

Elmhurst City Council Meeting

13 present; 1 Absent, York

Public: 24; Staff: 4; Police/Fire:2;

Press: 3

Observer: N. Talluto

May 5, 2014

7:44 pm – 9:20 pm

Mayor Morley called the meeting to order.

Public Forum

- Diane Steward, 622 Euclid, spoke regarding the condemnation of a piece of property in Elmhurst. She stated that there is a significant amount of industrial type trash including turpentine and old paint that is not being maintained. She stated that the City is not maintaining it and the city should not buy more property like this especially at a time when the city's pensions are increasing and streets need to be repaired. She asks the City to reconsider the purchase of this property.
- Donald D'Adisotas, Bensenville, asks why an executive session is needed for the purchase of property.
- Claude Pagash, 566 W. Gladys, characterized the last city meeting as "ridiculous". The council argued that there could not be a referendum because it had already invested \$6MM. He stated that no facts could convince the council to not vote for a 6 story parking garage and that every decision the council makes costs the Elmhurst residents more money. He asked rhetorically "what does the council think a resident is."
- Lisa Gerrer, of Cool Cities Group, shared information about public recycling. Recycling is the most asked about "green" initiative of residents and is one of the easiest things for them to do. She urges the council to consider how to empower the city and residents to recycle in downtown Elmhurst and provided a number of specific recommendations to assist the city in doing so.
- Marla Sarnes, 617 W. Gladys, is looking to raise chickens in her backyard for home consumption. Currently this is not allowed in the city and she wants to know why and what is taking so long to consider a 2012 petition of over 600 residents to request a new ordinance.
- Braven Patel, 638 Sunnyside Ave., an engineer by trade and involved in water projects in the past spoke about the upcoming ordinance. He urged the city to reconsider and not support it as it will not work and could make property values decrease.
- Michael Cremerie, 567 W. Crockett, stated that freedom of speech is not dead, but is limited to 3 minutes in Elmhurst and not supported. He went on to provide reasons to support his point of view.
- Tamara Brenner, 137 N. Caroline, was surprised to not see an ordinance regarding the Addison Parking garage on the agenda tonight. She also noted a new narrative around "adequate and convenient parking", which excludes the word "free". This is concerning to her as it sets a precedent for the future.
- David Mckenna, 286 E. Crescent, a longtime resident of Elmhurst, spoke against the storm water ordinance. He is concerned about a number of items in the ordinance that do not make sense and listed a number of them.
- Tim Grant, 116 Sunnyside, has been a resident for over 8 years and is a business and landowner in Elmhurst. He spoke against the storm water ordinance, as there are a

number of concerns he has and unfinished studies that make the policy weak. He asks the council to not vote in favor of this ordinance.

Announcements

- None

The **Consent Agenda** was passed (14 Ayes, 0 Nays) with the following items removed: 6.7 and 6.8.

- A. 6.7 – Report – Report - CBD Recycling Receptacles (PW&B)
- a. Recommended Action: It is, therefore, the recommendation of the Public Works and Buildings Committee that the City Council authorize the purchase of 6 recycling containers and associated costs for the necessary twice weekly collection services. The Committee further recommends review of said pilot program in the fall of 2014.
Signed: Jim Kennedy (Chairman), Chris Healy (Vice-Chairman), Michael J. Bram
Unsigned: Diane Gutenkauf (absent)
 - b. Ald. Gutenkauf stated she supports the report but was absent at the time of the committee meeting.
 - c. Ald. Dunn thinks this is a great program and is pleased to support it. He requested clarity on the \$10,000 and using the general fund as the source of the funds.
 - d. Ald. Kennedy stated that once the program moves out of the pilot phase, the committee will make a recommendation on where ongoing funds to support the program will come from.
 - e. Motion is carried via a unanimous verbal vote (13 Ayes).
- B. 6.8 – Report - New Single Family Home Stormwater Management Policy (PW&B)
- f. Recommended action: It is, therefore, the recommendation of the Public Works and Buildings Committee that new single family home stormwater management policy as outlined above, be approved.
Signed: Jim Kennedy (Chairman), Chris Healy (Vice-Chairman), Michael J. Bram, Diane Gutenkauf
 - g. Ald. Kennedy summarized by stating that this is a program to make the flooding problem in Elmhurst “no worse” than it currently is and is a program that the city can control.
 - h. Ald. Hipskind wants a policy that is more open ended, flexible and impactful than this policy. He does not support the report.
 - i. Ald. Levin brought up a number of concerns with the report including the 60% mitigation requirement. He feels that the policy has too many unanswered questions and is too complicated.
 - j. Ald. Dunn also did various calculations of his own to help understand how the policy would work out. When he compares the amount of water storage for the cost in this policy with the amount of water storage for the cost in the retention pond plans it is much less which is concerning to him.
 - k. Ald. Healy states that this is and has always been about adding capacity to the City of Elmhurst water system. He also states that many new builders in Elmhurst are already doing this without an ordinance to help mitigate flooding in Elmhurst. He urges the

- council to support this to help do the City's part to lessen the amount of water that is put into the storm system.
- l. Ald. Levin hasn't heard anything that changes his opinion to make the policy less complicated and burdensome to homeowners. He motions to change the report on page 1, paragraph 4, to delete "maximum allowable" and change to "actual post construction" impervious surface and removing the last sentence. Ald. Dunn seconds the motion.
 - m. Ald. Dunn supports the motion as the report as currently written had the potential to incent homeowners to build to the maximum allowable which is not necessarily what the city wants.
 - n. Ald. Polomsky thanked the staff and committee for the work that was already done. She was surprised to see the impervious lot surface number used in the way it was in the report. She does support the intent of the policy and also wants to encourage other ways, such as working with other governing bodies , to impact the flooding problem in Elmhurst.
 - o. Ald. Deuter requested clarity on the statement "maximum allowable impervious lot coverage shall be 60%". Specifically if it set the building code policy or not.
 - p. Ald. Healy responded that this report will always get the lot coverage from the building code – if the building code changes, this policy will change.
 - q. Ald. Levin and Ald. Dunn agreed to a small clarification to the motion: page 1, paragraph 5 – removing the first two sentences and reusing the "actual post construction" in the following sentence.
 - r. Ald. Gutenkauf states that she understands the motion but that it basically strips the entire intent of the policy.
 - s. Ald. Kennedy highlights for the council that the current building code allows 100% lot coverage, with 30% under roof. Ald. Kennedy states that the council is paying lip service to the flooding problem if the council doesn't vote for this tonight.
 - t. Ald. Healy supports Ald. Kennedy's comments and wishes that he and Ald. Levin could have discussed his concerns before the meeting. He does not support the motion.
 - u. Ald. Polomsky states that whichever way the council votes will change the status quo and will codify what is otherwise a recommendation in other towns.
 - v. Ald. Dunn states that this policy also calls for new construction to NOT be tied into the storm sewer directly.
 - w. Ald. Wagner asked what the DP&Z's involvement is in this policy. The answer was that DP&Z is currently considering the maximum allowable impervious surface percentage.
 - x. Ald. Levin states that the amendment does not side step the issue of controlling the flooding but it rather tries to make it more fair and puts the decision in the hands of the homeowner.
 - y. Ald. Gutenkauf is not concerned that Elmhurst is being a leader by being first and thinks that the property right argument is a "red herring".
 - z. Ald. Healy sums up by saying that the city has to start somewhere and this is that place.
 - aa. Ald. Polomsky is struck by Ald. Kennedy's point about the difference between 40 and 60% and is now going to support the committee.

- bb. Ald. Dunn supports the strong, amended policy.
- cc. The motion (3 Ayes: Levin, Dunn, Hipskind; 10 Nays: Leader, Polomsky, Bram, Healy, Honquest, Mulliner, Wagner, Gutenkauf, Deuter; 1 Absent)
- dd. Approval of the report carries (12 Ayes: Kennedy, Healy, Honquest, Mulliner, Wagner, Gutenkauf, Deuter, Dunn, Leader, Polomsky, Levin; 1 Nays: Hipskind; 1 Absent)

Reports and Recommendations of Appointed and Elected Officials

- Mayor Morley announced Phil Schwartz doing a live broadcast at 5:30 am at Wilder Park about what is going on in Elmhurst.
- City Manager Grabowski announced that 461 pounds of prescriptions were collected recently. Within 1 week another lane on 83 will be opened but another project will start soon thereafter.
- Ald. Honquest and Ald. Kennedy will host a 6th ward townhall on 5/15 at 7:30pm at the Community Bank, second floor.
- Ald. Bram requested some follow up on the communications director position as well as the chicken request.
- City Manager Grabowski stated that they are in the process of interviewing candidates.
- Ald. Wagner stated that the committee is currently waiting for additional information from the staff regarding the chicken petition.

Other Business

- Mayor Morley presented a bouquet of flowers to City Clerk Spencer in honor of National Municipal Clerks Week.
- Ald. Polomsky brought up the food vendor permit and the “hot dog lady”. Think 350 project – 3 times spend \$50 with local businesses to encourage local businesses.

Adjournment

Meeting was adjourned at 9:20 pm.