

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, JUNE 21, 2010
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

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

1. Executive session was called to order at 7:03 p.m. by Mayor DiCianni for the purpose of discussing Land Acquisition, Land Disposition and Personnel.

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

Absent: None

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

Alderman Morley moved to convene into executive session for the purpose of discussing Land Acquisition, Land Disposition and Personnel. Alderman Hipskind seconded. Roll call vote:

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

Nays: None

14 ayes, 0 nays, 0 absent
Motion duly carried

Alderman Pezza moved to adjourn executive session. Alderman Gutenkauf seconded. Voice vote. Motion carried. Executive session adjourned at 7:27 p.m.

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ ROLL CALL

Attendance: 37

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:39 p.m.

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

Absent: None

Also in Attendance: City Treasurer Dyer, City Attorney Peppers, City Manager Borchert, Assistant City Manager/Fire Chief Kopp

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

3. None.

PUBLIC FORUM

4. Kyle Woitel
585 Gladys Ave.
Elmhurst, IL 60126

Spoke regarding the sidewalks on Gladys Avenue. He stated the compromise proposal by Council is appreciated. He asked that if Council does not approve it tonight, that they do not cancel the original SSA and put in sidewalks on both sides of the street.

Richard Jarman, Professor of Chemistry, College of DuPage
460 Rain Tree Drive
Glen Ellyn, IL 60137

Spoke regarding the College of Dupage's CODiscover program which gathers input from communities regarding the college. He stated that input will be used for their strategic planning.

The website is www.CODiscoverCOD.com. He presented Clerk Spencer with a brochure for the Council.

Terry Pastika, Citizens Advocacy Center
182 N. York St.
Elmhurst, IL 60126

Spoke regarding citizen Darlene Heslop being ejected from the Finance, Council Affairs and Administrative Services Committee meeting on June 14, 2010 stating this was a violation of a local ordinance, the IL Open Meetings Act and the 1st Amendment. She thanked Alderman Mulliner for his common sense response to the incident and Aldermen Gutenkauf and York for not going along with the ejection. She stated Ms. Heslop has been appointed to the Youth Commission for a term expiring in 2013, and any action to remove her from said commission would be a violation of the 1st Amendment. Ms. Pastika concluded by asking City Manager Borchert to contact her office to set-up Ethics Training for Elected Officials per the Mayor's suggestion.

Patty Hicks
125 E. Crescent
Elmhurst, IL 60126

Spoke about her disappointment in City workers for the lack of notice given regarding work done on her block. She spoke about her power loss from recent storms and stated when she called City Hall to state her problem, she felt there could have been a more pro-active response. She spoke of the ejection of a citizen from the most recent Finance, Council Affairs and Administrative Services Committee meeting and the lack of judgment used regarding the incident.

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

Thanked the City Council and the Public Works and Buildings Committee for their hard work on sidewalks for the last couple of years. He stated cancelling SSA 12 is the right thing to do.

John Reboletti
625 W. Gladys Ave.
Elmhurst, IL 60126

Spoke against sidewalks on Gladys Avenue.

Greg Zerkis
311 W. Elm Park Ave.
Elmhurst, IL 60126

Spoke regarding the power outages in Elmhurst. He asked the City to develop a long range plan and have ComEd adhere to it.

Tamara Brenner
137 N. Caroline
Elmhurst, IL 60126

Spoke regarding the Mayor's rebuttal from the chair regarding comments she and another citizen had made at the last Council meeting. She stated that was an unfair forum to address them. She spoke of the expulsion of a resident from the Finance, Council Affairs and Administrative Services Committee meeting last week asking Council to create a climate where all citizens feel welcome to present their views.

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

Spoke regarding her ejection from the Finance, Council Affairs and Administrative Services Committee stating her rights were infringed upon.

CONSENT AGENDA

5. The following items on the Consent Agenda were presented:
- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, MAY 17, 2010 (City Clerk Spencer): Approve as published
 - b. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, JUNE 7, 2010 (City Clerk Spencer): Approve as published
 - c. ACCOUNTS PAYABLE – JUNE 21, 2010, TOTAL \$ 1,278,913.37
 - d. REPORT – FIRST STREET PARKING DECK BIDS FOR DECORATIVE PAVERS The following report of the Public Works and Buildings Committee was presented for passage:

June 14, 2010

TO: Mayor DiCianni and Members of the City Council
RE: First Street Parking Deck Bids for Decorative Pavers

On Monday, June 14, 2010 the Public Works and Buildings Committee met to review bids received for the First Street Parking Deck bids for Decorative Pavers.

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 decorative pavers.

The low bidder for the decorative pavers was Sebert Landscaping of Bartlett, Illinois with a total bid of \$28,112.00. Reference checks for this contractor indicate that work was completed in a satisfactory manner. See attached bid analysis for a discussion of the number of bidders and proceeding with accepting the bid.

Technically, this streetscape work is outside the scope of work of the Parking Deck, but the improvement is being incorporated into the deck construction to simplify coordination and allow for both to be completed at the same time. Streetscape of this block has been a part of the original downtown redevelopment plan since 1991. This work will be paid out of the Tax Increment Financing (TIF) funds.

Advertisements to bid were posted in the Elmhurst Independent on May 11, 2010. Bids were opened by the City Clerk on May 25, 2010.

Monies for this work have been approved in the FY 2010/2011 Budget, in account number 310-0089-461-80-24 in the amount of \$50,000.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid for Decorative Pavers as outlined above be accepted and that the City Attorney be authorized to prepare a resolution for the project.

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 – DEMOLITION OF 149 N. ADDISON AVENUE The following report of the Public Works and Buildings Committee was presented for passage:

June 14, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Demolition of 149 N. Addison Avenue

The Public Works and Buildings Committee met on Monday, June 14, 2010 to review bids for the Demolition of 149 N. Addison Avenue. The six (6) bids received from area contractors are summarized on Attachment "A".

The bids received will provide for the demolition and removal of the one story building at 149 N. Addison Avenue. Other work will include utility disconnections, removal of foundation to a depth of three feet below grade, backfill of voids with stone and temporary site fencing.

The contract requires that the above work shall be completed by July 23, 2010. Once the work has been completed the site will be paved in the 2010 contract paving program and used as a temporary public parking lot.

Site Recovery Services, Inc. submitted the lowest responsible bid meeting all of the bidding requirements. Site Recovery Services, Inc. has completed similar work for several local municipalities in a satisfactory manner.

Monies for this work have been provided in the FY 2010/2011 Budget, in account number 530-0088-503-80-19 in the amount of \$30,000.

It is, therefore, the recommendation of the Public Works and Building Committee that the low bid in the amount of \$24,885.00 from Site Recovery Service, Inc. for the Demolition of 149 N. Addison Avenue be accepted and the City attorney be authorized to draft a resolution for approving a contract with Site Recovery Service, Inc.

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 – PARKER RELIEF STORM SEWER PROJECT The following report of the Public Works and Buildings Committee was presented for passage:

June 14, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Parker Relief Storm Sewer Project

The Public Works and Buildings Committee met on Monday, June 14, 2010 to review proposals received for the installation of a relief storm sewer on Parker Street from Belden Avenue to Fullerton Avenue. The three (3) proposals received from area contractors are summarized on Attachment "A".

The existing public drainage system through Maywood Sportsman Park consists of various ditches and culverts and is extremely flat. Due to these conditions the system is frequently silted in and overgrown. The system does not function as designed and results in flooding conditions at the intersection of Belden Avenue and Geneva Avenue. City staff has met with officials at Maywood Sportsman Park to discuss the drainage system and they have indicated that they do attempt to keep the drainage system flowing but that due to the initial poor design they are often unsuccessful. The storm sewer on Belden Avenue holds water due to the inability to properly drain. Consequently, during the winter, water remaining in the storm sewer freezes, compounding flooding issues during winter events.

The proposals received will provide for the installation of 525 lineal feet of eight-inch storm sewer pipe on Parker Street to provide a relief storm sewer to eliminate standing water in the intersection of Belden Avenue and Geneva Avenue. The line will connect this area to the existing storm sewer

on Parker Street at Fullerton Avenue. That line is a twelve-inch sewer and has adequate capacity to take the water which would be standing on the pavement at Belden Avenue and Geneva Avenue.

Down Under Construction, Inc., of St. Charles, IL, submitted the lowest responsible proposal meeting all of the requirements. Down Under's proposal was \$23,980.00. Down Under Construction has completed similar work for the City in a satisfactory manner.

Monies for this work have been provided in the FY 2010/2011 Budget, in account number 110-6048-513-80-14 in the amount of \$50,000.00.

It is, therefore, the recommendation of the Public Works and Building Committee that the low proposal from Down Under Construction, Inc in the amount of \$23,980.00 for the installation of a relief storm sewer on Parker Street, be accepted.

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 – WWTP ANALYTICAL LABORATORY SERVICES PROPOSAL The following report of the Public Works and Buildings Committee was presented for passage:

June 14, 2010

TO: Mayor DiCianni and Members of the City Council

RE: WWTP Analytical Laboratory Services Proposal

The Public Works and Buildings Committee met on June 14, 2010 to discuss proposals submitted by two analytical laboratories to provide laboratory services for the wastewater treatment plant and associated water production facilities. The laboratory services are required by the Illinois Environmental Protection Agency (IEPA) to confirm that the City's water, sludge, and wastewater are in compliance with the City's IEPA permit.

Staff sent out requests for proposals to several area labs. Two proposals were received, one from Suburban Laboratories of Hillside, Illinois and one from Environmental Monitoring of Morton Grove, Illinois. City staff contacted several of the other labs to inquire why they did not submit a proposal, they stated that due to the distance required for them to retrieve samples they would not be competitive or that they were unable to perform all of the tests required. In an attempt to obtain multiple competitive bids and to take advantage of economy of scale the proposal requested pricing for three years.

The proposals are summarized below:

VENDOR	ANNUAL COST		
	Year 1	Year 2	Year 3
Suburban Laboratories	\$27,564.60	\$27,564.60	\$27,564.60
Environmental Monitoring	\$29,980.05	\$30,879.45	\$31,805.83

The pricing is based on anticipated annual number of required tests. The actual number of tests conducted annually can vary due to changes in regulation, required repeat tests, and problem resolution.

After reviewing the proposals, Suburban Laboratories of Hillside, Illinois provides the best and most cost effective proposal for the City's WWTP analytical laboratory services. The City has used Suburban Laboratories for many lab services and is very satisfied with the quality of their services.

Monies for this work are provided for in the FY 2010/11 Municipal Utility Fund Budget, account numbers 510-6051-501-30-33 and 510-6057-502-30-33 in the amounts of \$9,000 and \$32,000.

It is, therefore, the recommendation of the Public Works and Buildings Committee that Suburban Laboratories' 3 year proposal in the amount of \$27,564.60 be accepted.

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 – 2010 CONCRETE PAVEMENT PATCHING PROGRAM The following report of the Public Works and Buildings Committee was presented for passage:

June 14, 2009

TO: Mayor DiCianni and Members of the City Council
RE: 2010 Concrete Pavement Patching Program

The Public Works and Buildings Committee met on Monday, June 14, 2010 to review bids received for the 2010 Concrete Pavement Patching Program. The bids are summarized on Attachment "A".

The work consists of the removal and replacement of deteriorated concrete pavement, curb, and gutter, at various locations throughout the City.

DiNatale Construction, Incorporated of Addison, Illinois submitted the lowest responsible bid meeting all of the bidding requirements. DiNatale Construction, Incorporated has performed similar work for other municipalities previously and the work was completed in a satisfactory manner.

Monies for this project have been provided in the FY2010/11 budget in account number 110-6041-432-30-11 in the amount of \$100,000 to repair deteriorated concrete pavement, and in account number 510-6052-501-30-11 in the amount of \$37,000 to repair concrete pavement damaged by water distribution system work.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid from DiNatale Construction, Incorporated, for the 2010 Concrete Pavement Patching Program in the amount of \$95,900.00, be accepted and that the City Attorney prepare the appropriate resolution.

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 – LIQUOR LICENSE REQUEST: PINTS The following report of the Public Affairs and Safety Committee was presented for passage:

June 14, 2010

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

The Public Affairs and Safety Committee met on June 14, 2010 to discuss the liquor license request by Pints. A representative from Pints was present to explain their business plan and answer the Committee's questions.

Pints will be located at 114 S. York Street. They will be a Sports bar/English pub serving high-quality food with 24 different types of beer on tap, and carry every major sporting event. The hours

of operation will be 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday, with seating available for 108 patrons (see attached floor plan).

There are currently three Pints operating in Iowa City, Davenport and Harrington's Pub in Bettendorf, Iowa. This will be the fourth Pints opened by Mark Roemer, founder of Pints. The Elmhurst location will be serving a full menu of high quality food, such as Gourmet Hamburgers, Grilled Chicken Sandwiches, Salads and Fries.

All state and local laws and ordinances will be enforced and followed. The floor and business plans have been reviewed and the Committee agreed with all aspects of the business plan and concurred that a Class "RL" liquor license would be appropriate.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Attorney be authorized to prepare the appropriate ordinance to provide the availability of a Class "RL" liquor license for Pints located at 114 S. York Street.

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

- j. REPORT – CASE NUMBER 08P-05/AIMCO REQUEST FOR MAP AMENDMENT (REZONING) SUBDIVISION, AND VARIATION The following report of the Development, Planning and Zoning Committee was presented for passage:

June 15, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Case Number 08P-05/Aimco Request for Map Amendment (Rezoning) Subdivision, and Variation

Request for Subdivision, Map Amendment and Variation for the purpose of constructing 28 new townhomes on property commonly known as 1 Elm Creek Drive (PIN 06-14-406-060 and 06-14-409-057) said property being located within the R4 Limited General Residence District and the C3 General Commercial District.

The Development, Planning and Zoning Committee met on June 14, 2010 to review the subject request for 28 proposed townhomes to be constructed on Elm Creek property.

The Applicant is requesting approval of a subdivision for a portion of the development site that is currently the rear portion of the Bartucci Medical property, commonly known as 300 W. Butterfield. This portion of the development site is the subject of the rezoning request from C3 to R4; this rezoning and subdivision will allow dwelling units by consolidating the subdivided property with the Elm Creek property. The remaining Bartucci property will be legal and conforming after the proposed subdivision.

The applicant is also requesting a variation in the number of dwelling units allowed. The applicant is requesting approval of 28 additional townhome units resulting in a total of 400 dwelling units, or one unit for every 2,036 square feet of lot area (21.39 dwelling units/ acre). Therefore, the request is for a variation of 30%.

The Committee reviewed the Zoning and Planning Commission report dated September 17, 2008, the DPZ Committee report dated September 23, 2008, and the City Council action on the DPZ report.

This case was recommended for approval by the Zoning and Planning Commission (8-0, 1 absent) and the Development, Planning and Zoning Committee of City Council (3-0). The DPZ report recommending approval, dated September 23, 2008, was approved by City Council (13-0 1 absent) on October 6, 2008. The City Attorney began the preparation of an Ordinance and Resolution for

this request; however, due to changing economic conditions, the Applicant (Aimco) was unable to close on the portion of property to be acquired from abutting property owner Dr. Bartucci. The Applicant and Dr. Bartucci have subsequently come to an agreement and, therefore, their request for approval is again before the City Council.

Because the Zoning Ordinance and the Municipal Code do not address the situation of an Ordinance being delayed, and because there is not any time limit between the approval of a Committee Report and the adoption of the enabling ordinance, the Applicant's request can be forwarded to the City Council for Ordinance approval. The Committee reviewed the proposed plans and noted that there were no changes to the original request.

Therefore, it is the recommendation of the Development, Planning and Zoning Committee that the City Council approve this request for Map Amendment (rezoning), Subdivision and Variation. The City Attorney is hereby directed to prepare an Ordinance for the Map Amendment and Variation, and a Resolution for the Subdivision.

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

- k. REPORT – CASE NUMBER 10 P-06 / CITY OF ELMHURST ZONING ORDINANCE TEXT AMENDMENTS The following report of the Development, Planning and Zoning Committee was presented for passage:

June 16, 2010

TO: Mayor DiCianni and Members of the City Council

RE: Case Number 10 P-06 / City of Elmhurst Zoning Ordinance Text Amendments

Request to amend the text of the Elmhurst Zoning Ordinance as follows:

Section 4.2-3 – To prohibit Temporary and/or Inflatable Structures

Section 4.2-6 - Delete entire Subsection relating to above ground fuel tanks

Chapter 7, Part A 4c – limit front porches to be one story only

Section 10.2f – Insert “Single Family” before “residential lots”

Section 10.2-2 – Insert C1 and C4A after “Central Business District”

Chapter 10, Table 1, Class 9iii – Include C4 and C4A

Section 11.6Lc – Change four feet to six feet for commercial sign height

Chapter 13 – Add definition of “Temporary Structures”.

The Development, Planning and Zoning Committee met on June 14, 2010 to review the Zoning and Planning Commission report dated May 24, 2010. The City of Elmhurst, as Applicant, is requesting various text amendments to the Zoning Ordinance

Background:

Temporary and/or Inflatable Structures – The current language in Section 4.2-3 of the Zoning Ordinance only addresses temporary mobile homes/offices. This Section does not address tent-like structures used, for example, to cover automobiles, nor does this Section address inflatable structures. Also, Chapter 13 – add definition of temporary structures.

Above Ground Fuel Tanks – Section 4.2-7 - above ground fuel tanks were added to the Zoning Ordinance in May 1996 at the request of then Fire Chief John Fennel. He requested this language be added to the Zoning Ordinance because, at that time, the State Fire Marshall changed the State law to allow above ground tanks. Because the Fire Department now has codes and regulations dealing with above-ground fuel tanks, this Section is no longer needed in the Zoning Ordinance.

Limit Front Porches to One-Story – Chapter 7, Part A 4c – In June of 2008, this Section was amended to include a provision that allows “open unenclosed front porches” to protrude up to 6 feet forward of the average on the block, provided that the porch does not protrude forward of the district setback requirement. In the past two years we have had builders and others attempt to use this

provision for a two-story porch, or porch with a deck or living area above. This provision needs to clearly state that front porches are one story only.

Section 10.2f – This Subsection currently requires that all parking spaces open onto an aisle, except on “residential lots”. This needs to be clarified to except only “Single-Family Residential” lots – multiple-family lots should also be required to have all parking spaces open onto an aisle.

Section 10.2-2 – This Section currently states that parking spaces shall be provided in accordance with the parking requirements, except in the “Central Business District”. This Section needs to be amended to include the C1 District, which, like the Central Business District, does not require off-street parking, and the C4A District which has reduced parking requirements.

Chapter 10, Table I, Class 9iii – This Subsection lists the parking requirements for “repair, rental, and servicing of any item, the retail sale of which is permitted in the C1, C2 and C3 Districts”. To be consistent with the Permitted Use Lists in the C4 and C4A districts, which allow rental, repair and servicing of items, these two districts should be listed in this Subsection.

Section 11.6lc – This Section limits commercial real estate signs to a maximum of 4 feet above grade. Because commercial real estate signs are 4 feet high, this provision should be amended to allow a maximum height of 6 feet to allow proper installation of these signs.

Chapter 13 – Add definition of “Temporary Structures”.

Applicant’s Request:

Proposed text shown in italics

Section 4.2-3 b – Amend first sentence to read: “A mobile home *and temporary tents and membrane structures* shall not be considered to be permissible as an accessory building.”

Section 4.2-7 – Delete entire Section

Chapter 7, Part A 4c – Amend last sentence to read: “Open, unenclosed *one-story* front porches that do not exceed an encroachment into the established average front yard setback of more than six (6) feet of that average setback shall be permitted provided, however, that the encroachment cannot exceed the required setback of the district in which it is located.”

Section 10.2f – Amend first sentence to read: “Except on *single-family* residential lots, each off-street parking space shall open directly upon an aisle or driveway at least 12 feet wide or such additional width and design as to provide safe and efficient means of vehicular access to such parking space.”

Section 10.2-2 – Amend second sentence to read: “Off-street parking spaces shall be provided in accordance with the specific Parking Classes as hereinafter set forth in the Off-Street Parking Table (Parking Classes) except within the *C1, C4 and C4A Districts*.”

Chapter 10 Table I, Class 9iii – Amend to read: “Repair, rental and servicing of any item, the retail sale of which is permitted in the C1, C2, C3, *C4 and C4A Districts*”.

Section 11.6lc – Amend last sentence to read: “No such sign shall be higher than *six (6)* feet above grade nor closer to any lot line than six feet.”

Chapter 13 – Add new definition of Temporary Structures as follows:

*“Temporary Structures – The following words and terms shall have the meaning shown herein:
Air-Inflated Structure – A building where the shape of the structure is maintained by air pressurization of cells or tubes to form a barrel vault over the usable area. Occupants of such a structure do not occupy the pressurized areas used to support the structure.*

Air-Supported Structure – A structure wherein the shape of the structure is attained by air pressure and occupants of the structure are within the elevated pressure area.

Membrane Structure – An air-inflated, air-supported, cable or frame-covered structure as defined by the International Building Code and not otherwise defined as a tent.

Tent – A structure, enclosure or shelter, with or without side-walls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.”

Therefore, it is the recommendation of the Development, Planning and Zoning Committee that the City Council approve this request. The City Attorney is hereby directed to prepare an Ordinance authorizing these proposed Zoning Ordinance Text Amendments.

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

l. O-16-2010 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-16-2010 was presented for passage

m. O-17-2010 – AN ORDINANCE PROVIDING FOR THE DECLARATION OF THE GENERAL PREVAILING RATE OF HOURLY WAGES FOR THE YEAR 2010 TO BE PAID TO LABORERS, MECHANICS AND OTHER WORKERS PERFORMING CONSTRUCTION OF PUBLIC WORKS WITHIN THE CITY OF ELMHURST DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-17-2010 was presented for passage

n. O-19-2010 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-19-2010 was presented for passage.

o. O-22-2010 – AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA NUMBER FOURTEEN (SPRING ROAD BUSINESS DISTRICT) OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-22-2010 was presented for passage.

p. MCO-20-2010 – 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 EAST SIDE OF COTTAGE HILL AVENUE FROM ARTHUR STREET TO ELM PARK)

Ordinance MCO-20-2010 was presented for passage.

q. MCO-21-2010 – AN ORDINANCE AMENDING SECTIONS 3.17 AND 3.18, REGARDING THE BOARD OF FIRE AND POLICE COMMISSIONERS, OF CHAPTER 3, ENTITLED “CITY ADMINISTRATION,” OF THE CITY OF ELMHURST MUNICIPAL CODE

Ordinance MCO-21-2010 was presented for passage.

r. ZO-12-2010 – AN ORDINANCE AMENDING ORDINANCE NUMBER ZO-03-2003 TO AUTHORIZE AN EXTENSION OF TIME FOR THE TEMPORARY STORAGE OF A PET/CT SCAN TRAILER AT THE BERTEAU CAMPUS OF ELMHURST HOSPITAL, ELMHURST ILLINOIS

Ordinance ZO-12-2010 was presented for passage.

- s. ZO-13-2010 – AN ORDINANCE GRANTING A REAR YARD VARIATION ON THE PROPERTY COMMONLY KNOWN AS 421 NORTH RIVER GLEN AVENUE (STAMATOPOLOUS/STAMISON)

Ordinance ZO-13-2010 was presented for passage.

- t. R-32-2010 – A RESOLUTION ADOPTING AN IDENTITY PROTECTION POLICY FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-32-2010 was presented for passage.

- u. R-31-2010 – A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN LOAN DOCUMENTS RELATED TO THE LOW INTEREST LOAN (L17-4274) FROM THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Resolution R-31-2010 was presented for passage.

Alderman Bram pulled item **5o. O-22-2010 – An Ordinance Establishing Special Service Area Number Fourteen (Spring Road Business District) of the City of Elmhurst, DuPage and Cook Counties, Illinois** from the Consent Agenda.

Alderman Wagner moved to approve the contents of the Consent Agenda less item **5o. O-22-2010 – An Ordinance Establishing Special Service Area Number Fourteen (Spring Road Business District) of the City of Elmhurst, DuPage and Cook Counties, Illinois**. Alderman Morley seconded.

Roll call vote:

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

Nays: None

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

Alderman Pezza moved to approve item **5o. O-22-2010 – An Ordinance Establishing Special Service Area Number Fourteen (Spring Road Business District) of the City of Elmhurst, DuPage and Cook Counties, Illinois**. Alderman Gutenkauf seconded.

Alderman Bram stated he pulled item **5o. O-22-2010 – An Ordinance Establishing Special Service Area Number Fourteen (Spring Road Business District) of the City of Elmhurst, DuPage and Cook Counties, Illinois** because he had a question on it and it coincides with Gladys. He stated for SSA 14, a non-residential ordinance, has a maximum tax rate of .2% and on the Gladys ordinance, which is residential, has a .3% maximum tax rate. He asked for clarification or is it a scrivener's error.

City Manager Borchert stated that rate comes from the estimate of cost. He stated allowing a tax rate from the private side, the 50% share to be collected. It's the rate over a ten (10) year period. On Gladys it's a higher rate because commercial has a higher value than residential.

Roll call vote on item **5o. O-22-2010 – An Ordinance Establishing Special Service Area Number Fourteen (Spring Road Business District) of the City of Elmhurst, DuPage and Cook Counties, Illinois**:

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

Nays: None

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

COMMITTEE REPORTS

Mayor DiCianni asked for a motion to take item **8. Ordinances** on the agenda before item **6.**

Committee Reports.

Alderman Healy moved, Alderman Bram seconded. Voice vote, motion carried.

6. a. REPORT – STRATEGIC PLAN FOR ECONOMIC DEVELOPMENT The following report of the Development, Planning and Zoning Committee was presented for passage:

April 26, 2010

TO: Mayor DiCianni and Members of the City Council
RE: Strategic Plan for Economic Development

The Development, Planning and Zoning Committee met on numerous occasions, most recently on April 26, 2010 to review the proposed Strategic Plan for Economic Development (see attached). Assistant City Manager Kopp was present along with Chairman Betsy Hanisch of the Economic Development Commission to present the plan and answer questions.

Assistant Manager Kopp explained the process used to develop this plan and the importance of the input from the Economic Development Commission.

The mission of the plan is: *To retain, expand, promote, and attract business and industry within Elmhurst so as to enhance the local economic climate, increase the City of Elmhurst's revenue base, increase the value of commerce, and create employment opportunities.*

The tactical goals of the plan are:

1. Maintain and reinforce Elmhurst's status as a thriving business community
2. Stimulate investor interest in Elmhurst businesses
3. Enhance Elmhurst "employment areas"
4. Enhance entrepreneurial efforts in all areas of town
5. Implement in-depth, long-term communications with local businesses

With these specific economic development recommendations to accomplish the mission and meet the tactical goals of the plan:

- Employ a broad-based Business Retention Program
- Employ comprehensive Business Recruitment Program
- Enhance Economic Development Commission through expansion of membership and roles
- Establish site database and log for commercial sites and implement Developer Response Plan
- Continue to pursue other opportunities to enhance the City's economic well-being (see attached for plan details)

The Committee reviewed the plan and information presented and agreed to the importance of economic development for the City of Elmhurst and the contents of the proposed plan. Discussion ensued regarding the use of the expertise of Economic Development Commission to assist in fulfilling the goals of this plan, as well as collaboration with City Centre and the Chamber of Commerce.

Therefore, it is the recommendation of the Development, Planning and Zoning Committee that the City Council endorse the proposed Strategic Plan for Economic Development.

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 **6a. Report – Strategic Plan for Economic Development**. Alderman Rose seconded.

Alderman Morley stated this is the Development, Planning and Zoning Committee endorsement of the Economic Development Commission Strategic Plan for Economic Development. He introduced Fire Chief/Assistant City Manager Kopp to give a presentation to Council.

Fire Chief/Assistant City Manager Kopp gave a PowerPoint presentation of the Strategic Plan highlighting five (5) recommendations: Business Retention Plan, Business Recruitment Program, Enhance Economic Development Commission, Commercial Site Base and Developer Response Plan and Pursuit of other opportunities. Fire Chief/Assistant City Manager Kopp stated he would answer any questions Council may have.

Economic Development Commission President, Betsy Hanisch spoke on the importance of economic development and business retention.

Roll call vote on item **6a. Report – Strategic Plan for Economic Development**:

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

Nays: None

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

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

7. a. UPDATES (Mayor DiCianni)

Mayor DiCianni reported Relay for Life was held on Saturday, June 19, 2010 and the City Council and staff team, Patty's Peeps was well represented. He stated Alderman Nybo and Team Nybo were well represented as well.

Mayor DiCianni stated the City of Elmhurst will participate, along with the Village of Bensenville and the City of Wood Dale in Liberty Fest July 3-4, 2010 in Redmond Park in Bensenville. It begins at 10 a.m. and concludes at 9:30 p.m. with a fireworks spectacular.

Mayor DiCianni invited everyone to come out and celebrate our Country's birthday and his on the 4th of July.

Mayor DiCianni gave an IDOT 294 update providing southern and western access to 294. He stated it has a cost of \$3.5 billion. He stated it will take both federal and state dollars. Cook and DuPage Counties are unified in this effort.

Mayor DiCianni announced Sunday, June 27, 2010 from 1-5 p.m. the Historical Museum magic exhibit will feature the Mayor being cut in half.

Mayor DiCianni gave an update on the power outages from the June 18th storm stating this storm was much more wide spread. 8,800 homes in Elmhurst were without power. He stated he was at the Command Center during all of the action.

Alderman Bram spoke of the power outages in his ward. He stated there was good communication between the crews and the residents and everyone did a great job.

City Manager Borchert stated the Public Works, Police and Fire Departments had a very busy weekend. There are hundreds of trees to clean-up. He stated it will be 4-5 weeks to complete the clean-up. He stated light brush will be picked up by the regular services.

ORDINANCES

8. a. O-20-2010 – AN ORDINANCE TERMINATING SPECIAL SERVICE AREA NUMBER TWELVE (GLADYS AVENUE) OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-20-2010 was presented for passage.

Alderman Healy moved to approve item **8a. O-20-2010 – An Ordinance Terminating Special Service Area Number Twelve (Gladys Avenue) of the City of Elmhurst, DuPage and Cook Counties, Illinois**. Alderman Shea seconded. Roll call vote:

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

Nays: Rose, Bram, York, Nybo

Results: 10 ayes, 4 nays, 0 absent
Motion carried

- b. O-21-2010 – AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NO. 15 (GLADYS AVENUE) IN THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS AND PROVIDING FOR A PUBLIC HEARING AND OTHER PROCEDURES IN CONNECTION THEREWITH

Ordinance O-21-2010 was presented for passage.

Alderman Kennedy moved to approve item **8b. O-21-2010 – An Ordinance Proposing the Establishment of Special Service Area No. 15 (Gladys Avenue) in the City of Elmhurst, DuPage and Cook Counties, Illinois and Providing for a Public Hearing and Other Procedures in Connection Therewith**. Alderman Wagner seconded.

Discussion ensued regarding opposition to the policy and the precedent ordinance O-21-2010 may set. Discussion also ensued regarding Council support of sidewalks.

Roll call vote on item **8b. O-21-2010 – An Ordinance Proposing the Establishment of Special Service Area No. 15 (Gladys Avenue) in the City of Elmhurst, DuPage and Cook Counties, Illinois and Providing for a Public Hearing and Other Procedures in Connection Therewith**:

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

Nays: Bram, Mulliner

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

OTHER BUSINESS

9. Alderman Pezza thanked the Historical Museum staff and the Heritage Foundation for their very informative report dated June 4, 2010.

ANNOUNCEMENTS

10. Alderman Rose announced that the Elmhurst Public Library now has the finest jazz collection in the western suburbs, thanks to donations made by the late Frank Vanek. A former Library Board Commissioner, Mr. Vanek donated six hundred (600) jazz cds to the Library. Last Tuesday, the Library Board officially renamed the jazz section the *Frank Vanek Jazz Collection*, a plaque designating the collection will be hung at the Library.

City Clerk Spencer announced that the City Relay for Life Team, Patty's Peeps raised approximately \$5,000 for the American Cancer Society. She thanked the City Council and City staff who raised money for cancer research in her honor and for their continued support of her fight against cancer.

ADJOURNMENT

11. Alderman York moved to adjourn the meeting. Alderman Gutnekauf seconded. Voice vote. Motion carried. Meeting adjourned 9:01 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk