

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, FEBRUARY 1, 2010
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 7:00 P.M. – COLLECTIVE BARGAINING

1. Executive session was called to order at 7:05 p.m. by Mayor DiCianni for the purpose of discussing Collective Bargaining.

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

Absent: Stephen Hipskind (arrived at 7:19 p.m.), Chris Nybo (arrived at 7:27 p.m.), Jim Kennedy

Also in attendance: City Attorney Storino, City Manager Borchert, Fire Chief/Acting City Manager Kopp, Finance Director Gaston, Attorney Durkin

Alderman Morley moved to convene into executive session for the purpose of discussing Collective Bargaining. Alderman Gutenkauf seconded. Roll call vote:

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

Nays: None

11 ayes, 0 nays, 3 absent
Motion duly carried

Alderman Morley moved to adjourn executive session. Alderman Wagner seconded. Voice vote. Motion carried. Executive session adjourned at 7:35 p.m.

INVOCATION – FR. TONY TASCHETTA, PASTOR, MARY QUEEN OF HEAVEN PARISH

2. The Invocation was presented by Mary Queen of Heaven Pastor, Fr. Tony Taschetta. Mayor DiCianni thanked Fr. Taschetta for participating tonight.

PLEDGE OF ALLEGIANCE

3. The City Council recited the Pledge of Allegiance.

CALL TO ORDER/ ROLL CALL

Attendance: 18

4. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:49 p.m.

Present: Diane Gutenkauf, Paula Pezza, Pat Shea, Norman Leader, Stephen Hipskind, Kevin L. York, Chris Nybo (left at 8:25 p.m.), Chris Healy, Steve Morley, Patrick Wagner

Absent: Susan J. Rose (arrived at 7:52 p.m.), Michael J. Bram (arrived at 7:51 p.m.), Jim Kennedy, Mark A. Mulliner (arrived at 7:54 p.m.)

Also in Attendance: City Treasurer Dyer, City Attorney Storino, City Manager Borchert, Fire Chief/Acting Assistant City Manager Kopp, Police Chief Neubauer, WWTP Director Streicher

PROCLAMATION – SCOUTING ANNIVERSARY WEEK

5. Mayor DiCianni asked Scout Jonathan May from Troop 117 and his mother to join him at the podium to accept a proclamation from the City proclaiming February 7-13, 2010 as Scouting Anniversary Week in the City of Elmhurst.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

6. None.

PUBLIC FORUM

7. Laura Kratz
292 Forest Ave.

Elmhurst, IL 60126

Spoke against beginning Council meetings with a prayer.

Darlene Heslop
200 Michigan St. #227
Elmhurst, IL 60126

Spoke regarding Mayor DiCianni stating she felt the Mayor is not “getting it” in terms of the City’s financial situation, Motor Fuel Taxes and starting meetings with a prayer.

Lena Benson
391 River Glen
Elmhurst, IL 60126

Spoke against beginning Council meetings with a prayer.

Mark Heisler
135 S. York #518
Elmhurst, IL 60126

Spoke against beginning Council meetings with a prayer.

Todd Benson
391 River Glen
Elmhurst, IL 60126

Spoke against beginning Council meetings with a prayer.

Jeff Redick
851 Princeton Ct.
Elmhurst, IL 60126

Spoke in favor of beginning Council meetings with a prayer.

CONSENT AGENDA

8. The following items on the Consent Agenda were presented:
 - 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

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>
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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
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,
/s/ Patty Spencer
City Clerk

- 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

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,
/s/ Thomas P. Borchert
City Manager

- f. REPORT – FIRST STREET PARKING DECK BIDS FOR PLUMBING The following report of the Public Works and Buildings Committee was presented for passage:

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 Building Committee

/s/ Jim Kennedy

Chairman

/s/ Michael J. Bram

Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- g. REPORT – ILLINOIS PRAIRIE PATH AT YORK STREET PEDESTRIAN/BICYCLE CROSSING REVIEW The following report of the Public Affairs and Safety Committee was presented for passage:

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

/s/ Patrick Wagner

Chairman

/s/ Chris Nybo

Vice-Chairman

/s/ Paula Pezza

- h. REPORT – BID, ONE (1) TOYOTA SIENNA – LE The following report of the Public Affairs and Safety Committee was presented for passage:

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

- i. REPORT – AUDITOR’S FISCAL 2009 MANAGEMENT LETTER The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

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.

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

- j. REPORT – STATUS REPORT OF PENDING ITEMS The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

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.

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

- 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

Ordinance O-02-2010 was presented for passage.

- l. O-03-2010 – AN ORDINANCE AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY OF THE CITY OF ELMHURST

Ordinance O-03-2010 was presented for passage.

- 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

Ordinance MCO-01-2010 was presented for passage.

- 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

Ordinance MCO-02-2010 was presented for passage.

- 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

Ordinance MCO-03-2010 was presented for passage.

- 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

Ordinance MCO-04-2010 was presented for passage.

- 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

Ordinance MCO-05-2010 was presented for passage.

- 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

Ordinance MCO-06-2010 was presented for passage.

- 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)

Ordinance ZO-01-2010 was presented for passage.

- t. R-02-2010 – A RESOLUTION TO IDENTIFY LEGAL SIGNATORIES AND DEPOSITORIES FOR THE CITY OF ELMHURST

Resolution R-02-2010 was presented for passage.

- u. R-03-2010 – A RESOLUTION TO APPROVE AND AUTHORIZE THE CITY OF ELMHURST USE OF INVESTMENT SERVICES INSTITUTIONS AND AUTHORIZED SIGNATORIES

Resolution R-03-2010 was presented for passage.

- 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

Resolution R-04-2010 was presented for passage.

- 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

Resolution R-05-2010 was presented for passage.

- x. R-06-2010 – A RESOLUTION RELATING TO PARTICIPATION BY ELECTED OFFICIALS IN THE MUNICIPAL RETIREMENT FUND

Resolution R-06-2010 was presented for passage.

- y. R-07-2010 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT EXTENSION BETWEEN METRO PARAMEDIC SERVICES, INC. AND THE CITY OF ELMHURST, ILLINOIS

Resolution R-07-2010 was presented for passage.

- 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

Resolution R-08-2010 was presented for passage.

Alderman Mulliner pulled item **8e. Change in Regular Council Agenda to Include Public Prayer – Aldermen Rose, Mulliner, Bram, Leader, Gutenkauf, Shea & Pezza** from the Consent Agenda. Alderman Bram pulled item **8h. Report – Bid, One (1) Toyota Sienna – LE**. Alderman Gutenkauf pulled item **8y. R-07-2010 – A Resolution Authorizing the Execution of a Contract Extension Between Metro Paramedic Services, Inc. and the City of Elmhurst, Illinois**.

Alderman Morley moved to approve the contents of the Consent Agenda less items **8e. Change in Regular Council Agenda to Include Public Prayer – Aldermen Rose, Mulliner, Bram, Leader, Gutenkauf, Shea & Pezza, 8h. Report – Bid, One (1) Toyota Sienna – LE** and **8y. R-07-2010 – A Resolution Authorizing the Execution of a Contract Extension Between Metro Paramedic Services, Inc. and the City of Elmhurst, Illinois**. Alderman Pezza seconded. Roll call vote:

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

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

Alderman Mulliner moved to make a comment on item **8e. Change in Regular Council Agenda to Include Public Prayer – Aldermen Rose, Mulliner, Bram, Leader, Gutenkauf, Shea & Pezza**. Alderman Gutenkauf seconded.

Alderman Nybo, point of order, is a motion required for a referral.

City Attorney Storino replied yes.

Alderman Mulliner stated he pulled item **8e. Change in Regular Council Agenda to Include Public Prayer – Aldermen Rose, Mulliner, Bram, Leader, Gutenkauf, Shea & Pezza** to make sure this item will be discussed in committee and not thrown down the Council's throat.

Voice vote to approve item **8e. Change in Regular Council Agenda to Include Public Prayer – Aldermen Rose, Mulliner, Bram, Leader, Gutenkauf, Shea & Pezza**, motion carried.

Alderman Bram moved to approve item **8h. Report – Bid, One (1) Toyota Sienna – LE**. Alderman Nybo seconded.

Alderman Bram stated he pulled item **8h. Report – Bid, One (1) Toyota Sienna – LE** for assurance that the committee and/or City staff is aware of all the Toyota recalls and for confirmation that this model was okay.

Mayor DiCianni stated the only cars on the recall lists were Prius, Corolla and Camry.

Alderman Wagner stated the committee did take a look at the recall list.

Roll call vote on item **8h. Report – Bid, One (1) Toyota Sienna – LE**:

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

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

Alderman Pezza moved to approve item **8y. R-07-2010 – A Resolution Authorizing the Execution of a Contract Extension Between Metro Paramedic Services, Inc. and the City of Elmhurst, Illinois**. Alderman Morley seconded.

Alderman Gutenkauf stated she pulled item **8y. R-07-2010 – A Resolution Authorizing the Execution of a Contract Extension Between Metro Paramedic Services, Inc. and the City of Elmhurst, Illinois** to recognize the hard work Alderman Pezza did along with Chief Kopp to negotiate this contract. Her hard work saved the City money and provides the City the opportunity to purchase the two (2) vehicles currently leased, at the end of the contract. Alderman Gutenkauf thanked PA&S Committee Chairman Wagner and his committee for their hard work.

Roll call vote on item **8y. R-07-2010 – A Resolution Authorizing the Execution of a Contract Extension Between Metro Paramedic Services, Inc. and the City of Elmhurst, Illinois**:

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

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

COMMITTEE REPORTS

9. a. REPORT – MUNICIPAL CODE OF ORDINANCES CHAPTER 2 REVISIONS The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

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.

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

Alderman Hipskind moved to approve item **9a. Report – Municipal Code of Ordinances Chapter 2 Revisions**. Alderman York seconded.

Alderman Gutenkauf moved to amend item **9a. Report – Municipal Code of Ordinances Chapter 2 Revisions** to include the referral on prayer prior to meetings by sending the report back to the F,CA&AS committee for further review. Alderman Mulliner seconded.

City Attorney Storino stated no vote is needed as two (2) members of the Finance, Council Affairs and Administrative Services Committee agree that item **9a. Report – Municipal Code of Ordinances Chapter 2 Revisions** should go back to committee.

Item **9a. Report – Municipal Code of Ordinances Chapter 2 Revisions** was sent back to the F,CA&AS Committee.

- b. REPORT – PROPERTY TAX REBATE PROGRAM The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

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.

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.

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

Alderman Hipskind moved to approve item **9b. Report – Property Tax Rebate Program.**

Alderman Rose seconded.

Alderman Rose thanked the F,CA&AS Committee stating she is pleased to see this report come before the City Council. She stated Elmhurst is the first community in DuPage County to take action to help the poorest of the community and she is very proud of that. Alderman Rose urged fellow Council members to support this report.

Alderman Hipskind stated this idea originated with Alderman Rose and he thanked her for the idea stating the F,CA&AS Committee is proud to put this report before Council tonight. He too urged Council to support item **9b. Report – Property Tax Rebate Program.**

Alderman Nybo commended Alderman Rose and the F,CA&AS Committee for a fine job.

Alderman Bram asked, regarding the implementation of the program how will it be handled if there are more applicants than allotted for one year.

Discussion ensued regarding the budgeting of the program and full disclosure by the applicants.

Alderman Pezza stated additional clarification is needed to distinguish between property owners and renters as renters would not qualify for the program.

Roll call vote on item **9b. Report – Property Tax Rebate Program:**

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

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

10. a. UPDATES (Mayor DiCianni)

Mayor DiCianni stated the issue of prayer during the open meeting will go to the Finance, Council Affairs and Administrative Services Committee for review and recommendation.

Mayor DiCianni announced that for 2010 Relay for Life will take place at Berens Park. The Kick Off meeting for the Relay will take place at Fitz's lanes on Thursday, February 4, 2010 at 6:00 p.m.

The Mayor announced tomorrow, Tuesday February 2, 2010 is Election Day. The Mayor urged everyone to get out and vote.

Alderman York announced the annual financial report is available in PDF format on the City's website. Alderman York thanked the City's Finance Department staff for the award winning work that they do.

Alderman Bram wanted to explain why he missed the roll call portion of tonight's meeting, stating he felt the opening invocation was a violation of the City code. Alderman Bram stated this subject has been referred to the Finance, Council Affairs and Administrative Services Committee and no action should have taken place until the committee and full Council complete their discussions.

b. REPORT – DUPAGE RIVER/SALT CREEK WORK GROUP UPDATE (City Manager Borchert & WWTP Director Streicher)

City Manager Borchert announced the appointment of Mayor DiCianni as our Municipal representative to the Stormwater Management Planning Committee.

City Manager Borchert announced that PACE Bus Routes 643 and 645 serving northwest Elmhurst and the Industrial park will be discontinued effective February 7, 2010.

City Manager Borchert introduced Water/Wastewater Director Streicher and explained his leadership role with the DuPage River/Salt Creek Work Group (DRSCW).

Director Streicher thanked the Council for the opportunity to update Council on the DRSCW. He presented a PowerPoint presentation reviewing the following: Funding Structure, Work Group Projects, Activities, Monitoring Program, Bio-Assessment, Upcoming Regulations and Future Efforts.

Director Streicher took questions and comments from the Council.

OTHER BUSINESS

11. Alderman Shea stated she has heard that the new parking payment machines have long lines and take money.

City Manager Borchert stated there is a learning curve but the lines are moving faster and there are enough devices operating to be effective.

Discussion ensued regarding the new pay boxes and evaluating their cost vs. benefit to the City.

Alderman Pezza stated there is an online tutorial on how to use the new pay boxes on the City website.

ANNOUNCEMENTS

12. Alderman Gutenkauf announced that the next Coffee & Conversation will actually be a Tea & Conversation and take place at Serene Teaz, 108 W. Park Ave., on Thursday, February 25, 2010 between the hours of 6:30-8:00 p.m.

ADJOURNMENT

13. Alderman York moved to adjourn the meeting. Aldermen Hipskind seconded. Voice Vote. Motion carried. Meeting adjourned 9:20 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk