

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, NOVEMBER 5, 2012
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 95

1. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:35 p.m.

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

Absent: None

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

SWEARING-IN OF POLICE CHIEF MICHAEL RUTH

2. Mayor DiCianni asked Michael Ruth and his wife to join him at the podium for the Oath of Office. Mayor DiCianni welcomed those in attendance including elected officials and Police Chiefs from other communities. The Mayor welcomed Chief Ruth stating he looks forward to working together.

Police Chief Ruth stated he is honored to be a part of the Elmhurst Police Department. He stated he remembers stories told on the professionalism of the Elmhurst Police Department and said he looks forward to working with everyone.

Mayor DiCianni thanked Interim Police Chief Panico and Deputy Chief Kveton for their excellent work during the transition.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

3. Mr. Gilbert Fischer, 586 N. Van Auken, submitted a letter regarding high Elmhurst taxes and the effect the taxes have had on he and his wife. He requested that the City provide a grant of \$2,000 to him so that he is able to pay bills and taxes the government charges.

PUBLIC FORUM

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

Stated his property tax has gone up 300% in the past three years.

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

Spoke of the increases in water rates, property taxes, and the new TIF and the lack of fixing any of the problems.

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

Spoke regarding resolution R-66-2012 on tonight's agenda. She commented on the four-month gap in approval time. She also commented on the height of the construction and questioned any discussion regarding it.

ANNOUNCEMENTS

5. Clerk Spencer announced as a reminder per Municipal Code Chapter 2 Section 2.02, due to the observance of Veteran's Day as a federal holiday on Monday, November 12, 2012, next week's Committee meetings will take place on Tuesday, November 13, 2012. She stated City Hall will be open its normal business hours on Monday of 8:30 a.m. – 5:00 p.m.

Clerk Spencer announced tomorrow is Election Day, November 6, 2012. She stated if you need to find out where your polling place is, please contact the DuPage County Election Commission at (630)407-5600 or visit their website www.dupageco.org/election. She stated over 4,000 persons took advantage of Early Voting at City Hall between October 22, 2012 – November 2, 2012. She stated the Administration Office registered or transferred the registrations of over 500 voters in the last two weeks of voter registration.

Alderman Gutenkauf announced the Holiday market at Wilder Mansion will take place on Friday, November 9, 2012 between 4:00 p.m. – 9:00 p.m. Friday night admission is \$20 and proceeds benefit United Community Concerns. The Holiday market will be open with free admission on Saturday, November 10, 2012 between the hours of 11:00 a.m.-5:00 p.m.

CONSENT AGENDA

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

- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, OCTOBER 15, 2012 (City Clerk Spencer):
Approve as published
- b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, OCTOBER 15, 2012 (City Clerk Spencer):
Receive and place on file
- c. ACCOUNTS PAYABLE – OCTOBER 31, 2012, TOTAL \$1,828,338.31
- d. NORTH YORK PLAN – ALDERMEN POLOMSKY & LEADER (City Manager Grabowski): Refer to the Development, Planning & Zoning Committee

November 1, 2012

To: Mayor DiCianni and Members of the City Council
Re: North York Plan – Aldermen Polomsky & Leader

It is respectfully requested that the attached request from Aldermen Polomsky and Leader that the City consider developing a North York Plan to include design guidelines, like the Downtown Plan, addressing thirteen categories listed therein be referred to the Development, Planning & Zoning Committee for review and recommendation back to the City Council.

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

- e. LIQUOR LICENSE CHANGE – TANNINS (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

October 24, 2012

To: Mayor DiCianni and Members of the City Council
Re: Liquor License Change – Tannins

Attached please find a request from Joe Leonardo, owner of Tannin's Wine Bar & Boutique, wherein they request approval to replace their current Class WBB liquor license with a Class WBBS liquor license for 112 N. York St.

Therefore, it is respectfully requested that the City Council authorize the Public Affairs and Safety Committee to consider increasing the Elmhurst Municipal Code authorized number of liquor licenses in the category of WBBS and decreasing the number of authorized liquor licenses in the category of WBB.

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

- f. LIQUOR LICENSE REQUEST WYR RESTAURANTS, LLC (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

November 1, 2012

To: Mayor DiCianni and Members of the City Council
Re: Liquor License Request WYR Restaurants, LLC

Attached please find a request from a new business concept from WYR Restaurants LLC, wherein they advise of their intent to follow proper City of Elmhurst process for approval of a City liquor license for an American English Pub & Restaurant at 116 S. York Street.

Therefore, it is respectfully requested that the City Council authorize the Public Affairs and Safety Committee to consider increasing the Elmhurst Municipal Code authorized number of liquor licenses in the classification RL which would, if approved, allow WYR Restaurants, LLC to be considered for a liquor license.

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

- g. REPORT – ADDISON STREET PARKING DECK BIDS – ELECTRICAL UTILITY RELOCATION The following report of the Public Works & Buildings Committee was presented for passage:

October 22, 2012

TO: Mayor DiCianni and Members of the City Council
RE: Addison Street Parking Deck Bids - Electrical Utility Relocation

On Monday, October 22, 2012 the Public Works and Buildings Committee met to review bids received for the Addison Street Parking Deck bids for Electrical Utility Relocation.

In anticipation of the proposed building and parking deck construction at 135 & 149 North Addison Avenue it is necessary to relocate the overhead private utilities in the public alley directly behind 135 & 149 North Addison Avenue. This work includes the necessary operations to permanently relocate electric, telephone and cable TV transmission lines underground to avoid conflicts with these utilities during the course of building and parking deck construction.

The low bidder for the electrical utility relocation was Connelly Electric Company of Addison, Illinois with a total bid of \$279,740.00. Reference checks for this contractor indicate that similar work was completed in a satisfactory manner. See attached bid analysis for bid comparison and the final proposed awarded project scope for acceptance of low bid.

Advertisements to bid were posted in the Elmhurst Independent on September 27, 2012. Bids were opened by the City Clerk on October 16, 2012.

Monies for this work have been approved in the FY 2012/2013 Budget, in account number 530-0088-503-80-19 in the amount of \$12,000,000.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bids for Electrical Utility Relocation as outlined above be accepted and that the City Attorney be authorized to draft a resolution for a contract with Connelly Electric Company.

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

- h. REPORT – MOBILE FOOD UNITS ORDINANCE REVISION The following report of the Public Affairs & Safety Committee was presented for passage:

October 22, 2012

To: Mayor DiCianni and Members of the City Council
Re: Mobile Food Units – Ordinance Revision

The Public Affairs and Safety Committee met on October 22, 2012, to review the necessity to amend the Municipal Code of Ordinances of the City of Elmhurst Chapter 31, Article XI, Section 31.130, under the Definition of Food Services Establishment.

That Chapter 31, Article XI, Section 31.130 under the Definition of Food Services Establishment, shall have the additional language added to the existing language as follows:

“That sales of prepackaged foods, frozen foods or ice cream is included in the definition of a food service establishment.

Section 3. That Chapter 31, Article XI, Section 31.135(k)(4) is amended to read as follows:

“No operator of such unit shall park or stand such vehicle within one thousand (1,000) feet of a school or school playground when school is in session or during any time school activities are taking place or within thirty (30) minutes of school adjourning.”

Section 4. This Ordinance shall be printed and published in pamphlet form by the City Council of the City of Elmhurst, Illinois.

Section 5. That this Ordinance shall be in full force and effect upon and after its passage and approval in the manner provided by law.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Attorney prepare the necessary documents to amend the Municipal Code of Ordinances of the City of Elmhurst Chapter 31, Article XI, Section 31.130 under the Definition of Food Services Establishment to include the addition of the language listed above to the existing language.

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

- i. REPORT – PAPERLESS AGENDA SYSTEM The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

September 25, 2012

To: Mayor DiCianni and Members of the City Council
Re: Paperless Agenda System

The Finance, Council Affairs and Administrative Services Committee met September 24, 2012, to review a paperless agenda system as an alternative to the current paper packets.

Paperless agenda systems allow organizations to significantly improve the way they create and manage board packets, access information and conduct meetings. Currently, staff spends approximately 12-15 hours per week copying, sorting, collating, packaging and delivering the City Council and Committee packets. A significant amount of this time will be saved by moving to an electronic paperless agenda system. In addition, a paperless agenda system will eliminate approximately 200,000 agenda packet copies made annually, an estimated savings of \$10,000 per year.

Staff researched paperless agenda systems from four vendors: BoardDocs, Civic Plus, Granicus and Sire Technologies. In addition to cost, staff reviewed the functionality of each system and determined that BoardDocs best meets the City's needs. BoardDocs is also used by Elmhurst School District 205 and is a system that the public is already familiar with using to access meeting information. BoardDocs offers a one year contract for \$12,000 or \$9,000 per year with a five year contract. The five year contract includes no early cancellation fee after one year of service and provides a 30 day notice to cancel. Staff recommends entering into a five year contract with BoardDocs in the amount of \$9,000 per year, which will be covered by the annual copy cost savings. Funds are available in the fiscal 2013 Information Technology budget in account 110-2008-413-80-31. The Finance Committee concurs with staff recommendation.

BoardDocs is a cloud-based system that is fully supported on most hardware alternatives. Staff will present hardware options at a future committee meeting.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council accept the proposal for a five year contract from BoardDocs at \$9,000 per year, to provide a paperless agenda system, and that the City Attorney be authorized to prepare the appropriate resolution.

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

j. O-61-2012 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-61-2012 was presented for passage.

k. O-62-2012 – AN ORDINANCE AUTHORIZING THE DISPOSAL OF PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-62-2012 was presented for passage.

l. O-63-2012 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE ENGINEERING SERVICES AGREEMENT BY AND BETWEEN RJN GROUP, INC. AND THE CITY OF ELMHURST FOR THE SAYLOR AND JACKSON FORCE MAIN REPLACEMENT

Ordinance O-63-2012 was presented for passage.

m. ZO-09-2012 – AN ORDINANCE GRANTING A VARIATION FROM THE FRONT YARD SETBACK REQUIREMENTS AT THE PROPERTY COMMONLY KNOWN AS 459 NORTH ADDISON AVENUE, ELMHURST, ILLINOIS (PIN 03-35-406-005) (VIGILANTE)

Ordinance ZO-09-2012 was presented for passage.

- n. R-65-2012 – A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN THE ELMHURST PARK DISTRICT AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Resolution R-65-2012 was presented for passage.

- o. R-67-2012 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF A SECOND AMENDED MODIFICATION AGREEMENT BY AND BETWEEN THE BENSENVILLE FIRE PROTECTION DISTRICT #1 AND THE CITY OF ELMHURST

Resolution R-67-2012 was presented for passage.

- p. R-68-2012 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF THE 2013 EMPLOYEE DENTAL INSURANCE BENEFIT AGREEMENT BY AND BETWEEN BLUE CROSS BLUE SHIELD AND THE CITY OF ELMHURST

Resolution R-68-2012 was presented for passage.

- q. R-69-2012 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE FEDERAL BUREAU OF INVESTIGATION AND THE CITY OF ELMHURST

Resolution R-60-2012 was presented for passage.

Alderman Bram pulled item **6d. North York Plan – Aldermen Polomsky & Leader** from the Consent Agenda.

Alderman Dunn moved to approve the contents of the Consent Agenda less item **6d. North York Plan – Aldermen Polomsky & Leader**. Alderman Pezza seconded. Roll call vote:

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

Nays: None

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

Alderman Polomsky moved to open discussion on item **6d. North York Plan – Aldermen Polomsky & Leader**. Alderman Leader seconded.

Alderman Bram stated he pulled item **6d. North York Plan – Aldermen Polomsky & Leader** to ask a few questions without discussing the referral itself. He stated this seems to be a referral that is already on the pending list and he questioned two Aldermen on the same Committee making a referral to their own Committee.

Alderman Morley stated the referral is for the Downtown District.

Alderman Polomsky explained why the referral was created, stating a plan needed to be created.

Alderman Bram, point of order, stated he is looking for a procedural answer, not content.

Alderman Mulliner stated for clarification, any Alderman can refer anything to a Committee, even if it is their own Committee.

Alderman Pezza asked City Attorney Storino to comment on the proper procedure so there is no violation of the Open Meetings Act.

City Attorney Storino stated he would put out a memo.

Voice vote on item **6d. North York Plan – Aldermen Polomsky & Leader**, unanimous, motion carried.

COMMITTEE REPORTS

7. a. REPORT – VEHICLE STICKER REVIEW The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

October 24, 2012

To: Mayor DiCianni and Members of the City Council
Re: Vehicle Sticker Fee Review

The Finance, Council Affairs and Administrative Services Committee met October 22, 2012 to review vehicle sticker fees. The review included an overview of current vehicle sticker fees with a specific review of fees charged to senior citizens for B plate trucks.

As the City Council will recall, the vehicle sticker fee structure for senior citizens (persons age 65 or more) was reviewed in fall of 2011. The following changes were made for vehicle sticker fees for senior citizens, effective with the sale of 2012-13 vehicle stickers:

- One discounted vehicle sticker per senior citizen with proof of age and vehicle registration in the same name, compared to an unlimited number of discounted stickers.
- A discount rate of 50% of the regular vehicle sticker fee rather than 75%.
- Discount applies to passenger vehicles, RV's, motorcycles and trucks less than 4,800 pounds, rather than all classifications of vehicles.

It came to staff's attention quickly that many senior citizens (approximately 100) own larger trucks (B plate trucks 4,801 to 8,000 lbs.) as their primary vehicle. The vehicle sticker fee for B plate trucks is \$90 prior to May 1 and \$120 after April 30. Due to the number of senior citizens that are significantly impacted by the change in vehicle classifications eligible for the senior discount, staff recommends that the 50% senior discount apply to the B plate truck category also, effective with the sale of 2013-14 vehicle stickers. The senior discounted rate for the B plate truck category would be \$45 prior to May 1 and \$60 after April 30. The Finance Committee concurs with staff recommendation.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare the appropriate ordinance to provide for a 50% senior citizen discount for the B plate truck (4,801 to 8,000 pound) classification, effective with the sale of 2013-14 vehicle stickers.

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

Alderman Hipskind moved to approve item **7a. Report – Vehicle Sticker Review**. Alderman York seconded. Voice vote, unanimous. Motion carried.

- b. REPORT – RESOLUTION REGARDING ESTIMATED PROPERTY TAXES TO BE LEVIED FOR THE 2012 TAX YEAR The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

October 23, 2012

To: Mayor DiCianni and Members of the City Council

Re: Resolution Regarding Estimated Property Taxes to be Levied for the 2012 Tax Year

The Finance, Council Affairs and Administrative Services Committee met October 22, 2012, to begin review of the 2012 property tax levy.

As part of this initial review, staff informed the Finance Committee that pursuant to the Illinois Truth in Taxation law, the City of Elmhurst is required to estimate the taxes to be levied for the 2012 tax year not less than twenty (20) days prior to adoption of the 2012 Tax Levy Ordinance. To allow the tax levy process to progress consistent with the attached 2012 Property Tax Levy Timeline, it is necessary for the City Council to approve a resolution determining the estimated property taxes to be levied for the 2012 tax year, at the November 5, 2012, City Council meeting.

The estimated property taxes stated in the resolution does not commit the City Council to that estimate in any way. The final tax levy approved by the City Council can be greater or less than the estimated property taxes stated in the resolution. The Finance Committee used the following methodology to estimate the 2012 property taxes:

- Actual mandated contributions for Firefighters' Pension and Police Pension.
- 80% of the 2012-13 General Fund Budget for IMRF and FICA.
- Actual contract obligation for Ambulance.
- 2011 actual tax levy for Fire Protection.
- 2012 Library levy approved by the Elmhurst Public Library Board.
- 2012 Corporate levy for current year and prior year new growth for Elmhurst Memorial Healthcare Center (EMHC).

A worksheet supporting the estimate is attached. A copy of the required resolution is also attached. The estimated tax levy amount of \$16,764,039 includes both an estimate for the City (\$9,458,539) and an estimate for the Library (\$7,305,500). It should be noted that the "Debt Service Not Abated" is not part of the City's annual tax levy. Debt Service was previously levied as part of the original bond ordinances. The Finance Committee will continue its review of the 2012 tax levy at its next committee meeting.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve Resolution No. R-64-2012 to comply with the Illinois Truth in Taxation Law requirement.

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 **7b. Report – Resolution Regarding Estimated Property Taxes to Be Levied for the 2012 Tax Year**. Alderman York seconded.

Alderman Hipskind stated this report is a place holder. Next week the Committee will meet to discuss what the levy will be. He stated procedurally a resolution will be voted on tonight.

Alderman York expanded on the place order amount which is approximately \$9million.

Discussion ensued regarding the money held back for Elmhurst Memorial Healthcare if they are taxed.

Voice vote on item **7b. Report – Resolution Regarding Estimated Property Taxes to Be Levied for the 2012 Tax Year**, not unanimous. Motion carried.

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

8. a. UPDATES (Mayor DiCianni)

Mayor DiCianni congratulated Coach Newton and his York Dukes for taking the State title in Men's Cross Country in Peoria on November 3, 2012. He stated it was the Duke's 28th Illinois State Championship for Men's Cross Country. A city wide victory parade was held, ending at City Hall.

Alderman Pezza gave a shout-out to Public Works Director Hughes and the Public Works & Buildings Committee for their work on the garbage contracts.

Mayor DiCianni gave a shout-out to Fire Chief Bacidore and Interim Police Chief Panico for their support at the State Championship celebration parade Saturday night.

Alderman Kennedy gave an update on the sanitary sewer and the storm sewer projects that are to begin, stating what will be upcoming: discussions on check-valves, project policies and zoning. Alderman Kennedy asked City Manager Grabowski to organize a meeting with the Elmhurst Park District to work on these projects together.

RESOLUTIONS

9. a. R-64-2012 – A RESOLUTION DETERMINING THE ESTIMATED PROPERTY TAXES TO BE LEVIED BY THE CITY OF ELMHURST FOR THE 2012 TAX YEAR

Resolution R-64-2012 was presented for passage.

Alderman Hipskind moved to approve item **9a. R-64-2012 – A Resolution Determining the Estimated Property Taxes to Be Levied By the City of Elmhurst for the 2012 Tax Year**. Alderman York seconded.

Mayor DiCianni asked for a motion to suspend the rules to approve the Committee Report and Resolution on the same night, as both are being presented for Council approval tonight.

Alderman Levin, point of order, this is not an ordinance the rules do not need to be suspended.

City Attorney Storino stated Chapter 2 of the Elmhurst Municipal Code includes these types of Resolutions.

Alderman Bram, point of order, asked if Council is to waive or suspend the rules.

City Attorney Storino replied suspend.

Alderman Hipskind moved to suspend the rules and approve item **9a. R-64-2012 – A Resolution Determining the Estimated Property Taxes to Be Levied By the City of Elmhurst for the 2012 Tax Year** tonight. Alderman Mulliner seconded. Voice vote, unanimous. Motion carried.

Roll call vote on item **9a. R-64-2012 – A Resolution Determining the Estimated Property Taxes to Be Levied By the City of Elmhurst for the 2012 Tax Year:**

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

Nays: Pezza

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

b. R-66-2012 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF ELMHURST, ILLINOIS, AND ARCO/MURRAY NATIONAL CONSTRUCTION COMPANY, INC. FOR PRELIMINARY DUE DILIGENCE, INVESTIGATIONS AND SITE DESIGN FOR THE ADDISON STREET PARKING DECK SITE, 135-149 ADDISON STREET, ELMHURST, ILLINOIS

Resolution R-66-2012 was presented for passage.

Alderman Kennedy moved to approve item **9b. R-66-2012 – A Resolution Authorizing the Execution of a Contract Between the City of Elmhurst, Illinois, and ARCO/Murray National Construction Company, Inc. for Preliminary Due Diligence, Investigations and Site Design for the Addison Street Parking Deck Site, 135-149 Addison Street, Elmhurst, Illinois.** Alderman Dunn seconded.

Alderman Kennedy clarified why there was a delay between the Committee Report and Resolution for this item stating AT&T caused delays and a principal person at ARCO/Murray was sidelined with personal issues.

Alderman Pezza stated she would not support this resolution.

Discussion ensued regarding the timeliness and waiver of competitive bidding.

Roll call vote on item **9b. R-66-2012 – A Resolution Authorizing the Execution of a Contract Between the City of Elmhurst, Illinois, and ARCO/Murray National Construction Company, Inc. for Preliminary Due Diligence, Investigations and Site Design for the Addison Street Parking Deck Site, 135-149 Addison Street, Elmhurst, Illinois:**

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

Nays: Pezza

Results: 13 ayes, 1 nay, 0 absent
Motion carried

c. R-70-2012 – A RESOLUTION AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD FOR THE PROPOSED ADDISON STREET PARKING DECK UTILITY RELOCATION PROJECT AT 135-149 ADDISON FOR THE CITY OF ELMHURST, ILLINOIS

Resolution R-70-2012 was presented for passage.

Alderman Kenedy moved to approve item **9c. R-70-2012 – A Resolution Authorizing the Issuance of a Notice of Award for the Proposed Addison Street Parking Deck Utility Relocation Project at 135-149 Addison for the City of Elmhurst, Illinois.** Alderman Dunn seconded.

Mayor DiCianni asked for a motion to suspend with the rules to approve the Committee Report and Ordinance on the same night, as both are being presented for Council approval tonight.

Alderman Healy moved to suspend the rules and approve item **9c. R-70-2012 – A Resolution Authorizing the Issuance of a Notice of Award for the Proposed Addison Street Parking Deck Utility Relocation Project at 135-149 Addison for the City of Elmhurst, Illinois** tonight. Alderman Gutenkauf seconded. Voice vote, unanimous. Motion carried.

Roll call vote on item **9c. R-70-2012 – A Resolution Authorizing the Issuance of a Notice of Award for the Proposed Addison Street Parking Deck Utility Relocation Project at 135-149 Addison for the City of Elmhurst, Illinois:**

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

Nays: Pezza

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

OTHER BUSINESS

10. None.

ADJOURNMENT

11. Alderman Morley moved to adjourn the meeting. Alderman Wagner seconded. Voice vote.
Motion carried. Meeting adjourned 8:50 p.m.

Peter P. DiCianni III, Mayor

Patty Spencer, City Clerk