

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS  
HELD ON MONDAY, AUGUST 15, 2011  
209 NORTH YORK STREET  
ELMHURST, ILLINOIS**

**EXECUTIVE SESSION 6:30 P.M. – PENDING LITIGATION, SECURITY PROCEDURES AND THE USE OF PERSONNEL, THREATENED/IMMINENT LITIGATION**

1. In the absence of Mayor DiCianni, the Executive Session Meeting of the Elmhurst City Council was called to order by City Clerk Spencer at 6:30 p.m.

City Clerk Spencer asked for a motion and second to appoint longest serving alderman, Alderman Mulliner, Mayor Pro-Tempore for tonight's meeting.

Alderman Bram moved to appoint Alderman Mulliner Mayor Pro-Tempore for tonight's meeting. Alderman Healy seconded. Voice vote, motion carried.

Present: Paula Pezza, Michael J. Bram, Dannee Polomsky, Kevin L. York, Chris Healy, Scott Levin, Jim Kennedy, Steve Morley, Mark A. Mulliner

Absent: Diane Gutenkauf (arrived at 6:32 p.m.), Norman Leader (arrived 6:35 p.m.), Bob Dunn (arrived 6:35 p.m.), Stephen Hipskind, Patrick Wagner

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

Alderman Gutenkauf moved to convene into executive session for the purpose of discussing Pending Litigation, Security Procedures and the Use of Personnel, Threatened/Imminent Litigation. Alderman Morley seconded. Roll call vote:

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

Nays: None

10 ayes, 0 nays, 4 absent

Motion duly carried

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

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

Attendance: 12

2. In the absence of Mayor DiCianni, the Regular Meeting of the Elmhurst City Council was called to order by Mayor Pro-Tempore Mulliner at 7:30 p.m.

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

Absent: Mayor DiCianni, Patrick Wagner

Also in Attendance: City Treasurer Dyer, City Attorney Storino, City Manager Grabowski, Assistant City Manager/ Fire Chief Kopp, Director of Finance & Administration Gaston, Police Chief Neubauer, Water/Wastewater Manager Smith

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

3. Liz Widmaier, 908 Saylor Ave. submitted a letter regarding power outages in Southwest Elmhurst and problems with ComEd from January 2005 on behalf of Marilyn Arado, 912 Saylor Ave., Elmhurst, IL 60126.

**PUBLIC FORUM**

4. Gilbert Fischer  
586 N. Van Auken

Elmhurst, IL 60126

Spoke regarding the condition of Van Auken Street, stating it is like driving over railroad tracks. He also spoke regarding a pipe from the storm sewer on his property. He stated the City takes money but for no services.

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

Thanked the Finance, Council Affairs & Administrative Services Committee for the change in the tax rebate program. He asked Council not to pass item 5i on the consent agenda. He commented on Burke's report on an explanation of water.

Liz Widmaier  
908 Saylor Ave.  
Elmhurst, IL 60126

Spoke regarding ComEd solutions and the citizens haven't heard any report since May 2011. She spoke of a January 2005 letter from the City stating solutions for tree trimming. She also spoke on power outages in south Elmhurst since 2001.

Kathleen Sullivan  
133 Pine St.  
Elmhurst, IL 60126

Spoke stating Saturday morning the power went out when the storms were over. She asked about the storm/flood update that used to be given on the 3<sup>rd</sup> Monday of each month stating even though it is not on the agenda she looks forward to hearing a report from the City Manager.

**CONSENT AGENDA**

5. The following items on the Consent Agenda were presented:
- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, AUGUST 1, 2011 (City Clerk Spencer):  
Approve as published
  - b. ACCOUNTS PAYABLE – AUGUST 15, 2011, TOTAL \$ 1,077,537.11
  - c. BID RESULTS, 2011 SIDEWALK REPLACEMENT (City Clerk Spencer): Refer to the Public Works & Buildings Committee

August 11, 2011

TO: Mayor DiCianni and Members of the City Council  
RE: Bid Results, 2011 Sidewalk Replacement

In response to an invitation to bid for the 2011 Sidewalk Replacement, the City of Elmhurst advertised in the Elmhurst Independent on Wednesday, July 21, 2011 bids were received from four contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, August 2, 2011 by the Deputy City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Total Price</u>
Kings Point General Cement, Inc. Bensenville, IL	\$93,900.00
Schroeder & Schroeder Skokie, IL	\$108,910.00

RAI Concrete, Inc. \$112,472.00  
West Chicago, IL

Globe Construction \$120,150.00  
Addison, IL

Respectfully submitted,  
/s/ Patty Spencer  
City Clerk

- d. BID RESULTS, FORD EXPEDITION SPECIAL SERVICE VEHICLE (City Clerk Spencer): Refer to the Public Affairs & Safety Committee

August 11, 2011

TO: Mayor DiCianni and Members of the City Council  
RE: Bid Results, Ford Expedition Special Service Vehicle

In response to an invitation to bid for Two (2) 2011 or Current Model Year Ford Expedition EL 4x4 Special Service Vehicle, the City of Elmhurst advertised in the Elmhurst Press on Friday, July 15, 2011 bids were received from six contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, August 9, 2011 by the City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Total Bid Price Replace F13</u>	<u>Total Bid Price to Replace PD17</u>
Freeway Ford Lyons, IL	\$30,492.00	\$30,992.00
Roesch Ford Bensenville, IL	\$30,700.00	\$31,200.00
Northwest Ford Truck Franklin Park, IL	\$30,836.00	\$32,736.00
Haggerty Ford West Chicago, IL	\$31,388.00	\$32,688.00
Ewald Automotive Group Hartford, WI	\$32,536.00	\$32,536.00
Sutton Ford Matteson, IL	\$32,940.00	\$32,440.00

Respectfully submitted,  
/s/ Patty Spencer  
City Clerk

- e. CASE NUMBER 11-HPC-01/DONNA M. ALMERICO @ 208 ARLINGTON AVE. (City Manager Grabowski): Refer to the Development, Planning & Zoning Committee

August 11, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Case Number 11-HPC-01/Donna M. Almerico @ 208 Arlington Ave.

It is respectfully requested that the attached Historic Preservation Commission report be referred to the Development, Planning and Zoning Committee for their review, evaluation and subsequent recommendation for City Council action.

Respectfully submitted,  
/s/ James A. Grabowski

City Manager

- f. REPORT – TWO (2) 2011 CASE MODEL 590-SN LOADER BACKHOES The following report of the Public Works & Buildings Committee was presented:

August 8, 2011

TO: Mayor DiCianni and Members of the City Council  
RE: Two (2) 2011 Case Model 590-SN Loader Backhoes

The Public Works and Buildings Committee met on Monday, July 25, 2011 and again on August 8, 2011 to discuss the purchase of Two (2) 2011 Case Model 590-SN Loader Backhoes.

Prices on the machines were included in the 2011 State of Illinois, Central Management Services contract. As part of the bid packet, the State of Illinois includes the opportunity for other taxing bodies in the state to participate in the joint purchase of the vehicles and materials.

The state joint purchase low bidder on the Loader Backhoes is McCann Industries Inc., 543 South Rohling Road, Addison, IL 60101. The prices for the equipment with necessary options and trade-in are listed below

<u>Unit No.</u>	<u>Total Price</u> (Inc. Trade)
PW-31	\$62,455.51
PW-94	\$71,768.01

The Loader Backhoes are used by the City Public Works Department for street and sewer repairs and emergency situations such as repairing water main breaks, flooding, or storm damage.

Both units have been in service for many years and are utilized in extremely difficult conditions. Currently the mechanics report that there are several major repairs which will need to be taken on in the near future. For PW-31 the hydraulic cylinders and valves will need to be repaired at a cost of \$7,980 and the loader arms and backhoe pins and bushings will cost an estimated \$8,800. For PW-94 the future repairs looming include repairing the hydraulic cylinders and valve at an estimated cost of \$8,450 and repairing the loader arms and backhoe pins and bushings at an estimated cost of \$10,700. In addition, both of these pieces of equipment are utilized in emergency work and reliability of the equipment is of paramount importance.

PW-31 will replace the unit used in the Public Works Department, Streets Division. Funds have been provided in the FY2011/2012 budget under the following account number: \$92,000.00 in 110-6041-432-8007. PW-94 will be used in the Public Works Department, Utilities Division. Funds have been provided in the FY2011/2012 budget under the following account number: \$102,000.00 in 510-6052-501-8006. The total purchase price for both of the 2011 Case Model 590-SN Loader Backhoes is \$134,223.52. The prices reflect a trade-in allowance for old PW-31 of \$12,000.00 and a trade-in allowance for old PW-94 of \$18,000.00. Delivery is 100 days after receipt of order.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the State of Illinois, Central Management Services contract purchase bid from McCann Industries Inc., for the provision of two (2) 2011 Case Model 590-SN Loader Backhoes, in the amount of \$134,223.52 be accepted and that the City Attorney prepare the appropriate resolution.

Respectfully submitted,  
Public Works and Building Committee

/us/ Jim Kennedy

Chairman

/s/ Bob Dunn

Vice-Chairman

/s/ Chris Healy  
/s/ Diane Gutenkauf

- g. REPORT – WWTP ANAEROBIC DIGESTER CONSTRUCTION ENGINEERING SERVICES AND LOAN ASSISTANCE PROPOSAL The following report of the Public Works & Buildings Committee was presented:

August 9, 2011

To: Mayor DiCianni and Members of the City Council

RE: WWTP Anaerobic Digester Construction Engineering Services and Loan Assistance Proposal

The Public Works and Buildings Committee met on Monday, August 8, 2011, to discuss the extension of the current Baxter & Woodman engineering services contract to include construction management services and loan assistance for the new anaerobic digester (third) at the City of Elmhurst's Waste Water Facility at 625 S. Route 83, Elmhurst, IL.

A contract for professional engineering services was awarded to Baxter & Woodman, Inc. for the design of the new anaerobic digester at the City of Elmhurst's Waste Water Treatment Facility in 2009. The City of Elmhurst's 2008 WWTP Master Plan proposed the addition of a third anaerobic digester to be constructed as part of future major improvements to the facility. More recently, a digester sizing study was prepared based on the available plant data. This project is the next step in the process. The purpose of the addition of the third digester is to reduce digester foaming and to provide additional capacity that will be required when a future phosphorus effluent limit is imposed on the City or when future development/growth of industrial wastewater occurs.

The design phase is now completed.

Funds have been provided in the amount of \$5,510,000 for the construction of the anaerobic digester in the 2011/12 budget in account number 510-6057-502-80-20. The fees for the construction-related services shall be computed on the basis of their hourly rates for actual work time performed plus reimbursement of out-of-pocket expenses including travel costs for the period from the Notice of Intent to Award to the original construction contract final completion date. The total amount will not exceed four hundred thousand dollars (\$400,000). The professional hourly rates are as follows:

Resident Project Representative, Sr.	\$ 115.00/hour
Construction Manager, Sr.	\$ 135.00/hour
Senior Engineer	\$ 165.00/hour

Therefore it is the recommendation of the Public Works and Buildings Committee that the City of Elmhurst extend the agreement to include construction and loan assistance services for the new anaerobic digester that will be located at the Waste Water Reclamation Facility.

Respectfully submitted,  
Public Works and Building Committee

/us/ Jim Kennedy  
Chairman

/s/ Bob Dunn  
Vice-Chairman

/s/ Chris Healy  
/s/ Diane Gutenkauf

- h. REPORT – ANAEROBIC DIGESTER CONSTRUCTION CONTRACT AT THE ELMHURST WASTE WATER RECLAMATION FACILITY The following report of the Public Works & Buildings Committee was presented:

August 9, 2011

To: Mayor DiCianni and Members of the City Council

RE: Anaerobic Digester Construction Contract at the Elmhurst Waste Water Reclamation Facility

The Public Works and Buildings Committee met on Monday, August 8, 2011, to discuss bids received for the construction of the new anaerobic digester (third) at the City of Elmhurst's Waste Water Reclamation Facility at 625 S. Route 83, Elmhurst, IL.

A contract for professional engineering services was awarded to Baxter & Woodman, Inc. for the design of the new anaerobic digester at the City of Elmhurst's Waste Water Treatment Facility in 2009. The City of Elmhurst's 2008 WWTP Master Plan proposed the addition of a third anaerobic digester to be constructed as part of future major improvements to the facility. More recently, a digester sizing study was prepared based on the available plant data. This project is the next step in the process. The purpose of the addition of the third digester is to reduce excessive digester foaming, provide adequate digester capacity for wet weather high sludge loads, to replace an ageing boiler and to provide additional capacity that will be required when a future phosphorus effluent limit is imposed on the City. As noted in the NPDES Permit No. IL0028746 issued by Illinois Environmental Protection Agency page 2, total phosphorus has been identified as a pollutant which causes impairment to aquatic life in water bodies on the 303(d) list. 35 IAC 304.123 requires monthly monitoring and subsequent reporting to IEPA according to page 3 of the NPDES Permit No. IL0028746. Special Condition 17 stipulates that the monitoring will be evaluated and the EPA will modify the permit if necessary in accordance with Special Condition 1 of the NPDES Permit which allows that "the permit may be modified to include different final effluent limitations or requirements which are consistent with applicable laws, regulations, or judicial orders."

A legal advertisement appeared in the press and Invitations to Bid were sent to thirty-eight general/sub- contractors and vendors. Plans and specifications were made available at the Public Works counter. Bids were received from nine general contractors and are summarized below. All bidders included a bid bond. A tally of the bids follows:

Contractor	Bid
Maxim Construction, Volo, IL	\$3,788,000
Concord Construction, Lake Zurich, IL	\$3,869,900
Manusos Construction, Fox Lake, IL	\$3,979,000
Whitaker Construction, Earlville, IL	\$4,040,000
JJ Henderson, Gurney, IL	\$4,058,000
Keno Construction, Lake Bluff, IL	\$4,128,450
IHC, LLC, Elgin, IL	\$4,188,400
Madison Construction, Orland Park, IL	\$4,280,000
EVS Construction, Aurora, IL	\$4,351,000

References have been checked on the low bidder, Maxim Construction and are satisfactory (see Attachment A).

Funds have been provided in the amount of \$5,510,000 for the construction of the anaerobic digester in the 2011/12 budget in account number 510-6057-502-80-20. The City has applied to the Illinois EPA for a low interest loan at 1.25% to be paid over a twenty year period for the construction of this project.

Therefore it is the recommendation of the Public Works and Buildings Committee that the bid for the construction of the new anaerobic digester at the City of Elmhurst's Waste Water Facility from Maxim Construction, Volo, IL in the amount of \$3,788,000 be accepted.

Respectfully submitted,  
Public Works and Building Committee

/us/ Jim Kennedy  
Chairman

/s/ Bob Dunn  
Vice-Chairman

/s/ Chris Healy  
/s/ Diane Gutenkauf

- i. REPORT – REMOVAL AND ABANDONMENT OF WELL #6 The following report of the Public Works & Buildings Committee was presented:

August 8, 2011

To: Mayor DiCianni and Members of the City Council  
RE: Removal and Abandonment of Well #6

The Public Works and Buildings Committee met on Monday, July 25, 2011 and again on August 8, 2011 to discuss proposals received for the removal and abandonment of Well # 6 at 383 Armitage, Elmhurst IL.

Proposals were received from three contractors and are summarized below.

Contractor

Water Well Solutions, Elburn, IL	\$ 46,873
Municipal Well & Pump, Waupun, WI	\$ 49,707
Layne – Western, Aurora, IL	\$ 62,865

References have been checked on the low proposal, Water Well Solutions and are satisfactory.

During the decision making process to close the wells, it was determined at that time to be a cost effective move. The EPA had implemented regulations on radium for all drinking water with which the City would have had to comply. The cost for the equipment necessary to treat radium is approximately \$2 million per well. At that time it was determined that proceeding with the well abandonments would be the most prudent measure.

The abandonment and sealing of this our last emergency water well will conform to our letter of intent sent to the Illinois Environmental Protection Agency on June 8, 2010. All three (3) of the City's remaining public wells were for emergency use only and have not been used since the City of Elmhurst changed over to Lake Michigan water.

This is the last City well to be abandoned. The City of Elmhurst believes the cost of operating and sampling these wells does not best serve the interests of the community and therefore they should be de-commissioned and properly abandoned under County Authority.

Funds have been provided in the amount of \$48,600 for the provision of the well abandonment and sealing in the 2011/12 budget in account number 510-6051-501-30-57.

Therefore it is the recommendation of the Public Works and Buildings Committee that the proposal for the removal and sealing of the water well # 6 from Water Well Solutions in the amount of \$ 46,873 be accepted.

Respectfully submitted,  
Public Works and Building Committee

/us/ Jim Kennedy  
Chairman

/s/ Bob Dunn  
Vice-Chairman

/s/ Chris Healy  
/s/ Diane Gutenkauf

- j. REPORT – PROPERTY TAX REBATE PROGRAM REVIEW The following report of the Finance, Council Affairs & Administrative Services Committee was presented:

August 9, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Property Tax Rebate Program Review

The Finance, Council Affairs and Administrative Services Committee met twice, most recently August 8, 2011, to review the City's Property Tax Rebate Program.

As the City Council will recall, a Property Tax Rebate Program was approved in 2010 in response to the continuing negative economic conditions, and to the property tax increase that was implemented for the 2009 property tax year. The rebate was 100% of the increase in the City portion of the current (2009) property tax bill compared to the City portion of the prior year (2008) property tax bill, for the identical property. The components of the City's portion of the tax bill are the Pension Fund line (which includes the Police Pension, Firefighters Pension and IMRF) and the City of Elmhurst line (which includes part of the cost of Fire Protection, Ambulance and Debt Service). The program was available to persons whose annual household income for the applicable tax levy year was equal to or less than the very low income limits for that year as defined by the U.S. Department of Housing and Urban Development, and who lived in an owner-occupied single family or multi-family (i.e. condominium) dwelling. There were twenty-six participants in the program, and the total rebate amount was \$5,520.42. Fifteen of the twenty-six participants (58%) were age 65 or older.

The Finance Committee reviewed the guidelines required to be met to qualify for the Property Tax Rebate Program, specifically the income criteria. The current criteria that must be met by a household is that the household income is equal to or less than the very low income limits for that year as defined by the U.S. Department of Housing and Urban Development (HUD). Very low income is defined as 50% of the median income for a household, by county, in this case DuPage County. For a four person household, the 2011 median income in DuPage County is \$74,800, and the very low income limit is \$37,400. The Finance Committee reviewed the 2011 HUD income limits, alternatives between very low income and low income limits, and the 2011 poverty guidelines (see attached). After discussion, it was the consensus of the Finance Committee to recommend that the income limit for the 2011 Property Tax Rebate Program be increased from 50% of median income to 60% of median income. The qualifying income limit for a four person household would increase from \$37,400 to \$44,880; the qualifying income limit for a one person household would increase from \$26,200 to \$31,440. The qualifying income limit adjustment is intended to allow more households experiencing economic stress to qualify for the property tax rebate.

The Finance Committee also reviewed the time frame over which the rebate would be calculated, and agreed that the rebate should continue to be based on the increase of the City portion of the current year property tax bill (2010) compared to the City portion of the prior year property tax bill (2009). Based on the 2010 property tax bills for the twenty-six 2009 participants, the rebates would be in the range of \$35-\$50 per participant. The 2011-12 budget provides \$10,000 for property tax rebates, which would allow 200-285 rebates at \$35-\$50 each. The Elmhurst Public Library (EPL) also supports the program, and provides rebates of 100% of the increase in the EPL property tax line, based on the City's policy guidelines.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve increasing the qualifying income limit from 50% of the 2011 median income for DuPage County (very low income) to 60% of the 2011 median income for DuPage County, for the Property Tax Rebate Program for the 2010 property tax bills.

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 – CASE NUMBER 11ZBA-07/SPUDEAS VARIATION The following report of the Development, Planning & Zoning Committee was presented:

August 9, 2011

TO: Mayor DiCianni and Members of City Council

RE: Case Number 11ZBA-07/Spudeas Variation

Request for Rear Yard Variation of seven (7) feet, from thirty (30) feet to twenty-three (23) feet for the purpose of constructing an addition on property commonly known as 444 E. Madison Court (PIN 06-13-207-020).

The Development, Planning and Zoning Committee met on August 8, 2011 to review the Zoning & Planning Commission report dated July 18, 2011 recommending approval of the subject request. The Committee also reviewed the complete packet of documents and information submitted by the applicant, and the transcripts of the public hearings.

The Committee discussed the proposed addition that is the subject of this request. The Committee noted that the Applicant is requesting this variation to replace a covered patio; the current covered patio is a three season room formed by an awning and screen windows on a concrete slab and, as such, is not considered a permanent structure. The proposed addition would be 106 square feet smaller than the current, existing covered patio.

The Committee agreed with the findings of the Zoning and Planning Commission that the Applicant's request is warranted and meets the three Standards for Variations. Upon conclusion of discussion, the Committee concurred with the Zoning & Planning Commission's recommendation that sufficient evidence was presented to warrant the requested rear yard variation.

It is, therefore, the recommendation of the Development, Planning and Zoning Committee to support the recommendation of the Zoning & Planning 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

/us/ Steven Morley

Chairman

/s/ Dannee Polomsky

Vice-Chairman

/s/ Norman Leader

- l. O-44-2011 – AN ORDINANCE AUTHORIZING EXECUTION OF A CERTAIN AGREEMENT BY AND BETWEEN VERIZON WIRELESS AND THE CITY OF ELMHURST AND TO ACCEPT THE PROPOSAL OF VERIZON WIRELESS FOR CELLULAR PHONE SERVICE AND ADDITIONAL SERVICES TO BE PERFORMED PURSUANT TO SAID AGREEMENT

Ordinance O-44-2011 was presented for passage.

- m. MCO-10-2011 – AN ORDINANCE TO AMEND ARTICLE VI ENTITLED, "SPECIAL STOPS," OF CHAPTER 44 ENTITLED, "MOTOR VEHICLES AND TRAFFIC," OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS (MONTROSE AT REX BLVD.) (VALLETTE ST. AT REX BLVD.) (FAIRVIEW AVE. AT PRAIRIE PATH LN.) (SUNNYSIDE AVE. AT PRAIRIE PATH LN.)

Ordinance MCO-10-2011 was presented for passage.

- n. MCO-11-2011 – AN ORDINANCE AMENDING ARTICLE II, ENTITLED "RETAIL LICENSES," OF CHAPTER 36, ENTITLED "LIQUOR," OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS (ANGELO'S)

Ordinance MCO-11-2011 was presented for passage.

o. R-28-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR 2011 ASPHALT REJUVENATING TREATMENT CONTRACT

Resolution R-28-2011 was presented for passage.

p. R-29-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2011 CONCRETE PAVEMENT PATCHING PROGRAM FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-29-2011 was presented for passage.

q. R-30-2011 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE GENERATOR REPLACEMENT AT THE ELMHURST WASTEWATER TREATMENT PLANT

Resolution R-30-2011 was presented for passage.

Alderman Gutenkauf pulled item **5i. Report – Removal and Abandonment of Well #6** from the Consent Agenda.

Alderman York moved to approve the contents of the Consent Agenda less item **5i. Report – Removal and Abandonment of Well #6**. Alderman Morley seconded. Roll call vote:

Ayes: York, Morley, Mulliner, Pezza, Gutenkauf, Leader, Dunn, Bram, Polomsky, Hipskind, Healy, Levin, Kennedy

Nays: None

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

Alderman Kennedy moved to accept item **5i. Report – Removal and Abandonment of Well #6**. Alderman Pezza seconded.

Alderman Kennedy deferred to Alderman Gutenkauf.

Alderman Gutenkauf stated she pulled item **5i. Report – Removal and Abandonment of Well #6** to respond to a comment made in Public Forum. She stated the de-commission and sealing of Well #6 will not allow the City to have use of the well.

Voice vote on item **5i. Report – Removal and Abandonment of Well #6**. Motion carried.

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

6. a. UPDATES

City Manager Grabowski stated his apology for omitting the stormwater update on the agenda.

The City Manager announced each of the sub-committee chairs are meeting to discuss how each of the committees will work.

City Manager Grabowski stated he will attend a public hearing on power outages tomorrow, August 16, 2011 at 10:00 a.m. at Highland Park Country Club. He asked any Council members who are available to also attend.

City Manager Grabowski read from a prepared statement from the City of Elmhurst, stating with the electrical grid system primarily overhead lines, ComEd needs to invest in more tree trimming. He also stated ComEd knows storms happen and need to prepare for them in a more **convincing** manner.

Alderman Pezza stated after discussion SB1652 with Representatives Nybo and Reboletti and Senator Millner's Officer, she did not sign the letter read by Alderman Healy to Governor Quinn at the August 1, 2011 Council meeting regarding ComEd and SB1652. She asked everyone to let their representatives know how important it is to their constituents that they continue to support SB1652. She thanked Representatives Nybo and Reboletti and Senator Millner's office for their help and co-operation.

**OTHER BUSINESS**

7. Aldermen Morley, York and Dunn stated their support of the aforementioned letter to Governor Quinn regarding SB1652. Alderman Bram stated he did not sign the letter, stating the City is holding ComEd accountable.

Alderman Kennedy asked City Manager Grabowski to comment on his meeting with ComEd.

City Manager Grabowski stated he and Mayor DiCianni met with ComEd a couple of weeks ago and asked questions about the smart grid bill and how many dollars will be applied to Elmhurst. He stated ComEd was not prepared with any figures and stated they would get back this week. The City Manager stated he would send out a report to Council with their response.

**ANNOUNCEMENTS**

8. 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 Gutenkauf announced the 1<sup>st</sup> Ward newsletter is available by emailing ward1news@comcast.net.

**ADJOURNMENT**

9. Alderman Morley moved to adjourn the meeting. Alderman Kennedy seconded. Voice vote. Motion carried. Meeting adjourned 8:00 p.m.

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Peter P. DiCianni III, Mayor

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Patty Spencer, City Clerk