

## City Council Meeting

Monday, Nov. 5, 2018 **7:30 p.m.**

Mayor Morley presiding.

Attendance:; 1 press; City Mgr. Grabowski; Atty. Storino; Clerk Spencer; Treasurer Libovicz; ~2 City staff members; 14 Aldermen; Fire Chief Freeman

LWV observer (from video): 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. Executive Session - Conf Room 2 - 6:30 p.m.** for the Purpose of Discussing:

Pending/probable litigation, pursuant to the Open Meetings Act 5 ILCS 120/2 (c)(11) and Collective negotiating matters between the public body and its employees or their representatives, pursuant to the Open Meetings Act 5 ILCS 120/2(c)(2)

### **2. Call to Order** Pledge of Allegiance; Roll Call – All Aldermen present

### **3. Receipt of Written Communication from the Public** none

### **4. Public Forum**

- Claude Pagasz objects to changing a City ordinance for the benefit of a specific group, in this case, extending the time allowed to begin the Elmhurst Extended Care project. Also he is concerned about the extra \$10 million in General Obligation bonds.
- Kathleen Sullivan speaks about two stormwater issues. She thanks the City for finalizing the IGA with D205; she supports the agreement. She also questions whether a grant from the City to address stormwater fee in lieu that was given to the Wilder Crossing LLC will transfer over now that the project name has been changed to 195 Elmhurst.

### **5. Announcements**

- Clerk Spencer announces that tomorrow is Election Day.
- Ald. Park announces that on Nov. 16 there will be a tree-lighting in the Spring Road and the Prairie Path. Santa will arrive at 6:30 pm via firetruck.
- Ald. Levin announces the 5<sup>th</sup> Ward Town Meeting this coming Wednesday at 7:30 at the K of C.

### **6. Consent Agenda** NOTE: All items below approved unanimously except 6.11 (Mulliner); 6.4 and 6.14 (Bram) See \*\*

- 6.1 Minutes of the Regular Meeting of the Elmhurst City Council on October 15, 2018
- 6.2 Accounts Payable November 1, 2018 - Total \$ 5,700,200.91
- 6.3 Report - 2019 - 2022 Biosolids Removal and Application Bids (PWB)
- \*\*6.4 Report - Stormwater Fee in Lieu Request - 195 N. Addison Avenue (PWB)
- Ald. Bram explains that he pulled the report because the approximate cost of stormwater remediation on-site of \$150,000 would be prohibitive and the stormwater storage would have to be underneath the building. The fee in lieu would be \$26,000. Ald. Bram notes that the \$150,000 is only about 1.4% of the \$11 million total cost of the project. The hardship criterion to allow fee in lieu is not met, in his opinion.
  - Ald. Deuter explains that allowing the fee in lieu stems from long discussions over the past year while the new policy was created. The committee recognized that it would be very costly to construct stormwater storage in the downtown area, and that in many cases it would not be cost-effective. She clarifies that although the initial project was granted TIFF assistance, there has been no request for it from the developer.
  - Approved 13 – 1 (Bram).
- 6.5 Report - IDOT Letter of Understanding - Storm Sewer (PWB)
- 6.6 Report - ROW Vacation Request - 691 N. Church Street (PWB)
- 6.7 Report - ROW Vacation Request - 445 W. Lake Street (PWB)
- 6.8 Report - Amendment to Chapter 36.28 of the Municipal Code Re: Prohibited Activities at Liquor Licensed Establishments (PAS)
- 6.9 Report - Amendment to Timed Parking Zones Adjacent to Elementary Schools (PAS)
- 6.10 Report - Use of Line of Credit (FCAAS)
- \*\*6.11 Report - Case Number 18 P-1/Zhang Conditional Use Permit (DPZ)
- Ald. Mulliner explains that he pulled this report because he will vote against it.
  - Approved 13 – 1 (Mulliner)
- 6.12 Report - Case Number 18 P-18/Culver's Conditional Use Permit and Variations (DPZ)
- 6.13 Report - Case Number 18 ZBA 10/Larch Townhomes (DPZ)
- \*\*6.14 ZO-24-2018 - An Ordinance Amending Ordinance Number ZO-05-2018 to Authorize the Extension of Time for the Conditional Use Permit for the Elmhurst Extended Care Facility for the Property Commonly Known as 200 East Lake

Street and 193-197 East Fremont, Elmhurst, Illinois (Elmhurst Extended Care Facility)

- Ald. Bram explains that he doesn't have much to add to the discussion of two weeks ago. He still feels that the conditional use waiver should be revoked based on the lack of substantial progress by EEC in the allotted 6 months. He feels that the lack of enforcement of the 6 month limit in the past is not a reason to allow it now.

- Approved 12 – 2 (Polomsky, Bram)

6.15 R-112-2018 - A Resolution to Approve and Authorize the Execution of a Sixth Amended Modification Agreement By and Between the Bensenville Fire Protection District #1 and the City of Elmhurst

## **7. Committee Reports**

7.1 Report - Comprehensive Intergovernmental Agreement Between Community Unit School District 205 and City of Elmhurst (Mayor Morley)

- Mayor Morley explains this IGA follows directly from the MOU signed a couple of months ago with D205. The construction of stormwater retention ponds at Jackson and York schools has been under discussion for several years. The report outlines details of the agreement which will finally allow the commencement of the projects. The document is now approximately 60 pages long; it is undergoing final review by the lawyers and the Mayor hopes to bring it to Council in 2 weeks for final approval.

- Approved 14 – 0.

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

- Mayor Morley: The City has retained its AAA bond rating; this is a great thing. He urges all to get out and vote tomorrow. The History Museum is holding an event on the 15<sup>th</sup> of this month to kick off their "It's a Wonderful Life" exhibit. Finally, in the next few weeks Committee of the Whole meetings will take place to review the 2019 budget.

- City Manager Grabowski reports on the pumpkin composting collection. The York Street resurfacing project will be going on during the evening hours over the next week or so. This week there is free leaf collection along with garbage collection. Next week's meetings will be held on Tuesday in honor of Veterans Day.

- Ald. Mulliner announces the Veterans Day memorial celebration will be held this Sunday.

- Clerk Spencer reports that early voting was extremely heavy this year with approximately 6500 early voters.
- Ald Dunn reports on last Friday's ONCC meeting. There was a very technical report by an FAA scientist. There will not be a general ONCC meeting in December.
- Ald. Bram understands that the Chicago Dept. on Aviation requested submissions on Fly Quiet requirements; he asks for an update. Ald. Dunn asks for suggestions to submit to the Fly Quiet subcommittee. Mayor Morley states that Elmhurst's criteria will be finalized and submitted tomorrow.
- Ald. Brennan reports that York HS boys and girls' track teams took part in the statewide meets. Girls came in 16<sup>th</sup> and boys placed 4<sup>th</sup>.

**9. Other Business** none

**10. Adjournment** 8:13pm

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**Committee of the Whole**

**8:14 p.m. immediately following the Regular Meeting of the Elmhurst City Council**

Review of Fiscal Year 2019 Budget

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