

## Elmhurst City Council Meeting

**12 present; 2 Absent-** Wagner,  
Honquest  
*Public: 38; Staff: 3; Police/Fire:0;*  
*Press: 3*  
**Observer: N. Talluto**

**April 7, 2014**  
**7:31 pm – 9:35 pm**

Mayor Morley called the meeting to order.

Clerk Spencer commented that she received a list of names from Change.org on behalf of a woman from Bensenville, IL in regards to the pushcart and special food dealer license.

### Public Forum

- Bill Weiss, 712 Prospect, Kirkland, IL, spoke in support of the Hot Dog Lady of Elmhurst. He comes out of his way to purchase her hot dogs and to shop in Elmhurst, IL. She works hard and makes a good product in a safe way. She makes coming to Elmhurst special, a kind of event. He asks the council to help her keep her business by voting against the changes in
- Pam, “The Hot Dog Lady”, 102 E. Crest Ave, Bensenville, IL speaks in favor of keeping her location at Schiller and York and no changes in her license fees. She has a petition of over 1,000 signatures in support of her business. She states that the relocation by the city is based on future possibilities not certainties.
- Barb Lonagren, 261 W. Freemont Avenue speaks in support of a better mix of renewable energy in the cities mix. This can be achieved by reducing coal, increasing REX and wind energy. The Garden Club and the League both support this request as well. Renewable energy creates jobs, enhances the environment. She thanks the city for consideration.
- Mr. Glenn Miller, 872 Stratford, speaks in favor of Pam, “The Hot Dog Lady” and asks that
- Mark Stewftenagel, 182 Olive , thanks the council for voting in favor of renewable energy in the past and urges them to vote in favor again tonight.
- James Colwort, 233 N. Willow Rd., supports a referendum in November to allow residents to vote for or against the 6 story-parking garage on Addison.
- Michael Cremerie, 567 W. Crockett, read from Luke 28. He reviewed the costs of the parking garage, the data regarding the need for the parking and the public involvement in the zoning process. He suggests that the cost is more than the return given the data does not support the need for the extra parking spots. A 4-story building will meet the needs of the community. 486 people out of 492 did not support the parking garage.
- Chris Sullivan, 235 N. Addison, a member of the Board of The Townhomes of Normandy and the Elmhurst City Center, spoke in support of cancelling the special service area that has been in effect for the past 10 years. The residents do not want it, they hire their own people to take care of what that tax is supposed to cover, and the city doesn’t provide the services it says they are supposed to for the tax.
- Claude Pagash, 566 W. Gladys, spoke regarding the water rate increase he sees on his water bill. He states that the city collects more for water than they pay out to DuPage.
- Tamara Brenner, 137 N. Caroline, attended several meetings for moving the Hot Dog Lady’s cart and couldn’t find any realistic reasons given. Her cart is a destination and

helps drive foot traffic to Elmhurst. If there is a temporary problem, there should be a temporary solution. She also asks that the report for Elmhurst Crossing Shopping Center be voted down as the city should not be involved in sharing business costs.

- Tamara McCue, spoke in favor of the upcoming electrical renewal contract. She asks the council to build upon the solid foundation of the first contract by adding more renewable energy into the contract.
- Janet Kichiliss, 218 N. Addison, Marketsquare Townhome complex, took a survey of owners, 18 voted, 16 voted to get out of the SSA. The residents have not benefitted from the increased services that they are supposed to get from the increased taxes. She asks the council to vote against the continuation of the SSA, or give residents an easier way to opt out of the program.

The **Consent Agenda** was passed (12 Ayes, 0 Nays, 2 Absent) with the following items removed: 6.11.

A. 6.11 – Report – Reduction in Pushcart and Special Food Dealer Licenses (PA&S)

- a. Ald. Leader summarized that the committee came to the conclusion that a safety hazard will be created due to the foot traffic in the alley and construction of at least a 4 story parking garage on Addison Street. The committee, upon recommendation from City Staff, Police and Fire, voted to preserve public safety by proactively recommending the food carts location from the Schiller corridor. He suggests that the impact of what they are doing is not a huge change. Careful reading will show that the report requires the vendor to move 60 feet or 20 yards from the alley to the plaza fountain location which also has more seating for customers vs. the alley location.
- b. Ald. Bram supports all serious undertakings related to public safety. He also encouraged all aldermen to understand that the council is talking about a person's livelihood, nothing trivial. His first question was about the difference between the decisions on 3/10 vs. 3/24? His second question is about "potential" construction as stated in the ordinance. He suggests that ordinances should not be passed based on potential happenings. What are the specific concerns about the two areas that do not occur in the other areas?
- c. Mayor Morley clarified that Ald. Wagner was not happy with the first draft of the report and asked for some extension to make changes.
- d. Ald. Leader clarified that he recalled nothing of significance related to the different drafts of the report.
- e. Ald. Polomsky stated that the council should be discussing this in regards to a vendor location, not a vendor specifically. She will not be supporting the report.
- f. Ald. Levin is now concerned because he understands differently the location than what he was led to believe from the report coming out of committee.
- g. City Manager Grabowski suggests that the new location will be between the fountain and the sidewalk, not where the 'x' was marked on the original handout.
- h. Ald. Levin motions to postpone to date certain (next council meeting, 4/21/14). Ald. Gutenkauf seconded the motion.
- i. Ald. Bram asked if the permit could be granted under the current ordinance until this new issue is resolved. The City attorney stated that he could not state an opinion on the permit until he reviewed the law.

- j. Ald. Healy stated that he doesn't support a motion to postpone debate because the underlying report is about safety and that won't change.
- k. Ald. Gutenkauf states the postponement is about where food carts can be safely located and the report needs to be reviewed in order to correctly vote on it.
- l. Ald. Kennedy notes that there is a viable location by the fountain that meets the ordinance.
- m. Mayor Morley states that the primary reason for the postponement is the map in the report is incorrect and misleading of the new location for one of the pushcarts.
- n. Ald. Bram doesn't support postponing as the debate will not change with time.
- o. Motion passes (7 Ayes, 5 Nays – Leader, Bram, Healy, Kennedy, Mulliner; 2 Absent)

### **Committee Reports**

- A. 7.1 Report – Elmhurst Crossing Shopping Center Outlot Cost Sharing Request (F, CA&AS)
  - a. Ald. York states that there is a clerical error in the report – the \$22,000 should be \$11,000 per year for two years.
  - b. Ald. Dunn thanked city staff and Chick-Fil-A for working together on this complicated topic. This is a nation-wide business and Elmhurst is pleased to welcome them to Elmhurst. Federal Construction, the shopping center owner, worked hard to attract Chick-Fil-A to the site and the city benefits about \$70,000 per year as a result of this new business, from sales tax and 10% of the rental income. The city works with many businesses to incent them to come and stay operating their business in Elmhurst. Federal incurred about \$20,000 in costs to attract this new business and has asked for some reimbursement from the city as the city is also benefitting from the new business. The reimbursement would be in the form of forgiveness of the first two years of the rental income due to the city.
  - c. Ald. York states that this all goes back to 2003. He supports the developer's request to continue to show that Elmhurst is a business friendly environment. This is \$100K increase to our budget and we are just forgiving \$20k over two years for the work the developer did to bring this business into Elmhurst.
  - d. Ald. Deuter shared that the committee spent considerable time. She doesn't support it as the original settlement states that the contract was a revenue share, not a cost-share. Additionally, incentives made after a business is currently operating are not in line with how the city should be using them.
  - e. Ald. Gutenkauf does not feel it is the city's obligation to offset business expenses.
  - f. Ald. Polomsky feels that while this is not the city's obligation the city needs to balance incentives with business needs.
  - g. Ald. Healy understands both sides of the argument. The location is a highly successful TIF district and the developer has been good to work with. He views this as a question of would the city approve the original investment to attract this new business – yes is his answer.
  - h. Ald. Levin's firm represents the developer and he has personally done business for them so he will be voting "present".
  - i. Ald. Gutenkauf is "sickened" by the council considering helping the costs the developer incurred when they earlier voted to postpone the relocation of the pushcart vendor.

- j. Ald. Mulliner supports all businesses in Elmhurst and in this case also supports the reimbursement for the developer.
- k. Report passes (7 Ayes, 4 Nays – Polomsky, Bram, Gutenkauf, Deuter; 2 Absent, 1 Present - Levin)

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

- Mayor Morley shared that he will be travelling down to Springfield again this month.
- City Manager Grabowski reported that a round of interviews was conducted for the City Works Manager and did not find a candidate that would work. They subsequently reopened the job posting. IDOT and Gov. Quinn announced new road construction funds – these had already been allocated to Elmhurst. The City has spent about \$215,000 more for snow and ice removal, etc. in 2014 than budgeted.
- Ald. Bram requested an update regarding the Addison Parking Garage referendum. He also mentioned his concern on the A-Frame signs in the downtown area.
- Mayor Morley stated that the referendum is going to finance and will be on the agenda for committee this coming week.

### **Other Business**

- Ald. Gutenkauf brought up the political sign sizes – holding up the ordinance for this.

### **Adjournment**

Meeting was adjourned at 9:35 pm.