

City Council Meeting

City Hall, 209 N. York St.

Elmhurst, IL 60126

Council Chambers, 7:30 p.m.

Steven M. Morley, Mayor

Attendance: No press, ~30 residents remaining

after EFD swearing in, City Mgr. Grabowski,

Atty. Storino, Clerk Spencer, Treasurer Liebovicz

~5 City staff members

****AGENDA REVISED**** The revision includes the removal of item 7.9 North Clinton Avenue Referral and item 10.3, the final version of the lease is now attached to the ordinance, replacing the first draft of the lease which was originally attached.

1. Executive Session - 7:00 p.m. for the Purpose of Discussing: Pending /Probable Litigation pursuant to the Open Meetings Act 5 ILCS 120/2 (c)(11) and Purchase of Real Property

2. Call to Order

Pledge of Allegiance

Roll Call - Ward 3 Ald. Dunn absent

3. Swearing In

- Fire Department Promotion: Lieutenant Richard Dufort to Battalion Chief and Firefighter William Solka to Lieutenant

4. Receipt of Written Communication from the Public none

5. Public Forum

- Claude Pagasz states that the City should not be giving money away for the new project on Butterfield Rd.

- Barbara Lonergan speaks in favor of the resolution against the fly-over program, based on a frightening experience she and her daughter had in Berens Park related to a low flying airplane.

- Ben Silver of the Citizen Advocacy Center invites everyone to the CAC's annual interns night next week.

- Ken Blauw speaks against the townhouse development being considered on Butterfield Rd. because of the potential traffic situation where there are already long backups at rush hour. Furthermore there is a terrible stormwater problem where the sidewalks are flooded after every rainstorm.

- David McCurdy, who lives along Butterfield Rd., wants to comment on the townhome construction, criticizing the loss of the adjacent modest wooded area, the wildlife and the potential light contamination which will be the result of the development. This is a unique feature in the City.

- Anthony Lacotta, an atty. from Chicago representing the developer of the Butterfield Rd. project, notes that the Council's action tonight is not final. He is glad to respond to other comments.

- David Vernier owns the property adjacent to where the development is planned. The townhouse development does not fit the comprehensive City plan, which calls for office buildings, not R4 residential developments. The plan is not feasible, it is not financially solvent, it does not comply with the City comprehensive plan and it will be destructive.

6. Announcements

- Ald York: This Friday 7/21 is the annual Elmhurst cycling classic. All are invited to take part.

- Ald. Bram: This coming Thursday there is a meeting at City Hall regarding improvements for the I-290 interchange.

7. Consent Agenda All approved except items 7.20 and 7.28** below; vote was unanimous 13-0.

7.1 Minutes of the Regular Meeting of the Elmhurst City Council on June 19, 2017

7.2 Minutes of the Executive Session of the City Council on June 19, 2017

7.3 Accounts Payable July 13, 2017 - Total \$ 5,260,925.75

7.4 Appointment to the City of Elmhurst/Elmhurst College Commission - Robertson (Mayor Morley)

7.5 Appointment to the Zoning & Planning Commission - Byrnes (Mayor Morley)

7.6 Reappointments to the Board of Trustees - Elmhurst Public Library - Iacono, Irion, Menolascino (Mayor Morley)

7.7 Reappointments to the Veterans Memorial Commission - Weibler and Tilton (Mayor Morley)

7.8 Referral - Evaluation of a Resolution Against the Fly Quiet Program/Runway Rotation - Aldermen Bram and Leader (City Manager Grabowski)

7.9 Referral - Liquor License Request - True North Energy, LLC (City Manager Grabowski)

7.10 Report - Replacement of Vehicle E-13 (PWB)

7.11 Report - 2017 Crack Sealing and Seal Coating Program (PWB)

7.12 Report - Conversion of 14 Vehicles to Propane (PWB) (see item 10.1)

7.13 Report - 120 W. Adams Street - Driveway Relocation Agreement (PWB)

7.14 Report - IDOT Funding Agreement - Poplar Avenue Resurfacing Project (PWB)

7.15 Report - IDOT Funding Agreement - York Street Resurfacing Project (PWB)

7.16 Report - T-Mobile Antenna First Amendment to Lease Agreement - West Elevated Tank (PWB)

- 7.17 Report - Immanuel Lutheran Church Parking Lot Lease Agreement Renewal (PWB) (see item 10.3)
- 7.18 Report - 2017 Asphalt Rejuvenation (Reclamite) Program (PWB)
- 7.19 Report - Rock Salt Contract for the 2017 - 2018 Winter Season (PWB)
- **7.20 Report - Water Meter Replacement and Fixed Base Meter Reading System with Leak Detection (PWB)
- Ald. Deuter explains that this project will work to eliminate the unaccounted water estimated to be about 25% of all water usage in Elmhurst. This project has been planned over the past 4 years and has been extensively vetted.
Approved 13 – 0.
- 7.21 Report - Liquor License Request: Pinot's Palette (PAS)
- 7.22 Report - Sunday Hours of Operation for Liquor Sales (PAS)
- 7.23 Report - Fixed Automated License Plate Reader System (PAS)
- 7.24 Report - Bid, One 2017 Toyota Highlander (PAS)
- 7.25 Report - Elmhurst Commission on Youth Speaking Engagement Contract (PAS)
- 7.26 Report - Resolution to Authorize Reimbursement of Expenses from 2018 Debt Obligation (FCAAS)
- 7.27 Report - Amendment to the Redevelopment Agreement Fit Form Realty LLC (Fitness Formula Clubs Elmhurst) (DPZ)
- **7.28 Report - Case Number 17 P 06/Aimco Townhomes (DPZ)
- Ald. Honquest explains that this would allow the townhome development discussed in Public Forum.
- City Atty. Storino explains that this week a perimeter objection was filed by the owner of an adjacent property and this triggers the requirement for a 2/3 majority approval of the ordinance for the project. Atty Storino agrees that this will indeed require approval by at least 10 aldermen. Ald. Bram asks for an explanation of why this is applicable.
- Ald. Honquest explains that this project would comply with the City's comprehensive plan; it would actually improve the stormwater situation, and parking allowances are adequate. Ald. Bram asks if drainage and stormwater plans are guaranteed or just a plan. Ald. Mulliner explains that the current ordinance requires a detailed plan which has been presented and is deemed adequate.
- Ald. Brennan expresses his constituents' concerns about potential traffic problems.
- Approved 12 – 1 (Brennan)
- 7.29 O-49-2017 An Ordinance to Amend the Existing Agreement Dated June 14, 2011 Between the City of Elmhurst and the Commuter Rail Division of the Regional Transportation Authority, a Division of the Illinois Municipal Corporation
- 7.30 R-65-2017 - A Resolution Authorizing the Purchase of Gasoline and Diesel Fuel for the City of Elmhurst's Use
- 7.31 R-66-2017 A Resolution Authorizing the Purchase of One Replacement Vehicle and Authorizing the Disposal of One Existing Vehicle
- 7.32 R-67-2017 A Resolution Relating to the Participation By Elected Officials of the City of Elmhurst, DuPage County, Illinois, in the Illinois Municipal Retirement Fund

8. Committee Reports

- iMotorsports Financial Assistance Incentive (DPZ)
 - Ald. Honquest explains that this is to expand the business into an adjacent empty lot. The city gave them a \$12 million incentive a few years ago; now they are paying back the money. The high-end Indian motorcycle company has come forward to work with them to expand their business into a dealership; they request a \$100,000 loan in the first 2 years and a sales tax 50-50 sharing incentive thereafter to come up to a total of \$500,000. They will pay back the loan in 12 years. The DPZ committee approved this unanimously.
 - A lengthy discussion follows:
 - Ald. Bram states that this business may not comply with the established City sales tax incentive policy. He is also concerned that the reimbursement plan is longer than the established 10-year maximum time for payback and there is no stated cap amount which again goes against the City policy. Finally the business asks for the City to finance half of the entire cost of the improvement which he deems way too much risk for the taxpayers. He offers an amendment to reduce the payback timeline from 12 years to 10. Discussion continues among Ald. Talluto, Honquest, Levin, Bram.
 - Amendment defeated 12 – 1 (Bram)
 - Ald Bram moves to reduce the amount of the incentive to a maximum of \$350,000. Motion fails because it lacks a second. He continues the discussion with his concern that the incentive amount of \$500,000 is way too high because the entire planned expenditure is \$1 million; it is against the City policy to provide half of the total amount the business expects to spend.
 - Ald. Bram moves to insert wording into the agreement to require that the business pay back all the money advanced by the City in case the brand is terminated, and the sales tax incentive goes away. Seconded by Ald.

Deuter. Discussion among Ald. Bram, Honquest, Deuter, Polomsky, Talluto, York, Levin, Mulliner and Mayor Morley about whether the agreement refers only to the Indian brand or sales of any brand of motorcycles. City staff clarifies that the agreement applies to all sales, not just the Indian brand but parts, service too. But the agreement seems to say that if the Indian brand moves out of Elmhurst or terminates, the incentive goes away too. Most aldermen agree that this is indeed the intent of the agreement. Ald. Talluto explains that this is true even though sales tax revenue reported to the State doesn't distinguish between one brand or another.

- After this long discussion Ald. Honquest requests to pull the Report back to DPZ committee for further evaluation, which is approved by Mayor Morley.

- Case Number 17 P-04 & 17 P-05/City of Elmhurst Zoning Ordinance Map and Text Amendments Downtown Area Rezoning (DPZ)

- Ald. Honquest explains that revisions to the downtown zoning map have been discussed for the past year, with focus groups, community meetings, an open house in February presenting it to the community and there have been a variety of meetings with groups who would be affected. What is before the Council tonight is the result of this long effort to revise and come to consensus. The original map was very disorganized but now it is very clean and clear. DPZ agrees that this is an excellent plan going forward. Ald. Talluto comments that the plan is very good, simplified and a workable document going forward. She thanks all involved in the process.

- Ald. Deuter echoes this, but she is concerned that the plan still does not provide for incentives to developers to enhance the quality of Downtown Elmhurst. She contrasts the Elmhurst situation with La Grange where they require additional planning to provide, for example, plazas, attractive pedestrian walkways, underground parking, etc.

- Further discussion among Ald. Polomsky, Levin.

Approved 11-2 (Bram, Deuter)

9. Reports and Recommendations of Appointed and Elected Officials

- Mayor Morley: The City has received the distinguished budget award again as it has for the past 10 years; he thanks staff and Finance Department for their fine work. He is concerned about the budget process that is going on in Springfield – they now want to charge the City about \$150,000 in administrative fees. The current budget calls for the local government distributive fund which comes from the State to be reduced by 10%. This amounts to about \$440,000.

- City Manager Grabowski: Police roll calls this week in the community will take place on Tuesday and Thursday. Tomorrow night there will be mosquito spraying. There is a major Nicor project on Madison Street to move a large gas main; they may have to change the dimensions of the project and Mgr. Grabowski and staff will be meeting with Nicor tomorrow. Regarding O'Hare noise, this is the last week of phase 2 of the runway rotation test; phase 3 testing starts the week after. Mr. Grabowski urges all to use the survey that is linked on the City website to comment about low-flying aircraft or any other issues residents have with this. These comments will be important when the final plan is evaluated.

10. Ordinances

10.1 O-50-2017 - An Ordinance Waiving Bid and Authorizing the Issuance of a Contingent Notice of Award for the Conversion of Fourteen (14) City-Owned Vehicles to Propane (see item 7.12)

- Approved 13 – 0.

10.2 O-51-2017 - An Ordinance Providing for the Issuance of approximately \$9,700,000 General Obligation Bonds, Series 2017B, of the City of Elmhurst, DuPage and Cook Counties, Illinois, for the purpose of replacing said City's water meters, making improvements to said City's wastewater treatment plant and paying the expenses incident thereto, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said bonds, and authorizing the sale of said bonds to the winning bidder thereof

- Ald. York explains that there were 40 bids on the bonds; the winning bid came in at just 2.6% for 15 years which was very good news. Finance Dir. Trosien presents the details of the bond issue. The City's rating is AAA which is the highest rating and is the reason for the low rate that was achieved.

- Approved 13 - 0.

10.3 O-52-2017 - An Ordinance Approving a Parking Lot Lease with Immanuel Lutheran Church (see item 7.17)

- Approved 13 – 0.

11. Other Business

- Ald. Honquest comments that he has had good feedback from residents on the stormwater improvements.

- Ald. York agrees with Mayor Morley's comments on the State budget process; he notes that the State is not going to share any of the new income tax revenue with municipalities either.

12. Adjournment 9:40 pm