

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, APRIL 19, 2010
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

CALL TO ORDER/ PLEDGE OF ALLEGIANCE (IMMANUEL LUTHERAN 3RD GRADE CLASS)

1. Students from Immanuel Lutheran's 3rd Grade Class, were present to gavel the April 19, 2010 City Council meeting to order and to lead the City Council in the Pledge of Allegiance. Those in attendance were: Alex Ford, Sydney Green, Scarlett Hoffer, Jacob Renn, Pete Sykora, Jared Kinney and Jack Ranieri.

ROLL CALL

Attendance: 55

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:37 p.m.

Present: Diane Gutenkauf, Paula Pezza, 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: Pat Shea, Chris Nybo

Also in Attendance: City Treasurer Dyer, City Attorney Storino, City Manager Borchert, Fire Chief/Assistant City Manager Kopp, Finance Director Gaston, Police Chief Neubauer, Deputy Police Chief Panico, Museum Director Bergheger

PUBLIC HEARING – PROPOSED ANNEXATION AGREEMENT BETWEEN THE CITY OF ELMHURST AND ELMHURST MEMORIAL HEALTHCARE, LILIAN G. CORAN AND SHIRLEY J. BUBLITZ

3. Alderman Hipskind moved to open the Public Hearing regarding the Proposed Annexation Agreement Between the City of Elmhurst and Elmhurst Memorial Healthcare, Lilian G. Coran and Shirley Bublitz. Alderman Mulliner seconded. Voice vote, motion carried.

Mayor DiCianni opened the public hearing at 7:44 p.m. Mayor DiCianni asked for anyone interested in speaking concerning the Proposed Annexation Agreement Between the City of Elmhurst and Elmhurst Memorial Healthcare, Lilian G. Coran and Shirley Bublitz to please address the Council.

The following persons spoke:

Ann Swies
0S528 Kendall
Elmhurst, IL 60126

Spoke on behalf of the residents of west Yorkfield stating their concerns regarding the traffic on Harvard Avenue. She asked the Hospital to honor their agreement to limit traffic and provide safety.

Daniel Cusack
0S579 Kirk
Elmhurst, IL 60126

Spoke regarding the traffic on Harvard Avenue. He stated the residents in unincorporated Elmhurst are being picked on and the City is in violation of its own zoning laws. He stated he has signed petitions from residents requesting the restriction of traffic in their neighborhood.

Doug Slinkman
0S567 Kirk
Elmhurst, IL 60126

Spoke regarding the quality of life for west Yorkfield residents since the new hospital has been built. He stated trees have been removed and more lighting shines onto the streets. He asked Council to do something about it.

Scott Day, Attorney
Elmhurst Memorial Healthcare

Spoke regarding Phase I of the new hospital development. He stated the process has been open and transparent. He stated all information is in writing and part of a record which can be obtained through FOIA. He stated the neighbors in the west Yorkfield area have a misunderstanding of the process. There are statements and documentation that proves they have not been lied to. He stated he stands by the accuracy of the records.

Alderman Gutenkauf, point of order, Mayor DiCianni did not ask if there were any written communications to be submitted as part of the Public Hearing.

Mayor DiCianni asked Mr. Cusack to give the signed petition sheets to Clerk Spencer.

Alderman Bram moved to adjourn the Public Hearing. Alderman Healy seconded. Voice vote, motion carried. The Public Hearing adjourned at 8:04 p.m.

PRESENTATION & RECOGNITION – SUPPORT OF THE TURKEY TROT (DAN GIBBONS)

4. Mayor DiCianni asked Dan Gibbons, organizer of the Elmhurst Turkey Trot, to join him at the podium. Mr. Gibbons presented Mayor DiCianni with a plaque recognizing the City's 26 years of support and partnership for the Turkey Trot, a Thanksgiving Day event to raise money for the hungry and needy.

RECGONITION – ELMHURST ROTARY STUDY GROUP EXCHANGE PROGRAM

5. Mayor DiCianni recognized five (5) people visiting from Mexico representing the Rotary of Elmhurst Study Group Exchange Program. Rotarian Jonathan Hand joined Mayor DiCianni at the podium to give the history of the program and introduce the following visitors: Maria del Rosario, Francisco Ruiz Barbosa, Jacob Morales Gonzalez, Myriam Zulema del Toro Mejia and Liliana Elizabeth Perez Romero.

Mayor DiCianni welcomed the visitors to Elmhurst and invited them to stay for the City Council meeting.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

6. None.

PUBLIC FORUM

7. Leo Fronza
401 S. Hill
Elmhurst, IL 60126

Thanked the City Council for their continued support. He stated the City and hospital have a long history. He spoke of the construction of the new hospital as a once in a lifetime project becoming a reality. He stated the hospital will provide great exceptional service for the betterment of our community.

Tom Brown
465 S. Stratford
Elmhurst, IL 60126

Stated he is the Chief of Neurosurgery and a Trustee of Elmhurst Memorial Hospital. He spoke of the positive effect the hospital has on the Elmhurst community stating the new hospital is a jewel in the crown of the City. He thanked the City Council and asked for approval of the annexation.

Daniel Cusack
0S579 Kirk
Elmhurst, IL 60126

Spoke in rebuttal to the comments made regarding construction of the new hospital stating there is a right way and a wrong way to do things and the hospital has not kept their word.

Claude Pagacz
566 W. Gladys Ave.
Elmhurst, IL 60126

Spoke regarding the lack of trust people have for elected officials.

CONSENT AGENDA

8. The following items on the Consent Agenda were presented:
 - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, APRIL 5, 2010 (City Clerk Spencer): Approve as published
 - b. ACCOUNTS PAYABLE – APRIL 19, 2010, TOTAL \$ 1,259,999.38
 - c. BID RESULTS, 2010 WATERMAIN IMPROVEMENTS (City Clerk Spencer): Refer to the Public Works and Buildings Committee

April 15, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, 2010 Watermain Improvements Project No. 09-01

In response to an invitation to bid for the City of Elmhurst 2010 Water Main Improvements Project 09-01 advertised in the Elmhurst Independent on Wednesday, March 24, 2010, bids were received from eleven contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 6, 2010 by the City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Bid Price</u>
Gerardi Sewer and Water Co. (Norridge, IL)	\$661,302.20
John Neri Construction (Addison, IL)	\$720,059.50
Archon Construction Co. (Addison, IL)	\$769,067.20
Vian Construction Company (Elk Grove Village, IL)	\$784,961.80
Neri Brothers Construction (Roselle, IL)	\$796,135.40
Trine Construction Corp. (West Chicago, IL)	\$800,315.00
J. Congdon Sewer Service (Carol Stream, IL)	\$803,788.25
Cerniglia Company (Melrose Park, IL)	\$821,885.40

Brothers Asphalt Paving (Addison, IL)	\$822,982.00
Swallow Construction Corp. (Downers Grove, IL)	\$899,455.00
Unique Plumbing (Joliet, IL)	\$954,170.60

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- d. REPORT – 2010 WATERMAIN IMPROVEMENTS PROJECT NO. 09-01 The following report of the Public Works and Buildings Committee was presented for passage:

April 12, 2010

TO: Mayor DiCianni and Members of the City Council
RE: 2010 Water Main Improvements Project No. 09-01

The Public Works and Buildings Committee met on Monday, April 12, 2010 to review bids received for the 2010 Water Main Improvements Project. The bids are summarized on Attachment “A”.

The work is for the replacement of approximately 3,700 L.F. of 8” Ductile Iron Water Main on Swain from Harrison to Van Buren, Marion from Poplar to Lawndale, Howard from Lake Street to Armitage, and on Emroy from Lake Street to Armitage. The work also includes service replacements, hydrants with valves, and all other related work.

Gerardi Sewer and Water Company of Norridge, IL, submitted the lowest responsible bid meeting all of the bidding requirements. Gerardi’s total bid was \$661,302.20. Gerardi Sewer and Water Company has worked for the City in the past and completed similar work for Elmhurst, and other municipalities in a satisfactory manner.

Monies have been provided in the FY 2010/11 Budget in the Municipal Utility Fund, in the amount of \$770,000 in account number 510-6052-501-80-12 for this project.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the total bid from the lowest responsible bidder, Gerardi Sewer and Water Company in the amount of \$661,302.20, which includes an alternate bid price for additional work, be accepted, and the City attorney be authorized to prepare a resolution approving a contract with Gerardi Sewer and Water Company.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- e. REPORT – FIRST STREET DECK BIDS FOR PAINTING, MASONRY, STRUCTURAL AND MISCELLANEOUS STEEL AND EIFS/PLASTERING The following report of the Public Works and Buildings Committee was presented for passage:

March 22, 2010

TO: Mayor DiCianni and Members of the City Council
RE: First Street Parking Deck Bids for Painting, Masonry, Structural and Miscellaneous Steel, and EIFS/Plastering

On Monday, March 22, 2010 the Public Works and Buildings Committee met to review bids received for the First Street Parking Deck bids for Painting, Masonry, Structural and Miscellaneous Steel, and EIFS (Exterior Insulation Finish Systems)/Plastering.

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 bids currently under review are for painting, masonry, structural and miscellaneous steel, and EIFS/plastering.

The low bidder for the painting was Anderson Moran Construction of Wheaton, Illinois with a total bid of \$186,680.00. The low bidder for masonry was Dave Able Masonry of Wood Dale, Illinois with a total bid of \$21,800. The low bidder for structural and miscellaneous steel was TA Bowman Construction of Bloomingdale, Illinois with a total bid of \$255,300.00. The low responsible bidder for the EIFS/plastering was Skyline Plastering of Carol Stream, Illinois with a total bid of \$41,500. Reference checks for all of these contractors indicate that work was completed in a satisfactory manner. Attached is the summary of the bids received.

Advertisements to bid were posted in the Elmhurst Independent on January 26, 2010 and February 2, 2010. Bids were opened by the City Clerk on February 9, 2010. Only two bids were received for the Structural and Miscellaneous Steel and EIFS/Plastering contracts. Four contractors picked up bid packets for each of these two projects but in both cases two of the four felt the projects were too small.

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 \$5,000,000.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bids for Painting, Masonry, Structural and Miscellaneous Steel, and EIFS/Plastering as outlined above be accepted and that the City Attorney be authorized to prepare resolutions for each of the contracts.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- f. REPORT – FUEL CONTRACT PURCHASE ORDER The following report of the Public Works and Buildings Committee was presented for passage:

April 12, 2010

To: Mayor DiCianni and Members of the City Council
RE: Fuel Contract Purchase Order

The Public Works and Buildings Committee met on Monday, April 12, 2010 to discuss a proposed contract extension for purchase of gasoline and bio-diesel fuel. The City of Elmhurst currently purchases gasoline and bio-diesel fuel by participating in the joint purchase option on the DuPage County gasoline and bio-diesel fuel bid. As part of the bid packet, County Board Resolution IR-084-76 included the opportunity for other taxing bodies in the county to participate in the joint purchase of the materials.

In April of 2007 DuPage County bid (bid #07-021) and awarded a three year contract for the purchase of gasoline and bio-diesel fuel to Texor Petroleum, the low bidder. DuPage County recently awarded Purchase Order A16310 to World Fuel Services (Formerly Texor) for the period of 4/01/10 through 3/31/11, the third year of the 3-year contract, at the same terms, pricing and conditions as previously bid under bid #07-021. By utilizing the County's joint purchasing program the City is able to secure better pricing by participating in the large volume purchase of the County.

The specifications used in the preparation of the sealed bids are based on the OPIS (Oil Price Information Service) prices, which are the benchmark prices used by the world to buy and sell U.S. gasoline, diesel, ethanol, bio-diesel, LP-gas, jet fuel, crude, propane and kerosene.

The price from the low bidder, World Fuel Services (Formerly Texor Petroleum Company, Inc.) of Riverside, IL, for gasoline is the OPIS price plus \$.0095/gal and for bio-diesel is the OPIS price minus \$.05/gal.

It is, therefore, the recommendation of the Public Works and Buildings Committee that a purchase order be completed for the Fiscal Year 2010/11 for the purchase of unleaded gasoline and bio-diesel fuel from World Fuel Services in accordance with the DuPage County specifications and bids.

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 – BIO-SOLIDS REMOVAL AND LAND APPLICATION, PROJECT NUMBER 10-17

The following report of the Public Works and Buildings Committee was presented for passage:

April 12, 2010

To: Mayor Dicianni and Members of the City Council

Re: 2010 Bio-Solids Removal and Land Application, Project Number 10-17

The Public Works and Building Committee met on April 12, 2010 to discuss proposals for the 2010 Bio-Solids Removal and Land Application Contract. This agreement will provide hauling and land application services for the disposal of the wastewater plant stabilized bio-solids (sludge) to agricultural lands. This is a three-year agreement with an annual re-opener based on the Chicago consumer price index. The agreement also has a termination clause allowing the City to end the agreement for virtually any reason.

The most efficient and cost effective method of bio-solids disposal is by land applying the material to agricultural soils. There are however several restrictions and specific methods that have to be followed in order to meet the existing State and Federal regulations covering the land application of municipal bio-solids. Necessary soils analysis establishing application rates, measurements of concentrations of metals and nutrients in the bio-solids have to be made and proper application techniques have to be followed. Also the contractor must maintain a working relationship with the property owners and work around planting and harvesting schedules. An adequate inventory of available land is crucial to insure uninterrupted disposal of the bio-solids. Because of the complex nature of these needs and procedures there are few qualified contractors in the immediate area who perform this service. It is important that the bio-solids applicator be professional because the generator can be liable for improper application and storage techniques.

On March 30, 2010 bids were opened from two contractors. Pricing was submitted on cubic yard (CY) quantities. The bids are summarized as follows.

<u>REMOVAL SCHEDULE</u>	<u>Synagro Central</u>	<u>Stewarts Spreading</u>
Daily Removals/CY (April-Oct.)	\$21.96	\$19.50
Bulk Removal (drying bed)/CY (April-Oct.)	\$19.79	\$21.50
Bulk Removal (belt press)/CY (October-April)	\$19.79	\$21.50

Staff calculated the relative costs for each bidder based on the average quantity of bio-solids removed from the site for the past three years. The costs are;

	<u>Synagro Central</u>	<u>Stewart Spreading</u>
Daily Removal Costs ~ 1910 CY (April-October)	\$ 41, 943.60	\$ 37, 245.00
Bulk Dry Beds Costs ~ 450 CY (April-October)	\$ 8,905.50	\$ 9,675.00
Bulk Belt Press Costs ~ 4747 CY (October-April)	\$ 93,943.13	\$ 102,060.50
~Totals	\$ 144,792.23	\$ 148,980.50

The bid amount for daily hauling is less from Stewarts Spreading than that of Synagro Central. Staff has checked with both bidding contractors and their bid prices are base upon them performing the entire project. As shown the estimated annual cost based on the average annual production indicates that Synagro Central was lower on the total annual estimated expenditure.

Other costs were identified for specific emergency needs that are not anticipated to be used such as the cartage costs to a landfill or year round daily removal costs.

The City has done extensive work in the past with Synagro Central LLC, their work has always been excellent, the response times very good and the company and their staff are well aware of the IEPA and USEPA regulations. Monthly reports are on time, accurate and complete.

It is the recommendation of the Public Works and Buildings Committee that the proposal from Synagro Central, LLC of Baltimore, MD be accepted and that Synagro of Elgin, IL be authorized to perform all of the land application of Elmhurst bio-solids for the next three years.

Funds for this project are budgeted in the annual operating budget, 510-6057-502.30-58. The 2010/2011 projected budget is \$161,000.

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 – FIRST STREET PARKING DECK BIDS FOR ELEVATOR AND GLASS & GLAZING The following report of the Public Works and Buildings Committee was presented for passage:

April 12, 2010

TO: Mayor DiCianni and Members of the City Council

RE: First Street Parking Deck Bids for Elevator and Glass and Glazing

On Monday, April 12, 2010 the Public Works and Buildings Committee met to review bids received for the First Street Parking Deck bids for Elevators and Glass and Glazing.

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 bids currently under review are for elevator and glass and glazing.

The low bidder for the elevator was Otis Elevators of Lombard, Illinois with a total bid of \$65,500. The low bidder for glass and glazing was TA Bowman Construction of Bloomingdale, Illinois with a total bid of \$83,500.00. Reference checks for all of these contractors indicate that work was completed in a satisfactory manner. See attached bid analysis for a discussion of the number of bidders on each item and proceeding with accepting the bids.

Advertisements to bid were posted in the Elmhurst Independent on March 17, 2010. Bids were opened by the City Clerk on March 30, 2010.

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 \$5,000,000.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bids for Elevator and Glass and Glazing as outlined above be accepted and that the City Attorney be authorized to prepare resolutions for each of the projects.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- i. REPORT – RISK MANAGEMENT RENEWALS – FISCAL 2011 The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

April 13, 2010

To: Mayor DiCianni and Members of the City Council

Re: Risk Management Insurance Renewals – Fiscal 2011

The Finance, Council Affairs and Administrative Services Committee met April 12, 2010, to review the proposed risk management insurance renewals for fiscal 2011.

Although basically self-insured, the City of Elmhurst maintains insurance to protect against losses in excess of a pre-determined self-insured loss retention (SIR). Ms. Sandra Hannon, Senior Account Manager with Arthur J. Gallagher Risk Management Services, Inc. (Gallagher), the City's broker for risk management insurances, reviewed the fiscal 2011 insurance renewals with the Finance Committee, as presented below:

General, Auto and Public Officials Liability Insurance: The current SIR for liability coverage is \$250,000, and the liability limit is \$10,000,000. Gallagher requested quotes from six carriers, and received two quotes, one from the current carrier, Lexington Insurance Co., and one from Ironshore Specialty Insurance Co. The current premium is \$150,000; the quote from Lexington for fiscal 2011 is \$147,901 and the quote from Ironshore is \$135,000. The coverage and terms are the same for each carrier. The A.M. Best rating for Ironshore is A-XI. Staff recommended purchasing the policy from Ironshore for a savings of \$15,000 compared to prior year, and the Finance Committee concurred with staff recommendation. The Finance Committee also reviewed the current liability limit, and concurred that it remains prudent to maintain the \$10,000,000 liability limit due to the May 1 renewal deadline. However, the Finance Committee directed staff to review the cost of increasing the liability limit to \$15,000,000 or \$20,000,000, and to review the liability limits in place in comparable communities.

Property Insurance: The SIR for property coverage is \$100,000. This program includes coverage for real and personal property, mobile equipment, data processing equipment/media and auto physical damage. The property insurance also includes business interruption loss insurance, which is a means of protecting the City against loss of sales tax revenue if a major sales tax payer was impacted by a disaster such as a tornado or flood. Gallagher requested quotes from six carriers, and received one quote from Chubb Group, the City's current carrier. The quote from Chubb is \$48,435,

\$5,764 increase (13.5%) compared to the prior year premium of \$42,671. The A.M. Best rating for Chubb is A++XV. Staff recommended that property insurance continue to be purchased from Chubb. The Finance Committee concurred with staff recommendation.

Excess Workers' Compensation Insurance: The SIR for excess workers' compensation insurance is currently \$450,000 for police and firefighter classifications, and \$400,000 for all other classifications. Gallagher requested quotes from seven carriers and received two quotes, one from Safety National Casualty Corporation, the City's current carrier, and Midwest Employers Insurance Co. The current premium is \$64,620; the quote from Safety National is \$69,057 and the quote from Midwest is \$194,244. Safety National, with whom the City has contracted for this service since 1979, remains the most competitive excess workers' compensation insurance carrier in the municipal marketplace. The A.M. Best rating for Safety National is AIX. The policy covering fiscal 2010 was a one-year policy. For fiscal 2011, Safety National offered two options. The SIR for each option increases to \$500,000 for police and firefighter classifications and to \$425,000 for all other classifications. Option I is a one-year policy for a premium of \$69,057, a 6.9% increase compared to prior year. Option II is a two-year policy, with a premium of \$69,057 for the first year with a premium rate of 4.0%. Safety National guarantees that the premium rate would remain unchanged in the second year; therefore the only change in the premium would be due to change in covered payroll. Due to uncertainty in the insurance market, staff recommended the two-year policy. The Finance Committee concurred with staff recommendation.

Broker Fees: All insurance premiums exclude broker fees. Two years ago, a three-year broker fee contract was negotiated with Gallagher at the rate of \$36,000 each year.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council accept the proposal from Arthur J. Gallagher Risk Management Services, Inc., for fiscal year 2011 for General, Auto and Public Officials Liability Insurance, Property Insurance and Excess Workers' Compensation Insurance, as described above.

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

- j. REPORT – WATER RATE AND SEWER RATE REVIEW The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

April 13, 2010

To: Mayor DiCianni and Members of the City Council
Re: Water Rate and Sewer Rate Review

The Finance, Council Affairs and Administrative Services Committee met twice, most recently April 12, 2010, to review water rate and sewer rate adjustments in the Municipal Utility Fund.

The Municipal Utility Fund (MUF) is an enterprise fund, and user fees for water and sewer services are the major source of revenue. Therefore, water rates and sewer rates are reviewed annually to determine if rate adjustments are necessary. A comprehensive rate and utility billing study was completed in August 2003. Alvord, Burdick & Howson, L.L.C. conducted the study which included a review of the water rate and sewer rate structures, and a review of cash balance goals for the MUF. The approved recommendations from the study provided for a minimum charge of three cubic meters per billing cycle, and a change in the billing structure to a uniform block rate method that provides a water and sewer charge for every cubic meter of usage. The study also set a cash balance goal range for the MUF comprised of three factors: revenue stabilization (\$1.6 million); emergency (\$2 million); and 25%-33% of operating expenses (\$3.4-\$4.4 million). The total range goal for fiscal

2011 is \$7.0 million to \$8.0 million. The goal is split between the water and sewer segments of the MUF based upon the level of operating expenses in each segment.

As the Council is aware, the City purchases its water supply from DuPage Water Commission (DWC) and DWC purchases its water supply from the City of Chicago. DWC has approved a 21% rate increase to its members, primarily due to the third of three rate increases from the City of Chicago and lower than anticipated reserve balances. DWC is also being negatively impacted by current economic conditions regarding sales tax revenue, which accounts for approximately 30% of DWC's revenue budget. Based on the anticipated changes from the DuPage Water Commission effective May 1, 2010, the current cash balance in the water utility segment of the MUF and on projected expenditures for the next five years (see Schedule A), the Finance Committee recommends a rate adjustment for fiscal 2011 of 15% to \$4.95 per thousand gallons of water usage.

The Finance Committee also reviewed projections for sewer rate adjustments, including a review of major capital projects such as purchasing an anaerobic digester (see Schedule C). Due to the age of many components of the Wastewater Treatment Plant and due to the volume of material processed, the next five to ten years will require significant infrastructure improvement/ replacement at the Plant. Based on the current cash balance in the sewer segment of the MUF and on projected expenditures for the next five years (see Schedule B), the Committee recommends a rate adjustment for fiscal 2011 of 15% to \$4.55 per thousand gallons of water usage.

The impact of the combined water rate and sewer rate adjustments for an average four-person household using 12,000 gallons of water per month (3,000 gallons per person) is approximately \$14.64 per 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 amendment to the Municipal Code of Ordinances changing the water rates and sewer rates for the City of Elmhurst, effective for usage billed on or after May 1, 2010, as follows:

	Residential Rates (Per Thousand Gallons)		Commercial Rates (Per Thousand Gallons)	
	<u>New</u>	<u>Current</u>	<u>New</u>	<u>Current</u>
Water	\$4.95	\$4.31	\$7.42	\$6.47
Bi-Monthly Minimum	\$3.93	\$3.42	\$5.90	\$5.13
Sewer	\$4.55	\$3.97	\$4.55	\$3.97
Bi-Monthly Minimum	\$3.62	\$3.15	\$3.62	\$3.15

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. REPORT – HOME RULE PRIVATE ACTIVITY BOND VOLUME CAP ALLOCATION The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

April 13, 2010

To: Mayor DiCianni and Members of the City Council
Re: 2010 Home Rule Private Activity Bond Volume Cap Allocation

The Finance, Council Affairs and Administrative Services Committee met April 12, 2010, to consider reserving the City's 2010 home rule Private Activity Bond volume cap allocation.

Annually, as a home rule community, the City of Elmhurst receives authority from the State, pursuant to Section 146 of the Internal Revenue Code of 1986 (the Code), as amended, for Private Activity Bond (PAB) volume cap. For calendar year 2010, the volume cap is \$90.00 per capita

(approximately \$4 million). Private Activity Bonds are a valuable financing tool to promote economic development. By utilizing the PAB authority through a home rule municipality, a company can obtain tax exempt funds for a new facility or facility expansion that will create new jobs or retain existing jobs. Private Activity Bonds are the obligation of the company utilizing the PAB authority; the bonds are not a debt of the City. The Illinois Private Activity Bond Allocation Act (the Act) provides that a home rule unit of government, i.e. City of Elmhurst, may use the allocation of volume cap for a business within its borders, or the City may transfer its allocation to any other home rule unit of government, any non-home rule unit of government or the State of Illinois or any agency thereof.

At this time, the City's volume cap has not been allocated. Pursuant to the Code and the Act, a home rule community must allocate its cap by May 1, cede the unused cap allocation to the State, or reserve the cap allocation by May 1 for use any time during calendar year 2010. The Finance Committee recommends that it is the best interest of the City of Elmhurst to reserve its volume cap for use during calendar year 2010.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve reserving the City of Elmhurst Private Activity Bond volume cap for use at any time during calendar year 2010. Given the May 1, 2010, deadline to reserve the cap allocation, the Finance Committee further recommends that the City Council suspend the rules to allow consideration of Ordinance O-9-2010.

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

- l. MCO-13-2010 – 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 (NO LEFT TURN EASTBOUND VAN BUREN AND SOUTHBOUND SWAIN)

Ordinance MCO-13-2010 was presented for passage.

- m. MCO-14-2010 – 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 (RESTRICTED PARKING ON THE NORTH SIDE OF VAN BUREN FROM SWAIN AVENUE TO MITCHELL AVENUE)

Ordinance MCO-14-2010 was presented for passage.

- n. R-15-2010 – 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-15-2010 was presented for passage.

- o. R-16-2010 – A RESOLUTION TO AUTHORIZE THE PURCHASE OF AUTOMATED METER READING UNITS FOR WATER METERS WITHIN THE CITY OF ELMHURST

Resolution R-16-2010 was presented for passage.

- p. R-17-2010 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF ELMHURST, ILLINOIS AND SCHROEDER & SCHROEDER, INC., FOR THE SPRING ROAD BUSINESS DISTRICT SIDEWALK IMPROVEMENTS

Resolution R-17-2010 was presented for passage.

Alderman Hipskind moved to approve the contents of the Consent Agenda. Alderman York seconded. Roll call vote:

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

Nays: None

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

COMMITTEE REPORTS

9. a. REPORT – CASE #10P-01/ELMHURST MEMORIAL HEALTHCARE AMENDED PLANNED DEVELOPMENT CONDITIONAL USE, CONDITIONAL USE PERMIT FOR NON-ACCESSORY PARKING (LOT 2), MAP AMENDMENT AND SUBDIVISION The following report of the Development, Planning and Zoning Committee was presented for passage:

April 12, 2010

TO: Mayor DiCianni and Members of City Council

RE: Case # 10P-01/Elmhurst Memorial Healthcare Amended Planned Development Conditional Use, Conditional Use Permit for Non-Accessory Parking (Lot 2), Map Amendment and Subdivision Request for approval of a Preliminary Amended Planned Development Conditional Use, Conditional Use Permit for non-accessory parking, Map Amendment (upon annexation) and Subdivision on properties commonly known as 1100, 1200 and 1400 S. York Street.

The Development, Planning and Zoning Committee met on March 25 and April 12, 2010 to review the Zoning & Planning Commission report dated March 17, 2010 regarding the subject request. The Committee also reviewed the complete packet of documents and information submitted by the applicant, and the transcripts of the public hearings. The Committee noted the thorough work of the Zoning & Planning Commission in their review of the Elmhurst Hospital request.

The applicant, Elmhurst Memorial Healthcare, requests the following approvals:

- Request for Map Amendment (rezoning) of parcels to be annexed into the City of Elmhurst.
- Subdivision to include new parcels added to the development site and the reconfiguration of Harvard Street.
- Approval of a Preliminary Amended Planned Development Plan (Conditional Use) to include new parcels added to the development site.
- Conditional Use Permit to allow off-site accessory parking.

The Committee discussed the original approvals for the hospital campus development approved by the City Council in 2008. It was noted that this request for amendment to the Planned Development Plan was anticipated during the original approvals.

This request involves adding parcels to the development site which, in turn, result in the annexation and rezoning of various parcels, a new subdivision to include these additional parcels as well as the Harvard Street re-alignment, and an amended Planned Development Plan to incorporate these parcels into the Plan. Additionally, the petitioner is requesting a Conditional Use Permit to allow off-site accessory parking on Lot 2, which is zoned C2 Community Shopping and Service.

The Committee reviewed the traffic study submitted by the hospital's traffic engineer and reviewed by the City of Elmhurst traffic engineer. The Committee also reviewed the landscape plans as they relate to buffering the parking lots from neighboring residential properties. It was the consensus of the Committee that both the traffic plan and the landscape plan were developed to minimize and mitigate the impacts of hospital activities on the surrounding neighborhood.

The Committee agreed with the Zoning and Planning Commission that this request is a logical progression of anticipated development activities associated with the development of the new hospital campus.

Upon conclusion of discussion, the Committee concurred with the Zoning & Planning Commission's recommendation that sufficient evidence was presented to warrant the proposed requests. It is, therefore, the recommendation of the Development, Planning and Zoning Committee to support the recommendation of the Zoning & Planning Commission for approval of these requests. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

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

Alderman Morley moved to approve item **9a. Report – Case #10P-01/Elmhurst Memorial Healthcare Amended Planned Development Conditional Use, Conditional Use Permit for Non-Accessory Parking (Lot 2), Map Amendment and Subdivision**. Alderman Rose seconded.

Alderman Morley stated Zoning Administrator Than Werner will show maps and charts of the following items to be considered in this report:

- Subdivision to include new parcels and reconfiguration of Harvard Street
- Approval of preliminary amended planned development plan to include new parcels
- Conditional use permit to allow off site accessory parking

Alderman Morley stated the committee met twice. He stated the committee supports the recommendation of the Zoning & Planning Commission for approval of these requests.

Discussion ensued regarding traffic on Harvard, burm separation and traffic flow from York Street.

Alderman Morley stated the Hospital's Attorney Scott Day is present and should contribute to the discussion.

Alderman Hipkind moved to suspend the rules to allow Attorney Day to speak. Alderman Mulliner seconded. Voice vote, motion carried.

Discussion ensued regarding the Hospital and residential traffic on Harvard Street as well as public parking.

Roll call vote on item **9a. Report – Case #10P-01/Elmhurst Memorial Healthcare Amended Planned Development Conditional Use, Conditional Use Permit for Non-Accessory Parking (Lot 2), Map Amendment and Subdivision**:

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

Nays: None

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

b. REPORT - ELMHURST HOSPITAL VACATION REQUEST The following report of the Public Works and Buildings Committee was presented for passage:

March 22, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Elmhurst Hospital Vacation Request

The Public Works and Buildings Committee met on Monday, March 22, 2010 to discuss the request by Elmhurst Memorial Hospital to vacate certain pieces of right-of-way (ROW) located near the area of the new Hospital.

Elmhurst Memorial Hospital is constructing its new facility in the area of Brush Hill Road and York Street. This construction of the new Hospital required that certain parcels in the area be annexed into the City of Elmhurst. The Hospital completed an initial annexation in 2008. Part of that annexation agreement involved the transfer of ROWs to the Hospital and of parcels of land being dedicated to the City for new ROW. Currently the Hospital is amending the original Annexation Agreement to include more parcels being annexed. The Annexation Agreement amendment will require several new vacations and dedications.

Within the original Annexation Agreement the vacations of ROW fell into two categories. The first category was a vacation of ROW which the City never previously owned. The ROW which was vacated as part of the annexation that was not within the City's possession was previously unincorporated DuPage County and was maintained by the York Township Highway Department. The City Council felt at the time that as the City had never owned nor spent any money maintaining any of those ROWs that it was appropriate to transfer those ROWs to the Hospital at no charge. The new Annexation Agreement requires the vacation of two pieces of ROW that have never been owned or maintained by the City. These two areas are sections of Fillmore Street east of Euclid and Kirk Avenue south of Harvard Street (see attached exhibit "A").

The second category of vacated ROW was that of ROW that the City did have possession and control over since the annexation of the Celozzi-Ettleson property in 1997. Specifically that second portion consisted of Kirk Avenue from Brush Hill Road to a point approximately 538' north. Attached are copies of the Council Action Summary and a map of this portion of the vacation. The compensation of the ROW was deemed to be \$4.77/square foot paid by the Hospital to the City.

The current Hospital request includes a dedication of private property to the City for the construction of a new section of Harvard west of York Street and the vacation of a short piece of ROW. The existing unimproved section of Harvard ROW has been in the City's possession since 1997. The Hospital will be transferring private property to the City for the construction of the extension of Harvard St. In the Harvard Street relocation, the dedicated area being transferred from the Hospital to the City exceeds the existing ROW being vacated by the City. The City will maintain easement rights over the entire vacated ROW for existing utilities. The Hospital is requiring no charge for this additional property. The Committee felt that it was appropriate to conduct the vacations and dedications in a manner similar to that which was done in 2008. Consequently there will be no charge for any of the rights-of-way vacated and no fees for any of the land dedicated.

It is therefore the recommendation of the Public Works and Buildings Committee to vacate and dedicate certain ROWs contained within the proposed Elmhurst Memorial Hospital Annexation Agreement as outlined above. It is further recommended that the City Attorney prepare the necessary documents and that said documents be executed by the appropriate City authority to allow for this transfer to occur.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Michael J. Bram

Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

Alderman Kennedy moved to approve item **9b. Report - Elmhurst Hospital Vacation Request.**
Alderman Bram seconded.

Alderman Kennedy stated the Public Works and Buildings Committee (PW&B) recommends to vacate and dedicate certain ROWs contained in the Elmhurst Memorial Hospital Annexation Agreement. He stated it is the same process that was done for the Center for Health.

Roll call vote on item **9b. Report - Elmhurst Hospital Vacation Request:**

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

Nays: None

Results: 12 ayes, 0 nays, 2 absent

Motion duly carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

10. a. UPDATES (Mayor DiCianni)

Mayor DiCianni reported on the Water Commission and their recent problems stating he was in Springfield and met with Senator Cronin to implement a “check & balance” procedure to put in place so that this problem will not happen again. Mayor DiCianni stated he will keep the Council apprised of the situation.

Mayor DiCianni reported there was a press conference with the Mayors from Cook and DuPage Counties regarding the Western Access road that will connect O’Hare Airport to the Western suburbs in DuPage County and bring the western suburbs to Elmhurst. The Mayor stated there is strong support and unity to get this project done and this can bring more people to Elmhurst.

Mayor DiCianni stated he hopes a balanced budget will pass tonight. He stated there is a 20% dip in sales tax from car dealerships.

Mayor DiCianni stated he was asked by Senior Commission Chairman Cathy Jordan to announce volunteers are needed for Senior Chore Days. If anyone is interested in volunteering please contact he DuPage County Senior Citizens Council at (630)620-0804x113.

Alderman Healy asked for the dates of Senior Chore Days.

Mayor DiCianni replied the first three (3) weeks in May.

Alderman Bram requested that the Council know about any upcoming press conferences so that the Council could show their support as well.

Alderman Bram spoke regarding the skunks. He stated the Tribune reported skunk problems in Evanston, stating it appears there are many areas combating the skunk problem.

ORDINANCES

11. a. O-06-2010 – A BUDGET AND APPROPRIATION ORDINANCE FOR THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING ON MAY 1, 2010, AND ENDING ON APRIL 30, 2011

Ordinance O-06-2010 was presented for passage.

Alderman Hipkind moved to approve item **11a. O-06-2010 – A Budget and Appropriation Ordinance for the City of Elmhurst for the Fiscal Year Beginning on May 1, 2010, and Ending on April 30, 2011.** Alderman Mulliner seconded.

Alderman Bram moved to amend the current budget to put back into the Five Year Capital Budget for 2011/2012 the York & Grand Improvements. Alderman Rose seconded.

Discussion ensued.

Roll call vote to amend the current budget to put back into the Five Year Capital Budget for 2011/2012 the York & Grand Improvements:

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

Nays: None

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

Alderman Pezza stated there is a scrivener's error, page 17 Other Expenses 60-29 states Elmhurst Historical Society should be District 205 Foundation.

City Manager Borchert stated Alderman Pezza is correct.

Alderman Gutenkauf stated hopefully the Museum has not been handcuffed by the cuts to its budget.

Alderman Rose stated she too will support the budget, despite stating her strong opposition to gutting the museum budget. She stated she hopes that the budget can be looked at in the future.

Alderman Bram moved to reinstate the funding for new sidewalk installation for 2011/2012. Alderman Rose seconded.

Discussion ensued.

Alderman Morley moved to call the question, no challenge.

Alderman Rose, point of order is Council voting on the amended motion.

Mayor replied yes, the vote is to reinstate the funding for new sidewalk installation for 2011/2012.

Roll call vote to reinstate the funding for new sidewalk installation for 2011/2012:

Ayes: Bram, Rose, Gutenkauf, Hipkind, Morley, Kennedy, Mayor DiCianni

Nays: Pezza, Leader, York, Healy, Mulliner, Wagner

Results: 7 ayes, 6 nays, 2 absent
Motion duly carried

Roll call vote on item **11a. O-06-2010 – A Budget and Appropriation Ordinance for the City of Elmhurst for the Fiscal Year Beginning on May 1, 2010, and Ending on April 30, 2011:**

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

Nays: None

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

b. O-09-2010 – AN ORDINANCE RESERVING AND AUTHORIZING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES AND RELATED MATTERS

Ordinance O-09-2010 was presented for passage.

Alderman Morley moved to suspend the rules to approve item **11b. An Ordinance Reserving and Authorizing the Transfer of Volume Cap In Connection With Private Activity Bond Issues and Related Matters** on the same night that the corresponding committee report was approved. Alderman York seconded. Voice vote, motion carried.

Alderman Hipskind moved to approve item **11b. An Ordinance Reserving and Authorizing the Transfer of Volume Cap In Connection With Private Activity Bond Issues and Related Matters**. Alderman York seconded.

Roll call vote on item **11b. An Ordinance Reserving and Authorizing the Transfer of Volume Cap In Connection With Private Activity Bond Issues and Related Matters**:

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

Nays: None

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

OTHER BUSINESS

12. Alderman Hipskind stated he received a letter from Jeff Redick, Chair of the DuPage County Environmental Committee, DuPage County Board regarding an electronics recycling schedule throughout the County. Alderman Hipskind asked Clerk Spencer to post the information on the City's website.

Alderman Gutenkauf reported the Bicycle Task Force sponsored a Bicycle Collection on April 17, 2010 and they received more bicycles than expected. The bicycles will be refurbished and given to those in need.

Alderman Pezza announced on Wednesday, May 12, 2010, Craig Dovel, Supervisor of Assessments for DuPage County, will present a general overview of property taxes in DuPage County at the Elmhurst Public Library.

Mayor DiCianni announced Art in the Park will take place May 1-2, 2010 in Wilder Park.

Alderman Pezza announced that she and Alderman Gutenkauf will host the next Coffee & Conversation together at the Elmhurst Art Museum on May 18, 2010 between the hours of 5:30 p.m. – 8:00 p.m.

ANNOUNCEMENTS

13. None.

ADJOURNMENT

14. Alderman Mulliner moved to adjourn the meeting. Alderman Hipskind seconded. Voice vote. Motion carried. Meeting adjourned 9:21 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk