

Elmhurst City Council Meeting

Council Chambers, City Hall

209 N. York St.

Elmhurst, IL 60126

June 6, 2016 7:30 p.m.

Steven M. Morley, Mayor

****Revised Agenda**** Revision includes the addition of the Ruth Strand Poster Contest Winners

Presentation and the deletion of the Police Station Bi-Directional Radio Amplifier

Present: 11 Aldermen; Asst. City Attorney;

City Clerk; Treasurer; City Manager

~60 citizens; ~10 Police, Firefighters; EMTs;

2 Press

LWV Observer: B. Lipton

1. Call to Order:

1.1 Pledge of Allegiance

1.2 Roll Call – Aldermen Healy, Honquist, Wagner absent

2. Presentations Ruth Strand Poster Contest Winners: to seven 2nd graders (1st and 3rd prize winners; 5 honorable mentions)

3. Receipt of Written Communication from the Public One document

4. Public Forum

4.1 Public Forum 6 speakers

Resident 1: Ed Sustack: an Elmhurst firefighter and resident for many years. Previously worked for a large corporation as a firefighter and certified paramedic. Very concerned about the EFD's disregard of safety, particularly no support for healthcare emergency services (no ACLS equipment on vehicles; no support for EMT training for firefighters). He himself had to let his EMT certification lapse because EFD would not fund his continuing ALCS training. There were several calls (2 recently) that had bad outcomes due to lack of emergency health services on FD rigs. The 3 unfilled firefighter positions are also evidence of irresponsibility in this issue.

Resident 2: Gilbert Fisher: Concerned about unjustified expenditures by City, including \$45 million bond issue; TIF-5; rushing through the stormwater agreement; plans for the new Metra station.

Resident 3: Paula Pezza: Concerned about misguided priorities, especially rushing through the TIF-5 in order to incentivize yet another car dealership; while putting off again filling the empty firefighter positions and reducing pensions for first responders.

Resident 4: Tamara Brenner: Similar concerns to above; also the numerous rule suspensions that don't allow full public discussion of these issues. It is irresponsible to outsource paramedic services. It is wrong to pay hundreds of thousands of dollars to developers while scrimping on public safety.

Resident 5: Ben Silver, atty. with the Citizens Action Center. Presented a statement on behalf of the CAC regarding the May 16 rule suspension: in the 23 years that CAC has been present in Elmhurst there has never been a similar action by City Council. This seriously jeopardized transparency and impaired the public's right to know.

Resident 6: Michael Crumley: Concerned about the lack of progress on stormwater remediation, particularly collaboration with School District 205 – Supt. Moyer has not attended even one of the 11 joint stormwater task force meetings. Encouraged citizens to view the videos of the April and May joint taskforce meetings.

5. Announcements

5.1 Mayor Morley:

- Congratulations to the wastewater treatment staff for once again receiving a clean water award from the Illinois EPA.

- Congratulations to the 675 undergraduate and 140 graduate students who graduated from Elmhurst College this past week.

- The Elmhurst College Jazz Festival is slated for June 18.

- The Elmhurst Cycling Classic is in 6 weeks on July 22.

5.2 Alderman Dunn: The 2nd Ward police roll call was a success.

6. Consent Agenda All EXCEPT 6.24 approved 11-0.

6.1 Minutes of the Regular Meeting of the Elmhurst City Council on May 16, 2016

6.2 Minutes of the Executive Session of the City Council on May 16, 2016

6.3 Accounts Payable - May 31, 2016 - Total \$ 4,478,735.96

6.4 Reappointment to the Economic Development Commission (Meyers) - Mayor Morley

- 6.5 Referral: Immaculate Conception Parish Block Party (IC Fest) (Assistant City Manager Kopp)
- 6.6 Referral: Salt Creek Greenway Trail (SCGT) - Spur Project Concept and Funding Sources (Aldermen Leader, York and Dunn) (Assistant City Manager Kopp)
- 6.7 Referral: Salt Creek Greenway Trail (SCGT) - Safe Crossing Plan at Elmhurst Crossing Shopping Center (Aldermen Deuter, Dunn and York) (Assistant City Manager Kopp)
- 6.8 Referral: Review of City-Provided Emergency Services (Alderman Deuter and Healy) (Assistant City Manager Kopp)
- 6.9 Referral: Liquor License Request Red Arrow Tap Room (Assistant City Manager Kopp)
- 6.10 Report - Supplemental Highway Authority Agreement - 103 W. Third Street (PWB)
- 6.11 Report - Easement Vacation Request - 100 N. Addison Avenue (PWB)
- 6.12 Report - South Elevated Storage Tank Painting - Change Order No. 2 (PWB) (see item 10.3)
- 6.13 Report - Schiller Parking Structure Maintenance Repairs Project (PWB) (see item 10.2)
- 6.14 Report - 2016 Watermain Improvements Project (PWB) (see item 10.5)
- 6.15 Report - DuPage County Elmhurst Quarry Flood Control Facility Easement Agreement for the Walnut/Myrtle/Evergreen Stormwater Improvement Project (PWB) (see item 9.2)
- 6.16 Report - Rock Salt Contract for the 2016-2017 Winter Season (PWB)
- 6.17 Report - Hi-Tech Rockfall Construction, Inc. - Proposal for Construction Services in Conjunction with the Walnut/Myrtle/Evergreen Stormwater Improvement Project (PWB) (see item 9.5)
- 6.18 Report Ludwig Explosives, Inc. - Proposal for Construction Services in Conjunction with the Walnut/Myrtle/Evergreen Stormwater Improvement Project (PWB) (see item 9.4)
- 6.19 Report - Illinois Transportation Enhancement Program (ITEP) (PWB) (see item 10.1)
- 6.20 Report - Metra Station - Architectural Design and Phase I Engineering Services (PAS) (see item 10.4)
- 6.21 Report - 2016 Mary Queen of Heaven 5K Run/Walk (PAS)
- 6.22 Report - Bid, Four Utility Police Interceptors (PAS)
- 6.23 Report - Professional Services Agreement for Workers' Compensation Third Party Claims Administration (FCAAS)
- *** 6.24 Report - Fire Protection Proposal - 255 Addison (DPZ) Item pulled by Ald. Bram *** below
- 6.25 MCO-13-2016 - An Ordinance Authorizing the Sale of Surplus Personal Property of the City of Elmhurst
- 6.26 R-52-2016 - Resolution Authorizing the Execution of a First Amendment to Settlement Agreement and General Release Between Kim Colatos and the City of Elmhurst, DuPage and Cook County, Illinois
- 6.27 R-53-2016 - Resolution Authorizing the Execution of a First Amendment to Settlement Agreement and General Release Between Robert Palombo and the City of Elmhurst, DuPage and Cook County, Illinois
- 6.28 R-55-2016 - A Resolution to Approve and Authorize the Execution of an Intergovernmental Agreement By and Between the County of DuPage and the City of Elmhurst in Connection with the Hi-Tech Rockfall Construction-Walnut/Myrtle/Evergreen Stormwater Improvement Project at the Elmhurst Quarry Flood Control Facility
- *** Discussion of 6.24 Report - Fire Protection Proposal - 255 Addison (DPZ)
 - Ald. Bram: Objects to DPZ committee recommendation for paying \$192,000 to Morningside Corp. for a sprinkler system in the public portion of the Hahn St. garage – this should have been anticipated in the developer’s original plans and the developer should pay for it. The sprinklers are intended to protect the residences above the garage. The developer has already received over \$10 million in incentives and numerous zoning waivers.
 - Ald. Deuter: Asks if there is any mechanism to recapture these funds if the development is sold in the future. Ald. Levin responded “no” and continued with a lengthy explanation of why the City needs to absorb the cost of the sprinkler system.
 - Ald. Dunn asked if the parking garage section reserved for development residents has sprinklers, and Mgr. Grabowski responded “Yes”.
 - After more back-and forth among Ald. Bram, Ald. Deuter and Mgr. Grabowski, the item was approved 10-1. Ald. Bram voted against approval.

7. Committee Reports

7.1 Report - Downtown Plan - Presentation from Houseal Lavigne (DPZ) by Nick Davis, introduced by Ald. Levin. Davis explained the planning process in detail and then presented a list of specific recommendations including a) zoning to allow more flexibility for developers; b) activating storefronts; and c) improving crosswalks and pedestrian facilities; d) leaving York St. one way; e) improving parking, streetscape and public art. The Downtown Plan includes specific design guidelines and recommendations for zoning law changes.

- A lengthy discussion ensued with questions from Ald. Deuter, Bram, Mulliner, Dunn, Talluto and responses from Consultant Davis, Manager Grabowski, and Ald. Levin. Issue included:

a) preserving local architectural character (Ald. Deuter)

b) Ald. Bram's concern that the plan is too detailed in suggesting zoning changes – it should be confined to an overall vision rather than locking the City into specific code changes right now. Ald. Mulliner likes the more detailed approach as it gets further toward enacting the plan.

c) Recommendation to replace density requirement in zoning code with minimum unit sizes is just to simplify the code for developers, according to the consultant Nick Davis.

d) Thanks to all for this excellent plan which represents tremendous public input.

- Approved 10 – 1; Ald. Bram against.

7.2 Report - Fixed Automated License Plate Reader System (PAS)

- Ald. Polomsky explained that the 65 day trial period was completed and showed results in 6 incidents. The cameras were set up at St. Charles Rd and Fair Ave. The committee recommends purchasing 5 units to place at North Ave and Clinton; York Rd. between Industrial Drive and Lake St. These will cost ~\$500/year to maintain.

- Ald. Leader expressed support for this public safety measure

- Ald. Bram was concerned about privacy issues and how the data will be stored. Also why did the Police Dept change from opposing to supporting these cameras? Ald. Polomsky explained that the vendor, Vigilant Services, will own the images and they will only be accessible to subscribers. Police personnel will undergo training. There are no state laws in place to regulate these devices yet. In January 2016 the Police Dept. evaluated the trial and deemed them helpful; they recommended where to place the units. Approved 11-0.

7.3 Report - Disconnection of the Residential Portion of the Elmhurst 255 Project from Special Service Area #6 (FCAAS)

- Ald. York began by thanking City staff for going back through the history of SSA6; then explained that this would allow the residents of the new 255 Addison St. development to avoid the substantial tax burden of participating in the SSA, which was set up for commercial/retail businesses.

Residential owners were never intended to be included in the SSA. This particular action has not been done before in DuPage County so it will have to be approved in court. This process should take 4-6 weeks. If any new mixed-use developments are initiated in the Downtown area in the future, we will have to go through this process again to remove residential units from SSA6.

- Ald. Dunn explained that SSA6 was formed to cover promotion & marketing for downtown businesses. There were instances in the past with other SSAs. Ald. Bran asked if private residents had to pay into the previous SSAs; Ald. Dunn responded "no". Approved 11-0.

7.4 Report - Redevelopment Plan and Project for, and the Designation of, the Church Road/Lake Street Tax Increment Financing Redevelopment Project Area and the Adoption of Tax Increment Allocation Financing Therefor, Convening a Joint Review Board and Calling a Public Hearing in Connection Therewith (DPZ)

- Ald. Levin explained that this is the beginning of the legal process to set up a TIF for the Church/Lake corridor. Public hearings and a review board meeting will need to go forward over the summer; in order to bring a resolution to the Council on June 20, the report should be approved tonight.

- Ald. Dunn had a question about the timeline which was resolved. Report approved 11-0.

8. Reports and Recommendations of Appointed and Elected Officials

8.1 Mayor Morley

a. Another joint stormwater task force meeting will take place on Thursday 6/9; expecting feedback from the Park District and some clarifications from District 205.

- b. The Explore Elmhurst website is up and running.
- c. The Trolley is up and running.
- d. Thanks to the organizers of the Memorial Day activities; this is an extremely important event for the City.

8.2 City Manager Grabowski

- a. Officials need to submit their conflict-of-interest forms
- b. The recent Police Dept. fundraiser for the Special Olympics raised \$5500.
- c. Neighborhood police roll-calls are gearing up.
- d. Introduced the new deputy finance director.

8.3. Ald. York announced that due to a sharp reduction in the cost of electricity, the electrical aggregation program introduced in 2014 may no longer make sense. In the past it has saved the average Elmhurst household about \$200 over Com Ed rates, and 50% of the power has been generated from renewable sources. Now with the fall in the electricity market residents should be cautioned to opt out of the aggregation program. A public information campaign needs to be implemented, and the information will be added to the City website tomorrow. There was some discussion of perhaps also including the information in City utility bills. If electricity prices go back up in the future, people can opt in to the aggregation program again after 6 months. Our current aggregation contract goes through August 2017; at that time the Committee will re-evaluate whether to continue the program.

8.4 Ald. Bram:

- a. There was no video of the previous Council meeting
- b. The problem of O'hare noise is no better.
- c. The right of way under Com Ed's power lines in North Elmhurst is their responsibility to maintain, yet mowing was done for the first time only this past week. In some places the grass was higher than 4 feet. City staff who contacted the company repeatedly about this problem were brushed off.
- d. The Alderman will be requesting a report for the Fire Dept. regarding the impact of the 3 unfilled firefighter positions. He agrees with the numerous citizens who have expressed concern about this issue.
- e. Council procedures are a major concern. For example, tonight's packed agenda has limited the public's ability to give their input. Reports should be discussed on different nights from resolutions and ordinances.

9. Ordinances

9.1 O-41-2016 - An Ordinance Providing for the Issuance of \$25,000,000 General Obligation Bonds, Series 2016, for the Purpose of Financing Stormwater Projects and Paying the Expenses Incident thereto, Providing for the Levy and Collection of a Direct Annual Tax Sufficient for the Payment of the Principal of and Interest on Said Bonds, and Authorizing the Sale of Said Bonds to the Winning Bidder Thereof

- Ald. York stated that the bonds were issued today at 2.78% and the City also got a premium. This was extremely fortunate; in comparison, last year a \$10 million bond issue came in at 3.75%. Sales tax of 0.25 cents will cover the interest payments.

- Mr. McKenna, the financier, provided details of today's issuance including that the City retained its AAA rating with a reduction in the 'contingent liability profile' due to the increased amount of City debt and unfunded pension obligations. Approved 11-0.

9.2 O-42-2016 - An Ordinance to Accept, Approve and Authorize the Execution of a Certain Permanent Stormwater Easement and an Access License Agreement with the County of DuPage Relative to Construction of the Walnut/Myrtle/Evergreen Area Stormwater Management Project (see item 6.15)

- Ald. Kennedy explained that this is to put in an easement to allow laying of a conduit for stormwater into the Elmhurst Quarry. Approved 11-0.

9.3 O-43-2016 - An Ordinance Proposing the Establishment of Special Service Area No. 16 (Virginia Lane Townhomes) in the City of Elmhurst, DuPage and Cook Counties, Illinois and Providing for a Public Hearing and Other Procedures in Connection Therewith

- This is to continue a longstanding arrangement for homeowners to maintain the property.

Approved 11-0.

9.4 O-44-2016 - An Ordinance Waiving Bid and Accepting the Proposal of Ludwig Explosives, Inc. for Drilling and Blasting Services at the Elmhurst Quarry in Connection with the Walnut/Myrtle/Evergreen Stormwater Improvements Project and Authorizing the Execution of a Contract between Ludwig Explosives, Inc. and the City of Elmhurst (see item 6.18)

- Ald. Kennedy and Bram: This and 9.5 below are also related to the expansion of the Elmhurst Quarry for stormwater remediation in the Tree Streets. Ald. Dunn asked if the County is planning to piggyback onto this project and whether they would pay their share; Ald. Kennedy responded 'yes'.
Approved 11-0.

9.5 O-45-2016 - An Ordinance Waiving Bid and Accepting the Proposal of Hi-Tech Rockfall Construction, Inc. for Hand Scaling, Installing Rock Dowels, and Maintenance Services at the Elmhurst Quarry in Connection with the Walnut/Myrtle/Evergreen Stormwater Improvements Project and Authorizing the Execution of a Contract Between Hi-Tech Rockfall Construction, Inc. and the City of Elmhurst (see item 6.17)

- Approved 11 – 0.

10. Resolutions

10.1 R-56-2016 - A Resolution Approving and Authorizing the Execution of an Application for an Illinois Transportation Enhancement Program ("ITEP") Grant for the North York/I-290 Interchange Enhancement Project (see item 6.19)

- Ald. Kennedy explained that this is a formality required to go ahead with the City's grant application.

Approved 11-0.

10.2 R-58-2016 - A Resolution Authorizing the Issuance of a Notice of Award for the Schiller/Palmer Parking Structure Maintenance Repairs (see item 6.13)

- Ald. Kennedy explained that this needed to be approved on the same night as the initial consent item 6.13 in order to keep the process on track. Approved 11-0.

10.3 R-59-2016 - A Resolution Approving and Authorizing the Execution of Change Order Number 2 for the 2015 South Waterspheroid Exterior Repainting and Lettering Project (see item 6.12)

- Ald. Kennedy explained that again this needed to be approved on the same night as the initial consent item in order to keep the process on track. Approved 11-0.

10.4 R-60-2016 - A Resolution Authorizing the Execution of a Professional Services Agreement for Architectural Design and Phase I Engineering Services By and Between CDM Smith, Inc. and the City of Elmhurst, Illinois for the Elmhurst Metra Station (see item 6.20)

- Ald. Palumbo explained that this is needed to conform to the timeline requirements for a Federal grant application with the final deadline of January 2017. Mayor Morley commented that this is just the beginning step.

Approved 11-0.

10.5 R-62-2016 - A Resolution Authorizing the Issuance of a Notice of Award for the 2016 Water Main Improvements Project (see item 6.14)

- Ald. Kennedy explained that yet again this needed to be approved on the same night as the initial consent item in order to keep the process on track. Approved 11-0.

11. Other Business none

12. Adjournment 10:23 pm