

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

**EXECUTIVE SESSION 6:30 P.M. – APPOINTMENT, EMPLOYMENT OR COMPENSATION OF A CITY OFFICER OR EMPLOYEE AND PENDING LITIGATION**

1. Executive session was called to order at 6:37 p.m. by Mayor DiCianni for the purpose of discussing Pending Litigation and Appointment, Employment or Compensation of a City Officer or Employee.

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

Absent: Bob Dunn (arrived at 6:40 p.m.)

Also in attendance: City Treasurer Dyer, City Attorney Storino, City Attorney Acker, City Manager Grabowski

Alderman Gutenkauf moved to convene into executive session for the purpose of discussing Pending Litigation and Appointment, Employment or Compensation of a City Officer or Employee. Alderman Morley seconded. Roll call vote:

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

Nays: None

13 ayes, 0 nays, 1 absent  
Motion duly carried

Alderman York 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: 30

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:39 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, Patrick Wagner, Mark A. Mulliner

Absent: None

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, Public Works Director Hughes

**RECOGNITION – LANDMARK IL RICHARD H. DRIEHAUS PRESERVATION AWARD FOR “STEWARDSHIP,” RECIPIENTS SHIRLEY & WILLIS JOHNSON YORK CLASSIC CINEMAS**

3. Mayor DiCianni asked Willis & Shirley Johnson to join him at the podium to receive the Richard H. Driehaus Foundation Preservation Award for “Stewardship.”

Mr. Johnson stated he is proud of being part of Elmhurst. The York Theatre preserves history while continuing to grow and serve the community.

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

4. None.

## **PUBLIC FORUM**

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

Spoke regarding property tax increases stating the amount of the tax levy is a misnomer. He stated in 2011 the small increase was over \$10million.

Ann Frolik  
625 S. Mitchell Ave.  
Elmhurst, IL 60126

Spoke regarding the stop sign at Mitchell & McKinley, thanking the Council for voting for it, she asked the Council to vote for the ordinance tonight.

## **ANNOUNCEMENTS**

6. Aldermen Pezza, Wagner and Hipkind congratulated Shirley & Willis Johnson for receiving the prestigious Richard H. Driehaus Preservation Award.

Alderman Wagner announced on Saturday, December 3, 2011 the Chicago Blackhawks Roadwatch Party will take place at the Elmhurst YMCA. He stated the first 500 people will receive a door prize. All proceeds will go to the Elmhurst YMCA Scholarship Fund.

Alderman Gutenkauf stated the 28<sup>th</sup> Annual Turkey Trot will take place this Thursday, Thanksgiving and reminded everyone that there will be a new route this year.

Mayor DiCianni stated you can register online for the Turkey Trot up to race day at [www.dangibbonsturkeytrot.com](http://www.dangibbonsturkeytrot.com).

City Clerk Spencer announced Friday, November 25, 2011 is the City Centre Christmas Tree Lighting in the Police Department Plaza. She also reminded residents to watch their mail this week for a holiday coupon book from the City Centre and shop local this holiday season.

Clerk Spencer stated City Hall will be closed Thursday, November 24<sup>th</sup> and Friday, November 25<sup>th</sup>. On behalf of the City Clerk's Office, City staff and elected officials she wished all a Happy Thanksgiving.

## **CONSENT AGENDA**

7. The following items on the Consent Agenda were presented:
- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, NOVEMBER 7, 2011 (City Clerk Spencer): Approve as published
  - b. ACCOUNTS PAYABLE – NOVEMBER 21, 2011, TOTAL \$1,673,871.68
  - c. APPOINTMENT TO THE BOARD OF FIRE AND POLICE COMMISSIONERS – BRIGHAM (Mayor DiCianni): Concur with the Mayor's recommendation

October 3, 2011

To: Members of the City Council  
Re: Appointment to the Board of Fire and Police Commissioners - Brigham

With your advice and consent, I will appoint Gina Brigham to the Board of Fire and Police Commissioners for a term to expire on May 1, 2012 replacing Donald L. Alexander whose term expired in 2009.

Respectfully submitted,

/s/ Peter P. DiCianni, III  
Mayor

- d. APPOINTMENT TO THE ELMHURST HERITAGE FOUNDATION – DEVRIES & BARNES (Mayor DiCianni):  
Concur with the Mayor's recommendation

November 7, 2011

To: Members of the City Council

Re: Appointment to the Elmhurst Heritage Foundation – John DeVries & Richard J. Barnes, Jr.

With your advice and consent, I will appoint Mr. John DeVries and Mr. Richard J. Barnes, Jr to the Elmhurst Heritage Foundation to terms to expire October, 2014. Attached please find Mr. DeVries and Mr. Barnes, Jr. resumes for your consideration.

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

- e. REPORT – ATRIUM AND SAYLOR AVENUE FORCE MAIN REPLACEMENT PROJECT The following report of the Public Works & Buildings Committee was presented for passage:

November 14, 2011

TO: Mayor DiCianni and Members of the City Council

RE: Atrium and Saylor Avenue Force Main Replacement Project

The Public Works and Buildings Committee met on Monday, November 14, 2011 to review a proposal from RJN Group to replace the Atrium and Saylor Avenue force mains. RJN was selected after City staff went through the Qualifications Based Selection Process (QBS).

The existing Atrium 8 inch and Saylor Avenue 10 inch force mains have been failing repeatedly and are in need of replacement. Therefore the City intends to replace a 1,400ft portion of the Atrium force main and all 2,850ft of the Saylor Avenue force main.

The scope of work requires the selected engineering firm to:

- Prepare plans, front end bidding documents, and technical specification utilizing the City of Elmhurst standard front end documents and any preferred City technical specifications.
- Submit plans and specifications to the City for final review.
- Provide bidding services, including attendance at pre-construction meeting, bid opening, bid tabulation and preparation of recommendation letter.
- Attendance at preconstruction meeting, including preparation of agenda and meeting minutes
- Review and approval of all submittals
- Review of pay requests, change orders and submittals to City
- Contract management including construction oversight and review of pay requests, and change orders
- Survey of final alignment and incorporation of red-line mark-ups into final record drawings, and incorporation of new force main into city's GIS sanitary sewer layer.
- Project coordination to include progress meetings, contract administration.

The selection committee followed the Qualifications-Based Selection procedures established by the Local Government Professional Services Selection Act (50 ILCS 510/0.01-510/7). Public notice was provided in the local press and five packets were submitted from engineering firms of which two were interviewed. The firms interviewed are listed below:

- RJN Group, Wheaton, IL
- Baxter & Woodman, Mokena, IL

Each firm was evaluated and ranked based on related project experience, ability and capacity to perform the work, key personnel committed to the project, grasp of the requirements, methods and management approach to be used, and ability to meet the required time schedule. The firm selected as the most qualified is RJN Group Wheaton, IL. RJN proposed a fee not to exceed of \$114,975 for the Saylor Avenue force main project and a fee not to exceed of \$66,625 for the Atrium project.

RJN submitted superior qualifications including similar projects for other government operated facilities at Rolling Meadows, Elmhurst, Villa Park and Glen Ellyn, Glenview and Oak Brook. RJN received the highest performance reviews from their previous clients.

Monies for engineering and construction of the Saylor Avenue project have been provided in the FY 2011/2012 Budget in the amount of \$920,000 in account number 510-6056-502-80-13 for the Saylor Avenue project.

Monies for the Atrium project have been provided in the FY 2011/12 Budget in the amount of \$110,000 for design and in the FY 2012/13 Budget in the amount of \$715,000 for construction, both in account number 510-6056-502-80-13 (Water/Wastewater).

Attached are the submitted proposals from RJN for the Atrium and Saylor Avenue force main replacement projects.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the proposal from RJN to provide professional services to complete the replacement of the Atrium and Saylor Avenue force main project be accepted and the City Attorney be authorized to prepare the appropriate resolution.

Respectfully submitted,  
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Bob Dunn

Vice-Chairman

/us/ Chris Healy

/s/ Diane Gutenkauf

- f. REPORT – BIDS, TWO (2) FORD F250 PICK-UP TRUCKS The following report of the Public Works & Buildings Committee was presented for passage:

November 14, 2011

TO: Mayor DiCianni and Members of the City Council

RE: Bids, Two (2) Ford F250 Pick-Up Trucks

The Public Works and Buildings Committee met on Monday, November 14, 2011 to review bids received for two Ford F250 Pick-Up Trucks with fiberglass service bodies.

Invitations to Bid were sent out to six (6) area dealers for two (2) Ford F250 Pick-Ups. A legal ad appeared in the newspaper and a public bid opening was held on November 1, 2011. The results are listed below:

<u>Dealer</u>	<u>Total Price</u> PW5	<u>Total Price</u> PW79
Roesch Ford, Bensenville, IL	\$40,722.00	\$40,722.00
Northwest Ford & Sterling Truck, Franklin Park, IL	Does not meet specifications	
Packy Webb Ford, Downers Grove, IL	Does not meet specifications	

Sutton Ford, Matteson, IL	Does not meet specifications
Freeway Ford, Lyons, IL	Declined to Bid
Joe Rizza Ford, Riverside, IL	Declined to Bid

Bids from Roesch Ford, meet all required bid specifications. Bids from Northwest Ford & Sterling Truck, Packy Webb Ford, and Sutton Ford did not include the bid specification required backup warning device. Freeway Ford and Joe Rizza Ford declined to bid. Roesch Ford is the low bidder meeting all bid specifications. A detailed bid tabulation is attached.

These units will be used in the Public Works Department, Utilities Division. Funds have been provided in the FY2011/2012 budget under the following account numbers: \$42,000.00 in 510-6052-502-80-06 for PW5 and \$42,000.00 in 510-6056-502-80-06 for PW79. The total purchase price of the Pick-Up Truck PW5 is \$40,722.00 plus trade-in. The total purchase price of the Pick-Up Truck PW79 is \$40,722.00 plus trade-in. The prices reflect a trade-in allowance of \$2,200.00 for PW5 and \$2,200.00 for PW79. Delivery is 160 days after receipt of order.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid submitted by Roesch Ford of Bensenville, IL, in the amount of \$40,277.00 for PW5 and \$40,277.00 for PW79 for the supply of the F250 Pick-Up Trucks, be accepted 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

- g. REPORT – LIQUOR LICENSE REQUEST: BACK ALLEY BURGER The following report of the Public Affairs & Safety Committee was presented for passage:

November 14, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Liquor License Request: Back Alley Burger

The Public Affairs and Safety Committee met on November 14, 2011 to discuss the liquor license request by Back Alley Burger. A representative from Back Alley Burger was present to explain their business plan and answer the Committee's questions.

Back Alley Burger will be located at 609 W. St. Charles Road. They are a locally owned, quick service hamburger/sandwich restaurant. This will be their second location. The Back Alley Burger menu features everything from homemade veggie burger paddies, turkey burgers, and two sizes of beef burgers that are never smashed on the grill. They will also offer beer and wine, many different salads and sandwiches, along with a number of side dishes including fresh cut French fries, hand-spun milkshakes, malts, homemade pies, and hot dogs.

Back Alley Burger will be open every day with varied hours. They will be open Monday through Thursday from 11:00 a.m. to 9:00 p.m., Friday and Saturday from 11:00 a.m. to 10:00 p.m. and Sunday from 11:00 a.m. to 8:00 p.m.

Back Alley Burger is a privately held company. It is registered as an S Corporation within the state of Illinois, with ownership 25% - Mary Libsch, 25% - Christopher Spagnola, 50% - KBA Holdings LLC, (Kevin B. Allodi). Founding operating partners Christopher Spagnola and Mary Libsch have more

than 30 years of combined experience in the food industry. Both are currently employed as Corporate Staff/Chefs of Back Alley Burger.

All state and local laws and ordinances will be enforced and followed. The floor and business plans have been reviewed and the Committee agreed with all aspects of the business plan and have concurred that a Class "RSB" liquor license which authorizes the retail sale of alcoholic liquor in restaurants for consumption only on the premises would be appropriate.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Attorney be authorized to prepare the appropriate ordinance to provide the availability of a Class "RSB" liquor license for Back Alley Burger located at 609 W. St. Charles Road.

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

- h. REPORT – REQUEST FOR BATTLE OF THE BANDS PERMIT The following report of the Public Affairs & Safety Committee was presented for passage:

November 14, 2011

To: Mayor DiCianni and Members of City Council  
Re: Request for Battle of the Bands Permit

The Public Affairs and Safety Committee met on November 14, 2011 to discuss the request by the Elmhurst Park District for approval for a Temporary Use and Events Permit for an Elmhurst Park District Battle of the Bands.

The Battle of the Bands will take place on Saturday, June 16, 2012 at the Addison Street parking lot. The event would run from 3:00 p.m. until 10:15 p.m., with the Park District having partial access to the parking lot starting at 10:30 a.m. on the morning of the 16<sup>th</sup> for setup. As this lot a municipal lot used by local businesses for parking, the Park District would request access be limited to the west side of the parking lot from 10:30 a.m. until 2 p.m. (see attached map). Starting at 2:00 p.m. until 10:15 p.m. they would request full access to the entire lot. The concert will end by 9 p.m. on the 16<sup>th</sup>, and take down will be completed by 10:15 p.m. No music will be played after 9 p.m.

The Battle of the Bands is an Illinois Parks and Recreation Association sponsored event for teen bands to compete in. The goal is to draw the large number of teens that spend time in the plaza at City Centre on the weekends to this teen event.

The Park District will work directly with the Police, Fire and Public Works Departments on the planning for the layout/staging and general operational parameters of the concerts. No street closures will be necessary and no alcohol will be served at this event. Food will be provided by the Park District's Hospitality and Concessions Operations, which has all the proper permits.

Insurance will be provided by Elmhurst Park District and approved by the City Attorney.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council authorize the City Manager to issue the Temporary Use and Events Permit as requested by the Elmhurst Park District for the proposed Battle of the Bands on June 16, 2012.

Respectfully submitted,  
Public Affairs and Safety Committee  
/s/ Patrick Wagner  
Chairman

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

- i. REPORT – ORDINANCE TO AMEND SECTION 44 ENTITLED “DRAG RACING” The following report of the Public Affairs & Safety Committee was presented for passage:

November 14, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Ordinance to Amend Section 44 Entitled “Drag Racing”

The Public Affairs and Safety Committee met on November 14, 2011 to discuss changes to Section 44.222(B)(4) Entitled “Drag Racing” of Chapter 44 Entitled “Motor Vehicle and Traffic” of the Municipal Code.

The City Prosecutor, Bill Belmonte has recommended a minor modification to the offense of Drag Racing, correctly identifying this offense as Street Racing, Aggravated Street Racing.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the City Attorney draft the appropriate Ordinance to Amend Section 44 Entitled “Drag Racing” to Street Racing; Aggravated Street Racing.

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

- j. REPORT – YMCA BLACKHAWK ROAD SHOW STREET CLOSING REQUEST The following report of the Public Affairs & Safety Committee was presented for passage:

November 14, 2011

To: Mayor DiCianni and Members of the City Council  
Re: YMCA Blackhawk Road Show Street Closing Request

The Public Affairs and Safety Committee met on November 14, 2011 to discuss the request from Elmhurst YMCA to close First Street between Maple and Elm on Saturday, December 3, 2011 from noon until midnight. The YMCA is hosting a Blackhawk Road Show event on that date and the Elmhurst Chamber will be hosting a beer tent across the street from the YMCA.

The street closure request has been made to allow time for set up and for safe access for participants between the tent and the YMCA.

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

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

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the Elmhurst YMCA’s request to close First Street between Maple and Elm from noon until midnight on Saturday, December 3, 2011.

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

- k. REPORT – SEWERAGE TREATMENT RATE FOR ILLINOIS AMERICAN WATER COMPANY The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

November 15, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Sewerage Treatment Rate for Illinois American Water Company

On November 17, 1975, the City of Elmhurst entered into an agreement with Illinois American Water Company, formerly Citizen's Utility Company of Illinois, for the treatment of sewerage delivered by said company to the North Elmhurst Pumping Station at a rate to be established by resolution. The agreement also requires periodic review of the sewerage treatment rate charged Illinois American Water Company.

The Finance, Council Affairs and Administrative Services Committee met November 14, 2011 to review the current rate and have determined by cost analysis that a rate of \$2.525 per thousand gallons for treatment of sanitary sewerage from the Illinois American Water Company system is an adequate and equitable charge.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the new rate of \$2.525 per thousand gallons of sewerage delivered by Illinois American Water Company, and authorize the City Attorney to prepare the appropriate resolution.

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

- l. REPORT – 2012 EMPLOYEE DENTAL INSURANCE BENEFIT RENEWAL The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

November 15, 2011

To: Mayor DiCianni and Members of the City Council  
Re: 2012 Employee Dental Insurance Benefit Renewal

The Finance, Council Affairs and Administrative Services Committee met on November 14, 2011, to review the 2012 employee dental insurance benefit renewal.

Since 1999, MetLife Dental has provided fully insured dental insurance benefits to the City of Elmhurst employees. The program is a two-tiered dental plan. The High Plan offers employees a higher-level benefit and higher premium contributions; the Low Plan provides a reduced level of benefit and lower contribution rates. Both plans offer 100% coverage for preventative dental work. Per the collective bargaining agreement, effective May 1, 2008, the Public Works union

employees began using the dental insurance offered by the International Union of Operating Engineers, Local 150.

As part of the renewal process the City periodically bids the insurance plan and this year went out to the market requesting bids from MetLife Dental (current provider), Assurant, Mutual of Omaha, Lincoln Financial Group, Delta Dental, Principal Financial Group, and Guardian. Assurant, Lincoln Financial Group, and Principal Financial Group declined to quote with non-competitive rates. The current vendor MetLife, Mutual of Omaha, Delta and Guardian quoted. MetLife remains the most competitive quote with a 2% rate increase. The other carrier quotes ranged from 5.8% to 10.5% increases.

The current 2011 MetLife dental premium rate is \$186,028 per year. The 2012 annual renewal premium from MetLife dental is \$189,749, a 2% increase. After review of the proposals staff recommends continuing with MetLife Dental for the 2012 benefit plan year at the proposed rate of \$189,749. 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 MetLife Dental for a fully insured dental care program for the 2012 plan year, January 1, 2012 through December 31, 2012, for an annual premium of \$189,749.

Respectfully submitted,  
Finance, Council Affairs and  
Administrative Services Committee

/s/ Stephen Hipskind

Chairman

/s/ Kevin York

Vice-Chairman

/s/ Mark Mulliner

/s/ Scott Levin

- m. REPORT – 2012 EMPLOYEE HEALTH INSURANCE BENEFIT RENEWAL The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

November 15, 2011

To: Mayor DiCianni and Members of the City Council

Re: 2012 Employee Health Insurance Benefit Renewal

The Finance, Council Affairs and Administrative Services Committee met on November 14, 2011, to review the 2012 employee health insurance benefit renewal.

As part of the renewal process the City periodically bids the insurance plan and this year went out to the market requesting bids from the current carrier Blue Cross Blue Shield (BCBS), United Health Care, Humana, Cigna, and Aetna. Humana was the only carrier who provided a quote to compete with Blue Cross Blue Shield. The other carriers declined to quote because of uncompetitive rates.

The Segal Company reports medical trend for 2012 is 8.9% for the Midwest region, the lowest in ten years. Trend is a forecast of per capita claims cost increases that takes into account various factors, such as price inflation, utilization, government-mandated benefits, and new treatments, therapies and technology. The current 2011 premium is \$3,529,137. The 2012 renewal from Blue Cross Blue Shield is \$3,603,253 which equates to a 2.1% increase, well below trend. Humana's quote is a 3.64% decrease in the PPO rate and a 17.02% increase in the HMO rate with a blended rate impact of a decrease of .26%. The expected .26% savings from moving the plan to Humana is not recommended. There is not significant savings overall and the impact on the HMO rate increase of 17.02% is not beneficial.

Since 2003, Blue Cross Blue Shield (BCBS) has provided fully insured medical insurance benefits to City of Elmhurst employees. Employees may choose between two plans, the Preferred Provider

Organization (PPO) and the Health Maintenance Organization (HMO) plan. The Public Works collective bargaining agreement with the International Union of Operating Engineers, Local 150, provides health insurance coverage to Public Works union employees, and has done so since May 1, 2008. After review of the proposals staff recommends contracting with BCBS for the 2012 benefit plan year. 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 Blue Cross Blue Shield for a fully insured health care program for the 2012 plan year, January 1, 2012 through December 31, 2012, for an annual premium of \$3,603,253.

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

- n. REPORT – ADDITIONAL FUNDS FOR THE RETAIL BUSINESS GRANT PROGRAM FOR FISCAL 2012 The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

November 15, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Additional Funds for the Retail Business Grant Program for Fiscal 2012

The Finance, Council Affairs and Administrative Services Committee met November 14, 2011, to consider allocating additional funds to the Elmhurst Central Business District (CBD) retail business grant program for fiscal 2012.

The CBD retail business grant program was established by the City Council in fiscal 2002 for the purpose strengthening retail business activity in the CBD, by attracting new retail businesses to the CBD as well as by assisting existing retail businesses in the CBD with retail growth initiatives. The program was reviewed and updated in 2010 to better meet the current business environment in the Elmhurst CBD. The grant program is funded with TIF I (Redevelopment Fund) revenues. Grant applicants are eligible for up to a \$10,000 grant. However, the grants awarded in fiscal 2012 have been \$5,000 or less each. The fiscal 2012 retail business grant budget is \$37,500, and through October seven grants have been awarded totaling \$33,500 to the following businesses: Bleeding Heart Bakery, Cottage Hill Diamonds, Deja Voo Boutique, Elijah's Specialty Coffee & Tea, Elmhurst Olive Oil Company, Pazzi Di Pizza, and Sakana Japanese Fusion Restaurant.

The Selection Committee for the retail business grant program, consisting of the Assistant City Manager, Elmhurst City Centre Executive Director, Elmhurst Chamber of Commerce President, and a member of the City's Finance Committee, has advised the Finance Committee that there could be viable grant applicants beyond the resources remaining in the budget for the current period. The Selection Committee has requested an additional \$20,000 to provide grants during the remainder of the 2012 fiscal year.

The Finance Committee reviewed whether additional funds are available in the Redevelopment Fund. Staff suggested that funds would be available in the Capital Outlay segment of the budget, specifically the façade renovation line item (310-0089-461-80-27) which has a budget of \$150,000. No money has been spent year-to-date, and there are no outstanding commitments at this time. After review and discussion, the Finance Committee believes that the grant program has been successful in achieving its purpose of strengthening the CBD, and recommends reallocating an additional \$20,000 to the retail business grant program for fiscal 2012.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve allocating an additional \$20,000 to the CBD retail business grant program for fiscal 2012, based on budgeted funds available in the façade renovation line item in the Redevelopment Fund.

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

- o. O-51-2011 – AN ORDINANCE APPROVING THE PROPOSAL SUBMITTED BY ADDISON CONSTRUCTION & ROOFING, INC. FOR THE MEMBRANE ROOF REPLACEMENT AT THE CITY OF ELMHURST WASTEWATER TREATMENT PLANT, BUILDING 2  
Ordinance O-51-2011 was presented for passage.

- p. ZO-09-2011 – AN ORDINANCE GRANTING A SIDE YARD VARIATION ON THE PROPERTY COMMONLY KNOWN AS 470 EAST VALLETTE STREET (SKVARLA – 06-12-412-009)

Ordinance ZO-09-2011 was presented for passage.

- q. R-52-2011 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF A CONSTRUCTION ENGINEERING SERVICES AGREEMENT BY AND BETWEEN TRANSYSTEMS CORPORATION AND THE CITY OF ELMHURST FOR THE YORK STREET AND BRUSH HILL ROAD INTERSECTION IMPROVEMENTS

Resolution R-52-2011 was presented for passage.

- r. R-53-2011 – A RESOLUTION AUTHORIZING THE PURCHASE OF TWENTY-FIVE MOTOROLA MW810 MOBILE DATA TERMINALS FOR THE POLICE DEPARTMENT

Resolution R-53-2011 was presented for passage.

Alderman Mulliner pulled item **7c. Appointment to the Board of Fire and Police Commissioners – Brigham (Mayor DiCianni)** from the Consent Agenda.

Alderman Wagner moved to approve the contents of the Consent Agenda less item **7c. Appointment to the Board of Fire and Police Commissioners – Brigham (Mayor DiCianni)**. Alderman Dunn seconded. Roll call vote:

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

Nays: None

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

Alderman Levin moved to approve item **7c. Appointment to the Board of Fire and Police Commissioners – Brigham (Mayor DiCianni)**. Alderman Morley seconded.

Alderman Mulliner stated he has concerns over losing the experience and knowledge that Don Alexander brought to the Board of Fire & Police Commissioners. He stated he cannot support the appointment of Ms. Brigham to the Board.

Roll call vote on item **7c. Appointment to the Board of Fire and Police Commissioners – Brigham (Mayor DiCianni)**. Not unanimous, motion carried.

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

8. a. UPDATES (Mayor DiCianni)

Mayor DiCianni thanked Mike Guerra, Jose Andrade, John O’Halloran and Drew Zamolik from ComEd for being here tonight to give a presentation on Reliability and answer questions from the City Council.

Mayor DiCianni wished the City Council and everyone, a Happy & Safe Thanksgiving.

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

i. BURKE/RJN MONTHLY UPDATE REPORT (City Manager Grabowski)

City Manager Grabowski stated the Burke Report will be presented to Council at the December 5, 2011 Council Meeting. He stated the task force committee will meet on a different day to review the report and then the committees will give their report to the City Council.

ii. COMED PRESENTATION

City Manager Grabowski introduced John O’Halloran from ComEd to start the presentation.

Mr. O’Halloran stated a PowerPoint presentation titled Elmhurst Reliability Update will be given by Drew Jamolek, ComEd Reliability Manager.

Mr. Jamolek presented the following:

- Elmhurst Reliability Review
- System Performance Improvements
  - Trip Saver
  - URD Cable
  - Tree Trimming
  - Hendrix Cable
- Improvements: Streets in Elmhurst
  - Madison/Bryan
  - Madison/Hawthorne
  - West/Avery/Belden
  - Vallette/Poplar

Mr. Jamolek answered questions from the Council.

Mr. Mike Guerra, ComEd Vice-President of External Affairs, stated trimming around all of the City’s major circuits will begin right away. He stated they have stepped-up maintenance as a response to Elmhurst’s power reliability issues.

Mr. Guerra also reviewed the SmartGrid and SB1652. He answered questions from the Council.

**ORDINANCES**

9. a. MCO-18-2011 – 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 (Mitchell Avenue at McKinley Avenue)

Ordinance MCO-18-2011 was presented for passage.

Alderman Wagner moved to open discussion on item **9a. MCO-18-2011 – 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 (Mitchell Avenue at McKinley Avenue).** Alderman Healy seconded.

City Attorney Storino stated he wanted to clarify what he stated regarding the liability for the City. He stated due to an amendment to the Illinois Tort Immunity Act the City will have immunity regardless of whether or not this ordinance passes.

Alderman Wagner stated he did further research and even talked to the consultant, Mr. Coulter. He stated there are standards and guidelines and in this case, present parameters are not standards and the City can do what it wants. He also stated the City has never had a lawsuit because of a stop sign or lack thereof.

Alderman Bram stated his reasons for not supporting the ordinance and presented Council with the December 20, 2003 proof that the City follows the Manual of Uniform Traffic Control Devices (MUTCD). He stated the facts are numerous regarding why a stop sign should not be erected at the intersection.

Alderman Pezza stated she watched the November 7, 2011 Council meeting to be clear that the facts were presented accurately. She stated City staff and paid consultants should be trusted. She stated it was made clear by actions of the Council last meeting that anyone who wants a stop sign can now have one. She stated she cannot support this ordinance.

Alderman Hipkind stated his understanding is that a stop sign was installed in the 4<sup>th</sup> Ward where it was deemed unwarranted and stated he supports this ordinance on its own merits.

Alderman Levin stated he would support this ordinance if the situation met at least 3 of the 8 criteria but as it does not, he will not support that addition of a stop sign at this intersection.

Roll call vote on item **9a. MCO-18-2011 – 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 (Mitchell Avenue at McKinley Avenue):**

Ayes: Wagner, Healy, Kennedy, Morley, Leader, Dunn, Polomsky, York, Hipkind

Nays: Levin, Mulliner, Pezza, Gutenkauf, Bram

Results: 9 ayes, 5 nays, 0 absent  
Motion carried

#### **OTHER BUSINESS**

10. City Manager Grabowski stated on Sunday, November 27, 2011 Haven Street will be closed at the Union Pacific Railroad tracks for an emergency rail repair. He stated the City will send notification out to the neighborhood regarding the closing.

Alderman York gave a report on the DuPage Water Commission meeting that was held last Thursday evening. He stated the Commission approved the proposed increases, effective January 1, 2012. Alderman York stated there seems to be some good leadership at the DuPage Water Commission.

City Attorney Storino stated he will give a report at the Finance, Council Affairs & Administrative Services Committee meeting regarding the DuPage Water Commission.

Alderman Hipkind wished Alderman Kennedy a Happy Birthday.

**ADJOURNMENT**

11. Alderman Morley moved to adjourn the meeting. Alderman York seconded. Voice vote. Motion carried. Meeting adjourned 9:39 p.m.

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Peter P. DiCianni III, Mayor

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Patty Spencer, City Clerk