

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, FEBRUARY 2, 2009
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

EXECUTIVE SESSION – PERSONNEL

1. Executive session was called to order at 7:00 p.m. by Mayor Marcucci for the purpose of discussing Personnel.

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

Absent: Michael J. Regan, Mark A. Mulliner

Also in attendance: City Treasurer Pigoni, City Attorney Kubiesa, City Manager Borchert

Alderman Bram moved to convene into executive session for the purpose of discussing Personnel. Alderman Gutenkauf seconded. Roll call vote:

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

Nays: None

12 yeas, 0 nays, 2 absent

Motion duly carried

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

CALL TO ORDER/ ROLL CALL

Attendance: 60

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor Marcucci at 7:43 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

Absent: Mark A. Mulliner

Also in Attendance: City Treasurer Pigoni, City Attorney Kubiesa, City Manager Borchert, Fire Chief Kopp, PZED Director Said, Economic Development Manager Corner, Real Estate Consultant Van Slyke, Museum Director Bergheger

PLEDGE OF ALLEGIANCE – JEFFERSON SCHOOL CUB SCOUT PACK #15

3. Mayor asked Jefferson School Cub Scout Pack #15, Den 3, to come to the dais, face the flag and recite the pledge of allegiance.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

4. None.

PUBLIC FORUM

5. Val Stewart
135 S. York, Apt. 501
Elmhurst, IL 60126

Spoke on behalf of the newly formed Heritage Foundation stating their mission and upcoming exhibits. She announced there will be a Jazz Brunch fundraiser on Sunday, February 15, 2009. For more details visit the website at Elmhursthhistory.org.

Jim Babcock

185 N. Willow Rd.
Elmhurst, IL 60126

Spoke on the Sustainability Policy that is on tonight's Consent Agenda. He thanked the Development, Planning and Zoning and Public Affairs and Safety Committees for their position stating it is very good and will be a help to the community.

Katie Muno
134 N. Larch Ave.
Elmhurst, IL 60126

Spoke of the proposed parking at the corner of Larch and First Street stating at the November 10, 2008 Public Works and Buildings Committee meeting it would be tabled until the beginning of 2009. She stated the ordinance on tonight's agenda should allow the neighbors of Larch Ave. to voice their concerns for putting additional parking.

Susan May
122 Larch
Elmhurst, IL 60126

Spoke of the traffic concerns on Larch Avenue and stated the residents are concerned with the new development plans.

CONSENT AGENDA

6. The following items on the Consent Agenda were presented:
 - a. MINUTES OF REGULAR MEETING HELD ON TUESDAY, JANUARY 20, 2009 (City Clerk Spencer): Approve as published
 - b. ACCOUNTS PAYABLE – JANUARY 31, 2009 TOTAL \$ 987,125.14
 - c. BIDS, UNIFORM SERVICES (City Clerk Spencer): Refer to the Public Works and Buildings Committee

January 27, 2009

TO: Mayor Marcucci and Members of the City Council
RE: Bids, Uniform Services

In response to an invitation to bid for Uniform Services advertised in the Elmhurst Press on Friday, January 9, 2009, bids were received from five area suppliers.

Bids were opened at 10:00 a.m. on Tuesday, January 27, 2009, and following is a summary of the bids received:

<u>Supplier</u>	<u>Cost per Week</u>
Arrow Uniform Rental (Elmhurst, IL)	\$182.62
G & K Services (Justice, IL)	\$217.02
Aramark Uniform Services (Arlington Heights, IL)	\$228.61
Unifirst Corporation (Melrose Park, IL)	\$263.82
Cintas Corporation (Romeoville, IL)	\$270.83

Respectfully submitted,

/s/ Patty Spencer
City Clerk

- d. BIDS, 2008-09 SANITARY SEWER CIPP LINING PROJECT (City Clerk Spencer): Refer to the Public Works and Buildings Committee

January 20, 2009

TO: Mayor Marcucci and Members of the City Council
RE: Bid, 2008-09 Sanitary Sewer CIPP Lining Project

In response to an invitation to bid for the 2008-09 Sanitary Sewer CIPP Lining Project advertised in the Elmhurst Press on Friday, December 26, 2008, bids were received from four area contractors.

Bids were opened at 10:00 a.m. on Tuesday, January 20, 2009, and following is a summary of the bids received:

<u>Contractor</u>	<u>Base Bid</u>	<u>Optional</u>
Insituform Technologies USA, Inc. (Chesterfield, MO)	\$702,124.20	\$179,533.50
Michels Corporation (Brownsville, WI)	\$736,966.00	\$174,680.00
Visu-Sewer of Illinois, LLC (Bridgeview, IL)	\$783,797.50	\$173,112.50
American Pipe Liners, Inc. (West Chicago, IL)	\$769,302.50	\$180,135.00

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. REPORT – BID FOR 2009 SANITARY SEWER CIPP LINING PROJECT The following report of the Public Works and Buildings Committee was presented:

January 26, 2009

TO: Mayor Marcucci and Members of the City Council
RE: Bid for 2009 Sanitary Sewer CIPP Lining Project

The Public Works and Buildings Committee met on Monday, January 26, 2009 to discuss bids for the 2009 Sanitary Sewer CIPP Lining Project. An invitation to bid was sent to qualified contractors and advertised in local area newspapers. The bid contained two (2) separate parts; Base Bid Project and Optional Project work. The four (4) bids that were received are summarized below:

<u>Contractor</u>		<u>Optional Work</u>	<u>Base Bid</u> <u>Grand Total</u>
Insituform Technologies (Chesterfield, MO)	\$702,124.20	\$179,533.50	\$881,657.70
Michels Pipe Services (Brownsville, WI)	\$736,966.00	\$174,680.00	\$911,646.00
American Pipe Liners (West Chicago, IL)	\$769,302.50	\$180,135.00	\$949,437.50
Visu-Sewer Clean & Seal	\$783,797.50	\$173,112.50	\$956,910.00

(Bridgeview, IL)

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. The Base Bid Project contains 17,495 feet of sanitary sewer targeted for rehabilitation. Optional Project work areas total 2,345 feet of sanitary sewer pipe, for a grand total of 19,835 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.

However, additional work such as point repairs, which may be required prior to lining are not included in the bid amount. Therefore, unit pricing for this type of work was requested in the event it becomes necessary. The amount of work authorized by the City for this project, including the base bid, the optional work, and any additional work, shall not exceed the budgeted 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 2008/2009 Budget, Municipal Utility Fund, Sanitary Sewer Replacement/Lining Program, account number 510-6056-502-80-13, in the budgeted 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 Project and the Optional Project work, in the amount of \$881,657.70, and the unit prices for any additional work, be accepted.

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow
Chairman

/s/ Michael Regan
Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- f. REPORT – INSTALLATION OF NEW PUBLIC SIDEWALKS ON GLADYS AVENUE The following report of the Public Works and Buildings Committee was presented:

January 26, 2009

TO: Mayor Marcucci and Members of the City Council
RE: Installation of New Public Sidewalks on Gladys Avenue

The Public Works and Buildings Committee met on Monday, January 26, 2009 to review the neighborhood request for the installation of sidewalks on the north side of Gladys Avenue from Garden Avenue to West Avenue.

The City Council has previously approved a 50/50 cost share between the City and the property owners for installation of new sidewalks on full blocks where none currently exist. A Special Service Area will be established to support financing for the project. Through this financing method, the City will be reimbursed for 50% of the project cost by the residents via the County collecting the appropriate property tax over several years based upon the assessed value of each affected lot.

The residents of Gladys Avenue submitted a petition signed by property owners willing to participate in the 50/50 cost share program to install new sidewalks. 60% of the property owners of the block signed the petition.

The City hosted an informational open house for the affected properties to discuss details of the proposed project on September 24, 2008. Preliminary sketches/plans for the proposed sidewalk were on display at the open house. General cost estimates and an explanation of the Special Service Area (SSA) method of financing were also provided at the informational meeting.

Following this, City staff sent an official City survey to all affected properties. Only returned surveys are used to determine neighborhood support. Survey results found 54% (15 of 28) in favor of the new sidewalks and 46% (13 of 28) against the installation of new sidewalks. The block was notified of the numerical survey results on December 1, 2008.

Based on the survey results and a thorough review of the proposed project information, the Public Works and Buildings Committee recommends the approval of the neighborhood's request for the installation of new sidewalks on Gladys Avenue between Garden Avenue and West Avenue, north side only, and that City staff be directed to create the Special Service Area according to the Special Service Area Tax Law (35 ILCS 200/27-5 et.seq).

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow
Chairman

/s/ Michael Regan
Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- g. REPORT – COTTAGE HILL AVENUE – CHURCH STREET TO ELMWOOD TERRACE PARKING RESTRICTIONS The following report of the Public Affairs and Safety Committee was presented:

January 26, 2009

To: Mayor Marcucci and members of the City Council

Re: Cottage Hill Avenue – Church Street to Elmwood Terrace Parking Restrictions

The Public Affairs and Safety Committee met on January 26, 2009 to discuss the request from the Elmhurst Police Department to clarify the existing “2 Hour Parking” signage on Cottage Hill Avenue between Church Street and Elmwood Terrace. The current signs do not clearly indicate where the “2 Hour Parking” restriction ends on the south end of the block. Engineering distributed a survey to determine whether the neighborhood prefers “2 Hour Parking” for the entire block or from Church Street to 265/274 Cottage Hill Avenue.

Survey results show that while 45% of residents prefer “2 Hour Parking” on both sides for the full block, 27% indicate support for “2 Hour Parking” on one side and suggest “No Parking” on the other side. These results can be interpreted such that the total 72% supports at least a 2 hour restriction, with a portion of those residents wanting more restrictive measures on one side. Also note that there was no interest in the portion of a partial block restriction from Church Street to 265/274 Cottage Hill. Based on these results, staff recommends that “2 Hour Parking” be implemented on both sides of Cottage Hill Avenue from Church Street to Elmwood Terrace. This modification will allow the Police Department to effectively enforce parking restriction in the area.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to restrict parking on both sides of Cottage Hill Avenue from Church Street to Elmwood Terrace to “2 Hour Parking” only.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner
Chairman

/s/ Michael Bram
Vice-Chairman

/s/ Chris Nybo

- h. REPORT – PARKING CHANGES FOR BERKLEY AVENUE AND RANDOLPH STREET The following report of the Public Affairs and Safety Committee was presented:

January 26, 2009

To: Mayor Marcucci and Members of the City Council
RE: Parking Changes for Berkley Avenue and Randolph Street

The Public Affairs and Safety Committee met on December 8, 2008 and again on January 26, 2009 to discuss neighborhood residents' requests to change the current parking restriction on Berkley Avenue in the area of Randolph Street and the Prairie Path. Residents indicate traffic and pedestrian conflicts in this area.

Staff visited the site several times over the past couple weeks and researched accident history in the area. The intersection of Berkley Avenue and Randolph Street is a "T" intersection, controlled by an eastbound stop sign on Randolph. Both streets have typical widths and low accident history. There are no apparent line of sight issues.

Both Randolph and Berkley have existing parking restrictions. Parking is allowed on the north side of Randolph Street but is restricted for about 80 feet on the south side near the intersection at Berkley. Weekday parking usage is light on Randolph and two-way traffic can safely maneuver the intersection even with the presence of a school bus. Fire and Police Department staff report higher parking usage on Sunday mornings during mass at Grace Bible Church.

Per the Berkley Avenue corridor study completed by Coulter Transportation Consulting, staff recommends that parking be prohibited on Berkley between Randolph Street and Eggleston Avenue. As parking is currently restricted on the east side of Berkley ("No Parking at Any Time Here to Corner"), new signage would be installed on the west side ("No Parking at Any Time Here to Corner"). It is also recommended, to improve congestion and sight distance, that parking be restricted on Berkley for the first 100 feet south of Prairie Path Lane. Additionally it is recommended that parking be restricted on the north side of Randolph for the first 80 feet west of Berkley Avenue.

The Public Affairs and Safety Committee concurred with the recommendations by city staff and Coulter Transportation Consulting.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to prohibit parking on both sides of Berkley between Randolph Street and Eggleston Avenue and on Berkley for the first 100 feet south of Prairie Path Lane and on the north side of Randolph for the first 80 feet west of Berkley Avenue.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner
Chairman

/s/ Michael Bram
Vice-Chairman

/s/ Chris Nybo

- i. REPORT – EGGLESTON AVENUE CORRIDOR – ARGYLE AVENUE TO YORK STREET STOP/YIELD SIGN STUDIES The following report of the Public Affairs and Safety Committee was presented:

January 26, 2009

To: Mayor Marcucci and Members of the City Council
RE: Eggleston Avenue Corridor – Argyle Avenue to York Street Stop/Yield Sign Studies

The Public Affairs and Safety Committee met on December 8, 2008 and again on January 26, 2009 to discuss the status of the review of the Eggleston Avenue corridor between Argyle Avenue and York Street by the City's traffic consultant, Brent Coulter of Coulter Transportation Consulting.

The intersections of Eggleston Avenue at Argyle, Mitchell, Prospect, Parkside and Washington were studied. Based on "Proposed Warrants for Low Volume Intersection Traffic Control", additional signage is warranted at certain locations.

It was determined that the existing yield control on Prospect Avenue at Eggleston and stop control on Washington Street at Eggleston are appropriate for conditions. In accordance with Mr. Coulter's findings, staff recommends that the changes listed below be made:

- Install a yield sign on westbound Eggleston at Argyle Avenue
- Install yield signs on northbound and southbound Parkside Avenue at Eggleston
- Install yield signs on northbound and southbound Mitchell Avenue at Eggleston

The Public Affairs and Safety Committee concurred with the recommendations by city staff and Coulter Transportation Consulting.

It is therefore, the recommendation of the Public Affairs and Safety Committee that the appropriate ordinance be drafted and adopted by the City Council to implement changes at the Eggleston Avenue corridor, from Argyle Avenue to York Street as identified by city staff and Coulter Transportation Consulting.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner

Chairman

/s/ Michael Bram

Vice-Chairman

/s/ Chris Nybo

- j. REPORT – YORK & VALLETTE BUSINESS ASSOCIATION'S 2009 FARMERS MARKET The following report of the Public Affairs and Safety Committee was presented:

January 26, 2009

To: Mayor Marcucci and members of the City Council
Re: York & Vallette Business Association's 2009 Farmers Market

The Public Affairs and Safety Committee met on January 26, 2009 to discuss the request from the York & Vallette Business Association regarding the 2009 Farmers Market. Jason Janes was available to answer the committee's questions.

The Elmhurst Municipal parking lot east of York on Vallette will be used as in the past. The market will commence on June 3rd and run through October on every Wednesday from 7:00 a.m. to 1:00 p.m.

The Elmhurst Chamber of Commerce will provide necessary event insurance and will make the policy available to the City Attorney prior to the event.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the York and Vallette Business Association's 2009 Farmers Market starting June 3rd through October on every Wednesday from 7:00 a.m. to 1:00 p.m.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner

Chairman

/s/ Michael Bram

Vice-Chairman

/s/ Chris Nybo

- k. REPORT – 2009 GENERAL OBLIGATION BONDS The following report of the Finance, Council Affairs and Administrative Services Committee was presented:

January 27, 2009

To: Mayor Marcucci and Members of the City Council

Re: 2009 General Obligation Bonds

The Finance, Council Affairs and Administrative Services Committee met January 26, 2009 to discuss the issuance of general obligation bonds.

As the City Council will recall, staff projected the need for a general obligation bond issue during 2009 for parking deck improvements including land acquisition, and for infrastructure improvements related to the new Elmhurst Memorial Hospital facility. Staff initially projected a bond issue of \$12,000,000, which would be a non-bank qualified issue since it would be greater than \$10,000,000. Speer Financial, Inc., the City's financial adviser, indicated that the current interest rate for this type of issue is in the 4.5% range. Speer Financial recommended consideration of a bank qualified \$10,000,000 issue, due to the current interest rate for this type of issue being in the 4.0% range. The interest savings to the City due to the 50 basis points rate differential would be over \$700,000.

Due to the significant interest savings, staff recommends a bond issue of \$10,000,000, to be used for parking deck improvements including land acquisition (\$9,000,000) and for infrastructure improvements related to the new EMH facility (\$1,000,000). Staff recommends combining the remaining funding for the infrastructure improvements (\$1,800,000) with a future bond issue in 2010 or 2011. The bond sale will be a competitive sale, and the sale will be scheduled to take place March 2, 2009, due to the timing of the land acquisition. The City's total bond debt will be less than 2.2%, which is within the City's debt limit of 5% of EAV.

After review and discussion, it was the consensus of the Finance Committee to recommend issuance of general obligation bonds in the amount of \$10,000,000, for the above stated purposes.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council authorize the issuance of general obligation bonds in the amount of \$10,000,000, to finance parking deck improvements including land acquisition, and to partially finance infrastructure improvements related to the new Elmhurst Memorial Hospital facility.

Respectfully submitted,
Finance, Council Affairs and
Administrative Services Committee

/s/ George Szczepaniak

Chairman

/s/ Stephen Hipskind

Vice-Chairman

/s/ Moira Moriarty

/s/ Steven Morley

- l. REPORT – INVESTMENT POLICY UPDATE The following report of the Finance, Council Affairs and Administrative Services Committee was presented:

January 27, 2009

To: Mayor Marcucci and Members of the City Council

Re: Investment Policy Update

The Finance, Council Affairs and Administrative Services Committee met January 26, 2009 to review an updated investment policy for the City of Elmhurst.

In 1990, the City Council adopted an investment policy (Resolution R-76-90) for the City of Elmhurst which has provided a framework for making appropriate and prudent investment decisions. The investment policy was reviewed and updated in 1999, and the updated policy was adopted by the City Council (Resolution R-22-99). The investment policy was submitted to the Municipal Treasurer's Association of United States and Canada (now the Association of Public Treasurers of the United States and Canada (APT US&C)) for certification, which it was awarded. State legislation also requires every unit of government in Illinois to adopt a written policy governing its investment activity.

Staff has updated the investment policy to be consistent with the Government Finance Officers Association (GFOA) investment policy guidelines, and with the APT US&C model investment policy. The updated policy is attached; additions are noted in italics and deletions have a line through the word or phrase. The only significant change in the policy is removal of the 25% self-imposed cap on Certificates of Deposit as a per cent of total investment. This is consistent with state statute, and the Finance Committee believes it is appropriate given the economic climate to allow investment flexibility. The updated investment policy will be submitted to the APT US&C for certification, upon adoption of the policy by the City Council.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council authorize the City Attorney to prepare a resolution approving the adoption of the updated investment policy for the City of Elmhurst.

Respectfully submitted,
Finance, Council Affairs and
Administrative Services Committee

/s/ George Szczepaniak
Chairman

/s/ Stephen Hipskind
Vice-Chairman

/s/ Moira Moriarty

/s/ Steven Morley

- m. REPORT – WIRELESS RADIO ALARM NETWORK The following report of the Development, Planning and Zoning Committee was presented:

January 26, 2009

To: Mayor Marcucci and members of the City Council
Re: Wireless Radio Alarm Network

The Development, Planning and Zoning Committee met on December 8, 2008 and again on January 26, 2009 to discuss an ordinance change to allow the City of Elmhurst to develop a radio alarm network.

Many municipalities, including the City of Elmhurst provide fire and security alarm monitoring services to subscribers within their jurisdictions by means of dedicated telephone lines that are installed and maintained by the local telephone company. Failures can occur when sending signals through telephone lines due to complications such as inclement weather, vandalism, inconsistent connections in old cables, and inadvertent signal interruption by telephone company repair personnel working on the wrong wires. Many municipalities have chosen to replace their telephone line connections with a wireless network radio system, a network of radio transceivers that replace conventional telephone lines, increasing the reliability, performance and accuracy of their alarm monitoring systems.

The benefits of the radio alarm network include:

- No cost installation of new, state-of-the-art wireless equipment
- No modifications needed on existing fire alarm system

- No cessation of protection during upgrade and switchover
- Leased equipment is covered by a maintenance program
- Elimination of false alarms previously generated by telephone lines
- Elimination of the wait for new telephone lines to be installed for new subscribers

This active radio system network is a proven reliable alarm system, featuring UL-listed radio transceivers that replace conventional telephone lines. This unique and powerful system with multipath capability alleviates the need for both towers and expensive repeater sites as each subscriber radio transceiver functions as a repeater.

Distributed intelligence and dynamically evaluated transmission paths ensure that the system always uses the most reliable path to the central receiver. Each added subscriber transceiver strengthens the network and can provide another transmission path to the central receiver for the other subscribers.

Adopting the wireless radio network system will also reduce another problem that subscribers experience—lack of coordination among the telephone company, the alarm company and the subscriber. The new program will allow the city to coordinate all installation and service related issues between subscribers, alarm companies and the city.

To allow the Elmhurst wireless radio network to move forward successfully, the current Elmhurst Municipal Code and its amendments will need to be changed, requiring all current direct connect subscribers and future subscribers to connect to the Elmhurst wireless radio network. This requirement is necessary to ensure a strong and reliable system.

Along with the requirement to connect to the Elmhurst wireless radio network, the entire City Code was reviewed for consistency and accuracy regarding fire alarm systems. Changes have been recommended to Sections 25.03 and 26.21 and have been included in the draft ordinance.

It is therefore, the recommendation of the Development, Planning and Zoning Committee to allow the City Attorney to draft an ordinance to update the current City Code as proposed, along with requiring all current direct connect subscribers to switch over to the Elmhurst wireless radio alarm network within six months of August 1, 2009.

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Susan J. Rose
Chairman

/s/ Norman Leader
Vice-Chairman

/us/ Diane Gutenkauf

- n. REPORT – ENVIRONMENTAL AND SUSTAINABILITY INITIATIVES The following joint committee report of the Public Affairs and Safety Committee and Development, Planning and Zoning Committee was presented:

January 7, 2009

TO: Mayor Marcucci and Members of the City Council
RE: Environmental and Sustainability Initiatives

The Development, Planning and Zoning Committee and the Public Affairs and Safety Committee met in a joint meeting on February 25, 2008 and separately on May 12, 2008, to review a draft policy on city initiatives towards carbon reduction and sustainable policies. To prepare for this discussion, the Committees reviewed a draft policy submitted by the City Manager and Director of Water/Wastewater Dennis Streicher.

Director Streicher also described that the City is a participant in a Cool Cities Coalition Committee. The Committee is a community group that includes members of local organizations, with a goal to mobilize citizens in becoming sustainability conscious. Local organizations represented on the Cool Cities Coalition include The League of Women Voters, The American Association of University Women, several Elmhurst church organizations, District 205, Elmhurst Public Library, Elmhurst Park District, Sierra Club, Elmhurst Chamber of Commerce and City Centre among others. The City

of Elmhurst, which is also a member of this group, coordinates efforts with the Committee for best effect. The Cool Cities Coalition Committee held an 'Elmhurst Cool City Green Fest' on August 9, 2008 at Wilder Park.

Both committees then agreed that the DPZ Committee would review the draft policy first, and then refer it to the PA&S Committee for review prior to its submittal to the City Council for final action. The DPZ Committee then reviewed the document during numerous meetings from September – December, 2008. Based on recommendations from the DPZ Committee, Mr. Streicher made several revisions to the draft document, with an ultimate positive recommendation from the DPZ Committee.

During initial joint review by both committees, City Manager Thomas Borchert introduced Dennis Streicher as the City staff person who is coordinating City sustainable initiatives. Director Streicher distributed to the Committee the first draft of the City policy that was a starting point for discussion for setting sustainable goals for the City in the coming months and years. Director Streicher described the City Staff's Sustainability Committee, which is composed of members from each of the City departments. The Committee has discussed ways in which individual departments can participate in modifying materials, equipment and behaviors that would result in reducing environmental impacts and with a stated goal of reducing the total carbon foot print of the City. The Committee would also be responsible for stewardship of the policy after its adoption.

During initial discussion, Mr. Streicher emphasized that several beneficial initiatives have already been started that include but are not limited to; removal of all inorganic carbons from solvents and paints, the replacement of incandescent light bulbs with compact fluorescent, use of biodiesel and other alternative fuels for City vehicles and a close review of new equipment purchases to find those that have the least carbon foot print or the greatest fuel efficiencies. Director Streicher has also solicited bids from engineers to assist in the calculation of the City's carbon emissions with a goal of establishing a base year and a current year in a fashion that can be documented and defended for future use. Future uses could include carbon trading that might be a financial incentive for the City to reduce its carbon usage and sell the City's carbon 'credits' on an open market to other industries or municipalities. In order to achieve that, the carbon calculations have to be a defensible calculation. The policy is a dynamic document that will need to be modified as time proceeds.

Therefore, it is the recommendation of the joint committee that the Sustainability Policy be approved by the City Council.

Respectfully submitted,
Public Affairs and Safety Committee

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

Development, Planning and Zoning
Committee

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

o. O-02-2009 – AN ORDINANCE AUTHORIZING THE SALE BY AUCTION OF PERSONAL PROPERTY OWNED BY THE CITY OF ELMHURST

Ordinance O-02-2009 was presented for passage.

Alderman Szczepaniak pulled item **6k. Report – 2009 General Obligation Bonds**. Alderman Rose pulled items **6m. Report – Wireless Radio Alarm Network** and **6n. Report – Environmental and Sustainability Initiatives**.

Alderman Regan moved to accept the contents of the Consent Agenda less items **6k. Report – 2009 General Obligation Bonds, 6m. Report – Wireless Radio Alarm Network** and **6n. Report – Environmental and Sustainability Initiatives**. Alderman Gow seconded. Voice vote unanimous, motion carried. Alderman Rose moved to approve the contents of the Consent Agenda less items **6k. Report – 2009 General Obligation Bonds, 6m. Report – Wireless Radio Alarm Network** and **6n. Report – Environmental and Sustainability Initiatives**. Alderman Gutenkauf seconded. Roll call vote:

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

Nays: None

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

Alderman Szczepaniak moved to approve item **6k. Report – 2009 General Obligation Bonds**. Alderman Hipskind seconded.

Chairman Szczepaniak deferred to Vice-Chairman Hipskind to review item **6k. Report – 2009 General Obligation Bonds**.

Alderman Hipskind reviewed the General Obligation Bond projected issue of \$12,000,000. It was recommended by City's financial advisor to bring the bond to \$10,000,000. The interest rate is lower and this would save the City money.

Alderman Szczepaniak stated he pulled **6k. Report – 2009 General Obligation Bonds** because after reviewing the report he wanted to reserve the right not to support the related ordinance because of Item #8, therefore he would vote nay on the committee report.

Roll call vote on item **6k. Report – 2009 General Obligation Bonds**:

Ayes: Hipskind, Regan, Leader, Rose, Moriarty, Nybo, Morley, Lomnicki

Nays: Szczepaniak, Gutenkauf, Shea, Bram, Gow

Results: 8 ayes, 5 nays, 1 absent
Motion carried

Alderman Rose moved to take item **6m. Report – Wireless Radio Alarm Network** back to the Development, Planning and Zoning Committee. Alderman Leader seconded.

City Attorney Kubiesa stated since Alderman Rose is the Chair of Development, Planning and Zoning Committee and wants item **6m. Report – Wireless Radio Alarm Network** to go back to the Committee, it does not require a motion. Alderman Rose moved to withdraw the motion, Alderman Leader seconded.

Alderman Rose moved to accept item **6n. Report – Environmental and Sustainability Initiatives**. Alderman Bram seconded.

Alderman Rose stated item **6n. Report – Environmental and Sustainability Initiatives** is a joint Development, Planning and Zoning Committee and Public Affairs and Safety Committee report, with input from many community groups. Item **6n. Report – Environmental and Sustainability Initiatives** is policy and guidelines on the City's sustainability efforts. Alderman Rose acknowledged Cool Cities, League of Women Voters, AAUW, District 205, Elmhurst Park District, Elmhurst Public Library, Elmhurst Chamber of Commerce and the Sierra Club for their input. She also thanked Water/Wastewater Director Streicher. She stated Director Streicher made a commitment that the

guidelines are for the near future and will not be sitting on a shelf. Alderman Rose said this policy is a win for our community. She stated it will be looked at on a yearly basis.

Alderman Bram stated kudos to former Alderman Ann Tranter who brought this to the table two or three years ago. He stated the environment is important to every citizen.

Alderman Moriarty stated she received a call from a resident asking why our businesses don't have the ability to recycle. She stated this should be a part of sustainability.

Roll call vote on item **6n. Report – Environmental and Sustainability Initiatives:**

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

Nays: None

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

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

7. a. REPORT FROM SENIOR COMMISSION (Chairman Shirley Myers)

Shirley Myers, Chairman of the Elmhurst Senior Citizens Commission gave a report to Mayor Marcucci and the City Council.

Chairman Myers reviewed the commission's mission statement and gave a brief summary of the following:

- Housing Committee – To advocate and support senior residential alternatives.
- Transportation Committee – Keep seniors informed regarding senior transportation issues.
- Senior Collaboration Committee – Partner with community to serve underserved seniors and to provide volunteer opportunities within our community.
- Education committee – To disseminate information about resources, trends and public policy issues.

Chairman Myers concluded by announcing she will not seek reappointment when her term expires on April 30, 2009.

Alderman Hipskind thanked Chairman Myers for her dedication. He stated she has done a wonderful job.

Alderman Bram gave an update on the Ride DuPage Program announcing the startup date of June, 2009.

Mayor Marcucci thanked Chairman Myers for a job well done.

b. UPDATES (Mayor Marcucci)

Mayor Marcucci announced the roll out date of June, 2009 for the Ride DuPage Program. He emphasized the program is not only for seniors, but for the physically impaired as well.

Mayor Marcucci stated he received a thank you for the Council passing the resolution on the Canadian National Railroad Commission.

ORDINANCES

8. a. O-03-2009 – AN ORDINANCE APPROVING A REAL ESTATE PURCHASE AND SALE AGREEMENT AND A TERM SHEET FOR THE ACQUISITION AND REDEVELOPMENT OF REAL ESTATE WITHIN THE DOWNTOWN TIF DISTRICT (HURLEY, THORNE AND ATHAR PARCELS)

Ordinance O-03-2009 was presented for passage.

Alderman Regan moved to approve item **8a. O-03-2009 – An Ordinance Approving a Real Estate Purchase and Sale Agreement and a Term Sheet for the Acquisition and Redevelopment of**

Real Estate within the Downtown TIF District (Hurley, Thorne and Athar Parcels). Alderman Rose seconded.

City Manger Borchert stated item **8a. O-03-2009 – An Ordinance Approving a Real Estate Purchase and Sale Agreement and a Term Sheet for the Acquisition and Redevelopment of Real Estate within the Downtown TIF District (Hurley, Thorne and Athar Parcels)** is a result of six (6) months of work between DevCom, City staff and City Council reviewing the need to develop CBD and the need for parking, which cannot be fulfilled without a developer. He stated the ordinance provides for the Thorne property to be purchased by DevCom, relocation of the tenants and the development of a mixed use retail and a city parking deck. The City will provide the capital. Retail will be built and managed by DevCom.

The Hurley property was purchased by DevCom for the City to purchase the Hurley property for parking. The City is willing to work with the neighbors on Larch Ave. He stated a cul-de-sac could be a solution.

Alderman She had a question on the term sheet, 5c.

City Manager Borchert explained the City provides capital to DevCom and City will receive a 4.75% interest rate from DevCom. The property will be vacated and developed with the City having oversight on the parking structure and DevCom on the retail.

Alderman Shea stated it sounds like the City is paying for the retail.

City Manager Borchert replied that until the developer can fill it, the City will own and control it. City builds the structure and the private side will buy the retail from the City.

Discussion ensued.

Alderman Gow stated that item 5f on page 2 is a good idea, but not listed in the term agreement document.

City Manager Borchert stated that it does not commit the City but the City can process a request for that conditional use.

Alderman Bram, regarding item 5d on page 2, the purchase questioned the “cold dark shell”.

Discussion ensued regarding the City’s payment of first floor retail.

Alderman Szczepaniak stated that the agreement states the City will be using Arco/Murray. Council was verbally told the City would go with competing quotes. Alderman Szczepaniak asked for cost verification.

Mayor Marcucci replied they haven’t been presented with costs.

Discussion ensued.

Alderman Szczepaniak commented that he doesn’t agree with the formula. This should have gone through the RFP process.

Discussion ensued.

Alderman Gutenkauf moved to strike page 2, 5f of the term sheet. Alderman Moriarty seconded.

Alderman Morley asked City Manager Borchert to clarify the height.

City Manager Borchert replied this block would be the highest in the CBD but it doesn’t commit City to anything.

Alderman Regan stated this is a step to the vision we have for Elmhurst.

Alderman Rose asked if this amendment affects the developer.

Discussion ensued regarding the amendment to the main motion.

Alderman Hipskind was excused from the meeting at 9:39 p.m.

Mayor Marcucci called for the vote on the amendment to the main motion.

Roll call vote as follows:

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

Nays: Regan, Nybo

Results: 10 ayes, 2 nays, 2 absent
Motion duly carried

Alderman Lomnicki asked if the City should receive interest sooner than later rather than 2012, referring to the contract, page 1, item 3.

City Attorney Kubiesa replied that it will be monthly.

Alderman Lomnicki asked about exploring the possibility of applying for grants from Metra for commuter parking.

Mayor Marcucci replied that the City is always trying to apply for a grant with Metra for parking.

Alderman Lomnicki stated that the City needs to keep the residents on Larch in mind.

Alderman Gutenkauf asked when construction will begin.

City Manager Borchert the last lease in the office building expires on September 30, 2012.

Alderman Moriarty stated the City should put together a task force with the Larch residents so that their voices can be heard.

Mayor Marcucci stated normal procedure of the Planning and Zoning Commission is to hold a public hearing, at which time residents may voice their concerns.

Alderman Gutenkauf asked how the two properties will be managed. Alderman Gutenkauf stated that on page 3 of the term sheet, item 5h should state "begun", not "substantially completed".

Mayor Marcucci said to consider this change a scrivener's error.

Alderman Morley asked if we can talk about something that was said in Executive Session.

City Attorney Kubiesa replied that we cannot.

Alderman Morley reviewed the process that will be taken per the development agreement and Acro/Murray as the construction company.

Discussion ensued.

Alderman Morley point of information, what is the vote count needed for the ordinance to pass?

City Attorney Kubiesa replied that it would require a majority vote.

Roll call vote as follows:

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

Nays: Szczepaniak

Results: 11 ayes, 1 nay, 2 absent
Motion duly carried

OTHER BUSINESS

8. Alderman Szczepaniak asked if there is anything new on the flood plain and south Elmhurst.

Mayor Marcucci stated he is attending a meeting tomorrow with the stormwater committee. The

City of Elmhurst and Villages of Oak Brook and Villa Park have presented a letter to run a model from the last storm. This is an ongoing issue and yet to be resolved. The Mayor stated he would remain involved after his term.

ANNOUNCEMENTS

10. None.

ADJOURNMENT

11. Alderman Bram moved to adjourn the meeting. Aldermen Lomnicki seconded. Voice Vote. Motion carried. Meeting adjourned 10:15 p.m.

Thomas D. Marcucci, Mayor

Patty Spencer, City Clerk