

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS  
HELD ON TUESDAY, SEPTEMBER 6, 2011  
209 NORTH YORK STREET  
ELMHURST, ILLINOIS**

**EXECUTIVE SESSION 6:30 P.M. – PENDING LITIGATION**

1. Executive session was called to order at 6:37 p.m. by Mayor DiCianni for the purpose of discussing Pending Litigation.

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

Absent: Paula Pezza (arrived at 6:52 p.m.), Bob Dunn, Stephen Hipskind (arrived at 7:22 p.m.), Chris Healy (Arrived at 6:40 p.m.)

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

Alderman Gutenkauf moved to convene into executive session for the purpose of discussing Pending Litigation. Alderman Bram seconded. Roll call vote:

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

Nays: None

10 ayes, 0 nays, 4 absent

Motion duly carried

Alderman Morley moved to adjourn executive session. Alderman York seconded. Voice vote. Motion carried. Executive session adjourned at 7:31 p.m.

**CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL**

Attendance: 24

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor for the Day, Madeline Jaras, at 7:41 p.m. Mayor Jaras lead the Council in the Pledge of Allegiance.

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

Absent: Bob Dunn

Also in Attendance: City Treasurer Dyer, City Attorney Storino, City Manager Grabowski, Assistant City Manager/ Fire Chief Kopp, Director of Finance & Administration Gaston, Museum Director Bergheger, Public Works Director Hughes

**INTRODUCTION OF 2011 “MAYOR FOR A DAY” CONTEST WINNERS: 1<sup>ST</sup> PLACE MADELINE JARAS & 2<sup>ND</sup> PLACE FRANNIE CERVONE**

3. Mayor DiCianni introduced Mayor for the Day Contest Winner, and Churchville Middle School student Madeline Jaras.

Mr. Jim Doherty from Character Counts in Elmhurst came to the podium and reviewed the nine year history of the local essay contest, Mayor for the Day. He stated this year, the essay was on the Character Counts pillar Trustworthiness.

FBI Agent Bob Walker came to the podium to announce the first runner-up winner, Francine Cervone. Ms. Cervone will receive a \$500 scholarship to Elmhurst College.

Mayor for the Day Jaras came to the podium with Mayor DiCianni to read her winning essay and receive her 1<sup>st</sup> Place prizes. She received a \$1,000 scholarship to Elmhurst College, a trip to

Washington D.C., a membership to the YMCA, and a breakfast for 25 people.

Mr. Doherty thanked all of the sponsors of Mayor for the Day: Elmhurst College, McDonalds, Unique Travel, Elmhurst YMCA, Kickoff for Kids, Courtyard By Marriott, and Press publications for making this possible.

#### **RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC**

4. Alderman Morley, read a letter to ComEd in Other Business. He asked any/all elected officials who were interested in adding their signature to the letter to contact him. It was in regards to the response ComEd sent to Aldermen after receiving the letter read during the August 1, 2011 Council Meeting by Alderman Healy and discussed by Council at the regular meeting August 15, 2011.

#### **PUBLIC FORUM**

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

Spoke regarding the procedures for installing new sidewalks and asked the Public Works & Buildings Committee to allow both sides of the street to vote on installation of sidewalks, not just one side, so that what happened on Gladys will not happen again. He also thanked the Finance, Council Affairs & Administrative Services Committee and City Council for raising the qualifying amount of the tax rebate.

Mary Ann Judar  
Community Lawyer, Citizen's Advocacy Center  
182 N. York St.  
Elmhurst, IL 60126

Spoke regarding item 6j. on tonight's agenda referring to subsection (g) as it relates to order and decorum stating it goes beyond what is necessary and introduces ambiguity. She stated portions of the sections are subject to legal action. She called on the Council to change the section and to protect the public.

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

Thanked Alderman Mulliner for acting as Mayor Pro-Tempore in August. He spoke regarding proposed changes to Chapter 2 in the Municipal Code regarding public decorum. He also asked the Council to consider putting money aside to help residents install generators that operate on natural gas.

Kathleen Sullivan  
133 Pine St.  
Elmhurst, IL 60126

Spoke regarding the sanitary sewer "smoke testing" stating she strongly supports it.

#### **CONSENT AGENDA**

6. The following items on the Consent Agenda were presented:
  - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, AUGUST 15, 2011 (City Clerk Spencer):  
Approve as published
  - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, AUGUST 15, 2011 (City Clerk Spencer):  
Receive and place on file

- c. ACCOUNTS PAYABLE – AUGUST 31, 2011, TOTAL \$ 1,610,063.30
- d. NEGOTIATION OF LOWER ELECTRICITY USAGE RATES – ALDERMEN POLOMSKY, MORLEY, KENNEDY AND HEALY (City Manager Grabowski): Refer to the Finance, Council Affairs and Administrative Services Committee

September 1, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Negotiation of Lower Electricity Usage Rates – Aldermen Polomsky, Morley, Kennedy and Healy

It is respectfully requested that the attached request regarding community choice aggregation, to negotiate a lower usage rate for electricity be referred to the Finance, Council Affairs and Administrative Services Committee for their review, evaluation and subsequent recommendation for City Council action.

Respectfully submitted,  
/s/ James A. Grabowski  
City Manager

- e. REPORT – CY 2011-12 STATE OF ILLINOIS JOINT PURCHASE CONTRACT FOR ROCK SALT The following report of the Public Works & Buildings Committee was presented:

August 22, 2011

TO: Mayor DiCianni and Members of the City Council  
RE: CY 2011-12 State of Illinois Joint Purchase Contract for Rock Salt

The Public Works and Buildings Committee met on Monday, August 22, 2011 to review the price for rock salt in the CY 2011-12 Joint Purchase Contract awarded by the State of Illinois, Department of Central Management Services (CMS).

The City uses rock salt to deice roadways during winter snow storms. The State Joint Purchase Contract enables the City to contract directly with the major salt producers. The City is provided delivery performance, material quality assurance, and pricing that it could not achieve by contracting on its own. Terms of the CMS contract are provided in Attachment "A".

The City requested 4,800 tons of rock salt for the 2011-12 winter season. The Joint Purchase Contract requires the City to purchase a minimum of 80% (3,840 tons), up to a maximum of 120% (5,760 tons) of the amount requested. The City will receive rock salt from North American Salt Company at a price of \$66.28 per ton, which is \$0.33 less per ton than last year's contract.

Funds in the amount of \$335,000 are budgeted in account number 250-6042-433-40-46 in the FY2011/12 budget for the purchase of rock salt. Funding in the amount of \$254,515 will be required to purchase the contract minimum 3,840 tons. Funding in the amount of \$381,773 would be required if the City purchases the maximum 5,760 tons.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the City Manager be authorized to purchase rock salt from North American Salt Company, through the State of Illinois Joint Purchase Contract, at the contracted price of \$66.28 per ton, not to exceed \$381,773, and that the City Attorney prepare the appropriate resolution.

Respectfully submitted,  
Public Works and Building Committee  
/s/ Jim Kennedy  
Chairman  
/s/ Bob Dunn  
Vice-Chairman  
/s/ Chris Healy

/s/ Diane Gutenkauf

- f. REPORT – 2011 SIDEWALK REPLACEMENT PROGRAM The following report of the Public Works & Buildings Committee was presented:

August 22, 2011

TO: Mayor DiCianni and Members of the City Council  
RE: 2011 Sidewalk Replacement Program

The Public Works and Buildings Committee met on Monday, August 22, 2011 to review bids for the 2011 Sidewalk Replacement Program. The bids received are summarized on Attachment "A".

The work in general consists of the removal and replacement of existing sidewalk and curb and gutter and the installation of new sidewalk at various locations throughout the City. This is a cost sharing program where the City and homeowner share the expense to replace broken sidewalk.

Kings Point General Cement, Inc. of Bensenville, Illinois submitted the lowest responsible bid meeting all of the bidding requirements. Kings Point's bid was \$93,900.00. Kings Point has completed similar work for the City in a satisfactory and professional manner. \$93,900.00 will allow for approximately 860 sidewalk squares to be reconstructed.

Monies have been provided in the FY 2011/12 budget in the amount of \$138,000 in account number 110-6041-432-30-70. The original budget amount was \$150,000 and approximately \$12,000 was used to construct the new sidewalk on Elm Park at West Avenue. The \$138,000 remaining will allow for approximately 1400 sidewalk squares to be reconstructed.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the low bid unit prices from Kings Point General Cement, Inc. for the 2011 Sidewalk Replacement Program be accepted and that the total cost of the work not exceed the budgeted amount, and the City Attorney be authorized to draft a resolution approving a contract with Kings Point General Cement, Inc.

Respectfully submitted,  
Public Works and Building Committee

/s/ Jim Kennedy  
Chairman

/s/ Bob Dunn  
Vice-Chairman

/s/ Chris Healy  
/s/ Diane Gutenkauf

- g. REPORT – PROPOSAL FOR SUPPLEMENTAL SMOKE TESTING The following report of the Public Works & Buildings Committee was presented:

August 9, 2011

To: Mayor DiCianni and Members of the City Council  
RE: Proposal for Supplemental Smoke Testing

The Public Works and Buildings Committee met on Monday, August 22, 2011, to discuss a proposal from the RJN Group to continue smoke testing on selected areas of south Elmhurst, IL.

As the Committee is aware, RJN is currently in Elmhurst working on smoke testing the sanitary sewer system. The purpose of the smoke testing is to find cross connections between the sanitary sewer and sources of clean water inflow and infiltration. The smoke testing has indicated numerous cross connections in the areas tested and the vast majority of these are private system connections. However, there are numerous City-owned cross connections which will need to be removed.

RJN is recommending that the City perform additional smoke testing to find sources of inflow and infiltration in other parts of the City. Attached is a proposal from RJN to perform an additional 137,593 linear feet of smoke testing. The cost for this work is \$87,365.00.

The original proposal from RJN included manhole inspections and smoke testing of 100% of the sanitary sewer system in southwest Elmhurst. During discussions between the City and RJN of the scope of work and costs, it was determined that RJN would start with a small percentage of manhole inspections and smoke testing as a sample test. If the sample tests indicated a high number of problems, then either the manhole inspections or smoke testing would have to be increased to an appropriate level to allow the modeling to go forward. In the case of the manhole inspections, the RJN crews found that the manholes have held up very well since they were last repaired in the early 90's. Consequently the manhole inspections done so far will suffice. Unfortunately, smoke testing has indicated the number of sources of inflow and infiltration is very large necessitating further testing.

The additional smoke testing will serve two purposes. First it will identify the sources of inflow and infiltration, private and public, for possible future repairs to eliminate those sources. Secondly, the additional information will allow RJN to construct a model which will be accurate and will properly reflect the way the City's sanitary system functions. Attached is a spreadsheet listing the defects which RJN has found thus far through smoke testing 30,051 linear feet of sewer and information on RJN's prior experience of their recent area projects.

Funds have been provided for the supplemental smoke testing in selected portions of Elmhurst in the 2011/12 budget in account number 510-6056-502-80-13.

Therefore it is the recommendation of the Public Works and Buildings Committee that the proposal be accepted for supplemental smoke testing in selected portions of the City of Elmhurst conducted by RJN Group for an amount not to exceed of \$87,365.

Respectfully submitted,  
Public Works and Building Committee

/s/ Jim Kennedy  
Chairman

/s/ Bob Dunn  
Vice-Chairman

/s/ Chris Healy

/s/ Diane Gutenkauf

- h. REPORT – BID, FORD EXPEDITION SPECIAL SERVICE VEHICLES PURCHASE The following report of the Public Affairs & Safety Committee was presented:

August 22, 2011

To: Mayor Peter P. DiCianni and the Members of City Council

RE: Bid, Ford Expedition Special Service Vehicles Purchase

The Public Affairs and Safety Committee met on Monday, August 22, 2011 to discuss bids received for two (2) Ford Expedition EL Special Service vehicles. Invitations to Bid were sent out to eleven (11) area dealers.

The results are listed below:

**Total Price for F13 Less Trade**

<b><u>Dealer</u></b>	<b><u>Total</u></b>
Freeway Ford, Lyons, IL	\$30,492.00
Roesch Ford, Bensenville, IL	\$30,700.00
Northwest Ford, Franklin Park, IL	\$30,836.00
Haggerty Ford, West Chicago, IL	\$31,388.00
Ewald Automotive Oconomowoc, WI	\$32,536.00

Sutton Ford., Matteson, IL	\$32,940.00
Packey Webb Ford, Downers Grove, IL	No Bid
Landmark Ford, Springfield, IL	No Bid
Geiser Ford	No Bid
Anderson Rock River Ford, Rockford, IL	No Bid
Joe Rizza Ford, North Riverside, IL	No Bid

**Total Price for PD17 Less Trade**

<b><u>Dealer</u></b>	<b><u>Total</u></b>
Freeway Ford, Lyons, IL	\$30,992.00
Roesch Ford, Bensenville, IL	\$31,200.00
Sutton Ford., Matteson, IL	\$32,440.00
Ewald Automotive Oconomowoc, WI	\$32,536.00
Haggerty Ford, West Chicago, IL	\$32,688.00
Northwest Ford, Franklin Park, IL	\$32,736.00
Packey Webb Ford, Downers Grove, IL	No Bid
Landmark Ford, Springfield, IL	No Bid
Geiser Ford	No Bid
Anderson Rock River Ford, Rockford, IL	No Bid
Joe Rizza Ford, North Riverside, IL	No Bid

**F13**

This vehicle will be used by the on duty Battalion Chief to respond to emergencies and set up Incident Command. This vehicle is outfitted with a Mobile Data Terminal, Interoperable radio's and numerous reference materials that aid the Fire Department Incident Commander in dealing with all types of emergencies including structure fires, auto extrications, Hazardous Materials and Technical Rescue responses. If the incident escalates beyond the capabilities of this vehicle, the City's Mobile Command Vehicle would be requested to assist with a Unified Command operation.

The low bid from Freeway Ford, Lyons, IL for F13 meets all bids specifications. The price reflects a trade-in allowance of \$3,150.00 for old F13, a 1999 Ford Expedition with 77,911 miles. Funds have been provided in the FY 2011/2012 budget under the following account numbers: \$38,000 in 110-4020-422-80.06. Delivery is 12-14 weeks after receipt of order.

**PD17**

PD 17 will be used as the Evidence Technician vehicle which carries a large amount of technical equipment. The vehicle is used 24 hours per day as a first response vehicle. The current PD 17 has over 88,000 miles and will be used to replace an older vehicle, E24.

The low bid from Freeway Ford, Lyons, IL for PD-17 meets all bids specifications. The price reflects a trade-in allowance of \$2,650.00 for E24. Funds have been provided in the FY 2011/2012 budget under the following account numbers: \$35,000.00 in 110-5030-421-8006 for PD17. Delivery is 12-14 weeks after receipt of order.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the purchase of One 2012 Ford Expedition EL from Freeway Ford, Lyons, IL, to replace F13 and one 2012 Ford Expedition EL from Freeway Ford of Lyons, IL, to replace PD-17. It is also the recommendation of the Public Affairs and Safety Committee that the City Council authorize the disposal of old F13. It is also the recommendation of the Public Affairs and Safety Committee that the City Council authorize the disposal of old E24 by trading this vehicle as part of the purchase for PD-17 The total cost for F13 from Freeway Ford, Lyons, IL is \$30,492.00 with a trade in value of \$3,150.00. The total cost for PD-17 from Freeway Ford, Lyons, IL is \$30,992.00 with a trade in value of \$2,650.00 for E24.

As approved previously, since these bids are under budget, a purchase requisition will be prepared.

Respectfully submitted,  
 Public Affairs and Safety Committee

/s/ Patrick Wagner  
Chairman  
/s/ Paula Pezza  
Vice-Chairman  
/s/ Michael J. Bram

- i. REPORT – PURCHASE OF AFIS LIVE SCAN FINGERPRINT EQUIPMENT SYSTEM FOR POLICE DEPARTMENT The following report of the Public Affairs & Safety Committee was presented:

August 22, 2011

TO: Mayor Peter P. Dicianni and Members of the City Council

RE: Purchase of AFIS Live Scan Fingerprint Equipment System for Police Department

On August 22, 2011, the Public Affairs and Safety Committee met to discuss the purchase of a replacement Live Scan Fingerprint System for the Police Department. Live Scan technology allows law enforcement to digitally take fingerprints of suspect, offenders and applicant citizens. These digital fingerprints are transmitted electronically to the Illinois Bureau of Identification, compared to their databases, along with exemplars from open cases. Additionally, the system takes digital mug shots and biographical data of the suspect/offenders for a centralized database. This technology provides our officers with immediate confirmation of the suspect/offenders identity.

The current AFIS Live Scan System was purchased in November of 2005 and is approaching end of life status. Many parts, such as the palm and finger scanner, hard drive and scanner card have been replaced with refurbished parts and are currently in need of replacement.

Our current AFIS Live Scan System vendor is L1 Identity Solutions. This has been our current vendor since May of 2000. We recommend using this same vendor for ease of transition and minimal training and learning curve for the officers. We have also solicited bids from another vendor, Cogent Systems, but would also incur additional expenditures for a new mug shot server, hardware and integration. Currently the State of Illinois does not list any AFIS Live Scan vendors on <http://www.purchase.state.il.us>.

The committee agreed the purchase of Live Scan was needed and also discussed the options for an extended warranty. The purchase of the unit includes a one-year warranty, the cost of the 2-year warranty is \$6,263.00 and a three-year warranty is \$19,129.00. The IT Department recommends the purchase of a 2-year warranty for the total cost of the unit and the 2-year warranty to be \$46,428.00.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the purchase of the Live Scan Fingerprint and Mugshot System and a 2-year warranty for a total cost of \$46,428.00 from our current vendor L1 Identity Solutions. The Information Technology Department has budgeted \$75,000 for the Live Scan System in the fiscal 2011-12 Capital Expenditure Budget line item 110-2008-413-80-03.

Respectfully submitted,  
Public Affairs and Safety Committee  
/s/ Patrick Wagner  
Chairman  
/s/ Paula Pezza  
Vice-Chairman  
/s/ Michael J. Bram

- j. REPORT – MUNICIPAL CODE OF ORDINANCES CHAPTER 2 REVISIONS The following report of the Finance, Council Affairs & Administrative Services Committee was presented:

August 23, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Municipal Code of Ordinances Chapter 2 Revisions

The Finance, Council Affairs and Administrative Services Committee met several times, most recently August 22, 2011, to review Chapter 2 of the City of Elmhurst Municipal Code of Ordinances (MCO).

The Finance Committee, with the assistance of City Attorney Storino, has reviewed Chapter 2 of the City's MCO. The goal of this review was to recommend amendments to bring the provisions of Chapter 2 in to conformance with Illinois state statute. After discussion and review, several amendments to Chapter 2 are proposed, and are noted on the draft ordinance which is attached. Deletions are noted in the right margin and additions are underlined.

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 adopting the amendments to City of Elmhurst MCO Chapter 2, as detailed on the attached draft ordinance.

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

- k. REPORT – BANKING SERVICES REVIEW The following report of the Finance, Council Affairs & Administrative Services Committee was presented:

August 23, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Banking Services Review

The Finance, Council Affairs and Administrative Services Committee met August 22, 2011, to review banking services.

A Request for Proposals (RFP) was distributed to all financial institutions (17) with a facility in Elmhurst. Responses were received from the following seven banks:

- Charter One Bank
- Fifth Third Bank
- Harris Bank
- Inland Bank
- JP Morgan Chase Bank
- MB Financial Bank
- Wells Fargo

The proposals were evaluated and analyzed by staff based on several factors including, but not limited to, experience in the municipal market; current relationship and customer service; completeness of proposal; financial strength of organization; available customer technology; cost of services; and ability to meet current and projected service requirements. One bank was disqualified due to its inability to comply with the City's collateralization requirements.

The City's current banking relationship is with Fifth Third Bank. The City has maintained bank accounts with Fifth Third Bank since 1996, with comprehensive reviews and contract renewals in

2001 and 2006. Based on initial staff evaluation and analysis, the field was narrowed to Charter One Bank and Fifth Third Bank. These two banks quoted the lowest monthly fees of the six qualified responding banks. Staff then conducted interviews with representatives from Charter One and from Fifth Third.

After evaluation of the RFP responses and the interview process, staff recommended maintaining the City's current banking relationship with Fifth Third Bank. Fifth Third is established in the municipal market, has provided, and continues to provide, excellent service to the City, has very good, well-established customer technology and continues to be progressive in the area of technology. The estimated annual fees from Fifth Third are about \$1,300 greater than the estimated annual fees from Charter One, approximately \$5,200 over a four-year contract. Staff believes that the estimated savings from changing to Charter One would not compensate for the conversion costs involved in changing bank relationships. As a result of the RFP process and due to fine tuning of services needed by the City, an annual cost reduction of approximately \$6,500 is projected.

Fifth Third Bank is a financially sound banking institution that has proven it has the ability to meet the current and future needs of the City. Staff recommended a four-year agreement with a 90-day cancellation clause. The Finance Committee concurs with staff recommendation.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council accept the proposal from Fifth Third Bank for a four-year agreement to provide banking services to the City of Elmhurst, and direct the City Attorney to prepare a resolution adopting the agreement.

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

- I. REPORT – CASE NUMBER 11-HPC-01/DONNA M. ALMERICO @ 208 S. ARLINGTON AVENUE The following report of the Development, Planning & Zoning Committee was presented:

August 23, 2011

TO: Mayor DiCianni and Members of City Council

RE: Case Number 11-HPC-01/Donna M. Almerico @ 208 S. Arlington Avenue

Request for historic landmark designation pursuant to Article III of the Elmhurst Preservation Ordinance on property commonly known as 208. S. Arlington Avenue (PIN 06-01-307-020).

The Development, Planning and Zoning Committee met on August 22, 2011 to review the Historic Preservation Commission report dated July 14, 2011 recommending approval of the request to have the house located at 208 S. Arlington Avenue be designated an historic landmark. The Committee also reviewed the information submitted by the applicant, and the transcripts of the public hearings.

The Committee agreed with the Historic Preservation Commission finding that the Applicant's request is warranted and meets the criteria for designation in that the house is more than 50 years old. In addition, the property is already listed on the National Register of Historic Places.

Therefore, it is the recommendation of the Development, Planning and Zoning Committee to support the recommendation of the Historic Preservation Commission for approval of this request. 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/ Dannee Polomsky  
Vice-Chairman  
/s/ Norman Leader

m. ZO-06-2011 – AN ORDINANCE GRANTING A REAR YARD VARIATION ON THE PROPERTY COMMONLY KNOWN AS 444 EAST MADISON COURT (SPUDEAS 06-13-207-020)

Ordinance ZO-06-2011 was presented for passage.

n. R-31-2011 – A RESOLUTION AUTHORIZING THE PURCHASE BY THE CITY OF ELMHURST OF TWO REPLACEMENT LOADER BACKHOES FOR THE CITY'S PUBLIC WORKS DEPARTMENT

Resolution R-31-2011 was presented for passage.

o. R-32-2011 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF A CONSTRUCTION ENGINEERING AND LOAN ASSISTANCE PROPOSAL SERVICES AGREEMENT FOR THE ANAEROBIC DIGESTER AT THE WASTEWATER TREATMENT PLANT BY AND BETWEEN BAXTER & WOODMAN, INC. AND THE CITY OF ELMHURST

Resolution R-32-2011 was presented for passage.

p. R-33-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF INTENT TO AWARD FOR THE CONSTRUCTION CONTRACT AT THE ELMHURST WASTEWATER TREATMENT PLANT IN THE CITY OF ELMHURST, ILLINOIS

Resolution R-33-2011 was presented for passage.

q. R-34-2011 – A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A WELL ABANDONMENT AGREEMENT BY AND BETWEEN WATER WELL SOLUTIONS AND THE CITY OF ELMHURST

Resolution R-33-2011 was presented for passage.

r. R-35-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2011 SIDEWALK REPLACEMENT PROGRAM IN THE CITY OF ELMHURST, ILLINOIS

Resolution R-35-2011 was presented for passage.

Alderman Hipkind pulled item **6j. Report – Municipal Code of Ordinances Chapter 2 Revisions** from the Consent Agenda.

Alderman Hipkind moved to approve the contents of the Consent Agenda less item **6j. Report – Municipal Code of Ordinances Chapter 2 Revisions**. Alderman Morley seconded. Roll call vote:

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

Nays: None

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

Alderman Hipkind stated as Chairman of the F,CA&AS Committee he pulled item **6j. Report – Municipal Code of Ordinances Chapter 2 Revisions** to return the report to committee for additional

review.

## **REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS**

### 7. a. UPDATES (Mayor DiCianni)

Mayor DiCianni announced on Saturday, September 24, 2011, the Senior Commission will host for the Council a tour of 3 Senior Living Facilities in Elmhurst. He instructed the Council to meet at the 10:00 a.m. at City Hall.

Mayor DiCianni announced that Monday, September 12, 2011 the Stormwater Task Force Chairmen will meet.

Mayor DiCianni announced on Sunday, September 25, 2011 there will be an open house at the historic, Churchville One Room Schoolhouse from 1:00 – 4:00 p.m. For more information visit [www.elmhursthhistory.org](http://www.elmhursthhistory.org).

Mayor DiCianni announced a ceremony Elmhurst Remembers 9/11 Ten Years After, will be held on Sunday, September 11, 2011 at Spring Rd. and the Prairie Path.

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

City Manager Grabowski reported on the Storm Sewer Study by Burke/RJN stating the computer models for all 10 study areas have been completed. He stated an alternative analysis is ongoing, it includes: creating overland flow routes, potential flood storage open spaces and evaluating feasibility of relief sewers combined with flood storage.

The City Manager reported in regards to the Sanitary Sewer, RJN has completed their evaluation of the City's overhead sewer program. RJN has almost completed their review of the City's SCADA System with their recommendation for the lift operations. City Manager Grabowski stated they are behind on modeling due to wet weather and the need for more smoke testing.

### c. BUDGET PLANNING CALENDAR (City Manager Grabowski)

City Manager Grabowski reviewed the budget schedule. He asked the Council to give their goals to the Mayor by October 24, 2011.

## **OTHER BUSINESS**

8. Alderman Pezza congratulated Donna M. Almerico, 208 Arlington Ave., for being the 3<sup>rd</sup> house on the City's Historical Landmark Register.

Alderman Morley referred to the letter regarding SB1652 asking Governor Quinn to veto the bill read at the August 1, 2011 Council Meeting by Alderman Healy. He read a reply to the four page response the City received from ComEd and encouraged every Council member to add their signature currently Aldermen Healy, Kennedy, Polomsky, York have signed in addition to himself.

Alderman Mulliner requested the letter be sent to the appropriate committee to be discussed properly.

Discussion ensued regarding what the appropriate procedures are for sending letters from Aldermen and/or from the City Council.

Alderman Pezza suggested the Council ask our State Representatives speak to the Council on facts contained in SB1652 and answer questions on smart grids. She stated that maybe the Council could make a resolution to ComEd.

Discussion ensued.

Mayor DiCianni stated the City has invited ComEd to meet with Council. He stated the City is holding ComEd accountable for their inferior service.

#### **ANNOUNCEMENTS**

9. Alderman York announced that he and Alderman Hipskind will host a 4<sup>th</sup> Ward Town Hall meeting on Wednesday, September 7, 2011 at 7:00 p.m. in the Council Chambers.

Alderman Levin announced that he and Alderman Healy will host a 5<sup>th</sup> Ward Town Hall meeting on Thursday, September 15, 2011 at 7:00 p.m. at the Knights of Columbus Hall.

Alderman Bram stated he and Alderman Polomsky will host a 3<sup>rd</sup> Ward Open House and Town Hall meeting soon. He stated details on both events will be announced at the next Council meeting.

Mayor DiCianni announced that on Sunday, September 18, 2011 at Berens Park will be the *Brianna & Friends Walk to Talk* 5K for autism awareness.

#### **ADJOURNMENT**

10. Alderman Hipskind moved to adjourn the meeting. Alderman York seconded. Voice vote. Motion carried. Meeting adjourned 8:34 p.m.

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Peter P. DiCianni III, Mayor

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Patty Spencer, City Clerk