

**City Council Meeting** Monday, May 21, 2018 **7:30 p.m.**

Attendance: 3 press, 10 residents; City Mgr. Grabowski; Atty. Storino, Clerk Spencer; ~3 City staff members; 13 Aldermen; Fire Chief Freeman, Police Chief Ruth

Steven M. Morley, Mayor

LWV observer: B. Lipton

PLEASE NOTE: Related documents can be accessed online at:

<http://www.boarddocs.com/il/coe/Board.nsf/Public>

and a video recording of this meeting can be found at [www.Youtube.com](http://www.Youtube.com)

**1. Call to Order**

- Pledge of Allegiance
- Roll Call – all aldermen present

**2. Receipt of Written Communication from the Public** none

**3. Public Forum**

- Claude Pagacz is trying to figure out just what City property is worth. He refers to the transactions on Rte. 83 and on Spring Rd. Just don't give it away
- John Jevitz congratulates and thanks everyone for everything the City officials do for our town. He brings Character Counts T-shirts for all the Council members.

**4. Announcements**

- Ald. York notes there are many graduations going on, and he announces that this week is the 147<sup>th</sup> commencement for Elmhurst College.  
He also announces the 6<sup>th</sup> annual Elmhurst Cycling Classic will be on July 2<sup>nd</sup>.  
This coming Wednesday Meatheads Restaurant downtown will hold a fundraiser for the DuPage Cycling Fdn.
- Ald. Kennedy announces that the PWB committee will be meeting this Thursday instead of next Tuesday.
- Ald. Mulliner notes that Monday will be the 100<sup>th</sup> annual Elmhurst Memorial Day Parade.
- Ald. Bram announces 3 ONCC meetings that are open to the public, May 22, May 25 and June 1.

**5. Consent Agenda** All items below approved unanimously except 5.10 and 5.18 \*\* below (Bram)

5.1 Minutes of the Regular Meeting of the Elmhurst City Council on May 7, 2018

5.2 Minutes of the Executive Session of the City Council on May 7, 2018

5.3 Accounts Payable May 17, 2018 - Total \$ 3,094,339.54

- 5.4 Appointment to the Economic Development Commission – David Pinkerton through April 2021 (Morley)
- 5.5 Reappointment to the Police Pension Board – Paul Nolte through May 2019 (Morley)
- 5.6 Report - Storm Sewer Emergency Repair - Saylor @ Madison (PWB) (See item # 7.2)
- 5.7 Report - 2018 Watermain Improvements Project (PWB) (see item #8.1)
- 5.8 Report - 2018 - 2021 Fire Hydrant Sandblasting & Painting Project (PWB) to GO Painters of Maywood, IL at \$149,578.
- 5.9 Report - Street Light and Traffic Signal Pole Painting (PWB) by Muscat Painting & Decorating not to exceed \$50,000.
- 5.10 Report - Private Property Inflow and Infiltration - Request for Municipal Code Changes related to IEPA Consent Order (PWB)
- Ald. Kennedy explains that this is the next step in the process that started about 10 years ago after a consent decree finalized with the IL EPA. The city sewage disposal ordinances need to be changed and then the issue is how to deal with the non-compliant homes. 100% reimbursement incentives will be in place for all of 2018, then gradually reducing through 2019; thereafter if homeowners are non-compliant reimbursement will be discontinued and penalties will kick in. The objective is to have the entire situation resolved by 2021.
- Ald. Bram refers to a writeup he constructed to justify what he believes is an important amendment to the code that will reduce incentives for people who are not in compliance. The people who have been grandfathered in is another story; they should get more than \$200. The current incentives have not gotten us very far: there are still 350 homes out of compliance. He believes that it isn't even legal for the City to use public monies for only a small segment of the City.
- Ald. Leader comments that this will be a far-reaching program eventually affecting thousands of residents. He worries that the burden will fall most heavily on the most vulnerable – the senior citizens living on fixed incomes. He wants a program driven by humane incentives, not fines and overzealous inspectors; he urges common sense.
- Ald. Deuter wants to put this report into context as it pertains to flooding in Elmhurst; these improvements will help with the sewer overflows in flood incidents. This is a part of the City's obligation as set out in the consent decree and even though it's difficult to enforce private homeowners into compliance, it must be done. The majority of the committee determined that the current

incentives are most appropriate, and she points out that this doesn't just refer to the 350 violations in that section of town, but to anyone remodeling bathrooms or repairing their homes. The incentive program has been shown to be effective.

Ald. Levin asks if the proposed reimbursements are intended to be 100%, 50%, etc. of the actual costs? Ald. Kennedy replies that it would be 50% of actual costs up to the set amounts in the report; to be clarified in the ordinance. He notes that the dollar limits were arrived at by asking contractors what typical costs would be. Mayor Morley and Ald. Kennedy & Levin continue to discuss reimbursement amounts. Ald. Deuter clarifies.

Ald. Dunn states that of all the homes in Elmhurst, there are approx 5000 homes in compliance and ~350 are not. These are mostly in South Elmhurst.

Ald. Kennedy states that the triggers for reimbursement would be specific to the 350 homes that were found to be noncompliant during the smoke testing. Most of these people didn't even know they were noncompliant until they got a recent letter, so it's really important to take action on this issue right now. Ald. Dunn asks if compliance is either yes/no or are there degrees of compliance? And what happens if the home is sold? Ald. Kennedy responds that it indeed is either yes/no and that new owners would be responsible to comply.

Ald. Bram comments further; summarizes his proposed changes to the report. Mayor Morley asks him to clarify since he sees only 2 wording changes and different tables. Bram moves to alter the report so that it reflects his proposed changes. Motion fails due to lack of a second.

Ald. Kennedy and Deuter move to amend the amounts stated as "up to 100%, up to 50%", etc. Motion passes 13 – 1 (Bram).

Amended report is approved 13 – 1 (Bram)

5.11 Report - Hahn Street North Archway Sign (PWB) to Leopardo Companies, Inc. at \$29,227.71

5.12 Report - Request to Declare Surplus Three Inch Hose (PAS)

5.13 Report - Elmhurst Chamber of Commerce Memorial Day Parade (PAS) (see item # 7.1)

5.14 Report - Metra Intergovernmental Funding Agreement (FCAAS)

5.15 Report - Case Number 18 ZBA 03/FFC Sign Variations (DPZ)

5.16 Report - Case Number 18 P-05/Verizon and the City of Elmhurst Conditional Use Permit and Variations (DPZ)

- 5.17 O-34-2018 - An Ordinance Authorizing the Sale of Surplus Personal Property of the City of Elmhurst
- 5.18 O-35-2018 - An Ordinance Vacating a Certain Alley Right-of-Way Immediately East and Adjoining 463-465 Spring Road (P.I.N.s 06-11-210-002/-010)  
Ald. Bram explains that he pulled this item because he feels this is being sold for too little. His views have not changed since the last Council meeting.  
Approved 13 – 1 (Bram)
- 5.19 O-36-2018 - An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between the York Vallette Business Association and the City of Elmhurst, DuPage and Cook Counties, Illinois
- 5.20 O-37-2018 - An Ordinance Approving and Authorizing the Execution of a Tower Construction and Lease Agreement By and Between Chicago SMSA Limited Partnership d/b/a Verizon Wireless and the City of Elmhurst, DuPage and Cook Counties, Illinois
- 5.21 HPO-01-2018 - An Ordinance Granting Historic Landmark Designation for the Villa Virginia (315 W. St. Charles Road)
- 5.22 MCO-12-2018 - An Ordinance Amending Section 44.120 Entitled, "No Parking Zones Enumerated," of Division 3 Entitled, "Parking Restrictions," of Article VII Entitled, "Stopping, Standing and Parking," of Chapter 44 Entitled, "Motor Vehicles and Traffic," of the Elmhurst Municipal Code (Parking Restrictions on the North and South Sides of Brush Hill Road Between Butterfield Road and York Street)
- 5.23 MCO-13-2018 - An Ordinance Amending Section 22.242 Entitled "Off-Street Parking" of Article X Entitled "Off-Street Parking and Loading Requirements pf Chapter 22 Entitled "Zoning" of the Municipal Code of the City of Elmhurst
- 5.24 MCO-14-2018 - An Ordinance to Amend Chapter 4, Entitled "Boards and Commissions," of the Municipal Code of the City of Elmhurst
- 5.25 MCO-15-2018 - An Ordinance to Amend Section 35.02 Entitled "Bond-Deposits-Insurance", Section 35.11 Entitled "Demolition Requirements", and Section 35.12 Entitled "Penalty" of Chapter 35 Entitled "Building Moving and Demolition" of the Municipal Code of the City of Elmhurst
- 5.26 ZO-07-2018 - An Ordinance Approving Various Text Amendment to the City of Elmhurst Zoning Ordinance
- 5.27 R-58-2018 - A Resolution Awarding a Contract and Authorizing the Issuance of a Notice of Award of the Contract for the Industrial Park Roadway Improvements Project, in the City of Elmhurst, Illinois

5.28 R-59-2018 - A Resolution Authorizing the Purchase of Two Replacement Vehicles, Being Two Toyota RAV4 Hybrids, for the City's Police Parking System Enforcement and Authorizing the Disposal of Two Existing Vehicles, Being Unit PD-34 and Unit PD-35

## **6. Reports and Recommendations of Appointed and Elected Officials**

- Mayor Morley asks for nominations for the annual outstanding senior citizens award. He also mentions the 100<sup>th</sup> annual Memorial Day Parade. Finally, he mentions that the IGA (intergovernmental agreement) for the \$18 million remodel for the Metra station is being finalized. Grants of \$16.4 million were obtained by City staff; they are to be congratulated for making sure of so much outside funding for this City improvement.
- City Manager Grabowski notes all civic meetings and refuse collection will be delayed one day next week due to the Memorial Day holiday. We had 1.77 inches of rain in the past 24 hours with no catastrophic flooding. Finally he thanks the Elmhurst History Museum staff members for a successful museum day yesterday.

## **7. Ordinances**

7.1 O-38-2018 - An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between the Elmhurst Chamber of Commerce and Industry and the City of Elmhurst, DuPage and Cook Counties, Illinois (see item # 5.13)

Approved 14 - 0.

7.2 O-39-2018 - An Ordinance Waiving Bid for the Saylor and Madison Storm Sewer Emergency Repair Project and Authorizing the Execution of a Contract Between Gerardi Sewer & Water Co. and the City of Elmhurst (see item # 5.6)  
Ald. Kennedy explains that this is to suspend the bidding process to pay for the emergency repairs.

Approved 14 – 0.

## **8. Resolutions**

8.1 R-60-2018 - A Resolution Authorizing the Execution of an Agreement By and Between J. Congdon Sewer Services, Inc. and the City of Elmhurst and Authorizing the Issuance of a Notice of Award for the 2018 Watermain Improvements Project (see item # 5.7)

- Ald. Kennedy explains that this is another request to suspend the rules to get going on this project.

Approved 14 – 0.

**9. Other Business nones**

**10. Adjournment 8:30 pm**