

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, JANUARY 7, 2013
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 15

1. The Regular Meeting of the Elmhurst City Council was called to order by Acting Mayor Levin at 7:34 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 (via electronic means), Mark A. Mulliner

Absent: Steve Morley, Patrick Wagner

Also in Attendance: City Attorney Peppers, City Manager Grabowski, Assistant City Manager Kopp, Director of Finance & Administration Gaston, Assistant Director of Finance & Administration Trosien, Fire Chief Bacidore, Police Chief Ruth, Director of Public Works Hughes, Water/Wastewater Manager Smith

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

2. None.

PUBLIC FORUM

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

Commented on the rubbish contract stating it's costing \$700,000 over Allied's contract and asked why. He also commented on the ordinance on tonight's agenda regarding ComEd. He asked the Mayor if the City Clerk could report on how many of the Aldermen completed the required Open Meetings Act training.

Robert Kevins
River Forest, IL 60305

Spoke regarding the rubbish contract, suggesting an early (2 a.m.) morning pick-up to decrease cost. He asked the Council if the contract needed to be signed right now or is there still time to "think outside the box."

Bill Trudeau
291 Vallette
Elmhurst, IL 60126

He asked the Council to require a radon test be done to every house that is for sale. He stated if radon is detected, have it mitigated before the sale of the house and move in date.

Noel Talluto
153 N. Clinton Ave.
Elmhurst, IL 60126

Announced she will be the new observer for the Elmhurst League of Women Voters. She wished everyone a Happy New Year, stating she looks forward to 2013.

Terry Pastika
Citizens Advocacy Center
Elmhurst, IL 60126

Commented on agenda item 7a. R-01-2013 – A Resolution Approving a Third Letter Agreement Between the City of Elmhurst and Addison Corridor Development I, LLC stating she would like to

know what is going on with the property. She stated it was a four (4) story project and now a conditional use permit for six (6) stories.

ANNOUNCEMENTS

4. Alderman Polomsky announced she and Alderman Bram will be hosting a Town Hall Meeting on Wednesday, January 30, 2013 at 7:00 p.m. at the Library. Police Chief Michael Ruth will be in attendance to introduce himself and answer any questions.

Acting Mayor Levin announced he will give the State of the City address Tuesday, January 15, 2013 at 7:30 a.m. at Community Bank of Elmhurst (Butterfield Rd. location). Contact the Elmhurst Chamber of Commerce for tickets.

CONSENT AGENDA

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

- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, DECEMBER 17, 2012 (City Clerk Spencer):
Approve as published
- b. MINUTES OF THE EXECUTIVE SESSION MEETING HELD ON MONDAY, DECEMBER 17, 2012 (City Clerk Spencer): Approve and place on file
- c. ACCOUNTS PAYABLE – DECEMBER 31, 2012 TOTAL \$ 1,515,038.04
- d. BATTLE OF THE BANDS (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

January 2, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Battle of the Bands

It is respectfully requested that the attached request from the Elmhurst Park District for permission to host a Battle of the Bands in the Addison Street Parking Lot in June 2013, be referred to the Public Affairs & Safety Committee for review and recommendation back to the City Council.

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

- e. 2013 ELMHURST 4 ON THE 4TH (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

January 2, 2013

To: Acting Mayor Levin and Members of the City Council
Re: 2013 Elmhurst 4 on the 4th

It is respectfully requested that the attached request to hold the annual *Elmhurst 4 on the 4th* 4-Mile Run and 1K Kids' Run event hosted by the Elmhurst Running Club Inc. and sponsored by Community Bank of Elmhurst 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

- f. O-01-2013 – AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE REPLACEMENT VEHICLE FOR THE CITY OF ELMHURST PUBLIC WORKS DEPARTMENT, UTILITY DIVISION AND AUTHORIZING THE DISPOSAL OF ONE FORD F250 TRUCK

Ordinance O-01-2013 was presented for passage.

- g. O-02-2013 – AN ORDINANCE AUTHORIZING THE PURCHASE OF A REPLACEMENT FORKLIFT FOR THE CITY OF ELMHURST PUBLIC WORKS DEPARTMENT AND AUTHORIZING DISPOSAL OF A 1995 FORKLIFT

Ordinance O-02-2013 was presented for passage.

- h. O-03-2013 – AN ORDINANCE AUTHORIZING THE PURCHASE OF A REPLACEMENT DUAL AUGER DUMP BODY FOR ITS STERLING PLOW TRUCK, UNIT PW-6 THE CITY OF ELMHURST PUBLIC WORKS DEPARTMENT

Ordinance O-03-2013 was presented for passage.

- i. O-04-2013 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR REFUSE AND RECYCLING SERVICES BY AND BETWEEN ALLIED WASTE SERVICES OF NORTH AMERICA, LLC AND THE CITY OF ELMHURST

Ordinance O-04-2013 was presented for passage.

- j. MCO-01-2013 – AN ORDINANCE AMENDING ARTICLE IV ENTITLED, “RATES AND CHARGES,” OF CHAPTER 7 ENTITLED, “WATER AND SEWERS,” OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, ILLINOIS

Ordinance MCO-01-2013 was presented for passage.

- k. MCO-02-2013 – AN ORDINANCE AMENDING SECTION 44.68.3 ENTITLED, “NO RIGHT TURN ON RED WHEN PEDESTRIANS ARE PRESENT INTERSECTIONS ENUMERATED” OF ARTICLE V ENTITLED, “DRIVING, OVERTAKING AND PASSING,” OF CHAPTER 44 ENTITLED, “MOTOR VEHICLES AND TRAFFIC” OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, ILLINOIS

Ordinance MCO-02-2013 was presented for passage.

- l. R-02-2013 – A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS FOR OVERHEAD UTILITY RELOCATIONS AT THE ADDISON STREET PARKING DECK

Resolution R-02-2013 was presented for passage.

- m. R-03-2013 – A RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC HIGHWAY AT-GRADE CROSSING AGREEMENT BY AND BETWEEN UNION PACIFIC RAILROAD COMPANY AND THE CITY OF ELMHURST

Resolution R-03-2013 was presented for passage.

Alderman Levin pulled item **5i. O-04-2013 – An Ordinance Approving and Authorizing the Execution of an Agreement for Refuse and Recycling Services By and Between Allied Waste Services of North America, LLC and the City of Elmhurst** from the Consent Agenda.

Alderman Bram, point of order, Acting Mayor Levin should relinquish the gavel since he is acting as an Alderman.

Acting Mayor Levin relinquished the gavel to Alderman Hipskind.

Alderman Hipskind asked if there were any other items to be removed from the Consent Agenda.

Alderman Bram, point of order, suggested a member of the Public Works & Buildings (PW&B) Committee to pull item **5i. O-04-2013 – An Ordinance Approving and Authorizing the Execution of an Agreement for Refuse and Recycling Services By and Between Allied Waste Services of North America, LLC and the City of Elmhurst** back to Committee instead of Alderman Levin.

PW&B Committee Chairman Kennedy stated he did not want the report to go back to Committee.

Alderman Hipkind returned the gavel to Acting Mayor Levin to pull item **5i. O-04-2013 – An Ordinance Approving and Authorizing the Execution of an Agreement for Refuse and Recycling Services By and Between Allied Waste Services of North America, LLC and the City of Elmhurst** as Acting Mayor.

Acting Mayor Levin pulled item **5i. O-04-2013 – An Ordinance Approving and Authorizing the Execution of an Agreement for Refuse and Recycling Services By and Between Allied Waste Services of North America, LLC and the City of Elmhurst** from the Consent Agenda because of a legal issue.

Alderman Gutenkauf moved to approve the contents of the Consent Agenda less item **5i. O-04-2013 – An Ordinance Approving and Authorizing the Execution of an Agreement for Refuse and Recycling Services By and Between Allied Waste Services of North America, LLC and the City of Elmhurst**. Alderman Hipkind seconded. Roll call vote:

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

Nays: None

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

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

6. a. UPDATES (Acting Mayor Levin)

Acting Mayor Levin updated the Council on the status of the Intergovernmental Agreement (IGA) as it ties into TIF IV, stating it's held up in the School Board's legal department.

Alderman Bram asked if a Committee of the Whole Meeting with the School Board would be necessary.

Acting Mayor Levin stated since the hold-up is in legal, a Committee of the Whole Meeting would not be necessary.

City Manager Grabowski stated the next City Council meeting will be held on Tuesday, January 22, 2013 due to the Martin Luther King Jr. holiday observed on Monday, January 21st.

City Manager Grabowski announced the Irish Spring 5K race has been postponed until 2014. The directors of the race have met with the Police Department and a revised proposal will come before the Public Affairs & Safety Committee.

Alderman Mulliner asked if the race permit will be rescinded.

City Manager Grabowski stated he would have to check and get back to Council.

Alderman Healy thanked staff for their efforts on keeping the stakeholders in the line of communication regarding the issues surrounding this race.

Alderman Healy asked City Manager Grabowski if ComEd will be at the next Council meeting on January 22nd.

City Manager Grabowski stated the goal is for ComEd to be at the January 22, 2013 meeting but there is no confirmation of their attendance at this time.

Alderman Healy stated for clarification, the intent is for ComEd to come on January 22nd but we may not have confirmation until meeting time.

City Manager Grabowski stated that is correct.

b. 2013 FIVE YEAR CAPITAL EXPENDITURE BUDGET (City Manager Grabowski)

City Manager Grabowski stated tonight he will present the Five Year Capital Expenditure Budget 2013-2017. The City Manager stated before the review he would like to thank the City staff for their efforts. City Manager Grabowski began the review with a PowerPoint presentation focusing on the following:

- o 2013 Budget Schedule
- o Five Year Capital Expenditure Budget Objective
- o Expenditure Classifications
- o Expenditure Priority
- o Revenue Sources Capital Improvement Fund
- o Expenditures Funded by the CIF
- o Tax Increment Financing Funds
- o What's Next

Questions and comments came from the Council. Discussion ensued regarding the Prairie Path Underpass.

RESOLUTIONS

7. a. R-01-2013 – A RESOLUTION APPROVING A THIRD LETTER AGREEMENT BETWEEN THE CITY OF ELMHURST AND ADDISON CORRIDOR DEVELOPMENT I, LLC

Resolution R-01-2013 was presented for passage.

Alderman Dunn moved to approve item **7a. R-01-2013 – A Resolution Approving a Third Letter Agreement Between the City of Elmhurst and Addison Corridor Development I, LLC**. Alderman Healy seconded.

Alderman Pezza stated she could not support item **7a. R-01-2013 – A Resolution Approving a Third Letter Agreement Between the City of Elmhurst and Addison Corridor Development I, LLC** because this has been kept out of the public eye and pushed through very quickly.

Roll call vote on item **7a. R-01-2013 – A Resolution Approving a Third Letter Agreement Between the City of Elmhurst and Addison Corridor Development I, LLC**:

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

Nays: Pezza, Gutenkauf,

Results: 10 ayes, 2 nays, 2 absent
Motion carried

OTHER BUSINESS

8. None.

ADJOURNMENT

9. Alderman Healy moved to adjourn the meeting. Alderman York seconded. Voice vote. Motion carried. Meeting adjourned 8:41 p.m.

Scott M. Levin, Acting Mayor

Patty Spencer, City Clerk