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**AGENDA
OF BUSINESS TO BE BROUGHT BEFORE THE MEETING
OF THE CITY COUNCIL OF ELMHURST, ILLINOIS, 209 NORTH YORK
MONDAY, JANUARY 7, 2008**

- 1. Executive Session 7:00 p.m. – Land Acquisition and Sale of Land (Conference Room #2)**
- 2. Open Session 7:30 p.m. – Call to Order/ Pledge of Allegiance/Roll Call**
- 3. Receipt of Written Communications and Petitions from the Public**
- 4. Public Forum**
- 5. Consent Agenda**
 - a. Minutes of the Regular Meeting Held on Monday, December 17, 2007 (City Clerk Spencer): Approve as published
 - b. Minutes of the Executive Session Held on Monday, December 17, 2007 (City Clerk Spencer): Receive and place on file
 - c. Accounts Payable – December 31, 2007 Total \$ 898,376.50
 - d. Review of Vehicle Sticker Rates (Alderman Rose): Refer to the Finance, Council Affairs and Administrative Services Committee
 - e. Temporary Use and Event Permit Request – Faith Evangelical United Methodist Church (City Manger Borchert): Concur with the City Manager's recommendation
 - f. MCO-01-2008 – An Ordinance Amending Chapter 25 (Fire Prevention Code) and Chapter 51 (Offenses Against Public Peace, Safety and Morals) of the Elmhurst Municipal Code Regarding Smoking In Public Places
 - g. MCO-02-2008 – An Ordinance Imposing a Cable/Video Service Provider Fee and PEG Access Support Fee, Adopting Customer Service and Privacy Protection Standards In Connection With Cable and Video Services and Amending Chapter 38 (Telecommunications and Cable Systems) of the Elmhurst Municipal Code in Connection Therewith
 - h. MCO-03-2008 – An Ordinance Establishing Standards for the Construction of Facilities In the Public Rights-of-Way
- 6. Reports and Recommendations of Appointed and Elected Officials**
 - a. Updates (Mayor Marcucci)
 - b. 2008/2009 - Review of 5 Year Capital Budget (City Manager Borchert)
- 7. Other Business**
- 8. Announcements**
- 9. Adjournment**

Note: It is requested that cell phones be turned off or in vibrate mode during formal City Council Meetings. Please refrain from talking on cell phones in the Council Chambers during said meetings.

NOTE: Any person who has a disability requiring a reasonable accommodation to participate in this meeting, should contact Valerie Johnson, ADA Compliance Officer, Monday through Friday, 9:00 a.m. to 4:30 p.m., City of Elmhurst, 209 N. York Street, Elmhurst, IL 60126, or call 630-530-8095 TDD, within a reasonable time before the meeting. Requests for a qualified interpreter require five (5) working days' advance notice.

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**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF THE ELMHURST, ILLINOIS
HELD ON MONDAY, DECEMBER 17, 2007
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

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**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, DECEMBER 17, 2007
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION

1. Executive session was called to order at 6:39 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, Susan J. Rose, John Gow, Moira Moriarty, Chris Nybo, Steve Morley, Mark A. Mulliner

Absent: Michael J. Regan (arrived at 6:55 p.m.), Stephen Hipskind (arrived at 7:05 p.m.), George Szczepaniak (arrived at 6:44 p.m.), Donna Lomnicki (arrived at 7:13 p.m.)

Also in attendance: City Treasurer Pigoni, Assistant City Attorney Spiroff, City Manager Borchert, PZED Director Said

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

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

Nays: None

10 yeas, 0 nays, 4 absent
Motion duly carried

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

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 33

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor Marcucci at 7:46 p.m.

Present: Michael J. Regan, 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: None

Also in Attendance: City Treasurer Pigoni, Assistant City Attorney Spiroff, City Manager Borchert, Finance Director Gaston, Fire Chief Kopp, PZED Director Said, Economic Dvlp. Manager Corner

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

3. A news article from the Del Rio News-Herald regarding fluoridating the Del Rio City water supply was submitted by Dick Montie of 207 South Street, Elmhurst IL 60126.

PUBLIC FORUM

4. Dick Montie
207 South Street
Elmhurst, IL 60126

Spoke regarding fluoride and how dangerous it is to have in the public water supply. He stated he wanted to raise awareness regarding this serious problem.

Ann Spice
OS528 Kendall Avenue
Elmhurst, IL 60126

Spoke regarding the Elmhurst Hospital new campus and the traffic problems it can present. She asked the City for their help to keep the hospital traffic away.

Laura Ryan
15W750 Lexington St.
Elmhurst, IL 60126

Spoke regarding the Elmhurst Hospital new campus and the traffic impact on residents. She asked City Council to act responsibly and to visit the area before decisions are made.

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

Spoke regarding the Hahn Street Project and the Council's inability to make a decision on selecting a developer.

Daniel Kuzak
OS579 Kirk Ave.
Elmhurst, IL 60126

Spoke regarding the Elmhurst Hospital new campus stating his concerns regarding no sidewalks, traffic and property values of the seven (7) remaining houses.

Carol Visaze
110 W. Butterfield Rd.
Elmhurst, IL 60126

Ms. Visazee asked Council to pass the plan by the Zoning and Planning Commission as submitted in November 2007.

CONSENT AGENDA

5. The following items on the Consent Agenda were presented:
 - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, DECEMBER 3, 2007 (City Clerk Spencer): Approve as published
 - b. ACCOUNTS PAYABLE – DECEMBER 17, 2007 TOTAL \$ 1,803,176.30
 - c. APPOINTMENT OF MR. THOMAS M. CATHCART AND REAPPOINTMENT OF MR. EMIL D. HADDAD TO THE BOARD OF FIRE AND POLICE COMMISSIONERS (Mayor Marcucci): Concur with the Mayor's recommendation

November 29, 2007

To: Members of the City Council
Re: Appointment of Mr. Thomas M. Cathcart and Reappointment of Mr. Emil D. Haddad to the Board of Fire and Police Commissioners

With the advice and consent of the Elmhurst City Council, I will appoint Mr. Thomas M. Cathcart to the Board of Fire and Police Commissioners (see attached application) to fill the seat on the board vacated by Christopher L. Nybo. Mr. Cathcart's term on the Board of Fire and Police Commissioners will expire on May 1, 2008. I will reappoint Mr. Emil D. Haddad to the Board of Fire and Police Commissioners with the term to expire on May 1, 2010.

Respectfully submitted,
/s/ Thomas D. Marcucci
Mayor

- d. APPOINTMENTS TO THE COMMISSION ON YOUTH – KATIE MURRAY & SUSAN CHANSEY (Mayor Marcucci): Concur with the Mayor's recommendation

November 29, 2007

To: Members of the City Council
Re: Appointments to the Commission on Youth - Katie Murray & Susan Chansey

With your advice and consent, I will appoint Ms. Katie Murray, and Ms. Susan Chansey as members to the Commission on Youth for terms expiring on April 30, 2010.

Respectfully submitted,
/s/ Thomas D. Marcucci
Mayor

- e. APPOINTMENT TO THE SENIOR CITIZENS COMMISSION – MS. KRIS HANSEN (Mayor Marcucci): Concur with the Mayor's recommendation

November 29, 2007

To: Members of the City Council
Re: Appointment to the Senior Citizens Commission – Ms. Kris Hansen

With your advice and consent, I will appoint Ms. Kris Hansen (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. BID, 2007 SANITARY SEWER CIPP LINING PROJECT (City Clerk Spencer): Refer to the Public Works and Buildings Committee (see item 5j)

December 4, 2007

TO: Mayor Marcucci and Members of the City Council
RE: Bid, 2007 Sanitary Sewer CIPP Lining Project

In response to an invitation to bid for the 2007 Sanitary Sewer CIPP Lining Project advertised in the Elmhurst Press on Friday, November 2, 2007, bids were received from six area contractors.

Bids were opened at 10:00 a.m. on Tuesday, December 4, 2007, and following is a summary of the bids received:

<u>Contractor</u>	<u>Total Base Bid</u>	<u>Total Optional Work</u>
American Pipelines, Inc. (West Chicago, IL)	\$501,425.00	\$281,075.00
Insituform Technologies USA, Inc. (Chesterfield, MO)	\$653,487.00	\$178,069.50
Visu-Sewer of Illinois, LLC (Bridgeview, IL)	\$667,820.25	\$176,715.00
Michels Corporation (Brownsville, WI)	\$752,032.50	\$212,630.00
Kenny Construction Company (Northbrook, IL)	\$1,067,235.00	\$279,460.00

New Hope Pipeliners, LLC \$1,227,480.00 \$496,775.00
(Hackettstown, PA)

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- g. ELMFEST 2008 (City Manager Borchert): Refer to the Public Affairs and Safety Committee (see item 5k)

December 3, 2007

To: Mayor Marcucci and Members of the City Council
Re: Elmfest 2008

It is respectfully requested that the attached correspondence from the Elmhurst Chamber of Commerce and Industry regarding Elmfest 2008 be referred to the Public Affairs and Safety Committee for review. It is requested that the Committee report back to the City Council with their recommendations.

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

- h. NANA'S HOT DOGS & ITALIAN BEEF AND NANA'S PASTARANTE' LIQUOR LICENSE REQUEST (City Manager Borchert): Refer to the Public Affairs and Safety Committee

December 4, 2007

To: Mayor Marcucci and Members of the City Council
Re: Nana's Hot Dogs & Italian Beef and Nana's PastaRante' Liquor License Request

Enclosed please find a request from Nana's Hot Dogs & Italian Beef and Nana's PastaRante' for a "RSB" beer and wine liquor license on the property at 856 N.York Road. It is respectfully requested that the City Council authorize the Public Affairs and Safety Committee to consider this request and make subsequent recommendation for City Council consideration.

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

- i. REPORT – WWTP DIGESTER GAS SILOXANE REMOVAL FILTER The following report of the Public Works and Buildings Committee was presented:

December 10, 2007

To: Mayor Marcucci and Members of the City Council
Re: WWTP Digester Gas Siloxane Removal Filter

The Public Works and Buildings Committee met on December 10, 2007 to discuss purchase of a gas scrubbing system to remove abrasive and damaging silica compounds from the methane gas generated at the wastewater treatment plant. The process is a proprietary process marketed by Applied Filter Technologies (AFT) of Snohomish Washington.

Several years ago staff at the plant noticed advanced wear on the engine generator fueled with digester methane. Previously this unit had operated without maintenance problems for years. During the repairs it was discovered that the engine components were coated with a thin film of abrasive material that was found to be a silica compound. Simultaneously staff were hearing of similar conditions from other facilities using methane produced by anaerobic digestion at other treatment facilities. Soon papers were being presented at various professional meetings describing silica compounds called siloxanes being implicated with equipment failures especially when methane gas is used.

Siloxanes have become a popular additive in a number of personal care products ranging from hair care, body lotions and toothpaste. The Food and Drug Agency does not regulate these compounds because they easily breakdown when exposed to light and oxygen. Unfortunately those two conditions do not exist in an anaerobic environment so the siloxanes persist.

Silica compounds can be selectively filtered from the methane making the gas usable again for generating electricity. Staff explored a few alternative processes and settled for the filtering process manufactured by AFT. The AFT process is designed specifically for digester gas and will be sized for the quantity of gas needed to fuel the generator. The filtration process itself is a passive process simply passing the gas through a carbon filter media that is laced with a proprietary catalyst that removes the silica. Monthly testing of the gas will determine how often the filter media will need to be replaced. AFT technicians will travel to the plant to remove and replace the media as needed. The spent media is taken to an AFT facility to be rejuvenated for reuse. Other processes investigated by staff require significant energy input to both cool the methane gas to condense moisture from the gas then heat the gas to precipitate the silica contaminants. The added energy significantly impacts the cost/ benefits of the energy recovery from the methane. Also the AFT process is being used by many facilities throughout North America with several in Illinois alone. One of those sites is at the Rock River Water

Reclamation Facility (RRWRF) in Rockford Illinois. Staff visited that facility and extensively reviewed the process and its success at the RRWRF. The AFT process has been in use at RRWRF for three years with no subsequent damage to the three engine generators operated at that plant. Staff have also checked the operation of this process at other facilities and found those plants to be satisfied with the installations and the efficiency of the process.

Because of the proprietary nature of this process there is only a single vendor available for pricing.

Costs for the equipment and support are;

Filtration system-	\$67,800
Media cartridge-	\$ 3,360
1 day start-up-	\$ 2,000
Total-	<u>\$73,160</u>

It is the recommendation of the Public Works and Buildings Committee that the materials be purchased from Applied Filter Technologies for a total of \$73,160. 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 \$94,000.

Installation of the equipment will proceed after delivery. Costs are expected to be in the range of \$8,000 to \$12,000. Proposals will be solicited after the equipment is on site.

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow

Chairman

/s/ Michael Regan

Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- j. REPORT – BID FOR 2007/2008 SANITARY SEWER CIPP LINING PROJECT The following report of the Public Works and Buildings Committee was presented:

December 10, 2007

TO: Mayor Marcucci and Members of the City Council
RE: Bid for 2007/2008 Sanitary Sewer CIPP Lining Project

The Public Works and Buildings Committee met on Monday, December 10, 2007 to discuss bids for the 2007/2008 Sanitary Sewer CIPP Lining Project. An invitation to bid was sent to numerous qualified contractors and advertised in local area newspapers. The bid contained two (2) separate parts; Base Bid Project and Optional Project work. The six (6) bids that were received are summarized below:

<u>Contractor</u>	<u>Base Bid</u>	<u>Optional Work</u>	<u>Grand Total</u>
Insituform Technologies (Chesterfield, MO)	\$653,487.00	\$178,069.50	\$831,556.50
Visu-Sewer Clean & Seal (Bridgeview, IL)	\$667,820.25	\$176,715.00	\$844,535.25
Michels Pipe Services (Brownsville, WI)	\$752,032.50	\$212,630.00	\$964,662.50
American Pipe Liners (West Chicago, IL)	\$722,367.50	\$281,075.00	\$1,003,442.50
Kenny Construction (Northbrook, IL)	\$1,067,235.00	\$279,460.00	\$1,346,695.00
New Hope Pipe Liners (Hackettstown, PA)	\$1,227,480.00	\$496,775.00	\$1,724,255.00

The bid request defined the method and process for furnishing all labor, materials, tools, equipment, and incidentals, necessary to provide for the complete rehabilitation of deteriorated gravity sewer lines through the use of the Cured-in-Place-Pipe (CIPP) process. Base Bid Project contains 19,320 feet of sanitary sewer targeted for rehabilitation. Optional Project work areas total 3,365 feet of sanitary sewer pipe, for a grand total of 22,685 feet scheduled for lining. A map of the areas to be lined is attached.

The CIPP process is defined as the rehabilitation of gravity sewer pipe by the installation of a flexible polyester felt fiber tube, vacuum impregnated with a polyester thermosetting resin, having an impermeable inner surface. The impregnated tube is formed to the host pipe by means of a water column. Curing is accomplished by circulating hot water throughout the length of the tube in accordance with the manufacturer's curing schedule. When cured and complete, the rehabilitated pipe shall be a structurally sound, impermeable, joint-less pipe, which is effectively a "pipe-within-a-pipe."

All preparatory activities, including pre-televising and cleaning is incidental to the work. Sewer service reinstatements and any other work required for the proper installation of the CIPP system is also included in the bid amount. The low bidder on this project is Insituform Technologies USA, Inc. of Lemont, Illinois. Insituform Technologies has previously worked for the City and has completed this type of work in a timely and satisfactory manner.

Funds have been provided in the 2007/2008 Budget, Municipal Utility Fund, Sanitary Sewer Replacement/Lining Program, account number 510-6056-502-80-13, in the amount of \$950,000 for the contractual rehabilitation of sewers.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid, submitted by Insituform Technologies USA, Inc., for both the Base Bid and the Optional Project work, in the amount of \$831,556.50, 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

- k. REPORT – ELMFEST 2008 CHAMBER OF COMMERCE REQUEST The following report of the Public Affairs and Safety Committee was presented:

December 10, 2007

To: Mayor Marcucci and Members of City Council
Re: Elmfest 2008 Chamber of Commerce Request

The Public Affairs and Safety Committee met on December 10, 2007, to review the request from the Chamber of Commerce & Industry for Elmfest 2008 to be held in the streets of downtown Elmhurst from Thursday through Sunday, June 12 – 15, 2008. The festival proper will run on Friday and Saturday from 11:00 a.m. to 11:00 p.m. and Sunday from 12:00 noon to 5:00 p.m.

As in the past, Elmfest will open on Thursday, June 12 with the Elmfest Jaycees-sponsored Spectacular Midways Carnival on First Street between York Street and Maple Avenue from 6:00 to 10:00 p.m. At 4:00 p.m., northbound traffic at York Street and the Metra crossing will be rerouted east on Park Avenue and north on Haven Road, and vehicular access on Addison Avenue south of Second Street will stop at the eastside alley north of First Street.

As in 2007, a charity fundraiser will be held on Thursday, June 12 from 7:00 to 10:00 p.m. (9:00 p.m. music curfew) in the Comcast Entertainment Center in the municipal parking lot on the west side of Addison Avenue between First Street and Second Street. The lot's Permit Parking section will close at 12:01 a.m. and the 3-Hour Free Shopper Parking will close at 3:00 p.m. to allow for set-up. The adjacent on-street parallel parking spaces only will be closed to provide a pedestrian safety barrier.

Addison Avenue between First Street and Second Street will close on Friday, June 13 at 1:00 a.m. for overnight setup of Vendor Midway tents and electrical for food, business and not-for-profit vendors. Also at that time York Street between Schiller Street and First Street will be closed for the set up of the Fifth Third Bank City Centre Stage, climbing wall, pony rides and other family attractions.

Elmfest continues to be a very popular event attended by large numbers of people from Elmhurst and the surrounding communities. The Police, Fire and Public Works Departments will work with the Chamber of Commerce to formalize booth and fencing layouts to assist in ensuring emergency vehicle access and pedestrian safety.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the City Council authorize the Elmhurst Chamber of Commerce to hold the Elmfest Celebration on June 12, 13, 14 and 15, 2008 in the downtown area along with the Jaycees Midway Carnival.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner

Chairman

/s/ Michael Bram

Vice-Chairman

/s/ Chris Nybo

- i. REPORT – SMOKE FREE ILLINOIS ACT The following report of the Public Affairs and Safety Committee was presented:

December 11, 2007

TO: Mayor Marcucci and Members of City Council
RE: Smoke Free Illinois Act

The Public Affairs and Safety Committee met on December 10, 2007 to review a recommendation from the Police Chief and City Attorney regarding the adoption of an ordinance regulating smoking in the same manner as the Smoke Free Illinois Act. The Act takes effect January 1, 2008. The Act will prohibit smoking in places of employment, bars, restaurants and other public places as defined in the Act.

The purpose of an ordinance regulating smoking is two-fold. First, the City's existing ordinance provisions regulating smoking are not as strict as the Act. Even though such provisions would be preempted by the Act, it was thought best to repeal them to avoid any confusion. Second, Chief Neubauer wanted to have an efficient means of enforcing smoking regulations; by adopting an ordinance, the City can avoid the time and money that would otherwise be expended in enforcing state law. Charges of violating the state law would entail a court appearance by both the defendant and police officer in every case. By adopting an ordinance, violations can be handled by the issuance of a citation, the fine for which could simply be paid at City Hall as is done with similar code enforcement citations. This avoids the need to prosecute the violations in Field Court. Of course, anyone wishing to contest the charge could request a court date; the City could also do it if wished, although that typically is done only when there is a multiplicity of charges.

The Act allows home rule units to adopt ordinances regulating smoking that are no less restrictive than the regulations in the Act. The attached draft ordinance would be more restrictive than the Act in that it would impose penalties for 1) the failure to post "No Smoking" signs and the failure to remove ashtrays; 2) smoking in college dormitories; and 3) smoking in areas outside a building (such as a courtyard) that are designated as "No Smoking" areas by the building owner. The Act imposes no penalties for such violations. Fines for other smoking violations are the same as set forth in the Act. A copy of the draft ordinance and a summary thereof are attached.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the Council adopt an ordinance version of the Smoke Free Illinois Act and that the City Attorney be directed to put the draft ordinance in final form.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner

Chairman

/s/ Michael Bram

Vice-Chairman

/s/ Chris Nybo

- m. REPORT – INTERGOVERNMENTAL AGREEMENT FOR FIRE PROTECTION SERVICES – CITY OF ELMHURST AND BENSENVILLE FIRE PROTECTION DISTRICT #1 The following report of the Public Affairs and Safety Committee was presented:

December 12, 2007

To: Mayor Marcucci and Members of the City Council
Re: Intergovernmental Agreement for Fire Protection Services – City of Elmhurst and Bensenville Fire Protection District #1

The Public Affairs and Safety Committee met on November 26 and December 10, 2007 to review the Elmhurst experience in providing fire protection services to an unincorporated area of DuPage County located north of the City of Elmhurst and south of Grand Avenue, sometimes referred to as Country Club Highlands, via the Bensenville Fire Protection District #1.

The Fire Protection District contracts with the City of Elmhurst to provide fire protection services and emergency paramedic response. The Finance Department of the City of Elmhurst calculates a fair share allocation of expenses to the Country Club Highlands portion of Fire Protection District to #1. However, the District has been unable to pay the Finance Department calculated fair share amount to the City of Elmhurst for a number of years. Those calculations are illustrated on the attached summary. The Intergovernmental Agreement between the City of Elmhurst and the Fire Protection District requires that notice be provided prior to January 1 for an effective discontinuance of service ten months later. This committee has discussed the pros and cons of discontinuing service and of continuing service even with less than a fair share contribution should the Fire Protection District not be able to collect more funds. It is the Committee consensus that notice should be provided to the Fire Protection District of intent to discontinue to enable conversation, discussions and collaboration to take place to determine if, in fact, service should be discontinued or if some other arrangement would be deemed appropriate.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council authorize the City Manager to notify Fire Protection District #1, in accordance with the terms of the Intergovernmental Agreement, of the City's intent to discontinue services as of October 31, 2008, but that discussion, collaboration, communication take place between now and then and that a full report of those discussions with recommendations be presented for the City Council to consider prior to any actual discontinuation of service.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner

Chairman

/s/ Michael Bram

Vice-Chairman

/s/ Chris Nybo

- n. REPORT – CITY OF ELMHURST WEBSITE UPGRADE AND REDESIGN SERVICES The following report of the Finance, Council Affairs and Administrative Services Committee was presented:

December 11, 2007

To: Mayor Marcucci and Members of the City Council
Re: City of Elmhurst Website Upgrade and Redesign Services

The Finance, Council Affairs and Administrative Services Committee met December 10, 2007 to review the request for proposal (RFP) responses to upgrade and redesign the City of Elmhurst website.

The City's original website was developed internally in 1996 and a major redesign was completed in 2000. The current website is in need of an upgrade and redesign to incorporate new functionality and technology. This fall, a request for proposal (RFP) for professional services to assist in the upgrade and redesign of the City's website was distributed to 10 website design companies. Six responses were received (see attachment), and staff reviewed these proposals for certain selection criteria. The selection criteria included the following: ability to provide a content management system, an e-mail subscription system, and an events calendar; experience with municipalities; number and quality of websites created; creativity and cost.

Based on the selection criteria, the RFP analysis, and the review of websites developed by the website design firms, staff recommends that Civic Plus be awarded the contract to redesign the City's website. Staff noted that Civic Plus provided the lowest responsible quote and they meet all of the functionality requirements. Additionally, they have been in business since 1994 and have a staff of 65, they specialize in local government websites and they have approximately 330 clients. Civic Plus has quoted a fee of \$38,400 to complete the project as defined in the RFP, which includes all programming, modules, set-up, graphics, training and consulting time for three (3) individual websites (City, Elmhurst Historical Museum and Visitor & Tourism) and an intranet for City staff purposes. The Finance, Council Affairs and Administrative Services Committee concurs with staff recommendation.

The Finance Committee and staff recognize that the redesign of the City's web site will be a dynamic process and will require extensive monitoring by staff. Project updates will be provided to the Finance Committee and presentations will be made as appropriate. As the project progresses; should more services be identified as appropriate in the redesign of the website, said services would be negotiated with Civic Plus at that time and presented to the Committee as appropriate.

Funds for the website upgrade and redesign have been budgeted in account 110-2008-413-30-52.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council accept the proposal from Civic Plus to provide services to upgrade and redesign the City's website for a cost of \$38,400.

Respectfully submitted,
Finance, Council Affairs and
Administrative Services Committee

/s/ George Szczepaniak
Chairman
/s/ Stephen Hipskind
Vice-Chairman
/s/ Moira Moriarty
/s/ Steven Morley

- o. REPORT – CASE NUMBER 07 P-05 / MARTENS REQUEST FOR SUBDIVISION AND ASSOCIATED VARIATIONS The following report of the Development, Planning and Zoning Committee was presented:

December 11, 2007

TO: Mayor Marcucci and Members of the City Council
RE: Case Number 07 P-05/Martens Request for Subdivision and Associated Variations. Request for tentative and final approval of a Subdivision of two lots into nine lots and associated lot frontage (width) variations for two lots.

The Development, Planning and Zoning Committee met on November 12, November 26, and December 10, 2007, to review the Zoning & Planning Commission report dated November 7, 2007 regarding the subject request. The Committee also reviewed the many documents submitted by the applicant, and the transcript of the public hearing. The Committee was especially appreciative and complimentary of the extensive work done by the Zoning & Planning Commission regarding this

The applicant, Rene Martens, is requesting approval of a tentative and final plat of subdivision to divide the subject property (two lots) into nine residential lots, and to obtain lot width variations for the two southernmost lots. The Committee noted that as part of the subdivision, the applicant is proposing a private common access drive along the frontage of the proposed lots. Individual driveways from each residential lot will access this common drive, thereby minimizing the number of curb cuts onto Spring Road. This also provides a benefit of a landscaped buffer area, between the proposed common drive and Spring Road, to help screen the York High School athletic field from these homes. The Committee also noted that the applicant hopes to retain one of the two existing homes on the subject site; 415 S. Spring Road.

During discussion, the Committee noted that the lot width variations are only needed due to the triangular shape of the southernmost lots resulting from the angle of the adjacent railroad tracks. The lot widths, while narrow at the front (approx. 14.9 feet), will meet or exceed the minimum lot width requirement of 50 feet at the building line. The Committee also noted that these lots will also well exceed the minimum lot size required for the R-2 District (9,687 and 17,868 square feet proposed; R-2 requires 7,260 square feet). Otherwise, the applicant meets the applicable standards of the R-2 residential district.

The Committee also discussed land uses in the areas adjacent to the subject site. They noted that a commercial use or more intensive residential use (such as townhomes or condominiums) could be an appropriate use in this area as a transition and buffer between adjacent uses. A single-family residential area lies to the east of this site, while to the north is an institutional use (church), to the west is the high school athletic field, to the southwest are condominiums, and to the south is a commercial use (restaurant). As such, the Committee noted that a new single-family subdivision will be more easily accommodated in this area as it will be consistent with the single-family residential area to the east, and it will help limit the required stormwater management due to the smaller amount of impervious surfaces (buildings and pavement) that would be built here.

Ultimately, the Committee spent much time reviewing site grading and stormwater management topics associated with the subject site and the neighborhood to the east. Standing water sometimes collects in low areas, and the drainage ditch along the railroad is not exhibiting good drainage at this time apparently due to a lack of ongoing maintenance. To respond to questions about stormwater management, Public Works Director Mike Hughes came to the December 10 meeting to review these topics. With a topographic map, Mr. Hughes confirmed the statement in the Zoning & Planning Commission report that the subject site is generally lower than the residential area to the east with water generally draining over land towards the southwest. He then reviewed existing and proposed ditch elevations along the railroad.

Mr. Hughes then addressed the ordinance requirements regulating stormwater management. Mike emphasized that both City of Elmhurst municipal ordinance requirements and the DuPage County Stormwater Management code prohibit new development from increasing runoff onto adjacent properties, and also prohibit new development from interfering with existing runoff patterns of adjacent properties onto and/or through newly developed sites. Mike then indicated his recommendations for an overall grading plan for the site, as well as approaching the railroad about correcting the ditch grading and performing cleanup there.

Upon the conclusion of discussion, the Committee noted that the requests for this application are reasonable and should be approved, subject to some specific conditions to address those issues discussed at the meeting. The Committee concurs with the Zoning & Planning Commission's conclusions that sufficient evidence was presented to support the proposed subdivision and variations.

It is the therefore, the recommendation of the Development, Planning and Zoning Committee to support the recommendation of the Zoning & Planning Commission for approval of this request, subject to the following conditions:

- 1) The Public Works Department shall request a plan from the Chicago Northwestern Railroad for regrading the ditch area adjacent to the railroad, including contacting and obtaining approval from all other property owners where work will be performed. Upon completion of this drainage and ditch work by the Railroad, an update shall be provided to the DPZ Committee to inform them of the completion.
- 2) The applicant shall submit and obtain approval from the Public Works Department for a grading and engineering plan for the entire subdivision development site. Upon approval of this plan, the Public Works Department shall provide an update to the DPZ Committee that the plan for the subject site has been reviewed and approved.
- 3) The applicant shall construct a privately owned common driveway, as indicated on the plans, to provide access from all lots to Spring Road via the driveway. The driveway shall be owned and maintained by the homeowners association. The homeowners association will include covenants and restrictions which will be approved by the City Attorney.
- 4) The City's Public Works Department shall develop a plan to assist the Argyle area (east of the subject property) with comprehensive stormwater planning and management in accordance with the City's Rear Yard Drain Program, and provide this to the DPZ Committee. If appropriate, the DPZ Committee will then refer this plan to the Public Works Committee for their action.

5) The applicant shall apply to the Historic Preservation Commission for historic designation status for the home to be preserved on this site (415 S. Spring Rd.).

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

p. O-45-2007 – AN ORDINANCE APPROVING A RECAPTURE AGREEMENT (EVERGREEN LANE)

Ordinance O-45-2007 was presented for passage.

q. ZO-16-2007 – AN ORDINANCE GRANTING AN OFF-STREET PARKING VARIATION ON THE PROPERTY COMMONLY KNOWN AS 533 SOUTH YORK STREET (OLYMPIC CHIROPRACTIC)

Ordinance ZO-16-2007 was presented for passage.

r. ZO-17-2007 – AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE PURPOSE OF RELOCATING A PYLON SIGN ON THE PROPERTY COMMONLY KNOWN AS 104 EAST FULLERTON AVENUE (DOTI LIQUORS)

Ordinance ZO-17-2007 was presented for passage.

s. R-27-2007 – A RESOLUTION APPROVING A CONTRACT WITH THE CHICAGO CENTRAL & PACIFIC RAILWAY COMPANY FOR THE PURCHASE OF CERTAIN REAL PROPERTY FOR USE AS A PORTION OF A FIRE STATION SITE

Resolution R-27-2007 was presented for passage.

Alderman Moriarty removed item **5o. Report – Case Number 07 P-05 / Martens Request for Subdivision and Associated Variations.**

Alderman Rose moved to accept the contents of the Consent Agenda less item **5o. Report – Case Number 07 P-05 / Martens Request for Subdivision and Associated Variations.** Alderman Hipskind seconded. Voice vote unanimous, motion carried. Alderman Gutenkauf moved to approve the contents of the Consent Agenda less item **5o. Report – Case Number 07 P-05 / Martens Request for Subdivision and Associated Variations.** Alderman Moriarty seconded. Roll call vote:

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

Nays: None

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

Alderman Rose moved to approve item **5o. Report – Case Number 07 P-05 / Martens Request for Subdivision and Associated Variations.** Alderman Leader seconded.

Alderman Rose reviewed item **5o. Report – Case Number 07 P-05 / Martens Request for Subdivision and Associated Variations** and stated the Development, Planning and Zoning Committee supports the Zoning and Planning Commission recommendation subject to conditions provided by the Committee.

Alderman Moriarty stated she pulled item **5o. Report – Case Number 07 P-05 / Martens Request for Subdivision and Associated Variations** stating a concern with the wording regarding commercial use of the property as stated on page 1 paragraph 4 of the report. She also noted a scrivener's error on page 2 item #1 which should read the Canadian National Railroad.

Alderman Rose responded stating the scrivener's error has been corrected. Regarding page 1 paragraph 4, it is an accurate reflection of the Committee's discussion and stands as read.

Alderman Nybo stated he shares the same concern as Alderman Moriarty regarding the wording on use of the property on page 1 paragraph 4.

Mayor Marcucci asked for clarification on whose responsibility it will be for maintaining the property, like snow removal. He stated his understanding that it is the responsibility of the Home Owners Association and not the City.

Alderman Rose replied yes, the Home Owner's Association will be in charge of maintaining the property.

Roll call vote on item **5o. Report – Case Number 07 P-05 / Martens Request for Subdivision and Associated Variations:**

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

Nays: None.

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

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

6. a. **HAHN STREET DEVELOPMENT FINAL PROPOSALS – CITY MANAGER BORCHERT AND MR. STEPHEN FRIEDMAN, CONSULTANT – REPORT AND COUNCIL DISCUSSION**

City Manager Borchert reviewed the Hahn Street Project. He stated the City staff is waiting for Council's direction. When a developer is selected by the Council, the public/provate contract negotiations will begin.

Alderman Nybo moved to put Alderman Szczepaniak on the negotiating team when a developer is selected. Alderman Moriarty seconded.

Alderman Rose stated her opposition to the appointment.

Alderman Nybo withdrew the motion to Alderman Szczepaniak on the negotiating team when a developer is selected. Alderman Moriarty seconded the withdrawal.

Alderman Mulliner moved to begin the contract negotiation process with the Morningside Group.

Alderman Moriarty called for a point of order stating the motion was voted down and questioned if the same motion can be made again.

Assistant City Attorney Spiroff stated it is a procedural matter and can be renewed.

Alderman Rose seconded the motion to begin the contract negotiation process with the Morningside Group.

Discussion ensued regarding general comments, concerns and feelings about the project.

Roll call vote to begin the contract negotiation process with the Morningside Group:

Ayes: Mulliner, Rose, Regan, Leader, Gow, Hipkind, Morley, Mayor Marcucci

Nays: Gutenkauf, Shea, Bram, Moriarty, Nybo, Szczepaniak, Lomnicki

Results: 8 ayes, 7 nays, 0 absent
Motion duly carried

b. UPDATES

Mayor Marcucci thanked Alderman Rose for filling in as Mayor Pro Tempore for the December 3, 2007 meeting. The Mayor stated he was not present due to the accidental death of his brother Larry. The Mayor also thanked everyone who offered their condolences to him and his family.

OTHER BUSINESS

7. None.

ANNOUNCEMENTS

8. City Manager Borchert announced there will be no Committee meetings or Council meetings for the rest of the year. He stated an executive session meeting may be called before the January 7, 2008 Council meeting. City Manager Borchert stated that City staff would present a PowerPoint overview of the Five (5) Year Capitol Expenditure Budget.

City Manager Borchert wished everyone a safe and happy holiday season.

ADJOURNMENT

9. Alderman Moriarty moved to adjourn the meeting. Aldermen Hipkind seconded. Voice Vote. Motion carried. Meeting adjourned 9:19 p.m.

Thomas D. Marcucci, Mayor

Patty Spencer, City Clerk

TT

CITY OF ELMHURST

ACCOUNTS PAYABLE SUMMARY SHEET

DECEMBER 31, 2007

	<u>REGULAR</u>	<u>INTERIM</u>	<u>TOTAL</u>
<u>CHECKS</u>			
GENERAL FUND	\$572,550.41	\$35,287.16	\$607,837.57
LIBRARY FUND	20,660.36	-	20,660.36
REDEVELOPMENT FUND	39,390.99	-	39,390.99
B&I 2006 REVENUE BONDS	175.00	-	175.00
MUNICIPAL UTILITY FUND	213,257.81	4,200.00	217,457.81
PARKING REVENUE SYSTEM FUND	11,554.77	850.00	12,404.77
FIRE PENSION FUND	450.00	-	450.00
	<u>858,039.34</u>	<u>40,337.16</u>	<u>898,376.50</u>

FINANCE REVIEW

Maureen K. Gustors

CITY MANAGER REVIEW

James P. [Signature]

TO THE CITY TREASURER,

THE PAYMENT OF THE ABOVE LISTED AMOUNTS HAS BEEN APPROVED BY THE
CITY COUNCIL AT A MEETING HELD ON JANUARY 7, 2008 AND YOU ARE HEREBY
AUTHORIZED TO PAY THEM FROM THE APPROPRIATE BUDGET ACCOUNT.

MAYOR

CITY CLERK

EXPENDITURE APPROVAL LIST
 AS OF: 12/31/2007 CHECK DATE: 01/10/2007
 BANK: 01

PREPARED 12/31/2007, 12:02:46
 PROGRAM: GM339L
 CITY OF ELMHURST, ILLINOIS
 CITY

VENDOR NAME	VENDOR NO	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
APEX CHEMICAL INC	01	110-6047-512.50-16	SUPPLIES	233.10	
ARCADE BUILDING	01	530-0088-503.30-59	SCHILLER CT PARKING LEASE	500.00	
ARCHER COMPANY, LLC	01	110-2007-413.30-52	PROFESSIONAL SVCS	375.00	
ARROW UNIFORM	01	110-6041-432.40-62	UNIFORM CLEANING	113.81	
ARTISTS OF NOTE, INC	01	110-7060-451.60-65	TEA TIME PROGRAM/03/20/08	325.00	
ASSOCIATED TIRE	01	110-6047-512.50-16	PARTS/SUPPLIES	73.68	
AT&T	01	110-0086-453.30-75	MONTHLY SERVICE	64.78	
	01	110-0094-454.30-75	MONTHLY SERVICE	24.29	
	01	110-1001-411.30-75	MONTHLY PHONE SERVICE	24.45	
	01	110-1001-411.30-75	MONTHLY SERVICE	1,133.61	
	01	110-1001-411.30-75	MONTHLY SERVICE	89.79	
	01	110-2006-413.30-75	MONTHLY SERVICE	372.47	
	01	110-2007-413.30-75	MONTHLY SERVICE	178.14	
	01	110-2008-413.30-75	MONTHLY SERVICE	1,068.83	
	01	110-2008-413.30-98	MONTHLY PHONE	225.81	
	01	110-2008-413.30-98	MONTHLY PHONE SERVICE	63.35	
	01	110-3015-414.30-75	MONTHLY SERVICE	251.01	
	01	110-4020-422.30-75	MONTHLY SERVICE	107.57	
	01	110-4020-422.30-75	MONTHLY SERVICE	356.28	
	01	110-4020-422.30-75	MONTHLY PHONE	230.65	
	01	110-4020-422.30-75	MONTHLY PHONE	86.83	
	01	110-4020-422.30-75	MONTHLY PHONE	86.83	
	01	110-4020-422.30-75	MONTHLY PHONE	107.34	

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INVOICE NO	VENDOR NAME	VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0012277	AT&T								
70822603019681	004780	01			12/31/2007	110-4020-422.30-75	MONTHLY PHONE	86.83	
63053030075410	004351	01			12/31/2007	110-4022-423.30-75	MONTHLY SERVICE	210.53	
63053030075410	004345	01			12/31/2007	110-4025-424.30-75	MONTHLY SERVICE	161.94	
630530300866185	004338	01			12/31/2007	110-5030-421.30-75	MONTHLY SERVICE	26.81	
63053030075410	004346	01			12/31/2007	110-5030-421.30-75	MONTHLY SERVICE	2,510.14	
30913629162241	004435	01			12/31/2007	110-5030-421.30-75	MONTHLY SERVICE	89.94	
63053088927504	004436	01			12/31/2007	110-5030-421.30-75	MONTHLY SERVICE	44.82	
63053033512328	004437	01			12/31/2007	110-5030-421.30-75	MONTHLY SERVICE	102.92	
70822603942320	004767	01			12/31/2007	110-5030-421.30-75	MONTHLY PHONE	107.34	
63022603952325	004770	01			12/31/2007	110-5030-421.30-75	MONTHLY SERVICE	35.90	
63053030075410	004347	01			12/31/2007	110-5030-421.30-75	MONTHLY SERVICE	1,076.93	
70822613280851	004768	01			12/31/2007	110-6040-431.30-75	MONTHLY PHONE	1,86.83	
70822611450803	004779	01			12/31/2007	110-6040-431.30-75	MONTHLY PHONE	1,134.76	
63029979019998	004781	01			12/31/2007	110-6040-431.30-75	MONTHLY PHONE	109.25	
63029950643667	004782	01			12/31/2007	110-6040-431.30-75	MONTHLY PHONE	240.98	
63029950633668	004783	01			12/31/2007	110-6040-431.30-75	MONTHLY PHONE	85.51	
630R0608273403	004775	01			12/31/2007	110-6046-418.50-01	MONTHLY PHONE	82.26	
630R0605979200	004776	01			12/31/2007	110-6046-418.50-01	MONTHLY PHONE	82.26	
63053030075410	004350	01			12/31/2007	110-7060-451.30-75	MONTHLY SERVICE	242.92	
63083313263643	004784	01			12/31/2007	110-7060-451.30-75	MONTHLY PHONE	122.75	
70822611762223	004785	01			12/31/2007	110-7060-451.30-75	MONTHLY PHONE	86.83	
63053030075410	004348	01			12/31/2007	510-6050-501.30-75	MONTHLY SERVICE	153.85	
70822611739932	004769	01			12/31/2007	510-6052-501.30-75	MONTHLY PHONE	193.73	
70822611450803	004778	01			12/31/2007	510-6052-501.30-75	MONTHLY PHONE	567.38	
63053030075410	004349	01			12/31/2007	510-6055-502.30-75	MONTHLY SERVICE	291.50	
70822603793590	004766	01			12/31/2007	510-6055-502.30-75	MONTHLY PHONE	107.34	
70822611450803	004777	01			12/31/2007	510-6055-502.30-75	MONTHLY PHONE	567.38	
63027936943334	004033	01			12/31/2007	530-0088-503.30-75	MONTHLY PHONE	24.90	
0010170	ATOMIC TRANSMISSIONS						VENDOR TOTAL *	13,332.37	
73183	004149	01			12/31/2007	110-6047-512.50-02	AUTO/PARTS E-26	85.00	
0011212	BATTERY ZONE						VENDOR TOTAL *	85.00	
SI+042292	004150	01			12/31/2007	110-4020-422.40-98	BATTERIES	67.50	
0012081	BAXTER AND WOODMAN ENGIN						VENDOR TOTAL *	67.50	
0130185	004787	01			12/31/2007	510-6057-502.30-26	ZINC TRANSLATOR DEVELOPMT	2,087.99	
0013075	BERKELEY TRUCKING INC.						VENDOR TOTAL *	2,087.99	
34291	004841	01			12/31/2007	510-6052-501.40-57	STONE	4,136.25	
0015109	BETTER ROADS MAGAZINE						VENDOR TOTAL *	4,136.25	
G14135	004393	01			12/31/2007	110-6040-431.60-51	SUBSCRIPTIONS	49.90	

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 CITY OF ELMHURST, ILLINOIS
 CITY

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VENDOR NO	VENDOR NAME	INVOICE NO	VOUCHER NO	P.O. NO	BNK NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0015109	BETTER ROADS MAGAZINE									
0012139	BLACKBURN MANUFACTURING COMPANY							VENDOR TOTAL *	49.90	
0321231-IN	003949	01	12/31/2007			110-6040-431.40-33		LOCATING FLAGS	71.95	
0016295	BONNELL INDUSTRIES INC							VENDOR TOTAL *	71.95	
0106907-IN	004151	01	12/31/2007			110-6042-433.50-16		TRK/PARTS PW51	479.00	
0106908-IN	004152	01	12/31/2007			110-6042-433.50-16		TRK/PARTS PW64, PW38	343.50	
0106328-IN	004153	01	12/31/2007			110-6042-433.50-16		PUMP/STOCK	1,300.00	
0106511-IN	004154	01	12/31/2007			110-6042-433.50-16		CUTTING EDGES	500.00	
0106015-IN	004155	01	12/31/2007			110-6042-433.50-16		RUBBER FLAP	297.00	
0106014-IN	004156	01	12/31/2007			110-6042-433.50-16		CUTTING EDGE	245.67	
0015915	BORDEN DECAL CO							VENDOR TOTAL *	3,165.17	
00075334	004028	01	12/31/2007			530-0088-503.40-98		PARKING PASSES	3,064.60	
0016697	BORDIGNON, ANTHONY							VENDOR TOTAL *	3,064.60	
12/1-14/07	004314	01	12/31/2007			110-0086-453.30-52		PROFESSIONAL SVCS	162.50	
0006587	BORIA, PHILLIP							VENDOR TOTAL *	162.50	
296 LAWDALE	004601	01	12/31/2007			110-6041-432.30-55		REAR YARD DRAIN PROGRAM	1,000.00	
0007199	BRETT EQUIPMENT CORPORATION							VENDOR TOTAL *	1,000.00	
160856	004157	01	12/31/2007			110-6047-512.50-16		STOCK	43.10	
160796	004158	01	12/31/2007			110-6047-512.50-16		ADAPTER	12.88	
0001899	BRISTOL HOSE & FITTING MAIN WAREHOUSE							VENDOR TOTAL *	55.98	
00175647	004162	01	12/31/2007			110-6042-433.50-16		SNOW PLOW PARTS	114.10	
00174620	004159	01	12/31/2007			110-6047-512.50-16		TRK/PARTS PW32	93.47	
00174849	004160	01	12/31/2007			110-6047-512.50-16		STOCK	110.00	
00175529	004161	01	12/31/2007			110-6047-512.40-53		TOOL	98.48	
00172134	004163	01	12/31/2007			110-6047-512.50-16		COUPLERS	183.82	
0015672	BUONSANTE, STEVE							VENDOR TOTAL *	599.87	
190 BERKLEY	004394	01	12/31/2007			110-6041-432.30-70		REFUND FOR PUBLIC WALK	548.63	
0000084	BURGIN, DENNIS							VENDOR TOTAL *	548.63	
12/1-14/07	004311	01	12/31/2007			110-0086-453.30-52		PROFESSIONAL SVCS	1,059.00	
12/15-12/31/07	004563	01	12/31/2007			110-0086-453.30-52		CATV PROF SVCS	25.00	
12/20/2007	004564	01	12/31/2007			110-0086-453.30-52		DVD'S	112.00	

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VEND NO	VENDOR NAME	INVOICE NO	VOUCHER P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0000084	BURGIN, DENNIS							
0009267	C J C AUTO PARTS & TIRES	20718	004050	01 12/31/2007	110-6047-512.50-16	TRK/PARTS PW52	1,196.00	
0005226	C.E.S. CRANE RENTAL	9896	004421	01 12/31/2007	510-6057-502.50-01	BLDG 3 HEATER REPLACEMENT	5.63	
0004563	CAMPISE, MICHAEL	L1034037	004374	01 12/31/2007	110-5030-421.50-08	EXPENSE REIMBURSEMENT	5.63	
0004296	CANTEEN CORP	308344	004422	01 12/31/2007	110-6046-418.40-98	VENDOR TOTAL *	1,081.50	
308862		004489		01 12/31/2007	110-6046-418.40-98	VENDING MACHINE REFILL	301.75	
0012518	CAR REFLECTIONS	010648	004164	01 12/31/2007	110-6047-512.50-16	TRK/PARTS PD-19	43.63	
0008762	CARDINAL CARTRIDGE, INC.	277291A	004441	01 12/31/2007	110-2008-413.40-73	TONER	101.17	
0006564	CARL A ANDERSON & SONS	271202	004375	01 12/31/2007	110-6042-433.30-72	SNOW REMOVAL	144.80	
0008716	CASE LOTS INC.	002458	004381	01 12/31/2007	110-6041-432.40-98	JANITORIAL SUPPLIES	169.50	
002458		004382	004382	01 12/31/2007	110-6043-434.40-98	JANITORIAL SUPPLIES	88.97	
002458		004383	004383	01 12/31/2007	110-6044-435.40-98	JANITORIAL SUPPLIES	3,234.00	
002411		004378	004378	01 12/31/2007	110-6046-418.40-24	JANITORIAL SUPPLIES	29.85	
002495		004379	004379	01 12/31/2007	110-6046-418.40-24	JANITORIAL SUPPLIES	29.85	
002458		004380	004380	01 12/31/2007	110-6046-418.40-24	JANITORIAL SUPPLIES	278.40	
002458		004385	004385	01 12/31/2007	110-6047-512.40-24	JANITORIAL SUPPLIES	298.40	
002458		004384	004384	01 12/31/2007	510-6052-501.40-98	JANITORIAL SUPPLIES	117.20	
002458		004386	004386	01 12/31/2007	510-6057-502.40-24	JANITORIAL SUPPLIES	89.55	
0016322	CEASAR, ADAM	12/1-14/07	004318	01 12/31/2007	110-0086-453.30-52	PROFESSIONAL SVCS	89.55	
0010588	CENTRAL PARTS WAREHOUSE					VENDOR TOTAL *	992.50	
							107.25	
							107.25	

PREPARED 12/31/2007, 12:02:46 EXPENDITURE APPROVAL LIST AS OF: 12/31/2007 CHECK DATE: 01/10/2007
 PROGRAM: GM339L CITY OF ELMHURST, ILLINOIS BANK: 01
 CITY

VENDOR NAME	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0010588 CENTRAL PARTS WAREHOUSE	110-6042-433.50-16	STARTER SOLENOID	36.86	
96036A 004168	110-6047-512.50-16	TRK/PARTS PW111/STOCK	577.88	
96220+ 004166	110-6047-512.50-16	TRK/PARTS PW111/STOCK	513.88	
96220A 004167	110-6047-512.50-16	TRK/PARTS PW111/STOCK		
0014291 CERTIFION CORPORATION-ENTERSECT	110-5030-421.30-98	MONTHLY FEE	84.95	
11675 003961		VENDOR TOTAL *	1,128.62	
0014402 CHICAGO PARTS & SOUND LLC	110-6047-512.50-16	RETURNED MERCHANDISE	84.95	
251538 001739	110-6047-512.50-16	AUTO/PARTS E-20	413.34	
252717 001992	110-6047-512.50-16	TRK/PARTS PW136	47.92	
251237 004165	110-6047-512.50-16	TRK/PARTS PW136	471.59	
0012814 CHICAGO SUN-TIMES	110-4020-422.60-98	SUBSCRIPTION	106.17	
2410019197 004367	110-4020-422.60-98	SUBSCRIPTION	107.64	
5410019197 004709	110-4020-422.60-98	SUBSCRIPTION	33.12	
0010791 CHOICEPOINT BUS & GOVT SERVICES	110-5030-421.30-98	MONTHLY FEE	140.76	
AB0001734983 003956		VENDOR TOTAL *	25.00	
0014315 CHOW SPECIALTY MARKET & CUSTOM	110-6040-431.60-11	12/17/07 LUNCHEON	25.00	
12/13/07 004193		VENDOR TOTAL *	113177	120.00
0000630 CLASSIC GRAPHIC INDUSTRIES INC	110-2006-413.40-33	OFFICE SUPPLIES	.00	
58005 004490		VENDOR TOTAL *	288.73	
0000112 COCA-COLA ENT LAKESHORE DIV.	110-1001-411.60-98	RESTOCK VENDING MACHINES	288.73	
0338167515 004324		VENDOR TOTAL *	95.40	
0000114 COM ED	110-6044-435.30-24	MONTHLY ELECTRIC SERVICE	95.40	
28390-56005 003931		VENDOR TOTAL *	16,551.73	
0014623 COMCAST CABLE	110-4020-422.60-98	CABLE SERVICE	86.36	
879820089040137004364	110-4020-422.60-98	CABLE SERVICE	97.97	
879820089016863004711		VENDOR TOTAL *	184.33	
0000594 CONSERV FS, INC	110-6041-432.40-98	SUPPLIES	52.25	
1032360-IN 004532	110-6043-434.40-98	SUPPLIES	52.25	
1032360-IN 004533				

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VENDOR NAME	VOUCHER NO	P.O. NO	BNK NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
CONSERV FS, INC	004534		01	12/31/2007	110-6044-435.40-98	SUPPLIES	52.25	
	004535		01	12/31/2007	510-6052-501.40-98	SUPPLIES	52.25	
VENDOR TOTAL *							209.00	
COULTER TRANSPORTATION CONSULTING	004365		01	12/31/2007	110-6040-431.30-26	TRAFFICE ENGRG REVIEW	900.00	
VENDOR TOTAL *							900.00	
CREATIVE PRODUCT SOURCING, INC-DARE	004240		01	12/31/2007	110-5030-421.60-14	DARE BOOKS	657.58	
VENDOR TOTAL *							657.58	
CRITICAL REACH	004568		01	12/31/2007	110-5030-421.30-98	2008 ANNUAL FEE	500.00	
VENDOR TOTAL *							500.00	
CRYOTECH DEICING TECHNOLOGY	004018		01	12/31/2007	530-0088-503.40-17	DEICER/PARKING DECK	3,115.64	
	004681		01	12/31/2007	530-0088-503.40-17	DEICING MATERIAL	1,357.02	
VENDOR TOTAL *							4,472.66	
CYPRIAN, ELLEN	004329		01	12/31/2007	110-4020-422.60-11	EXPENSE REIMBURSEMENT	82.03	
VENDOR TOTAL *							82.03	
DELTA SONIC	003954		01	12/31/2007	110-6047-512.50-16	CAR WASHES	298.68	
VENDOR TOTAL *							298.68	
DENHAM, LEE	004320		01	12/31/2007	110-0086-453.30-52	PROFESSIONAL SVCS	107.25	
VENDOR TOTAL *							107.25	
DEX	004491		01	12/31/2007	110-1001-411.30-75	DIRECTORY CHARGES	32.00	
	004492		01	12/31/2007	110-7060-451.30-75	DIRECTORY CHARGES	68.00	
VENDOR TOTAL *							100.00	
DILEO'S PIZZERIA	003993		01	12/11/2007	110-5030-421.60-98	CPA ALUMNI DINNER	112730	137.73
VENDOR TOTAL *							.00	137.73
DISPATCH AUTOMOTIVE INC	004066		01	12/31/2007	110-6047-512.50-16	ALTERNATOR/PW52	370.00	
VENDOR TOTAL *							370.00	
DOWN UNDER CONSTRUCTION	004327		01	12/31/2007	110-6041-432.30-55	2007 REAR YARD DRAINAGE	370.00	
VENDOR TOTAL *							9,817.65	

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137.73

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DOWN UNDER CONSTRUCTION						
DUBIEL, BRUCE B.	01	110-4025-424.60-11	MEETING REGISTRATION	9,817.65	113202	75.00
DUFORT, MARY CHRISTINE	01	110-4020-422.40-98	EXPENSE REIMBURSEMENT	.00		75.00
DUPAGE COUNTY ANIMAL CARE & CONTROL	01	110-5030-421.60-01	ANIMAL CONTROL	13.96		
DUPAGE COUNTY FIRE CHIEFS ASSOC	01	110-4020-422.60-11	INSTALLATION REGISTRATION	720.00		
DUPAGE COUNTY RECORDER	01	110-1001-411.30-54	RECORDING SVCS	720.00		
DUPAGE COUNTY TREASURER	01	110-5030-421.30-27	MONTHLY FEE	11.00		
DUPAGE MATERIALS COMPANY	01	110-6041-432.40-02	ASPHALT	20.00		
DUPAGE TOPSOIL INC	01	110-6043-434.40-59	RESTORATION TOPSOIL	250.00		
DUTCH VALLEY LANDSCAPING INC	01	110-6043-434.30-78	LEAF DISPOSAL	250.00		
ELMHURST CAMERA IMAGE CENTER				4,680.00		
				1,080.00		
				5,760.00		

VENDOR NAME	ACCOUNT NO	DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
ELMHURST CAMERA IMAGE CENTER	110-4020-422.30-28	FILM PROCESSING	18.31	
004024	110-4020-422.40-98	PHOTO PROCESSING	6.95	
004844	110-5030-421.30-28	FILM PROCESSING	12.26	
003960	110-5030-421.30-28	PHOTO PROCESSING	45.50	
004567				
VENDOR TOTAL *			83.02	
ELMHURST CHAMBER OF COMMERCE	110-7060-451.60-37	MEMBERSHIP	150.00	
004138				
VENDOR TOTAL *			150.00	
ELMHURST CLAIMS ACCOUNT (CLAIM SVC)	110-4020-422.20-07	SELF INSURED LOSS FUND	466.49	
003998	110-4020-422.20-07	SELF INSURED LOSS FUND	1,533.00	
004369	110-4020-422.20-07	SELF INSURED LOSS FUND	142.11	
004761	110-4025-424.20-07	SELF INSURED LOSS FUND	217.00	
004765	110-5030-421.20-07	SELF INSURED LOSS FUND	2,189.28	
003999	110-5030-421.20-07	SELF INSURED LOSS FUND	30.40	
004370	110-5030-421.20-07	SELF INSURED LOSS FUND	197.92	
004762	110-5030-421.20-07	SELF INSURED LOSS FUND	557.19	
004000	110-6040-431.20-07	SELF INSURED LOSS FUND	194.37	
004763	110-6040-431.20-07	SELF INSURED LOSS FUND	75.48	
004001	110-6050-501.20-07	SELF INSURED LOSS FUND	1,058.60	
004002	510-6055-502.20-07	SELF INSURED LOSS FUND	1,328.33	
004371	510-6055-502.20-07	SELF INSURED LOSS FUND	2,711.89	
004764				
VENDOR TOTAL *			10,702.06	
ELMHURST ELKS LODGE #1531	110-5030-421.60-08	RENT ROOM/AWARDS	190.00	
004570				
VENDOR TOTAL *			190.00	
ELMHURST LINCOLN MERCURY	110-6047-512.50-16	PW-24 REPAIR PART	7.93	
004049	110-6047-512.50-16	PD-18 REPAIR	62.20	
004051	110-6047-512.50-16	PW-86 REPAIR	124.50	
004052	110-6047-512.50-16	E-26 REPAIR	131.84	
004053	110-6047-512.50-16	PD-43 REPAIR	39.38	
004054	110-6047-512.50-16	E-26 REPAIR	51.14	
004055				
VENDOR TOTAL *			416.99	
ELMHURST MEMORIAL OCCUPATIONAL	110-2007-413.30-47	PHYSICAL/DRUG SCREEN	85.00	
004224	110-2007-413.30-47	DRUG SCREENING	45.00	
004494	110-2007-413.30-47	DRUG SCREENING	160.00	
004495				
VENDOR TOTAL *			290.00	
ELMHURST POSTMASTER	510-6050-501.30-49	WATER BILLS/MAILING	1,800.00	
004849	510-6055-502.30-49	SEWER BILLS/MAILING	1,800.00	
004850				
VENDOR TOTAL *			3,600.00	

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0000193	ELMHURST POSTMASTER						VENDOR TOTAL *	.00	3,600.00
0014580	ENGLEWOOD ELECTRIC SUPPLY CO								
519081	004419	01	12/31/2007		510-6057-502.50-08		REPAIRS	159.46	
530847	004556	01	12/31/2007		510-6057-502.50-08		PUMP REPAIR	422.93	
0000799	F.L. HUNTER & ASSOCIATES, INC.						VENDOR TOTAL *	582.39	
26599	004135	01	12/31/2007		110-1003-412.30-52		APPLICANT LD EXAMS	1,055.00	
0000209	FASTENAL COMPANY						VENDOR TOTAL *	1,055.00	
1LELM1614	004840	01	12/31/2007		510-6052-501.40-98		WATER SYSTEM REPAIR	171.10	
0013212	FEDEX						VENDOR TOTAL *	171.10	
2-408-82476	004496	01	12/31/2007		110-1001-411.30-52		SHIPPING	18.57	
2-421-89885	004397	01	12/31/2007		110-2008-413.30-52		SHIPPING	21.52	
2-408-82476	004497	01	12/31/2007		110-2008-413.30-52		SHIPPING	21.17	
0012480	FELLER AND SONS COMM STAT						VENDOR TOTAL *	61.26	
312601	004806	01	12/31/2007		110-2006-413.40-33		SUPPLIES	34.65	
312628	004807	01	12/31/2007		110-2006-413.40-33		SUPPLIES	1.47	
3124091	004444	01	12/31/2007		110-2008-413.40-73		INK	1,357.95	
312601	004805	01	12/31/2007		110-4025-424.40-33		SUPPLIES	39.30	
0015916	FIFTH THIRD BANK						VENDOR TOTAL *	1,433.37	
DECEMBER 17,200		01	12/31/2007		110-2007-413.60-23		CORKYS CATERING	295.22	
DECEMBER 17,200		01	12/31/2007		110-2007-413.60-23		CORKYS CATERING	254.03	
DECEMBER 17,200		01	12/31/2007		110-2007-413.60-23		CORKYS CATERING	25.00	
DECEMBER 17,200		01	12/31/2007		110-2007-413.30-52		PANERA BREAD #768 Q53	72.49	
DECEMBER 17,200		01	12/31/2007		110-2007-413.60-23		XSPORT FITNESS LOMBARD	1,000.00	
DECEMBER 17,200		01	12/31/2007		110-2007-413.60-23		XSPORT FITNESS LOMBARD	500.00	
DECEMBER 17,200		01	12/31/2007		110-2008-413.30-52		WWW.SKYPE.COM	10.00	
DECEMBER 17,200		01	12/31/2007		110-2008-413.30-52		WWW.SKYPE.COM	60.00	
0006869	FISHER SCIENTIFIC						VENDOR TOTAL *	.00	2,216.74
4788305	004554	01	12/31/2007		510-6057-502.40-25		LAB SUPPLIES	124.14	
4709488	004555	01	12/31/2007		510-6057-502.40-25		LAB SUPPLIES	120.32	
0005438	FLEET SAFETY SUPPLY						VENDOR TOTAL *	244.46	
42871	004056	01	12/31/2007		110-5030-421.80-06		PD-26 NEW SET UP	149.65	
42903	004057	01	12/31/2007		110-5030-421.80-06		PD-40 NEW SET UP	185.49	
42791	004060	01	12/31/2007		110-6041-432.80-06		PW-8 NEW SET UP	72.43	

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0005438 FLEET SAFETY SUPPLY	01 12/31/2007	110-6047-512.50-16 STOCK	149.08	
42833	004058			
000650 Focht, DAN	01 12/21/2007	110-4020-422.60-11 MEETING REFRESHMENTS	556.65	
12/04/07	004498			41.70
0016713 FRESH START CAFE	01 12/15/2007	110-5030-421.60-98 MEETING REFRESHMENTS	.00	
12/19/07	004439			41.70
0013847 FRY'S ELECTRONICS, INC.	01 12/31/2007	110-2008-413.40-72 COMPUTER CABLE	.00	
2692112	004445		27.64	120.00
0010732 FULLIFE SAFETY CENTER	01 12/31/2007	110-6044-435.40-98 OTHER SUPPLIES	27.64	
8340	004400			5.75
8488	004406			29.92
8340	004401			5.75
8488	004407			29.92
8340	004402			5.75
8488	004408			29.92
8340	004403			5.75
8488	004409			29.92
8340	004404			5.75
8488	004410			29.92
8340	004405			5.75
8488	004411			29.92
0003002 GALLAGHER & CO, A J	01 12/27/2007	110-4020-422.60-98 TREASURER'S BOND	214.02	
12/18/07	004758			190.00
0008274 GALLAGHER MATERIALS, INC.	01 12/31/2007	110-6041-432.40-02 UPM ASPHALT	.00	
615544MB	004618		1,955.52	190.00
0016873 GASIK, JR., MITCHELL J	01 12/11/2007	110-6040-431.60-11 EXPENSE REIMBURSEMENT	1,955.52	
11/30/07	003997			42.74
0016266 GATEHOUSE MEDIA SUBURBAN NEWSPAPERS	01 12/31/2007	110-5030-421.40-33 SUBSCRIPTION	.00	
88888-310197	004373		35.00	42.74
0007925 GERARDI SEWER & WATER CO	01 12/31/2007	510-6052-501.80-12 WATERMAIN IMPRVMT PROJ	35.00	
4	004323			22,491.96

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0007925	GERARDI SEWER & WATER CO								
0011686	GRAND AUTO PARTS						VENDOR TOTAL *	22,491.96	
111978	004089	01	12/31/2007		110-6042-433.50-16		BULBS	261.00	
112243	004073	01	12/31/2007		110-6047-512.50-16		TRK/PARTS PW72	402.99	
110902	004075	01	12/31/2007		110-6047-512.50-16		TRK/PARTS PW61	50.00	
111563	004077	01	12/31/2007		110-6047-512.50-16		TRK/PARTS PW79, PW166	143.18	
111366	004079	01	12/31/2007		110-6047-512.50-16		TRK/PARTS PW121	47.25	
112174	004080	01	12/31/2007		110-6047-512.50-16		TRK/PARTS PD-47	20.26	
111734	004082	01	12/31/2007		110-6047-512.50-16		TRK/PARTS PD-50	99.85	
111496	004084	01	12/31/2007		110-6047-512.50-16		TRK/PARTS PD-3	36.00	
111497	004087	01	12/31/2007		110-6047-512.50-16		AUTO/PARTS E-26	26.12	
112010	004092	01	12/31/2007		110-6047-512.50-16		STOCK	15.00	
112245	004094	01	12/31/2007		110-6047-512.50-16		STOCK	20.26	
111919	004095	01	12/31/2007		110-6047-512.50-16		FUSES	14.00	
112093	004097	01	12/31/2007		110-6047-512.50-16		STOCK	77.10	
112303	004098	01	12/31/2007		110-6047-512.50-16		RETURNED MERCHANDISE	296.00	
111661	004099	01	12/31/2007		110-6047-512.50-16		RETURNED MERCHANDISE	17.50	
112302	004387	01	12/31/2007		110-6047-512.50-16		PARTS & SUPPLIES	50.01	
0016903	GRANDLIENARD, DAN & JODY						VENDOR TOTAL *	949.52	
24151	004701	01	12/31/2007		110-0000-316.00-00		REFUND TRANSFER TAX STAMP	553.50	
0012796	GRASSROOTS LANDSCAPE SPECIALTIES						VENDOR TOTAL *	553.50	
5163	004423	01	12/31/2007		510-6057-502.40-31		LANDSCAPE CLEAN UP	2,625.00	
0009312	GREEN SUPPLY INC (GSI)						VENDOR TOTAL *	2,625.00	
4924943	004537	01	12/31/2007		110-4020-422.40-98		SUPPLIES	1.52	
4924940	004545	01	12/31/2007		110-4020-422.40-98		SUPPLIES	.72	
4924943	004536	01	12/31/2007		110-5030-421.40-98		SUPPLIES	42.46	
4924940	004544	01	12/31/2007		110-5030-421.40-98		SUPPLIES	20.15	
4924943	004538	01	12/31/2007		110-6041-432.40-98		SUPPLIES	1.52	
4924940	004546	01	12/31/2007		110-6041-432.40-98		SUPPLIES	.72	
4924943	004539	01	12/31/2007		110-6043-434.40-98		SUPPLIES	1.52	
4924940	004547	01	12/31/2007		110-6043-434.40-98		SUPPLIES	.72	
4924943	004548	01	12/31/2007		110-6044-435.40-98		SUPPLIES	1.52	
4924940	004541	01	12/31/2007		110-6044-435.40-98		SUPPLIES	.72	
4924943	004549	01	12/31/2007		110-6046-418.40-98		SUPPLIES	1.51	
4924940	004542	01	12/31/2007		110-6046-418.40-98		SUPPLIES	.72	
4924943	004550	01	12/31/2007		110-6047-512.40-98		SUPPLIES	1.51	
4924940	004543	01	12/31/2007		110-6047-512.40-98		SUPPLIES	.72	
4924943	004551	01	12/31/2007		510-6052-501.40-98		SUPPLIES	1.51	
4924940	004551	01	12/31/2007		510-6052-501.40-98		SUPPLIES	.72	
0016897	GREEN, ROB						VENDOR TOTAL *	78.26	

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0016897	GREEN, ROB	004598		01	12/31/2007	110-6041-432.30-70	PUBLIC WALK REFUND	759.75	
0015469	GROTTO DESIGN, INC.	004139		01	12/31/2007	110-7060-451.60-98	VENDOR TOTAL * DESIGN VISIONARY BULK	759.75 1,310.57	
0000254	HACH COMPANY	004558		01	12/31/2007	510-6057-502.40-25	VENDOR TOTAL * LAB SUPPLIES	1,310.57 31.85	
0006515	HAGGERTY PONTIAC INC	004627		01	12/26/2007	110-5030-421.80-06	VENDOR TOTAL * REPLACEMENT OF PD-40	31.85 113211	16,053.00
0000255	HAHN AND ASSOCIATES, LTD	004241		01	12/31/2007	110-5030-421.30-48	VENDOR TOTAL * SOCIAL SVCS	.00 4,041.38	16,053.00
0015904	HD SUPPLY WATERWORKS, LTD.	003990		01	12/31/2007	510-6052-501.40-51	VENDOR TOTAL * SERVICE LINES	4,041.38	
6435690		004228		01	12/31/2007	510-6052-501.40-07	LEAK REPAIR	292.50	
6424281		004229		01	12/31/2007	510-6052-501.40-07	HYDRANT REPAIR	506.16	
6385826								530.00	
0011839	HEALTHCARE SERVICE CORPORATION	004686		01	12/31/2007	110-1001-411.20-04	VENDOR TOTAL * HEALTHCARE SERVICE 1/2008	1,328.66	
014582		004687		01	12/31/2007	110-2006-413.20-04	HEALTHCARE SERVICE 1/2008	2,992.60	
014582		004688		01	12/31/2007	110-2007-413.20-04	HEALTHCARE SERVICE 1/2008	14,556.26	
014582		004689		01	12/31/2007	110-3015-414.20-04	HEALTHCARE SERVICE 1/2008	1,656.10	
014582		004690		01	12/31/2007	110-4020-422.20-04	HEALTHCARE SERVICE 1/2008	4,474.38	
014582		004692		01	12/31/2007	110-4025-424.20-04	HEALTHCARE SERVICE 1/2008	54,070.26	
014582		004693		01	12/31/2007	110-5030-421.20-04	HEALTHCARE SERVICE 1/2008	6,944.00	
014582		004694		01	12/31/2007	110-6040-431.20-04	HEALTHCARE SERVICE 1/2008	87,076.08	
014582		004695		01	12/31/2007	110-7060-451.20-04	HEALTHCARE SERVICE 1/2008	59,387.22	
014582		004696		01	12/31/2007	210-8070-452.20-04	HEALTHCARE SERVICE 1/2008	3,457.48	
014582		004697		01	12/31/2007	510-6050-501.20-04	HEALTHCARE SERVICE 1/2008	14,410.99	
014582		004698		01	12/31/2007	510-6055-502.20-04	HEALTHCARE SERVICE 1/2008	19,408.35	
014582		004699		01	12/31/2007	530-0088-503.20-04	HEALTHCARE SERVICE 1/2008	19,931.33	
0016432	HELM & WAGNER			01	12/31/2007	310-0089-461.30-52	VENDOR TOTAL * PROFESSIONAL SERVICES	2,179.08 290,544.13	
H02-3445-SDH-34003938								481.74	
0009456	HIGHWAY TECHNOLOGIES, INC.	004683		01	12/31/2007	110-6041-432.40-52	VENDOR TOTAL * SIGNS, POSTS AND PAINT	481.74	
64962539-001								145.27	
0000275	HOLIDAY CAMERA INC						VENDOR TOTAL *	145.27	

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0000275	HOLIDAY CAMERA INC				01 12/31/2007	110-5030-421.30-28	FILM PROCESSING	35.98	
417433		003962			01 12/31/2007	110-5030-421.40-31	NEW LENS	109.00	
417726		003963					VENDOR TOTAL *	144.98	
0016889	HOLLSTEIN, DEBBIE				01 12/31/2007	110-4020-422.60-11	OPEN HOUSE RESERVATION	25.00	
1/29/08		004361					VENDOR TOTAL *	25.00	
0006864	HOME DEPOT 1919				01 12/31/2007	110-4022-423.40-33	SERGE PROTECTORS	111.68	
010991/2012292		004026					VENDOR TOTAL *	111.68	
0012341	HOME DEPOT 1982				01 12/31/2007	110-6041-432.40-08	PVC PIPE	20.12	
030164/2021198		004602			01 12/31/2007	110-6041-432.40-53	PIPE WRENCH	94.97	
014036/8011849		004603					VENDOR TOTAL *	115.09	
0007384	I. G. F. O. A.				01 12/31/2007	110-2006-413.60-37	MEMBERSHIP	220.00	
12/12/2007		004047					VENDOR TOTAL *	220.00	
0016905	ICLEI USA, INC				01 12/31/2007	510-6050-501.60-11	ANNUAL MEMBERSHIP	225.00	
M2008.005		004822					VENDOR TOTAL *	.00	600.00
0007209	IDEA- IL DRUG ENF OFFICERS ASSOC				01 12/31/2007	110-5030-421.60-27	REGISTRATION	225.00	
04/09-04/11/08		004242					VENDOR TOTAL *	225.00	600.00
0011204	IGFOA				01 12/31/2007	110-2006-413.60-37	MEMBERSHIP DUES	325.00	
01/01-12/31/08		004392			01 12/31/2007	110-2006-413.60-37	MEMBERSHIP DUES	300.00	
2008		004446					VENDOR TOTAL *	625.00	
0007329	IKON OFFICE SOLUTIONS				01 12/31/2007	110-5030-421.30-21	COPIER MAINT	397.51	
5007078057		004797					VENDOR TOTAL *	397.51	
0015151	ILEAS				01 12/31/2007	110-5030-421.60-11	TRAINING COURSE	350.00	
ILEAS008023		004592					VENDOR TOTAL *	350.00	
0001201	ILLINOIS ASSOC OF CHIEFS OF POLICE				01 12/31/2007	110-5030-421.60-37	YEARLY MEMBERSHIP	85.00	
2008		003964			01 12/31/2007	110-5030-421.60-37	YEARLY MEMBERSHIP	200.00	
2008		003965					VENDOR TOTAL *	285.00	
0011466	ILLINOIS ASSOC OF WASTEWATER AGENCI								

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0011466	ILLINOIS ASSOC OF WASTEWATER AGENCI	01112008	003992		01 12/31/2007	510-6050-501.60-11	MEETING REGISTRATION	47.00	
0003938	ILLINOIS ASSOCIATION OF WATER	5/1/08-04/30/09004712			01 12/31/2007	510-6050-501.60-37	MEMBERSHIP RENEWAL FOR 2	10.00	
0011955	ILLINOIS DEPARTMENT OF TRANSPORTAT	29465	004552		01 12/31/2007	110-6044-435.30-71	MONTHLY SVC	1,059.00	
0016884	ILLINOIS DEVELOPMENT COUNCIL	01292008	004502		01 12/31/2007	110-3015-414.60-11	SEMINAR	100.00	
0009117	ILLINOIS EPA FISCAL SERVICE SECTION	043035AFD	004366		01 12/31/2007	110-6040-431.30-26	PERMIT FEE	200.00	
0006067	ILLINOIS FIRE CHIEFS ASSOCIATION	112607	004447		01 12/31/2007	110-2007-413.20-09	INSTRUCTOR II COURSE	225.00	
0008460	ILLINOIS HUMANITIES COUNCIL	05/15/2008	004793		01 12/31/2007	110-7060-451.60-65	TEA TIME PROGRAM	50.00	
0001005	ILLINOIS SECRETARY OF STATE	PD 40	003974		01 12/31/2007	110-6047-512.60-55	VEHICLE TITLE & PLATES	143.00	
0016825	ILLINOIS STATE POLICE	LS10156L424532004579			01 12/31/2007	110-5030-421.30-98	LIGUOR LICENCE FINGERPRIN	34.25	
		LS10156L4245361004580			01 12/31/2007	110-5030-421.30-98	LIGUOR LICENCE FINGERPRIN	34.25	
0016624	IMPACT NETWORKING LLC	45642A 1	004448		01 12/31/2007	110-2008-413.80-98	COPIER/SCANNER	68.50	
0015044	INDUSTRIAL STEEL SERVICE CENTER INC	9915	004061		01 12/31/2007	110-6047-512.50-16	PW-108	15,297.00	
0006347	INLAND COMMERCIAL PROPERTY MGT INC	002-502365	004524		01 12/31/2007	530-0088-503.50-15	MONTHLY MAINT CONTRACT	65.00	
0009916	INTERNATIONAL ASSOCIATION FOR							1,150.00	

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0009916	INTERNATIONAL ASSOCIATION FOR	004438		01	12/15/2007	110-5030-421.60-11	RECERTIFICATION FEE	113182	150.00
0010731	INTERSTATE BATTERY SYSTEM OF	004220		01	12/31/2007	110-6047-512.50-16	PARTS/SUPPLIES	319.80	150.00
0009363	IPPFA	004710		01	12/31/2007	750-0000-491.60-59	MEMBERSHIP DUES	319.80	
0013718	JAMES J. BENES & ASSOCIATES, INC	004325		01	12/31/2007	110-6040-431.30-26	VENDOR TOTAL *	187.50	
1091.130		004326		01	12/31/2007	110-6040-431.30-26	VENDOR TOTAL *	187.50	
1091.129		004395		01	12/31/2007	310-0089-461.80-24	PROFESSIONAL SERVICES	724.36	
1195.000								827.44	
								300.89	
0000976	JIM'S TOWING	004236		01	12/31/2007	110-5030-421.60-27	TOWING SVCS/CASE#07-48024	1,852.69	
81403		004237		01	12/31/2007	110-5030-421.60-27	TOWING SVCS/CASE#07-48187	350.00	
81145		004238		01	12/31/2007	110-5030-421.60-27	TOWING SVCS/CASE#07-48215	350.00	
0002709	JOHNSON, VALERIE	003939		01	12/31/2007	110-2007-413.60-23	HOLIDAY LUNCHEON	455.00	
038804006058		003937		01	12/31/2007	110-2007-413.60-23	CITY DINNER EXPENSE	1,155.00	
021600001896965004503		003937		01	12/31/2007	110-2007-413.60-23	CITY DINNER EXPENSE	60.42	
021600001938547004504								77.99	
								6.40	
0000022	JULIANNE BAKERY	004505		01	12/31/2007	110-5030-421.60-98	STAFF MTG REFRESHMENTS	144.81	
4715								13.98	
0000312	JULIE INC	003936		01	12/31/2007	110-6040-431.30-80	JULIE LOCATES	13.98	
11-07-0471		003937		01	12/31/2007	510-6050-501.30-80	JULIE LOCATES	256.35	
11-07-0471								256.35	
0005713	K & T COLORS	004529		01	12/31/2007	110-3015-414.60-45	FRAMING	512.70	
6709		004576		01	12/31/2007	110-7060-451.30-98	FRAMING	156.00	
6709								156.00	
0000314	KALE UNIFORMS	003966		01	12/31/2007	110-5030-421.40-11	UNIFORMS	312.00	
179383		003967		01	12/31/2007	110-5030-421.40-11	UNIFORMS	76.90	
179386		003968		01	12/31/2007	110-5030-421.40-11	UNIFORMS	75.00	
179376		003969		01	12/31/2007	110-5030-421.40-11	UNIFORMS	148.00	
179380								131.90	

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0000314	KALE UNIFORMS								
179375	003970	01			12/31/2007	110-5030-421.40-11	UNIFORMS	111.50	
179385	003971	01			12/31/2007	110-5030-421.40-11	UNIFORMS	102.50	
173734	003972	01			12/31/2007	110-5030-421.40-11	UNIFORMS	206.69	
178597	003973	01			12/31/2007	110-5030-421.40-11	UNIFORMS	115.08	
180665	004239	01			12/31/2007	110-5030-421.40-11	UNIFORM SUPPLIES	296.64	
182980	004590	01			12/31/2007	110-5030-421.40-11	UNIFORM SUPPLIES	983.25	
182978	004591	01			12/31/2007	110-5030-421.40-11	UNIFORM SUPPLIES	894.10	
							VENDOR TOTAL *	3,141.56	
0000323	KIEFT BROTHERS, INC.								
136335	003985	01			12/31/2007	110-6041-432.40-48	CONCRETE VALVE VAULT	132.00	
135568	004608	01			12/31/2007	110-6041-432.40-08	INLET REPAIR	80.00	
136335	003984	01			12/31/2007	510-6052-501.40-63	CONCRETE VALVE VAULT	198.00	
136192	004227	01			12/31/2007	510-6056-502.40-29	INLET REPAIR	266.00	
							VENDOR TOTAL *	676.00	
0015660	KINGS POINT TRUCK LANE								
13012	004063	01			12/31/2007	110-6047-512.50-02	PW-29 SAFETY TEST	21.00	
13003	004064	01			12/31/2007	110-6047-512.50-02	PW-87 & 113 SAFETY TEST	42.00	
13001	004065	01			12/31/2007	110-6047-512.50-16	PW-52 SAFETY TEST	21.00	
13006	004067	01			12/31/2007	110-6047-512.50-02	PW-28 SAFETY TEST	21.00	
12919	004068	01			12/31/2007	110-6047-512.50-02	PW-24 SAFETY TEST	21.00	
12940	004069	01			12/31/2007	110-6047-512.50-02	PW-98 SAFETY TEST	21.00	
12910	004070	01			12/31/2007	110-6047-512.50-02	PW-53 & 170 SAFETY TEST	42.00	
							VENDOR TOTAL *	189.00	
0013270	KNEBEL, JEFFREY								
12/11/2007	004235	01			12/31/2007	110-5030-421.60-05	EXPENSE REIMBURSEMENT	15.04	
							VENDOR TOTAL *	15.04	
0015571	KNIGHT, HOPPE, KURNIK & KNIGHT, LLC								
46048	004506	01			12/31/2007	110-0081-415.30-36	PROFESSIONAL SERVICES	2,047.50	
46152	004507	01			12/31/2007	110-0081-415.30-36	PROFESSIONAL SERVICES	437.50	
							VENDOR TOTAL *	2,485.00	
0000331	KUBIESA, SPIROFF, GOSSELAR,								
40871	004360	01			12/31/2007	110-0081-415.30-36	PROFESSIONAL SERVICES	322.93	
58010	004525	01			12/31/2007	110-0081-415.30-61	PROFESSIONAL SVCS	2,500.00	
58010	004526	01			12/31/2007	110-0081-415.30-62	PROFESSIONAL SVCS	8,750.00	
58010	004527	01			12/31/2007	110-0081-415.30-63	PROFESSIONAL SVCS	3,250.00	
							VENDOR TOTAL *	14,822.93	
0007251	LAKOTA GROUP								
07056-01	004427	01			12/31/2007	310-0089-461.80-24	PROFESSIONAL SERVICES	9,720.00	
07057-01	004428	01			12/31/2007	310-0089-461.80-24	PROFESSIONAL SERVICES	8,923.36	
							VENDOR TOTAL *	18,643.36	

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LANDMARKS ILLINOIS	01	12/31/2007	110-7060-451.60-37	MEMBERSHIP RENEWAL	20.00		
LASER ASSOCIATES, STEPHEN A.	01	12/31/2007	110-1003-412.30-52	INDIVIDUAL ASSESSMENT	525.00		
LAW BULLETIN	01	12/31/2007	110-5030-421.30-98	COURT DOCKET SVCS	137.75		
LEACH ENTERPRISES, INC	01	12/31/2007	110-6047-512.50-16	FILTER	6.69		
LEACH, TOM	01	12/31/2007	110-6041-432.30-55	REAR YARD DRAIN PROGRAM	1,000.00		
LEIDIG, TIMOTHY	01	12/11/2007	110-4020-422.60-11	TRAINING CLASS REFRESHMENTS	1,000.00		
LENS ACE HARDWARE	01	12/31/2007	110-6047-512.50-16	STOCK	8.49		
LEXISNEXIS	01	12/31/2007	110-5030-421.30-98	MONTHLY FEE	484.00		
LHA/WORLD INC	01	12/31/2007	110-0094-454.60-45	EVT AD/TOURISM GUIDE	484.00		
LIBERTY SUBURBAN CHICAGO NEWSPAPERS	01	12/31/2007	110-1001-411.30-52	5428 SSAS TAX LEVY	70.00		
LILJEBERG, GLEN R.	01	12/31/2007	510-6050-501.30-54	EXTRA LEAF PICK-UP	140.00		
				EXTRA LEAF PICK-UP	140.00		
				EXTRA LEAF PICK-UP	140.00		
				VENDOR TOTAL *	564.80		

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0000509	LILJEBERG, GLEN R.	01	12/31/2007	110-0086-453.30-52	CATV PROF SVCS	50.00	
12/15-12/31/07	004562						
0011081	LINDCO EQUIPMENT SALES				VENDOR TOTAL *	50.00	
20071383	004071	01	12/31/2007	110-6042-433.50-16	PW-169	287.20	
20071384	004072	01	12/31/2007	110-6042-433.50-16	PW-75 CUTTING EDGES	287.20	
0016879	LINE-X OF BARTLETT				VENDOR TOTAL *	574.40	
7206	004074	01	12/31/2007	110-6046-418.80-06	PW-66 UPFIT	350.00	
7291	004076	01	12/31/2007	510-6056-502.80-06	PW-136 UPFIT	778.00	
0000055	LINTECH ENGINEERING, LLC				VENDOR TOTAL *	1,128.00	
1026	003932	01	12/31/2007	510-6057-502.30-26	PROFESSIONAL SERVICES	4,500.00	
0006582	LUND INDUSTRIES, INC.				VENDOR TOTAL *	4,500.00	
55726	004078	01	12/31/2007	110-4020-422.80-06	FW-16 NEW SET UP	736.00	
55786	004081	01	12/31/2007	110-5030-421.80-06	PD-34 & 35 NEW SET UPS	356.80	
0008308	MACNEIL AUTOMOTIVE PRODUCTS LTD				VENDOR TOTAL *	1,092.80	
400905919-01	004083	01	12/31/2007	110-6040-431.80-06	E-12	45.53	
0000352	MAGID GLOVE				VENDOR TOTAL *	45.53	
16480	003976	01	12/31/2007	110-6041-432.40-98	OTHER SUPPLIES	20.27	
16480	003977	01	12/31/2007	110-6043-434.40-98	OTHER SUPPLIES	20.27	
16480	003978	01	12/31/2007	110-6044-435.40-98	OTHER SUPPLIES	20.27	
16480	003979	01	12/31/2007	110-6046-418.40-98	OTHER SUPPLIES	20.28	
16480	003980	01	12/31/2007	510-6052-501.40-98	OTHER SUPPLIES	20.28	
16480	003981	01	12/31/2007	510-6057-502.40-98	OTHER SUPPLIES	20.28	
0001778	MAHONEY, TIM				VENDOR TOTAL *	121.65	
12/21/07	004752	01	12/27/2007	110-4020-422.60-25	RECERTIFICATION REIMB.	40.00	
0007486	MAMMA MARIA'S PIZZA				VENDOR TOTAL *	40.00	
12/21/07	004575	01	12/24/2007	110-5030-421.60-08	AWARDS BANQUET	.00	
0016888	MANKE, JOHN				VENDOR TOTAL *	515.64	
732 SAYLOR	004328	01	12/31/2007	510-6056-502.30-90	REPR/REPL SAN SEWER LINE	2,000.00	
0007176	MCCANN INDUSTRIES INC				VENDOR TOTAL *	2,000.00	

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0007176	MCCANN INDUSTRIES INC						
07080385	004085	01	12/31/2007	110-6047-512.50-16	PW-74/PW-166	81.98-	
07081896	004225	01	12/31/2007	510-6052-501.40-31	MINOR EQUIP	217.99	
07081897	004226	01	12/31/2007	510-6052-501.40-31	MINOR EQUIP	75.37	
					VENDOR TOTAL *	211.38	
0015611	MCCOLLUM, MATT						
12/2-14/07	004358	01	12/31/2007	110-5030-421.60-05	EXPENSE REIMBURSEMENT	338.53	
12/2-14/07	004359	01	12/31/2007	110-5030-421.60-11	EXPENSE REIMBURSEMENT	930.17	
					VENDOR TOTAL *	1,268.70	
0001614	MCGUIRE, MAUREEN						
2929	004396	01	12/31/2007	110-1001-411.30-52	PROFESSIONAL SERVICES	1,406.25	
					VENDOR TOTAL *	1,406.25	
0001049	MCI						
08611797999	004045	01	12/31/2007	110-0094-454.30-75	MONTHLY PHONE	4.34	
08611797999	004034	01	12/31/2007	110-1001-411.30-75	MONTHLY PHONE	36.93	
08611797999	004035	01	12/31/2007	110-2006-413.30-75	MONTHLY PHONE	12.58	
08611797999	004043	01	12/31/2007	110-2007-413.30-75	MONTHLY PHONE	7.10	
08611797999	004044	01	12/31/2007	110-2008-413.30-75	MONTHLY PHONE	53.35	
08611797999	004036	01	12/31/2007	110-3015-414.30-75	MONTHLY PHONE	7.95	
08611797999	004037	01	12/31/2007	110-4020-422.30-75	MONTHLY PHONE	8.42	
08611797999	004038	01	12/31/2007	110-4022-423.30-75	MONTHLY PHONE	.43	
08611797999	004039	01	12/31/2007	110-5030-421.30-75	MONTHLY PHONE	52.09	
08611797999	004040	01	12/31/2007	110-6040-431.30-75	MONTHLY PHONE	24.13	
08611797999	004041	01	12/31/2007	110-7060-451.30-75	MONTHLY PHONE	14.13	
08611797999	004042	01	12/31/2007	510-6055-502.30-75	MONTHLY PHONE	12.60	
					VENDOR TOTAL *	234.05	
0002941	MCMaster-CARR SUPPLY CO.						
77375623	004090	01	12/31/2007	110-6042-433.50-16	PLOW WHEELS	115.86	
77022347	004086	01	12/31/2007	110-6047-512.50-16	PARTS LABELING TAGS	10.80	
77104333	004088	01	12/31/2007	110-6047-512.50-16	TRUCK #2	15.31	
77375624	004091	01	12/31/2007	110-6047-512.50-16	STOCK RAZOR BLADES	29.05	
77188725	004093	01	12/31/2007	110-6047-512.50-16	STOCK	13.97	
76865039	004096	01	12/31/2007	110-6047-512.50-16	PD-46	276.63	
76865038	004102	01	12/31/2007	110-6047-512.50-16	PD-427	276.63	
77022346	004414	01	12/31/2007	510-6057-502.50-08	BLDG 3 HTR REPAIR PARTS	87.02	
77709710	004557	01	12/31/2007	510-6057-502.50-08	PUMP REPAIR	104.72	
					VENDOR TOTAL *	929.99	
0013303	MECHANICAL INC.						
CH1143600	004426	01	12/31/2007	510-6057-502.50-01	HEATER UNIT	13,923.00	
					VENDOR TOTAL *	13,923.00	
0014345	MEGGITT DEFENSE SYSTEMS						
069619	004798	01	12/31/2007	110-5030-421.30-98	SERVICE VISIT	495.00	
					VENDOR TOTAL *	495.00	
0000366	MEL'S ACE HARDWARE						

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VENDOR NAME
 VOUCHER P.O. NO
 BNK CHECK/DUE DATE
 ACCOUNT NO
 ITEM DESCRIPTION
 CHECK AMOUNT
 EFT OR HAND-ISSUED AMOUNT

INVOICE NO	VENDOR NAME	VOUCHER P.O. NO	BNK CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0000366	MEL'S ACE HARDWARE						
404434	004023	01	12/31/2007	110-4020-422.50-08	STEP LADDER	29.69	
404582	004705	01	12/31/2007	110-4020-422.50-01	FILTERS FOR HUMIDIFIERS	39.58	
404379	004605	01	12/31/2007	110-6041-432.40-98	PVC PIPE	5.09	
404479	003934	01	12/31/2007	110-6043-434.40-98	PART FOR CHIPPER	14.83	
404396	004105	01	12/31/2007	110-6047-512.50-16	PW-108	48.56	
404353	004106	01	12/31/2007	110-6047-512.50-16	PD-45	2.69	
404567	004559	01	12/31/2007	510-6057-502.50-08	PUMP REPAIR	1.82	
					VENDOR TOTAL *	142.26	
0006865	METAL EXPRESS						
ADD 16713	004607	01	12/31/2007	110-6041-432.40-98	BIKE RACK REPAIR	43.40	
ADD 16472	004108	01	12/31/2007	110-6047-512.50-16	PW-88	25.23	
					VENDOR TOTAL *	68.63	
0000368	METRO PARAMEDIC SERVICES, INC.						
JAN 2008	004523	01	12/31/2007	110-0084-442.30-01	AMBULANCE SVC	20,460.83	
					VENDOR TOTAL *	20,460.83	
0002641	METROPOLITAN FAMILY SVCS DUPAGE						
OCTOBER 2007	003941	01	12/31/2007	110-0083-443.60-48	SENIOR SERVICES EXPENSES	5,138.05	
					VENDOR TOTAL *	5,138.05	
0007364	METROPOLITAN LIFE INSURANCE CO						
00083	004823	01	12/31/2007	110-1001-411.20-05	DENTAL INS	222.57	
00083	004824	01	12/31/2007	110-2006-413.20-05	DENTAL INS	1,294.55	
00083	004825	01	12/31/2007	110-2007-413.20-05	DENTAL INS	238.47	
00083	004826	01	12/31/2007	110-3015-414.20-05	DENTAL INS	345.21	
00083	004827	01	12/31/2007	110-4020-422.20-05	DENTAL INS	4,158.47	
00083	004828	01	12/31/2007	110-4025-424.20-05	DENTAL INS	352.03	
00083	004829	01	12/31/2007	110-5030-421.20-05	DENTAL INS	6,988.31	
00083	004830	01	12/31/2007	110-6040-431.20-05	DENTAL INS	4,642.22	
00083	004831	01	12/31/2007	110-7060-451.20-05	DENTAL INS	172.61	
00083	004832	01	12/31/2007	210-8070-452.20-05	DENTAL INS	1,108.32	
00083	004833	01	12/31/2007	510-6050-501.20-05	DENTAL INS	1,473.97	
00083	004834	01	12/31/2007	510-6055-502.20-05	DENTAL INS	1,551.19	
00083	004835	01	12/31/2007	530-0088-503.20-05	DENTAL INS	163.53	
					VENDOR TOTAL *	22,711.45	
0009371	MICRO CENTER A/R						
1609192	004449	01	12/31/2007	110-2008-413.40-72	PC SUPPLIES	439.96	
					VENDOR TOTAL *	439.96	
0008503	MIDWAY TRUCK PARTS						
668083	004111	01	12/31/2007	110-6047-512.50-16	STOCK	20.58	
					VENDOR TOTAL *	20.58	
0000631	MIDWEST ELECTRICAL APPLIANCE						
88572	004846	01	12/31/2007	110-4020-422.50-01	RANGE REPAIR	452.00	

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0000631	MIDWEST ELECTRICAL APPLIANCE			VENDOR TOTAL *	452.00	
0008313	MIMMO'S PIZZA	01 12/21/2007	110-5030-421.60-45	MEETING REFRESHMENTS	113205	64.66
12/19/07	004500			VENDOR TOTAL *	.00	64.66
0004912	MONABAGHN, JOE	01 12/31/2007	110-6041-432.30-70	PUBLIC WALK REFUND	399.00	
792 CAMBRIDGE	004597			VENDOR TOTAL *	399.00	
0007257	MOTION INDUSTRIES, INC.	01 12/31/2007	510-6057-502.50-08	PUMP REPAIR	55.93	
IL10-353980	004553			VENDOR TOTAL *	55.93	
0000378	MOTOROLA	01 12/31/2007	110-4020-422.40-41	PORTABLE RADIO SOFTWARE	476.90	
89229801	004103			PORTABLE RADIO CLIP	39.70	
89226830	004104			VENDOR TOTAL *	516.60	
0016874	MULTIPLE MYELOMA FOUNDATION	01 12/31/2007	110-2007-413.60-23	MEMORIAL DONATION	150.00	
12062007	003942			VENDOR TOTAL *	150.00	
0014437	MUNICIPAL SEWER SERVICES, LLC	01 12/31/2007	510-6056-502.30-39	SEWER CLEANING	875.00	
62427	004842			VENDOR TOTAL *	875.00	
0004263	NATIONAL TRUST FOR HISTORIC PRESERV	01 12/31/2007	110-7060-451.60-37	MEMBERSHIP	20.00	
41166927	R4BR18004137			VENDOR TOTAL *	20.00	
0008072	NEOPOST	01 12/31/2007	110-2006-413.40-33	OFFICE SUPPLIES	158.00	
12327445	003947			LABELS	69.00	
12339518	004596			VENDOR TOTAL *	227.00	
0009496	NEXTEL COMMUNICATIONS	01 12/31/2007	110-2007-413.30-75	MONTHLY MOBILE SERVICE	153.71	
162511511-070	004614			MONTHLY MOBILE SERVICE	312.08	
162511511-070	004615			MONTHLY MOBILE SERVICE	289.33	
162511511-070	004617			MONTHLY MOBILE SERVICE	307.67	
162511511-070	004612			MONTHLY MOBILE SERVICE	43.95	
162511511-070	004613			MONTHLY MOBILE SERVICE	1,538.64	
162511511-070	004616			MONTHLY MOBILE SERVICE	1,509.88	
162511511-070	004609			MONTHLY MOBILE SERVICE	1,483.16	
162511511-070	004610			MONTHLY MOBILE SERVICE	1,026.72	
162511511-070	004611			VENDOR TOTAL *	5,665.14	
0005845	NICOR GAS			VENDOR TOTAL *		

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0005845	NICOR GAS									
26-13-75-0650	2004029	01	12/31/2007	110-4020-422.30-29			MONTHLY GAS	79.34		
1200340000	4	003924	01	12/31/2007	110-5030-421.30-29		MONTHLY GAS SERVICE	885.24		
1545680000	0	003923	01	12/31/2007	110-6046-418.30-29		MONTHLY GAS SERVICE	561.73		
1428340000	1	003925	01	12/31/2007	110-6046-418.30-29		MONTHLY GAS SERVICE	1,083.65		
02-25-68-0000	0003927	01	12/31/2007	110-6046-418.30-29			MONTHLY GAS SERVICE	860.01		
7816640000	8	004431	01	12/31/2007	110-6046-418.30-29		MONTHLY SERVICE	7,298.48		
39-23-24-0000	0004030	01	12/31/2007	110-7060-451.30-29			MONTHLY GAS	205.59		
7763000144	2	003928	01	12/31/2007	210-8070-452.30-29		MONTHLY GAS SERVICE	5,141.05		
99-81-68-0000	9003922	01	12/31/2007	510-6056-502.30-29			MONTHLY GAS SERVICE	138.27		
43-64-24-0000	6004031	01	12/31/2007	510-6056-502.30-29			MONTHLY GAS	94.69		
2403240000	4	004032	01	12/31/2007	510-6056-502.30-29		MONTHLY GAS	228.47		
52-71-78-0000	8004433	01	12/31/2007	510-6056-502.30-29			MONTHLY SERVICE	46.68		
5333680000	7	004432	01	12/31/2007	510-6057-502.30-29		MONTHLY SERVICE	8,924.13		
							VENDOR TOTAL *	25,547.33		
0016887	NORMAN, KATHY									
12/12/07	004322	01	12/31/2007	110-6041-432.30-70			PUBLIC SIDEWALK REFUND	606.25		
							VENDOR TOTAL *	606.25		
0004099	NORTH AMERICAN SALT CO.									
70100321	004008	01	12/31/2007	110-6042-433.40-46			SALT	6,779.37		
70107817	004595	01	12/31/2007	110-6042-433.40-46			SALT	15,332.16		
							VENDOR TOTAL *	22,111.53		
0000401	NORTH EAST MULTI-REGIONAL TRAINING									
101863	003957	01	12/31/2007	110-5030-421.60-11			TRAINING	40.00		
102207	004355	01	12/31/2007	110-5030-421.60-11			TRAINING	1,500.00		
102266	004356	01	12/31/2007	110-5030-421.60-11			TRAINING	275.00		
102068	004357	01	12/31/2007	110-5030-421.60-11			TRAINING	4,740.00		
102746	004594	01	12/31/2007	110-5030-421.60-11			TRAINING COURSE	45.00		
							VENDOR TOTAL *	6,600.00		
0012390	NORTHERN SAFETY CO, INC									
P195206101018	004509	01	12/31/2007	110-6043-434.40-98			MISC WINTER EQUIPMENT	97.83		
							VENDOR TOTAL *	97.83		
0016906	NORTHERN WATER WORKS SUPPLY									
S01123778.001	004837	01	12/31/2007	510-6052-501.40-67			METER PARTS	348.03		
							VENDOR TOTAL *	348.03		
0007565	NOTARY PUBLIC ASSOCIATION OF ILL									
K. BLASKY	004046	01	12/31/2007	110-5030-421.60-37			NOTARY RENEWAL	45.00		
							VENDOR TOTAL *	45.00		
0002899	O'LEARY'S CONTRACTORS									
1-320832-01	004115	01	12/31/2007	110-6047-512.50-16			PW-199 PARTNER SAW	20.33		
1-320832-02	004117	01	12/31/2007	110-6047-512.50-16			PW-199 PARTNER SAW CREDIT	12.83		
							VENDOR TOTAL *	7.50		

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0008640	OFFICE DEPOT								
410849001-001	003945	01	12/31/2007		110-0083-443.60-48	OFFICE SUPPLIES	48.72		
410849001-001	003944	01	12/31/2007		110-1001-411.40-33	OFFICE SUPPLIES	17.01		
410849001-001	003943	01	12/31/2007		110-2006-413.40-33	OFFICE SUPPLIES	12.22		
410849001-001	003946	01	12/31/2007		110-2006-413.40-33	OFFICE SUPPLIES	53.94		
411810211-001	004211	01	12/31/2007		110-2006-413.40-33	SUPPLIES	72.27		
411810211-001	004210	01	12/31/2007		110-3015-414.40-33	SUPPLIES	5.93		
412107546-001	004510	01	12/31/2007		110-6040-431.40-33	OFFICE SUPPLIES	70.48		
410973477-001	003988	01	12/31/2007		110-6047-512.40-98	OTHER SUPPLIES	75.38		
						VENDOR TOTAL *	355.95		
0000415	ORR SAFETY CORPORATION								
INV0950980	004027	01	12/31/2007		110-4020-422.40-75	TRS TEAM SUPPLIES	373.07		
						VENDOR TOTAL *	373.07		
0000419	PATTEN INDUSTRIES INC								
2939993	004119	01	12/31/2007		110-6042-433.50-16	PW-25	1.05		
2934905	004121	01	12/31/2007		110-6047-512.50-16	OIL SAMPLE BOTTLES	143.75		
						VENDOR TOTAL *	144.80		
0016236	PEOPLES ENERGY SVCS CORP								
5775352311	004354	01	12/31/2007		510-6057-502.30-24	UA 4935057000	88,008.06		
						VENDOR TOTAL *	88,008.06		
0016126	PETERSEN, DARRELL								
12/1-14/07	004317	01	12/31/2007		110-0086-453.30-52	PROFESSIONAL SVCS	114.00		
						VENDOR TOTAL *	114.00		
0005900	PETTIBONE & CO., P.F.								
14600	004583	01	12/31/2007		110-5030-421.40-11	UNIFORM SUPPLIES	335.40		
						VENDOR TOTAL *	335.40		
0000426	PFUND & CLINT FLORIST LTD.								
93158	004019	01	12/31/2007		110-4020-422.40-98	FLORAL ARRANGEMENT	49.95		
						VENDOR TOTAL *	49.95		
0000772	PHILLIPS FLOWERS								
257420	004214	01	12/31/2007		110-6043-434.40-98	HOLIDAY DECORATIONS	3,278.15		
275257	004215	01	12/31/2007		110-6043-434.40-98	DELIVERY CHARGES	25.00		
						VENDOR TOTAL *	3,303.15		
0016881	PHOTO BOOTH EXPRESS								
12/12/07	004195	01	12/14/2007		110-2007-413.60-23	1/25/08 DEPOSIT	200.00		
1/25/08	004625	01	12/31/2007		110-2007-413.60-23	APPRECIATION DINNER ENT	113180		
						VENDOR TOTAL *	595.00		
0000429	PISCITELLI, JOSEPH								
12/1-14/07	004312	01	12/31/2007		110-0086-453.30-52	PROFESSIONAL SVCS	372.00		
						VENDOR TOTAL *	372.00		
0012138	POCO PAULSON OIL CO								

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0016895	RENNO, RALPH & MARION	24007	004566		01	12/31/2007	110-0000-316.00-00	TRANSFER STAMP REFUND	652.50	
0007258	RG SMITH EQUIPMENT CO.	102283	004132		01	12/31/2007		VENDOR TOTAL *	652.50	
0016851	ROCHE, PATRICE	11/19/2007	004143		01	12/31/2007	110-7060-451.60-98	EXPENSE REIMBURSEMENT	152.40	
12/21/2007			004796		01	12/31/2007	110-7060-451.60-98	EXPENSE REIMBURSEMENT	356.03	
0008861	ROYAL RECOGNITION	00031257	004245		01	12/31/2007	110-2007-413.60-23	SERVICE AWARD	508.43	
0016875	ROZMUS, KEITH/KRISTEN	24158	003926		01	12/31/2007		VENDOR TOTAL *	120.23	
0016857	RUIZ, DAN	12/1-14/07	004315		01	12/31/2007	110-0086-453.30-52	PROFESSIONAL SVCS	958.50	
0006411	RUSO POWER EQUIPMENT	148548	004363		01	12/31/2007		VENDOR TOTAL *	124.00	
148545			004170		01	12/31/2007	110-4020-422.50-08	CHAIN SAW PARTS	96.75	
					01	12/31/2007	110-6047-512.50-16	STARTER ROPE	10.22	
0016717	S.B. FRIEDMAN & COMPANY	2	004244		01	12/31/2007	310-0089-461.30-52	PROFESSIONAL SVCS	106.97	
					01	12/31/2007		VENDOR TOTAL *	19,965.00	
0001751	S&S INDUSTRIAL SUPPLY	2733833	RI 004218		01	12/31/2007		VENDOR TOTAL *	19,965.00	
2733832	RI		004219		01	12/31/2007	110-6047-512.50-16	PARTS/SUPPLIES	291.84	
					01	12/31/2007	110-6047-512.50-16	PARTS/SUPPLIES	115.68	
0008163	S&S WORLDWIDE, INC.	5816004	004794		01	12/31/2007	110-7060-451.60-65	PROGRAM SUPPLIES	407.52	
0016898	SCHMELTER, DAN	902	CADWELL 004599		01	12/31/2007	510-6056-502.30-90	SEWER LINE REIMBURSEMENT	149.89	
0010169	SEAWAY SUPPLY	52160	003982		01	12/31/2007		VENDOR TOTAL *	149.89	
					01	12/31/2007	110-6046-418.40-24	JANITORIAL SUPPLIES	2,000.00	
					01	12/31/2007		VENDOR TOTAL *	2,000.00	
					01	12/31/2007		VENDOR TOTAL *	367.50	

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0010169 52319	SEAWAY SUPPLY	004511		01	12/31/2007	110-6046-418.40-24	JANITORIAL SUPPLIES	402.00	
0016893 01/17/08	SEELING, STEVEN	004501		01	12/21/2007	110-7060-451.60-65	TEA TIME LECTURE	769.50	
								CHECK #:	113206
0000481 89773 89718 89664	SERVICE SPRING	004179 004180 004181		01	12/31/2007	110-6047-512.50-02	TRK/PARTS PW9	634.35	
				01	12/31/2007	110-6047-512.50-02	TRK/PARTS PW88	1,730.95	
				01	12/31/2007	110-6047-512.50-02	TRK/PARTS F-2	1,206.07	
0011218 81386	SETCOM CORPORATION	004182		01	12/31/2007	110-4020-422.80-06	SET UP NEW VEHICLE/F-8	3,571.37	
0000484 1428099 1427989 1427993	SEYFARTH SHAW LLP	004572 004573 004574		01	12/24/2007	110-0081-415.30-32	LEGAL SERVICES	1,335.64	
				01	12/24/2007	110-0081-415.30-32	LEGAL SERVICES	1,335.64	
				01	12/24/2007	110-0081-415.30-32	LEGAL SERVICES	1,335.64	
0000491 678269	SHEMIN NURSERIES	004209		01	12/31/2007	110-6043-434.40-98	HOLIDAY DECORATIONS	567.92	
0012572 3529-8 3561-1	SHERWIN-WILLIAMS CO.	004417 004418		01	12/31/2007	510-6057-502.50-01	BLDG 3 GUTTER REPLACEMENT	567.92	
				01	12/31/2007	510-6057-502.50-01	BLDG 3 GUTTER REPLACEMENT	53.78	
								79.92	
0001674 89018	SHORE GALLERIES	004233		01	12/31/2007	110-5030-421.40-01	AMMUNITION	133.70	
0009334 12/12/07 1/25/08	SHOW ON THE ROAD	004194 004624		01	12/14/2007	110-2007-413.60-23	1/25/08 DEPOSIT	5,811.60	
				01	12/31/2007	110-2007-413.60-23	APPRECIATION DINNER ENT	5,811.60	
0000486 49401	SICALCO LTD	004007		01	12/31/2007	110-6042-433.40-47	CHLORIDE	650.00	
0016891 26542W	SIMS RECYCLING SOLUTIONS	004453		01	12/31/2007	110-2008-413.30-52	COMPUTER SCRAP RECYCLING	200.00	
0015775	SINNOTT, SHAUN						VENDOR TOTAL *	40.00	

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0015775	SINNOTT, SHAUN	12/1-14/07	004316		01	12/31/2007	110-0086-453.30-52	PROFESSIONAL SVCS	118.25	
								VENDOR TOTAL *	118.25	
0006380	SIR SPEEDY	49329	004243		01	12/31/2007	110-1001-411.40-98	HOLIDAY CARDS/ENVELOPES	790.01	
								VENDOR TOTAL *	790.01	
0001868	SMITH ECOLOGICAL	11032	003600		01	12/20/2007	510-6052-501.50-08	RESERVOIR CHLORINE DETECT	113001	52.26
11032			003600		01	12/21/2007	510-6052-501.50-08	RESERVOIR CHLORINE DETECT	113204	52.26
								VENDOR TOTAL *	.00	
0008573	SPRING ROAD BUSINESS ASSOC	2008	003975		01	12/31/2007	110-0094-454.60-37	DUES	125.00	
								VENDOR TOTAL *	125.00	
0005345	STANARD & ASSOCIATES, INC.	SA000009505	004836		01	12/31/2007	110-1003-412.30-52	PERSONALITY EVALUATION	375.00	
								VENDOR TOTAL *	375.00	
0000740	STANDARD EQUIPMENT COMPANY	C32580	004171		01	12/31/2007	110-6042-433.50-16	TRK/PARTS PW76	373.33	
C32579			004172		01	12/31/2007	110-6042-433.50-16	STOCK	331.26	
C32569			004173		01	12/31/2007	110-6047-512.50-16	TRK/PARTS PW99/STOCK	116.64	
								VENDOR TOTAL *	821.23	
0014481	STAPLES CREDIT PLAN	328661200235798004451			01	12/31/2007	110-2008-413.40-72	FAX MACHINE / PRINTER	999.96	
								VENDOR TOTAL *	999.96	
0006012	STATE OF ILLINOIS	233136	004424		01	12/31/2007	510-6057-502.30-33	LAB ANALYSIS/ SLUDGE	15.00	
								VENDOR TOTAL *	15.00	
0005856	STS CONSULTANTS, LTD.	N25228	004368		01	12/31/2007	110-6041-432.80-22	PROFESSIONAL SERVICES	1,845.56	
								VENDOR TOTAL *	1,845.56	
0000504	SUB TRAILER SERVICE	48485	004059		01	12/31/2007	110-6047-512.50-16	TRK/PARTS F-13	8.95	
								VENDOR TOTAL *	8.95	
0003477	SUBURBAN DRIVE LINE, INC.	00118416	004174		01	12/31/2007	110-6047-512.50-02	TRK/PARTS PW77, PW73	85.48	
26892			004175		01	12/31/2007	110-6047-512.50-02	SAFETY TEST/PW44	29.00	
26887			004176		01	12/31/2007	110-6047-512.50-02	SAFETY TEST/PW112	29.00	
								VENDOR TOTAL *	143.48	

BANK: 01

VEND NO	VENDOR NAME	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0008228 85534	SUBURBAN LABORATORIES INC 004425	01	12/31/2007	510-6057-502.30-33	NPDES EFFLUENT LAB TESTS	576.00	
0002765 34459	SUBURBAN WELDING & STEEL, LLC 004178	01	12/31/2007		VENDOR TOTAL *	576.00	
0011215 2674720-00	SUNSOURCE 004177	01	12/31/2007	110-6047-512.50-02	TRK/PARTS F-2	300.00	
0015635 11/30/2007	T.P.I. 004048	01	12/31/2007	110-6047-512.40-53	PRESSURE GUAGE	300.00	
0014235 12/10/07	TEAM SALES LTD. 004191 004192	01	12/31/2007	110-4025-424.30-12	PLUMBING INSPECTIONS	333.44	
0000523 49477-00 50308-00 49477-00 50308-00 51435-00 51528-00 51454-00	TERMINAL SUPPLY CO 004186 004188 004185 004187 004183 004184 004217	01	12/31/2007	110-5030-421.40-11 110-5030-421.40-11	RECRUIT UNIFORM PACKAGE	468.00	113175 113176
0016877 01152008	THE REAL ESTATE CENTER AT 004005	01	12/31/2007	110-6047-512.50-16	PARTS/SUPPLIES	.00	300.00
0012940 SOINV00066247	THE TAPE COMPANY 004565	01	12/31/2007	110-3015-414.60-11	CONFERENCE	250.00	
0000528 07-4339 07-4526	THOMPSON ELEVATOR INSPECTION 004452 004706	01	12/31/2007	110-0086-453.40-66	DV CAM TAPES	288.00	
0016902 07-00000195	TOOHEY, SEAN & ANNE 004708	01	12/31/2007	110-4025-424.30-12 110-4025-424.30-12	ELEVATOR INSPECTION ELEVATOR PLAN REVIEW	100.00 60.00	
0000535	TRANS UNION LLC			110-0000-332.01-00	STORM SEWER PERMIT REFUND	160.00	
					VENDOR TOTAL *	424.00	

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INVOICE NO	VENDOR NAME	VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0000535	TRANS UNION LLC								
11701270	004584				01 12/31/2007	110-5030-421.30-98	CREDIT BUREAU SVCS	51.85	
11701277	004585				01 12/31/2007	110-5030-421.30-98	CREDIT BUREAU SVCS	49.05	
0000403	TRANSCHICAGO TRUCK GROUP AND						VENDOR TOTAL *	100.90	
983770	004112				01 12/31/2007	110-6047-512.50-16	PW-34	15.42	
0015934	TRAVEL MARKETING GROUP						VENDOR TOTAL *	15.42	
7803	004136				01 12/31/2007	110-0094-454.60-45	ADVERTISING/2008 BROCHURE	800.00	
0000538	TRI-STATE HYDRAULICS INC						VENDOR TOTAL *	800.00	
28665	004197				01 12/31/2007	110-6042-433.50-16	MOTOR REPAIR	146.49	
28667	004198				01 12/31/2007	110-6042-433.50-16	MOTOR REPAIR	212.03	
28666	004199				01 12/31/2007	110-6042-433.50-16	MOTOR REPAIR	200.18	
28628	004200				01 12/31/2007	110-6042-433.50-16	MOTOR/SEAL KIT	328.83	
0009931	TRUCK ALIGNMENT SPECIALISTS INC						VENDOR TOTAL *	887.53	
052260	004201				01 12/31/2007	110-6047-512.50-20	TIRE/PD-40	119.56	
0016865	TRUGREEN CHEMLAWN						VENDOR TOTAL *	119.56	
246830	004006				01 12/31/2007	110-6042-433.40-46	SALT FOR SNOW REMOVAL	900.00	
0006001	TURF PROFESSIONALS EQUIPMENT COMP						VENDOR TOTAL *	900.00	
6059948-00	004398				01 12/31/2007	110-6047-512.50-16	PARTS & SUPPLIES	81.84	
0016711	U.S. BANK						VENDOR TOTAL *	81.84	
2046543	004560				01 12/31/2007	416-0000-471.90-12	ADMIN FEES 5638-1	175.00	
0008510	UNDERWRITERS LABORATORIES INC						VENDOR TOTAL *	175.00	
710050979879	004204				01 12/31/2007	110-6047-512.50-02	TRK/PARTS F-1	775.00	
0015470	UNIFORMITY INC.						VENDOR TOTAL *	775.00	
IN129180	004704				01 12/31/2007	110-4020-422.40-62	UNIFORM SUPPLIES	151.20	
0011080	UNITED RADIO COMMUNICATIONS						VENDOR TOTAL *	151.20	
16427000	004205				01 12/31/2007	110-4020-422.80-06	SET UP NEW VEHICLE/F-8 &	6,793.70	
0007191	UNITED STATES POSTAL SERVICE						VENDOR TOTAL *	6,793.70	

EXPENDITURE APPROVAL LIST
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VENDOR NAME	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
0007191 UNITED STATES POSTAL SERVICE	110-1001-411.30-49	METER POSTAGE	113216	1,000.00
12/28/07 01 12/31/2007	110-2006-413.30-49	METER POSTAGE	113216	400.00
12/28/07 01 12/31/2007	110-2007-413.30-49	METER POSTAGE	113216	250.00
12/28/07 01 12/31/2007	110-3015-414.30-49	METER POSTAGE	113216	250.00
12/28/07 01 12/31/2007	110-4020-422.30-49	METER POSTAGE	113216	250.00
12/28/07 01 12/31/2007	110-5030-421.30-49	METER POSTAGE	113216	750.00
12/28/07 01 12/31/2007	110-6040-431.30-49	METER POSTAGE	113216	1,000.00
12/28/07 01 12/31/2007	110-7060-451.30-49	METER POSTAGE	113216	250.00
12/28/07 01 12/31/2007	530-0088-503.30-49	METER POSTAGE	113216	850.00
0005115 UNIVERSAL TAXI DISPATCH, INC		VENDOR TOTAL *	.00	5,000.00
2360 01 12/31/2007	110-0083-443.60-49	SENIOR CITIZEN TAXI SVC	331.20	
2360 01 12/31/2007	110-0083-443.60-19	DISABLED CITIZEN TAXI SVC	84.80	
2423 01 12/31/2007	110-0083-443.60-49	SENIOR CITIZEN TAXI SVC	284.80	
2423 01 12/31/2007	110-0083-443.60-19	DISABLED CITIZEN TAXI SVC	43.00	
0007731 UPS		VENDOR TOTAL *	743.80	
00005A30E3507 004519	110-5030-421.30-49	SHIPPING	4.72	
00005A30E3507 004520	510-6057-502.40-98	SHIPPING	15.26	
0016896 UPS FREIGHT		VENDOR TOTAL *	19.98	
13525992 004593	110-5030-421.60-14	SHIPPING FEES	25.00	
0000550 URICK, EUGENIE		VENDOR TOTAL *	25.00	
12/1-14/07 01 12/31/2007	110-0086-453.30-52	PROFESSIONAL SVCS	1,586.00	
12/15-12/31/07 004561	110-0086-453.30-52	CATV PROF SVCS	732.00	
0014824 VARACELLO, VINCE		VENDOR TOTAL *	2,318.00	
12/1-14/07 004319	110-0086-453.30-52	PROFESSIONAL SVCS	107.25	
0014788 VERIZON WIRELESS		VENDOR TOTAL *	107.25	
1792629158 004454	110-2008-413.30-98	MONTHLY PHONE SERVICE	1,561.34	
0014891 VILLA PARK ACE		VENDOR TOTAL *	1,561.34	
207521/2 004062	110-4020-422.80-06	SET UP NEW VEHICLE/F-8	11.58	
207531 004415	510-6057-502.50-08	PUMP REPAIR PARTS	1.28	
207569/2 004416	510-6057-502.50-08	FREEZING PROTECTION	83.53	
0000560 VILLA PARK ELECTRICAL SUPPLY		VENDOR TOTAL *	96.39	
01676320 004003	110-4025-424.40-98	ARC FAULT ELEC TESTER	162.71	

EXPENDITURE APPROVAL LIST
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BANK: 01
 VENDOR NAME
 VOUCHER P.O. NO. BNK CHECK/DUE DATE ACCOUNT NO. DESCRIPTION ITEM CHECK AMOUNT EFT OR HAND-ISSUED AMOUNT

0000560	VILLA PARK ELECTRICAL SUPPLY	01	12/31/2007	510-6057-502.50-01	BLDG 3 HEATER REPLACEMENT		121.13	
01676915	004420							
0016894	WEBSTER & SCHELLI CLIENT TRUST ACCT	01	12/31/2007	510-0000-113.02-00	OVERPAYMENT	VENDOR TOTAL *	1,238.53	
12/21/2007	004528							
0015717	WENTWORTH TIRE-BENSENVILLE					VENDOR TOTAL *	1,238.53	
462827	004107	01	12/31/2007	110-6047-512.50-20	INSTALL TIRES		104.24	
462823	004109	01	12/31/2007	110-6047-512.50-20	TIRES		386.70	
462826	004110	01	12/31/2007	110-6047-512.50-20	TIRES		614.58	
462825	004113	01	12/31/2007	110-6047-512.50-20	TIRES/F-1		350.00	
462824	004114	01	12/31/2007	110-6047-512.50-20	TIRES/F-1		347.50	
462764	004116	01	12/31/2007	110-6047-512.50-20	TIRES/PW111		415.34	
462671	004118	01	12/31/2007	110-6047-512.50-20	TIRES/F-12		362.56	
462782	004120	01	12/31/2007	110-6047-512.50-20	TIRE DISPOSAL		60.50	
462672	004122	01	12/31/2007	110-6047-512.50-20	TIRE DISPOSAL		22.00	
462880	004202	01	12/31/2007	110-6047-512.50-20	TIRES/F-2,F-7		2,451.04	
460571	004203	01	12/31/2007	110-6047-512.50-20	TIRES/STOCK		234.07	

0000573	WEST AUTOMOTIVE SERVICE INC	01	12/31/2007	110-6047-512.50-02	REPAIR/PD-10	VENDOR TOTAL *	5,348.53	
39650	004206						2,427.03	

0000576	WEST SUBURBAN OP, INC.					VENDOR TOTAL *	2,427.03	
61336	004389	01	12/31/2007	110-2006-413.40-33	OFFICE SUPPLIES		14.21	
61376	004391	01	12/31/2007	110-2007-413.40-33	OFFICE SUPPLIES		39.57	
60852	004025	01	12/31/2007	110-4020-422.40-98	DESK CALENDARS		14.45	
61173	004330	01	12/31/2007	110-4022-423.40-33	ESDA OFFICE SUPPLIES		35.32	
61269	004362	01	12/31/2007	110-4025-424.40-33	2008 CALENDAR		11.15	
61336	004390	01	12/31/2007	110-4025-424.40-33	OFFICE SUPPLIES		8.96	
60857	003958	01	12/31/2007	110-5030-421.40-33	RECORDS		172.78	
61032	004230	01	12/31/2007	110-5030-421.40-33	TAB INDEX/BINDERS		86.40	
61053	004231	01	12/31/2007	110-5030-421.40-33	PACKAGING TAPE		126.96	
61140	004232	01	12/31/2007	110-5030-421.60-08	DOCUMENT FRAMES		444.30	
61263	004372	01	12/31/2007	110-5030-421.40-33	RECORDS SUPPLIES		14.64	
61586	004586	01	12/31/2007	110-5030-421.40-33	CALENDAR/BINDER		11.98	
61662	004799	01	12/31/2007	110-5030-421.40-33	PHOTO HOLDERS		22.10	
60947	003950	01	12/31/2007	110-6040-431.40-33	OFFICE SUPPLIES		7.53	
57828	004802	01	12/31/2007	110-6040-431.40-33	SUPPLIES		36.21	
58501	004803	01	12/31/2007	110-6040-431.40-33	BATTERIES		29.66	
56647	004804	01	12/31/2007	110-6040-431.40-33	SUPPLIES		68.59	
61254	004589	01	12/31/2007	110-6041-432.40-98	SUPPLIES		58.50	
61254	004516	01	12/31/2007	110-6043-434.40-98	OFFICE SUPPLIES		48.84	
60714	004147	01	12/31/2007	110-6047-512.50-16	TAPE CARTRIDGE		33.98	
61199	004148	01	12/31/2007	110-6047-512.50-16	TONER		30.58	
2125CM	004144	01	12/31/2007	110-7060-451.40-33	RETURNED MERCHANDISE		38.49-	

EXPENDITURE APPROVAL LIST
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 CITY OF ELMHURST, ILLINOIS
 CITY

BANK: 01

VENDOR NAME	VOUCHER P.O. NO	BNK NO	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT OR HAND-ISSUED AMOUNT
WEST SUBURBAN OP, INC.							
0000576							
61184	004145	01	12/31/2007	110-7060-451.40-33	BINDERS/PAPER	40.24	
60741	004146	01	12/31/2007	110-7060-451.40-33	REPORT COVER/POSTER STRIP	48.31	
61553	004515	01	12/31/2007	110-7060-451.40-33	OFFICE SUPPLIES	55.77	
61590	004800	01	12/31/2007	110-7060-451.40-33	SALES SLIP BOOK	19.05	
61755	004801	01	12/31/2007	110-7060-451.40-33	COFFEE PACKETS	22.69	
					VENDOR TOTAL *	1,464.28	
WESTERING, TIMOTHY							
0007017	004577	01	12/31/2007	110-5030-421.60-05	EXPENSE REIMBURSEMENT	41.47	
12/03-12/07/07	004578	01	12/31/2007	110-5030-421.60-11	EXPENSE REIMBURSEMENT	39.93	
					VENDOR TOTAL *	81.40	
WHITFORD, DANIEL A							
0016476	004321	01	12/31/2007	110-0086-453.30-52	PROFESSIONAL SVCS	93.00	
12/1-14/07					VENDOR TOTAL *	93.00	
WINKLER'S TREE SERVICE INC.							
0005674	003952	01	12/31/2007	110-6043-434.30-88	NON-DED TREE REMOVAL	2,394.82	
28898	003953	01	12/31/2007	110-6043-434.30-88	PUBLIC DED TREE REMOVAL	646.99	
28899					VENDOR TOTAL *	3,041.81	
YAHOO CUSTODIAN OF RECORDS							
0012333	004234	01	12/31/2007	110-5030-421.60-50	SPECIAL INVESTIGATION SVC	20.41	
89465					VENDOR TOTAL *	20.41	
YORK COMMUNITY HIGH SCHOOL							
0011229	004847	01	12/31/2007	110-4020-422.60-43	NEGS/PLATES	66.00	
12/18-12/21/07					VENDOR TOTAL *	66.00	
YORK HIGH SCHOOL GRAPHIC ARTS DEPT							
0014840	004004	01	12/31/2007	110-4020-422.60-43	PLATES/NEGATIVES	30.00	
11/27-12/4/2007					VENDOR TOTAL *	30.00	
ZENGERS INC							
0000582	004207	01	12/31/2007	110-6047-512.40-53	TOOL REPLACEMENT	6.74	
1037177-01					VENDOR TOTAL *	6.74	
ZIEBELL WATER SERVICE PRODUCTS							
0000585	004838	01	12/31/2007	510-6052-501.40-98	LEAK REPAIR	23.54	
197064-000					VENDOR TOTAL *	23.54	
					VENDOR TOTAL *	23.54	
					HAND ISSUED TOTAL ***		40,337.16
					TOTAL EXPENDITURES *****	858,039.34	40,337.16
					*****		898,376.50



CITY OF ELMHURST

209 NORTH YORK STREET
ELMHURST, ILLINOIS 60126-2759
(630) 530-3000
FAX (630) 530-3014
www.elmhurst.org

THOMAS D. MARCUCCI
MAYOR
PATTY SPENCER
CITY CLERK
CHARITY S. PIGONI
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER

To: Mayor Marcucci and Members of the City Council

From: Alderman Susan J. Rose

Re: Review of vehicle sticker rates

Date: January 2, 2008

I am requesting that the Public Affairs and Safety Committee review current vehicle sticker rates and policies/categories. In particular, I ask that the following components be reviewed:

- the rate charged for seniors,
- the rate charged for trucks with "B" license plates, which is currently higher than the state charge for license plate renewal,
- the two truck designations,
- the possibility of multi-year licensing at a lower rate.

Thank you for your attention to this matter.

Susan J. Rose
Alderman, 3rd Ward

Copies To All
Elected Officials

01-03-08

Vehicle Sticker Rates

	CAR	Truck 8,000 or Less	Seniors
Elmhurst	36.00	90.00	9.00
Bensenville	30.00	49.00	1.00
Addison	20.00	35.00	1.00
Lombard	15.00	30.00	3.00
Wood Dale	30.00	60.00	1.00
Hinsdale	30.00	45.00	15.00
Glen Ellyn	25.00	37.00	8.00
Bartlet	15.00	20.00	No Charge
Roselle	30.00	47.00	15.00
Claredon Hills	25.00	35.00	12.50
Carol Stream	15.00	20.00	3.00
Glendale Heights	12.00	32.00	No Charge

Towns Requiring No Vehicle Stickers

Villa Park as of 1996

OakBrook

OakBrook Terrace

Lisle

Wheaton

Bolingbrook as of 7-06

State of IL License Plate Renewal

B-Truck 8,000 pound or less \$78.00

SUV Weights

		Curb Weight	GVWR
Tahoe	2wd	5,265	7,100
	4wd	5,529	7,300
Suburban	1/2 ton 2wd	5,607	7,200
	1/2 ton 4wd	5,743	7,400
	3/4 ton 2wd	6,039	8,000
	3/4 ton 4wd	6,327	8,600
Yukon XL	2wd	5,265	7,100
	4wd	5,524	7,300
Yukon Denali		5,635	7,100
Cadillac Escalade	2wd	5,459	7,000
	Awd	5,665	7,100
Volkswagon Touareg		5,086	
Hummer-2		6,400	8,600
Lincoln Navigator	4x2	5,872	
	4x4	6,070	
Infiniti QX	2wd	5,408	
	4x4	5,761	
Ford Expedition		5,578	7,328

Base Curb Weight - BCW is the weight of a vehicle with a full tank of fuel but WITHOUT passengers, cargo, luggage or equipment.

Gross Vehicle Weight Rating -GVWR - The maximum allowable weight of a vehicle, including passengers, cargo, fuel and hitch weight.

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Vehicle Sticker Rates

- [Property Tax Rates](#)
- [Median Home Sales](#)
- [Utility Tax Rates](#)
- [Water Rates](#)

Up

Comparison of 2005 Municipal Vehicle Sticker Rates for DuPage County Communities

Handwritten notes:
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	Municipality	Fee
1.	Elmhurst	\$36.00
2.	Bolingbrook	30.00
	Roselle	30.00
4.	Clarendon Hills	25.00
	Glen Ellyn	25.00
6.	Hinsdale	22.00
7.	Addison	20.00
	Bensenville	20.00
	Elk Grove Village	20.00

Handwritten notes:
 4.31
 ←

* 30.00 ←

10.	Wood Dale	19.00
11.	Bartlett	15.00
	Carol Stream	15.00
	Lombard	15.00
14.	Glendale Heights	12.00

Source: DuPage County Municipal Revenue and Fee Survey 2005, conducted by Village of Addison.

To report difficulties with this web site only, please e-mail webmaster@AddisonAdvantage.org.



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MAYOR
PATTY SPENCER
CITY CLERK
CHARITY S. PIGONI
CITY TREASURER
THOMAS P. BORCHERT
CITY MANAGER**

January 2, 2008

To: Mayor Marcucci and Members of the City Council

Re: Temporary Use and Event Permit Request
Faith Evangelical United Methodist Church

Faith Evangelical United Methodist Church has requested approval of a Temporary Use to allow a community health fair at the church at 111 W. North Avenue on Saturday, May 3, 2008. Awnings will be set up for participants inside the building and on their grounds. Temporary uses of this type are addressed in Section 4.10, Temporary Uses and Events, of the Elmhurst Zoning Ordinance (copy attached).

It is, therefore, 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,

Thomas P. Borchert
City Manager

**Copies To All
Elected Officials**

1-03-08

Faith Evangelical United Methodist Church
"A Lighthouse on the Corner of North Avenue and York Road"
111 W. North Avenue
Elmhurst, Illinois 60126

Church Phone (630) 941-0212

Email: faithelm@juno.com

Parsonage Phone (630) 782-0922

Fax Number (630) 941-7581

December 2, 2007

Thomas Borchert
209 N. York Street
Elmhurst, IL 60126

Dear Mr. Borchert:

Our church is planning a community health fair on Saturday, May 3, 2008. We are requesting a temporary use permit. The event will take place at 111 W. North Avenue from 10 am until around 2 pm. We will have awnings set up for participants in the parking lot and will also utilize the space in the church building.

If you have any further questions, please do not hesitate to contact me. My home phone number is (630) 941-3259 and the church phone number is (630) 941-0212.

Sincerely,



Laura Saelinger-Shafer, M.D.

Lay Leadership

Faith Evangelical United Methodist Church

RECEIVED

DEC - 5 2007

CITY OF ELMHURST

6. Curb Cuts.
Curb cuts shall be located to safely and efficiently allow vehicles ingress and egress to the site. The use of shared curb cuts and cross-easements shall be provided when appropriate. One curb cut shall be allowed for ingress/egress unless specific documentation is provided demonstrating the need for additional curb cuts. Curb cuts designed for properties adjacent to arterial roadways shall be in conformance with *Arterial Highway Development Policies and Standards for DuPage County*, as adopted September 11, 1984, where applicable, and the *Comprehensive Plan of the City of Elmhurst*.
7. Pedestrian Circulation.
Site and building design shall accommodate pedestrian circulation on-site from parking areas, plazas, open space, and public rights-of-ways. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.
8. Uniform Signage.
Signage shall be designed to provide compatibility with building form, shape and color. Signage shall be uniform or complimentary in color and overall design. Signage shall not conflict with signage from adjoining properties.
9. Open Space.
Design of any development shall provide for a maximum use of open space, particularly along the perimeter of the site, in parking lots and near the building foundation. Larger developments should include designs which allow for centralized open space containing detention/retention ponds, passive recreation areas, bike/pedestrian paths, and other amenities which will serve the development.
10. Detention/Retention Ponds.
When appropriate, detention and retention ponds should be designed to provide for shared storage between properties. Ideally, such shared storage should include the greatest land area possible.
11. Lighting.
On-site lighting standards shall be compatible with architectural and spatial designs, and shall provide for safe illumination of the site for vehicles and pedestrians.
12. Other Applicable Standards.
Other standards as may be applicable under the Elmhurst Compendium of Standards and Specifications on file for inspection in the office of the Zoning Administrator shall be complied with.

4.10 TEMPORARY USES AND EVENTS

4.10-1 Defined

A temporary use is a use that is established for a fixed period of time with the intent to discontinue such use upon the expiration of such time and does not involve the construction or alteration of any permanent structure.

4.10-2 Authorization

Temporary uses and events may be permitted in any residential, office, commercial or industrial district pursuant to a permit that may be issued upon written application to the City Manager and with the concurrence of the City Council. No permit for any temporary use or event shall be issued unless the City Manager has given written notice to the City Council at least 72 hours prior to a regularly scheduled Council meeting. At such meeting the City Council may, in its discretion, direct the City Manager to deny the temporary use/event permit to the applicant therefor. In any residential district, such temporary uses and events may only be authorized when sponsored by and for the benefit of not-for-profit, charitable, eleemosynary, or governmental entities that are a permitted or established conditional use in the district in which such property is located and such use or events is held on property owned or controlled by such entities.

The City Manager shall not approve or issue any permit for a temporary use or event, nor shall any such permit remain valid unless the applicant satisfies the following conditions throughout the term of the permit:

1. Compliance with all applicable provisions of City ordinances;
2. Approval by the Building Department of plans for structures and plans for vehicular and pedestrian access in connection with the temporary use or event;
3. Compliance with all applicable regulations of the DuPage County Health Department;
4. Compliance with conditions established by the City Manager which are necessary to protect the public health, safety and general welfare and the objectives and policies of the Zoning Ordinance and the Comprehensive Plan.

A violation of terms and/or conditions as established by the City Manager, not corrected within 24 hours, shall result in the immediate termination of the Temporary Use and Event Permit.

4.10-3 Duration for Permit

A permit for a temporary use or event shall be for a fixed term established at time of issuance not to exceed 30 days. Only 3 such permits shall be issued to the same applicant for the same premises each calendar year. Within seven (7) days after termination of the permit, the permittee shall remove all temporary structures, items and debris from , and clean-up and restore to a safe condition, the premises pertaining to the permit.

4.10-4 Bond

The applicant for a permit under this Section shall furnish a cash bond in the sum of \$250.00 per permit conditioned upon the permittee complying with all provisions of this Section. In the event the permittee fails or refuses to comply with the provisions of this Section, the bond shall be forfeited to the City. Upon termination of the permit and compliance with the provisions of this Section, such cash bond shall be refunded to the permittee.

**AN ORDINANCE AMENDING CHAPTER 25 (FIRE PREVENTION CODE) AND
CHAPTER 51 (OFFENSES AGAINST PUBLIC PEACE, SAFETY AND MORALS)
OF THE ELMHURST MUNICIPAL CODE REGARDING
SMOKING IN PUBLIC PLACES**

WHEREAS, Section 25.14 (Fire Prevention Code, Smoking in Public Places) of the Elmhurst Municipal Code regulates smoking in certain public places located within the corporate boundaries of the City of Elmhurst (hereinafter sometimes referred to as the "City"), DuPage and Cook Counties, Illinois; and

WHEREAS, the Smoke Free Illinois Act (hereinafter sometimes referred to as the "Act"), 410 ILCS 82/1 et seq. prohibits smoking in certain public places throughout the State of Illinois; and

WHEREAS, the Smoke Free Illinois Act will become effective on January 1, 2007 and will preempt local regulations regarding smoking in public places; and

WHEREAS, the Smoke Free Illinois Act allows any home rule unit of local government to regulate smoking in public places so long as such regulations are no less restrictive than the Act (410 ILCS 82/65); and

WHEREAS, the City of Elmhurst is a home rule unit of local government under Subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties, Illinois, as follows:

SECTION 1. Section 25.14 (Fire Prevention Code, Smoking in Public Places) of the Elmhurst Municipal Code is amended by deleting that section in its entirety.

SECTION 2. Chapter 51 (Offenses Against Public Peace, Safety and Morals) is hereby amended by adding Section 51.63 as follows:

51.63 Adoption of provisions of the Smoke Free Illinois Act by reference.

(a) The Smoke Free Illinois Act, 410 ILCS 82/1 et seq. as amended from time to time, is hereby adopted by reference to be applied within the corporate limits of the City of Elmhurst to the extent permitted by law.

(b) All references in applicable sections of the Smoke Free Illinois Act to "this Act" shall be to applicable sections of the Smoke Free Illinois Act. References to a State employee or official may be to a corresponding City employee or official where such reference is applicable or necessary. Any provisions of the Smoke Free Illinois Act adopted herein may be cited by placing

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"51.63" before the appropriate Smoke Free Illinois Act section, i.e. ordinance smoking in a public place is cited as 51.63-82/15; Elmhurst Municipal Code.

(c) The burden of proof for any offense of the Smoke Free Illinois Act adopted herein shall be by a preponderance of the evidence.

SECTION 3. Chapter 51 (Offenses Against Public Peace, Safety and Morals) is hereby amended by adding Section 51.64 as follows:

51.64 Smoking

(a) Definitions.

For the purposes of this section:

"Bar" means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises. "Bar" includes, but is not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

"Department" means the Illinois Department of Public Health.

"Employee" means a person who is employed by an employer or a person who volunteers his or her services for a non-profit entity.

"Employer" means a person, business, partnership, association, or corporation, including a trust, or non-profit entity, that employs the services of one or more individual persons.

"Enclosed area" means all space between a floor and a ceiling that is enclosed or partially enclosed with (i) solid walls or windows, exclusive of doorways, or (ii) solid walls with partitions and no windows, exclusive of doorways, that extend from the floor to the ceiling, including, without limitation, lobbies and corridors.

"Enclosed or partially enclosed sports arena" means any sports pavilion, stadium, gymnasium, health spa, boxing arena, swimming pool, roller rink, ice rink, bowling alley, or other similar place where members of the general public assemble to engage in physical exercise or participate in athletic competitions or recreational activities or to witness sports, cultural, recreational, or other events.

"Gaming equipment or supplies" means gaming equipment/supplies as defined in the Illinois Gaming Board Rules of the Illinois Administrative Code.

"Gaming facility" means an establishment utilized primarily for the purposes of gaming and where gaming equipment or supplies are operated for the purposes of accruing business revenue.

"Healthcare facility" means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological

conditions, including, but not limited to, hospitals, rehabilitation hospitals, weight control clinics, nursing homes, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. "Healthcare facility" includes all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within healthcare facilities.

"Place of employment" means any area under the control of a public or private employer that employees are required to enter, leave, or pass through during the course of employment, including, but not limited to entrances and exits to places of employment, including a minimum distance, as set forth in subsection 51.64(k) (Entrances, exits, windows, and ventilation intakes) of the Elmhurst Municipal Code, of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited; offices and work areas; restrooms; conference and classrooms; break rooms and cafeterias; and other common areas. A private residence or home-based business, unless used to provide licensed child care, foster care, adult care, or other similar social service care on the premises, is not a "place of employment".

"Private club" means a not-for-profit association that (1) has been in active and continuous existence for at least 3 years prior to the effective date of this amendatory Act of the 95th General Assembly, whether incorporated or not, (2) is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, (3) is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and (4) only sells alcoholic beverages incidental to its operation. For purposes of this definition, "private club" means an organization that is managed by a board of directors, executive committee, or similar body chosen by the members at an annual meeting, has established bylaws, a constitution, or both to govern its activities, and has been granted an exemption from the payment of federal income tax as a club under 26 U.S.C. 501.

"Private residence" means the part of a structure used as a dwelling, including, without limitation: a private home, townhouse, condominium, apartment, mobile home, vacation home, cabin, or cottage. For the purposes of this definition, a hotel, motel, inn, resort, lodge, bed and breakfast or other similar public accommodation, hospital, nursing home, or assisted living facility shall not be considered a private residence.

"Public place" means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the State of Illinois, or any other public entity and regardless of whether a fee is charged for admission, including a minimum distance, as set forth in subsection 51.64(k) (Entrances, exits, windows, and ventilation intakes) of the Elmhurst Municipal Code, of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. A "public place" does not include a private residence unless the private residence is used to provide licensed child care, foster care, or other similar social service care on the premises. A "public place" includes, but is not limited to, hospitals, restaurants, retail stores, offices, places of employment, commercial establishments, elevators, indoor theaters, libraries, museums, concert halls, public conveyances, educational facilities, nursing homes, auditoriums, enclosed or partially enclosed sports arenas, meeting rooms, schools, exhibition halls, convention

facilities, polling places, private clubs, gaming facilities, all government owned vehicles and facilities, including buildings and vehicles owned, leased, or operated by the State or State subcontract, healthcare facilities or clinics, enclosed shopping centers, retail service establishments, financial institutions, educational facilities, ticket areas, public hearing facilities, public restrooms, waiting areas, lobbies, bars, taverns, bowling alleys, skating rinks, reception areas, student dormitories, and no less than 75% of the sleeping quarters within a hotel, motel, resort, inn, lodge, bed and breakfast, or other similar public accommodation that are rented to guests, but excludes private residences.

“Restaurant” means (i) an eating establishment, including, but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, that gives or offers for sale food to the public, guests, or employees, and (ii) a kitchen or catering facility in which food is prepared on the premises for serving elsewhere. “Restaurant” includes a bar area within the restaurant.

“Retail tobacco store” means a retail establishment that derives more than 80% of its gross revenue from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental. “Retail tobacco store” does not include a tobacco department or section of a larger commercial establishment or any establishment with any type of liquor, food, or restaurant license.

“Smoke” or “smoking” means the carrying, smoking, burning, inhaling, or exhaling of any kind of lighted pipe, cigar, cigarette, hookah, weed, herbs, or any other lighted smoking equipment.

(b) Smoking in public places, places of employment, and governmental vehicles prohibited.

No person shall smoke in a public place or in any place of employment or within 15 feet of any entrance to a public place or place of employment or in any place designated as a nonsmoking area in accordance with the provisions of subsection 51.63(e) of the Elmhurst Municipal Code. No person may smoke in any vehicle owned, leased, or operated by the State or a political subdivision of the State. Smoking is prohibited in indoor public places and workplaces unless specifically exempted by subsection 51.64(f) of the Elmhurst Municipal Code.

(c) Posting of signs; removal of ashtrays.

(1) “No Smoking” signs or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly and conspicuously posted in each public place and place of employment where smoking is prohibited by this Section by the owner, operator, manager, or other person in control of that place.

(2) Each public place and place of employment where smoking is prohibited by this Section shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.

(3) All ashtrays shall be removed from any area where smoking is prohibited by this Section by the owner, operator, manager, or other person having control of the area.

(d) Smoking prohibited in student dormitories.

Notwithstanding any other provision of this Section, smoking is prohibited in any portion of the living quarters, including, but not limited to, sleeping rooms, dining areas, restrooms, laundry areas, lobbies, and hallways, of a building used in whole or in part as a student dormitory that is owned and operated or otherwise utilized by a public or private institution of higher education.

(e) Designation of other nonsmoking areas.

Notwithstanding any other provision of this Section, any employer, owner, occupant, lessee, operator, manager, or other person in control of any public place or place of employment may designate a non-enclosed area of a public place or place of employment, including outdoor areas, as an area where smoking is also prohibited provided that such employer, owner, lessee or occupant shall conspicuously post signs prohibiting smoking in the manner described in subsections (c)(1) and (c)(2) of Section 51.64 of the Elmhurst Municipal Code.

(f) Exemptions. Notwithstanding any other provision of this Section, smoking is allowed in the following areas:

(1) Private residences or dwelling places, except when used as a child care, adult day care, or healthcare facility or any other home-based business open to the public.

(2) Retail tobacco stores as defined in subsection 51.64(a) of the Elmhurst Municipal Code in operation prior to January 1, 2008. The retail tobacco store shall annually file with the Department by January 31st an affidavit stating the percentage of its gross income during the prior calendar year that was derived from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, or other smoking devices for smoking tobacco and related smoking accessories. Any retail tobacco store that begins operation after January 1, 2008 may only qualify for an exemption if located in a freestanding structure occupied solely by the business and smoke from the business does not migrate into an enclosed area where smoking is prohibited.

(3) Private and semi-private rooms in nursing homes and long-term care facilities that are occupied by one or more persons, all of whom are smokers and have requested in writing to be placed or to remain in a room where smoking is permitted and the smoke shall not infiltrate other areas of the nursing home.

(4) Hotel and motel sleeping rooms that are rented to guests and are designated as smoking rooms, provided that all smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into nonsmoking rooms or other areas where smoking is prohibited. Not more than 25% of the rooms rented to guests in a hotel or motel may be designated as rooms where smoking is allowed. The status of rooms as smoking or nonsmoking may not be changed, except to permanently add additional nonsmoking rooms.

(g) Violations.

(1) A person, corporation, partnership, association or other entity who violates subsections 51.64(b), 51.64(c) or 51.64(d) of the Elmhurst Municipal Code shall be issued a citation for such violation by the City of Elmhurst.

(2) Each day that a violation occurs or continues is a separate violation.

(3) The violation claim described in a citation so to be issued pursuant to the terms of this Section may be settled, compromised and paid in the respective amounts set forth in the following schedule:

In the event that said payment is made within ten (10) days from the date of the citation, the following amounts shall be accepted as settlement:

(1.) A person who smokes in an area where smoking is prohibited under subsection 51.64(b) or 51.64(d) of the Elmhurst Municipal Code:	
(A.) First violation	\$100.00
(B.) Subsequent violations within one year after the first violation	200.00
(2.) A person who owns, operates, or otherwise controls a public place or place of employment that violates subsection 51.64(b), 51.64(c), or 51.64(d) of the Elmhurst Municipal Code:	
(A.) First violation	\$250.00
(B.) Second violation within one year after the first violation	500.00
(C.) Each additional violation within one year after the first violation	2,500.00

In the event that payment has not been made within ten (10) days from the date of the citation, the following amounts shall be accepted as settlement:

(1.) A person who smokes in an area where smoking is prohibited under subsection 51.64(b) or 51.64(d) of the Elmhurst Municipal Code:	
(A.) First violation	\$150.00
(B.) Subsequent violations within one year after the first violation	250.00
(2.) A person who owns, operates, or otherwise controls a public place or place of employment that violates subsection 51.64(b), 51.64(c), or 51.64(d) of the Elmhurst Municipal Code:	
(A.) First violation	\$350.00
(B.) Second violation within one year after the first violation	600.00
(C.) Each additional violation within one year after the first violation	2,600.00

(h) Injunctions.

The City of Elmhurst may institute, in a circuit court, an action to enjoin violations of this Section.

(i) Discrimination prohibited.

No individual may be discriminated against in any manner because of the exercise of any rights afforded by this Section.

(j) Severability.

If any provision, clause or paragraph of this Section shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect the other provisions of this Section.

(k) Entrances, exits, windows, and ventilation intakes.

Smoking is prohibited within a minimum distance of 15 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited under this Section so as to ensure that tobacco smoke does not enter the area through entrances, exits, open windows, or other means.

SECTION 4. That this ordinance shall be in full force and effect from and after passage and publication according to law.

Approved this _____ day of _____, 200__.

Thomas D. Marcucci, Mayor

Passed this _____ day of _____, 200__.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: Ordinance – Amending Chapter 25 (Fire Prevention Code) and Chapter 51 (Offenses Against Public Peace, Safety and Morals) regarding smoking in public places

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

An ordinance has been prepared that would adopt the State law known as the Smoke Free Illinois Act by reference and would as well adopt an ordinance version of the Act. The ordinance would be enforced by the issuance of citations, fines for which could be paid at City Hall, alleviating the need for a court appearance, although a court hearing could still be requested. The ordinance would be more restrictive than State law in that penalties are imposed for 1) the failure to post “No Smoking” signs and the failure to remove ashtrays; 2) smoking in college dormitories; 3) smoking in areas outside a building (such as a courtyard) that are designated as “No Smoking” areas by the building owner and 4) penalties increase if payment is not made or a court date is not requested within 10 days of the date of the citation.

An ordinance as outlined is attached for Council consideration.

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MCO-02-2008

AN ORDINANCE ADOPTING CUSTOMER SERVICE AND PRIVACY PROTECTION STANDARDS IN CONNECTION WITH CABLE AND VIDEO SERVICES, IMPOSING A CABLE/VIDEO SERVICE PROVIDER FEE AND PEG ACCESS SUPPORT FEE AND AMENDING CHAPTER 38 (TELECOMMUNICATIONS AND CABLE SYSTEMS) OF THE ELMHURST MUNICIPAL CODE IN CONNECTION THEREWITH

BE IT AND IT IS HEREBY ORDAINED by the City Council of The City of Elmhurst, DuPage and Cook Counties, Illinois as follows:

SECTION 1. That Section 38.1.1 of the Elmhurst Municipal Code is amended by deleting Subsections (b) and (c) thereof without replacement and by redesignating Subsections (d) and (e) thereof as Subsection (b) and (c), respectively.

SECTION 2. That Section 38.1.1.1 of the Elmhurst Municipal Code is amended by deleting Subsections (a), (h), (i) and (j) thereof without replacement and by redesignating Subsections (b), (c), (d), (e), (f), (g), (k), (l), (m), (n), (o), (p) and (q) as Subsections (a) through (m), respectively.

SECTION 3. That Section 38.1.2 of the Elmhurst Municipal Code is amended by deleting Subsection (a), Subparagraph (c) (2) and Subsection (e) thereof without replacement and by redesignating Subsections (b), (c) and (d) as Subsections (a), (b) and (c), respectively.

SECTION 4. That Chapter 38 is amended by deleting Section 38.1.3 and Article II without replacement and by deleting Article III thereof, replacing same as follows:

**ARTICLE III
CUSTOMER SERVICE AND PRIVACY PROTECTION STANDARDS IN
CONNECTION WITH CABLE AND VIDEO SERVICES**

38.3.1 Findings: The City Council finds that:

(a) the City has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public, health, safety, and welfare of its citizens; and

(b) this Ordinance is adopted pursuant to the Cable and Video Customer Protection Law (220 ILCS 5/70-501) (the "Act") which authorizes the City to enforce all of the customer service and privacy protection standards of the Act; and

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(c) the City desires to enforce the customer service and privacy protection standards with respect to complaints received from residents as provided by the Act.

38.3.2 Customer Service and Privacy Protection Law.

(a) Adoption. The regulations of 220 ILCS 5/70-501 are hereby adopted by reference and made applicable to the cable or video providers offering services within the City's boundaries.

(b) Amendments. Any amendment to the Cable and Video Customer Protection law that becomes effective after the effective date of this Article shall be incorporated into this Article by reference and shall be applicable to cable or video providers offering services within the city's boundaries. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Article by reference without formal action by the City Council.

38.3.3 Enforcement. Pursuant to law, the City does hereby declare its intent to enforce all of the customer service and privacy protection standards of the Act with respect to complaints received from residents within the City.

38.3.4 Penalties. The City, pursuant to 220 ILCS 5/70-501(r)(1), does hereby provide for a schedule of penalties for any material breach of the Act by cable or video providers in addition to the penalties provided in the Act. The monetary penalties shall apply on a competitively neutral basis and shall not exceed \$750.00 for each day of the material breach, and shall not exceed \$25,000.00 for each occurrence of a material breach per customer.

- (a) Material breach means any substantial failure of a cable or video provider to comply with service quality and other standards specified in any provision of the Act.
- (b) The City shall give the cable or video provider written notice of any alleged material breaches of the Act and allow such provider at least 30 days from the receipt of the notice to remedy the specified material breach.
- (c) A material breach, for the purposes of assessing penalties, shall be deemed to occur for each day that a material breach has not been remedied by the cable or video service provider after notice is given, as provided in Subsection (b) hereof.

38.3.5 Customer Credits. The City hereby adopts the schedule of customer credits for violations. Those credits shall be as provided for in the provisions of 220 ILCS 5/700501(s) and applied on the statement issued to the customer for the next billing cycle following the violation or following the discovery of the violation. The cable or video

provider is responsible for providing the credits and the customer is under no obligation to request the credit.

38.3.6 Effective Date. This Article shall be in full force and effect from and after its passage and approval and publication as required by law.

SECTION 5. That Article VI (Sections 38.6.1 through 38.6.3) of Chapter 38 of the Elmhurst Municipal Code is amended by redesignating that Article as Article VII, redesignating Sections 38.6.1 through 38.6.3 as Sections 38.7.1 through 38.7.3 and by adding a new Subsection (c) to 38.7.1, as follows:

- (c) the provisions of this Section 38.7.1 shall not apply to violations of Sections 38.3.2 and 38.3.3 of this Chapter.

SECTION 6. That Chapter 38 of the Elmhurst Municipal Code is amended by adding a new Article VI, as follows:

ARTICLE VII. Cable/Video Service Provider Fee and PEG Access Support Fee.

38.6.1 Findings: The City Council finds that:

- (a) this Ordinance is adopted pursuant to the provisions of the Illinois Cable and Video Competition Law of 2007, Public Act 95-0009 (the "Act"); and
- (b) this Ordinance is intended to establish the service provider fee and the PEG access support fee the Act authorizes municipalities to impose on a holder under 220 ILCS 5/21-801.

38.6.2 Definitions.

As used in this Article, the following terms shall have the following meanings:

- (a) "Cable service" means that term as defined in 47 U.S.C. § 522(6).
- (b) "Commission" means the Illinois Commerce Commission.
- (c) "Gross revenues" means all consideration of any kind or nature, including, without limitation, cash, credits, property, and in-kind contributions received by the holder for the operation of a cable or video system to provide cable service or video service within the holder's cable service or video service area within the City.

(1) Gross revenues shall include the following:

- (i) Recurring charges for cable or video service.

- (ii) Event-based charges for cable service or video service, including, but not limited to, pay-per-view and video-on-demand charges.
- (iii) Rental of set top boxes and other cable service or video service equipment.
- (iv) Service charges related to the provision of cable service or video service, including but not limited to activation, installation, and repair charges.
- (v) Administrative charges related to the provision of cable service or video service, including but not limited to service order and service termination charges.
- (vi) Late payment fees or charges, insufficient funds check charges, and other charges assessed to recover the costs of collecting delinquent payments.
- (vii) A *pro rata* portion of all revenue derived by the holder or its affiliates pursuant to compensation arrangements for advertising or for promotion or exhibition of any products or services derived from the operation of the holder's network to provide cable service or video service within the City. The allocation shall be based on the number of subscribers in the City divided by the total number of subscribers in relation to the relevant regional or national compensation arrangement.
- (viii) Compensation received by the holder that is derived from the operation of the holder's network to provide cable service or video service with respect to commissions that are received by the holder as compensation for promotion or exhibition of any products or services on the holder's network, such as a "home shopping" or similar channel, subject to Subsection (ix) hereof.
- (ix) In the case of a cable service or video service that is bundled or integrated functionally with other services, capabilities, or applications, the portion of the holder's revenue attributable to the other services, capabilities, or applications shall be included in the gross revenue unless the holder can reasonably identify the division or exclusion of the revenue from its books and records that are kept in the regular course of business.
- (x) The service provider fee permitted by 220 ILCS 5/21-801(b).

(2) Gross revenues do not include any of the following:

- (i) Revenues not actually received, even if billed, such as bad debt, subject to 220 ILCS 5/21-801(c)(1)(vi).
- (ii) Refunds, discounts, or other price adjustments that reduce the amount of gross revenues received by the holder of the State-issued authorization to the extent the refund, rebate, credit, or discount is attributable to cable service or video service.

- (iii) Regardless of whether the services are bundled, packaged, or functionally integrated with cable service or video service, any revenues received from services not classified as cable service or video service, including, without limitation, revenue received from telecommunication services, information services, or the provision of directory or Internet advertising, including yellow pages, white pages, banner advertisement, and electronic publishing or any other revenues attributed by the holder to noncable service or nonvideo service in accordance with the holder's books and records and records kept in the regular course of business and any applicable laws, rules, regulations, standards, or orders.
- (iv) The sale of cable services or video services for resale in which the purchaser is required to collect the service provider fee from the purchaser's subscribers to the extent the purchaser certifies in writing that it will resell the service within the City and pay the fee permitted by 220 ILCS 5/21-801(b) with respect to the service.
- (v) Any tax or fee of general applicability imposed upon the subscribers or the transaction by a city, State, federal, or any other governmental entity and collected by the holder of the State-issued authorization and required to be remitted to the taxing entity, including sales and use taxes.
- (vi) Security deposits collected from subscribers.
- (vii) Amounts paid by subscribers to "home shopping" or similar vendors for merchandise sold through any home shopping channel offered as part of the cable service or video service.

(3) Revenue of an affiliate of a holder shall be included in the calculation of gross revenues to the extent the treatment of the revenue as revenue of the affiliate rather than the holder has the effect of evading the payment of the fee permitted by 220 ILCS 5/21-801(b) which would otherwise be paid by the cable service or video service.

(d) "Holder" means a person or entity that has received authorization to offer or provide cable or video service from the Commission pursuant to 220 ILCS 5/21-401.

(e) "PEG" means public, education and governmental.

(f) "PEG access support fee" means the amount paid under this Article and 220 ILCS 5/21-801(d) by the holder to the City for the service areas within its territorial jurisdiction.

(g) "Service" means the provision of "cable service" or "video service" to subscribers and the interaction of subscribers with the person or entity that has received

authorization to offer or provide cable or video service from the Commission pursuant to 220 ILCS 5/21-401.

(h) "Service provider fee" means the amount paid under this Article and 220 ILCS 5/21-801 by the holder to a City for the service areas within its territorial jurisdiction.

(i) "Video service" means video programming and subscriber interaction, if any, that is required for the selection or use of such video programming services, and which is provided through wireline facilities located at least in part in the public right-of-way without regard to delivery technology, including Internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider defined in 47 U.S.C. § 332(d) or any video programming provided solely as part of, and via, service that enables users to access content, information, electronic mail, or other services offered over the public Internet.

38.6.3 Cable/Video Service Provider Fee Imposed.

(a) Fee Imposed. A fee is hereby imposed on any holder providing cable service or video service in the City.

(b) Amount of Fee. The amount of the fee imposed hereby shall be five percent (5%) of the holder's gross revenues.

(c) Notice to the City. The holder shall notify the City at least ten (10) days prior to the date on which the holder begins to offer cable service or video service in the City.

(d) Holder's Liability. The holder shall be liable for and pay the service provider fee to the City. The holder's liability for the fee shall commence on the first day of the calendar month following thirty (30) days after receipt of the ordinance adopting this Article by the holder. The ordinance adopting this Article shall be sent by mail, postage prepaid, to the address listed on the holder's application notice sent pursuant to 220 ILCS 5/21-401(b)(6) to the City.

(e) Payment Date. The payment of the service provider fee shall be due on a quarterly basis, forty-five (45) days after the close of the calendar quarter. If mailed, the fee is considered paid on the date it is postmarked. Each payment shall include a statement explaining the basis for the calculation of the fee.

(f) Exemption. The fee hereby imposed does not apply to existing cable service or video service providers that have an existing franchise agreement with the City pursuant to which a fee is paid.

(g) Credit for Other Payments. An incumbent cable operator that elects to terminate an existing agreement pursuant to 220 ILCS 5/21-301(c) with credit for prepaid

franchise fees under that agreement may deduct the amount of such credit from the fees that operator owes under Section 38.7.2(b).

38.6.4 PEG Access Support Fee Imposed.

(a) PEG Fee Imposed. A PEG access support fee is hereby imposed on any holder providing cable service or video service in the City in addition to the fee imposed pursuant to 38.7.2(b).

(b) Amount of Fee. The amount of the PEG access support fee imposed hereby shall be one percent (1%) of the holder's gross revenues or, if greater, the percentage of gross revenues that incumbent cable operators pay to the City or its designee for PEG access support in the City.

(c) Payment. The holder shall pay the PEG access support fee to the City or to the entity designated by the City to manage PEG access. The holder's liability for the PEG access support fee shall commence on the date set forth in Section 38.7.2(d).

(d) Payment Due. The payment of the PEG access support fee shall be due on a quarterly basis, forty-five (45) days after the close of the calendar quarter. If mailed, the fee is considered paid on the date it is postmarked. Each payment shall include a statement explaining the basis for the calculation of the fee.

(e) Credit for Other Payments. An incumbent cable operator that elects to terminate an existing agreement pursuant to 220 ILCS 5/21-301(c) shall pay, at the time they would have been due, all monetary payments for PEG access that would have been due during the remaining term of the agreement had it not been terminated pursuant to that section. All payments made by an incumbent cable operator pursuant to the previous sentence may be credited against the fees that that operator owes under Section 38.7.3(b).

38.6.5 Applicable Principles.

All determinations and calculations under this Article shall be made pursuant to generally accepted accounting principles.

38.6.6 No Impact on Other Taxes Due from Holder.

Nothing contained in this Article shall be construed to exempt a holder from any tax that is or may later be imposed by the City, including any tax that is or may later be required to be paid by or through the holder with respect to cable service or video service. A State-issued authorization shall not affect any requirement of the holder with respect to payment of the City's simplified municipal telecommunications tax or any other tax as it applies to any telephone service provided by the holder. A State-issued authorization shall not affect any requirement of the holder with respect to payment of the local unit of government's 911 or E911 fees, taxes or charges.

38.6.7 Audits of Cable/Video Service Provider.

(a) Audit Requirement. The City will notify the holder of the requirements it imposes on other cable service or video service providers to submit to an audit of its books and records. The holder shall comply with the same requirements the City imposes on other cable service or video service providers in its jurisdiction to audit the holder's books and records and to recompute any amounts determined to be payable under the requirements of the City. If all local franchises between the City and cable operator terminate, the audit requirements shall be those adopted by the City pursuant to the Local Government Taxpayers' Bill of Rights Act, 50 ILCS 45/1 *et seq.* No acceptance of amounts remitted shall be construed as an accord that the amounts are correct.

(b) Additional Payments. Any additional amount due after an audit shall be paid within thirty (30) days after the City's submittal of an invoice for such sum.

38.6.8 Late Fees / Payments.

All fees due and payments which are past due shall be governed by ordinances adopted by this City pursuant to the Local Government Taxpayers' Bill of Rights Act, 50 ILCS 45/1 *et seq.*

SECTION 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect after passage and publication according to law.

Approved this ____ day of _____, 2008.

Thomas D. Marcucci, Mayor

Passed this ____ day of _____, 2008.

Ayes: ____ Nays: ____

Patty Spencer, City Clerk

**AN ORDINANCE ESTABLISHING STANDARDS FOR THE
CONSTRUCTION OF FACILITIES IN PUBLIC RIGHTS-OF-WAY**

WHEREAS, the City of Elmhurst (the "City") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elmhurst, DuPage and Cook Counties as follows:

Section 1. That Section 5.32 of the Elmhurst Municipal Code is amended by deleting such section in its entirety, replacing same as follows:

5.32 Public Utilities.

No person, firm, company, corporation or association shall use and/or occupy a public right-of-way for the purpose of constructing, installing, maintaining or operating a telecommunications system, a cable system (as defined in Section 5.51 of this Code) or other public utility system unless the appropriate franchise or other authorization has first been obtained and unless such franchise or other authorization is in full force and effect.

Section 2. That Chapter 5 (Streets, Alleys and Sidewalks) of the Elmhurst Municipal Code is amended by designating Sections 5.01 through 5.32 as Article I. of said Chapter and by adding a new Article II thereto, as follows:

**ARTICLE II
Construction of Utility Facilities
In the Rights-of-Way**

5.51 Findings. The City Council hereby finds and determines that:

- (a) The City has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and governing the use of public right-of-way and that protect the public health, safety, and welfare of its citizens; and
- (b) The City uses the public rights-of-way within its corporate limits to provide essential public services to its residents and businesses, including traffic control signals, water, sanitary sewer and storm sewer; and
- (c) Other utility service providers, including electricity, telephone, natural gas and cable television and video service providers have placed, or from time to time may request to place, certain utility facilities in the public rights-of-way within the City; and
- (d) Legislatures and regulatory agencies at the State and federal levels have implemented changes in the regulatory framework to enhance competition in the providing of various utility services; and

(e) The combination of legislative and regulatory changes and the development of new technologies has led additional service providers to seek opportunities to provide services in the City; and

(f) These regulatory and technological changes have resulted in demands for access to and use of the public rights-of-way in the City as service providers, particularly in the video and communications services, attempt to provide new or additional services to compete with incumbent service providers; and

(g) Unlike prior deregulations of utility services in which incumbent service providers have been required to make their transmission and/or distribution systems available to competitors, video and communications services seeking to compete with incumbent service providers are seeking to install their own facilities for delivering competing video and communications services, thereby increasing the number of service providers seeking access to and use of the public rights-of-way in the City; and

(h) The public rights-of-way within the City are a limited public resource held in trust by the City for the benefit of its citizens and the City has a custodial duty to ensure that the public rights-of-way are used, repaired and maintained in a manner that best serves the public interest; and

(i) It is necessary to and in the best interests of the public health, safety and general welfare to establish uniform standards and regulations for access to and use of the public rights-of-way in the City by utility service providers and other persons and entities that desire to place structures, facilities or equipment in the public rights-of-way, so as to (i) prevent interference with the use of streets, sidewalks, alleys and other public ways and places by the City and the general public, (ii) protect against visual and physical obstructions to vehicular and pedestrian traffic, (iii) prevent interference with the facilities and operations of the City's utilities and of other utilities lawfully located in public rights-of-way or property, (iv) protect against environmental damage, including damage to trees, from the installation of utility facilities, (v) preserve the character of the neighborhoods in which facilities are installed, (vi) prevent visual blight, and (vii) assure the continued safe use and enjoyment of private properties adjacent to utility facilities locations; and

(j) This Ordinance is enacted in the exercise of the City's home rule powers, the Corporate Authorities having determined that the regulation of the use of the public rights-of-way in the City is a matter pertaining to the affairs of the City as provided in Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

(k) In addition to the City's power as a home rule municipality, this Ordinance is adopted pursuant to the provisions of (i) the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, including, without limitation, Sections 11-20-5, 11-20-10, 11-42-11, 11-42-11.2, 11-80-1, 11-80-3, 11-80-6, 11-80-7, 11-80-8, 11-80-10, and 11-80-13; (ii) Section 4 of the Telephone Company Act, 220 ILCS 65/4; (iii) the Illinois Highway Code, including, without limitation, Articles 7 and 9 thereof, 605 ILCS 5/1-101 *et seq.*; (iv) the Simplified Municipal Telecommunications Tax Act, 35 ILCS 636/1 *et seq.* and (v) the Cable and Video Competition Law of 2008, 220 ILCS 5/21-100 *et seq.*; and

(l) This Ordinance establishes generally applicable standards for construction on, over, above, along, upon, under, across, or within the public right-of-way, and for the use of and repair of the public right-of-way; and

(m) In the enactment of this ordinance, the City has considered a variety of standards for construction on, over, above, along, under, across, or within, use of and repair of the public right-of-way, including, but not limited to, the standards relating to Accommodation of Utilities on Right-of-Way of the Illinois State Highway System promulgated by the Illinois Department of Transportation and found at 92 Ill. Adm. Code § 530.10 *et seq.*; and

(n) It is in the best interest of the City, the public and the utilities using the public rights-of-way to establish a comprehensive set of construction standards and requirements to achieve various beneficial goals, including, without limitation, enhancing the planning of new utility facilities; minimizing interference with, and damage to, rights-of-way and the streets, sidewalks, and other structures and improvements located in, on, over and above the rights-of-way; and reducing costs and expenses to the public.

5.52 Purpose and Scope.

(a) Purpose. The purpose of this Article is to establish policies and procedures for constructing facilities on rights-of-way within the City's jurisdiction, which will provide public benefit consistent with the preservation of the integrity, safe usage, and visual qualities of the City rights-of-way and the City as a whole.

(b) Intent. In enacting this Article, the City intends to exercise its authority over the rights-of-way in the City and, in particular, the use of the public ways and property by utilities, by establishing uniform standards to address issues presented by utility facilities, including without limitation:

- 1) prevent interference with the use of streets, sidewalks, alleys, parkways and other public ways and places;
- 2) prevent the creation of visual and physical obstructions and other conditions that are hazardous to vehicular and pedestrian traffic;
- 3) prevent interference with the facilities and operations of the City's utilities and of other utilities lawfully located in rights-of-way or public property;
- 4) protect against environmental damage, including damage to trees, from the installation of utility facilities;
- 5) protect against increased stormwater run-off due to structures and materials that increase impermeable surfaces;
- 6) preserve the character of the neighborhoods in which facilities are installed;

- 7) preserve open space, particularly the tree-lined parkways that characterize the City's residential neighborhoods;
- 8) prevent visual blight from the proliferation of facilities in the rights-of-way; and
- 9) assure the continued safe use and enjoyment of private properties adjacent to utility facilities locations.

(c) Facilities Subject to This Article. This Article applies to all facilities on, over, above, along, upon, under, across, or within the rights-of-way within the jurisdiction of the City. A facility lawfully established prior to the effective date of this Article may continue to be maintained, repaired and operated by the utility as presently constructed and located, except as may be otherwise provided in any applicable franchise, license or similar agreement.

(d) Franchises, Licenses, or Similar Agreements. The City, in its discretion and as limited by law, may require utilities to enter into a franchise, license or similar agreement for the privilege of locating their facilities on, over, above, along, upon, under, across, or within the City rights-of-way. Utilities that are not required by law to enter into such an agreement may request that the City enter into such an agreement. In such an agreement, the City may provide for terms and conditions inconsistent with this Article.

(e) Effect of Franchises, Licenses, or Similar Agreements.

- 1) Utilities Other Than Telecommunications Providers. In the event that a utility other than a telecommunications provider has a franchise, license or similar agreement with the City, such franchise, license or similar agreement shall govern and control during the term of such agreement and any lawful renewal or extension thereof.
- 2) Telecommunications Providers. In the event of any conflict with, or inconsistency between, the provisions of this Article and the provisions of any franchise, license or similar agreement between the City and any telecommunications provider, the provisions of such franchise, license or similar agreement shall govern and control during the term of such agreement and any lawful renewal or extension thereof.

(f) Conflicts with Other Articles. This Article supersedes all Articles or parts of Chapters 38 adopted prior hereto that are in conflict herewith, to the extent of such conflict.

(g) Conflicts with State and Federal Laws. In the event that applicable federal or State laws or regulations conflict with the requirements of this Article, the utility shall comply with the requirements of this Article to the maximum extent possible without violating federal or State laws or regulations.

(h) Sound Engineering Judgment. The City shall use sound engineering judgment when administering this Article and may vary the standards, conditions, and requirements expressed in this Article when the City so determines. Nothing herein shall be construed to limit

the ability of the City to regulate its rights-of-way for the protection of the public health, safety and welfare.

5.53 Definitions.

As used in this Article and unless the context clearly requires otherwise, the words and terms listed shall have the meanings ascribed to them in this Section. Any term not defined in this Section shall have the meaning ascribed to it in 92 Ill. Adm. Code § 530.30, unless the context clearly requires otherwise.

“AASHTO” - American Association of State Highway and Transportation Officials.

“ANSI” - American National Standards Institute.

“Applicant” - A person applying for a permit under this Article.

“ASTM” - American Society for Testing and Materials.

“Backfill” - The methods or materials for replacing excavated material in a trench or pit.

“Bore” or “Boring” - To excavate an underground cylindrical cavity for the insertion of a pipe or electrical conductor.

“Cable operator” - That term as defined in 47 U.S.C. 522(5).

“Cable service” - That term as defined in 47 U.S.C. 522(6).

“Cable system” - That term as defined in 47 U.S.C. 522(7).

“Carrier Pipe” - The pipe enclosing the liquid, gas or slurry to be transported.

“Casing” - A structural protective enclosure for transmittal devices such as: carrier pipes, electrical conductors, and fiber optic devices.

“City” - The City of Elmhurst.

“Clear Zone” - The total roadside border area, starting at the edge of the pavement, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, and a clear run-out area. The desired width is dependent upon the traffic volumes and speeds, and on the roadside geometry. Distances are specified in the AASHTO Roadside Design Guide.

“Coating” - Protective wrapping or mastic cover applied to buried pipe for protection against external corrosion.

“Code” - The Elmhurst Municipal Code.

“Conductor” - Wire carrying electrical current.

“Conduit” - A casing or encasement for wires or cables.

“Construction” or “Construct” - The installation, repair, maintenance, placement, alteration, enlargement, demolition, modification or abandonment in place of facilities.

“Cover” - The depth of earth or backfill over buried utility pipe or conductor.

“Crossing Facility” - A facility that crosses one or more right-of-way lines of a right-of-way.

“Director of Public Works” - The City Director of Public Works or his or her designee.

“Disrupt the Right-of-Way” - For the purposes of this Article, any work that obstructs the right-of-way or causes a material adverse effect on the use of the right-of-way for its intended use. Such work may include, without limitation, the following: excavating or other cutting; placement (whether temporary or permanent) of materials, equipment, devices, or structures; damage to vegetation; and compaction or loosening of the soil, but shall not include the parking of vehicles or equipment in a manner that does not materially obstruct the flow of traffic on a highway.

“Emergency” - Any immediate maintenance to the facility required for the safety of the public using or in the vicinity of the right-of-way or immediate maintenance required for the health and safety of the general public served by the utility.

“Encasement” - Provision of a protective casing.

“Engineer” - The City Engineer or his or her designee.

“Equipment” - Materials, tools, implements, supplies, and/or other items used to facilitate construction of facilities.

“Excavation” - The making of a hole or cavity by removing material, or laying bare by digging.

“Extra Heavy Pipe” - Pipe meeting ASTM standards for this pipe designation.

“Facility” - All structures, devices, objects, and materials (including, but not limited to, track and rails, wires, ducts, fiber optic cable, antennas, vaults, boxes, equipment enclosures, cabinets, pedestals, poles, conduits, grates, covers, pipes, cables, and appurtenances thereto) located on, over, above, along, upon, under, across, or within rights-of-way under this Article. For purposes of this Article, the term “facility” shall not include any facility owned or operated by the City.

“Freestanding Facility” - A facility that is not a crossing facility or a parallel facility, such as an antenna, transformer, pump, or meter station.

“Frontage Road” - Roadway, usually parallel, providing access to land adjacent to the highway where it is precluded by control of access to a highway.

“Hazardous Materials” - Any substance or material which, due to its quantity, form, concentration, location, or other characteristics, is determined by the Director of Public Works to

pose an unreasonable and imminent risk to the life, health or safety of persons or property or to the ecological balance of the environment, including, but not limited to explosives, radioactive materials, petroleum or petroleum products or gases, poisons, etiology (biological) agents, flammables, corrosives or any substance determined to be hazardous or toxic under any federal or state law, statute or regulation.

“Highway Code” - The Illinois Highway Code, 605 ILCS 5/1-101 et seq., as amended from time to time.

“Highway” - A specific type of right-of-way used for vehicular traffic including rural or urban roads or streets. “Highway” includes all highway land and improvements, including roadways, ditches and embankments, bridges, drainage structures, signs, guardrails, protective structures and appurtenances necessary or convenient for vehicle traffic.

“Holder” - A person or entity that has received authorization to offer or provide cable or video service from the ICC pursuant to the Illinois Cable and Video Competition Law, 220 ILCS 5/21-401.

“IDOT” - Illinois Department of Transportation.

“ICC” - Illinois Commerce Commission.

“Jacking” - Pushing a pipe horizontally under a roadway by mechanical means with or without boring.

“Jetting” - Pushing a pipe through the earth using water under pressure to create a cavity ahead of the pipe.

“Joint Use” - The use of pole lines, trenches or other facilities by two or more utilities.

“J.U.L.I.E.” - The Joint Utility Locating Information for Excavators utility notification program.

“Major Intersection” - The intersection of two or more major arterial highways.

“Occupancy” - The presence of facilities on, over or under right-of-way.

“Parallel Facility” - A facility that is generally parallel or longitudinal to the centerline of a right-of-way.

“Parkway” - Any portion of the right-of-way not improved by street or sidewalk.

“Pavement Cut” - The removal of an area of pavement for access to facility or for the construction of a facility.

“Permittee” - That entity to which a permit has been issued pursuant to Sections 5.55 and 5.56 of this Article.

“Practicable” - That which is performable, feasible or possible, rather than that which is simply convenient.

“Pressure” - The internal force acting radially against the walls of a carrier pipe expressed in pounds per square inch gauge (psig).

“Petroleum Products Pipelines” - Pipelines carrying crude or refined liquid petroleum products including, but not limited to, gasoline, distillates, propane, butane, or coal-slurry.

“Prompt” - That which is done within a period of time specified by the City. If no time period is specified, the period shall be 30 days.

“Public Entity” - A legal entity that constitutes or is part of the government, whether at the local, state or federal level.

“Restoration” - The repair of a right-of-way, highway, roadway, or other area disrupted by the construction of a facility.

“Right-of-Way” or “Rights-of-Way” - Any street, alley, other land or waterway, dedicated or commonly used for pedestrian or vehicular traffic or other similar purposes, including utility easements, in which the City has the right and authority to authorize, regulate or permit the location of facilities other than those of the City. “Right-of-way” or “Rights-of-way” shall not include any real or personal City property that is not specifically described in the previous two sentences and shall not include City buildings, fixtures and other structures or improvements, regardless of whether they are situated in the right-of-way.

“Roadway” - That part of the highway that includes the pavement and shoulders.

“Sale of Telecommunications at Retail” - The transmitting, supplying, or furnishing of telecommunications and all services rendered in connection therewith for a consideration, other than between a parent corporation and its wholly owned subsidiaries or between wholly owned subsidiaries, when the gross charge made by one such corporation to another such corporation is not greater than the gross charge paid to the retailer for their use or consumption and not for sale.

“Security Fund” - That amount of security required pursuant to Section 5.61.

“Shoulder” - A width of roadway, adjacent to the pavement, providing lateral support to the pavement edge and providing an area for emergency vehicular stops and storage of snow removed from the pavement.

“Sound Engineering Judgment” - A decision(s) consistent with generally accepted engineering principles, practices and experience.

“Telecommunications” - This term includes, but is not limited to, messages or information transmitted through use of local, toll and wide area telephone service, channel services, telegraph services, teletypewriter service, computer exchange service, private line services, mobile radio services, cellular mobile telecommunications services, stationary two-way radio, paging service, and any other form of mobile or portable one-way or two-way communications, and any other transmission of messages or information by electronic or similar means, between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite, or similar facilities. “Private line” means a dedicated non-traffic sensitive service for a single customer that entitles the

customer to exclusive or priority use of a communications channel, or a group of such channels, from one or more specified locations to one or more other specified locations. "Telecommunications" shall not include value added services in which computer processing applications are used to act on the form, content, code and protocol of the information for purposes other than transmission. "Telecommunications" shall not include the purchase of telecommunications by a telecommunications service provider for use as a component part of the service provided by such provider to the ultimate retail consumer who originates or terminates the end-to-end communications. "Telecommunications" shall not include the provision of cable services through a cable system as defined in the Cable Communications Act of 1984 (47 U.S.C. Sections 521 and following), as now or hereafter amended, or cable or other programming services subject to an open video system fee payable to the City through an open video system as defined in the Rules of the Federal Communications Commission (47 C.F.R. §76.1500 and following), as now or hereafter amended.

"Telecommunications Provider" - Means any person that installs, owns, operates or controls facilities in the right-of-way used or designed to be used to transmit telecommunications in any form.

"Telecommunications Retailer" - Means and includes every person engaged in making sales of telecommunications at retail as defined herein.

"Trench" - A relatively narrow open excavation for the installation of an underground facility.

"Utility" - The individual or entity owning or operating any facility as defined in this Article.

"Vent" - A pipe to allow the dissipation into the atmosphere of gases or vapors from an underground casing.

"Video Service" - That term as defined in section 21-201 (v) of the Illinois Cable and Video Competition Law of 2008, 220 ILCS 21-201(v).

"Water Lines" - Pipelines carrying raw or potable water.

"Wet Boring" - Boring using water under pressure at the cutting auger to soften the earth and to provide a sluice for the excavated material.

5.54 Annual Registration Required.

Every utility that occupies right-of-way within the City shall register on January 1 of each year with the Director of Public Works, providing the utility's name, address and regular business telephone and telecopy numbers, the name of one or more contact persons who can act on behalf of the utility in connection with emergencies involving the utility's facilities in the right-of-way and a 24-hour telephone number for each such person, and evidence of insurance as required in Section 5.59 of this Article, in the form of a certificate of insurance.

5.55 Permit Required; Applications and Fees.

(a) Permit Required. No person shall construct (as defined in this Article) any facility on, over, above, along, upon, under, across, or within any City right-of-way which (1) changes the location of the facility, (2) adds a new facility, (3) disrupts the right-of-way (as defined in this Article), or (4) materially increases the amount of area or space occupied by the facility on, over, above, along, under across or within the right-of-way, without first filing an application with the Director of Public Works and obtaining a permit from the City therefor, except as otherwise provided in this Article. No permit shall be required for installation and maintenance of service connections to customers' premises where there will be no disruption of the right-of-way.

(b) Permit Application. All applications for permits pursuant to this Article shall be filed on a form provided by the City and shall be filed in such number of duplicate copies as the City may designate. The applicant may designate those portions of its application materials that it reasonably believes contain proprietary or confidential information as "proprietary" or "confidential" by clearly marking each page of such materials accordingly.

(c) Minimum General Application Requirements. The application shall be made by the utility or its duly authorized representative and shall contain, at a minimum, the following:

- 1) The utility's name and address and telephone and telecopy numbers;
- 2) The applicant's name and address, if different than the utility, its telephone, telecopy numbers, e-mail address, and its interest in the work;
- 3) The names, addresses and telephone and telecopy numbers and e-mail addresses of all professional consultants, if any, advising the applicant with respect to the application;
- 4) A general description of the proposed work and the purposes and intent of the facility and the uses to which the facility will be put. The scope and detail of such description shall be appropriate to the nature and character of the work to be performed, with special emphasis on those matters likely to be affected or impacted by the work proposed;
- 5) Evidence that the utility has placed on file with the City:
 - i) A written traffic control plan demonstrating the protective measures and devices that will be employed consistent with the Illinois Manual on Uniform Traffic Control Devices, to prevent injury or damage to persons or property and to minimize disruptions to efficient pedestrian and vehicular traffic; and
 - ii) An emergency contingency plan which shall specify the nature of potential emergencies, including, without limitation, construction and hazardous materials emergencies, and the intended response by the applicant. The intended response shall include notification

to the City and shall promote protection of the safety and convenience of the public. Compliance with ICC regulations for emergency contingency plans constitutes compliance with this Section unless the City finds that additional information or assurances are needed;

- 6) Drawings, plans and specifications showing the work proposed, including the certification of an engineer that such drawings, plans, and specifications comply with applicable codes, rules, and regulations;
- 7) Evidence of insurance as required in Section 5.59 of this Article;
- 8) Evidence of posting of the security fund as required in Section 5.61 of this Article;
- 9) Any request for a variance from one or more provisions of this Article (See Section 5.72); and
- 10) Such additional information as may be reasonably required by the City.

(d) Supplemental Application Requirements for Specific Types of Utilities. In addition to the requirements of Subsection (c) of this Section, the permit application shall include the following items, as applicable to the specific utility that is the subject of the permit application:

- 1) In the case of the installation of a new electric power, communications, telecommunications, cable television service, video service or natural gas distribution system, evidence that any "Certificate of Public Convenience and Necessity" or other regulatory authorization that the applicant is required by law to obtain, or that the applicant has elected to obtain, has been issued by the ICC or other jurisdictional authority;
- 2) In the case of natural gas systems, state the proposed pipe size, design, construction class, and operating pressures;
- 3) In the case of water lines, indicate that all requirements of the Illinois Environmental Protection Agency, Division of Public Water Supplies, have been satisfied;
- 4) In the case of sewer line installations, indicate that the land and water pollution requirements of the Illinois Environmental Protection Agency, Division of Water Pollution Control, have been satisfied; or
- 5) In the case of petroleum products pipelines, state the type or types of petroleum products, pipe size, maximum working pressure, and the design standard to be followed.

(e) Applicant's Duty to Update Information. Throughout the entire permit application review period and the construction period authorized by the permit, any amendments to information contained in a permit application shall be submitted by the utility in writing to the City within thirty (30) days after the change necessitating the amendment.

(f) Application Fees. Unless otherwise provided by franchise, license, State (ICC) authorization or similar agreement, all applications for permits pursuant to this Article shall be accompanied by a fee for review of construction plans and inspection of construction in an amount equal to the greater of \$250.00 or the sum of the following:

- (i) One percent of the first one hundred thousand dollars (\$100,000.00) in estimated constructions costs; and
- (ii) One-half percent of any estimated construction costs in excess of one hundred thousand dollars (\$100,000.00).

No application fee is required to be paid by any electricity utility that is paying the municipal electricity infrastructure maintenance fee pursuant to the Electricity Infrastructure Maintenance Fee Act.

5.56 Action on Permit Applications.

(a) City Review of Permit Applications. Completed permit applications, containing all required documentation, shall be examined by the Director of Public Works within a reasonable time after filing. If the application does not conform to the requirements of applicable ordinances, codes, laws, rules, and regulations, the Director of Public Works shall reject such application in writing, stating the reasons therefor. If the Director of Public Works is satisfied that the proposed work conforms to the requirements of this Article and applicable ordinances, codes, laws, rules, and regulations, the Director of Public Works shall issue a permit therefor as soon as practicable. In all instances, it shall be the duty of the applicant to demonstrate, to the satisfaction of the Director of Public Works, that the construction proposed under the application shall be in full compliance with the requirements of this Article.

(b) Additional City Review of Applications of Telecommunications Retailers.

- 1) Pursuant to Section 4 of the Telephone Company Act, 220 ILCS 65/4, a telecommunications retailer shall notify the City that it intends to commence work governed by this Article for facilities for the provision of telecommunications services. Such notice shall consist of plans, specifications, and other documentation sufficient to demonstrate the purpose and intent of the facilities, and shall be provided by the telecommunications retailer to the City not less than ten (10) days prior to the commencement of work requiring no excavation and not less than thirty (30) days prior to the commencement of work requiring excavation. The Director of Public Works shall specify the portion of the right-of-way upon which the facility may be placed, used and constructed.

- 2) In the event that the Director of Public Works fails to provide such specification of location to the telecommunications retailer within either (i) ten (10) days after service of notice to the City by the telecommunications retailer in the case of work not involving excavation for new construction or (ii) twenty-five (25) days after service of notice by the telecommunications retailer in the case of work involving excavation for new construction, the telecommunications retailer may commence work without obtaining a permit under this Article.
- 3) Upon the provision of such specification by the City, where a permit is required for work pursuant to Section 5.55 of this Article the telecommunications retailer shall submit to the City an application for a permit and any and all plans, specifications and documentation available regarding the facility to be constructed. Such application shall be subject to the requirements of Subsection (a) of this Section.

(c) Additional City Review of Applications of Holders of State Authorization Under the Cable and Video Competition Law of 2008. Applications by a utility that is a holder of a State-issued authorization under the Cable and Video Competition Law of 2008 shall be deemed granted forty-five (45) days after submission to the City, unless otherwise acted upon by the City, provided the holder has complied with applicable City codes, ordinances, and regulations.

5.57 Effect of Permit.

(a) Authority Granted; No Property Right or Other Interest Created. A permit from the City authorizes a permittee to undertake only certain activities in accordance with this Article on City rights-of-way, and does not create a property right or grant authority to the permittee to impinge upon the rights of others who may have an interest in the rights-of-way.

(b) Duration. No permit issued under this Chapter shall be valid for a period longer than six (6) months unless construction is actually begun within that period and is thereafter diligently pursued to completion.

(c) Pre-construction meeting required. No construction shall begin pursuant to a permit issued under this Article prior to attendance by the permittee and all major contractors and subcontractors who will perform any work under the permit at a pre-construction meeting. The pre-construction meeting shall be held at a date, time and place designated by the City with such City representatives in attendance as the City deems necessary. The meeting shall be for the purpose of reviewing the work under the permit, and reviewing special considerations necessary in the areas where work will occur, including, without limitation, presence or absence of other utility facilities in the area and their locations, procedures to avoid disruption of other utilities, use of rights-of-way by the public during construction, and access and egress by adjacent property owners.

(d) Compliance with All Laws Required. The issuance of a permit by the City does not excuse the permittee from complying with other requirements of the City and applicable statutes, laws, ordinances, rules, and regulations.

5.58 Revised Permit Drawings

In the event that the actual locations of any facilities deviate in any material respect from the locations identified in the plans, drawings and specifications submitted with the permit application, the permittee shall submit a revised set of drawings or plans to the City within ninety (90) days after the completion of the permitted work. The revised drawings or plans shall specifically identify where the locations of the actual facilities deviate from the locations approved in the permit. If any deviation from the permit also deviates from the requirements of this Article, it shall be treated as a request for variance in accordance with Section 5.72 of this Article. If the City denies the request for a variance, then the permittee shall either remove the facility from the right-of-way or modify the facility so that it conforms to the permit and submit revised drawings or plans therefor.

5.59 Insurance

(a) Required Coverages and Limits. Unless otherwise provided by franchise, license, or similar agreement, each utility occupying right-of-way or constructing any facility in the right-of-way shall secure and maintain the following liability insurance policies insuring the utility as named insured and naming the City, and its elected and appointed officers, officials, agents, and employees as additional insureds on the policies listed in paragraphs 1 and 2 below:

- 1) Commercial general liability insurance, including premises-operations, explosion, collapse, and underground hazard (commonly referred to as "X," "C," and "U" coverages) and products-completed operations coverage with limits not less than:
 - i) Five million dollars (\$5,000,000) for bodily injury or death to each person;
 - ii) Five million dollars (\$5,000,000) for property damage resulting from any one accident; and
 - iii) Five million dollars (\$5,000,000) for all other types of liability;
- 2) Automobile liability for owned, non-owned and hired vehicles with a combined single limit of one million dollars (\$1,000,000) for personal injury and property damage for each accident;
- 3) Worker's compensation with statutory limits; and
- 4) Employer's liability insurance with limits of not less than one million dollars (\$1,000,000) per employee and per accident.

If the utility is not providing such insurance to protect the contractors and subcontractors performing the work, then such contractors and subcontractors shall comply with this Section.

(b) Excess or Umbrella Policies. The coverages required by this Section may be in any combination of primary, excess, and umbrella policies. Any excess or umbrella policy must

provide excess coverage over underlying insurance on a following-form basis such that when any loss covered by the primary policy exceeds the limits under the primary policy, the excess or umbrella policy becomes effective to cover such loss.

(c) Copies Required. The utility shall provide copies of any of the policies required by this Section to the City within ten (10) days following receipt of a written request therefor from the City. Certificates of Insurance in a form acceptable to the City, noting the endorsements required by this Section 5.59 shall be submitted with the permit application required under Section 5.55, as evidence of the coverage required herein.

(d) Maintenance and Renewal of Required Coverages. The insurance policies required by this Section shall contain the following endorsement:

“It is hereby understood and agreed that this policy may not be canceled nor the intention not to renew be stated until thirty (30) days after receipt by the City, by registered mail or certified mail, return receipt requested, of a written notice addressed to the City Manager of such intent to cancel or not to renew.”

Within ten (10) days after receipt by the City of said notice, and in no event later than ten (10) days prior to said cancellation, the utility shall obtain and furnish to the City evidence of replacement insurance policies meeting the requirements of this Section.

(e) Self-Insurance. A utility may self-insure all or a portion of the insurance coverage and limit requirements required by Subsection a) of this Section. A utility that self-insures is not required, to the extent of such self-insurance, to comply with the requirement for the naming of additional insureds under Subsection a), or the requirements of Subsections b), c) and d) of this Section. A utility that elects to self-insure shall provide to the City evidence sufficient to demonstrate its financial ability to self-insure the insurance coverage and limit requirements required under Subsection a) of this Section, such as evidence that the utility is a “private self insurer” under the Workers Compensation Act.

(f) Effect of Insurance and Self-Insurance on Utility’s Liability. The legal liability of the utility to the City and any person for any of the matters that are the subject of the insurance policies or self-insurance required by this Section shall not be limited by such insurance policies or self-insurance or by the recovery of any amounts thereunder.

(g) Insurance Companies. All insurance provided pursuant to this section shall be effected under valid and enforceable policies, issued by insurers legally able to conduct business with the licensee in the State of Illinois. All insurance carriers and surplus line carriers shall be rated "A-" or better and of a class size "VII" or higher by A.M. Best Company.

5.60 Indemnification.

By occupying or constructing facilities in the right-of-way, a utility shall be deemed to agree to defend, indemnify and hold the City and its elected and appointed officials and officers, employees, agents and representatives harmless from and against any and all injuries, claims, demands, judgments, damages, losses and expenses, including reasonable attorney’s fees and

costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the utility or its affiliates, officers, employees, agents, contractors or subcontractors in the construction of facilities or occupancy of the rights-of-way, and in providing or offering service over the facilities, whether such acts or omissions are authorized, allowed or prohibited by this Article or by a franchise, license, or similar agreement; provided, however, that the utility's indemnity obligations hereunder shall not apply to any injuries, claims, demands, judgments, damages, losses or expenses arising out of or resulting from the negligence, misconduct or breach of this Article by the City, its officials, officers, employees, agents or representatives.

5.61 Security.

(a) Purpose. The permittee shall establish a Security Fund in a form and in an amount as set forth in this Section. The Security Fund shall be continuously maintained in accordance with this Section at the permittee's sole cost and expense until the completion of the work authorized under the permit. The Security Fund shall serve as security for:

- 1) The faithful performance by the permittee of all the requirements of this Article;
- 2) Any expenditure, damage, or loss incurred by the City occasioned by the permittee's failure to comply with any codes, rules, regulations, orders, permits and other directives of the City issued pursuant to this Article; and
- 3) The payment by permittee of all liens and all damages, claims, costs, or expenses that the City may pay or incur by reason of any action or non-performance by permittee in violation of this Article including, without limitation, any damage to public property or restoration work the permittee is required by this Article to perform that the City must perform itself or have completed as a consequence solely of the permittee's failure to perform or complete, and all other payments due the City from the permittee pursuant to this Article or any other applicable law.

(b) Form. The permittee shall provide the Security Fund to the City in the form, at the permittee's election, of cash, a surety bond in a form acceptable to the City, or an unconditional letter of credit in a form acceptable to the City. Any surety bond or letter of credit provided pursuant to this Subsection shall, at a minimum:

- 1) Provide that it will not be canceled without prior notice to the City and the permittee;
- 2) Not require the consent of the permittee prior to the collection by the City of any amounts covered by it; and
- 3) Shall provide a location convenient to the City and within the State of Illinois at which it can be drawn.

(c) Amount. The dollar amount of the Security Fund shall be sufficient to provide for the reasonably estimated cost to restore the right-of-way to at least as good a condition as that existing prior to the construction under the permit, as determined by the Director of Public Works, and may also include reasonable, directly related costs that the City estimates are likely to be incurred if the permittee fails to perform such restoration. Where the construction of facilities proposed under the permit will be performed in phases in multiple locations in the City, with each phase consisting of construction of facilities in one location or a related group of locations, and where construction in another phase will not be undertaken prior to substantial completion of restoration in the previous phase or phases, the Director of Public Works may, in the exercise of sound discretion, allow the permittee to post a single amount of security which shall be applicable to each phase of the construction under the permit. The amount of the Security Fund for phased construction shall be equal to the greatest amount that would have been required under the provisions of this Subsection (c) for any single phase.

(d) Withdrawals. The City, upon fourteen (14) days' advance written notice clearly stating the reason for, and its intention to exercise withdrawal rights under this Subsection, may withdraw an amount from the Security Fund, provided that the permittee has not reimbursed the City for such amount within the fourteen (14) day notice period. Withdrawals may be made if the permittee:

- 1) Fails to make any payment required to be made by the permittee hereunder;
- 2) Fails to pay any liens relating to the facilities that are due and unpaid;
- 3) Fails to reimburse the City for any damages, claims, costs or expenses which the City has been compelled to pay or incur by reason of any action or non-performance by the permittee; or
- 4) Fails to comply with any provision of this Article that the City determines can be remedied by an expenditure of an amount in the Security Fund.

(e) Replenishment. Within fourteen (14) days after receipt of written notice from the City that any amount has been withdrawn from the Security Fund, the permittee shall restore the Security Fund to the amount specified in Subsection (c) of this Section.

(f) Interest. The permittee may request that any and all interest accrued on the amount in the Security Fund be returned to the permittee by the City, upon written request for said withdrawal to the City, provided that any such withdrawal does not reduce the Security Fund below the minimum balance required in Subsection (c) of this Section.

(g) Closing and Return of Security Fund. Upon completion of the work authorized under the permit, the permittee shall be entitled to the return of the Security Fund, or such portion thereof as remains on deposit, within a reasonable time after account is taken for all offsets necessary to compensate the City for failure by the permittee to comply with any provisions of this Article or other applicable law. In the event of any revocation of the permit, the Security Fund, and any and all accrued interest therein, shall become the property of the City to the extent necessary to cover any reasonable costs, loss or damage incurred by the City as a

result of said revocation, provided that any amounts in excess of said costs, loss or damage shall be refunded to the permittee.

(h) Rights Not Limited. The rights reserved to the City with respect to the Security Fund are in addition to all other rights of the City, whether reserved by this Article or otherwise authorized by law, and no action, proceeding or exercise of right with respect to said Security Fund shall affect any other right the City may have. Notwithstanding the foregoing, the City shall not be entitled to a double monetary recovery with respect to any of its rights which may be infringed or otherwise violated.

5.62 Permit Suspension and Revocation.

(a) City Right to Revoke Permit. The City may revoke or suspend a permit issued pursuant to this Article for one or more of the following reasons:

- 1) Fraudulent, false, misrepresenting, or materially incomplete statements in the permit application;
- 2) Non-compliance with this Article;
- 3) Permittee's physical presence or presence of permittee's facilities on, over, above, along, upon, under, across, or within the rights-of-way presents a direct or imminent threat to the public health, safety, or welfare; or
- 4) Permittee's failure to construct the facilities substantially in accordance with the permit and approved plans.

(b) Notice of Revocation or Suspension. The City shall send written notice of its intent to revoke or suspend a permit issued pursuant to this Article stating the reason or reasons for the revocation or suspension and the alternatives available to permittee under this Section 5.62.

(c) Permittee Alternatives Upon Receipt of Notice of Revocation or Suspension. Upon receipt of a written notice of revocation or suspension from the City, the permittee shall have the following options:

- 1) Immediately provide the City with reasonable evidence that no cause exists for the revocation or suspension;
- 2) Immediately correct, to the satisfaction of the City, the deficiencies stated in the written notice, providing written proof of such correction to the City within five (5) working days after receipt of the written notice of revocation; or
- 3) Immediately remove the facilities located on, over, above, along, upon, under, across, or within the rights-of-way and restore the rights-of-way to

the satisfaction of the City providing written proof of such removal to the City within ten (10) days after receipt of the written notice of revocation.

The City may, in its discretion, for good cause shown, extend the time periods provided in this Subsection.

(d) Stop Work Order. In addition to the issuance of a notice of revocation or suspension, the City may issue a stop work order immediately upon discovery of any of the reasons for revocation set forth within Subsection a) of this Section.

(e) Failure or Refusal of the Permittee to Comply. If the permittee fails to comply with the provisions of Subsection c) of this Section, the City or its designee may, at the option of the City: (1) correct the deficiencies; (2) upon not less than twenty (20) days notice to the permittee, remove the subject facilities or equipment; or (3) after not less than thirty (30) days notice to the permittee of failure to cure the non-compliance, deem them abandoned and property of the City. The permittee shall be liable in all events to the City for all costs of removal.

5.63 Change of Ownership or Owner's Identity or Legal Status.

(a) Notification of Change. A utility shall notify the City no less than thirty (30) days prior to the transfer of ownership of any facility in the right-of-way or change in identity of the utility. The new owner of the utility or the facility shall have all the obligations and privileges enjoyed by the former owner under the permit, if any, and applicable laws, ordinances, rules and regulations, including this Article, with respect to the work and facilities in the right-of-way.

(b) Amended Permit. A new owner shall request that any current permit be amended to show current ownership. If the new owner fails to have a new or amended permit issued in its name, the new owner shall be presumed to have accepted, and agreed to be bound by, the terms and conditions of the permit if the new owner uses the facility or allows it to remain on the City's right-of-way.

(c) Insurance and Bonding. All required insurance coverage and bonds must be changed to reflect the name of the new owner upon transfer.

5.64 General Construction Standards.

(a) Standards and Principles. All construction in the right-of-way shall be consistent with applicable ordinances, codes, laws rules and regulations, and commonly recognized and accepted traffic control and construction principles, sound engineering judgment and, where applicable, the principles and standards set forth in the following IDOT publications, as amended from time to time:

- 1) Standard Specifications for Road and Bridge Construction;
- 2) Supplemental Specifications and Recurring Special Provisions;
- 3) Highway Design Manual;

- 4) Highway Standards Manual;
- 5) Standard Specifications for Traffic Control Items;
- 6) Illinois Manual on Uniform Traffic Control Devices (92 Ill. Adm. Code § 545);
- 7) Flagger's Handbook; and
- 8) Work Site Protection Manual for Daylight Maintenance Operations.

(b) Interpretation of Municipal Standards and Principles. If a discrepancy exists between or among differing principles and standards required by this Article, the Director of Public Works shall determine, in the exercise of sound engineering judgment, which principles apply and such decision shall be final. If requested, the Director of Public Works shall state which standard or principle will apply to the construction, maintenance, or operation of a facility in the future.

5.65 Traffic Control.

(a) Minimum Requirements. The City's minimum requirements for traffic protection are contained in IDOT's Illinois Manual on Uniform Traffic Control Devices and this Code.

(b) Warning Signs, Protective Devices, and Flaggers. The utility is responsible for providing and installing warning signs, protective devices and flaggers, when necessary, meeting applicable federal, state, and local requirements for protection of the public and the utility's workers when performing any work on the rights-of-way.

(c) Interference with Traffic. All work shall be phased so that there is minimum interference with pedestrian and vehicular traffic.

(d) Notice When Access is Blocked. At least forty-eight (48) hours prior to beginning work that will partially or completely block access to any residence, business or institution, the utility shall notify the resident, business or institution of the approximate beginning time and duration of such work; provided, however, that in cases involving emergency repairs pursuant to Section 5.71 of this Article, the utility shall provide such notice as is practicable under the circumstances.

(e) Compliance. The utility shall take immediate action to correct any deficiencies in traffic protection requirements that are brought to the utility's attention by the City.

5.66 Location of Facilities.

(a) General Requirements. In addition to location requirements applicable to specific types of utility facilities, all utility facilities, regardless of type, shall be subject to the general location requirements of this subsection.

- 1) No Interference with City Facilities. No utility facilities shall be placed in any location if the Director of Public Works determines that the proposed location will require the relocation or displacement of any of the City's utility facilities or will otherwise interfere with the operation or maintenance of any of the City's utility facilities.
- 2) Minimum Interference and Impact. The proposed location shall cause only the minimum possible interference with the use of the right-of-way and shall cause only the minimum possible impact upon, and interference with the rights and reasonable convenience of property owners who adjoin said right-of-way.
- 3) No Interference with Travel. No utility facility shall be placed in any location that interferes with the usual travel on such right-of-way.
- 4) No Limitations on Visibility. No utility facility shall be placed in any location so as to limit visibility of or by users of the right-of-way.
- 5) Size of Utility Facilities. The proposed installation shall use the smallest suitable vaults, boxes, equipment enclosures, power pedestals, and/or cabinets ("cabinets") then in use by the facility owner, regardless of location, for the particular application. In the event such cabinets are replaced due to damage, destruction, repair or other reason, the smallest, suitable cabinet in use at the time of replacement shall be used.

(b) Parallel Facilities Located Within Highways.

- 1) Overhead Parallel Facilities. An overhead parallel facility may be located within the right-of-way lines of a highway only if:
 - i) Lines are located as near as practicable to the right-of-way line and as nearly parallel to the right-of-way line as reasonable pole alignment will permit;
 - ii) Where pavement is curbed, poles are as remote as practicable from the curb with a minimum distance of two feet (0.6 m) behind the face of the curb, where available;
 - iii) Where pavement is uncurbed, poles are as remote from pavement edge as practicable with minimum distance of four feet (1.2 m) outside the outer shoulder line of the roadway and are not within the clear zone;
 - iv) No pole is located in the ditch line of a highway; and

- v) Any ground-mounted appurtenance is located within one foot (0.3 m) of the right-of-way line or as near as possible to the right-of-way line.
- 2) **Underground Parallel Facilities.** An underground parallel facility may be located within the right-of-way lines of a highway only if:
- i) The facility is located as near the right-of-way line as practicable and not more than eight (8) feet (2.4 m) from and parallel to the right-of-way line;
 - ii) A new facility may be located under the paved portion of a highway only if other locations are impracticable or inconsistent with sound engineering judgment (e.g., a new cable may be installed in existing conduit without disrupting the pavement); and
 - iii) In the case of an underground power or communications line, the facility shall be located as near the right-of-way line as practicable and not more than five (5) feet (1.5 m) from the right-of-way line and any above-grounded appurtenance shall be located within one foot (0.3 m) of the right-of-way line or as near as practicable.
- (c) **Facilities Crossing Highways.**
- 1) **No Future Disruption.** The construction and design of crossing facilities installed between the ditch lines or curb lines of City highways may require the incorporation of materials and protections (such as encasement or additional cover) to avoid settlement or future repairs to the roadbed resulting from the installation of such crossing facilities.
 - 2) **Cattle Passes, Culverts, or Drainage Facilities.** Crossing facilities shall not be located in cattle passes, culverts, or drainage facilities.
 - 3) **90 Degree Crossing Required.** Crossing facilities shall cross at or as near to a ninety (90) degree angle to the centerline as practicable.
 - 4) **Overhead Power or Communication Facility.** An overhead power or communication facility may cross a highway only if:
 - i) It has a minimum vertical line clearance as required by ICC's rules entitled, "Construction of Electric Power and Communication Lines" (83 Ill. Adm. Code 305);
 - ii) Poles are located within one foot (0.3 m) of the right-of-way line of the highway and outside of the clear zone; and
 - iii) Overhead crossings at major intersections are avoided.

- 5) Underground Power or Communication Facility. An underground power or communication facility may cross a highway only if:
 - i) The design materials and construction methods will provide maximum maintenance-free service life; and
 - ii) Capacity for the utility's foreseeable future expansion needs is provided in the initial installation.
- 6) Markers. The City may require the utility to provide a marker at each right-of-way line where an underground facility other than a power or communication facility crosses a highway. Each marker shall identify the type of facility, the utility, and an emergency phone number. Markers may also be eliminated as provided in current Federal regulations. (49 C.F.R. §192.707 (1989)).

(d) Facilities to be Located Within Particular Rights-of-Way. The City may require that facilities be located within particular rights-of-way that are not highways, rather than within particular highways.

(e) Freestanding Facilities.

- 1) The City may restrict the location and size of any freestanding facility located within a right-of-way.
- 2) The City may require any freestanding facility located within a right-of-way to be screened from view.

(f) Facilities Installed Above Ground. Above ground facilities may be installed only if:

- 1) No other existing facilities in the area are located underground;
- 2) New underground installation is not technically feasible; and
- 3) The proposed installation will be made at a location, and will employ suitable design and materials, to provide the greatest protection of aesthetic qualities of the area being traversed without adversely affecting safety. Suitable designs include, but are not limited to, self-supporting armless, single-pole construction with vertical configuration of conductors and cable. Existing utility poles and light standards shall be used wherever practicable; the installation of additional utility poles is strongly discouraged.

(g) Facility Attachments to Bridges or Roadway Structures.

- 1) Facilities may be installed as attachments to bridges or roadway structures only where the utility has demonstrated that all other means of

accommodating the facility are not practicable. Other means shall include, but are not limited to, underground, underwater, independent poles, cable supports and tower supports, all of which are completely separated from the bridge or roadway structure. Facilities transmitting commodities that are volatile, flammable, corrosive, or energized, especially those under significant pressure or potential, present high degrees of risk and such installations are not permitted.

2) A utility shall include in its request to accommodate a facility installation on a bridge or roadway structure supporting data demonstrating the impracticability of alternate routing. Approval or disapproval of an application for facility attachment to a bridge or roadway structure will be based upon the following considerations:

- i) The type, volume, pressure or voltage of the commodity to be transmitted and an evaluation of the resulting risk to persons and property in the event of damage to or failure of the facility;
- ii) The type, length, value, and relative importance of the highway structure in the transportation system;
- iii) The alternative routings available to the utility and their comparative practicability;
- iv) The proposed method of attachment;
- v) The ability of the structure to bear the increased load of the proposed facility;
- vi) The degree of interference with bridge maintenance and painting;
- vii) The effect on the visual quality of the structure; and
- viii) The public benefit expected from the utility service as compared to the risk involved.

(h) Appearance Standards.

- 1) The City may prohibit the installation of facilities in particular locations in order to preserve visual quality.
- 2) A facility may be constructed only if its construction does not require extensive removal or alteration of trees or terrain features visible to the right-of-way user or to adjacent residents and property owners, and if it does not impair the aesthetic quality of the lands being traversed.

5.67 Construction Methods and Materials.

(a) Standards and Requirements for Particular Types of Construction Methods.

1) Boring or Jacking.

- i) Pits and Shoring. Boring or jacking under rights-of-way shall be accomplished from pits located at a minimum distance specified by the Director of Public Works from the edge of the pavement. Pits for boring or jacking shall be excavated no more than 48 hours in advance of boring or jacking operations and backfilled within 48 hours after boring or jacking operations are completed. While pits are open, they shall be clearly marked and protected by barricades. Shoring shall be designed, erected, supported, braced, and maintained so that it will safely support all vertical and lateral loads that may be imposed upon it during the boring or jacking operation.
- ii) Wet Boring or Jetting. Wet boring or jetting shall not be permitted under the roadway.
- iii) Borings with Diameters Greater Than 6 Inches. Borings over six inches (0.15 m) in diameter shall be accomplished with an auger and following pipe, and the diameter of the auger shall not exceed the outside diameter of the following pipe by more than one inch (25 mm).
- iv) Borings with Diameters 6 Inches or Less. Borings of six inches or less in diameter may be accomplished by either jacking, guided with auger, or auger and following pipe method.
- v) Tree Preservation. Any facility located within the drip line of any tree designated by the City to be preserved or protected shall be bored under or around the root system.

2) Trenching. Trenching for facility installation, repair, or maintenance on rights-of-way shall be done in accord with the applicable portions of Section 603 of IDOT's "Standard Specifications for Road and Bridge Construction."

- i) Length. The length of open trench shall be kept to the practicable minimum consistent with requirements for pipe-line testing. Only one-half of any intersection may have an open trench at any time unless special permission is obtained from the Director of Public Works.
- ii) Open Trench and Excavated Material. Open trench and windrowed excavated material shall be protected as required by

Chapter 6 of the Illinois Manual on Uniform Traffic Control Devices. Where practicable, the excavated material shall be deposited between the roadway and the trench as added protection. Excavated material shall not be allowed to remain on the paved portion of the roadway. Where right-of-way width does not allow for windrowing excavated material off the paved portion of the roadway, excavated material shall be hauled to an off-road location.

iii) Drip Line of Trees. The utility shall not trench within the drip line of any tree designated by the City to be preserved.

3) Backfilling.

i) Any pit, trench, or excavation created during the installation of facilities shall be backfilled for its full width, depth, and length using methods and materials in accordance with IDOT's "Standard Specifications for Road and Bridge Construction." When excavated material is hauled away or is unsuitable for backfill, suitable granular backfill shall be used.

ii) For a period of three years from the date construction of a facility is completed, the utility shall be responsible to remove and restore any backfilled area that has settled due to construction of the facility. If so ordered by the Director of Public Works, the utility, at its expense, shall remove any pavement and backfill material to the top of the installed facility, place and properly compact new backfill material, and restore new pavement, sidewalk, curbs, and driveways to the proper grades, as determined by the Director of Public Works.

4) Pavement Cuts. Pavement cuts for facility installation or repair shall be permitted on a highway only if that portion of the highway is closed to traffic. If a variance to the limitation set forth in this paragraph 4) is permitted under Section 5.72, the following requirements shall apply:

i) Any excavation under pavements shall be backfilled and compacted as soon as practicable with granular material of CA-6 or CA-10 gradation, as designated by the Director of Public Works.

ii) Restoration of pavement, in kind, shall be accomplished as soon as practicable and temporary repair with bituminous mixture shall be provided immediately. Any subsequent failure of either the temporary repair or the restoration shall be rebuilt upon notification by the City.

iii) All saw cuts shall be full depth.

- iv) For all rights-of-way which have been reconstructed with a concrete surface/base in the last seven (7) years, or resurfaced in the last three (3) years, permits shall not be issued unless such work is determined to be an emergency repair or other work considered necessary and unforeseen before the time of the reconstruction or unless a pavement cut is necessary for a J.U.L.I.E. locate.
- 5) Encasement.
- i) Casing pipe shall be designed to withstand the load of the highway and any other superimposed loads. The casing shall be continuous either by one-piece fabrication or by welding or jointed installation approved by the City.
 - ii) The venting, if any, of any encasement shall extend within one foot (0.3 m) of the right-of-way line. No above-ground vent pipes shall be located in the area established as clear zone for that particular section of the highway.
 - iii) In the case of water main or service crossing, encasement shall be furnished between bore pits unless continuous pipe or City approved jointed pipe is used under the roadway. Casing may be omitted only if pipe is installed prior to highway construction and carrier pipe is continuous or mechanical joints are of a type approved by the City. Bell and spigot type pipe shall be encased regardless of installation method.
 - iv) In the case of gas pipelines of 60 psig or less, encasement may be eliminated.
 - v) In the case of gas pipelines or petroleum products pipelines with installations of more than 60 psig, encasement may be eliminated only if: (1) extra heavy pipe is used that precludes future maintenance or repair and (2) cathodic protection of the pipe is provided;
 - vi) If encasement is eliminated for a gas or petroleum products pipeline, the facility shall be located so as to provide that construction does not disrupt the right-of-way.
- 6) Minimum Cover of Underground Facilities. Cover shall be provided and maintained at least in the amount specified in the following table for minimum cover for the type of facility:

TYPE OF FACILITY	MINIMUM COVER
Electric Lines	30 Inches (0.8 m)
Communication, Cable or Video Service Lines	18 to 24 Inches (0.6 m, as determined by City)
Gas or Petroleum Products	30 Inches (0.8 m)
Water Line	Sufficient Cover to Provide Freeze Protection
Sanitary Sewer, Storm Sewer, or Drainage Line	Sufficient Cover to Provide Freeze Protection

(b) Standards and Requirements for Particular Types of Facilities.

1) Electric Power or Communication Lines.

- i) Code Compliance. Electric power or communications facilities within City rights-of-way shall be constructed, operated, and maintained in conformity with the provisions of 83 Ill. Adm. Code Part 305 (formerly General Order 160 of the Illinois Commerce Commission) entitled "Rules for Construction of Electric Power and Communications Lines," and the National Electrical Safety Code.
- ii) Overhead Facilities. Overhead power or communication facilities shall use single pole construction and, where practicable, joint use of poles shall be used. Utilities shall make every reasonable effort to design the installation so guys and braces will not be needed. Variances may be allowed if there is no feasible alternative and if guy wires are equipped with guy guards for maximum visibility.
- iii) Underground Facilities. (1) Cable may be installed by trenching or plowing, provided that special consideration is given to boring in order to minimize damage when crossing improved entrances and side roads. (2) If a crossing is installed by boring or jacking, encasement shall be provided between jacking or bore pits. Encasement may be eliminated only if: (a) the crossing is installed by the use of "moles," "whip augers," or other approved method which compress the earth to make the opening for cable installation or (b) the installation is by the open trench method which is only permitted prior to roadway construction. (3) Cable shall be grounded in accordance with the National Electrical Safety Code.
- iv) Burial of Drops. All temporary service drops placed between November 1 of the prior year and March 15 of the current year, also known as snowdrops, shall be buried by May 31 of the current year, weather permitting, unless otherwise permitted by the City.

Weather permitting, utilities shall bury all temporary drops, excluding snowdrops, within ten (10) business days after placement.

- 2) Underground Facilities Other than Electric Power or Communication Lines. Underground facilities other than electric power or communication lines may be installed by:
 - i) the use of “moles,” “whip augers,” or other approved methods which compress the earth to move the opening for the pipe;
 - ii) jacking or boring with vented encasement provided between the ditch lines or toes of slopes of the highway;
 - iii) open trench with vented encasement between ultimate ditch lines or toes of slopes, but only if prior to roadway construction; or
 - iv) tunneling with vented encasement, but only if installation is not possible by other means.
- 3) Gas Transmission, Distribution and Service. Gas pipelines within rights-of-way shall be constructed, maintained, and operated in a City approved manner and in conformance with the Federal Code of the Office of Pipeline Safety Operations, Department of Transportation, Part 192 – Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards (49 CFR §192), IDOT’s “Standard Specifications for Road and Bridge Construction,” and all other applicable laws, rules, and regulations.
- 4) Petroleum Products Pipelines. Petroleum products pipelines within rights-of-way shall conform to the applicable sections of ANSI Standard Code for Pressure Piping. (Liquid Petroleum Transportation Piping Systems ANSI-B 31.4).
- 5) Waterlines, Sanitary Sewer Lines, Storm Water Sewer Lines or Drainage Lines. Water lines, sanitary sewer lines, storm sewer lines, and drainage lines within rights-of-way shall meet or exceed the recommendations of the current “Standard Specifications for Water and Sewer Main Construction in Illinois.”
- 6) Ground Mounted Appurtenances. Ground mounted appurtenances to overhead or underground facilities, when permitted within a right-of-way, shall be provided with a vegetation-free area extending one foot (305 mm) in width beyond the appurtenance in all directions. The vegetation-free area may be provided by an extension of the mounting pad, or by heavy duty plastic or similar material approved by the Director of Public Works. With the approval of the Director of Public Works, shrubbery or other plantings surrounding the appurtenance may be used in place of

vegetation-free area. The housing for ground-mounted appurtenances shall be painted a neutral color to blend with the surroundings.

(c) Materials.

- 1) General Standards. The materials used in constructing facilities within rights-of-way shall be those meeting the accepted standards of the appropriate industry, the applicable portions of IDOT's "Standards Specifications for Road and Bridge Construction," the requirements of the Illinois Commerce Commission, or the standards established by other official regulatory agencies for the appropriate industry.
- 2) Material Storage on Right-of-Way. No material shall be stored on the right-of-way without the prior written approval of the Director of Public Works. When such storage is permitted, all pipe, conduit, wire, poles, cross arms, or other materials shall be distributed along the right-of-way prior to and during installation in a manner to minimize hazards to the public or an obstacle to right-of-way maintenance or damage to the right-of-way and other property. If material is intended to be stored on right-of-way, prior approval must be obtained from the City.
- 3) Hazardous Materials. The plans submitted by the utility to the City shall identify any hazardous materials that may be involved in the construction of the new facilities or removal of any existing facilities.

(d) Operational Restrictions.

- 1) Construction operations on rights-of-way may, at the discretion of the City, be required to be discontinued when such operations would create hazards to traffic or the public health, safety, and welfare. Such operations may also be required to be discontinued or restricted when conditions are such that construction would result in extensive damage to the right-of-way or other property.
- 2) These restrictions may be waived by the Director of Public Works when emergency work is required to restore vital utility services.
- 3) Unless otherwise permitted by the City, the hours of construction are those set forth in Article 12.12(j) and (o) of the Elmhurst Municipal Code.

(e) Location of Existing Facilities. Any utility proposing to construct facilities in the City shall contact J.U.L.I.E. and ascertain the presence and location of existing above-ground and underground facilities within the rights-of-way to be occupied by its proposed facilities. The City will make its permit records available to a utility for the purpose of identifying possible facilities. When notified of an excavation or when requested by the City or by J.U.L.I.E., a utility shall locate and physically mark its underground facilities within 48 hours, excluding weekends and holidays, in accordance with the Illinois Underground Facilities Damage Prevention Act (220 ILCS 50/1 *et seq.*)

5.68 Vegetation Control.

(a) Electric Utilities – Compliance with State Laws and Regulations. An electric utility shall conduct all tree-trimming and vegetation control activities in the right-of-way in accordance with applicable Illinois laws and regulations, and additionally, with such local franchise or other agreement with the City, as permitted by law.

(b) Other Utilities – Tree Trimming Permit Required. Tree trimming that is done by any other utility with facilities in the right-of-way and that is not performed pursuant to applicable Illinois laws and regulations specifically governing same, shall not be considered a normal maintenance operation, but shall require the application for, and the issuance of, a permit, in addition to any other permit required under this Article.

1) Application for Tree Trimming Permit. Applications for tree trimming permits shall include assurance that the work will be accomplished by competent workers with supervision who are experienced in accepted tree pruning practices. Tree trimming permits shall designate an expiration date in the interest of assuring that the work will be expeditiously accomplished.

2) Damage to Trees. Poor pruning practices resulting in damaged or misshapen trees will not be tolerated and shall be grounds for cancellation of the tree trimming permit and for assessment of damages. The City will require compensation for trees extensively damaged and for trees removed without authorization. The formula developed by the International Society of Arboriculture will be used as a basis for determining the compensation for damaged trees or unauthorized removal of trees. The City may require the removal and replacement of trees if trimming or radical pruning would leave them in an unacceptable condition.

(c) Specimen Trees or Trees of Special Significance. The City may require that special measures be taken to preserve specimen trees or trees of special significance. The required measures may consist of higher poles, side arm extensions, covered wire or other means.

(d) Chemical Use.

1) Except as provided in the following paragraph, no utility shall spray, inject or pour any chemicals on or near any trees, shrubs or vegetation in the City for any purpose, including the control of growth, insects or disease.

2) Spraying of any type of brush-killing chemicals will not be permitted on rights-of-way unless the utility demonstrates to the satisfaction of the Director of Public Works that such spraying is the only practicable method of vegetation control.

5.69 Removal, Relocation, or Modifications of Utility Facilities.

(a) Notice. Within ninety (90) days following written notice from the City, a utility shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any utility facilities within the rights-of-way whenever the corporate authorities have determined that such removal, relocation, change or alteration, is reasonably necessary for the construction, repair, maintenance, or installation of any City improvement in or upon, or the operations of the City in or upon, the rights-of-way.

(b) Removal of Unauthorized Facilities. Within thirty (30) days following written notice from the City, any utility that owns, controls, or maintains any unauthorized facility or related appurtenances within the rights-of-way shall, at its own expense, remove all or any part of such facilities or appurtenances from the rights-of-way. A facility is unauthorized and subject to removal in the following circumstances:

- 1) Upon expiration or termination of the permittee's license or franchise, unless otherwise permitted by applicable law;
- 2) If the facility was constructed or installed without the prior grant of a license or franchise, if required;
- 3) If the facility was constructed or installed without prior issuance of a required permit in violation of this Article; or
- 4) If the facility was constructed or installed at a location not permitted by the permittee's license or franchise.

(c) Emergency Removal or Relocation of Facilities. The City retains the right and privilege to cut or move any facilities located within the rights-of-way of the City, as the City may determine to be necessary, appropriate or useful in response to any public health or safety emergency. If circumstances permit, the City shall attempt to notify the utility, if known, prior to cutting or removing a facility and shall notify the utility, if known, after cutting or removing a facility.

(d) Abandonment of Facilities. Upon abandonment of a facility within the rights-of-way of the City, the utility shall notify the City within ninety (90) days thereof. Following receipt of such notice the City may direct the utility to remove all or any portion of the facility if the Director of Public Works determines that such removal will be in the best interest of the public health, safety and welfare. In the event that the City does not direct the utility that abandoned the facility to remove it, by giving notice of abandonment to the City, the abandoning utility shall be deemed to consent to the alteration or removal of all or any portion of the facility by another utility or person.

5.70 Clean-up and Restoration.

The utility shall remove all excess material and restore all turf and terrain and other property within ten (10) days after any portion of the rights-of-way are disturbed, damaged or destroyed due to construction or maintenance by the utility, all to the satisfaction of the City.

This includes restoration of entrances and side roads. Restoration of roadway surfaces shall be made using materials and methods approved by the Director of Public Works. Such cleanup and repair may be required to consist of backfilling, regrading, reseeding, resodding, or any other requirement to restore the right-of-way to a condition substantially equivalent to that which existed prior to the commencement of the project. The time period provided in this Section may be extended by the Director of Public Works for good cause shown.

5.71 Maintenance and Emergency Maintenance.

(a) General. Facilities on, over, above, along, upon, under, across, or within rights-of-way are to be maintained by or for the utility in a manner satisfactory to the City and at the utility's expense.

(b) Emergency Maintenance Procedures. Emergencies may justify non-compliance with normal procedures for securing a permit:

- 1) If an emergency creates a hazard on the traveled portion of the right-of-way, the utility shall take immediate steps to provide all necessary protection for traffic on the highway or the public on the right-of-way including the use of signs, lights, barricades or flaggers. If a hazard does not exist on the traveled way, but the nature of the emergency is such as to require the parking on the shoulder of equipment required in repair operations, adequate signs and lights shall be provided. Parking on the shoulder in such an emergency will only be permitted when no other means of access to the facility is available.
- 2) In an emergency, the utility shall, as soon as possible, notify the Director of Public Works or his or her duly authorized agent of the emergency, informing him or her as to what steps have been taken for protection of the traveling public and what will be required to make the necessary repairs. If the nature of the emergency is such as to interfere with the free movement of traffic, the City's Police Department shall be notified immediately.
- 3) In an emergency, the utility shall use all means at hand to complete repairs as rapidly as practicable and with the least inconvenience to the traveling public.

(c) Emergency Repairs. The utility must file in writing with the City a description of the repairs undertaken in the right-of-way within 48 hours after an emergency repair.

5.72 Variances.

(a) Request for Variance. A utility requesting a variance from one or more of the provisions of this Article must do so in writing to the Director of Public Works as a part of the permit application. The request shall identify each provision of this Article from which a variance is requested and the reasons why a variance should be granted.

(b) Authority to Grant Variances. The Director of Public Works shall decide whether a variance is authorized for each provision of this Article identified in the variance request on an individual basis.

(c) Conditions for Granting of Variance. The Director of Public Works may authorize a variance only if the utility requesting the variance has demonstrated that:

- 1) One or more conditions not under the control of the utility (such as terrain features or an irregular right-of-way line) create a special hardship that would make enforcement of the provision unreasonable, given the public purposes to be achieved by the provision; and
- 2) All other designs, methods, materials, locations or facilities that would conform to the provision from which a variance is requested are impracticable in relation to the requested approach.

(d) Additional Conditions for Granting of a Variance. As a condition for authorizing a variance, the Director of Public Works may require the utility requesting the variance to meet reasonable standards and conditions that may or may not be expressly contained within this Article but which carry out the purposes of this Article.

(e) Right to Appeal. Any utility aggrieved by any order, requirement, decision or determination, including denial of a variance, made by the Director of Public Works under the provisions of this Article shall have the right to appeal to the City Council. The application for appeal shall be submitted in writing to the City Clerk within 30 days after the date of such order, requirement, decision or determination. Applications for appeals shall set forth the basis or bases for same in a reasonably complete fashion. If no appeal is filed within the 30 day period aforesaid, the right to appeal shall be deemed waived. The City Council shall commence its consideration of the appeal at the Council's next regularly scheduled meeting occurring at least seven (7) days after the filing of the appeal. The City Council shall timely decide the appeal.

5.73 Penalties.

Any person who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this Article shall be subject to fine in accordance with the penalty provisions of this Code. There may be times when the City will incur delay or other costs, including third party claims, because the utility will not or cannot perform its duties under its permit and this Article. Unless the utility shows that another allocation of the cost of undertaking the requested action is appropriate, the utility shall bear the City's costs of damages and its costs of installing, maintaining, modifying, relocating, or removing the facility that is the subject of the permit. No other administrative agency or commission may review or overrule a permit related cost apportionment of the City. Sanctions may be imposed upon a utility that does not pay the costs apportioned to it.

5.74 Enforcement.

Nothing in this Article shall be construed as limiting any additional or further remedies that the City may have for enforcement of this Article.

5.75 Severability.

If any section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 3. Effective Date. This Ordinance shall take effect ten (10) days after its passage, approval and publication in pamphlet form.

Approved this ____ day of _____, 2008.

Thomas D. Marcucci, Mayor

Passed this ____ day of _____, 2008.

Ayes: _____ Nays: _____

Patty Spencer, City Clerk

COUNCIL ACTION SUMMARY

SUBJECT: Ordinances – Cable/Video Service Provider Fee and Customer Service Standards; Standards for constructing facilities in Public Rights-of-Way

ORIGINATOR: City Attorney

DESCRIPTION OF SUBJECT MATTER:

Pursuant to the approval of the Public Affairs & Safety Committee Report at the Council's December 3rd meeting, two ordinances have been prepared with respect to the Illinois Cable and Video Competition Law (the "Act") passed by the General Assembly in 2007.

The first ordinance would 1) adopt the customer service and privacy protection standards included in the Act to permit City enforcement of same and 2) impose a Cable/Video service provider fee and PEG access support fee. The provider fee and PEG access support fee would not apply to Comcast as the provisions of its franchise with the City control, but would apply to AT&T as it will be the only video provider having obtained Illinois Commerce Commission authorization to offer service in the City. In accordance with the Act, the video service provider fee and PEG fee cannot be greater than that imposed on Comcast, those fees being, respectively, 5% and 1% of gross revenues. This ordinance would also delete the portions of Chapter 38 relating to right-of-way construction standards.

The second ordinance would replace the City's existing ordinance relating to standards for construction of facilities in City rights-of-way. The standards would apply to any construction in the rights-of-way, (other than for City facilities). The ordinance would amend Chapter 5 of the City Code (Streets, Alleys and Sidewalks) as that Chapter is the most appropriate part of the City Code for placement of right-of-way construction standards. This ordinance is based on the model prepared by Illinois Municipal League. It has been modified to provide more specificity to the variance process and to require that the smallest size cabinet then in use by the facility owner shall be used, whether for initial installations or replacements due to damage, repair or other reasons.

AT&T anticipates launching its video service at the end of March at the latest, and possibly earlier. It is thus important that the service provider fee and PEG access fee ordinance be adopted as soon as possible to ensure such fees are in effect prior to commencement of video service.

Ordinances as outlined are attached for Council consideration.