

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, MARCH 21, 2011
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 7:00 P.M. – SECURITY PROCEDURES AND THE USE OF PERSONNEL

1. Executive session was called to order at 7:00 p.m. by Clerk Spencer for the purpose of discussing Security Procedures and the Use of Personnel.

Present: Diane Gutenkauf, Norman Leader, Michael J. Bram, Stephen Hipskind, Kevin L. York, Scott Levin, Chris Healy, Steve Morley, Jim Kennedy, Mark A. Mulliner, Patrick Wagner

Absent: Mayor DiCianni, Paula Pezza, Pat Shea (arrived at 7:06 p.m.), Susan J. Rose (arrived at 7:02 p.m.)

Also in attendance: City Attorney Storino, City Manager Borchert, Assistant City Manager/Fire Chief Kopp, Police Chief Neubauer

Alderman Bram moved to appoint Alderman Mulliner Mayor Pro-Tempore in the absence of Mayor DiCianni. Alderman York seconded. Voice vote, motion carried.

Alderman Gutenkauf moved to convene into executive session for the purpose of discussing Security Procedures and the Use of Personnel. Alderman Bram seconded. Roll call vote:

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

Nays: None

11 ayes, 0 nays, 3 absent
Motion duly carried

Alderman Morley moved to adjourn executive session. Alderman York seconded. Voice vote. Motion carried. Executive session adjourned at 7:29 p.m.

CALL TO ORDER/ROLL CALL

Attendance: 80

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:40 p.m.

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

Absent: None

Also in Attendance: City Attorney Storino, City Manager Borchert, Fire Chief/Assistant City Manager Kopp, Finance & Administration Director Gaston, Assistant Director of Finance & Administration Trosien, Public Works Director Hughes, Police Chief Neubauer, Museum Director Bergheger, Deputy Police Chief Buenz, Deputy Police Chief Panico, Library Director Boria

PLEDGE OF ALLEGIANCE

3. Alderman Levin welcomed Scout Master Jeff Klang of Troop 78 and Scouts Gunner Klang and Cody Kozar who led the Council in the Pledge of Allegiance.

PUBLIC HEARING – TENTATIVE ANNUAL 2011/2012 BUDGET FOR THE CITY OF ELMHURST, ILLINOIS

4. Mayor DiCianni opened the public hearing at 7:44 p.m.

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

Absent: None

Mayor DiCianni stated the purpose of this Public Hearing is to take public comment concerning the City's proposed 2011/12 budget. He asked the City Clerk to read any written comments.

Clerk Spencer stated there were no written comments received.

Mayor DiCianni asked for anyone interested in speaking concerning the tentative Annual 2011/2012 Budget to please address the Council. The following persons spoke:

Tamara Brenner
137 N. Caroline Ave.
Elmhurst, IL 60126

Spoke regarding the budget timeline and the format of the budget stating it is difficult to follow the allocation of money from different funds and departments and there is too little time devoted to proper budget review.

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

Spoke regarding the budget and the \$17million increase which came from an increase of taxes. He also stated there is never an answer to the question "how much does it cost."

Liz Widenmeir
908 Saylor Ave.
Elmhurst, IL 60126

Spoke regarding the hiring of an Assistant City Manager.

Alderman Hipskind moved to adjourn the public hearing. Alderman York seconded. Voice vote. Motion carried. The public hearing adjourned at 7:56 p.m.

SWEARING-IN FIRE DEPARTMENT PERSONNEL – BRANDON RIGERT, FIREFIGHTER

5. Mayor DiCianni invited Brandon Rigert and his family to join him and Fire Chief Kopp at the podium. Mayor DiCianni administered the oath of office and welcomed Firefighter Rigert to the Elmhurst Fire Department.

PROCLAMATION – JIM NUDERA DAY

6. Mayor DiCianni invited Jim Nudera, his parents and York High School Wrestling Coach Terry Clark to join him at the podium. Mayor DiCianni read a proclamation declaring March 21, 2011 Jim Nudera Day in Elmhurst in recognition of all of his outstanding accomplishments.

Coach Clark stated in his 31 years at York High School, Mr. Nudera is one of the finest students and role models he has coached. He stated Jim Nudera exemplifies Character Counts in Elmhurst.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

7. None.

PUBLIC FORUM

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

Spoke against hiring an Assistant City Manager at the rate of \$150,000. He also asked for the sidewalk referendum vote and senior rebates for part-time workers.

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

Spoke on the budget document and asked how could the Council vote on a document they really don't understand. He stated there is time to ask real questions and try to get real answers.

Daniel Cusack
0S579 Kirk

Elmhurst, IL 60126

Spoke regarding the Capital Budget stating Elmhurst tax payers have paid \$12.8million for the new Elmhurst Hospital. He stated the tax payers will lose in real estate taxes and sales tax revenue at the hospital's new location. He stated the Elmhurst taxpayers are funding a profitable institution that doesn't respect the neighborhood.

Kathy Padberg
740 E. View St.
Lombard, IL 60148

Spoke as an 8th grade teacher in Elmhurst who values the Elmhurst Historical Museum (EHM) and asked the Council to realize how important and invaluable the EHM is to the City of Elmhurst.

Andrea Poplawski
190 W. Prospect Ave.
Elmhurst, IL 60126

Thanked Mayor DiCianni for supporting the Elmhurst College Electronics Recycling Event to be held on Saturday, April 9, 2011 from 9:00 a.m. – noon at the parking lot at the corner of Park & Myrtle.

Christine Smith
190 W. Prospect Ave.
Elmhurst, IL 60126

Spoke of the importance of the electronics recycling event and invited all residents to participate.

Scott M. Day
300 E. 5th Ave. #365
Naperville, IL 60540

Stated he is the attorney for Elmhurst Memorial Healthcare and will answer any questions regarding item r. on the Consent Agenda tonight.

Charles Collander
6934 Exner
Darien, IL 60561

Stated he represents Elmhurst Memorial Healthcare and will answer any questions regarding item r. on tonight's Consent Agenda.

CONSENT AGENDA

9. The following items on the Consent Agenda were presented:
 - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, MARCH 7, 2011 (City Clerk Spencer): Approve as published
 - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, FEBRUARY 7, 2011 (City Clerk Spencer): Receive and place on file
 - c. MINUTES OF THE EXECUTIVE SESSION HELD ON THURSDAY, MARCH 11, 2011 (City Clerk Spencer): Receive and place on file
 - d. ACCOUNTS PAYABLE – MARCH 21, 2011 TOTAL \$ 1,177,292.88
 - e. APPOINTMENTS TO THE ELMHURST ECONOMIC DEVELOPMENT COMMISSION – SHANKLIN, MOSKAL, LOSTUMBO & GORSKI (Mayor DiCianni): Concur with the Mayor's recommendation.

March 10, 2011

To: Members of the City Council
Re: Appointments to the Elmhurst Economic Development Commission: William R. Shanklin, Steven Moskal, Nicola Lostumbo, and Maryann Gorski

With your advice and consent, I will appoint William R. Schanklin to the Elmhurst Economic Development Commission replacing Dan Hiffman for a term to expire April 30, 2013, appoint Steven Moskal to a term to expire April 30, 2012, appoint Nicola Lostumbo to a term to expire April 30, 2013 and appoint Maryann Gorski to a term to expire April 30, 2014.

Respectfully submitted,
/s/ Peter P. DiCianni, III
Mayor

- f. BID RESULTS, 2011 CONTRACT PAVING PROGRAM (City Clerk Spencer): Refer to the Public Works and Buildings Committee

March 15, 2011

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, 2011 Contract Paving Program

In response to an invitation to bid for the City of Elmhurst 2011 Contract Paving Program advertised in the Elmhurst Independent on Wednesday, February 23, 2011, bids were received from thirteen contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, March 8, 2011 by the City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Bid Price</u>
Schroeder & Schroeder, Inc. Skokie, IL	\$1,557,847.04
Arrow Road Construction Mt. Prospect, IL	\$1,562,959.00
Orange Crush Hillside, IL	\$1,566,291.75
Brothers Asphalt Paving Addison, IL	\$1,582,022.95
G&M Cement Construction Addison, IL	\$1,584,774.55
C-A Construction Bloomington, IL	\$1,587,035.00
DiNatale Construction, Inc. Addison, IL	\$1,594,728.50
Chicagoland Paving Contractors, Inc. Lake Zurich, IL	\$1,639,980.15
K-Five Construction Lemont, IL	\$1,645,015.55
Johnson Paving Bloomington, IL	\$1,798,899.49
Triggi Construction West Chicago, IL	\$1,804,797.50
R.W. Dunteman Co. Addison, IL	\$1,846,980.84
Lorusso Cement Contractors West Chicago, IL	\$2,050,087.10

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- g. REQUEST FOR PUSH CART (City Manager Borchert): Refer to the Public Affairs and Safety Committee

March 15, 2011

To: Mayor DiCianni and Members of the City Council
Re: Request for Push Cart

It is respectfully requested that the attached request from Todd Jones of Every Last Morsal for a push cart be referred to the Public Affairs and Safety Committee for their review and recommendation per section 31.134 of the Municipal Code (attached).

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

- h. PEDICAB LICENSING – ALDERMAN WAGNER (City Manager Borchert): Refer to the Public Affairs and Safety Committee

March 15, 2011

To: Mayor DiCianni and Members of the City Council
Re: Pedicab Licensing

It is respectfully requested that this matter be forwarded to the Public Affairs and Safety Committee for review, evaluation and subsequent recommendation for the City Council as requested.

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

- i. REFUSE & RECYCLING CONTRACT - COMPETITIVE BIDDING PROCESS REQUEST – ALDERMEN BRAM & PEZZA (City Manager Borchert): Refer to the Public Works and Buildings Committee

March 17, 2011

To: Mayor DiCianni and Members of the City Council
Re: Refuse and Recycling Contract - Competitive Bidding Process Request –Aldermen Bram & Pezza

It is respectfully requested that the attached request for review be forwarded to the Public Works and Buildings Committee. This Committee has traditionally reviewed this significant City provided service in the past and as to the bidding or negotiation of contract process for Council approval in the past and should do so in the future as well.

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

- j. INDUSTRIAL DISTRICT SIGNAGE – ALDERMAN SHEA (City Manager Borchert): Refer to the Development, Planning and Zoning Committee

March 17, 2011

To: Mayor DiCianni and Members of the City Council
Re: Industrial Districts Signage –Ald. Pat Shea

It is respectfully requested that the attached request for review of the City of Elmhurst sign ordinance be referred to the Development, Planning and Zoning Committee for review and recommendation to the City Council.

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

- k. REPORT – CITYWIDE EVANGELICAL CHURCH COMMUNITY REQUEST FOR TEMPORARY USE AND EVENT PERMIT AND USE OF CITY PROPERTY The following report of the Public Affairs and Safety Committee was presented for passage:

March 14, 2011

To: Mayor DiCianni and Members of the City Council
Re: Citywide Evangelical Church Community Request for Temporary Use and Event Permit and Use of City Property

The Public Affairs and Safety Committee met on March 14, 2011 to discuss the request from the Evangelical Elmhurst Church Community to unite together in a day of worship and commitment to serve the City on Sunday, August 28, 2011 in the Addison Street Parking Lot. A representative from the Evangelical Elmhurst Church Community was available to answer the Committee's questions.

The Elmhurst City Centre downtown site will be used by the evangelical church community for a day of worship and commitment on Sunday, August 28, 2011, starting at 8:00 a.m. and concluding at noon. The united service will commence at 10:00 a.m. and conclude by 11:30 a.m. It would consist primarily of music and story, with an emphasis on involvement by persons from each church hosting this occasion. The community would like to request use of the Park District bandwagon for this event and they will provide portable toilets.

The event will be open to the public and attendance is anticipated to be approximately 1,000 members from the involved churches.

Proof of insurance will be provided to and approved by the City Attorney prior to the event.

All layout/staging plans and operational parameters will be finalized only after ongoing consultation and discussion with the approval of the Elmhurst Police, Fire and Public Works Departments.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the Evangelical Elmhurst Church Community's request to use the Addison Street Parking Deck for a day of worship and commitment to serve the City on Sunday, August 28, 2011, starting at 8:00 a.m. and concluding at noon.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Paula Pezza
/s/ Scott Levin

- l. REPORT – 2011 SPRING ROAD PET PARADE The following report of the Public Affairs and Safety Committee was presented for passage:

March 14, 2011

To: Mayor DiCianni and Members of the City Council
Re: 2011 Spring Road Pet Parade

The Public Affairs and Safety Committee met on March 14, 2011 to discuss the request from the Spring Road Association and the Elmhurst Chamber of Commerce and Industry to hold the 23rd Annual Pet and Bike Parade on Saturday, May 24, 2011. A representative from the Spring Road Association and Elmhurst Chamber of Commerce and Industry was available to answer the Committee's questions.

The parade will commence at 1:00 p.m. on Saturday, May 24, 2011, at Spring Road and Vallette Street, progressing north on Spring Road to end at the Canadian National railroad tracks in the parking lot of the Silverado Grill. The duration of the parade will be approximately 45 minutes.

Proof of insurance will be provided to and approved by the City Attorney prior to the event.

All layout/staging plans and operational parameters will be finalized only after ongoing consultation and discussion with the approval of the Elmhurst Police, Fire and Public Works Departments.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the Spring Road Association and the Elmhurst Chamber of Commerce and Industry's request to hold the 23rd Annual Pet and Bike Parade on Saturday, May 24, 2011, commencing at 1:00 p.m., lasting approximately 45 minutes.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Paula Pezza
/s/ Scott Levin

- m. REPORT – ELMHURST CHAMBER OF COMMERCE MEMORIAL DAY PARADE – MAY 31, 2011 The following report of the Public Affairs and Safety Committee was presented for passage:

March 14, 2011

To: Mayor DiCianni and Members of the City Council
Re: Elmhurst Chamber of Commerce Memorial Day Parade – May 30, 2011

The Public Affairs and Safety Committee met on March 14, 2011 to discuss the request from the Elmhurst Chamber of Commerce to hold the 93rd Annual Memorial Day Parade on Monday, May 30, 2011. The Elmhurst Chamber of Commerce is organizing the Parade in cooperation with the City of Elmhurst and the Veterans Organizations of Elmhurst.

The Parade will assemble at York Street and Third Street at 8:15 a.m. with staging on Addison, Third, Michigan, Hahn, Illinois and York. The Parade will step off at 9:30 a.m. from York and Third and will proceed south down York to the Palmer Drive underpass heading east, south, and then west to York, turning south on York and then west on Church to Prospect Avenue and turning north past the reviewing stand where it will end near the Wilder Mansion.

The military ceremony will be held at the Veterans Memorial in Wilder Park at the conclusion of the Parade and will conclude by 1:00 p.m.

Proof of insurance will be provided to and approved by the City Attorney prior to the event.

All layout/staging plans and operational parameters will be finalized only after ongoing consultation and discussion with the approval of the Elmhurst Police, Fire and Public Works Departments.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the Chamber of Commerce's request to hold the 93rd Annual Memorial Day Parade on Monday, May 30, 2011, starting at 8:15 a.m. and concluding by 1:00 p.m.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Paula Pezza
/s/ Scott Levin

- n. REPORT – ANNIE RYAN FUN RUN 2011 TEMPORARY USE & EVENT PERMIT REQUEST
The following report of the Public Affairs and Safety Committee was presented for passage:

March 14, 2011

To: Mayor DiCianni and Members of the City Council
Re: Annie Ryan Fun Run 2011 Temporary Use and Event Permit Request

The Public Affairs and Safety Committee met on March 14, 2011 to discuss the request from the Annie Ryan Fun Run committee to host the 12th Annual Annie Ryan 5K Run/Walk and 1-mile dash on Sunday, May 15, 2011. A representative from the Annie Ryan Fun Run committee was available to answer the Committee's questions.

The race will begin at 9:00 a.m. Arlington and South Avenues. Traffic Control will be provided at the following intersections for the estimated times shown:

- Poplar and South from 8:45 a.m. to 9:15 a.m.
- Poplar and Vallette from 9:00 a.m. to 9:40 a.m.

All City Departments have reviewed and approved this request.

Attached are details from the applicant regarding this special event, as well as the associated fees from the Police Department. Temporary uses of this type are addressed in Section 4.10, Temporary Uses and Events, of the Elmhurst Zoning Ordinance.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the request from the Annie Ryan Fun Run committee to hold the 12th Annual Annie Ryan 5K Run/Walk and 1-mile dash on Sunday, May 15, 2011, commencing at 9:00 a.m.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Paula Pezza
/s/ Scott Levin

- o. REPORT – YORK & VALLETTE BUSINESS ASSOCIATION’S 2011 FARMERS MARKET The following report of the Public Affairs and Safety Committee was presented for passage:

March 14, 2011

To: Mayor DiCianni and members of the City Council
Re: York & Vallette Business Association’s 2011 Farmers Market

The Public Affairs and Safety Committee met on March 14, 2011 to discuss the request from the York & Vallette Business Association regarding the 2011 Farmers Market.

The Elmhurst Municipal parking lot east of York on Vallette will be used as in the past. The market will commence on June 1st and run through October 26, 2011 on every Wednesday from 7:00 a.m. to 1:00 p.m.

The Elmhurst Chamber of Commerce will provide necessary event insurance and will make the policy available to the City Attorney prior to the event.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the York and Vallette Business Association’s 2011 Farmers Market starting June 1st through October 26, 2011 on every Wednesday from 7:00 a.m. to 1:00 p.m.

Respectfully submitted,
Public Affairs and Safety Committee
/s/ Patrick Wagner
Chairman
/s/ Paula Pezza
/s/ Scott Levin

- p. REPORT – PERSONAL COMPUTER AND SOFTWARE PURCHASE The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

March 15, 2011

To: Mayor DiCianni and Members of the City Council
Re: Personal Computer and Software Purchase

The Finance, Council Affairs and Administrative Services Committee met March 14, 2011 to review the purchase of replacement personal computers and Microsoft Office 2010 for the City of Elmhurst.

There are currently 175 computers (laptops and desktops) in service at the eight facilities in the City of Elmhurst. These computers were purchased 4.5 years ago and have exceeded their life cycle and warranty replacement.

Staff recommends purchasing 150 desktop computers and 35 laptops to replace the existing computers and have available spare computers. Staff also recommends upgrading Microsoft Office 2003 to Microsoft Office 2010, and purchasing 200 licenses to include installation in personal computers and MDT's in police cars.

The City of Elmhurst Information Technology (IT) staff has historically used HP personal computers and HP Servers. The City of Elmhurst has standardized on HP computers for reliability and performance and the IT staff recommends the same for this purchase. The IT staff also researched three sources of software vendors for Microsoft Office 2010.

Staff recommends that the City of Elmhurst retain the current standard of HP computers. Based on the quotes received below, staff recommends the purchase be made through Victorin Business Systems (GEM Reseller) to HP Computer Corporation for desktops and CDWG for laptops. The most competitive quote for Microsoft Office 2010 software purchase is from CDWG. The total project cost for the product from the recommended vendors is \$178,829.65.

HP 620 Notebook	CDWG	\$577.99
	Tigerdirect	\$637.99
	HP-GEM	\$678.20
HP SFF Desktop with 19 inch Monitor	HP-GEM	\$632.00
	CDGW	\$652.00
	Tigerdirect	\$675.57
Office Pro 2010	CDWG	\$319.00
	Tigerdirect	\$358.45
	Dell-ASAP	\$359.50

The Finance Committee concurs with staff recommendation. These items are budgeted in the fiscal 2011 IT budget in line items 110-2008-413-80-03 and 110-2008-413-80-31.

It is, therefore, the recommendation of the Finance, Council Affairs, and Administrative Services Committee that the City Council approve the purchase of 150 HP desktop computers from HP-GEM at a unit cost of \$632, 35 HP laptop computers from CDWG at a unit cost of \$577.99, and 200 Office Pro 2010 at a unit cost of \$319.

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

- q. REPORT – WORKING CASH FUND REPAYMENT PLAN The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

March 15, 2011

To: Mayor DiCianni and Members of the City Council
Re: Working Cash Fund Repayment Plan

The Finance, Council Affairs and Administrative Services Committee met several times, most recently March 14, 2011, to review the current Working Cash Fund Policy and to develop a repayment plan for the current outstanding loan to the General Fund.

As the City Council will recall, the City of Elmhurst established a Working Cash Fund in 1938 in the amount of \$63,000, which was approximately 50% of the General Fund budget at that time. The fund was set up to enable the City to have in its treasury at all times sufficient funds to meet

operating expenses, and thereby eliminating the need of the General Fund to borrow money through tax anticipation notes from time to time. The Working Cash Fund has evolved to become an internal resource for funds for emergency purposes. In 2002, the City Council adopted the attached Working Cash Fund Policy.

In 1991, the General Fund borrowed \$450,000 due to significant financial stress. The principal was paid back in 1996 and the interest on the principal was paid in 2001. The General Fund once again experienced severe financial stress in fiscal 2009 and fiscal 2010. The City Council approved a \$250,000 loan from the Working Cash Fund as part of the fiscal 2009 budget review process. The transfer took place on March 11, 2009. The City Council also authorized an additional \$700,000 transfer as part of the fiscal 2010 budget review process, for a total loan of \$950,000. The second loan was transferred in two installments: \$194,000 on July 30, 2009, and \$506,000 on September 25, 2009.

The outstanding loan balance due to the Working Cash Fund from the General Fund at January 31, 2011, plus interest, was \$952,079.42. The Working Cash Fund Policy requires that a repayment plan be developed. Although the General Fund fund balance is below the fund balance goal of three to four months operating expenditures, the Finance Committee believes it is prudent to begin to systematically repay the Working Cash Fund. After discussion, it was the consensus of the Finance Committee to recommend the following repayment plan:

- Repayment term of five years, with 20% of the principal, plus interest, repaid each fiscal year, effective with fiscal 2011. Interest will be computed using the Illinois Funds average monthly interest rates.
- A minimum payment of 10% of the principal, plus interest, pursuant to specific City Council action to reduce the payment from 20% of the principal, plus interest.
- A maximum payment of 25% of the principal, plus interest, pursuant to specific City Council action to increase the payment from 20% of the principal, plus interest.
- The repayment plan will be reviewed each fiscal year at the end of the third quarter until the loan is repaid, to determine if adjustments to the plan are appropriate.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council adopt the repayment plan as stated above for repayment of the loan from the Working Cash Fund to the General Fund, in the amount of \$950,000, plus interest.

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. REPORT – CASE NUMBER 11 P-01/ELMHURST MEMORIAL HEALTHCARE CONDITIONAL USE - 855 N. CHURCH COURT BUSINESS OPERATIONS CENTER The following report of the Development, Planning and Zoning Committee was presented for passage:

March 15, 2011

TO: Mayor DiCianni and Members of the City Council
RE: Case Number 11 P-01/Elmhurst Memorial Healthcare Conditional Use - 855 N. Church Court Business Operations Center Request for a Conditional Use Permit to allow the erection of a 192 foot tall microwave communications tower.

The Development, Planning and Zoning Committee met on March 14, 2011 to review the Zoning and Planning Commission report dated March 3, 2011. The applicant, Elmhurst Memorial Healthcare (hereinafter sometimes referred to as “EMH”), is requesting a conditional use permit to allow the erection of a 192 foot microwave communication tower at the subject site. The Committee also reviewed the documentation supplied by the Applicant, the Staff report and the transcript of the

public hearing. The Committee noted that the Zoning and Planning Commission unanimously voted to recommend approval of this request.

The Committee discussed the location of the proposed 192 foot communication tower and noted that EMH currently has a microwave dish antenna located on the two-hundred (200) foot tall DuComm tower (Betsy Ware Right-of Way @ I290 and the Commonwealth Edison transmission lines); the EMH microwave dish antenna is currently located on the DuComm tower at a height of 150 feet.

Because microwave dish antenna require line-of-sight to another antenna, additional height is necessary to communicate with the new hospital campus under construction at York Street and Brush Hill Road. The Committee noted that the DuComm tower is at capacity and cannot accept the microwave dish antenna at the 192 foot height.

The Committee notes that EMH contemplated other locations including the new hospital campus at York Street and Brush Hill Road. The other locations contemplated are characterized as predominately single-family residential; the proposed location on Church Court is predominately industrial with high tension power lines, other communication towers, and Interstate 290.

After review of the Standards for Conditional Uses the Committee agreed with the Zoning and Planning Commission report that found that the Applicant's proposal meets all of these Standards. The Zoning and Planning Commission findings (report attached) are hereby incorporated into this report.

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

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

- s. REPORT – TIMOTHY CHRISTIAN SCHOOLS – REQUEST FOR EXTENSION The following report of the Development, Planning and Zoning Committee was presented for passage:

March 15, 2011

TO: Mayor DiCianni and Members of the City Council

RE: Timothy Christian Schools – Request for Extension

Request for a six month extension of the Conditional Use approved by Ordinance ZO-01-2009, for the property known as 188 W. Butterfield Road.

The Development, Planning and Zoning Committee met on March 14, 2011 to discuss this request. The Committee reviewed the letter dated March 11, 2011 from the Applicant requesting a 6-month extension. The letter indicates that the Timothy Christian School additions (approved by Ordinance ZO-01-2009) are not substantially underway at this time due to economic conditions and a change in the position of Superintendent. This is the fourth request for a six (6) month time extension; the Applicant requested the first six (6) month extension in September, 2009. This extension was granted by City Council as Ordinance ZO-07-2009. The Second extension was granted by City Council on March 15, 2010 as Ordinance ZO-03-2010. The third extension was granted by City Council on September 20, 2010 as Ordinance ZO-18-2010.

The Committee discussed this matter and the conditions associated with the request. There were no serious questions or issues during review of the original application, and the Committee does not anticipate any problems with providing the requested extension. The Committee supports the request and has no objections to the requested extension. The Applicant stated that there are no changes to the approved Conditional Use plans; the request is a result of a delay in funding. Additionally, Timothy Christian Schools has hired a new Superintendent and is in the process of hiring a new Business Manager who will be in charge of this project. The Applicant indicated that, because of the new staff positions, Timothy Christian Schools may have to ask for an additional six (6) month extension in September, 2011. The Committee agreed to and recommends a nine (9)

month extension, to December 31, 2011, to allow the time necessary for the Applicant to fund the project and begin construction.

Therefore, it is the recommendation of the Development, Planning and Zoning Committee that the request for extension be approved for a period of nine (9) months to December 31, 2011. 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

- t. O-10-2011 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN ELMHURST RUNNING CLUB, INC. AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-10-2011 was presented for passage.

- u. O-11-2011 – AN ORDINANCE RESERVING AND AUTHORIZING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS

Ordinance O-11-2011 was presented for passage.

- v. MCO-02-2011 – 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 (YIELD SIGNS AT THE EASTBOUND AND WESTBOUND WILSON STREET APPROACHES TO SAYLOR AVENUE)

Ordinance MCO-02-2011 was presented for passage.

- w. MCO-03-2011 – 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 RIGHT TURN ON RED WHEN PEDESTRIANS ARE PRESENT ON NORTHBOUND PROSPECT AVENUE AT BUTTERFIELD ROAD)

Ordinance MCO-03-2011 was presented for passage.

- x. ZO-01-2011 – AN ORDINANCE TO GRANT A CONDITIONAL USE TO PERMIT CONSTRUCTION OF A SIX (6) ATTACHED RESIDENTIAL TOWNHOME DWELLING UNIT DEVELOPMENT WITHIN THE OI OFFICE DISTRICT AND TO APPROVE AND AUTHORIZE CERTAIN BULK VARIATIONS FOR THE MCKENNA TOWNHOMES AT THE PROPERTY COMMONLY KNOWN AS 357 WEST FIRST STREET, IN THE CITY OF ELMHURST, ILLINOIS PIN 06-02-112-032

Ordinance ZO-01-2011 was presented for passage.

Alderman Shea pulled item **9p. Report – Personal Computer and Software Purchase**. Alderman Bram pulled item **9r. Report – Case Number 11 P-01/Elmhurst Memorial Healthcare Conditional Use - 855 N. Church Court Business Operations Center**.

Alderman Wagner moved to approve the contents of the Consent Agenda less items **9p. Report – Personal Computer and Software Purchase** and **9r. Report – Case Number 11 P-01/Elmhurst Memorial Healthcare Conditional Use - 855 N. Church Court Business Operations Center**.

Alderman Bram seconded. Roll call vote:

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

Nays: None

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

Alderman Shea moved to open discussion on item **9p. Report – Personal Computer and Software Purchase**. Alderman Hipskind seconded.

Alderman Shea stated she supports the purchase of new computers but pulled item **9p. Report – Personal Computer and Software Purchase** to ask a question. She is asked if a rotation was discussed, perhaps not purchasing all the computers at one time.

Alderman Hipskind, Chairman of the Finance, Council Affairs and Administrative Services Committee (F,CA&AS) stated it makes more sense to keep all of the computers on the same 4-year cycle.

Alderman Mulliner added by keeping computers on the same cycle all the computers will be the same generation.

Alderman Pezza asked if this type of purchase is to be expected every 3-4 years.

Chairman Hipskind replied yes, that is the cycle. It is usually a 3-year cycle, the City has gone 4-5 years.

Voice vote on item **9p. Report – Personal Computer and Software Purchase**, unanimous. Motion carried.

Alderman Morley moved to open discussion on item **9r. Report – Case Number 11 P-01/Elmhurst Memorial Healthcare Conditional Use - 855 N. Church Court Business Operations Center**. Alderman Rose seconded.

Alderman Morley, Chairman of the Development, Planning and Zoning Committee (DP&Z) stated Elmhurst Memorial Healthcare (EMHC) has eighteen different facilities. Nine of the facilities are deemed critical. He stated they currently use the 200ft DuComm Tower, but the DuComm Tower cannot handle their needs.

Chairman Morley stated EMHC wants to erect their own tower. After looking at several sites, EMHC has requested putting a tower at their Business Operations Center, which is located in an I1 Zone. He stated their needs can be met with a 192ft tower, and this location has pre-existing towers nearby and are located far from any residential areas.

Alderman Bram stated he pulled item **9r. Report – Case Number 11 P-01/Elmhurst Memorial Healthcare Conditional Use - 855 N. Church Court Business Operations Center** because of his concerns over the height of the tower. He stated as a Council, no higher than 100ft has been approved and as for the 200ft DuComm Tower that is out of the Council's control. He asked what hospitals in other communities do and if other towns have towers this height. Alderman Bram asked to suspend the rules to allow the EMHC Attorney and/or staff to comment.

Chairman Morley stated City staff reviewed this issue and to compare this request with other hospitals would not be a good comparison. Chairman Morley stated he is opposed to asking questions unless information was not presented. He stated it appears that Alderman Bram is opposed to the height of the tower.

Discussion ensued.

Alderman Pezza stated there were some inconsistent statements made in the hearing regarding use of the tower once it is erected. She stated she would like clarification on a statement made by the hospital's attorney.

Alderman Pezza moved that the Council direct the City Attorney to add specific language to the ordinance that would approve this variance that the conditional use for this tower only be granted for use of Elmhurst Hospital and the City of Elmhurst. Alderman Shea seconded.

Discussion ensued regarding positions for and against the proposed amendment.

Alderman Bram moved to suspend the rules to allow the hospital's attorney to speak. Alderman Pezza seconded.

Alderman Morley, point of order, asked for clarification on what Alderman Bram wanted the attorney to speak regarding.

Alderman Bram stated he would like to know where is the location and why that location was selected.

Voice vote to suspend the rules to allow the hospital's attorney to speak. Not unanimous, motion failed.

Alderman Bram, point of order, does this meet the required majority.

City Attorney Storino stated a super majority is required.

Mayor DiCianni stated the motion to suspend the rules fails with a super majority not unanimously.

Voice vote to direct the City Attorney to add specific language to the ordinance that would approve this variance that the conditional use for this tower only be granted for use of Elmhurst Hospital and the City of Elmhurst. Not unanimous, motion failed.

Mayor DiCianni called for a voice vote to approve item **9r. Report – Case Number 11 P-01/Elmhurst Memorial Healthcare Conditional Use - 855 N. Church Court Business Operations Center.**

Alderman Morley, point of order, asked if a role call vote is required.

Mayor DiCianni stated no, this is not an ordinance.

Voice vote to approve item **9r. Report – Case Number 11 P-01/Elmhurst Memorial Healthcare Conditional Use - 855 N. Church Court Business Operations Center.** Not unanimous, motion carried.

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

10. a. UPDATES (Mayor DiCianni)

None.

b. STATUS OF PROGRESS ON STORMWATER COMPREHENSIVE PLAN (City Manager Borchert)

City Manager Borchert reported that the Burke firm is working on gathering information on the storm sewers and overseeing the RJN firm's work with the sanitary sewer.

The City Manager reported that ComEd has expedited tree trimming in southeast Elmhurst, and they are installing switch gear. He stated ComEd will continue to provide monthly reports.

City Manager Borchert stated the task force will meet with the Burke/RJN engineering team in mid-April.

Alderman Wagner asked whose contractors are being used for tree trimming, ComEd or Elmhurst.

City Manager Borchert replied the contractors are from ComEd.

Alderman Healy asked if the monthly reports from ComEd can be put online.

City Manager Borchert replied yes.

OTHER BUSINESS

11. Alderman Morley asked if a notification will be sent to residents regarding tree removal due to the Emerald Ash Borer.

City Manager Borchert stated if a tree looks like it is affected by the Emerald Ash Borer the City will offer notification to residents.

Alderman Morley asked when the trees will be replaced.

City Manager Borchert stated tree replacement is late Spring 2011.

ANNOUNCEMENTS

12. Alderman York announced the Character Counts in Elmhurst Awards will take place at Elmhurst College on Tuesday, March 22, 2011 at 6:30 p.m.

ADJOURNMENT

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

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk