

Regular Meeting of the Elmhurst City Council

55 Present; 1 Absent

February 1, 2016

38 Public; 10 Staff

7:45 PM – 10:20 PM

Elmhurst College Student Observer: E. Berley

1. Mayor Morley called the meeting to order at 7:45 PM.

a. Pledge of Allegiance

b. Roll Call

13 Aldermen Present; 1 Alderman Absent

2. Receipt of Written Communication from the Public None

3. Public Forum

- a. Resident 1: He expressed his concerns about the city's spending and the usage of the resident's tax money for projects such as, the hardware store and parking garage. He explained that since the city is giving land and money away to businesses, such as the car dealership and the hardware store, it is creating the feeling that the land in Elmhurst is worth nothing. He concluded by asking the Council not to approve report 6.16 on the consent agenda, which is a plumbing code amendment to allow the use of PEX for water distribution piping. He doesn't want this report approved because it would be a dramatic change for the city.
- b. Resident 2: Announced the fashion show occurring on February 16.
- c. Resident 3: Began his comments by requesting that meeting minutes be posted within 2 business days after the meetings. Next, he addressed the issue of York Commons and the installation of a shut-off valve. He explained that Burke Engineering revealed there is no use for a shut-off valve for a 100, 200, 300, or 400-year flood, and a 500-year flood is too difficult to map out. He suggests that instead of having a plan for a 500 year-flood change it to something lower and there will be no need for an expensive shut-off valve. He ended his comments by mentioning the City Council meeting on January 19 and the offensive remark of an Alderman at the end of a resident's public forum comments. He continued to request that the Alderman who made the comments come forward and apologize to the resident. Mayor Morley reminded him that the public forum portion of the meeting is not for discussion, and is reserved for comments from residents.
- d. Resident 4: He explained that he and his family have lived in Elmhurst since 2012, and has had a continuing flood problem. The basement of their home has flood numerous times, and they have approached city engineers that came up with a drainage plan and suggested contractors to use. It ended up being a \$7,000 project, and their basement still floods. He expressed that this shows the lack of accountability from the city, and he wants to bring light to this issue. He concluded by expressing that flooding in Elmhurst is an urgent problem, and the City needs to move forward on it.

4. Announcements None

5. Consent Agenda

a. Excluding Agenda Item 6.16

13 ayes; 0 nays; 1 absent – Approved

b. 6.16 Report – Plumbing Code Amendment to Allow the Use for PEX for Water Distribution Piping (DP&Z)

Request to push voting to approve this report to next meeting – Approved.

6. Committee Reports

a. 7.1 Report – Emergency Traffic Plan (PA&S) - Approved

- i. Alderman Healy: Explained that this plan would help to manage traffic during times of flooding. Currently the city is working on improving two areas, which are North Avenue at the 290 Underpass and the Schiller Underpass. The plan includes a Storm Water Team that would be in charge of managing traffic with signs and barricades. He hopes that this plan can continue to evolve and cover more areas over time, but at this time the city can only manage two areas.

- ii. Alderman York: Thanked the committee and expressed that he believes this management will benefit many people.
- iii. Alderman Levin: Asked if caution tape will be available for neighborhoods.
 - 1. Alderman Healy: Responded by explaining that caution tape is already available for flooded neighborhoods, but this plan will make it even more available.
 - 2. Alderman Levin: Explains his concern for the creation of different gridlock in different locations.
 - 3. Alderman Healy: Revealed that this is one of the staffs concerns, and it unfortunately will occur either way. He explained that this is proactive way to solving the traffic problem.
 - 4. Alderman Levin: Concluded that he supports the plan because it is cheap and he commended the committee for undertaking this. He suggested that signage is provided for semi trucks getting stuck on residential streets.
 - 5. Alderman Healy: Explained that the Elmhurst Police explained this to the committee as well and are already trying to do this.
- iv. Alderman Bram: Began by agreeing with the committee that traffic management is an issue during flooding, and commends them for thinking of this plan. He admitted that he disagrees with the plan for North Ave. He does not want side streets to be blocked off because residents don't have any other way of getting through. He suggested barricading to the last residential streets and leave North Ave open at York Rd with more warning signs. He agreed with Alderman Levin that this might created more gridlock in different places.

Alderman Healy: Explained that this policy is not set in stone and it will not have a rapid implementation. The Storm Water Team will be at the scene to make the proper decisions. Next, he explained that the barricades would not be set up to block people from the street, but to deter non-residents to drive through.
- v. Alderman Talluto: Thanks the committee for creating a proactive plan for the existing traffic problems that flooding creates. Expressed that this the first step to fixing problems and shows that working together to address the problem does work.
- vi. Alderman Polomsky: Thanked the committee for creating plans for areas that do not currently have plans for flood management. Also, she explained that it is a good plan because it allows for adjustment over time.
- vii. Alderman Bram: He believed that this issue is difficult to resolve, and there are additional concerns. One concern is Emroy being blocked off during traffic management because semis often go down that street and it will cause more gridlock.
- b. 7.2 Report – TIF Incentive and Sales Tax Incentive Request from Wilkins Hyundai Mazda (FCA&AS) – Motion to Amend; Approved
 - i. Alderman York: Explained that Wilkins Auto Dealer needs to build two new showrooms in order to maintain itself as a Mazda Dealership. He also expressed that Elmhurst receives a lot of revenue from car dealerships and if Wilkins does not accommodate Mazda, then they will find a different location. He concluded that an agreement of this size needs a long-term investment and requests that the report be amended to a 15-year agreement. He explained that the agreement would contain a quarterly payment that will continue when the 2 new show rooms open.
 - ii. Alderman Deuter: Suggested that the writing of the report be changed from using 2015 as the base year to using 2015 or 2016 as the base year for the agreement.

Alderman York: Explained that this sales difference will be small, but if it is a concern the committee can look into it.

- iii. Alderman Levin: Asked if the existing sales tax incentive ends this year.
 - 1. Alderman York: Replied that it does not end this year.
 - 2. Alderman Levin: Expressed his confusion about the date payments will begin.
 - 3. Finance Director: At this time the finance director was given a microphone in the audience to explain that the 2008 agreement with Mazda has a base of 0. The new Hyundai agreement has the same base as the 2007 Hyundai base. Therefore, Hyundai has the most money from sales.
 - 4. Alderman Talluto: Explained that she interpreted the report to say the payments start on April 1, 2016.
- iv. Alderman Talluto: Explained that car dealerships are a part of Elmhurst's major source of revenue and relieves property taxes on residents. He believes the sales tax incentive has been thoroughly reviewed, and is essentially a win- win for the city. If the city doesn't meet Wilkin's needs then Mazda will leave Elmhurst, and that decreases the city's revenue.
- v. Alderman Wagner: Asked if Mazda has submitted anything in writing about leaving Elmhurst if this report is not approved.

Alderman York: Replied by saying yes, and the committee is under the gun in this situation. The deadline is looming and Wilkins is very serious about it.
- vi. Alderman Bram: Agreed that Mazda should submit something in writing proving they will leave Elmhurst if the report is not approved. Also agreed that 2015 or 2016 should be the language of the base line in the amended report. Explained that the way the agreement is now the applicant is benefitting more than the city, and that is not how these agreements should play out. He concluded that the city is giving the applicant too much money and the residents are not getting enough out of the deal.
- vii. Alderman Levin: Explained that he believes it is a win for the residents because the majority of sales taxes come from cars.
- viii. Alderman Dunn: Explained that the 15-year agreement will keep the business in Elmhurst for a longer period of time. He also explained that buy completing the project it will also include storm water detention for the property and surrounding areas. This TIF incentive is following the pattern of previous TIF incentives, and concluded by asking for support on the amended report.
- ix. Alderman Bram: Expressed that he sees the report moving forward, but would like to make one more comment. He explained that for a Sales Tax Agreement to be approved it must meet 2 out of 4 criteria. 1. It must be for a desirable business 2. There must be a presence of an extraordinary project. And he didn't mention the third criteria because Wilkins is not meeting it. He explained that this applicant does not have an extraordinary circumstance, and therefore should not be approved for a sales tax incentive.
- x. Alderman Deuter: Suggested a motion to amend the amended 7.2 report to changed the language from 2015 to 2015 or 2016 for the base year of the sales tax receipt.
- xi. Motion to Amend Amended report – Approved
- c. 7.3 Report – Len's Ace Hardware TIF Incentive Request (FCA&AS) - Approved
 - i. Alderman York: Explained that the applicant's purchase and remodeling of the location will be beneficial for the city. It is located in TIF 1, which is ending soon. The applicant is requesting \$25,000 pay as you go for the purchase and remodeling of the hardware store.
 - ii. Alderman Levin: Explained that he doesn't see the applicant meeting the criteria for a TIF incentive, and he believes that the city cannot give TIF incentives to everyone.

- iii. Alderman Healy: Explained that it is beneficial because it is a small family-owned business and they are not asking for a large sum of money.
- iv. Alderman Bram: Expressed that he feels it is not about family-owned businesses, and the matter is that it does not meet the criteria of a TIF incentive. \$25,000 is a small amount of money, which means if this small sum is stopping the project from getting done then the hardware store should not have been bought to begin with. He concluded that he couldn't support a TIF incentive for the Ace Hardware.
- v. Alderman York: Explained that applicant is giving life back to the building and cleaning up the façade, which helps the community as a whole.
- vi. Alderman Deuter: Expressed that she does not believe the applicant should receive a TIF incentive, but instead they should have paid less for the building.
- vii. Alderman Polomsky: Explained that the façade grant should be send to the building department, but she doesn't believe this would be needed.
- viii. Alderman Dunn: Explained that he believed everyone is being ultra critical because ultimately the request is fairly modest, and the applicant will move forward with or without it. There is an oil tank that is buried underneath the parking lot, which needs to be removed. He explained that this might be an extraordinary circumstance. He concluded by saying this will ultimately benefit the community.

7. Reports and Recommendations of Appointed and Elected Officials

- a. Mayor Morley – York Commons Stormwater Project
 - i. Began by giving a general overview on the current status of the stormwater project in York Commons. The city engineer has stated that there is no rationale for a shut-off valve, and the council did not approve the report for the shut-off valve. He encouraged the public and the aldermen to listen to the park board meetings because they are demanding the shut-off valve. The move is now within the city and that is why he would call for a motion to reconsider the approved report and amend it to include language about a shut-off valve. The next project to begin after York Commons is Golden Meadows and the Park District would like 1 1/2 times the appraised price of the property. There is currently a pending request for them to reconsider that price.
 - ii. Alderman Levin: Asked if the motion to reconsider an approved report and amend the language of it will have conversation around it.
 - 1. Mayor Morley: Expressed that it was getting late, but if a discussion is needed then they will have one, but he asked if they could think about there comments and save it for the next meeting.
 - iii. Alderman Bram: Expressed his concerns with the motion to reconsider and amend the language of an approved report. He explained that he believes it would be more efficient to send it back to committee and then discuss it when it comes up in council.
 - Mayor Morley: Expressed that he disagreed.
- b. City Manager Grabowski
 - Mentioned the approved consent agenda for police retirees and used the opportunity to thank the retirees for their service.
- c. Alderman Dunn
 - Explained a meeting with the FAA regarding runway reconstructing at O'Hare. He expressed that the new runway would positively impact Elmhurst resident.
- d. Alderman Kennedy
 - Mentioned that many homes throughout Elmhurst are undergoing on-site detention projects, and more storm water projects are being started.
- e. Alderman Bram

Mentioned that Mayor Emanuel is adding terminals and runways to O'Hare, and the residents of Elmhurst should watch for news on that and continue to voice their opinions.

8. Resolutions

- a. 9.1 R-08-2016 – A resolution to Approve and Authorize the Execution of an Actuarial Report Services Agreement By and Between Lauterbach and Amen, LLP and the City of Elmhurst for Police and Fire Pension Fund Actuarial Reports
 - i. Alderman York: Explained that this refers to the 6.14 agenda item.
 - ii. 13 ayes; 0 nays; 1 absent – Approved
- b. 9.2 R-09-2016 – A Resolution Choosing to Receive Unbilled Natural Gas From Nicor as Consideration for Use of Public Rights-of-Way in the City of Elmhurst, DuPage and Cook Counties, Illinois
 - i. Alderman York: Explained that this is in relation to agenda item 6.19.
 - ii. 13 ayes; 0 nays; 1 absent – Approved

9. Other Business

- a. Mayor Morley: Suggested a motion to reconsider the resolution regarding the storm water project in York Commons for amending. Motion to postpone the reconsideration until February 16th
 - i. Alderman Bram: Explained that he does not believe the council can change the resolution, and it needs to be sent back to committee and then come back to council.
 - ii. 9 ayes; 4 nays; 1 absent – Approved
- b. Alderman York: Announced the Chef Fest at Drury Lane beginning at 6:00 PM on February 11th
- c. Alderman Kennedy: Encouraged the public and council to watch Park District Board's videos and reach out to their board members regarding the shut-off valve.

10. Adjournment

Mayor Morley adjourned the meeting at 10:20 PM.