

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, APRIL 15, 2013
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 7:00 P.M. – PENDING LITIGATION FILED AGAINST THE CITY OF ELMHURST, PURCHASE OR LEASE OF REAL PROPERTY FOR THE USE OF THE CITY OF ELMHURST, AND APPOINTMENT, EMPLOYMENT OR COMPENSATION OF A CITY OFFICER OR EMPLOYEE

1. Executive session was called to order at 7:00 p.m. by Acting Mayor Levin for the purpose of discussing Pending Litigation Filed Against the City of Elmhurst, Purchase or Lease of Real Property for the Use of the City of Elmhurst, and Appointment, Employment or Compensation of a City Officer or Employee.

Present: Paula Pezza, Diane Gutenkauf, Norman Leader, Bob Dunn, Michael J. Bram, Dannee Polomsky, Kevin L. York, Steve Hipskind, Chris Healy, Scott Levin, Jim Kennedy (arrived at 7:01 p.m.), Steve Morley, Patrick Wagner, Mark A. Mulliner

Absent: None

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

Alderman Hipskind moved to convene into executive session for the purpose of discussing Pending Litigation Filed Against the City of Elmhurst, Purchase or Lease of Real Property for the Use of the City of Elmhurst, and Appointment, Employment or Compensation of a City Officer or Employee. Alderman Wagner seconded.

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

Nays: None

14 ayes, 0 nays, 0 absent
Motion duly carried

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 60

2. The Regular Meeting of the Elmhurst City Council was called to order by Acting Mayor Levin at 7:40 p.m.

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, Patrick Wagner, Mark A. Mulliner

Absent: None

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

Acting Mayor Levin requested a moment of silence in respect of the passing of the father of City Treasurer David Dyer and the father of Community Leader Dr. John Jevitz.

PROCLAMATION – AUTISM AWARENESS MONTH

3. Acting Mayor Levin invited DuPage County Board Member - District 2 and advocate for Autism, Pete DiCianni to the podium to receive a proclamation declaring the month of April, 2013 as Autism Awareness Month. DuPage County Board Member DiCianni stated there are approximately 3,500 children with Autism in DuPage County; approximately 200 in Elmhurst. He encouraged parents to get involved, stating it's a treatable condition.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

4. None.

PUBLIC FORUM

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

Spoke on several items: water and sewer increases, asked the Council not to invoke Eminent Domain on the Pauli Property, and wished Alderman Pezza the best of luck.

David Pezza
275 Cottage Hill
Elmhurst, IL 60126

Spoke regarding the Open Meetings Act violation and thanked Alderman Pezza for action taken and also thanked her for her accomplishments as Alderman of the 1st Ward for the past four years.

Mattie Pezza
275 Cottage Hill
Elmhurst, IL 60126

Spoke regarding her mother's dedication to the City as 1st Ward Alderman.

David Pezza, Jr.
275 Cottage Hill
Elmhurst, IL 60126

Spoke regarding his mother's dedication to the City as 1st Ward Alderman.

ANNOUNCEMENTS

6. Alderman York announced an Elected Officials Bike Ride sponsored by the Elmhurst Bicycle Task Force will be held on Saturday, May 11, 2013 at 2 p.m. It will be a 10 mile ride around Elmhurst. He stated U.S. Congressmen Mike Quigley and Tammy Duckworth will participate and invitations will be sent to the Council.

City Clerk Spencer announced the following:

- 1) 1,050 ballots were cast during early voting March 25 through April 5.
- 2) A Recycling Extravaganza at Elmhurst College on Saturday, April 20th that includes electronics, books, clothing, bikes, and more at the Alexander Street parking lot from 9:00 a.m. to noon.
- 3) Prescription Take Back Day will be held on April 27, 2013 at the Elmhurst Police Station parking lot from 1:00 a.m. until noon.
- 4) Senior Chore Days sponsored by the City and DuPage Senior Citizens Council will be held on the first three weekends in May. Interested seniors or potential volunteers may contact DuPage Senior Citizens Council at 630-620-0804.

CONSENT AGENDA

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

- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, APRIL 1, 2013 (City Clerk Spencer):
Approve as published

- b. MINUTES OF THE EXECUTIVE MEETING HELD ON MONDAY, APRIL 1, 2013 (City Clerk Spencer):
Approve as published
- c. ACCOUNTS PAYABLE – APRIL 15, 2013 TOTAL \$ 1,029,205.35
- d. BID RESULTS, 2013 CONTRACT PAVING PROGRAM (City Clerk Spencer): Refer to the Public Works & Buildings Committee (see item 7j)

April 10, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Bid Results, 2013 Contract Paving Program

In response to an invitation to bid for the 2013 Contract Paving Project No. 13-02, the City of Elmhurst advertised in the Elmhurst Independent on Thursday, March 14, 2013. Bids were received from six contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, April 2, 2013 by the City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Total Price</u>
Brothers Asphalt Paving, Inc. Addison, IL	\$2,338,098.73
Arrow Road Construction Mt. Prospect, IL	\$2,393,858.00
Plote Construction Co. Hoffman Estates, IL	\$2,631,990.37
K-Five Construction Lemont, IL	\$2,649,000.27
R.W. Dunteman Co. Addison, IL	\$2,724,144.24
G&M Cement Construction Addison, IL	\$2,770,626.29

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. SUSTAINABILITY GOALS – ALDERMAN POLOMSKY (City Manager Grabowski): Refer to the Development, Planning & Zoning Committee

April 5, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Sustainability Goals – Alderman Polomsky

It is respectfully requested that the attached request from Alderman Polomsky for the City to set and commit to new goals in line with the 2015 Illinois Cool Cities Local Sustainability Protection Agreement, 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

- f. THE CHURCHVILLE CHARGE SPECIAL EVENT (City Manager Grabowski): Refer to the Public Affairs & Safety Committee

April 10, 2013

To: Acting Mayor Levin and Members of the City Council
Re: The Churchville Charge Special Event

It is respectfully requested that the attached request from the Churchville Middle School PTA to utilize City owned property as part of their An Amazing Race for an Amazing School special event, 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

- g. REPORT – ONE (1) FORD F250 WITH SERVICE BODY The following report of the Public Works and Buildings Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council
Re: One (1) Ford F250 with Service Body

The Public Works and Buildings Committee met on Monday, April 8, 2013, to discuss the purchase of One (1) Ford F250 with Service Body. The existing vehicle is model year 2000 with 85,589 miles. This vehicle replaces Utility Division's PW-54 which is used for sanitary sewer operations. The existing vehicle has a rusted body compartment and service body doors. In accordance with the City of Elmhurst's Sustainability Policy direction to reduce carbon dioxide emissions the existing vehicle will be replaced with an E-85 rated vehicle.

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, for the supply of Ford F250 Trucks. The total cost for the Ford F250 4X2 with Service Body less trade-in is \$41,828.00

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

Vehicle (Division)	Bid Amount with Trade	Account Number	Budget Amount
PW-54 (Utility Div.)	\$41,828.00	510-6056-502-8006	\$42,000.00

The total purchase price for the 2013 Ford F250 with Service Body is \$41,828.00. The price reflects a trade-in allowance for old PW-54 of \$2,500.00. 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 \$41,828.00 for the supply of one (1) 2013 Ford F250 with Service Body and trade in of old PW-54 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

- h. REPORT – 2013 TREE PURCHASE & PLANTING PROGRAM The following report of the Public Works and Buildings Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council
Re: 2013 Tree Purchase & Planting Program

The Public Works and Building Committee met on Monday, April 8, 2013, to discuss the purchase and installation of tree stock through the Suburban Tree Consortium for the City's 2013 Tree Purchase & Planting Program. This includes regular tree replacements and new tree plantings.

Elmhurst joined the Suburban Tree Consortium in 1986 and is currently one of 38 participating members. The major purpose of the Consortium is to pool resources from several communities in an effort to obtain lower prices, a more dependable supply, and a higher quality of trees than would be available to any single municipality or agency. The City has purchased trees through the Consortium previously and has been satisfied with the product and the competitiveness of the cost. Currently, Beaver Creek Nursery, Hinsdale Nursery, Beeson's Nursery, Possibility Place Nursery, and Wilson Nursery are contracted to supply trees and Pugsley & LaHaie provide planting services. These contracts have fixed annual prices, which are renewed upon mutual consent of the members and contractors and are administered by the West Central Municipal Conference (WCMC). Collectively, the members purchase approximately 6,000 trees per year.

A purchase summary is attached specifying tree species, numbers required, costs and the supplying nursery.

Due to continuing determinations by the Illinois Department of Labor, tree planting is now considered to be governed by Prevailing Wage Legislation. There are 576 trees scheduled to be purchased at a cost of \$92,224.50. The cost for contractor services to plant the trees is \$97,920.00.

Funds have been allocated in the 2013 budget, General Fund for the purchase of these trees in account number 110-6043-434-40-61 in the amount of \$100,000.00, and for planting in account number 110-6043-434-30-77 in the amount of \$100,000.00, pending Council approval of the 2013 Budget.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the purchase of trees through the Suburban Tree Consortium as outlined above be approved.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Bob Dunn

Vice-Chairman

/s/ Chris Healy

/s/ Diane Gutenkauf

- i. REPORT – EFFLUENT SAMPLING STATION ENGINEERING SERVICES AGREEMENT The following report of the Public Works and Buildings Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council
RE: Effluent Sampling Station Engineering Services Agreement

The Public Works and Buildings Committee met on Monday, April 8, 2013 to discuss the design and bidding services required for the Effluent Sampling Station Project at the City of Elmhurst's Water Reclamation Facility at 625 S. Route 83, Elmhurst, IL.

The City of Elmhurst requested qualifications from professional engineering consultants for the design of the replacement of the Effluent Sampling Station at the Wastewater Treatment Plant. Five (5) engineering consultants responded to the Request for Qualifications (RFQ). Three firms were interviewed. Robinson Engineering Ltd. was selected as the most qualified engineering consultant for this project.

The purpose of the Effluent Sampling Station is to collect samples from daily discharge and during periods of excess flow from the fully treated effluent. The samples will be refrigerated and chlorine residual analyzed. Sampler pumps and samplers installed in the same structure near the outfall permit easier maintenance of the equipment. Short sample lines will reduce contamination potential that could affect the quality of samples collected.

The existing effluent sampling station, sampler pumps and automatic samplers were installed in 1990 and are requiring more frequent repairs and are nearing the end of their service life. The sampler pump discharge lines are over 200 feet long and require regular flushing to remove algae from the lines. This project will replace the existing sampler pumps and automatic sampling equipment with new submersible pumps and samplers.

The Effluent Sampling Station is proposed to be constructed to the north of Chlorine Contact Tank #1 and to the east of Chlorine Contact Tank #3. The structure will be designed to have an appearance similar in style to the other buildings in the area. The structure is proposed to be a prefabricated floorless structure affixed to a floating concrete slab. The building will be a stand-alone structure, designed to house two refrigerated automatic programmable samplers with a space for a third and pumps to move the fluids to be sampled as needed, space for a single chlorine analyzer will be provided. An HVAC system will be an integral component of the structure as will an electrical panel to serve the various pieces of equipment. A stainless steel sink and support system will also be designed into the Effluent Sampling Station.

Funds have been provided in the amount of \$52,000 for professional engineering services (design and bidding services) of the effluent sampling station in the 2012/13 budget in account number 510-6057-502-80-20.

Therefore it is the recommendation of the Public Works and Buildings Committee that the contract for design and bidding services of the new effluent sampling station building and equipment at the City of Elmhurst's Water Reclamation Facility in the amount of \$52,000 be approved and the City Attorney be authorized to draft a resolution approving a contract with Robinson Engineering, Ltd.

Respectfully submitted,
Public Works and Building Committee

/s/ Jim Kennedy

Chairman

/s/ Bob Dunn

Vice-Chairman

/s/ Chris Healy

/s/ Diane Gutenkauf

- j. REPORT – 2013 CONTRACT PAVING PROGRAM The following report of the Public Works and Buildings Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council

Re: 2013 Contract Paving Program

The Public Works and Buildings Committee met on Monday, April 8, 2013 to review bids for the 2013 Contract Paving Program. The six (6) bids received from area contractors are summarized on Attachment "A".

The bids received will provide for the grinding and bituminous overlay of approximately 9.1 miles of asphalt and concrete streets and removal and replacement of approximately 14,000 lineal feet of curb and gutter. Other work will include parking lot paving, utility structure adjustments, related storm sewer work, paving of driveway approaches, restoration of parkways, and traffic control.

The contract requires that the above work at each construction location shall be completed within 30 days from the date construction commenced at that location. The contractor is also required to maintain access to residential driveways at all times, with the exception of when the curb or a concrete driveway is actually poured or curing.

Brothers Asphalt Paving, Inc. of Addison, IL submitted the lowest responsible bid meeting all of the bidding requirements. Brothers Asphalt Paving's bid is \$2,338,098. Brothers Asphalt Paving has worked for the City in the past, most recently during the 2010 Contract Paving project. All work was done in a satisfactory manner.

The bid includes \$1,498,357.84 to resurface 6.2 miles of asphalt streets. The remaining 2.9 miles of roadway paving includes 1.0 miles of concrete streets, 0.6 miles of unimproved roads, and 1.3 lane miles of streets located within the Central Business District. Staff will coordinate Central Business District work with the City Centre and Chamber of Commerce. Monies for this work have been provided in the 2013 Budget in the following accounts as described below:

<u>ACCOUNT DESCRIPTION</u>	<u>ACCOUNT CODE</u>	<u>BUDGET AMOUNT</u>
2013 Street Resurfacing	110-6041-432-80-15	\$ 1,750,000
Central Business District (TIF)	310-0089-461-80-26	\$ 400,000
Concrete Streets	110-6041-432-80-15	\$ 300,000
Unimproved Roads	110-6041-432-30-08	\$ 60,000
Parking Lot Paving	310-0089-461-80-26	\$ 50,000
Pavement Striping	110-6041-432-30-46	\$ 35,000
Asphalt Patching	110-6041-432-30-02	\$ 70,000
	510-6052-501-30-02	\$ 30,000
	510-6056-502-30-02	\$ 20,000
Total		\$ 2,715,000

It is, therefore, the recommendation of the Public Works and Buildings Committee that the total bid from the lowest responsible bidder, Brothers Asphalt Paving in the amount of \$2,338,098 be accepted, and the City attorney be authorized to prepare a resolution approving a contract with Brothers Asphalt Paving.

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

- k. REPORT – DISPOSITION OF STOP SIGN REQUEST EMROY AVENUE AND LAKE STREET FRONTAGE ROAD The following report of the Public Affairs and Safety Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Disposition of Stop Sign Request - Emroy Avenue and Lake Street Frontage Road

The Public Affairs & Safety Committee met on April 8, 2013 to discuss the status of the above referenced request for Stop Signs at the intersection of Emroy Avenue and Lake Street Frontage Road.

In response to a neighborhood request, the City's traffic consultant, Brent Coulter of Coulter Transportation Consulting, reviewed the intersection of Emroy Avenue and Lake Street Frontage Road. The request was to add stop signs on Emroy Avenue to create a four-way stop controlled intersection.

Staff concurs with Mr. Coulter's recommendation for four-way stop control at this intersection, citing recent accident history and sight line issues as main concerns. Due to existing physical constraints at the northbound approach, a portion of sidewalk must be relocated to accommodate proper placement of the proposed stop sign. This work will be added to the current 2012 Sidewalk Replacement contract. Mr. Coulter also recommends installation of a flashing beacon above the northbound stop sign to increase visibility to the sign. The City's Electrical Division will install the beacon, and the Streets Division will install the recommended stop signs, "stop ahead" sign, and stop bars following the sidewalk modification. The attached consultant review provides details on the four-way stop analysis and recommended improvements.

It is, therefore, the recommendation of the Public Affairs & Safety Committee that the City Council approves the request for a four-way stop sign at the intersection of Emroy Avenue and Lake Street Frontage Road and authorizes the City Attorney to prepare the necessary documents for City Council approval.

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

- I. REPORT – CREATION OF LIQUOR LICENSE CLASSIFICATION "GSWC" The following report of the Public Affairs and Safety Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Creation of Liquor License Classification "GSWC"

The Public Affairs & Safety Committee met on Monday, March 11, 2013 and again on April 8, 2013 to discuss a request a liquor license request from Mariano's.

It was determined after meeting with representatives from Mariano's that a new liquor license classification would have to be created to accommodate their business plan. The Committee authorized the City Attorney to prepare an ordinance creating a new class "GSWC" liquor license. The ordinance would allow the retail sale of packaged alcoholic liquors for consumption off the premises and the sale of beer, wine, and sake for consumption on the premises as an incidental part of a grocery store that has a minimum gross floor area of 50,000 square feet. Class "GSWC" licenses shall be subject to the following conditions and limitations for the sale of unopened alcohol, in original packages only:

- 1) Not more than ten percent of the gross floor area shall be devoted to the sale of liquor products.
- 2) Alcohol sold in original packages and intended for off-premises consumption shall not be opened or consumed on the premises or in any designated seating/serving area.
- 3) Wine/beer tasting shall be permitted on such premises in accordance with state law.
- 4) Hours for the sale of packaged alcoholic liquor, for consumption off the premises shall be in accordance with section 36.29 of this Chapter.

The sale of beer, wine, and sake only shall be permitted for consumption on the premises subject the following conditions:

- 1) The sale of liquor intended for consumption on the premises shall be limited to individual servings of beer, wine or sake and shall be dispensed in accordance with section 36.26 of this Chapter.
- 2) The sale of beer, wine or sake, for consumption on the premises, shall be served only in a designated seating/serving area, which includes an area where food is prepared and regularly served on the premises. Such food shall include hot or cold sandwiches, appetizers, tapas, sushi, baked goods or other similar foods.
- 3) The consumption of beer, wine and sake on the premises shall be permitted in the designated seating/serving as well as the shopping areas throughout the premises; however the licensee shall mark, with conspicuous signage, the area past which consumption of beer, wine and sake is no longer permitted.
- 4) The designated seating/serving area for customers consuming beer, wine or sake on the premises shall be limited to five percent of the gross floor area.
- 5) It is intended that the service of beer, wine, and sake is merely adjunct to the operation of a grocery store and that the facility shall not be advertised or otherwise held out to be a drinking establishment.
- 6) Hours for the sale of packaged alcoholic liquor, for consumption off the premises shall be in accordance with section 36.29 of this Chapter, but in no case shall the sale of beer, wine, or sake take place outside of the normal business hours of the grocery store.

The annual fee for a Class "GSWC" liquor license for 2013 shall be \$5,250.00; in subsequent years, the fee shall be increased in July of each year by an amount equal to the annual percentage increase in the Consumer Price Index (CPI) for the year immediately preceding.

It is therefore the recommendation of the Public Affairs and Safety Committee that the City Council authorize the City Attorney to prepare the appropriate ordinance to create the liquor license classification "GSWC." The Committee further recommends suspending the rules to consider Ordinance MCO-04-2013 at the April 15, 2013, City Council meeting.

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

- m. REPORT – LIQUOR LICENSE REQUEST: MARIANO’S The following report of the Public Affairs and Safety Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Liquor License Request: Mariano’s

The Public Affairs & Safety Committee met on March 11, and again on April 8, 2013 to discuss the liquor license request submitted by Mariano’s. A representative from Mariano’s was present at the March 11th meeting to explain their business plan and answer the Committee’s questions.

Mariano’s concept includes sale of packaged goods, with a focus on wine and craft beer as well as spirits. While it will be an all-encompassing department, the goal is to provide customers an opportunity to purchase exactly what they need to go along with other purchases. There will be a dedicated department, though small displays of beer and wine will exist at other locations throughout the store. They will be limited in scope and designed to pair items that go together. On premises consumption would be limited to beer, wine, and sake. Ready to eat deli items, fresh pizzas baked in custom oven, and grilled to order meat and fish will be available. Many customers

will eat such orders in the café seating area with a glass of wine or beer to complement that experience. Sake would be available at the full service made to order sushi bar. Some customers may choose to have a glass of wine while they shop, though that is not a common occurrence. The final element of the alcohol program is sampling. Wine and beer samples would be available in the store.

The City Attorney drafted a new liquor license classification "GSWC" to include the conditions and limitations outlined herein. A Class GSWC license shall authorize the retail sale of packaged alcoholic liquors for consumption off the premises and the sale of beer, wine and sake for consumption on the premises as an incidental part of a grocery store that has a minimum gross floor area of 50,000 square feet. Class GSWC licenses shall be subject to the following conditions and limitations for the sale of unopened alcohol, in original packages only:

- 1) Not more than ten percent of the gross floor area shall be devoted to the sale of liquor products.
- 2) Alcohol sold in original packages and intended for off-premises consumption shall not be opened or consumed on the premises or in any designated seating/serving area.
- 3) Wine/beer tasting shall be permitted on such premises in accordance with state law.
- 4) Hours for the sale of packaged alcoholic liquor, for consumption off the premises shall be in accordance with section 36.29 of this Chapter.

The sale of beer, wine, and sake only shall be permitted for consumption on the premises subject the following conditions:

- 1) The sale of liquor intended for consumption on the premises shall be limited to individual servings of beer, wine, or sake and shall be dispensed in accordance with section 36.26 of this Chapter.
- 2) The sale of beer, wine, or sake, for consumption on the premises, shall be served only in a designated seating/serving area, which includes an area where food is prepared and regularly served on the premises. Such food shall include hot or cold sandwiches, appetizers, tapas, sushi, baked goods or other similar foods.
- 3) The consumption of beer, wine, and sake on the premises shall be permitted in the designated seating/serving as well as the shopping areas throughout the premises; however the licensee shall mark, with conspicuous signage, the area past which consumption of beer, wine, and sake is no longer permitted.
- 4) The designated seating/serving area for customers consuming beer, wine, or sake on the premises shall be limited to five percent of the gross floor area.
- 5) It is intended that the service of beer, wine, and sake is merely adjunct to the operation of a grocery store and that the facility shall not be advertised or otherwise held out to be a drinking establishment.
- 6) Hours for the sale of packaged alcoholic liquor, for consumption off the premises shall be in accordance with section 36.29 of this Chapter, but in no case shall the sale of beer, wine, or sake take place outside of the normal business hours of the grocery store.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Attorney be authorized to prepare the appropriate ordinance to provide the availability of a Class GSWC liquor license for Mariano's Fresh Market. The Committee further recommends suspending the rules to consider Ordinance MCO-04-2013 at the April 15, 2013, City Council meeting.

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

- n. REPORT – 2013 “ONE” SERVICE REQUEST FOR TEMPORARY USE AND EVENT PERMIT AND USE OF CITY PROPERTY The following report of the Public Affairs and Safety Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council
Re: 2013 “One” Service Request for Temporary Use and Event Permit and Use of City Property

The Public Affairs & Safety Committee met on April 8, 2013 to discuss the request from the pastors of several Evangelical churches in Elmhurst, to gather with their respective church bodies in the Addison Street Parking Lot for the third annual combined morning of worship on August 25, 2013. A representative from the Evangelical Elmhurst Church Community was available to answer the Committee’s questions.

The Elmhurst City Centre downtown site will be used by the Evangelical Elmhurst Church Community for a united service. The event schedule will begin with set-up at 8:00 a.m. and conclude by noon. The “One” Service will begin at 10:00 a.m. and conclude by 11:30 a.m. It will consist primarily of music, prayer and message. The event will be open to the public and attendance is anticipated to be approximately 2,000 members from the involved churches.

The Evangelical Elmhurst Church Community plans to use the Elmhurst Park District bandwagon for this event. They will provide portable toilets for use during the event. They would like to request that Addison Street between Second and First Streets be closed to traffic from 8:00 a.m. to noon and will work with the Elmhurst Fire and Police Departments to ensure the safety of everyone attending.

Proof of insurance will be provided to and approved by the City Attorney prior to the event.

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 & Safety Committee that the City Council approves the Evangelical Elmhurst Church Community’s request to hold the third annual combined morning worship, 2013 “One” Service, in the Addison Street Parking Lot on Sunday, August 25, 2013 and authorize the City Attorney to prepare the necessary documents for City Council approval.

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

- o. REPORT – REQUEST FOR 2013 ELMHURST JAYCEES CARNIVAL The following report of the Public Affairs and Safety Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of City Council
Re: Request for 2013 Elmhurst Jaycees Carnival

The Public Affairs & Safety Committee met on April 8, 2013 to discuss the request by the Elmhurst Jaycees for approval for a Temporary Use and Events Permit for a 2013 Elmhurst Jaycees Carnival.

The 2013 Elmhurst Jaycees Carnival will take place June 13–16, 2013. Carnival operators will arrive on Sunday, June 9th, with set up starting Tuesday, June 11th. The event schedule is as follows:

Thursday, June 13 th	Carnival will be open 6 p.m. to 10 p.m.
Friday, June 14 th	Carnival will be open 4 p.m. to 10 p.m.
Saturday, June 15 th	Carnival will open 10 a.m. to 12 p.m. – Special Kids Day
	Carnival will be open to public 12 p.m. to 10 p.m.
Sunday, June 16 th	Carnival will open 12 p.m. to close at 6 p.m.

The Carnival will take place on Park Street between Myrtle and Prospect Avenues.

As a safety precaution for pedestrians walking to the Carnival, the Jaycees are responsible to provide crossing guards at the railroad tracks at both Myrtle and Prospect crossings, as well as street corners, from Prospect to York Road to assist in safe travel of pedestrians from the carnival to the location of the City Centre Concert Series. The Jaycees will be working with the Police Department for assistance in acquiring crossing guards from Police Academy graduates and Elmhurst Police Explorers. Ultimately the responsibility for crossing guards is that of the Elmhurst Jaycees.

The Jaycees will provide The City of Elmhurst a written contract with Elmhurst College regarding the utilization of college property for carnival rides, vehicle and trailer storage and parking.

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 Jaycees and approved by the City Attorney.

The Committee felt that this was a beneficial event for the City and that all details will have been approved by the Police, Fire and Public Works Departments prior to the issuance of the permit.

If at any point prior to or during the event the Police Chief, Fire Chief, Public Works or the City Manager/designee feels that there is a reason to stop a ride or the shut down the carnival they have that right.

It is, therefore, the recommendation of the Public Affairs & Safety Committee that the City Council authorize the City Manager to issue the Temporary Use and Events Permit as requested by the Elmhurst Jaycees for the proposed 2013 Elmhurst Jaycees Carnival from Thursday, June 13 to 16, 2013 and authorize the City Attorney to prepare the necessary documents for City Council to approval.

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

p. REPORT – PURCHASE OF SEVENTEEN (17) COLT LAW ENFORCEMENT CARBINE SEMI-AUTO RIFLES

The following report of the Public Affairs and Safety Committee was presented for passage:

April 8, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Purchase of Seventeen (17) Colt Law Enforcement Carbine Semi-Auto Rifles

The Public Affairs & Safety Committee met on Monday, April 8, 2013, to discuss the purchase of seventeen (17) Colt Law Enforcement Carbine Semi-Auto rifles. These rifles will allow the police department to provide a patrol rifle for each marked squad car and training to all full-time sworn police officers.

Many challenges face Law Enforcement today; one of the most concerning and dangerous is the "Active Shooter". These types of incidents are on the rise throughout our country. Police agencies today must be equipped and trained to respond to active shooter incidents in an immediate manner to stop an armed assailant from inflicting greater numbers of casualties. The Elmhurst Police Department adopted rapid deployment tactics several years ago and conducts regular practical training on this topic. Rapid deployment emphasizes patrol officers' quick entry into a situation and engagement of an active shooter. Currently, the Department equips those first responding patrol officers with their service pistol and a squad car mounted shotgun. A select few of the department's patrol officers have been issued and trained in the use of patrol rifles. The limited number of trained officers translates into only 2-3 patrol officers on a typical shift with access to a patrol rifle to effectively respond to an active shooting incident. The first arriving officers most likely would not be equipped with a rifle, thereby leaving those first officers to engage the active shooter with only their handguns and/or shotguns. The Department's response to such an incident could be greatly improved if all the patrol officers were trained in the use of the patrol rifle and squad cars were equipped with a mounted law enforcement patrol rifle. The purchase of the seventeen (17) Colt Law Enforcement rifles would allow the Elmhurst Police Department to equip each marked squad car with a patrol rifle and train all full-time officers in the use of the patrol rifle.

The police department's current patrol rifles (AR 15 rifles) are on loan to the police department by the federal government for patrol duty. The Law Enforcement Support Office (LESO) program assisted the Elmhurst Police Department in the initial implementation of our limited patrol rifle program in 2005. At that time, selected patrol officers were trained as rifle officers. The police department currently has fourteen (14) LESO rifles on loan through this program. These rifles are from the Vietnam War era and have reached their end of service life. Also, these rifles require a yearly possession certification inventory to be completed, which we have complied with. On February 24, 2013, we received notification that the U.S. Department of Defense suspended the Illinois program due to noncompliance by two other agencies. This suspension has since been lifted. However, through this program, the U.S. Department of

Defense can demand the return of all assets. This would of course necessitate the return of the rifles to the federal government and leave the police department without these valuable assets.

Subsequent to research, the Colt Law Enforcement Carbine Semi-Auto rifle was chosen by the police department's range officers. Three quotes for the rifles were received from the following vendors:

Kiesler's Police Supply, Inc.	Unit Cost \$1,104.00	Total for 17	\$18,768.00
Clyde Armory	Unit Cost \$1,104.00	Total for 17	\$18,768.00
Ray O'Herron Company Inc.	Unit Cost \$1,176.00	Total for 17	\$19,992.00

The preferred vendor is Kiesler's Police Supply, Inc., which we have used in the past to purchase other firearms and ammunition and have proven dependable and reliable for customer service.

It is, therefore, the recommendation of the Public Affairs & Safety Committee that the City Council approve the purchase of seventeen (17) Colt Law Enforcement Carbines from Kiesler's Police Supply, Inc., for a cost of \$18,768.00. This purchase will be funded from PD State Forfeiture account 110-5030-421-6027. Upon receipt of the seventeen (17) Colt Law Enforcement Carbine rifles, the fourteen (14) LESO rifles will be returned to the federal government Department of Defense.

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

- q. REPORT – ASSIGNED VEHICLE USE POLICY The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

April 9, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Assigned Vehicle Use Policy

The Finance, Council Affairs and Administrative Services Committee met several times, most recently April 8, 2013, to review an assigned vehicle use policy. This review was conducted pursuant to a referral from Aldermen Bram, Gutenkauf and Pezza.

Staff developed an assigned vehicle use policy (the Policy), which has been reviewed and revised by the Finance Committee. The Policy is attached. The Policy provides guidelines for regularly and temporarily assigned vehicles, and states the employee's responsibility when operating a City owned vehicle. The City Manager is responsible for approving all designations of regularly or temporarily assigned vehicles.

The Policy does not address whether a vehicle should be added to or remain in the City vehicle fleet. The Finance Committee recommends that the current practice of adding a vehicle through the budget process continue, and that the current practice of determining the need for a vehicle during the vehicle replacement process also continue. The Policy also does not specifically identify which City positions should be assigned vehicles. The City Manager is provided flexibility to assign vehicles as he determines is appropriate, in the best interests of the City at any given time.

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 resolution to approve the Assigned Vehicle Use Policy.

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

- r. REPORT – CASE NUMBER 13 ZBA-03/SPILLER VARIATION – 141 N. LARCH The following Report of the Development, Planning and Zoning Committee was presented for passage:

April 9, 2013

To: Acting Mayor Levin and Members of City Council
Re: Case # 13ZBA-03/Spiller Variation – 141 N. Larch

The Development, Planning and Zoning Committee met on April 8, 2013 to review the Zoning & Planning Commission report dated April 3, 2013 unanimously recommending approval of the subject request. The Committee members reviewed the Applicant's submittal documents and the transcripts of the public hearing. Committee members also visited subject site.

The Committee discussed the existing conditions on the subject property as they relate to the request for front yard setback variation. It was noted that this request results from the current location of the house which has a current legal non-conforming front yard setback of 19.7 feet. A front porch would not be possible without a variation to the front yard setback as requested.

The Committee noted that the proposed front porch setback of 15.7 feet will not alter the essential character of the neighborhood, but, rather, be in keeping with the character of this neighborhood. The homes on either side of the subject property have legal non-conforming setbacks of 14.4 feet and 15.9 feet (north and south respectively). The neighborhood is characterized by homes that

were built in the early 1900's with front yard setbacks that are less than the current Zoning Ordinance requirements.

The Development, Planning and Zoning Committee agrees with the findings of the Zoning & Planning Commission that the Applicant has provided sufficient evidence to support the approval of this request and has met the Standards for Variation.

Therefore, the Development, Planning and Zoning Committee recommends that the City Council approve the Applicant's request for Front Yard Setback Variation. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

Respectfully submitted,
Development, Planning and Zoning Committee
/s/ Steven Morley
Chairman
/s/ Dannee Polomsky
Vice-Chairman
/s/ Norman Leader

- s. REPORT – CASE NUMBER 13 ZBA-04/DETTMAN VARIATION – 310 S. PROSPECT The following report of the Development, Planning and Zoning Committee was presented for passage:

April 9, 2013

To: Acting Mayor Levin and Members of City Council
Re: Case # 13ZBA-04/Dettman Variation – 310 S. Prospect

The Development, Planning and Zoning Committee met on April 8, 2013 to review the Zoning & Planning Commission report dated April 3, 2013 unanimously recommending approval of the subject request. The Committee members reviewed the Applicant's submittal documents and the transcripts of the public hearing. Committee members also visited subject site.

The Committee discussed the existing conditions on the subject property as they relate to the request for rear yard setback variation. The house faces Prospect Avenue and has a Prospect address; however, the front yard is defined in the Zoning Ordinance as the shorter of the two dimensions on a corner lot. The yard opposite the front yard is defined as the rear yard. In this case, the frontage on Prospect is 137.11 feet and the frontage on Winthrop is 134.53 resulting in the Winthrop frontage being the defined front yard, regardless of the address or which way the house faces.

The home immediately to the south of subject property also faces Prospect Avenue; the shared property line that is defined as a rear lot line for the subject property is defined as an interior lot line for the home to the south. The defined rear yard of the subject property actually functions as an interior yard in this case.

The Committee noted that the proposed attached garage and resultant 13.7 foot setback from the south property line is an improvement over the current condition. Currently, there is a detached garage located 5.5 feet from the south (rear) property line that will be demolished. The proposed attached garage increases the setback from 5.5 feet to 13.7 feet and is, therefore, an improvement over the current condition.

The Development, Planning and Zoning Committee agrees with the findings of the Zoning & Planning Commission that the Applicant has provided sufficient evidence to support the approval of this request and has met the Standards for Variation and is in keeping with the character of the neighborhood.

Therefore, the Development, Planning and Zoning Committee recommends that the City Council approve the Applicant's request for Front Yard Setback Variation. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

Respectfully submitted,
Development, Planning and Zoning Committee
/s/ Steven Morley
Chairman
/s/ Dannee Polomsky
Vice-Chairman
/s/ Norman Leader

t. O-23-2013 – AN ORDINANCE RESERVING AND AUTHORIZING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS

Ordinance O-23-2013 was presented for passage.

u. R-18-2013 – A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, INC AND THE CITY OF ELMHURST

Resolution R-18-2013 was presented for passage.

Alderman Polomsky pulled item **7k. Report – Disposition of Stop Sign Request Emroy Avenue and Lake Street Frontage Road**. Alderman Bram pulled item **7q. Report – Assigned Vehicle Use Policy**. Alderman Morley pulled item **7r. Report – Case Number 13 ZBA-03/Spiller Variation – 141 N. Larch** and **7s. Report – Case Number 13 ZBA-04/Dettman Variation – 310 S. Prospect**.

Alderman Bram moved to approve the contents of the Consent Agenda less items **7k. Report – Disposition of Stop Sign Request Emroy Avenue and Lake Street Frontage Road**, **7q. Report – Assigned Vehicle Use Policy**, **7r. Report – Case Number 13 ZBA-03/Spiller Variation – 141 N. Larch**, and **7s. Report – Case Number 13 ZBA-04/Dettman Variation – 310 S. Prospect**. Alderman Pezza seconded. Roll call vote:

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

Nays: None

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

Alderman Polomsky stated she pulled item **7k. Report – Disposition of Stop Sign Request Emroy Avenue and Lake Street Frontage Road** to thank City staff and Mr. Coulter for their analysis of Emroy and Lake Street Frontage Road for a 4-way stop. She also thanked the Public Affairs and Safety Committee.

Alderman Wagner moved to accept item **7k. Report – Disposition of Stop Sign Request Emroy Avenue and Lake Street Frontage Road**. Alderman Pezza seconded. Roll call vote:

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

Nays: None

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

Alderman Bram stated he pulled item **7q. Report – Assigned Vehicle Use Policy** stating he could not support item **7q. Report – Assigned Vehicle Use Policy** because the referral submitted contained

three components and the report addresses only one of the three components. He asked the Council to either take it back to Committee or do not support the report.

Alderman Hipkind moved to accept item **7q. Report – Assigned Vehicle Use Policy**. Alderman York seconded. Roll call vote:

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

Nays: Pezza, Gutenkauf, Bram

Results: 11 ayes, 3 nays, 0 absent
Motion carried

Alderman Morley stated he pulled item **7r. Report – Case Number 13 ZBA-03/Spiller Variation – 141 N. Larch** to state Alderman Leader was not at the meeting and his signature was put on the report. Alderman Leader supports the report but was absent. Alderman Morley asked for an opinion from the City Attorney.

City Attorney Storino stated it is acceptable if there are only two signatures on the report.

Alderman Bram, point of order, stated as long as the Alderman supports the report, it can be signed without the Alderman being at the meeting.

Alderman Mulliner stated it's not Chapter 2, but it is appropriate that the three signatures are on it.

Alderman Morley moved to accept item **7r. Report – Case Number 13 ZBA-03/Spiller Variation – 141 N. Larch**. Alderman Polomsky seconded. Roll call vote:

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

Nays: None

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

Alderman Morley stated he pulled item **7s. Report – Case Number 13 ZBA-04/Dettman Variation – 310 S. Prospect** for the same reason as item **7r. Report – Case Number 13 ZBA-03/Spiller Variation – 141 N. Larch**.

Alderman Morley moved to accept item **7s. Report – Case Number 13 ZBA-04/Dettman Variation – 310 S. Prospect**. Alderman Polomsky seconded. Roll call vote:

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

Nays: None

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

COMMITTEE REPORTS

8. a. REPORT – SEWER RATE REVIEW The following report of the Finance, Council Affairs and Administrative Services Committee was presented for passage:

April 9, 2013

To: Acting Mayor Levin and Members of the City Council
Re: Sewer Rate Review

The Finance, Council Affairs and Administrative Services Committee met several times, most recently April 8, 2013, to review sewer rate adjustments in the Municipal Utility Fund.

The Municipal Utility Fund (MUF) is an enterprise fund, and user fees for water and sewer services are the major source of revenue. As the City Council will recall, a water rate adjustment was approved effective January 1, 2013, primarily due to the increase in water rates from City of Chicago and DuPage Water Commission. Therefore, the Finance Committee is reviewing only sewer rates at this time. In 2003, a comprehensive water/sewer rate study was completed, and cash balance range goals were set. The sewer segment of the goal is comprised of three factors: revenue stabilization (\$800,000); emergency (\$1 million); and 25%-33% of operating expenses. The total cash balance range goal for fiscal 2013 (eight month year) is \$2.8 million to \$3.1 million (see Schedule A).

The Finance Committee reviewed ten year projections for sewer rate adjustments, including a comprehensive review of major capital projects (see Schedule B). Due to the age of many components of the Wastewater Treatment Plant (WWTP) and due to the volume of material processed, significant infrastructure improvement/replacement at the Plant and throughout the sewer utility system will be required during the next five to ten years. From a historical perspective, equipment replacement projects at the WWTP were last undertaken in 1988-89 due to the 1987 flood, and during the 1989-94 periods, significant upgrades and capacity enhancements of equipment took place at the Wastewater Treatment Plant to come in to compliance with new Illinois Environmental Protection Agency (IEPA) regulations. The equipment is now over twenty years old and in need of replacement. There are also several new projects that are partially or in some cases totally mandated by the IEPA, i.e. the SW Elmhurst wet weather control facility and the sludge storage pad. The newly revised ten year projections contemplate issuance of debt, low-interest IEPA loans, if available, and general obligation bonds, due to the burden placed on cash reserves without debt and the desire to spread capital costs over time to both current and future users of the sewer utility system. Recently, the City has taken advantage of a twenty-year low interest loan from the IEPA to fund \$4.7 million of the anaerobic digester project. The City Council also approved \$2.9 million in the 2012 general obligation bond issue to be used to fund infrastructure projects including the Saylor Street force main, Atrium force main, and Rt. 83/Third Street lift station projects. Current budget projections for the sewer segment of the MUF do not contemplate any capital expenditures that may result from the Burke/RJN Elmhurst Storm and Sanitary Comprehensive Planning Design Project.

The Finance Committee initially reviewed a sewer rate scenario which required a 9% rate increase in 2013. Subsequent to that initial review, staff was directed to analyze the projections to determine if there were other viable options. Staff reviewed the capital projects schedule and revised cost projections and project timing wherever possible. The revised ten year projection also provided for debt service for the SW Elmhurst wet weather control facility to be funded by the Capital Improvement Fund, and provided for a non-Municipal Utility Fund source of funding for projected land acquisition adjacent to the WWTP. The result of this analysis is presented on the attached Schedule A, which provides for a 4.5% rate adjustment in 2013, which is half the rate increase projected earlier.

After careful consideration of the current and projected cash balances in the sewer segment of the MUF and of the projected operating and capital expenditures for the next ten years, the Finance Committee recommends a rate adjustment for fiscal 2013 of 4.5% to \$5.34 per thousand gallons of water usage. The impact of the sewer rate adjustment for an average four-person household using 12,000 gallons of water per month (3,000 gallons per person) is approximately \$2.76 per month.

The sewer rate will be reviewed with the water rate on an annual basis starting with the fiscal year change to a calendar year effective January 1, 2014. Since the last comprehensive water/sewer rate study was conducted in 2003, the fiscal 2013 budget provides for a new study to be concluded prior to consideration of January 1, 2014 water/sewer rate adjustments.

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 sewer rates for the City of Elmhurst, effective for usage billed on or after May 15, 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>
Sewer	\$5.34	\$5.11	\$5.34	\$5.11
Bi-Monthly Minimum	\$4.24	\$4.06	\$4.24	\$4.06

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 **8a. Report – Sewer Rate Review**. Alderman York seconded.

Alderman Bram stated he could not support item **8a. Report – Sewer Rate Review**.

Discussion ensued.

Roll call vote:

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

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

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

9. a. ACTING MAYOR LEVIN

No report.

b. CITY MANAGER GRABOWSKI

City Manager Grabowski announced 95 gallon toters will be swapped out for 65 gallon toters this week.

Alderman Morley asked for clarification regarding a swap if a resident doesn't want to swap their 95 gallon toter.

City Manager Grabowski stated the toters that are to be swapped have been identified on a list given to Allied Waste.

City Manager Grabowski announced for the 33rd year, the City of Elmhurst has been recognized as a Tree City USA. He thanked the Council and Public Works.

City Manager Grabowski announced the Finance Department received a Government Finance Officers Association (GFOA) Certificate of Achievement for reporting on the City's finances to the State. He congratulated Director of Finance & Administration Gaston and her department for their achievement.

ORDINANCES

10. a. O-16-2013 – A BUDGET AND APPROPRIATION ORDINANCE FOR THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING ON MAY 1, 2013, AND ENDING ON DECEMBER 31, 2013

Ordinance O-16-2013 was presented for passage.

Alderman York moved to approve item **10a. O-16-2013 – A Budget and Appropriation Ordinance for the City of Elmhurst for the Fiscal Year Beginning on May 1, 2013, and Ending on December 31, 2013.** Alderman Morley seconded. Roll call vote:

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

Nays: None

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

b. O-24-2013 – AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY THROUGH EMINENT DOMAIN OR OTHERWISE FOR THE NORTH YORK STREET REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT (260 NORTH YORK STREET)

Ordinance O-24-2013 was presented for passage.

Alderman Hipskind moved to approve item **10b. O-24-2013 – An Ordinance Authorizing the Acquisition of Property Through Eminent Domain or Otherwise for the North York Street Redevelopment Plan and Redevelopment Project (260 North York Street).** Alderman Kennedy seconded. Roll call vote:

Ayes: Kennedy, Wagner, Leader, Dunn, Polomsky, York, Healy, Levin

Nays: Morley, Mulliner, Pezza, Gutenkauf, Bram

Results: 9 ayes, 5 nays, 0 absent
Motion carried

c. MCO-04-2013 – AN ORDINANCE AMENDING SECTIONS 36.09, ENTITLED “CLASSIFICATION OF LICENSES,” 36.10, ENTITLED “TERMS; FEES,” AND 36.11, ENTITLED “LIMITATION ON NUMBER OF LICENSES,” ALL OF ARTICLE II, ENTITLED “RETAIL LICENSES,” OF CHAPTER 36, ENTITLED “LIQUOR,” OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS (CLASS “GSWC” LICENSE – MARIANO’S)

Ordinance MCO-04-2013 was presented for passage.

Alderman Pezza moved to approve item **10c. MCO-04-2013 – An Ordinance Amending Sections 36.09, Entitled “Classification of Licenses,” 36.10, Entitled “Terms; Fees,” and 36.11, Entitled “Limitation on Number of Licenses,” All of Article II, Entitled “Retail Licenses,” of Chapter 36, Entitled “Liquor,” of the Municipal Code of Ordinances of the City of Elmhurst, DuPage and Cook Counties, Illinois (Class “GSWC” License – Mariano’s).** Alderman Wagner seconded. Roll call vote:

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

Nays: None

Results: 14 ayes, 0 nays, 0 absent

Motion duly carried

OTHER BUSINESS

11. Alderman Kennedy stated tonight the City Council approved the 2013 tree purchase and planting request. He stated the City has not planted any new trees for three years and this year's planting should be back to even.

RECOGNITION OF OUTGOING COUNCIL MEMBERS

12. Acting Mayor Levin stated tonight is Alderman Pezza's last Council meeting. He asked if she had any parting words. He presented her with a plaque and rocking chair as a show of appreciation.

Alderman Pezza reviewed her four years as Alderman of the First Ward and thanked City staff and the elected officials who helped make the past four years productive and enjoyable.

Members of the Council commented on Alderman Pezza's hard work and dedication and wished her the best of luck.

ADJOURNMENT

13. Alderman Pezza moved to adjourn the meeting. Alderman Gutenkauf seconded. Voice vote, motion carried. Meeting adjourned 9:14 p.m.

Scott M. Levin, Acting Mayor

Patty Spencer, City Clerk