

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, DECEMBER 17, 2012
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 7:15 P.M. – DISCUSSION OF MINUTES OF MEETINGS LAWFULLY CLOSED FOR SEMI ANNUAL REVIEW

1. Executive session was called to order at 7:15 p.m. by Acting Mayor Levin for the purpose of Discussion of Minutes of Meetings Lawfully Closed for Semi Annual Review 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, Jim Kennedy, Steve Morley, Mark A. Mulliner

Absent: Patrick Wagner

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 Minutes of Meetings Lawfully Closed for Semi Annual Review and Pending/Threatened Litigation. Alderman Gutenkauf seconded.

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

Nays: None

13 ayes, 0 nays, 1 absent
Motion duly carried

Alderman York moved to adjourn executive session. Alderman Morley seconded. Voice vote. Motion carried. Executive session adjourned at 7:25 p.m.

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 20

2. The Regular Meeting of the Elmhurst City Council was called to order by Acting Mayor Levin at 7:33 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, Mark A. Mulliner

Absent: Patrick Wagner

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, Museum Director Bergheger

RECOGNITION – WILLIS AND SHIRLEY JOHNSON FOR SPONSORSHIP OF “CENTURIES OF PROGRESS” EXHIBIT

3. Acting Mayor Levin asked Val Stuart, Heritage Board Member and Past President to the podium to give a special recognition.

Ms. Stewart reviewed the current exhibits at the museum. She introduced Willis and Shirley Johnson for a special recognition of their sponsorship of the “Centuries of Progress” exhibit.

Mr. Johnson stated he appreciates the museum and encourages everyone to visit the exhibit.

MOMENT OF SILENCE

4. Acting Mayor Levin asked for a moment of silence to honor the victims of the December 14, 2012 shooting at the Sandy Hook Elementary School in Newtown, CT.

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 the high taxes government imposes upon its citizens.

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

Thanked Assistant City Manager Kopp for answers to his questions. He commented on the contract renewals for the City's consultants and \$70million of GO Bonds. He asked Alderman Bram if there is a requirement for water retention on the Mariano's parking lot.

Bob Pfister – Advanced Disposal
1660 Hubbard Ave.
Batavia, IL 60532

Spoke regarding the proposals for residential refuse and recycling collection contracts reviewing his proposal, asking the Council to consider his proposal.

Patrick Miller – Roy Strom
311 S. Wacker Dr., Ste 4400
Chicago, IL 60606

The Strom's attorney spoke regarding the refuse and recycling proposals for contracts stating there were some concerns in the RFP proposals regarding time frames and community size and requested Council refrain from approval at this time.

Richard Van Der Molen – Allied Waste
5050 W. Lake St.
Melrose Park, IL 60160

Stated his company provided all the necessary information and the best price. Mr. Van Der Molen stated his company has worked well with the City and thanked them for consideration of their proposal.

ANNOUNCEMENTS

7. Acting Mayor Levin announced the Elmhurst Public Library Blood Drive will be held on Wednesday, December 26, 2012 between 11:00 a.m. – 6:00 p.m. Visit the Library's website for more information.

CONSENT AGENDA

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

- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, DECEMBER 3, 2012 (City Clerk Spencer):
Approve as published
- b. MINUTES OF THE EXECUTIVE SESSION MEETING HELD ON MONDAY, DECEMBER 3, 2012 (City Clerk Spencer): Approve and place on file

- c. ACCOUNTS PAYABLE – DECEMBER 17, 2012 TOTAL \$ 1,500,917.88
- d. REPORT – ONE (1) FORD F250 4X4 PICK-UP TRUCK WITH SNOW PLOW The following report of the Public Works & Buildings Committee was presented for passage:

December 10, 2012

TO: Acting Mayor Levin and Members of the City Council
RE: One (1) Ford F250 4X4 Pick-Up Truck with Snow Plow

The Public Works and Buildings Committee met on Monday, December 10, 2012 to discuss the purchase of One (1) Ford F250 4X4 Pick-Up Truck with Snow Plow. The existing vehicle is model year 2000 with 80,560 miles. This vehicle replaces Utility Division's PW-95. The existing vehicle has exceeded its projected life-cycle, has a rusted pick-up bed, and no longer meets the needs of the Public Works Utility Division. This vehicle is used as a plow vehicle during the snow removal operation.

The City of Elmhurst participates in the Suburban Purchasing Cooperative, a cooperative of 135 municipalities in the six county areas of Northern Illinois. The Governing Board of Suburban Purchasing Cooperative provides a Joint Purchasing Program for Local Government Agencies and has awarded a competitively bid, joint purchase contract to Currie Motors of Frankfort, IL 60423 for the supply of Ford F250 XL Pick-Up Trucks. The total cost for the Ford F250 4X4 Pick-Up Truck with snow plow less trade-in is \$26,188.00.

Funds for this purchase have been provided in the FY 2012/2013 Budget in the following account:

Vehicle (Division) Amount	Low Bid Amount with Trade	Account Number	Budget
PW-95 (Streets Div.)	\$26,188.00	510-6052-501-8006	\$28,000.00

PW-95 will be used in the Public Works Utility Division. Funds have been provided in the FY2012/2013 budget under the following account number: \$28,000.00 in 510-6052-501-8006. The total purchase price for the 2013 Ford F250 4X4 with Snow Plow is \$26,188.00. The price reflects a trade-in allowance for old PW-95 of \$1,000.00. Delivery is 12 weeks after receipt of order.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid submitted by Currie Motors of Forest Park, IL, in the amount of \$26,188.00 for PW-95 for the supply of the 2013 Ford F250 4X4 with Snow Plow be accepted and that the City Attorney prepare the appropriate resolution.

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

- e. REPORT – ONE (1) REPLACEMENT DUAL AUGER DUMP BODY The following report of the Public Works & Buildings Committee was presented for passage:

December 10, 2012

TO: Acting Mayor Levin and Members of the City Council
RE: One (1) Replacement Dual Auger Dump Body

The Public Works and Buildings Committee met on Monday, December 10, 2012, to discuss the purchase of One (1) Replacement Dual Auger Dump Body. PW-6, a 2001 Sterling Plow Truck with V-Box salt spreader and an underbody plow, has 38,000 miles. This stainless steel dump body

replaces the existing steel dump body that has rusted through the main body frame and can no longer meet the needs of the Public Works Streets Division. PW-6 was scheduled for replacement in 2015 at an estimated cost of \$150,000 but with the new dump body is expected to be serviceable at least until 2017. The new stainless dump body will be transferred to the new truck in 2017. This vehicle is used for snow removal and salting operations and for construction projects.

Invitations to Bid were sent out to four (4) area dealers for one (1) Replacement Dual Auger Dump Body. A legal ad appeared in the newspaper and a public bid opening was held on November 13, 2012. The results are listed below:

<u>Dealer</u>	<u>Total Price</u>
Lindco Equipment Sales, Merrillville, IN	\$32,430.00
Monroe Truck Equipment, Joliet, IL	\$35,665.00
Auto Truck Group, Bartlett, IL	Bid Received Late
RG Smith Equipment Co., Des Plaines, IL	Declined to Bid

PW-6 is used in the Public Works Streets Division. Funds in the amount of \$64,000 remain in account number 110-6047-512-50.02 which is provided for general vehicle repairs. The total purchase price for the Replacement Dual Auger Dump Body is \$34,430.00. Delivery is 25 weeks after receipt of order.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid submitted by Lindco Equipment Sales, Inc., in the amount of \$32,430.00 for the replacement and installation of a dual auger dump body for PW-6 be accepted and that the City Attorney prepare the appropriate resolution.

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

- f. REPORT – ONE (1) FORKLIFT The following report of the Public Works & Buildings Committee was presented for passage:

December 10, 2012

TO: Acting Mayor Levin and Members of the City Council

RE: One (1) Forklift

The Public Works and Buildings Committee met on Monday, December 10, 2012, to discuss the purchase of One (1) Forklift. This Forklift replaces Equipment Maintenance Division vehicle PW-129. The existing forklift was purchased in 1995 with 5,495 hours. The hydraulic mast needs to be rebuilt and the engine and transmission need to be resealed. It has exceeded its projected life-cycle and no longer meets the needs of the Public Works Equipment Maintenance Division. The forklift is used to load and unload material for Central Stores, storing material in the PW Garage mezzanine, moving equipment in the PW Garage and construction projects in the downtown area.

The Committee discussed leasing the forklift rather than purchasing. However, it was determined that due to the long life cycle, the option of leasing was not appropriate.

Invitations to Bid were sent out to four (4) area dealers for one (1) Forklift. A legal ad appeared in the newspaper and a public bid opening was held on November 13, 2012. The results are listed below:

<u>Dealer</u>	<u>Total Price</u>
National Lift Truck, Franklin Park, IL	\$21,350.00
Alta Equipment Co., Itasca, IL	Bid Rejected
Atlas Toyota, Schiller Park, IL	23,911.00
Equipment Depot., Elmhurst, IL	Bid Rejected

PW-129 will be used in the Public Equipment Maintenance Division. Funds have been provided in the FY2012/2013 budget under the following account number: \$40,000.00 in 110-6047-512-8007. The total purchase price for PW129 is \$21,350.00. The price reflects a trade-in allowance for old PW-129 of \$4,000.00. Delivery is 12 weeks after receipt of order.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid submitted by National Lift Truck, Franklin Park, IL in the amount of \$21,350.00 for the replacement of PW-129 be accepted and that the City Attorney prepare the appropriate resolution.

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

- g. REPORT – ADDISON AVENUE PARKING DECK – OVERHEAD UTILITY RELOCATIONS TO UNDERGROUND The following report of the Public Works & Buildings Committee was presented for passage:

December 17, 2012

TO: Acting Mayor Levin and Members of the City Council
RE: Addison Avenue Parking Deck - Overhead Utility Relocations to Underground

The Public Works and Building Committee met on Monday, December 17, 2012 to discuss proposals received from Commonwealth Edison and AT&T for overhead utility relocations and reconnection of secondary feeders for buildings adjacent to the alley behind 135 Addison Avenue. The City has not received a proposal from Comcast so that will have to be dealt with at a future date.

The improvements include work not performed by Connelly Electric including the installation of electric cables, power poles, equipment, transformers with pads, other appurtenant items and removal of existing equipment. Relocation of overhead utilities to underground is necessary to expedite and facilitate construction of the Addison Avenue parking deck.

The cost for the various utility improvements is proprietary. Monies for this project have been provided in the FY 2012/13 Budget in account number 530-0088-503-80-19 in the amount of \$11,000,000.

It is, therefore, the recommendation of the Public Works and Building Committee that the proposals from Commonwealth Edison in the amount of \$96,129.37 and AT& T in the amount of \$71,421.92 for the overhead utility relocations and reconnection of secondary feeders for buildings adjacent to the alley behind 135 Addison Avenue be accepted, and that the City Attorney be authorized to prepare a resolution approving agreements with Commonwealth Edison and AT & T.

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

- h. REPORT – YORK STREET AND SOUTH ROBERT PALMER DRIVE “NO TURN ON RED WHEN PEDESTRIANS ARE PRESENT” SIGN The following report of the Public Affairs & Safety Committee was presented for passage:

December 10, 2012

To: Acting Mayor Levin and Members of the City Council
Re: York Street and South Robert Palmer Drive “No Turn on Red When Pedestrians Are Present” Sign

The Public Affairs and Safety Committee met on December 10, 2012 to discuss a request from neighborhood residents for a pedestrian safety improvement at the intersection of York Street and South Robert Palmer Drive.

The request was made due to the number of children crossing this intersection daily on the route to Hawthorne Elementary School, Immaculate Conception Grade School, and Immaculate Conception High School. In response to the request, staff evaluated potential pedestrian improvements as part of the York Street re-paving project this fall.

The Existing crosswalks were upgraded with “high visibility” striping, which includes one foot wide bars across the walking path running parallel with the centerline, rather than the typical two longitudinal lines. This striping increases motorists’ awareness of potential pedestrians crossing.

Staff also recommends the installation of a sign indicating “No Turn on Red When Pedestrians Are Present” for northbound York Street to eastbound Robert Palmer Drive. This sign would prohibit the right turn maneuver when pedestrians are present and subsequently reduces the vehicular/pedestrian conflicts at the intersection. The “Manual on Uniform Traffic Control Devices” supports the use of this sign when there are “an unacceptable number of pedestrian conflicts with right-turn-on-red maneuvers, especially involving children, older pedestrians, or persons with disabilities.” As York Street is classified as an arterial roadway, with three schools in close proximity, installation of this sign is appropriate.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the City Attorney be directed to prepare the appropriate ordinance for installation of a sign indicating “No Turn on Red When Pedestrians Are Present” for northbound York Street to eastbound Robert Palmer Drive.

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

- i. REPORT – AUDITOR’S FISCAL 2012 MANAGEMENT LETTER The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

December 11, 2012

To: Acting Mayor Levin and Members of the City Council
Re: Auditor’s Fiscal 2012 Management Letter

The Finance, Council Affairs and Administrative Services Committee met December 10, 2012, to review the 2011-2012 City of Elmhurst financial audit and to review the 2012 Auditor's Management Letter from Sikich LLP.

Mr. Daniel Berg, Partner with Sikich LLP, was present at the meeting and reviewed the audit, which received an unqualified "clean" opinion, with the Committee. The Management Letter (see attached) is intended to provide the Mayor, City Council and staff with information regarding any deficiencies in internal control that the auditors consider to be material weaknesses, and with opportunities for strengthening internal controls and operating efficiency. There is one Management Letter comment relating to the 2011-2012 financial audit. An expendable trust fund known as the Library Employees' Appreciation Fund was established in 1992 using equity donations from an anonymous donor, and there was a window where no principal on the donation could be spent. That window has now expired, and the auditors recommend that the securities be sold and replaced with investments consistent with the City's investment policy. Staff reported that the equities will be sold and appropriately reinvested by the end of the calendar year. Mr. Berg also reminded the Committee that there is a wealth of information contained in the 2012 Comprehensive Annual Financial Report and that it is a great resource in understanding the financial "health" of the City. He recommended that all elected officials take the time to read the report paying particular attention to the Management's Discussion and Analysis and the Statistical Section of the report.

After discussion, it was the consensus of the Finance Committee to recommend acceptance of the 2012 Management Letter and staff response to the comment and recommendation.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council accept the 2012 Management Letter and staff action in regard to its comment and recommendation.

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-88-2012 – AN ORDINANCE AUTHORIZING THE PURCHASE OF PAPERLESS AGENDA SYSTEM HARDWARE FOR THE CITY OF ELMHURST

Ordinance O-88-2012 was presented for passage.

k. O-89-2012 – AN ORDINANCE AUTHORIZING THE PURCHASE OF FOUR REPLACEMENT POLICE INTERCEPTOR VEHICLES FOR THE CITY OF ELMHURST POLICE DEPARTMENT AND AUTHORIZING THE DISPOSAL OF THREE POLICE VEHICLES

Ordinance O-89-2012 was presented for passage.

l. MCO-28-2012 – AN ORDINANCE AMENDING CHAPTER 2 ENTITLED, "CITY COUNCIL" AND CHAPTER 3 ENTITLED, "CITY ADMINISTRATION" OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, ILLINOIS BY ADDING THERETO SECTION 2.13 ENTITLED, "PROHIBITION OF ALDERMEN SIMULTANEOUSLY HOLDING MULTIPLE PUBLIC ELECTIVE OFFICES IN ILLINOIS", SECTION 3.012 ENTITLED, "PROHIBITION OF MAYOR SIMULTANEOUSLY HOLDING MULTIPLE PUBLIC ELECTIVE OFFICES IN ILLINOIS", SECTION 3.032 ENTITLED, "PROHIBITION OF CLERK SIMULTANEOUSLY HOLDING MULTIPLE PUBLIC ELECTIVE OFFICES IN ILLINOIS", AND SECTION 3.052 ENTITLED, "PROHIBITION OF TREASURER HOLDING MULTIPLE PUBLIC ELECTIVE OFFICES IN ILLINOIS"

Ordinance MCO-28-2012 was presented for passage.

- m. ZO-10-2012 – AN ORDINANCE APPROVING A PRELIMINARY/FINAL PLAT OF SUBDIVISION FOR THE PROPERTY COMMONLY KNOWN AS 349-343 W. MONTROSE, AND GRANTING A MINIMUM LOT AREA VARIATION FOR THE NEWLY SUBDIVIDED LOTS (NITTI RESUBDIVISION)

Ordinance ZO-10-2012 was presented for passage.

- n. R-77-2012 – A RESOLUTION GRANTING CITY OF ELMHURST EMPLOYEE GARY L. SMITH RETIREMENT FUND CREDITS FOR OUT-OF-STATE SERVICE

Resolution R-77-2012 was presented for passage.

- o. R-78-2012 – A RESOLUTION AUTHORIZING THE LEGAL REPRESENTATIVES TO FILE REQUESTS TO INTERVENE IN APPEAL PROCEEDINGS BEFORE THE ILLINOIS PROPERTY TAX APPEAL BOARD ON BEHALF OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Resolution R-78-2012 was presented for passage.

- p. R-79-2012 – A RESOLUTION REGARDING THE RELEASE OF CERTAIN CLOSED SESSION MINUTES

Resolution R-79-2012 was presented for passage.

- q. R-80-2012 – A RESOLUTION APPROVING AND AUTHORIZING A DESIGN ENGINEERING SERVICES AGREEMENT BY AND BETWEEN THE CITY OF ELMHURST AND TRANSYSTEMS CORPORATION

Resolution R-80-2012 was presented for passage.

- r. R-81-2012 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSULTING AGREEMENT BETWEEN VAN SLYKE ENTERPRISES, INC. AND THE CITY OF ELMHURST, ILLINOIS

Resolution R-81-2012 was presented for passage.

- s. R-82-2012 – A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSULTING AGREEMENT BETWEEN KEN BARTELS AND THE CITY OF ELMHURST, ILLINOIS

Resolution R-82-2012 was presented for passage.

Alderman Bram pulled item **8j. O-88-2012 – An Ordinance Authorizing the Purchase of Paperless Agenda System Hardware for the City of Elmhurst** from the Consent Agenda. Alderman Mulliner pulled item **8l. MCO-28-2012 – An Ordinance Amending Chapter 2 Entitled, “City Council” and Chapter 3 Entitled, “City Administration” of the Municipal Code of Ordinances of the City of Elmhurst, Illinois by Adding Thereto Section 2.13 Entitled, “Prohibition of Aldermen Simultaneously Holding Multiple Public Elective Offices in Illinois”, Section 3.012 Entitled, “Prohibition of Mayor Simultaneously Holding Multiple Public Elective Offices in Illinois”, Section 3.032 Entitled, “Prohibition of Clerk Simultaneously Holding Multiple Public Elective Offices in Illinois”, and Section 3.052 Entitled, “Prohibition of Treasurer Holding Multiple Public Elective Offices in Illinois”** from the Consent Agenda. Alderman Pezza pulled items **8r. R-81-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Van Slyke Enterprises, Inc. and the City of Elmhurst, Illinois** and **8s. R-82-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Ken Bartels and the City of Elmhurst, Illinois** from the Consent Agenda.

Alderman Healy moved to approve the contents of the Consent Agenda less items **8j. O-88-2012 – An Ordinance Authorizing the Purchase of Paperless Agenda System Hardware for the City of**

Elmhurst, 8l. MCO-28-2012 – An Ordinance Amending Chapter 2 Entitled, “City Council” and Chapter 3 Entitled, “City Administration” of the Municipal Code of Ordinances of the City of Elmhurst, Illinois by Adding Thereto Section 2.13 Entitled, “Prohibition of Aldermen Simultaneously Holding Multiple Public Elective Offices in Illinois”, Section 3.012 Entitled, “Prohibition of Mayor Simultaneously Holding Multiple Public Elective Offices in Illinois”, Section 3.032 Entitled, “Prohibition of Clerk Simultaneously Holding Multiple Public Elective Offices in Illinois”, and Section 3.052 Entitled, “Prohibition of Treasurer Holding Multiple Public Elective Offices in Illinois”, 8r. R-81-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Van Slyke Enterprises, Inc. and the City of Elmhurst, Illinois and 8s. R-82-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Ken Bartels and the City of Elmhurst, Illinois. Alderman Pezza seconded. Roll call vote:

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

Nays: None

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

Alderman Hipskind moved to approve item **8j. O-88-2012 – An Ordinance Authorizing the Purchase of Paperless Agenda System Hardware for the City of Elmhurst.** Alderman York seconded.

Alderman Bram stated he pulled item **8j. O-88-2012 – An Ordinance Authorizing the Purchase of Paperless Agenda System Hardware for the City of Elmhurst** not because he will vote against it but because he wanted to ask some questions regarding how it was budgeted.

Discussion ensued.

Alderman York made clear that the laptop computers are not solely for use by elected officials. He stated they are for City staff use as well.

Roll call vote on item **8j. O-88-2012 – An Ordinance Authorizing the Purchase of Paperless Agenda System Hardware for the City of Elmhurst:**

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

Nays: None

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

Alderman Mulliner moved to approve item **8l. MCO-28-2012 – An Ordinance Amending Chapter 2 Entitled, “City Council” and Chapter 3 Entitled, “City Administration” of the Municipal Code of Ordinances of the City of Elmhurst, Illinois by Adding Thereto Section 2.13 Entitled, “Prohibition of Aldermen Simultaneously Holding Multiple Public Elective Offices in Illinois”, Section 3.012 Entitled, “Prohibition of Mayor Simultaneously Holding Multiple Public Elective Offices in Illinois”, Section 3.032 Entitled, “Prohibition of Clerk Simultaneously Holding Multiple Public Elective Offices in Illinois”, and Section 3.052 Entitled, “Prohibition of Treasurer Holding Multiple Public Elective Offices in Illinois”.** Alderman York seconded.

Alderman Mulliner stated he pulled this item to call attention to the ordinance. This is the recently passed referendum regarding holding dual elected offices in Elmhurst.

Roll call vote on item **8l. MCO-28-2012 – An Ordinance Amending Chapter 2 Entitled, “City Council” and Chapter 3 Entitled, “City Administration” of the Municipal Code of Ordinances of the City of Elmhurst, Illinois by Adding Thereto Section 2.13 Entitled, “Prohibition of Aldermen Simultaneously Holding Multiple Public Elective Offices in Illinois”, Section 3.012 Entitled, “Prohibition of Mayor Simultaneously Holding Multiple Public Elective Offices in Illinois”, Section 3.032 Entitled, “Prohibition of Clerk Simultaneously Holding Multiple Public Elective Offices in Illinois”, and Section 3.052 Entitled, “Prohibition of Treasurer Holding Multiple Public Elective Offices in Illinois”:**

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

Nays: None

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

Alderman Hipkind moved to approve item **8r. R-81-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Van Slyke Enterprises, Inc. and the City of Elmhurst, Illinois.**

Alderman York seconded.

Alderman Hipkind stated his support and asked Council to support the resolution.

Alderman Pezza stated she pulled item **8r. R-81-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Van Slyke Enterprises, Inc. and the City of Elmhurst, Illinois** to state she cannot support the resolution.

Alderman Gutenkauf stated she could not support this because there isn't a well established criteria to monitor their outcome and a measurement for the consultants goals.

Roll call vote on item **8r. R-81-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Van Slyke Enterprises, Inc. and the City of Elmhurst, Illinois:**

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

Nays: Pezza, Gutenkauf, Bram

Results: 10 ayes, 3 nays, 1 absent
Motion duly carried

Alderman Hipkind moved to approve item **8s. R-82-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Ken Bartels and the City of Elmhurst, Illinois.**

Alderman York seconded.

Alderman Hipkind stated his support and asked Council to support the resolution.

Alderman Pezza stated she pulled item **8s. R-82-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Ken Bartels and the City of Elmhurst, Illinois** to state she cannot support the resolution.

Roll call vote on item **8s. R-82-2012 – A Resolution Authorizing the Execution of a Consulting Agreement Between Ken Bartels and the City of Elmhurst, Illinois:**

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

Nays: Pezza, Gutenkauf, Bram

Results: 10 ayes, 3 nays, 1 absent
Motion duly carried

COMMITTEE REPORTS

9. a. REPORT – 2013-2018 REFUSE AND RECYCLING CONTRACT The following report of the Public Works & Buildings Committee was presented for passage:

December 10, 2012

TO: Acting Mayor Levin and Members of the City Council
RE: 2013-2018 Refuse and Recycling Contract

The Public Works and Buildings Committee met numerous times during the course of 2012 and most recently on December 10, 2012 to discuss the City's next contract for Refuse and Recycling Services. As the City Council is aware, the Committee approved a procedure for procuring services via a Request for Qualification to be submitted with a sealed proposal. In November of 2012, those submittals were received by the City Clerk and reviewed by the Committee to select the qualified candidates. Six vendors supplied a Statement of Qualifications and Sealed Proposals. The Committee selected four to be opened and those proposals were opened by the City Clerk. On Monday, December 10, 2012, the Committee reviewed the four proposals along with the qualifications to select the City's contractor.

The vendors selected to have their proposals opened were Allied Waste, Groot, Veolia and Waste Management. Of the four proposals received, only three submitted a proposal to provide refuse and recycling services for the entire community on a three day schedule. Veolia only supplied a proposal for a four day a week pickup adding Tuesday to the schedule. Waste Management offered a proposal with both a three day schedule and a four day schedule. Allied Waste and Groot offered only a three day schedule. The City had informed the bidders that the City was strongly desirous of keeping its refuse and recycling program the same as it is today.

The City's new contract will only feature toters with wheels. There will be a 65-gallon recycling toter and a choice of 65-gallon or 95-gallon refuse toter. The refuse and recycling industry has been moving to all toter disposal over the past decade or so. The use of toters provides for a more efficient pickup program and also reduces on the job injuries; both will help lower costs over time for refuse and recycling services for municipalities.

In reviewing the prices submitted for service, the low bidder on the three day cycle was Allied Waste. The low bidder on the four day cycle was Veolia. The Committee discussed the pros and cons of all of the submittals and of both schedules, three or four day. The main differential in the pricing was on the 95-gallon toter between Allied Waste and Veolia. On the 95-gallon toter, Allied Waste in 2013/14 had a monthly price of \$18.45. On the 95-gallon toter for the same year, Veolia had a price of \$15.98 per month, a difference of \$2.47 per month. However, on the 65-gallon toter, Allied Waste has a price of \$13.93 and Veolia has a price of \$13.98, a difference of \$.05.

In order to evaluate the bids, City staff had to make some assumptions as to the percentages of 95-gallon carts which would ultimately be selected by residents. City staff analysis was to take the prices bid over the entire duration of the five year contract and look at a sum total of cost to the community for refuse and recycling services.

In analyzing the percentages of 95-gallon and 65-gallon carts that would be used, City staff ran three scenarios for 95-gallon use, 12.5%, 20%, and 40% of residents using 95-gallon toters. Currently the City has a 40% rate of residents with a 95-gallon cart. Looking at other communities, City staff found that a similarly served community had a utilization of 95-gallon carts at a rate of about 12.5%. Both of those percentages were used to run scenarios for the five year total cost. In addition, City staff ran a scenario whereby half the people who currently have 95-gallon toters would convert to a 65-gallon toter. In that scenario, 20% of the community was estimated to have the 95-gallon toter and 80% to have the 65-gallon toter.

The 20% estimate for 95-gallon toter utilization was arrived at based on the thought that in the current program anyone who exceeds or frequently exceeds the 32-gallon can, has only one choice, and that is the 95-gallon toter. The Committee realized that of the 95-gallon toter users, some have found the 95-gallon toter to be larger than they need and will likely convert to a 65-gallon

toter. It was estimated that half of the people currently using 95-gallon toters will convert to a 65-gallon toter.

During discussions at the Committee level, it was determined that the 80-20 scenario was the most likely scenario in terms of the actual split of carts. That analysis (attached) was utilized to determine and rank the 5-year costs. Ultimately it was determined by the Committee that the three day cycle proposed by Allied Waste was the desired cycle and differential in the 95-gallon toter price was not enough to push it to a four day cycle. The Committee felt that selecting Allied Waste was in the best interest of the community for the following reasons:

- Currently the City pays \$13.93 to Allied Waste for 33-gallon can service. Allied Waste is not increasing that price despite the fact that they will now be picking up a 65-gallon toter. Consequently there will be zero economic impact to those residents who do not put out a lot of garbage.
- The price charged by Allied Waste for the 65-gallon toter is cheaper than Veolia's price in each of all five years.
- The Allied Waste price of \$18.45 per month for the 95-gallon toter is less than the current rate charged by Allied Waste for the 95-gallon toter. Currently the City pays \$19.13 for 95-gallon service. In the proposal from Allied Waste, the 95-gallon toter is \$18.45, a savings of \$.68 per month. In fact, in Allied Waste's proposal, the 2014/2015 monthly charge for 95-gallon toter service is only \$19.14, an increase of \$.01 over the 2012/2013 price.
- In order to go to a four day schedule, the City would have to move at least 25% of residents to a new day for service. This was deemed less than desirable by the Committee as it would cause additional disruption while the program will already be undergoing changes, in going from cans to all toters.
- The City's RRQ/RFP clearly asked for a detailed implementation plan. Implementation of the toter roll-out will be challenging, but with Veolia's four day schedule it would be even more challenging. Veolia did not provide a detailed implementation with their RFQ/RFP. This was a concern for the Committee.
- Allied Waste has been the City vendor for many years and has always provided quality service at a reputable price. In addition, Allied Waste has provided a very clear detailed implementation plan along with their proposal.
- Due to the City's long history with Allied Waste, Allied Waste was deemed the "lowest risk" firm in the analysis of qualifications. In addition, Allied Waste scored significantly higher than the other firms in the Committee's ranking efforts.
- Allied Waste has provided significant assistance to the City for six emergencies over the past five years, often providing services that the City is unable to acquire any other way. Their large fleet and number of employees allows Allied Waste to clear debris from City streets in an extremely timely fashion.
- The increase in cost for the 95-gallon toter is incentive for residents to try to reduce their waste stream sufficiently to allow them to utilize a 65-gallon toter and thereby encourages recycling.

While all of the contractors who supplied Statements of Qualifications and Sealed Proposals are quality firms with highly professional individuals, it was determined by the Committee that for both price and quality of work, Allied Waste was the best choice.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the proposal supplied by Allied Waste for the 2013-2018 Refuse and Recycling Services contract be approved, and that the City Attorney prepare the appropriate documents and that the appropriate City officials be authorized to sign the documents.

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

Alderman Kennedy moved to approve item **9a. Report – 2013-2018 Refuse and Recycling Contract**.
Alderman Dunn seconded.

Alderman Kennedy stated the Public Works & Buildings Committee (PW&B) met numerous times during 2012 to discuss this item. He reviewed the proposal process and discussions.

Alderman Kennedy stated after reviewing each proposal the PW&B Committee chose Allied Waste. He reviewed why the committee made its decision.

Discussion ensued regarding the proposals received and the totter size.

Voice vote to approve item **9a. Report – 2013-2018 Refuse and Recycling Contract**, unanimous.
Motion carried.

b. REPORT – WATER RATE ADJUSTMENT The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

December 11, 2012

To: Acting Mayor Levin and Members of the City Council
Re: Water Rate Adjustment

The Finance, Council Affairs and Administrative Services Committee met December 10, 2012, to review the water rate adjustments in the Municipal Utility Fund.

The Municipal Utility Fund (MUF) is an enterprise fund, and user fees for water are the major source of revenue for the water segment of the MUF. Therefore, water rates are reviewed annually to determine if rate adjustments are necessary. A comprehensive rate and utility billing study, conducted in 2003, established the current billing structure (uniform block) and the cash balance range goals.

As the City Council is aware, the City purchases its water supply from DuPage Water Commission (DWC) and DWC purchases its water supply from the City of Chicago. In October 2011, the City of Chicago announced its intention to increase water rates for Lake Michigan water on the first day of January of each of the next four years as follows: 25% 2012; 15% 2013; 15% 2014; and 15% 2015. DWC analyzed the impact of the rate changes on its costs and rate structure, and in November 2011, adopted water rate increases to its members for the next four calendar years, to take effect on the first day of January, as follows: 30% 2012; 20% 2013; 20% 2014 and 18% 2015. In November 2011, the Finance Committee met several times to review the impact of the DWC water rate increases. At that time, a 20% increase in the City of Elmhurst water rate was approved effective January 1, 2012, and a 15% rate increase was forecasted each year for the next three years.

Staff has reviewed the projected costs for DWC water consumption, water department operation costs and capital costs for the next five years (see Schedule A). The impact of the mandated 20% DWC water rate increase is very significant because water consumption costs are approximately 50% of the total water service expenditures (See Schedule B). Staff recommends a 12% rate adjustment from \$6.41 per thousand gallons to \$7.18 per thousand gallons, effective January 1, 2013, and forecasts a 12% rate adjustment for each of the following two years. The impact of the water rate adjustment for an average four-person household using 12,000 gallons of water per month is approximately \$9.24 per month/\$110.88 annually.

After review and discussion, the Finance Committee concurred with staff recommendation of the lower rate increase, noting specifically that the rate increases from DWC are not within the direct control of the City Council and the projected cash balances remain below the cash balance range goal for the water segment of the MUF, while also realizing the significant impact to residents and businesses of the increased water rates.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare an amendment to the

Municipal Code of Ordinances changing the water rate for the City of Elmhurst, effective for usage billed on or after January 1, 2013, as follows:

	Residential Rates (Per Thousand Gallons)		Commercial Rates (Per Thousand Gallons)	
	<u>New</u>	<u>Current</u>	<u>New</u>	<u>Current</u>
Water	\$7.18	\$6.41	\$10.76	\$9.61
Bi-Monthly Minimum	\$5.69	\$5.08	\$8.51	\$7.60

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 – Water Rate Adjustment**. Alderman York seconded.

Alderman Hipskind stated by raising these rates the City will be able to keep water and sewer funds in good shape.

Alderman York stated the City of Chicago increased water rates and that impacts the City of Elmhurst.

Voice vote on item **9b. Report – Water Rate Adjustment**, unanimous. Motion carried.

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

10. a. COOL CITIES (City Manager Grabowski)

City Manager Grabowski reported the City is in agreement with continuing its 2007 commitment to Cool Cities. He stated Gray Smith, Water/Wastewater Manager from Public Works, will be the City's representative.

OTHER BUSINESS

11. Alderman Polomsky asked City Manager Grabowski for an update on the Elgin O'Hare Western Access.

City Manager Grabowski stated the Toll Highway Authority ("Tollway") has formed a Local Advisory Committee to provide input. He announced Mr. Paul Koch is Elmhurst's representative. Mr. Koch is a local businessman, President of the Elmhurst Chamber of Commerce, and a member of the Maywood Sportsman Club.

Alderman Pezza, point of clarification, asked when is the next meeting.

Acting Mayor Levin stated the next time the Council will meet is Monday, January 7, 2013.

ADJOURNMENT

12. Alderman Bram moved to adjourn the meeting. Alderman Gutenkauf seconded. Voice vote. Motion carried. Meeting adjourned 9:00 p.m.

Scott M. Levin, Acting Mayor

Patty Spencer, City Clerk