

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, JULY 2, 2007
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 36

1. The Regular Meeting of the Elmhurst City Council was called to order by Mayor Marcucci at 7:35 p.m.

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

Absent: Michael J. Regan (arrived 7:35 p.m.), Moira Moriarty, Steve Morley, Donna Lomnicki

Also in Attendance: Assistant City Attorney Spiroff, City Manager Borchert, Fire Chief Kopp, Police Chief Neubauer, Zoning and Planning Commission Chairman Whistler

RECOGNITION OF EDISON ELEMENTARY SCHOOL 5TH GRADE DESTINATION IMAGINATION (“DI”) TEAM

2. Mayor Marcucci congratulated the 5th Grade girls Destination Imagination Team from Edison Elementary School for their great success this year. Teams use academics, art, technology and performance as they tackle one of five Team Challenges; solutions to which can take weeks or months to develop. The team won 1st Place at the State competition and also won *The Spirit of DI Award* for their instant challenge. This award recognizes exceptional spirit, teamwork, volunteerism and sportsmanship. The team advanced to the Global Finals and the University of Tennessee in Knoxville where they placed 36 out of 77 teams and had the 14th highest instant challenge score.

Mayor Marcucci welcomed the students onto the dais to receive congratulations from the elected officials. Mayor Marcucci stated how proud he is of their accomplishments.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

3. None

PUBLIC FORUM

4. Darlene Heslop
200 N. Michigan, #227
Elmhurst, IL 60126

Spoke regarding appointment of Alderman Bran to Senior Citizens Commission stating a commissioner is usually a citizen, not an elected official. She also asked that the Finance, Council Affairs and Administrative Services Committee look into term limits for commissioners.

Mark Dobrowolski
125 S. Foley St.
Bensenville, IL 60106

Mr. Dobrowolski asked Council to approve item v. on the Consent Agenda regarding the easement vacation for 635 Belden Avenue so he could build a new house in the center of the lot.

CONSENT AGENDA

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

a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, JUNE 18, 2007 (City Clerk Spencer): Approve as published

b. ACCOUNTS PAYABLE – JUNE 30, 2007 TOTAL \$ 1,392,648.35

- c. BID, SCHILLER PARKING DECK REPAIRS (City Clerk Spencer): Refer to the Public Works and Buildings Committee (see item 5q)

June 20, 2007

TO: Mayor Marcucci and Members of the City Council
RE: Bid, Schiller Parking Deck Repairs

In response to an invitation to bid for the Schiller Parking Deck Repairs advertised in the Elmhurst Press on Friday, June 1, 2007, bids were received from four area contractors.

Bids were opened at 10:00 a.m. on Tuesday, June 19, 2007, and following is a summary of the bids received:

<u>Contractor</u>	<u>Total Cost</u>
JLJ Contracting, Inc. (Bedford Park, IL)	\$44,913.00
Chicagoland Construction, Inc. (Bartlett, IL)	\$45,980.00
J Gill and Company (South Holland, IL)	\$47,000.00
Harry S. Peterson Company (Chicago, IL)	\$47,750.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- d. BID, DIGESTER RETAINING WALL REPLACEMENT PROJECT (City Clerk Spencer): Refer to Public Works and Buildings Committee

June 26, 2007

TO: Mayor Marcucci and Members of the City Council
RE: Bid, Digester Retaining Wall Replacement Project

In response to an invitation to bid for the Digester Retaining Wall Replacement Project advertised in the Elmhurst Press on Wednesday, May 23, 2007, bids were received from four area contractors.

Bids were opened at 10:00 a.m. on Tuesday, June 19, 2006, and following is a summary of the bids received:

<u>Contractor</u>	<u>Total Cost</u>
BSL Group, Inc. (St. Charles, IL)	\$45,209.50
Kovilic Construction Company, Inc. (Franklin Park, IL)	\$95,200.00
Lifco Construction Corporation (East Dundee, IL)	\$98,444.00
ATLC Inc. DBA Arlington Turf (Palatine, IL)	\$114,360.00

An additional bid from R & W Clark Construction Company of Mokena, Illinois was received after the bid deadline and, therefore, was not included in the bid summary.

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. APPOINTMENT TO SENIOR CITIZENS COMMISSION – MICHAEL BRAM (Mayor Marcucci): Concur with the Mayor's recommendation

June 11, 2007

To: Members of the City Council
Re: Appointment to Senior Citizens Commission – Michael Bram

With your advice and consent, I will appoint Michael Bram (see attached application and resume) to the Senior Citizens Commission for a term that will expire on April 30, 2010.

Respectfully submitted,
/s/ Thomas D. Marcucci
Mayor

- f. HERITAGE CENTER LEADERSHIP TEAM REPORT (City Manager Borchert): Refer to the Public Affairs and Safety Committee

June 28, 2007

To: Mayor Marcucci and Members of the City Council
Re: Heritage Center Leadership Team Report

I am pleased with the work of the Heritage Center Leadership Team and request that the attached completed report be forwarded to the Public Affairs and Safety Committee for their review, evaluation and subsequent recommendation for City Council consideration.

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

- g. TEMPORARY USE AND EVENT PERMIT REQUEST – IMMACULATE CONCEPTION CHURCH – PLUNKETT FIELD (City Manager Borchert): Concur with the City Manager's recommendation

June 28, 2007

To: Mayor Marcucci and Members of the City Council
Re: Temporary Use and Event Permit Request - Immaculate Conception Church – Plunkett Field

Immaculate Conception Church is requesting approval of a Temporary Use Permit, pursuant to Section 4.10, Temporary Uses and Events, of the Elmhurst Zoning Ordinance for the purpose of utilizing outdoor portable lighting for night football games at Lewis Stadium at Monsignor Plunkett Field on Saturday, August 25, 2007.

Attached please find their request dated June 4, 2007 explaining the event in more detail.

It is the City Manager's intention, unless directed otherwise, in accordance with the provisions of Section 4.10 of the Elmhurst Zoning Code and the stipulations noted above, to approve a Temporary Use Permit to allow this use.

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

- h. ELMHURST NEWCOMERS AND NEIGHBORS CLUB UNDERPASS BANNER REQUEST – 2007 (City Manager Borchert): Concur with the City Manager's recommendation

June 19, 2007

To: Mayor Marcucci and Members of the City Council
Re: Elmhurst Newcomers and Neighbors Club Underpass Banner Request - 2007

In accordance with Elmhurst Zoning Ordinance Chapter 11, Section 9-2, please be advised that it is the City Manager's intention to issue a permit for a temporary banner to be installed on the north side of the underpass from August 6, 2007 through August 13, 2007 and on the south side of the underpass from August 13, 2007 through August 20, 2007. The banner reads "Elmhurst Newcomers and Neighbors Club www.ennc.org Join Us for Our 207 Kick-off Party August 22nd, 7 pm at Café Amano!!".

Unless the City Council directs otherwise, the permit for the Elmhurst Newcomers and Neighbors Club banner will be issued with the appropriate fee of \$35.00 per banner per week required.

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

- i. KIWANIS PANCAKE DAY UNDERPASS BANNER REQUEST – 2008 (City Manager Borchert): Concur with the City Manager's recommendation

June 19, 2007

To: Mayor Marcucci and Members of the City Council
Re: Kiwanis Pancake Day Underpass Banner Request - 2008

In accordance with Elmhurst Zoning Ordinance Chapter 11, Section 9-2, please be advised that it is the City Manager's intention to issue a permit for a temporary banner to be installed on the underpass. The banner, reading "Kiwanis Pancake Day" will be displayed on the south side of the underpass from April 28, 2008 through May 12, 2008.

Unless the City Council directs otherwise, the permit for the Kiwanis banner will be issued with the appropriate fee of \$35 per banner per week required.

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

- j. KIWANIS PEANUT DAY UNDERPASS BANNER REQUEST – 2008 (City Manager Borchert): Concur with the City Manager's recommendation

June 19, 2007

To: Mayor Marcucci and Members of the City Council
Re: Kiwanis Peanut Day Underpass Banner Request - 2008

In accordance with Elmhurst Zoning Ordinance Chapter 11, Section 9-2, please be advised that it is the City Manager's intention to issue a permit for a temporary banner to be installed on the underpass. The banner, reading "Kiwanis Peanut Day" will be displayed on the south side of the underpass from September 8 through September 15, 2008 and on the north side from September 15 through September 22, 2008.

Unless the City Council directs otherwise, the permit for the Kiwanis banner will be issued with the appropriate fee of \$35 per banner per week required.

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

- k. GRACE BIBLE CHURCH UNDERPASS BANNER REQUEST – 2008 (City Manager Borchert): Concur with the City Manager's recommendation

June 19, 2007

To: Mayor Marcucci and Members of the City Council
Re: Grace Bible Church Underpass Banner Request - 2008

In accordance with Elmhurst Zoning Ordinance Chapter 11, Section 9-2, please be advised that it is the City Manager's intention to issue a permit for a temporary banner to be installed on the underpass. The banner will publicize Grace Bible Church Easter Service at Elmhurst College – 10 a.m. The banner will be displayed from March 10 through March 24, 2008 alternating on the south then north side of the underpass.

Unless the City Council directs otherwise, the permit for the Grace Bible Church banner will be issued with the appropriate fee of \$35 per banner per week required.

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

1. ELMHURST CITY CENTRE UNDERPASS BANNER REQUEST – 2007 (City Manager Borchert): Concur with the City Manager's recommendation

June 25, 2007

To: Mayor Marcucci and Members of the City Council
Re: Elmhurst City Centre Underpass Banner Request - 2007

In accordance with Elmhurst Zoning Ordinance Chapter 11, Section 9-2, please be advised that it is the City Manager's intention to issue a permit for a temporary banner to be installed on the north side of the underpass from September 10, 2007 to September 24 2007. The banner reads "Elmhurst City Centre Presents Uptown/Downtown Block Party – Saturday, September 22, 2007, 11 am – 10 pm –www.elmhurstcitycentre".

Unless the City Council directs otherwise the permit for the Elmhurst City Centre banner will be issued, with the appropriate fee of \$35.00 per banner per week required.

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

- m. CENTER FOR SPEECH AND LANGUAGE DISORDER UNDERPASS BANNER REQUEST – 2008 (City Manager Borchert): Concur with the City Manager's recommendation

June 25, 2007

To: Mayor Marcucci and Members of the City Council
Re: Center for Speech and Language Disorder Underpass Banner Request - 2008

In accordance with Elmhurst Zoning Ordinance Chapter 11, Section 9-2, please be advised that it is the City Manager's intention to issue a permit for a temporary banner to be installed on the underpass. The banner, reading "May is Better Speech & Hearing Month – Free Speech & Language Screenings for Children – Center for Speech and Language Disorders, 630-530-8551, www.csld.org" will be displayed from April 14 through April 21, 2008 on the south side.

Unless the City Council directs otherwise, the permit for the Center for Speech and Language Disorders banner will be issued with the appropriate fee of \$35 per banner per week required.

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

- n. ELMHURST SCHOOL DISTRICT 205 UNDERPASS BANNER REQUEST – 2007 (City Manager Borchert): Concur with the City Manager's recommendation

June 25, 2007

To: Mayor Marcucci and Members of the City Council
Re: Elmhurst School District 205 Underpass Banner Request - 2007

In accordance with Elmhurst Zoning Ordinance Chapter 11, Section 9-2, please be advised that it is the City Manager's intention to issue a permit for a temporary banner to be installed on the north side of the underpass. The banner, reading "Elmhurst Public Schools Welcomes Back Our Students and Staff – First day of School, Sept. 4" will be displayed from August 27 through September 3, 2007.

Unless the City Council directs otherwise, the permit for the banner will be issued with the appropriate fee of \$35 per banner per week required.

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

- o. SRO AT YORK HIGH SCHOOL UNDERPASS BANNER REQUEST – 2007 (City Manager Borchert): Concur with the City Manager's recommendation

June 21, 2007

To: Mayor Marcucci and Members of the City Council
Re: SRO at York High School Underpass Banner Request - 2007

In accordance with Elmhurst Zoning Ordinance Chapter 11, Section 9-2, please be advised that it is the City Manager's intention to issue a permit for a temporary banner to be installed on the underpass. The banner is to promote a York High School Drama presentation. The banner will be displayed on the south side the week of October 29 through November 5, 2007.

Unless the City Council directs otherwise the permit for the SRO at York High School banner will be issued, with the appropriate fee of \$35.00 per banner per week required.

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

- p. REPORT – EXTENSION OF PUBLIC WATERMAIN AND SANITARY SEWER ON PROSPECT AVENUE The following report of the Public Works and Buildings Committee was presented:

June 25, 2007

TO: Mayor Marcucci and Members of the City Council
RE: Extension of Public Watermain and Sanitary Sewer on Prospect Avenue

The Public Works and Buildings Committee met on Monday, June 25, 2007 to review the neighborhood request for the installation of public watermain and sanitary sewers on Prospect Avenue from Atrium Drive to Brush Hill Road.

The residents of Prospect Avenue currently are on well water and septic sewer systems. These residents have indicated through their attorney that they would support a project to extend City utilities to their neighborhood. The residents are also concurrently pursuing annexation to the City.

Historically, the City Council has created Special Service Areas to assist property owners with financing for these projects. Through this financing method, the City will be reimbursed for 100% of the project cost by the residents via the County collecting the appropriate property tax over several years based upon the assessed value of each affected lot. Their attorney has provided the property owners with general cost information and an explanation of the Special

Service Area method of financing. The attorney has represented that a majority of the property owners are willing to participate in the financing to extend public utilities.

Based on the property owner support and a thorough review of the proposed project information, the Public Works and Buildings Committee recommends the approval of the neighborhood's request for the extension of public utilities on Prospect Avenue between Atrium Drive and Brush Hill Road and that City staff be directed to create the SSA according to the Special Service Area Tax Law (35 ILCS 200/27-5 et.seq).

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow

Chairman

/s/ Michael Regan

Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- q. REPORT – BIDS, SCHILLER PARKING DECK REPAIRS, PROJECT 07-18 The following report of the Public Works and Buildings Committee was presented:

June 25, 2007

TO: Mayor Marcucci and Members of the City Council

RE: Bids, Schiller Parking Deck Repairs, Project 07-18

The Public Works and Buildings Committee met on Monday, June 25, 2007 to discuss bids received for the "Schiller Parking Deck Repairs, Project 07-18". Ten (10) area contractors picked up bid documents. Bids were received from four (4) contractors and are summarized below.

<u>Contractor</u>	<u>Total Price</u>
JLJ Contracting Inc. Bedford Park, IL	\$44,913.00
Chicagoland Construction, Inc. Villa Park, IL	\$45,979.50
J. Gill & Company South Holland, IL	\$47,000.00
Harry S. Peterson Co. Chicago, IL	\$47,750.00

This work includes the miscellaneous concrete repairs, joint repairs, cleaning and sealing of concrete floors, together with pavement striping within the structural areas of the parking deck located on Schiller St. Parking decks are exposed to the elements, with the internal structural steel susceptible to corrosion from road salts. Regular routine maintenance of these facilities helps protect the steel, thereby extending the life of the structure and reducing the likelihood of major structural repairs in the future.

JLJ Contracting Inc. from Bedford Park submitted the lowest responsible bid meeting all of the bidding requirements. JLJ Contracting Inc. has completed similar parking deck work for other municipalities and entities including the City of Chicago and Northwestern University, in a satisfactory and professional manner.

Monies have been provided in the FY 2007/08 Budget, in the amount of \$75,000 in Account Number 530-0080-503-50-14, for this project.

It is, therefore, the recommendation of the Public Works and Building Committee that the bid from JLJ Contracting Inc. in the amount of \$44,913.00, 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

- r. REPORT – 2007 WATER METER PURCHASE The following report of the Public Works and Buildings Committee was presented:

June 25, 2007

TO: Mayor Marcucci and Members of the City Council
RE: 2007 Water Meter Purchase

The Public Works and Buildings Committee met on Monday, June 22, 2007 to discuss the purchase of water meters and Automated Meter Reading (AMR) units necessary for new construction, water meter upgrades, replacement of existing water meters, and to continue our radio AMR system integration.

The City standard, Neptune Water meters, are purchased directly from Neptune Technologies Corporation and are not competitively bid. The City has standardized purchasing Neptune meters at this time because it is compatible with the current Automatic Meter Reading (AMR) system/equipment, reduces unnecessary inventory supplies, and is a quality product. Neptune Technologies has agreed to maintain their pricing, at this year's same level, through May 1, 2008.

The current pricing and quantities to be ordered are summarized as follows:

<u>Quantity</u>	<u>Meter Type</u>	<u>Total Cost</u>
75	1" Disc Meter	\$ 9,855.75
2000	R900 AMR Units	\$164,000.00
	Total	\$173,855.75

The meters will have an outside remote AMR radio frequency device attached for the ease of recording the customer's water consumption. The meter reading is accomplished by simply walking or driving by the customer home and collecting the reads through the radio receiving handheld unit.

Funds have been provided in the 2007/2008 budget, Municipal Utility Fund, account number 510-6052-501-40-68 (Water Meters), in the amount of \$250,000 for the purchase of water meters.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the proposal from Neptune Technologies for the listed pricing and quantities as outlined above in the amount of \$173,855.75 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

- s. REPORT – CHLORINE CONTACT TANK #3 WEIR AND BAFFLE REPLACEMENT The following report of the Public Works and Buildings Committee was presented:

June 25, 2007

To: Mayor Marcucci and Members of the City Council
Re: Chlorine Contact Tank #3 Weir and Baffle Replacement

The Public Works and Buildings Committee met on June 25, 2007 to discuss proposals for the removal and replacement of the weirs and baffles at chlorine contact tank #3. This project will include the demolition of the existing aluminum materials and install a replacement stainless steel weir and baffle. The existing weirs and baffles are badly corroded allowing short-circuiting and hydraulic imbalances in the tank.

Chlorine tank #3 is a one million gallon vessel providing tertiary treatment and final polishing of the treated plant effluent. It also provides extended detention time for chlorine disinfection of the plant effluent. The weir designed for this tank is a "V" notch design that is intended to regulate the overflow rates of water from the tank. The design insures that the rate of overflow is equally distributed over the surface, which limits any uneven hydraulic imbalances that will affect solids settling. The existing aluminum weirs have corroded to a point that they are not maintaining an equal discharge flow rate over the surface of the tank. Likewise the aluminum baffles have deteriorated and are not containing floating materials in the area of the tank that is cleared by the rotating skimmer arm.

The mechanical portion of the tank was supplied Envirex Corp. a Division of US Filter. Staff have received quotes for the replacement materials including weirs, baffles and the necessary supports and ancillary hardware. Staff also sought out manufacturers who might fabricate these materials to compare prices. Costs from outside sources were on the order of twice the cost of the original vendor. The materials are specifically designed for this application. While metal-fabricating shops can make replacements the least expensive supplier is Envirex. The local representative for Envirex is Peterson-Matz in Elgin Illinois.

Staff also solicited quotes for the installation of the materials from several qualified mechanical contractors. Quotes were received from four area contractors for this work.

It is expected that the work can be completed in less than two weeks. There is an approximate lead time of eight weeks for the delivery of these materials.

<u>Materials</u>	
Peterson & Matz Elgin, IL	\$48,000.00
<u>Installation Contractors</u>	
River City Construction Huntley, IL	\$12,550.00
Dahme Mechanical Industries Arlington Heights, IL	\$34,540.00
Maxim Construction Volo, IL	\$47,660.00
Joseph J. Henderson Gurnee, IL	\$49,987.00

Staff has checked references from River City and find that they have done acceptable work of this kind for other treatment facilities.

It is the recommendation of the Public Works and Buildings Committee that the materials be purchased from Peterson-Matz for a total of \$48,000 and that the River City Construction proposal for \$12,550 be accepted for the installation.

Funds for this project are budgeted in the capitol expenditures budget, 510-6057-502.80-20. The 2007/2008 projected budget for this project is \$118,000

Respectfully submitted,

Public Works and Building Committee

/s/ John E. Gow

Chairman

/s/ Michael Regan

Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- t. REPORT – DIGESTER RETAINING WALL REPLACEMENT PROJECT 06-23 The following report of the Public Works and Buildings Committee was presented:

June 25, 2007

To: Mayor Marcucci and Members of the City Council
Re: Digester Retaining Wall Replacement Project 06-23

On June 19th staff opened four proposals for the removal and replacement of the wastewater treatment plant digester retaining wall. After review of the proposals one bid was withdrawn due to mathematical errors. The three remaining bids are correct in scope and costs.

The existing wooden timber retaining wall is almost 20 years old and is rotten in several sections.

This project includes the demolition of the existing wooden timber retaining wall and installation of a Keystone engineered concrete block retaining wall and two new aluminum stairways for digester access. Also two water lines will be re-routed away from the new wall to allow for any necessary future repairs. The wall is needed to maintain an earth insulation cover on the raised walls of the two heated anaerobic digesters.

Four bids were received. These are:

<u>Company</u>	<u>Bid Amount</u>
Kovilic Construction Co., Inc. Franklin Park, IL	\$95,200
Lifco Construction East Dundee, IL	\$98,444
ATLC Inc. (dba Arlington Turf) Palatine, IL	\$114,360

Staff has reviewed the bid and has checked references from Kovilic Construction, Inc. All references give Kovilic good reviews.

It is the recommendation of the Public Works and Buildings Committee that the bid from Kovilic Construction, Inc. of Franklin Park, IL be accepted for the installation of the digester retaining wall.

Funds for this project are budgeted in the capitol expenditures budget, 510-6057-502.80-20. The 2007/2008 projected budget for this project is \$120,000

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow

Chairman

/s/ Michael Regan

Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- u. REPORT – BIDS, 2007 STREETLIGHTING MATERIALS The following report of the Public Works and Buildings Committee was presented:

June 25, 2007

To: Mayor Marcucci and Members of the City Council
RE: Bids, 2007 Streetlighting Materials

The Public Works and Buildings Committee met on Monday, June 25, 2007 to discuss the bids received for the supply of streetlighting materials. Invitations to bid were sent to several area vendors and advertised in local newspapers. Six bids were received and are summarized on the attached tally sheet.

The specifications requested pricing on various streetlight fixtures and repair parts that are used to maintain the City's streetlights. The specifications allow the bid may be awarded to the lowest bidder of each item if it is in the best interest of the City.

American Light of Itasca, IL, was the low bidder on all of the specified items for a bid total of \$64,735.

Funds have been provided in the 2007/08 budget for these materials in account numbers 110-6044-435-4028 (luminaires \$45,000), 110-6044-435-4037 (panels \$8,000), and 110-6044-435-4098 (other supplies \$30,000).

Therefore, it is the recommendation of the Public Works and Buildings Committee that the bids for the supply of the 2007 streetlight materials from American Light of Itasca, IL in the amount of \$64,735.00 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

- v. REPORT – EASEMENT VACATION – 635 BELDEN AVENUE The following report of the Public Works and Buildings Committee was presented:

June 25, 2007

TO: Mayor Marcucci and Members of the City Council
RE: Easement Vacation – 635 Belden Avenue

The Public Works and Buildings Committee met on Monday, June 25, 2007 to discuss a request for the vacation of easement rights within the former Junior Terrace right-of-way, located at 635 Belden Avenue.

The request was received from Mr. and Mrs. Dobrowolski, current owners of the property. The Dobrowolski's currently own a lot which is 83 feet wide but is burdened by 33 feet of City easement rights. The Dobrowolski's are desirous of tearing down the house that currently stands on their lot and constructing a new home for their family. Vacation of the City's easement rights would allow the Dobrowolski's to center their new home on the lot and more logically utilize their property. Mr. Dobrowolski grew up in this area and would like to have his children grow up in Elmhurst and take advantage of all that Elmhurst has to offer. City staff has reviewed the request and finds there is no necessity to continue to maintain this easement for City utilities.

There was some concern on the part of the Committee that despite the best intentions the possibility would exist that with the vacation of the entire 33 feet a consolidation with the property to the east could occur and the lots re-platted to create a third buildable lot. To ensure that this does not happen the Committee is recommending that only the westerly 32 feet of the easement be vacated. This allows the Dobrowolski's to construct their home as they wish but

leaves a one foot wide easement along the east property line. Should any owner of this property ever wish to reconfigure it, they will have to come to the City to vacate this easement. In addition, NI-Cor will continue to hold an easement over the east 17 feet of the former right-of-way.

As the easement has no functional value to the City, the City should not charge for the vacation of this easement.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the westerly 32 feet of the City easement at 635 Belden Avenue, formerly Junior Terrace right-of-way, be vacated at no charge and the City Attorney be authorized to prepare the necessary documents for this vacation and that the appropriate City officials be authorized to sign said documents.

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow
Chairman

/s/ Michael Regan
Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- w. REPORT – REQUEST FOR ANNEXATION AND EXTENSION OF WATER AND SEWER SERVICE- SOUTH PROSPECT AVENUE The following report of the Development, Planning and Zoning Committee was presented:

June 25, 2007

TO: Mayor Marcucci and Members of the City Council

RE: Request for Annexation and Extension of Water and Sewer Service- South Prospect Avenue

The Committee met several times, most recently on June 25, 2007, to consider a request for Annexation of 17 lots located on the East and West sides of Prospect Avenue between Brush Hill Drive on the south, Arbor Lane on the north, adjacent to the Atrium and Rest Haven properties. These lots are currently on private wells and septic systems and are contiguous to the current City boundaries. The Committee notes that the Public Works and the Buildings Committee has considered and will be issuing a report with respect to the extension of utilities to this area and the financing of such work through a Special Service Area.

From a land planning and service delivery perspective, annexation of this territory makes much sense. It is completely surrounded by the City, already receives fire service from the City via the City's agreement with the Yorkfield Fire Protection District, and constitutes a small pocket of unincorporated area for which the DuPage County Sheriff's Department must provide police services. The Committee further notes that the territory is within the City's ultimate planning boundaries and that there is no request for any rezoning or other zoning relief upon annexation. Upon annexation, the lots would automatically be zoned as R1 Single Family and such lots would meet the requirements of the R1 District. Subject to the report of the Public Works and Buildings Committee with respect to the extension of utilities to this area and the financing for that extension, the Committee believes this annexation should proceed. A draft Annexation Agreement along with a Summary is attached to this report.

It is, therefore, all the recommendation of the Developing, Planning and Zoning committee that the City enter into an Annexation Agreement with the Prospect Avenue property Owners and to annex this territory to the City. 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

- x. REPORT – REVIEW ELMHURST MEMORIAL HOSPITAL ZONING APPROVAL PROCESS The following report of the Development, Planning and Zoning Committee was presented:

June 27, 2007

TO: Mayor Marcucci and Members of the City Council
RE: Review Elmhurst Memorial Hospital Zoning Approval Process
a) Existing Codes
b) New Hospital Zoning District

The Development, Planning and Zoning Committee met on June 25, 2007 to review the request by City Manager Borchert dated May 31, 2007, requesting that the DP&Z Committee review and evaluate the pros and cons for the Hospital to follow either a zoning application using Elmhurst's existing codes or create a new hospital zoning district within which the new hospital would be constructed.

The Committee discussed the benefits of constructing and operating a hospital facility in the existing C2 Commercial Community Shopping and Service district or, alternatively, in the proposed new "HCC" "Health Care Campus" hospital zoning district.

The Committee understands that Elmhurst Memorial Hospital is seeking approval of a Planned Development no matter which zoning district is the resultant underlying district. The Planned Development, as a Conditional Use, provides the opportunity for the City of Elmhurst to "require any reasonable condition or design consideration which will promote proper development of benefit to the community".

The current zoning classification of C2 Community Shopping and Service does not provide sufficient guidance for the development of a hospital relative to the purpose of the district (shopping and service) or the bulk controls that relate more to commercial and office buildings than they do to a conditionally approved hospital use. The new district could provide the purpose, direction, uses and appropriate bulk controls as they relate to hospital uses, as well as allow a degree of flexibility for future expansion.

The Committee also understands that the project will be developed under an annexation agreement which further "locks in" all aspects of the development.

The Development, Planning and Zoning Committee suggests that the development of the new hospital campus be accomplished in a holistic manner and not as a multitude of variations and exceptions to a zoning district which is not necessarily applicable to this type of land use.

It is, therefore, the recommendation of the Development, Planning and Zoning Committee that Elmhurst Memorial Hospital proceed with their request for Planned Development Conditional Use and a Zoning Ordinance Text Amendment creating a new Health Care Campus zoning district.

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Susan J. Rose
Chairman
/s/ Norman Leader
Vice-Chairman
/s/ Diane Gutenkauf

- y. O-11-2007 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-11-2007 was presented for passage.

- z. O-12-2007 – AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA NUMBER TEN OF THE CITY OF ELMHURST (BELDEN AVENUE)

Ordinance O-12-2007 was presented for passage.

- aa. O-13-2007 – AN ORDINANCE MAKING APPROPRIATIONS FOR SPECIAL SERVICE AREA NUMBER FOUR OF THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008

Ordinance O-13-2007 was presented for passage.

- bb. O-14-2007 – AN ORDINANCE MAKING APPROPRIATIONS FOR SPECIAL SERVICE AREA NUMBER FIVE OF THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008

Ordinance O-14-2007 was presented for passage.

- cc. O-15-2007 – AN ORDINANCE MAKING APPROPRIATIONS FOR SPECIAL SERVICE AREA NUMBER SIX OF THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008

Ordinance O-15-2007 was presented for passage.

- dd. O-16-2007 – AN ORDINANCE MAKING APPROPRIATIONS FOR SPECIAL SERVICE AREA NUMBER SEVEN OF THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008

Ordinance O-16-2007 was presented for passage.

- ee. O-17-2008 – AN ORDINANCE MAKING APPROPRIATIONS FOR SPECIAL SERVICE AREA NUMBER EIGHT OF THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008

Ordinance O-17-2007 was presented for passage.

- ff. O-18-2007 – AN ORDINANCE MAKING APPROPRIATIONS FOR SPECIAL SERVICE AREA NUMBER NINE OF THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008

Ordinance O-18-2007 was presented for passage.

- gg. O-19-2007 – AN ORDINANCE MAKING APPROPRIATIONS FOR SPECIAL SERVICE AREA NUMBER TEN OF THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008

Ordinance O-19-2007 was presented for passage.

- hh. O-20-2007 – AN ORDINANCE APPROVING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITY OF ELMHURST AND THE VILLAGE OF VILLA PARK (CROWN METALS)

Ordinance O-20-2007 was presented for passage.

- ii. MCO-10-2007 – AN ORDINANCE REDUCING THE NUMBER OF CLASS “RL” LIQUOR LICENSES BY ONE AND THE NUMBER OF CLASS “RHA” LIQUOR LICENSES BY TWO

Ordinance MCO-10-2007 was presented for passage.

- jj. MCO-11-2007 – AN ORDINANCE INCREASING THE NUMBER OF AUTHORIZED LIQUOR LICENSES IN THE “RSB” CLASS BY ONE

Ordinance MCO-11-2007 was presented for passage.

- kk. ZO-12-2007 – AN ORDINANCE GRANTING REAR YARD AND FRONT YARD VARIATIONS ON THE PROPERTY COMMONLY KNOWN AS 445 SOUTH HILLSIDE AVENUE (KEITH)

Ordinance ZO-12-2007 was presented for passage.

Alderman Rose pulled item **5e. Appointment to Senior Citizens Commission – Michael Bram.** Alderman Gutenkauf pulled item **5f. Heritage Center Leadership Team Report.** Alderman Rose pulled item **5q. Report – Bids, Schiller Parking Deck Repairs, Project 07-18.** Alderman Shea pulled item **5v. Report – Easement Vacation – 635 Belden Avenue.** Alderman Bram pulled item **5x. Report – Review Elmhurst Memorial Hospital Zoning Approval Process.** Alderman Gutenkauf pulled items **5bb. O-14-2007 - An Ordinance Making Appropriations for Special Service Area Number Five of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008, 5cc. O-15-2007 - An Ordinance Making Appropriations for Special Service Area Number Six of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008, and 5dd. O-16-2007 - An Ordinance Making Appropriations for Special Service Area Number Seven of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008.**

Alderman Mulliner moved to accept the contents of the Consent Agenda less items **5e. Appointment to Senior Citizens Commission – Michael Bram, 5f. Heritage Center Leadership Team Report, 5q. Report – Bids, Schiller Parking Deck Repairs, Project 07-18, 5v. Report – Easement Vacation – 635 Belden Avenue, 5x. Report – Review Elmhurst Memorial Hospital Zoning Approval Process, 5bb. O-14-2007 - An Ordinance Making Appropriations for Special Service Area Number Five of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008, 5cc. O-15-2007 - An Ordinance Making Appropriations for Special Service Area Number Six of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008, and 5dd. O-16-2007 - An Ordinance Making Appropriations for Special Service Area Number Seven of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008.** Alderman Regan seconded. Voice vote unanimous, motion carried. Alderman Gutenkauf moved to approve the contents of the Consent Agenda less items **5e. Appointment to Senior Citizens Commission – Michael Bram, 5f. Heritage Center Leadership Team Report, 5q. Report – Bids, Schiller Parking Deck Repairs, Project 07-18, 5v. Report – Easement Vacation – 635 Belden Avenue, 5x. Report – Review Elmhurst Memorial Hospital Zoning Approval Process, 5bb. O-14-2007 - An Ordinance Making Appropriations for Special Service Area Number Five of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008, 5cc. O-15-2007 - An Ordinance Making Appropriations for Special Service Area Number Six of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008, and 5dd. O-16-2007 - An Ordinance Making Appropriations for Special Service Area Number Seven of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008.** Alderman Gow seconded. Roll call vote:

Ayes: Gutenkauf, Gow, Regan, Leader, Shea, Bram, Rose, Hipkind, Nybo, Szczepaniak, Mulliner

Nays: None

Results: 14 ayes, 0 nays, 3 absent
Motion duly carried

Alderman Nybo moved to approve item **5e. Appointment to Senior Citizens Commission – Michael Bram**. Alderman Szczepaniak seconded.

Alderman Rose pulled item **5e. Appointment to Senior Citizens Commission – Michael Bram** stating she thought an alderman served on a commission as an ex-officio to maximize a citizen's ability to have a seat on a commission. Alderman Rose asked to amend the appointment from commissioner to ex-officio. Mayor Marcucci stated, as Chair, amendment denied.

Alderman Bram stated that in applying for commissioner it was not his intent to take away the opportunity for any citizen to apply.

Discussion ensued regarding Alderman Bram's appointment as a commissioner rather than an ex-officio member of the Senior Citizens Commission.

Mayor Marcucci asked that the Council approve the appointment at this time and look into an ex-officio appointment at another time.

Alderman Gutenkauf moved to call the question. Alderman Rose seconded. Voice vote unanimous, motion carried.

Roll call vote on item **5e. Appointment to Senior Citizens Commission – Michael Bram**:

Ayes: Nybo, Szczepaniak, Regan, Gutenkauf, Leader, Shea, Bram, Rose, Gow, Hipkind, Mulliner

Nays: None

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

Alderman Gutenkauf pulled item **5f. Heritage Center Leadership Team Report**. Alderman referred to page 5 of the report titled **Elmhurst Heritage Foundation Recommendation for a New Model of Governance** section that states ex-officio members may be elected from many organizations. Alderman Gutenkauf noted the Elmhurst Historical Society was not listed.

Alderman Bram called point of order stating this is not a committee report, but a referral to the Public Affairs and Safety Committee.

Mayor Marcucci stated that Alderman Bram is correct and Alderman Gutenkauf should put her comments in writing to the Chairman of the Public Affairs and Safety Committee.

Alderman Gow moved to approve item **5q. Report – Bids, Schiller Parking Deck Repairs, Project 07-18**. Alderman Regan seconded.

Alderman Gow reviewed item **5q. Report – Bids, Schiller Parking Deck Repairs, Project 07-18** stating this is a bid for the Schiller Parking Deck repairs and the lowest bid was accepted.

Alderman Rose stated she pulled item **5q. Report – Bids, Schiller Parking Deck Repairs, Project 07-18** to ask if another level could be put on the Schiller Deck.

Alderman Gow referred the question to City Manager Borchert.

City Manager Borchert said that the option to add a level has been exercised and there is not another option to do so.

Alderman Hipskind complimented staff for being under budget for the project.

Roll call vote on item **5q. Report – Bids, Schiller Parking Deck Repairs, Project 07-18.**

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

Nays: None

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

Alderman Gow moved to approve item **5v. Report – Easement Vacation – 635 Belden Avenue.** Alderman Regan seconded.

Alderman Gow stated that this is a request for vacation of easement rights at 635 Belden Avenue. The Committee looked at this request and agreed to vacate 32' of City easement at no charge.

Alderman Shea pulled item **5v. Report – Easement Vacation – 635 Belden Avenue** to request it go back to Committee due to additional information received.

Mayor Marcucci stated two Committee members must agree. Alderman Gow agreed with Alderman Shea to take the item **5v. Report – Easement Vacation – 635 Belden Avenue** back to Committee for further review.

Alderman Rose moved to approve item **5x. Report – Review Elmhurst Memorial Hospital Zoning Approval Process.** Alderman Gutenkauf seconded.

Alderman Rose stated this committee report is more of a recommendation to the petitioner to get a feel what the Council would be in favor of, the existing zoning C2, Community Shopping and Service, or a new zoning district, "HCC" Health Care Campus.

Alderman Bram pulled item **5x. Report – Review Elmhurst Memorial Hospital Zoning Approval Process** to question why the petitioner is looking to Council in an advisory role. Alderman Bram stated that this could set a precedent that issues come before Council before there is a filing of petition.

Discussion ensued on the value of the Council's positive or negative thoughts on the petitioner's zoning request.

Roll call vote on item **5x. Report – Review Elmhurst Memorial Hospital Zoning Approval Process:**

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

Nays: Bram

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

Alderman Rose moved to approve item **5bb. O-14-2007 - An Ordinance Making Appropriations for Special Service Area Number Five of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008.** Alderman Gutenkauf seconded.

Alderman Gutenkauf pulled item **5bb. O-14-2007 - An Ordinance Making Appropriations for Special Service Area Number Five of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008** questioning if said property is part of the City Centre district or adjacent to it.

Alderman Rose stated it is not. This Service Area property is created for the Virginia Lane townhomes located in the Third Ward.

Roll call vote on item **5bb. O-14-2007 - An Ordinance Making Appropriations for Special Service Area Number Five of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008:**

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

None: None

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

Alderman Mulliner moved to approve item **5cc. O-15-2007 - An Ordinance Making Appropriations for Special Service Area Number Six of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008.** Alderman Regan seconded.

Alderman Gutenkauf pulled item **5cc. O-15-2007 - An Ordinance Making Appropriations for Special Service Area Number Six of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008,** to request a copy of the minutes and financials from the City Centre Board of Directors meeting for Special Service Area Six.

Alderman Szczepaniak stated that at the June 25, 2007 Finance, Council Affairs and Administrative Services Committee meeting, Alderman Moriarty requested the same information. John Quigley, Executive Director of the Elmhurst Chamber of Commerce stated that the information requested would be provided.

Mayor Marcucci asked City Manager Borchert to make note that the elected officials should receive minutes and financials from City Centre Board meetings.

Roll call vote on item **5cc. O-15-2007 - An Ordinance Making Appropriations for Special Service Area Number Six of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008**

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

Nays: None

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

Alderman Hipskind moved to approve item **5dd. O-16-2007 - An Ordinance Making Appropriations for Special Service Area Number Seven of the City of Elmhurst for the**

Fiscal Year Beginning May 1, 2007 and Ending April 30, 3008. Alderman Szczepaniak seconded.

Alderman Gutenkauf pulled item **5dd. O-16-2007 - An Ordinance Making Appropriations for Special Service Area Number Seven of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 3008** for the same reason as item **5cc. O-15-2007 - An Ordinance Making Appropriations for Special Service Area Number Six of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008.**

Roll call vote on item **5dd. O-16-2007 - An Ordinance Making Appropriations for Special Service Area Number Seven of the City of Elmhurst for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 3008:**

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

Nays: None

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

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

7. a. UPDATES

Alderman Bram asked City Manager Borchert for the status of the appraisal of the property at 242 N. York. Mr. Borchert replied that the appraisal process will be complete in the next week or two, and the ordinance to purchase the property will be back before the Council.

Alderman Szczepaniak stated that recently the City settled with a resident for \$1500 due to the problems he was experiencing with new construction next door to his home. He requested that the settlement should come from the developer's bond because the developer caused the damage to the resident's property. Mr. Borchert stated that Alderman Szczepaniak's point is well taken. The City is pursuing that option and will give a status report.

Alderman Shea asked City Manager Borchert the status of the development at North Avenue and Route 83. Mr. Borchert replied that the applicant needs to obtain a permit from IDOT with his revised plans. City staff will then review the plans without a public hearing and determine if they meet the City's zoning codes.

Alderman Gutenkauf stated the Elmhurst Historical Society received a request asking for comments relating to an antenna being placed on top of the Fifth/Third Bank building. Verizon Wireless wants to make sure the appropriate community organizations would not object to this. City Manager Borchert replied that antennas are allowed on top of buildings. Staff will have to look at this request and refer it to the Development, Planning and Zoning Committee.

b. UPDATES (Mayor Marcucci)

Mayor Marcucci asked City Manager Borchert to have staff prepare a letter to the Development Planning and Zoning Committee regarding the City's policy for electronic billboards.

Mayor Marcucci stated he received a memo from Assistant City Attorney Spiroff regarding the new State law that authorizes the local authority to allow patrons to leave a restaurant with an open

bottle of wine. He asked that this be referred to the Public Affairs and Safety Committee to issue a report for Council consideration.

OTHER BUSINESS

8. None.

ANNOUNCEMENTS

9. Mayor Marcucci announced step-off for the 4th of July parade would be 9:00 a.m. at York and Third Streets. Alderman Rose stated that her information indicated a 9:30 a.m. step-off time. City Manager Borchert stated that he will get the correct time and notify the Council.

ADJOURNMENT

10. Alderman Regan moved to adjourn the meeting. Aldermen Gow seconded. Voice Vote. Motion carried. Meeting adjourned 9:28 p.m.

Thomas D. Marcucci, Mayor

Patty Spencer, City Clerk