

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, NOVEMBER 7, 2011
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

CALL TO ORDER /PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 25

1. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:33 p.m.

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

Absent: Stephen Hipskind

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, Museum Director Bergheger, Museum Curator Tawzer

PROCLAMATION – IHSA & NATIONAL WRESTLING CHAMPION MATT GARELLI (FENWICK H.S.)

2. Mayor DiCianni invited Matthew Garelli along with his parents, Brian and Diane, to join him at the podium to recognize his Illinois High School Association (IHSA) and National Wrestling Championships for 2011. The Mayor praised Matthew for his academic and athletic accomplishments. Mayor DiCianni read a proclamation declaring Monday, November 7, 2011 Matthew Garelli Day in the City of Elmhurst.

ILLINOIS ASSOCIATION OF MUSEUMS AWARD (MUSEUM DIRECTOR BERGHEGER & MUSEUM CURATOR TAWZER)

3. Mayor DiCianni asked Elmhurst Historical Museum Director Bergheger and Curator Tawzer to join him at the podium. He thanked them for the outstanding job they do at the Historical Museum.

Director Bergheger stated the Merit of Achievement Award was presented to the Elmhurst Historical Museum on October 21, 2011 for the Magical history Tour Exhibit. He thanked the museum staff for their hard work and dedication.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

4. Two written communications were received:

Marilyn Arado
912 Saylor Ave.
Elmhurst, IL 60126

Submitted a letter and newspaper clipping regarding Senate Bill 1652 and her disappointment with legislators in Springfield. The letter also thanked the Council for their discussion on SB1652 and specifically her 7th Ward Aldermen for their recent Town Hall Meeting.

Liz Widmaier
908 Saylor
Elmhurst, IL 60126

Submitted a letter and a memo from Christopher B. Burke Engineering to the City of Elmhurst dated November 1, 2010 titled Various Infrastructure Upgrades. The letter asked Council to keep in mind that they unanimously agree ComEd provides insufficient reliability to Elmhurst and urged Council to make the addition of generators to the storm stations at Jackson and Harrison one of their first priorities.

PUBLIC FORUM

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

Spoke regarding consent agenda item **7b. Report – Disposition of Stop Sign Request Mitchell Avenue and McKinley Avenue** stating she represents the families who asked for a stop sign at this intersection. She asked Council for their support of the minority report.

Bob Hoel
401 E. Niagara
Elmhurst, IL 60126

Spoke regarding the accomplishments the Bike Task Force has made over the last 3 years. He stated there are 2 more items that Council should consider, a bicycle parking ordinance and a Bike Plan. He asked Council to move toward implementing these initiatives.

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

Spoke regarding various agenda items that had been discussed by the Council at previous Council meetings.

Marilyn Arado
912 Saylor Ave.
Elmhurst, IL 60126

Spoke of the over-ride of the Governor's veto of SB1652. She thanked 7th Ward Aldermen Mulliner and Wagner for having a town hall meeting with ComEd and the ICC Conflict.

Liz Widmaier
908 Saylor Ave.
Elmhurst, IL 60126

Spoke to thank 7th Ward Aldermen Mulliner and Wagner for their October 19th town hall meeting. She spoke of the upcoming Burke Report and requested generators be placed in the storm stations.

CONSENT AGENDA

6. The following items on the Consent Agenda were presented:
- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, OCTOBER 17, 2011 (City Clerk Spencer): Approve as published
 - b. MINUTES OF THE EXECUTIVE SESSION MEETING HELD ON MONDAY, OCTOBER 17, 2011 (City Clerk Spencer): Receive and place on file
 - c. ACCOUNTS PAYABLE – OCTOBER 31, 2011, TOTAL \$ 1,367,337.15
 - d. APPOINTMENT TO THE SENIOR CITIZENS COMMISSION – WHITE & DOLAN (Mayor DiCianni): Concur with the Mayor's recommendation

October 25, 2011

To: Members of the City Council
Re: Appointment to the Senior Citizens Commission – Chris White & Georgia Dolan

With the advice and consent of the Elmhurst City Council, I will appoint Ms. Chris White and Ms. Georgia Dolan to the Senior Citizens Commission for terms to expire on April 30, 2015. They will be replacing Mr. Anton Debevetz and Ms. Mary Ann Szewczyk whose terms would have ended April 30, 2012 and have resigned from the commission.

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

- e. APPOINTMENT TO THE ELMHURST ECONOMIC DEVELOPMENT COMMISSION – HALL (Mayor DiCianni): Concur with the Mayor's recommendation

October 14, 2011

To: Members of the City Council

Re: Appointment to the Elmhurst Economic Development Commission – Trisha Hall

With your advice and consent, I will appoint Trisha Hall to the Elmhurst Economic Development Commission for a term to expire on April 30, 2014 replacing Betsy Hanisch who did not wish to be reappointed.

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

- f. BID RESULTS, TWO (2) FORD F250 4X2 PICK UPS AND OPTIONAL EQUIPMENT (City Clerk Spencer): Refer to the Public Works & Buildings Committee

November 2, 2011

TO: Mayor DiCianni and Members of the City Council

RE: Bid Results, Two (2) Ford F250 4x2 Pick Ups and Optional Equipment

In response to an invitation to bid for Two (2) Ford F250 4x2 Pick Ups and Optional Equipment the City of Elmhurst advertised in the Elmhurst Press on Friday, October 14, 2011 bids were received from four contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, November 1, 2011 by the City Clerk. The following is a summary of the bids received:

<u>Dealer</u>	<u>Base Bid Total Price with Options</u>	
	<u>Trade in PW-5</u>	<u>Trade in PW 79</u>
Roesch Ford Bensenville, IL	\$40,277	\$40,277
Northwest Ford & Sterling Truck Franklin Park, IL	\$39,927	\$39,927
Sutton Ford Matteson, IL	\$41,916	\$41,916
Packey Webb Downers Grove, IL	\$40,702	\$40,702

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- g. LIQUOR LICENSE REQUEST – BACK ALLEY BURGER (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

November 2, 2011

To: Mayor DiCianni and Members of the City Council

Re: Liquor License Request – Back Alley Burger

Attached please find a request from a new business, Back Alley Burger wherein they advise of their intent to follow proper City of Elmhurst process for approval of a City liquor license for 609 W. St. Charles Rd.

Therefore, it is respectfully requested that the City Council authorize the Public Affairs and Safety Committee to consider increasing the Elmhurst Municipal Code authorized number of liquor licenses in the category of RSB which would, if approved, allow Back Alley Burger, 609 W. St. Charles Rd., to be considered for a liquor license.

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

- h. ACTION AGAINST POTENTIAL WATER RATE INCREASES – ALDERMAN YORK (City Manager Grabowski): Refer to the Finance, Council Affairs & Administrative Services Committee

November 3, 2011

To: Mayor DiCianni and Members of the City Council

Re: Action Against Potential Water Rate Increases – Alderman York

It is respectfully requested that the attached request from Alderman York regarding scrutinizing and minimizing any cost increases that may be forthcoming from DuPage Water Commission as a result of the anticipated actions by the City of Chicago be referred to the Finance, Council Affairs & Administrative Services Committee for evaluation and recommendation back to the City Council.

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

- i. REPORT – YORK AND BRUSH HILL CONSTRUCTION ENGINEERING SERVICES PROPOSAL The following report of the Public Works & Buildings Committee was presented for passage:

October 24, 2011

TO: Mayor DiCianni and Members of the City Council

RE: York and Brush Hill Construction Engineering Services - Proposal

The Public Works and Building Committee met on Monday, October 24, 2011 to discuss a proposal received from TranSystems Corporation for professional engineering services for the construction of a Surface Transportation Program (STP) project at the intersection of York Street/Illinois Route 38 and Brush Hill Road.

The improvements include reconfiguring the existing intersection and ramp at Brush Hill Road to provide southbound York Street access to westbound Illinois Route 38 (Roosevelt Road). The project limits extend from the north approach of the Illinois Route 38 Bridge to Harvard Street. Traffic signals will be modified at York and Brush Hill. Pavement construction, resurfacing and striping on York Street will be performed to accommodate the new intersection configuration.

TranSystems assisted the City in the preparation of Federal STP funding application. This project received \$1,052,000 in Federal STP funding for construction through the DuPage Mayors and Managers Conference (DMMC). TranSystems has completed Phase I and II engineering services for this project. DMMC does not allow STP dollars to be used for engineering. The total costs for this project (including engineering) will be shared by Elmhurst Memorial Hospital and the City of Elmhurst.

The Phase III construction engineering services include construction observation, inspection assistance, construction layout, project coordination, materials testing, final construction documents and as-built drawings in accordance with Federal STP funding requirements. This project was bid through the Illinois Department of Transportation on September 23, 2011. Roadway construction is anticipated to begin in the Spring of 2012.

TranSystems has proposed to do this work on a cost plus fixed fee basis with a total cost not to exceed \$188,445.54. See attached proposal for consultant services and fees. These rates are consistent with fees for professional services on similar projects. TranSystems has completed similar work for the City in the past on various City projects in a satisfactory and professional manner. Monies for this project have been provided in the FY 2011/12 Budget, Account Number 110-6048-513-80-25 in the amount of \$385,000.

It is, therefore, the recommendation of the Public Works and Building Committee that the Construction Engineering Services Proposal from TranSystems Corporation for the York Street at Brush Hill Road Intersection Improvements in the amount not to exceed \$188,445.54, be accepted, and that the City attorney be authorized to prepare a resolution approving a contract with TranSystems Corporation.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/us/ Bob Dunn
Vice-Chairman

/s/ Chris Healy

/s/ Diane Gutenkauf

- j. REPORT – ONE (1) 2011 ELGIN SWEEPER MODEL PELICAN NP The following report of the Public Works & Buildings Committee was presented for passage:

October 24, 2011

TO: Mayor DiCianni and Members of the City Council

RE: One (1) 2011 Elgin Sweeper Model Pelican NP

The Public Works and Buildings Committee met on Monday, October 24, 2011 to discuss the purchase of One (1) 2011 Elgin Sweeper Model Pelican NP. This unit replaces PW-91, a 1996 Elgin Pelican Street Sweeper. The existing unit has exceeded its useful life and can no longer meet the needs of the street department. The City currently uses a city-owned street sweeper to clean the streets in flood prone neighborhoods prior to heavy rain storms. This action has had a positive impact on street flooding during minor rain events. Also the sweeper is needed to sweep storm debris following heavy rain or high winds, to clean debris from traffic accidents and construction sites, and to sweep up residual sand following a Reclamite application.

The City of Elmhurst participates in the Suburban Purchasing Cooperative, a cooperative of 135 municipalities in the six county areas of Northern Illinois. The Governing Board of Suburban Purchasing Cooperative provides a Joint Purchasing Program for Local Government Agencies and has awarded a competitively bid, joint purchase contract to Standard Equipment of 2033 West Walnut, Chicago, IL 60612 for the supply of Elgin street sweepers. The total cost of the Elgin Sweeper Model Pelican NP is \$161,460.00.

<u>Unit No.</u>	<u>Total Price</u> (Inc. Trade)
PW-91	\$161,460.00

PW-91 will be used in the Public Works Department, Streets Division. Funds have been provided in the FY2011/2012 budget under the following account number: \$170,000.00 in 110-6041-432-8006.

The total purchase price for the 2011 Elgin Sweeper Model Pelican NP is \$166,460.00. The price reflects a trade-in allowance for old PW-91 of \$5,000.00. Delivery is 100 days after receipt of order.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the Suburban Purchasing Cooperative Joint Purchasing Program for Local Government Agencies contract purchase bid from Standard Equipment of 2033 West Walnut, Chicago, IL 60612, for the provision of a 2011 Elgin Sweeper Model Pelican NP in the amount of \$161,460.00 be accepted and that the City Attorney prepare the appropriate resolution.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/us/ Bob Dunn
Vice-Chairman

/s/ Chris Healy

/s/ Diane Gutenkauf

- k. REPORT – MEMBRANE ROOF REPLACEMENT BUILDING 2, WWTP PROPOSAL The following report of the Public Works & Buildings Committee was presented for passage:

October 24, 2011

To: Mayor DiCianni and Members of the City Council
RE: Membrane Roof Replacement Building 2, WWTP - Proposal

The Public Works and Buildings Committee met on Monday, October 24, 2011, to discuss proposals received for the removal and replacement of the existing roofing system at the City of Elmhurst's Waste Water Facility at 625 S. Route 83, Elmhurst, IL.

The present roof is part of the original building construction in 1990. This roof is a tar, paper and rock construction with a 15 year life which means the City received 5 extra years of service from the roof. Currently the roof is leaking. The lower north half of the roof was replaced in 2009. This work will complete the roof replacement project.

Proposals were requested of firms to remove and dispose of existing 6000 sq. ft. of roof materials down to the concrete deck. The materials consist of river rock ballast, EPDM and insulation, flashings and penetration boots. Roof installation will consist of foam adhesive insulation, a 60 mil thermopolyolefin (TPO) membrane heat-welded roofing system, penetration boots, copings, capping, flashings and caulking.

The following is a listing of proposals received:

Contractor

Addison Construction & Roofing Inc. Hillside, IL	\$37,200	20 year warranty
M. Walter Roofing, Chicago, IL	\$38,680	15 year warranty
Lakeside Roofing, Addison, IL	\$38,817	20 year warranty

Funds have been provided in the amount of \$65,000 for the provision of the roof replacement in the 2011/12 budget in account number 510-6057-502-80-20 which leaves \$27,800 unexpended.

Therefore it is the recommendation of the Public Works and Buildings Committee that the proposal for the roof replacement at the City of Elmhurst's Waste Water Facility from Addison Construction & Roofing Inc. Hillside, IL in the amount of \$37,200 be accepted and that the City Attorney prepare the appropriate resolution.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman
/us/ Bob Dunn
Vice-Chairman
/s/ Chris Healy
/s/ Diane Gutenkauf

- I. REPORT – SUNDAY LIQUOR “POURING” HOURS OF OPERATION The following report of the Public Affairs & Safety Committee was presented for passage:

October 24, 2011

To: Mayor DiCianni and Members of the City Council
Re: Sunday Liquor “Pouring” – Hours of Operation

The Public Affairs and Safety Committee met on October 24, 2011 to discuss a request by Fitz’s Pub and several other liquor distributing establishments located in Elmhurst to change the pouring hours for Sunday liquor sales. Representatives from Fitz’s Pub and other establishments were present to explain their request and answer the Committee’s questions.

Liquor distributing establishments which are located in Elmhurst would like to expand the liquor pouring hours for Sunday from noon to 11:00 a.m. in order to better serve the needs of their customers. Additionally, current ordinance specifies that Sunday package liquor sales may commence at 11:00 a.m.

Amending the Sunday liquor pouring restrictions will not only help Elmhurst liquor distributing establishments meet the needs of their customers, but will also prevent tax dollars from leaving the City and going to neighboring communities. The Elmhurst Police Department had no objections to the requested change.

This request was reviewed and the Public Affairs and Safety Committee agreed with this request and feels that a change in Sunday liquor pouring hours from noon to 11:00 a.m. 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 change the pouring hours for Elmhurst liquor distributing establishments from noon to 11:00 a.m. on Sundays and that the Council suspend the rules to allow passage of the appropriate ordinance on the same night.

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

- m. REPORT – PURCHASE OF MOTOROLA MW810 MOBILE DATA TERMINALS FOR POLICE DEPARTMENT
The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

October 25, 2011

To: Mayor DiCianni and Members of the City Council
Re: Purchase of Motorola MW810 Mobile Data Terminals for Police Department

The Finance, Council Affairs, and Administrative Services Committee met October 24, 2011,

to review the purchase of twenty-five in-car mobile data terminals (MDT's) for Police Department vehicles. The current in-car computers are approximately six years old (June 2005) and are nearing end of life status for the operating hardware and software.

The Police Department, in collaboration with the Information Technology Department, field tested and evaluated a new version of the Motorola MDT Model MW810. The new MDT will have updated processing power and Office 2010 to be consistent with desktop computers deployed in the Police Department. The Information Technology Department received four bids for the equipment, including a three-year warranty/service contract.

Bids for twenty-five Motorola MDT Model MW810 were received from Chicago Communications, Portable Communications and United Radio Communications, Inc., as noted below.

Chicago Communications	\$151,957.50
Portable Communications	\$156,825.00
United Radio Communications, Inc.	\$206,043.75

Chicago Communications provided the lowest bid at \$6,078.30 per unit for a total cost of \$151,957.50. Staff recommends purchase of twenty-five Motorola MDT units from Chicago Communications; the Finance Committee concurs with staff recommendation. This purchase was budgeted in the 2011/2012 Information Technology Department budget in account 110-2008-413-80-03. The budget provides for the purchase of thirty units at \$8,000 per unit. Two units were previously purchased for testing purposes, twenty-five units are being recommended for purchase now for the regular squad car fleet, and three units will be purchased at a future date for undercover cars.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the purchase of twenty-five Motorola MDT Model MW810 units from Chicago Communications for a cost of \$151,957.50.

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 – CASE NUMBER 11ZBA-09/SKVARLA VARIATION – 470 E. VALLETTE The following report of the Development, Planning & Zoning Committee was presented for passage:

October 25, 2011

TO: Mayor DiCianni and Members of City Council

RE: Case Number 11ZBA-09/Skvarla Variation – 470 E. Vallette

Request for interior side yard variations for the purpose of constructing a detached one-car garage on property commonly known as 470 E. Vallette (PIN 06-12-412-009)

The Development, Planning and Zoning Committee met on October 24, 2011 to review the Zoning & Planning Commission report dated October 17, 2011 recommending approval of the subject request. The Committee also reviewed the complete packet of documents and information submitted by the applicant.

The Committee discussed the proposed detached one-car garage that is the subject of this request. The Committee noted that the Applicant is requesting this variation to build a one-car garage; the property has not had a garage since it was constructed in 1974.

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 interior-side yard variations.

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

/s/ Steven Morley

Chairman

/s/ Dannee Polomsky

Vice-Chairman

/s/ Norman Leader

- o. O-49-2011 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-49-2011 was presented for passage.

- p. O-50-2011 – AN ORDINANCE AUTHORIZING A SIXTH LOAN MODIFICATION AGREEMENT FOR THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-50-2011 was presented for passage.

- q. MCO-14-2011 – AN ORDINANCE TO AMEND SECTION 2.01 ENTITLED “WARD BOUNDARIES” OF CHAPTER 2 ENTITLED “CITY COUNCIL” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

Ordinance MCO-14-2011 was presented for passage.

- r. MCO-15-2011 – AN ORDINANCE AMENDING SECTION 2.06 ENTITLED, “COUNCIL RULES OF ORDER” AND SECTION 2.07 ENTITLED, “COUNCIL VOTING; YEAS AND NAYS; MAYOR’S VOTE,” AND SECTION 2.09 ENTITLED, “COMMITTEES,” OF CHAPTER 2 ENTITLED “CITY COUNCIL” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST

Ordinance MCO-15-2011 was presented for passage.

- s. MCO-17-2011 – AN ORDINANCE TO AMEND SECTION 41.04 ENTITLED “SCHEDULE OF FEES” OF CHAPTER 41 ENTITLED “MOTOR VEHICLE LICENSES” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

Ordinance MCO-17-2011 was presented for passage.

- t. ZO-08-2011 – AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE CITY OF ELMHURST ZONING ORDINANCE CLARIFYING AND DEFINING THE NOTIFICATION PROCEDURES FOR MAP AND/OR TEXT AMENDMENTS TO THE CITY ZONING ORDINANCE

Ordinance ZO-08-2011 was presented for passage.

Alderman Pezza pulled item **6t. ZO-08-2011 – An Ordinance Approving a Text Amendment to the City of Elmhurst Zoning Ordinance Clarifying and Defining the Notification Procedures for Map and/or Text Amendments to the City Zoning Ordinance** from the Consent Agenda. Alderman Levin

pulled item **6s. MCO-17-2011 – An Ordinance to Amend Section 41.04 Entitled “Schedule of Fees” of Chapter 41 Entitled “Motor Vehicle Licenses” of the Municipal Code of the City of Elmhurst, Illinois** from the Consent Agenda.

Alderman Bram moved to approve the contents of the Consent Agenda less items **6s. MCO-17-2011 – An Ordinance to Amend Section 41.04 Entitled “Schedule of Fees” of Chapter 41 Entitled “Motor Vehicle Licenses” of the Municipal Code of the City of Elmhurst, Illinois** and **6t. ZO-08-2011 – An Ordinance Approving a Text Amendment to the City of Elmhurst Zoning Ordinance Clarifying and Defining the Notification Procedures for Map and/or Text Amendments to the City Zoning Ordinance**. Alderman York seconded. Roll call vote:

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

Nays: None

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

Alderman Levin moved to open discussion on item **6s. MCO-17-2011 – An Ordinance to Amend Section 41.04 Entitled “Schedule of Fees” of Chapter 41 Entitled “Motor Vehicle Licenses” of the Municipal Code of the City of Elmhurst, Illinois**. Alderman York seconded.

Alderman Levin stated he pulled item **6s. MCO-17-2011 – An Ordinance to Amend Section 41.04 Entitled “Schedule of Fees” of Chapter 41 Entitled “Motor Vehicle Licenses” of the Municipal Code of the City of Elmhurst, Illinois** to amend *Section 1 41.04 item f* for clarification.

Alderman Levin moved to suspend with the rules to both amend the ordinance and vote on the amended ordinance tonight. Alderman York seconded.

Mayor DiCianni, point of order, asked City Attorney Storino is a voice vote could be taken on the motion to suspend with the rules.

City Attorney Storino replied yes.

Voice vote to suspend with the rules to both amend the ordinance and vote on the amended ordinance tonight. Motion carried.

Alderman Levin stated he handed out the proposed amendment to *Section 1 41.04 f*.

Alderman Levin moved to amend *Section 1 41.04 f* to clarify discounted licenses. Alderman York seconded.

Discussion ensued.

Alderman Pezza, point of clarification, asked City Attorney Storino if it was legal to amend and pass an ordinance in the same night.

City Attorney Storino stated it is in our rules, yes it can be done.

Roll call vote to amend item **6s. MCO-17-2011 – An Ordinance to Amend Section 41.04 Entitled “Schedule of Fees” of Chapter 41 Entitled “Motor Vehicle Licenses” of the Municipal Code of the City of Elmhurst, Illinois**:

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

Nays: None

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

Roll call vote to approve item **6s. MCO-17-2011 – An Ordinance to Amend Section 41.04 Entitled “Schedule of Fees” of Chapter 41 Entitled “Motor Vehicle Licenses” of the Municipal Code of the City of Elmhurst, Illinois** as amended:

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

Nays: None

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

Alderman Morley moved to open discussion on item **6t. ZO-08-2011 – An Ordinance Approving a Text Amendment to the City of Elmhurst Zoning Ordinance Clarifying and Defining the Notification Procedures for Map and/or Text Amendments to the City Zoning Ordinance.** Alderman Polomsky seconded.

Alderman Morley stated the committee report that was approved by Council on October 19, 2011 was fully vetted at that meeting as it pertains to map/text amendments.

Alderman Pezza stated she pulled item **6t. ZO-08-2011 – An Ordinance Approving a Text Amendment to the City of Elmhurst Zoning Ordinance Clarifying and Defining the Notification Procedures for Map and/or Text Amendments to the City Zoning Ordinance** to state that she could not support these changes because it has not been fully vetted.

Discussion ensued.

Roll call vote on item **6t. ZO-08-2011 – An Ordinance Approving a Text Amendment to the City of Elmhurst Zoning Ordinance Clarifying and Defining the Notification Procedures for Map and/or Text Amendments to the City Zoning Ordinance:**

Ayes: Morley, Polomsky, York, Healy, Levin, Kennedy, Wagner, Mulliner, Leader, Dunn

Nays: Pezza, Gutenkauf, Bram

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

COMMITTEE REPORTS

7. a. **REPORT – RESOLUTION REGARDING ESTIMATED PROPERTY TAXES TO BE LEVIED FOR THE 2011 TAX YEAR** The following report of the Finance, Council Affairs & Administrative Services Committee was presented:

October 25, 2011

To: Mayor DiCianni and Members of the City Council

Re: Resolution Regarding Estimated Property Taxes to be Levied for the 2011 Tax Year

The Finance, Council Affairs and Administrative Services Committee met October 24, 2011, to begin review of the 2011 property tax levy.

As part of this initial review, staff informed the Finance Committee that pursuant to the Illinois Truth in Taxation law, the City of Elmhurst is required to estimate the taxes to be levied for the

2011 tax year not less than twenty (20) days prior to adoption of the 2011 Tax Levy Ordinance. To allow the tax levy process to progress consistent with the attached 2011 Property Tax Levy Timeline, it is necessary for the City Council to approve a resolution determining the estimated property taxes to be levied for the 2011 tax year, at the November 7, 2011, City Council meeting.

The estimated property taxes stated in the resolution **does not** commit the City Council to that estimate in any way. The final tax levy approved by the City Council can be greater or less than the estimated property taxes stated in the resolution.

A copy of the required resolution is attached. The estimated tax levy amount of \$16,223,332 includes both an estimate for the City (\$9,273,332) and an estimate for the Library (\$6,950,000). A worksheet supporting the estimate is also attached. The Finance Committee will continue its review of the 2011 tax levy on November 14, 2011.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve Resolution No. R-51-2011 to comply with the Illinois Truth in Taxation Law requirement.

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

Alderman York moved to approve item **7a. Report – Resolution Regarding Estimated Property Taxes to Be Levied for the 2011 Tax Year**. Alderman Mulliner seconded.

Discussion ensued regarding the place holder number established to levy a tax increase.

Roll call vote on item **7a. Report – Resolution Regarding Estimated Property Taxes to Be Levied for the 2011 Tax Year**:

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

Nays: Pezza

Results: 12 ayes, 1 nays, 1 absent
Motion carried

b. REPORT – DISPOSITION OF STOP SIGN REQUEST MITCHELL AVENUE AND MCKINLEY AVENUE
The following reports of the Public Affairs & Safety Committee were presented for passage:

1. MAJORITY REPORT

October 24, 2011

To: Mayor DiCianni and Members of the City Council
RE: Disposition of Stop Sign Request Mitchell Avenue and McKinley Avenue

The Public Affairs and Safety Committee met most recently on October 24, 2011 to discuss the status of the above referenced request for additional Stop Signs (change from a two-way stop to a four-way stop) at the intersection of Mitchell and McKinley Avenues.

In response to a request from neighborhood residents, the City's traffic consultant, Mr. Brent Coulter, of Coulter Transportation Consulting, performed an intersection review. The request was for a four-way stop control due to perceived heavy "cut-thru" traffic, speeding issues, and the lack of stop signs for a 5 block stretch along Mitchell Avenue between Madison and Vallette Streets.

This intersection has been reviewed on multiple occasions in previous years for additional traffic control devices (change from 2-way to a 4-way stop). The same result during the current review as well as previous reviews of this intersection determined that it did not meet the warrants for any additional traffic control devices. The summary of the reviews for this intersection is attached to this report.

It is perceived that there is heavy "cut-thru" traffic through this area/intersection. There is no evidence from City Staff or the consultant, Mr. Coulter, that a change from a two-way to a four-way stop at this intersection would stop or even minimize any "cut-thru" traffic.

One of the other concerns is that there is a perceived speeding issue on Mitchell. The Manual Uniform of Traffic Control Devices specifically states that stop signs are NOT to be used for speed control. This concept has been reinforced by City staff and Mr. Coulter every time this is presented as a possible solution for perceived speeding issues. As it is noted, in previous reviews and the current report on intersection, there is no evidence of speeding on either of these streets (please reference the attached report). The result of unwarranted stop signs would cause the direct opposite effect. It has been noted that if stop signs are unwarranted then drivers would speed up to and away from these stop signs to make up for "lost time".

The request also referenced the concern of near accidents at this intersection. In the same request, it references individuals not stopping at the current two-way stop at this intersection. As proven by the most recent accident, the driver on McKinley was ticketed for "failure to reduce speed to avoid an accident". There have not been any current reviews of this intersection that note any sight restrictions that could contribute to any near miss or accident.

As Mr. Coulter's report explains, there are no sight restrictions and low accident history at this intersection. Peak afternoon traffic volumes were higher than other times of the day, however no defined speeding issues were found. The all-way stop warrants set forth in the "Manual on Uniform Traffic Control Devices" are **not** met at this location.

Mr. Coulter presented a method, "Alternating Stops" used in the City of Chicago for the committee to consider for this neighborhood in Elmhurst. According to Mr. Coulter this method has been beneficial for the City of Chicago. It was noted during the discussion that there are different characteristics when comparing the City of Chicago and a suburban community like the City of Elmhurst. In the City of Chicago, there are mostly uncontrolled intersections, higher volume of traffic/congestion even on side streets and poor lines of sight due to narrow streets and cars parked on both sides of the street.

According to the consultant, Mr. Brent Coulter, and statements from City staff, if stop signs are installed when they do not meet warrants this could expose the City of Elmhurst to undue liability.

The following are the recommendations for the intersection of Mitchell and McKinley with the current two-way stop configuration:

- Paint a stop bar in front of the existing stop signs on McKinley
- Install red reflector strips on the stop sign posts.
- Install the mobile radar unit on the street post for interim times to remind/warn people of their speed.
- Follow up with speed/stop sign enforcement.
- Place the Smart Trailer on Mitchell.
- Inform the nearby residents of the City of Elmhurst Radar Gun Loan Program.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the current

two-way stop at this intersection remains and the additional recommendations above be followed to assist with the current two-way stop configuration at Mitchell Avenue and McKinley Avenue.

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

2. MINORITY REPORT

October 24, 2011

To: Mayor DiCianni and Members of the City Council

RE: Disposition of Stop Sign Request Mitchell Avenue and McKinley Avenue

The Public Affairs and Safety Committee met on October 24, 2011 to discuss the status of the above referenced request for additional Stop Signs at the intersection of Mitchell and McKinley Avenues.

In response to a request from neighborhood residents, the City's traffic consultant, Mr. Brent Coulter, of Coulter Transportation Consulting, performed an intersection review. The request was for four-way stop control due to heavy "cut-thru" traffic, perceived speeding issues, and the lack of stop signs for a 5 block stretch along Mitchell Avenue between Madison and Vallette Streets.

As Mr. Coulter's report explains, there are no sight restrictions and low accident history at this intersection. Peak afternoon traffic volumes were higher than other times of the day, however no defined speeding issues were found. The all-way stop warrants set forth in the "Manual on Uniform Traffic Control Devices" are not met at this location.

However, the City of Chicago has established a system of alternating stop sign placement in residential neighborhoods where a "grid" type pattern exists. A grid is formed by streets with the same functional classification and similar block spacing. This system could be applied to the area between Vallette and Madison Streets (north/south) and Bryan Street and Spring Road (east/west). When applied to this neighborhood, the addition of stop signs on the Mitchell Avenue approaches to McKinley Avenue would be consistent with the location of traffic control at other area intersections. The alternating stop sign design for a grid type system would remove the long stretches of unprotected intersections. Mr. Coulter also mentioned that a modern subdivision would not have a design that would consist of a ½ mile stretch of local neighborhood street without a traffic control device.

Please note, the following installation guidelines were recommended by Mr. Coulter and should be done in conjunction with the stop sign installation:

- Notify the community of the pending stop sign installation via the City's website.
- Install "stop ahead" signs and orange flags on a temporary basis but not less than 8 weeks.
- Install "all way" stop plaques under each stop sign.
- Monitor turning and angle crashes at the intersection.

In addition to the four way stop the committee recommends the additional intersection improvements to increase safety at this intersection.

- Paint a stop bar in front of the existing stop signs on McKinley

- Install red reflector strips on all the stop sign posts.
- Install the mobile radar unit on the street post for interim times to remind/warn people of their speed.
- Follow up with speed/stop sign enforcement.
- Place the Smart Trailer on Mitchell.
- Inform the nearby residents of the City of Elmhurst Radar Gun Loan Program.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to install stop signs and additional safety measures on the Mitchell Avenue approaches to McKinley Avenue.

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

Alderman Wagner moved to open discussion on item **7b1. Majority Report – Disposition of Stop Sign Request Mitchell Avenue and McKinley Avenue**. Alderman Healy seconded.

Alderman Wagner moved to substitute item **7b2. Minority Report – Disposition of Stop Sign Request Mitchell Avenue and McKinley Avenue** for the majority report. Alderman Healy seconded.

Alderman Wagner stated this request has come to the Public Affairs & Safety Committee twice in the last couple of years. He stated this is a request from the residents of the neighborhood.

Alderman Wagner stated he supports stop signs even though they are not warranted by the engineering consultants and City staff.

Alderman Wagner stated the majority and minority reports are similar. He stated that he supports the report that recommends a four-way stop.

Alderman Bram, point of order, Alderman Wagner is supporting the minority report over the majority report, which has not been made clear.

Discussion ensued.

Alderman Bram stated his support for the majority report. He stated the Manual on Uniform Traffic Control Devices (MUTCD) is a federal document used by the State of Illinois and by policy and practice, the City of Elmhurst. Alderman Bram reviewed the history of the requests for a four-way stop at this location stating both times it has been reviewed, it has not met the warrants of MUTCD for a four-way stop.

Discussion ensued.

Alderman Bram, point of order, stated the discussion is drifting away from the motion on the table.

Alderman Pezza stated her reasons for supporting the majority report. She stated her concerns about using stop signs as a way to slow down traffic when they are not warranted by MUTCD.

Alderman Wagner stated the only difference between the reports is the stop signs.

Discussion continued.

Mayor DiCianni admonished Alderman Bram for his lengthy comments.

Alderman Bram stated his comments are not repetitive; they are fresh ideas regarding the majority report.

Roll call vote to substitute the minority report for the majority report:

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

Nays: Levin, Mulliner, Pezza, Gutenkauf, Bram

Results: 8 ayes, 5 nays, 1 absent
Motion carried

Roll call vote to approve item **7b2. Minority Report – Disposition of Stop Sign Request Mitchell Avenue and McKinley Avenue:**

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

Nays: Levin, Mulliner, Pezza, Gutenkauf, Bram

Results: 8 ayes, 5 nays, 1 absent
Motion carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

8. a. UPDATES (Mayor DiCianni)

Mayor DiCianni stated SB1652 was overridden and a companion bill. He stated the City will continue to speak with ComEd.

Alderman Healy stated the fight is not over and Elmhurst needs to fight for its share of the \$200 million.

Alderman Bram asked for an update on the meeting with ComEd and the City Council. He asked for a time line.

City Manager stated the date has been set. He will contact ComEd and get a meeting set-up by the next City Council meeting.

ORDINANCES

9. a. MCO-16-2011 – AN ORDINANCE TO AMEND SECTION 36.29 ENTITLED “HOURS DURING WHICH SALES MAY BE MADE, CLOSING HOURS” OF ARTICLE III OF CHAPTER 36 ENTITLED “LIQUOR” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

Ordinance MCO-16-2011 was presented for passage.

Alderman Wagner moved to approve item **9a. MCO-16-2011 – An Ordinance to Amend Section 36.29 Entitled “Hours During Which Sales May Be Made, Closing Hours” of Article III of Chapter 36 Entitled “Liquor” of the Municipal Code of the City of Elmhurst, Illinois.** Alderman Pezza seconded.

Mayor DiCianni stated the Council needs to suspend with the rules before they can vote to approve item **9a. MCO-16-2011 – An Ordinance to Amend Section 36.29 Entitled “Hours During Which Sales May Be Made, Closing Hours” of Article III of Chapter 36 Entitled “Liquor” of the Municipal Code of the City of Elmhurst, Illinois.**

Alderman Mulliner, point of order, the committee report included suspension of the rules.

Discussion ensued.

Roll call vote on item **9a. MCO-16-2011 – An Ordinance to Amend Section 36.29 Entitled “Hours During Which Sales May Be Made, Closing Hours” of Article III of Chapter 36 Entitled “Liquor” of the Municipal Code of the City of Elmhurst, Illinois.**

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

Nays: None

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

RESOLUTIONS

10. a. **R-51-2011 – A RESOLUTION DETERMINING THE ESTIMATED PROPERTY TAXES TO BE LEVIED BY THE CITY OF ELMHURST FOR THE 2011 TAX YEAR**

Resolution R-51-2011 was presented for passage.

Alderman York moved to approve item **10a. R-51-2011 – A Resolution Determining the Estimated Property Taxes to Be Levied By the City of Elmhurst for the 2011 Tax Year.** Alderman Mulliner seconded.

Alderman York asked the Council to accept the resolution as read. He stated this is an estimated number for the tax levy. He stated the 4.9% is a place holder.

Alderman York stated plans are underway to convert the City from a fiscal year to a calendar year.

Alderman Gutenkauf asked when was the last time the final number was different from that in the estimate resolution.

Director of Finance & Administration Gaston stated they match because of the committee report that was created. She stated a 20 day window is needed and that is why Council is considering this resolution the same night it passed the committee report.

Discussion ensued regarding the estimated number as the placeholder amount.

Roll call vote on item **10a. R-51-2011 – A Resolution Determining the Estimated Property Taxes to Be Levied By the City of Elmhurst for the 2011 Tax Year:**

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

Nays: Pezza

Results: 12 ayes, 1 nays, 1 absent
Motion carried

OTHER BUSINESS

11. Alderman York thanked outgoing Chairman Betsy Hanisch for her outstanding service on the Economic Development Commission.

Alderman York stated Bicycle Task Force has put together a bike safety plan for Elmhurst that is very good and asked everyone to read it. He stated bike safety is a relevant issue in Elmhurst.

ANNOUNCEMENTS

12. Alderman Wagner thanked the Police Department for a successful National Prescription Drug Take-Back Day.

Alderman Pezza announced the opening of two (2) new shops in the 1st Ward, Elmhurst Olive Oil

Co. and Bleeding Heart Bakery.

Alderman Gutenkauf stated United Community Concerns Association (UCCA) is hosting a food drive, food donations can be dropped off at any District 205 school. For more information email ucca.elmhurst@gmail.com.

Alderman York announced the Retail Grant Program has utilized all of its resources. As of now the fund is depleted but the Finance, Council Affairs & Administrative Services Committee will look at the budget for additional money.

Alderman York stated Elijah's Coffee Shoppe opened its second location on First Street. He announced the York Theatre will be opening its 10th Screen soon. He congratulated both businesses.

Alderman Morley announced the 9th Annual Kick-Off-for-Kids Holiday Party will take place Saturday, November 12, 2011 at River Forest Country Club, for more information visit www.kickoffforkids.org.

Clerk Spencer announced a special ceremony will be held at 10:30 a.m. on Veteran's Day, Friday, November 11, 2011 at the Veteran's Memorial in Wilder Park. All are welcome to attend to honor current and past members of our nation's armed forces.

Clerk Spencer announced there will be a nationwide test of the Emergency Alert System on Wednesday, November 9, 2011 at 1:00 p.m. and is scheduled to last up to 3 ½ minutes.

Clerk Spencer Announced for the second year in a row, Elmhurst Public Library received 3 out of 5 stars and a national ranking in Library Journal's annual review of public libraries. Elmhurst placed 23rd nationwide and 6th in Illinois in the \$5-9.9million category, with notably high visits and circulation per capita.

Clerk Spencer announced for the first time the Salvation Army is partnering with Classic Cinemas York Theatre, 150 N. York St., to present the classic film Guys & Dolls. Showtimes are November 13 at 1:30 p.m. and 7:00 p.m. Tickets are \$5 each and all proceeds will go to the Salvation Army. She stated the Salvation Army is also looking for volunteers and community groups to act as bell ringers this holiday season. Contact Sue (630)808-4165 if you are interested in participating.

ADJOURNMENT

13. Alderman Morley moved to adjourn the meeting. Alderman York seconded. Voice vote. Motion carried. Meeting adjourned 9:40 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk