

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, JUNE 4, 2012
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 7:00 P.M. - ACQUISITION OF REAL PROPERTY, PENDING/THREATENED LITIGATION, AND COLLECTIVE BARGAINING

1. Executive session was called to order at 7:02 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, Bob Dunn, Michael J. Bram, Dannee Polomsky, Kevin L. York, Stephen Hipskind, Chris Healy, Scott Levin, Steve Morley, Patrick Wagner, Mark A. Mulliner

Absent: Jim Kennedy

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

Alderman Wagner moved to convene into executive session for the purpose of Discussion of Acquisition of Real Property and Pending/Threatened Litigation. Alderman Morley seconded.

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

Nays: None

13 ayes, 0 nays, 1 absent
Motion duly carried

Alderman Morley moved to adjourn executive session. Alderman York seconded. Voice vote. Motion carried. Executive session adjourned at 7:24 p.m.

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 35

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:39 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 Treasurer Dyer, City Attorney Storino, City Manager Grabowski, Assistant City Manager Kopp, Director of Finance & Administration Gaston, Interim Police Chief Panico, Public Works Director Hughes.

PROCLAMATION

3. a. MATTHEW MANDARINO DAY

Mayor DiCianni invited Matthew Mandarino and family to the podium to proclaim June 4, 2012 "Matthew Mandarino Day" for his achievement of rank of Eagle Scout in the Boy Scouts of America on April 16, 2012.

PRESENTATIONS

4. a. KICK OFF FOR KIDS STAR EDUCATOR AWARD WINNERS: VALERIE BAXTER (EMERSON SCHOOL), CATHERINE EQUI (EDISON SCHOOL), JACKIE OSTERHOUT (VISITATION SCHOOL), SUSAN GROTE (LINCOLN SCHOOL) & MICHAEL LEE (LINCOLN SCHOOL)

Mayor DiCianni invited Kick Off for Kids Mike LaSpisa and Lance Walker, along with the Star

Educator Award Winners to the podium to be recognized and receive a Certificate of Achievement from Mayor DiCianni. The recipients were: Catherine Equi (Edison School), Valerie Baxter (Emerson School), Susan Grote (Lincoln School), Jackie Osterhout (Visitation School) and Michael Lee (Lincoln School).

b. SUPERIOR AMBULANCE/METRO PARAMEDICS PRESENTATION OF CHECK (KIM GODDARD & DAVE HILL)

Mayor DiCianni invited Kim Goddard (Superior Ambulance) and Mike Tillman (Metro Paramedics) to join him at the podium. On behalf of the City of Elmhurst, Mayor DiCianni accepted a check from Ms. Goddard and Mr. Tillman in the amount of \$250,487.34. This check represents an agreed rebate amount that the City is entitled to per a contract with Metro Paramedics and Superior Ambulance.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

5. None.

PUBLIC FORUM

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

Spoke regarding government running a dictatorship.

Bob Howard
116 Geneva
Elmhurst, IL 60126

Spoke regarding dual duty of elected officials. He stated the City Council, because of Home Rule, is able to overrule State Law.

Tony Meneses
757 S. Parkside
Elmhurst, IL 60126

Spoke regarding dual duty of elected officials. He asked the Finance Committee to bring this issue to a resolution quickly.

Theodore Meneses
757 S. Parkside
Elmhurst, IL 60126

Spoke regarding dual duty of elected officials. He asked the Council to help save his generation. He stated George Washington and Abraham Lincoln would have never been elected to dual offices.

John Reboletti
625 W. Gladys
Elmhurst, IL 60126

Spoke regarding electric aggregation. He stated "Green" is political and he wants to keep the "Brown".

Claude Pagacz
566 W. Gladys
Elmhurst, IL 60126

Commented on the new grocery store coming to Elmhurst, the opt out letter for electric aggregation and dual office for elected officials.

Tamara Brenner
137 N. Caroline
Elmhurst, IL 60126

Spoke regarding dual duty of an elected official. She referenced Illinois Law and Home Rule Authority. She stated she hopes the City of Elmhurst will adopt an ordinance that an elected official can hold only one elected office.

ANNOUNCEMENTS

7. Alderman Wagner announced Relay for Life will be held on Friday, June 8, 2012 at Berens Park. Opening ceremonies begin at 6:30 p.m.

Alderman Gutenkauf announced the DuPage/Kane Regional Museum Association "Passport to Adventure" is available at the Elmhurst Public Library. She stated it is a listing of museums throughout the counties.

Clerk Spencer asked the Council to join her in a "Birthday Shout Out" to resident Helen Gorman, who will be celebrating her 98th birthday on June 5, 2012.

CONSENT AGENDA

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

- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, MAY 21, 2012 (City Clerk Spencer):
Approve as published
- b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, MAY 21, 2012 (City Clerk Spencer):
Receive and place on file
- c. ACCOUNTS PAYABLE – MAY 31, 2012, TOTAL \$ 2,391,732.54
- d. DESIGN GUIDELINES – ALDERMEN GUTENKAUF & PEZZA (City Manager Grabowski): Refer to the Development, Planning & Zoning Committee

May 31, 2012

To: Mayor DiCianni and Members of the City Council
Re: Design Guidelines – Aldermen Gutenkauf & Pezza

It is respectfully requested that the attached request from Aldermen Gutenkauf and Pezza, regarding the development of design guidelines for the redevelopment of the downtown/Central Business District be referred to the Development, Planning and Zoning Committee for review and recommendation back to the City Council.

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

- e. REPORT – 2006 GENERAL OBLIGATION BOND ISSUE REFUNDING The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

May 30, 2012

TO: Mayor DiCianni and Members of the City Council
RE: 2006 General Obligation Bond Issue Refunding

The Finance, Council Affairs and Administrative Services Committee met twice, most recently May 29, 2012, to consider refunding the callable portion of the 2006 General Obligation bond issue.

Mr. Kevin McCanna, President of Speer Financial, Inc., the City's financial advisor, met with the Finance Committee on March 12, 2012, and reviewed the possibility of refunding the 2006 bond issue. Interest rates in the bond market are now low enough that it makes economic sense to consider the refunding. The average rate of the outstanding 2006 bonds is approximately 4.0%, and the current rate for general obligation (G.O.) bonds is about 2.5%. Refunding the March 2014 callable portion of the 2006 bonds would save the City approximately \$265,000 on a present value basis, net of issuance costs. Mr. McCanna has advised staff that the interest rate market for general obligation bonds remains at about 2.5%.

The Finance Committee further considered adding \$2,900,000 in new money to the refunding issue, to be used to finance long lived capital assets. Staff proposes that the new money be used to finance infrastructure projects including the Saylor Street force main, Atrium force main, Rt. 83/Third Street lift station and the sludge storage pad modification. Financing these projects will assist in easing the cash flow problems in the Municipal Utility Fund, will allow lower, more consistent annual sewer rate adjustments, and will allow long lived capital assets to be paid for over time by all users. The refunded portion of the 2006 bond issue and the new money together equal a new bond issue of approximately \$10,000,000. A G.O. bond issue of \$10 million or less allows it to be bank qualified, and the interest rate for bank qualified issues is currently about 30 basis points less than the interest rate for non-bank qualified issues. The process of refunding a bond issue and issuing new bonds requires certain issuance costs be incurred, which are estimated to be \$150,000, and include underwriter fees, City and bond counsel, financial advisor, and Standard & Poor's review.

The Finance Committee believes the City should take advantage of the current low interest rates to refund the 2006 G.O. bond issue and to bond for \$2,900,000 new money. The total current debt plus new money (\$49,540,000) would be 2.3% of the value of taxable property in the City of Elmhurst (2011 EAV of \$2,153,797,013), which is within the 5% debt limit as stated in MCO 8.02. The bond issue will be competitively bid, with at target sale date of July 16, 2012.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council authorize the refunding of the 2006 General Obligation bond issue, and authorizes the addition of \$2,900,000 new money to the bond issue to be used to finance long lived capital assts.

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

- f. REPORT – PROPOSED CITY OF ELMHURST COMPREHENSIVE PLAN AMENDMENT – ADDING BICYCLE PLAN The following report of the Development, Planning & Zoning Committee was presented for passage:

May 30, 2012

TO: Mayor DiCianni and Members of the City Council

RE: Proposed City of Elmhurst Comprehensive Plan Amendment – Adding Bicycle Plan

The Development, Planning and Zoning Committee met on numerous occasions, most recently on May 29, 2012, to discuss a request from the Bicycle Task Force to adopt a Bicycle Plan for the City of Elmhurst. In November of 2011, the Bicycle Task Force completed work on a draft "Bicycle Plan" and submitted this Plan to the City Council for addition to the Comprehensive Plan.

It is the consensus of the Development, Planning and Zoning Committee that the draft Bicycle Plan be reviewed by the Zoning and Planning Commission who will then hold a Public Hearing for additional input from interested parties, including members of the Bicycle Task Force. Upon completion of the Public Hearing, the Zoning and Planning Commission will submit a proposed amendment to the Comprehensive Plan for City Council approval.

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 Amendments to the City of Elmhurst Comprehensive Plan regarding the addition of a Bicycle Plan.

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Steven Morley

Chairman

/s/ Dannee Polomsky

Vice-Chairman

/s/ Norman Leader

- g. MCO-14-2012 – AN ORDINANCE TO AMEND SECTION 4, ENTITLED “ECONOMIC DEVELOPMENT COMMISSION”, OF CHAPTER FOUR, ENTITLED “BOARDS AND COMMISSIONS,” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS

MCO-14-2012 was presented for passage.

- h. MCO-15-2012 – AN ORDINANCE ADOPTING REVISIONS IN THE DUPAGE COUNTYWIDE STORMWATER AND FLOOD PLAIN ORDINANCE BY THE CITY OF ELMHURST, ILLINOIS

MCO-14-2012 was presented for passage.

- i. ZO-04-2012 – AN ORDINANCE GRANTING AN AMENDED CONDITIONAL USE PERMIT AND ASSOCIATED VARIATIONS TO SIGN HEIGHT AND SIGN SETBACK FOR THE PURPOSE OF REPLACING AN EXISTING MANUAL READER BOARD SIGN WITH AN ELECTRIC READER BOARD SIGN ON THE PROPERTY COMMONLY KNOWN AS 130 WEST ARTHUR STREET (IMMACULATE CONCEPTION CHURCH)

Ordinance ZO-04-2012 was presented for passage.

- j. R-31-2012 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE DEMOLITION OF THE BUILDING LOCATED AT 135 NORTH ADDISON AVENUE IN THE CITY OF ELMHURST, ILLINOIS

Resolution R-31-2012 was presented for passage.

- k. R-32-2012 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF A CONSTRUCTION ENGINEERING SERVICES AGREEMENT BY AND BETWEEN TRANSYSTEMS CORPORATION AND THE CITY OF ELMHURST FOR THE YORK STREET FROM VALLETTE STREET TO SOUTH ROBERT PALMER DRIVE LAPP IMPROVEMENTS

Resolution R-32-2012 was presented for passage.

- l. R-33-2012 – A RESOLUTION PROPOSING A REDEVELOPMENT PLAN AND PROJECT FOR, AND THE DESIGNATION OF, THE NORTH YORK STREET TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA AND THE ADOPTION OF TAX INCREMENT ALLOCATION FINANCING THEREFOR, CONVENING A JOINT REVIEW BOARD AND CALLING A PUBLIC HEARING IN CONNECTION THEREWITH

Resolution R-33-2012 was presented for passage.

- m. R-34-2012 – A RESOLUTION APPROVING AMENDED PUBLIC SAFETY EMPLOYEE BENEFITS ACT (“PSEBA”) PROCEDURES FOR THE BENEFIT OF QUALIFIED CITY OF ELMHURST EMPLOYEES

Resolution R-34-2012 was presented for passage.

- n. R-35-2012 – A RESOLUTION AUTHORIZING THE PURCHASE OF FIRE HYDRANT MATERIALS FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-35-2012 was presented for passage.

- o. R-36-2012 – A RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER EQUIPMENT AND SOFTWARE FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-36-2012 was presented for passage.

- p. R-37-2012 – A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF ELMHURST AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 150, PUBLIC EMPLOYEE DIVISION 2011-2016

Resolution R-37-2012 was presented for passage.

Alderman Gutenkauf pulled item **8e. Report – 2006 General Obligation Bond Issue Refunding** from the Consent Agenda.

Alderman Wagner moved to approve the contents of the Consent Agenda less item **8e. Report – 2006 General Obligation Bond Issue Refunding**. Alderman Pezza seconded. Roll call vote:

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

Nays: None

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

Alderman Hipskind moved to open discussion on item **8e. Report – 2006 General Obligation Bond Issue Refunding**. Alderman York seconded.

Alderman Hipskind deferred to Alderman Gutenkauf.

Alderman Gutenkauf stated she pulled **8e. Report – 2006 General Obligation Bond Issue Refunding** for clarification regarding the refunding of \$2,900,000.

Alderman York stated \$2,900,000 is new money to the bond issue to be used to finance long lived capital assets.

Voice vote on item **8e. Report – 2006 General Obligation Bond Issue Refunding**. Motion carried.

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

9. a. UPDATES (Mayor DiCianni)

Mayor DiCianni stated he, Alderman Bram and City Manager Grabowski are working with the Toll Road Authority on resolving the 294 eastern exits that affect Elmhurst. He stated the City is monitoring this closely and will work hard to speed up the 2017 completion date.

Mayor DiCianni announced the Autism Bill passed in Springfield. He stated that the bill is for protected insurance coverage for kids.

Mayor DiCianni stated the pension challenges are a high priority in Springfield.

ORDINANCES

10. a. MCO-13-2012 – AN ORDINANCE TO AMEND ARTICLE VI ENTITLED, “SPECIAL STOPS,” OF CHAPTER 44 ENTITLED, “MOTOR VEHICLES AND TRAFFIC,” OF THE MUNICIPAL CODE OF THE CITY OF ELMHURST, ILLINOIS (VALLETTE STREET AT FAIRFIELD AVENUE)

Ordinance MCO-13-2012 was presented for passage.

Alderman Wagner moved to approve item **10a. MCO-13-2012 – An Ordinance to Amend Article VI Entitled, “Special Stops,” of Chapter 44 Entitled, “Motor Vehicles and Traffic,” of the Municipal Code of the City of Elmhurst, Illinois (Vallette Street at Fairfield Avenue)**. Alderman Pezza seconded.

Alderman Pezza reviewed corrections on comments that were made previously.

Alderman Bram reviewed why he could not support this ordinance.

Roll call vote on item **10a. MCO-13-2012 – An Ordinance to Amend Article VI Entitled, “Special Stops,” of Chapter 44 Entitled, “Motor Vehicles and Traffic,” of the Municipal Code of the City of Elmhurst, Illinois (Vallette Street at Fairfield Avenue)**:

Ayes: Wagner, Leader, York, Hipkind, Healy, Levin, Kennedy, Morley

Nays: Pezza, Gutenkauf, Dunn, Bram, Polomsky

Results: 8 ayes, 6 nays, 0 absent
Motion carried

OTHER BUSINESS

11. Alderman York announced that next week is “Bike to Work Week”. He stated the Bicycle Task Force will be at the train station handing out information on biking or walking to work.

Alderman York and Alderman Gutenkauf invited everyone to meet on Thursday, June 14, 2012 at the Prairie Path on Spring Road at 7:00 a.m. to bicycle to the county building. Alderman York stated he anticipated County Board Chairman Cronin will participate in the 12 mile ride.

Alderman York gave an update on electric aggregation, stating a letter will be mailed next week to residents informing them of the “opt out” option.

City Manager Grabowski reminded residents to reply to the Citizen’s Survey that was recently mailed. He stated it is a valuable tool used for the City budget.

Alderman Healy asked when is the drop dead date on the opt out letter. Alderman York replied that it is 14 days from the date of the letter.

Alderman Healy announced the Prairie Path is closed this week at Pioneer Park (two blocks east of Spring Road). The improvement will increase safety.

ADJOURNMENT

12. Alderman York moved to adjourn the meeting. Alderman Morley seconded. Voice vote. Motion carried. Meeting adjourned 8:42 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk