5, 2009. As City staff worked through the adjudication process it is the recommendation of City staff that the following ordinance changes be made:

- To allow residents, as well as non-residents to adjudicate by mail.
- To allow violators to request a hearing date if they contest the ticket. Hearing dates will not automatically be assigned by the officer.
- To establish the discussed increase in parking fines. Currently the fine schedule is \$25 initially, then increasing to \$50. The change would allow for the following four increases: \$25, \$50, \$100 and finally \$150 (then collection). The goal of adjudication is to encourage compliance and/or increase the collection rate. As fines are not paid within the designated timeframe, the fine will incrementally increase by the designated dollar amount to affect either compliance or payment.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the City Attorney draft the appropriate changes to the current ordinances to allow residents, as well as non-residents to adjudicate by mail, to change the current fine schedule to include the following increases for unpaid parking violations: \$25, \$50, \$100 and \$150 and to allow violators to request a hearing date if the ticket is contested.

Respectfully submitted,
Public Affairs and Safety Committee

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

- j. REPORT – EAST END PARK PARKING RESTRICTIONS The following report of the Public Affairs and Safety Committee was presented for passage:

January 11, 2010

To: Mayor DiCianni and Members of the City Council
Re: East End Park Parking Restrictions

The Public Affairs and Safety Committee met on January 11, 2010 to discuss area residents' safety concerns near East End Park. Neighborhood concerns include pedestrian safety, traffic congestion due to vehicle parking and increased roadway use due to park and pool activities.

In response neighborhood concerns, the City's traffic consultant, Brent Coulter of Coulter Transportation Consulting reviewed the area for possible safety improvements. Based on Mr. Coulter's findings, staff recommends the following parking restrictions and improvements:

- Restrict parking on the west side of Caroline Avenue from Schiller Street to the southern East End Park driveway (approximately 155 feet).
- Install a new striped crosswalk and warning signs on the east leg of the intersection of Caroline and Schiller.
- Extend the existing parking restrictions on the west side of Caroline Avenue from Third Street to 246 Caroline Avenue. Parking should be prohibited further south to the new striped crosswalk north of the northern East End Park driveway (an additional 115 feet).
- Install a new striped crosswalk with warning signs just north of the northern East End Park Driveway.
- Installation of a new sidewalk to facilitate pedestrian access at both crosswalk locations. The Elmhurst Park District and the City of Elmhurst will split the cost of this project 50/50, bringing the City cost to approximately \$3,000.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to restrict parking on the west side of Caroline Avenue from Schiller Street to the southern East End Park driveway, to extend the existing parking restriction on the west side of Caroline Avenue further south an additional 115 feet to the new striped crosswalk and to install a new sidewalk for pedestrians at both crosswalk locations.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Chris Nybo
Vice-Chairman
/s/ Paula Pezza

- k. REPORT – ADMINISTRATIVE TOW POLICY The following report of the Public Affairs and Safety Committee was presented for passage:

January 11, 2010

TO: Mayor DiCianni and the Members of the City Council
RE: Administrative Tow Policy

The Public Affairs and Safety Committee met on January 11, 2010, to discuss an Administrative Towing Policy.

Illinois law allows home rule communities to provide for a system of seizure and impounding of motor vehicles operated by or in physical control of persons connected with the commission of certain offenses. Administrative tow fees are designed to recoup City costs associated with prosecutions and discourage offenders who use their motor vehicles in commission of the following offenses:

1. Driving while license suspended or revoked, excluding a suspension for an emissions violation.
2. Driving under the influence of alcohol or drugs.
3. Fleeing or attempting to elude the police.
4. Drag racing.
5. Unlawful use of a weapon.
6. Possession of a controlled substance.
7. Possession of cannabis in excess of 30 grams (felony amount).
8. Soliciting for a prostitute.
9. Driving while license expired for a period in excess of one year.
10. Driving a motor vehicle without ever having been issued an Illinois driver's license.
11. Felony theft.
12. Armed robbery.

Enactment of this ordinance shall not replace any existing State or Federal law or City ordinance that relates to seizure and/or impoundment of motor vehicles.

In addition, existing ordinance amendments will require the Chief to approve all towing fees for companies authorized to tow for the City. The Chief is also working with the City attorney on a Request for Proposal for tow vendors to further regulate those companies who tow for the City.

The Chief explained to the Committee that most DuPage County communities currently participate in Administrative Towing procedures. When an officer makes an arrest for any of the listed offenses, their vehicle may be towed. After the suspect is released on bond, he or she must post a bond at the police station for the vehicle. Most communities set their fine and, therefore, the bond required at \$500. After this bond is posted at the police station, the tow company is notified that the vehicle can be released upon payment of the tow fee. If the owner of the vehicle wishes to contest the Administrative Tow, the case is assigned to the Elmhurst Adjudication system. If the owner does not wish to contest the Administrative Tow, the bond is accepted as the fine. In the event that an owner does not post a bond for the vehicle and abandons the vehicle with the tow company, State law provides for disposal of the vehicle.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City attorney be directed to prepare an ordinance to provide for a seizure and impoundment of motor vehicles used in the commission of certain offenses. Additionally, the City attorney should be directed to develop a Request for Proposal to assist the Chief in regulating requirements, rules and fees for private vendors towing vehicles for the City of Elmhurst.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Chris Nybo
Vice-Chairman
/s/ Paula Pezza

- I. REPORT - ILLINOIS MUNICIPAL RETIREMENT FUND (IMRF) AMENDMENT RESOLUTION The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

January 12, 2010

To: Mayor DiCianni and Members of the City Council
Re: Illinois Municipal Retirement Fund (IMRF) Amendment Resolution

The Finance, Council Affairs and Administrative Services Committee met January 11, 2010, to review the amendment to the Illinois Municipal Retirement Fund elected officials resolution from 1948.

Elected officials have the option of enrolling in the Illinois Municipal Retirement Fund, as per Section 7-137 of the Illinois Pension Code, if there is a 1000 hour rule resolution passed by the City Council certifying the positions are IMRF eligible, and if the elected official meets the 1000 hour standard of hours worked in a calendar year.

The Illinois Municipal Retirement Fund provides the option for elected officials to enroll in IMRF. The original City of Elmhurst resolution, passed in 1948, allowed the positions of mayor and city clerk to participate. However, the resolution was adopted under the previous 600 hour rule standard, and needs to be updated to the 1000 hour standard. In 1982 the City adopted the 1000 hour rule standard by resolution, but the elected official resolution was not amended at that time. The amended resolution will provide the opportunity for City of Elmhurst elected officials to elect to participate in IMRF under the 1000 hour rule standard now required by IMRF.

It is therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare the necessary resolution to allow elected officials to participate in the Illinois Municipal Retirement Fund if they are in positions normally requiring performance of duty for 1000 hours or more per year.

Respectfully submitted,
Finance, Council Affairs and
Administrative Services Committee
/s/ Stephen Hipskind
Chairman
/s/ Kevin York
Vice-Chairman
/s/ Mark Mulliner
/s/ Diane Gutenkauf

- m. REPORT – CASE NUMBER 09 P-12/PUMP-IT-UP CONDITIONAL USE – 684 W. LAKE ST.
The following report of the Development, Planning and Zoning Committee was presented for passage:

January 13, 2010

TO: Mayor DiCianni and Members of the City Council

RE: Case Number 09 P-12 / Pump-It-Up Conditional Use - 684 W. Lake St.

Request for a Conditional Use Permit for the purpose of erecting a pylon sign on property commonly known as 684 W. Lake Street (PIN 03-27-410-001 & 002), said property being wholly located in the C3 General Commercial District.

The Development, Planning and Zoning Committee met on January 11, 2010 to review the Zoning & Planning Commission report dated December 17, 2009. The Committee noted that the Zoning and Planning Commission report unanimously recommends approval of the Applicant's request. The applicant, Mr. Walter Haller, owner of Pump It Up, is requesting a Conditional Use Permit to allow the erection of a pylon sign with an electronic reader board on the subject site.

The Committee reviewed the documentation supplied by the applicant, the Staff Report and the transcript of the public hearing. The Committee discussed the height, advertising area and location of the proposed pylon sign noting that the sign is smaller in height and area than what is allowed for a Conditional Use sign in the C3 General Commercial district. The proposed sign will have an electronic reader board which will fully comply with Zoning Ordinance regulations.

The Committee finds that the proposed pylon sign will provide adequate and appropriate business identification for the subject site, and will improve the safety of customers entering the subject site.

Therefore, it is the recommendation of the Development, Planning and Zoning Committee that the City Council approve this request. The City Attorney is hereby directed to prepare an Ordinance authorizing a Conditional Use Permit for the requested pylon sign.

Respectfully submitted,
Development, Planning and Zoning Committee
/s/ Steven Morley
Chairman
/s/ Susan J. Rose
Vice-Chairman
/s/ Norman Leader

n. O-01-2010 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-01-2010 was presented for passage.

o. R-01-2010 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR SPECIAL WASTE REMOVAL, SITE DEMOLITION, CAST IN PLACE CONCRETE, ELECTRICAL AND PLUMBING, FOR THE FIRST STREET PARKING DECK PROJECT FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-01-2010 was presented for passage.

Alderman Rose pulled item **7g. Report – Route 83 and Lake Street Traffic Signal Upgrades – IDOT Intergovernmental Agreement Amendment** from the Consent Agenda.

Alderman Healy moved to approve the contents of the Consent Agenda less item **7g. Report – Route 83 and Lake Street Traffic Signal Upgrades – IDOT Intergovernmental Agreement Amendment**. Alderman Hipskind seconded. Roll call vote:

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

Nays: None

Results: 14 ayes, 0 nays, 0 absent
Motion duly carried

Alderman Kennedy moved to approve item **7g. Report – Route 83 and Lake Street Traffic Signal Upgrades – IDOT Intergovernmental Agreement Amendment**. Alderman Bram seconded.

Alderman Rose stated she thinks that this is a great idea however she wants to know if the proper truck route signage will be put up when the lights are replaced.

Alderman Kennedy stated the Public Works and Buildings Committee will certainly look into the signage at said intersection.

Roll call vote on item **7g. Report – Route 83 and Lake Street Traffic Signal Upgrades – IDOT Intergovernmental Agreement Amendment**:

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

Nays: None

Results: 14 ayes, 0 nays, 0 absent
Motion duly carried

COMMITTEE REPORTS

8. a. REPORT – LIQUOR LICENSE REQUEST: WALGREENS The following report of the Public Affairs and Safety Committee was presented for passage:

January 11, 2010

To: Mayor DiCianni and Members of the City Council
Re: Liquor License Request: Walgreens

The Public Affairs and Safety Committee met on January 11, 2010, to discuss the liquor license request by Walgreens, located at 160 Robert Palmer Drive. Representatives from Walgreens were present to explain their plan and answer the Committee's questions.

Walgreens is located at 160 Robert Palmer Drive. They are requesting a new "CBW" liquor license, allowing for the retail sale of wine and beer on commercial premises. During hours that sales of alcohol are not allowed, registers will be programmed to lock out any liquor sales. Video cameras will monitor this area, as well as other areas of the store and are watched closely by Walgreens personnel to avoid theft or other problems.

The store will have cooler locks installed on the doors to restrict sales from 9:00 p.m. until closing. For the basic department (warm wine), the store will use lockable metal grids to restrict access to product during non-selling hours. Metal grids are installed in 3 ft. sections, with locking functionality to restrict access. A metal side panel will also be positioned at the end of the shelf to prevent customers from reaching in on the sides.

The floor plan and lockout procedures have been reviewed and the Committee agreed with all aspects of the lockout procedures and concurred that the granting of a new "CBW" liquor license would be appropriate. All state and local laws and ordinances will be enforced and followed.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Attorney be authorized to prepare the appropriate ordinance to provide the availability of a "CBW" liquor license for the sale of beer and wine for Walgreens.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Chris Nybo
Vice-Chairman
/us/ Paula Pezza

Alderman Wagner moved to approve item **8a. Report – Liquor License Request: Walgreens.**
Alderman Nybo seconded.

Alderman Pezza stated that she did not sign this report originally due to concerns and questions she had regarding the proposed liquor license stating she felt the details of the report did not match up with the information the committee was given. She stated that she has since changed her mind after discussing the situation with Police Chief Neubauer. Alderman Pezza stated she knows that final decision is made by the Mayor in his role as Liquor Commissioner but she fully supports adding a liquor license for Walgreens.

Roll call vote on item **8a. Report – Liquor License Request: Walgreens:**

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

Nays: None

Results: 14 ayes, 0 nays, 0 absent
Motion duly carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

9. a. UPDATES (Mayor DiCianni)

Mayor DiCianni stated the Elmhurst Senior Commission has arranged for a tour of three (3) Senior Housing facilities in March. He stated Elmhurst has the largest senior population in DuPage County and he feels it is important that their needs are met. He encouraged members of the City

Council and staff to participate in the open house and asked that those available to attend RSVP with the Mayor/Managers Office.

Discussion ensued regarding senior housing in Elmhurst.

Mayor DiCianni stated that the City Council will be scheduling a working retreat to continue fostering a better understanding of their roles and the importance of working together. He stated there are four (4) possible dates for Council members to consider. He encouraged Council members to attend stating he would like to see 100% attendance. He asked Council members to return the request for date preference as soon as possible.

The Mayor stated on Tuesday, January 12, 2010 he delivered the State of Our City address at the Chamber of Commerce breakfast. He thanked all those who attended. He stated the Elmhurst community needs to continue to step up and move forward together.

Alderman Hipkind stated he appreciated the Mayor's message of "shop Elmhurst."

Mayor DiCianni stated the biggest message of his address was "shop Elmhurst." He encouraged Elmhurst residents to keep their shopping dollars in Elmhurst. He stated he is working with the Chamber as well as other organizations including the Village of Bensenville to promote local shopping opportunities and the importance of shopping locally to our community.

Mayor DiCianni recognized York Wrestling Coach, Terry Clarke for his recent induction in the Illinois High School Association (IHSA) Hall of Fame. This past weekend he achieved over 300 wins as a coach. The Mayor thanked Coach Clarke for his dedication to Elmhurst youth.

Mayor DiCianni congratulated Visitation Pastor, Father Joseph Siegel for his recent ordination to Bishop. The Mayor stated it was a great moment for Elmhurst and he congratulated Bishop Siegel for achieving this momentous honor from the Catholic church.

Aldermen Wagner and Kennedy also extended their congratulations to Bishop Siegel stating he is a really special man and very deserving of this great honor.

Alderman Bram thanked Deputy City Clerk Van De Walle for sending out pending lists to each committee as he had requested. He stated that there were a few items he requested be reviewed that were not on the list and he would contact staff to have them added. Alderman Bram also asked, regarding last meetings motion to defer the reappointments to the EEDC, why were these reappointments not on the Agenda this evening and what is their status at this point.

City Manager Borchert stated Council requested updated resumes for the candidates. Once the new resumes are submitted to the Mayor, the Mayor will review the resumes and restart the reappointment process.

Alderman Bram asked if there was anything that needed to be done legally.

City Attorney Storino stated no and explained the process if an item falls off the agenda it starts over.

Alderman Kennedy reported that he and Alderman Mulliner met with members of the Park District for another joint meeting and things are moving forward. He stated the decision was made to invite representatives from the School Board to join the group collaboration.

Alderman Healy stated that he would like to congratulate 5th Ward resident, Jimmy Nudera, the wrestler who broke the 300 win mark for Coach Clarke this weekend. He stated the Jim Nudera is

currently in the running for the **Chicago Tribune Athlete of the Week**, Alderman Healy encouraged Elmhurst residents to log on to triblocal.com to vote.

Alderman Mulliner stated some residents in the 7th Ward experienced a power outage today. He stated he wanted them to know that the Council is aware of the outage. ComEd contacted the City immediately and the City will continue to get to the bottom of the "sunny day" power outages that have happened in the past and happened today.

Mayor DiCianni thanked Alderman Mulliner and stated that the power outage situation is getting better but is not fixed. The City is watching ComEd diligently and ComEd is aware that the City wants and demands results.

Alderman Gutenkauf reminded 1st Ward residents that Wednesday, January 20, 2010 from 9:00 a.m. – 10:30 p.m. is the first Coffee & Conversation meeting with Alderman Pezza at Panera Bread. Alderman Gutenkauf stated she will host the February Coffee & Conversation meeting, highlighting a different 1st Ward business. Coffee & Conversation meetings are designed to promote local businesses and encourage residents to meet and talk with their aldermen.

OTHER BUSINESS

10. Alderman York stated Sunday Redeemer Lutheran Church will be welcoming a new Pastor, Reverend Scott Stiegemeier. Alderman York congratulated Reverend Stiegemeier stating he is excited for the new leadership. He thanked current Pastor, Robert Fitzpatrick for his service, stating Pastor Fitzpatrick will stay on to help Reverend Stiegemeier with the transition.

Mayor DiCianni extended his congratulations to Pastor Stiegemeier. The Mayor stated he would like to celebrate all the religions and faiths of the Elmhurst community by inviting the pastors of the various churches and religious communities of Elmhurst to begin Council meetings with a prayer.

Alderman Pezza stated she would like to congratulate the York Dukes Marching Band, who were chosen to participate and perform at the Sugar Bowl in New Orleans. She stated the team practiced in the French Quarter before the big game. She stated Elmhurst is very proud of the Marching Bands accomplishments.

Mayor DiCianni reminded Council that there is an after-hours reception on Thursday, January 21, 2010 at the Elmhurst Historical Museum. The new exhibit, Dwellings, a study in residential architecture will be on display.

ANNOUNCEMENTS

11. None.

ADJOURNMENT

12. Alderman Morley moved to adjourn the meeting. Aldermen York seconded. Voice Vote. Motion carried. Meeting adjourned 9:42 p.m.

Peter P. DiCianni III, Mayor

Erin K. Van De Walle, Deputy City Clerk

VOW

CITY OF ELMHURST

ACCOUNTS PAYABLE SUMMARY SHEET

JANUARY 31, 2010

	<u>REGULAR</u>	<u>INTERIM</u>	<u>TOTAL</u>
GENERAL FUND	577,140.62	5,947.45	\$583,088.07
LIBRARY OPERATING FUND	2,758.07	-	2,758.07
REDEVELOPMENT	114,907.29	-	114,907.29
RT 83 COMMERCIAL DEVELOP	273.50	-	273.50
PUBLIC FACILITIES CONSTR	1,253.00	-	1,253.00
MUNICIPAL UTILITY FUND	87,607.04	389.68	87,996.72
PARKING REVENUE SYSTEM FUND	868,288.53	50,850.00	919,138.53
POLICE PENSION FUND	750.00	-	750.00
	<u>1,652,978.05</u>	<u>57,187.13</u>	<u>1,710,165.18</u>

WIRE TRANSFERS - Land Acquisition

Parking Revenue System Fund	903,062.77	-	903,062.77
	<u>903,062.77</u>	<u>-</u>	<u>903,062.77</u>
GRAND TOTAL	<u>\$2,556,040.82</u>	<u>\$57,187.13</u>	<u>\$2,613,227.95</u>

FINANCE REVIEW

Mary E. Pastor

CITY MANAGER REVIEW

James J. Bielecki

TO THE CITY TREASURER,

THE PAYMENT OF THE ABOVE LISTED AMOUNTS HAS BEEN APPROVED BY THE CITY COUNCIL AT A MEETING HELD ON FEBRUARY 1, 2010 AND YOU ARE HEREBY AUTHORIZED TO PAY THEM FROM THE APPROPRIATE BUDGET ACCOUNT.

MAYOR

CITY CLERK

PREPARED 01/25/2010, 11:24:45
 PROGRAM: GM339L
 CITY OF ELMHURST, ILLINOIS
 CITY

EXPENDITURE APPROVAL LIST
 AS OF: 01/31/2010 CHECK DATE: 02/04/2010

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
0008401 16436	ACCURATE TANK TECHNOLOGIES 005161		01 01/31/2010	110-6047-512.50-02	FUEL ISLAND REPAIR	675.00	
					VENDOR TOTAL *	675.00	
0000009 267169 267217 267235 267135 267202 266990	ACE HARDWARE 005332 005333 005428 005426 005427 005598		01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010	110-6041-432.40-53 110-6041-432.40-98 110-6041-432.40-98 110-7060-451.40-98 110-7060-451.40-98 510-6052-501.40-98	TOOLS/BITS/SCREWS TAPE NUTS/BOLTS/SCREWS LIQUID NAIL GLUE/KNIFE/BLADE/TAPE RADIO DEVICE INSTALL	38.30 9.89 9.00 5.02 38.22 13.28	
					VENDOR TOTAL *	113.71	
0008328 07184234	ADT SECURITY SERVICES, INC 005420		01 01/31/2010	110-7060-451.30-98	SECURITY SVCS	148.87	
					VENDOR TOTAL *	148.87	
0005840 64069	ADVENT SYSTEMS, INC 005379		01 01/31/2010	382-0000-463.80-35	GENERATOR	393.00	
					VENDOR TOTAL *	393.00	
0000803 66153	AIR ONE EQUIP, INC 005345		01 01/31/2010	110-4020-422.50-08	GAS SENSOR REPAIR	231.50	
					VENDOR TOTAL *	231.50	
0007472 105235910 105255816	AIRGAS NORTH CENTRAL 005083 005084		01 01/31/2010 01 01/31/2010	110-6047-512.40-98 110-6047-512.40-98	SUPPLIES SUPPLIES	398.84 278.83	
					VENDOR TOTAL *	677.67	
0000078 0551-007609918 0551-007609653	ALLIED WASTE SERVICES #551 005126 005601		01 01/31/2010 01 01/31/2010	110-6045-441.30-65 510-6056-502.30-81	WASTE DISPOSAL WASTE DISPOSAL FEE	2,095.64 100.00	
					VENDOR TOTAL *	2,195.64	
0006621 9571820	ALTEC INDUSTRIES, INC 005617		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW90	17.06	
					VENDOR TOTAL *	17.06	
0013022 5356-436851A	AMERIGAS - PALATINE 005085		01 01/31/2010	110-6047-512.40-98	SUPPLIES	76.34	
					VENDOR TOTAL *	76.34	
0006564 291202	ANDERSON, CARL A & SONS 005147		01 01/31/2010	110-6042-433.30-72	SNOW REMOVAL	3,196.00	
					VENDOR TOTAL *	3,196.00	
0016704 13313	APEX CHEMICAL INC 005618		01 01/31/2010	110-6047-512.50-16	STOCK	136.90	

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
0016704	APEX CHEMICAL INC						
					VENDOR TOTAL *	136.90	
0010625 FEB 2010	ARCADE BUILDING 005495		01 01/31/2010	530-0088-503.30-59	SCHILLER CT PARKING LEASE	750.00	
					VENDOR TOTAL *	750.00	
0013917 COL-728-10	ARCHER COMPANY, LLC 005692		01 01/31/2010	110-2007-413.30-52	JOB EVALUATIONS	1,320.00	
					VENDOR TOTAL *	1,320.00	
0018294 159	ARCO/MURRAY 005668		01 01/31/2010	530-0088-503.80-19	DESIGN/DEMO	74,117.96	
					VENDOR TOTAL *	74,117.96	
0012722 1675 1601	ARMOR SYSTEMS CORP 005109 005108		01 01/31/2010 01 01/31/2010	510-6050-501.30-09 530-0088-503.30-09	UB COLLECTION PARKING COLLECTIONS	36.69 898.50	
					VENDOR TOTAL *	935.19	
0000039 06-492287 06-494823 06-492287 06-494823	ARROW UNIFORM 005142 005651 005143 005652		01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010	110-6041-432.40-62 110-6041-432.40-62 510-6052-501.40-62 510-6052-501.40-62	UNIFORM SUPPLIES UNIFORM SUPPLIES UNIFORM SUPPLIES UNIFORM SUPPLIES	104.00 104.00 104.00 104.00	
					VENDOR TOTAL *	416.00	
0007161 453644	ASSOCIATED TIRE & BATTERY CO, INC 005407		01 01/31/2010	110-6047-512.50-16	PARTS/SUPPLIES	82.92	
					VENDOR TOTAL *	82.92	
0012277 63053030075410 63053030075410 63078266949097 63053030075410 63053030075410 63053030075410 63053030075410 63053030075410 63053030075410 63053030075410 63083200803668 63083200045401 63053030075410 63053030075410 63053050866185 63053030075410 63053033512328 63053088927504	AT&T 005284 005285 005070 005271 005272 005273 005274 005275 005276 005464 005465 005283 005277 005270 005278 005466 005467		01 01/31/2010 01 01/31/2010	110-0086-453.30-75 110-0094-454.30-75 110-1001-411.30-75 110-1001-411.30-75 110-2006-413.30-75 110-2007-413.30-75 110-2008-413.30-75 110-3015-414.30-75 110-4020-422.30-75 110-4020-422.30-75 110-4020-422.30-75 110-4020-422.30-75 110-4020-422.30-75 110-4022-423.30-75 110-4025-424.30-75 110-5030-421.30-75 110-5030-421.30-75 110-5030-421.30-75 110-5030-421.30-75	MONTHLY PHONE MONTHLY PHONE	57.82 21.69 21.01 21.01 1,011.86 332.47 159.01 954.04 224.06 318.01 78.56 104.75 187.92 144.55 22.18 2,240.55 89.87 44.37	

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
0012277	AT&T							
63053030075410	005279		01	01/31/2010	110-6040-431.30-75	MONTHLY PHONE	961.27	
63053030075410	005282		01	01/31/2010	110-7060-451.30-75	MONTHLY PHONE	216.83	
63083313263643	005686		01	01/31/2010	110-7060-451.30-75	MONTHLY PHONE	137.94	
63053030075410	005280		01	01/31/2010	510-6050-501.30-75	MONTHLY PHONE	137.32	
63053030075410	005281		01	01/31/2010	510-6055-502.30-75	MONTHLY PHONE	260.19	
VENDOR TOTAL *							7,726.27	
0011146	AT&T GLOBAL SERVICES, INC							
1L769952	005226		01	01/31/2010	110-2008-413.50-25	ANNUAL MAINT FEE	1,219.70	
VENDOR TOTAL *							1,219.70	
0018418	AUTO EQPT & SUPPLY, INC							
374	005162		01	01/31/2010	110-6047-512.50-20	TIRE SUPPLIES	34.33	
VENDOR TOTAL *							34.33	
0003704	AUTO TRUCK GROUP							
422991	005163		01	01/31/2010	110-6042-433.50-16	PLOW PARTS	273.24	
423228	005165		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW39	491.79	
423533	005166		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW39	824.38	
422253	005575		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW15	554.07	
422764	005576		01	01/31/2010	110-6042-433.50-16	STOCK	561.07	
423533	005577		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW39	979.61	
423531	005578		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW33/STOCK	91.61	
421781	005164		01	01/31/2010	110-6047-512.50-16	TRK/PARTS PW24	37.11	
VENDOR TOTAL *							3,812.88	
0009618	AVAYA, INC							
2204940503	005590		01	01/31/2010	110-7060-451.30-98	ALARM MAINT FEE	149.07	
VENDOR TOTAL *							149.07	
0008569	BATTERIES PLUS							
288-169148	005410		01	01/31/2010	110-5030-421.40-98	BATTERIES	132.64	
VENDOR TOTAL *							132.64	
0000059	BERGHEGER, BRIAN-PETTY CASH							
11/3-1/7	005238		01	01/12/2010	110-7060-451.40-33	OFFICE SUPPLIES	CHECK #: 131829	19.95
11/3-1/7	005239		01	01/12/2010	110-7060-451.60-11	CONFERENCE EXPENSE	CHECK #: 131829	30.00
11/3-1/7	005240		01	01/12/2010	110-7060-451.60-42	VOLUNTEER RECRUITMENT	CHECK #: 131829	21.96
11/3-1/7	005241		01	01/12/2010	110-7060-451.60-54	TRAVEL EXPENSE	CHECK #: 131829	97.19
11/3-1/7	005242		01	01/12/2010	110-7060-451.60-65	PROGRAMS EXPENSE	CHECK #: 131829	22.36
11/3-1/7	005243		01	01/12/2010	110-7060-451.60-98	MISC EXPENSE	CHECK #: 131829	68.77
VENDOR TOTAL *							.00	260.23
0013075	BERKELEY TRUCKING INC							
35113	005146		01	01/31/2010	110-6042-433.30-72	SNOW REMOVAL	612.25	
35116	005663		01	01/31/2010	110-6042-433.30-72	SNOW REMOVAL	4,108.00	
35107	005585		01	01/31/2010	510-6052-501.40-57	STONE	2,347.37	
35119	005586		01	01/31/2010	510-6052-501.40-57	STONE	4,249.10	

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
0013075	BERKELEY TRUCKING INC							
						VENDOR TOTAL *	11,316.72	
0007199	BRETT EQPT CORP							
118196	005167		01	01/31/2010	110-6047-512.50-16	BULBS	28.56	
118170	005321		01	01/31/2010	110-6047-512.50-16	LAMPS/BULBS	94.21	
						VENDOR TOTAL *	122.77	
0001899	BRISTOL HOSE & FITTING MAIN WAREHSE							
00232254	005168		01	01/31/2010	110-6042-433.50-16	SALT SPREADER PARTS	793.11	
00232300	005171		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW38	40.40	
00232722	005619		01	01/31/2010	110-6042-433.50-16	SNOW PARTS	158.76	
00232200	005169		01	01/31/2010	110-6047-512.50-16	SALT SPREADER PARTS	2.70	
00232264	005170		01	01/31/2010	110-6047-512.50-16	TRK/PARTS PW53	32.46	
						VENDOR TOTAL *	1,027.43	
0000084	BURGIN, DENNIS							
01/01-01/15/10	005269		01	01/31/2010	110-0086-453.30-52	CATV PROF SVCS	104.00	
						VENDOR TOTAL *	104.00	
0013882	BUSINESS LEDGER, THE							
24036	005232		01	01/31/2010	110-0094-454.60-45	AD	995.00	
						VENDOR TOTAL *	995.00	
0009267	C J C AUTO PARTS & TIRES							
613356	005119		01	01/31/2010	110-6047-512.50-16	PARTS/SUPPLIES	409.80	
614455	005409		01	01/31/2010	110-6047-512.50-16	BLADES	30.87	
615468	005660		01	01/31/2010	110-6047-512.50-16	PARTS/SUPPLIES	410.64	
						VENDOR TOTAL *	851.31	
0005707	CANON BUSINESS SOLUTIONS, INC							
4003130639	005338		01	01/31/2010	110-3015-414.30-21	COPIER MAINT	97.88	
4003130639	005339		01	01/31/2010	110-4020-422.30-21	COPIER MAINT	97.87	
4003130639	005341		01	01/31/2010	110-6040-431.30-21	COPIER MAINT	97.87	
4003130639	005340		01	01/31/2010	110-7060-451.30-21	COPIER MAINT	97.88	
						VENDOR TOTAL *	391.50	
0005661	CARGILL INC							
2690994	005144		01	01/31/2010	110-6042-433.40-46	SALT	13,495.20	
2704048	005318		01	01/31/2010	110-6042-433.40-46	SALT	11,897.21	
2704085	005319		01	01/31/2010	110-6042-433.40-46	SALT	20,201.50	
2704170	005320		01	01/31/2010	110-6042-433.40-46	SALT	26,896.44	
2709424	005641		01	01/31/2010	110-6042-433.40-46	SALT	13,720.32	
2709978	005642		01	01/31/2010	110-6042-433.40-46	SALT	13,349.97	
						VENDOR TOTAL *	99,560.64	
0008716	CASE LOTS INC							
020665	005657		01	01/31/2010	110-2006-413.40-33	SUPPLIES	168.80	
020462	005136		01	01/31/2010	110-6041-432.40-98	SUPPLIES	34.48	

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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
0008716	CASE LOTS INC						
020462	005137		01 01/31/2010	110-6043-434.40-98	SUPPLIES		
020462	005138		01 01/31/2010	110-6044-435.40-98	SUPPLIES	34.48	
020665	005658		01 01/31/2010	110-6046-418.40-24	SUPPLIES	34.48	
020462	005140		01 01/31/2010	110-6047-512.40-24	SUPPLIES	148.95	
020462	005139		01 01/31/2010	510-6052-501.40-98	SUPPLIES	103.46	
020462	005141		01 01/31/2010	510-6057-502.40-24	SUPPLIES	34.48	
						103.47	
0012836	CERTIFIED FLEET SERVICES, INC				VENDOR TOTAL *	662.60	
S12486	005620		01 01/31/2010	110-6047-512.50-16	TRK/PARTS F-1	26.16	
0014291	CERTIFION CORP-ENTERSECT				VENDOR TOTAL *	26.16	
32530	005088		01 01/31/2010	110-5030-421.30-98	MONTHLY FEE	84.95	
0007611	CHARLES CORLY				VENDOR TOTAL *	84.95	
MR Refund	MR		01 01/31/2010	110-0000-115.07-01	330958	5.00	
0018598	CHICAGO BASEBALL MUSEUM				VENDOR TOTAL *	5.00	
03/18/2010	005691		01 01/31/2010	110-7060-451.60-65	LECTURE SPEAKER	150.00	
0014200	CHICAGO INTL TRUCKS, LLC				VENDOR TOTAL *	150.00	
102076334	005148		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW19	218.51	
102076335	005149		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW19	578.96	
0014402	CHICAGO PARTS & SOUND LLC				VENDOR TOTAL *	797.47	
336379	005172		01 01/31/2010	110-6047-512.50-20	TRK/PARTS PD-19/STOCK	239.64	
337003	005411		01 01/31/2010	110-6047-512.50-16	PAD BRAKE	316.28	
336684	005572		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW58	155.61	
336949	005573		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW83	531.47	
336977	005574		01 01/31/2010	110-6047-512.50-16	RETURNED MERCHANDISE	55.48-	
0003457	CHICAGO SUN-TIMES - INNOVATION WAY				VENDOR TOTAL *	1,187.52	
5410019197	005401		01 01/31/2010	110-4020-422.60-98	SUBSCRIPTION	39.04	
0000112	COCA-COLA BOTTLING CO				VENDOR TOTAL *	39.04	
0308161819	005105		01 01/31/2010	110-1001-411.60-98	VENDING MACHINE REFILL	99.50	
0017807	COLE-PARMER				VENDOR TOTAL *	99.50	
7328541	005425		01 01/31/2010	110-7060-451.60-64	PENS	54.91	
0000114	COM ED				VENDOR TOTAL *	54.91	

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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
0000114	COM ED						
7067401028	005037		01 01/31/2010	110-4022-423.30-24	MONTHLY ELECTRIC	1,692.77	
6983225007	005040		01 01/31/2010	110-4022-423.30-24	MONTHLY ELECTRIC	54.94	
6729081007	005045		01 01/31/2010	110-4022-423.30-24	MONTHLY ELECTRIC	48.75	
8409121006	005067		01 01/31/2010	110-4022-423.30-24	MONTHLY ELECTRIC	32.81	
8327608004	005461		01 01/31/2010	110-4022-423.30-24	MONTHLY ELECTRIC	52.80	
6563742009	005038		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	247.50	
8234047019	005039		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	249.49	
6563745019	005041		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	26.94	
4248089012	005042		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	86.56	
6563743015	005043		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	43.44	
6563744012	005044		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	92.36	
1843000001	005046		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	15.97	
1459073058	005047		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	124.86	
8745264008	005048		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	15.13	
8745266002	005049		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	164.68	
8634040009	005050		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	15.77	
8661049027	005052		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	21.12	
8577587009	005053		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	14.94	
8577601004	005054		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	14.94	
8157271002	005055		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	393.94	
0055090072	005056		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	36.35	
3000022009	005057		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	199.14	
0477145001	005058		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	254.36	
0174056074	005059		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	290.53	
6897727003	005060		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	165.53	
7065190004	005061		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	275.85	
6981441003	005062		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	334.21	
0114017015	005063		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	401.59	
0833090001	005064		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	21.12	
0323144010	005065		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	71.94	
8745265005	005068		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	21.23	
46091-64001	005069		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	16,814.69	
8075341005	005462		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	21.12	
8256051035	005463		01 01/31/2010	110-6044-435.30-24	MONTHLY ELECTRIC	40.10	
8661158012	005066		01 01/31/2010	110-6046-418.30-24	MONTHLY ELECTRIC	56.90	
8745412004	005051		01 01/31/2010	530-0088-503.30-24	MONTHLY ELECTRIC	115.01	
					VENDOR TOTAL *	22,529.38	
0014623	COMCAST CABLE						
879820089040137005395			01 01/31/2010	110-2008-413.30-98	INTERNET SVC	52.95	
879820089040137005400			01 01/31/2010	110-2008-413.30-98	INTERNET SVC	52.95	
879820089040137005394			01 01/31/2010	110-4020-422.60-98	CABLE SVC	138.36	
879820089048940005396			01 01/31/2010	110-4020-422.60-98	INTERNET SVC	59.95	
879820089016863005397			01 01/31/2010	110-4020-422.60-98	CABLE SVC	95.03	
879820089048809005398			01 01/31/2010	110-4020-422.60-98	INTERNET SVC	59.95	
879820089040137005399			01 01/31/2010	110-4020-422.60-98	CABLE SVC	138.36	
					VENDOR TOTAL *	597.55	
0009478	COMMUNICATIONS REVOLVING FUND						

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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
0009478 T1017111	COMMUNICATIONS REVOLVING FUND 005218		01 01/31/2010	110-2008-413.30-52	INTERNET T1	310.00	
VENDOR TOTAL *						310.00	
0000594	CONSERV FS, INC						
1286855-IN	005120		01 01/31/2010	110-6041-432.40-98	SUPPLIES	63.52	
1286855-IN	005121		01 01/31/2010	110-6043-434.40-98	SUPPLIES	63.51	
1286855-IN	005122		01 01/31/2010	110-6044-435.40-98	SUPPLIES	63.51	
1286855-IN	005123		01 01/31/2010	110-6046-418.40-98	SUPPLIES	63.51	
1286855-IN	005124		01 01/31/2010	510-6052-501.40-98	SUPPLIES	63.51	
1286855-IN	005125		01 01/31/2010	510-6057-502.40-98	SUPPLIES	63.51	
VENDOR TOTAL *						381.07	
0004107 10470	CONTINENTAL WEATHER SERVICE 005331		01 01/31/2010	110-6042-433.30-98	MONTHLY WEATHER FORECAST	170.00	
VENDOR TOTAL *						170.00	
0009471	COSTCO - OAKBROOK						
1/11/10-	005244		01 01/12/2010	110-1001-411.40-98	SUPPLIES	CHECK #:	131828
1/11/10	005249		01 01/12/2010	110-4020-422.40-24	SUPPLIES	CHECK #:	131828
1/11/10	005248		01 01/12/2010	110-5030-421.40-98	SUPPLIES	CHECK #:	131828
1/11/10	005245		01 01/12/2010	110-6040-431.40-98	SUPPLIES	CHECK #:	131828
1/11/10	005250		01 01/12/2010	110-6040-431.40-33	SUPPLIES	CHECK #:	131828
1/11/10	005246		01 01/12/2010	510-6050-501.40-98	SUPPLIES	CHECK #:	131828
1/11/10	005247		01 01/12/2010	510-6055-502.40-98	SUPPLIES	CHECK #:	131828
VENDOR TOTAL *						.00	1,002.90
0006182 5981374	DELTA SONIC CAR WASH SYSTEMS 005507		01 01/31/2010	110-6047-512.50-16	CAR WASHES	306.00	
VENDOR TOTAL *						306.00	
0014277 500209284	DEX 005624		01 01/31/2010	110-7060-451.30-75	ADVERTISING CHARGES	72.50	
VENDOR TOTAL *						72.50	
0005777 091231	DOWN UNDER CONSTRUCTION 005582		01 01/31/2010	510-6052-501.80-12	WATER SERVICE UPGRADES	3,650.00	
VENDOR TOTAL *						3,650.00	
0000153 14026 14027	DU-COMM 005405 005092		01 01/31/2010 01 01/31/2010	110-4020-422.30-18 110-5030-421.30-18	QUARTERLY SHARES QUARTERLY SHARES	54,000.00 152,635.00	
VENDOR TOTAL *						206,635.00	
0003545 010410 010610	DUDEK DESIGN 005107 005230		01 01/31/2010 01 01/31/2010	110-1001-411.40-98 110-5030-421.40-33	BUSINESS CARDS BUSINESS CARDS	156.00 136.00	
VENDOR TOTAL *						292.00	
0000159	DUPAGE COUNTY ANIMAL CARE & CONTROL						

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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
0000159 249-15720	DUPAGE COUNTY ANIMAL CARE & CONTROL 005547		01 01/31/2010	110-5030-421.60-01	ANIMAL CONTROL	265.00	
					VENDOR TOTAL *	265.00	
0009400 1/28/10	DUPAGE COUNTY CHIEFS OF POLICE ASSN 005261		01 01/14/2010	110-5030-421.60-11	MEETING REGISTRATIONS	CHECK #: 131847	60.00
					VENDOR TOTAL *	.00	60.00
0015638 2010	DUPAGE COUNTY MAJ CRIMES TASK FORCE 005546		01 01/31/2010	110-5030-421.60-37	MEMBERSHIP	500.00	
					VENDOR TOTAL *	500.00	
0008703 01/13/10	DUPAGE COUNTY POLICE CHIEFS SECRE 004734		01 01/07/2010	110-5030-421.60-11	MONTHLY MEETING	CHECK #: 131486	16.00-
					VENDOR TOTAL *	.00	16.00-
0000161 201001120279	DUPAGE COUNTY RECORDER 005430		01 01/31/2010	110-1001-411.30-54	RECORDING SVCS	45.00	
					VENDOR TOTAL *	45.00	
0009707 0035826 0035827	E J EQUIPMENT INC 005579 005580		01 01/31/2010 01 01/31/2010	110-6042-433.50-16 110-6042-433.50-16	SNOW BRUSHES SNOW BRUSHES	510.30 522.24	
					VENDOR TOTAL *	1,032.54	
0017385 200600648	EDEN BROTHERS 005600		01 01/31/2010	510-6052-501.50-08	EQUIP REPAIR	95.00	
					VENDOR TOTAL *	95.00	
0018205 22745	EHC INDUSTRIES, INC 005357		01 01/31/2010	382-0000-463.80-35	ASBESTOS SURVEY	860.00	
					VENDOR TOTAL *	860.00	
0001579 2008 2008 2008 2008 2008 2008	ELMHURST CITY CENTRE 005431 005432 005433 005434 005435 005436		01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010	110-0000-311.01-52 110-0000-311.01-52 110-0000-311.01-53 110-0000-311.01-53 310-0089-461.60-61 310-0089-461.60-61	RE TAX DIST -SSA #6 INT ON UNDISTRIB TAX SSA6 RE TAX DIST -SSA #7 INT ON UNDISTRIB TAX SSA7 TIF I CONTRIB TO SSA #6 TIF I CONTRIB TO SSA #7	522.92 .18 929.05 .05 4,315.59 1,111.16	
					VENDOR TOTAL *	6,878.95	
0014621 7504366944 7504366944 7504366944 7504366944 7504366944 7504366944	ELMHURST CLAIMS ACCOUNT - CLAIM SVC 005031 005391 005032 005392 005033 005393		01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010	110-5030-421.20-07 110-5030-421.20-07 110-6040-431.20-07 110-6040-431.20-07 510-6055-502.20-07 510-6055-502.20-07	SELF INSURED LOSS FUND SELF INSURED LOSS FUND	148.25 1,431.85 372.96 184.00 3,260.78 3,218.31	

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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
0014621	ELMHURST CLAIMS ACCOUNT - CLAIM SVC						
0015836 745942	ELMHURST INDEPENDENT - ROCK VALLEY 005417		01 01/31/2010	110-3015-414.30-54	LEGAL NOTICE	1,000.35	
0017934 55975	ELMHURST MEMORIAL OCCUP CAROL STRM 005623		01 01/31/2010	110-2007-413.30-47	DRUG SCREEN	45.00	
0000188	ELMHURST PARK DISTRICT						
01339	005511		01 01/31/2010	110-0000-313.03-03	MUNICIPAL TAX REIMBURSE	290.68	
01340	005512		01 01/31/2010	110-0000-313.03-03	MUNICIPAL TAX REIMBURSE	268.52	
01341	005513		01 01/31/2010	110-0000-313.03-03	MUNICIPAL TAX REIMBURSE	268.26	
01342	005514		01 01/31/2010	110-0000-313.03-03	MUNICIPAL TAX REIMBURSE	265.36	
01344	005515		01 01/31/2010	110-0000-313.03-03	MUNICIPAL TAX REIMBURSE	300.36	
01345	005516		01 01/31/2010	110-0000-313.01-01	MUNICIPAL TAX REIMBURSE	280.57	
01346	005517		01 01/31/2010	110-0000-313.01-01	MUNICIPAL TAX REIMBURSE	259.41	
0002663 17201	ENVIRONMENTAL SAFETY GROUP, INC 005404		01 01/31/2010	110-4020-422.40-45	SAFETY SUPPLIES	1,173.30	
0007226 25248	FALKENBERG, THOMAS/CHRISTINE 005693		01 01/31/2010	110-0000-316.00-00	TRANSFER STAMP REFUND	967.50	
0007767	FASANO, JEAN						
11/24/9-1/20/10005518			01 01/31/2010	110-1001-411.40-98	PETTY CASH REIMBURSEMENT	.84	
11/24/9-1/20/10005519			01 01/31/2010	110-1001-411.60-11	PETTY CASH REIMBURSEMENT	62.99	
11/24/9-1/20/10005520			01 01/31/2010	110-2006-413.60-11	PETTY CASH REIMBURSEMENT	16.35	
11/24/9-1/20/10005521			01 01/31/2010	110-4020-422.40-98	PETTY CASH REIMBURSEMENT	58.76	
11/24/9-1/20/10005522			01 01/31/2010	110-4020-422.60-37	PETTY CASH REIMBURSEMENT	60.00	
11/24/9-1/20/10005523			01 01/31/2010	110-4020-422.60-11	PETTY CASH REIMBURSEMENT	30.00	
11/24/9-1/20/10005524			01 01/31/2010	110-6040-431.60-37	PETTY CASH REIMBURSEMENT	50.00	
11/24/9-1/20/10005525			01 01/31/2010	510-6050-501.40-98	PETTY CASH REIMBURSEMENT	13.15	
11/24/9-1/20/10005526			01 01/31/2010	510-6057-502.40-98	PETTY CASH REIMBURSEMENT	26.20	
0018589 01/20/2010	FAVELA, MANUEL 005640		01 01/31/2010	110-6043-434.40-39	TREE PLANTING REIMBURSE	400.00	
0013212 9-450-25462 9-434-26479	FEDEX 005342 005343		01 01/31/2010 01 01/31/2010	110-4020-422.40-98 110-4020-422.40-98	SHIPPING FEES SHIPPING FEES	21.36 21.36	
0012480	FELLER & SONS INC						

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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
0012480 328063 3276051	FELLER & SONS INC 005505 005223		01 01/31/2010 01 01/31/2010	110-0083-443.60-48 110-2008-413.40-73	PAPER SUPPLIES INK CARTRIDGE	56.90 46.99	
VENDOR TOTAL *						103.89	
0000648 81124	FILTER RENU OF ILLINOIS, INC 005661		01 01/31/2010	110-6047-512.50-02	FILTERS RENEWED	60.38	
VENDOR TOTAL *						60.38	
0017101 31419 112 34702	FIRE SERVICE, INC 000916 001030 005265		01 04/30/2009 01 05/31/2009 01 01/31/2010	110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-16	TRK 2 RETURNED MERCH TRUCK #2 CHECK FOR OUTSTANDING CR	551.23 12.44 551.23	
VENDOR TOTAL *						12.44	
0002177 10001360-B1	FIREHOUSE MAGAZINE 005346		01 01/31/2010	110-4020-422.60-51	SUBSCRIPTION	29.95	
VENDOR TOTAL *						29.95	
0006869 9185366	FISHER SCIENTIFIC 005097		01 01/31/2010	510-6057-502.40-25	LAB SUPPLIES	479.24	
VENDOR TOTAL *						479.24	
0005438 49341	FLEET SAFETY SUPPLY 005176		01 01/31/2010	110-5030-421.40-98	SIREN/LIGHT REPAIR	79.75	
VENDOR TOTAL *						79.75	
0005844 34965	FLINK SNOW PLOWS & SPREADERS 005175		01 01/31/2010	110-6042-433.50-16	PLOW WHEELS	595.46	
VENDOR TOTAL *						595.46	
0017446 50-133572 61-082033	FMP - FACTORY MOTOR PARTS 005664 005665		01 01/31/2010 01 01/31/2010	110-6047-512.50-16 110-6047-512.50-16	WIPER BLADES WIPER BLADES	223.70 94.00	
VENDOR TOTAL *						317.70	
0002222 01/01-01/15/10	FOESMAN, RICH 005268		01 01/31/2010	110-0086-453.30-52	CATV PROF SVCS	195.00	
VENDOR TOTAL *						195.00	
0008274 620907MB	GALLAGHER MATERIALS, INC 005330		01 01/31/2010	110-6041-432.40-02	ASPHALT	2,332.80	
VENDOR TOTAL *						2,332.80	
0017145 4016.078-1	GEWALT HAMILTON ASSOCS, INC 005587		01 01/31/2010	510-6056-502.30-26	PROFESSIONAL SVCS	19,800.00	
VENDOR TOTAL *						19,800.00	
0011686	GRAND AUTO PARTS						

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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
0011686	GRAND AUTO PARTS							
148942	005611		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW99A	13.68	
148183	005150		01	01/31/2010	110-6047-512.50-16	AUTO/PARTS E-23	119.30	
148593	005151		01	01/31/2010	110-6047-512.50-16	AUTO/PARTS E-23	186.07	
148720	005152		01	01/31/2010	110-6047-512.50-16	TRK/PARTS PD-22	13.79	
148712	005153		01	01/31/2010	110-6047-512.50-16	AIR CHUCK	8.00	
148713	005154		01	01/31/2010	110-6047-512.50-16	PARTS/SUPPLIES	14.25	
148655	005155		01	01/31/2010	110-6047-512.50-16	AUTO/PARTS E-3	147.14	
149083	005612		01	01/31/2010	110-6047-512.50-16	TRK/PARTS PW74	15.26	
148971	005613		01	01/31/2010	110-6047-512.50-16	TRK/PARTS PW166	28.97	
149010	005614		01	01/31/2010	110-6047-512.50-16	TRK/PARTS PD-13	83.20	
149005	005615		01	01/31/2010	110-6047-512.50-16	TRK/PARTS PD-13	65.50	
147508	005616		01	01/31/2010	110-6047-512.50-16	FILTERS	90.48	
						VENDOR TOTAL *	785.64	
0000247	GRAYBAR							
945185750	005217		01	01/31/2010	110-2008-413.40-73	WIRE MOLD	15.27	
						VENDOR TOTAL *	15.27	
0002046	HASTINGS AIR-ENERGY CONTROL							
32787	005569		01	01/31/2010	110-6047-512.50-16	EXHAUST MODIFICATION	692.88	
						VENDOR TOTAL *	692.88	
0015904	HD SUPPLY WATERWORKS, LTD							
9870524	005583		01	01/31/2010	510-6052-501.40-07	PIPE/GASKET	777.60	
						VENDOR TOTAL *	777.60	
0011839	HEALTHCARE SERVICE CORP							
014582	005478		01	01/31/2010	110-1001-411.20-04	HEALTH INS	321.29	
014582	005479		01	01/31/2010	110-2006-413.20-04	HEALTH INS	1,812.10	
014582	005480		01	01/31/2010	110-2007-413.20-04	HEALTH INS	300.73	
014582	005481		01	01/31/2010	110-3015-414.20-04	HEALTH INS	341.86	
014582	005482		01	01/31/2010	110-4020-422.20-04	HEALTH INS	6,456.72	
014582	005483		01	01/31/2010	110-4025-424.20-04	HEALTH INS	737.69	
014582	005484		01	01/31/2010	110-5030-421.20-04	HEALTH INS	9,772.47	
014582	005485		01	01/31/2010	110-6040-431.20-04	HEALTH INS	2,683.44	
014582	005486		01	01/31/2010	110-7060-451.20-04	HEALTH INS	454.95	
014582	005487		01	01/31/2010	210-8070-452.20-04	HEALTH INS	1,796.67	
014582	005488		01	01/31/2010	510-6050-501.20-04	HEALTH INS	329.00	
014582	005489		01	01/31/2010	510-6055-502.20-04	HEALTH INS	449.81	
014582	005490		01	01/31/2010	530-0088-503.20-04	HEALTH INS	246.76	
						VENDOR TOTAL *	25,703.49	
0012748	HEDMAN, ERIC							
01/14/2010	005350		01	01/31/2010	110-4020-422.60-11	EXPENSE REIMBURSEMENT	1,553.85	
						VENDOR TOTAL *	1,553.85	
0005114	HELLO DIRECT, INC							
HD01481753	005224		01	01/31/2010	110-2008-413.50-25	TELEPHONE REPLACEMENT	251.48	

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 PROGRAM: GM339L
 CITY OF ELMHURST, ILLINOIS
 CITY

EXPENDITURE APPROVAL LIST
 AS OF: 01/31/2010 CHECK DATE: 02/04/2010

BANK: 01

VEND NO	VENDOR NAME	INVOICE NO	VOUCHER NO	P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0005114	HELLO DIRECT, INC								
							VENDOR TOTAL *	251.48	
0000129	HERITAGE CRYSTAL CLEAN, LLC	11369113	005185		01 01/31/2010	110-6047-512.40-98	PARTS CLEANER	164.73	
							VENDOR TOTAL *	164.73	
0017837	HIFFMAN, DANIEL B	1/20/10	005460		01 01/21/2010	530-0088-503.80-19	EARNEST MONEY REIMBURSMNT	CHECK #: 131851	50,000.00
							VENDOR TOTAL *	.00	50,000.00
0004296	HIGHLAND ESTATES COFFEE TRADERS	052560012744	005133		01 01/31/2010	110-6046-418.40-98	VENDING MACHINE REFILL	86.21	
							VENDOR TOTAL *	86.21	
0018576	HILLERICH & BRADSBY CO	91946721	005429		01 01/31/2010	110-7060-451.40-43	SOVENIER BATS	225.00	
							VENDOR TOTAL *	225.00	
0000275	HOLIDAY CAMERA INC								
420285			005548		01 01/31/2010	110-5030-421.30-28	PHOTO PROCESSING	2.50	
420285			005549		01 01/31/2010	110-5030-421.40-31	SIGMA FLASH	204.59	
420471			005550		01 01/31/2010	110-5030-421.50-08	FLASH REPAIR	25.00	
420471			005551		01 01/31/2010	110-5030-421.40-98	CF CARD	24.99	
420472			005552		01 01/31/2010	110-5030-421.40-31	CAMERA SUPPLIES	35.98	
420584			005553		01 01/31/2010	110-5030-421.30-28	PHOTO PROCESSING	3.50	
420702			005554		01 01/31/2010	110-5030-421.30-28	PHOTO PROCESSING	2.50	
420702			005555		01 01/31/2010	110-5030-421.40-98	BATTERIES	49.36	
420702			005556		01 01/31/2010	110-5030-421.40-31	REMOTE/CORD	123.48	
							VENDOR TOTAL *	471.90	
0008820	HOME DEPOT 1916-DOWNERS GROVE	5047118	005194		01 01/31/2010	110-6041-432.40-98	CREDIT TAKEN TWICE	17.81	
							VENDOR TOTAL *	17.81	
0006864	HOME DEPOT 1919-NORTHLAKE	004242/6010538	005351		01 01/31/2010	110-4020-422.50-01	HEATERS	99.98	
							VENDOR TOTAL *	99.98	
0017799	HORIBA INTL CORP	90234289	005567		01 01/31/2010	110-5030-421.40-98	EVIDENCE SUPPLIES	185.06	
							VENDOR TOTAL *	185.06	
0018586	HOVING RECYCLING/DISPOSAL, K	84745	005606		01 01/31/2010	510-6052-501.30-38	MAINS MAINT	311.85	
							VENDOR TOTAL *	311.85	
0001000	IBM CORP	1023947	005219		01 01/31/2010	110-2008-413.50-22	TAPE DRIVE	318.51	

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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
0001000 1023948 D917902	IBM CORP 005220 005313		01 01/31/2010 01 01/31/2010	110-2008-413.50-22 110-2008-413.50-22	15 SERVER MAINT AGREEMENT	861.00 60.17	
					VENDOR TOTAL *	1,239.68	
0000973 993	IL FIRE CHIEFS ASSN - SKOKIE 005403		01 01/31/2010	110-4020-422.60-37	MEMBERSHIP	300.00	
					VENDOR TOTAL *	300.00	
0002321 2010	IL FIRE INSPECTORS ASSN 005639		01 01/31/2010	110-4020-422.60-37	MEMBERSHIP	95.00	
					VENDOR TOTAL *	95.00	
0000291 1/7/10 1/7/10 1/7/10	IL SEC OF STATE - TITLE APPLIC FEES 005262 005263 005264		01 01/14/2010 01 01/14/2010 01 01/14/2010	110-5030-421.60-27 110-5030-421.60-27 110-5030-421.60-27	CASE NO 09-000127 CASE NO 09-032147 CASE NO 09-029494	CHECK #: CHECK #: CHECK #:	131848 131849 131850
					VENDOR TOTAL *	95.00	
0009433 6505	IL SECTION AWWA - ST CHARLES 005599		01 01/31/2010	510-6050-501.60-11	TRAINING CLASS	25.00	285.00
					VENDOR TOTAL *	25.00	
0003391 2010	IL TACTICAL OFFICERS ASSN 005093		01 01/31/2010	110-5030-421.60-37	MEMBERSHIP	360.00	
					VENDOR TOTAL *	360.00	
0004301 47795 47816	IL TOOL SERVICE 005626 005627		01 01/31/2010 01 01/31/2010	110-6047-512.40-53 110-6047-512.40-53	TOOLS REPAIR TOOL REPAIR	402.30 16.50	
					VENDOR TOTAL *	418.80	
0018596 2	ILLINI PRECAST 005669		01 01/31/2010	530-0088-503.80-19	PRECASTER	783,593.10	
					VENDOR TOTAL *	783,593.10	
0015044 22175	INDUSTRIAL STEEL SERVICE CENTER INC 005186		01 01/31/2010	110-6042-433.50-16	PLOW PARTS/PW39	65.00	
					VENDOR TOTAL *	65.00	
0016800 1005862	INFOPRINT SOLUTIONS CO 005221		01 01/31/2010	110-2008-413.50-22	PRINTER	471.00	
					VENDOR TOTAL *	471.00	
0006347 002-1069483	INLAND COMMERCIAL PROPERTY MGT INC 005695		01 01/31/2010	530-0088-503.50-15	MONTHLY MAINT CONTRACT	1,150.00	
					VENDOR TOTAL *	1,150.00	
0010731	INTERSTATE BATTERY SYSTEM OF						

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VEND NO	VENDOR NAME	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0010731	INTERSTATE BATTERY SYSTEM OF							
130051527	005112		01	01/31/2010	110-4020-422.40-98	SUPPLIES	15.00	
130051527	005111		01	01/31/2010	110-5030-421.40-98	SUPPLIES	120.00	
130051527	005113		01	01/31/2010	110-6041-432.40-98	SUPPLIES	2.50	
130051527	005114		01	01/31/2010	110-6043-434.40-98	SUPPLIES	2.50	
130051527	005115		01	01/31/2010	110-6044-435.40-98	SUPPLIES	2.50	
130051527	005116		01	01/31/2010	110-6046-418.40-98	SUPPLIES	2.50	
130051527	005117		01	01/31/2010	110-6047-512.40-98	SUPPLIES	2.50	
130051636	005666		01	01/31/2010	110-6047-512.50-16	PARTS/SUPPLIES	263.85	
130051527	005118		01	01/31/2010	510-6052-501.40-98	SUPPLIES	2.50	
						VENDOR TOTAL *	413.85	
0006372	INTL ASSN FOR PROPERTY & EVIDENCE							
72161	005543		01	01/31/2010	110-5030-421.60-37	MEMBERSHIP	50.00	
70053	005544		01	01/31/2010	110-5030-421.60-37	MEMBERSHIP	50.00	
72148	005545		01	01/31/2010	110-5030-421.60-37	MEMBERSHIP	50.00	
						VENDOR TOTAL *	150.00	
0009823	INTL CODE COUNCIL ACCTS RECEIVABLE							
1173120-IN	005383		01	01/31/2010	110-4020-422.60-11	ONLINE TRAINING	69.00	
1171181-IN	005381		01	01/31/2010	110-4025-424.40-12	TABS/FLASHCARDS/LEGAL ASP	575.00	
1171180-CM	005382		01	01/31/2010	110-4025-424.40-12	RETURNED MERCHANDISE	204.00	
1174396-IN	005384		01	01/31/2010	110-4025-424.40-12	CODE BOOKS	272.45	
						VENDOR TOTAL *	712.45	
0009363	IPPFA							
2010	005129		01	01/31/2010	760-0000-491.60-59	MEMBERSHIP	750.00	
						VENDOR TOTAL *	750.00	
0000976	JIM'S TOWING							
89394	005418		01	01/31/2010	110-5030-421.60-27	TOWING SVC/CASE#10-000826	350.00	
						VENDOR TOTAL *	350.00	
0004998	JIMENEZ MAINOR							
000052859	UT		01	01/31/2010	510-0000-113.02-00	UB CR REFUND	64.52	
						VENDOR TOTAL *	64.52	
0000312	JULIE INC							
12-09-0485	005127		01	01/31/2010	110-6040-431.30-80	JULIE LOCATES	174.38	
12-09-0485	005128		01	01/31/2010	510-6050-501.30-80	JULIE LOCATES	174.37	
						VENDOR TOTAL *	348.75	
0000314	KALE UNIFORMS							
414560	005089		01	01/31/2010	110-5030-421.40-11	UNIFORM SUPPLIES	141.98	
414559	005090		01	01/31/2010	110-5030-421.40-11	UNIFORM SUPPLIES	113.97	
414561	005091		01	01/31/2010	110-5030-421.40-11	UNIFORM SUPPLIES	141.98	
						VENDOR TOTAL *	397.93	
0018572	KANE COUNTY CHIEFS OF POLICE ASSN							

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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
0018572 05/10-05/12/10	KANE COUNTY CHIEFS OF POLICE ASSN 005229		01 01/31/2010	110-5030-421.60-11	REGISTRATION	495.00	
					VENDOR TOTAL *	495.00	
0000323 161722 161748	KIEFT BROTHERS, INC - A/P 005497 005584		01 01/31/2010 01 01/31/2010	110-6041-432.40-08 510-6056-502.40-29	INLET GRATE SEWER REPAIR/STOCK	110.00 1,277.90	
					VENDOR TOTAL *	1,387.90	
0011896 1348743 1348743 1353288	KIMBALL MIDWEST 005628 005629 005630		01 01/31/2010 01 01/31/2010 01 01/31/2010	110-6042-433.50-16 110-6047-512.50-16 110-6047-512.50-16	SUPPLIES/PLOW PARTS SUPPLIES/PLOW PARTS NUTS/BOLTS/SUPPLIES	175.00 187.07 226.30	
					VENDOR TOTAL *	588.37	
0016535 01/11/2010	KINGS POINT GENERAL CEMENT 005132		01 01/31/2010	510-6052-501.80-12	CONCRETE WORK	285.44	
					VENDOR TOTAL *	285.44	
0015660 18733 18468	KINGS POINT TRUCK LANE 005187 005631		01 01/31/2010 01 01/31/2010	110-6047-512.50-02 110-6047-512.50-02	SAFETY TEST/PW89 SAFETY TEST/PW81	37.00 25.00	
					VENDOR TOTAL *	62.00	
0000729 01/13/2010	KOVACIC, DONNA 005542		01 01/31/2010	110-5030-421.60-05	EXPENSE REIMBURSEMENT	16.20	
					VENDOR TOTAL *	16.20	
0018577 341 KIMBALL	KOWIESKI, BRIAN 005499		01 01/31/2010	510-6056-502.30-90	SEWER LINE REIMBURSEMENT	1,600.00	
					VENDOR TOTAL *	1,600.00	
0002524 1251011	LAW BULLETIN 005314		01 01/31/2010	110-5030-421.30-98	COURT DOCKET	55.00	
					VENDOR TOTAL *	55.00	
0013313 898383 898448 898760	LEACH ENTERPRISES, INC 005086 005087 005655		01 01/31/2010 01 01/31/2010 01 01/31/2010	110-6047-512.50-16 110-6047-512.50-16 110-6047-512.50-16	FILTERS FILTERS FILTERS	79.65 7.56 54.14	
					VENDOR TOTAL *	141.35	
0000509 01/01-01/15/10	LILJEBERG, GLEN R. 005267		01 01/31/2010	110-0086-453.30-52	CATV PROF SVCS	537.25	
					VENDOR TOTAL *	537.25	
0001778 12/31/2009	MAHONEY, TIM 005402		01 01/31/2010	110-4020-422.60-11	RECERTIFICATION FEE	50.00	
					VENDOR TOTAL *	50.00	
0007176	MCCANN INDUSTRIES INC						

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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
0007176 07114805	MCCANN INDUSTRIES INC 005634		01	01/31/2010	110-6047-512.50-16	TRK/PARTS PW166	261.15	
VENDOR TOTAL *							261.15	
0016376 28569	MCGINNIS, JOHN 005694		01	01/31/2010	110-0000-331.07-00	VEHICLE STICKER REFUND	45.00	
VENDOR TOTAL *							45.00	
0001049	MCI							
08611797999	005082		01	01/31/2010	110-0094-454.30-75	MONTHLY PHONE	.40	
08611797999	005071		01	01/31/2010	110-1001-411.30-75	MONTHLY PHONE	27.33	
08611797999	005072		01	01/31/2010	110-2006-413.30-75	MONTHLY PHONE	7.93	
08611797999	005080		01	01/31/2010	110-2007-413.30-75	MONTHLY PHONE	3.55	
08611797999	005081		01	01/31/2010	110-2008-413.30-75	MONTHLY PHONE	132.93	
08611797999	005073		01	01/31/2010	110-3015-414.30-75	MONTHLY PHONE	9.52	
08611797999	005074		01	01/31/2010	110-4020-422.30-75	MONTHLY PHONE	8.80	
08611797999	005075		01	01/31/2010	110-4022-423.30-75	MONTHLY PHONE	.76	
08611797999	005076		01	01/31/2010	110-5030-421.30-75	MONTHLY PHONE	82.81	
08611797999	005077		01	01/31/2010	110-6040-431.30-75	MONTHLY PHONE	16.52	
08611797999	005078		01	01/31/2010	110-7060-451.30-75	MONTHLY PHONE	15.23	
08611797999	005079		01	01/31/2010	510-6055-502.30-75	MONTHLY PHONE	4.15	
VENDOR TOTAL *							309.93	
0002941	MCMaster-CARR SUPPLY CO-A/P ADDRESS							
44615966	005197		01	01/31/2010	110-6042-433.50-16	SOCKET CONNECTOR COVER	475.14	
44961231	005570		01	01/31/2010	110-6047-512.50-16	STOCK	890.82	
44457402	005096		01	01/31/2010	510-6057-502.40-98	TIMER SWITCH	28.57	
VENDOR TOTAL *							1,394.53	
0000366	MEL'S ACE HARDWARE							
411868/4	005591		01	01/31/2010	510-6052-501.40-98	ANTI-FREEZE	25.14	
411879/4	005592		01	01/31/2010	510-6052-501.40-98	TANK REPAIR	16.05	
411965/4	005594		01	01/31/2010	510-6052-501.40-98	TAPE MEASURES	22.92	
411952/4	005593		01	01/31/2010	510-6056-502.40-98	TV CAMERA REPAIRS	5.84	
VENDOR TOTAL *							69.95	
0014625 52129	MEL'S CAR CARE CENTER 005581		01	01/31/2010	110-6047-512.50-02	RADIATOR/PW74	1,050.00	
VENDOR TOTAL *							1,050.00	
0017680 65521 65522	METRO NORTH INDUSTRIAL TIRE & SPPLY 005198 005199		01 01	01/31/2010 01/31/2010	110-6047-512.50-20 110-6047-512.50-20	TIRES/PW100,PW69 TIRES/PW199	144.90 39.95	
VENDOR TOTAL *							184.85	
0002641 DEC 2009	METROPOLITAN FAMILY SVCS DUPAGE 005541		01	01/31/2010	110-0083-443.60-48	SENIOR SVCS	5,614.51	
VENDOR TOTAL *							5,614.51	
0007364	METROPOLITAN LIFE INSURANCE CO							

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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
0007364	METROPOLITAN LIFE INSURANCE CO.						
00109	005527	01	01/31/2010	110-1001-411.20-05	DENTAL INS	287.92	
00109	005528	01	01/31/2010	110-2006-413.20-05	DENTAL INS	1,310.54	
00109	005529	01	01/31/2010	110-2007-413.20-05	DENTAL INS	226.70	
00109	005530	01	01/31/2010	110-3015-414.20-05	DENTAL INS	236.63	
00109	005531	01	01/31/2010	110-4020-422.20-05	DENTAL INS	3,920.05	
00109	005532	01	01/31/2010	110-4025-424.20-05	DENTAL INS	279.65	
00109	005533	01	01/31/2010	110-5030-421.20-05	DENTAL INS	6,388.90	
00109	005534	01	01/31/2010	110-6040-431.20-05	DENTAL INS	1,916.17	
00109	005535	01	01/31/2010	110-7060-451.20-05	DENTAL INS	339.22	
00109	005536	01	01/31/2010	210-8070-452.20-05	DENTAL INS	961.40	
00109	005537	01	01/31/2010	510-6050-501.20-05	DENTAL INS	307.78	
00109	005538	01	01/31/2010	510-6055-502.20-05	DENTAL INS	215.10	
00109	005539	01	01/31/2010	530-0088-503.20-05	DENTAL INS	157.20	
					VENDOR TOTAL *	16,547.26	
0011413	MICRO MANAGEMENT TECHNOLOGIES						
10934	005227	01	01/31/2010	110-2008-413.50-23	ANNUAL MAINT FEE	150.00	
					VENDOR TOTAL *	150.00	
0004354	MID-STATES ORGANIZED CRIME						
12504	005568	01	01/31/2010	110-5030-421.60-37	MEMBERSHIP	250.00	
					VENDOR TOTAL *	250.00	
0008503	MIDWAY TRUCK PARTS						
710353	005145	01	01/31/2010	110-6047-512.50-16	WIPER BLADES	295.76	
710762	005635	01	01/31/2010	110-6047-512.50-16	TRK/PARTS PW34	115.81	
					VENDOR TOTAL *	411.57	
0017125	MIDWEST OPERATING ENGRS H & W						
MARCH 2010	005491	01	01/31/2010	110-6040-431.20-04	HEALTH INS	46,663.65	
MARCH 2010	005493	01	01/31/2010	510-6050-501.20-04	HEALTH INS	21,834.45	
MARCH 2010	005492	01	01/31/2010	510-6055-502.20-04	HEALTH INS	15,137.10	
					VENDOR TOTAL *	83,635.20	
0007257	MOTION INDUSTRIES, INC						
IL10-403684	005098	01	01/31/2010	510-6057-502.50-08	PUMP REPAIR	127.52	
IL10-404741	005099	01	01/31/2010	510-6057-502.50-08	PUMP REPAIR	3.39	
IL10-404810	005100	01	01/31/2010	510-6057-502.50-08	PUMP REPAIR	17.67	
IL10-404924	005101	01	01/31/2010	510-6057-502.50-08	PUMP REPAIR	70.07	
					VENDOR TOTAL *	218.65	
0000378	MOTOROLA - COLLECTION CTR DR						
90142119	005633	01	01/31/2010	110-4020-422.40-41	RADIO PARTS	150.58	
90135839	005200	01	01/31/2010	110-5030-421.40-41	RADIO REPAIR	101.43	
90139138	005201	01	01/31/2010	110-5030-421.40-41	RADIO REPAIR/BATTERIES	108.51	
90142119	005632	01	01/31/2010	110-5030-421.40-41	MOBILE RADIO	150.57	
					VENDOR TOTAL *	511.09	
0011645	MUNICIPAL EMERGENCY SERVICES						

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 CITY OF ELMHURST, ILLINOIS
 CITY

EXPENDITURE APPROVAL LIST
 AS OF: 01/31/2010 CHECK DATE: 02/04/2010

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
0011645	MUNICIPAL EMERGENCY SERVICES							
00142280	SNV 005344		01	01/31/2010	110-4020-422.50-08	SAFETY GLOVES	483.10	
00140090	SNV 005352		01	01/31/2010	110-4020-422.40-62	UNIFORM SUPPLIES	646.45	
VENDOR TOTAL *							1,129.55	
0000383	NAFISCO, INC							
95338	005597		01	01/31/2010	510-6052-501.30-06	BARRICADE RENTAL	102.00	
VENDOR TOTAL *							102.00	
0011644	NEPTUNE TECHNOLOGY GROUP INC							
N235856	005602		01	01/31/2010	510-6052-501.40-67	METER REPAIR	170.70	
VENDOR TOTAL *							170.70	
0009496	NEXTEL COMMUNICATIONS							
162511511-095	005473		01	01/31/2010	110-2007-413.30-75	MONTHLY MOBILE BILL	181.53	
162511511-095	005474		01	01/31/2010	110-2008-413.30-75	MONTHLY MOBILE BILL	368.57	
162511511-095	005477		01	01/31/2010	110-2008-413.50-25	MONTHLY MOBILE BILL	72.28	
162511511-095	005476		01	01/31/2010	110-3015-414.30-75	MONTHLY MOBILE BILL	211.96	
162511511-095	005471		01	01/31/2010	110-4020-422.30-75	MONTHLY MOBILE BILL	347.69	
162511511-095	005472		01	01/31/2010	110-4022-423.30-75	MONTHLY MOBILE BILL	49.67	
162511511-095	005475		01	01/31/2010	110-5030-421.30-75	MONTHLY MOBILE BILL	1,171.86	
162511511-095	005468		01	01/31/2010	110-6040-431.30-75	MONTHLY MOBILE BILL	1,216.18	
162511511-095	005469		01	01/31/2010	510-6050-501.30-75	MONTHLY MOBILE BILL	389.18	
162511511-095	005470		01	01/31/2010	510-6055-502.30-75	MONTHLY MOBILE BILL	827.00	
VENDOR TOTAL *							4,691.36	
0005845	NICOR GAS							
54-23-78-0000	5005034		01	01/31/2010	110-4020-422.30-29	MONTHLY GAS	1,051.98	
26-13-75-0650	2005190		01	01/31/2010	110-4020-422.30-29	MONTHLY GAS	101.46	
02-25-68-0000	0005036		01	01/31/2010	110-6046-418.30-29	MONTHLY GAS	569.85	
39-23-24-0000	0005193		01	01/31/2010	110-7060-451.30-29	MONTHLY GAS	27.49	
75-23-24-0000	4005035		01	01/31/2010	510-6056-502.30-29	MONTHLY GAS	101.42	
52-71-78-0000	8005188		01	01/31/2010	510-6056-502.30-29	MONTHLY GAS	68.27	
43-64-24-0000	6005189		01	01/31/2010	510-6056-502.30-29	MONTHLY GAS	267.40	
99-81-68-0000	9005192		01	01/31/2010	510-6056-502.30-29	MONTHLY GAS	2.35	
53-33-68-0000	7005191		01	01/31/2010	510-6057-502.30-29	MONTHLY GAS	672.82	
VENDOR TOTAL *							2,863.04	
0000401	NORTH EAST MULTI-REGIONAL TRAINING							
128229	005509		01	01/31/2010	110-5030-421.60-11	TRAINING CLASS	150.00	
128283	005510		01	01/31/2010	110-5030-421.60-11	TRAINING CLASS	400.00	
VENDOR TOTAL *							550.00	
0007565	NOTARY PUBLIC ASSN OF IL							
D. SCHMIDTKE	005622		01	01/31/2010	110-1001-411.60-37	NOTARY RENEWAL	45.00	
VENDOR TOTAL *							45.00	
0018147	NOVAPRO RISK SOLUTIONS, LP							
GM00040353	005494		01	01/31/2010	110-0082-416.60-02	CLAIM FEES	850.00	

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0018147	NOVAPRO RISK SOLUTIONS, LP						
					VENDOR TOTAL *	850.00	
0008640	OFFICE DEPOT						
504076104001	005334		01 01/31/2010	110-2006-413.40-33	SUPPLIES	15.09	
503451582001	005643		01 01/31/2010	110-2006-413.40-33	SUPPLIES	168.11	
504076104001	005337		01 01/31/2010	110-3015-414.40-33	SUPPLIES	7.71	
504076104001	005335		01 01/31/2010	110-6040-431.40-33	SUPPLIES	7.38	
504076253001	005336		01 01/31/2010	110-6040-431.40-33	SUPPLIES	7.38	
					VENDOR TOTAL *	205.67	
0018574	PARABEN CORP						
26188	005315		01 01/31/2010	110-5030-421.60-27	DEVICE SEIZURE	1,149.95	
					VENDOR TOTAL *	1,149.95	
0008717	PAT KEAN'S FRIENDLY FORD						
157967	005177		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PD-17	35.02	
158223	005178		01 01/31/2010	110-6047-512.50-16	STOCK	115.28	
158224	005179		01 01/31/2010	110-6047-512.50-16	STOCK	17.27	
158253	005180		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PD-19	132.02	
158267	005181		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PD-26	158.48	
158296	005182		01 01/31/2010	110-6047-512.50-16	RETURNED MERCHANDISE	92.57	
158297	005183		01 01/31/2010	110-6047-512.50-16	RETURNED MERCHANDISE	142.00	
158299	005184		01 01/31/2010	110-6047-512.50-16	RETURNED MERCHANDISE	129.36	
158431	005571		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW83	465.27	
158512	005662		01 01/31/2010	110-6047-512.50-16	PARTS/SUPPLIES	234.00	
					VENDOR TOTAL *	793.41	
0000419	PATTEN INDUSTRIES INC						
P60C0207628	005110		01 01/31/2010	110-6047-512.50-16	PARTS/SUPPLIES	99.88	
					VENDOR TOTAL *	99.88	
0016401	PAUL CONWAY SHIELDS						
0261519-IN	005385		01 01/31/2010	110-4020-422.50-08	HELMET SHIELDS	54.88	
					VENDOR TOTAL *	54.88	
0018578	PAYMASTER TECHNOLOGIES, INC						
233342	005498		01 01/31/2010	110-2006-413.40-31	MINOR EQUIP	484.12	
					VENDOR TOTAL *	484.12	
0010665	PIONEER PRESS - GLENVIEW						
473696	005347		01 01/31/2010	110-4020-422.60-51	SUBSCRIPTION	32.00	
					VENDOR TOTAL *	32.00	
0014662	PLANET UNDERGROUND						
1/20-21/10	005251		01 01/14/2010	110-6040-431.60-11	SEMINAR REGISTRATION	CHECK #: 131845	595.00
					VENDOR TOTAL *	.00	595.00
0018571	PRO-VISION INC						

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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
0018571 14621	PRO-VISION INC 005202		01	01/31/2010	110-6047-512.50-16	CAMERA SYSTEM	2,719.71	
VENDOR TOTAL *							2,719.71	
0016300 77770D 77770E 77976D 77976E 81119 81298 81541 82112 82265	RB ENTERPRISES 005322 005323 005324 005325 005326 005327 005328 005329 005440		01	01/31/2010	110-6042-433.30-72	SNOW REMOVAL	660.00 660.00 575.00 575.00 547.50 438.00 547.50 438.00 365.00	
VENDOR TOTAL *							4,806.00	
0004402 164152 164153	REGIONAL TRUCK EQPT CO 005636 005637		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW39	349.71	
VENDOR TOTAL *							699.42	
0007611 MR Refund	ROBT ROMAN MR		01	01/31/2010	110-0000-115.07-01	331305	5.00	
VENDOR TOTAL *							5.00	
0015793 2009-195	ROMEDEVILLE FIRE ACADEMY 005349		01	01/31/2010	110-4020-422.60-11	TRAINING CLASS	180.00	
VENDOR TOTAL *							180.00	
0004969 7182	ROTARY CLUB OF ELMHURST 005419		01	01/31/2010	110-7060-451.60-37	MEMBERSHIP/MEALS	385.00	
VENDOR TOTAL *							385.00	
0008861 09-05471 09-05389 10-05608	ROYAL RECOGNITION 005106 005309 005540		01	01/31/2010	110-2007-413.60-23	SERVICE AWARD	188.60 82.89 229.91	
VENDOR TOTAL *							501.40	
0006411 640913 642318 640912 640910	RUSSO'S POWER EQPT 005608 005609 005610 005607		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW99B	83.52 2.72 73.56 68.97	
VENDOR TOTAL *							228.77	
0005250 75486 75487	SCBAS, INC 005374 005375		01	01/31/2010	110-4020-422.50-08	AIR PACK REPAIR	114.35 175.08	

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0005250	SCBAS, INC							
75739	005376		01	01/31/2010	110-4020-422.50-08	AIR PACK REPAIR	20.79	
75740	005377		01	01/31/2010	110-4020-422.50-08	AIR PACK REPAIR	59.59	
						VENDOR TOTAL *	369.81	
0001673	SCHWEIK, GUY							
01/12/2010	005228		01	01/31/2010	110-5030-421.60-05	EXPENSE REIMBURSEMENT	42.40	
						VENDOR TOTAL *	42.40	
0000477	SCHWEPPE							
979647	005378		01	01/31/2010	110-4020-422.60-98	SUPPLIES	1,456.59	
						VENDOR TOTAL *	1,456.59	
0010169	SEAWAY SUPPLY							
64380	005408		01	01/31/2010	110-6046-418.40-24	SUPPLIES	401.25	
64471	005653		01	01/31/2010	110-6046-418.40-24	SUPPLIES	490.00	
						VENDOR TOTAL *	891.25	
0018575	SENSIT TECHNOLOGIES							
0139847-IN	005348		01	01/31/2010	110-4020-422.40-75	GAS MONITOR REPAIR	173.82	
						VENDOR TOTAL *	173.82	
0012572	SHERWIN-WILLIAMS CO - VILLA PARK							
4018-1	005638		01	01/31/2010	110-6042-433.50-16	PAINT	34.99	
						VENDOR TOTAL *	34.99	
0000486	SICALCO LTD							
54218	005654		01	01/31/2010	110-6042-433.40-47	CHLORIDE	2,423.24	
						VENDOR TOTAL *	2,423.24	
0004565	SMITHSONIAN INSTITUTION							
0000007905	005589		01	01/31/2010	110-7060-451.60-44	EXHIBITION RENTAL FEE	1,875.00	
						VENDOR TOTAL *	1,875.00	
0004140	SPEER FINANCIAL, INC							
011-09/40	005131		01	01/31/2010	110-2006-413.30-12	PROFESSIONAL SVCS	455.80	
						VENDOR TOTAL *	455.80	
0018595	ST LOUIS SERIES OF LOCKTON							
24038	005667		01	01/31/2010	530-0088-503.80-19	PERFORMANCE BOND	7,260.00	
						VENDOR TOTAL *	7,260.00	
0000740	STANDARD EQPT CO							
C52719	005203		01	01/31/2010	110-6042-433.50-16	TRK/PARTS PW25	390.49	
						VENDOR TOTAL *	390.49	
0006012	STATE OF IL - DEPT OF AGRICULTURE							
245435	005506		01	01/31/2010	510-6057-502.30-33	LAB ANALYSIS	15.00	
						VENDOR TOTAL *	15.00	
0008126	STERICYCLE INC							

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0013905 13837	SUNGARD PUBLIC SECTOR INC. 005225		01 01/31/2010	110-2008-413.30-52	HTE REP TRAVEL EXPENSE	1,593.35	
					VENDOR TOTAL *	1,593.35	
0002854 2125	SUNRISE COMMUNICATIONS, INC 005406		01 01/31/2010	110-0086-453.30-52	DVD DUPLICATION	20.00	
					VENDOR TOTAL *	20.00	
0000512 35413 35413	SURE LUBRICANTS, INC 005094 005095		01 01/31/2010 01 01/31/2010	510-6051-501.40-34 510-6057-502.40-34	LUBRICATING OIL LUBRICATING OIL	549.55 549.55	
					VENDOR TOTAL *	1,099.10	
0016618 36180	TAM TRUCKING, INC 005237		01 01/31/2010	110-6042-433.30-72	SNOW REMOVAL	2,075.00	
					VENDOR TOTAL *	2,075.00	
0018482 2927316	TELVENT DTN 005625		01 01/31/2010	110-4022-423.30-12	WEATHER MONITORING	432.00	
					VENDOR TOTAL *	432.00	
0000523 28549-00 28496-00	TERMINAL SUPPLY CO 005235 005236		01 01/31/2010 01 01/31/2010	110-6047-512.50-16 110-6047-512.50-16	BULBS LAMPS	29.59 188.89	
					VENDOR TOTAL *	218.48	
0000525 594730 594731	TERRACE SUPPLY CO 005595 005596		01 01/31/2010 01 01/31/2010	510-6052-501.40-98 510-6056-502.50-08	CARBON DIOXIDE CYLINDER HANDLE REPAIR	33.22 20.00	
					VENDOR TOTAL *	53.22	
0012940 SOINV000732632	THE TAPE CO 005316		01 01/31/2010	110-5030-421.40-98	EVIDENCE SUPPLIES	432.00	
					VENDOR TOTAL *	432.00	
0010869 P18105510103 P18105510103 P18105510104	TIGERDIRECT.COM 005310 005311 005312		01 01/31/2010 01 01/31/2010 01 01/31/2010	110-2008-413.80-03 110-2008-413.40-73 110-2008-413.40-73	ROUTERS BACK UP TAPES BACK UP TAPES	4,418.75 34.95 359.85	
					VENDOR TOTAL *	4,813.55	
0008462 12/02/2009	TIVOLI ENTERPRISES 005500		01 01/31/2010	310-0089-461.80-24	STREETSCAPE RENOVATION	102,351.44	
					VENDOR TOTAL *	102,351.44	
0017950 118836 118837	TODD, MICHAEL & CO, INC 005195 005196		01 01/31/2010 01 01/31/2010	110-6042-433.50-16 110-6042-433.50-16	SNOW BROOMS CUTTING EDGES	618.72 456.43	
					VENDOR TOTAL *	1,075.15	
0000533	TRAFFIC CONTROL & PROTECTION						

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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	
0000533	TRAFFIC CONTROL & PROTECTION							
65565	005134		01 01/31/2010	110-6041-432.40-52	ALUMINUM BLANK	170.29		
65566	005135		01 01/31/2010	110-6041-432.40-52	ALUMINUM BLANK	254.08		
65616	005659		01 01/31/2010	110-6041-432.40-52	POSTS	284.25		
					VENDOR TOTAL *	708.62		
0000403	TRANSCHICAGO TRUCK GROUP AND							
6108627	005205		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW89	56.08		
6108196	005206		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW64	139.76		
6107624	005207		01 01/31/2010	110-6047-512.50-16	TRK/PARTS PW51	235.82		
					VENDOR TOTAL *	431.66		
0015934	TRAVEL MARKETING GROUP							
10894	005496		01 01/31/2010	110-0094-454.60-45	BROCHURE FILE FOLDER	850.00		
					VENDOR TOTAL *	850.00		
0000536	TREE TOWNS REPROGRAPHICS, INC							
0000138763	005414		01 01/31/2010	110-6040-431.40-33	DIGITAL BOND COPY	28.80		
0000138478	005412		01 01/31/2010	110-6043-434.40-98	BOND COPIES	324.32		
0000138414	005413		01 01/31/2010	110-6043-434.40-98	DIGITAL BOND COPY	57.60		
0000138886	005588		01 01/31/2010	110-7060-451.60-44	EXHIBIT PANELS	322.80		
0000139001	005688		01 01/31/2010	110-7060-451.60-44	EXHIBIT PANELS	75.40		
0000139071	005689		01 01/31/2010	110-7060-451.60-44	EXHIBIT PANELS	36.00		
					VENDOR TOTAL *	844.92		
0003805	ULINE INC							
30816998	005508		01 01/31/2010	110-5030-421.40-98	STORAGE FILE BOX	66.89		
					VENDOR TOTAL *	66.89		
0015470	UNIFORMITY INC							
IN175084	005353		01 01/31/2010	110-4020-422.40-62	UNIFORM SUPPLIES	105.00		
IN175085	005354		01 01/31/2010	110-4020-422.40-62	UNIFORM SUPPLIES	29.00		
IN175082	005355		01 01/31/2010	110-4020-422.40-62	UNIFORM SUPPLIES	77.34		
IN175083	005356		01 01/31/2010	110-4020-422.40-62	UNIFORM SUPPLIES	198.00		
					VENDOR TOTAL *	409.34		
0003709	UNIQUE PRODUCTS & SERV CORP							
197770	005656		01 01/31/2010	110-6046-418.40-24	SUPPLIES	399.90		
					VENDOR TOTAL *	399.90		
0007191	UNITED STATES POSTAL SERVICE-RESERV							
1/13/10	005252		01 01/14/2010	110-1001-411.30-49	METER POSTAGE	CHECK #:	131846	1,000.00
1/13/10	005253		01 01/14/2010	110-2006-413.30-49	METER POSTAGE	CHECK #:	131846	400.00
1/13/10	005254		01 01/14/2010	110-2007-413.30-49	METER POSTAGE	CHECK #:	131846	250.00
1/13/10	005255		01 01/14/2010	110-3015-414.30-49	METER POSTAGE	CHECK #:	131846	250.00
1/13/10	005256		01 01/14/2010	110-4020-422.30-49	METER POSTAGE	CHECK #:	131846	250.00
1/13/10	005257		01 01/14/2010	110-5030-421.30-49	METER POSTAGE	CHECK #:	131846	750.00
1/13/10	005258		01 01/14/2010	110-6040-431.30-49	METER POSTAGE	CHECK #:	131846	1,000.00
1/13/10	005259		01 01/14/2010	110-7060-451.30-49	METER POSTAGE	CHECK #:	131846	250.00

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0007191 1/13/10	UNITED STATES POSTAL SERVICE-RESERV 005260		01 01/14/2010	530-0088-503.30-49	METER POSTAGE	CHECK #: 131846	850.00
VENDOR TOTAL *						.00	5,000.00
0018569 02/04/2010 02/04/2010	UNIV OF IL - DEPT OF ANIMAL SCIENCE 004995 004995		01 01/21/2010 01 01/21/2010	110-5030-421.60-11 110-5030-421.60-11	REGISTRATION REGISTRATION	CHECK #: 131554 CHECK #: 131852	45.00- 45.00
VENDOR TOTAL *						.00	
0005115 5143 5143 5206 5206	UNIVERSAL TAXI DISPATCH, INC 005438 005439 005696 005697		01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010	110-0083-443.60-49 110-0083-443.60-19 110-0083-443.60-49 110-0083-443.60-19	SENIOR CITIZEN TAXI SVC DISABLED CITIZEN TAXI SVC SENIOR CITIZEN TAXI SVC DISABLED CITIZEN TAXI SVC	256.20 22.40 377.80 11.60	
VENDOR TOTAL *						668.00	
0000550 01/01-01/15/10	URICK, EUGENIE 005266		01 01/31/2010	110-0086-453.30-52	CATV PROF SVCS	975.00	
VENDOR TOTAL *						975.00	
0014788 2341073887	VERIZON WIRELESS 005286		01 01/31/2010	110-2008-413.30-98	MONTHLY PHONE	1,505.37	
VENDOR TOTAL *						1,505.37	
0000558 205754	VICTORIN BUSINESS MACHINES 005222		01 01/31/2010	110-2008-413.50-22	KEYBOARD REPAIR	56.00	
VENDOR TOTAL *						56.00	
0000560 01734627 01734366	VILLA PARK ELECTRICAL SUPPLY 005233 005234		01 01/31/2010 01 01/31/2010	110-2008-413.40-31 110-2008-413.40-31	RETURNED MERCHANDISE CAT 5 PARTS	63.62- 159.83	
VENDOR TOTAL *						96.21	
0015717 482970 483196 483216 483217 483248	WENTWORTH TIRE-BENSENVILLE 005156 005157 005158 005159 005160		01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010	110-6047-512.50-20 110-6047-512.50-20 110-6047-512.50-20 110-6047-512.50-20 110-6047-512.50-20	TIRE DISPOSAL TIRES/PW112,PW108 TIRES/PW112 TIRES/PW87 LOOSE WHEEL FLAT REPAIR	14.00 710.48 350.15 350.15 27.00	
VENDOR TOTAL *						1,451.78	
0000576 96562 96654 96688 96713 96593 96501 96529	WEST SUBURBAN OP, INC. 005209 005211 005212 005213 005557 005415 005208		01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010 01 01/31/2010	110-2006-413.40-33 110-5030-421.40-33 110-5030-421.40-33 110-5030-421.40-33 110-5030-421.40-33 110-6043-434.40-98 110-6047-512.50-16	CALENDAR SUPPLIES FLAGS/TABS/PENS MARKERS/DRY ERASE SUPPLIES BINDER CLIPS LABELING TAPE	13.74 63.51 21.11 6.68 101.77 5.72 56.97	

PREPARED 01/25/2010, 11:24:45
 PROGRAM: GM339L
 CITY OF ELMHURST, ILLINOIS
 CITY

EXPENDITURE APPROVAL LIST
 AS OF: 01/31/2010 CHECK DATE: 02/04/2010

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
0000576	WEST SUBURBAN OP, INC.						
96530	005210	01	01/31/2010	110-6047-512.50-16	LABELING TAPE	18.99	
96578	005416	01	01/31/2010	110-7060-451.40-33	ID BADGE HOLDER	14.10	
96971	005559	01	01/31/2010	110-7060-451.40-33	BANQUET ROLL	46.56	
96916	005560	01	01/31/2010	110-7060-451.40-33	HIGHLIGHTER/NOTE PADS	20.17	
97123	005687	01	01/31/2010	110-7060-451.40-33	NAME BADGES	22.36	
96919	005558	01	01/31/2010	510-6052-501.40-98	TRAY/CARD FILE HOLDER/	99.03	
					VENDOR TOTAL *	490.71	
0002838	WHOLESALE DIRECT						
000174616	005214	01	01/31/2010	110-6047-512.50-16	STOCK	217.43	
					VENDOR TOTAL *	217.43	
0011201	WILL COUNTY CLERK						
B. LUCCHINI	005216	01	01/31/2010	110-5030-421.60-37	NOTARY CERTIFICATE	10.00	
					VENDOR TOTAL *	10.00	
0017594	XSPORT FITNESS-ELMHURST						
01/15/2010	005380	01	01/31/2010	110-4020-422.60-98	MEMBERSHIP	400.00	
					VENDOR TOTAL *	400.00	
0000582	ZENGER'S INC						
1222978-1	005215	01	01/31/2010	110-6047-512.40-53	TOOL	45.10	
1222312-1	005603	01	01/31/2010	110-6047-512.40-53	TOOL	48.00	
1223304-1	005604	01	01/31/2010	110-6047-512.40-53	TOOLS	27.72	
1221546-2	005605	01	01/31/2010	510-6052-501.40-98	BATTERIES	300.00	
					VENDOR TOTAL *	420.82	
0009183	303 TAXI						
17239	005437	01	01/31/2010	110-0083-443.60-49	SENIOR CITIZEN TAXI SVC	2,131.60	
					VENDOR TOTAL *	2,131.60	
					HAND ISSUED TOTAL ***		57,187.13
					TOTAL EXPENDITURES ****	1,652,978.05	57,187.13
				GRAND TOTAL *****			1,710,165.18



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

January 27, 2010

TO: Mayor DiCianni and Members of the City Council

RE: **Bid, 2010 - 2012 Contract Turf and Landscape Maintenance**

In response to an invitation to bid for the 2010-2012 Contract Turf and Landscape Maintenance Project advertised in the Elmhurst Press on Friday, January 8, 2010, bids were received from nine area landscapers.

Bids were opened at 10:00 a.m. on Tuesday, January 26, 2010, and following is a summary of the bids received:

<u>Company</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>Total</u>
Alaniz Landscape Group (Elgin, IL)	\$37,711.00	\$37,827.00	\$37,827.00	\$113,365.00
TLC Group, Ltd. (Clarendon Hills, IL)	\$41,125.48	\$41,125.48	\$41,125.48	\$123,376.44
Clauss Brothers, Inc. (Streamwood, IL)	\$53,138.00	\$54,576.00	\$55,264.00	\$162,978.00
Sebert Landscaping Company (Bartlett, IL)	\$61,885.00	\$61,885.00	\$61,885.00	\$185,655.00
Addlawn Landscaping, Inc. (Addison, IL)	\$62,594.57	\$65,464.53	\$68,354.07	\$196,413.17
RB Enterprises (Aurora, IL)	\$67,154.00	\$68,801.00	\$68,801.00	\$204,756.00

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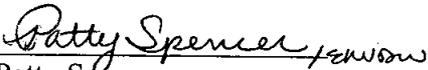
Page 2

TO: Mayor DiCianni and Members of the City Council

RE: **Bid, 2010-2012 Contract Turf and Landscape Maintenance**

Classic Landscape, Ltd. (West Chicago, IL)	\$77,055.00	\$77,055.00	\$77,055.00	\$231,165.00
Landscape Concepts Mgmt. (Grayslake, IL)	\$86,288.00	\$86,288.00	\$90,440.00	\$263,016.00
BLS Landscape Services, Inc. (Bensenville, IL)	\$92,933.89	\$92,933.89	\$92,933.89	\$278,801.67

Respectfully submitted,


Patty Spencer
City Clerk



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Erin
PETER "PETE" DICIANNI
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CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

January 25, 2010

To: Mayor DiCianni and Members of the City Council

Re: Change in Regular Council Agenda to Include Public Prayer
Aldermen Rose, Mulliner, Bram, Leader, Gutenkauf, Shea & Pezza

It is respectfully requested that the attached request from Aldermen Rose, Mulliner, Bram, Leader, Gutenkauf, Shea and Pezza be referred to the Finance, Council Affairs and Administrative Services Committee for their review, evaluation and subsequent recommendation to the City Council.

Respectfully submitted,

Thomas P. Borchert
City Manager

TPB/ds
Attachment

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01-28-10

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

From: Alderman Susan J. Rose
Alderman Mark A. Mulliner
Alderman Michael Bram
Alderman Norman Leader
Alderman Diane Gutenkauf
Alderman Pat Shea
Alderman Paula Pezza

Subject: Change in Regular Council Agenda to Include Public Prayer

Date: January 22, 2010

At the January 19, 2010 meeting of the City Council, the Mayor suggested that public prayer become a component of regularly scheduled City Council meetings. We respectfully request that the Finance & Council Affairs Committee take this under consideration, especially as it relates to the purpose, logistics, review, and order of such a change. This seems timely as this Committee is currently reviewing other issues in the order of business of the Council.

We support open dialogue on any change in conducting the regular business of the Council.



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January 25, 2010

TO: Mayor DiCianni and Members of the City Council

RE: **First Street Parking Deck Bids for Plumbing**

On Monday, January 25, 2010 the Public Works and Buildings Committee met to review bids received for the First Street Parking Deck bids for plumbing.

On September 8, 2009 the Elmhurst City Council approved the construction of a parking deck located at 175 West First Street. As part of that construction, various packages will be put out for public bid. Those bids will then be reviewed by the Public Works and Buildings Committee. The bid currently under review is for plumbing.

The low bidder was U.S. Plumbing and Sewer of Elmhurst, Illinois. Reference checks for U.S. Plumbing and Sewer indicate that work was completed in a satisfactory manner, see attached bid analysis. Also attached is the summary of the bids received.

Monies for this work have been approved in the FY 2009/2010 Budget, in account number 530-0088-503-80-19 in the amount of \$7,000,000.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid for plumbing as outlined above be accepted and that the City Attorney be authorized to prepare resolutions for each of the projects and that the bid for plumbing work be rejected.

Respectfully submitted,

PUBLIC WORKS AND BUILDINGS COMMITTEE



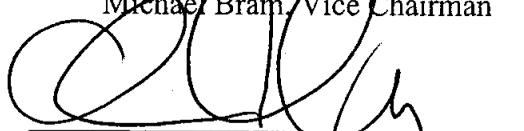
Jim Kennedy, Chairman



Michael Bram, Vice Chairman



Pat Shea



Chris Healy

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cc: P.W. and
Bldg. Comm.

Mayor TPB Fopp
Hughes Strecher
1-21-10



Project: 175 W First Street Parking Garage, Elmhurst, IL.

Party Analyzing Bids: ARCO/Murray National Construction Company (Construction Manager)

Individual Analyzing Bids: Leonidas Stellakis (Project Manager)

Date: January 7, 2010

Trade Being Analyzed: Design Build Plumbing

Comments: Three bids were received for this trade. The low bidder was US Plumbing and Sewer Inc. All plans and specs were met.

Three references were called upon all giving positive recommendations

- Chicago Commercial Contractors
- FH Paschen Construction
- McHugh Construction

It is the recommendation of the construction manager that the city proceed in authorizing the mayor to execute a contract with US Plumbing.

Let it be noted that this contractor lowered their bid by approximately \$30,000.00 with no change in scope.



BID COMPARISON SHEET

Project Name: 175 W 1st St. Parking Garage
 Project Number: C0106

Spec Section: Plumbing

Date: ~~12-2-09~~ 1/6/10

ITEM	SUBCONTRACTORS		
Company Name:	MVP Plumbing Corporation	US Plumbing and Sewer	Lino and Poli Plumbing
Phone Number:	630.897.6000	630.742.5799	630.250.8500
President	Matthew Welsz	Michael Leuzzi	Giancarlo Poli
Original Bid:	\$115,500	\$105,850	\$199,820
Bid Bond Received	Yes	Yes	Yes
Addendum #1	Yes	Yes	Yes
Design Drawings/Stamped	Yes	Yes	Yes
Sanitary Elements			
Underground Sanitary Work	Included	Included	Included
Triple Oil Interceptor	Included	Included	Included
6" Underground	Included	Included	Included
4" Underground	Included	Included	Included
2" Underground	Included	Included	Included
6" Aboveground	Included	Included	Included
4" aboveground	Included	Included	Included
3" aboveground	Included	Included	Included
2" aboveground	Included	Included	Included
Ground Level Floor Drains	Included	Included	Included
Intermediate Level Garage Floor Drains	Included	Included	Included
Cleanouts	Included	Included	Included
Elevator Ejector System	Included	Included	Included
Misc. Sanitary Floor Drains	Included	Included	Included
Storm Elements			
Upper Level Garage Floor Drains	Included	Included	Included
Cleanouts	Included	Included	Included
8" Underground	Included	Included	Included
6" Underground	Included	Included	Included
6" Aboveground	Included	Included	Included
4" Aboveground	Included	Included	Included
Domestic Water Elements			
Underground Water Piping	Included	Included	Included
Overhead Water Piping	Included	Included	Included
Water Riser/Meter Assembly	Included	Included	Included
Hose Bibs	Included	Included	Included
Adjusted Bid Amount	\$115,500	\$105,850	\$199,820



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

January 25, 2010

To: Mayor DiCianni and Members of the City Council

RE: Illinois Prairie Path at York Street
Pedestrian/Bicycle Crossing Review

The Public Affairs and Safety Committee met on January 25, 2010 to discuss a resident request for Pedestrian/Bicycle safety improvements at the intersection of the Illinois Prairie Path at York.

In response to a resident request (copy attached), the City's traffic consultant, Brent Coulter of Coulter Transportation Consulting, performed a safety review of the pedestrian/bicycle crossing at the Illinois Prairie Path at York Street. Mr. Coulter provides several potential improvement options, and staff has compiled a comparison of the alternatives to identify the advantages and possible negative impacts of each. Staff concurs with Mr. Coulter's preferred recommendation, which involves minor modifications to the pedestrian crossing signage along York Street. The existing southbound pedestrian crossing sign should be relocated closer to the crossing, and additional pedestrian warning signs with arrows should be added in both directions in advance of the crossing. These low cost improvements provide emphasis of the crossing and do not require major roadway or parking changes.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to relocate the existing southbound pedestrian crossing sign closer to the crossing, and additional pedestrian warning signs with arrows should be added in both directions in advance of the crossing.

Respectfully submitted,
Public Affairs and Safety Committee

Patrick Wagner, Chairman

Chris Nybo, Vice Chairman

Paula Pezza

PUBLIC AFFAIRS &
SAFETY COMMITTEE

Mayor JPB Kopp
Patty Spencer
1-21-10



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THOMAS P. BORCHERT
CITY MANAGER

January 25, 2010

TO: Mayor Peter P. Dicianni and Members of the City Council

RE: Bid, One (1) Toyota Sienna - LE.

The Public Affairs and Safety Committee met on Monday, January 25, 2010, to discuss quotes received for One (1) 2010 Toyota, Sienna - LE.

Request for quotes were sent out to (4) Four-area dealers for One (1) 2010 Toyota, Sienna - LE. The results are listed below:

<u>Dealer</u>	<u>Total Price</u>
Elmhurst Toyota, Elmhurst, IL	\$15,866.38
Lombard Toyota, Lombard, IL	\$16,977.00
Oakbrook Toyota, Oakbrook, IL	\$20,400.00
Schaumburg Toyota, Schaumburg, IL	Out of Stock

The low bid from Elmhurst Toyota, Elmhurst, IL meets all the specifications. The price reflects a trade-in allowance of \$4,050.00 for PD-25 and \$5,550.00 for PD-33. This unit will be used in the Police Department.

Funds have been provided in the FY 2009/2010 Forfeiture vehicle account under the following account numbers: \$20,000.00 in 110-5030-421-60.27. Delivery is 5 Days after receipt of order.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the purchase of one 2010 Toyota Sienna - LE from Elmhurst Toyota, Elmhurst, IL, to replace PD-25. It is also the recommendation of the Public Affairs and Safety Committee that the City Council authorize the disposal of old PD-25 and PD-33 by trading these vehicles as part of the purchase. The total cost of one 2010 Toyota Sienna - LE less the trade-in's is \$15,866.38.

Respectfully submitted,

Patrick Wagner, Chairman

Chris Nybo, Vice Chairman

Paula Pezza

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PUBLIC AFFAIRS &
SAFETY COMMITTEE

Mayor TPB Logg
Dee Spenser
1-21-10



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CITY MANAGER

January 26, 2010

To: Mayor DiCianni and Members of the City Council

Re: Auditor's Fiscal 2009 Management Letter

The Finance, Council Affairs and Administrative Services Committee met January 25, 2010, to review the 2008-2009 City of Elmhurst financial audit and to review the 2009 Auditor's Management Letter from Sikich LLP.

Mr. Daniel Berg, Partner with Sikich LLP, reviewed the 2009 Management Letter. The following is a response to the comments and recommendations set forth in the Management Letter.

Water Billed Ratio

During the audit, the auditors noted that water purchased from DuPage Water Commission (DWC) increased during the year ended April 30, 2009, but the gallons billed to customers remained consistent with fiscal year 2008. The gallons billed to pumped ratio decreased from 86.78% in fiscal year 2008 to 79.09% in the current year. The normal range of gallons billed to pumped ratio is 85% to 90%. Staff determined that the main cause of the difference in the billed to pumped ratio was two major water main breaks that occurred in summer 2008. The breaks were identified and repaired. The auditors recommend that the City monitor the billed to pumped ratio on a monthly basis in order to identify any major problems such as water main leaks. Staff, however, will monitor the billed to pumped ratio on a semi-annual basis, due to the difficulty of matching monthly billing from DWC to the sequential, bi-monthly billing for the City's customers.

After discussion, the Finance Committee accepted the 2009 Management Letter and staff response to comments and recommendations.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council accept the 2009 Management Letter and staff action in regard to its comments and recommendation.

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1 - 28 - 10

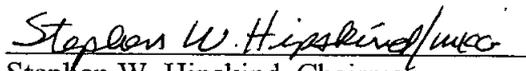
Page 2

January 26, 2010

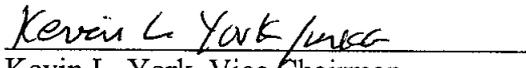
To: Mayor DiCianni and Members of the City Council

Re: Auditor's Fiscal 2009 Management Letter

Respectfully submitted,
FINANCE, COUNCIL AFFAIRS AND
ADMINISTRATIVE SERVICES
COMMITTEE


Stephen W. Hipskind, Chairman


Mark A. Mulliner


Kevin L. York, Vice Chairman


Diane Gutenkauf



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CITY MANAGER

January 26, 2010

To: Mayor DiCianni and Members of the City Council

Re: Status Report of Pending Items

The Finance, Council Affairs and Administrative Services Committee met January 25, 2010 to review the Committee's list of pending items. The following status report is in response to a Finance Committee report, approved by the City Council on August 1, 1988, that mandates Committee reporting of the status of pending agenda referral items.

10/20/2008

Referral - Disclosure Ordinance
Status - The Finance Committee will resume reviewing this referral in February.

10/05/2009

Referral - Review of City Council Procedures
Status - The Finance Committee is in the process of reviewing MCO Chapter Two. An ordinance with the proposed updates will be forwarded to the City Council in February 2010. The Finance Committee will then begin reviewing MCO Chapter Three.

11/02/2009

Referral - Tax Levy Relief
Status - This request is being reviewed by the Finance Committee. The Committee is in general agreement that a property tax rebate program is appropriate at this time. Pending final review of details of the program, a report will be submitted to the City Council in February 2010.

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1-28-10

Page 2

January 26, 2010

To: Mayor DiCianni and Members of the City Council

Re: Status Report of Pending Items

Respectfully submitted,
FINANCE, COUNCIL AFFAIRS AND
ADMINISTRATIVE SERVICES
COMMITTEE

Stephen W. Hipskind
Stephen W. Hipskind, Chairman

Mark A. Mulliner
Mark A. Mulliner

Kevin L. York
Kevin L. York, Vice Chairman

Diane Gutenkauf
Diane Gutenkauf

VOW

O-02-2010

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION
OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN
ELMHURST RUNNING CLUB, INC. AND THE CITY OF ELMHURST,
DUPAGE AND COOK COUNTIES, ILLINOIS**

WHEREAS, Elmhurst Running Club, Inc. ("Licensee") seeks to utilize part of the right-of-way of the City of Elmhurst (the "Property") for its annual "4 on the 4th" Four Mile Run 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.

PRESENTED to the City Council of the City of Elmhurst, Illinois, this ___th day of February, 2010.

PASSED by the City Council of the City of Elmhurst, Illinois, this ___th day of February, 2010.

APPROVED by the Mayor of the City of Elmhurst, Illinois, this ___th day of February, 2010.

Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes: _____

Nays: _____

Absent: _____

COUNCIL ACTION SUMMARY

SUBJECT: An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement by and between Elmhurst Running Club, Inc. and the City of Elmhurst, DuPage and Cook County, Illinois

ORIGINATOR: Public Affairs and Safety Committee, City Attorney

DESCRIPTION OF SUBJECT MATTER:

Pursuant to the recommendations of the City of Elmhurst Public Affairs and Safety Committee, attached for Council consideration is an ordinance granting approval and authorization to execute the Non-Exclusive License Agreement (the "Agreement") by and between Elmhurst Running Club, Inc. and the City of Elmhurst. The Agreement grants Elmhurst Running Club, Inc. a temporary non-exclusive license to use public property for its "4 on the 4th" Four Mile Run Event. The Agreement has been reviewed by the Public Affairs and Safety Committee, the Police Department, the City Manager and the City Attorney, and the terms of the Agreement meet the City's requirements and standards for insurance and indemnification that have been applied to applicants for similar licensing in the past.

EXHIBIT A

NON-EXCLUSIVE LICENSE AGREEMENT

Non-Exclusive License Agreement

This License Agreement ("License") is made and entered into on this ____ day of February, 2010 by and between the City of Elmhurst, Illinois, an Illinois municipal corporation (herein referred to as "Licensor") and Elmhurst Running Club, Inc., an Illinois Not-for-Profit Corporation (herein referred to as "Licensee").

Licensee desires to enter onto the property commonly known as the part of York Street, Schiller Street, Robert Palmer Drive, Harbour Terrace, Elmwood Terrace, Cottage Hill Avenue, Park Avenue, and Prospect Avenue, Elmhurst, Illinois, as illustrated in Exhibit A attached hereto and made a part hereof (the "Property"), for the purpose of utilizing the Property for its annual "4 on the 4th" Four Mile Run 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 July 3, 2010 at 6:00 AM and ending at 9:00 AM (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 6:00 AM and 9:00 AM. 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 in finalizing layout/staging plans and operational parameters for 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 thirty (30) 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.

(8) TRAFFIC CONTROL. Licensor shall provide adequate police personnel for the purpose of directing traffic to and from the Property throughout the License Term.

(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

Elmhurst Running Club, Inc.

By: _____
Kurt Fiene, President

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 February ____, 2010, 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 Non-Exclusive 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 February, 2010, 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 foregoing Non-Exclusive License Agreement as his voluntary act and deed for the purposes set forth herein.

Notary Public

My Commission Expires: _____

Epim

O- 03 -2010

**AN ORDINANCE AUTHORIZING THE
SALE OF SURPLUS PERSONAL PROPERTY OF
THE CITY OF ELMHURST**

WHEREAS, pursuant to Section 11-76-4 of the Illinois Municipal Code, 65 ILCS 5/11-76-4,

the corporate authorities of the City of Elmhurst (the "City") are expressly authorized to sell personal property in such a manner as they may designate, with or without advertising the sale, when, the personal property is no longer necessary or useful to the City; and

WHEREAS, the City owns certain personal property described in Exhibit A ("Equipment"), attached hereto and made a part hereof; and

WHEREAS, the corporate authorities of the City expressly find that the Equipment is no longer necessary to, required for use, or in the best interest of the City to maintain and further find that it is in the best interest of the City to dispose of the Equipment.

WHEREAS, the corporate authorities further find that the Equipment has no resale value and shall be donated by the City to an interested fire department or fire protection district or agency in the State of Illinois; and

WHEREAS, upon the donation of the Equipment, a document entitled "Agreement to Donate Equipment" ("Agreement"), attached hereto and made apart hereof as Exhibit B, shall be signed by the City and the recipient of the Equipment.

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

SECTION 1: Recitals. The foregoing recitals are adopted as the corporate findings of the City as if fully set forth herein.

SECTION 2: Authorization. The corporate authorities hereby authorize the City Manager to donate the Equipment through the Fire Equipment Exchange Program to a fire department or fire protection district or agency in the State of Illinois. The corporate authorities also hereby direct the City Manager to obtain the signature of the recipient or recipients of the Equipment on the Agreement prior to any donation and hereby authorize the City Manager to execute the Agreement on behalf of the City.

SECTION 3: Effective Date. 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 _____, 2010.

Peter P. DiCianni III, Mayor

Passed this ____ day of _____, 2010.

Ayes: _____ Naves: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: Ordinance Authorizing Sale of Surplus Personal Property

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Attached for City Council consideration is an ordinance authorizing the sale/donation of certain surplus equipment that is no longer of any use to the City. In addition, the Ordinance requires and authorizes the execution of an "Agreement to Donate Equipment" to indemnify the City and hold the City harmless in regards to any future use of the equipment.

EXHIBIT A

PORTABLE RADIOS

1. S/N651ASE2280
2. S/N651APG1713
3. S/N651ARJ0143
4. S/N651EFD4001
5. S/N65AMO2650
6. S/NNJD11S2C1(S)
7. S/N651ANQ365
8. S/N651ARJ0144
9. S/N65ASE2281
10. S/N651APG1712
11. S/N65APG1715
12. 751AT00845 (MT1000)
13. 751AT00847 (MT 1000)
14. NUD1162c1
15. No Number (Labeled TR-2)

RADIO EQUIPMENT

- 3 - Motorola Battery Chargers (Model NTN4666B)
- 5 - Motorola Battery Chargers (Model NTN4633A)
- 5 - Motorola Vehicle Chargers (Model NTN5438A)
- 7 - Motorola Adapters for Battery Maintenance System Conditioner
- 1 - Motorola 6 place Battery Charger

EXHIBIT B

AGREEMENT TO DONATE EQUIPMENT

The _____
(*Fire protection district/city/village/other entity*),

Hereinafter called Donor agrees to transfer ownership of the equipment identified in Schedule 1 as attached hereto, at no cost to _____

(*Fire protection district/city/village/other entity*),

Hereinafter called Recipient:

Donor agrees to disclose to Recipient, any known defects in the equipment. It is the obligation and duty of Recipient to inspect the equipment prior to accepting it. If Recipient accepts the equipment, Recipient accepts such equipment in "AS-IS" condition. Said equipment is provided without any warranty whatsoever either express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. Recipient agrees to defend, indemnify and hold Donor harmless for any action arising from the ownership, use, operation or possession of the equipment after Recipient takes possession.

Donor warrants that it has authority under the laws of the State of Illinois and it's ordinances and has by resolution authorized the transfer of the ownership of the equipment to Recipient.

By affixing their signatures below the signatories represent that they have authority on behalf of their unit of local government to enter into this agreement.

(*Signature Recipient*)

(*Signature Donor*)

(*Title*)

(*Title*)

(*Date*)

(*Date*)

UOW

MCO-01 - 2010

AN ORDINANCE TO AMEND ARTICLE V ENTITLED, "DRIVING, OVERTAKING AND PASSING," OF CHAPTER 44 ENTITLED, "MOTOR VEHICLES AND TRAFFIC," OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

WHEREAS, pursuant to 625 ILCS 5/11-208(a)(6), the City of Elmhurst (the "City") is empowered to designate any intersection within its jurisdiction as a yield right-of-way intersection and require all vehicles to yield the right-of-way at one or more entrances to such intersections; and

WHEREAS, the City conducted traffic studies with respect to certain intersections under its jurisdiction and determined that yield right-of-way intersections were appropriate for northbound and southbound Linden Avenue at Niagara Avenue and northbound Willow Road at Grantley Avenue; and

WHEREAS, the City deems it necessary and desirable to amend Chapter 44 of the Elmhurst Municipal Code.

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

SECTION 1. That Section 44.74 entitled, "Yield right-of-way streets," of Article V entitled, "Driving, Overtaking And Passing," of Chapter 44 entitled, "Motor Vehicles and Traffic," of the Elmhurst Municipal Code is amended to read as follows:

"44.74 Yield right-of-way streets.

On the basis of traffic investigations at the below named intersections, it is found that traffic conditions warrant preference to traffic as indicated and that the enumerated intersections should be designated as "Yield Right-of-Way" intersections:

- Eastbound:
- Adams Street at Chatham Avenue
- Adams Street at Euclid Avenue
- Adams Street at Hillside Avenue
- Adams Street at Kent Avenue
- Adams Street at Mitchell Avenue
- Adams Street at Parkside Avenue
- Adelia Street at Kenmore Avenue
- Albert Street at Pick Avenue
- Armitage Avenue at Van Auken Street
- Belden Avenue at Willow Street
- Berkley Avenue at Elm Park Avenue
- Columbia Avenue at Kenilworth Avenue

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1-28-10

Cottage Hill Avenue at Adelaide Avenue
Crescent Avenue at Fairfield Avenue
Crescent Avenue at Fairview Avenue
Crescent Avenue at Hawthorne Avenue
Crescent Avenue at Hillside Avenue
Crescent Avenue at Saylor Avenue
Crescent Avenue at Swain Avenue
Harrison Street at Mitchell Avenue
Harrison Street at Parkside Avenue
Harrison Street at Prospect Avenue
Jackson Street at Prospect Avenue
Marion Street at Lawndale Avenue
May Street at Prairie Avenue
McKinley Street at Parkside Avenue
McKinley Street at Swain Avenue
Northend Avenue at Willow Street
Olive Street at Fairview Avenue
Olive Street at Rex Boulevard
Olive Street at Sunnyside Avenue
Oneida Avenue at Kearsage Avenue
Rose Avenue at Pick Avenue
St. Charles Road at Hagan Avenue
Surf Street at Fairview Avenue
Surf Street at Rex Boulevard
Surf Street at Sunnyside Avenue
Utley Road at Fairfield Avenue
Utley Road at Grace Avenue
Wilson Street at Fairfield Avenue
Wilson Street at Hawthorne Avenue
Wilson Street at Hillside Avenue

Northbound:

Arlington Avenue at Orchard Street
Berkley Avenue at Alexander Boulevard
Berkley Avenue at Elm Park Avenue
Chandler Avenue at Adelia Street
Colfax Avenue at Adams Street
Evergreen Avenue at Kimbell Avenue
Evergreen Avenue at Second Street
Fairfield Avenue at Alexander Boulevard
Fairfield Avenue at McKinley Avenue
Fairfield Avenue at Van Buren Street
Fairview Avenue at Alexander Boulevard
Fairview Avenue at Montrose Avenue
Fairview Avenue at Utley Road
Fern Avenue at Niagara Avenue

Fern Avenue at Yorkfield Avenue
Hawthorne Avenue at Alexander Boulevard
Hawthorne Avenue at McKinley Avenue
Hawthorne Avenue at Montrose Avenue
Hawthorne Avenue at Utley Road
Hawthorne Avenue at Van Buren Street
Hillcrest Avenue at Crescent Avenue
Hillside Avenue at McKinley Avenue
Hillside Avenue at Van Buren Street
Indiana Street at Belden Avenue
Indiana Street at Gladys Avenue
Kearsage Avenue at Vallette Street
Kenilworth Avenue at Fullerton Avenue
Kenilworth Avenue at Gladys Avenue
Kenilworth Avenue at May Street
Kenilworth Avenue at Orchard Street
Kenmore Avenue at Marion Street
Kent Avenue at Jackson Street
Linden Avenue at Niagara Avenue
Michigan Street at Belden Avenue
Michigan Street at Fullerton Avenue
Michigan Street at North End Avenue
Mitchell Avenue at Eggleston Avenue
Oak Street at Third Street
Parkside Avenue at Eggleston Avenue
Poplar Avenue at Adams Street
Parkside Avenue at Jackson Street
Prospect Avenue at Adams Street
Prospect Avenue at Eggleston Street
Rex Boulevard at Alexander Boulevard
Rex Boulevard at Utley Road
Saylor Avenue at Harrison Street
Saylor Avenue at Jackson Street
Stratford Avenue at Crescent Avenue
Sunnyside Avenue at Alexander Boulevard
Sunnyside Avenue at Montrose Avenue
Sunset Avenue at Commonwealth Lane
Swain Avenue at Harrison Street
Walnut Street at Third Street
Walnut Street at Second Street
Willow Road at Crestview Avenue
Willow Road at Fullerton Avenue
Willow Road at Grantley Avenue
Washington Street at Jackson Street
Washington Street at McKinley Street

Southbound:

Arlington Avenue at Orchard Street
Berkley Avenue at Elm Park Avenue
Chandler Avenue at Adelia Street
Colfax Avenue at Adams Street
Evergreen Avenue at Second Street
Fairfield Avenue at Elm Park Avenue
Fairfield Avenue at McKinley Avenue
Fairfield Avenue at Van Buren Street
Fairview Avenue at Elm Park Avenue
Fairview Avenue at Montrose Avenue
Fairview Avenue at Utley Road
Fern Avenue at Niagara Avenue
Fern Avenue at Yorkfield Avenue
Hawthorne Avenue at Elm Park Avenue
Hawthorne Avenue at McKinley Avenue
Hawthorne Avenue at Montrose Avenue
Hawthorne Avenue at Utley Road
Hawthorne Avenue at Van Buren Street
Hillcrest Avenue at Crescent Avenue
Hillside Avenue at McKinley Avenue
Hillside Avenue at Van Buren Street
Indiana Street at Belden Avenue
Indiana Street at Gladys Avenue
Kenilworth Avenue at Crestview Avenue
Kenilworth Avenue at Fullerton Avenue
Kenilworth Avenue at Gladys Avenue
Kenilworth Avenue at May Street
Kenilworth Avenue at Orchard Street
Kenmore Avenue at Marion Street
Kent Avenue at Jackson Street
Linden Avenue at Niagara Avenue
Michigan Street at Belden Avenue
Michigan Street at Fullerton Avenue
Michigan Street at North End Avenue
Oak Street at Third Street
Mitchell Avenue at Eggleston Avenue
Parkside Avenue at Eggleston Avenue
Parkside Avenue at Jackson Street
Poplar Avenue at Adams Street
Prospect Avenue at Adams Street
Prospect Avenue at Eggleston Avenue
Rex Boulevard at Utley Road
Saylor Avenue at Harrison Street
Saylor Avenue at Jackson Street
Stratford Avenue at Crescent Avenue

Sunnyside Avenue at Elm Park Avenue
Sunnyside Avenue at Montrose Avenue
Sunset Avenue at Commonwealth Lane
Swain Avenue at Harrison Street
Walnut Street at Second Street
Walnut Street at Third Street
Willow Road at Crestview Avenue
Willow Road at Fullerton Avenue
Washington Street at Jackson Street
Washington Street at McKinley Street

Westbound:

Adams Street at Chatham Avenue
Adams Street at Euclid Avenue
Adams Street at Hillside Avenue
Adams Street at Kent Avenue
Adams Street at Mitchell Avenue
Adams Street at Parkside Avenue
Adelia Street at Kenmore Avenue
Albert Street at Pick Avenue
Armitage Avenue at Van Auken Street
Belden Avenue at Willow Road
Columbia Avenue at Kenilworth Avenue
Crescent Avenue at Fairfield Avenue
Crescent Avenue at Fairview Avenue
Crescent Avenue at Hawthorne Avenue
Crescent Avenue at Hillside Avenue
Crescent Avenue at Saylor Avenue
Crescent Avenue at Swain Avenue
Eggleston Avenue at Argyle Avenue
Harrison Street at Mitchell Avenue
Harrison Street at Parkside Avenue
Harrison Street at Prospect Avenue
Jackson Street at Prospect Avenue
Marion Street at Lawndale Avenue
May Street at Arlington Street
May Street at Prairie Avenue
McKinley Street at Parkside Avenue
McKinley Street at Swain Avenue
North End at Willow Road
Olive Street at Fairview Avenue
Olive Street at Rex Boulevard
Olive Street at Sunnyside Avenue
Oneida Avenue at Kearsage Avenue
Ridge Avenue at Holly Avenue
Rose Avenue at Pick Avenue

St. Charles Road at Hagan Avenue
Surf Street at Fairview Avenue
Surf Street at Rex Boulevard
Surf Street at Sunnyside Avenue
Utley Road at Fairfield Avenue
Utley Road at Sunnyside Avenue
Wilson Street at Fairfield Avenue
Wilson Street at Hawthorne Avenue
Wilson Street at Hillside Avenue”

SECTION 2: That the Director of Public Works shall cause the appropriate signage to be posted.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. 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, and after the installation of the appropriate signage.

Approved this _____ day of _____, 2010.

Peter P. DiCianni III, Mayor

Passed this _____ day of _____, 2010.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

CITY ACTION SUMMARY

SUBJECT: Ordinance-Revision of Yield right-of-way streets

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Attached for City Council consideration is an Ordinance establishing additional yield right-of-way streets at each of the following locations:

- 1) northbound Linden Avenue at Niagara Avenue
- 2) southbound Linden Avenue at Niagara Avenue
- 3) northbound Willow Road at Grantley Avenue

In addition, yield right-of-way streets were deleted at each of the following locations:

- 1) northbound Fairfield Avenue at Montrose Avenue
- 2) northbound Hillside Avenue at Montrose Avenue
- 3) southbound Fairfield Avenue at Montrose Avenue
- 4) southbound Fairfield Avenue at Montrose Avenue
- 5) westbound McKinley Avenue at Parkside Avenue
- 6) eastbound McKinley Avenue at Parkside Avenue

V DW

MCO-02-2010

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

WHEREAS, pursuant to 625 ILCS 5/11-208(a)(1), the City of Elmhurst (the "City") is empowered to regulate the parking of vehicles upon streets under its jurisdiction; and

WHEREAS, the City reviewed the area for safety improvements and determined that parking restrictions were appropriate for the west side of Caroline Avenue from Schiller Street to the southern East End Park driveway; and

WHEREAS, the City deems it necessary, desirable and in the best interest of the public to amend Chapter 44 of the Elmhurst Municipal Code.

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

SECTION 1. That Section 44.120 entitled, "No parking zones enumerated," of Division 3 entitled, "Parking Restrictions," of Article VII entitled, "Stopping, Standing, and Parking," of Chapter 44 entitled, "Motor Vehicles and Traffic," of the Elmhurst Municipal Code is amended as follows:

By amending Section 44.120 as follows:

By adding the following paragraph to read as follows:

"On the west side of Caroline Avenue from Schiller Street to the southern East End Park driveway."

SECTION 2: That the Director of Public Works shall cause the appropriate signage to be posted.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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1-28-10

SECTION 4. 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, and after the installation of the appropriate signage.

Approved this _____ day of _____, 2010.

Peter P. DiCianni III, Mayor

Passed this _____ day of _____, 2010.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: Ordinance – Revision of no parking zones

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Attached for City Council consideration is an Ordinance establishing a no parking zone on Caroline Avenue from Schiller Street to the southern East End Park driveway.

Epim

MCO - 03- 2010

AN ORDINANCE TO AMEND ARTICLE VI ENTITLED, "SPECIAL STOPS," OF CHAPTER 44 ENTITLED, "MOTOR VEHICLES AND TRAFFIC," OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

WHEREAS, pursuant to 625 ILCS 5/11-208(a)(6), the City of Elmhurst (the "City") is empowered to designate any intersection within its jurisdiction as a stop intersection and require all vehicles to stop at one or more entrances to such intersections; and

WHEREAS, the City conducted traffic studies with respect to certain intersections under its jurisdiction and determined that stop intersections were appropriate for northbound and southbound Fairfield Avenue at Montrose Avenue and for northbound and southbound Hillside Avenue at Montrose Avenue; and

WHEREAS, the City deems it necessary and desirable to amend Chapter 44 of the Elmhurst Municipal Code.

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

SECTION 1. That Section 44.92 entitled, "Stop intersections enumerated," of Article VI entitled, "Special Stops," of Chapter 44 entitled, "Motor Vehicles and Traffic," of the Elmhurst Municipal Code is amended as follows:

By amending Section 44.92 (a) as follows:

By adding, the following language under "Streets and Roadways" in proper alphabetical order:

"Fairfield Avenue at Montrose Avenue

Hillside Avenue at Montrose Avenue"

SECTION 2. That Section 44.92 entitled, "Stop intersections enumerated," of Article VI entitled, "Special Stops," of Chapter 44 entitled, "Motor Vehicles and Traffic," of the Elmhurst Municipal Code is further amended as follows:

By amending Section 44.92 (b) as follows:

By adding, the following language under "Streets and Roadways" in proper alphabetical order:

"Fairfield Avenue at Montrose Avenue

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1-28-10

Hillside Avenue at Montrose Avenue”

SECTION 3: That the Director of Public Works shall cause the appropriate signage to be posted.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law, and after the installation of the appropriate signage.

Approved this _____ day of _____, 2010.

Peter P. DiCianni III, Mayor

Passed this _____ day of _____, 2010.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

CITY ACTION SUMMARY

SUBJECT: Ordinance-Revision of stop intersections

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Attached for City Council consideration is an Ordinance establishing stop intersections at each of the following locations:

- 1) northbound Fairfield Avenue at Montrose Avenue
- 2) southbound Fairfield Avenue at Montrose Avenue
- 3) northbound Hillside Avenue at Montrose Avenue
- 4) southbound Hillside Avenue at Montrose Avenue

VOW

MCO-04-2010

**AN ORDINANCE AMENDING SECTION 3.22
ENTITLED "CODE HEARING UNIT/ADMINISTRATIVE
ADJUDICATION OF ORDINANCE VIOLATIONS" OF CHAPTER 3
ENTITLED "CITY ADMINISTRATION" OF THE
CITY OF ELMHURST MUNICIPAL CODE**

WHEREAS, the City of Elmhurst, DuPage and Cook Counties, Illinois, is a home rule municipality pursuant to the provisions of Article VII, Section 6 of the Constitution of the State of Illinois; and

WHEREAS, pursuant to its powers as a home rule municipality and pursuant to the express grant of authority as set forth in Division 2.1 of Article I of the Illinois Municipal Code (65 ILCS 5/1-2.1-1 *et seq.*) and Section 5/11-208.3 of the Illinois Vehicle Code (625 ILCS 5/11-208.3), the City of Elmhurst (the "City") is authorized to provide by ordinance for a system of administrative adjudication of certain municipal code violations including violations of vehicular standing, parking and motor vehicle compliance regulations; and

WHEREAS, the corporate authority of the City of Elmhurst previously adopted Ordinance Number MCO-19-2009 codified as Chapter 3, Section 3.22 of the Municipal Code of the City of Elmhurst creating a Code Hearing Unit for the purpose of Administration Adjudication of Ordinance Violations; and

WHEREAS, the corporate authority of the City of Elmhurst has determined that it is necessary, proper and in the best interest of the City of Elmhurst that Chapter 3, Section 3.22 of the City of Elmhurst Municipal Code be further amended.

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1-28-10

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois that Section 3.22, entitled "Code Hearing Unit/Administrative Adjudication of Ordinance Violations" of Chapter 3, entitled "City Administration", of the City of Elmhurst Municipal Code, as amended, is hereby further amended to read as follows:

Section 1. Recitals. The foregoing recitals are adopted as express findings of the corporate authority of the City of Elmhurst and are incorporated herein by specific reference.

Section 2.

(a) Purpose. The stated purpose of this Section 3.22 is to provide for fair and efficient enforcement of City of Elmhurst (the "City") ordinances as may be allowed by law and directed by ordinance, through administrative adjudication of violations of City ordinances and Municipal Code sections and by establishing a schedule of fines, costs and penalties for violations, and authority and procedures for collection of unpaid fines, costs and penalties and enforcement of orders to correct violations.

(b) Creation of Code Hearing Unit; Jurisdiction. There is hereby created within the City of Elmhurst an executive unit of the municipal government to be known as the City of Elmhurst Code Hearing Unit, which is authorized to provide for and operate a "system of administrative adjudication," which shall be defined as the adjudication of those violations of municipal ordinances contained in the following chapters of the City of Elmhurst Municipal Code now in effect or hereafter adopted:

- (1) Chapter 5 Streets, Alleys and Sidewalks;
- (2) Chapter 6 Trees and Plants;
- (3) Chapter 7 Water and Sewers;
- (4) Chapter 12 Nuisances, Noise and Dangerous Buildings;
- (5) Chapter 13 Animal Control;
- (6) Chapter 16 Garbage and Rubbish;

- (7) Chapter 22 Zoning;
- (8) Chapter 23 Subdivisions;
- (9) Chapter 24 Building Code;
- (10) Chapter 25 Fire Prevention Code;
- (11) Chapter 26 Electrical Code;
- (12) Chapter 27 Plumbing Code;
- (13) Chapter 29 Private Water and Sewer Systems;
- (14) Chapter 31 Business Licensing, Regulation and Registration;
- (15) Chapter 36 Liquor (Articles II, III & IV only);
- (16) Chapter 37 Municipal Occupation and Privilege Taxes;
- (17) Chapter 38 Telecommunications and Cable Systems (Section 38.5.30 only);
- (18) Chapter 41 Motor Vehicle Licenses;
- (19) Chapter 44 Motor Vehicles and Traffic (Article VII, Article VIII, Sections: 44.150, 44.153, 44.159, 44.160, 44.161, 44.163, 44.171 through 44.177, 44.182 through 44.185 and 44.187 only);
- (20) Chapter 51 Offenses Against Public Peace, Safety and Morals

The foregoing notwithstanding proceedings not within the statutory or home rule authority of the City and any offense under the Illinois Vehicle Code (625 ILCS 5/1-100 *et seq.*) or similar offense that is a traffic regulation governing the movement of motor vehicles, and any reportable offense under Section 6-204 of the Illinois Vehicle Code (625 ILCS 5/6-204), shall not be subject to administrative adjudication pursuant to the provisions of this section.

(c) Hearing Procedures Non-Exclusive. The provisions of this section shall not preclude the City from using other methods or proceedings to enforce the ordinances of the City of Elmhurst, including, but not limited to, the institution of any action in the Circuit Court of the Eighteenth Judicial Circuit, DuPage County, Illinois or any other administrative proceeding.

(d) Code Hearing Unit. The Code Hearing Unit shall be composed of an Administrative Hearing Officer, an Ordinance Enforcement Administrator, the Chief of Police of the City or his designee, hearing room personnel, and any other duly appointed person or persons deemed necessary for the efficient administration of the Code Hearing Unit, with the following powers, duties and authority:

(1) **ADMINISTRATIVE HEARING OFFICER:** All adjudicatory hearings shall be recorded and shall be presided over by an Administrative Hearing Officer who shall be an attorney licensed to practice law in the State of Illinois for no less than three (3) years. The Administrative Hearing Officer shall be appointed by the Mayor with the advice and consent of the City Council. Prior to conducting administrative adjudication hearings, the Administrative Hearing Officers shall have successfully completed a formal training program which includes the following:

- (i) instruction on the rules of procedure of the administrative hearings which they will conduct;
- (ii) orientation to each subject area of the City code violations that the Administrative Hearing Officer will adjudicate;
- (iii) observation of administrative hearings;
- (iv) participation in hypothetical cases, including ruling on evidence and issuing final orders.

(2) Administrative Hearing Officers are hereby authorized, empowered and directed to:

- (i) administer oaths and affirmations to witnesses;
- (ii) hear testimony and accept evidence that is relevant to the existence or nonexistence of an ordinance or code violation;
- (iii) issue subpoenas for the production of relevant documents and/or directing witnesses to appear and give relevant testimony at the hearing, upon the request of the parties or their representatives or upon the initiative of the Administrative Hearing Officer;

- (iv) preserve and authenticate the record of the hearing, including all exhibits and evidence introduced at the hearing;
- (v) issue a determination, based on the evidence presented at the hearing, of whether a code or ordinance violation occurred or exists. The Administrative Hearing Officer's determination shall be in writing and shall include written findings of fact, decision, and order including any fine, penalty, cost or other action with which the Respondent must comply including correcting a code violation by a date certain; and
- (vi) impose penalties consistent with applicable City of Elmhurst Municipal Code provisions and assess costs upon finding a party liable for the charged violation, provided, however, that the Administrative Hearing Officer shall not be authorized to (i) impose a penalty of incarceration, (ii) impose fines totaling in excess of \$50,000 against a single Respondent, or (iii) levy a total fine in excess of \$250.00 for any one violation of a standing, parking and motor vehicle compliance regulation except that the total fine for any one violation of Section 11-1301.3 of the Illinois Vehicle Code (625 ILCS 5/11-1301.3) or similar provision of the City Code of Ordinances shall not exceed \$350.00;
- (vii) impose hearing costs in addition to any fines or other sanctions assessed against a Respondent found liable of a code or ordinance violation. Hearing costs shall be forty (\$40.00) dollars;

- (viii) hold prehearing conferences for the purpose of settlement, scheduling or simplification of issues;
- (ix) rule on motions, objections and the admissibility of evidence; provided, however, that the Administrative Hearing Officer is not empowered to rule on motions raising constitutional issues;
- (x) the maximum monetary fine as herein provided shall, except as may otherwise be provided, be exclusive of costs of enforcement or costs incurred by the City to secure compliance with the City's ordinances and the maximum fine limitation shall not be applicable to cases to enforce the collection of any tax imposed and collected by the City of Elmhurst;
- (xi) ordering, regardless of fines imposed or costs assessed, the Respondent to perform a reasonable term of community service;
- (xii) order any Respondent to take corrective action in order to comply with the requirements of any City ordinance;
- (xiii) waive any hearing costs and/or fines upon a finding of compliance for a violation of the City ordinance where that violation required the respondent to take corrective action to comply with the provisions of the violated ordinance.

(e) **ORDINANCE ENFORCEMENT ADMINISTRATOR:** The Ordinance Enforcement Administrator shall either be an employee of the City or an independent contractor or agency contracted by the City to perform such duties as enumerated herein. The Ordinance Enforcement Administrator is hereby authorized, empowered and directed to:

(1) operate and manage, on a day-to-day basis, the system of administrative adjudication of ordinance violations as provided by this section;

(2) adopt, distribute and process all notices as may be required under this Section 3.22 or as may reasonably be required to carry out the stated purpose of this Section 3.22;

(3) collect moneys paid as fines, costs and/or penalties assessed after a determination of liability;

(4) certify copies of final determinations of vehicular standing, parking and motor vehicle compliance violation liability, motor vehicle license or sticker requirement violations, police, building, fire and health code violations or any other code or ordinance violation authorized to be adjudicated pursuant to subsection (b) of this section 3.22 and any make factual reports verifying the final determination of liability issued in accordance with this section or laws of the State of Illinois, including 625 ILCS 5/11-208.3 as amended;

(5) certify reports to the Secretary of State of Illinois concerning initiation of suspension of driving privileges in accordance with the provisions of this section and the provisions of 625 ILCS 5/6-306.5;

(6) promulgate rules and regulations reasonably required to operate and maintain the system of administrative adjudication hereby established; and

(7) collect unpaid fines and penalties including the use of private collection agencies that may be retained by the City or by directing the City Attorney to file complaints in the Circuit Court of the Eighteenth Judicial Circuit, DuPage County, Illinois, or by selecting or appointing an individual or agency to act on behalf of the City

in filing complaints, seeking judgments for unpaid fines, costs or penalties and pursuing all post-judgment remedies available under current law.

(f) The Ordinance Enforcement Administrator is hereby further authorized, empowered and directed to operate and maintain computer programs for the system of administrative adjudication hereby established, on a day-to-day basis, including, but not limited to:

- (1) inputting of violation notice information;
- (2) establishing hearing dates and notice dates;
- (3) recording fines, costs and penalty assessments and payments;
- (4) issuing payment receipts;
- (5) issuing succeeding notices of hearing dates, determinations of liability, and/or final determinations of liability, issuing notices of vehicle immobilization, and issuing notices of impending driver's license suspension as may be required, in accordance with the provisions of the Illinois Vehicle Code;

(6) keeping accurate records of appearances and non-appearances of parties at administrative hearings, pleas entered and fines, costs and other penalties assessed and paid.

(g) Hearing room personnel that may be necessary to maintain hearing room decorum shall be appointed by the Chief of Police and may include any police officer or auxiliary police officer, and such persons are hereby authorized and directed to:

- (1) maintain hearing room decorum;
- (2) have and execute authority as is granted to courtroom deputies of the Circuit Court; and

(3) perform such other duties or acts as may reasonably be required and as directed by the Administrative Hearing Officer or the Ordinance Enforcement Administrator.

(h) Complaints; Notices of Hearings and Instituting Hearings.

(1) A proceeding before the Administrative Hearing Officer shall be instituted upon the filing of a written sworn or verified notice of violation or complaint by any authorized official of the City, including police officers, community service officers and/or code enforcement officers, and such other persons as may be authorized to issue notices of violation of City ordinances.

(2) Respondents shall be served with a copy of a written verified or sworn notice of violation or complaint setting forth a description of the violation sufficient for the Respondent to prepare a defense, along with, except as may otherwise be provided herein, a notice of adjudicatory hearing in any manner reasonably calculated to give Respondent(s) actual notice of the proceeding instituted against them including:

- (i) personal service upon a party or its or their duly authorized agent(s); or
- (ii) service by certified mail return receipt requested first class mail postage prepaid express mail, or overnight mail at the party's or party's duly authorized agent's address;
- (iii) service by posting a copy of the sworn or verified pleading or complaint upon the property where the violation is found when the responding party is the owner or manager of the property; and

(iv) in the case of a motor vehicle parking, standing and motor vehicle compliance violation, service of the violation notice shall be as provided in subsections (i) (ii) or (iii) of this subsection (h) or by firmly affixing the notice of violation to the vehicle.

(3) Notices of violation or complaint for the administrative adjudication hearing shall include:

- (i) the type and nature of the alleged violation to be adjudicated;
- (ii) the date, time and location of the adjudicatory hearing provided, however, hearings for motor vehicle parking, standing or compliance violations shall be scheduled only at the request of the Respondent;
- (iii) the legal authority and jurisdiction under which the hearing is to be held; and
- (iv) the penalties for failure to appear at the hearing for a violation of motor vehicle parking, standing or compliance violation, any penalty for late payment of a motor vehicle parking, standing or compliance violation, if a hearing is not requested by the Respondent, and that payment of the fine shall act as a final disposition of the violation.

(i) Administrative Hearing Procedures.

(1) Hearings shall be scheduled with reasonable promptness, provided that for hearings scheduled in all non-emergency situations, if requested by the Respondent, the Respondent shall have at least fifteen (15) days after service of process to prepare for a

hearing. "Non-emergency situation" shall be defined as any situation that does not reasonably constitute a threat to the public interest, safety, health or welfare, excluding motor vehicle parking, standing or compliance violations where hearings will be scheduled only upon request of the Respondent, if service of the notice of violation or complaint is provided by mail, the 15-day period shall begin to run on the day that the notice is deposited in the U. S. mail.

(2) All hearings shall be open to the public and conducted before the City's Administrative Hearing Officer.

(3) The City may be represented by the City Prosecutor or other designated employee of the City, but the City may not be represented by an employee of the Administrative Hearing Division.

(4) Documentary evidence including the notice of violation, complaint and attached exhibits may be presented by the Administrative Hearing Officer.

(5) Any attorney appearing on behalf of a Respondent shall file with the Administrative Hearing Officer a written appearance on a form provided by the Code Hearing Unit.

(6) All testimony shall be given under oath or affirmation.

(7) The formal and technical rules of evidence shall not apply in administrative hearings authorized under this chapter. Evidence, including hearsay, may be admitted only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

(8) Parties shall be provided with an opportunity for a hearing during which they may be represented by counsel, present witnesses, and cross-examine opposing

witnesses. Parties may request the Administrative Hearing Officer to issue subpoenas to direct the attendance and testimony of a relevant witness and/or for the production of relevant documents. Issuance of the subpoena shall be at the discretion of the Administrative Hearing Officer where it is determined the witness or documents are material and do not constitute a needless presentation of cumulative, irrelevant or repetitive evidence.

(9) Continuances may be granted at the discretion of the Administrative Hearing Officer upon a finding of good cause, lack of preparedness shall not be deemed good cause.

(10) Violations shall be established by proof by a preponderance of the evidence; however, the notice of violation, or a copy thereof, issued and signed or verified in accordance with subsection (h) of this section 3.22 shall be prima facie evidence of the correctness of the facts specified therein, provided the notice of violation correctly sets forth the necessary elements of the offense alleged.

(11) Upon the conclusion of a hearing, the Administrative Hearing Officer shall issue a final determination of liable or not liable. Upon issuance of a determination of liable, the Administrative Hearing Officer may impose penalties and/or fines that are consistent with applicable provisions of the City Code of Ordinances, impose a term of community service, assess costs as herein provided and, if applicable, order the respondent to immediately correct the violation or otherwise comply with the ordinance violated.

(j) Judicial Review. Any final decision by an Administrative Hearing Officer that a code violation does or does not exist shall constitute a final determination for purposes of

judicial review and the Hearing Officer's decision shall be subject to review under the Illinois Administrative Review Law (735 ILCS 5/3-101 *et seq.*).

(k) Enforcement of Judgment.

(1) Any fine, other monetary sanction, or cost imposed, or part of any fine, other monetary sanction, or cost imposed, remaining unpaid after the exhaustion of or the failure to exhaust judicial review procedures under the Illinois Administrative Review Law is a debt due and owing the City of Elmhurst and may be collected in accordance with applicable law.

(2) After expiration of the period in which judicial review under the Illinois Administrative Review Law may be sought unless, stayed by a court of competent jurisdiction, the findings, decision, and order of the Administrative Hearing Officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

(3) In any case in which a Respondent has failed to comply with a judgment ordering that Respondent to correct an ordinance violation or imposing any fine or other sanction as a result of an ordinance violation, any expenses incurred by the City to enforce the judgment entered against that defendant, including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or hearing officer, shall be a debt due and owing the City of Elmhurst and may be collected in accordance with applicable law. Prior to any expenses being fixed by the Administrative Hearing Officer pursuant to this subsection (k), the City shall provide a notice to the Respondent that states that the Respondent shall appear at a hearing before the Administrative Hearing Officer to

determine whether the defendant has failed to comply with the judgment. The notice shall set the date for such hearing, which shall not be less than seven (7) days from the date that notice is served. Notice of the hearing shall be served as provided by subsection (h) herein.

(4) Upon being recorded in the manner required by Article XII of the Illinois Code of Civil Procedure (735 ILCS 5/12-101 *et seq.*), or by the Uniform Commercial Code (810 ILCS 5/1-101 *et seq.*), a lien shall be imposed on the real estate or personal estate, or both, of the Respondent in the amount of any debt due and owing the City under this section 3.22. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

(5) The Administrative Hearing Officer may set aside any judgment entered by default and set a new hearing date, upon a petition filed by the Respondent within thirty (30) days after the issuance of the order of default, if the Administrative Hearing Officer determines that the Respondent's failure to appear at the hearing was for good cause, or at any time if the Respondent establishes, by a preponderance of the evidence, that the City did not provide proper service of process for the notice of violation or complaint. If any judgment is set aside pursuant to this subsection (5), the Administrative Hearing Officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the City as a result of the vacated default judgment. When a judgment is vacated, the Administrative Hearing Officer shall set a new date for a hearing on the merits of the underlying violation(s).

(l) Bond.

(1) Any person issuing a Violation Notice or Complaint alleging a violation of any City ordinance or Code provision listed in subsection (b) of this section 3.22 may require the Respondent to post a bond at the time the Violation Notice or Complaint is served, if the Violation Notice or Complaint is served personally upon the Respondent.

(2) Where bond is requested to be posted, the bond shall be in the form of cash or a cash bond. For purposes of this subsection (l) "cash or cash bond" shall mean United States currency; traveler's checks issued by major banks or express companies which, alone or in combination with currency totaling the exact amount required to be deposited as bond; and negotiable drafts on major credit card companies, under conditions approved by the Chief of Police or his designee.

(3) Bond shall be in the sum of Seventy-Five (\$75.00) Dollars.

(4) Exception: no bond shall be requested or taken if the violation charged is a motor vehicle standing, parking or motor vehicle compliance violation.

(5) Persons unable or unwilling to post bond as required by this subsection (l) shall be released without incarceration.

(m) Additional Procedures and Notices Required for Motor Vehicle Standing, Stopping and Motor Vehicle Compliance Violations and Vehicle Immobilization.

(1) Definitions: The following terms shall be defined as follows:

(i) *Compliance violation* means a violation of a City of Elmhurst regulation governing the condition or use of equipment on a motor vehicle or governing the display of a municipal wheel tax license.

(2) The vehicular standing, parking, and motor vehicle compliance regulation "violation notice" shall contain, but shall not be limited to, the following information:

- a) The date, time and place of the violation (date of issuance).
- b) The particular vehicular standing, parking, or compliance regulation violated, including the City Code section of the violation and sufficient description of the violation to inform the violator of the offense and thereby afford the violator an opportunity to defend against the violation.
- c) The fine and any penalty that may be assessed for late payment (no late payment will be assessed to any person who requests a hearing in a timely manner).
- d) The signature and identification or badge number of the person issuing the notice.
- e) A section entitled "request for hearing" which shall clearly set forth that the registered owner or lessee of the vehicle may request an opportunity for a hearing.

(3) Service of the violation notice shall be as provided by subsection (h) of this section 3.22.

(4) The correctness of facts contained in the vehicular standing, parking, or compliance regulation violation notice shall be certified by the person issuing said notice by signing his/her name to the notice at the time of service; or

(5) The original or a facsimile of the violation notice shall be retained by the Ordinance Enforcement Administrator and kept as a record in the ordinary course of business of the City.

(6) Prima facie evidence of correctness. Any violation notice issued, signed and properly served in accordance with this subsection (m), or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice. The violation notice or a copy of the notice shall be admissible in any subsequent administrative or legal proceeding.

(7) Request of Hearing Procedure.

The registered owner or lessee of a motor vehicle served with a vehicular standing, parking, or compliance regulation violation notice may contest the alleged violation on its merits in person if the owner or lessee of the motor vehicle requests a hearing date be scheduled or, in the alternative, the owner or lessee of the motor vehicle may contest the validity of the violation by mail within fourteen (14) days of the issuance of the violation notice as provided in Section (m)(7)(ii).

The Ordinance Enforcement Administrator shall provide the registered owner or lessee of a vehicle cited in the violation notice requesting a hearing with the following:

- (i) In-Person Administrative Hearing Option:
 - a) The date, time and place of an administrative hearing at which the violation may be contested on its merits.
 - b) That payment of the indicated fine and any late payment penalty shall operate as a final disposition of the violation.
 - c) The request of hearing shall be deemed filed upon receipt by the Ordinance Enforcement Administrator.

- (ii) Mail-In Administrative Hearing Option:
 - a) Signing a Mail-In Administrative Hearing Option request form and acknowledging that their personal appearance is waived and that they submit to adjudication based upon the notarized statement and any other relevant evidence submitted by them in defense of the violation filed by them and the facts contained in the violation notice; and
 - b) Filing with the Ordinance Enforcement Administrator, the Mail-In Administrative Hearing Option Request Form fully completed and postmarked within ten (10) days of issuance of the violation notice. The request shall be deemed filed upon receipt by the Ordinance Enforcement Administrator.
 - c) The hearing officer shall make a decision of liable or not liable based upon a review of the facts set forth in the notarized statement of facts filed by the registered owner or lessee of a vehicle as well as the factual allegations contained in the violation notice.

- d) Notice of the hearing officer's determination shall be served upon the registered owner or lessee of a vehicle by first class mail, postage prepaid, addressed to the registered owner or lessee of a vehicle at the address set forth in the statement of facts submitted and service of the notice shall be complete on the date the notice is placed in the United States mail.
- (8) Additional notices.
- (i) If the registered owner or lessee of the "cited vehicle" fails to appear at the administrative hearing on the date set for hearing, the Ordinance Enforcement Administrator shall send or cause to be sent additional notices which:
 - a) Shall be sent to registered owner or lessee of the "cited vehicle" at the address as is recorded with the Secretary of State or to the lessee of the "cited vehicle" at the address last known to the lessor of the "cited vehicle" at the time of the lease.
 - (ii) All such additional notices shall be sent by first class mail, postage prepaid, and service of additional notices shall be complete as of the date of deposit in the United States mail.
 - (iii) Additional notices shall be sent in the following sequence and shall at a minimum contain the following information:
 - a) Upon the failure of the registered owner or lessee of the "cited vehicle" to appear at the scheduled requested hearing and additional notices shall be sent and shall contain, but not be limited to, the following information:
 - i) Date and location of violation cited in the vehicular standing, parking, or compliance regulation violation notice;
 - ii) Particular standing, parking, or compliance regulation violated, including code section and description of violation sufficient to allow owner or

lessee to understand the offense and to prepare a defense;

- iii) Vehicle make and state registration;
- iv) Fine and any penalty that may be assessed for late payment or failure to appear at a rescheduled hearing or failure to timely request a Mail-In Administrative Hearing;
- v) Notice to the registered owner or lessee of the current status, other than paid in full;
- vi) Date, time and place of the rescheduled administrative hearing at which the owner or lessee may contest the violation notice on its merits;
- vii) Failure to either pay fine and any applicable late payment penalty or failure to appear at the rescheduled hearing on its merits on the date and at the time and place specified will result in a final determination of violation liability in the amount of the fine and late payment penalty indicated; and
- viii) Statement that upon the entry of a final determination of liability for the failure to appear, or the failure to exhaust available administrative or judicial procedures for review, any remaining unpaid fine and/or late payment penalty will constitute a debt due and owing the City of Elmhurst.

(iv) A notice of final determination of motor vehicle standing, parking, or compliance regulation violation liability shall be sent following a final determination of liability and the conclusion of judicial review procedures as hereinafter set forth. The notice shall state that:

- a) The unpaid fine and any late penalty assessed is a debt due and owing the City of Elmhurst;
- b) A warning that failure to pay the fine and any late penalty due and owing the City within the time specified may result in the City filing a complaint in the circuit court to have the unpaid fine or penalty rendered a judgment in accordance with 625 ILCS 5/11-208.3(f); and
- c) The vehicle may be impounded for failure to pay fines or penalties after a final determination of liability for ten (10) or more vehicular standing, parking, or compliance

regulation violations, and for failure to pay fines or penalties for those ten (10) or more such violations.

(v) Final determination of liability.

A final determination of vehicular standing, parking, or compliance regulation violation liability shall:

- (a) Occur following the failure to pay the total assessed fine and/or penalty after the hearing officer's determination of vehicular standing, parking, or compliance regulation violation liability and the exhaustion of or the failure to exhaust any judicial review procedures; or
- (b) Where the owner or lessee fails to appear at a prior hearing or by the third and final administrative hearing (provided proper notice has been given), the hearing officer's determination of liability shall become final:
 - i) Upon denial of a timely petition to set aside the determination of liability; or
 - ii) Upon the expiration of the period for filing petition to set aside a final determination of liability without such filing having been made.

(9) Illinois Compiled Statues Governing the Standing, Parking, or Condition of Vehicles-Adopted.

The City of Elmhurst, in addition to all local municipal standing, parking and motor vehicle compliance regulations adopts by reference all current and future provisions of the Illinois Vehicle Code (625 ILCS 5/1-1 *et. seq.*) governing the standing, parking, or motor vehicle compliance regulations, for its enforcement and adjudication within the corporate boundaries of the City and in those areas subject to off-street parking agreements.

(10) Immobilization/Towing and Impoundment.

Any motor vehicle may be immobilized or towed and impounded if:

- (i) The Ordinance Enforcement Administrator has determined that the registered owner of the motor vehicle has ten (10) or more final determinations of liable for vehicular standing, parking, or compliance regulation violations, the fines and penalties for which remain unpaid,
- (ii) The person determined to be liable for the ten (10) or more violations is the registered owner of a motor vehicle that is located upon any public roadway within the corporate limits of the City of Elmhurst at the time of immobilization, impoundment or towing;
and
- (iii) A pretowing notice has been sent to the registered owner of the motor vehicle which notice contains the following:
 - a) Final determinations of liability have been made on ten (10) or more vehicular standing, parking, or compliance regulation violations, the fines and penalties for which remain unpaid;
 - b) A list of the violations for which the person has been determined to be liable, which shall include for each violation:
 - i) The vehicular standing, parking, or compliance regulation violation notice number.
 - ii) Date of issuance.
 - iii) Total amount of fine and penalty assessed.
 - iv) The motor vehicles owned by the person and located within the City is subject to immobilization and/or towing and impoundment if the fines and penalties are not paid within 14 days of the date of the notice.
 - v) The registered owner may contest the validity of the notice by fully completing and signing the "request for hearing" portion of one notice and by filing the request for hearing with the ordinance enforcement

administrator within, but not later than 14 days of the date of the notice.

vi) The request for hearing shall be deemed filed upon receipt by the ordinance enforcement administrator.

(iv) The motor vehicle of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice and no timely request for hearing has been filed with the Ordinance Enforcement Administrator to contest the validity of the notice.

(11) Impoundment or Pretowing Hearing.

Upon the receipt of the request for hearing to contest the validity of the notice of impending immobilization or towing and impoundment, the Ordinance Enforcement Administrator shall schedule an administrative hearing whereby the registered owner of the vehicle may contest the validity of said notice, by disproving liability for the unpaid final determinations of liability listed on the notice. The hearing shall be scheduled on the next available hearing date, if practicable, but in no event shall the hearing be scheduled later than 60 days after the request for hearing is filed.

(i) The Ordinance Enforcement Administrator shall serve notice of the hearing date upon the registered owner by first class mail, postage prepaid to the address on the request for hearing; and

(ii) Service of the notice shall be complete on the date it is placed in the United States mail.

(12) Posttowing Hearing.

The registered owner of a vehicle already immobilized or towed and impounded pursuant to this section, shall have the right to a prompt administrative hearing without

the requirement of payment of the outstanding fines and penalties for which final determination has been made.

(i) The Ordinance Enforcement Administrator shall serve a posttowing hearing notice upon the registered owner of a vehicle immobilized or towed and impounded and the notice shall contain the following information:

- a) Date of immobilization or towing and date of impoundment.
- b) Location of vehicle.
- c) That the vehicle was immobilized under this section of the City Code of Ordinances for nonpayment of fines or penalties assessed for ten (10) or more violations of vehicular standing, parking, or compliance regulations violations for which there has been a final determination of liability and for which the owner was previously notified of impending immobilization or towing and impoundment.
- d) Date of notice of impending immobilization or towing and impoundment.
- e) The registered owner may contest the validity of the immobilization or towing and impoundment by completing and signing the "request for hearing" portion of the notice and filing the request for hearing with the Ordinance Enforcement Administrator within 14 days of the date of the notice.

(ii) Upon the receipt of the request for hearing to contest the validity of the immobilization or towing and impoundment, the Ordinance Enforcement Administrator shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next available hearing date, if practicable, or sooner if scheduled by the Ordinance Enforcement Administrator for good cause shown, but in no case shall the hearing be scheduled later than 60 days after the request for hearing is filed.

- a) The Ordinance Enforcement Administrator shall serve notice of the hearing date upon the registered owner.
 - b) Notice shall be sent by first class mail, postage prepaid to the address as is set forth on the request for hearing and service of the notice shall be complete on the date it is placed in the United States mail.
- (iii) An order entered after the hearing to contest the validity of the immobilization or towing and impoundment is a final administrative decision within the meaning of 735 ILCS 5/3-101 *et seq.*

(13) Release of Impounded Vehicle.

Any motor vehicle impounded pursuant to this section shall be released to its registered owner or agent, upon payment of the fines and penalties due and owing the City as specified in the notice plus the payment of towing charges and accrued daily impound charges. Notwithstanding the foregoing, a vehicle may be released upon written order of the hearing officer following a hearing contesting the validity of the impoundment.

(14) Judgment.

- (i) The Ordinance Enforcement Administrator shall, following the expiration of the period within which administrative or judicial review may be sought for a final determination of violation, take all necessary action, execute all required documents and direct the City attorney or City prosecutor to obtain a judgment against and collect moneys from the person who has been assessed fines or penalties which remain unpaid and have become a debt due and owing the City by:

- a) Filing a complaint in the Circuit Court of the Eighteenth Judicial Circuit, DuPage County, Illinois praying for the entry of a judgment against the person(s) for whom a final determination of liability has been made.
 - b) The complaint filed on behalf of the City shall have attached as exhibits:
 - i) A certified copy of a final determination of the standing, parking, or compliance regulation violations, and
 - ii) A certification that recites facts sufficient to show that the final determination of standing, parking, or compliance regulation violations were issued in accordance with this section and 625 ILCS 5/11-208.3.
 - c) Nothing herein shall prevent the City from consolidating multiple final determinations of standing, parking, or compliance regulation violations liability in an action against an individual.
- (iii) Service of summons and a copy of the complaint may be served upon the person against whom a judgment is sought under the provisions of this section by any method provided under 735 ILCS 5/2-203, or by certified mail, return receipt requested, provided the total amount of fines and penalties levied does not exceed \$2,500.00.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 3. Any ordinance or portion of any ordinance in conflict with the provisions of this ordinance is repealed solely to the extent of said conflict.

Section 4. Effective Date. This Ordinance shall be in full force and affect from and after its passage, approval and publication according to law.

Approved this _____ day of February, 2010.

Peter P. DiCianni III, Mayor

Passed this _____ day of February, 2010.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: An Ordinance amending MCO-19-2009 that established a Code Hearing Department for the purpose of implementing a system of Administrative Adjudication of City of Elmhurst ordinance violations.

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

In October 2009, the Council adopted Ordinance MCO-19-2009 establishing a system of Administrative Adjudication of City of Elmhurst ordinance violations. The ordinance authorized the adjudication of all City of Elmhurst ordinance violations including, but not limited to parking violations. Subsequent to the adoption of the ordinance, it was determined that it was in the best interest to amend the ordinance to authorize all persons issued notices of violations for parking, standing and motor vehicle compliance violations to contest the citations, in person, at the Adjudication Hearing or contest the violation notices by mail. Therefore, all persons, both residents and non-residents of the City, may now contest parking citations by mail.

In addition, all persons given notices of violations for parking, standing and motor vehicle compliance violations must request either a hearing in person or by mail as opposed to assigning a hearing date to all violators with the exception of non-residents who retained the option of contesting my mail.

The remainder of Ordinance MCO-19-2009 remains in full force and effect and not changed by the proposed amendment.

The amended ordinance is included for the City Council's consideration.

VOW

MCO - 05- 2010

**AN ORDINANCE AMENDING SECTION 44.200
ENTITLED "VIOLATION OF ARTICLE VII (PARKING)"
OF ARTICLE IX ENTITLED "PENALTIES" OF
CHAPTER 44 ENTITLED "MOTOR VEHICLES AND TRAFFIC"
OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS**

WHEREAS, the corporate authority of the City of Elmhurst deems it necessary, desirable and in the best interest of the public to amend Section 44.200 entitled "Violation of Article VII (Parking)" of Article IX entitled "Penalties" of Chapter 44 entitled "Motor Vehicles and Traffic" of the Municipal Code of the City of Elmhurst.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois, that Section 44.200 entitled "Violation of Article VII (Parking)" of Article IX entitled "Penalties" of Chapter 44 entitled "Motor Vehicles and Traffic" as amended, be further amended, to read as follows:

Section 1. The violation claim described in a citation issued pursuant to the terms of this Article may be settled, compromised and paid in the respective amounts set forth in the following schedule:

(a) In the event that said payment is made within ten (10) days from the date of the citation, the following amounts shall be accepted as settlement:

(1) Parking overtime in a time limit area:	
(A) First offense	\$25.00
(B) Subsequent offenses for same date and space	25.00
(2) Parking between 3:00 a.m. and 6:00 a.m.	25.00
(3) Parking in prohibited parking zone	25.00
(4) Parking, standing or stopping where prohibited	25.00
(5) Unauthorized use of parking places reserved for handicapped persons	250.00
(6) Failure to pay the proper fee in daily fee parking spaces	25.00
(7) Parking in a restricted parking zone. (Section 44.126)	25.00

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1-28-10

(b) In the event that payment has not been made within sixteen (16) days from the date of the citation, and no administrative hearing is requested, the following amounts shall be accepted as settlement:

(1) Parking overtime in a time limit area:	
(A) First offense	\$50.00
(B) Subsequent offenses for same date and space	50.00
(2) Parking between 3:00 a.m. and 6:00 a.m.	50.00
(3) Parking in prohibited parking zone	50.00
(4) Parking, standing or stopping where prohibited	50.00
(5) Unauthorized use of parking places reserved for handicapped Persons	275.00
(6) Failure to pay the proper fee in daily fee parking spaces	50.00
(7) Parking in a restricted parking zone. (Section 44.126)	50.00

(c) In the event that payment has not been made within thirty-one (31) days from the date of the citation and no timely administrative hearing was requested, the following amounts shall be accepted as settlement:

(1) Parking overtime in a time limit area:	
(A) First offense	\$100.00
(B) Subsequent offenses for same date and space	100.00
(2) Parking between 3:00 a.m. and 6:00 a.m.	100.00
(3) Parking in prohibited parking zone	100.00
(4) Parking, standing or stopping where prohibited	100.00
(5) Unauthorized use of parking places reserved for handicapped Persons	300.00
(6) Failure to pay the proper fee in daily fee parking spaces	100.00
(7) Parking in a restricted parking zone. (Section 44.126)	100.00

(d) In the event that said payment has not been made within forty-six (46) days from the date of the citation, the following amounts shall be accepted as settlement:

(1) Parking overtime in a time limit area:	
(A) First offense	\$150.00
(B) Subsequent offenses for same date and space	150.00
(2) Parking between 3:00 a.m. and 6:00 a.m.	150.00
(3) Parking in prohibited parking zone	150.00
(4) Parking, standing or stopping where prohibited	150.00
(5) Unauthorized use of parking places reserved for handicapped Persons	325.00
(6) Failure to pay the proper fee in daily fee parking spaces	150.00
(7) Parking in a restricted parking zone. (Section 44.126)	150.00

(e) In the event that payment is not made after a final determination of liability is entered, the matter may be turned over to a collection agent, or a complaint may be filed in a court of competent jurisdiction for entry of judgment.

Notwithstanding the foregoing schedule of fines and penalties, any person who removes any mark placed on a tire by a police officer or who parks over time on property owned, maintained or controlled by the Elmhurst Library Board, or who parks on private property without the consent of the owner, or who interferes with, damages, removes, tampers with, disables a vehicle wheel lock, or who parks a commercial vehicle in violation of Section 44.126 hereof, shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby expressly repealed solely to the extent of said conflict.

R

Section 3. This ordinance shall be in full force and effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

APPROVED by me this _____ day of _____, 2010.

Peter P. DiCianni III, Mayor

Passed this _____ day of _____, 2010.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: An Ordinance amending Chapter 44, Section 44.200 of the City Code which provides the penalty schedule for parking citations issued.

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

The proposed ordinance amends the current schedule of fines and late payment penalties for parking citations. Section 44.200 currently provides a fine of twenty-five dollars (\$25.00) for each parking violation except unauthorized parking in a handicapped zone which carries a minimum penalty of two hundred fifty dollars (\$250.00). Under the provisions of the proposed ordinance, if the fine is paid within ten (10) days from the date the citation is issued, the minimum fine amount will apply. If payment has not been made within sixteen (16) days from the date of the citation, and no administrative hearing has been requested, the fines, including late payment penalties, increase by twenty-five dollars (\$25.00) and the amount that will be accepted as settlement is fifty dollars (\$50.00) for each parking citation except handicapped parking which will be two hundred seventy-five dollars (\$275.00). In the event payment has not been made within thirty-one (31) days from the date of the citation, and no administrative hearing has been requested, the amount of the fine and late fee increases to one hundred dollars (\$100.00) except for unauthorized parking in a handicapped zone which will carry a minimum fine and late payment penalty of three hundred dollars (\$300.00). If payment has not been made within forty-six (46) days from the date of the citation, the penalties will increase and the minimum amount that will be accepted as settlement is one hundred fifty dollars (\$150.00) for each parking citation except for unauthorized parking in a handicapped zone, which will carry a minimum fine and penalty of three hundred twenty-five dollars (\$325.00). The proposed increased late payment penalties will coincide with the additional notices to be sent by the City regarding the outstanding citations and reflect the increased cost to the City for providing the additional notices and maintaining additional recordkeeping procedures.

The proposed ordinance amending Section 44.200 is included for the City Council's consideration.

VOW

MCO - 06- 2010

AN ORDINANCE AMENDING SECTION 36.11 ENTITLED "LIMITATION ON NUMBER OF LICENSES," OF ARTICLE II ENTITLED "RETAIL LICENSES" OF CHAPTER 36 ENTITLED "LIQUOR" OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

WHEREAS, the City Council of the City of Elmhurst, is expressly authorized by the Illinois Liquor Control Act of 1934 (235 ILCS 5/1-1 *et seq.*) to regulate the number and classification of liquor licenses for the retail sale of alcoholic liquor within the City; and

WHEREAS, the City Council is further authorized by the Illinois Liquor Control Act of 1934 to regulate the license fees charged for each such classification of license for the retail sale of alcoholic liquor within the City; and

WHEREAS, the corporate authority of the City of Elmhurst finds that it is necessary, proper and in the best interest of the City to amend Section 36.11 entitled "Limitation on Number of Licenses," of Article II entitled "Retail Licenses" of Chapter 36 entitled "Liquor" of the Municipal Code of Ordinances of the City of Elmhurst, as hereinafter provided.

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

Section 1. Section 36.11, entitled "Limitation on Number of Licenses" of Article II entitled "Retail Licenses" of Chapter 36 entitled "Liquor" of the Municipal Code of Ordinances as amended, is hereby further amended, by amending the number of class "CBW" licenses to read as follows:

License Class	Maximum Number of Licenses
CBW	5

Section 2. The remaining provisions of Section 36.11 shall remain in full force and effect and unamended by this ordinance.

Copies To All
Elected Officials
1-28-10

Section 3. This ordinance shall be in full force and effect, from and after its passage, approval and publication in the manner provided by law.

Approved this _____ day of _____, 2010.

Peter P. DiCianni III, Mayor

Passed this _____ day of _____, 2010.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

7
6

COUNCIL ACTION SUMMARY

SUBJECT: Ordinance amending Section 36.11 entitled "Limitation on Number of Licenses".

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

The Public Affairs Committee has recommended increasing the number of Class "CBW" liquor licenses for the retail sale of beer and wine on a commercial premise. The current number of "CBW" liquor licenses is 4 and adoption of this ordinance will increase that number to 5. The proposed new licensee is the Walgreens Store located at 160 Robert Palmer Drive. The license fee for a "CBW" liquor license and the hours of permitted sales of beer and wine for consumption off the premises only are currently covered by Section 36.29 and Section 36.10, respectively, of the City Code and need not be amended.

Submitted for the Council's consideration is the ordinance proposing to increase the number of "CBW" liquor licenses to 5 to allow Walgreens to sell beer and wine only for consumption not on the licensed premises.

Erin

ZO-01-2010

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT
FOR THE PURPOSE OF ERECTING A PYLON SIGN ON
THE PROPERTY COMMONLY KNOWN AS
684 WEST LAKE STREET (PUMP-IT-UP)**

WHEREAS, the City of Elmhurst has heretofore adopted an Ordinance entitled the "Elmhurst Zoning Ordinance"; and

WHEREAS, Section 3.11 of the Elmhurst Zoning Ordinance sets forth the standards with respect to conditional uses; and

WHEREAS, Walter Haller ("Petitioner") is the owner of certain property legally described as follows:

LOTS 1 AND 2 IN BLOCK 4 IN ELMHURST SUNNY FIELDS, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 1942 AS DOCUMENT 440629, IN DUPAGE COUNTY, ILLINOIS.

EXCEPTION: THAT PART OF LOTS 1 AND 2 IN BLOCK 4 IN ELMHURST SUNNY FIELDS, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 1942 AS DOCUMENT 440629, IN DUPAGE COUNTY, ILLINOIS, LYING NORTHEASTERLY OF A LINE THAT IS PARALLEL WITH AND 60 FEET AS MEASURED AT RIGHT ANGLES SOUTHWESTERLY OF THE CENTER LINE OF U.S. ROUTE 20 (LAKE STREET) (PRE WARRANTY DEED R68-49023)

ALSO,

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 2 AND A LINE 60.0 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE CENTER LINE OF U.S. ROUTE 20 (LAKE STREET); THENCE NORTHWESTERLY ALONG THE SAID PARALLEL LINE 45.0 FEET TO THE TERMINATION OF THE SAID ACCESS CONTROL RELEASE.

P.I.N.: 03-27-410-001 and -002

Copies To All
Elected Officials

1-28-10

Commonly known as 684 West Lake Street, Elmhurst, Illinois (“Subject Property”); and

WHEREAS, the Subject Property is located within the C-3 General Commercial Zoning District, the regulations of which allow pylon signs as conditional uses; and

WHEREAS, Petitioner has submitted a petition for a conditional use permit to permit placement and erection of a pylon sign on the Subject Property; and

WHEREAS, on December 10, 2009, the Zoning and Planning Commission conducted a public hearing at Elmhurst City Hall, 209 North York Street, Elmhurst, Illinois, in connection with the aforesaid petition, after proper notice of said hearing was duly given; and

WHEREAS, at the December 10, 2009, meeting, the Zoning and Planning Commission also deliberated and rendered its decision on the aforesaid conditional use petition and on the same date filed its report of findings and recommendations, recommending that the petition be granted; and

WHEREAS, on January 11, 2010, the Development, Planning and Zoning Committee of the City Council convened to consider and review the application and information regarding the subject request, and on January 13, 2010, the Development, Planning and Zoning Committee of the City Council issued its recommendation to approve of the aforesaid conditional use; and

WHEREAS, all applicable requirements of Section 3.11 of the Elmhurst Zoning Ordinance relating to the granting of conditional uses has been met.

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

Section 1. That the recitals hereto are incorporated as part of this Ordinance.

Section 2. That the City Council finds, in connection with the conditional use for the placement and erection of a pylon sign on the Subject Property:

- A. That the establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort or general welfare; *The proposed pylon sign (i) improves the safety for customers' ingress and egress to and from the Subject Property by providing higher visibility and enhanced identification of the premises businesses and (ii) is in a commercial district and will not be visible from residency zoned properties.*
- B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; *The placement and the erection of the pylon sign is consistent with the commercial use on the Subject Property and in the vicinity and will not be injurious to the property values or the use and enjoyment of properties in the surrounding neighborhood.*
- C. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; *The surrounding properties are already developed and proposed pylon sign has been strategically located for highest visibility and safety within the Subject Property and, as such, does not impede development of other properties in the area.*
- D. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided; *The Subject Property provides adequate utilities to support and operate the pylon sign.*
- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; *By providing higher visibility signage for its customers, the ingress and egress for the Subject Property will improve and the Pylon Sign will not interfere with the existing ingress/egress to any from the Subject Property.*
- F. That the proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the City of Elmhurst; *The Applicant's proposal complies with the Elmhurst Comprehensive Plan.*
- G. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendation of the Commission; *The pylon sign, including the electronic reader board, will be placed, erected and operated in accordance with all governing Federal, State, County and City of Elmhurst codes and regulations.*

Section 3. That the conditional use permit is hereby granted to Walter Haller for the purpose of placing and constructing a pylon sign on the Subject Property, subject to the approved pylon sign and electronic reader board being constructed, installed and maintained in accordance with the evidence submitted to the Zoning and Planning Commission and the recommendation thereof and any and all other applicable City ordinances, codes and regulations.

Section 4. That the City Clerk is directed to transmit a copy of this Ordinance to Darrell, Whistler, Chairman, Zoning and Planning Commission, Nathaniel J. Werner, Planning and Zoning Administrator, and Mr. Walter Haller, Pump-It-Up, 684 West Lake Street, Elmhurst, Illinois 60126.

Section 5. All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of the conflict.

Section 6. This Ordinance shall be in full force and effect after passage and publication according to law.

Approved this _____ day of _____, 2010.

Peter P. DiCianni, III Mayor

Passed this _____ day of _____, 2010.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: Ordinance – To grant a conditional use permit for the purpose of erecting a pylon sign on the property commonly known as 684 West Lake Street (Pump-It-Up)

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Pursuant to the recommendations of the Development, Planning and Zoning Committee, an ordinance granting a conditional use permit for the purpose of erecting a pylon sign at 684 West Lake Street to improve the safety for customers' ingress and egress to the subject property and by providing higher visibility and enhanced identification of the premises businesses.

R- 02 - 2010

**A RESOLUTION TO
IDENTIFY LEGAL SIGNATORIES AND DEPOSITORIES
FOR THE CITY OF ELMHURST**

BE IT RESOLVED that MB Financial Bank; Bank of America; US Bank; Fifth Third Bank; Community Bank of Elmhurst; Suburban Bank and Trust Company; Inland Bank and Trust; Providence Bank; Harris, N.A.; Charter One Bank; (hereinafter the "Banks") and The Illinois Funds, a State Treasurer's Pool (hereinafter the "Pool") be and are hereby designated as legal depositories of monies belonging to, or in the custody of, the City of Elmhurst (hereinafter the "City"), DuPage and Cook Counties, State of Illinois, and that monies belonging to, or in the custody of the City shall be deposited in said Banks and/or Pool from time to time in the name of the City of Elmhurst.

BE IT FURTHER RESOLVED that said Banks and/or Pool be and are hereby authorized to pay out the funds of this City on deposit with them from time to time upon checks or transfers, whether electronic or otherwise, drawn upon said depositories and signed, either manually or by facsimile signature, or in the case of electronic transfers upon proper authorization provided by the City Treasurer, in the name of this City by the City Treasurer and either the City Clerk or the Mayor, whether said checks or transfers are payable to the order of the City or to any third party or to any signing or countersigning officer of the City.

BE IT FURTHER RESOLVED that the City Treasurer be and he/she is hereby authorized to invest from time to time at his/her discretion any funds of the City of Elmhurst on deposit in said depositories in United States Government Securities or other legally authorized securities maturing not more than two (2) years from the date of purchase.

BE IT FURTHER RESOLVED that Patty Spencer, the City Clerk of this City, shall file with each of said Banks and/or Pool a certified copy of this Resolution under the corporate seal of this City and shall also certify to said Banks and/or Pool the persons at the present time holding the offices of:

Mayor	Peter P. DiCianni III
City Clerk	Patty Spencer
City Treasurer	David Dyer

in this City, and it shall be conclusively presumed that the persons so certified as holding such offices continue respectively to hold the same until said Banks and/or Pool are otherwise notified in writing by the City Clerk of this City.

BE IT FURTHER RESOLVED that all prior resolutions identifying the legal signatories and depositories for the City are hereby rescinded.

This Resolution shall be in full force and effect and binding upon this city until it shall have been rescinded, and written notice of such rescission under the corporate sale shall have been delivered to said Banks and/or Pool.

APPROVED this ____ day of _____, 2010.

Peter P. DiCianni III, Mayor of the City of
Elmhurst, DuPage and Cook Counties, Illinois

Passed this ____ day of _____, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

ATTESTED and filed in my office,
this ____ day of _____, 2010.

Patty Spencer, City Clerk of the City
of Elmhurst, DuPage and Cook Counties, Illinois

COUNCIL ACTION SUMMARY

SUBJECT: Resolution Identifying Legal Signatories and Depositories of the City

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

It is necessary that an updated resolution be adopted to accurately reflect the names of the City's designated depositories.

VOW

R- 03- 2010

**A RESOLUTION
TO APPROVE AND AUTHORIZE THE CITY OF ELMHURST
USE OF INVESTMENT SERVICES INSTITUTIONS
AND AUTHORIZED SIGNATORIES**

WHEREAS, the City of Elmhurst (hereinafter the "City") initially adopted an Investment Policy in 1990 which has been revised several times, the latest revision was in 2009; and

WHEREAS, Section 7.0 of the City's Investment Policy authorizes its Director of Finance and Administration (hereinafter the "Director") to accept bids for investment transactions from approved financial institutions and security brokers and dealers; and

WHEREAS, the City currently has four institutions on its qualified bidders list for investment transactions, which are: Community Bank of Elmhurst; Fifth Third Bank; PMA Financial Network, Inc.; and Suburban Bank & Trust Company; and

WHEREAS, the Director believes it is in the City's best interest to expand the qualified bidders list to at least six (6) institutions; and

WHEREAS, the Director sent a Request for Qualifications (hereinafter "RFQ") for investment services to twelve (12) financial institutions and received four responses; and

WHEREAS, the Director received four responses from:

- A. CCO Investment Services Corp. (hereinafter "CCO") an affiliate of Citizens Financial Group, Inc., a wholly owned subsidiary of the Royal Bank of Scotland Group plc;

- B. Inland Bank and Trust (hereinafter "Inland");
- C. Providence Bank (hereinafter "Providence"); and
- D. Mesirow Financial, Inc. (hereinafter "Mesirow")

; and

WHEREAS, the Director reviewed the RFQ responses, discussed the responses with representatives of each financial institution, and found that each institution meets the requirements as set forth in the City's Investment Policy for qualified bidders for the City's investment transactions; and

WHEREAS, it is deemed desirable and in the best interests of the City to add CCO, Inland, Providence, and Mesirow to the qualified bidders list for the City's investment services.

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

Section 1: The facts and statements contained in the preambles 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 to be in the City's best interests to add CCO, Inland, Providence, and Mesirow to the qualified bidders list for the City's investment services.

Section 3: The City is authorized to open a depository account and enter into Wire Transfer Agreements, Safe Keeping Agreement, and Collateral Agreements with the institutions providing investment services for the City.

Section 4: The following individuals, or their successors, are authorized signatories for the investment accounts:

David Dyer	City Treasurer
Marilyn K. Gaston	Director of Finance
Thomas W. Trosien	Assistant Director of Finance
Margaret J. Oresanin	Accounting Manager

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

ADOPTED this ____ day of _____, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this ____ day of _____, 2010.

Peter P. DiCianni III, Mayor of the City of
Elmhurst, DuPage and Cook Counties, Illinois

ATTESTED and filed in my office,
this ____ day of _____, 2010.

Patty Spencer, City Clerk of the City
of Elmhurst, DuPage and Cook Counties, Illinois

COUNCIL ACTION SUMMARY

SUBJECT: Resolution Identifying Depositories and Legal Signatories of the City

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

It is necessary that an updated resolution be adopted to accurately reflect the names of the City's designated depositories and signatories.

UDW

R- 04 - 2010

**A RESOLUTION TO APPROVE
AND AUTHORIZE THE EXECUTION OF A
CONSTRUCTION ENGINEERING SERVICES AGREEMENT
FOR FEDERAL PARTICIPATION
BY AND BETWEEN
TRANSYSTEMS CORPORATION AND
THE CITY OF ELMHURST**

WHEREAS, the City of Elmhurst (hereinafter the "City") proposes to improve St. Charles Road from Poplar Avenue to York Street by removing and replacing deteriorated sections of curb and gutter, pavement, and sidewalks, as well as pavement improvements which will include a three-inch grind of existing concrete and a three-inch overlay with asphalt (hereinafter the "Project"); and

WHEREAS, Federal Highway Administration funding, administered through the State of Illinois Department of Transportation, is available for construction engineering services required for the Project; and

WHEREAS, the City has a satisfactory relationship with TranSystems Corporation (hereinafter "TranSystems"), and it is advisable, necessary and in the public interest that TranSystems be employed to provide construction engineering services required for the Project; and

WHEREAS, it is advisable, necessary and in the public interest that the City enter into a Construction Engineering Services Agreement for Federal Participation with TranSystems to provide construction engineering services required for the Project.

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

Section 1: The facts and statements contained in the preambles 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 the City has a satisfactory relationship with TranSystems and it is advisable, necessary and in the public interest that the City enter into a Construction Engineering Services Agreement for Federal Participation with TranSystems to provide construction engineering services required for the Project.

Section 3: That the Mayor be and is hereby authorized and directed to execute and the City Clerk is hereby authorized and directed to attest on behalf of the City a Construction Engineering Services Agreement for Federal Participation between the City of Elmhurst and TranSystems Corporation for the furnishing of construction engineering services for the Project, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

Section 4: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

ADOPTED this ____ day of _____, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this ____ day of _____, 2010.

Peter P. DiCianni III, Mayor of the City of
Elmhurst, DuPage and Cook Counties, Illinois

ATTESTED and filed in my office,
this ____ day of _____, 2010.

Patty Spencer, City Clerk of the City
of Elmhurst, DuPage and Cook Counties, Illinois

COUNCIL ACTION SUMMARY

SUBJECT: Resolution to approve and authorize the execution of a construction engineering services agreement for the St. Charles Road LAPP Improvements

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Pursuant to the recommendation of the City Council, the City Attorney prepared a resolution to approve and authorize the execution of the construction engineering services agreement with TranSystems Corporation in order to qualify for federal funds for the St. Charles Road LAPP Improvements.

Local Agency City of Elmhurst	 Illinois Department of Transportation Construction Engineering Services Agreement For Federal Participation	C O N S U L T A N T	Consultant TranSystems
County DuPage			Address 1051 Perimeter Drive, Suite 1025
Section 09-00 174-00-RS			City Schaumburg
Project No. ABA-9003 (410)			State IL
Job No. C-91-797-09			Zip Code 60173-5058
Contact Name/Phone/E-mail Address Cori Tiberi/(630)530-3777/ Cori.tiberi@elmhurst.org			Contact Name/Phone/E-mail Address Eric E. Rose/ 847-605-9600/ eeroose@transystems.com

THIS AGREEMENT is made and entered into this _____ day of _____, 2010 between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the PROJECT described herein. Federal-aid funds allotted to the LA by the state of Illinois under the general supervision of the Illinois Department of Transportation (STATE) will be used entirely or in part to finance engineering services as described under AGREEMENT PROVISIONS.

WHEREVER IN THIS AGREEMENT the following terms are used, they shall be interpreted to mean:

Regional Engineer	Regional Engineer, Department of Transportation
Resident Engineer	LA Employee directly responsible for construction of the PROJECT
Contractor	Company or Companies to which the construction contract was awarded

Project Description

Name St Charles Road LAPP Improvement Route FAU 1397 Length 0.5 mile Structure No. N/A
 Termini York Street to Poplar Avenue

Description: Construction Engineering services for the rehabilitation of St. Charles Road including, PCC surface removal, curb & gutter removal and replacement, patching and resurfacing.

Agreement Provisions

I. THE ENGINEER AGREES,

1. To perform or be responsible for the performance of the engineering services for the LA, in connection with the PROJECT hereinbefore described and checked below:
 - a. Proportion concrete according to applicable STATE Bureau of Materials and Physical Research (BMPR) Quality Control/Quality Assurance (QC/QA) training documents or contract requirements and obtain samples and perform testing as noted below.
 - b. Proportion hot mix asphalt according to applicable STATE BMPR QC/QA training documents and obtain samples and perform testing as noted below.
 - c. For soils, to obtain samples and perform testing as noted below.
 - d. For aggregates, to obtain samples and perform testing as noted below.

NOTE: For 1a. through 1d. the ENGINEER is to obtain samples for testing according to the STATE BMPR "Project Procedures Guide", or as indicated in the specifications, or as attached herein by the LA; test according to the STATE BMPR "Manual of Test Procedures for Materials", submit STATE BMPR inspection reports; and verify compliance with contract specifications.

- e. Inspection of all materials when inspection is not provided at the sources by the STATE BMPR, and submit inspection reports to the LA and the STATE in accordance with the STATE BMPR "Project Procedures Guide" and the policies of the STATE.
- f. For Quality Assurance services, provide personnel who have completed the appropriate STATE BMPR QC/QA trained technician classes.
- g. Inspect, document and inform the resident engineer of the adequacy of the establishment and maintenance of the traffic control.

- h. Geometric control including all construction staking and construction layouts.
 - i. Quality control of the construction work in progress and the enforcement of the contract provisions in accordance with the STATE Construction Manual.
 - j. Measurement and computation of pay items.
 - k. Maintain a daily record of the contractor's activities throughout construction including sufficient information to permit verification of the nature and cost of changes in plans and authorized extra work.
 - l. Preparation and submission to the LA by the required form and number of copies, all partial and final payment estimates, change orders, records, documentation and reports required by the LA and the STATE.
 - m. Revision of contract drawings to reflect as built conditions.
2. Engineering services shall include all equipment, instruments, supplies, transportation and personnel required to perform the duties of the ENGINEER in connection with the AGREEMENT.
 3. To furnish the services as required herein within twenty-four hours of notification by the resident engineer or authorized representative.
 4. To attend meetings and visit the site of the work at any reasonable time when requested to do so by representatives of the LA or STATE.
 5. That none of the services to be furnished by the ENGINEER shall be sublet, assigned or transferred to any other party or parties without the written consent of the LA. The consent to sublet, assign or otherwise transfer any portion of the services to be furnished by the ENGINEER shall not be construed to relieve the ENGINEER of any responsibility for the fulfillment of this AGREEMENT.
 6. The ENGINEER shall submit invoices, based on the ENGINEER's progress reports, to the resident engineer, no more than once a month for partial payment on account for the ENGINEER's work completed to date. Such invoices shall represent the value, to the LA of the partially completed work, based on the sum of the actual costs incurred, plus a percentage (equal to the percentage of the construction engineering completed) of the fixed fee for the fully completed work.
 7. That the ENGINEER is qualified technically and is entirely conversant with the design standards and policies applicable to improvement of the SECTION; and that the ENGINEER has sufficient properly trained, organized and experienced personnel to perform the services enumerated herein.
 8. That the ENGINEER shall be responsible for the accuracy of the ENGINEER's work and correction of any errors, omissions or ambiguities due to the ENGINEER'S negligence which may occur either during prosecution or after acceptance by the LA. Should any damage to persons or property result from the ENGINEER's error, omission or negligent act, the ENGINEER shall indemnify the LA, the STATE and their employees from all accrued claims or liability and assume all restitution and repair costs arising from such negligence. The ENGINEER shall give immediate attention to any remedial changes so there will be minimal delay to the contractor and prepare such data as necessary to effectuate corrections, in consultation with and without further compensation from the LA.
 9. That the ENGINEER will comply with applicable federal statutes, state of Illinois statutes, and local laws or ordinances of the LA.
 10. The undersigned certifies neither the ENGINEER nor I have:
 - a) employed or retained for commission, percentage, brokerage, contingent fee or other considerations, any firm or person (other than a bona fide employee working solely for me or the above ENGINEER) to solicit or secure this AGREEMENT;
 - b) agreed, as an express or implied condition for obtaining this AGREEMENT, to employ or retain the services of any firm or person in connection with carrying out the AGREEMENT or
 - c) paid, or agreed to pay any firm, organization or person (other than a bona fide employee working solely for me or the above ENGINEER) any fee, contribution, donation or consideration of any kind for, or in connection with, procuring or carrying out the AGREEMENT.
 - d) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - e) have not within a three-year period preceding the AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
 - f) are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (e) of this certification; and
 - g) have not within a three-year period preceding this AGREEMENT had one or more public transactions (Federal, State or local) terminated for cause or default.

11. To pay its subconsultants for satisfactory performance no later than 30 days from receipt of each payment from the LA.
12. To submit all invoices to the LA within one year of the completion of the work called for in this AGREEMENT or any subsequent Amendment or Supplement.
13. To submit BLR 05613, Engineering Payment Report, to the STATE upon completion of the work called for in the AGREEMENT.

II. THE LA AGREES,

1. To furnish a resident engineer to be in responsible charge of general supervision of the construction.
2. To furnish the necessary plans and specifications.
3. To notify the ENGINEER at least 24 hours in advance of the need for personnel or services.
4. To pay the ENGINEER as compensation for all services rendered in accordance with this AGREEMENT, on the basis of the following compensation formulas:

- Cost Plus Fixed Fee
- CPFF = 14.5%[DL + R(DL) + OH(DL) + IHDC], or
 - CPFF = 14.5%[DL + R(DL) + 1.4(DL) + IHDC], or
 - CPFF = 14.5%[(2.3 + R)DL + IHDC]

Where: DL = Direct Labor
 IHDC = In House Direct Costs
 OH = Consultant Firm's Actual Overhead Factor
 R = Complexity Factor

- Specific Rate (Pay per element)
- Lump Sum _____

5. To pay the ENGINEER using one of the following methods as required by 49 CFR part 26 and 605 ILCS 5/5-409:

With Retainage

- a) **For the first 50% of completed work**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to 90% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **After 50% of the work is completed**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments covering work performed shall be due and payable to the ENGINEER, such payments to be equal to 95% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- c) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and the STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

Without Retainage

- a) **For progressive payments** – Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

6. The recipient shall not discriminate on the basis on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.).

iii. **It is Mutually Agreed,**

1. That the ENGINEER and the ENGINEER's subcontractors will maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred and to make such materials available at their respective offices at all reasonable times during the AGREEMENT period and for three years from the date of final payment under this AGREEMENT, for inspection by the STATE, Federal Highway Administration or any authorized representatives of the federal government and copies thereof shall be furnished if requested.
2. That all services are to be furnished as required by construction progress and as determined by the RESIDENT ENGINEER. The ENGINEER shall complete all services specified herein within a time considered reasonable to the LA, after the CONTRACTOR has completed the construction contract.
3. That all field notes, test records and reports shall be turned over to and become the property of the LA and that during the performance of the engineering services herein provided for, the ENGINEER shall be responsible for any loss or damage to the documents herein enumerated while they are in the ENGINEER's possession and any such loss or damage shall be restored at the ENGINEER's expense.
4. That this AGREEMENT may be terminated by the LA upon written notice to the ENGINEER, at the ENGINEER's last known address, with the understanding that should the AGREEMENT be terminated by the LA, the ENGINEER shall be paid for any services completed and any services partially completed. The percentage of the total services which have been rendered by the ENGINEER shall be mutually agreed by the parties hereto. The fixed fee stipulated in numbered paragraph 4d of Section II shall be multiplied by this percentage and added to the ENGINEER's actual costs to obtain the earned value of work performed. All field notes, test records and reports completed or partially completed at the time of termination shall become the property of, and be delivered to, the LA.
5. That any differences between the ENGINEER and the LA concerning the interpretation of the provisions of this AGREEMENT shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA, and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
6. That in the event the engineering and inspection services to be furnished and performed by the LA (including personnel furnished by the ENGINEER) shall, in the opinion of the STATE be incompetent or inadequate, the STATE shall have the right to supplement the engineering and inspection force or to replace the engineers or inspectors employed on such work at the expense of the LA.
7. That the ENGINEER has not been retained or compensated to provide design and construction review services relating to the contractor's safety precautions, except as provided in numbered paragraph 1f of Section I.
8. This certification is required by the Drug Free Workplace Act (30ILCS 580). The Drug Free Workplace Act requires that no grantee or contractor shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or service from the State unless that grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of a contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but no more than five (5) years.

For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State, as defined in the Act.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

(a) Publishing a statement:

- (1) Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
- (2) Specifying the actions that will be taken against employees for violations of such prohibition.
- (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
 - (A) abide by the terms of the statement; and
 - (B) 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.

(b) Establishing a drug free awareness program to inform employees about:

- (1) the dangers of drug abuse in the workplace;
- (2) the grantee's or contractor's policy of maintaining a drug free workplace;
- (3) any available drug counseling, rehabilitation and employee assistance program; and

- (4) the penalties that may be imposed upon an employee for drug violations.
 - (c) Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
 - (d) Notifying the contracting or granting agency within ten (10) days after receiving notice under part (B) of paragraph (3) of subsection (a) above from an employee or otherwise receiving actual notice of such conviction.
 - (e) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted, as required by section S of the Drug Free Workplace Act.
 - (f) 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.
 - (g) Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.
9. The ENGINEER or subconsultant shall not discriminate on the basis of race, color, national origin or sex in the performance of this AGREEMENT. The ENGINEER shall carry out applicable requirements of 49 CFR part 26 in the administration of DOT-assisted contracts. Failure by the ENGINEER to carry out these requirements is a material breach of this AGREEMENT, which may result in the termination this AGREEMENT or such other remedy as the LA deems appropriate.

Agreement Summary

Prime Consultant:	TIN Number	Agreement Amount
TranSystems	43-0839725	\$36,057.55
Sub-Consultants:	TIN Number	Agreement Amount
Great Lakes Soil & Environmental Consultants, Inc.	36-4045796	\$10,318.21
Sub-Consultant Total:		\$10,318.21
Prime Consultant Total:		\$36,057.55
Total for all Work:		\$46,375.76

Executed by the LA:

City of Elmhurst

(Municipality/Township/County)

ATTEST:

By: _____

By: _____

City _____ Clerk

Title: Mayor

(SEAL)

Executed by the ENGINEER:

TranSystems

ATTEST:

By: Eric E. Rose, P.E.

By: [Signature]

Title: Project Manager

Title: Vice President

Exhibit A - Construction Engineering

Route: FAU 1397 (St Charles Road)
 Local Agency: City of Elmhurst
 (Municipality/Township/County)
 Section: 09-00174-00-RS
 Project: ARA-9003 (410)
 Job No.: C-91-797-09

*Firm's approved rates on file with IDOT'S Bureau of Accounting and Auditing:

Overhead Rate (OH) 151.80 %
 Complexity Factor (R) 0.00
 Calendar Days _____

Method of Compensation:

- Cost Plus Fixed Fee 1 14.5%[DL + R(DL) + OH(DL) + IHDC]
- Cost Plus Fixed Fee 2 14.5%[DL + R(DL) + 1.4(DL) + IHDC]
- Cost Plus Fixed Fee 3 14.5%[(2.3 + R)DL + IHDC]
- Specific Rate
- Lump Sum

Cost Estimate of Consultant's Services in Dollars

Element of Work	Employee Classification	Man-Hours	Payroll Rate	Payroll Costs (DL)	Overhead*	Services by Others	In-House Direct Costs (IHDC)	Profit	Total
SEE ATTACHED EXHIBIT A									
Totals		0.00							

Cost Estimate of Consultant Services

Exhibit A



**Payroll Escalation Table
Fixed Raises**

FIRM NAME TransSystems
PRIME/SUPPLEMENT Prime

DATE 12/22/09
PTB NO. _____

CONTRACT TERM 4 MONTHS
START DATE 4/1/2010
RAISE DATE 4/1/2011

OVERHEAD RATE 151.80%
COMPLEXITY FACTOR 0
% OF RAISE 3.00%

ESCALATION PER YEAR

4/1/2010 - 4/1/2011
4
4

4/1/2011 - 5/31/2011
0
4

= 100.00%
= 1.0000

0.00%

0.00%

The total escalation for this project would be:



**Illinois Department
of Transportation**

**Cost Estimate of
Consultant Services
(CPFF)**

Firm TranSystems
 Route FAU 1397 St. Charles Road
 Section 09-00174-00-RS
 County DuPage
 Job No. C-91-797-09
 PTB & Item _____

Date 12/22/09

Overhead Rate 151.80%

Complexity Factor 0

DBE Drop Box	Item	Manhours (A)	Payroll (B)	Overhead & Fringe Benefits (C)	In-House Direct Costs (D)	Fixed Fee (E)	Outside Direct Costs (F)	Services By Others (G)	DBE Total (B+C+D+E+F+G)	Total (B+C+D+E+F+G)	% of Grand Total
	PRECONSTRUCTION										
	Contract Documents Review	4	122.04	185.26		44.56				351.85	0.76%
	Project Site Inspection	8	244.08	370.51		89.12				703.71	1.52%
	Meeting	8	330.48	501.67		120.66				952.81	2.05%
	Job Setup	8	244.08	370.51		89.12				703.71	1.52%
	CONSTRUCTION										
	Shop drawing review									0.00	0.00%
	Layout verification	24	808.48	1,227.27		295.18				2,330.94	5.03%
	Construction Inspection	96	3,081.44	4,677.63	1,896.00	1,399.98		10,318.21	10,318.21	21,373.26	46.09%
	Traffic Control	30	915.30	1,389.43		334.19				2,638.91	5.69%
	Daily Documentation	30	915.30	1,389.43		334.19				2,638.91	5.69%
	Pay Estimates	12	366.12	555.77		133.67				1,055.56	2.28%
	Weekly Documentation	8	244.08	370.51		89.12				703.71	1.52%
	Other Agency Coordination	8	244.08	370.51		89.12				703.71	1.52%
	Contractor Coordination	60	1,983.08	3,010.32		724.04				5,717.44	12.33%
	Utility Coordination	4	122.04	185.26		44.56				351.85	0.76%
	QC/QA of Materials	4	122.04	185.26		44.56				351.85	0.76%
	POST CONSTRUCTION										
	Final Documentation	40	1,296.64	1,968.30		473.42				3,738.36	8.06%
	Record Drawings	12	350.84	532.58		128.10				1,011.51	2.18%
	ADMINISTRATION AND MANAGEMENT										
	Administration/Management	4	165.10	250.62		60.28				476.00	1.03%
	Quality Control and Assurance	4	198.28	300.99		72.39				571.66	1.23%
	TOTALS	364	11,753.50	17,841.81	1,896.00	4,566.24	0.00	10,318.21	10,318.21	46,375.76	100.00%

DBE 22.25%

VOW

R- 05 - 2010

**A RESOLUTION TO APPROVE
AND AUTHORIZE THE EXECUTION OF
AN INTERGOVERNMENTAL AGREEMENT AMENDMENT
BY AND BETWEEN
THE ILLINOIS DEPARTMENT OF TRANSPORTATION
AND
THE CITY OF ELMHURST**

WHEREAS, the Illinois Department of Transportation (hereinafter "IDOT") and the City of Elmhurst (hereinafter the "City") wish to enter into an Intergovernmental Agreement Amendment in connection with the installation of LED traffic signals and an uninterrupted power supply system at three major intersections within the City, being:

- Illinois Route 83 with North Avenue;
- Illinois Route 83 with St. Charles Road; and
- Lake Street at the Illinois Route 83 east ramp/Grand Avenue

(hereinafter the "Intersections"); and

WHEREAS, the installation of the uninterrupted power supply system at the Intersections will enable the signals to remain on even during power outages and thereby eliminate the need for the City's police officers to perform traffic control duties at these Intersections when there are power outages; and

WHEREAS, IDOT will reimburse the City for the cost of the upgrade from incandescent bulbs to LED bulbs and for the cost of the uninterrupted power supply systems at the Intersections; and

WHEREAS, the City will remain responsible for the energy and maintenance costs for the traffic signals at these Intersections on an ongoing basis; and

WHEREAS, IDOT, a body corporate and politic of the State of Illinois, and Elmhurst, a unit of local government, have authority pursuant to the 1970 Illinois Constitution (Art. VII Sec. 10) and the Illinois Compiled Statutes (5/ILCS 220/1 *et seq.*) to enter into such intergovernmental agreements; and

WHEREAS, it is deemed necessary and desirable for the City to enter into said Intergovernmental Agreement Amendment with IDOT.

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

Section 1: The facts and statements contained in the preambles 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 in the City's best interests to enter into said Intergovernmental Agreement Amendment with IDOT.

Section 3: That the Mayor be and is hereby authorized and directed to execute and the City Clerk is hereby authorized and directed to attest on behalf of the City an Intergovernmental Agreement Amendment between the City of Elmhurst and IDOT for the installation of LED traffic signals and an uninterrupted power supply system at the Intersections, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

Section 4: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

ADOPTED this ____ day of _____, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this ____ day of _____, 2010.

Peter P. DiCianni III, Mayor of the City of
Elmhurst, DuPage and Cook Counties, Illinois

ATTESTED and filed in my office,
this ____ day of _____, 2010.

Patty Spencer, City Clerk of the City
of Elmhurst, DuPage and Cook Counties, Illinois

COUNCIL ACTION SUMMARY

SUBJECT: Resolution to approve and authorize the execution of an intergovernmental agreement amendment with the Illinois Department of Transportation for the installation of LED traffic signals and uninterrupted power supply systems at three major intersections

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

The Public Works and Buildings Committee recommended the approval of the installation of LED traffic signals and uninterrupted power supply systems at the following three (3) major intersections within the City:

Illinois Route 83 with North Avenue;
Illinois Route 83 with St. Charles Road; and
Lake Street at the Illinois Route 83 east ramp/Grand Avenue.



AMENDMENT NUMBER 01
INTERGOVERNMENTAL AGREEMENT FOR DEPARTMENT MAINTENANCE OF TRAFFIC CONTROL DEVICES AGREEMENT 71

The undersigned DEPARTMENT and GOVERNMENTAL BODY (the parties) agree that the following shall amend the AGREEMENT referenced herein. All terms and conditions set forth in the original AGREEMENT, not amended herein, shall remain in full force and effect as written. In the event of conflict, the terms of this amendment shall prevail. This AGREEMENT AMENDMENT is in the best interest of the State and authorized by law.

- 1. DESCRIPTION OF AGREEMENT: This is the Master Agreement for Department maintenance and apportionment of energy costs for traffic control devices located on State highways within or near the Local Agency.
2. EFFECTIVE DATE OF AMENDMENT: Upon execution until December 31, 2010.
3. DESCRIPTION OF AMENDMENT: The DEPARTMENT intends to engage the GOVERNMENTAL BODY in retrofitting the incandescent traffic signal lamps with LED modules and installing Uninterruptible Power Supply systems. Attachment A contains the description of amendment.
4. ATTACHMENTS AND INCORPORATIONS:

The following Attachments are hereby incorporated and made part of this AMENDMENT.

Attachment A - Description of Amendment

Attachment B - LED Conversion and UPS Installation locations, and Cost Proportionment

IN WITNESS WHEREOF, the parties have caused this AGREEMENT AMENDMENT to be executed on the dates shown below by representatives authorized to bind the respective parties.

For The GOVERNMENTAL BODY:

Signature of Authorized Representative Type or Print Name of Authorized Representative Date

Title of Authorized Representative

Governmental Body CITY OF ELMHURST
Legal Address 209 N. YORK STREET
City, State, Zip ELMHURST, IL 60126

For The DEPARTMENT:

Diane M. O'Keefe, P.E., Regional Engineer, Division of Highways

Ellen Schanzle-Haskins, Chief Counsel (Approved as to form) Date

Christine M. Reed, P.E., Director, Division of Highways, Chief Engineer

By: _____

FOR STATE USE ONLY

Contract _____ BoBS: _____
Source Selection:
[] IFB (including Multi-step) [] RFP [] RFP/P&A
[] Small [] Sole Source [] Emergency
[] Exempt from Code [] Other (describe)

Ann L. Schneider, Director of Finance & Administration Date

By: _____

Gary Hannig, Secretary of Transportation Date

By: _____

Attachment A

Description of Amendment

The Department through the Governmental Body is initiating the retrofit of traffic signal incandescent lamps to LED modules, along with the installation of uninterruptible power supply systems (UPS). The cost of LED retrofit at an intersection shall be shared in proportion to the number of approaches maintained by each unit of government. The intersections selected for the conversion and the share of cost responsibility at each intersection is indicated in Attachment B.

The scope of the LED module conversion is limited to removing the existing optical units from the signal and pedestrian sections and installing LED modules in the same sections. If feasible, use of existing signal head housing and pedestrian head housing shall be made. The use of ancillary items including but not limited to load switches shall be made only when necessary to achieve acceptable traffic signal operation.

The LED modules utilized on the conversion project shall fully comply with Institute of Transportation Engineers' adopted specifications on the date of the module purchase.

The LED conversion at all locations in Attachment B shall be completed no later than December 31, 2010.

Attachment B

LED Conversion and UPS Installation Locations
and
Cost Proportionment

LOCATION	STATE	CITY
IL 83 (Elmhurst Rd.) @ IL 64 (North Ave.)	\$ 7,763.00	\$ 0.00
IL 83 (Elmhurst Rd.) @ St. Charles Rd.	\$ 32,232.00	\$ 0.00
US 20 (Lake St.) @ IL 83 (East Ramp)/Grand Ave.	\$ 19,983.00	\$ 0.00
TOTAL	\$ 59,978.00	\$ 0.00

V.D.W.



A RESOLUTION RELATING TO PARTICIPATION BY ELECTED OFFICIALS IN THE ILLINOIS MUNICIPAL RETIREMENT FUND

IMRF Form 6.64 (Rev. 11/2004)

(Income tax information can be found on the reverse side of this resolution)

PLEASE ENTER Employer IMRF I.D. Number

RESOLUTION
Number R - 06 - 2010

WHEREAS, the _____ EMPLOYER NAME

is a participant in the Illinois Municipal Retirement Fund; and

WHEREAS, elected officials may participate in the Illinois Municipal Retirement Fund if they are in positions normally requiring performance of duty for _____ hours or more per year; and
(600 OR 1,000)

WHEREAS, this governing body can determine what the normal annual hourly requirements of its elected officials are, and should make such determination for the guidance and direction of the Board of Trustees of the Illinois Municipal Retirement Fund;

NOW THEREFORE BE IT RESOLVED that the _____ BOARD, COUNCIL, ETC.

finds the following elected positions qualify for membership in IMRF.

TITLE OF ELECTED POSITION	DATE POSITION BECAME QUALIFIED

CERTIFICATION

I, _____, the _____
NAME CLERK OR SECRETARY OF THE BOARD

of the _____ of the County of _____,
EMPLOYER NAME COUNTY

State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of a resolution duly adopted by its _____ at a meeting duly
BOARD, COUNCIL, etc.
convened and held on the _____ day of, _____ 20 _____.

SEAL

CLERK OR SECRETARY OF THE BOARD

Copies To All
Elected Officials
1-28-10

A RESOLUTION RELATING TO PARTICIPATION BY ELECTED OFFICIALS
IN THE ILLINOIS MUNICIPAL RETIREMENT FUND

INCOME TAX INFORMATION

All elected officials eligible to participate in IMRF are considered active participants in an employer sponsored retirement plan under the Internal Revenue Code, **even if the official does not elect to participate in IMRF**, and are subject to the IRA deductibility limits imposed by law.

Rescission of this resolution is not definite evidence under IRS regulations that these elected positions are no longer covered by an employer sponsored pension plan.

COUNCIL ACTION SUMMARY

SUBJECT: A Resolution Relating to Participation By Elected Officials in the Illinois Municipal Retirement Fund

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

The Finance, Council Affairs and Administrative Services Committee has recommended that elected officials be permitted to participate in the Illinois Municipal Retirement Fund if those elected officials are in positions normally requiring the performance of duty for 1000 hours or more per year.

The resolution authorizing the participation of the Mayor, the City Clerk and City Aldermen in the Illinois Municipal Retirement Fund is included for the City Council=s consideration.

VOW

R - 07 - 2010

**A RESOLUTION AUTHORIZING
THE EXECUTION OF A CONTRACT EXTENSION
BETWEEN
METRO PARAMEDIC SERVICES, INC
AND
THE CITY OF ELMHURST, ILLINOIS**

WHEREAS, in the opinion of a majority of the corporate authorities of the City of Elmhurst, Illinois (hereinafter referred to as the "City") it is advisable, necessary and in the public interest that the City extend its contract for paramedic services with Metro Paramedic Services, Inc (hereinafter referred to as "Metro").

WHEREAS, Metro has been providing contract paramedic services to the City since the 1970's with two ambulances and four paramedics on a 24/7 hour 365 day basis:

WHEREAS, Metro has offered the City cost savings in the current year and in the three year extension.

WHEREAS, The Public Affairs and Safety Committee recommends a three year extension of Metro's contract.

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.

**Copies To All
Elected Officials**

1-28-10

Section 2. The corporate authorities of the City hereby approve the Agreement between the City and Metro for paramedic services, a copy of which is attached hereto marked as Exhibit "A" and made a part hereof.

Section 3. The Mayor be and is here by authorized and directed to execute and the City Clerk be and is hereby authorized and directed to attest on behalf of the City an Agreement between the City and Metro for Paramedic Services, a copy of which is attached hereto marked as Exhibit "A" and made part hereof.

Section 4. This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

APPROVED this _____ day of _____, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this _____ day of _____, 2010.

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

ATTESTED and filed in my office,
This _____ day of _____, 2010

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

COUNCIL ACTION SUMMARY

SUBJECT: Metro Paramedic Services contract

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Attached for Council consideration is a three year extension to Metro Paramedic Services contract with the City. The Public Affairs and Safety Committee previously recommended the three year extension noting Metro's long standing relationship with the City and Metro's offer of cost savings due to the economic times.

Exhibit A

Contract Extension
Between
Metro Paramedic Services, Inc.
And
The City of Elmhurst, Illinois

Metro

PARAMEDIC SERVICES, INC.

**AMBULANCE SERVICE CONTRACT
BETWEEN
THE CITY OF ELMHURST
METRO PARAMEDIC SERVICES, INC.**

2008-2010

AMBULANCE SERVICE CONTRACT
BETWEEN
THE CITY OF ELMHURST, ILLINOIS
METRO PARAMEDIC SERVICES, INC.

THIS AGREEMENT made this 1st day of September, 2008, by and between the City of Elmhurst, Illinois, an Illinois home rule Municipal Corporation, hereinafter referred to as "CITY" and Metro Paramedic Services, Inc., an Illinois cooperation with registered offices at 395 W. Lake St., Elmhurst, IL, hereinafter referred to as "CONTRACTOR".

WHEREAS, the CITY desires to retain CONTRACTOR to furnish paramedic services as hereinafter set forth.

NOW THEREFORE, in consideration of the mutual promises contained herein the parties hereto agree as follows:

1. CONTRACT TERM

The CONTRACTOR agrees to provide twenty-four (24) hour ambulance service consisting of two (2) mobile intensive care units (MICU) for a period of twenty-four months (24) commencing at 12:01 A.M. on September 1, 2008 and terminating on August 31, 2010 in compliance with the specifications set forth herein. A replacement schedule for the existing units will be as follows: One unit shall be replaced within the first year of the contract, and the 2nd unit will be replaced during the 2nd year. Units will be specified by type and model and agreed to by both parties.

2. SITUS OF AMBULANCE

CONTRACTOR shall provide two (2) mobile intensive care units, as hereinafter described, one to be located at Fire Station #1, 404 N. York Road, and one to be located at Fire Station #2, 605 S. York Road. The CITY will provide six lockers, two beds and permit the use of the facilities at each Fire Station by Contractor's personnel.

3. SCOPE OF SERVICE

- A. The CONTRACTOR shall provide two (2) mobile intensive care units twenty-four (24) hours per day, seven (7) days per week. The CONTRACTOR shall be available the same hours to receive and respond to calls for ambulance service within the corporate limits of CITY and to thereafter dispatch without delay a mobile intensive

care unit provided however, that CONTRACTOR shall respond to locations without the corporate limits when so requested pursuant to mutual aid agreement.

- B. In addition, the CONTRACTOR shall provide a back-up mobile intensive care unit to assist either the primary ALS units for major trauma or cardiac arrest calls on an immediate response basis. The CONTRACTOR shall provide estimated time of arrivals for back-up units upon request. In the event the CONTRACTOR fails to respond to an emergency ambulance call under the terms of the Contract, such failure to respond, if it be the fault of the CONTRACTOR, shall be treated as a breach of this Contract and the CONTRACTOR shall be liable to the CITY for all damages, costs, demands, claims and expenses incurred by the CITY because of said breach. Damages, claims, demands, liability expenses and costs, including attorney's fees shall be subject to the provisions of Section 8 hereof. The CONTRACTOR agrees that if it is unable to respond to an emergency ambulance call it will refer said call to another company able to respond within a reasonable time.
- C. The CONTRACTOR shall provide ambulance service without regard to race, creed, color, sex, sexual preference, age, physical handicaps, national origin, ancestry or financial ability to pay.
- D. CONTRACTOR agrees to honor any current or future mutual aid agreements to which the CITY is or becomes a party. There shall be no charge to the CITY nor any other fire department connected with the mutual aid response.

4. PERSONNEL

- A. CONTRACTOR shall furnish services as provided herein by and through the exclusive assignment of twelve (12) certified paramedics stationed at Fire Stations #1 and #2.
 - 1. Four (4) paramedics shall be on duty at all times. The paramedics will be assigned to work the same work schedule as regular Elmhurst Fire Department personnel: twenty-four (24) hour shift duty followed by forty-eight (48) consecutive hours off duty.
 - 2. Replacement certified paramedics shall be available in the event of illness, vacation, or other vacancy caused by the absence of the regularly assigned personnel.

3. Replacement certified paramedics assigned to fill planned or unplanned vacancies shall be either regularly assigned paramedics or those from a list to be maintained by CONTRACTOR of personnel qualified to serve as paramedics under this Contract. No two approved temporary paramedics shall be assigned to work the same schedule.
4. CONTRACTOR shall give at least two (2) weeks notice to the CITY upon receipt of the notice of any assigned paramedic's desire to vacate his/her position. Any replacement paramedic shall be subject to the condition set forth in Section 4. D. "Acceptance of Paramedics".

B. QUALIFICATIONS

1. Paramedics performing services under this agreement shall have State of Illinois Certifications and be approved to work in the resource hospital committed to by the CITY. Further, all paramedics assigned to this Contract and on the list of eligible replacements under Section D. #4. (below) shall be investigated and approved as to reasonable health, habits and character. A record of convictions for violations of criminal or traffic laws may be grounds for rejection.
2. Paramedics shall continue their professional education to meet the on-going requirements of the resource hospital committed to by the CITY, the U.S. Department of Transportation, and the Illinois Department of Public Health and any other requirements that from time to time may be imposed by law or regulation.
3. There shall be no charge to the CITY for education and training of the paramedics nor shall same cause on-duty paramedics to be absent from paramedic duty as set forth herein.
4. All paramedics shall be instructors in cardiopulmonary resuscitation.
5. Paramedics shall have a minimum of one (1) year experience in working in a contract paramedic service or municipal employment as a paramedic, or any combination of the two and shall have not less than one (1) year experience in a medical environment in which major trauma injuries are common.

6. Notwithstanding anything herein to the contrary, CONTRACTOR may assign paramedics who have been licensed less than one (1) year provided no more than four (4) such paramedics shall be assigned at any one time under this Contract. No two (2) such paramedics shall be assigned to the same ambulance at the same time.

C. PARAMEDIC DUTIES AND RESPONSIBILITIES

1. All paramedics shall be directly responsible to the Fire Chief for administrative and logistics matters subject to Section 11 hereof.
2. CONTRACTOR and assigned paramedics shall abide by the "Paramedic Rules and Regulations and Paramedic Procedure", of the State of Illinois, or other government units applicable to ambulances and the operation of the paramedic programs, as now constituted or as from time to time amended.
3. In addition to regular on-duty assignments, paramedics shall:
 - a. Perform demonstrations of the ambulance and equipment.
 - b. Instruct cardiopulmonary resuscitation classes.
 - c. Work in cooperation with the Chicago Heart Association to create an extensive blood pressure screening program for the City of Elmhurst Fire Department.
 - d. Provide the EMT training and Public Education services required by the Elmhurst Fire Department.

D. ACCEPTANCE OF PARAMEDICS

1. Qualifications of each paramedic to be considered for assignment under this Contract shall be provided to the Fire Chief at least two (2) weeks prior to being considered for service hereunder for the purpose of assuring that such paramedics meet the provisions of Section 4.B. hereof.
2. CONTRACTOR shall certify in writing that the paramedics are physically able to perform the duties of paramedics and ambulance personnel and have passed a background check.

3. A list of personnel qualified and eligible for assignment under this Contract shall be established from review of qualifications.
4. CONTRACTOR shall have the responsibility to provide the qualifications of at least five (5) certified paramedics to establish the list noted and described in the preceding Subsection 3. It shall also be the responsibility of the CONTRACTOR to notify the Elmhurst Fire Department when there are only three (3) available personnel remaining on such list.

E. EMPLOYEE DRUG TESTING PROGRAM

CONTRACTOR has established an Employee Drug Testing Program for its employees. CONTRACTOR represents that it will enforce the terms of said program as set forth therein, provided that it is specifically acknowledged and understood that the CITY in no way requires said program and that the establishment thereof is the sole and voluntary act of the CONTRACTOR provided that CONTRACTOR shall comply with the Drug-Free Workplace Acts. In the event laws or regulations are put into effect by any government agency which shall require employee drug testing of paramedic personnel beyond that required, if at all, by Drug-Free Workplace Acts, CONTRACTOR shall comply therewith.

F. EMPLOYEE BACKGROUND PROGRAM

1. Background checks will be conducted on every paramedic assigned to the Elmhurst Fire Department.
2. The background checks will be done by the City of Elmhurst and all fees paid for by the contractor.
3. The background check will consist of:
 - a. Live scan fingerprint check to be done at the police station.
 - b. Illinois Drivers License Abstract to be done through the Police Department.
 - c. InfoTrack background package to include Social Security number trace, county criminal trace, and Drivers' License Trace (all States that the candidate has resided in).

4. The Fire Chief or his designee has access to all background investigation or results.
5. The Fire Chief or his designee has the authority to reject candidate based on the background check.
6. The Fire Chief can conduct background checks on current paramedics.
7. The Fire Chief can periodically update the background check on any contract paramedic at his discretion.

If the applicant/background check reveals information or statements that are incorrect or reveals information showing any of the following, the applicant should not be approved for hire:

- 1) The applicant has been convicted of a felony based upon his or her conduct or involvement in such business activity or similar business within the past ten (10) years.
- 2) The applicant has been convicted of a felony or misdemeanor unrelated to his or her conduct or involvement in such business activity or similar business, which felony or misdemeanor involves any of the following offenses:
 - A. Unlawful possession with the intent to deliver; any controlled substance, as such term is defined in the Illinois Controlled Substances Act (720 ILCS 570/100 et seq.), as amended from time to time or cannabis, as defined in the Cannabis Control Act (720 ILCS 550/1 et seq.), as amended from time to time; or an intoxicating compound, as listed or defined in the Intoxicating Compounds Act (720 ILCS 690/0.01 et seq.), as amended from time to time, or any like offense of another state or country within the past ten (10) years.
 - B. Unlawful possession of any controlled substance, cannabis or intoxicating compound, within the past five years.
 - C. The offenses of criminal sexual assault and criminal sexual abuse, as such offenses are defined in the Illinois Criminal Code 720 ILCS 5/1-1 et seq., or any like offense of another state or country.

- D. Any offense involving violence against another person or threatened violence against another person under the Illinois Criminal Code (720 ILCS 5/1-1 et seq.), within the past ten (10) years.
- E. Any offense involving moral turpitude, including but not limited to any offense involving the misapplication, misappropriation or misuse of funds of another person, within the past five years.

- 3) The applicant has been convicted of driving under the influence of a controlled substance, cannabis or an intoxicating compound under Illinois law (625 ILCS 5/11-501 et seq.), as amended from time to time or similar provision of a local ordinance or any like offense of another state or country, within the past five years.
- 4) The applicant has been convicted of reckless driving under Illinois law (625 ILCS 5/11-503 et seq.), as amended from time to time or similar provision of a local ordinance or any like offense of another state or county within the past five years.

G. REJECTION OF PARAMEDICS

The CITY shall have the right to reject a paramedic for service for breach of the paramedic rules referenced in Section 4.C. hereof.

5. EQUIPMENT

- A. Uniforms shall be supplied by the CONTRACTOR at no expense to the CITY of a style or nature as the Fire Chief and CONTRACTOR shall agree.
- B. All paramedics shall be provided by CONTRACTOR with a complete set of fire department bunker gear, meeting the specifications listed Attachment 2, which is by this reference made a part hereof, for personal protection while working in hazardous areas or situations. This equipment must meet the requirements of the NFPA, OSHA (if required) in addition to any other requirements applicable to protective clothing, and shall be of a style or nature as the Fire Chief and CONTRACTOR shall agree.
- C. Temporary replacement personnel shall have available all required equipment and uniforms as indicated in Subsection 5A and B hereof at the start of the tour of duty.

- D. CONTRACTOR shall provide one (1) complete set of medical equipment and supplies per ambulance as specified by the resource hospital as committed to by the City of Elmhurst.
- E. CONTRACTOR shall provide one (1) complete set of telemetry equipment and one (1) defibrillator meeting the specifications of MICU for each ambulance.
- F. In addition to the radio mounted within each ambulance, CONTRACTOR shall provide two (2) five (5) watt portable radios with sixteen (16) channel transmit/receive capability that are equipped with the proper private line (PL) code and chargers. Both portable and vehicle radios shall be equipped with frequencies per the Elmhurst Fire Department requirements.
- G. CONTRACTOR shall provide six (6) Motorola Minitor Alert monitor radios, two (2) such radios for each ambulance crew and one (1) back-up radio for each station.

6. MAINTENANCE OF EQUIPMENT

- A. CONTRACTOR shall have the responsibility for maintenance and replacement of all equipment and supplies therefore required under this Contract including fuel and oil for the vehicles. If the equipment with a serious mechanical defect is not repaired or replaced within twenty-four (24) hours of notification by the CITY to the CONTRACTOR, the CITY may undertake necessary repairs and the CONTRACTOR shall reimburse the CITY for the full cost of such repairs incurred by the CITY. Any replacement equipment shall be the same or better than that which it replaced.
- B. CONTRACTOR shall replace any equipment (including ALS type transporting vehicle) lost, stolen, damaged, or removed from service for repair within one (1) hour of notification by the Elmhurst Fire Chief or Deputy Fire Chief.

7. ADMINISTRATION OF PROGRAM AND BILLING

- A. CONTRACTOR shall handle or cause to be handled all necessary reports as required by the State of Illinois, federal government, resource hospital, the City of Elmhurst or any other agency requiring information on all calls for service.
- B. CONTRACTOR shall provide any other service necessary as determined by the Elmhurst Fire Chief, to maintain an efficient paramedic program in the City of Elmhurst.

- C. No information on any run shall be divulged to any agency other than those required by state or federal law or regulations promulgated pursuant thereto except with express consent of the CITY.
- D. CONTRACTOR shall provide, on a monthly basis, a summary of ambulance call history including:
 - 1. Number of responses, by address and response time, per month
 - 2. Number of transports per month
 - 3. Number of disregards for month
 - 4. Number of patients transported and cost
 - 5. Monthly year to date receivables
- E. CONTRACTOR shall bill for its services in accordance with Section 13.

8. INSURANCE AND INDEMNIFICATION

- A. The CONTRACTOR shall protect, indemnify, hold and save harmless defend the CITY against any and all claims, costs, causes, actions, and expenses, including but not limited to attorney's fees incurred by reason of a lawsuit or claim for damages or compensation arising in favor of any person, corporation or other entity, including the employees or officers or independent contractors or subcontractors of the CONTRACTOR or municipality, on account of personal injuries or death, or damages to property occurring, growing out of, incident to, or resulting directly or indirectly from the performance or nonperformance by the CONTRACTOR or subcontractor, their officers, agents or employees hereunder, whether such loss, damage, injury or liability is contributed to by the negligence of the CITY, its officers, agents, employees, independent contractors, or by premises themselves or any equipment thereon whether latent or patent, or from other causes whatsoever, except the CONTRACTOR shall have no liability or damages or the costs incident thereto caused by the sole negligence of the CITY.
- B. The CONTRACTOR shall keep in force, to the satisfaction of the CITY at all times during the performance of the services referred to herein, policies of insurance covering the risks and with minimum limits as follows:
 - 1. Broad Form Public Liability Insurance including contractual liability coverage with policy limits of not less than \$5,000,000 per occurrence; and General Aggregate Insurance with policy limits of not less than \$5,000,000; and
 - 2. Automobile Liability Insurance covering any auto, hired autos, and non-owned autos with bodily injury and broad form property damage coverage with policy limits of not less than \$5,000,000;

3. Workers' Compensation coverage with policy limits required by statute and employers liability coverage with policy limits of not less than \$5,000,000; and
4. Professional Liability (malpractice) Insurance with policy limits of not less than \$5,000,000 per person and aggregate coverage with policy limits of \$5,000,000.

There shall be no additional charge for said insurance to the CITY and same shall be in a form and issued by a company with a Best rating acceptable to the CITY. Prior to execution of the Contract by the CITY, CONTRACTOR shall furnish certificates of insurance for the insurance coverage required herein, naming the CITY, its agents, officials and employees as additional insureds as specified by the City and providing: 1) that such policies may not be canceled or amended without thirty (30) days prior written notice having been given to the CITY; and (2) that such coverage is primary and noncontributory as to the CITY.

- C. The CONTRACTOR shall indemnify the CITY for any loss it may sustain by theft or other cause from the acts or negligence of the employees of the CONTRACTOR or of the subcontractors.
- D. Whenever in this Agreement the term "CITY" is used with regard to the obligation of the CONTRACTOR to indemnify, hold harmless, or defend, the word "CITY" shall include the officers, agents, employees and independent contractors of the City of Elmhurst, not to include Metro Paramedic Services, Inc.

9. COMPLIANCE WITH LAWS AND REGULATIONS

The CONTRACTOR shall comply with all applicable laws, regulations and rules promulgated by any federal, state, county, municipal and/or other governmental units or regulatory body now in effect or which may be in effect during the performance of the work. Included within 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 on any of its titles. Both CONTRACTOR and CITY shall comply with the Illinois Human Rights Act and regulations or EEOC statutory provisions and rules and regulations. Any breach of the foregoing laws, regulations and rules by CONTRACTOR shall constitute a breach of this Contract.

10. ASSIGNMENT AND SUBCONTRACTING

The CONTRACTOR may not assign, transfer, convey, sublet, subcontract or otherwise dispose of this Contract, or of his right, title or interest therein, or his power to execute such Contract, to any other person, firm, or corporation without the previous written consent of the CITY.

11. RELATIONSHIP OF CONTRACTOR TO CITY

Subject to the provisions hereof, CONTRACTOR shall have full control of the ways and means of performing the work which is the subject of this Contract. The CONTRACTOR and its employees, representatives or subcontractors are in no sense employees of the CITY, it being specifically agreed that in respect to the CITY, the CONTRACTOR and any party employed by the CONTRACTOR bear the relationship of an independent contractor. Personnel provided by CONTRACTOR shall not be entitled to any benefits paid or payable to an employee, such as, but not limited to, workers' compensation or unemployment compensation coverage, health, life or accident insurance, retirement benefits, social security or income tax withholding.

12. PAYMENT TO CONTRACTOR

A. The CITY shall pay to the CONTRACTOR as follows:

FIRST YEAR:	September 1, 2008 through August 31, 2009
OPERATING COST:	\$1,236,441.65

Net Cost to City of Elmhurst:	\$ 390,615.39
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(Less reduction see 12-C)
(Payable @\$21,483.87 x 12 months = \$257,806.44)

Balance of \$132,808.95 to be paid six (6) months after the end of the first contract year and after an independent audit at Metro's expense.

SECOND YEAR:	September 1, 2009 through August 31, 2010
OPERATING COST:	\$1,298,263.73

Net Cost to City of Elmhurst:	\$ 410,146.16
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(Less reduction see 12-C)
(Payable @\$22,558.06 x 12 months = \$270,696.72)

Balance of \$139,449.44 be paid (6) months after the end of the second contract year and after an independent audit at Metro's expense.

B. For the first year of the contract, the CITY shall pay to the CONTRACTOR the sum of \$390,615.39 (the "subsidy") for services as follows:

1. The initial \$257,806.44 shall be paid in monthly installments of \$21,483.87 commencing September 1, 2008.
2. The remaining \$132,808.95 shall be paid, subject to Section 12.D. hereof, on or before March 1, 2009 provided an audit of CONTRACTOR'S amounts has been completed; or within 30 days after such audit. The audit shall be performed by persons of firms employed or retained by the CITY and the CONTRACTOR shall pay the expense of said audit. In addition, the audit shall report on the status of patient accounts and any overpayments shall be promptly refunded.

C. For the second year of the contract the CITY shall pay to the CONTRACTOR the sum of \$410,146.16 (the "subsidy") for services as follows:

1. The initial \$270,696.72 shall be paid in twelve (12) monthly installments of \$22,558.06 commencing September 1, 2009.
2. The remaining \$139,449.44 shall be paid, subject to Section 12.D. hereof, on or before March 1, 2010 provided an audit of CONTRACTOR'S amounts has been completed; or within 30 days after such audit. The audit shall be performed by persons of firms employed or retained by the CITY and the CONTRACTOR shall pay the expense of said audit. In addition, the audit shall report on the status of patient accounts and any overpayments shall be promptly refunded.
3. The subsidy will increase in the second year of the agreement dependent upon the collections and the increase in the employee salary cost stipulated in Section 14.D. In no event shall the annual subsidy increase beyond \$410,146.16.

D. If the audit for any year for this Contract discloses that the CONTRACTOR has received payments from users which exceed the amounts specified below:

\$845,826.26 for the period 9/1/2008 – 8/31/2009

\$888,117.57 for the period 9/1/2009 – 8/31/2010

all amounts in excess thereof shall be used to reduce the subsidy amount. Notwithstanding any provision hereof to the contrary, this Subsection 12.D shall remain in effect after termination of this Contract pursuant to Section 15.

- E. CONTRACTOR will be entitled to all amounts, if any, paid to it by users of its service billed at the rates set forth in APPENDIX 1A including those amounts, if any, paid to CONTRACTOR pursuant to assignments of benefits made by users.
- F. No charge shall be made to any person or the CITY for false or canceled requests for service. Response charges for service shall apply only when there is a transport by an ambulance other than one provided by Metro Paramedic Services, Inc. ("MPS") and treatment was rendered to the patient by METRO, or ALS call is given by MPS and patient refuses transport.
- G. Collection procedures of CONTRACTOR shall all respects comply with, without limitation, the Illinois Collection Agency Act and rules promulgated pursuant thereto and all other, the provisions of State and Federal Statutes, rules and regulations with respect to credit collection practices, which statutes, rules and regulations are hereby incorporated herein by this reference. Violations of such statutes, rules and and/or regulations shall constitute a breach of this Contract. The CONTRACTOR shall as well be subject to prosecution for violation of such statutes, rules or regulations, where applicable

13. BILLING PROCEDURES

- A. CONTRACTOR shall bill for its services to whom service is rendered in the following manner. CONTRACTOR shall request Elmhurst residents to assign insurance benefits to CONTRACTOR and shall thereafter seek payment from the insurance provider based upon the insurance provider's determination of usual and customary charges for the service rendered. Insurance providers are deemed to be any of the following: Health Plans, Government Plans, Auto Insurance and Workers Compensation. CONTRACTOR shall appeal any insurance provider's usual and customary rate if deemed below industry average for the geographical area. Any such assignment of benefits shall, in all cases, be full and final payment of all charges due CONTRACTOR from the person to whom services was rendered except for the deductible and coinsurance under benefits assigned.
- B. As to uninsured resident charges, the CONTRACTOR may accept, as payment in full, an amount equal to the Medicare Allowable after verification of uninsured status. For Hardship cases, CONTRACTOR is permitted to negotiate lower amounts on a case-by-case basis.
- C. "Elmhurst residents" shall be defined as those persons residing within the corporate limits of Elmhurst and within any fire protection district, which has a contract for service with the CITY of Elmhurst for providing emergency fire, police and/or medical services. Employees of the City of Elmhurst, and their eligible dependents shall not be charged for service.

- D. Elmhurst residents, shall be entitled to the benefits and billing procedures outlined in this Section 13.

14. MISCELLANEOUS PROVISION

- A. All personnel provided by CONTRACTOR shall be and remain at all times properly licensed to operate or drive the mobile intensive care vehicles to be provided under this Contract.
- B. The CONTRACTOR shall be solely responsible for and shall make any and all decisions relating to the medical condition of patients and care or treatment rendered thereto.
- C. This Contract shall be governed by and construed and in accordance with the laws of the State of Illinois without reference to its conflicts of law principles. The Parties agree that venue shall be proper only in the Circuit Court for the Eighteenth Judicial Circuit, DuPage County, Illinois, and such courts to which appeals may be taken from such circuit court.
- D. The CONTRACTOR shall pay a wage which equals an amount not less than seventy-five percent (75%) of that paid to Paramedics employed by Superior Ambulance Inc. subject to the approval of the City of Elmhurst of the additional cost, if any.

15. TERMINATION OF CONTRACT

This Contract shall terminate August 31, 2010 provided that the CITY or CONTRACTOR may terminate this Contract twelve (12) months from the date hereof provided further that sixty (60) days' written notice of such an intent has been served upon the CITY or CONTRACTOR, as the case might be, via certified mail, or via personal service, which notice shall set forth the reason for the termination.

FIRST AMENDMENT TO AMBULANCE SERVICE CONTRACT

This First Amendment to Ambulance Service Contract is entered into effective January 1, 2010 by and between METRO PARAMEDIC SERVICES, INC., an Illinois Corporation (hereinafter "METRO") and the CITY OF ELMHURST, an Illinois municipal corporation (hereinafter "ELMHURST");

WITNESSETH:

WHEREAS, METRO and ELMHURST are parties to a certain Ambulance Service Contract dated September 1, 2008 (the "Contract") whereby METRO contracted to supply paramedic and ambulance billing services to ELMHURST and provide other services and equipment as set forth in the Agreement;

WHEREAS, the parties wish to amend the Contract to reflect that METRO has agreed to accept reduced compensation for the Second Year of the Contract Term, September 1, 2009 through August 31, 2010, and to reflect that the parties wish to extend the Contract Term for an additional three years, or until August 31, 2013, on the terms and conditions contained in the Contract and this First Amendment.

NOW, THEREFORE, in exchange for valuable consideration and mutual covenants herein contained, the parties hereby amend the Contract as follows:

ARTICLE 1:

Article 1 is hereby amended as follows:

Article 1 is amended to reflect that the Contract Term is for five years, commencing September 1, 2008 and extending through August 31, 2013.

ARTICLE 4 Section F. 7. 3)

Article 4 Section F. 7. 3) is amended as follows:

The applicant has been convicted of driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof under Illinois law (625 ILCS 5/11-501 et seq.), as amended from time to time or similar provision of local ordinance or any like offense of another state or county within the past five years.

ARTICLE 12:

Article 12 is hereby amended as follows:

A. The parties agree that the Operating Costs for the Second Year of the Contract term, September 1, 2009 through August 31, 2010, are \$1,090,000.00.

C. (1-3): ELMHURST shall pay METRO a subsidy for the Second Year of the Contract Term, September 1, 2009 through August 31, 2010, in the amount of \$201,882.43. ELMHURST shall pay \$134,588.29 in twelve monthly installments of \$11,215.69 commencing September 1, 2009. The

remaining balance of \$67,294.15 shall be paid, subject to section 12(D) of the Contract, on or before March 1, 2011 provided an audit of METRO's collections has been completed, or within 30 days after such an audit.

(4) ELMHURST shall pay METRO a subsidy for the Third Year of the Contract Term, September 1, 2010 through August 31, 2011, in the amount of \$190,000.00. ELMHURST shall pay \$126,666.00 in twelve monthly installments of \$10,555.50 commencing September 1, 2010. The remaining balance of \$63,334.00 shall be paid, subject to section 12(D) of the Contract, on or before March 1, 2012 provided an audit of METRO's collections has been completed, or within 30 days after such an audit.

(5) ELMHURST shall pay METRO a subsidy for the Fourth Year of the Contract Term, September 1, 2011 through August 31, 2012, in the amount of \$192,011.00. ELMHURST shall pay \$128,007.24 in twelve monthly instalments of \$10,667.27 commencing September 1, 2011. The remaining balance of \$64,007.76 shall be paid, subject to section 12(D) of the Contract, on or before March 1, 2013 provided an audit of METRO's collections has been completed, or within 30 days after such an audit.

(6) ELMHURST shall pay METRO a subsidy for the Fifth Year of the Contract Term, September 1, 2012 through August 31, 2013, in the amount of \$194,388.00. ELMHURST shall pay \$129,591.96 in twelve monthly installments of \$10,799.33, commencing September 1, 2012. The remaining balance of \$64,796.04 shall be paid, subject to section 12(D) of the Contract, on or before March 1, 2013 provided an audit of METRO's collections has been completed, or within 30 days after such an audit.

.D. If the audit for any year for this Contract discloses that the CONTRACTOR has received payments from users which exceed the amounts specified below:

\$845,826.26 for the period 9/1/2008 – 8/31/2009
\$888,117.57 for the period 9/1/2009 – 8/31/2010
\$900,000.00 for the period 9/1/2010 – 8/31/2011
\$910,000.00 for the period 9/1/2011 – 8/31/2012
\$930,000.00 for the period 9/1/2012 – 8/31/2013

all amounts collected in excess of the specified amount for any given year shall be used to reduce the subsidy amount.

All notices to Contractor shall be directed to:

Jay Washburn
Vice President
METRO PARAMEDIC SERVICES, INC.
395 W. Lake Street
Elmhurst, IL 60126
jwashburn@superiorambulance.com

ARTICLE 13

The following sentence is added to Article 13:

The City reserves the right to determine who has a valid contract for services with the City.

ARTICLE 15

The date in Article 15 is amended as follows:

August 31, 2013

ARTICLE 18

The following Article 18 is hereby added to the Agreement:

At the end of the Contract Term, or after August 31, 2013, ELMHURST shall have the following options with regard to the two (2) mobile intensive care units referenced in Article 3(a) of the Agreement:

- a) ELMHURST may purchase one or both of the (2) mobile intensive care units in an AS-IS condition, not including any medical or firefighting equipment provided by METRO and contained in or attached to either, for \$1.00 each; or
- b) ELMHURST may return the mobile intensive care units to METRO's possession, upon which METRO shall pay ELMHURST a fee of \$7500.00 per unit; or
- c) In the event that this Contract is renewed for an additional term after August 31, 2013, or the parties execute a new Ambulance Service Contract under which METRO shall provide services after August 31, 2013, ELMHURST may take a credit of \$7500.00 for each mobile intensive care unit that shall continue to service ELMHURST under such extended or new Agreement. ELMHURST reserves the right to re-negotiate at contract renewal.

IN WITNESS WHEREOF: the parties have executed this Second Amendment to Ambulance Service Contract this _____ day of _____, 2009.

CITY OF ELMHURST

PRINT NAME: _____

Date _____

TITLE: _____

METRO PARAMEDIC SERVICES, INC.

PRINT NAME: _____

Date _____

TITLE: _____

DRAFT

Eren

R- 08 - 2010

**A RESOLUTION APPROVING
PMA FINANCIAL NETWORK, INC. AND
PMA SECURITIES, INC.
FOR INVESTMENT SERVICES
AND
APPROVING A DEPOSIT CLEARING ACCOUNT WITH
HARRIS N.A.
FOR THE CITY OF ELMHURST**

WHEREAS, the City of Elmhurst (hereinafter the "City") is authorized, pursuant to state statute and its own Investment Policy to invest in certain financial instruments; and

WHEREAS, the City Council deems it to be in the best interests of the City to make use of, from time to time, PMA Financial Network, Inc. and PMA Securities, Inc. (hereinafter "PMA") in securing such investments; and

WHEREAS, the City Council deems it to be in the best interests of the City to open a depository account and enter into wire transfer agreements, third party surety agreements, safekeeping agreements, collateral agreements, and lockbox agreements with Harris N.A. and other institutions participating in PMA programs.

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

Section 1: That the Director of Finance or her designee, after consultation with and at the direction of the City Treasurer, shall invest City funds in only those financial instruments authorized by applicable Illinois law including the City's Investment Policy.

Section 2: That the City's current Investment Policy is attached hereto and made a part hereof as Exhibit "A".

Section 3: That City funds may be invested at the discretion of the City Treasurer and Director of Finance or those persons acting on their behalf through the intermediary PMA.

Section 4: That the City is authorized to open a depository account, acquire guarantees for prompt return of invested monies, and enter into wire transfer agreements, safe keeping agreements, and lockbox agreements with PMA, Harris N.A., and any other institutions participating in the PMA Programs as determined by the City Treasurer or Director of Finance.

Section 5: That the City is authorized to open a depository account and enter into wire transfer agreements, third party surety agreements, safekeeping agreements, collateral agreements, and lockbox agreements with Harris N.A. and other institutions participating in PMA programs for the purpose of transaction clearing and safekeeping or the purchase of insured certificates of deposit through PMA's Insured CD Program, and PMA Financial Network, Inc. and/or PMA Securities, Inc. are authorized to act on behalf of the City as its agent with respect to such accounts and agreements.

Section 6: The following individuals or their successors are hereby designated as authorized signatories on any account with PMA and/or Harris N.A. opened pursuant to the authority of this Resolution, to wit:

David Dyer	City Treasurer
Marilyn K. Gaston	Director of Finance
Thomas W. Trosien	Assistant Director of Finance
Margaret J. Oresanin	City Accountant

Section 7: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

ADOPTED this ____ day of _____, 2010.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this ____ day of _____, 2010.

Peter P. DiCianni III, Mayor of the City of
Elmhurst, DuPage and Cook Counties, Illinois

ATTESTED and filed in my office,
this ____ day of _____, 2010.

Patty Spencer, City Clerk of the City
of Elmhurst, DuPage and Cook Counties, Illinois

COUNCIL ACTION SUMMARY

SUBJECT: Resolution – A Resolution Approving PMA Financial Network, Inc. and PMA Securities, Inc. for Investment Services and Approving A Deposit Clearing Account with Harris N.A.

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

The City's current Investment Policy authorizes the Finance Director to accept bids for investment transactions from approved financial institutions and security brokers/dealers. PMA Securities, Inc. and PMA Financial Network, Inc. meet the requirements as set forth in the Investment Policy for intermediaries to purchase securities for the City. In 2002, the City entered into an agreement for such services with PMA Securities, Inc. and PMA Financial Network, Inc, which this Resolution updates and extends. The Council will recall that PMA provided investment services for the investment of the bond proceeds from the sale of the \$21,000,000 Sales Tax Revenue Bonds, Series 1998.

The attached Resolution approves continuing use by the City of PMA Securities, Inc. and PMA Financial Network, Inc. for investment services. The attached Resolution also approves the opening of a deposit clearing account with Harris N.A. The Resolution is presented for City Council consideration.

Exhibit A

CITY OF ELMHURST INVESTMENT POLICY

1.0 Policy

It is the policy of the City of Elmhurst to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds.

2.0 Scope

This investment policy applies to all financial assets of the City. The financial assets of the Police Pension Fund and the Firefighter Pension Fund are subject to the policies of the respective Boards. The following funds are subject to this investment policy and are accounted for in the City's Comprehensive Annual Financial Report:

2.1 **Funds**

- 2.1.1 General Fund
- 2.1.2 Special Revenue Funds
- 2.1.3 Capital Projects Funds
- 2.1.4 Enterprise Funds
- 2.1.5 Debt Service Funds
- 2.1.6 Special Assessment Funds
- 2.1.7 Restricted Funds
- 2.1.8 Any new fund created by the City Council, unless specifically exempted.

3.0 Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

3.1 **Standard**

The standard of prudence to be used by the investment officer shall be the "prudent person" and/or "prudent investor" standard and shall be applied in the context of managing an overall portfolio. The investment officer and staff, acting in accordance with written procedures and the investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4.0 **Objective**

The primary objectives, in priority order, of the City's investment activities shall be:

4.1 **Safety**

Safety of principal is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

A. Credit Risk

Credit risk is the risk of loss due to the failure of the security issuer or backer. Credit risk may be mitigated by:

- Limiting investment to the safest types of securities,
- Pre-qualifying the financial institutions, brokers/dealers, intermediaries and advisors with which the City will do business, and
- Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

B. Interest Rate Risk

Interest rate risk is the risk that the market value of securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
- Investing operating funds primarily in shorter-term securities.

4.2 **Liquidity**

The City's investment portfolio shall remain sufficiently liquid to enable the City of Elmhurst to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands. Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary markets. A portion of the portfolio also may be placed in local government investment pools which offer same day liquidity for short term funds.

4.3 Return on Investments

Return on investment is of tertiary concern when compared to the safety and liquidity objectives described above. The City of Elmhurst's investment portfolio shall be designed with the objective of attaining a benchmark rate of return throughout budgetary economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Investments are limited to very low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:

- A. A security with declining credit may be sold early to minimize loss of principal;
- B. A security swap would improve the quality, yield, or target duration in the portfolio;
or
- C. Liquidity needs of the portfolio require that the security be sold.

5.0 Delegation of Authority

Authority to manage the City's investment program is derived from the City Council. The establishment of investment policies is the responsibility of the City Council. Management and administrative responsibility for the investment program is hereby delegated to the Director of Finance and Administration who, under the direction of the City Manager and the City Treasurer, shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials, and their procedures in the absence of the Director of Finance and Administration.

5.1 Investment Procedures

The Director of Finance and Administration shall establish written investment policy procedures for the operation of the investment program consistent with this investment policy. The procedures should include reference to safekeeping, wire transfer agreements, banking service contracts, collateral/depository agreements and repurchase agreements. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Director. The Director may from time to time amend the written procedures in a manner not inconsistent with this policy or with state statutes.

6.0 Ethics and Conflicts of Interest

Individuals involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or which could impair their ability to make impartial investment decisions. Individuals involved in the investment process shall disclose to the City Manager any material financial interests in financial institutions that conduct business within their jurisdiction. In addition, such individuals shall

disclose any large personal financial/investment positions that could be related to the performance of the City. Individuals involved in the investment process shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

7.0 Authorized Financial Dealers and Institutions

The Director of Finance and Administration will maintain a list of financial institutions authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment services in the State of Illinois. These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (uniform net capital rule). No public deposit shall be made except in a qualified public depository as established by state statutes.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the Director of Finance and Administration with the following:

- audited financial statement;
- proof of National Association of Security Dealers (NASD) certification;
- proof of state registration; and
- certification of having read, understood and agreeing to comply with the City's investment policy.

An annual review of the financial condition and registration of qualified financial institutions and broker/dealers will be conducted by the Director of Finance and Administration. A current audited financial statement must be on file for each financial institution and broker/dealer through which the City invests.

8.0 Authorized and Suitable Investments

The City may invest in any type of security allowed for in Illinois statutes regarding the investment of public funds (see Attachment A). Current approved investments include, in part:

- A. Bonds, notes, certificates of indebtedness, treasury bills or other securities which are guaranteed by the full faith and credit of the United States of America as to principal and interest, or other similar obligation of the United States of America or its agencies.
- B. Interest bearing savings accounts, interest bearing certificates of deposit or interest bearing time deposits or any other investment constituting direct obligations of any bank as defined by the Illinois Banking Act and is insured by the Federal Deposit Insurance Corporation.

- C. Public treasurers' investment pool created under Section 17 of the State Treasurer Act.
- D. Short term obligations of corporations (banker's acceptances and commercial paper) organized in the United States with assets exceeding \$500 million and rated at the time of purchase at the highest classification established by at least two standard rating services. Such investments must mature within 180 days from date of purchase and may not exceed 10% of the corporations' outstanding obligations. No more than a combined 33% of the City's funds may be invested in banker's acceptances and commercial paper at any given time.
- E. Short term discount obligation of the Federal National Mortgage Association (FNMA) or in shares of other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this state or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations of which the shares, or investment certificates of which are insured by the Federal Deposit Insurance Corporation (FDIC).
- F. Interest bearing bonds of any county, township, city, village, incorporated town, municipal corporation, or school district of the State of Illinois.
- G. Repurchase agreements of government securities as specified by state statute.
- H. Investment in derivatives of the above instruments is prohibited unless specifically authorized by City of Elmhurst City Council.

8.1 **Master Repurchase Agreement**

If repurchase agreements are legal or authorized, a Master Repurchase Agreement must be signed with the bank or dealer.

9.0 **Investment Pool/Mutual Funds**

A thorough investigation of an investment pool or mutual fund is required prior to investing, and on a continual basis. The following information shall be provided by the pool/fund prior to investing:

- A description of eligible investment securities, and a written statement of investment policy and objectives.
- A description of interest calculations and how it is distributed, and how gains and losses are treated.
- A description of how the securities are safeguarded (including the settlement processes), and how often the securities are priced and the program audited.
- A description of who may invest in the program, how often, what size deposit and withdrawal are allowed.

- A schedule for receiving statement and portfolio listings.
- Whether reserves, retained earnings, etc. are utilized by the pool/fund.
- A fee schedule and when and how it is assessed.
- Whether the pool/fund is eligible for bond proceeds and/or whether it will accept such proceeds.

10.0 **Collateralization**

It is the policy of the City that the City requires funds on deposit and certificates of deposit in excess of FDIC limits (currently \$100,000) be secured by some form of collateral. The City will accept any of the following assets as collateral:

- Government securities.
- Obligations of federal agencies.
- Obligations of the State of Illinois

The City reserves the right to accept/reject any form of the above named securities.

The amount of collateral provided for funds on deposit will not be less than 110% of the market value of the net amount of public funds secured. The ratio of market value of collateral to the amount of funds secured will be reviewed monthly, and additional collateral will be required when the ratio declines below the level required and collateral will be released if the market value exceeds the required level. Pledged collateral will be held in safekeeping by an independent third party depository or the Federal Reserve Bank of Chicago, designated by the City and evidenced by a safekeeping agreement. A clearly marked evidence of ownership (safekeeping receipt) shall be supplied to the City and retained by the City. Collateral agreements will preclude the release of the pledged assets without an authorized signature from the City.

11.0 **Safekeeping and Custody**

All security transactions entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis. Securities, with the exception of certificates of deposit, will be held by a third party custodian designated by the Director of Finance and Administration and evidenced by safekeeping receipts. Certificates of deposit are permitted to be safekept at the issuing bank provided that certificates of deposit are fully collateralized at not less than 110% of market value and pledges are held at an independent third party institution.

12.0 **Diversification**

The City will diversify its investments by security type (excluding U.S. Treasury Securities) and institution. The City shall not exceed the following diversification limits unless specifically authorized by the City Council:

- Monies deposited at a financial institution shall not exceed 75% of the capital stock and surplus of that institution.

- Commercial paper and bankers' acceptances shall not exceed 33% of the City's investment portfolio.
- Investment in the public treasurer's investment pool shall not exceed 75% of the City's investment portfolio.
- Certificates of deposit with savings and loan associations shall not exceed 5% of the portfolio.
- The combination of certificates of deposit, bankers' acceptances and commercial paper shall not exceed 33% of the investment portfolio with any one financial institution.
- Commercial paper shall not exceed 10% of the investment portfolio with any one corporate entity.
- State and local government securities shall not exceed 25% of the investment portfolio.
- Repurchase agreements shall not exceed 25% of the investment portfolio, and shall not exceed 10% of the portfolio with any one institution.

13.0 Maximum Maturities

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than two years from the date of purchase. Reserve funds may be invested in securities exceeding two years if the maturity of such investments are made to coincide as nearly as practicable with the expected use of the funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the City Council. Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in public treasurer's investment pool money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

14.0 Internal Control

The Director of Finance and Administration is responsible for establishing and maintaining an internal control structure designed to insure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of the control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits require estimates and judgments by management.

Accordingly, the Director of Finance and Administration shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures.

15.0 Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and cash flow needs. Portfolio performance should be compared to appropriate benchmarks on a regular basis.

15.1 Market Yield (Benchmark)

The City's investment strategy is passive. Given this strategy, the basis used by the Director of Finance and Administration to determine whether market yields are being achieved shall be the six-month U.S. Treasury Bill.

16.0 Reporting

The Director of Finance and Administration shall provide investment reports quarterly, including a management summary that provides a clear picture of the status of the current investment portfolio. This management summary will be prepared in a manner which will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report shall be provided to the City Manager. The report may include the following:

- A listing of individual securities held at the end of the reporting period by authorized investment category.
- Average weighted yield to maturity of portfolio on City investments as compared to applicable benchmarks.
- A listing of investments by maturity date, noting average life of investments.
- Percentage of the total portfolio which each institution is holding.
- Percentage of the total portfolio represented by each investment category.
- Principal and type of investment by fund.
- Coupon, discount or earnings rate.
- Par value, amortized book value and market value.

16.1 Marking to Market

The market value of the portfolio shall be calculated quarterly and a statement of the market value of the portfolio shall be issued quarterly. This will ensure that review has been performed on the investment portfolio in terms of value and price volatility. Review should be consistent with the Government Finance Officers Association (GFOA) Recommended Practice on Mark-to-Market Practices for State and Local Government Investment Portfolios and Investment Pools.

17.0 Investment Policy Adoption

The City of Elmhurst's investment policy shall be adopted by resolution of the City Council.

17.1 Exemptions

Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

17.2 Amendments

This policy shall be reviewed on an annual basis by the Director of Finance and Administration. Any modifications made thereto must be approved by the City Council.

18.0 Glossary

See attached.

GLOSSARY

AGENCIES: Federal agency securities and/or Government-sponsored enterprises.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BASIS POINT (BP): A unit of measurement for interest rates or yields that are expressed in percentages. (One hundred basis points equal 1 percent.)

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BOND EQUIVALENT YIELD (BEY): An annual yield, expressed as a percentage, describing the return provided to bond holders. The BEY is a way to compare yields available from discount securities such as Treasury bills and BA(s) with yields available from coupon securities.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a Certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMMERCIAL PAPER (CP): Unsecured, short-term promissory notes issued by corporations for specific amounts and with specific maturity dates.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official annual report for the City of Elmhurst. It includes combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A firm or individual who buys and sells for their own account. Dealers have ownership between a purchase from one party and a sale to another party. Dealers are compensated by the spread between the price they pay and the price they receive.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY VERSUS PAYMENT: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DERIVATIVES: (1) Financial instruments whose return profile is linked to, or derived from, the movement of one or more underlying index or security, and may include a leveraging factor, or (2) financial contracts based upon notional amounts whose value is derived from an underlying index or security (interest rates, foreign exchange rates, equities or commodities).

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$100,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): Government sponsored wholesale banks (currently 12 regional banks), which lend funds and provide correspondent banking services to member commercial banks, thrift institutions, credit unions and insurance companies. The mission of the FHLBs is to liquefy the housing related assets of its members who must purchase stock in their district Bank.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States.

Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA or FmHA mortgages. The term "pass-throughs" is often used to describe Ginnie Maes.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARK TO MARKET: The process of restating the carrying value of an asset or liability to equal its current market value.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase – reverse repurchase agreements that establishes each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PREMIUM: The amount by which the price for a security is greater than its par amount.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state--the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales of compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

REINVESTMENT RISK: The risk that all or part of the principal may be received when interest rates are lower than when the security was originally purchased, so that the principal must be reinvested at a lower rate than the rate originally received by the investor.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The

security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

STRUCTURED NOTES: Notes issued by Government Sponsored Enterprises (FHLB, FNMA, SLMA, etc.) and Corporations, which have imbedded options (e.g., call features, step-up coupons, floating rate coupons, derivative-based returns) into their debt structure. Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the shape of the yield curve.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BONDS: Long-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than 10 years.

TREASURY NOTES: Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price for the security. (b) **NET YIELD** or **YIELD TO MATURITY** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

FINANCE
(30 ILCS 235/) Public Funds Investment Act.

(30 ILCS 235/0.01) (from Ch. 85, par. 900)

Sec. 0.01. Short title. This Act may be cited as the Public Funds Investment Act.

(Source: P.A. 86-1324.)

(30 ILCS 235/1) (from Ch. 85, par. 901)

Sec. 1. The words "public funds", as used in this Act, mean current operating funds, special funds, interest and sinking funds, and funds of any kind or character belonging to or in the custody of any public agency.

The words "public agency", as used in this Act, mean the State of Illinois, the various counties, townships, cities, towns, villages, school districts, educational service regions, special road districts, public water supply districts, fire protection districts, drainage districts, levee districts, sewer districts, housing authorities, the Illinois Bank Examiners' Education Foundation, the Chicago Park District, and all other political corporations or subdivisions of the State of Illinois, now or hereafter created, whether herein specifically mentioned or not. This Act does not apply to the Illinois Prepaid Tuition Trust Fund, private funds collected by the Illinois Conservation Foundation, or pension funds or retirement systems established under the Illinois Pension Code, except as otherwise provided in that Code.

(Source: P.A. 91-669, eff. 1-1-00; 92-797, eff. 8-15-02.)

(30 ILCS 235/2) (from Ch. 85, par. 902)

Sec. 2. Authorized investments.

(a) Any public agency may invest any public funds as follows:

(1) in bonds, notes, certificates of indebtedness, treasury bills or other securities now or hereafter issued, which are guaranteed by the full faith and credit of the United States of America as to principal and interest;

(2) in bonds, notes, debentures, or other similar obligations of the United States of America or its agencies;

(3) in interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act;

(4) in short term obligations of corporations organized in the United States with assets exceeding \$500,000,000 if (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and which mature not later than 180 days from the date of purchase, (ii) such purchases do not exceed 10% of the corporation's outstanding obligations and (iii) no more than one-third of the public agency's funds may be invested in short term obligations of corporations; or

(5) in money market mutual funds registered under the Investment Company Act of 1940, provided that the

portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) of this subsection and to agreements to repurchase such obligations.

(a-1) In addition to any other investments authorized under this Act, a municipality may invest its public funds in interest bearing bonds of any county, township, city, village, incorporated town, municipal corporation, or school district, of the State of Illinois, of any other state, or of any political subdivision or agency of the State of Illinois or of any other state, whether the interest earned thereon is taxable or tax-exempt under federal law. The bonds shall be registered in the name of the municipality or held under a custodial agreement at a bank. The bonds shall be rated at the time of purchase within the 4 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.

(b) Investments may be made only in banks which are insured by the Federal Deposit Insurance Corporation. Any public agency may invest any public funds in short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations the shares, or investment certificates of which are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of such governing authority, the public funds so invested will be required for expenditure by such public agency or its governing authority. The expressed judgment of any such governing authority as to the time when any public funds will be required for expenditure or be redeemable is final and conclusive. Any public agency may invest any public funds in dividend-bearing share accounts, share certificate accounts or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.

(c) For purposes of this Section, the term "agencies of the United States of America" includes: (i) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) and Acts amendatory thereto; (ii) the federal home loan banks and the federal home loan mortgage corporation; and (iii) any other agency created by Act of Congress.

(d) Except for pecuniary interests permitted under subsection (f) of Section 3-14-4 of the Illinois Municipal Code or under Section 3.2 of the Public Officer Prohibited Practices Act, no person acting as treasurer or financial officer or who is employed in any similar capacity by or for a

public agency may do any of the following:

(1) have any interest, directly or indirectly, in any investments in which the agency is authorized to invest.

(2) have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments.

(3) receive, in any manner, compensation of any kind from any investments in which the agency is authorized to invest.

(e) Any public agency may also invest any public funds in a Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. Any public agency may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.

(f) To the extent a public agency has custody of funds not owned by it or another public agency and does not otherwise have authority to invest such funds, the public agency may invest such funds as if they were its own. Such funds must be released to the appropriate person at the earliest reasonable time, but in no case exceeding 31 days, after the private person becomes entitled to the receipt of them. All earnings accruing on any investments or deposits made pursuant to the provisions of this Act shall be credited to the public agency by or for which such investments or deposits were made, except as provided otherwise in Section 4.1 of the State Finance Act or the Local Governmental Tax Collection Act, and except where by specific statutory provisions such earnings are directed to be credited to and paid to a particular fund.

(g) A public agency may purchase or invest in repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986 subject to the provisions of said Act and the regulations issued thereunder. The government securities, unless registered or inscribed in the name of the public agency, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

(h) Except for repurchase agreements of government securities which are subject to the Government Securities Act of 1986, no public agency may purchase or invest in instruments which constitute repurchase agreements, and no financial institution may enter into such an agreement with or on behalf of any public agency unless the instrument and the transaction meet the following requirements:

(1) The securities, unless registered or inscribed in the name of the public agency, are purchased through banks or trust companies authorized to do business in the State of Illinois.

(2) An authorized public officer after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to "purchase" specified securities from a designated institution. The "custodial bank" is the bank or trust company, or agency of government, which acts for the public agency in connection with repurchase agreements involving the investment of funds by the public agency. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements. To the extent the Treasurer acts in this

capacity, he is hereby authorized to pass through to such public agencies any charges assessed by the Federal Reserve Bank.

(3) A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank's computer records through a member bank of the Federal Reserve System. These securities must be credited to the public agency on the records of the custodial bank and the transaction must be confirmed in writing to the public agency by the custodial bank.

(4) Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.

(5) The security interest must be perfected.

(6) The public agency enters into a written master repurchase agreement which outlines the basic responsibilities and liabilities of both buyer and seller.

(7) Agreements shall be for periods of 330 days or less.

(8) The authorized public officer of the public agency informs the custodial bank in writing of the maturity details of the repurchase agreement.

(9) The custodial bank must take delivery of and maintain the securities in its custody for the account of the public agency and confirm the transaction in writing to the public agency. The Custodial Undertaking shall provide that the custodian takes possession of the securities exclusively for the public agency; that the securities are free of any claims against the trading partner; and any claims by the custodian are subordinate to the public agency's claims to rights to those securities.

(10) The obligations purchased by a public agency may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the public agency or officer authorized to make such investments.

(11) The custodial bank shall be liable to the public agency for any monetary loss suffered by the public agency due to the failure of the custodial bank to take and maintain possession of such securities.

(i) Notwithstanding the foregoing restrictions on investment in instruments constituting repurchase agreements the Illinois Housing Development Authority may invest in, and any financial institution with capital of at least \$250,000,000 may act as custodian for, instruments that constitute repurchase agreements, provided that the Illinois Housing Development Authority, in making each such investment, complies with the safety and soundness guidelines for engaging in repurchase transactions applicable to federally insured banks, savings banks, savings and loan associations or other depository institutions as set forth in the Federal Financial Institutions Examination Council Policy Statement Regarding Repurchase Agreements and any regulations issued, or which may be issued by the supervisory federal authority pertaining thereto and any amendments thereto; provided further that the securities shall be either (i) direct general obligations of, or obligations the payment of the principal of and/or interest

on which are unconditionally guaranteed by, the United States of America or (ii) any obligations of any agency, corporation or subsidiary thereof controlled or supervised by and acting as an instrumentality of the United States Government pursuant to authority granted by the Congress of the United States and provided further that the security interest must be perfected by either the Illinois Housing Development Authority, its custodian or its agent receiving possession of the securities either physically or transferred through a nationally recognized book entry system.

(j) In addition to all other investments authorized under this Section, a community college district may invest public funds in any mutual funds that invest primarily in corporate investment grade or global government short term bonds. Purchases of mutual funds that invest primarily in global government short term bonds shall be limited to funds with assets of at least \$100 million and that are rated at the time of purchase as one of the 10 highest classifications established by a recognized rating service. The investments shall be subject to approval by the local community college board of trustees. Each community college board of trustees shall develop a policy regarding the percentage of the college's investment portfolio that can be invested in such funds.

Nothing in this Section shall be construed to authorize an intergovernmental risk management entity to accept the deposit of public funds except for risk management purposes.

(Source: P.A. 93-360, eff. 7-24-03.)

(30 ILCS 235/2.5)

Sec. 2.5. Investment policy.

(a) Investment of public funds by a public agency shall be governed by a written investment policy adopted by the public agency. The level of detail and complexity of the investment policy shall be appropriate to the nature of the funds, the purpose for the funds, and the amount of the public funds within the investment portfolio. The policy shall address safety of principal, liquidity of funds, and return on investment and shall require that the investment portfolio be structured in such manner as to provide sufficient liquidity to pay obligations as they come due. In addition, the investment policy shall include or address the following:

- (1) a listing of authorized investments;
- (2) a rule, such as the "prudent person rule", establishing the standard of care that must be maintained by the persons investing the public funds;
- (3) investment guidelines that are appropriate to the nature of the funds, the purpose for the funds, and the amount of the public funds within the investment portfolio;
- (4) a policy regarding diversification of the investment portfolio that is appropriate to the nature of the funds, the purpose for the funds, and the amount of the public funds within the investment portfolio;
- (5) guidelines regarding collateral requirements, if any, for the deposit of public funds in a financial institution made pursuant to this Act, and, if applicable, guidelines for contractual arrangements for the custody and safekeeping of that collateral;
- (6) a policy regarding the establishment of a system

of internal controls and written operational procedures designed to prevent losses of funds that might arise from fraud, employee error, misrepresentation by third parties, or imprudent actions by employees of the entity;

(7) identification of the chief investment officer who is responsible for establishing the internal controls and written procedures for the operation of the investment program;

(8) performance measures that are appropriate to the nature of the funds, the purpose for the funds, and the amount of the public funds within the investment portfolio;

(9) a policy regarding appropriate periodic review of the investment portfolio, its effectiveness in meeting the public agency's needs for safety, liquidity, rate of return, and diversification, and its general performance;

(10) a policy establishing at least quarterly written reports of investment activities by the public agency's chief financial officer for submission to the governing body and chief executive officer of the public agency. The reports shall include information regarding securities in the portfolio by class or type, book value, income earned, and market value as of the report date;

(11) a policy regarding the selection of investment advisors, money managers, and financial institutions; and

(12) a policy regarding ethics and conflicts of interest.

(b) For purposes of the State or a county, the investment policy shall be adopted by the elected treasurer and presented to the chief executive officer and the governing body. For purposes of any other public agency, the investment policy shall be adopted by the governing body of the public agency.

(c) The investment policy shall be made available to the public at the main administrative office of the public agency.

(d) The written investment policy required under this Section shall be developed and implemented by January 1, 2000. (Source: P.A. 90-688, eff. 7-31-98.)

(30 ILCS 235/2.10)

Sec. 2.10. Unit of local government; deposit at reduced rate of interest. The treasurer of a unit of local government may, in his or her discretion, deposit public moneys of that unit of local government in a financial institution pursuant to an agreement that provides for a reduced rate of interest, provided that the institution agrees to expend an amount of money equal to the amount of the reduction for senior centers. (Source: P.A. 93-246, eff. 7-22-03.)

(30 ILCS 235/3) (from Ch. 85, par. 903)

Sec. 3. If any securities, purchased under authority of Section 2 hereof, are issuable to a designated payee or to the order of a designated payee, then the public agency shall be so designated, and further, if such securities are purchased with money taken from a particular fund of a public agency, the name of such fund shall be added to that of such public agency. If any such securities are registerable, either as to principal or interest, or both, then such securities shall be so registered in the name of the public agency, and in the name of the fund to which they are to be credited.

(Source: Laws 1943, vol. 1, p. 951.)

(30 ILCS 235/4) (from Ch. 85, par. 904)

Sec. 4. All securities purchased under the authority of this Act shall be held for the benefit of the public agency which purchased them, and if purchased with money taken from a particular fund, such securities shall be credited to and deemed to be a part of such fund, and shall be held for the benefit thereof. All securities so purchased shall be deposited and held in a safe place by the person or persons having custody of the fund to which they are credited, and such person or persons are responsible upon his or their official bond or bonds for the safekeeping of all such securities. Any securities purchased by any such public agency under authority of this Act, may be sold at any time, at the then current market price thereof, by the governing authority of such public agency. Except as provided in Section 4.1 of "An Act in relation to State finance", all payments received as principal or interest, or otherwise, derived from any such securities shall be credited to the public agency and to the fund by or for which such securities were purchased.

(Source: P.A. 84-1378.)

(30 ILCS 235/5) (from Ch. 85, par. 905)

Sec. 5. This Act, without reference to any other statute, shall be deemed full and complete authority for the investment of public funds, as hereinabove provided, and shall be construed as an additional and alternative method therefor.

(Source: Laws 1943, vol. 1, p. 951.)

(30 ILCS 235/6) (from Ch. 85, par. 906)

Sec. 6. Report of financial institutions.

(a) No bank shall receive any public funds unless it has furnished the corporate authorities of a public agency submitting a deposit with copies of the last two sworn statements of resources and liabilities which the bank is required to furnish to the Commissioner of Banks and Real Estate or to the Comptroller of the Currency. Each bank designated as a depository for public funds shall, while acting as such depository, furnish the corporate authorities of a public agency with a copy of all statements of resources and liabilities which it is required to furnish to the Commissioner of Banks and Real Estate or to the Comptroller of the Currency; provided, that if such funds or moneys are deposited in a bank, the amount of all such deposits not collateralized or insured by an agency of the federal government shall not exceed 75% of the capital stock and surplus of such bank, and the corporate authorities of a public agency submitting a deposit shall not be discharged from responsibility for any funds or moneys deposited in any bank in excess of such limitation.

(b) No savings bank or savings and loan association shall receive public funds unless it has furnished the corporate authorities of a public agency submitting a deposit with copies of the last 2 sworn statements of resources and liabilities which the savings bank or savings and loan association is required to furnish to the Commissioner of Banks and Real Estate or the Federal Deposit Insurance Corporation. Each savings bank or savings and loan association designated as a depository for public funds shall, while

acting as such depository, furnish the corporate authorities of a public agency with a copy of all statements of resources and liabilities which it is required to furnish to the Commissioner of Banks and Real Estate or the Federal Deposit Insurance Corporation; provided, that if such funds or moneys are deposited in a savings bank or savings and loan association, the amount of all such deposits not collateralized or insured by an agency of the federal government shall not exceed 75% of the net worth of such savings bank or savings and loan association as defined by the Federal Deposit Insurance Corporation, and the corporate authorities of a public agency submitting a deposit shall not be discharged from responsibility for any funds or moneys deposited in any savings bank or savings and loan association in excess of such limitation.

(c) No credit union shall receive public funds unless it has furnished the corporate authorities of a public agency submitting a share deposit with copies of the last two reports of examination prepared by or submitted to the Illinois Department of Financial Institutions or the National Credit Union Administration. Each credit union designated as a depository for public funds shall, while acting as such depository, furnish the corporate authorities of a public agency with a copy of all reports of examination prepared by or furnished to the Illinois Department of Financial Institutions or the National Credit Union Administration; provided that if such funds or moneys are invested in a credit union account, the amount of all such investments not collateralized or insured by an agency of the federal government or other approved share insurer shall not exceed 50% of the unimpaired capital and surplus of such credit union, which shall include shares, reserves and undivided earnings and the corporate authorities of a public agency making an investment shall not be discharged from responsibility for any funds or moneys invested in a credit union in excess of such limitation.

(d) Whenever a public agency deposits any public funds in a financial institution, the public agency may enter into an agreement with the financial institution requiring any funds not insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration or other approved share insurer to be collateralized by any of the following classes of securities, provided there has been no default in the payment of principal or interest thereon:

(1) Bonds, notes, or other securities constituting direct and general obligations of the United States, the bonds, notes, or other securities constituting the direct and general obligation of any agency or instrumentality of the United States, the interest and principal of which is unconditionally guaranteed by the United States, and bonds, notes, or other securities or evidence of indebtedness constituting the obligation of a U.S. agency or instrumentality.

(2) Direct and general obligation bonds of the State of Illinois or of any other state of the United States.

(3) Revenue bonds of this State or any authority, board, commission, or similar agency thereof.

(4) Direct and general obligation bonds of any city, town, county, school district, or other taxing body of any state, the debt service of which is payable from general

ad valorem taxes.

(5) Revenue bonds of any city, town, county, or school district of the State of Illinois.

(6) Obligations issued, assumed, or guaranteed by the International Finance Corporation, the principal of which is not amortized during the life of the obligation, but no such obligation shall be accepted at more than 90% of its market value.

(7) Illinois Affordable Housing Program Trust Fund Bonds or Notes as defined in and issued pursuant to the Illinois Housing Development Act.

(8) In an amount equal to at least market value of that amount of funds deposited exceeding the insurance limitation provided by the Federal Deposit Insurance Corporation or the National Credit Union Administration or other approved share insurer: (i) securities, (ii) mortgages, (iii) letters of credit issued by a Federal Home Loan Bank, or (iv) loans covered by a State Guarantee under the Illinois Farm Development Act, if that guarantee has been assumed by the Illinois Finance Authority under Section 845-75 of the Illinois Finance Authority Act, and loans covered by a State Guarantee under Article 830 of the Illinois Finance Authority Act.

(9) Certificates of deposit or share certificates issued to the depository institution pledging them as security. The public agency may require security in the amount of 125% of the value of the public agency deposit. Such certificate of deposit or share certificate shall:

(i) be fully insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation, or the National Credit Union Share Insurance Fund or issued by a depository institution which is rated within the 3 highest classifications established by at least one of the 2 standard rating services;

(ii) be issued by a financial institution having assets of \$15,000,000 or more; and

(iii) be issued by either a savings and loan association having a capital to asset ratio of at least 2%, by a bank having a capital to asset ratio of at least 6% or by a credit union having a capital to asset ratio of at least 4%.

The depository institution shall effect the assignment of the certificate of deposit or share certificate to the public agency and shall agree that, in the event the issuer of the certificate fails to maintain the capital to asset ratio required by this Section, such certificate of deposit or share certificate shall be replaced by additional suitable security.

(e) The public agency may accept a system established by the State Treasurer to aggregate permissible securities received as collateral from financial institutions in a collateral pool to secure public deposits of the institutions that have pledged securities to the pool.

(f) The public agency may at any time declare any particular security ineligible to qualify as collateral when, in the public agency's judgment, it is deemed desirable to do so.

(g) Notwithstanding any other provision of this Section, as security a public agency may, at its discretion, accept a bond, executed by a company authorized to transact the kinds

of business described in clause (g) of Section 4 of the Illinois Insurance Code, in an amount not less than the amount of the deposits required by this Section to be secured, payable to the public agency for the benefit of the People of the unit of government, in a form that is acceptable to the public agency.

(h) Paragraphs (a), (b), (c), (d), (e), (f), and (g) of this Section do not apply to the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Cooperative Computer Center and public community colleges.
(Source: P.A. 95-331, eff. 8-21-07.)

(30 ILCS 235/6.5)

Sec. 6.5. Federally insured deposits at Illinois financial institutions.

(a) Notwithstanding any other provision of this Act or any other statute, whenever a public agency invests public funds in an interest-bearing savings account, interest-bearing certificate of deposit, or interest-bearing time deposit under Section 2 of this Act, the provisions of Section 6 of this Act and any other statutory requirements pertaining to the eligibility of a bank to receive or hold public deposits or to the pledging of collateral by a bank to secure public deposits do not apply to any bank receiving or holding all or part of the invested public funds if (i) the public agency initiates the investment at or through a bank located in Illinois and (ii) the invested public funds are at all time fully insured by an agency or instrumentality of the federal government.

(b) Nothing in this Section is intended to:

(1) prohibit a public agency from requiring the bank at or through which the investment of public funds is initiated to provide the public agency with the information otherwise required by subsections (a), (b), or (c) of Section 6 of this Act as a condition of investing the public funds at or through that bank; or

(2) permit a bank to receive or hold public deposits if that bank is prohibited from doing so by any rule, sanction, or order issued by a regulatory agency or by a court.

(c) For purposes of this Section, the term "bank" includes any person doing a banking business whether subject to the laws of this or any other jurisdiction.

(Source: P.A. 93-756, eff. 7-16-04.)

(30 ILCS 235/7) (from Ch. 85, par. 907)

Sec. 7. When investing or depositing public funds, each custodian shall, to the extent permitted by this Act and by the lawful and reasonable performance of his custodial duties, invest or deposit such funds with or in minority-owned financial institutions within this State.

(Source: P.A. 84-754.)

(30 ILCS 235/8)

Sec. 8. Consideration of financial institution's commitment to its community.

(a) In addition to any other requirements of this Act, a

public agency is authorized to consider the financial institution's record and current level of financial commitment to its local community when deciding whether to deposit public funds in that financial institution. The public agency may consider factors including, but not necessarily limited to:

(1) for financial institutions subject to the federal Community Reinvestment Act of 1977, the current and historical ratings that the financial institution has received, to the extent that those ratings are publicly available, under the federal Community Reinvestment Act of 1977;

(2) any changes in ownership, management, policies, or practices of the financial institution that may affect the level of the financial institution's commitment to its community;

(3) the financial impact that the withdrawal or denial of deposits of public funds might have on the financial institution;

(4) the financial impact to the public agency as a result of withdrawing public funds or refusing to deposit additional public funds in the financial institution; and

(5) any additional burden on the resources of the public agency that might result from ceasing to maintain deposits of public funds at the financial institution under consideration.

(b) Nothing in this Section shall be construed as authorizing the public agency to conduct an examination or investigation of a financial institution or to receive information that is not publicly available and the disclosure of which is otherwise prohibited by law.

(Source: P.A. 93-251, eff. 7-1-04.)



CITY OF ELMHURST

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

January 26, 2010

To: Mayor DiCianni and Members of the City Council

Re: Municipal Code of Ordinances Chapter 2 Revisions

The Finance, Council Affairs and Administrative Services Committee met several times, most recently January 25, 2010, to review Chapter 2 of the City of Elmhurst Municipal Code of Ordinances (MCO).

The Finance Committee, with the assistance of City Attorney Storino, has reviewed Chapter 2 of the City's MCO. The goal of this review was to recommend amendments to bring the provisions of Chapter 2 in to conformance with Illinois state statute. After discussion and review, several amendments to Chapter 2 are proposed, and are noted on the draft ordinance which is attached.

The Finance Committee is also recommending a new section in Chapter 2 that will allow for rotation of roll call. After review of roll call practices of twenty-one DuPage County municipalities, it was determined that a majority rotate the roll call on a regular basis. The Finance Committee believes that a roll call rotation is fairer than the City's current practice, and recommends that the roll call be rotated on a monthly basis by ward. The aldermen making the motion and second to the motion would remain the first and second vote, with the subsequent vote starting with the ward that was in line for that particular month.

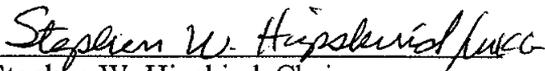
It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare an ordinance adopting the amendments to City of Elmhurst MCO Chapter 2, as detailed on the attached draft ordinance, and adopting the new section regarding rotation of roll call at City Council meetings.

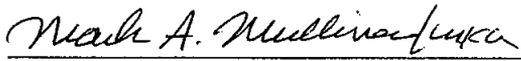
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Elected Officials
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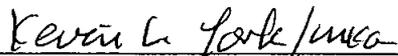
January 20, 2010

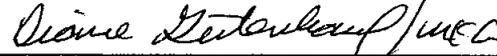
To: Mayor DiCianni and Members of the City Council
Re: Municipal Code of Ordinances Chapter 2 Revisions

Respectfully submitted,
FINANCE, COUNCIL AFFAIRS AND
ADMINISTRATIVE SERVICES
COMMITTEE


Stephen W. Hipskind, Chairman


Mark A. Mulliner


Kevin L. York, Vice Chairman


Diane Gutenkauf

CITY OF ELMHURST

ORDINANCE NO. 2010-

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AN ORDINANCE AMENDING SECTION 2.06 ENTITLED, "COUNCIL RULES OF ORDER" AND SECTION 2.07 ENTITLED, "COUNCIL VOTING; YEAS AND NAYS; MAYOR'S VOTE" OF CHAPTER 2 ENTITLED "CITY COUNCIL" OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST

WHEREAS, the City of Elmhurst (the "City") is a home rule unit of government by virtue of the provisions of Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, the City, as a home rule unit, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the corporate authorities of the City have determined that it is in the best interest of the City to revise the rules and procedures pertaining to meetings of the City Council.

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

Section 1. The foregoing recitals are adopted as the findings of the corporate authorities of the City of Elmhurst and said findings are incorporated herein as if fully restated.

Section 2. That Section 2.06 entitled, "Council Rules of Order" of Chapter 2 entitled, "City Council" of the Municipal Code of the City of Elmhurst, DuPage and Cook Counties, Illinois, as amended, is hereby further amended to read as follows:

2.06 Council rules of order.

(a) Order of Business. The following order of business shall be followed in all meetings of the City Council: At the hour selected for the meeting, the Mayor, if present, or in his absence the Mayor Pro-Tem, shall instruct the Clerk, or someone appointed to fill his place, to proceed to call the roll of members, mark the absentees and announce whether a quorum is present. If a quorum is present, the Council shall be called to order, the Mayor

taking the chair if present, and the Council appointing a Mayor Pro-Tem, if he should be absent. If a quorum does not appear, the Council shall not thereby stand adjourned unless by a vote of the members present. When a quorum is present, the Council shall then proceed to the business before it, which shall be conducted in the following manner:

1. Pledge of Allegiance

2. Roll Call

3. Receipt of Written Communications and Petitions from the Public.

4. Public Forum.

5. Consent Agenda. An item shall be removed from the Consent Agenda on the request of one Alderman. Such item shall then be considered immediately following approval of the Consent Agenda. Yeas and nays shall be taken on approval of Consent Agenda and recorded in the minutes.

6. Minutes of proceedings of the last preceding meeting or meetings; approval of the same as published or as amended, if amendment be made.

7. Accounts Payable. Accounts payable shall be included as part of the consent agenda, the total dollar amount thereof to be listed on same.

8. Special Items of Public Interest or for Public Discussion.

9. Report of Committees:

A. Standing

(1) Majority Report

(2) Minority Report

B. Special

(1) Majority Report

(2) Minority Report

10. Reports and recommendations of elected officials and the City Manager.

11. Ordinances

12. Resolutions

13. Reports of Board and Commissions.

14. Applications and Petitions

15. Announcements

16. Other Business

(b) Priority of Business. All questions relating to the priority of business shall be decided by the chair without debate, subject to appeal to the Council.

(c) Preservation of Order. The presiding officer shall preserve order and decorum and may speak to points of order in preference to other members.

(d) Points of Order. The presiding officer shall decide all questions of order, subject to an appeal to the Council.

(e) Admission Within Bar. During the session of the Council, only city officers shall be admitted within the bar of the Council room, except upon invitation of the chairman.

(f) Addressing Council. No person not a member of the Council shall address the Council without the consent of a majority of the members present, except during the Public Forum section of the City Council agenda, provided that the presiding officer, without consent of the Council, may recognize the City Clerk, City Treasurer, City Attorney and City Manager, and further provided that any member of the Council, upon recognition by the presiding officer, may address and seek comments from the City Clerk,

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Deleted: C. Any ordinance, resolution or other action resulting from the aforesaid committee reports.¶
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Deleted: In case of appeal, no member shall speak more than once without the unanimous consent of the Council.

City Treasurer, City Attorney, City Manager or any other city staff member as required. During Public Forum, any member of the public may address the Council on any subject, provided the person speaking first completes the Public Forum Sign In Sheet provided by the City Clerk and identifies himself or herself, states his or her address and informs the presiding officer of the subject or issue to be addressed. The person wishing to speak may address the City Council after he or she is called upon by the City Clerk. All comments shall be addressed to the presiding officer. The presiding officer may impose reasonable limits on the time to be allowed for Public Forum and for each speaker who takes part therein, giving consideration to the probable number of speakers and lateness of the hour. The presiding officer shall have the power to limit repetitive statements in addition to other powers granted by ordinance.

Deleted: request comments or information from the City Clerk, City Treasurer or City Attorney, provided further that the presiding officer, without consent of the Council, may recognize the City Clerk and City Treasurer when either seeks to speak to an issue or motion then under consideration by the Council, but only if such issue or motion relates, in the case of the City Clerk, to an area or areas of responsibility of the Clerk, or in the case of the Treasurer, to an area or areas of responsibility of the Treasurer.

(g) Clearing Council Room. In case of any disturbance or disorderly conduct, the presiding officer shall have the power to require the Council room to be cleared, if necessary.

(h) Executive Sessions. The Council may at any time, by the affirmative vote of a majority of the members present, resolve itself into executive session, at which session all but members of the Council may be excluded.

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(i) Presentation of Communications, Etc. When an Alderman wishes to present a communication, petition, order, resolution or other original matter, he shall first obtain recognition by the presiding officer, and shall briefly state its nature, before presenting the same. Any report or communication from an Alderman, subject matter of which has not been referred to his committee, shall appear in the Council order of business under subsection (a)(8) hereof.

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(j) Limitations on Debate. No Alderman, without leave of the Council, shall speak more than once upon the same subject, until every member desirous of speaking shall have had an opportunity to speak. No Alderman shall speak longer than five minutes at any one time, except by consent of the Council.

(k) Private Discourse. While an Alderman is speaking, no member shall hold any private discourse.

(l) Leaving Council Room During Session. No Alderman shall be allowed to leave the Council room while in session, unless for an emergency or unless excused by the presiding officer.

(m) Special Order of Business. Any matter before the Council may be set down as a special order of business at a time certain pursuant to Rule (hh) hereof.

(n) Motions. No motion shall be put or debated, unless it is seconded. When a motion is seconded, it shall be stated by the presiding officer before debate, and if required by Council, any such motion shall be reduced to writing by the proposer and the proposer of the motion shall first be entitled to the floor.

(o) Withdrawal of Motion. After a motion or resolution is stated by the presiding officer, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment, by unanimous consent of the Council.

(p) Division of Question. If the question under consideration contains several distinct propositions, any Alderman may have the same divided when the sense admits of it.

(q) Names of Persons Moving and Seconding. In all cases where a resolution or motion is entered on the minutes of the Council, the names of the Aldermen moving and seconding the same shall also be entered on the minutes.

(r) (Repealed)

(s) Motions in Order. When a motion is under debate the only motions in order shall be: (1) to adjourn to a day certain, (2) to adjourn, (3) to lay on the table, (4) the previous question, (5) to refer, (6) to amend or amend the amendment, (7) to substitute, or (8) to postpone indefinitely or to a day certain. Of these motions, those numbered (2), (3) and (4) shall be decided without debate.

(t) Motions to Adjourn. A motion to adjourn the Council shall always be in order except: (1) when an Alderman is in possession of the floor, (2) while the yeas and nays are being called, (3) when the Aldermen are voting, (4) when adjournment was the last preceding motion, and (5) when it has been decided that the previous question shall be taken. An unqualified motion to adjourn cannot be amended, but a motion to adjourn to a time named may be and is open to debate.

(u) Moving the Previous Question. When the previous question is moved and seconded, it shall be put in this form: "Shall the previous question now be put?" If this is carried, all further amendments and all further motions and debate shall be excluded, and the question put, without delay, upon the pending amendments in proper order, and then upon the main question.

(v) Motions to Lay on Table; Motion to Take Matter from Table. An unqualified motion to lay a question on the table is not debatable, but a motion to lay on the table and publish, or with other condition, is subject to amendment and debate. A motion to take a subject matter from the table may be adopted at the same meeting; provided, that a majority of the Aldermen present vote therefor.

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(w) Indefinite Postponement of Motion. When a motion is postponed indefinitely, it shall not be again taken up at the same meeting.

(x) Motion to Refer to Committee. A motion to refer to a standing committee shall take precedence of a similar motion for a special committee.

(y) Motions to Amend. Motions to amend communications or committee report recommendations shall be in order; provided, however, that a motion to amend a committee report to include the signature of a committee member who was absent from the committee meeting regarding which the report was drafted shall not be in order if the motion would change the outcome of the committee report recommendation. A motion to accept a communication or committee report shall include acceptance and authorization to present the appropriate ordinance, resolution and/or motion to act in accordance with any recommendation therein for vote by the Council at the first meeting of the Council after receipt and acceptance of the report.

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Deleted: , except that a motion to amend any recommended action in a communication or committee report shall be in order

Deleted: act in accordance with any recommendation therein, unless the recommended action is amended as aforesaid

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Motions to amend motions to amend shall be in order. However, after any motion to amend shall have been made another motion to amend shall not be in order. After a motion to amend is acted upon, another motion to amend may be proposed.

All amendments shall be submitted to the chair in writing when determined by the chair that the Council and the City Clerk lack an accurate knowledge of the proposed amendment.

(z) Substitute Motions. A substitute of any original proposition in debate may be entertained when further amendment is not admissible. If accepted by the mover and seconder of such original proposition or by the Council by vote, it shall entirely supersede such original proposition and cut off all amendments appertaining to such original proposition.

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A motion to substitute a minority report for a majority report shall be proper and may be passed by a vote of the majority of the Aldermen present.

(aa) Reconsideration. A vote on a question may be reconsidered at any time during the same meeting or not later than during the first regular meeting thereafter. A motion for reconsideration, being once made and decided in the negative, shall not be renewed, nor shall a vote to reconsider be reconsidered.

Deleted: ; provided, however, that a vote on the question of passage over the Mayor's veto may be reconsidered at the meeting at which the return is made by the Mayor or not later than during the first regular meeting thereafter

A motion to reconsider must be made and seconded by Aldermen who voted in the majority.

(bb) Reconsideration; Special Meetings. No vote of the Council shall be reconsidered or rescinded at a special meeting, unless there are present at the special meeting as many Aldermen as were present when the vote was taken.

(cc) Resumption of Business at Regular Meetings. The Council shall at all regular meetings resume business at the same order on which it was engaged immediately preceding the last adjournment, with the exceptions of items numbered (1) through (6) of the order of business set out in subsection (a) of this Section, which items shall be called and disposed of before resuming business herein provided.

(dd) Proposed Ordinances; Reading; Passage. All proposed ordinances or amendments thereto, before being presented to the Council shall be reduced to writing and handed to the Clerk.

The number and title of all proposed ordinances shall be read aloud by the Clerk during the meeting at which that ordinance is presented for passage. Upon request of the Mayor or an Alderman, the entire text of the proposed ordinance shall be read by the Clerk at that meeting. The passage of an ordinance resulting from the recommendation of a committee report shall not be sooner than the first meeting of the Council after receipt and acceptance of the report.

(ee) Reference of Matters to Committees. All ordinances, resolutions, petitions, orders and communications to the Council shall be read aloud except items on the Consent Agenda and shall, unless other action is taken by three-fourths of the Aldermen present, be referred by the Mayor or presiding officer to the appropriate standing committee and shall only be acted upon by the Council at a subsequent regular meeting, on the written report of the committee having the same in charge.

Deleted: If a proposed ordinance is amended during a Council meeting, then that ordinance shall be moved for passage no sooner than the first meeting of the Council after such amendments are passed.¶
A proposed ordinance shall be held for passage until the next meeting of the Council if three Aldermen so request and submit such a request in writing to the City Clerk prior to the first Alderman's response to the roll call on the proposed ordinance. This request by three Aldermen may be made in the committee report proposing said ordinance.¶

(ff) Amendment or Repeal of Rules. The rules set out in this Section may be amended or repealed at any regular or special meeting of the Council; provided, however, that written notice of any such amendment or motion for repeal shall have been presented to the Council at a prior meeting of the Council.

(gg) Robert's Rules of Order. The rules of parliamentary practice comprised in "Robert's Rules of Order Newly Revised, latest edition," shall govern the Council in all cases to which they are applicable, and in which they are not inconsistent with these standing rules.

(hh) Suspension of Rules. The rules set out in this Section may be temporarily suspended in any meeting by a vote of ~~two-thirds~~ of the Aldermen present, except for rules in subsections (b), (aa), (bb) and (ff) of this Section, which may be temporarily suspended upon a unanimous vote of the Aldermen present at any meeting.

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(ii) Reports of Committees. Upon request of any two Aldermen present, any report of a committee of the Council shall be deferred without debate to the next regular meeting of the Council after the report is made. Deferral of any report under this Section shall be made only one time. The City Clerk shall read aloud only the recommendation contained in any committee report presented to the City Council under the order of business of Section 2.06(a) herein, except that upon the request of any two Aldermen present, any report of a committee shall be read in full.

(jj) Minutes. Minutes of the previous meeting of the Council need not be accepted by the Council for the conduct of the Council's business, including the consideration of matters from the previous meeting.

(kk) Conduct of Meetings Via Electronic Means. The City Council may provide for the conduct of its meetings via electronic means, provided no meetings shall be held via such means until the Council shall have first promulgated rules therefor. Such rules, as amended from time to time, shall be approved by motion.

Section 3. That Section 2.07 entitled "Council Voting; Yeas and Nays; Mayor's Vote" of Chapter 2 entitled "City Council" of the Municipal Code of the City of Elmhurst, DuPage and Cook Counties, Illinois, as amended, is hereby further amended to read as follows:

2.07 Council voting; yeas and nays; mayor's vote.

All votes shall be by aye or nay except an Alderman may vote "present" when a conflict of interest or disability exists which makes it improper for the Alderman to vote on the issue in question. The passage of any ordinance for whatever purpose, and of any resolution or motion (1) to create any liability against the City; or (2) for the expenditure or appropriation of its money, shall require the concurrence of a majority of all members elected to the City Council, including the Mayor, unless otherwise expressly provided by state law and except as provided hereinafter in this Section; provided that where the Council consists of an odd number of Aldermen, the vote of the majority of the Aldermen shall be sufficient to pass an ordinance. The passage of an ordinance for the sale of any City property shall require the number of votes as expressly provided by state law. The yeas and nays shall be taken upon the passage of the designated ordinances, resolutions, or motions and recorded in the minutes of the Council. Likewise, the yeas and nays shall be taken upon the question of the passage of any other resolution or motion at the request of any Alderman and shall be recorded in the minutes.

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Deleted: the concurrence of three-fourths of all the corporate authorities of the City

When the yeas and nays are taken as set forth herein, the vote of the Alderman making the motion shall be taken first, followed by the Alderman seconding the motion. Commencing March 1, 2010, after the votes of the moving and seconding Aldermen are taken, the votes of the remaining Aldermen shall be taken in numerical order by ward, beginning with the votes of the Aldermen from the First Ward. Thereafter, each month, the order of the votes taken shall rotate numerically by ward so that the first vote taken shall be from the next consecutive ward after the

first vote taken during the preceding month. For the votes taken from each ward, the Alderman whose term ends sooner shall be called first.The Mayor shall not vote on any ordinance, resolution or motion except: (1) where the vote of the Aldermen has resulted in a tie, or (2) where one-half of the Aldermen elected have voted in favor of an ordinance, resolution or motion even though there is no tie vote, or (3) where a vote greater than a majority of the corporate authorities is required by state law to adopt an ordinance, resolution or motion. In each instance specified, the Mayor shall vote. Nothing in this Section shall deprive an acting Mayor or Mayor pro tem from voting in his capacity as Alderman, but he shall not be entitled to another vote in his capacity as acting Mayor or Mayor pro tem.

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Motions on procedural matters may be passed by a majority of Aldermen present and in the event of a tie, the Mayor may vote. Procedural matters are defined as motions that do not commit the City to a course of action.

No modification shall be made to the appropriation or budgeting system for the City of Elmhurst, unless such modification shall be by ordinance authorized by a vote of at least two-thirds of the members elected to the City Council, including the Mayor.

Section 4. Any ordinance or portion of any ordinance in conflict with the provisions of this Ordinance is repealed solely to the extent of such conflict.

Section 5. This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

APPROVED this ____ day of _____, 2010

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PASSED this ____ day of _____, 2010

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AYES: _____ NAYS: _____

APPROVED:

Peter P. DiCianni III, Mayor

ATTEST:

COUNCIL ACTION SUMMARY

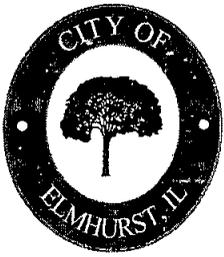
SUBJECT: An Ordinance Amending Section 2.06 Entitled "Council Rules of Order" and Section 2.07 Entitled "Council Voting; Yeas and Nays; Mayor's Vote" of Chapter 2 Entitled "City Council" of the Municipal Code of the City of Elmhurst

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

The Finance, Council Affairs and Administrative Services Committee has undertaken an extensive review of Chapter 2 of the Elmhurst Municipal Code. After its review, the committee has recommended various amendments to Chapter 2 of the Elmhurst Municipal Code to ensure that the provisions of Chapter 2 conform with current Illinois state statutes. Also, the committee has suggested that additional language be added to Chapter 2 to allow for the rotation of the order that votes are taken during roll call. After review of the roll call practices of twenty-one DuPage County municipalities, it was determined that a majority of those municipalities rotate the roll call on a regular basis. The committee has suggested that the order of votes taken during roll call be rotated on a monthly basis by ward. The language included in the draft ordinance states that the vote of the Alderman making the motion will be taken first, followed by the vote of the Alderman seconding the motion. After the votes of the moving and seconding Aldermen are taken, the votes of the remaining Aldermen will be taken in numerical order by ward. Each month, the order of the votes taken will rotate so that the first vote taken will be from the next consecutive ward after the first vote taken during the preceding month. For votes taken from each ward, the Alderman whose term ends sooner shall be called first.

A draft of the ordinance adopting the suggested amendments to Chapter 2 of the Elmhurst Municipal Code is included for the City Council's consideration.



CITY OF ELMHURST

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(630) 530-3000
www.elmhurst.org

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

January 26, 2010

To: Mayor DiCianni and Members of the City Council

Re: Property Tax Rebate Program

The Finance, Council Affairs and Administrative Services Committee met several times, most recently January 25, 2010, to review a property tax rebate program for qualified residents of the City of Elmhurst.

The City of Elmhurst currently has two rebate programs for residents. One program provides a rebate for electric, gas and telecommunications utility taxes, and the other program provides a rebate for vehicle license fees, limited to two licenses per household. The rebate programs allow a 50% rebate of utility taxes and vehicle license fees for a calendar year, and the programs are available to persons whose annual household income is equal to or less than the very low income limits as defined by the U.S. Department of Housing and Urban Development (see attached). Residents must provide proof of household income and proof of payment of utility taxes and/or vehicle license fees. Approximately twenty rebates are processed annually.

Alderman Rose requested that the Finance Committee consider a similar rebate program for the City portion of a resident's property tax. The request is a response to the continuing negative economic conditions, and to the property tax increase that was implemented for the 2009 property tax year. The Finance Committee considered many questions including what the rebate should be based on; what components of the tax bill would be eligible for rebate; should there be a dollar limit for the City or per household; should the program have a sunset clause; what income limits should be used; what documentation should be required to process the rebate; what is an estimate of the cost of the program. The Finance Committee also noted that there is a Senior Citizens' Assessment Freeze Homestead Exemption program administered by DuPage County. To qualify, a resident must be 65 years old or older with a household income of \$55,000 or less. There are approximately 900 seniors in Elmhurst that qualify for this program.

Copies To All
Elected Officials

1-28-10

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January 26, 2010

To: Mayor DiCianni and Members of the City Council

Re: Property Tax Rebate Program

After discussion, the Finance Committee concurred that a Property Tax Rebate Program is appropriate given current economic conditions, and the Finance Committee recommends the following Property Tax Rebate Program Policy:

- The rebate will be 100% of the increase in the City portion of the 2009 (or current year) property tax bill compared to the City portion of the 2008 (or prior year) property tax bill, for the identical property.
- The components of the City's portion of the tax bill will be the Pension Fund line (which includes the Police Pension, Firefighters Pension and IMRF) and the City of Elmhurst line (which includes part of the cost of Fire Protection, Ambulance, and Debt Service).
- The Property Tax Rebate Program will be available to persons whose annual household income for the applicable tax levy year is equal to or less than the very low income limits for that year as defined by the U.S. Department of Housing and Urban Development. This income limit is identical to the limits used in the utility tax and vehicle license fee rebate programs. There is no age restriction.
- The Property Tax Rebate Program will be limited to owner-occupied single-family and multi-family (i.e. condominiums) dwellings.
- The City will budget \$10,000 in Fiscal 2010-2011 for this rebate program. Assuming a property tax increase of \$255 for the average \$403,933 market value home, the budget will allow for approximately 39 rebates. Staff will inform the City Council of the status of the program and request more funds if necessary to meet demand.
- The Property Tax Rebate Program will be reviewed annually to determine the need for the program and, if needed, the dollars that will be budgeted for the program. In no event will the program continue beyond tax levy year 2012 without specific City Council action.
- A short application form will be required along with the following documentation:
 - o Proof of household income, i.e. income tax return, for the applicable tax levy year. This will include proof of income for all members of the household.
 - o Proof of payment of the property tax bill for the residential property for the current year and for the prior year.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the Property Tax Rebate Program Policy as outlined above. The Finance Committee also recommends that the City Council direct the City Attorney to prepare the appropriate ordinance.

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January 26, 2010

To: Mayor DiCianni and Members of the City Council

Re: Property Tax Rebate Program

Respectfully submitted,
FINANCE, COUNCIL AFFAIRS AND
ADMINISTRATIVE SERVICES
COMMITTEE

Stephen W. Hipskind /msc
Stephen W. Hipskind, Chairman

Mark A. Mulliner /msc
Mark A. Mulliner

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

Diane Gutenkauf /msc
Diane Gutenkauf

PropertyTaxRebateReport

STATE: ILLINOIS

-----I N C O M E L I M I T S-----

PROGRAM		1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Bloomington-Normal, IL MSA									
FY 2009 MFI: 75500	30% OF MEDIAN	15850	18100	20400	22650	24450	26250	28100	29900
	VERY LOW INCOME	26450	30200	34000	37750	40750	43800	46800	49850
	LOW-INCOME	42300	48300	54350	60400	65250	70050	74900	79750
Champaign-Urbana, IL MSA									
FY 2009 MFI: 65200	30% OF MEDIAN	13700	15650	17600	19550	21100	22700	24250	25800
	VERY LOW INCOME	22800	26100	29350	32600	35200	37800	40400	43050
	LOW-INCOME	36500	41700	46950	52150	56300	60500	64650	68850
Chicago-Naperville-Joliet, IL-IN-WI MSA									
* Chicago-Naperville-Joliet, IL HMFA									
FY 2009 MFI: 74900	30% OF MEDIAN	15850	18100	20350	22600	24450	26250	28050	29850
	VERY LOW INCOME	26400	30150	33950	37700	40700	43750	46750	49750
	LOW-INCOME	42200	48250	54250	60300	65100	69950	74750	79600
DeKalb County, IL HMFA									
FY 2009 MFI: 74200	30% OF MEDIAN	15600	17800	20050	22250	24050	25800	27600	29350
	VERY LOW INCOME	25950	29700	33400	37100	40050	43050	46000	48950
	LOW-INCOME	41550	47500	53400	59350	64100	68850	73600	78350
Grundy County, IL HMFA									
FY 2009 MFI: 76300	30% OF MEDIAN	16050	18300	20600	22900	24750	26550	28400	30250
	VERY LOW INCOME	26700	30500	34350	38150	41200	44250	47300	50350
	LOW-INCOME	42750	48850	54950	61050	65950	70800	75700	80600
Kendall County, IL HMFA									
FY 2009 MFI: 86500	30% OF MEDIAN	18150	20750	23350	25950	28050	30100	32200	34250
	VERY LOW INCOME	30300	34600	38950	43250	46700	50150	53650	57100
	LOW-INCOME	44800	51200	57600	64000	69100	74250	79350	84500
Danville, IL MSA									
FY 2009 MFI: 50300	30% OF MEDIAN	11400	13050	14650	16300	17600	18900	20200	21500
	VERY LOW INCOME	19000	21700	24450	27150	29300	31500	33650	35850
	LOW-INCOME	30400	34750	39100	43450	46950	50400	53900	57350
Davenport-Moline-Rock Island, IA-IL MSA									
FY 2009 MFI: 61600	30% OF MEDIAN	12950	14800	16650	18500	20000	21450	22950	24400
	VERY LOW INCOME	21550	24650	27700	30800	33250	35750	38200	40650
	LOW-INCOME	34500	39450	44350	49300	53250	57200	61150	65100
Decatur, IL MSA									
FY 2009 MFI: 59300	30% OF MEDIAN	12450	14250	16000	17800	19200	20650	22050	23500
	VERY LOW INCOME	20750	23700	26700	29650	32000	34400	36750	39150
	LOW-INCOME	33200	37950	42700	47450	51250	55050	58850	62650
Kankakee-Bradley, IL MSA									
FY 2009 MFI: 61700	30% OF MEDIAN	12950	14800	16650	18500	20000	21450	22950	24400
	VERY LOW INCOME	21600	24700	27750	30850	33300	35800	38250	40700
	LOW-INCOME	34550	39500	44400	49350	53300	57250	61200	65150