

City Council Meeting

Monday, August 6, 2018 **7:40 p.m.**

Steven M. Morley, Mayor

Attendance: Mayor Morley; 2 press; ~10 residents; City Mgr. Grabowski; Atty. Storino; Clerk Spencer; City Treasurer Libovicz; 3 City staff members; 11 Aldermen; Fire Chief Freeman; Police Chief Ruth
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

1. Executive Session 6:30 for the Purpose of Discussing: Probable/Pending Litigation pursuant to Open Meetings Act 5 ILCS 120/2 (c) (11)

2. Call to Order Pledge of Allegiance; Roll Call – Ald. Deuter, York, Kennedy absent

3. Receipt of Written Communication from the Public None

4. Public Forum

- Claude Pagacz comments about last meeting when a grant was awarded to the American Legion for the third year in a row. He is concerned because there has never been information about how that money was spent. He also comments about the City's agreement with Lucky Motors.
- Ben Silver, representing the Citizens Advocacy Center, speaks about the frequent suspension of the rules to approve items during the same meeting where the relevant committee reports are heard. This practice should be reserved for rare occasions only.
- Kathleen Sullivan notes that it has been a year since the stormwater interventions were completed. She thanks Council.

5. Announcements

Ald. Mulliner announces that Cool Cars has resumed at the American Legion.

6. Consent Agenda All items below approved unanimously 11 – 0 except item 6.2 (Levin) see ** below.

6.1 Minutes of the Regular Meeting of the Elmhurst City Council on July 16, 2018

** 6.2 Minutes of the Executive Session of the City Council on July 16, 2018

- Ald. Levin explains that this is to revisit the minutes in Executive Session for additional comment. No objection – it is allowable under the rules.

6.3 Accounts Payable August 2, 2018 - Total \$ 4,645,870.18

- 6.4 Referral - LED Street Light Settings - Aldermen Polomsky and Deuter (City Manager Grabowski)
- 6.5 Report - Harrison Street Stormwater Pump Station - Professional Engineering Services (PWB)
- 6.6 Report - Harrison Street Detention Basin Pump Upgrades - Engineering Design (PWB)
- 6.7 Report - Acknowledgement and Consent Between Midwest Elmhurst LLC and the City of Elmhurst (PWB) (see item #9.3)
- 6.8 Report - 2018 Sanitary Sewer T-Lining Project (PWB) (see item # 9.4)
- 6.9 Report - Hot Patch Dump Trailer (PWB)
- 6.10 Report - 2018 Asphalt Rejuvenation (Reclamite) Program (PWB) (see item # 9.1)
- 6.11 Report - Water Reclamation Facility (WRF) Non-Potable Water, Natural Gas, Fiber Optic and Electric Utility Project Rebidding (PWB)
- 6.12 Report - Contract Amendment to the Professional Construction Engineering Services Agreement for the Water Reclamation Facility (WRF) Improvements Water, Natural Gas, Fiber Optic, and Electric Utility Installations Project (PWB)
- 6.13 Report - 2018 Elmhurst Jaycees Carnival (PAS) (see item #8.1)
- 6.14 Report - Class RL Liquor License Amendment (PAS)
- 6.15 Report - Case Number 18 ZBA 08/St. Mary's Cemetery Variation (DPZ)
- 6.16 Report - Case Number 18 ZBA 09/U Store It Variations (DPZ)
- 6.17 Report - Case Number 18 ZBA 07/FSR Variation (DPZ)
- 6.18 Report - Case Number 18 P-07/Gem Car Wash Amended Conditional Use (DPZ)
- 6.19 Report - Rooftop Amenity Decks/Zoning Ordinance Text Amendment (DPZ)
- 6.20 O-50-2018 - 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
- 6.21 MCO-17-2018 - An Ordinance Amending Section 31.02 Entitled "License Required - Subjects of Licensing Authority," and Section 31.07 Entitled "License Term; Expiration; Renewal" of Article I Entitled "Administration" of Chapter 31 Entitled "Business Licensing, Regulation and Registration" of the Municipal Code of Ordinances of the City of Elmhurst, DuPage and Cook Counties, Illinois

7. Reports and Recommendations of Appointed and Elected Officials

- Mayor Morley the 6th annual bike race was a fabulous day – he thanks all involved especially Ald. York and his fellow co-chair. He attended the Chamber

of Commerce new teachers luncheon today and it was a great way for them to meet the community and to learn about them. These were D205 and Immanuel Lutheran teachers. The Elmhurst Trolley is continuing to run through the end of the summer. The City has received numerous applications for the City Arts Commission through July 31: There were applications at the rate of 4 times the number of seats, so there will be some disappointed volunteers. Finally, Gov. Rauner came to town last Tuesday to sign Annie's Law with the legal patch that allows police officers to carry Epi-pens. The LeGere family and friends worked tirelessly to make this happen and Elmhurst is the first town to have it fully implemented.

7.2 City Manager Grabowski thanks Police Chief Ruth and deputy chiefs for implementing Annie's law so quickly. Signup for the annual Citizens Police Academy begins soon. It's a great program. He attended the July 19 meeting of the O'Hare Fly Quiet committee – it was a good orientation to all the issues involved. Next meeting is August 23.

8. Ordinances

8.1 O-51-2018 - An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement By and Between Elmhurst Jaycees and the City of Elmhurst, DuPage and Cook Counties, Illinois (see item # 6.13)

- Ald. Levin explains that the reason this needs to be approved at tonight's meeting is that the date of the carnival was moved up to August 7 (tomorrow).

Approved 11 – 0.

9. Resolutions

9.1 R-80-2018 - A Resolution Authorizing the Issuance of a Notice of Award for 2018 Asphalt Rejuvenating Treatment Program (see item # 6.10)

Approved 11 – 0.

9.2 R-81-2018 - Resolution Approving A Settlement Agreement Between Scorpio Excavating, Inc., Elanar Construction Co., Employers Mutual Casualty Company and the City of Elmhurst

- Atty. Storino explains that the City was caught in-the-middle of a dispute between the contractor, Scorpio and a subcontractor. This is simply to facilitate the settlement of this dispute which will not cost any City funds.

Approved 11 – 0.

9.3 R-82-2018 - A Resolution Approving and Authorizing the Execution of an Acknowledgement and Consent Between the City of Elmhurst and Midwest Elmhurst, LLC (see item # 6.7)

Mgr. Grabowski explains that this is to move along a project to paint a water tower.

Approved 11 – 0.

9.4 R-83-2018 - A Resolution Approving and Authorizing the Issuance of a Notice of Award for the 2018 Sanitary Sewer T-Lining Project (see item # 6.8)

- Ald. Bram explains that this is part of the City's compliance with the Illinois EPA Consent Decree; the report and the resolution are being done at the same meeting to facilitate the completion of the project.

Approved 11 – 0.

10. Other Business

- Mayor Morley notes the attendance of Treasurer Elaine Libovicz and how happy all are to see her back again. Applause.

11. Adjournment 8:05 pm