

City Council Meeting Monday, Feb. 5, 2018
City Hall, 209 N. York St.
Elmhurst, IL 60126
Council Chambers, 7:30 p.m.
Steven M. Morley, Mayor

Attendance: 2 press, ~30 residents; City Mgr. Grabowski;
Atty. Storino, Clerk Spencer; ~5 City staff members; 14
Aldermen; Fire Chief Freeman, Police Chief Ruth; 3 fire
commission members; ~20 first responders
LWV observer: B. Lipton

PLEASE NOTE: Related documents can be accessed online at: <http://www.boarddocs.com/il/coe/Board.nsf/Public>
and video recording of this meeting can be found at www.Youtube.com

1. Executive Session for the Purpose of Discussing: Pending /Probable Litigation pursuant to the Open Meetings Act 5 ILCS 120/2 (c)(11) and Minutes of Meetings Lawfully Closed Under the Open Meetings Act, Whether for Purposes of Approval by the Body of the Minutes or Semi-annual Review of the Minutes as Mandated by Section 2.06 pursuant to the Open Meetings Act 5 ILCS 120/5 (c)(5), (c)(21)

2. Call to Order - Pledge of Allegiance - Led by Girl Scout Troup 55574 from Field School

- Roll Call – no aldermen absent

3. Swearing In Fire Department Promotions: Lieutenant Mark Millett to Battalion Chief and Firefighter William Oeffling to Lieutenant. After this, first responders and all but ~10 residents left the room.

4. Receipt of Written Communication from the Public None

5. Public Forum

- Claude Pagacz objects that our local government agencies (City, Chamber of Commerce, Park District, School Board) oppose the state property tax freeze. He also objects to the DuPage County sales tax.
- Nicole Virgil, owner of a temporary backyard gardening structure (hoop house) which has been in dispute since fall 2016, speaks to update the Council on the status of the zoning issue. She and her family attempted to work with the City, but as the City was not cooperative in negotiating a solution, they had to go to court. The hearings were delayed 3 times since August 2017, and now the court has dismissed the suit without a hearing at all. Ald. Levin submitted this issue to the DPZ Committee twice in 2017 but it is still not on the agenda, despite a passage in the City code that requires City committees to deal with questions brought before them in a timely manner. She appeals to the Council to cooperate with her family so that their backyard vegetable garden can become fully functional this coming growing season. She points out that many other local communities have no problems with this kind of structure.
- Barbara Lonergan of the Elmhurst cool cities coalition (ECCC) thanks the Council for finalizing the new waste disposal contract to include food scrap collection and other sustainability measures. The ECCC expresses its willingness to collaborate with the City to educate the public how best to implement food waste recycling so the effort is successful.

6. Announcements

- Ald. York announces the 18th annual Elmhurst Hospital Foundation fundraiser this Thursday at Drury Lane.
- Ald. Dunn announces a blood drive at Fire Station #2 this coming Saturday.

7. Consent Agenda All items below approved unanimously except items 7.8 (York) and 7.12 (Bram) (see ** below)

7.1 Minutes of the Regular Meeting of the Elmhurst City Council on January 16, 2018

7.2 Minutes of the Executive Session of the City Council on January 16, 2018

7.3 Accounts Payable – February 1, 2018 – Total \$ 2,730,218.68

7.4 Reappointment to the Commission on Youth – Schlager (Mayor Morley)

7.5 Report – West Avenue – Phase I and II Engineering Services (PWB)

7.6 Report – Alexander Boulevard-Parking Restrictions (PAS)

7.7 Report – First Street-Parking Restrictions (PAS)

**7.8 Report – Motor Fuel Tax Fund – Fund Balance Policy (FCAAS)

- Ald. York states that he became aware just today that the wording of this report might be confusing, so he explains that it deals with the State motor fuel tax fund, not the local fund. The local motor fuel tax fund has been allocated to the stormwater abatement program since it was set up in 2010.
- Approved 14 – 0.

7.9 Report – Case Number 18 ZBA-01 / Carpenter Variation – 260 E. May Street (DPZ)

7.10 Report – Case Number 18 P-01 / Lendlease Conditional Use (DPZ)

- 7.11 O-03-2018 – An Ordinance Waiving Bid and Accepting the Proposal of Xylem Water Solutions USA, Inc. for the Purchase of the Underpass Storm Station Replacement of Pump #2
- **7.12 O-04-2018 – An Ordinance Approving and Authorizing the Execution of an Agreement for Residential Solid Waste Collection and Disposal Services By and Between Allied Waste Services of North America, LLC and the City of Elmhurst**
- Ald. Bram explains that he pulled this item due to his concern that the households who will be opting for the smaller 35 gal. toters will be charged more per unit trash for disposal – nearly twice as much. In Glen Ellyn they have the same vendor and the difference between collection costs for small and larger trash toters is not so great.
 - Ald. Kennedy clarifies that the actual costs to residents will be determined later this Spring by the Public Works committee, and this is just to finalize the contract. So he asks everyone to keep Ald. Bram’s comments in mind for the upcoming discussion.
 - Approved 13 – 1 (Bram)
- 7.13 O-05-2018 – An Ordinance Waiving Bid and Authorizing the Execution of an Agreement with Concentric Integration, LLC for Replacement of Wireless Mesh Network for Water System Communications
- 7.14 O-06-2018 – An Ordinance Waiving Bid and Authorizing the Execution of an Agreement with Concentric Integration, LLC for Replacement of Existing Remote Lift Station sand Storm Station Programmable Logic Controllers
- 7.15 O-07-2018 – An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between Elmhurst Running Club, Inc. and the City of Elmhurst, DuPage and Cook Counties, Illinois
- 7.16 MCO-05-2018 – An Ordinance Amending Section 29.10 Entitled, “Wastewater Service Charges,” of Chapter 29 Entitled, “Private Water and Sewer Systems,” of the Municipal Code of Ordinances of the City of Elmhurst, Illinois
- 7.17 ZO-02-2018 – An Ordinance Granting a Conditional Use Permit and Associated Variations for the Development, Construction and Operation of the Property Commonly Known as 172 East Schiller Street, Elmhurst, Illinois (P.I.N.s 06-01-119-005, -010, -013, -014, -015, -016, -025,-032) (Elmhurst Memorial Health)
- 7.18 R-05-2018 – A Resolution to Approve and Authorize the Execution of a Professional Design Engineering Services Agreement By and Between Ruckert & Mielke, Inc. and the City of Elmhurst for the Industrial Park Roadway Improvements Project
- 7.19 R-06-2018 – A Resolution Authorizing the Purchase of One Replacement Vehicle, being a 2018 F250 4X4 Pickup Truck with Snow Plow Package, for the City’s Public Works Department and Authorizing the Disposal of One Existing Vehicle, Being Unit PW-12
- 7.20 R-07-2018 – A Resolution Authorizing the Purchase of One Replacement Vehicle, Being a 2018 F550 4x4 Dump Truck with Tailgate Spreader and Snow Plow Package, for the City’s Public Works Department and Authorizing the Disposal of One Existing Vehicle, Being Unit PW-108
- 7.21 R-08-2018 – A Resolution Authorizing the Purchase of One Replacement Vehicle, Being a 2018 Ford Transit Van, for the City’s Public Works Department and Authorizing the Disposal of One Existing Vehicle, Being Unit PW-164
- 7.22 R-09-2018 – A Resolution Authorizing the Purchase of Three Replacement Vehicles for the City’s Public Works Department and Authorizing the Disposal of Three Existing Vehicles, Being Units PW-9, PW-34, AND PW-64
- 7.23 R-10-2018 – A Resolution Authorizing the City of Elmhurst to Adjust the Wheeling Rate Charged to Illinois American Water Company Pursuant to Section 5 C of the “Water Transmission and Delivery Agreement Among the City of Elmhurst, Citizens Utilities Company of Illinois now known as Illinois American Water Company and the DuPage Water Commission” Dated August 15, 1994
- 7.24 R-11-2018 – A Resolution to Set the Rate for Sewerage Treatment from Illinois American Water Company
- 7.25 R-12-2018 – A Resolution Approving and Authorizing the Execution of a Professional Engineering Services Agreement for Services Related to Bundle No. 3 of the Water Reclamation Facility Improvements Project
- 7.26 R-13-2018 – A Resolution Approving and Authorizing the Execution of a Professional Construction Engineering Services Agreement for Services Related to Bundle No. 2 of the Water Reclamation Facility Improvements Project
- 7.27 R-14-2018 – A Resolution to Approve and Authorize the Execution of a Professional Engineering Services Agreement By and Between RJN Group, Inc. and the City of Elmhurst for the 2018 Sanitary Flow Monitoring Project

8. Reports and Recommendations of Appointed and Elected Officials

- Mayor Morley:
The Heritage Foundation will be holding a fundraiser.
On January 12 the City held a Joint Review Board with the 6 taxing bodies involved to consider the proposed TIF 6 for downtown ‘conservation’. The City believes that 5 of the 13 requirements listed in state law have been met; legally only 3 criteria have to be met. At the JRB, the vote was 5-1 in favor, so they are going forward. The School

Board voted against, and submitted a letter listing 5 objections, demanding a public meeting and demanding a meeting with the City and that all differences need to be resolved by Feb. 27th. Mayor Morley does not understand D205's position, since has maintained a standing offer to meet with the School Bd. on any and all issues. Further, the School Board failed to specify which TIF criteria were not being met. City Staff have been proactive: they had a meeting on Jan. 29th and are in the process of setting up another for this week.

- City Manager Grabowski restates that they did meet with the School Board. The next Council meeting will take place on Tuesday, Feb. 20th due to the Presidents Day holiday on Monday the 19th.
- Ald. Bram asks if the City has received a response from the FAA following up on last October's meeting with them regarding OHare noise, and when the FAA's response will be shared with the public. Mayor Morley states they have responded partially thus far; the answers will be posted on the City website this week.

9. Other Business

- Ald. Honquest comments that at the last JRB meeting a School Bd. representative was again unwilling to recognize that the City has a standing offer to them to communicate on the various issues facing both entities (stormwater; TIFs, taxation). He believes that D205 should put forth a greater effort to work with the City, since they are planning to ask for a substantial tax outlay from City residents.

10. Adjournment 8:16 pm