

Regular Meeting of the Elmhurst City Council

May 16, 2016

7:43 – 9:14 pm

~50 Present: 2 Press;

17 Public; 21 Police, Firefighters

LWV Observer: B. Lipton

Executive Session - 7:00 p.m. (Conference Room #2) 1.1 Executive Session for the Purpose of Discussing: Collective Bargaining Negotiations, pursuant to the Open Meetings Act 5 ILCS 120/2 (c)(2) and Pending Litigation, pursuant to the Open Meetings Act 5 ILCS 120/2 (c)(11).

2. Call to Order at 7:43 pm. by Mayor Morley

2.1 Pledge of Allegiance

2.2 Roll Call – 12 Aldermen present; Ald. Sabatino, Kennedy absent.

Mayor; City Mgr. Grabowski; City Attorney; Clerk; Treasurer

3. Receipt of Written Communication from the Public None

4. Public Forum

- a. Gilbert Fisher: Sarcastic remarks about Black History month and Black Womens Expo; Complaints regarding increases in health insurance premiums & deductibles; Life insurance premiums also increased; high property taxes in the US
- b. Ryan Wycoff: A soon-to-be Elmhurst resident and firefighter in another, smaller community; urged Council to fill vacancies in Elmhurst Fire Dept. on the basis of safety concerns; also medical equipment on rigs is not up to standard; Elmhurst residents deserve better.
- c. T. Potash: Generally, Elmhurst commercial interests win out over residents; Objects to sale of a new bond issue to support Lake St. TIF. Questions \$81 million City giveaway to 1st Ave. developers which is to be paid for by increased sales tax on residents.
- d. Tamara Brenner: Several issues, including parking signage in new garage; unfilled Fire Dept. positions; inappropriate to have City EMTs provided by a private contractor; the new TIF agreement has been under discussion for quite a while though the public was notified first only one week ago; City is being threatened by yet another car dealership that they will leave town without a new \$6 million subsidy – this is ridiculous.

5. Announcements

5.1 Ald. Deuter: The next Public Works meeting will begin at 6 pm, not 7 pm

5.2 Ald. Bram:

- Lucky Motors relocated out of town but has not returned the City's subsidy it received when it originally agreed to stay in Elmhurst. The matter is under litigation.
- Two new businesses opened this week in the North York corridor, thus demonstrating that the TIF is successful

6. Consent Agenda * Revised 5/13/15 - Item 6.12 moved to Ordinances as 9.2, Item 8.3 added to Sect. 8

All approved 12-0 except Items 6.8 and 6.13

6.1 Minutes of the Regular Meeting of the Elmhurst City Council on May 2, 2016

6.2 Minutes of the Executive Session of the City Council on May 2, 2016

6.3 Accounts Payable - May 16, 2016 - Total \$2,835,924.41

6.4 Referral - American Legion 2016 Events (City Manager Grabowski)

6.5 Referral - Mitchell Avenue Parking Restrictions (City Manager Grabowski)

6.6 Report - Review Third Party Administrator for Liability Claims (FCAAS)

6.7 Report - Inducement Ordinance: Proposed Church Road/Lake Street Redevelopment Area TIF (DPZ) (see item 10.1)

**6.8 Report - Immaculate Conception Grade School Parents Fundraising Party 2016 (PAS) (see item 9.1)

**Withdrawn: event cancelled

6.9 O-36-2016 - An Ordinance Waiving Bid and Accepting the Proposal of Konica Minolta Business Solutions for the Purchase and Maintenance of Fifteen Multifunctional Digital Copiers

6.10 O-37-2016 - An Ordinance to Correct a Scrivener's Error in Ordinance Number O-34-2016 Passed and Approved on May 2, 2016 Entitled "An Ordinance Approving and Authorizing the Execution of a

Non-Exclusive License Agreement By and Between Elmhurst Masters Competition Cycling, Inc. and the City of Elmhurst, DuPage and Cook Counties, Illinois"

6.11 O-38-2016 - An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between Catholic Charities of the Archdiocese of Chicago and the City of Elmhurst, DuPage and Cook Counties, Illinois

** 6.12 MCO-12-2016 - An Ordinance Amending Section 44.74, Entitled "Yield Right-of-Way Streets," and Section 44.92, Entitled "Stop Intersections Enumerated," of Chapter 44, Entitled "Motor Vehicles and Traffic," of the Elmhurst Municipal Code

** Moved to Item 9.2

** 6.13 ZO-03-2016 - An Ordinance Granting a Conditional Use Permit, with Associated Variations and Preliminary and Final Approval of a Plat of Subdivision (Consolidation) for the Redevelopment of the Property Commonly Known as 100 North Addison, Elmhurst, Illinois (P.I.N.s 06-02-220-017/019/020/023/024/025)

** Pulled for discussion by Ald. Bram; see below

6.14 R-45-2016 - A Resolution Approving and Authorizing the Purchase and Planting of Parkway Trees for the 2016 Tree Purchase and Planting Program in the City of Elmhurst, Illinois

6.15 R-46-2016 - A Resolution Authorizing the Issuance of a Notice of Award for the 2016 North Avenue Pole Painting Project

6.16 R-47-2016 - A Resolution Authorizing the Purchase of One Replacement Vehicle for the City's Electrical Maintenance Division and Authorizing the Disposal of One Existing Vehicle

6.17 R-48-2016 - A Resolution Approving and Authorizing the Execution of an Agreement By and Between the City of Elmhurst and Civiltech Engineering, Inc. for Phase I and II Design Engineering Services for the Industrial Drive Roadway Improvement Project

6.18 R-49-2016 - A Resolution Authorizing the Purchase of a Self-Contained Breathing Apparatus for the City of Elmhurst, Illinois

6.19 R-51-2016 - A Resolution Approving and Authorizing the Execution of a Professional Engineering Services Agreement in Connection with the Elmhurst Quarry Connection for the Walnut/Myrtle/Evergreen Stormwater Improvements Project

**Discussion of Item 6.13:

Ald. Bram pulled this item for discussion as he is concerned about the much increased density of this development, more than 3 times the residential density allowed in the municipal code. The developer is likely to come back with a request for a TIF later on. Ald. Dunn agreed with these concerns, also objecting to the lack of parking in the plans. In addition Ald. Dunn noted that the architectural design and lack of retail space are incompatible with the new downtown plan just now being implemented, and that the construction materials are substandard. Item 6.13 approved 8-4.

7. Committee Reports

7.1 Report - Replacement of the Virginia Lane Townhome Special Service Area #5 (FCAAS)

Ald. York & Dunn explained that this is a renewal of a collection agreement with the City that has been in place since 1996, to allow for upkeep and maintenance of the townhouse development at Grand & York. Ald. Talluto commented that the HOA Board wants this arrangement to continue because to set up their own independent mechanism would be costly; Ald. Bram stated this is a win-win. Approved 12-0.

8. Reports and Recommendations of Appointed and Elected Officials

8.1 Mayor Morley

- Museum Day was the most successful ever with >800 visitors.
- There was a Stormwater Open House at Madison School last Wednesday with 35 residents attending.
- The Stormwater Task Force meeting is Wednesday 6/25. Mayor Morley hopes to get a final answer (no one asked to what exactly)
- The Elmhurst Art Museum fundraiser last weekend was a success.

8.2 City Manager Grabowski - Recognition of the Finance Department's Distinguished Budget Presentation Award. This is the 10th year the award has gone to Elmhurst.

Grabowski reviewed recent activities surrounding The O'Hare runway noise issue. Various community alliances including the Suburban O'Hare Commission (SOC) of which Elmhurst is a member have recommended that the runways used should be rotated weekly as a solution to night-time noise. This 'fly quiet' system would be a suggestion to pilots from 11 pm – 5 am depending on weather, schedule, etc. Elmhurst has not supported the recommendation because the current East-West pattern has left us relatively unaffected. The recommendation was made to the Chicago Dept. of Aviation; if they approve it, it will be forwarded to the FAA within the next 6 months. Ald. Levin & Bram questioned whether there had been any active opposition from the City; Mayor Morley and Mgr. Grabowski responded that there had been, through the SOC. Ald. Dunn requested that stronger opposition be voiced.

- 8.3 City Manager Grabowski - Recommendation for a motion to accept An Ordinance to Accept, Approve, and Authorize a Certain Temporary Location Agreement with the County of DuPage Relative to Construction of the Walnut/Myrtle/Evergreen Area Stormwater Management Project. Suspension of the Rules will be required to implement the Ordinance.

Mr. Grabowski explained that this is necessary to allow the City and County to move ahead with modifications to implement the Quarry Stormwater Remediation project for the tree streets. Approval was just received from the County and the contractor has his equipment in place to begin right now. If the rules are not suspended and the regular City contract approval process goes forward the contractor will remove his equipment and further costs to re-locate and re-start the construction will ensue. Not to mention a month's delay in beginning the work. See item 9.2 – this will allow the easement related to this work to be expedited in order to get the work started. These issues were discussed at length by Ald. Healy, Bram, Dunn, Deuter, and Mulliner. There was additional discussion of whether the process of voting on these items was in accord with Roberts Rules. Approval was eventually given to suspend the rules (10-2); Accept Mgr. Grabowski's recommendation to speed the process (10-2) and approve Ordinance O-40-2016 (12-0; see 9.2 below) .

9. Ordinances

- 9.1 O-39-2016 - An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between Immaculate Conception Parish and the City of Elmhurst, DuPage and Cook Counties, Illinois (see item 6.8) Withdrawn.
- 9.2 O-40-2016 - An Ordinance to Accept, Approve and Authorize a Certain Temporary Location Agreement with the County of DuPage Relative to Construction of the Walnut/Myrtle/Evergreen Area Stormwater Management Project
See item 8.3. Approved 12-0.

10. Resolutions

- 10.1 R-50-2016 - A Resolution Expressing Official Intent Regarding Certain Expenditures to be Reimbursed from the Special Tax Allocation Fund for and/or from Proceeds of an Obligation Issued, if any, in Connection with a Proposed Tax Increment Financing District Commonly Described and the Church Road/Lake Street Redevelopment Project Area (see item 6.7)
Mayor Morley explained that this was in order to allow the City to be reimbursed its costs if this TIF were to be approved. Approved 12-0.

11. Other Business None.

12. Adjournment 9:14 pm