

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, MAY 17, 2010
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

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

1. Executive session was called to order at 7:09 p.m. by Mayor DiCianni for the purpose of discussing Litigation, Personnel and Land Disposition.

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

Absent: Stephen Hipskind, Chris Nybo (arrived at 7:11 p.m.)

Also in attendance: City Treasurer Dyer, City Attorney Storino, City Manager Borchert, Fire Chief/Assistant City Manager Kopp

Alderman Healy moved to convene into executive session for the purpose of discussing Litigation, Personnel and Land Disposition. Alderman York seconded. Roll call vote:

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

Nays: None

12 ayes, 0 nays, 2 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.

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ ROLL CALL

Attendance: 35

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:46 p.m.

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

Absent: Stephen Hipskind

Also in Attendance: City Treasurer Dyer, City Attorney Storino, City Manager Borchert

TIF II SURPLUS FUNDS – CHECK DISTRIBUTION TO SCHOOL DISTRICT 205

3. Mayor DiCianni invited District 205 Superintendent of Schools Lynn Krizic and District 205 School Board President Peggy Ostojic to join him at the podium for a presentation to District 205 of TIF II surplus funds. The Mayor presented School District 205 with a check for \$434,082.50.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

4. John Reboletti, 625 W. Gladys Ave. submitted a petition opposing the narrowing of Gladys Avenue on behalf of homeowners on Gladys Avenue between West Avenue and Garden Street.

PUBLIC FORUM

5. Dennis Reboletti Sr.
572 W. Gladys Ave.
Elmhurst, IL 60126

Stated there are fifty-seven (57) houses on Gladys Avenue, thirty-eight (38) voted “no” to narrowing the street to put in sidewalks.

Tammara Brenner
137 N. Caroline
Elmhurst, IL 60126

Spoke regarding item **6j. All-Circo, Inc., Public Affairs and Consulting Services**, a referral on the consent agenda for a contract offer from a lobbyist firm. She said more discussion needs to take place before the Finance, Council Affairs and Administrative Services Committee reviews it. She asked that item 6j. be removed from the agenda.

Richard Hoffman
605 W. Gladys Ave.
Elmhurst, IL 60126

Spoke regarding sidewalks on the north side of Gladys Ave. stating the design is not the way the SSA was written. He asked Council to consider cancelling the SSA as written and help homeowners recover their tax money.

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

Spoke regarding item **6j. All-Circo, Inc., Public Affairs and Consulting Services**, a referral for a contract offer for a lobbyist which will cost the City \$30,000 asking why is the City paying for a lobbyist to collect money from the state when the state is broke.

Brian Cahill
569 W. Gladys Ave.
Elmhurst, IL 60126

Spoke in support of the engineering solutions for the narrowing of Gladys Ave. He stated narrower streets will slow down traffic. If further information is given to residents they will change their mind and no longer be against this SSA.

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

Spoke against the narrowing of Gladys Avenue.

Gilbert Fischer
586 N. Van Auken
Elmhurst, IL 60126

Spoke regarding the Elmhurst taxes on his utility bills. He stated this money will not be used in the neighborhoods but for the City Centre to look good.

Rich DeMondo
568 N. West Ave.
Elmhurst, IL 60126

Spoke regarding sidewalks on Gladys, the narrowing of the streets and the cost to homeowners.

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

Spoke against the narrowing of Gladys Avenue.

Pat Consolino
659 W. Gladys Ave.
Elmhurst, IL 60126

Spoke against the narrowing of Gladys Avenue to put in sidewalks on one side of the street.

Bill Consolino
659 W. Gladys Ave.
Elmhurst, IL 60126

Spoke regarding the narrowing of Gladys Avenue and asked who will be paying for the work to be done.

Debbie DeMondo
568 W. Gladys Ave.
Elmhurst, IL 60126

Spoke against the narrowing Gladys Avenue and putting a sidewalk on Gladys Avenue.

Sally Del Rio
541 W. Gladys Ave.
Elmhurst, IL 60126

Spoke in support on the sidewalks on Gladys Avenue and the safety they will provide.

CONSENT AGENDA

6. The following items on the Consent Agenda were presented:
 - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, MAY 3, 2010 (City Clerk Spencer): Approve as published
 - b. MINUTES OF THE EXECUTIVE SESSION MEETING HELD ON MONDAY, MAY 3, 2010 (City Clerk Spencer): Receive and place on file
 - c. ACCOUNTS PAYABLE – MAY 17, 2010, TOTAL \$ 2,232,478.22
 - d. BID RESULTS, LEVEE MAINTENANCE IMPROVEMENTS PROJECT, 09-20 (City Clerk Spencer): Refer to the Public Works and Buildings Committee (see item 51)

May 10, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, Levee Maintenance Improvements Project, 09-20

In response to an invitation to bid for the City of Elmhurst Levee Maintenance Improvements Project, 09-20 advertised in the Elmhurst Independent on Wednesday, April 7, 2010, bids were received from four contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, May 4, 2010 by the City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Bid Price</u>
V3 Construction (Woodridge, IL)	\$897,195.00
DuPage Topsoil (Wheaton, IL)	\$1,133,934.70
Front Range (McHenry, IL)	\$1,465,997.00
Kenneth Group (Bolingbrook, IL)	\$1,054,717.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. BID RESULTS, 2010 CONTRACT PAVING PROGRAM PROJECT 10-02 (City Clerk Spencer):
Refer to the Public Works and Buildings Committee (see item 5k)

May 10, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, 2010 Contract Paving Project 10-02

In response to an invitation to bid for the City of Elmhurst 2010 Contract Paving Project 10-02 advertised in the Elmhurst Independent on Wednesday, April 21, 2010, bids were received from nine contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, May 4, 2010 by the City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Bid Price</u>
Arrow Road Construction (Mt. Prospect, IL)	\$2,355,402.67
Brothers Asphalt Paving (Addison, IL)	\$2,263,868.81
DiNatale Construction Inc. (Addison, IL)	\$2,447,392.45
G&M Cement (Addison, IL)	\$2,485,406.40
Johnson Paving (Arlington Heights, IL)	\$2,654,773.55
K-Five Construction (Lemont, IL)	\$2,585,963.16
Orange Crush LLC (Hillside, IL)	\$2,338,353.30
Schroeder Asphalt Services Inc. (Huntley, IL)	\$2,755,392.91
Triggi Constrction (West Chicago, IL)	\$2,826,920.35

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- f. TRAFFIC STUDY FOR THE MAPLE AND FIRST STREET AREA (City Manager Borchert):
Refer to the Public Affairs and Safety Committee

May 12, 2010

To: Mayor DiCianni and Members of the City Council
Re: Traffic Study for the Maple and First Street Area

It is respectfully requested that the attached request from Aldermen Pezza and Gutenkauf regarding a traffic study for the Maple and First Street area be referred to the Public Affairs and Safety Committee for their review, evaluation and subsequent recommendation for City Council action.

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

- g. BIKE PARKING ORDINANCE FOR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL ZONING (City Manager Borchert): Refer to the Development, Planning and Zoning Committee

May 10, 2010

To: Mayor DiCianni and Members of the City Council
Re: Bike Parking Ordinance for Commercial, Industrial and Institutional Zoning

It is respectfully requested that the City Council authorize the Development, Planning and Zoning Committee to review and report their findings on the attached recommendation from the Elmhurst Bike Task Force relative to their suggestion that the City Council consider a bike parking zoning ordinance as it contributes to the mission of Elmhurst becoming a Certified Bike Friendly Community.

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

- h. REVIEW OF STREET SIGNAGE ON OAK STREET (City Manager Borchert) Refer to the Public Works and Buildings Committee

May 12, 2010

To: Mayor DiCianni and Members of the City Council
Re: Review of Street Signage on Oak Street

It is respectfully requested that the attached request from Aldermen Shea and Leader regarding a review of street signage on Oak Street be referred to the Public Works and Buildings Committee for their review, evaluation and subsequent recommendation for City Council action.

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

- i. GLADYS AVENUE SSA SIDEWALK IMPROVEMENTS (City Manager Borchert): Refer to the Public Works and Buildings Committee

May 13, 2010

To: Mayor DiCianni and Members of the City Council
Re: Gladys Avenue SSA Sidewalk Improvements

It is respectfully requested that in response to the attached petition, the Gladys Avenue resurfacing project, in conjunction with the aforementioned sidewalk improvements, be referred to the Public Works and Buildings Committee for their review, evaluation and subsequent recommendation for City Council action.

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

- j. ALL-CIRCO, INC., PUBLIC AFFAIRS AND CONSULTING SERVICES (City Manager Borchert): Refer to the Finance, Council Affairs and Administrative Services Committee

May 12, 2010

To: Mayor DiCianni and Members of the City Council
Re: All-Circo, Inc., Public Affairs and Consulting Services

This office, with significant input from Mayor DiCianni, has been evaluating the notion of consulting services for the City of Elmhurst relative to much needed legislative action on numerous issues affecting the City of Elmhurst. Although resulting in significant success over the years and favorable recent outcomes, it is my conclusion that the past practices of Mayor/Manager meetings with area legislators and legislative leaders in Springfield, coupled with the Council of Government

initiatives through the DuPage Mayors and Manager Conference and the Illinois Municipal League, leaves too much to chance and some areas unaddressed. These unaddressed areas are best covered, in my opinion, with a presence in Springfield on a day-in, day-out basis when legislators are in session and with a firm that is also working on other Elmhurst issues when the legislature is not in session. Only with that presence are there assurances that Elmhurst's areas of concern, legislative needs and legitimate requests for State grant assistance for worthy projects get a fair and complete hearing.

Mayor DiCianni and I have met with numerous firms that are highly regarded, respected and have a proven and effective track record. The firm, however, that has been evaluated as best suited to meet Elmhurst's needs is the All-Circo, Inc. Public Affairs and Consulting Firm led by Mr. John J. Kelly Jr., President. A proposal from All Circo, Inc. is attached.

It is respectfully requested that the City Council authorize the Finance, Council Affairs and Administrative Services Committee to review and advise on the consulting, lobbying proposal from the All-Circo, Inc. firm to serve the City of Elmhurst for the City fiscal year 2010-11.

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

- k. REPORT – BIDS, 2010 CONTRACT PAVING PROGRAM The following report of the Public Works and Buildings Committee was presented for passage:

May 10, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Bids, 2010 Contract Paving Program

The Public Works and Buildings Committee met on Monday, May 10, 2010 to review bids for the 2010 Contract Paving Program. The nine (9) bids received from area contractors are summarized on Attachment "A".

The bids received will provide for the grinding and bituminous overlay of approximately five miles of asphalt streets and removal and replacement of approximately 21,000 lineal feet of curb and gutter. Other work will include utility structure adjustments, related storm sewer work, paving of driveway approaches, restoration of parkways, and traffic control.

The contract requires that the above work at each construction location shall be completed within 45 days from the date construction commenced at that location. The contractor is also required to maintain access to residential driveways at all times, with the exception of when the curb or a concrete driveway is actually poured or curing.

Brothers Asphalt Paving submitted the lowest responsible bid meeting all of the bidding requirements. Brothers Asphalt Paving completed the 2007 Contract Paving project for the City of Elmhurst in a satisfactory manner.

The bid includes \$1,362,541.08 to resurface four miles of asphalt streets. The remaining mile of residential paving is Vallette Street from Poplar Avenue to Spring Road, which will be funded through the American Recovery and Reinvestment Act (ARRA). To take advantage of the economy of scale, construction at several other locations was included in the Contract Paving project. The City has secured \$500,000 in funding through the Illinois Department of Transportation's Emergency Repair Program to complete approximately one mile of resurfacing on South York Street. The cost of this work is \$464,553.30.

Also, the City proposes to replace the curb and gutter and install new public sidewalk on the north side of Gladys Avenue at a cost of \$135,611.25. Additional work includes completion of approximately 3,000 square yards of asphalt patching, paving of the alley and cul-de-sac adjacent to the new Larch Avenue parking deck, and reconstruction of the One Room School House parking lot. Monies for this work have been provided in the FY10/11 Budget in the following accounts as described below:

<u>ACCOUNT DESCRIPTION</u>	<u>ACCOUNT CODE</u>	<u>BUDGET AMOUNT</u>	<u>BID AMOUNT</u>
2010 Street Resurfacing	110-6041-432-80-15	\$ 875,000	\$1,362,541.08
2009 Street Resurfacing – Carryover	110-6041-432-80-15	\$ 375,000	
York Street Improvements	GRANT	\$ 500,000	\$ 464,553.50
Spring Road Improvements	110-6041-432-80-15	\$ 90,000	\$ 87,180.00
Gladys Avenue Sidewalk	110-6048-513-80-34	\$ 160,000	\$ 135,611.25
Asphalt Patching	110-6041-432-30-02	\$ 70,000	\$ 70,000.00
	510-6052-501-30-02	\$ 30,000	\$ 30,000.00
	510-6056-502-30-02	\$ 20,000	\$ 20,000.00
Concrete Patching – curb and gutter	510-6052-501-30-11	\$ 10,000	\$ 6,483.75
Larch Avenue	530-0080-503-50-14	\$ 30,000	\$ 19,873.00
Pavement Striping	110-6041-432-3046	\$ 10,000	\$ 6,611.40
One Room Schoolhouse Parking Lot	110-7060-451-80-23	\$ 60,000	\$ 61,014.83
Totals		\$2,230,000	\$2,263,868.81

Please note the bid amount exceeds the project budget, however the bid includes curb and gutter and partial sidewalk replacement on Spring Road, totaling \$148,675.00. These items were recently added to the Spring Road Sidewalk Improvement project contract. These items will be removed from the paving contract which will reduce the total project cost to \$2,115,211.81 and a total budget amount of \$2,140,000.

It is, therefore, the recommendation of the Public Works and Building Committee that the low bid in the amount of \$2,263,868.81 from Brothers Asphalt Paving for the 2010 Contract Paving Program be accepted and the City attorney be authorized to draft a resolution for approving a contract with Brothers Asphalt Paving.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/us/ Pat Shea

/s/ Chris Healy

1. REPORT – LEVEE MAINTENANCE IMPROVEMENTS PROJECT The following report of the Public Works and Buildings Committee was presented for passage:

May 10, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Levee Maintenance Improvements Project

The Public Works and Buildings Committee met on Monday, May 10, 2010 to review bids received for the Levee Maintenance Improvements Project. The bids are summarized on Attachment “A”.

The City owns and maintains a levee which was constructed in the early 1990’s to combat a repeat of the 1987 flooding event. The levee system includes embankments, flood walls, and interior drainage systems, all working together to protect the area that would otherwise be inundated by the 100 year flood. There are four segments in the Elmhurst levee system totaling approximately 7,000

lineal feet and five storm sewer pumping stations to evacuate drainage behind the levee. The National Levee Safety Act of 2007 requires that all levees be certified in order to be mapped as a FEMA accredited levee.

The project shall include raising the elevation of the existing earthen levee an average of 8 inches and the elevation of portions of the existing flood wall by approximately 1 foot; removal of trees and woody vegetation within 15 feet of the levee; restoration with native and turf grasses; and other related work. The levee protects approximately 1400 homes in southwest Elmhurst. The work is necessary to obtain certification of the levee; without it FEMA will place these homes back into the floodplain.

V3 Construction Group of Woodridge, IL, submitted the lowest responsible bid meeting all of the bidding requirements. V3 Construction Group's bid was \$897,195.00. V3 Construction Group has completed similar work for the DuPage County Stormwater Management Division, Glenview Park District and Lake County Forest Preserve in a satisfactory manner.

Monies have been provided in the FY 2010/11 Budget in the amount of \$1,000,000 in account number 305-6041-432-80-22.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid from the lowest responsible bidder, V3 Construction Group in the amount of \$897,195.00, be accepted, and the City attorney be authorized to draft a resolution for approving a contract with V3 Construction Group.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/us/ Pat Shea

/s/ Chris Healy

- m. REPORT – LEVEE CERTIFICATION – ADDITIONAL DESIGN WORK The following report of the Public Works and Buildings Committee was presented for passage:

May 10, 2010

TO: Mayor DiCianni and Members of the City Council

RE: Levee Certification – Additional Design Work

The Public Works and Buildings Committee met on Monday, May 10, 2010 to review the request for extra design and documentation work by Engineering Resource Associates (ERA) to complete the certification of the levee in accordance with the Federal Emergency Management Agency (FEMA) requirements.

The City owns and maintains a levee which was constructed in the early 1990's to combat a repeat of the 1987 flooding event. The levee system includes embankments, flood walls, and interior drainage systems, all working together to protect the area that would otherwise be inundated by the 100 year flood. There are four segments in the Elmhurst levee system totaling approximately 7,000 lineal feet and five storm sewer pumping stations to evacuate drainage behind the levee. The National Levee Safety Act of 2007 requires that all levees be certified in order to be mapped as a FEMA accredited levee. The City is required to have all improvements designed and constructed with as-built drawings complete and a levee certification report to FEMA by July 2010.

The amendment to the engineering contract is to provide additional and necessary design and documentation towards the certification of the levee and to provide additional coordination with City staff and residents concerning the proposed levee construction work. The additional time and services identified are for meetings and coordination in the field with the residents and contractor, permit submittal to DuPage County for compensatory storage, additional structural/geotechnical testing and design during construction, preparation of additional risk analysis documents for

Butterfield Road and cross sectional earthwork calculations to document contractor quantities for payment. These additional services from ERA total \$31,605 for a new contract value of \$198,645, see attached proposal.

ERA is a well respected firm in the field of hydraulics and hydrology and is one of the only firms in the region that has actually performed a levee certification previously. ERA has completed similar work for the City of Elmhurst in a satisfactory manner. ERA's hourly rates and overheads have been compared to rate and overhead charges from other professional engineering companies for similar services and are found to be very competitive.

Monies have been provided in the FY 2010/11 Budget in the amount of \$200,000 in account number 305-6041-432-80-22.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the extra work proposal from ERA to perform engineering services to design and oversee construction of the projects necessary to allow for the certification of the Elmhurst levee in the amount of \$31,605.00 for a total contract value of \$198,645.00, be accepted, and the City attorney be authorized to draft a resolution for approving the amendment to the contract with ERA.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Michael J. Bram

Vice-Chairman

/us/ Pat Shea

/s/ Chris Healy

- n. REPORT – LIQUOR LICENSE CHANGE FOR CUVEE CELLARS The following report of the Public Affairs and Safety Committee was presented for passage:

May 10, 2010

To: Mayor DiCianni and Members of the City Council

RE: Liquor License change for Cuvee Cellars

The Public Affairs and Safety Committee met on May 10, 2010 to discuss a change in liquor license classification for Cuvee Cellars, located at 545 S. Spring Road.

Cuvee Cellars currently holds liquor licenses in the "WBB" and "PL" categories, allowing for the retail sale of bottled wines, beer and premium spirits not for consumption on the premises where sold. Since the sale of premium spirits is such a small portion of their business, the owners have decided to eliminate the off premise sale of premium spirits. As a result, Cuvee Cellars would like to drop the "PL" license.

Cuvee Cellars is requesting the creation of a new liquor license in the "WBBS" class, to allow them to continue selling bottled wine and beer off premise and at the same time allow the on-premise sale of beer, wine and premium spirits. The owners of Cuvee Cellars feel that their establishment meets the required conditions of a "WBBS" class license in that their bar space is limited and they are not able to mix drinks. They are anticipating adding cognac, premium scotches and whiskeys, and other specialty spirits to their selections.

It is therefore the recommendation of the Public Affairs & Safety Committee to change the liquor license classification for Cuvee Cellars, 545 S. Spring Rd. by increasing the number of Class "WBBS" liquor licenses and reducing the number of "PL" and "WBB" licenses.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Patrick Wagner

Chairman

/us/ Chris Nybo

Vice-Chairman
/s/ Paula Pezza

- o. REPORT – DISPOSITION OF STOP SIGN REQUEST – FAIR AND WEBSTER AVENUES The following report of the Public Affairs and Safety Committee was presented for passage:

May 10, 2010

To: Mayor DiCianni and Members of the City Council
RE: Disposition of Stop Sign Request - Fair and Webster Avenues

The Public Affairs and Safety Committee met on May 10, 2010 to discuss the status of the request for stop signs at the intersection of Fair and Webster Avenues.

In response to a neighborhood request, the City Engineering Division performed a study at the subject intersection. The request was for yield or stop signs at the intersection. Staff review finds moderate sight distance between 70 and 110 feet and two right-angle collisions within a 12-month period in 2009. According to “Proposed Warrants for Low Volume Intersection Traffic Control”, this intersection meets the warrants for a two-way stop control. Staff recommendation is to install stop signs on the Webster Avenue approaches to Fair Avenue. The Public Affairs and Safety Committee concurs with the City Engineering recommendation.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to provide stop signs on the Webster Avenue approaches to Fair Avenue.

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

- p. REPORT – PARKING FEE REVIEW The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

May 11, 2010

To: Mayor DiCianni and Members of the City Council
Re: Parking Fee Review

The Finance, Council Affairs and Administrative Services Committee met twice, most recently May 10, 2010, to review parking fees.

The Parking System Fund is classified as an Enterprise Fund (business like activity) in the City’s annual financial report. Parking fees are a user fee and the revenue generated should cover all of the associated expenses necessary to operate, maintain and improve the parking system. Parking expenses include: salaries and benefits for administration and enforcement of the system; operating expenses such as electricity, postage, supplies and snow removal; repairs and maintenance; depreciation; and capital including collection machines, vehicles and improvements to the parking lots and decks. The proposed increase in parking fees is necessary at this time to adequately fund expenses that continue to increase. The 2010/11 approved budget includes the proposed increase in rates.

The parking system provides services to business owners and employees, commuters, shoppers and visitors to the central business district. The system is made up of approximately 597 permit spaces, 65 employee reserved permit spaces, 663 daily fee spaces and 855 three hour free shopper/visitor spaces. The First Street Deck is projected to open in July, which will add approximately 250 parking spaces to the system, and an additional 39 spaces will be available along the railroad in June.

In addition to the financial review of the Parking System Fund and the review of the different types of users and number of parking spaces provided, the Finance, Council Affairs and Administrative

Services Committee also reviewed the parking fee study provided by staff (see attached survey). The survey results indicate that the proposed increase in fees are justified when compared to the rates being charged by other communities that are comparable to Elmhurst. Staff explained that the lease agreements between the City and Metra for the two parking decks and the daily coin parking along the Metra tracks require that all fee increases associated with this parking must be approved by Metra. It was noted that the City requested to raise the fee to \$2.00, and Metra has approved the increase (see attached letter). Proposed fee increases for monthly, quarterly, and overnight parking are based proportionately on the daily fee increase; the annual parking fee includes a \$25 discount compared to purchasing four quarterly passes.

Based on the financial review and the comparison of fees of other communities, the Finance, Council Affairs and Administrative Services Committee recommends the following parking fee increases:

<u>Type of parking Fee</u>	<u>Current Fees</u>	<u>Proposed Fees</u>
Daily (coin spaces)	\$ 1.50	\$ 2.00
Monthly Pass (coin spaces)	\$ 30.00	\$ 40.00
Quarterly Permit	\$ 75.00	\$100.00
Annual Permit	\$300.00	\$375.00
Monthly Overnight Pass	\$ 15.00	\$ 20.00

Current parking fee revenue from the existing spaces generates approximately \$477,000. The implementation of the proposed fee schedule would generate approximately \$152,000 in additional revenue on an annual basis. Because the quarterly permits are based on the calendar year, it is recommended that the new fees be effective as of July 1, 2010.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the proposed parking fee increases and direct the City Attorney to prepare the appropriate ordinance for implementation of the proposed fees effective July 1, 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

- q. REPORT – DUPAGE MAYORS AND MANAGERS CONFERENCE 2010 LEGISLATIVE ACTION PROGRAM The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

May 11, 2010

To: Mayor DiCianni and Members of the City Council
Re: DuPage Mayors and Managers Conference 2010 Legislative Action Program

The Finance, Council Affairs and Administrative Services Committee met several times, most recently May 10, 2010, to review the DuPage Mayors and Managers Conference (DMMC) 2010 Legislative Action Program (attached).

Annually, the DMMC develops a Legislative Action Program (LAP) to provide direction and guidelines for Conference activity. DMMC member communities generally endorse all or part of the LAP by resolution. The Finance Committee has reviewed the LAP and endorses the program with the following exceptions:

1. Page 5 – Remove Pension Levies from Tax Cap – The Finance Committee noted that this initiative is not applicable to City of Elmhurst.
2. Page 7 – Protect Authority for Red Light Camera Enforcement – The Finance Committee does not support the Red Light Camera Program in the State of Illinois.

3. Page 8 – FOIA Commercial Requests – The Finance Committee supports this initiative but recommends that the State establish a funding system to assist municipalities with the cost of document imaging and document management systems.

The Finance Committee noted that many LAP initiatives related to providing broader revenue authority to non-home rule municipalities. It is the consensus of the Finance Committee to recommend support of the 2010 LAP with the above exceptions.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Committee that the City Council direct the City Attorney to prepare a resolution to approve the DuPage Mayors and Managers Conference 2010 Legislative Action Program with the exceptions as stated 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

- r. O-14-2010 – AN ORDINANCE AUTHORIZING THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS, TO BORROW FUNDS FROM THE WATER POLLUTION CONTROL LOAN PROGRAM

Ordinance O-14-2010 was presented for passage.

- s. MCO-12-2010 – AN ORDINANCE AMENDING SECTIONS 36.09, ENTITLED “CLASSIFICATION OF LICENSES,” 36.10, “ENTITLED TERMS; FEES,” AND 36.11, ENTITLED “LIMITATION ON NUMBER OF LICENSES,” ALL OF ARTICLE II, ENTITLED “RETAIL LICENSES,” CHAPTER 36, ENTITLED “LIQUOR,” OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance MCO-12-2010 was presented for passage.

- t. MCO-16-2010 – AN ORDINANCE ESTABLISHING WASTEWATER TREATMENT RATES FOR PRIVATE WELL USERS

Ordinance MCO-16-2010 was presented for passage.

- u. ZO-09-2010 – AN ORDINANCE GRANTING A CONDITIONAL USE FOR A “PUBLIC SERVICE SIGN” ON AN EXISTING BILLBOARD SIGN FOR PUBLIC EDUCATIONAL PURPOSES (ELMHURST STONE QUARRY – DUPAGE COUNTY)

Ordinance ZO-09-2010 was presented for passage.

- v. ZO-10-2010 – AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE CITY OF ELMHURST ZONING ORDINANCE FOR THE PURPOSE OF ADDING A “PUBLIC SERVICE SIGN” AS A CONDITIONAL USE IN THE C/R CONSERVATION/RECREATION DISTRICT

Ordinance ZO-10-2010 was presented for passage.

- w. ZO-11-2010 – AN ORDINANCE GRANTING AN AMENDMENT TO A CONDITIONAL USE PERMIT, WITH ASSOCIATED FRONT YARD AND INTERIOR YARD SETBACK VARIATIONS, FOR THE PURPOSE OF CONSTRUCTING A FELLOWSHIP HALL, ADAPTIVE RENOVATION OF AN EXISTING RESIDENCE FOR AN ADMINISTRATIVE CENTER AND OTHER SITE IMPROVEMENTS FOR A CHURCH ON THE PROPERTY COMMONLY KNOWN AS 315 EAST ST. CHARLES, 314 HUNTINGTON LANE AND 316 HUNTINGTON LANE (BETHEL UNITED CHURCH OF CHRIST)

Ordinance ZO-11-2010 was presented for passage.

- x. R-20-2010 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE ELEVATOR AND GLASS & GLAZING FOR THE FIRST STREET PARKING DECK PROJECT FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-20-2010 was presented for passage.

- y. R-25-2010 – A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS FOR THE PURCHASE OF FIRE HYDRANT MATERIALS BY AND BETWEEN ZIEBELL WATER SERVICE PRODUCTS, INC., AND THE CITY OF ELMHURST AND MID AMERICAN WATER, INC., AND THE CITY OF ELMHURST

Resolution R-25-2010 was presented for passage.

- z. R-26-2010 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2010 LEVEE MAINTENANCE IMPROVEMENTS PROJECT FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-26-2010 was presented for passage.

- aa. R-27-2010 – A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE PURCHASE AND INSTALLATION OF THREE FUEL DISPENSERS BY AND BETWEEN SUPERIOR PETROLEUM MARKETERS, INC., AND THE CITY OF ELMHURST

Resolution R-27-2010 was presented for passage.

- bb. R-28-2010 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2010 CONTRACT PAVING PROGRAM FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-28-2010 was presented for passage.

Alderman Gutenkauf pulled item **6j. All-Circo, Inc., Public Affairs and Consulting Services** from the Consent Agenda.

Alderman Pezza moved to approve the contents of the Consent Agenda less item **6j. All-Circo, Inc., Public Affairs and Consulting Services**. Alderman Healy seconded. Roll call vote:

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

Nays: None

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

Mayor DiCianni stated item **6j. All-Circo Inc., Public Affairs and Consulting Services** is a referral and asked for a motion and a second to put it on the table for discussion.

Alderman Gutenkauf moved, Alderman Mulliner seconded.

Alderman Gutenkauf stated she pulled item **6j. All-Circo Inc., Public Affairs and Consulting Services** a referral to the Finance, Council Affairs and Administrative Services Committee stating she feels this is not the appropriate referral, she stated this poses the wrong question.

Mayor DiCianni asked Clerk Spencer to read the referral aloud.

Alderman Gutenkauf stated the appropriate question is not being asked. The question should be does the City want to hire a lobbyist; instead it's narrowing down a list of potential firms to hire. She stated she is uncomfortable that step was not discussed.

Alderman Morley, point of order, stating the discussion is getting too close to discussing the merits of the referral.

Discussion ensued.

Alderman Rose, point of clarification, stating her understanding is that as of today, the City has not contracted with anyone.

Mayor DiCianni stated that is correct.

Mayor DiCianni asked for a voice vote to refer item **6j. All-Circo Inc., Public Affairs and Consulting Services**. Voice vote, motion carried. Mayor DiCianni stated for the record Aldermen Gutenkauf and Shea voted nay.

Alderman Morley, point of order, stated that it is not on the record because it is a voice vote.

Item **6j. All-Circo Inc., Public Affairs and Consulting Services** was referred to the Finance, Council Affairs and Administrative Services Committee.

COMMITTEE REPORTS

7. a. Report – Allied Waste Contract Rate Adjustment The following report of the Public Works and Buildings Committee was presented for passage.

May 10, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Allied Waste Contract Rate Adjustment

The Public Works and Buildings Committee met on February 22, 2010, March 8, 2010, April 12, 2010 and again on May 10, 2010 to discuss the Allied Waste contract and the annual rate adjustment for the monthly service charges.

In accordance with the contract between the City and Allied Waste, the rate for services must be reviewed on an annual basis. The contract contains provisions for increases to the rates charged by Allied Waste on an annual basis, this year the adjustment to Allied Waste's rate is zero.

Internal costs for the street sweeping of leaves (\$74,160) and additional salary costs (\$87,830) are allocated to the refuse and recycling program expenses. These costs are accounted for in the monthly rate adjustments.

These increases will be incorporated into the monthly rates the City charges residents for service. The rate for a 33-gallon garbage receptacle will go from \$13.68 to \$14.03 per month. And the rate for the 96-gallon toter will go from \$19.96 to \$20.76 per month. The amount charged for refuse stickers will increase from \$2.00 to \$2.25 and yardwaste stickers will remain at \$2.25.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the monthly rates charged for solid waste removal and the prices paid for refuse stickers be adjusted as outlined above effective July 1, 2010.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/us/ Michael J. Bram
Vice-Chairman

/us/ Pat Shea

/s/ Chris Healy

Alderman Kennedy moved to accept item **7a. Report – Allied Waste Contract Rate Adjustment**. Alderman Healy seconded.

Alderman Kennedy stated the City staff did an activity based analysis during budget time and stated there is a disconnect with actual spending and the amount that is allocated. Alderman Kennedy stated its recommended to make an adjustment in the rates to make the same amount of money it takes to administer the service.

Alderman Bram stated he could not support this report. He stated the City is in the third year of a five (5) year contract. He stated Allied Waste hasn't increased their rates to the City.

Discussion ensued regarding the increase of fees.

Roll call vote on item **7a. Report – Allied Waste Contract Rate Adjustment:**

Ayes: Kennedy, Healy, Gutenkauf, Leader, Rose, York, Nybo, Morley, Mulliner, Wagner

Nays: Pezza, Shea, Bram

Results: 10 ayes, 3 nays, 1 absent
Motion duly carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

8. a. UPDATES (Mayor DiCianni)

Mayor DiCianni stated the Annie Ryan Run was held on Sunday, May 16, 2010 and approximately 3,000 people were in attendance. He stated Alderman Wagner and Alderman Kennedy participated in the run.

OTHER BUSINESS

9. a. 10 MINUTE PARKING SPACE – 206 AND 209 N. YORK STREET – ALD. MICHAEL BRAM (City Manager Borchert): Refer to the Public Affairs and Safety Committee

May 12, 2010

To: Mayor DiCianni and Members of the City Council

Re: 10 Minute Parking Space – 206 and 209 N. York Street – Ald. Michael Bram

It is respectfully requested that the attached request for 10 minute parking spaces in front of 206 and 209 York Street be referred to the Public Affairs and Safety Committee for evaluation and recommendation back to the City Council.

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

Alderman Wagner asked why this item was not on the Consent Agenda.

City Manager Borchert stated it wasn't ready for the agenda. After discussion it was decided to put it on for this meeting and that is why it is under Other Business.

Item **10a. 10 Minute Parking Space – 206 and 209 N. York Street – Ald. Michael Bram** was referred to the Public Affairs and Safety Committee without objection.

ANNOUNCEMENTS

10. Mayor DiCianni announced the 1st Annual Ray Graham Walk will be held at the DuPage County Building in Wheaton at 10:00 a.m. on Sunday, May 23, 2010.

City Manager Borchert announced the Memorial Day Parade will be held on Monday, May 31, 2010. The Grand Marshall for this is Rear Admiral John G. Messerschmidt.

Alderman Gutenkauf announced that she and Alderman Pezza will host Coffee & Conversation at the Elmhurst Art Museum on Tuesday, May 18, 2010 between the hours of 5:30 – 7:00 p.m.

Alderman York announced the Character Counts Awards will be presented on Thursday, May 20, 2010 at 6:30 p.m. at the Frick Center at Elmhurst College.

Alderman Gutenkauf congratulated City employee, Library Director Marilyn Boria, who received the Distinguished Service Award from the Elmhurst Jaycees on Thursday, April 29, 2010.

Mayor DiCianni reported the Elmhurst Public Library ranked 6th nationally and 1st in Illinois by Hennen's American Public Library Rating Index.

ADJOURNMENT

11. Alderman Morley moved to adjourn the meeting. Alderman York seconded. Voice vote. Motion carried. Meeting adjourned 9:00 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk