

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, DECEMBER 19, 2011
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 6:30 P.M. – PENDING LITIGATION AND 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 Pending Litigation and Appointment, Employment or Compensation of a City Officer or Employee.

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

Absent: Bob Dunn (arrived at 6:53 p.m.), Stephen Hipskind (arrived at 7:10 p.m.)

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

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

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

Nays: None

12 ayes, 0 nays, 2 absent

Motion duly carried

Alderman Morley moved to adjourn executive session. Alderman York seconded. Voice vote. Motion carried. Executive session adjourned at 7:25 p.m.

CALL TO ORDER / ROLL CALL

Attendance: 98

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:35 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, Director of Finance & Administration Gaston, Interim Police Chief Panico, Interim Deputy Police Chief Kveton

PLEDGE OF ALLEGIANCE

3. The City Council was led in the Pledge of Allegiance by scouts from Sandburg Middle School Boy Scout Troop #78.

SWEARING-IN OF POLICE PERSONNEL – COMMANDER MICHAEL BURROUGHS AND SERGEANT MICHAEL WIEHE

4. Mayor DiCianni asked Michael Burroughs and Michael Wiehe from the Police Department to join him at the podium. Michael Burroughs was sworn in to the position of Police Commander by Mayor DiCianni. Michael Wiehe was sworn in to the position of Police Sergeant by Mayor DiCianni. The Mayor congratulated both men and their families on their continued advancement through the Police Department and thanked them for their service to the Elmhurst Community.

PRESENTATION – METRA GRANT

5. Mayor DiCianni welcomed Lynne Corrao, Office of Community & Government Affairs for Metra, and asked her to join him at the podium. Mayor DiCianni stated thanks to the efforts of City staff, Council and former City Manager Thomas P. Borchert the City was able to secure a \$2.5 million grant from Metra to build a beautiful new parking deck at the corner of Larch and Addison. The Mayor stated the City received the check last week. He thanked Metra and presented Ms. Corrao with a large version on the check in thanks, stating that despite financial trouble at the State level, Metra honored their commitment to the City of Elmhurst.

RECOGNITIONS

6. a. DISTRICT 205 STAR AWARD TEACHERS: PATRICIA FOX (JEFFERSON), MICHELLE QUINN (EMERSON), & GRETCHEN BOERWINKLE (FIELD SCHOOL)

Mayor DiCianni invited Lance Walker and Mike LaSpisa from Kickoff for Kids, along with retiring Jefferson Elementary School Kindergarten teacher, Patricia Fox, and Field Elementary School 2nd Grade teacher Gretchen Boerwinkle to join him at the podium. Mr. Walker and Mr. LaSpisa reviewed the Kickoff for Kids Star Educator Award. The award is presented to teachers who go above and beyond their duties as a teacher. Recipients are awarded \$300 cash prize from Kickoff for Kids to use towards school supplies and classroom activities.

Mayor DiCianni congratulated Ms. Fox, Ms. Boerwinkle, and Ms. Michelle Quinn from Emerson Elementary School, who was unable to attend, for being the 2011 Fall Recipients of this monthly award. He thanked them for their dedication and hard work.

b. TURKEY TROT COMMITTEE

Mayor DiCianni welcomed Mr. Dan Gibbons, founder of the annual Turkey Trot, and Mr. Tony Cuzzone, to join him at the podium. He thanked Mr. Gibbons and Mr. Cuzzone for their tireless efforts on raising awareness of hunger and homelessness in DuPage County.

Mr. Gibbons, thanked the City Council and City staff for their vision in bringing forth needed changes to the Turkey Trot route this year. He stated they had over 7,600 participants in the race this year, and all proceeds stayed in DuPage County. He stated the event increased by 1,000 participants and the net proceeds were \$159,000. Those proceeds were divided between the following organizations: Elmhurst's United Community Concerns Organization, DuPage PADS Association, Catholic Charities Emergency Services DuPage, Loaves & Fishes in Naperville, People's Resource Center in Wheaton, and the West Suburban Community Pantry. Mr. Gibbons stated over 28 years of the race, over \$2.2million has been raised to help fight hunger. He thanked the City staff who both worked and volunteered their time at the event as well as the Mayor and City Clerk Spencer for helping to get the word out about the changes in the route this year.

c. ACHIEVEMENT OF EXCELLENCE AWARD – OPERATION LIFESAVER ENFORCEMENT COMMITTEE

Mayor DiCianni welcomed Interim Deputy Police Chief Kveton to the podium to review the Operation Lifesaver Program. The Mayor stated the City of Elmhurst's Operation Lifesaver Enforcement Committee was presented with an Achievement of Excellence Award at a reception on December 13, 2011.

Interim Deputy Chief Kveton gave an overview of the program which was developed in 1994 in response to three (3) fatal accidents happening within twelve (12) months at the railroad crossings in town. He stated the City's program is now being taught all over the country and in at least three (3) other countries. He stated this is the 18th year the City has gone without a fatal collision and 14th year without any collision. He thanked the Mayor, City Council, Police Chief, and City Manager for their support of the Operation Lifesaver Program.

d. PROCLAMATION – "BRIAN FEENEY DAY"

Mayor DiCianni welcomed Brian Feeney, and read a proclamation in his honor. Mr. Feeney is an Elmhurst resident and graduate of Visitation Grammar School & York High School, who achieved the level of Eagle Scout. The Mayor declared December 19, 2011 to be Brian Feeney Day in recognition of his accomplishments.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

7. None.

PUBLIC FORUM

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

Spoke regarding all that has happened for residents in the past year and the failures of the City and Council that were brought to light by the Burke/RJN presentation. He stated residents have paid for improvements and now Council is burdened with deciding what to do and how to pay for it. He asked where all the maintenance money paid by residents has gone.

ANNOUNCEMENTS

9. Alderman Pezza announced that over the next few days volunteers will be preparing yellow ribbons at the Library for residents interested in hanging ribbons around their trees to welcome home troops returning from Iraq. After Wednesday, ribbons will be available at no cost at the Library, That Coffee Shop (124 W. Park) and Elmhurst Camera Shop (535 S. Spring).

Alderman Pezza thanked residents for shopping local this holiday season stating business has been great in local stores. She credited awareness of how tax contributions help the City and encouraged people to keep up local shopping throughout the year.

Alderman Dunn recognized the work done by RW Dunteman Group in their completion of the West Avenue project before the winter. He thanked the company as well as City staff for their efforts completing the project in a timely and professional manner.

Alderman Leader also thanked all for the completion of the West Avenue project stating it is a vast improvement and he and Alderman Dunn have already received many calls of thanks. He also thanked State Representative Reboletti for his efforts on behalf of the project.

Mayor DiCianni thanked City Manager Grabowski, Public Works Director Hughes and Aldermen Dunn and Leader for their contributions in making sure this project was completed on time. He also thanked Representative Reboletti for helping secure State funds for the project.

CONSENT AGENDA

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

- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, DECEMBER 5, 2011 (City Clerk Spencer): Approve as published
- b. Minutes of the Executive Session Held on Monday, December 5, 2011 (City Clerk Spencer): Receive and place on file
- c. ACCOUNTS PAYABLE – DECEMBER 19, 2011, TOTAL \$ 1,355,355.06
- d. BID RESULTS, POLICE INTERCEPTOR VEHICLES (City Clerk Spencer): Refer to the Public Affairs & Safety Committee

December 6, 2011

To: Mayor DiCianni and Members of the City Council
RE: Bid Results, Police Interceptor Vehicles

In response to an invitation to bid for 2-13 Ford Utility Police Interceptor Vehicles the City of Elmhurst advertised in the Elmhurst Independent on Thursday, November 17, 2011 bids were received from one vendor. The bid package was complete.

Bids were opened at 10:00 a.m. on Tuesday, December 6, 2011 by the City Clerk. The following is a summary of the bids received:

<u>Dealer</u>	<u>Three (3) 2013 Ford Utility Police Interceptors to Replace PD3, PD5, PD8 (Total Price Quantity 3)</u>	<u>One (1) 2013 Ford Utility Police Interceptor to Replace F11 (Total Price w/ Trade-In)</u>
Roesch Ford Bensenville, IL	\$85,230.00	\$26,400.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. PRECIOUS METAL DEALERS (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

December 13, 2011

To: Mayor DiCianni and Members of the City Council
Re: Precious Metal Dealers

I am respectfully requesting the attached memorandum from Police Chief Neubauer regarding precious metal dealers be referred to the Public Affairs and Safety Committee for their review and recommendation back to the City Council.

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

- f. REPORT – 2011 ITEP STREETScape IMPROVEMENTS, CONSTRUCTION ENGINEERING PROPOSAL The following report of the Public Works and Buildings Committee was presented for passage:

December 12, 2011

To: Mayor DiCianni and Members of the City Council
RE: 2011 ITEP Streetscape Improvements, Construction Engineering Proposal

The Public Works and Buildings Committee met on Monday, December 12, 2011 to discuss a proposal received from TranSystems Corporation for construction engineering services for streetscape improvements at various locations in the downtown area.

The completion of streetscape improvements at these locations will nearly complete the Sasaki downtown streetscape plan which was implemented in the mid 1990's. The streetscape improvements include the construction of new curb and gutter and new brick paver sidewalk, construction of tree wells and installation of ornamental streetlights. Locations included in this project are listed below and shown on the attached map.

<u>LOCATION</u>	<u>LIMITS</u>
1 S. York Street (West side) 165 S. York Street (East Side)	South of Palmer Drive to Virginia Street York Street Side
2 103 W. Third Street Third Street (Both Sides)	Shell Gas Station (York & Third St. sides) York Street east to alley
3 277 & 281 N. York Street	York Street side
4 Addison Ave. Pedestrian Alley*	Addison Avenue east to north-south alley
5 Addison Avenue (East Side)	Second Street to Third Street

*Phase 1 and 2 design engineering of the Addison Ave. Pedestrian Alley improvements have been completed. This work can be removed from the project in the event the Addison Development Project receives approval. These plans can be provided to the Developer to incorporate into the Addison project construction.

TranSystems assisted the City in the preparation of an Illinois Transportation Enhancement Program (ITEP) funding application. This project received \$1,165,200 in ITEP funding through the Illinois Department of Transportation. TranSystems is currently under contract for the design of the improvements. Design engineering services are locally funded but construction and construction engineering services are included in the grant.

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 ITEP funding requirements. This project will be bid through the Illinois Department of Transportation on January 20, 2012. 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 not to exceed \$102,528.54 of which 80% or \$82,022.83 will be paid for with Federal funds. 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 work have been provided in the FY 2011/2012 Budget, Account Number 310-0089-461-80-24.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the Construction Engineering Proposal from TranSystems Corporation for the 2011 ITEP Streetscape Improvements in the amount not to exceed \$102,528.54, be accepted, and 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

- g. REPORT – BID, FORD EXPLORER SPECIAL SERVICE VEHICLES PURCHASE The following report of the Public Affairs and Safety Committee was presented for passage:

December 12, 2011

To: Mayor Peter P. DiCianni and the Members of City Council
RE: Bid, Ford Explorer Special Service Vehicles Purchase

The Public Affairs and Safety Committee met on Monday, December 12, 2011 to discuss bids received for four (4) Ford Explorer Special Service vehicles for the Police and Fire Departments. Invitations to Bid were sent out to eight (8) area dealers.

The results are listed below:

Total Price for F 11 Less Trade

<u>Dealer</u>	<u>Total</u>
Roesch Ford, Bensenville, IL	\$26,400.00
Freeway Ford, Lisle, IL	No Bid
Northwest Ford, Franklin Park, IL	No Bid
Haggerty Ford, West Chicago, IL	No Bid
Sutton Ford., Matteson, IL	No Bid
Packey Webb Ford, Downers Grove, IL	No Bid
Currie Motors, Frankfort, IL	No Bid
Joe Rizza Ford, North Riverside, IL	No Bid

Total Price for PD 3, PD 5, PD 8 (No Trade)

<u>Dealer</u>	<u>Total</u>
Roesch Ford, Bensenville, IL	\$85,230.00
Freeway Ford, Lisle, IL	No Bid
Northwest Ford, Franklin Park, IL	No Bid
Haggerty Ford, West Chicago, IL	No Bid
Sutton Ford, Matteson, IL	No Bid
Packey Webb Ford, Downers Grove, IL	No Bid
Currie Motors, Frankfort, IL	No Bid
Joe Rizza Ford, North Riverside, IL	No Bid

F 11

This vehicle is a scheduled replacement and the low bid from Roesch Ford, Bensenville, IL for F 11 meets all bids specifications. The price reflects a trade-in allowance of \$2,144.00 for old F 11, a 2000 Ford Crown Victoria with 88,957 miles. Funds have been provided in the FY 2011/2012 budget under the following account numbers: \$38,000 in 110-4020-422-80.06. Delivery is 90-120 days after receipt of order.

PD 3, PD 5, PD 8

PD 3, PD 5 and PD 8 will be used for the patrol division as two (2) marked and one (1) unmarked squad cars. The vehicles are scheduled for replacement under the current Police Department F/Y 2011-2012 budget.

The low bid from Roesch Ford, Bensenville, IL for all three (3) vehicles meets all bid specifications. Roesch Ford bid the Explorer Special Service Vehicle package for \$28,410.00 per vehicle for a total of \$85,230.00 for all three vehicles. Funds have been provided in the FY 2011/2012 budget under the following account numbers: \$29,000.00 per vehicle in 110-5030-421-80.06. Delivery is 90-120 days after receipt of order.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the purchase of one (1) 2013 Ford Explorer Special Service Vehicle from Roesch Ford, Bensenville, IL, to replace F 11 and three (3) 2013 Ford Explorer Special Service Vehicles from Roesch Ford, Bensenville, IL, to replace PD 3, PD 5 and PD 8. It is also the recommendation of the Public Affairs and Safety Committee that the City Council authorize the disposal of old F 11. The total cost for F 11 from Roesch Ford, Elmhurst, IL is \$26,400.00 with a trade in value of \$2,144.00. The total cost for PD 3, PD 5 and PD 8 from Roesch Ford, Bensenville, IL is \$85,230.00.

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

- h. REPORT – ST. PATRICK’S DAY PARADE The following report of the Public Affairs and Safety Committee was presented for passage:

December 12, 2011

To: Mayor DiCianni and Members of the City Council
Re: St. Patrick’s Day Parade – 2012

The Public Affairs and Safety Committee met on December 12, 2011 to discuss the request from the Elmhurst St. Patrick’s Day Parade Committee to hold the annual St. Patrick’s Day Parade on Saturday, March 10, 2012.

The parade will kick-off at noon. The parade route will be the same as previous years; starting at the intersection of Wilson and Spring, running northbound on Spring to Eggleston, concluding at the Canadian National railroad tracks in front of the Silverado Grill. Staging for the parade will run south from Wilson.

Police and Fire Departments have met to review last year’s parade and discuss any necessary changes to ensure that the 2012 parade is a successful, enjoyable and safe event. Last year’s parade attracted over 20,000 spectators and consisted of over 100 entries. All layout/staging plans and operational parameters will be finalized only after ongoing consultation and discussion with the approval of the Elmhurst Police, Fire and Public Works Departments.

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

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the Elmhurst St. Patrick’s Day Parade Committee request to hold the annual St. Patrick’s Day Parade on Saturday, March 10, 2012.

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

- i. REPORT – AUDITOR’S FISCAL 2011 MANAGEMENT LETTER The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

December 13, 2011

To: Mayor DiCianni and Members of the City Council
Re: Auditor’s Fiscal 2011 Management Letter

The Finance, Council Affairs and Administrative Services Committee met December 12, 2011, to review the 2010-2011 City of Elmhurst financial audit and to review the 2011 Auditor's Management Letter from Sikich LLP.

Mr. Daniel Berg, Partner with Sikich LLP, was present at the meeting and reviewed the audit, which received an unqualified "clean" opinion, with the Committee. The Management Letter (see attached) is intended to provide the Mayor, City Council and staff with information regarding any deficiencies in internal control that the auditors consider to be material weaknesses, and with opportunities for strengthening internal controls and operating efficiency. The Finance Committee is pleased to report that there were no Management Letter comments relating to the 2010-2011 financial audit. Mr. Berg reviewed future accounting pronouncements, specifically Government Accounting Standards Board (GASB) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. GASB 54 is intended to provide clearer fund balance classifications that can be more consistently applied, and clarifies the existing governmental fund type definitions. GASB 54 must be implemented for the April 30, 2012 audit. Staff will be providing the Finance Committee with implementation recommendations in February 2012. Mr. Berg also reminded the Committee that there is a wealth of information contained in the 2011 Comprehensive Annual Financial Report and that it is a great resource in understanding the financial "health" of the City. He recommended that all elected officials take the time to read the report paying particular attention to the Statistical Section of the report.

After discussion, it was the consensus of the Finance Committee to recommend acceptance of the 2011 Management Letter.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council accept the 2011 Management Letter.

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

- j. REPORT – COMMISSION ON YOUTH STAGGERED TERMS The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

December 13, 2011

To: Mayor DiCianni and Members of the City Council
Re: Commission on Youth Staggered Terms

The Finance, Council Affairs and Administrative Services Committee met December 12, 2011, to consider a request from the Commission on Youth that terms of the commissioners be staggered.

The Commission on Youth consists of nine members appointed by the Mayor with the advice and consent of the City Council for terms of three years (MCO 4.16). Currently, there is no provision for staggered terms, and the term expiration dates are as follows:

<u># of Commissioners</u>	<u>Term Expiration Date</u>
One	April 30, 2012
Three	April 30, 2013
Five	April 30, 2014

The Commission on Youth requests that term expirations be staggered so that three commissioners are appointed each year. This action will allow for more stability and less disruption to the work of the Commission. Also, all other City commissions provide for staggered terms.

The Finance Committee supports staggered terms for the Commission on Youth, and recommends an amendment to the current MCO to establish same.

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 MCO 4.16 to provide for staggered terms for the Commission on Youth.

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

- k. REPORT – PROPOSED ZONING ORDINANCE TEXT AMENDMENT – BICYCLE PARKING IN THE C2 AND C3 ZONING DISTRICTS The following report of the Development, Planning and Zoning Committee was presented for passage:

December 13, 2011

TO: Mayor DiCianni and Members of the City Council
RE: Proposed Zoning Ordinance Text Amendment – Bicycle Parking in the C2 and C3 Zoning Districts

The Development, Planning and Zoning Committee met on numerous occasions, most recently December 12, 2011 to discuss a request from the Bicycle Task Force to adopt a Bicycle Parking Ordinance for the City of Elmhurst.

The Bicycle Task Force is requesting the City of Elmhurst to adopt a bicycle parking ordinance for any new commercial construction or re-construction. The adoption of a bicycle parking ordinance will contribute to the mission of Elmhurst becoming a Certified Bike Friendly Community.

The Committee notes that the Bicycle Task Force, working together with the City Centre and the City of Elmhurst Public Works Department, has installed over 40 bicycle parking spaces within the C4 Central Business District, and an additional 60 bicycle parking spaces at the Metra Station, including 10 covered bicycle storage spaces. The bicycle racks were paid for by City Centre and installed by Public Works Department personnel.

The Development, Planning and Zoning Committee agrees that the concept of an ordinance requiring bicycle parking is a good one, provided that the ordinance is not punitive or monetarily excessive.

After much discussion, it was the consensus of the Development, Planning and Zoning Committee that the proposed Bicycle Parking Ordinance should be limited to the C2 and C3 commercial districts. The C1 District (Spring Road) and the C4 District (Central Business – Downtown) do not require off-street automobile parking; the City of Elmhurst provides automobile parking in these two districts for the “purpose of minimizing disruptive curb-cuts and driveways and to encourage the consolidation of parking spaces in the appropriate locations”. The installation of bike racks in the C1 and C4 districts should be accomplished by the continued collaborative efforts of the Bicycle Task Force, the Spring Road Business Association, City Centre, and City of Elmhurst Public Works Department.

Therefore, it is the recommendation of the Development, Planning and Zoning Committee that the City Council authorize City Staff to apply for, and the Zoning & Planning Commission to hold a public hearing on text amendments to the Zoning Ordinance regarding Bicycle Parking in the C2 and C3 Zoning Districts.

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Steven Morley

Chairman

/s/ Dannee Polomsky

Vice-Chairman

/s/ Norman Leader

- l. O-57-2011 – AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER FIVE OF THE CITY OF ELMHURST

Ordinance O-57-2011 was presented for passage.

- m. O-58-2011 - AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER SIX OF THE CITY OF ELMHURST

Ordinance O-58-2011 was presented for passage.

- n. O-59-2011 - AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER SEVEN OF THE CITY OF ELMHURST

Ordinance O-59-2011 was presented for passage.

- o. O-60-2011 - AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER NINE OF THE CITY OF ELMHURST

Ordinance O-60-2011 was presented for passage.

- p. O-61-2011 - AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER TEN OF THE CITY OF ELMHURST

Ordinance O-61-2011 was presented for passage.

- q. O-62-2011 – AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER ELEVEN OF THE CITY OF ELMHURST

Ordinance O-62-2011 was presented for passage.

- r. O-63-2011 - AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER THIRTEEN OF THE CITY OF ELMHURST

Ordinance O-63-2011 was presented for passage.

- s. O-64-2011 - AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER FOURTEEN OF THE CITY OF ELMHURST

Ordinance O-64-2011 was presented for passage.

- t. O-65-2011 - AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2011, AND ENDING APRIL 30, 2012, IN AND FOR SPECIAL SERVICE AREA NUMBER FIFTEEN OF THE CITY OF ELMHURST

Ordinance O-65-2011 was presented for passage.

- u. O-66-2011 - An Ordinance Abating the Tax Levy for the Year 2011 for the Payment of Principal and Interest Accruing Upon an Issue of \$10,000,000 General Obligation Refunding Bonds of the City of Elmhurst Dated October 15, 2003

Ordinance O-66-2011 was presented for passage.

- v. O-67-2011 - AN ORDINANCE ABATING THE TAX LEVY FOR THE YEAR 2011 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ACCRUING UPON AN ISSUE OF \$9,990,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF ELMHURST DATED DECEMBER 1, 2004

Ordinance O-67-2011 was presented for passage.

- w. O-68-2011 - AN ORDINANCE ABATING THE TAX LEVY FOR THE YEAR 2011 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ACCRUING UPON AN ISSUE OF \$9,065,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF ELMHURST DATED DECEMBER 1, 2005

Ordinance O-68-2011 was presented for passage.

- x. O-69-2011 - AN ORDINANCE ABATING THE TAX LEVY FOR THE YEAR 2011 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ACCRUING UPON AN ISSUE OF \$9,500,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS OF THE CITY OF ELMHURST DATED MARCH 1, 2006

Ordinance O-69-2011 was presented for passage.

- y. O-70-2011 - AN ORDINANCE ABATING THE TAX LEVY FOR THE YEAR 2011 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ACCRUING UPON AN ISSUE OF \$8,170,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS OF THE CITY OF ELMHURST DATED OCTOBER 1, 2008

Ordinance O-70-2011 was presented for passage.

- z. O-71-2011 - AN ORDINANCE ABATING THE TAX LEVY FOR THE YEAR 2011 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ACCRUING UPON AN ISSUE OF \$10,000,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS OF THE CITY OF ELMHURST DATED MARCH 15, 2009

Ordinance O-71-2011 was presented for passage.

- aa. O-72-2011 - AN ORDINANCE ABATING THE TAX LEVY FOR THE YEAR 2011 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ACCRUING UPON AN ISSUE OF \$3,700,000 GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF ELMHURST DATED SEPTEMBER 2, 2009

Ordinance O-72-2011 was presented for passage.

- bb. O-73-2011 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-73-2011 was presented for passage.

- cc. MCO-20-2011 – AN ORDINANCE TO AMEND ARTICLE IV ENTITLED, “RATES AND CHARGES,” OF CHAPTER 7 ENTITLED, “WATER AND SEWERS,” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

Ordinance MCO-20-2011 was presented for passage.

- dd. ZO-10-2011 – AN ORDINANCE GRANTING AN AMENDED CONDITIONAL USE PERMIT FOR THE PURPOSE OF ERECTING A WALL SIGN ON PROPERTY COMMONLY KNOWN AS 149 W. BRUSH HILL ROAD (ELMHURST CHRISTIAN REFORMED CHURCH)

Ordinance ZO-10-2011 was presented for passage.

- ee. ZO-11-2011 – AN ORDINANCE GRANTING AN AMENDMENT TO A 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 (LEXINGTON SQUARE LIFECARE)

Ordinance ZO-11-2011 was presented for passage.

- ff. R-59-2011 – A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ELMHURST AND THE FLAGG CREEK WATER RECLAMATION DISTRICT FOR THE DISCONTINUANCE OF WATER SERVICE

Resolution R-59-2011 was presented for passage.

- gg. R-60-2011 – A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF ELMHURST AND TRANSYSTEMS CORPORATION FOR PROFESSIONAL CONSULTING SERVICES FOR THE YORK STREET LAPP IMPROVEMENTS

Resolution R-60-2011 was presented for passage.

- hh. R-61-2011 – A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE AGREEMENT FOR BROKER SERVICES FOR HEALTH AND WELFARE BENEFITS BY AND BETWEEN ASSURANCE AGENCY, LTD. AND THE CITY OF ELMHURST

Resolution R-61-2011 was presented for passage.

Alderman Morley moved to approve the contents of the Consent Agenda. Alderman Hipkind seconded. Roll call vote:

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

Nays: None

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

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

11. a. UPDATES (Mayor DiCianni)

Mayor DiCianni stated he was delighted the City received the \$2.5million grant check from Metra this week. He thanked former City Manager Thomas P. Borchert, City Manager Grabowski and City Attorney Storino for their efforts in securing those grant dollars for Elmhurst.

ORDINANCES

12. a. O-56-2011 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2011 and Ending April 30, 2012 of the City of Elmhurst, DuPage and Cook Counties, Illinois

Ordinance O-56-2011 was presented for passage.

Alderman Hipskind moved to approve item **12a. O-56-2011 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2011 and Ending April 30, 2012 of the City of Elmhurst, DuPage and Cook Counties, Illinois.** Alderman York seconded.

Alderman Gutenkauf discussed the impact of Elmhurst Hospital's pending tax exempt status on the tax levy. Alderman Gutenkauf moved to amend ordinance O-56-2011 to reflect a total levy amount of \$8,835,952.00. Alderman Pezza seconded.

Alderman Morley, point of clarification, stated the total tax levy amount also includes the Library, he asked Alderman Gutenkauf to clarify her motion.

Alderman Gutenkauf clarified her motion as follows: to amend ordinance O-56-2011 to reflect the removal of \$198,622 from the tax levy for a total City portion in the amount of \$8,835,952.

Discussion ensued.

Alderman Leader asked for staff to quantify this amount.

Director of Finance & Administration Gaston stated a handout was distributed to Council reviewing the information, for the average homeowner it is a flat tax levy due to the current EAV. She stated all things being equal residents would see no change or approximately \$1.00 less on the City portion of their tax bill.

Alderman Bram, stated to clarify, the EAV must drop for this to be accurate.

Discussion ensued regarding the possibility of rebates, adjustments, and residential funds.

Alderman Healy stated he would like to re-emphasize the point that taxing the hospital does not increase the share by homeowners. He stated the City could potentially lose the opportunity to tax the hospital if they lose their exempt status by not including them in the tax levy now. He stated this issue was debated at length at the last Council meeting and he does not support Alderman Gutenkauf's motion as it was debated and decided last meeting.

Alderman Gutenkauf stated this is a discussion with a lot of "ifs." She stated Council is not listening to the people who vote for them and is missing a huge opportunity.

Discussion continued.

Alderman Mulliner stated he understands the concept however his concern is that if Council does not levy and get money from the hospital, if the City has to pay the hospital back then that money will likely come from the General Fund and then it will be paid from taxpayer dollars.

Alderman Levin stated levying on assumptions is budgeting. He said it is easier to say "I cut taxes" than it is to budget properly.

Discussion ensued regarding Alderman Mulliner's view of the situation, Alderman York's minority report, the handout Council received this evening, and changes in the EAV and their effect on the tax levy rate for the average home.

Discussion continued on the hospital's pending tax exempt status as it relates to the tax levy amount as well as the concept of new growth and estimates of revenues and expenditures being fair and balanced.

Alderman Healy moved to call the question. Alderman York seconded. Voice vote, not unanimous, motion carried.

Roll call vote to amend ordinance O-56-2011 to reflect the removal of \$198,622 from the tax levy for a total City portion in the amount of \$8,835,952:

Ayes: Gutenkauf, Pezza, Bram, Morley

Nays: Leader, Dunn, Polomsky, York, Hipkind, Healy, Levin, Kennedy, Wagner, Mulliner

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

Roll call vote on item **12a. O-56-2011 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2011 and Ending April 30, 2012 of the City of Elmhurst, DuPage and Cook Counties, Illinois:**

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

Nays: Pezza, Gutenkauf

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

OTHER BUSINESS

11. Alderman Healy asked for an update from staff regarding questions submitted to ComEd by the Council recently.

City Manager Grabowski stated ComEd was sent the questions from the meeting and he expects answers from ComEd in the next few days. He stated he will be meeting with ComEd this week to discuss the additional tree-trimming in Elmhurst.

ADJOURNMENT

12. Alderman Dunn moved to adjourn the meeting. Alderman Wagner seconded. Voice vote. Motion carried. Meeting adjourned 9:00 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk