

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS  
HELD ON MONDAY, MAY 4, 2009  
209 NORTH YORK STREET  
ELMHURST, ILLINOIS**

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

Attendance: 18

1. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:34 p.m.

Present: Diane Gutenkauf, Paula Pezza, Pat Shea, Norman Leader, Susan J. Rose, Michael J. Bram, Stephen Hipskind, Kevin L. York, Chris Nybo, Chris Healy, Steve Morley, Jim Kennedy, Mark A. Mulliner, Patrick Wagner

Absent: None

Also in Attendance: City Treasurer Dyer, City Manager Borchert, Fire Chief Kopp, Finance & Administration Director Gaston, Assistant Finance Director Trosien, WWTP Director Streicher, Operations Manager Morley, Police Chief Neubauer, PZED Director Said, Deputy Clerk Van De Walle

**PROCLAMATION FOR MUNICIPAL CLERK'S WEEK IN ELMHURST**

2. Mayor DiCianni asked City Clerk Spencer to join him at the podium. He stated the role of City Clerk is one of great responsibility and complimented Clerk Spencer on the wonderful job she does for Elmhurst. He read a proclamation stating the week of May 3 – May 9, 2009 was Municipal Clerks Week in Elmhurst.

Clerk Spencer thanked Mayor DiCianni for honoring Municipal Clerks Week. She then asked Deputy Clerk Erin Van De Walle, who serves as the President of the DuPage Municipal Clerks, to stand and be recognized. She stated Deputy Van De Walle's re-appointment as Deputy Clerk of Elmhurst is on the Consent Agenda this evening.

City Clerk Spencer stated it is an honor to serve as City Clerk. She stated she looks forward to continuing to serve the residents of Elmhurst as she begins her second term of office.

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

3. None.

**PUBLIC FORUM**

4. Alan J. Brinkmeier  
384 Prairie  
Elmhurst, IL 60126

Advised Council that the appointment of a new City Attorney is not something that should be done in haste and asked them to make sure they are advised with full transparency.

**CONSENT AGENDA**

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

- a. MINUTES OF REGULAR MEETING HELD ON MONDAY, APRIL 20, 2009 (City Clerk Spencer): Approve as published
- b. MINUTES OF THE SPECIAL MEETING HELD ON MONDAY, APRIL 27, 2009 (City Clerk Spencer): Approve as published
- c. ACCOUNTS PAYABLE – APRIL 30, 2009 TOTAL \$ 1,145,472.02

- d. REAPPOINTMENT OF DEPUTY CLERK VAN DE WALLE (City Clerk Spencer): Concur with the City Clerk's recommendation

April 29, 2009

To: Mayor DiCianni and the Members of the City Council  
Re: Reappointment of Deputy Clerk Van De Walle

With the advice and consent of the City Council of the City of Elmhurst, I hereby request the reappointment of Erin K. Van De Walle as Deputy Clerk during my term of office. This reappointment would be rescinded upon separation from service.

This complies with Section 3.04 of the Municipal Code allowing me to appoint a Deputy Clerk.

Respectfully submitted,  
/s/ Patty Spencer  
City Clerk

- e. BIDS, 2009 CONTRACT PAVING PROGRAM (City Clerk Spencer): Refer to the Public Works and Buildings Committee

April 21, 2009

TO: Mayor DiCianni and Members of the City Council  
RE: Bids, 2009 Contract Paving Program

In response to an invitation to bid for the 2009 Contract Paving Program advertised in the Elmhurst Press on Friday, April 3, 2009, bids were received from nine area contractors.

Bids were opened at 10:00 a.m. on Tuesday, April 21, 2009, and following is a summary of the bids received:

Contractor	Total Cost
C-A Cement Construction Company (Bloomington, IL)	\$1,486,504.12
R. W. Dunteman Company (Addison, IL)	\$1,494,921.25
Brothers Asphalt Paving, Inc. (Addison, IL)	\$1,520,084.80
Orange Crush, LLC (Hillside, IL)	\$1,530,000.00
G & M Cement Construction, Inc. (Addison, IL)	\$1,569,223.83
J. Nardulli Concrete, Inc. (Chicago, IL)	\$1,579,524.64
Arrow Road Construction Co. (Mt. Prospect, IL)	\$1,587,933.54
K-Five Construction (Lemont, IL)	\$1,610,516.24
Triggi Construction, Inc. (West Chicago, IL)	\$1,673,541.89

Respectfully submitted,  
/s/ Patty Spencer  
City Clerk

- f. REPORT – REQUEST FOR LIQUOR LICENSES FOR GOOD EARTH MARKET The following report of the Public Affairs and Safety Committee was presented:

April 13, 2009

TO: Mayor DiCianni and Members of the City Council  
RE: Request for Liquor Licenses for Good Earth Market

The Public Affairs and Safety Committee met on Monday, April 13th to consider a request by Good Earth Market, located at 555 South York Street for two liquor licenses. These licenses would permit the sale of liquor in the original package as well as the sale of liquor by the drink in the café proposed for the establishment.

Regan C. Cronin as the applicant addressed the Committee. She stated it was her desire to offer beer and wine for sale in the original package as well as by the drink in the café portion of her establishment. Ms. Cronin later stated that she as well wished to sell liqueurs in the original package but limit the café sales to beer and wine.

After discussion, the Committee concluded that sale of liquor in the manner proposed by Ms. Cronin was reasonable and presented minimal enforcement issues. Police Chief Neubauer concurred that establishments such as Ms. Cronin's typically do not generate significant enforcement problems. A package liquor license (Class PL) and a restaurant service bar (Class RSB) liquor license would be required for the types of sales planned by Good Earth Market.

It is therefore the recommendation of the Public Affairs and Safety Committee that the Council authorize the City Attorney to prepare the necessary ordinances to increase the authorized number of the Class PL and Class RSB liquor licenses each by one and that Good Earth Market be permitted to apply for such licenses.

Respectfully submitted,  
Public Affairs and Safety Committee

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

- g. O-11-2009 – AN ORDINANCE ADOPTING AN OFFICIAL COMPREHENSIVE PLAN FOR THE CITY OF ELMHURST

Ordinance O-11-2009 was presented for passage.

- h. R-10-2009 – A RESOLUTION TO IDENTIFY LEGAL SIGNATORS AND DEPOSITORIES FOR THE CITY OF ELMHURST

Resolution R-10-2009 was presented for passage.

Alderman Rose removed item **5g. O-11-2009 – An Ordinance Adopting an Official Comprehensive Plan for the City of Elmhurst.**

Alderman Gutenkauf moved to accept the contents of the Consent Agenda less item **5g. O-11-2009 – An Ordinance Adopting an Official Comprehensive Plan for the City of Elmhurst.** Alderman York seconded. Voice vote unanimous, motion carried. Alderman Hippskind moved to approve the contents of the Consent less item **5g. O-11-2009 – An Ordinance Adopting an Official Comprehensive Plan for the City of Elmhurst.** Alderman Wagner seconded. Roll call vote:

Ayes: Hippskind, Wagner, Gutenkauf, Pezza, Shea, Leader, Rose, Bram, York, Nybo, Healy, Morley, Kennedy, Mulliner,

Nays: None

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

Alderman Rose moved to approve item **5g. O-11-2009 – An Ordinance Adopting an Official Comprehensive Plan for the City of Elmhurst**. Alderman Gutenkauf seconded.

Alderman Rose stated she removed item **5g. O-11-2009 – An Ordinance Adopting an Official Comprehensive Plan for the City of Elmhurst** to review the procedure, importance and longevity of the proposed Comprehensive Plan with the newly elected officials.

Roll call vote on item **5g. O-11-2009 – An Ordinance Adopting an Official Comprehensive Plan for the City of Elmhurst**:

Ayes: Rose, Gutenkauf, Pezza, Shea, Leader, Bram, Hipkind, York, Nybo, Healy, Morley, Kennedy, Mulliner, Wagner

Nays: None

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

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

### 6. a. UPDATES (Mayor Marcucci)

Mayor DiCianni stated that he and City Manager Borchert along with Aldermen Leader, Nybo, Morley and Mulliner participated in the DuPage Mayors and Managers drive-down to Springfield last week. He stated that during their time in Springfield they met with State leaders to bring attention to issues in DuPage and to lobby on behalf of the residents of Elmhurst.

### b. APPOINTMENT OF ATTORNEY DONALD J. STORINO (Mayor DiCianni): Concur with the Mayor's recommendation

April 30, 2009

To: Members of City Council  
From: Mayor Peter P. DiCianni, III

It is respectfully requested that the City Council approve my appointment of Donald J. Storino as attorney for the City of Elmhurst.

Respectfully submitted,  
/s/ Peter P. DiCianni, III  
Mayor

Mayor DiCianni stated item **6b. Appointment of Attorney Donald J. Storino** will be postponed until next Monday, May 11, 2009. He stated there are some members of the Council that would like more time to complete their due diligence and ask Mr. Storino some questions. Mayor DiCianni asked for a consensus from Council to meet with Mr. Storino either on Thursday, May 7 or Monday May 11 before a Special City Council Meeting.

Discussion ensued and consensus from Council was to meet with Mr. Storino on Monday, May 11, 2009 at 6:30 p.m. in closed session. At 7:30 p.m. a Special Meeting of the City Council will take place, potentially with a new City Attorney.

Alderman Pezza asked how can the vetting of the recommended new City Attorney be open and transparent if it takes place in closed session.

City Manager Borchert stated discussion and questioning with/of Attorney Storino would take place during closed session and further discussion the vote on item **6b. Appointment of Attorney Donald J. Storino** would take place in open session as part of the Special Meeting.

c. ORIENTATION AND ISSUES REPORT (City Manager Borchert)

City Manager Borchert presented a PowerPoint Presentation titled 2009-2011 City Council Orientation & Review of Policy/Project Considerations. He started the review by introducing the City's Mission Statement to the Council, explaining the Organization Chart, talking about Character Counts and reviewed financial charts and documents. City Manager Borchert introduced the directors of the various City departments to the Council and in turn highlighted the main applications of their division of the City.

City Manager Borchert concluded by stating if there were any questions he would be happy to answer them. He stated once a decision has been made regarding a City Attorney, the attorney will give a presentation on legal proceedings.

Mayor DiCianni thanked City Manager Borchert and his staff for their comprehensive presentation to the City Council.

**OTHER BUSINESS**

7. Mayor DiCianni stated he is forming a Finance Task Force. He stated the community needs to be informed and give ideas from a perspective from the outside looking in. He stated he is looking for a blend of backgrounds and age groups. He stated if interested you may apply by contacting the Mayor/Manager's Office at City Hall.

Alderman Wagner asked would this be an ongoing Task Force.

Mayor DiCianni stated this is needed now and it would be four (4) to six (6) months long.

**ANNOUNCEMENTS**

8. City Manager Borchert announced a meeting of the Bensenville Fire Protection group will be held on Wednesday, May 6, 2009 at 7:00 p.m. at Conrad Fischer School. Two (2) alternatives will be presented regarding payment obligation to the City of Elmhurst.

The City Manager informed Council they will receive invitations to the DuPage Mayors and Managers meetings and specialized conferences. He stated if Council members plan on attending please contact the Mayor/Managers Office to RSVP.

Alderman Shea announced that she and Alderman Leader will host a town hall meeting on Tuesday, May 12, 2009 from 7:00 p.m. – 9:00 p.m. Mayor DiCianni will be in attendance.

Mayor DiCianni stated that there are a lot of rumors circulating in the City and he would like to inform Council and the community that City Manager Borchert will remain as City Manager for as long as he would like to do so.

Mayor DiCianni announced the Character Counts Awards will be presented on Wednesday, May 27, 2009 at Elmhurst College.

**ADJOURNMENT**

9. Alderman Morley moved to adjourn the meeting. Aldermen Wagner seconded. Voice Vote. Motion carried. Meeting adjourned 8:59 p.m.

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Peter P. DiCianni, III, Mayor

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Patty Spencer, City Clerk