

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS  
HELD ON MONDAY, NOVEMBER 19, 2007  
209 NORTH YORK STREET  
ELMHURST, ILLINOIS**

**EXECUTIVE SESSION – LAND ACQUISITION AND SALE OF LAND**

1. Executive session was called to order at 7:10 p.m. by Mayor Marcucci for the purpose of discussing Land Acquisition and Sale of Land.

Present: Diane Gutenkauf, Norman Leader, Pat Shea, Michael Bram, John Gow, Moira Moriarty, Chris Nybo, Steve Morley, Donna Lomnicki, Mark A. Mulliner

Absent: Michael J. Regan (arrived at 7:30 p.m.), Susan J. Rose (arrived 7:11 p.m.), Stephen Hipkind (arrived at 7:14 p.m.), George Szczepaniak (arrived at 7:34 p.m.)

Also in attendance: City Treasurer Pigoni, City Attorney Kubiesa, City Manager Borchert, Finance Director Gaston, Assistant Finance Director Trosien

Alderman Gutenkauf moved to convene into executive session for the purpose of discussing Land Acquisition and Sale of Land. Alderman Mulliner seconded. Roll call vote:

Ayes: Gutenkauf, Mulliner, Leader, Shea, Bram, Gow, Moriarty, Nybo, Morley, Lomnicki

Nays: None

10 yeas, 0 nays, 4 absent  
Motion duly carried

Alderman Bram moved to adjourn executive session. Alderman Lomnicki seconded. Voice vote. Motion carried. Executive session adjourned at 7:43 p.m.

**CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL**

Attendance: 14

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor Marcucci at 7:45 p.m. Mayor Marcucci stated the City of Elmhurst has lost one of our own in Iraq, Sgt. Joseph M. Vanek. He stated that Vanek was serving in his third tour of duty and was killed last week. The Mayor asked everyone to rise for a moment of silence in honor of Sgt. Vanek.

Present: Michael J. Regan, Diane Gutenkauf, Norman Leader, Pat Shea, Michael Bram, Susan J. Rose, John Gow, Stephen Hipkind, Moira Moriarty, Chris Nybo, George Szczepaniak, Steve Morley, Donna Lomnicki, Mark A. Mulliner

Absent: None.

Also in Attendance: City Treasurer Pigoni, City Attorney Kubiesa, Assistant City Attorney Spiroff, City Manager Borchert, Finance Director Gaston, Assistant Finance Director Trosien, PZED Director Said

**PUBLIC HEARING – ISSUANCE OF BONDS FOR MONTINI HIGH SCHOOL**

3. The Public Hearing for the Issuance of Bonds for Montini High School opened at 7:49 p.m. Mayor Marcucci explained the purpose for the hearing and invited anyone who wished to address the Council to do so at this time.

No one came forward to speak.

The Public Hearing for the Issuance of Bonds for Montini High School closed at 7:50 p.m.

**RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC**

4. None.

**PUBLIC FORUM**

5. Jeff Budgell  
158 Oak St.  
Elmhurst, IL 60126

City Centre Board President, Jeff Budgell spoke in favor of the Hahn Street Project. He stated the proposals look good and hopes the development will move forward.

Mike Rosen  
307 N. Berteau Ave.  
Elmhurst, IL 60126

Mr. Rosen asked the City to help in the problem around the Berteau jug handle. He stated 80 cars in three hours turned around in two adjacent driveways and his driveway. He asked the City to find a reasonable, economical, and safe solution to this problem.

**CONSENT AGENDA**

6. The following items on the Consent Agenda were presented:
- a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, NOVEMBER 5, 2007 (City Clerk Spencer): Approve as published
  - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, NOVEMBER 5, 2007 (City Clerk Spencer): Receive and place on file
  - c. MINUTES OF THE EXECUTIVE SESSION HELD ON TUESDAY, NOVEMBER 13, 2007 (City Clerk Spencer): Receive and place on file
  - d. ACCOUNTS PAYABLE – NOVEMBER 19, 2007 TOTAL \$ 952,555.02
  - e. APPOINTMENT TO THE ELMHURST HERITAGE FOUNDATION – SCOTT SMITH, MARGARET PRUTER, VINCE SPAETH, LESLIE LEADER, FRANK CATALANO JR., TOM KLEIN AND DON MICHAELIS (Mayor Marcucci): Concur with the Mayor's recommendation

November 1, 2007

To: Members of the City Council

Re: Appointment to the Elmhurst Heritage Foundation – Scott Smith, Margaret Pruter, Vince Spaeth, Leslie Leader, Frank Catalano, Jr., Tom Klein and Don Michaelis

With your advice and consent, I will appoint Scott Smith, Margaret Pruter, Vince Spaeth, Leslie Leader, Frank Catalano, Jr., Tom Klein and Don Michaelis (see attached applications), as members of the Elmhurst Heritage Foundation for terms to expire as listed. They have all served previously as members of the Elmhurst Historical Commission.

Scott Smith	2 year term
Margaret Pruter	2 year term
Vince Spaeth	3 year term
Leslie Leader	1 year term
Frank Catalano, Jr.	3 year term
Tom Klein	1 year term
Don Michaelis	2 year term

Respectfully submitted,  
/s/ Thomas D. Marcucci  
Mayor

- f. BID, TWO (2) 2008 MODEL YEAR FORD F650 4X2 CHASSIS CAB WITH 10' HENDERSON MUNI BODY II DUMP BODIES WITH SNOW PLOWS, AND OPTIONAL EQUIPMENT (City Clerk Spencer): Refer to the Public Works and Buildings Committee

November 13, 2007

TO: Mayor Marcucci and Members of the City Council  
RE: Bid, Two (2) 2008 Model Year Ford F650 4X2 Chassis Cab with 10' Henderson Muni Body II Dump Bodies With Snow Plows, and Optional Equipment

In response to an invitation to bid on the subject vehicles advertised in the Elmhurst Press on Friday, October 19, 2007, bids were received from four (4) area dealers.

Bids were opened at 10:00 a.m. on Tuesday, November 13, 2007, and following is a summary of the bids received:

<u>Dealer</u>	<u>Total Price less Trade-In</u>	
	<u>PW-28</u>	<u>PW-29</u>
Freeway Ford-Sterling Truck Sales, Inc. (Lyons, IL)	\$97,204.90	\$95,704.90
Sutton Ford, Inc. (Matteson, IL)	\$98,249.00	\$97,749.00
Currie Motors (Frankfort, IL)	\$99,795.00	\$98,795.00
Northwest Ford and Sterling Truck Center (Franklin Park, IL)	\$102,998.90	\$99,198.90

Respectfully submitted,  
/s/ Patty Spencer  
City Clerk

- g. TEMPORARY USE PERMIT REQUEST ELMHURST CHRISTIAN REFORMED CHURCH – LIVE NATIVITY SCENE (City Manager Borchert): Concur with the City Manager's recommendation

November 13, 2007

To: Mayor Marcucci and Members of the City Council  
Re: Temporary Use Permit Request – Elmhurst Christian Reformed Church - Live Nativity Scene

The Elmhurst Christian Reformed Church has requested a Temporary Use Permit to display a live nativity scene on church property from December 3 - 6, 2007. Temporary uses of this type are addressed in Section 4.10, Temporary Uses and Events, of the Elmhurst Zoning Ordinance.

It is, therefore, the City Manager's intention, unless directed otherwise, in accordance with the provisions of Section 4.10 of the Elmhurst Zoning Ordinance, to approve a Temporary Use Permit to allow a live nativity scene on the church property at 905 S. Kent for the dates noted above.

Respectfully submitted,  
/s/ Thomas P. Borchert  
City Manager

- h. CITY OF ELMHURST FIRE PROTECTION SERVICES TO BENSENVILLE FIRE PROTECTION DISTRICT #1 (City Manager Borchert): Refer to the Public Affairs and Safety Committee

November 15, 2007

To: Mayor Marcucci and Members of the City Council  
Re: City of Elmhurst Fire Protection Services to Bensenville Fire Protection District #1

It is respectfully requested that the attached memorandum be referred to the Public Affairs and Safety Committee for their review and subsequent recommendation to the City Council.

Respectfully submitted,  
/s/ Thomas P. Borchert  
City Manager

- i. REPORT – BIDS, POLICE STATION CONDENSING UNIT REPLACEMENT The following report of the Public Works and Buildings Committee was presented:

November 13, 2007

To: Mayor Marcucci and Members of the City Council  
RE: Bids, Police Station Condensing Unit Replacement

The Public Works and Buildings Committee met on Tuesday, November 13, 2007, to discuss bids received for the Replacement of the Condensing Unit at the Police Station.

A legal ad appeared in the press and specifications were advertised in Bid Tool Publication, Reed Construction Data, and made available at the Public Works Counter. Bids were received from eight contractors and are summarized below. All bidders met the bid requirements which included a bid bond. A tally of the bids follows:

<u>Contractor</u>	<u>Bid</u>
Voris Mechanical, Inc., Glendale Heights, IL	\$62,950
Mechanical Inc., Hillside, IL	\$64,500
Amber Mechanical Contractors Inc., Alsip, IL	\$72,700
International Piping Systems, Inc., Schaumburg, IL	\$72,900
Oakbrook Mechanical Services, Inc., Elmhurst, IL	\$75,433
West Town Refrigeration Corp., Oak Park, IL	\$78,000
RMC, Inc., Bensenville, IL	\$87,982
Monaco Mechanical, Inc., Westmont, IL	\$115,500

References have been checked on the low bidder, Voris Mechanical, Inc. They have completed similar work in a satisfactory manner for the Village of Itasca, the City of Wheaton, and Manheim School District #83.

The air conditioning condenser is a 114 ton, six fan unit. The condenser is located on the roof of the Police Station and will be removed by crane from the Police Station parking lot. Replacement is necessary due to the age of and frequent malfunction of the existing unit.

Funds have been provided in the 2007/08 budget, General Fund, account number 110-5030-421-80-23, in the amount of \$78,000 for this work.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid for the Police Station Condensing Unit Replacement submitted by Voris Mechanical, Inc., in the amount of \$62,950 be accepted.

Respectfully submitted,  
Public Works and Building Committee  
/s/ John E. Gow  
Chairman  
/us/ Michael Regan  
Vice-Chairman  
/s/ Donna Lomnicki  
/s/ Pat Shea

- j. REPORT – MOTOR FUEL TAX PROGRAM APPROPRIATIONS The following report of the Public Works and Buildings Committee was presented:

November 13, 2007

TO: Mayor Marcucci and Members of the City Council

RE: Motor Fuel Tax Program Appropriations

The Public Works and Buildings Committee met on Tuesday, November 13, 2007 to discuss the Illinois Department of Transportation (IDOT), Division of Highways Motor Fuel Tax (MFT) appropriations.

The Motor Fuel Tax Program allows for funds to be appropriated to labor costs that are associated with street maintenance. Applicable use of these funds would be for the repair of asphalt and concrete streets, inlet work, street sweeping, curb and gutter repair, crackfilling operations, and sign/striping maintenance. Appropriate uses also include forestry related operations in the City right-of-way such as tree trimming, planting and stump removal.

The MFT Program runs on a calendar year basis while the City's fiscal year is May 1 through April 30. Because of this the MFT allocations may only be made for the current calendar year. Therefore, the City must appropriate the dollars two times per year, once for the period covering January 1 through April 30 and again for the period of May 1 to December 31.

The monies allocated, and the corresponding accounts are summarized in "Attachment A". A copy of the appropriate resolution is attached.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the resolution to appropriate Motor Fuel Tax Funds for Labor as outlined in "Attachment A" be approved.

Respectfully submitted,  
Public Works and Building Committee

/s/ John E. Gow  
Chairman

/us/ Michael Regan  
Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- k. REPORT – VERIZON ANTENNA PROPOSAL, WEST ELEVATED TANK The following report of the Public Works and Buildings Committee was presented:

November 13, 2007

TO: Mayor Marcucci and Members of the City Council  
RE: Verizon Antenna Proposal, West Elevated Tank

The Public Works and Buildings Committee met on November 13, 2007 to discuss a request by Verizon Wireless to move the existing cell phone antenna on the west elevated water storage tank from the stem of the tank to the top of the sphere.

Attached are a simulated picture and drawings of the proposed new installation.

City staff has been in discussions with representatives of Verizon to insure that any modifications will be safe for city staff, will not preclude use of the space for currently planned or possible future uses by the city for intranet communications, and that the tank can structurally sustain the proposed installation.

The existing lease agreement would be amended to include the following modifications;

- After installation Verizon will immediately perform a safety test to measure for the presence of any radio frequency waves or 'stray RF'. If found, Verizon will immediately take the necessary actions to remove the stray RF up to and including removal of the antennas if the stray RF concern is not corrected.
- Verizon proposes installation of a 12' radius handrail at the top of the water tank with twelve (12) directional panel antennas installed on the handrail, as the design plans illustrate,

- The handrail design will allow for co-existence with the existing DuComm whip antenna, as well as a future plan to install a City 'Wimax' antenna. The top center of the tank will remain unused and thus available for other future City uses.
- City staff will have continuous safe access to all city equipment located at the top.
- Current wireless coverage in Elmhurst has gaps or less than optimal signal strength. The proposed Verizon configuration will remove those gaps and improve signal strength for Verizon cellular subscribers, including subscribers with EVDO card technology, as used by the City of Elmhurst Police Department.
- The new lease rate will increase from \$1,200/ month to \$2,800/mo with a fixed 3% yearly increase. (also there has been interest by another wireless provider to utilize the existing Verizon site which would add to the total revenue stream from the site).

The Zoning Administrator has advised that there are no zoning approvals necessary for this re-installation and the Building Commissioner has reviewed and approved the design.

It is therefore, the recommendation of the Public Works and Building Committee that the City enter into a new lease agreement with Verizon for the purpose of an antenna relocation at the City's West Elevated Tank located at Rte 83 and St. Charles Rd. and that the City Attorney be directed to draft the appropriate documents.

Respectfully submitted,  
Public Works and Building Committee

/s/ John E. Gow

Chairman

/us/ Michael Regan

Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

1. REPORT – BID, ONE (1) PONTIAC GRAND PRIX The following report of the Public Affairs and Safety Committee was presented:

November 13th, 2007

TO: Mayor Marcucci and Members of the City Council

RE: Bid, One (1) Pontiac Grand Prix

The Public Affairs and Safety Committee met on Monday, November 13th, 2007 to discuss bids received for One (1) Pontiac Grand Prix.

Invitations to Bid were sent out to (3) Three-area dealers for One (1) Pontiac Grand Prix. The results are listed below:

<u>Dealer</u>	<u>Total Price</u>
Haggerty Pontiac, Villa Park, IL	\$16,053.00
Castle Pontiac, North Riverside, IL	\$17,859.00
Howard Pontiac, Elmhurst, IL	\$18,839.00

The low bid from Haggerty Pontiac, Villa Park, IL meets all bids specifications. The price reflects a trade-in allowance of \$2,385.00 for PD-40 This unit will be used in the Police Department.

Funds have been provided in the FY 2007/2008 budget under the following account numbers: \$22,000.00 in 110-5030-421-80.06. Delivery is 10-20 Days after receipt of order.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the purchase of one 2008 Pontiac Grand Prix from Haggerty Pontiac of Villa Park, IL, to replace PD-40. It is also the recommendation of the Public Affairs and Safety Committee that the City Council authorize the disposal of old PD-40 by trading this vehicle as part of the purchase. The total cost of one 2008 Pontiac Grand Prix less the trade-in is \$16,053.00.

Respectfully submitted,  
Public Affairs and Safety Committee

/s/ Mark A. Mulliner  
Chairman  
/s/ Michael Bram  
Vice-Chairman  
/s/ Chris Nybo

- m. REPORT – DISPOSAL OF CITY PROPERTY The following report of the Public Affairs and Safety Committee was presented:

November 13, 2007

To: Mayor Marcucci and Members of City Council  
Re: Disposal of City Property

The Public Affairs and Safety Committee met on November 13, 2007 to discuss the disposal of surplus city property.

After purchasing a new Water Rescue Boat the Fire Department no longer has use for a 1970 vintage John Boat. This current John Boat is outdated and has no further use to the City of Elmhurst. The Elmhurst Park District on several occasions has used this boat for maintenance reasons in Park District owned waterways.

After asking all City of Elmhurst departments, which had no interest in this boat, The Elmhurst Park District was contacted. The Park District responded positively to the request and agreed to purchase the boat for one dollar. The Park District also agreed to execute a “Waiver Release and Indemnification Agreement” approved by the City Attorney. The Committee agreed this would be a good use for this boat.

It is therefore the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council allowing the Fire Department to sell the used John Boat to the Elmhurst Park District for one dollar and allow the City Manager and City Clerk to sign the Waiver Release and Indemnification Agreement on the City’s behalf.

Respectfully submitted,  
Public Affairs and Safety Committee

/s/ Mark A. Mulliner  
Chairman  
/s/ Michael Bram  
Vice-Chairman  
/s/ Chris Nybo

- n. REPORT – CASE NUMBER 07 ZBA-18/HUSTER VARIATION 312 N. HIGHLAND AVENUE The following report of the Development, Planning and Zoning Committee was presented:

November 14, 2007

TO: Mayor Marcucci and Members of the City Council  
RE: Case Number 07 ZBA-18 / Huster Variation 312 N. Highland Avenue  
Request for variation from required and average front yard setback for the purpose of constructing an unenclosed front porch on property commonly known as 312 N. Highland Avenue (PIN 03-35-320-023), said property being wholly located within the R2 Single-Family Residential district.

The Development, Planning and Zoning Committee met on November 14, 2007 to review the Zoning & Planning Commission report dated October 29, 2007 regarding the subject request. The Committee also reviewed the documentation supplied by the applicant, and the transcript of the public hearing. The applicants, Tom and Gail Huster, are requesting a front yard setback variation to construct a front porch.

The DPZ Committee discussed this request's background and location, as well as specifics of the house and the lot. They reviewed the existing home's setback, and the average setback of other homes in the block. The Committee noted that the variation request for the front porch would enhance the character of the home and the neighborhood. Committee members said this is a relatively small variation resulting in a significant gain for the area. The DPZ also commented on the overall community benefits of adding front porches, and that this request is similar to previous ones that have been approved. The DPZ concluded that the requested variation met all three standards for variations, and therefore should be approved.

It is, therefore, the recommendation of the Development, Planning and Zoning Committee to support the recommendation of the Zoning & Planning Commission for approval of this request. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

Respectfully submitted,  
Development, Planning and Zoning  
Committee

/s/ Susan J. Rose  
Chairman

/s/ Norman Leader  
Vice-Chairman

/s/ Diane Gutenkauf

- o. O-27-2007 – AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE CITY OF ELMHURST, DUPAGE COUNTY, ILLINOIS OF ITS NOT TO EXCEED \$7,500,000 IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF ECONOMIC DEVELOPMENT REVENUE BONDS (MONTINI CATHOLIC HIGH SCHOOL PROJECT), SERIES 2007 AND AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND AND LOAN AGREEMENT AND RELATED MATTERS IN CONNECTION THEREWITH

Ordinance O-27-2007 was presented for passage.

- p. MCO-18-2007 – AN ORDINANCE AMENDING CHAPTER 44 OF THE ELMHURST MUNICIPAL CODE (TRAFFIC) IN CONNECTION WITH MUNICIPAL PARKING FEES

Ordinance MCO-18-2007 was presented for passage.

- q. MCO-19-2007 – AN ORDINANCE AMENDING CHAPTER 12 (NUISANCES) OF THE ELMHURST MUNICIPAL CODE BY ADDING A NEW ARTICLE IV ENTITLED “CHRONIC NUISANCE PROPERTIES”

Ordinance MCO-19-2007 was presented for passage.

- r. R-19-2007 - A RESOLUTION GRANTING CITY OF ELMHURST EMPLOYEE THOMAS W. TROSIEN RETIREMENT FUND CREDITS FOR OUT-OF-STATE SERVICE

Resolution R-19-2007 was presented for passage.

- s. R-20-2007 – A RESOLUTION ACCEPTING A COUNTER OFFER FROM THE ELMHURST PARK DISTRICT FOR THE LEASE OF A SITE FOR A NEW FIRE STATION

Resolution R-20-2007 was presented for passage.

Alderman Bram removed item **6k. Report – Verizon Antenna Proposal, West Elevated Tank.** Alderman Lomnicki pulled item **6s. R-20-2007 – A Resolution Accepting a Counter Offer From the Elmhurst Park District for the Lease of a Site for a New Fire Station.**

Alderman Gutenkauf moved to accept the contents of the Consent Agenda less items **6k. Report – Verizon Antenna Proposal, West Elevated Tank** and **6s. R-20-2007 – A Resolution Accepting a Counter Offer From the Elmhurst Park District for the Lease of a Site for a New Fire Station.**

Alderman Mulliner seconded. Voice vote unanimous, motion carried. Alderman Gow moved to approve the contents of the Consent Agenda less items **6k. Report – Verizon Antenna Proposal, West Elevated Tank** and **6s. R-20-2007 – A Resolution Accepting a Counter Offer From the Elmhurst Park District for the Lease of a Site for a New Fire Station**. Alderman Nybo seconded. Roll call vote:

Ayes: Gow, Nybo, Gutenkauf, Leader, Shea, Bram, Hipskind, Moriarty, Szczepaniak, Morley, Lomnicki, Mulliner

Nays: None

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

Alderman Gow moved to approve item **6k. Report – Verizon Antenna Proposal, West Elevated Tank**. Alderman Shea seconded.

Alderman Gow stated this is a request to change the existing antenna. The Public Works and Buildings Committee believed that there would not be any negative impact to do this. Also, the committee was assured that any problems with stray Radio Frequency would be immediately addressed and corrected.

Alderman Bram stated he pulled item **6k. Report – Verizon Antenna Proposal, West Elevated Tank**, his concern was with having enough room for the additional installation of a ‘Wimax’ antenna as well as a concern for the Radio Frequency interference.

Alderman Gow replied the committee was assured room would be available for future City use.

Alderman Bram questioned the rate. He stated it seems more of the monthly rate as compared to prior.

Alderman Gow stated this gives the City better position at the going rate.

Roll call vote on item **6k. Report – Verizon Antenna Proposal, West Elevated Tank**:

Ayes: Gow, Shea, Regan, Gutenkauf, Leader, Bram, Rose, Hipskind, Moriarty, Nybo, Szczepaniak, Morley, Lomnicki, Mulliner

Nays: None

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

Alderman Mulliner moved to approve item **6s. R-20-2007 – A Resolution Accepting a Counter Offer From the Elmhurst Park District for the Lease of a Site for a New Fire Station**. Alderman Rose seconded.

Alderman Mulliner stated this resolution is an agreement to lease property for 99 years from the Elmhurst Park District for a new Fire Station at York Commons Park.

Alderman Lomnicki stated her concern for leasing land at \$405,108 even if it’s for 99 years. She stated there has not been any discussion on what the City will do with the property. There are three options to consider but they have not been brought to the dais for discussion. She stated the \$405,108 is for the land, it will take a large sum of money to relocate the Fire Station.

Alderman Lomnicki stated she is in favor of whatever the City needs to make its citizens safe but would like to reconsider spending this money because the Council has not looked at all the options.

Alderman Mulliner stated this resolution is based on if it's the Council's decision to reconstruct the Fire Station. Alderman Mulliner stated the Park District can't sell the City the property and it is a positive for a much needed facility for the South end of town and it would increase park space.

Alderman Szczepaniak stated his concerns on leasing the property and not having a clear explanation why it can't be purchased. He also stated his concern with a memo from Assistant City Attorney Spiroff the lease is two (2) fifty (50) year terms. This information was brought to the dais at the 11<sup>th</sup> Hour.

Discussion ensued regarding the three (3) options for updating the Fire Station and the two (2) fifty (50) year lease and its options.

**Roll call vote on item 6s. R-20-2007 – A Resolution Accepting a Counter Offer From the Elmhurst Park District for the Lease of a Site for a New Fire Station:**

Ayes: Mulliner, Rose, Regan, Gutenkauf, Leader, Shea, Bram, Gow, Hipskind, Moriarty, Nybo, Szczepaniak, Morley

Nays: Lomnicki

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

**COMMITTEE REPORTS**

7. a. REPORT – 2007 TAX LEVY The following report of the Finance, Council Affairs and Administrative Services Committee was presented:

November 14, 2007

To: Mayor Marcucci and Members of the City Council  
Re: 2007 Tax Levy

The Finance, Council Affairs and Administrative Services Committee met twice, most recently November 13, 2007, to review the 2007 tax levy.

The proposed City of Elmhurst 2007 tax levy of \$5,876,025 represents a 4.5% increase compared to the 2006 tax levy (see attached schedule). The Elmhurst Public Library proposed 2007 tax levy of \$6,105,000 has been submitted by the Library Board of Trustees, and represents a 4.0% increase over the prior year levy. Inasmuch as the Library levy requested is estimated to be within the .400 tax rate limit authorized by the March 1986 Library referendum, the City Council is obligated to approve the Library levy as submitted by the Library Board.

A five-year history of the City of Elmhurst tax levy (excluding Library) is as follows:

	<u>Tax Levy</u>	<u>Increase/ Prior Year</u>	<u>Tax Rate***</u>
2002	4,737,893	4.5%	.355
2003	4,951,098	4.5%	.326
2004	5,173,897	4.5%	.308
2005	5,380,852	4.0%	.296
2006	5,622,990	4.5%	.280
2007*	5,876,025	4.5%	.267**

\* Proposed.

\*\* Based on an estimated 8.5% increase in assessed valuation.

\*\*\* Tax rate represents the tax levy divided by the EAV.

The components of the proposed tax levy change are as follows:

	<u>\$ Increase (Decrease)</u>	<u>% Increase (Decrease)</u>
General Fund:		
Fire Protection	\$ 145,569	7.55%
Retirement Expense	45,250	4.82%
Ambulance	<u>23,350</u>	6.79%
Total General Fund	\$ 214,169	6.67%
Firefighters Pension	\$ 42,095	4.09%
Police Pension	<u>(3,229)</u>	(0.23%)
Total Pension	\$ 38,866	1.59%
Total Increase	\$ 253,035	4.50%

The proposed 2007 tax levy reflects an increase in the General Fund portion of the tax levy. The ambulance component of the General Fund portion increased due to the provisions of the ambulance services contract that was effective September 2006. The portion of the levy allocated to fire protection represents 39.0% of the City's fire protection budget, and the portion allocated to retirement expenses represents 83.2% of the City's retirement expense budget. As the Council will recall, firefighters and police pension contributions are mandated and are determined by an independent actuary. The Committee believes that the proposed 4.5% increase tax levy is justified and prudent due to economic conditions that continue to negatively impact major revenue sources such as sales tax, real estate transfer tax, and building permit fees. The Committee also noted the impact of future inflation on the City's revenues and budget.

A 4.5% increase will result in a decrease in the City's tax rate, assuming an 8.5% assessed valuation increase. The City's property tax rate has decreased every year since 1997 (see attached Tax Levy History schedule). When fire district rates are taken into account for those municipalities that do not have fire departments, Elmhurst's 2006 city tax rate is the second lowest in DuPage County (see attached comparison of 2006 city tax rates for DuPage County). The City's portion is less than 6% of the total Elmhurst tax bill, and the City tax rate has been less than the Elmhurst Park District tax rate for the past three years.

The Finance Committee also reviewed the annual debt service obligation for the City's outstanding general obligation bonds, which totals \$5,108,158. The City Council has traditionally abated the debt service obligations for general obligation bonds. Debt service obligations are funded by the General, Redevelopment, Capital Improvement, Municipal Utility and Parking System funds. The debt service for the 2002 bond issue and portions of the 2003, 2004 and 2005 bond issues will be funded by the Library tax levy. If the debt service obligation is not abated, the debt service, per bond ordinance, would be placed on Elmhurst tax bills. This would nearly double the City's tax levy. The Finance Committee recommends the abatement of the current debt service obligations for the 2007 tax levy year.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the City of Elmhurst 2007 tax levy in the amount of \$5,876,025. Furthermore, it is the recommendation of the Committee that the City Council approve the abatement of the current debt service obligation for the City's general obligation bonds.

Respectfully submitted,  
Finance, Council Affairs and  
Administrative Services Committee

/s/ George Szczepaniak

Chairman

/s/ Stephen Hipskind

Vice-Chairman

/us/ Moira Moriarty

/s/ Steven Morley

Alderman Szczepaniak moved to approve item **7a. Report – 2007 Tax Levy**. Alderman Hipskind seconded.

Alderman Szczepaniak reviewed the committee report explaining why the 4.5% increase. He stated assuming the assessed valuation increase of 8.5% caused the committee to look at past levies. Alderman Szczepaniak also reviewed the bond abatement schedule.

Alderman Moriarty stated she cannot support a 4.5% tax levy. She supports 3.5%. She stated looking at the budget overall, Council should be cutting expenses.

Discussion ensued regarding the 4.5% tax levy increase, property assessment and the City budget.

Roll call vote on item **7a. Report – 2007 Tax Levy:**

Ayes: Szczepaniak, Hipskind, Regan, Gutenkauf, Leader, Shea, Bram, Rose, Gow, Morley, Lomnicki, Mulliner

Nays: Moriarty, Nybo

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

### **REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS**

8. Alderman Gow asked for clarification on the railroad noise per the memo Council received in their packets.

Alderman Mulliner stated the City is in the process of scheduling a noise test, the testing is set for this month. The City has a baseline from a previous study conducted in 1999.

City Manager Borchert stated a full report will be given to Council after the study.

Alderman Gow asked what month was the 1999 study conducted and is it the same month as the current study.

Alderman Mulliner stated he recalled it was in October and this is set for November.

Alderman Bram thanked City Manager Borchert for the update on the York at Grand Avenue beautification. He asked for a clarification on the schedule, was it for this past construction season or 2007-2008.

City Manager Borchert stated he would check. It's targeted for the near future.

Alderman Bram stated he attended the November 14, 2007 meeting regarding the Elgin O'Hare – West Bypass Project hosted by IDOT. He reported that whatever was considered previously will not be in play, today.

Alderman Moriarty asked if someone could present to Council the plans and proposals for this project.

The Mayor stated that would be IDOT and the federal government and they probably won't give a presentation to one municipality. They want all involved to be present.

City Manager Borchert stated City staff will attend any necessary future meetings. He also advised anyone who is interested, go to the City's website What's New and click Elgin O'Hare – West Bypass Public Info.

### **OTHER BUSINESS**

9. a. HAHN STREET DEVELOPMENT FINAL PROPOSALS - MR. STEPHEN FRIEDMAN, CONSULTANT – REPORT AND COUNCIL DISCUSSION

City Manager Borchert stated staff is ready to assist Council with an open discussion on what comes next regarding the Hahn Street proposals. City Manager Borchert commented the hour is late but staff is ready to take any direction Council suggests.

Alderman Regan moved to table the discussion to the 1<sup>st</sup> Monday in December which is a City Council meeting. Alderman Mulliner seconded. Voice vote, motion carried.

**ANNOUNCEMENTS**

10. Alderman Mulliner reminded everyone of the Turkey Trot to be held on Thursday, Thanksgiving morning.

Mayor Marcucci stated if weather permitting the Lima Lima Flight Crew will fly in the missing man formation in honor of Sgt. Joe Vanek. He also announced Sgt. Vanek's funeral will be held tomorrow at 10:00 a.m. at Immaculate Conception.

City Manager Borchert announced a date and time change for the TIF Joint Review Board. The meeting will be held on Monday, December 3, 2007 at 6:00 p.m. and will complete before the start of the 7:30 p.m. Council meeting.

**ADJOURNMENT**

11. Alderman Morley moved to adjourn the meeting. Aldermen Hipskind seconded. Voice Vote. Motion carried. Meeting adjourned 9:55 p.m.

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Thomas D. Marcucci, Mayor

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Patty Spencer, City Clerk