

Monday, April 2, 2018
Regular Meeting of the Elmhurst City Council

City Hall
209 N. York St.
Elmhurst, IL 60126
Council Chambers

7:30 p.m.

Attendance: Steven M. Morley, Mayor and City Manager Grabowski

14 Aldermen

4 First responders

17 Residents

LWV Observer: M. C. Sullivan

1. Executive Session - Conf. Room #2 - 7:00 p.m.

1.1 Executive Session for the Purpose of Discussing: Pending /Probable Litigation pursuant to the Open Meetings Act 5 ILCS 120/2 (c)(11)

2. Call to Order

2.1 Pledge of Allegiance

2.2 Roll Call - Ward 4: No aldermen absent

3. Receipt of Written Communication from the Public

3.1 Receipt of Written Communications from the Public: None

4. Public Forum

4.1 Public Forum

- Gale M. spoke about the municipal electricity project and the city's commitment to cleaner, renewable energy. He encouraged the city to encourage increased participation by other groups.
- Another resident spoke about the municipal electricity project and the reasons causing residents to be leery resulting in many to opt out instead of opt in; one reason being a 7-10% cost-increase due to the renewable energy adjustment. He offered the assistance of his team to help Elmhurst residents make their decisions.
- Claud Pagacz expressed his displeasure regarding the "expensive drawback" from Lucky Motors, the increase in the water costs, and the use of TIFF to encourage new business in Elmhurst.
- Michael C. notified the council of the Disabled Hockey Festival taking place the weekend of April 7th. He stated that numerous members of the Chicago Blackhawks organization would be

participating, as well as athletes from the USA, Canada, and Great Britain. Detailed information could be found at USAHockey.com

- Ben Silver, an attorney for the Citizens Advocacy Center, represented the Fremont residents in their opposition to the Rezoning Ordinance of the property owned by Elmhurst Extended Care.
- Eileen Mosher, a Fremont resident, claimed that the decision made by the City Council during the summer of 2017 regarding the Rezoning Ordinance was not part of an open process and therefore should not stand.
- John McNichols presented the point that the decision regarding the Rezoning Ordinance for the property belonging to Elmhurst Extended Care should be based on “standards and evidence”. He believes that the criteria had not been met because EEC had not provided any evidence of how its proposed expansion would affect property values of the Fremont residents and any other evidence disputing the possible negative effects that residents believe may occur.

5. Announcements

5.1 Announcements

The Elmhurst Public Library is hosting FEAR (NPO) a hearing regarding the O’Hare expansion and the issues of noise pollution and possible exposure to toxic chemicals.

6. Consent Agenda All items approved unanimously.

6.1 Minutes of the Regular Meeting of the Elmhurst City Council on March 19, 2018

6.2 Accounts Payable - March 29, 2018 - Total \$ 918,573.01

6.3 Report - Risk Management Insurance Renewals - May 1, 2018 - April 30, 2018 (FCAAS)

6.4 O-27-2018 - An Ordinance Reserving and Authorizing the Transfer of Volume Cap in Connection with Private Activity Bond Issues, and Related Matters

6.5 O-28-2018 - An Ordinance Waiving Bid and Authorizing the Execution of a Custodial Services Agreement By and Between Eco-Clean Maintenance, Inc. and the City of Elmhurst

6.6 O-29-2018 - An Ordinance Authorizing the Sale by Auction of Personal Property Owned by the City of Elmhurst

- 6.7 MCO-10-2018 - An Ordinance Amending Section 7.200 Entitled "Water Service Charges" of Article IV Entitled "Rates and Charges" of Chapter 7 Entitled "Water and Sewers" of the Municipal Code of Ordinances of the City of Elmhurst, Illinois
- 6.8 MCO-11-2018 - An Ordinance Amending Article XXI Entitled "Comprehensive Regulation of Tobacco Products" of Chapter 31 Entitled "Business Licensing, Regulation and Registration" of the Municipal Code of Ordinances of the City of Elmhurst, Illinois
- 6.9 R-34-2018 - A Resolution Approving and Authorizing the Purchase and Planting of Parkway Trees for the 2018 Tree Purchase and Planting Program in the City of Elmhurst, Illinois
- 6.10 R-35-2018 - A Resolution Authorizing the Purchase of Fire Hydrant Materials for the City of Elmhurst, Illinois
- 6.11 R-36-2018 - A Resolution Authorizing the Purchase of Gasoline and Bio-Diesel Fuel for the City of Elmhurst's Use
- 6.12 R-37-2018 - A Resolution Approving and Authorizing the Execution of an Agreement By and Between the City of Elmhurst and Civiltech Engineering, Inc. for Phase III Construction Engineering Services for the Industrial Park Roadway Improvement Project
- 6.13 R-38-2018 - A Resolution Authorizing the Issuance of a Notice of Award for the 2018 Contract Paving Program, Project No. 18-02 For the City of Elmhurst, Illinois
- 6.14 R-39-2018 - A Resolution Approving and Authorizing the Execution of a Construction Engineering Services Agreement By and Between Bollinger, Lach & Associates, Inc. and the City of Elmhurst for Phase III of the York Street LAFO Roadway Improvement Project
- 6.15 R-40-2018 - A Resolution Authorizing the Issuance of a Notice of Award for the Waste Water Reclamation Facility Improvements - Non-Potable Water, Natural Gas, Fiber Optic, and Electric Utility Installation Project
- 6.16 R-41-2018 - A Resolution Authorizing the Purchase of a 2018 Dodge Police Sedan Interceptor and the Disposal of a Vehicle Owned by the City of Elmhurst
- 6.17 R-42-2018 - A Resolution to Approve and Authorize the Execution of a Renewal Agreement for Third Party Claim Administration By and Between Carl Warren & Company and the City of Elmhurst

6.18 R-43-2018 - A Resolution Authorizing the Execution of an Agreement Between Employer's Claim Service, Inc. and the City of Elmhurst For the Administration of Illinois Workers' Compensation Claims

6.19 R-44-2018 - A Resolution to Approve and Authorize the Execution of an Intergovernmental Agreement Between the City of Elmhurst, Illinois and the Signatory Public Agencies to the Intergovernmental Police Service Assistance ("IPSA") Agreement for the City to Become a Member Agency of the Felony Investigation Assistance Team ("FIAT")

6.20 R-45-2018 - A Resolution Approving and Authorizing the Execution of the Agreement for Professional Consulting Services for Electric Aggregation By and Between the Northern Illinois Municipal Electric Collaborative, Inc. and the City of Elmhurst, DuPage and Cook Counties, Illinois

7. Reports and Recommendations of Appointed and Elected Officials

7.1 Mayor Morley:

- The city has been granted a total of 14.4 million dollars to help fund an 18 million dollar project to improve rail-crossing safety by rebuilding the train station and pedestrian walkway.

7.2 City Manager Grabowski:

- On April 7th, 14th, and 21st the city will provide a "Spring Clean-up". Residents should check the website for their specific refuse pick-up date.
- The City of Elmhurst has posted temporary summer jobs for young adults (18yrs.) on its website.

8. Ordinances

8.1 ZO-05-2018 - An Ordinance Rezoning (Map Amendment) and Approving a Conditional Use and Preliminary and Final Subdivision for the Property Commonly Known as 200 East Lake Street and 193-197 East Fremont for the Elmhurst Extended Care Facility (P.I.N.s 03-36-309-029/-020/-021)

Alderman Honquest asked for questions and comments from the council members regarding this ordinance:

- Alderman Polomsky thanked EEC for consulting Fremont neighbors about possible landscaping for the property. She then continued her comments by stating that she disagrees with the argument that the property falls under the conditional use definition and therefore does not approve of passing the ordinance in favor of EEC.
- Alderman Bram stated that because the applicant was denied approval 2 times in the past and has failed to meet the stipulations of a

comprehensive plan, he does not agree that the ordinance should be passed. He also stated that the applicant has not provided any testimony regarding the effect of the expansion to residents' property values. Also, the planned storm water retention facility is above ground in the center of a residential neighborhood creating a safety issue for residents. Alderman Bram does not support passing the ordinance and believes that if it is passed it will set legislative vs. administrative precedent.

- Alderman Dunn expressed his opinion that the proposed 19,000 sq. ft. structure is too large for the property and surrounding neighborhood and that the parking lot planned to be built on Fremont would be intrusive. Despite the potential problems noted, he feels that the ordinance meets the element of conditional use and will vote to pass it.
- The ordinance passed with 12 Ayes and 2 Nays

9. Other Business:

9.1 Other Business None

10. Adjournment

10.1 Adjournment 8:15 p.m.