

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, DECEMBER 5, 2011
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

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

1. Executive session was called to order at 6:35 p.m. by Mayor DiCianni for the purpose of discussing the Appointment, Employment or Compensation of a City Officer or Employee.

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

Absent: Norman Leader (arrived at 6:39 p.m.)

Also in attendance: City Attorney Storino, City Manager Grabowski

Alderman Morley moved to convene into executive session for the purpose of discussing the Appointment, Employment or Compensation of a City Officer or Employee. Alderman Healy seconded.

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

Nays: None

13 ayes, 0 nays, 1 absent
Motion duly carried

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

CALL TO ORDER /PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 60

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:40 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 Attorney Storino, City Manager Grabowski, Assistant City Manager/ Fire Chief Kopp, Director of Finance & Administration Gaston, Assistant Director of Finance & Administration Trosien, Police Chief Neubauer, Deputy Police Chief Panico, Police Commander Kveton, Public Works Director Hughes, City Engineer Tiberi, Civil Engineer K. Johnson, Water/Wastewater Manager Smith, Superintendent of W/WD Rosenwinkel, Building Commissioner Dubiel

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

3. None.

PUBLIC FORUM

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

Spoke of the possible 4.9% tax levy increase for 2011 that the Council will discuss and vote on tonight. He suggested the Mayor and the Council read the letter by County Board Chairman, Dan Cronin sent to the newspapers for publication.

John Reboletti
625 W. Gladys
Elmhurst, IL 60126

Commented on item **6k. Report – Referendum Question Regarding Electric Aggregation** on the Consent Agenda.

Tamara Brenner
137 Caroline Avenue
Elmhurst, IL 60126

Commented on item **6k. Report – Referendum Question Regarding Electric Aggregation** on the Consent Agenda. She asked why there was a need to suspend with the rules and pass the ordinance tonight. She stated the vote could be taken on January 3, 2012. She commented on the report and the opt out recommendation.

Susan Sadowski
419 Hill
Elmhurst, IL 60126

As President of the Library Board, Ms. Sadowski gave background information about the Library's portion of the tax levy. She stated an increase of 3% will be necessary to support upcoming capital expenses.

Jim Mastrino
153 N. Highland Avenue
Elmhurst, IL 60126

Spoke regarding raising taxes. He asked the Council to look at the budget and make cuts to save money. He stated decrease spending opposed to spending and increasing taxes.

Ed Sotor
305 Kenilworth
Elmhurst, IL 60126

Spoke regarding tax increases. He asked the Council to work with other governmental bodies, such as the School Board and learn to think outside the "box."

Dave Reginelli
129 Pine
Elmhurst, IL 60126

Spoke regarding the Burke/RNJ report. He stated he was looking for more middle of the road costs.

ANNOUNCEMENTS

5. Alderman Polomsky announced the City of Elmhurst and the Elmhurst Park District are partnering with SCARCE (School and Community Assistance for Recycling and Composting Education) to recycle old holiday lights. She stated collection bins are located at Courts Plus, Wagner Community Center and City Hall until February 1, 2012.

CONSENT AGENDA

6. The following items on the Consent Agenda were presented:

a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, NOVEMBER 21, 2011 (City Clerk Spencer): Approve as published

- b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, NOVEMBER 21, 2011 (City Clerk Spencer): Receive and place on file
- c. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, NOVEMBER 28, 2011 (City Clerk Spencer): Receive and place on file
- d. ACCOUNTS PAYABLE – NOVEMBER 30, 2011, TOTAL \$910,925.21
- e. APPOINTMENT OF INTERIM POLICE CHIEF – DOMINIC PANICO
- f. APPOINTMENT TO THE ZONING AND PLANNING COMMISSION – TORCASSO (Mayor DiCianni): Concur with the Mayor's recommendation

November 16, 2011

To: Members of the City Council
Re: Appointment to the Zoning and Planning Commission – Thomas J. Torcasso

With your advice and consent, I will appoint Thomas J. Torcasso to the Zoning and Planning Commission for a term to expire February 20, 2015, replacing Joyce M. Slone whose term expired in 2010 and has recently moved out of town.

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

- g. BID RESULTS, 2012-14 STREET SWEEPING CONTRACT (City Clerk Spencer): Refer to the Public Works & Buildings Committee

December 1, 2011

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, 2012-14 Street Sweeping Contract

In response to an invitation to bid for the 2012-2014 Street Sweeping Contract, the City of Elmhurst advertised in the Elmhurst Independent on Thursday, November 3, 2011 bids were received from four contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, November 29, 2011 by the Deputy City Clerk. The following is a summary of the bids received:

<u>Dealer</u>	<u>3-Year Bid Total 2012-2014</u>
Diamond Sweeping Chicago, IL	\$470,477.00
Waste Management Of Illinois Franklin Park, IL	\$593,560.00*
Elgin Sweeping Services, Inc. Chicago, IL	\$631,489.00
Hoving Clean Sweep, LLC West Chicago, IL	\$657,153.00

* Corrected bid amount: \$593,560.00

Respectfully submitted,
/s/ Patty Spencer

City Clerk

- h. REPORT – YORK STREET LAPP IMPROVEMENTS DESIGN ENGINEERING SERVICES PROPOSAL The following report of the Public Works & Buildings Committee was presented:

November 28, 2011

To: Mayor DiCianni and Members of the City Council

Re: York Street LAPP Improvements Design Engineering Services Proposal

The Public Works and Buildings Committee met on Monday, November 28, 2011 to discuss a proposal received from TranSystems Corporation for professional engineering services for design of a Local Agency Pavement Preservation (LAPP) project along York Street from Vallette Street to South Robert Palmer Drive.

The improvements include removal and replacement of deteriorated sections of curb and gutter, pavement and sidewalks. The final pavement construction will include a three inch (3") grind of the existing concrete and a 3" overlay with asphalt.

TranSystems assisted the City in the preparation of Federal STP funding application. This project received \$450,000 in Federal STP funding for construction through the DuPage Mayors and Managers Conference (DMMC). The City of Elmhurst will need to complete Phase I and II engineering in accordance with Illinois Department of Transportation procedures for Federal-Aid projects.

Design engineering services will include the preparation of contract plans, specifications and cost estimated for a June 2012 contract letting through IDOT. The work shall be prepared in accordance with IDOT requirements for LAPP projects including obtaining LAPP approval. The plans and specifications will provide sufficient guidance to the contractor necessary to bid the project, provide the contractor with geometric layout requirements to allow the contractor to establish controls during construction, and includes sufficient details for completing the street resurfacing. The plans will be reviewed by the City and IDOT. Coordination with IDOT and FHWA will also be required.

TranSystems has proposed to do this work on a cost plus fixed fee basis with a total cost not to exceed \$39,716.80. 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 numerous City projects in a satisfactory and professional manner. Monies for this project are available in the FY 2011/12 Budget, Account Number 10-6041-432-8015, in the amount of \$45,000.

It is, therefore the recommendation of the Public Works and Buildings Committee that the Design Engineering Services Proposal from TranSystems Corporation for the York Street LAPP Improvements in the amount not to exceed \$39,716.80, 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

/s/ Bob Dunn

Vice-Chairman

/s/ Chris Healy

/s/ Diane Gutenkauf

- i. REPORT – REMOVAL OF DEAD TREES FROM PRIVATE PROPERTY – CODE AMENDMENT The following report of the Public Works & Buildings Committee was presented:

November 28, 2011

TO: Mayor DiCianni and Members of the City Council
RE: Removal of Dead Trees from Private Property – Code Amendment

The Public Works and Buildings Committee met on Monday, November 14, 2011 and again on Monday, November 28, 2011 to discuss an ordinance amendment to allow for the City to require the removal of dead trees from private property. The City of Elmhurst currently has within its Municipal Ordinance the right to access private property and force the removal of an American Elm tree which has been infected with the Dutch Elm Disease. The impetus behind this authority is the fact that a diseased tree can become a breeding ground for the Elm Bark Beetle which is the carrier of the fungus which ultimately kills the elm trees. Consequently it is imperative to get diseased elms down as quickly as possible.

Unfortunately over the years the situation has presented itself to City staff where residents have had standing dead trees in their backyard, elms and other species, which they, for one reason or another, have failed to remove. Eventually these trees go “stone dead”. At that point the tree does begin to constitute a hazard via falling branches or the entire tree falling down. Currently the City has no means by which to force a private property owner to remove the dangerous tree.

This situation will be exacerbated with the onset of the Emerald Ash Borer (EAB). As you are aware the Emerald Ash Borer has been found within the City of Elmhurst and it is merely a matter of time until all of the Ash trees in Elmhurst are dead. Obviously some percentage of homeowners with dead Ash trees will not move forward with the removal and the City needs the ability to force that action.

Attached is a modified ordinance prepared by the City Attorney Don Storino allowing the City to force homeowners to remove dead and dangerous trees and branches from private property. The ordinance allows for the City to access the property with a private contractor and recoup the costs of removal from the property owner.

It is therefore the recommendation of the Public Works and Buildings Committee that the City adopt the code amendment as outlined above to ensure the public safety in the future and that the City Attorney prepare the necessary documents.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy
Chairman

/s/ Bob Dunn
Vice-Chairman

/s/ Chris Healy

/s/ Diane Gutenkauf

- j. REPORT – BROKER SERVICES FOR HEALTH AND WELFARE BENEFITS The following report of the Finance, Council Affairs & Administrative Services Committee was presented:

November 29, 2011

To: Mayor DiCianni and Members of the City Council
Re: Broker Services for Health and Welfare Benefits

The Finance, Council Affairs and Administrative Services Committee met November 28, 2011 to review broker and consulting services for the City’s health, dental, and life insurance programs.

This year a Request for Proposal (RFP) was sent out to eighteen firms, of which thirteen responded as follows: Aon/Hewitt, NA Health Management, Assurance Agency, Ltd., Benefits Solutions Group, Corporate Benefits Consultants, Inc., The David Agency, Doyle Rowe, Ltd., The Dungan Group, GCG Financial, Gallagher Public Entity & Scholastic, John J. Cassano & Associates, Pro-Source Financial,

Strategic Employee Benefit Services – Northwestern Mutual, and Vista National Insurance Group. The City's current broker, Strategic Employee Benefit Services – Northwestern Mutual, was included in the RFP. After evaluating the thirteen proposals on their ability to meet the mandatory requirements: technical capacity, experience and past performance, technical approach, managerial capability, and value proposition, eight firms (Aon/Hewitt, NA Health Management, Assurance Agency, Ltd., Doyle Rowe, Ltd., The Dungan Group, GCG Financial, Gallagher Public Entity & Scholastic, John J. Cassano & Associates, and Strategic Employee Benefit Services – Northwestern Mutual) were interviewed.

Assurance Agency, Ltd. was selected from the eight firms that were interviewed. Their proposal offers the following services: benefit renewals, consulting services, account management, program design, technology support, financial and compliance exhibits for decision-making analysis, benefit communication, benchmarking reports, and complex claim handling. The Assurance Agency, Ltd., proposal charges **\$13.73** per covered employee per month. The bid was based upon 255 employees covered under the City's health insurance plan, bringing the fee to **\$42,000** annually. The City's current broker services cost is \$39,312.

The cost proposal of the selected firm represents a fair and competitive price, relative to firms providing a comparable level of service. Assurance Agency, Ltd. is ranked as the 48th largest broker by U.S. Business Insurance Magazine. The depth and breadth of expertise, readily available specialized resources, and the assessed compatibility of the proposed resource team with the needs of the Elmhurst stakeholder community, have positioned them as the preferred, recommended broker/consultant. Increased complexities in healthcare legislation, delivery systems, regulatory compliance and financial implications have created a need for a consultative servicing approach. Analogous to the development of a Comprehensive Plan for City development, a Strategic Employee Benefits Plan will provide a more proactive and informed decision-making path forward. Assurance Agency has the capability to advise on the Plan's development, and we anticipate that the technical and service requirements of the contract will be more than satisfactorily met with the selection of this firm.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the broker services provided by Assurance Agency, Ltd. for a fee of \$14.70 per covered employee per month for a total of \$45,000 per year.

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 – REFERENDUM QUESTION REGARDING ELECTRIC AGGREGATION The following report of the Finance, Council Affairs & Administrative Services Committee was presented:

November 29, 2011

To: Mayor DiCianni and Members of the City Council
Re: Referendum Question Regarding Electric Aggregation

The Finance, Council Affairs and Administrative Services Committee met several times, most recently November 28, 2011, to review electric aggregation programs and to review placing a referendum question on the March 20, 2012, ballot.

Electric aggregation is a program that allows local governments to bundle, or aggregate, residential and small commercial retail electric accounts and seek bids for a cheaper source of power.

Currently, ComEd customers receive electricity at a price set by the Illinois Power Agency, a governmental body that secures electricity on the wholesale market on behalf of ComEd. By bundling residential and small commercial accounts, a municipality can go into the open market to seek a lower rate for electric power than the rate secured by ComEd. ComEd will still distribute the power (regardless of the source of power) through its distribution system, and ComEd remains responsible for billing customers for all electricity, regardless of the electric supplier.

Two options are available for electric aggregation: an opt-in program and an opt-out program. The opt-in aggregation requires the individual to enroll in the program before being included in the aggregation pool of customers. Opt-out aggregation automatically includes each household, or small commercial retail electric account, in the aggregated pool unless the individual or business affirmatively “opts out”, or decides not to participate.

The Finance Committee believes it is in the best interest of Elmhurst residents and small commercial retail accounts to pursue electric aggregation. The Finance Committee also believes that the opt-out program will benefit the greatest number of electric customers in the long run, although the opt-in program may have a shorter implementation timeline. The timeline for the opt-out electric aggregation program is attached.

The first step in the opt-out program implementation process is to place a referendum question on the March 20, 2012, ballot. State statute provides very specific language for the referendum question as follows: *Shall the City of Elmhurst have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such a program?* The last day for local governing boards to adopt an ordinance to allow public questions on the March 20, 2012 ballot is January 3, 2012. Because there is a limit of three referendum questions on the ballot, the Finance Committee recommends that the City Council suspend the rules so that Ordinance O-52-2011 approving the referendum question can be considered at this meeting.

If the referendum passes, the Finance Committee and staff will continue to work through the timeline for the opt-out aggregation program, to ensure timely implementation of the program.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve placing a public question regarding the opt-out electric aggregation program, for submission to the voters of the City of Elmhurst on the March 20, 2012 ballot. The Finance Committee further recommends that the City Council suspend the rules to allow for consideration of Ordinance O-52-2011 at this meeting.

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

- I. REPORT – INTERGOVERNMENTAL AGREEMENT WITH FLAGG CREEK WATER RECLAMATION DISTRICT The following report of the Finance, Council Affairs & Administrative Services Committee was presented:

November 29, 2011

To: Mayor DiCianni and Members of the City Council
Re: Intergovernmental Agreement with Flagg Creek Water Reclamation District

The Finance, Council Affairs and Administrative Services Committee met November 28, 2011, to review an intergovernmental agreement with Flagg Creek Water Reclamation District.

As the City Council will recall, the City of Elmhurst purchased the Yorkfield Area Water System from the Village of Oak Brook in May 2008. This water system services approximately 350 properties in the unincorporated area located south of Butterfield Road, east of Euclid Avenue, west of Caldwell Avenue and north of Roosevelt Road. The City provides water to this area and bills customers for water only. The sewage collection and treatment process is provided by Flagg Creek Water Reclamation District, and the District bills customers for this service.

From time to time, the District must take action to collect from unpaid accounts. Illinois legislation allows districts like Flagg Creek Water Reclamation District to enter into agreements with municipalities within its jurisdiction whereby the District can request that the municipality shut off the water service to properties that have unpaid sewer accounts. The District is requesting to enter into an intergovernmental agreement with the City for discontinuance of water service for the purpose of collection of unpaid sewer accounts. The proposed intergovernmental agreement is attached. The agreement provides the parameters and process for the water shut-off, and also provides for reimbursement of City cost. The District projects that there will be less than twenty shut-offs annually. Staff recommends entering into the intergovernmental agreement with the District, and 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 direct the City Attorney to prepare the resolution to approve an intergovernmental agreement between the City of Elmhurst and Flagg Creek Water Reclamation District for the purpose of discontinuance of water service for the collection of unpaid sewer accounts.

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 – CASE NUMBER 11P-04/LEXINGTON SQUARE AMENDED CONDITIONAL USE The following report of the Development, Planning & Zoning Committee was presented:

November 29, 2011

TO: Mayor DiCianni and Members of City Council

RE: Case Number 11P-04/Lexington Square Amended Conditional Use

Request for Amended Conditional Use for the purpose of introducing Assisted Living units to the Independent Living building and increasing the number of total units from 362 to 390 on property commonly known as 400 W. Butterfield Road (PIN 06-14-317-008 & 009), said property being wholly located in the R4 Limited General Residence District.

The Development, Planning and Zoning Committee met on November 28, 2010 to review the Zoning & Planning Commission report dated November 17, 2011 recommending approval of the subject request. The Committee also reviewed the Applicant's submittal documents and the transcripts of the public hearing.

The Committee discussed the request that proposes the addition of assisted living units within the existing building that is currently used exclusively for independent living units. The request is to increase the total number of units within the building from 362 to 390, which includes both independent living and assisted living units. The current occupancy rate is approximately 82% due to the increasing age of those moving in to the facility. The average age of an individual entering

the facility has increased from 72 years old in 1991 to 89 years old in 2010, and these individuals require more assistance to perform daily functions. The Committee notes that there is ample available parking on site with 379 constructed parking spaces and an additional 48 spaces that are "landbanked"; these "landbanked" spaces could be paved if the City Council should so require.

Currently, Lexington Square Elmhurst has only independent living and nursing care. Should an individual need an assisted living environment they are transferred to the Lexington Square in Lombard, Illinois, which has assisted living as well as independent living and nursing care. This can result in the splitting up of couples living in the Elmhurst Lexington Square; the proposed addition of assisted living units will allow Elmhurst residents in Lexington Square to remain in Elmhurst.

The Development, Planning and Zoning Committee agrees with the findings of the Zoning & Planning Commission that the Applicant has provided sufficient evidence to support the approval of this request and has met the Standards for Conditional Use.

Therefore, the Development, Planning and Zoning Committee recommends that the City Council approve the Applicant's request for Amended Conditional Use. 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

- n. REPORT – CASE NUMBER 11P-05/ELMHURST CHRISTIAN REFORMED CHURCH AMENDED CONDITIONAL USE The following report of the Development, Planning & Zoning Committee was presented:

November 29, 2011

TO: Mayor DiCianni and Members of City Council

RE: Case Number 11P-05/Elmhurst Christian Reformed Church Amended Conditional Use

Request for Amended Conditional Use for the purpose of erecting a wall sign on property commonly known as 149 W. Brush Hill Road (PIN 06-14-411-033), said property being wholly located in the R4 Limited General Residence District.

The Development, Planning and Zoning Committee met on November 28, 2010 to review the Zoning & Planning Commission report dated November 15, 2011 recommending approval of the subject request. The Committee also reviewed the Applicant's submittal documents and the transcripts of the public hearing.

The Committee discussed the request for a wall sign to be erected on the south wall of the Elmhurst Christian Reformed Church building facing Roosevelt Road. The Committee noted that the request requires an amendment to the Conditional Use Permit issued in 2006 for the construction and operation of a religious institution. The request is for a 192.7 square foot wall sign (including aluminum back panel which will be painted the same color as the wall); the lettering itself measures 118 square feet. The subject site has 216 feet of frontage along Brush Hill Road.

The proposed sign will have LED illumination creating a halo effect and emits low levels of measurable light. The location of the sign on the wall reduces its' view from neighboring properties. The Committee noted that the temporary sign located on the lawn will be removed.

The Development, Planning and Zoning Committee agrees with the findings of the Zoning & Planning Commission that the Applicant has provided sufficient evidence to support the approval of this request and has met the Standards for Conditional Use.

Therefore, the Development, Planning and Zoning Committee recommends that the City Council approve the Applicant's request for Amended Conditional Use. 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-53-2011 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-53-2011 was presented for passage.

- p. O-54-2011 – AN ORDINANCE AUTHORIZING THE REALLOCATION OF THE 2011 PRIVATE ACTIVITY BOND VOLUME CAP OF THE CITY OF ELMHURST TO THE UPPER ILLINOIS RIVER VALLEY DEVELOPMENT AUTHORITY

Ordinance O-54-2011 was presented for passage.

- q. O-55-2011 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN YMCA OF METROPOLITAN CHICAGO AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-55-2011 was presented for passage.

- r. MCO-19-2011 – AN ORDINANCE AMENDING ARTICLE II, ENTITLED “RETAIL LICENSES,” OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS (BACK ALLEY BURGER)

Ordinance MCO-19-2011 was presented for passage.

- s. R-54-2011 – A RESOLUTION TO SET THE RATE FOR SEWERAGE TREATMENT FROM ILLINOIS AMERICAN WATER COMPANY

Resolution R-54-2011 was presented for passage.

- t. R-55-2011 – A RESOLUTION AUTHORIZING THE PURCHASE BY THE CITY OF ELMHURST OF ONE 2011 ELGIN SWEEPER MODEL PELICAN NP FOR THE CITY'S PUBLIC WORKS DEPARTMENT, STREETS DIVISION

Resolution R-55-2011 was presented for passage.

- u. R-56-2011 – A RESOLUTION AUTHORIZING THE PURCHASE BY THE CITY OF ELMHURST OF TWO FORD F250 PICKUP TRUCKS FOR THE CITY'S PUBLIC WORKS DEPARTMENT

Resolution R-56-2011 was presented for passage.

- v. R-57-2011 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF AN ENGINEERING SERVICES AGREEMENT BY AND BETWEEN RJN GROUP, INC. AND THE CITY OF ELMHURST FOR THE ATRIUM FORCE MAIN REPLACEMENT

Resolution R-57-2011 was presented for passage.

w. R-58-2011 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF AN ENGINEERING SERVICES AGREEMENT BY AND BETWEEN RJN GROUP, INC. AND THE CITY OF ELMHURST FOR THE SAYLOR AND JACKSON FORCE MAIN REPLACEMENT

Resolution R-58-2011 was presented for passage.

Alderman Gutenkauf pulled items **6k. Report – Referendum Question Regarding Electric Aggregation** and **6q. O-55-2011 – An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between YMCA of Metropolitan Chicago and the City of Elmhurst, DuPage and Cook Counties, Illinois** from the Consent Agenda.

Alderman Healy moved to approve the contents of the Consent Agenda less items **6k. Report – Referendum Question Regarding Electric Aggregation** and **6q. O-55-2011 – An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between YMCA of Metropolitan Chicago and the City of Elmhurst, DuPage and Cook Counties, Illinois**. Alderman Bram seconded. Roll call vote:

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

Nays: None

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

Alderman Hipskind moved to approve item **6k. Report – Referendum Question Regarding Electric Aggregation** committee report as read.

Alderman York seconded.

Alderman Gutenkauf stated she pulled item **6k. Report – Referendum Question Regarding Electric Aggregation** to ask why was there a need to suspend with the rules and have the committee report and ordinance on the same agenda. She stated it seemed there was time for the ordinance to appear on the next meeting agenda.

Alderman Hipskind stated the Finance, Council Affairs & Administrative Services Committee (F,CA&AS) wanted to make sure the question would appear on the March ballot so it can be voted on this year.

Discussion ensued.

Voice Vote on item **6k. Report – Referendum Question Regarding Electric Aggregation**. Unanimous, motion carried.

Alderman Wagner moved to approve **6q. O-55-2011 – An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between YMCA of Metropolitan Chicago and the City of Elmhurst, DuPage and Cook Counties, Illinois**. Alderman Bram seconded.

Alderman Gutenkauf stated she pulled item **6q. O-55-2011 – An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between YMCA of Metropolitan Chicago and the City of Elmhurst, DuPage and Cook Counties, Illinois** to ask why is the Council voting on this Ordinance and the event has already passed.

City Attorney Storino replied when the City Right of Way is used for an event, it's policy that an ordinance be created. In this case, the event was held sooner than the paperwork was completed.

Discussion ensued.

Roll call vote on item **6q. O-55-2011 – An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between YMCA of Metropolitan Chicago and the City of Elmhurst, DuPage and Cook Counties, Illinois:**

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

Nays: None

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

STATUS OF PROGRESS ON STORMWATER COMPREHENSIVE PLAN

7. a. PRESENTATION – CHRISTOPHER B. BURKE ENGINEERING LTD. AND RJN, GROUP INC.

Mayor DiCianni stated two presentations will be given tonight; one by Christopher B. Burke Engineering Ltd. (Burke Engineering) and one by RJN, Group Inc. He stated only the Council will be able to ask questions after the presentations.

The Mayor stated the Stormwater Task Force will meet after tonight to present questions to the consultants and bring their findings to the City Council.

Christopher Burke from Burke Engineering gave a PowerPoint presentation titled *City of Elmhurst Comprehensive Flooding Plan City Council Meeting: Stormwater Presentation* and reviewed the following outline:

- Existing conditions results for 10 study areas
- Proposed alternatives for 10 study areas
- Cost estimates for proposed alternatives
- Results of compensatory storage analysis
- Risk assessment of alternatives
- Flood proofing of homes
- Recommendations for City Ordinance

Mr. Alenbeck from RJN Group Inc. gave a PowerPoint presentation titled *City of Elmhurst Comprehensive Flooding Plan December 5, 2011 Sanitary Sewer System Summary of Findings* and reviewed the following outline:

- Public Sector
 - Manholes
 - Main sewers
 - Storm sewer cross connections
- Private Sector
 - Interior sources – sump pumps and foundation drains
 - Exterior sources – driveway, stairwell, patio, area drains, cleanouts
 - Service laterals and service lateral correction to main sewer

Mayor DiCianni thanked the Burke Group and the RJN Group for their comprehensive reports.

COMMITTEE REPORTS

8. a. REPORT – IMPACT OF WATER RATE INCREASES FROM DUPAGE WATER COMMISSION The following report of the Finance, Council Affairs & Administrative Services Committee was presented:

November 29, 2011

To: Mayor DiCianni and Members of the City Council

Re: Impact of Water Rate Increases from DuPage Water Commission

The Finance, Council Affairs and Administrative Services Committee met several times, most recently November 28, 2011, to review the impact of water rate increases from DuPage Water Commission on the City's water rate.

As the City Council is aware, the City of Chicago has announced its intention to increase water rates for Lake Michigan water on the first day of January of each of the next four years as follows: 25% 2012; 15% 2013; 15% 2014; and 15% 2015. DuPage Water Commission (DWC) purchases its water supply from the City of Chicago, and has analyzed the impact of the rate changes on its costs and rate structure. Based on that analysis, DWC has adopted water rate increases to its members for the next four calendar years, to take effect on the first day of January, as follows: 30% 2012; 20% 2013; 18% 2014 and 17% 2015. Several factors contribute to the rate increases from DWC including the following:

- Water rate adjustments from the City of Chicago.
- Need to rebuild fund balance due to a significant shortfall discovered in October 2009.
- Projected 2% decline annually in water demand.

Prior to the water rate increases from the City of Chicago, DWC had estimated a minimum 10% rate increase in its water rates to members for each of the next five years. This estimated increase from DWC was built into the City's water rate projections, and the City's five year projections anticipated an 8% water rate increase annually. However, due to DWC's approval of rate increases significantly greater than 10%, the City's rates will need to increase more than 8% annually. In the recent past, the City has annually reviewed and adjusted water rates on or about May 1. The impact of a 30% rate increase from DWC is approximately \$1,000,000 annually. If an adjustment to the City's water rates does not occur until May 1, approximately \$334,000 would need to be funded by the Municipal Utility Fund (MUF) fund balance, which is currently below fund balance goals. Therefore, due to the January 1st timing of the rate increase from DWC and the projected impact on MUF fund balance, the Finance Committee recommends that a water rate increase of 20%, from \$5.34 to \$6.41, be implemented effective January 1, 2012 (see attached schedule). The impact of the water rate adjustment for an average four-person household using 12,000 gallons of water per month is approximately \$12.72 per month.

Although the sewer treatment rates are usually reviewed concurrent with the water rate review, the Finance Committee recommends at this time that the sewer treatment rates be reviewed in April for a May 1 rate adjustment implementation, if needed.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare an amendment to the Municipal Code of Ordinances changing the water rate for the City of Elmhurst, effective for usage billed on or after January 1, 2012, as follows:

	Residential Rates (Per Thousand Gallons)		Commercial Rates (Per Thousand Gallons)	
	<u>New</u>	<u>Current</u>	<u>New</u>	<u>Current</u>
Water	\$6.41	\$5.34	\$9.61	\$8.01
Bi-Monthly Minimum	\$5.08	\$4.23	\$7.60	\$6.33

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

Alderman Hipskind moved to approve item **8a. Report – Impact of Water Rate Increases from DuPage Water Commission.** Alderman York seconded.

Alderman Hipskind reviewed why the water rates will be increased by the City of Chicago and DuPage County.

Discussion ensued.

Voice Vote on item **8a. Report – Impact of Water Rate Increases from DuPage Water Commission.** Unanimous, motion carried.

b. REPORT – 2011 TAX LEVY The following reports of the Finance, Council Affairs & Administrative Services Committee was presented:

1. MAJORITY REPORT

November 29, 2011

To: Mayor DiCianni and Members of the City Council

Re: 2011 Tax Levy

The Finance, Council Affairs and Administrative Services Committee met several times, most recently November 28, 2011, to review the 2011 tax levy. The proposed City of Elmhurst 2011 tax levy of \$9,236,942 is comprised of two parts this year. Please refer to Schedule A attached to this report for details.

The first part (Part I City section) of the City's proposed tax levy in the amount of \$9,034,760 reflects a 2.25% (\$198,808) increase and includes the normal and customary components of police pension, firefighters' pension, other retirement expense (FICA and IMRF), ambulance and fire protection. The Finance Committee considered several factors in its deliberations regarding the 2011 City tax levy, including the following:

- Current economic conditions seem to be slowly beginning to positively impact the City's other major revenue sources such as sales tax, real estate transfer tax, and building permit fees.
- Current economic conditions continue to negatively impact Elmhurst residents.
- The General Fund balance is currently below the prescribed threshold and is projected to be at least \$1,500,000 below the City Council policy of 25% to 33% of General Fund expenditures at fiscal 2012 year end.
- The Working Cash Fund (WCF) was depleted by transfers in fiscal years 2009 and 2010 to the General Fund in the aggregate amount of \$950,000, and the General Fund is in the second year of a five year plan to restore the WCF balance with annual principal contributions of \$190,500.
- The 2010 Citizen Survey results clearly indicate that Elmhurst citizens want the current high level of service to remain intact and, in many cases increase.

The portion of the tax levy allocated to fire protection represents 75.7% of the City's overall fire protection budget. The ambulance component of the General Fund portion of the tax levy decreased due to amendments to the ambulance services contract that was effective September 2009. The portion allocated to non-police and fire retirement expense (FICA and IMRF) represents 80.0% of the City's retirement expense budget. The firefighters and police pension contributions are mandated by State statute, and are determined by an independent actuary. The required pension contributions declined this year due to better investment returns when compared to the prior year.

The second part (Part II City section) of the City's tax levy is a proposed amount of \$202,182 which is specifically attributable to the new growth associated with the opening of the new Elmhurst Memorial Healthcare Center (EMHC). Currently, the new facility is taxable because the underlying property was taxable prior to being purchased by EMHC. However, EMHC is appealing its tax status to the Illinois Department of Revenue (IDOR). If IDOR rules that the property is tax exempt, the City (as well as all other taxing bodies) would be directed to pay back all property taxes paid by EMHC for the new facility. Since the City levies a tax dollar amount, not a tax rate, if the City does not levy

specifically for the amount that may need to be refunded to EMHC, the refund would reduce fund balance. If the IDOR rules that the property is taxable, the funds reserved to provide the refund to EMHC could then be designated for future capital projects or for fund balance, either of which may reduce the need for additional levies in the future. Due to the likely possibility that EMHC will be declared tax exempt and 2011 property taxes paid by EMHC will need to be refunded, the Finance Committee recommends the tax levy in the amount of \$202,182 on the new growth Equalized Assessed Valuation (EAV) of \$38,000,000.

Therefore, the components of the proposed City of Elmhurst City tax levy increase are as follows:

	\$ Increase <u>(Decrease)</u>	% Increase <u>(Decrease)</u>
City:		
Fire Protection	\$ 390,661	9.1%
Ambulance	(92,260)	(41.9%)
Retirement Expense	(5,720)	(0.5%)
Firefighters Pension	(69,932)	(5.2%)
Police Pension	<u>(23,941)</u>	(1.3%)
Subtotal City	\$ 198,808	2.25%
EMHC Tax Status	\$ 202,182	
Total City	\$ 400,990	

The Elmhurst Public Library 2011 tax levy, approved by its Board, is also comprised of two parts. Part I Library is a levy in the amount of \$6,932,000 for general operations, and Part II Library is a levy of \$122,736 due to the new growth associated with the new Elmhurst Memorial Healthcare Center as explained above.

Therefore, the components of the proposed City of Elmhurst Library tax levy increase are as follows:

Library:		
General Operating	\$ 202,000	3.0%
EMHC Tax Status	\$ 122,736	
Total Library	\$ 324,736	

Therefore, the total of the proposed City of Elmhurst tax levy increase is as follows:

Total City and Library	\$ 725,726	4.66%
------------------------	------------	-------

The Finance Committee also reviewed the annual debt service obligation for the City's outstanding general obligation bonds, which totals \$5,227,269. Although the City Council had traditionally abated the debt service for general obligation bonds, the prior two fiscal years the Council did not abate the debt service of bonds allocated to the General Fund or the Capital Improvement Fund. In light of the recent revenue challenges and the need to rebuild fund balances, the Finance Committee believes that for 2011 it continues to be prudent to not abate the debt service allocated to the General Fund and the Capital Improvement Fund (\$2,384,288). The Finance Committee recommends the abatement of all other current debt service obligations (\$2,842,981) which are funded by the Redevelopment, Municipal Utility and Parking System funds, and the Elmhurst Public Library.

Based on discussions with the York Township Assessor and the Addison Township Assessor, city staff is estimating a decline of 7.5% for the City's 2011 EAV. The financial impact on the owner of a \$370,000 market value home (\$400,000 in 2010) of the proposed tax levy increase and the small decrease (\$5,449) in the debt service not abated is a \$22.33 (\$9.90 for the City and \$12.43 for the

Library) increase in the annual tax payment to the City, a 2.1 % increase compared to the prior year (please see Schedule B).

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the City of Elmhurst 2011 tax levy in the amount of \$9,236,942. Furthermore, it is the recommendation of the Finance Committee that the City Council approve the abatement of the current debt service obligation for the City's general obligation bonds that is not allocated to the General Fund or the Capital Improvement Fund, in the amount of \$2,842,981.

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

2. MINORITY REPORT

November 29, 2011

To: Mayor DiCianni and Members of the City Council
Re: 2011 Tax Levy

The Finance, Council Affairs and Administrative Services Committee met several times, most recently November 28, 2011, to review the 2011 tax levy. The proposed City of Elmhurst 2011 tax levy of \$9,034,614 is comprised of two parts this year. Please refer to Schedule A attached to this report for details.

The first part (Part I City section) of the City's proposed tax levy in the amount of \$8,835,952 reflects a 0% increase and includes the normal and customary components of police pension, firefighters' pension, other retirement expense (FICA and IMRF), ambulance and fire protection. The Finance Committee considered several factors in its deliberations regarding the 2011 City tax levy, including the following:

- Current economic conditions seem to be slowly beginning to positively impact the City's other major revenue sources such as sales tax, real estate transfer tax, and building permit fees.
- Current economic conditions continue to negatively impact Elmhurst residents.
- The General Fund balance is currently below the prescribed threshold and is projected to be at least \$1,500,000 below the City Council policy of 25% to 33% of General Fund expenditures at fiscal 2012 year end.
- The Working Cash Fund (WCF) was depleted by transfers in fiscal years 2009 and 2010 to the General Fund in the aggregate amount of \$950,000, and the General Fund is in the second year of a five year plan to restore the WCF balance with annual principal contributions of \$190,500.
- The 2010 Citizen Survey results clearly indicate that Elmhurst citizens want the current high level of service to remain intact and, in many cases increase.

The portion of the tax levy allocated to fire protection represents 72.4% of the City's overall fire protection budget. The ambulance component of the General Fund portion of the tax levy decreased due to amendments to the ambulance services contract that was effective September 2009. The portion of the tax levy allocated to FICA and IMRF represents 80.0% of the City's FICA and IMRF expense budget. The firefighters and police pension contributions are mandated by State statute, and are determined by an independent actuary. The required pension contributions declined this year due to better investment returns when compared to the prior year.

The second part (Part II City section) of the City's tax levy is a proposed amount of \$198,662 which is specifically attributable to the new growth associated with the opening of the new Elmhurst

Memorial Healthcare Center (EMHC). Currently, the new facility is taxable because the underlying property was taxable prior to being purchased by EMHC. However, EMHC is appealing its tax status to the Illinois Department of Revenue (IDOR). If IDOR rules that the property is tax exempt, the City (as well as all other taxing bodies) would be directed to pay back all property taxes paid by EMHC for the new facility. Since the City levies a tax dollar amount, not a tax rate, if the City does not levy specifically for the amount that may need to be refunded to EMHC, the refund would reduce fund balance. If the IDOR rules that the property is taxable, the funds reserved to provide the refund to EMHC could then be designated for future capital projects or for fund balance, either of which may reduce the need for additional levies in the future. Due to the likely possibility that EMHC will be declared tax exempt and 2011 property taxes paid by EMHC will need to be refunded, the Finance Committee recommends the tax levy in the amount of \$198,662 on the new growth Equalized Assessed Valuation (EAV) of \$38,000,000.

Therefore, the components of the proposed City of Elmhurst City tax levy increase are as follows:

	\$ Increase <u>(Decrease)</u>	% Increase <u>(Decrease)</u>
City:		
Fire Protection	\$ 191,853	4.5%
Ambulance	(92,260)	(41.9%)
Retirement Expense	(5,720)	(0.5%)
Firefighters Pension	(69,932)	(5.2%)
Police Pension	<u>(23,941)</u>	(1.3%)
Subtotal City	\$ 0	0%
 EMHC Tax Status	 \$ 198,662	
 Total City	 \$ 198,662	

The Elmhurst Public Library 2011 tax levy, approved by its Board, is also comprised of two parts. Part I Library is a levy in the amount of \$6,932,000 for general operations, and Part II Library is a levy of \$122,736 due to the new growth associated with the new Elmhurst Memorial Healthcare Center as explained above.

Therefore, the components of the proposed City of Elmhurst Library tax levy increase are as follows:

Library:		
General Operating	\$ 202,000	3.0%
EMHC Tax Status	\$ 122,736	
 Total Library	 \$ 324,736	

Therefore, the total of the proposed City of Elmhurst tax levy increase is as follows:

Total City and Library	\$ 523,398	3.36%
------------------------	------------	-------

The Finance Committee also reviewed the annual debt service obligation for the City's outstanding general obligation bonds, which totals \$5,227,269. Although the City Council had traditionally abated the debt service for general obligation bonds, the prior two fiscal years the Council did not abate the debt service of bonds allocated to the General Fund or the Capital Improvement Fund. In light of the recent revenue challenges and the need to rebuild fund balances, the Finance Committee believes that for 2011 it continues to be prudent to not abate the debt service allocated to the General Fund and the Capital Improvement Fund (\$2,384,288). The Finance Committee recommends the abatement of all other current debt service obligations (\$2,842,981) which are

funded by the Redevelopment, Municipal Utility and Parking System funds, and the Elmhurst Public Library.

Based on discussions with the York Township Assessor and the Addison Township Assessor, city staff is estimating a decline of 7.5% for the City's 2011 EAV. The financial impact on the owner of a \$370,000 market value home (\$400,000 in 2010) of the proposed tax levy increase and the small decrease (\$5,449) in the debt service not abated is a \$11.23 increase (a decrease of \$1.20 for the City and an increase of \$12.43 for the Library) in the annual tax payment to the City, a 1.1 % increase compared to the prior year (please see Schedule B).

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the City of Elmhurst 2011 tax levy in the amount of \$9,034,614. Furthermore, it is the recommendation of the Finance Committee that the City Council approve the abatement of the current debt service obligation for the City's general obligation bonds that is not allocated to the General Fund or the Capital Improvement Fund, in the amount of \$2,842,981.

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

Alderman Hipskind moved to open discussion on item. Alderman Mulliner seconded.

Alderman Hipskind reviewed the recommendation of the Majority Report.

Alderman York moved to substitute the Minority Report for the Majority Report. Alderman Levin seconded.

Alderman York stated he changed his position on supporting the Majority Report and created a Minority Report. Alderman York reviewed why he is supporting his recommendation in the Minority Report. He asked the Council to support substituting the Minority Report for the Majority Report.

Alderman Gutenkauf moved to amend the Minority Report to reflect a 0% increase of the City portion of 2011 tax levy in the amount of \$8,835,952.

Alderman Morley, point of order, stated the motion to substitute the Minority Report for the Majority Report should be voted on before a motion to amend the Minority Report can be done.

Roll call vote to approve the motion to substitute item **8b2. Minority Report – 2011 Tax Levy** for item **8b1. Majority Report - 2011 Tax Levy**:

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

Nays: Mulliner, Hipskind

Results: 12 ayes, 2 nays, 0 absent
Motion carried

Discussion continued regarding the motion to amend the Minority Report.

Alderman Morley moved to call the question.

Alderman Hipskind seconded.

Alderman Morley withdrew his motion to call the question.

Alderman Levin, point of order, asked for a clarification on what the Council is to vote on.

Mayor DiCianni called for a roll call vote on the motion to amend the Minority Report.

Roll call vote on to amend item **8b2. Minority Report – 2011 Tax Levy** to reflect a 0% increase of the City portion of 2011 tax levy in the amount of \$8,835,952.

Ayes: Gutenkauf, Healy, Morley, Wagner, Pezza, Leader, Bram

Nays: Levin, Kennedy, Mulliner, Dunn, Polomsky, York, Hipskind, Mayor DiCianni

Results: 7 ayes, 8 nays, 0 absent
Motion failed

Alderman Hipskind moved to call the question. Alderman Mulliner seconded. Roll call vote to approve item **8b2. Minority Report – 2011 Tax Levy**:

Ayes: York, Levin, Kennedy, Wagner, Gutenkauf, Leader, Dunn, Polomsky, Hipskind, Healy

Nays: Morley, Mulliner, Pezza, Bram

Results: 10 ayes, 4 nays, 0 absent
Motion carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

9. a. UPDATES (Mayor DiCianni)

Mayor DiCianni announced he will be attending the Storm Water meeting tomorrow, December 6, 2011 at the County building. He assured Council that he will be looking out for Elmhurst.

ORDINANCES

10. a. **O-52-2011 – AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, THE QUESTION WHETHER THE CITY SHOULD HAVE THE AUTHORITY PURSUANT TO THE ILLINOIS POWER AGENCY ACT TO ARRANGE FOR THE SUPPLY OF ELECTRICITY FOR ITS RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO HAVE NOT OPTED OUT OF SUCH PROGRAM**

Ordinance O-52-2011 was presented for passage.

Alderman Hipskind moved to approve item **10a. O-52-2011 – An Ordinance Providing for the Submission to the Electors of the City of Elmhurst, DuPage and Cook Counties, the Question Whether the City Should Have the Authority Pursuant to the Illinois Power Agency Act to Arrange for the Supply of Electricity for Its Residential and Small Commercial Retail Customers Who Have Not Opted Out of Such Program**. Alderman Wagner seconded. Roll Call Vote:

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

Nays: None

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

OTHER BUSINESS

11. None.

ADJOURNMENT

12. Alderman Morley moved to adjourn the meeting. Alderman York seconded. Voice vote. Motion carried. Meeting adjourned 12:30 a.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk