

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, AUGUST 6, 2007
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION 7:00 P.M. – LAND ACQUISITION, SALE OF LAND, LITIGATION, PERSONNEL AND SECURITY PROCEDURES AND THE USE OF PERSONNEL AND EQUIPMENT TO RESPOND TO AN ACTUAL, THREATENED, OR A REASONABLY POTENTIAL DANGER TO THE SAFETY OF EMPLOYEES, STUDENTS, STAFF, THE PUBLIC, OR PUBLIC PROPERTY

1. Executive session was called to order at 7:00 p.m. by Mayor Marcucci for the purpose of discussing Land Acquisition, Sale of Land, Litigation, Personnel and Security Procedures and the Use of Personnel and Equipment to Respond to an Actual, Threatened, or a Reasonably Potential Danger to the Safety of Employees, Students, Staff, the Public, or Public Property.

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

Absent: Michael J. Regan, Susan J. Rose (arrived at 7:07 p.m.)

Also in attendance: City Treasurer Pigoni, Assistant City Attorney Spiroff, City Manager Borchert, Deputy Fire Chief Bacidore, Police Chief Neubauer

Alderman Gow moved to convene into executive session for the purpose of discussing Land Acquisition, Sale of Land, Litigation, Personnel and Security Procedures and the Use of Personnel and Equipment to Respond to an Actual, Threatened, or a Reasonably Potential Danger to the Safety of Employees, Students, Staff, the Public, or Public Property. Alderman Moriarty seconded. Roll call vote:

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

Nays: None

12 Ayes, 0 Nays, 2 absent
Motion duly carried

Alderman Moriarty moved to adjourn executive session. Alderman Mulliner seconded. Voice vote. Motion carried. Executive session adjourned at 7:36 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 7:40 p.m.

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

Absent: Michael J. Regan (arrived at 8:05 p.m.)

Also in Attendance: City Treasurer Pigoni, Assistant City Attorney Spiroff, City Manager Borchert, Finance Director Gaston, Assistant Finance Director Trosien, GIS Specialist Piet, PZED Director Said, Planner Shane, Zoning & Planning Commission Chairman Whistler

PUBLIC HEARING – PROSPECT AVENUE ANNEXATION AGREEMENT

3. Mayor Marcucci opened the public hearing at 7:45 p.m. regarding the Prospect Avenue Annexation Agreement. Mayor Marcucci asked for anyone interested in speaking to please address the Council. No one spoke.

Assistant City Attorney Spiroff stated that there are unusual circumstances regarding this particular Annexation Agreement as one of the property owners passed away after the meeting date for the Public Hearing was posted. He explained that State Law requires all property owners to sign the petition and agreement. He asked that the Public Hearing be reconvened on September 4, 2007 so that the new property owner is able to fully participate in the annexation process.

Alderman Rose moved to recess the Public Hearing until Tuesday, September 4, 2007. Alderman Szczepaniak seconded. Voice vote, motion carried.

The public hearing recessed at 7:49 p.m. and will reconvene on Tuesday, September 4, 2007.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

4. None.

PUBLIC FORUM

5. None.

CONSENT AGENDA

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

a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, JULY 16, 2007 (City Clerk Spencer): Approve as published

b. ACCOUNTS PAYABLE – JULY 31, 2007 TOTAL \$ 1,925,526.74

c. BID, FIVE (5) 2007 FORD TRUCKS (City Clerk Spencer): Refer to the Public Works and Buildings Committee

July 17, 2007

TO: Mayor Marcucci and Members of the City Council

RE: Bid, Five (5) 2007 Ford Trucks

In response to an invitation to bid for Five (5) 2007 Ford Trucks advertised in the Elmhurst Press on Friday, June 29, 2007, bids were received from three area dealers.

Bids were opened at 10:00 a.m. on Tuesday, July 17, 2007, and following is a summary of the bids received:

Replacement For:	Freeway Ford (Lyons, IL)	Elmhurst Ford (Elmhurst, IL)	Oakfield Ford (Villa Park, IL)
PW-27	\$17,395.47	\$21,500.00	\$21,680.00
PW-65	21,188.47	26,600.00	24,045.00
PW-66	17,745.47	21,500.00	21,680.00
PW-73	17,745.47	21,500.00	21,680.00
PW-83	21,788.47	26,900.00	22,045.00

Respectfully submitted,

/s/ Patty Spencer

City Clerk

d. BID, 2007 WATERMAIN IMPROVEMENT PROJECT (City Clerk Spencer): Refer to the Public Works and Buildings Committee

July 18, 2007

TO: Mayor Marcucci and Members of the City Council

RE: Bid, 2007 Watermain Improvement Project

In response to an invitation to bid for the 2007 Watermain Improvement Project advertised in the Elmhurst Press on Wednesday, July 4, 2007, bids were received from eleven (11) area contractors.

Bids were opened at 10:00 a.m. on Tuesday, July 17, 2007, and following is a summary of the bids received:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate Bid</u>	<u>Total</u>
Gerardi Sewer & Water (Norridge, IL)	\$492,276.00	\$266,202.50	\$758,478.50
Neri Brothers Const., Inc. (Itasca, IL)	\$574,474.50	\$296,208.50	\$870,683.00
John Neri Const. Co., Inc. (Addison, IL)	\$592,601.00	\$295,307.00	\$887,908.00
Kings Point Gen. Cement (Bensenville, IL)	\$588,172.90	\$300,101.50	\$888,274.40
Swallow Const. Corp. (Downers Grove, IL)	\$621,000.00	\$320,000.00	\$941,000.00
Trine Const. Corp. (West Chicago, IL)	\$645,645.05	\$354,354.94	\$999,999.99
Brothers Asphalt Paving (Addison, IL)	\$676,993.00	\$355,956.00	\$1,032,949.00
ApolloTrenchless, Inc. (Lombard, IL)	\$1,034,052.75	- - - -	\$1,034,052.75
Archon Const. Co., Inc. (Addison, IL)	\$ 654,927.00	\$389,290.00	\$1,044,217.00
J. Congdon Sewer Service (Carol Stream, IL)	\$ 677,728.00	\$379,064.00	\$1,056,792.00
R. A. Bright Const. (Plainfield, IL)	\$ 725,937.00	\$356,134.50	\$1,082,071.50

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. REPORT – 2007 RECLAMITE APPLICATION PROGRAM The following report of the Public Works and Buildings Committee was presented:

July 23, 2007

TO: Mayor Marcucci and Members of the City Council
RE: 2007 Reclamite Application Program

The Public Works and Buildings Committee met on Monday, July 23, 2007, to discuss the application of Reclamite to approximately 150,000 square yards (11 miles) of asphalt pavement in the City of Elmhurst.

Reclamite, a preservative seal, will be applied to all streets resurfaced with asphalt during FY 2007. A second treatment of Reclamite will also be applied to selected streets that received an initial treatment four or more years ago.

Reclamite treatment is an essential factor in the City's pavement maintenance program. The material is sprayed on the surface of the street with a distributor truck and penetrates into the asphalt surface in ½ to 1 hour. Sand is applied to absorb the residual material that may not be totally absorbed by the pavement.

Reclamite is a proprietary product manufactured by Witco Corporation - Golden Bear Products of Bakersfield, California. At the present, CAM, L.L.C. North, of Sugar Grove, Illinois is the only contractor in Illinois certified to purchase and apply Reclamite. CAM, L.L.C. North, has done this work for the City of Elmhurst in the past and has the expertise and specialized equipment to provide quality workmanship.

It is in the best interest of the City to retain a local contractor who can be responsive to the City's needs and can alter their work schedule on short notice, which is required to adjust to the uncertainties of local weather conditions. The City also uses unique public relations and traffic control procedures for this sensitive program. CAM, L.L.C. North is very familiar with the City's program, which can speed up application and reduce inconvenience.

CAM, L.L.C. North's quotation of \$0.455 per square yard for Reclamite is \$0.015 per square yard higher than quoted in FY 2006 and is equal to, or less than the unit prices quoted in 2007 to other communities in the local area who are using Reclamite.

This price includes the application of Reclamite and sanding with a special spreading unit, which enables the even distribution of sand and faster street openings.

Monies have been provided in the 2007/2008 budget in the General Fund, Contract Services for Street Sealing, Account Number 110-6041-432-30-74 in the amount of \$75,000. The value of work to be done under this contract shall not exceed \$75,000.

Therefore, it is the recommendation of the Public Works and Buildings Committee that CAM, L.L.C. North's unit price to apply Reclamite to approximately 11 miles of City streets at the rate of \$.455 per square yard, be accepted.

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow
Chairman

/s/ Michael Regan
Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- f. REPORT – BIDS, 2007 WATER MAIN IMPROVEMENT PROJECT The following report of the Public Works and Buildings Committee was presented:

TO: Mayor Marcucci and Members of the City Council
RE: Bids, 2007 Water Main Improvement Project

The Public Works and Buildings Committee met on Monday, July 23, 2007 to review bids for the 2007 Water Main Improvement Project. The bids received are summarized on Attachment "A".

The work includes the installation of approximately 2,950 L.F. of 8" Ductile Iron Water Main on Fremont from Evergreen to Addison, Mitchell from Harrison to Butterfield, and on Harrison from Stratford to Cadwell. The work also includes service replacements, hydrants with valves, and all other related work. Alternate bids were also accepted for Bryan from Vallette to McKinley in an effort to maximize budget monies; however, the project total with the alternate bid was not within budget.

Gerardi Sewer and Water Co. from Norridge, submitted the lowest responsible base bid meeting all of the bidding requirements. Gerardi Sewer and Water Co. has worked for the City in the past and completed similar work for Elmhurst, and other municipalities in a satisfactory manner.

Monies have been provided in the FY 2007/08 Budget, Municipal Utility Fund, Account Number 510-6052-501-80-12, in the amount of \$700,000.00 for this project.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the base bid from Gerardi Sewer and Water Co. in the amount of \$492,276.00, be accepted.

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow
Chairman

/s/ Michael Regan
Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- g. REPORT – COLLEGEVIEW / YORK HIGH SCHOOL AREA: REQUEST FOR RESIDENTIAL PERMIT PARKING ONLY PROGRAM The following report of the Public Affairs and Safety Committee was presented:

July 23, 2007

To: Mayor Marcucci and Members of City Council

Re: Collegeview / York High School Area: Request for Residential Permit Parking Only Program

The Public Affairs and Safety Committee has met on January 26, February 26, March 26, April 9, July 9 and again on July 23, 2007 on this request which was forwarded to the Committee via the City Council agenda of December 18, 2006. The Committee's review of this matter has been extensive and with the objective of clearly understanding the problems as expressed by the petitioners and objectives of the petitioners. Upon understanding completely the objectives of the petitioners, a review by the Committee was completed relative to resultant impacts as best predicted upon the Collegeview neighborhood and other Elmhurst neighborhoods, as well as operational impacts to police operations and City administration offices. It is the Committee's consensus that this issue is much more complicated and involved and potentially precedent setting than one would first perceive. The Committee therefore desires to be a bit more comprehensive in its report and recommendation than the reporting provided for on more routine matters.

First of all, a summary of the existing situation: The Collegeview neighborhood located north of York High School and west of Elmhurst College, as well as the area affected and influenced by York High School student parkers south of St. Charles Road, has been the subject of Committee, Council and staff parking reviews for many years. The City's goal has been and remains to protect the character of the residential neighborhood, allow the property owners and their visitors to park in the area, yet not allow all day parkers that are attracted to York High School as students, teachers or visitors to park all day on the street. The attached Exhibit A illustrates the wide impact of York High School as it creates an on street all day parking demand that must be controlled through parking restrictions. The Committee also met with Dr. Lynn Krizic from District 205 who reported that District 205 and York High School provides bus transportation for students and provides 232 spaces of parking on school grounds for students, 304 spaces for teachers and visitors and 13 handicapped spaces, for a total of 549 (see attached). The 2006/2007 population of York High School is 2,525 students and 310 staff. The District is aware that there is a demand for more parking spaces but the space and cost of these spaces cannot be reasonably provided for by District 205 on York High School properties. To assist in controlling the situation at the high school, the school provides permits for a limited number of students on a priority basis, patrols the on-site parking areas and issues tickets and/or in school penalties to reasonably assure that parking spaces will be available to those that have been provided a parking permit. Other students are to find other transportation means to the school. The City of Elmhurst and the Elmhurst Police Department have jurisdiction relative to the control of streets and parking on streets. The Committee and Council have a long-standing record of responding on a block by block basis to parking concerns and attempting to resolve those matters in a fashion responsive to the block, sensitive to public safety access concerns and not discriminating. The current parking regulations of two hour parking and prohibited parking where necessary in these neighborhoods has been very effective in prohibiting York High School parkers from parking all day in the neighborhoods.

The problem: The petition (attached) was received and forwarded to the Committee for review and evaluation and subsequent recommendation for City Council consideration that would provide for neighborhood only parking via passes in the York High School / Collegeview impacted residential streets. Attached is Exhibit B illustrating the location of homes from those who signed the petition seeking the accommodation. The Committee reviewed at length with the petitioners other alternatives to achieve the objective of more convenient on street parking for the neighborhood, yet with prohibitions that would make it very difficult for all day high school students, visitors or others to park on the neighborhood streets. During the discussions, the petitioners advised the committee and staff that they continue to desire the prohibition of York High School parking in their neighborhood. They cite increased traffic, speeding, littering, and disorderly behavior as ample reasons to control parking. No alternative was deemed acceptable by the petitioners who indicated that their request was limited to residential parking passes that could only be purchased by those that live on the street and that no parking would be allowed on the street except by residential permit. The Committee and staff review of the implications of such a system resulted in many more concerns than problems resolved. Although many communities have implemented a residential pass parking program, numerous problems or concerns exist with those programs. A summary of concerns includes but is not limited to:

- Significant administrative time spent managing the system. Permits and visitor passes would have to be developed, printed, sold and tracked by administrative personnel.
- Permits would need to be updated for new car purchases and new residents.
- Proof of residency would have to be checked by an employee for compliance; this function could not be automated.
- Enforcement would need to be done by existing patrol officers requiring multiple trips to the neighborhood through the course of the day with interruptions for priority calls and taking officers away from other patrol duties.
- The downtown business district duties of the two civilian parking control officers would not allow time for this enforcement.
- This program tends to lend itself to abuses.
- System once implemented will be requested in many other areas.
- In the event that other neighborhoods requested residential parking permits, all of the administrative and enforcement staff time would be increased citywide.
- Cars need to park someplace and, in many situations, parking control signs simply move the cars to other locations where they are a problem.
- Necessary parked cars associated with contractors, service providers or visitors to block need some accommodation.

The limited advantages to such a system are in that the benefited homeowners have the exclusive opportunity to park on the street which achieves their desired outcome, and the patrol vehicle doing enforcement has a simple assignment of checking for passes and writing tickets on all vehicles that do not have a pass. The administrative support to that patrol officer, however, is judged to be significant in both the police department and in the finance offices in support of the administration of the program. In addition, the notion of exclusive use of a public street right-of-way for a particular number of individuals or blocks was troublesome.

Based on the information presented to the Committee, it was the Committee's consensus that the existing past practice is appropriately justified and should continue going forward wherein any particular block could express revisions to the on street parking controls to better serve their neighborhood priorities, but in such a fashion that public safety was maintained as a priority, and secondly that the street remain a public street with public parking within constraints of the parking prohibitions posted.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council accept this status report relative to the Collegeview and York High School past parking policy and recommendation that the requested new residential parking permit program not be implemented, but rather that the existing block by block review of other controls be allowed to be administered going forward.

Respectfully submitted,
Public Affairs and Safety Committee

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

h. REPORT – ELMHURST ARTISTS’ GUILD REQUEST: ART FESTIVAL ON YORK STREET The following report of the Public Affairs and Safety Committee was presented:

July 23, 2007

To: Mayor Marcucci and members of the City Council
Re: Elmhurst Artists’ Guild Request: Art Festival on York Street

The Public Affairs and Safety Committee met on July 23, 2007 to discuss a request from the Elmhurst Artists’ Guild to have an art festival on City sidewalks between First Street and Second Street on Saturday, September 8, 2007 from 10:00 a.m. to 5:00 p.m. The request was brought forward by Dianne Martia, President Emeritus and Chair of the Elmhurst Artists’ Guild.

The Elmhurst Artists’ Guild is proposing an art festival on Saturday, September 8, 2007 from 10:00 am to 5:00 pm. It would be located on York Street sidewalks between First Street and Second Street. No City streets will need to be closed for this event. Booths and tables will be set up in front of various stores and the required 60” sidewalk clearance will be provided. This will be the third annual downtown art festival. The 2006 art festival was a success with no public safety issues needing to be addressed. The Police and Fire Departments reported no problems with the 2006 event.

The Elmhurst Artists’ Guild will provide the necessary insurance and will make the policy available for the City Attorney prior to the event.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the Elmhurst Artists’ Guild Art festival on Saturday, September 8, 2007 from 10:00 am to 5:00 pm.

Respectfully submitted,
Public Affairs and Safety Committee

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

i. REPORT – POLICE DEPARTMENT PARKING CONTROL VEHICLE REPLACEMENT The following report of the Public Affairs and Safety Committee was presented:

July 23, 2007

To: Mayor Marcucci and the Members of City Council
RE: Police Department Parking Control Vehicle Replacement

The Public Affairs and Safety Committee met on Monday July 23, 2007 to discuss the purchase of Two (2) Ford Hybrid Escapes for the parking control division of the Police Department. These two vehicles were scheduled for replacement under the current F/Y 2007-2008 budget. The cars to be replaced are: PD34 and PD35.

The vehicles will be replaced with 2008 Ford Hybrid Escapes. Equipment manager Chanel F. Caron advises that the State of Illinois contract PSD # 4013830 awarded to “Bob Ridings, Inc” offers the base Hybrid package for \$ 23,495.00 per vehicle for the 2008 model year. Adding the options required for our fleet would bring the total cost of \$23,935.00 per unit (including delivery). Elmhurst Ford has quoted a per vehicle unit price, including required options and delivery, of \$23,670.00. For two (2) Ford Hybrid Escapes. This is a per unit cost savings of \$ 265.00 for one (1) hybrid under the state purchase bid price, with a total cost savings for two (2) hybrid vehicles being \$ 530.00.

Elmhurst Ford has included the following options at no charge

- Key all vehicles alike to our fleet key code.
- Provide free storage for the vehicles when they arrive.
- Two Extra set of keys for each vehicle.

Therefore, it is the recommendation of the Public Affairs and Safety Committee that in the interest of purchasing locally, considering the cost savings of \$530.00, and ensuring the police vehicles are replaced on schedule, the sale be awarded to Elmhurst Ford. The per unit cost being \$ 23,670.00 for two 2008 Hybrid Escapes for a total cost of \$47,340.00 be approved. This was planned and budgeted for in line item 110-5030-421-80-06 for the purchase of vehicles and radio's F/Y 07-08. It is also recommended that the City Council authorize the disposal of PD34 and E9 by trading these vehicles in as part of this purchase.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner

Chairman

/s/ Michael Bram

Vice-Chairman

/s/ Chris Nybo

- j. REPORT – INSTALLATION OF NO TRESPASSING SIGNS ALONG UNION PACIFIC RAILROAD PROPERTY The following report of the Public Affairs and Safety Committee was presented:

July 26, 2007

To: Mayor Marcucci and members of the City Council

Re: Installation of No Trespassing Signs along Union Pacific Railroad property

The Public Affairs and Safety Committee met on July 23, 2007 to discuss request from the Police Department to amend the existing Beautification Lease between the Union Pacific Railroad (“UPRR”) and the City, so as to allow the installation of no trespassing signs at three locations along the UPRR right-of-way. The Police Department has identified these locations as areas where pedestrians frequently cross the tracks and which are not designated crossings. Pedestrians crossing the railroad tracks at other than a designated crossing presents an obvious safety hazard. It is hoped that the installation of the signs will prevent such illegal crossings (effectively trespasses). The installation of such signs would complement the City’s ongoing railroad safety program. The signs would be placed on both sides of the tracks at the following locations:

1. East of Myrtle Avenue north of the Elmhurst College tennis courts;
2. North side of Park Avenue and south side of First Street on either side of the Palmer Drive underpass;
3. North side of Park Avenue at Linden Avenue and at Elm Tree Lane.

Because the signs would be placed on Railroad property, an Addendum to the existing Beautification Lease between the City and the UPRR is required. The initial Beautification Lease was entered into in 1999 in response to certain regulations of the Illinois Commerce Commission that would have otherwise prevented the extensive landscaping the City has installed over the years along the rail line. This Beautification Lease governs the location height and placement of landscaping and other obstructions on the railroad right-of-way. The UPRR is receptive to the installation of such signs provided an Addendum to the existing Beautification Lease is entered into.

The existing Beautification Lease, the proposed Addendum and a map designating the locations for the No Trespassing signs is attached to this report.

It is, therefore, a recommendation of the Public Affairs and Safety Committee that the City Council approve the Addendum to the existing Beautification Lease with the UPRR to provide for the installation of the No Trespassing signs at the noted locations and that the City attorney be authorized to prepare the appropriate resolution approving the Lease Addendum.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner
Chairman

/s/ Michael Bram
Vice-Chairman

/s/ Chris Nybo

- k. REPORT – CASE NUMBER 07 ZBA-12/PIVONEY VARIATION @ 232 S. GRACE AVENUE The following report of the Development, Planning and Zoning Committee was presented:

July 25, 2007

TO: Mayor Marcucci and Members of the City Council

RE: Case Number 07 ZBA - 12 / Pivoney Variation @ 232 S. Grace Avenue

Request for an average front yard setback variation pursuant to Chapter 7, Part A, 4.c of the Elmhurst Zoning Ordinance for the purpose of building a structure on property commonly known as 232 S. Grace Avenue (PIN 06-02-314-018), said property being wholly located within the R2 Single Family Residence district.

The Development, Planning and Zoning Committee met on July 23, 2007 to review the Zoning & Planning Commission report dated July 17, 2007 regarding the subject request. The Committee also reviewed the documentation supplied by the applicant, and the transcript of the public hearing. The applicant, Mark Pivoney, is 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, garage 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, along with the proposed home addition, would enhance the character of the home and the neighborhood. 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 then discussed the benefits of maintaining this existing home instead of constructing a new home on this lot. 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

- l. O-23-2007 – AN ORDINANCE VACATING A PORTION OF A UTILITY EASEMENT LYING WITHIN THE FORMER JUNIOR TERRACE RIGHT-OF-WAY

Ordinance O-23-2007 was presented for passage.

- m. MCO-12-2007 – AN ORDINANCE INCREASING THE NUMBER OF AUTHORIZED LIQUOR LICENSES IN THE “PL” CLASS BY ONE

Ordinance MCO-12-2007 was presented for passage.

n. R-13-2007 – A RESOLUTION APPROVING AN ADDENDUM TO THE BEAUTIFICATION LEASE WITH THE UNION PACIFIC RAILROAD COMPANY

Resolution R-13-2007 was presented for passage.

Alderman Gutenkauf pulled item **6g. Report – Collegetown / York High School Area: Request for Residential Permit Parking Only Program.**

Alderman Mulliner moved to accept the contents of the Consent Agenda less item **6g. Report – Collegetown / York High School Area: Request for Residential Permit Parking Only Program.** Alderman Lomnicki seconded. Voice vote unanimous, motion carried. Alderman Gutenkauf moved to approve the contents of the Consent Agenda less item **6g. Report – Collegetown / York High School Area: Request for Residential Permit Parking Only Program.** Alderman Gow seconded. Roll call vote:

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

Nays: None

Pass: Regan

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

Alderman Mulliner moved to approve item **6g. Report – Collegetown / York High School Area: Request for Residential Permit Parking Only Program.** Alderman Bram seconded.

Alderman Mulliner reviewed item **6g. Report – Collegetown / York High School Area: Request for Residential Permit Parking Only Program** stating that in reviewing the request to provide parking relief to residents in the area north of York High School (Collegetown), the Public Affairs and Safety Committee (PA&S) determined that there is no all encompassing area-wide solution. It was decided that the parking situation needs to be examined on a block by block basis as has been done in the past.

Alderman Gutenkauf pulled item **6g. Report – Collegetown / York High School Area: Request for Residential Permit Parking Only Program** to state that the committee report is incorrect in stating that there are not areas of the City with residential parking permits.

City Manager Borchert made a point of information that the area in which Alderman Gutenkauf is referring to is not residential permit parking during the day but commuter and Central Business District permit parking. There are no parking passes for resident on street parking.

Alderman Rose asked if there is a way for residents who are having a party or special event to contact the Police Department and avoid fines for on street parking.

Alderman Regan stated he has only received one call from a First Ward resident regarding this issue and it was someone who supports the PA&S Committee's decision not to have parking permits.

Alderman Gutenkauf stated that she has received numerous phone calls from First Ward residents who do not feel the issue has been settled and feel that the PA&S Committee did not come to a final answer. The permit issue will not go away, Council needs to find a solution.

Discussion ensued regarding the use of warning tickets and the time and manpower required by the Police Department to patrol the area and to enforce a residential parking permit program.

Alderman Nybo stated that the PA&S Committee and staff have done a fantastic job reviewing item **6g. Report – Collegeview / York High School Area: Request for Residential Permit Parking Only Program** and stated his decision is final; he is against residential parking permits as a solution to this problem. He stated that for a solution the City should first look to District 205.

Discussion ensued regarding safety concerns before and after school as well as the York High School parking permit system.

Alderman Regan stated that this is not a school issue, it is a lifestyle issue. Many of the homes in this area have one (1) car garages and narrow driveways that cannot accommodate families with three (3) and four (4) family vehicles. He stated it is unfair to blame the high school alone for the parking issues. He stated that he supports a block by block examination of the problem as has been the long standing past practice of the Council.

Roll call vote on item **6g. Report – Collegeview / York High School Area: Request for Residential Permit Parking Only Program:**

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

Nays: Gutenkauf

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

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

7. a. UPDATES (Mayor Marcucci)

Alderman Bram stated that he was excited to see item **6i. Report – Police Department Parking Control Vehicle Replacement** on the Consent Agenda this evening. Introducing hybrid vehicles into the fleet of Police Department vehicles is a great thing.

Mayor Marcucci stated that he has only received six (6) of the job performance reviews for City Manager Borchert. He asked anyone who has not yet turned in their review to do so by the end of the week.

Mayor Marcucci stated that he would like to see an eco-friendly movement on the dais and have the bottled water provided to the Council removed and pitchers of cold tap-water replace them.

Alderman Rose stated she agreed with the Mayor and hoped to see the change by the next Council meeting.

City Manager Borchert announced that the DuPage Stormwater Commission will be conducting some small blasting the week of August 20, 2007 in order to remove some loose rocks and stabilize the flood control area on the stone quarry. The County sent out a press release and informed neighbors of the quarry. The small amount of blasting will not produce damage in the neighborhood.

Alderman Szczepaniak stated concerns regarding the West Avenue bridge over the Chicago-Stone quarry, and asked due to the recent tragedy in Minnesota if the support system of the roadway needs to be examined.

City Manager Borchert assured everyone that the roadway over the stone quarry is structurally sound.

OTHER BUSINESS

8. a. HAHN STREET DEVELOPMENT FINAL PROPOSALS

Mayor Marcucci stated staff has revised their matrix and it can be used as a tool to keep score for evaluating each proposal. Also, a video has been created to look at each proposal as the City sees it. The Mayor stated that as the Council continues to review the proposals, a process of elimination will take place. He also stated negotiations will take place with whichever developer is selected so that everyone is in agreement.

City Manager Borchert introduced staff Planning, Zoning and Economic Development (PZED) Director Said, PZED Planner Shane, Finance Director Gaston, Assistant Finance Director Trosien and GIS Specialist Piet. Mr. Piet gave a short PowerPoint Presentation that he developed which shows the City staff's view of each of the proposals as it would be if it existed today.

Mayor Marcucci thanked staff for their presentation. He stated all three (3) of the proposals are worthy of consideration. Each proposal has strengths and advantages for the community. The Mayor asked Council to start the elimination process and to make a recommendation.

Comments and concerns were spoken from the dais regarding the current housing market. Many aldermen expressed ideas for commercial versus residential units. Discussion ensued.

Alderman Nybo stated the Council's focus for now is to select a developer.

Alderman Rose moved to **Eliminate the Everett Builders Proposal from Council's Approval**. Alderman Gow seconded. Discussion ensued.

Alderman Rose asked to amend her motion.

Mayor Marcucci replied that the motion can only be amended if the amendment is also seconded by Alderman Gow.

Alderman Gow stated no to amending the existing motion.

Roll call vote to **Eliminate the Everett Builders Proposal from Council's Approval**:

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

Nays: None

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

Alderman Rose stated it is after 10:00 p.m., discussion should conclude.

Alderman Szczepaniak questioned and commented on several aspects of the Marathon gas station.

Mayor Marcucci stated due to the time, Council will continue this discussion at a later date. He asked for a consensus from Committee Chairman if the continued discussion could be on the Agenda next Monday, August 13, 2007. Consensus of Council is to continue the discussion on the Hahn Street Final Development Proposals at the next City Council meeting on Monday, August 20, 2007.

ANNOUNCEMENTS

9. None.

ADJOURNMENT

10. Alderman Moriarty moved to adjourn the meeting. Aldermen Gutenkauf seconded. Voice Vote. Motion carried. Meeting adjourned 10:00 p.m.

Thomas D. Marcucci, Mayor

Patty Spencer, City Clerk