

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, AUGUST 20, 2012
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 6:30 P.M. – ACQUISITION OF REAL PROPERTY

1. Executive session was called to order at 6:36 p.m. by City Clerk Spencer in the absence of Mayor DiCianni for the purpose of discussing Acquisition of Real Property.

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

Absent: Stephen Hipskind, Jim Kennedy, Mayor DiCianni (arrived at 6:39 p.m.)

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

Alderman Gutenkauf moved to appoint Alderman Mulliner Mayor Pro-Tempore. Alderman Bram seconded. Voice vote, unanimous. Motion Carried.

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

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

Nays: None

12 ayes, 0 nays, 2 absent

Motion duly carried

Alderman Morley moved to adjourn executive session. Alderman Dunn seconded. Voice vote. Motion carried. Executive session adjourned at 7:31 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 7:42 p.m. The Mayor asked for a moment of silence in honor of long time Village of Lombard President, William "Bill" Mueller who passed away over the weekend.

Mayor for the Day D.J. Cooke, who will be in 8th Grade at Bryan Middle School this fall, gaveled the meeting to order. Mayor for the Day Cooke, along with friends from Boy Scout Troop #117 led the Council in the Pledge of Allegiance.

Present: Paula Pezza, Diane Gutenkauf, Norman Leader, Bob Dunn, Michael J. Bram, Dannee Polomsky, Kevin L. York, Stephen Hipskind (arrived at 8:24 p.m.), Chris Healy, Scott Levin, Steve Morley, Patrick Wagner, Mark A. Mulliner

Absent: Jim Kennedy

Also in Attendance: City Attorney Storino, City Manager Grabowski, Assistant City Manager Kopp, Director of Finance & Administration Gaston, Assistant Director of Finance & Administration Trosien, Public Works Director Hughes, Fire Chief Bacidore, Deputy Police Chief Kveton

RECOGNITION – ELMHURST YOUTH BASEBALL ALL-STAR TEAM IL DISTRICT CHAMPIONS

3. Mayor DiCianni welcomed the 2012 Elmhurst Little League 11U All-Star Team and their coaches. He congratulated them on their season stating they represent the best of Elmhurst. Each of the players received a certificate of achievement in recognition of their outstanding season and District Championship from Mayor DiCianni.

PRESENTATION – STORM & SANITARY SUB COMMITTEE REPORTS

4. Mayor DiCianni welcomed Stormwater Task Force members James Filippini (Sanitary Sub-Committee) and Jackie Fischer (Storm Sub-Committee) who are present tonight to report their sub-committee findings and recommendations. The Mayor thanked all the Task Force members for their hard work on the Stormwater Task Force.

Mr. Filippini gave a PowerPoint presentation on the Sanitary Sub-Committee findings highlighting the following information:

- Community Goals
- Summary of Issues
- Significant Inflow and Infiltration
- Recommendations
 - Short Term Tasks
 - Long Term Tasks
- Overhead Sewer Program
- Management, Operation and Maintenance Recommendations

Ms. Fischer gave a PowerPoint presentation on the Storm Sub-Committee findings highlighting the following information:

- Scope of the Problem
 - Contributing factors
 - Street Flooding, Yard Flooding, Home Flooding
- Goal to Reduce and Evaluate
 - Background review
 - Report merit of the Christopher B. Burke Engineering Report
 - Follow-up
 - More Information
 - Tabulated Data
 - Evaluate Solutions
 - Establish Tiers
 - Christopher B. Burke Engineering Report Analysis
- Solutions

The Mayor thanked the Task Force members again for their presentations, and dedication to the Task Force. He stated the next step is for the Public Works & Buildings Committee to review the Task Force Sub-Committee reports and recommendations.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

5. None.

PUBLIC FORUM

6. Mary Conway
551 N. Kenilworth Ave.
Elmhurst, IL 60126

Spoke regarding Mariano's stating support for its arrival. She stated more businesses will come as a result which is needed on north York.

Lisa McLafferty
586 N. Willow Rd.
Elmhurst, IL 60126

Spoke in favor of the North York TIF. She stated her excitement for Mariano's arrival.

Steve Moskal
205 N. Willow Rd.
Elmhurst, IL 60126

Spoke regarding his support of the North York TIF.

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

Spoke regarding the North York TIF and its costs to the residents.

Dan Roesch
200 W. Grand Ave.
Elmhurst, IL 60126

Spoke regarding his support for the North York TIF and Marianos.

Tamara Brenner
137 N. Caroline Ave.
Elmhurst, IL 60126

Spoke regarding TIF IV anticipated end EAV. She asked for a breakdown of redevelopment and inflation separated out of the projection.

Terry Pastika, Citizens Advocacy Center
182 N. York St.
Elmhurst, IL 60126

Spoke regarding TIF IV stating there is a lack of information on hand to have the Council vote on the report tonight. She requested a time at her location where she can address responses that were not answered correctly to her questions and comments at the Committee of the Whole meeting.

Angela Villegas
572 Van Auken
Elmhurst, IL 60126

Spoke in support of Mariano's coming to Elmhurst.

ANNOUNCEMENTS

7. None.

CONSENT AGENDA

8. The following items on the Consent Agenda were presented:
 - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, AUGUST 6, 2012 (City Clerk Spencer):
Approve as published
 - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, AUGUST 6, 2012 (City Clerk Spencer):
Receive and place on file
 - c. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, AUGUST 13, 2012 (City Clerk Spencer):
Receive and place on file
 - d. ACCOUNTS PAYABLE – AUGUST 20, 2012, TOTAL \$ 1,501,868.78
 - e. BID RESULTS, ONE (1) TOYOTA PRIUS V HYBRID (City Clerk Spencer): Refer to the Public Works & Buildings Committee

August 15, 2012

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, One (1) Toyota Prius V Hybrid

In response to an invitation to bid for One (1) Toyota Prius V Hybrid to replace E-3, the City of Elmhurst advertised in the Elmhurst Press on Friday, July 27, 2012. Bids were received from one (1) contractor. The bid package was complete.

Bids were opened at 10:00 a.m. on Tuesday, August 14, 2012 by the City Clerk. The following is a summary of the bid received:

<u>Contractor</u>	<u>Bid Amount</u>
Elmhurst Toyota Elmhurst, IL	\$ 23,832.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- f. BID RESULTS, ONE (1) 2013 FORD FUSION HYBRID (City Clerk Spencer): Refer to the Public Works & Buildings Committee

August 15, 2012

TO: Mayor DiCianni and Members of the City Council
RE: Bid Results, One (1) 2013 Ford Fusion Hybrid

In response to an invitation to bid for One (1) 2013 Ford Fusion Hybrid to replace E-3, the City of Elmhurst advertised in the Elmhurst Press on Friday, July 27, 2012. Bids were received from one (1) contractor. The bid package was complete.

Bids were opened at 10:00 a.m. on Tuesday, August 14, 2012 by the City Clerk. The following is a summary of the bid received:

<u>Contractor</u>	<u>Bid Amount</u>
Roesch Ford Bensenville, IL	\$ 23,900.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- g. TRAFFIC CONTROL STAFF FOR SAFE ROUTES TO SCHOOL – ALDERMAN POLOMSKY (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

August 15, 2012

To: Mayor DiCianni and Members of the City Council
Re: Traffic Control Staff for Safe Routes to School – Alderman Polomsky

It is respectfully requested that the attached request from Alderman Polomsky that the City consider the feasibility of employing hourly traffic control officers/staff in support of the Safe Routes to School Program, 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

- h. INCENTIVE/COST SHARE PROGRAM FOR HOME GENERATORS – ALDERMAN PEZZA (City Manager Grabowski): Refer to the Public Works & Buildings Committee

August 15, 2012

To: Mayor DiCianni and Members of the City Council
Re: Incentive/Cost Share Program for Home Generators – Alderman Pezza

It is respectfully requested that the attached request from Alderman Pezza that the City consider a residential incentive/cost sharing program to alleviate some of the cost/permit fees associated with the purchase and installation of home generators, be referred to the Public Works & Buildings Committee for review and recommendation back to the City Council.

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

- i. IRISH SPRING 5K RACE (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

August 15, 2012

To: Mayor DiCianni and Members of the City Council
Re: Irish Spring 5K Race

It is respectfully requested that the attached request from The Runner's Soul to hold an annual 5k Run/Walk in conjunction with the Elmhurst St. Patrick's Day Parade, with the inaugural race to be held in 2013, 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

- j. REPORT – HALFWAY TO ST. PATRICK'S DAY The following report of the Public Affairs & Safety Committee was presented:

August 13, 2012

To: Mayor DiCianni and Members of City Council
Re: Halfway to St. Patrick's Day Party

The Public Affairs and Safety Committee met on August 13, 2012 to discuss the request by the Elmhurst St. Patrick's Day Committee for a Temporary Use and Events Permit for a Halfway to St. Patrick's Day Party fundraiser event that will benefit Elmhurst Children's Assistance Association (ECAAF) and Kick Off for Kids.

The Halfway to St. Patrick's Day Party fundraiser event will take place on Thursday, September 13, 2012 from 6:00 – 11:00 p.m. in the municipal parking lot behind the Knights of Columbus location at 537 S. York Street.

The admission fee will be \$40.00 per person which will include four beers, a half-time buffet and door prizes. The event will feature a 25' x 20' television screen in the parking lot broadcasting the Chicago Bears vs. Green Bay Packers Game. Two rows of parking will be fenced off for placement of the television screen which will face west, allowing the sound to project toward the back of the Knights of Columbus building and York Road. Outside beer service will end at 10:00 pm. and the volume from the football game will be turned off at the conclusion of the game, approximately 10:30 p.m.

A local beer distributor will provide a trailer for beer distribution. John Quigley and the Knights will oversee the bartending. Other alcoholic beverages will be available over the bar in the Knights of Columbus location. A security firm that has been used for local bars during the St. Patrick's Day parade will check ID's.

All layout/staging plans and operational parameters will be finalized only after ongoing

consultation and discussion with and written approval from the Elmhurst Police, Fire and Public Works Departments.

Insurance will be provided by Elmhurst St. Patrick's Day Committee and approved by the City Attorney.

The Committee felt that this was a beneficial event for the Elmhurst Children's Assistance Foundation and Kick Off for Kids. All details will have been approved by the Police, Fire and Public Works Departments prior to the issuance of the permit.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council authorize the City Manager to issue the Temporary Use and Events Permit as requested by the Elmhurst St. Patrick's Day Committee for the proposed Halfway to St. Patrick's Day Party fundraiser event to be held on Thursday, September 13, 2012 from 6:00 – 11:00 p.m. in the municipal parking lot behind the Knights of Columbus location at 537 S. York Street.

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

- k. REPORT – ELMHURST CITY CENTRE 2012 EVENTS The following report of the Public Affairs & Safety Committee was presented:

August 13, 2012

To: Mayor DiCianni and Members of the City Council
Re: Elmhurst City Centre 2012 Events

The Public Affairs and Safety Committee met on August 13, 2012 to review and discuss the proposed schedule of Elmhurst City Centre Events for 2012. The events are as follows:

<u>Event</u>	<u>Date(s)</u>
"City Centre Strollers"	Wednesday mornings, August 29 th to September 26 th
"Block to Block Party"	Wednesday evenings, August 29 th to September 26 th
Fall "Girlfriend's Getaway"	Thursday, October 4 th
Bootiful Saturday	Saturday, October 27 th
City Tree Lighting	Friday, November 23 rd

"City Centre Strollers" is a completely new initiative. This event will target moms, empty nesters and out-and-about exercisers, encouraging early in the day shopping and strolling through the downtown. Retailers can offer specials, refreshments, gifts with purchase, on-site services at spas and demos and mini classes at fitness merchants. Retailer participation can vary from week to week, utilizing the City Centre website to post weekly events.

"Block to Block Party" is another completely new initiative. This event will run five Wednesday evenings in conjunction with the "Cool Cars under the Stars" series. Street musicians will play outdoors from 6:00 – 9:00 p.m. at 4 – 6 locations throughout the downtown dining, drinks and sweets eateries. These eateries may opt-in to host additional live music or entertainment inside their locations, with the Elmhurst City Centre sharing costs 50/50 to a specified maximum amount. This event will be promoted online and through traditional media.

Fall "Girlfriend's Getaway" will be structured in the same manner as the spring "Girlfriend's Getaway" event that has been staged for a number of years.

Bootiful Saturday and City Tree Lighting events will again be structured in the same manner as in prior years.

Other than the City Tree Lighting (requiring the late afternoon/early evening closing of First Street from York Street to the Robert Palmer Drive underpass), none of these events will involve closing or use of any City streets . While all of the events are expected to result in increased pedestrian traffic throughout the area (particularly Bootiful Saturday), and the limited street closing for the City Tree Lighting, no City assistance is requested in connection with these events.

As in the past, all layout/staging plans and operational parameters will be finalized only after ongoing consultation and discussion with the approval of the Elmhurst Police, Fire and Public Works Departments.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the proposed schedule of Elmhurst City Centre events for 2012.

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

- I. REPORT – PROPOSED PARKING CHANGES IN NORTH YORK MUNICIPAL PARKING LOT The following report of the Public Affairs & Safety Committee was presented:

August 13, 2012

To: Mayor DiCianni and Members of the City Council
RE: Proposed parking changes in North York Municipal Parking Lot

The Public Affairs and Safety Committee met on August 13, 2012 to discuss a request for parking changes in the Municipal Parking Lot located behind 275 N. York Street. The request was made by Jeff Budgell, the owner of the multiple-tenant commercial building located at 275 N. York Street.

The request was for the addition of two 10-minute parking spaces to be located on north and south sides of the entrance to the Municipal Parking Lot located behind 275 N. York Street. The proposed 10-minute spaces are identified as the first space on the north side of the entrance, perpendicular to York Street and the first parking space next to the handicap space on the south side of the entrance to the Municipal Parking Lot (see attached map).

The additional requested modification would be replacing the two employee parking spaces located in the northeast corner of the Municipal Parking Lot with two 3-Hour Shopper spaces.

The request for these modifications was made to assist new businesses locating in the building at 275 N. York Street, for customer convenience when picking up orders. During peak business hours, it is often difficult to find a parking space in or near the Municipal Parking Lot.

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 provide for the addition of two 10-minute parking spaces, to be located on the north and south sides of the entrance to the Municipal Parking Lot and the replacement of the two employee parking spaces located in the northeast corner of the Municipal Parking Lot with two 3-Hour Shopper spaces.

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

/s/ Michael J. Bram

- m. REPORT – ADDITIONAL FUNDS FOR THE RETAIL BUSINESS GRANT PROGRAM FOR FISCAL 2013 The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

August 14, 2012

To: Mayor DiCianni and Members of the City Council
Re: Additional Funds for the Retail Business Grant Program for Fiscal 2013

The Finance, Council Affairs and Administrative Services Committee met August 13, 2012, to consider allocating additional funds to the Elmhurst Central Business District (CBD) retail business grant program for fiscal 2013.

The CBD retail business grant program was established by the City Council in fiscal 2002 for the purpose strengthening retail business activity in the CBD, by attracting new retail businesses to the CBD as well as by assisting existing retail businesses in the CBD with retail growth initiatives. The program was reviewed and updated in 2010 to better meet the current business environment in the Elmhurst CBD. The grant program is funded with TIF I (Redevelopment Fund) revenues. Grant applicants are eligible for up to a \$10,000 grant. However, the grants awarded in fiscal 2012 and fiscal 2013 have been \$5,000 or less each. The fiscal 2013 retail business grant budget is \$20,000, and through July two grants have been paid totaling \$10,000 to the following businesses: Elmhurst Olive Oil Company and Pagoda Bistro.

The Selection Committee for the retail business grant program, consisting of the Assistant City Manager, Elmhurst City Centre Executive Director, Elmhurst Chamber of Commerce President, and a member of the City's Finance Committee, has advised the Finance Committee that there could be viable grant applicants beyond the resources remaining in the budget for the current period. The Selection Committee has requested an additional \$30,000 to provide grants during the remainder of the 2013 fiscal year.

The Finance Committee reviewed whether additional funds are available in the Redevelopment Fund. Staff suggested that funds would be available in the Capital Outlay segment of the budget, specifically the façade renovation line item (310-0089-461-80-27) which has a budget of \$50,000. No money has been spent year-to-date, and there are no outstanding commitments at this time. After review and discussion, the Finance Committee believes that the grant program has been successful in achieving its purpose of strengthening the CBD, and recommends reallocating an additional \$30,000 to the retail business grant program for fiscal 2013.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve allocating an additional \$30,000 to the CBD retail business grant program for fiscal 2013, based on budgeted funds available in the façade renovation line item in the Redevelopment Fund.

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

- n. REPORT – AT&T DATA LINE CONTRACT RENEWAL The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

August 14, 2012

To: Mayor DiCianni and Members of the City Council

Re: AT&T Data Line Contract Renewal

The Finance, Council Affairs, and Administrative Services Committee met on August 13, 2012, to review three data line contracts from AT&T.

The first data line is a T1 circuit dedicated to the Illinois Century Network. This data circuit supplies Internet and email access to the City of Elmhurst. The other two data circuits are from City Hall to Fire Station 1 and Fire Station 2. These data circuits provide access to email, internet, Firehouse, Netrms, Cadview, and Sungard Public Sector software.

The T1 circuit is a State of Illinois subsidized program through the Illinois Century Network where AT&T is the only service provider able to offer the subsidized T1 circuit rates. This provides reduced subscriber cost for municipal and educational institutions through the Illinois Century Network Special Purpose Fund.

The 36-month contracts that are being renewed are as follows:

Illinois Century Network T1	\$254 monthly/\$3,048 annual/\$9,144 contract
Fire Stations 1 & 2 T1 Circuits	\$450 monthly/\$5,400 annual/\$16,200 contract

The total monthly renewal rate of \$704 compares favorably to the current total monthly rate of \$856.65, for an annual savings of \$1,831.80.

Staff recommends renewing the three data line contracts with AT&T. The Finance Committee concurs with the staff recommendation. These items are budgeted in the fiscal 2013 Information Technology budget in account #110-2008-413-30-75, which has a budget of \$14,820.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve renewal of the three data line contracts with AT&T, for 36 months at the rates stated above.

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

- o. O-46-2012 – AN ORDINANCE APPROVING THE TWENTY-THIRD 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-46-2012 was presented for passage.

- p. MCO-20-2012 – AN ORDINANCE AMENDING SECTION 36.11, ENTITLED “LIMITATION ON NUMBER OF LICENSES,” OF CHAPTER 36, ENTITLED “LIQUOR,” OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, ILLINOIS (HAMBURGER JONES)

Ordinance MCO-20-2012 was presented for passage.

Alderman Wagner pulled item **8j. Report – Halfway to St. Patrick’s Day** from the Consent Agenda.
Alderman York pulled item **8o. O-46-2012 – An Ordinance Approving the Twenty-Third Amendment to Real Estate Purchase Contract for the Purchase of the Real Property Commonly Known as 260 North York Street, Elmhurst Illinois (“Pauli”)** from the Consent Agenda.

Alderman Morley moved to approve the contents of the Consent Agenda less items **8j. Report – Halfway to St. Patrick’s Day** and **8o. O-46-2012 – An Ordinance Approving the Twenty-Third Amendment to Real Estate Purchase Contract for the Purchase of the Real Property Commonly Known as 260 North York Street, Elmhurst Illinois (“Pauli”)**. Alderman Levin seconded. Roll call vote:

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

Nays: None

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

Alderman Wagner moved to approve item **8j. Report – Halfway to St. Patrick’s Day**. Alderman Pezza seconded.

Alderman Wagner stated he pulled item **8j. Report – Halfway to St. Patrick’s Day** from the Consent Agenda to correct a scrivener’s error. The report should reflect that the Elmhurst Children’s Assistance Foundation (ECAAF) will hold the agreement and provide insurance with/to the City, not the Elmhurst St. Patrick’s Day Committee.

Voice vote on item **8j. Report – Halfway to St. Patrick’s Day**, unanimous. Motion carried.

Alderman York moved to open discussion on item **8o. O-46-2012 – An Ordinance Approving the Twenty-Third Amendment to Real Estate Purchase Contract for the Purchase of the Real Property Commonly Known as 260 North York Street, Elmhurst Illinois (“Pauli”)**. Alderman Hipskind seconded.

Alderman York stated he pulled item **8o. O-46-2012 – An Ordinance Approving the Twenty-Third Amendment to Real Estate Purchase Contract for the Purchase of the Real Property Commonly Known as 260 North York Street, Elmhurst Illinois (“Pauli”)** to move to amend the main motion to change the date to 30-days earlier than stated. Alderman Hipskind seconded. Voice vote, unanimous, motion carried.

Alderman York moved to suspend the rules to be able to vote on item **8o. O-46-2012 – An Ordinance Approving the Twenty-Third Amendment to Real Estate Purchase Contract for the Purchase of the Real Property Commonly Known as 260 North York Street, Elmhurst Illinois (“Pauli”)** tonight. Alderman Hipskind seconded. Voice vote, unanimous, motion carried.

Roll call vote to approve item **8o. O-46-2012 – An Ordinance Approving the Twenty-Third Amendment to Real Estate Purchase Contract for the Purchase of the Real Property Commonly Known as 260 North York Street, Elmhurst Illinois (“Pauli”)**:

Ayes: York, Hipskind, Morley, Wagner, Mulliner, Leader, Dunn, Polomsky

Nays: Healy, Levin, Pezza, Gutenkauf, Bram

Results: 8 ayes, 5 nays, 1 absent
Motion carried

COMMITTEE REPORTS

9. a. REPORT – NORTH YORK STREET TIF ORDINANCES The following report of the Development, Planning & Zoning Committee was presented for passage:

August 14, 2012

TO: Mayor DiCianni and Members of the City Council
RE: North York Street TIF Ordinances

The Development, Planning and Zoning Committee met on July 9 and August 13, 2012 to continue its discussions regarding the proposed North York St Tax Increment Financing (TIF) District. The Committee reviewed drafts of three proposed Ordinances which will establish the North York Street Tax Increment Financing District.

Per the Illinois TIF Act there are many requirements that must be met to legally establish a TIF district. Over the past year the City has carefully and systematically moved toward establishing a TIF district known as the North York TIF District (TIF 4). The last two requirements are the holding of a public hearing, which was held on August 6, 2012, and then subsequent to the public hearing the City Council must approve three (3) enabling ordinances. The first ordinance approves the Tax Increment Development Plan and Project, which the DPZ Committee and City Council have reviewed on multiple occasions, the second ordinance establishes the designated TIF area (the map), which throughout this process has been adjusted due to City Council and Staff recommendation, and the third ordinance establishes the TIF financing requirements for the TIF area.

The Committee also discussed the requirement to remove the Hahn St. parcels, along with the CVS, Hamburger Heaven and Podiatrist's office from the existing TIF 1 prior to the passing of the TIF #4 ordinances. This will allow TIF 4 to meet the exact boundaries presented to the City Council at the June 18, 2012 City Council meeting.

After review and discussion, it was the consensus of the Committee to recommend approval of the ordinances to remove the above mentioned TIF 1 parcels, and the ordinances required to establish the proposed North York Street Tax Increment Financing District (TIF 4).

Therefore, it is the recommendation of the Development, Planning and Zoning Committee that the City Council approve the required ordinances to establish the North York Tax Incrementing Finance District (TIF 4).

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Steven Morley

Chairman

/s/ Dannee Polomsky

Vice-Chairman

/s/ Norman Leader

Alderman Morley moved to open discussion on item **9a. Report – North York Street TIF Ordinances**. Alderman Polomsky seconded.

Alderman Morley reviewed the North York TIF and the importance of what it will be for the future of Elmhurst.

Comments of support were expressed from around the dais for the North York TIF by the City Council.

Alderman Gutenkauf moved to amend item **9a. Report – North York Street TIF Ordinances** to remove paragraphs 3 and 4, altering the map for TIF IV to remove the properties south of North Avenue. Alderman Pezza seconded.

Alderman Morley, point of order, asked City Attorney Storino to clarify Alderman Gutenkauf's motion.

City Attorney Storino replied Alderman Gutenkauf's motion was to remove the properties south of North Avenue from the proposed TIF. He stated it is an appropriate amendment to the committee report.

Discussion ensued regarding Alderman Gutenkauf's motion to amend the committee report.

Alderman Pezza asked Mayor DiCianni if she could address Mr. Biondo regarding separating the EAV and inflation.

Mayor DiCianni asked Mr. Biondo to come to the podium and address Alderman Pezza's questions on inflation.

Mr. Biondo stated he didn't have enough information prepared but tried to explain the process.

Discussion continued.

Roll call vote to amend item **9a. Report – North York Street TIF Ordinances** to remove paragraphs 3 and 4, altering the map for TIF IV to remove the properties south of North Avenue:

Ayes: Gutenkauf, Pezza, Bram

Nays: Leader, Dunn, Polomsky, York, Hipskind, Healy, Levin, Morley, Wagner, Mulliner

Results: 3 ayes, 10 nays, 1 absent
Motion failed

Discussion continued on the main motion.

Alderman Levin moved to call the question. Alderman Mulliner seconded. Voice vote, not unanimous, motion carried.

Roll call vote on item **9a. Report – North York Street TIF Ordinances**:

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

Nays: Gutenkauf

Results: 12 ayes, 1 nays, 1 absent
Motion carried

b. REPORT – DRAFT TAX INCREMENT FINANCING REDEVELOPMENT AGREEMENT (MARIANO'S PROJECT) The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

July 17, 2012

To: Mayor DiCianni and Members of the City Council

Re: Draft Tax Increment Financing Redevelopment Agreement (Mariano's Project)

The Finance, Council Affairs and Administrative Services Committee met July 16, 2012, to review the draft Tax Increment Financing Redevelopment Agreement for the proposed Mariano's grocery store project.

City staff met with the Developer, York Street Ventures, LLC, several times to negotiate a Redevelopment Agreement (Agreement) for the redevelopment of property located at 678 North York Street. The Developer proposes to build an approximately 76,000 square foot grocery store building and approximately 350 parking spaces, with off-street and site access. The grocery store will be leased to Mariano's Fresh Market for a period of twenty years. It is estimated that the cost of developing and constructing the grocery store project will be approximately \$18 million, including land acquisition. The grocery store project is located within the Redevelopment Project Area of the proposed North York Street Tax Increment Financing District (TIF IV). The Developer initially requested assistance in the amount of \$1,500,000 and has reduced the amount of assistance requested to \$1,250,000. The financial assistance is budgeted in the TIF IV redevelopment plan and is not an expense to the City's budget.

The draft Agreement between the City and the Developer is attached. Highlights of the Agreement include the following:

- The City shall pay the Developer \$1,250,000 to partially reimburse Developer costs which constitute redevelopment project costs. The funds shall be paid in two installments. The first installment of \$625,000 shall be paid after the City has issued a Certificate of Completion and after Mariano's has been open to the general public at least one day. The second installment of \$625,000 shall be paid 180 days after the initial payment date.
- The Developer shall not appeal the equalized assessed valuation of all or a portion of the grocery store project, below a minimum base of \$2.65 per square foot, for that period of time plus two years that it takes for the project to generate \$1,250,000 of incremental real estate taxes. It is projected that it will take approximately ten years for the cumulative incremental real estate taxes to equal \$1,250,000.

As this transaction will essentially require the City to fund a loan to TIF IV, staff recommends accessing the City's line of credit to initially fund the economic incentive of \$1,250,000. Interest expense during the projected ten year payback period is estimated at about \$100,000. Interest expense is a TIF eligible expense, and it will be charged back to the proposed North York Street Tax Increment Financing District, if the new district is approved. The Finance Committee concurs with staff recommendation to use the City's line of credit for this purpose.

The Finance Committee believes that the draft Agreement is equitable to both the City and the Developer, and it was the consensus of the Finance Committee to recommend approval of the Agreement. It was noted, however, that approval of the Agreement is contingent upon approval of the proposed North York Street Tax Increment Financing District.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare a resolution to approve the Tax Increment Financing Redevelopment Agreement for the Mariano's grocery store project. The Finance Committee further recommends accessing the City's line of credit to initially fund the economic incentive of \$1,250,000.

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

Alderman Hipskind moved to approve item **9b. Report – Draft Tax Increment Financing Redevelopment Agreement (Mariano's Project)**. Alderman York seconded.

Alderman Hipskind stated his support of the report stating this is a loan for the developer to bring Mariano's to Elmhurst.

Alderman York stated his support for item **9b. Report – Draft Tax Increment Financing Redevelopment Agreement (Mariano's Project)**.

Alderman Bram stated the agreement is an incentive, not a loan.

Discussion ensued regarding supporting Mariano's coming to the north side of Elmhurst.

Voice vote on item **9b. Report – Draft Tax Increment Financing Redevelopment Agreement (Mariano's Project)**, unanimous, motion carried.

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

10. a. UPDATES (Mayor DiCianni)

Mayor DiCianni stated Elmhurst is in good economic shape and moving in the right direction. He cited Elmhurst's high ranking in a recent *Walkability Study* done by DePaul University, and new businesses opening in the Central Business District.

Alderman York stated passage of the report allocating additional funds to the Retail Grant Program on tonight's Consent Agenda will continue to help revitalize the Central Business District.

Alderman Healy asked has the Electric Aggregation program started for those who did not opt out of the program?

City Manager Grabowski stated Power flow with MC Squared began with all meters read on and after August 1, 2012, with the first month of savings to be reflected on ComEd bills received in September.

Alderman Pezza asked when consultant Tracey Cross will address the Council on the Hahn Street project.

City Manager Grabowski stated Tracey Cross & Associates will present to Council at the Tuesday, September 4, 2012 Council meeting.

OTHER BUSINESS

11. None.

ADJOURNMENT

12. Alderman Morley moved to adjourn the meeting. Alderman Polomsky seconded. Voice vote. Motion carried. Meeting adjourned 10:27 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk