

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, MAY 21, 2012
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 6:30 P.M. – ACQUISITION OF REAL PROPERTY AND PENDING/THREATENED LITIGATION

1. Executive session was called to order at 6:36 p.m. by Mayor DiCianni for the purpose of Discussion of Acquisition of Real Property and Pending/Threatened Litigation.

Present: Paula Pezza, Diane Gutenkauf, Norm Leader (arrived at 6:40 p.m.), Bob Dunn (arrived at 6:45 p.m.), Michael J. Bram, Dannee Polomsky, Kevin L. York, Scott Levin, Steve Morley, Patrick Wagner, Mark A. Mulliner

Absent: Steve Hipskind, Chris Healy, Jim Kennedy

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

Alderman Morley moved to convene into executive session for the purpose of Discussion of Acquisition of Real Property. Alderman York seconded.

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

Nays: None

10 ayes, 0 nays, 4 absent
Motion duly carried

Alderman York moved to adjourn executive session. Alderman Wagner seconded. Voice vote. Motion carried. Executive session adjourned at 6:36 p.m.

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 130

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

Present: Paula Pezza, Diane Gutenkauf, Norman Leader, Bob Dunn, Michael J. Bram, Dannee Polomsky, Kevin L. York, Stephen Hipskind, Scott Levin, Jim Kennedy (arrived at 7:35 p.m.), Steve Morley, Mark A. Mulliner, Patrick Wagner

Absent: Chris Healy

Also in Attendance: City Treasurer Dyer, City Attorney Storino, City Manager Grabowski, Assistant City Manager Kopp, Assistant Director of Finance & Administration Trosien, Interim Police Chief Panico, Interim Deputy Police Chief Kveton, Public Works Director Hughes, Museum Director Bergheger, Fire Chief Bacidore. Deputy Fire Chief Wallace

APPOINTMENT & SWEARING-IN OF FIRE CHIEF JEFFERY BACIDORE AND SWEARING-IN OF FIRE DEPARTMENT PERSONNEL: DEPUTY FIRE CHIEF SCOTT WALLACE, BATTALION CHIEF DAVID WINKER, AND LIEUTENANT DICK DUFORT

3. Alderman Wagner moved to appoint Jeffery Bacidore, Fire Chief. Alderman Pezza seconded. Voice vote, unanimous. Motion duly carried.

Mayor DiCianni invited Jeffery Bacidore and his family to join him at the dais. Mayor DiCianni swore-in Jeffery Bacidore as Fire Chief for the City of Elmhurst. The Mayor congratulated Chief Bacidore and thanked him for his many years of service to the City.

The Mayor invited Scott Wallace, David Winker, and Dick Dufort along with their families, in-turn, to join him at the dais. He swore them in to their new positions of Deputy Fire Chief, Fire Battalion

Chief, and Fire Lieutenant respectively. He thanked them for their outstanding service and congratulated them on their promotions.

PROCLAMATION – VOCATIONAL EDUCATION DAY

4. Mayor DiCianni asked Mr. Ken Ross, Chairman, York High School Vocational Department, to join him at the podium as Mayor DiCianni read a proclamation declaring May 21, 2012 Vocational Education Day, in honor of the partnership of students, teachers and industry working together to ensure America has a skilled workforce with opportunities for growth through competition.

PRESENTATIONS

- a. CERTIFICATES OF ACHIEVEMENT – YORK HIGH SCHOOL STATE SKILLSUSA COMPETITION MEDAL WINNERS: HANNAH KOPACH, CHASE PETERSON, MIGUEL OCHOA, ZANE JOHNS, TREVOR GULLEY, ANDREW BLES, CODY SCHAU, MARIA HERNANDEZ, AND GINA BONFIGLIO

Mr. Ken Ross, Chairman, York High School Vocational Department, along with vocational teachers, Mr. Ron Robak and Mr. Joe Stolz, recognized the winners of the State Skill USA Competition. Mr. Ross stated that a student qualifies by passing an oral exam and performing tasks at the State level. Twenty-four students qualified for State and nine medals were awarded. Mayor DiCianni presented the medalists with City of Elmhurst Certificates of Achievement.

Mr. Ross stated, in June three York students will go to the National Competition to be held in Kansas City, Missouri.

- b. CERTIFICATE OF ACHIEVEMENT – YORK HIGH SCHOOL IDEA COMPETITION WINNER: ALEC HEIN

Mayor DiCianni congratulated the York High School IDEA Competition winner, Alec Hein and awarded him a City of Elmhurst Certificate of Achievement.

- c. PLAQUE PRESENTATION – LANDMARK DESIGNATION PROPERTY OWNERS: CHUCK & CORINNE GODING, CHARLES & ANGELA ANDERSON, DONNA ALMERICO, AND THE CITY OF ELMHURST (Historic Preservation Commission)

Mayor DiCianni asked the three property owners to join him at the podium to receive a plaque recognizing their house having landmark status in Elmhurst. The recipients were:

1. Chuck and Corinne Goding – 259 Cottage Hill Avenue
2. Charles and Angela Anderson – 301 S. Arlington Avenue
3. Donna Almerico – 208 S. Arlington Avenue

Mayor DiCianni received a plaque on behalf of the City of Elmhurst for the Glos Mansion and Mausoleum.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

6. Tony Meneses
757 S. Parkside
Elmhurst, IL 60126

Submitted three (3) items: 1) Constitution of the State of Illinois Article VII Section 6 & 11 2) Elmhurst Ward Map with DuPage District 1 & 2 Overlay and 3) Copy of Public Comments to the Elmhurst City Council for Public Record.

PUBLIC FORUM

7. 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.

Michelle Spizzirri
482 N. Maple
Elmhurst, IL 60126

Spoke regarding an elected official holding more than one elected office. She referenced the item on the Finance Committee May 14, 2012 Agenda, discussing the creation of an ordinance to prohibit an elected official in Elmhurst to hold more than one elected office. She stated she supports she Mayor possibly holding two elected offices.

Claude Pagacz
566 W. Gladys
Elmhurst, IL 60126

Spoke regarding increases in vehicle stickers, rubbish stickers and how the collection of these monies helps the City government, not the taxpayer.

Rita Wirth
129 S. West Ave.
Elmhurst, IL 60126

Spoke regarding the volunteer opportunities at the Elmhurst Historical Museum. She stated many events at the museum have been possible because of its volunteers.

Tamara Brenner
137 N. Caroline
Elmhurst, IL 60126

Spoke regarding an elected official holding more than one elected office. She stated she hoped the independent counsel has been selected to assist in creating an ordinance. She also stated that if a binding referendum was to appear on the November ballot, it must be done by August 20, 2012.

Tony Meneses
757 S. Parkside
Elmhurst, IL 60126

Spoke regarding an elected official holding more than one elected office. He stated his support for a municipal ordinance and a referendum on the November ballot so the voters can decide.

Cheri Stasica
585 S. Hawthorne Ave.
Elmhurst, IL 60126

Spoke in support of Agenda Item 10.a.2.) the minority report to create a 4-way stop at Vallette and Fairfield.

Kathleen Tomei
825 S. Poplar
Elmhurst, IL 60126

Spoke in support of Agenda Item 10.a.2.) the minority report to create a 4-way stop at Vallette and Fairfield.

Kathleen Greetis
647 Fairfield
Elmhurst, IL 60126

Spoke in support of Agenda Item 10.a.2.) the minority report to create a 4-way stop at Vallette and Fairfield.

Nicole Cooley
344 W. Vallette Street
Elmhurst, IL 60126

Spoke in support of Agenda Item 10.a.2.) the minority report to create a 4-way stop at Vallette and Fairfield.

ANNOUNCEMENTS

8. Alderman Wagner announced the 5th Annual Pig Out For Cancer - Luau Buffet will be held Sunday, May 27, 2012 from 11am - 3pm at Silverado Grill located at 447 S Spring Rd in Elmhurst. Make your reservations at www.BarbequeJimsCatering.com.

City Clerk Spencer announced the annual Relay for Life event to benefit the American Cancer Society will take place on Friday, June 8, 2012 at Berens Park. The Opening Ceremony starts at 6:30 p.m., for more information visit www.relayforlife.org/elmhurstil. She stated this year the City has two teams participating, Patty's Peeps and the Elmhurst Fire Department.

City Clerk Spencer gave a birthday shout-out to Elmhurst resident Evelyn Rusteberg, who will be 100 years old on May 28, 2012.

Alderman Pezza announced in honor of Memorial Day, for the second year in a row she has organized and will participate in, a clean-up event of the Veteran's section of Elm Lawn Cemetery. She thanked Elmhurst Boy Scout Troop 82 and the community volunteers that will participate in the event on Tuesday, May 23, 2012.

Mayor DiCianni announced Monday, May 28, 2012 is Memorial Day. The 94th annual Memorial Day Parade will begin at 9:30 a.m. on May 28th, stepping off from the corner of York and Third. The parade will be followed by a military ceremony in Wilder Park. The grand marshal for this year's parade will be Petty Officer Leonard F. Prescott, a World War II U. S. Navy veteran.

Mayor DiCianni announced the Elmhurst Jaycees will honor President and CEO of the Elmhurst Chamber of Commerce, John R. Quigley with the 61st Annual Distinguished Service Award. The event will be held at the Diplomat West banquet Hall on Wednesday, May 23, 2012 at 6:00 p.m.

Alderman Morley stated Elmhurst resident, Lieutenant Colonel Mark Mallon, will be deploying to Afghanistan on May 22, 2012 for one year. He has completed two tours in Iraq. Alderman Morley asked the Council and all citizens of Elmhurst to express their thanks for his sacrifice to his country. Alderman Morley wished him God Speed for a safe return home. Lieutenant Colonel Mallon has a wife and two young daughters.

Mayor DiCianni announced Kick Off for Kids will host the Annual Diana Riley Golf Outing in Lake Geneva on June 1, 2012. Visit www.kickoffforkids.org for more information.

CONSENT AGENDA

9. The following items on the Consent Agenda were presented:
- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, MAY 7, 2012 (City Clerk Spencer):
Approve as published
 - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, MAY 7, 2012 (City Clerk Spencer):
Receive and place on file
 - c. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, MAY 14, 2012 (City Clerk Spencer):
Receive and place on file
 - d. ACCOUNTS PAYABLE – MAY 21, 2012, TOTAL \$ 1,857,580.78
 - e. REAPPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION – SARNA, GODING, AND TELLEFSEN (Mayor DiCianni): Concur with the Mayor’s recommendation

April 26, 2012

To: Members of the City Council
Re: Reappointment to the Historic Preservation Commission - Richard Sarna, Charles Goding, and Charmaine M. Tellefsen

With your advice and consent, I will reappoint Richard Sarna, Charles Goding and Charmaine M. Tellefsen to the Historic Preservation Commission for terms to expire May 30, 2014.

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

- f. BID RESULTS, 2012 ASPHALT REJUVENATING TREATMENT (City Clerk Spencer): Refer to the Public Works & Buildings Committee

May 17, 2012

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, 2012 Asphalt Rejuvenating Treatment

In response to an invitation to bid for the 2012 Asphalt Rejuvenating Treatment Contract, Project 12-03, the City of Elmhurst advertised in the Elmhurst Independent on Thursday, April 26, 2012. Bids were received from three contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, May 15, 2012 by the City Clerk. The following is a summary of the bids received:

Contractor	Total Price
CAM, LLC South Roxanna, IL	\$54,790.00
Denler, Inc. Mokena, IL	\$52,560.00
Gee Asphalt Systems , Inc. Cedar Rapids, IA	\$83,950.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- g. BID RESULTS, 2012 CONCRETE PAVEMENT PATCHING (City Clerk Spencer): Refer to the Public Works & Buildings Committee

May 17, 2012

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, 2012 Concrete Pavement Patching

In response to an invitation to bid for the 2012 Concrete Pavement Patching Project 12-09, the City of Elmhurst advertised in the Elmhurst Independent on Thursday, April 26, 2012. Bids were received from nine contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, May 15, 2012 by the City Clerk. The following is a summary of the bids received:

Contractor	Total Price
DeNatale Construction, Inc., Addison, IL	\$135,020.00
C-A Cement Construction, Co. Inc., Bloomington, IL	\$135,985.00
Mondi Construction, Inc., West Chicago, IL	\$158,600.00
G & M Cement Construction, Inc., Addison, IL	\$171,580.00
D'Land Construction, L.L.C., Bensenville, IL	\$184,925.99
Lorusso Cement Contractors Inc., West Chicago, IL	\$196,330.00
Alliance Contractors, Inc., Woodstock, IL	\$198,270.00
Schroeder & Schroeder, Inc., Skokie, IL	\$216,350.00
Triggi Construction, Inc., West Chicago, IL	\$280,500.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- h. 2012 "ONE" SERVICE (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

May 15, 2012

To: Mayor DiCianni and Members of the City Council
Re: 2012 "One" Service

It is respectfully requested that the attached request to hold the 3rd Annual "One" combined worship service 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 – STORMWATER ORDINANCE AND GENERAL CERTIFICATION – ADOPTION The following report of the Public Works & Buildings Committee was presented for passage:

May 14, 2012

TO: Mayor DiCianni and Members of the City Council
RE: Stormwater Ordinance and General Certification - Adoption

The Public Works and Buildings Committee met on Monday, May 14, 2012 to review an update to the City's Ordinance on Stormwater and Floodplains. The City of Elmhurst has adopted and follows the DuPage County Countywide Stormwater and Flood Plain Ordinance. The Ordinance was originally created in 1992 and the City has utilized these regulations the entire time. The principal purpose of the Ordinance is to promote effective stormwater management measures.

Recently, an update to the DuPage County Countywide Stormwater and Flood Plain Ordinance was completed and approved by the Stormwater Management Committee and the County Board with an effective date of April 25, 2012. At the same time, associated General Certifications were approved. The Stormwater Ordinance was amended to provide the structure to better meet local, state, and federal stormwater regulations, while optimizing the requirements for new development, re-developments, and existing developments so DuPage County could remain competitive in maintaining/attracting business while preserving the high standard of flood control and environmental protection for all County residents.

The General Certifications when found to be applicable to the particular circumstances of certain developments, serve in lieu of the Stormwater Management Certification. General Certifications are intended to promote development and improve regulatory efficiency by reducing the applicants submittal requirements, lowering design costs and simplifying the existing certification review process.

The City of Elmhurst, as a Partial Waiver Community, is required to adopt a resolution or ordinance that includes an adoption of the provisions of the newly revised DuPage Stormwater Ordinance and the General Certifications. Attached are copies of the County Board resolutions outlining the revisions and providing a background for the revisions.

It is therefore, the recommendation of the Public Works and Buildings Committee that the City Attorney prepare the proper ordinance to include the revised DuPage County Countywide Stormwater and Flood Plain Ordinance and the associated General Certifications into the City's Municipal Codes.

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

- j. REPORT – 2012 FIRE HYDRANT MATERIALS PURCHASE The following report of the Public Works & Buildings Committee was presented for passage:

May 14, 2012

TO: Mayor DiCianni and Members of the City Council
RE: 2012 Fire Hydrant Materials Purchase

The Public Works and Buildings Committee met on Monday, April 23, 2012 to discuss bids received for Fire Hydrant Materials. Invitations to bid on this project were sent to several area vendors and advertised in local newspapers. Four (4) bids were received and Mid-American Water, Inc. of Aurora, IL was the low bidder based on the total of various size fire hydrants.

Four bids were received and a bid tabulation is attached for reference.

The invitation to bid requested pricing on various size fire hydrants for use by City Water/Wastewater crews. The division expects to order approximately 34 fire hydrants this project year to accommodate replacements in street paving areas and other selected target sites. The hydrants are being replaced due to poor operation, obsolescence, or vehicular accidents.

Mid-American Water, Inc. has previously supplied fire hydrants and other materials to the City in a timely and satisfactory manner.

Funds in the amount of \$85,000 have been provided in the 2012/2013 budget, Municipal Utility Fund, for the purchase of fire hydrant materials under account number 510-6052-501-40-23.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid submitted by Mid-American Water, Inc. totaling the amount of \$ 84,612.00, be accepted and that the City Attorney be directed to prepare the appropriate resolutions.

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

- k. REPORT – 135 ADDISON BUILDING DEMOLITION The following report of the Public Works & Buildings Committee was presented for passage:

May 14, 2012

TO: Mayor DiCianni and Members of the City Council
RE: 135 Addison Building Demolition

The Public Works and Buildings Committee met on Monday, May 14, 2012 to review bids received for the 135 Addison Building Demolition with asbestos abatement and an alternate bid option to include selective deconstruction. The bids are summarized on Attachment "A".

The work consists of the removal of a two story building at 135 North Addison Avenue. This work also includes the cost for abatement of asbestos found on the site. An alternate bid consisting of a "greener" demolition with selective deconstruction (a process whereby select items are disassembled for reuse as opposed to demolished for recycling) was requested. Standard demolition includes the separation and recycling of materials according to the Clean Construction and Demolition Debris (CCDD) regulations. A total of 24 contractors picked up proposals with 9 bidding on the demolition with asbestos abatement and 3 of those also bidding on the demolition with selective deconstruction and with asbestos abatement.

The lowest responsible bidder was D.M.D. Services of Northlake. D.M.D. Services met all City requirements within the bid documents issued for bidding. D.M.D. Services' bid was in the amount of \$134,414.00 for demolition with asbestos abatement. The lowest bid for the alternate demolition with selective deconstruction and with asbestos abatement was \$230,800.00. D.M.D. Services has completed similar work for the City of Chicago (including demolition in the downtown area), the City of Elmhurst, the Village of Franklin Park, the Village of Addison, and other government agencies in a satisfactory manner.

Monies for this project have been provided in the FY 2012/13 Budget in account number 530-00881-503-80-19 in the amount of \$11,000,000.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid from D.M.D. Services in the amount of \$134,414.00 for the demolition of 135 Addison be accepted, and the City attorney be authorized to draft a resolution for approving a contract with D.M.D. Services.

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

- I. REPORT – CONSTRUCTION ENGINEERING SERVICES FOR YORK STREET RESURFACING PROJECT – PROPOSAL The following report of the Public Works & Buildings Committee was presented for passage:

May 14, 2012

TO: Mayor DiCianni and Members of the City Council

RE: Construction Engineering Services for York Street Resurfacing Project - Proposal

The Public Works and Building Committee met on Monday, May 14, 2012 to discuss a proposal received from TranSystems Corporation for professional engineering services for construction 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 the Federal Surface Transportation Program (STP) funding application. This project received \$450,000 in Federal STP funding for construction through the DuPage Mayors and Managers Conference (DMMC). The construction cost estimate for the total project cost is \$710,000. Engineering is not eligible for STP funding.

TranSystems assisted the City in the preparation of Phase I preliminary engineering and Phase II design engineering in accordance with Illinois Department of Transportation requirements for LAPP projects. The Phase III construction engineering services include construction observation, inspection assistance, construction layout, project coordination, material testing, final construction documents and as-built drawings in accordance with Federal STP funding requirements. This project will be bid through the Illinois Department of Transportation on June 15, 2012. Construction is anticipated to begin in Fall of 2012.

TranSystems has proposed to do this work on a cost plus fixed fee basis with a total cost not to exceed \$78,466.83. 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 have been provided in the FY 2012/13 Budget, Account Number 110-6041-432-80-15, in the amount of \$90,000.

It is, therefore, the recommendation of the Public Works and Building Committee that the Construction Engineering Services Proposal from TranSystems Corporation for the York Street LAPP Improvements in the amount not to exceed \$78,466.83, 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

- m. REPORT – IBM I7 UPGRADE The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

May 15, 2012

To: Mayor DiCianni and Members of the City Council
Re: IBM i7 Upgrade

The Finance, Council Affairs and Administrative Services Committee met on May 14, 2012, to review the purchase replacement of the Midrange IBM i5 for the City of Elmhurst.

Historically, the City of Elmhurst utilizes the IBM i5 Midrange platform as the centralized hardware for our Enterprise Resource Planning (ERP) System from SunGard H.T.E. This system is used on a daily basis for general ledger, accounts payable, payroll, utility billing, building permits, occupational licensing and other City business applications. The current system hardware (i5) and operating software (OS 400) is five years old and has exceeded the end of life cycle.

The Information Technology (IT) Department for the City of Elmhurst has received bids from three prospective IBM Value-Added Resellers (VAR). The bid includes an IBM i7 series midrange server rack system, LTO 5 Tape Drive, IBM Software, and a three year hardware and software maintenance contract.

The bids received are as follows:

- | | |
|-----------------------------|-----------------|
| • CDWG | \$26,070 |
| • IT Solutions Group | \$29,031 |
| • SPSVAR | \$29,497 |

Staff recommends the quote from CDWG for \$26,070. The Finance Committee concurs with the staff recommendation. These items are budgeted in the amount of \$35,000 in the fiscal 2012/2013 Information Technology budget in account #110-2008-413-80-03.

It is, therefore the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the purchase of an IBM i7 series midrange server, operating software, tape drive and three year maintenance contract from CDWG in the amount of \$26,070.

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

- n. REPORT – STRATEGIC PLAN FOR ECONOMIC DEVELOPMENT The following report of the Development, Planning & Zoning Committee was presented for passage:

May 15, 2012

TO: Mayor DiCianni and Members of the City Council
RE: Strategic Plan for Economic Development

The Development, Planning and Zoning Committee met on April 23 and May 14, 2012 to discuss a referral from City Council regarding the expansion of membership of the Economic Development Commission (EDC) by three (3) members, from twelve (12) members to fifteen (15) members. The Committee noted that the Strategic Plan for Economic Development, which was approved by City Council on June 21, 2010, recommends the expansion of EDC membership to enhance the Commissions productivity, diversity in commissioner representation, and to allow for increased business retention activities.

The referral requested that the membership of the EDC be increased by three (3) members; the Committee agrees with this request noting that there is a lot of time involved in scheduling appointments, attending retention meetings and debriefing the EDC Commission following the retention meeting. Additional membership will ensure that the businesses have someone who will listen to their concerns and relay that information to City Officials.

The EDC Commission will, therefore, consist of fifteen (15) members and two (2) ex-officio members, one from the DPZ Committee and the City Manager or his designee. The additional three members will be appointed by consensus of the EDC Commission, with approval of City Council. The initial appointment of the three EDC appointed commissioners will be as follows: One for a term ending April 30, 2013; one for a term ending April 30, 2014; and one for a term ending April 30, 2015. Thereafter all terms shall be 3 year terms commencing at the end of the existing terms.

Therefore, it is the recommendation of the Development, Planning and Zoning Committee that the City Council authorize three (3) additional members to be added to the Economic Development Commission for a total of fifteen (15) members, twelve (12) of whom are appointed by the Mayor, and three (3) of whom are appointed by consensus of the EDC Commission, all of whom approved by City Council. The City Attorney is hereby directed to prepare the necessary documents to authorize the requested increases in EDC membership stated herein.

Respectfully submitted,
Development, Planning and Zoning
Committee
/s/ Steven Morley
Chairman
/s/ Dannee Polomsky
Vice-Chairman
/s/ Norman Leader

- o. REPORT – CASE NUMBER 12 P-03/ IMMACULATE CONCEPTION CHURCH AMENDED CONDITIONAL USE The following report of the Development, Planning & Zoning Committee was presented for passage:

May 15, 2012

TO: Mayor DiCianni and Members of City Council
RE: Case Number 12 P-03/ Immaculate Conception Church Amended Conditional Use
Request for an Amended Conditional Use Permit and Associated Variations for the purpose of replacing a manual reader board sign with an electronic reader board sign on property commonly known as Immaculate Conception Church, 130 W. Arthur Street (PIN 06-02-409-025)

The Development, Planning and Zoning Committee met on May 14, 2012 to review the Zoning & Planning Commission report dated May 3, 2012 recommending approval of the subject request. The Committee also reviewed the Applicant's submittal documents and the transcripts of the public hearing.

The Committee notes that the proposed sign will have an electronic reader board replacing an existing sign with manual reader board. The proposed new sign will be in the same location as the existing sign and will be 1.5 feet higher than the existing sign for a total height of 6.5 feet. The proposed new sign will have lower levels of illumination than the existing sign.

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 and the Standards for Variations.

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

p. O-22-2012 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-22-2012 was presented for passage.

q. O-24-2012 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN THE ELMHURST CITY CENTRE AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-24-2012 was presented for passage.

r. O-25-2012 – AN ORDINANCE APPROVING THE TWENTY-FIRST AMENDMENT TO REAL ESTATE PURCHASE CONTRACT FOR THE PURCHASE OF THE REAL PROPERTY COMMONLY KNOWN AS 260 NORTH YORK STREET, ELMHURST, ILLINOIS (PAULI)

Ordinance O-25-2012 was presented for passage.

s. ZO-03-2012 – AN ORDINANCE GRANTING A VARIATION FROM THE FRONT YARD SETBACK REQUIREMENTS AT THE PROPERTY COMMONLY KNOWN AS 446 E. PARK AVENUE IN THE CITY OF ELMHURST

Ordinance ZO-03-2012 was presented for passage.

t. R-30-2012 – A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL ENGINEERING SERVICES AGREEMENT BY AND BETWEEN WALKER RESTORATION CONSULTANTS AND THE CITY OF ELMHURST FOR THE SCHILLER PARKING STRUCTURE MAINTENANCE REPAIRS PROJECT

Resolution R-30-2012 was presented for passage.

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

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

Nays: None

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

COMMITTEE REPORTS

10. a. REPORT – STOP SIGN REQUEST VALLETTE AND FAIRFIELD The following reports of the Public Affairs & Safety Committee were presented for passage:

1. Majority Report

May 14, 2012

To: Mayor DiCianni and Members of the City Council

Re: Stop Sign Request – Fairfield Avenue and Vallette Street

The Public Affairs and Safety Committee met several times, most recently on May 14, 2012 to discuss changing the Fairfield Avenue and Vallette Street intersection from a two-way stop to a four-way stop. This study was implemented at the request of some of the neighbors and Lincoln School.

Lincoln School is the second largest elementary school in District 205, with 583 students traveling daily to and from school with their parents, caregivers and younger siblings. The school is a “walking school”, with no school buses. There is a playground steps away from the Vallette Street and Fairfield Avenue intersection that is utilized not only by Lincoln students throughout the school day and after school hours, but by local Elmhurst families.

This intersection along with the other streets around Lincoln School have been evaluated by the city staff, city hired consultant and City Council multiple times over the past years. In each of the previous city staff/city council assessments it did not meet the MUTCD and therefore no additional control devices were deemed necessary for this intersection.

This current request to evaluate the intersection also shows that there are no issues with speeding, no line of sight concerns, not a high traffic volume and does not meet the accident history from right angle collisions.

Sight Distance: Clear sight lines on all approaches

Accident History: One accident (not correctable) in three years

Speed Study: 85% speeds 21-29 MPH

One of the most recent concerns of the residents (please see attached) conveyed the need to control speeding through this intersection. The report (please see attached) from the city staff showed that there are no speeding issues at this intersection. Contrary to the perception of speeding near this intersection, the data shows that the 85% speeds ranged from 21 MPH to 29 MPH (which is consistent with past experience at other intersections in Elmhurst). If there was a speeding issue, which the data shows there is not a speeding issue, the MUTCD states that **“Yield or Stop signs should not be used for speed control.”**

A couple of the residents present at the meeting also expressed their concern for the safety of Lincoln School students walking to/from school. The previous request of this area resulted in a change to the school drop off/pick up, traffic flow changes and the closure of Vallette and

Montrose from Fairfield to Hillside (which would prohibit cars from being able to approach/utilize the new signs if installed) to allow a safe pedestrian route to school (please see attached school map – also posted on the school website). The city staff stated that this current configuration allows for a safe pedestrian route.

The policy to evaluate for traffic control devices in the City of Elmhurst (please see attached) was followed by the city staff and the Public Affairs and Safety Committee. During the committee discussions, it was stated by an elected official that the town of Addison does not follow the MUTCD if a school principal requests a traffic control device and that the traffic control device request is granted, even if it would override the MUTCD and staff recommendations. Contrary to others views or perceptions the following is clearly stated in the MUTCD.

The “Frequently Asked Questions” section in the MUTCD clearly states the following:

“Q: Does the MUTCD apply to all roads and streets in the United States?”

“A: Yes. In Title 23 of the Code of Federal Regulations, Part 655.603 states that the MUTCD is the national standard for all traffic control devices installed on any street, highway or bicycle trail open to public travel.”

The committee and staff, in an effort to explore all other options and tools from other communities, decided to take additional time to evaluate how a couple of neighboring communities handle requests for traffic control devices. As an example, the Naperville policy was used to evaluate this intersection. It is based on a point system which this intersection missed the mark by substantially (about 20% of total points needed, scoring an 89 out of 500 to qualify).

According to City of Elmhurst Policy, which was adopted in 1993, and the results from the City traffic engineering staff evaluation, there is no need for this intersection to be changed from a two-way to a four-way stop. In fact, further information supplied by staff taken from the DuPage Mayors & Managers, MUTCD, Federal Highway Authority and a paper summarizing 70 technical reports on stop signs, shows that placement of unwarranted multi-way stops decreases the safety of pedestrians, especially small children.

The committee provided additional suggestions to assist with the concerns of the residents and school principal. The recommendations ranged from street markings signifying a school zone, changing entrance/exit points to the school/playground, radar gun loan program, pole mounted speed sign and “Cross Traffic Does Not Stop” signs.

It is, therefore, the recommendation of the Public Affairs and Safety Committee to install the pole mounted speed sign for a specific timeframe, add two “Cross Traffic Does Not Stop” signs at the current two stop signs on Fairfield at Vallette and follow the recommendation of staff that no other action to be taken at the intersection of Fairfield and Vallette regarding additional traffic control devices, stop signs.

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

2. Minority Report

May 14, 2012

To: Mayor DiCianni and Members of the City Council

Re: Stop Sign Request – Fairfield Avenue and Vallette Street

The Public Affairs and Safety Committee met several times, most recently on May 14, 2012 to discuss changing the Fairfield Avenue and Vallette Street intersection from a two-way stop to a four-way stop. This study was implemented at the request of the neighborhood and Lincoln School.

Lincoln School is the second largest elementary school in District 205, with 583 students traveling daily to and from school with their parents, caregivers and younger siblings. The school is a “walking school”, with no school buses.

There is a playground steps away from the Vallette Street and Fairfield Avenue intersection that is utilized not only by Lincoln students throughout the school day and after school hours, but by local Elmhurst families with pre-schoolers and toddlers.

As a street that passes a school, Vallette Street stretches four blocks, from Berkley Avenue to Spring Road without a stop, creating a link from Berkley Avenue east to York Road. This means more traffic and the road of choice for many drivers.

After a review of the information provided by Lincoln School, the Public Affairs and Safety Committee has decided that due to the proximity of this intersection to Lincoln School and the nearby playground, the installation of a four-way stop would be the most suitable action.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to install stop signs on the east and westbound approaches to the intersection of Fairfield Avenue and Vallette Street.

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

Alderman Pezza moved to open for discussion, Item **10a1. Majority Report – Stop Sign Request Vallette and Fairfield (PA&S) Majority Report**. Alderman Bram seconded.

Alderman Pezza explained why she supports item **10a1. Majority Report – Stop Sign Request Vallette and Fairfield (PA&S) Majority Report**. She stated this request has been before the Public Affairs and Safety Committee for several weeks. The installation of 4-way stop signs at this intersection is unwarranted according to City staff. City staff came to this conclusion after traffic studies were conducted, the MUTCD was reviewed, and an additional study that is used by the City of Naperville was applied.

Alderman Hipskind moved to replace item **10a1. Majority Report – Stop Sign Request Vallette and Fairfield** with **10a2. Minority Report – Stop Sign Request Vallette and Fairfield**. Alderman Wagner seconded.

Alderman Hipskind stated reasons why he supports replacing the majority report with the minority report. He stated that four stop signs are needed.

Alderman Wagner stated why he supports item **10a2. Minority Report – Stop Sign Request Vallette and Fairfield**. He stated that MUTCD is a guideline. He also stated due to cuts in the Police Department, additional signs will help at Lincoln School.

Alderman Wagner stated residents and school officials attended the Public Affairs and Safety Committee meetings to plead their request, therefore, common sense must prevail.

Discussion ensued regarding supporting the minority report and opposition to it.

Roll call vote on item to replace item **10a1. Majority Report – Stop Sign Request Vallette and Fairfield** with **10a2. Minority Report – Stop Sign Request Vallette and Fairfield**:

Ayes: Hipskind, Wagner, Leader, York, Levin, Kennedy, Morley, Mayor DiCianni

Nays: Mulliner, Pezza, Gutenkauf, Dunn, Bram, Polomsky

Mayor DiCianni applied rule of 7 and voted aye.

Results: 7 ayes, 6 nays, 1 absent
Motion duly carried

Mayor DiCianni asked Clerk Spencer to call the roll on the support of item **10a2. Minority Report – Stop Sign Request Vallette and Fairfield**. Roll call vote:

Ayes: Hipskind, Wagner, Leader, York, Levin, Kennedy, Morley

Nays: Mulliner, Pezza, Gutenkauf, Dunn, Bram, Polomsky

Mayor DiCianni applied rule of 7 and voted aye

Results: 7 ayes, 6 nays, 1 absent
Motion duly carried

Mayor DiCianni explained his reason for voting in favor of the Minority Report.

Alderman Mulliner, point of order, stated Mayor DiCianni is speaking out of turn when stating what past Councils were thinking.

- b. REPORT – ELECTRIC AGGREGATION The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

May 15, 2012

To: Mayor DiCianni and Members of the City Council

Re: Electric Aggregation

The Finance, Council Affairs and Administrative Services Committee met May 14, 2012, to continue discussion regarding the electric aggregation program (EAP).

As the City Council will recall, a draft Plan of Operation and Governance (POG) was approved for review and public comment in Public Hearings that were held Monday, April 23, 2012, and Monday, May 7, 2012. The Finance Committee has considered the public input received, and it is the consensus of the Finance Committee that the draft POG as originally presented (see attached) allows flexibility in providing a framework for the EAP now and in the future, reflecting the priorities of the Council over time with minimal revisions. In the interest of capturing favorable electric rates in the marketplace, the Finance Committee recommends suspending the rules to allow consideration of Ordinance O-23-2012, authorizing electric aggregation and adopting the POG. Approval of O-23-2012 will allow proposals from electric suppliers to be considered at a special Finance Committee meeting on Tuesday, May 22, 2012.

The City Council has designated the Finance Committee to review proposals from prospective electric suppliers and select the winning proposal by majority vote. The Finance Committee has reviewed three significant factors in addition to rates that will be considered in the selection process. One factor is termination fees. Some suppliers charge a fee, usually \$25, if a customer chooses to discontinue service after the program is in effect, after the opt-out period. Mr. David Hoover, the City's electric aggregation consultant from NIMEC, noted that about two-thirds do not have a termination fee, and he recommended that the Request for Proposals for electric supply be silent regarding termination fees, allowing the supplier to present the best program the supplier can offer. The Finance Committee concurred with Mr. Hoover's recommendation.

The second significant selection factor reviewed by the Finance Committee was renewable energy. Mr. Hoover informed the Committee that the current cost for 100% renewable energy is approximately one-tenth of one cent per kWh, or about \$10-\$12 per average household annually. After discussion, it was the consensus of the Finance Committee to recommend a target of 50% renewable energy. However, proposals will be solicited for 0%, 25%, 50% and 100% renewable energy for the Committee's review.

The third factor reviewed by the Finance Committee was the duration of contract. It was the consensus of the Committee to request proposals from energy suppliers for one, two and three year terms. The Committee also discussed the consultant fees. The City has contracted with NIMEC for a one year rate of \$0.0002 per kWh. Mr. Hoover will lower the rate to \$0.000135 per kWh for the second and third year if an energy contract term of greater than one year is selected. The blended rate for a two-year contract is \$0.0001675 per kWh and \$0.0001567 per kWh for a three-year contract. It was the consensus of the Finance Committee to recommend the blended rates for the electric aggregation consultant for longer term contracts.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve suspension of the rules to allow consideration of Ordinance O-23-2012, authorizing electric aggregation and adopting the Electric Aggregation Plan of Operation and Governance. The Finance Committee further recommends that the Request for Proposals (RFP) for electric supply be silent regarding termination fees, that the RFP request quotes for 0%, 25%, 50% and 100% renewable energy, that the Finance Committee target 50% renewable energy, that one, two and three year rates are requested, and that the NIMEC fee be adjusted as stated above for one, two or three year contract terms.

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 open discussion on item **10b. Report – Electric Aggregation**. Alderman York seconded. Voice vote. Motion carried.

Alderman Hipskind stated why he supports item **10b. Report – Electric Aggregation**. He deferred to Alderman York for further discussion.

Alderman York reviewed why electric aggregation will be beneficial to Elmhurst. He reviewed the savings to the citizens. He stated that pricing changes on a daily basis. He spoke about green energy through the use of REC's and their rates.

Discussion ensued regarding energy aggregation and 100% renewable energy, instead of 50%.

Alderman Bram, point of order, why isn't there a Majority and Minority Report.

Alderman York explained that the report is targeted at 50% and future discussion to look at other rates should occur.

Discussion continued.

Voice vote on item **10b. Report – Electric Aggregation.** Motion carried.

- c. REPORT – PROPOSED NORTH YORK STREET TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND PROJECT The following report of the Development, Planning & Zoning Committee was presented for passage:

May 15, 2012

TO: Mayor DiCianni and Members of the City Council

RE: Proposed North York Street Tax Increment Financing Redevelopment Plan and Project

The Development, Planning and Zoning Committee met on several occasions to discuss the proposed North York Tax Increment Financing District most recently on May 14, 2012 to discuss the draft North York Street Tax Increment Financing District Redevelopment Plan and Project prepared by Kane, McKenna and Associates.

After thorough review, the Committee agreed that the North York Street Tax Increment Financing Plan and Project and accompanying Eligibility Report clearly indicate that the proposed TIF is necessary to encourage redevelopment in the defined area.

The next step in moving the proposed TIF area forward is the filing of the Redevelopment Plan and Project with the Elmhurst City Clerk's office for public review, and the implementation a TIF Public Hearing Resolution. The TIF Public Hearing Resolution will identify the time and place for the public hearing concerning the draft TIF Plan and Eligibility Report as well as the Joint Review Board meeting. The Public Hearing Resolution also authorizes City staff to prepare notices to residents and property owners as required by the TIF Act.

It is, therefore, the recommendation of the Development, Planning and Zoning Committee that the City Council approve the draft North York Tax Increment Financing Redevelopment Plan and Project and accompanying Eligibility Report to be placed on file in the Office of the Elmhurst City Clerk for public viewing. The City Attorney is hereby directed to prepare a TIF Public Hearing Resolution authorizing the time and place for the public hearing.

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Steven Morley

Chairman

/s/ Dannee Polomsky

Vice-Chairman

/s/ Norman Leader

Alderman Morley moved to approve item **10c. Report – Proposed North York Street Tax Increment Financing Redevelopment Plan and Project.** Alderman Polomsky seconded.

Alderman Morley reviewed the North York TIF Redevelopment Plan and Project. He stated the next step is to forward the filing of the Redevelopment Plan and Project with the City Clerk's office for public review and the implementation of a TIF Public Hearing Resolution. He stated that the redevelopment will be valuable to the City and will relieve the tax burden of the residents.

Alderman Pezza asked how, what, when, where and why did Hamburger Heaven get put on the map.

Alderman Morley replied that the map could get larger when it is in the review process. He stated as the process goes forward the map can be reduced.

Alderman Bram asked if the Council will have the opportunity to reduce the map. Alderman Morley replied yes.

Discussion ensued regarding the map.

Voice vote on item **10c. Report – Proposed North York Street Tax Increment Financing Redevelopment Plan and Project.** Motion carried.

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

11. a. UPDATES (Mayor DiCianni)

Mayor DiCianni reported on school pension discussion in Springfield and expressed the City's opposition.

Mayor DiCianni reported that he attended an event with the Italian Delegation during the NATO Summit. He stated it was an honor to meet the Italian Prime Minister.

ORDINANCES

12. a. O-23-2012 – AN ORDINANCE AUTHORIZING THE AGGREGATION OF RESIDENTIAL AND SMALL COMMERCIAL/RETAIL ELECTRICAL LOADS AND ADOPTING AN ELECTRIC POWER AGGREGATION PLAN OF OPERATION AND GOVERNANCE BY THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-23-2012 was presented for passage.

Alderman Hipskind moved to approve item **12a. O-23-2012 – An Ordinance Authorizing the Aggregation of Residential and Small Commercial/Retail Electrical Loads and Adopting an Electric Power Aggregation Plan of Operation and Governance By the City of Elmhurst, DuPage and Cook Counties, Illinois.** Alderman York seconded. Roll call vote:

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

Nays: None

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

OTHER BUSINESS

13. None.

ADJOURNMENT

14. Alderman Morley moved to adjourn the meeting. Alderman Wagner seconded. Voice vote. Motion carried. Meeting adjourned 10:34 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk

