

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, APRIL 18, 2011
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 6:30 P.M. – COLLECTIVE BARGAINING, SALARY SCHEDULES FOR ONE OR MORE CLASSES OF EMPLOYEES, LAND ACQUISITION/DISPOSITION OF REAL PROPERTY AND PENDING LITIGATION

1. Executive session was called to order at 6:37 p.m. by Mayor DiCianni for the purpose of discussing Collective Bargaining, Salary Schedules for One or More Classes of Employees, Land Acquisition/Disposition of Real Property and Pending Litigation.

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

Absent: Diane Gutenkauf, Pat Shea (arrived at 6:59 p.m.), Norman Leader (arrived at 7:03 p.m.), Susan J. Rose (arrived at 6:53 p.m.), Patrick Wagner

Also in attendance: City Attorney Storino, City Manager Borchert, Assistant City Manager/Fire Chief Kopp, Finance & Administration Director Gaston

Alderman Pezza moved to convene into executive session for the purpose of discussing Collective Bargaining, Salary Schedules for One or More Classes of Employees, Land Acquisition/Disposition of Real Property and Pending Litigation. Alderman Bram seconded. Roll call vote:

Ayes: Pezza, Bram, Hipskind, York, Levin, Healy, Morley, Kennedy, Mulliner

Nays: None

9 ayes, 0 nays, 5 absent

Motion duly carried

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

CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 20

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:36 p.m.

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

Absent: Diane Gutenkauf, Chris Healy, Patrick Wagner

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

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

3. None.

PUBLIC FORUM

4. Sue Hansell
473 N. Howard
Elmhurst, IL 60126

Spoke in favor of sidewalks on her street. She stated the line item in the budget has been removed for sidewalks. She emphasized how important sidewalks are for the safety of children.

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

Spoke regarding the budget discussion. He thanked Aldermen Bram, Gutenkauf, Pezza and Morley for their questions on how much is the cost and staff couldn't answer how much.

Danee Polomsky
263 Indiana St.
Elmhurst, IL 60126

Thanked Alderman Rose for her 20 years of service as Alderman of the 3rd Ward.

Kathleen Sullivan
133 Pine St.
Elmhurst, IL 60126

Thanked Alderman Rose for her support on flooding issues in her Ward. She also thanked Alderman Shea for her service and good job on the Public Works and Buildings Committee.

CONSENT AGENDA

5. The following items on the Consent Agenda were presented:
 - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, APRIL 4, 2011 (City Clerk Spencer): Approve as published
 - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, APRIL 4, 2011 (City Clerk Spencer): Receive and place on file
 - c. ACCOUNTS PAYABLE – APRIL 18, 2011 TOTAL \$ 1,234,350.80
 - d. BID RESULTS, REPLACEMENT OF TWO PRECAST ROOF SECTIONS AT THE ELMHURST FIRE ACADEMY BURN TOWER (City Clerk Spencer): Refer to the Public Works and Buildings Committee

April 14, 2011

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, Replacement of Two Precast Roof Sections at the Elmhurst Fire Academy Burn Tower

In response to an invitation to bid for the Replacement of Two Precast Roof Sections at the Elmhurst Fire Academy Burn Tower Project 10-31 advertised in the Elmhurst Independent on Wednesday, March 16, 2011, bids were received from three contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 12, 2011 by the Deputy City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Total Bid Price</u>
Takao Nagai Chicago, IL	\$84,415.00
Hauther Brothers Inc. Scherverville, IN	\$50,350.00
Eugene Matthews Inc. Broadview, IL	\$48,485.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. BID RESULTS, 2011 WATER MAIN IMPROVEMENTS (City Clerk Spencer): Refer to the Public Works and Buildings Committee (see items 5l and 5u)

April 14, 2011

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, 2011 Water Main Improvements

In response to an invitation to bid for 2011 Water Main Improvements advertised in the Elmhurst Independent on Wednesday, March 23, 2011, bids were received from twelve contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 5, 2011 by the City Clerk. The following is a summary of the bids received:

Contractor	Base Bid	Alternate	Base & Alternate
Glenbrook Wauconda, IL	\$1,082,262.00	\$122,476.00	\$1,204,738.00
Patnik Bensenville, IL	\$1,476,758.50	\$145,543.50	\$1,622,302.00
Barone Elgin, IL	\$1,144,563.00	\$93,945.00	\$1,238,508.00
Gerardi Norridge, IL	\$846,263.00	\$95,171.00	\$941,434.00
J. Congdon Carol Stream, IL	\$1,048,378.00	\$91,112.00	\$1,139,490.00
Swallow Downers Grove, IL	\$902,500.00	\$75,575.00	\$978,075.00
Trine West Chicago, IL	\$1,110,334.50	\$73,658.65	\$1,183,993.15
Cerniglia Melrose Park, IL	\$1,085,539.00	\$135,290.00	\$1,120,829.00
Archon Addison, IL	\$1,006,100.00	\$136,760.00	\$1,142,860.00
Appollo Lombard, IL	\$1,053,672.73	\$141,670.00	\$1,195,342.73
Riccio Palos Park, IL	\$1,577,777.00	\$210,775.00	\$1,788,552.00
Martam Elgin, IL	\$1,198,747.00	\$99,951.00	\$1,298,698.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- f. BID RESULTS, FIRE HYDRANT MATERIALS (City Clerk Spencer): Refer to the Public Works and Buildings Committee (see items 5n and 5x)

April 14, 2011

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, Fire Hydrant Materials

In response to an invitation to bid for Fire Hydrant Materials Project 11-22 advertised in the Elmhurst Independent on Wednesday, March 16, 2011, bids were received from four contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 5, 2011 by the City Clerk. The following is a summary of the bids received:

VENDOR	SIZE	FIRE HYDRANT W/VALVE	UNIT PRICE
Mid American Water	4.5		\$2,251.00
Aurora, IL	5		\$2,300.00
	5.5		\$2,339.00

	6	\$2,378.00
	6.5	\$2,417.00
	7	\$2,456.00
	TOTAL:	\$14,141.00
H D Waterworks	4.5	\$2,251.00
Carol Stream, IL	5	\$2,290.00
	5.5	\$2,329.00
	6	\$2,360.00
	6.5	\$2,407.00
	7	\$2,446.00
	TOTAL:	\$14,083.00
Ziebell	4.5	\$2,310.00
Elk Grove, IL	5	\$2,349.00
	5.5	\$2,389.00
	6	\$2,425.00
	6.5	\$2,469.00
	7	\$2,509.00
	TOTAL:	\$14,451.00
Water Products Co.	4.5	\$2,316.00
Aurora, IL	5	\$2,356.00
	5.5	\$2,396.50
	6	\$2,437.00
	6.5	\$2,477.00
	7	\$2,518.00
	TOTAL:	\$14,500.50

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- g. REAPPOINTMENTS TO THE SENIOR COMMISSION – COPPLE, HADDAD, WALL, VON STEIN, BRAM & JORDAN (Mayor DiCianni): Concur with the Mayor's recommendations

April 1, 2011

To: Members of the City Council

Re: Reappointments to the Senior Citizens Commission – Jerri Copple, Jackie Haddad, Mary Eleanor Wall, William B. von Stein, Michael Bram and Cathy Jordan

With your advice and consent, I will reappoint Jerri Copple, Jackie Haddad, Mary Eleanor Wall, William B. von Stein, Michael Bram and Cathy Jordan to the Senior Citizens Commission for terms to expire April 30, 2014. Michael Bram's term will expire on April 30, 2013.

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

- h. REAPPOINTMENTS TO THE VETERANS MEMORIAL COMMISSION – MATHENEY, JASON, PASK & WEIBLER (Mayor DiCianni): Concur with the Mayor's recommendations

March 31, 2011

To: Members of the City Council

Re: Reappointment to the Veterans Memorial Commission - Chaplin H. Scott Matheney, Elaine K. Jason, Jerry E. Pask & Marie Weibler

With your advice and consent, I will reappoint Chaplin H. Scott Matheney, Elaine K. Jason, Jerry E. Pask and Marie Weibler to the Veterans Memorial Commission for terms to expire April 30, 2014.

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

- i. REAPPOINTMENT TO THE BOARD OF FIRE AND POLICE COMMISSIONERS – JORDAN
(Mayor DiCianni): Concur with the Mayor's recommendation

March 31, 2011

To: Members of the City Council
Re: Reappointment to the Board of Fire and Police Commissioners - Phillip D. Jordan

With the advice and consent of the Elmhurst City Council, I will reappoint Phillip D. Jordan to the Board of Fire and Police Commissioners for a term to expire on May 1, 2014.

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

- j. PACE VAN PROGRAMS (City Manager Borchert): Refer to the Public Affairs and Safety Committee

April 14, 2011

To: Mayor DiCianni and Members of the City Council
Re: PACE Van Programs

It is respectfully requested that the attached request from the Elmhurst Senior Commission be referred to the Public Affairs and Safety Committee for their review and recommendation.

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

- k. APRIL 4, 2011 COMMITTEE OF THE WHOLE BUDGET MEETING – STAFFING MOTION
The following report of the Committee of the Whole was presented for passage:

April 14, 2011

To: Mayor DiCianni and Members of City Council
Re: April 4, 2011 Committee of the Whole Budget Meeting – Staffing Motion

At the April 4, 2011 Committee of the Whole meeting of the City Council a discussion ensued regarding the budget. A motion was presented by Alderman Morley to establish a hiring freeze for all City staff. The motion is as follows:

"A City-wide hiring freeze shall be implemented immediately, only to be lifted with the consent of the Council, with the exception of allowing the hiring of one person for the IT Department and one person in the Police Department."

The motion was approved.

It is, therefore, the recommendation of the Committee of the Whole that above-stated staffing motion be approved.

Respectfully submitted,
COMMITTEE OF THE WHOLE

/s/ Diane Gutenkauf
/s/ Paula Pezza
/s/ Pat Shea
/s/ Norman Leader

/s/ Susan J. Rose
/s/ Michael Bram
/s/ Stephen Hipkind
/s/ Kevin York
/s/ Scott Levin
/s/ Chris Healy
/s/ Steven Morley
/s/ Jim Kennedy
/s/ Mark A. Mulliner
/s/ Patrick Wagner

- l. REPORT – 2011 WATER MAIN IMPROVEMENTS PROJECT NO. 11-01 The following report of the Public Works and Buildings Committee was presented for passage:

April 11, 2011

TO: Mayor DiCianni and Members of the City Council
RE: 2011 Water Main Improvements Project No. 11-01

The Public Works and Buildings Committee met on Monday, April 11, 2011 to review bids received for the 2011 Water Main Improvements Project. The bids are summarized on Attachment “A”.

The work is for the replacement of approximately 4,290 L.F. of 8”, and 176 L.F. of 6” Ductile Iron Water Main on Spring Road from Vallette to McKinley, Vallette from Spring Road to Hillside, Hillside from Vallette to Montrose, Euclid from Meister to McKinley, Highland from Grantley to Fremont, and on Lake Street from Emroy to Howard. The work also includes service replacements, hydrants with valves, and all other related work.

Gerardi Sewer and Water Company of Norridge, IL, submitted the lowest responsible bid meeting all of the bidding requirements. Gerardi’s total bid was \$941,434.00. Gerardi Sewer and Water Company has worked for the City in the past and completed similar work for Elmhurst, and other municipalities in a satisfactory manner.

Monies have been provided in the FY 2011/12 Budget in the Municipal Utility Fund, in the amount of \$1,088,000 in account number 510-6052-501-80-12 for this project.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the total bid from the lowest responsible bidder, Gerardi Sewer and Water Company in the amount of \$941,434.00, which includes an alternate bid price for additional work, be accepted, and the City attorney be authorized to prepare a resolution approving a contract with Gerardi Sewer and Water Company.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman
/s/ Michael J. Bram
Vice-Chairman
/s/ Pat Shea
/s/ Chris Healy

- m. REPORT – 2011-2012 STORM SEWER EXTENSION PROGRAM The following report of the Public Works and Buildings Committee was presented for passage:

April 11, 2011

TO: Mayor DiCianni and Members of the City Council
RE: 2011-2012 Storm Sewer Extension Program

The Public Works and Building Committee met on Monday, February 28, 2011 and again on April 11, 2011 to discuss the 2011-2012 Storm Sewer Extension Program. This program consists of installing drains in resident’s yards to alleviate standing water problems and/or to connect sump pump discharges and roof drains to the City storm sewer. Since 1991 over 1000 drains have been

installed as part of this program. This year's program is expected to install approximately 25 drains at various locations as there continues to be high interest in this program.

This project was competitively bid in 1997 and at that time bids were received from three (3) area contractors. Down Under Construction from St. Charles, Illinois submitted the lowest responsible bid. This contractor has worked extremely well with staff and residents for the past twelve years and resolved any and all minor disputes that occurred along the way. Down Under held their unit prices from 1997 through 1999. In 2000 and 2001 modest increases due to inflation and increased material costs were added. 2001 unit prices were held for 2002 construction. In 2003, modest increases due to inflation and increased material costs were added, 2003 prices were held for 2004 through 2007 construction. In 2008 modest increases due to inflation and increased material costs were added. 2008 prices were held for 2009-2010 construction. Down Under Construction is proposing to hold the 2009-2010 unit prices for the 2011-2012 and 2012-2013 seasons.

The Committee believes that it would be appropriate to extend Down Under Construction's contract for this year for the following reasons:

- 1) The unit costs were competitively bid in 1997 and were the lowest among all bidders.
- 2) The contractor is very sensitive to residents concerns and has successfully installed over 1000 drains.
- 3) The contractor's work is good and all minor disputes are resolved.

Monies have been provided in the FY 2011/12 Operating Budget in account number 110-6041-432-30-55 in the amount of \$150,000.00 for this program.

It is, therefore, the recommendation of the Public Works and Building Committee that the proposal from Down Under Construction to extend the 2009-2010 unit prices for the 2011-2012 Storm Sewer Extension Program be accepted and that the City Attorney be authorized to draft a resolution approving the contract.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- n. REPORT – FIRE HYDRANT MATERIALS PURCHASE The following report of the Public Works and Buildings Committee was presented for passage:

April 11, 2011

TO: Mayor DiCianni and Members of the City Council

RE: Fire Hydrant Materials Purchase

The Public Works and Buildings Committee met on Monday, April 11, 2011 to discuss bids received for Fire Hydrant Materials. Invitations to bid on this project were sent to several area vendors and advertised in local newspapers. Four (4) bids were received and HD Supply Waterworks, LTD out of Carol Stream, IL was the low bidder based on the total of various size fire hydrants.

Four bids were received and a bid tabulation is attached for reference.

The invitation to bid requested pricing on various size fire hydrants for use by City utility crews. The Water/Wastewater Division expects to order approximately 36 fire hydrants this project year to accommodate replacements in street paving areas and other selected target sites. The hydrants are being replaced due to poor operation, obsolescence, or vehicular accidents.

HD Supply Waterworks, LTD has previously supplied fire hydrants and other materials to the City in a timely and satisfactory manner.

Funds in the amount of \$85,000 have been provided in the 2011/2012 budget, Municipal Utility Fund, for the purchase of fire hydrant materials under account number 510-6052-501-40-23.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid submitted by HD Supply Waterworks, LTD totaling the amount of \$ 84,542.00, be accepted and that the City Attorney be directed to prepare the appropriate resolutions.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Michael J. Bram

Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

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

April 11, 2011

To: Mayor DiCianni and Members of the City Council

RE: Fuel Contract Purchase Order

The Public Works and Buildings Committee met on Monday, April 11, 2011 to discuss a proposed contract for the purchase of gasoline and bio-diesel fuel. The City of Elmhurst currently purchases gasoline and bio-diesel fuel by participating in the joint purchase option on the DuPage County gasoline and bio-diesel fuel bid. As part of the County's bid packet, County Board Resolution IR-084-76 included the opportunity for other taxing bodies in the county to participate in the joint purchase of the materials. The joint purchasing allows the City to obtain better pricing by taking advantage of the County's large volume purchase.

In March of 2011 DuPage County bid and awarded a one year contract (with the option of renewal for three additional years) for the purchase of gasoline and bio-diesel fuel to Texor Division of World Fuel Services, the low bidder.

The specifications used in the preparation of the sealed bids are based on the OPIS (Oil Price Information Service) prices, which are the benchmark prices used by the world to buy and sell U.S. gasoline, diesel, ethanol, bio-diesel, LP-gas, jet fuel, crude, propane and kerosene. The price from the low bidder, Texor Division of World Fuel Services of Riverside, IL., for gasoline is the OPIS price plus \$.0095/gal and for bio-diesel is the OPIS price plus \$.02/gal.

It is, therefore, the recommendation of the Public Works and Buildings Committee that a purchase order be completed for the 2011/12 fiscal year for the purchase of unleaded gasoline and bio-diesel fuel from World Fuel Services in accordance with the DuPage County specifications and bids.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Michael J. Bram

Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- p. REPORT – PROPOSAL – STREETLIGHT MATERIALS PURCHASE – LAKE STREET PROJECT The following report of the Public Works and Buildings Committee was presented for passage:

April 11, 2011

To: Mayor DiCianni and Members of the City Council

RE: Proposal – Streetlight Materials Purchase – Lake Street Project

The Public Works and Buildings Committee met on Monday, April 11, 2011 to discuss expenditures for streetlight poles, arms, and luminaries for the Illinois Department of Transportation sponsored reconstruction and reconfiguration of Lake Street between Walnut Street

and York Street including York Street from Lake Street south for a distance of approximately four hundred (400) feet.

In an effort to realize a lower cost for purchase of these items, staff proposes to purchase these items independent from the construction contract, similar to the other City projects with include decorative street lighting. The lighting materials specified were approved by the City's Electrical Division.

Proposals were requested from six vendors for the desired pole, arm, and luminaire assemblies. Proposals were received from two vendors and are summarized as follows:

<u>Company</u>	<u>Total Cost</u>
Gexpro	\$39,110.96
Steiner Electric Company	\$40,023.48*

*Proposal received after deadline.

The proposals are for the purchase of seven (7) poles with a single decorative luminaire and seven (7) poles with two decorative luminaires and a single roadway luminaire. Eight (8) elements, four (4) of each type, of these lighting elements will be installed on North York Street. It should be noted that the preceding material is not an extra to the project, but is an anticipated cost thereof. Additionally, six (6) elements, three (3) of each type, will be ordered to replace knock-downs. There is currently a 10-12 week delivery on the items listed above.

Monies for the purchase of eight (8) of these streetlight poles, arms, and luminaires have been provided in the FY 2010/2011 Budget, in account number 110-6041-432-80-15 in the amount of \$25,000.00. Monies for the purchase of the six (6) replacement streetlight poles have been provided in the FY 2010/2011 Budget, in account number 110-6044-434-40-55 in the amount of \$12,000.00. Lastly, monies for the purchase of the fixtures for the six (6) replacement poles have been provided in the FY 2010/2011 Budget, in account number 110-6044-434-40-28 in the amount of \$5,000.00. This information is summarized below:

<u>Use</u>	<u>Account Number</u>	<u>Budget</u>	<u>Total Cost</u>
Lake Street Project	110-6041-432-80-15	\$25,000.00	\$22,349.12
Replacement Poles	110-6044-434-40-55	\$12,000.00	\$11,969.46
Replacement Luminaries	110-6044-434-40-28	\$5,000.00	\$4,792.38

It is, therefore, the recommendation of the Public Works and Buildings Committee that the proposal from Gexpro of Naperville, IL for the total cost of \$39,110.96 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

- q. REPORT – 2011 R900 AMR UNIT/WATER METER PURCHASE The following report of the Public Works and Buildings Committee was presented for passage:

April 11, 2011

TO: Mayor DiCianni and Members of the City Council
RE: 2011 R900 AMR Unit/Water Meter Purchase

The Public Works and Buildings Committee met on Monday, April 11, 2011 to discuss the purchase of Automated Meter Reading (AMR) units and water meters necessary for new

construction, water meter upgrades, replacement of existing water meters and AMR units, and to continue our radio AMR system integration project.

The City standard, Neptune Water meters, are purchased directly from Neptune Technologies Corporation and although not competitively bid, receive no intermediary vendor mark-up. The City has standardized purchasing Neptune meters for many years because it is compatible with the current Automatic Meter Reading (AMR) system/equipment, reduces unnecessary inventory supplies, and is a quality tested product. Neptune Technologies has agreed to maintain their pricing for this year's purchase at last year's same level.

City staff has checked with other nearby municipalities to inquire as to their Neptune pricing under term contracts. In all cases, staff found pricing for Elmhurst to be very competitive and inline with other municipalities of similar size.

The current pricing and quantities to be ordered are summarized as follows:

Quantity	Meter Type	Unit Price	Total Cost
2000	R900 AMR Unit	\$82.00	\$164,000.00
2	3" Water Meter & Access	\$1,871.42	\$4,130.84
2	4" Water Meters & Access	\$2,577.24	\$5,692.48
Total			\$173,823.32

The AMR unit is an outside remote radio frequency device attached for the ease of recording the customer's water consumption. The meter reading is accomplished by simply walking or driving by the customer home and collecting the reads through the radio receiving handheld unit. Currently 70% of the homes in Elmhurst have been converted over to AMR.

Funds have been provided in the 2010/2011 budget, Municipal Utility Fund, account number 510-6052-501-40-68 (Water Meters), in the amount of \$350,000 for the purchase of water meters and AMR units. In February 2011 the City of Elmhurst purchased its first order of meters totaling \$123,000. This is the second purchase for fiscal year 2010/11.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the purchase of AMR units and water meters from Neptune Technologies for the 2010/2011 budget year, in a total amount not to exceed \$173,823.32, be accepted and that a resolution be prepared authorizing this purchase.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Michael J. Bram
Vice-Chairman

/s/ Pat Shea

/s/ Chris Healy

- r. REPORT – DISPOSITION OF YIELD SIGN REQUEST CEDAR AVENUE AT NIAGARA AVENUE The following report of the Public Affairs & Safety Committee was presented for passage:

April 11, 2011

To: Mayor DiCianni and Members of the City Council
RE: Disposition of Yield Sign Request Cedar Avenue at Niagara Avenue

The Public Affairs and Safety Committee met on April 11, 2011 to discuss the status of the above referenced request for Yield Signs at the intersection of Cedar and Niagara Avenue.

In response to a request from a resident, the Engineering Division performed a study at the intersection of Cedar Avenue and Niagara Avenue. The request was for some form of traffic control at the intersection. Staff review found moderate sight distance between 70 and 110 feet at this low-volume intersection. According to "Proposed Warrants for Low Volume Intersection Traffic Control", this intersection meets the warrants for yield control. Staff recommends installing yield signs on the Cedar Avenue approaches to Niagara Avenue.

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 install yield signs on the Cedar Avenue approaches to Niagara Avenue.

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

- s. REPORT – POLICE OFFICER HIRING SCHEDULE The following report of the Public Affairs & Safety Committee was presented for passage:

April 11, 2011

To: Mayor DiCianni and Members of the City Council
RE: Police Officer Hiring Schedule

The Public Affairs and Safety Committee met on April 11, 2011 to discuss the hiring of police officers. Chief Neubauer reviewed the details of the recommended budget for fiscal year 2011-12 relative to staffing. The proposed budget provides for the funds necessary to increase the current full time staffing level of the Police Department by two officers which would bring the strength of the department back up to 69 officers, one less than the authorized maximum staffing level 70 officers under the Municipal Code. The Police Department, as all departments of the City, has been operating with less staffing support than in the past as a result of the economic downturn and resultant budget deficits over the last several years.

At the April 4, 2011 Committee of the Whole meeting regarding the 2011-12 budget a motion was passed “that a citywide hiring freeze be implemented immediately, only to be lifted with consent of the Council, with the exception of allowing the hiring of one person for the IT Department and one person in the Police Department.” This motion may be interpreted as applicable to the 2011-12 budget to limit the Police Department to hire for one currently vacant position; however, the second currently vacant position would need City Council authority prior to being filled. Chief Neubauer discussed the reasons from his perspective that it is very important to bring the Police Department strength back to the 69 officer level as soon as possible. When the budget deficit arose, the Police Department was required to limit specialty units and reassign officers from the specialty units to patrol division as a priority and to ensure proper patrol levels of staffing. The reduced staffing level also requires use of overtime more frequently and mandates that significantly less discretionary time off can be approved for officers.

Chief Neubauer and City Manager Borchert requested that the Committee consider recommending to the City Council that these two positions, which are not in 2010-11 budget, but in the 2011-12 budget, be authorized to be filled as soon as possible to relieve the stressors on the department. To further support this notion, the lag time between hiring an officer and the officer being able to work independently on the street was reviewed. Police officers need to complete the 11 week basic course at the state police academy and then 22 weeks of field training with a senior Elmhurst officer. The Elmhurst Police Department has reservations at the next police academy scheduled to begin July 11, 2011. Because of the extensive training cycle, an officer sent to the July police academy will not be eligible for independent street patrol in the City of Elmhurst until late February 2012. The Chief reported that the next available police academy after July is not until September 2011. A police officer starting at the September police academy will not be available for independent patrol until late May 2012. Adding further support to the notion of filling these positions as soon as possible, it was reported to the Committee that: (i) the day after the last City Council voted to approve the hiring freeze, the police department learned that a police recruit who had just begun his academy training will not complete the program, and (ii) the City of Elmhurst Police Department staffing presently includes five officers at full retirement eligibility and three officers who are currently on extended medical leave. The Committee fully understands that police hiring is an ongoing endeavor to maintain sufficient manpower. In consideration of the hiring and staffing issues outlined above, coupled with the training timeline for new officers, the Committee agrees that there should be no delay in hiring police officers as authorized by the 2011-2012 budget.

Therefore, it is the recommendation of the Public Affairs and Safety Committee that the City Council authorize City staff to take action as appropriate to hire police officers as provided for in the 2011-12 budget.

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

- t. REPORT – DATE OF INAUGURATION OF NEWLY ELECTED OFFICIALS The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

April 12, 2011

To: Mayor DiCianni and Members of the City Council
Re: Date of Inauguration of Newly Elected Officials

The Finance, Council Affairs and Administrative Services Committee met April 11, 2011, to review Municipal Code of Ordinances Chapter 2 Section 2.12 *Date of Inauguration of Newly Elected Officials*, as requested by City Clerk Spencer in her capacity as the Local Election Authority.

In accordance with State statute, the DuPage County Election Commission has up to twenty-one days after an election to investigate and process provisional ballots as well as accept absentee ballots postmarked before election day. The valid ballots are then included in the election results. The last date the DuPage County Election Commission can canvass results for the April 5, 2011, Consolidated Election is April 26, 2011, twenty-one days after the election. Pursuant to Illinois Compiled Statute 10ILCS 5/1-8, the DuPage County Election Commission has announced that it will canvass the results for all jurisdictions on that day.

The City's Municipal Code of Ordinances (MCO) Chapter 2 Section 2.12 addresses the date of inauguration of newly elected officials for the City of Elmhurst. It states as follows:

2.12 (a) The term of office of newly elected officials shall commence on the fourth Monday in April following the general municipal election, at a special City Council meeting held at that time for the purpose of installation of those newly elected officials.

2.12 (b) No special meeting of the City Council shall be called between the third Monday of April and the first Monday of May following a general municipal election, except as stated in subsection (a) above.

2.12 (c) The City Council is prohibited from raising or lowering the salary of any elected official between the time of the general election and the first regular meeting in May.

In the past, the DuPage County Election Commission completed the canvassing of election results prior to the allowed maximum of twenty-one days. The City's MCO as stated above was not in conflict with the past practice of the Election Commission. However, now that the Election Commission is using the entire twenty-one days allowed for the canvassing of election results, the City's MCO is in conflict with State statute. An inauguration of newly elected officials can not take place until after the canvassing is complete. To ensure that City of Elmhurst is in compliance in the future, the Finance Committee recommends that MCO Chapter 2 Section 2.12 be eliminated in its entirety and replaced as follows:

2.12 (a) The term of office of newly elected officials shall commence on the first Monday in May following the general municipal election, at a regular City Council meeting. Newly elected officials shall be sworn in at this first regular meeting of the City Council in May.

2.12 (b) No special meeting of the City Council shall be called between the third Monday of April and the first Monday of May following a general municipal election.

2.12 (c) The City Council shall only fix, increase, or decrease compensation of elected officials pursuant to the Illinois Municipal Code (65 ILCS 5/3.1-50-5) and the Local Government Officer Compensation Act (50 ILCS 142/5).

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare an ordinance incorporating

the changes as stated above. The Finance Committee also recommends suspension of the rules to allow for consideration of Municipal Code of Ordinances MCO-04-2011, so that the City of Elmhurst will be in compliance with State statute.

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

- u. R-12-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2011 WATER MAIN IMPROVEMENTS PROJECT NO. 11-01 FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-12-2011 was presented for passage.

- v. R-13-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2011 CONTRACT PAVING PROGRAM FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-13-2011 was presented for passage.

- w. R-14-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF GASOLINE AND BIO-DIESEL FUEL BY THE CITY OF ELMHURST, ILLINOIS

Resolution R-14-2011 was presented for passage.

- x. R-15-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2011 FIRE HYDRANT MATERIALS PROJECT NO. 11-22 IN THE CITY OF ELMHURST, ILLINOIS

Resolution R-15-2011 was presented for passage.

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

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

Nays: None

Results: 11 ayes, 0 nays, 3 absent
Motion duly carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

6. a. UPDATES (Mayor DiCianni)

Mayor DiCianni announced the change over from Sears Essentials, a \$5-6million business, to K-Mart, an \$11-12million business. The change over happened this weekend at Elmhurst Crossings Plaza at IL Route 83 and St. Charles Road.

Mayor DiCianni stated he attended the DuPage Mayors & Managers Conference Drive Down to Springfield. He announced it was a very productive trip.

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

City Manager Borchert reported the Burke Group will be giving a bi-monthly status report to the City. He stated Council received the report tonight and tomorrow it will be posted on the City website.

City Manager Borchert announced the Stormwater Task Force will meet on Tuesday, April 26, 2011 from 7:00-9:00 p.m. He stated the Task Force will breakout into their 5 study groups.

Alderman Morley asked if the Task Force will have a standing meeting time of Tuesday nights.

City Manager Borchert replied the schedule for future meetings will be determined by each study group in coordination with the engineering team of Burke/RJN.

ORDINANCES

7. a. O-09-2011 – A BUDGET AND APPROPRIATION ORDINANCE FOR THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING ON MAY 1, 2011, AND ENDING ON APRIL 30, 2012

Ordinance O-09-2011 was presented for passage.

Alderman Hipskind moved to open discussion on item 7a. O-09-2011. Alderman Rose seconded.

Alderman Hipskind stated his support for the 2011/2012 budget and urged the Council to approve it.

Alderman Bram stated the proposed budget negatively impacts the 3rd Ward and the northside of town. He told Council he clearly stated his concerns at the last Committee of the Whole Budget review meeting. He apologized to the 3rd Ward residents for this proposed budget.

Alderman Bram moved to amend the budget and to add in money for sidewalk installation, \$200,000 and restore the 50/50 cost-share program as it was proposed in previous years from \$100,000 to \$50,000. Alderman Shea seconded.

Alderman Rose asked if the amended motion made by Alderman Bram be re-stated to separate out the bundled issue of sidewalks, and provide a singular motion, around the restoring of sidewalk installation.

Alderman Bram replied he would.

Alderman Rose stated in that case, she would support his amended motion.

City Attorney Storino stated if the mover and seconder agree, it can be done.

Alderman Levin, point of order, asked for the amended motion to be re-stated.

Alderman Bram moved to restore the budget line item for new sidewalk installation and reduce the 50/50 program to previous funding of \$50,000. Alderman Shea seconded.

Alderman Morley, point of order, asked City Attorney Storino if an amended motion to the budget can be done at this point in time and if the Council does vote to amend the budget tonight can the budget itself be voted on tonight as well.

City Attorney Storino stated if the budget is amended tonight it cannot be passed without a motion to suspend with the rules to vote to approve the amended budget.

Alderman Morley, point of clarification, does Council vote to suspend with the rules prior to voting to amend the ordinance.

City Attorney Storino replied yes.

Alderman Rose, point of clarification, if the suspension of the rules fails, there would be no vote on the amended motion.

City Attorney Storino replied yes.

Alderman York, point of clarification, questioning the mathematics on the amended motion.

Alderman Bram stated the 50/50 line item went from \$50,000 to \$100,000 and the amended motion is back to \$50,000.

City Manager Borchert stated sidewalk replacement is budgeted at \$150,000.

Alderman Bram stated the money should be at \$200,000 for sidewalks as in previous years.

Discussion ensued regarding the dollar amounts.

Alderman Morley, point of order, for a clarification on the amounts \$150,000 to \$50,000 for the 50/50 on sidewalk replacement, \$0 to \$200,000 on sidewalk installation.

Discussion ensued.

Alderman Morley, point of order, stated the rules should be suspended before discussion continues.

Alderman Bram, point of order, asked the City Attorney to clarify.

City Attorney Storino stated suspend with the rules before the vote and suspension on items b-f is required as well.

Mayor DiCianni asked for a motion to suspend the rules.

City Attorney Storino suggested a roll call vote because a $\frac{3}{4}$ majority is required.

Alderman Rose, point of clarification, this vote on the suspension of the rules does not apply to the remaining ordinances on tonight's agenda.

City Attorney Storino replied yes.

Roll call vote to suspend with the rules:

Ayes: Bram, Pezza, Shea, Rose, York, Levin, Mulliner

Nays: Leader, Hipskind, Morley, Kennedy

Results: 7 ayes, 4 nays, 3 absent
Motion failed

The Mayor asked the City Attorney if the amended motion is to be voted on.

City Attorney Storino stated if the motion to suspend had passed, it would have carried over.

Alderman Bram removed his amended motion. Alderman Shea seconded.

Discussion ensued on the main motion to approve item 7a. O-09-2011.

Alderman Bram stated for the first time in ten years he will not be voting to approve the budget.

Discussion resumed.

Roll call vote on item 7a. O-09-2011:

Ayes: Hipskind, Rose, York, Levin, Morley, Kennedy, Mulliner, Pezza, Shea, Leader,

Nays: Bram

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

b. O-18-2011 – AN ORDINANCE AUTHORIZING THE PURCHASE OF WATER METERS AND AUTOMATED METER READING UNITS FOR WATER METERS LOCATED IN THE CITY OF ELMHURST, ILLINOIS

Ordinance O-18-2011 was presented for passage.

Mayor DiCianni stated the following items 7b., 7c., 7d., 7e. and 7f. are ordinances that require the Council to suspend with the rules due to the bidding process.

Alderman Levin, point of order, item 7f. is not a bid.

Alderman Mulliner moved to suspend with the rules. Alderman Kennedy seconded.

Voice vote to suspend with the rules and allow items 7b-7f. to be voted on without going through the bidding process. Motion carried.

Alderman Kennedy moved to approve item 7b. O-18-2011. Alderman Bram seconded.

Alderman Mulliner stated item 7b. O-18-2011 requires a suspension of rules because the Committee Report and Ordinance are before Council for approval on the same night.

Roll call vote on item 7b. O-18-2011:

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

Nays: None

Results: 11 ayes, 0 nays, 3 absent
Motion duly carried

- c. O-19-2011 – AN ORDINANCE AUTHORIZING THE PURCHASE OF STREETLIGHT MATERIALS FOR THE LAKE STREET PROJECT IN THE CITY OF ELMHURST, ILLINOIS

Ordinance O-19-2011 was presented for passage.

Alderman Kennedy moved to approve item 7c. O-19-2011. Alderman Shea seconded.

Alderman Mulliner stated item 7c. O-19-2011 requires a suspension of rules because the Committee Report and Ordinance are before Council for approval on the same night.

Roll call vote on item 7c. O-19-2011:

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

Nays: None

Results: 11 ayes, 0 nays, 3 absent
Motion duly carried

- d. O-20-2011 – AN ORDINANCE AUTHORIZING THE PURCHASE OF PERSONAL COMPUTERS AND COMPUTER SOFTWARE FOR USE BY EMPLOYEES OF THE CITY OF ELMHURST, ILLINOIS

Ordinance O-20-2011 was presented for passage.

Alderman Mulliner moved to approve item 7d. O-20-2011. Alderman York seconded.

Alderman Mulliner stated item 7d. O-20-2011 requires a super majority vote because it did not have bid.

Roll call vote on item 7d. O-20-2011:

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

Nays: None

Results: 11 ayes, 0 nays, 3 absent
Motion duly carried

- e. O-21-2011 – AN ORDINANCE APPROVING AND AUTHORIZING DOWN UNDER CONSTRUCTION, INC. TO SERVE AS THE CONTRACTOR FOR THE 2011-2013 STORM SEWER EXTENSION PROGRAM IN THE CITY OF ELMHURST, ILLINOIS

Ordinance O-21-2011 was presented for passage.

Alderman Kennedy moved to approve item 7e. O-21-2011. Alderman Bram seconded.

Alderman Kennedy stated there was no bid but a thorough analysis of the company and the pricing was conducted.

Alderman Mulliner stated item 7e. O-21-2011 requires a super majority vote because it did not have bid.

Roll call vote on item 7e. O-21-2011:

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

Nays: None

Results: 11 ayes, 0 nays, 3 absent
Motion duly carried

- f. MCO-04-2011 – AN ORDINANCE TO AMEND SECTION 2.12 ENTITLED “DATE OF INAUGURATION OF NEWLY ELECTED OFFICIALS” OF CHAPTER 2 ENTITLED “CITY COUNCIL” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

Ordinance MCO-04-2011 was presented for passage.

Alderman Hipskind moved to approve item 7f. MCO-04-2011. Alderman York seconded.

Alderman Mulliner stated item 7f. MCO-04-2011 requires a suspension of rules because the Committee Report and Ordinance are before Council for approval on the same night.

Roll call vote on item 7f. MCO-04-2011:

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

Nays: None

Results: 11 ayes, 0 nays, 3 absent

Motion duly carried

OTHER BUSINESS

8. None.

ANNOUNCEMENTS

9. Alderman York announced the used bicycle collection at the Police Station collected twice as many bicycles than last year. He also stated the electronics recycling event held at Elmhurst College this past weekend was very successful.

Alderman Pezza announced the next 1st Ward Coffee & Conversation will be held Wednesday, April 27, 2011 from 8:30 a.m. – 10:00 a.m. at the Smoothie Factory, 116 N. York St.

Alderman Pezza announced that the Elmhurst Art Museum will host its 15th Annual Art In the Park event on Saturday, April 30th and Sunday, May 1st between the hours of 10:00 a.m. – 5:00 p.m. in Wilder Park.

RECOGNITION OF OUTGOING COUNCIL MEMBERS

10. Mayor DiCianni stated this portion of tonight's meeting is to recognize and honor the two individuals who gave their time to make their community better on behalf of their ward. Aldermen Rose and Shea will be leaving the City Council and will be missed.

In turn, Mayor DiCianni welcomed each outgoing official to step forward and receive a plaque and medallion commemorating the time they had spent on the City Council. Alderman Shea and Alderman Rose were called forward one at a time to be recognized. They thanked their families, City staff, fellow Council members and City residents for their support through the years. They shared their favorite experiences and memories as they reflected on the years of service they gave to the community. The retiring Council members were then presented rocking chairs as a symbol of the leisure time they would now have since they will no longer have to attend meetings every Monday night.

Mayor DiCianni then recognized Council members who wished to thank the outgoing Elected Officials for their dedicated service.

ADJOURNMENT

11. Alderman Rose moved to adjourn the meeting. Alderman Shea seconded. Voice vote. Motion carried. Meeting adjourned 9: 24 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk