

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS  
HELD ON MONDAY, MAY 7, 2012  
209 NORTH YORK STREET  
ELMHURST, ILLINOIS**

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

1. Executive session was called to order at 6:32 p.m. by Mayor DiCianni for the purpose of Acquisition of Real Property, Pending Litigation and Appointment, Employment or Compensation of a City Officer or Employee.

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

Absent: Bob Dunn

Also in attendance: City Attorney Baugh, City Attorney Peppers, City Manager Grabowski, Assistant City Manager/Fire Chief Kopp

Alderman Gutenkauf moved to convene into executive session for the purpose of Discussion of Acquisition of Real Property, Pending Litigation and Appointment, Employment or Compensation of a City Officer or Employee. Alderman Morley seconded.

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

Nays: None

13 ayes, 0 nays, 1 absent  
Motion duly carried

Alderman Morley moved to adjourn executive session. Alderman Kennedy seconded. Voice vote. Motion carried. Executive session adjourned at 7:14 p.m.

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

Attendance: 75

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:34 p.m.

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

Absent: Bob Dunn

Also in Attendance: City Treasurer Dyer, City Attorney Baugh, City Manager Grabowski, Assistant City Manager/Fire Chief Kopp, Director of Finance & Administration Gaston, Assistant Director of Finance & Administration Trosien, Interim Police Chief Panico, Interim Deputy Police Chief Kveton, Public Works Director Hughes, Deputy Fire Chief Bacidore

**PUBLIC HEARING – RESIDENTIAL AGGREGATION FOR ELECTRIC RATES**

3. Mayor DiCianni opened the public hearing at 7:37 p.m.

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

Absent: Bob Dunn

Mayor DiCianni stated the purpose of this Public Hearing is to hear and receive public comments on

the City of Elmhurst's draft Plan of Operation and Governance for its municipal electric aggregation program. He asked the City Clerk to declare any written comments.

Clerk Spencer stated written comments were received from the following persons:

Jim Belden  
719 Berkley Ave.  
Elmhurst, IL 60126

John Kelly  
157 Highland Ave.  
Elmhurst, IL 60126

Bill Everson  
350 Cottage Hill Ave.  
Elmhurst, IL 60126

Clerk Spencer stated the written comments are part of the record of the public hearing and will be distributed to Council.

Mayor DiCianni asked for anyone interested in speaking regarding Residential Aggregation for Electric Rates to please address the Council. The following persons spoke:

Mike Killian  
481 N. Howard Ave.  
Elmhurst, IL 60126

Spoke in support of lower electricity rates but questioned the City's liability. He asked if the City is jumping into this arrangement.

Kelly Synowic-Moroney  
280 E. St. Charles Rd.  
Elmhurst, IL 60126

Spoke in support of electric aggregation. She commended the City for "looking forward" to make changes that will benefit the next generation.

John Kelly  
157 Highland Ave.  
Elmhurst, IL 60126

Commended the City for putting electric aggregation into place. He stated savings to the residents could be approximately \$250. He stated he had a few questions for Council to ask the suppliers 1) Ask questions that will get the cleanest energy 2) ask for minimal or no exit fees and agree to terms before price 3) create a zero or pay clause in the contract.

Sue Williams  
733 Benton Ct.  
Elmhurst, IL 60126

Spoke in support of renewable energy. She stated continuing to work on a retro-fitting program will be good for the City of Elmhurst.

Barbara Lonergan  
261 W. Fremont Ave.  
Elmhurst, IL 60126

Spoke in support of 100% renewable energy. She urged the Council to choose 100% renewable energy credits.

Mark Stenftenagel  
182 Olive St.  
Elmhurst, IL 60126

Spoke in favor of 100% renewable energy.

Thomas Brackett  
333 E. Webster Ave.  
Elmhurst, IL 60126

Spoke in favor of electric aggregation and voiced his support of the Council for bringing forward the opportunity.

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

Spoke regarding electric aggregation by reminding everyone on how energy dependent we are. He stated the City has forced us to use their consultants and use who they say will save money. He stated the City is selling a bad idea.

Bob Hoel  
401 E. Niagara Ave.  
Elmhurst, IL 60126

Spoke regarding electric aggregation stating it will provide an opportunity for Elmhurst to be even more sustainable and better to live in. He asked Council to go beyond the minimum for renewable energy and move swiftly while the price is still low.

Alderman York moved to adjourn the public hearing. Alderman Morley seconded. Voice vote. Motion carried. The public hearing adjourned at 8:02 p.m.

#### **PROCLAMATIONS**

4. a. **BIKE TO WORK WEEK**

Mayor DiCianni asked Bike Task Force Chairman, Bob Hoel to join him at the podium while he read a proclamation declaring June 11-17, 2012 "Bike to Work Week" in Elmhurst.

Chairman Hoel accepted the proclamation stating biking is another transportation option. He stated on behalf of the Bicycle Task Force and the Elmhurst Bicycle Club he encourages all residents to walk or bike to the Metra Station that week.

b. **NATIONAL POLICE WEEK**

Mayor DiCianni asked Interim Police Chief Panico and Interim Deputy Police Chief Kveton to join him at the podium while he read a proclamation declaring May 13-19, 2012 as "National Police Week" in the City of Elmhurst. Mayor DiCianni thanked the Elmhurst Police for their dedication, hard work and outstanding service to the City of Elmhurst.

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

5. Gilbert Fischer  
586 N. Van Auken St.  
Elmhurst, IL 60126

Submitted a letter regarding taxes and a copy of his tax bill.

Robert Tracy  
166 E. Lake St., Unit F  
Elmhurst, IL 60126

Submitted a letter regarding the US Supreme Court ruling, Citizens United v the Federal Election Commission and a pamphlet titled: *A Call to Action Organizing Our Communities to Overrule the Court*.

**PUBLIC FORUM**

6. Thomas Cruse  
868 Saylor Ave.  
Elmhurst, IL 60126

Spoke regarding the property tax increase on his tax bill. He asked the Council to take the lead on cutting property taxes.

Gilbert Fischer  
586 N. Van Auken St.  
Elmhurst, IL 60126

Spoke regarding property tax increases.

Tony Meneses  
707 S. Parkside  
Elmhurst, IL 60126

Spoke regarding the referral from Alderman Mulliner to the Finance, Council Affairs & Administrative Services Committee on holding more than one elected office. He questioned dual elected duty being lawful.

Elaine Zannis  
147 Briarwood Ave.  
Oak Brook, IL 60523-8718

Introduced herself stating she will be a frequent observer because she is a candidate for County Board District 2 and wants to visit municipalities in District 2. She also stated that Oak Brook just finished the electric aggregation process and referred those with questions to Oak Brook Village Manager Dave Niemeyer.

Darlene Heslop  
200 N. Michigan #227  
Elmhurst, IL 60126

Spoke regarding the referral item 8g. and asked Chairman Hipskind to put it on his Committee agenda.

Robert Tracy  
166 E. Lake St., Unit F  
Elmhurst, IL 60126

Spoke on the passage of the Supreme Court's decision Citizens United v the Federal Election Commission and how it could influence local municipal government. He asked the Council to pass a resolution to amend the ruling and put it on the November ballot.

**ANNOUNCEMENTS**

7. Alderman Polomsky announced all residents should report all power outages to ComEd 1-800-Edison-1. She stated call as soon as an outage occurs and call often to ensure ComEd has recorded your call.

Alderman Pezza announced that YELP will feature Elmhurst as a “Destination Location” from May 16-25, 2012. For more information visit [www.yelp.com](http://www.yelp.com) and search passport to Elmhurst.

Alderman Levin announced he and Ken Bartels will roast the Elmhurst Jaycees Distinguished Service Award recipient, John R. Quigley, at 6:00 p.m. on May 23, 2012 at the Diplomat West. For more information visit [www.elmhurstchamber.org](http://www.elmhurstchamber.org).

Mayor DiCianni announced on May 12, 2012 from 10:00 a.m.-4:00 p.m. at Timothy Christian School a worldwide relay race will be held for *Young for Unity* of the Focolare Movement. For more information visit [www.facebook.com/run4unitychicago](http://www.facebook.com/run4unitychicago).

**CONSENT AGENDA**

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

- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, APRIL 16, 2012 (City Clerk Spencer): Approve as published
- b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, APRIL 16, 2012 (City Clerk Spencer): Receive and place on file
- c. MINUTES OF THE SPECIAL MEETING HELD ON MONDAY, APRIL 23, 2012 (Deputy City Clerk Van De Walle): Approve as published
- d. ACCOUNTS PAYABLE – APRIL 30, 2012, TOTAL \$ 1,134,268.05
- e. BID RESULTS, 2012 FIRE HYDRANT MATERIALS (City Clerk Spencer): Refer to the Public Works & Buildings Committee

May 2, 2012

TO: Mayor DiCianni and Members of the City Council

RE: Bid Results, 2012 Fire Hydrant Materials

In response to an invitation to bid for 2012 Fire Hydrant Materials Project No. 12-22, the City of Elmhurst advertised in the Elmhurst Independent on Thursday, March 29, 2012. Bids were received from four contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 17, 2012 by the City Clerk. The following is a summary of the bids received:

	<b>ITEM</b>	<b>FIRE HYDRANT W/VALVE</b>	
<b>VENDOR</b>		<b>SIZE</b>	<b>UNIT PRICE</b>
Mid American Water	1	4.5	\$2,386.00
Aurora, IL	2	5	\$2,436.00
	3	5.5	\$2,466.00
	4	6	\$2,534.00
	5	6.5	\$2,540.00
	6	7	\$2,582.00
		<b>TOTAL</b>	<b>\$14,944.00</b>
H D Waterworks	1	4.5	\$2,405.00
Carol Stream, IL	2	5	\$2,441.00
	3	5.5	\$2,483.00

4	6	\$2,524.00
5	6.5	\$2,565.00
6	7	\$2,609.00
	<b>TOTAL</b>	<b>\$15,027.00</b>

Water Products Co.	1	4.5	\$2,420.00
Aurora, IL	2	5	\$2,464.00
	3	5.5	\$2,505.00
	4	6	\$2,549.00
	5	6.5	\$2,592.00
	6	7	\$2,635.00
	<b>TOTAL</b>		<b>\$15,165.00</b>

Ziebell	1	4.5	\$2,438.00
Elk Grove, IL	2	5	\$2,480.00
	3	5.5	\$2,522.90
	4	6	\$2,565.20
	5	6.5	\$2,580.00
	6	7	\$2,649.80
	<b>TOTAL</b>		<b>\$15,235.90</b>

Respectfully submitted,  
/s/ Patty Spencer  
City Clerk

- f. BID RESULTS, 135 N. ADDISON DEMO/DECONSTRUCTION/ABATEMENT (City Clerk Spencer): Refer to the Public Works & Buildings Committee

May 3, 2012

TO: Mayor DiCianni and Members of the City Council  
RE: Bid Results, 135 N. Addison Demo/Deconstruction/Abatement

In response to an invitation to bid for Demolition with Asbestos Abatement/Demolition with Selective Deconstruction and with Asbestos Abatement of 135 North Addison Avenue, Project 12-17, the City of Elmhurst advertised in the Elmhurst Press, on Friday, April 13, 2012. Bids were received from nine contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, May 1, 2012 by the City Clerk. Attached is a summary of the bids received.

Respectfully submitted,  
/s/ Patty Spencer  
City Clerk

- g. RESTRICTION ON NUMBER OF ELECTED POSITIONS HELD BY A MEMBER OF THE CITY COUNCIL – ALDERMAN MULLINER (City Manager Grabowski): Refer to the Finance, Council Affairs & Administrative Services Committee

May 1, 2012

To: Mayor DiCianni and Members of the City Council  
Re: Restriction on Number of Elected Positions Held by a Member of the City Council – Alderman Mulliner

It is respectfully requested that the attached request from Alderman Mulliner regarding the development of an ordinance restricting all elected officials serving the City of Elmhurst from holding more than one (1) elected office at a time, be referred to the Finance, Council Affairs & Administrative Services Committee for review and recommendation back to the City Council.

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

- h. TRAFFIC CONTROL REQUEST PROCEDURE – ALDERMAN PEZZA (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

May 3, 2012

To: Mayor DiCianni and Members of the City Council  
Re: Traffic Control Request Procedure – Ald. Paula Pezza

It is respectfully requested that the attached request from Alderman Paula Pezza regarding evaluating traffic control requests be referred to the Public Affairs and Safety Committee for review and recommendation back to the City Council.

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

- i. REPORT – 2012-2014 STREET SWEEPING CONTRACT BIDS The following report of the Public Works & Building Committee was presented for passage:

January 23, 2012

To: Mayor DiCianni and Members of the City Council  
Re: 2012 - 2014 Street Sweeping Contract Program

The Public Works and Buildings Committee met on Monday, January 23, 2012 to review bids received for the 2012 – 2014 Street Sweeping Contract. The bids received are summarized on Attachment “A”.

The contract is for three-years from 2012 through 2014. Bids were solicited to sweep streets throughout the City five (5) times from March through Mid-October, to sweep business districts streets weekly, to sweep City parking lots monthly, and to perform two leaf sweeping cycles from mid-October through November. Unit prices were also solicited to perform additional general sweeping cycles above the five cycles that were required in the base bid.

Four firms submitted bids. Diamond Sweeping Company, Incorporated of Chicago, Illinois, submitted the lowest responsible, responsive bid, with a three-year total price for the base bid requirements of \$470,477.00. Diamond Sweeping Company has performed similar work in an acceptable manner for the Villages of Gurnee and Park Forest, and the City of Highland Park.

The Staff recommends performing seven (7) general sweeping cycles per year; the five cycles included in the base bid plus two additional cycles. This would allow the City’s streets to be swept once per month throughout the summer. Including the two additional sweeps per year makes the total three-year contract cost \$550,977.00.

Funds for the Street Sweeping Contract in the amount of \$170,000.00 are proposed for the 2012/13 budget General Fund Account 110-6041-432-30-98. The funds are sufficient to award the contract with two additional general sweeping cycles.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid from Diamond Sweeping Company, Inc., of Chicago, Illinois, for the 2012 - 2014 Street Sweeping Contract be accepted with two (2) additional general sweeping cycles per year for a total three-year contract price of \$550,977.00, and the City attorney be authorized to draft a resolution approving the contract.

Respectfully submitted,  
Public Works and Building Committee  
/s/ Jim Kennedy  
Chairman

/s/ Bob Dunn  
Vice-Chairman  
/s/ Chris Healy  
/s/ Diane Gutenkauf

- j. REPORT – SCHILLER/PALMER PARKING STRUCTURE MAINTENANCE REPAIRS DESIGN AND CONSTRUCTION ENGINEERING SERVICES PROPOSAL The following report of the Public Works & Building Committee was presented for passage:

April 23, 2012

TO: Mayor DiCianni and Members of the City Council  
RE: Schiller/Palmer Parking Structure Maintenance Repairs Design and Construction Engineering Services Proposal

The Public Works and Building Committee met on Monday, April 23, 2012 to discuss proposals received for professional engineering services for design engineering and construction administration of the Schiller/Palmer Parking Structure Maintenance Repairs Project. Proposals were requested from five area consultants. Proposals were received from three consultants and are summarized below.

<u>Consultant</u>	<u>Design</u>	<u>Construction Engineering</u>	<u>Total</u>
Walker Restoration Consultants	\$13,320	\$6,112*	\$19,432
Kellermeyer, Godfryt, and Hart PC	\$17,900	\$10,200**	\$28,100
Wiss, Janney, Elstner Assoc.	\$26,000	\$13,875***	\$39,875
CTL Group		Did not submit due to workload	
Building Consultants		Did not submit due to workload	

\* Six week construction schedule

\*\*Quote was for \$1700 per week with no terminus; adjusted to a six week construction schedule

\*\*\*Quote was \$18,000 based on an estimated eight week schedule; adjusted to six week schedule for comparison purposes.

The low proposal was Walker Restoration Consultants of Elgin. Walker Restoration Consultants is a subsidiary of Walker Parking Consultants; the engineering firm that designed the original Schiller/Palmer Parking Structure. Walker Restoration Consultants has provided similar professional services for the City in the past in a satisfactory and professional manner on both the Schiller and Adelaide Parking Structures.

Maintenance repair work for the Schiller Palmer Parking Structure is estimated at \$165,000 in FY 12/13.

Professional engineering services include the preparation of contract plans, specifications and cost estimate along with bidding assistance. The plans and specifications will provide sufficient guidance to the contractor necessary to bid the project. Construction administration and observations will include review of shop drawings, material testing reports, periodic and final inspection and pay requests.

Parking structures are exposed to the elements, with the internal structural steel susceptible to corrosion from road salts. Regular routine maintenance of these facilities helps protect the steel, thereby extending the life of the structure and reducing the likelihood of major structural repairs in the future. The Schiller/Palmer Parking Deck was constructed in 1991 and expanded in 2003.

Monies for this project have been carried over from the FY 2011/12 Budget, Account Number 530-0088-503-30-26, in the amount of \$15,600 and are provided in the FY 2012/13 Budget, Account Number 530-0088-503-50-14, in the amount of \$165,000 for the construction including construction engineering.

	FUNDING YEAR	ACCOUNT	BUDGET AMOUNT	ENGINEERING COST
Design	2011/2012 carry over	530-0088-503-30-	\$15,600	\$13,320

		26		
Construction	2012/2013	530-0088-503-50-14	\$165,000	\$6,112

It is, therefore, the recommendation of the Public Works and Building Committee that the Engineering Services Proposal from Walker Restoration Consultants for the Schiller/Palmer Parking Structure Maintenance Repairs in the amount of \$19,432, be accepted, and that the City attorney be authorized to prepare a resolution approving a contract with Walker Restoration Consultants.

Respectfully submitted,  
Public Works and Building Committee  
/s/ Jim Kennedy  
Chairman  
/s/ Bob Dunn  
Vice-Chairman  
/s/ Chris Healy  
/s/ Diane Gutenkauf

- k. REPORT – 2012 CONTRACT PAVING PROGRAM The following report of the Public Works & Building Committee was presented for passage:

April 23, 2012

TO: Mayor DiCianni and Members of the City Council  
RE: 2012 Contract Paving Program

The Public Works and Buildings Committee met on Monday, April 23, 2012 to review bids for the 2012 Contract Paving Program. The eleven (11) bids received from area contractors are summarized on Attachment “A”.

The bids received will provide for the grinding and bituminous overlay of approximately 4.4 miles of asphalt streets and removal and replacement of approximately 15,000 lineal feet of curb and gutter. Other work will include utility structure adjustments, related storm sewer work, paving of driveway approaches, restoration of parkways, and traffic control.

The contract requires that the above work at each construction location shall be completed within 45 days from the date construction commenced at that location. The contractor is also required to maintain access to residential driveways at all times, with the exception of when the curb or a concrete driveway is actually poured or curing.

The low bidder for this project was Orange Crush, LLC of Hillside, IL. Orange Crush has requested by letter (Attachment “B”) to withdraw their bid for the project. The City Attorneys have reviewed the request and found it to be in accordance with Item 10 of the Instructions to Bidders, which allows the contractor to request withdrawal of their bid.

The lowest responsible bidder, meeting all of the bidding requirements, was CA Cement Construction of Bloomingdale, IL. CA’s bid is \$1,831,406.29. CA Cement has worked for the City in the past, most recently during the 2009 Contract Paving project. All work was done in a satisfactory manner.

The bid includes \$1,279,760.47 to resurface 4.4 miles of asphalt streets. Monies for this work have been provided in the FY12/13 Budget in the following accounts as described below:

<u>ACCOUNT DESCRIPTION</u>	<u>ACCOUNT CODE</u>	<u>BUDGET AMOUNT</u>
2012 Street Resurfacing	110-6041-432-80-15	\$ 1,500,000
Concrete Streets	110-6041-432-80-15	\$ 300,000

Unimproved Roads	110-6041-432-30-08	\$ 60,000
Parking Lot Paving	310-0089-461-80-26	\$ 20,000
Pavement Striping	110-6041-432-3046	\$ 35,000
Asphalt Patching	110-6041-432-30-02	\$ 70,000
	510-6052-501-30-02	\$ 30,000
	510-6056-502-30-02	<u>\$ 20,000</u>
Total		\$ 2,035,000

It is, therefore, the recommendation of the Public Works and Building Committee that the unit prices submitted by CA Construction for the 2012 Contract Paving Program be accepted and that authorization be granted to spend up to \$1,500,000 from the Street Resurfacing account to pave a total of 5 miles of asphalt streets and that the City attorney should be authorized to draft a resolution approving a contract with CA Construction.

Respectfully submitted,  
Public Works and Building Committee  
/s/ Jim Kennedy  
Chairman  
/s/ Bob Dunn  
Vice-Chairman  
/s/ Chris Healy  
/s/ Diane Gutenkauf

- I. REPORT – 2012 COOL CARS EVENT SERIES The following report of the Public Affairs & Safety Committee was presented for passage:

April 23, 2012

To: Mayor DiCianni and Members of the City Council  
Re: 2012 Cool Cars Event Series

The Public Affairs and Safety Committee met on April 23, 2012 to discuss the request from Elmhurst City Centre for a Temporary Use and Event Permit for the 2012 “Cool Cars under the Stars” event series. A representative from Elmhurst City Centre was available to answer the Committee’s questions.

The event is planned for Wednesday nights between Memorial Day and Labor Day, with the exception of July 4<sup>th</sup> and August 29<sup>th</sup> totaling 11 evenings for the series. City Centre would like to adjust the times for the 2012 event slightly to start at 6:00 p.m. and continue to 8:30 p.m.

Additionally, they would like to propose a change in the layout in order to adjust to the evolving pattern of car participation at the event and to increase the numbers of owners showing their cars. A map of the proposed layout is attached. It is anticipated that the result of these layout changes will also increase the attendance at the event, bringing more people into Elmhurst and thereby increasing patronization of downtown businesses.

The proposed changes are as follows:

- There would be two theme lots (versus one in the past) on the west side of Addison between First and Second Streets – the Charter One lot (as in the past) and the municipal parking lot to the north (which has been used by people parking classic cars, but has not been reserved or managed by City Centre for use as a theme lot).

- Three tents would be erected on the sidewalks along Addison (previously all tents were in the Charter One Lot)—a music (radio station or DJ) tent on the east side of Addison at Schiller Court and two City Centre information/promotion tents positioned on the west side of Addison near the corners of the two theme lots.
- One lane of York would be open coming from the south (previously York was completely closed at the railroad tracks). Cool Cars reserved parking on all streets other than Addison (from First to Second) would be eliminated.

As in the past, the event series will follow its traditional format, with special parking and street signage posted on the day of the event and increased police presence. Set up in the parking lots and on the sidewalks would commence at 4:00 p.m.

All layout/staging plans and operational parameters for this event series will be put into place only after consultation and discussion with and approval from the Elmhurst Police, Fire and Public Works Departments. City Centre will continue to work with the Police and Public Works Departments with respect to all ongoing planning and execution of the event series over the course of the summer and will make any adjustments as may be required.

Appropriate liability insurance coverage will be in place at all times and documentation of the same provided to the City.

All City Departments have reviewed and approved this request. Attached are details from the applicant regarding this special event. Temporary uses of this type are addressed in Section 4.10, Temporary Uses and Events, of the Elmhurst Zoning Ordinance.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the request from Elmhurst City Centre to hold the 2012 “Cool Cars under the Stars” event series on Wednesday nights from 6:00 p.m. to 8:30 p.m. between Memorial Day and Labor Day, with the exception of July 4<sup>th</sup> and August 20<sup>th</sup>.

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

- m. REPORT – CASE NUMBER 12 ZBA-01/FRIES VARIATION – 446 E. PARK AVENUE The following report of the Development, Planning & Zoning Committee was presented for passage:

April 24, 2012

TO: Mayor DiCianni and Members of City Council

RE: Case Number 12 ZBA-01 /Fries Variation – 446 E. Park Avenue

Request for front yard setback variation for the purpose of constructing an addition, pursuant to Section 7.3-5 of the Elmhurst Zoning Ordinance, on property commonly known as 466 E. Park Avenue (PIN 06-01-406-028), said property being wholly located within the R1 Single Family Residence district.

The Development, Planning and Zoning Committee met on April 23, 2012 to review the Zoning & Planning Commission report dated April 2, 2012 recommending approval of the subject request. The Committee also reviewed the Application and supplemental information submitted by the applicant, and the transcripts of the Public Hearing. The Committee noted that the application materials contained 11 letters from neighbors in support of the requested variation.

During the Public Hearing, two concerns were brought up by interested parties: that the proposed addition will exacerbate neighborhood flooding and, that the proposed addition would hinder sight

lines going around the curve on Park Avenue. The proposed addition adds only 75 square feet of impervious surface to the property and, while flooding is a legitimate concern, is not germane to this specific request; this proposed addition will not exacerbate the flooding problem.

The Committee discussed the proposed addition that is the subject of this request. The Committee noted that the Applicant is requesting this variation to build an addition which will consist of a one-car garage (resulting in a two-car tandem garage), a mud room and an unenclosed front porch on the first floor, and two new bedrooms and bathrooms on the second floor.

The subject site is located on the curve of Park Avenue and the current house establishes the sight lines. The only portion of the proposed addition that protrudes forward into the current sight lines (relative to automobile traffic on Park Avenue) is the open, unenclosed front porch. The remainder of the proposed addition is behind the existing, established front setback of the existing house. (See Exhibit "A" attached).

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

It is, therefore, the recommendation of the Development, Planning and Zoning Committee to support the recommendation of the Zoning & Planning Commission for approval of this request. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

Respectfully submitted,  
Development, Planning and Zoning  
Committee

/s/ Steven Morley  
Chairman

/s/ Dannee Polomsky  
Vice-Chairman

/s/ Norman Leader

- n. O-20-2012 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN THE YORK AND VALLETTE BUSINESS ASSOCIATION AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS (FARMER'S MARKET)

Ordinance O-20-2012 was presented for passage.

- o. O-21-2012 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN ELMHURST JAYCEES, INC. AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-21-2012 was presented for passage.

- p. R-25-2012 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE 2012 CONTRACT PAVING PROGRAM FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-25-2012 was presented for passage.

- q. R-26-2012 – A RESOLUTION WITHDRAWING THE NOTICE OF AWARD ISSUED AND REJECTING THE PROPOSAL OF DIAMOND SWEEPING COMPANY, INC. AND AUTHORIZING THE ISSUANCE OF A NEW NOTICE OF AWARD FOR THE 2012 STREET SWEEPING PROJECT FOR THE CITY OF ELMHURST, ILLINOIS (see item 8i)

Resolution R-26-2012 was presented for passage.

- r. R-27-2012 – A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN CARL WARREN & COMPANY AND THE CITY OF ELMHURST, FOR THE THIRD PARTY ADMINISTRATION OF LIABILITY CLAIMS

Resolution R-27-2012 was presented for passage.

- s. R-28-2012 – A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN EMPLOYER'S CLAIM SERVICE, INC. AND THE CITY OF ELMHURST, FOR THE ADMINISTRATION OF ILLINOIS WORKERS' COMPENSATION CLAIMS

Resolution R-28-2012 was presented for passage.

- t. R-29-2012 – A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN PENN CREDIT CORPORATION AND THE CITY OF ELMHURST, FOR THE DEBT COLLECTION SERVICES

Resolution R-29-2012 was presented for passage.

Alderman Wagner moved to approve the contents of the Consent Agenda. Alderman Gutenkauf seconded. Roll call vote:

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

Nays: None

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

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

9. a. UPDATES (Mayor DiCianni)

Mayor DiCianni announced ComEd is working around the City, updating the infrastructure as they promised. He stated they are trimming trees, replacing poles, and up-dating the system.

Alderman Bram reported on a meeting that he, the City Manager, and Mayor took part in with a consultant regarding Western Access. He stated an off ramp will come off of southbound 294 onto County Line Road south of Grand Avenue that will provide access to North Avenue going east and west.

- b. APPOINTMENT OF AN ASSISTANT CITY MANAGER – KOPP (City Manager Grabowski): Concur with the City Manager's recommendation

May 3, 2012

To: Mayor DiCianni and Members of the City Council  
Re: Appointment of an Assistant City Manager – Kopp

It is my recommendation that Mr. Michael D. Kopp be appointed to the position of Assistant City Manager, effective upon his retirement as Fire Chief on May 8, 2012. Mr. Kopp has the professional, management, and leadership skills necessary to succeed in the new position of full-time Assistant City Manager, approved in the 2012/13 Budget.

In accordance with Section 3.02(c)(15) of the Elmhurst Municipal Code, I seek City Council confirmation of the appointment of Michael D. Kopp, to the position of Assistant City Manager.

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

Alderman Levin moved to approve item 9b. Appointment of an Assistant City Manager – Kopp.

Alderman York seconded. Roll call vote:

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

Nays: Pezza, Bram

Results: 11 ayes, 2 nays, 1 absent  
Motion carried

Mayor DiCianni congratulated Assistant City Manager Kopp on his appointment as Elmhurst's very first full-time Assistant City Manager. He stated the Council looks forward to his leadership and hard work.

c. APPOINTMENT OF INTERIM FIRE CHIEF – BACIDORE (City Manager Grabowski)

Alderman Hipkind moved to appoint Jeff Bacidore Interim Fire Chief. Alderman Morley seconded. Voice vote, unanimous. Motion carried.

Mayor DiCianni congratulated newly appointed Interim Fire Chief Bacidore.

#### **OTHER BUSINESS**

12. None.

#### **ADJOURNMENT**

13. Alderman Morley moved to adjourn the meeting. Alderman Hipkind seconded. Voice vote. Motion carried. Meeting adjourned 8:35 p.m.

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Peter P. DiCianni III, Mayor

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Patty Spencer, City Clerk