

Elmhurst City Council Meeting
December 16, 2013
7:36 pm – 9:18 pm

14 present
Public: 16; Staff: 3; Police/Fire:2;
Press: 4
Observer: N. Talluto

Mayor Morley called the meeting to order.

Public Forum

- Gilbert Fisher, 586 N. Van Auken St., discussed how the city is spending too much money and increasing taxes. He asks the city council to change their ways.
- Claude Pagash, 566 W. Gladys, discussed a new contract that is up for a vote, which in his opinion is unclear what the contractor does. General obligation bonds were also brought up in context of his feeling that the City should not be getting more general obligation bonds. He attended the meeting on Tuesday regarding the Hahn project. His experience with developers is that they don't want to change their plans.
- Andrea Alvarez, 182 N. York, of the Citizens Advocacy Center, discussed the Mayor's article regarding former Alderman Susan Rose's appointment to the Zoning Commission. In the article, the Mayor reaffirmed Ms. Rose's qualifications for the job. Ms. Alvarez reiterated her comments from the prior City Council meeting, which highlighted that because of Ms. Rose's qualifications and prior experience it raised the question about conflict of interest. Ms. Alvarez's comments highlighted the need for the city to have a clearly defined policy related to potential conflicts of interest and recusal so that situations like this are clear in the future.
- David Reginelli attended a prior meeting about storm water retention policies and a related survey to the residents. There was data provided in that meeting that concerned him. Mr. Reginelli's argument is that the city continues to do the same things but doesn't fix the root problem.
- Carlton Rink, 114 Pine St., followed up from Mr. Reginelli's comments. He clarified that for these residents, they typically get 5 – 8 feet of water in their basement with large rainstorms. He feels that the city's policies and new construction have exacerbated this issue over the last 5 – 10 years. He asks for the city to vote for postponing the policy up for a vote tonight.
- Kathleen Sullivan, 116 Pine St., said Merry Christmas. She asked the council tonight to vote for postponing the rear-yard drain policy to help reduce the amount of water going into the storm water system.

Announcements

- Ald. Leader announced the Elmhurst Fire Department will host a Blood Drive at the Fire Station on 601 S. York, 12/28, 8am – 2pm. Call 877-543-3768 for appointments or walk-in.
- Ald. Bram announced the public meeting for the community input on the N. York Corridor plan on 12/17, 7pm, City Hall.

The **Consent Agenda** was passed (14 Ayes, 0 Nays) with the removal of the following items: 6.7, 6.9.

- A. 6.7 – Report – Report – Findzall community marketing contract renewal.
 - a. Ald. Levin introduced the report with background that this contract was extended to the end of the year to coincide with the new city fiscal year. This also allowed for time to reassess what the city needed. A new position was brought onto the City Staff to support marketing. Until this position is clear in terms of responsibilities, the committee recommends extending the marketing contract to ensure there is coverage for the services needed.
 - b. Ald. Gutenkauf asked if the city would wait until the staff position is filled and when the city will evaluate which contractor, if any, will still be needed.
 - c. Ald. Levin replied that they do want to wait until the new position is filled to ensure that all services are provided and who is the right person/persons to fill it.
 - d. Ald. Bram suggests that the staff position and the consulting position are mutually exclusive. He asks the city to make a decision instead of continuing to extend the contract without evaluating the services the contractor provided. He does not support the report.
 - e. Ald. Polomsky referred to Assistant City Manager Kopp’s job responsibility chart, which showed that the contractor does do some of the city staff positions responsibilities. This will need to be evaluated before we can make a final decision.
 - f. Report passes (12 Ayes, 2 Nays Bram, Gutenkauf)
- B. 6.9 – O-83-2013-An Ordinance authorizing the execution of a sales tax rebate agreement between the city of Elmhurst and Ed Napleton Elmhurst Imports, Inc.
 - a. Ald. Gutenkauf pulled the report because she does not feel it is in the best interest of the City and wanted to vote against it.
 - b. Report passes (12 Ayes, 2 Nays Bram, Gutenkauf)

Committee Reports

- A. Majority Report – Suspension of New applications for the rear yard drain program (PW&B)
 - a. Ald. Bram summarized that this suspends the program and stops providing funds for the program until the city can study if the program is beneficial to the city.
 - b. Ald. Deuter clarifies that this only suspends new applications but keeps funding in the program for use when the program starts up again if it does.
 - c. Ald. Bram confirmed that to be true.
 - d. Ald. Hipskind asked if there would be opportunity for the program to be changed to allow for geographic biases in the program.
 - e. Ald. Polomsky was encouraged to see that there have been discussions regarding modifying the program.
 - f. Ald. Gutenkauf stated that this simply buys the council time to evaluate the program.
 - g. Ald. York is excited about substantive discussions forthcoming.
 - h. Ald. Levin asked about the timeline for review.
 - i. Ald. Kennedy is planning to have recommendations back to the council by March 2014 at the latest.
 - j. There are currently 16 outstanding estimates for the rear yard drain in process.
 - k. Ald. Healy supports the minority report. This does not affect new construction rear yard drains. Ald. Healy asked for the assessment by city staff. He asked for it because there are many residents that feel that new construction is causing more flooding. The survey shows that towns around Elmhurst flood just like Elmhurst, regardless of the

amount of new construction, rear yard drain programs, etc. Until the Council really looks to make major changes, this small program won't make a big difference.

- l. Ald. Gutenkauf reiterated the point of the report is to suspend using taxpayer money to build rear-yard drains until the city evaluates the program and creates criteria for the program.
- m. Ald. Levin asks for clarification on if new applicants are suspended.
- n. Ald. Bram confirmed that homeowners could still connect, just that the City does not supply any funding to assist. Voting for the majority report sends a message to the residents that the Council doesn't know if the program is good, bad or needs to be changed.
- o. Ald. Healy stated that the argument tonight is similar to the argument made against the overhead sewer in the past and that was voted to stay in place, as it was good policy.
- p. Ald. Deuter states that there is general agreement that the program has a place in overall policy and that there are opportunities to improve it. A vote in support of the majority report is reasonable.
- q. Ald. Kennedy argues that by keeping this program in place, the city can oversee what they are doing. Without this program, the resident can still put the drain in with a city permit, but the city does not get to oversee it. He motions to substitute the minority report for the majority report.
- r. Ald. Mulliner wanted to clarify that the permit application will control and ensure the drain will be put in correctly regardless of who pays for it.
- s. Ald. Levin feels the motion to replace the minority report is not needed.
- t. Ald. Gutenkauf does not feel that this requires a minority report. Additionally, she states that any applicant will go through the correct engineering review.
- u. Ald. Dunn states that the only people that would even apply for this program have serious issues with flooding on their property. It is not appropriate to stop the program while the council is evaluating changes.
- v. Ald. Bram suggests that it is appropriate to suspend a program directed to resolve nuisance flooding.
- w. Vote on motion to substitute minority report for majority report. Motion fails (5 Ayes, 9 Nays: Honquest, Mulliner, Gutenkauf, Deuter, Polomsky, Bram, Hipskind, York, Levin)
- x. Original Majority report passed (9 Ayes, 5 Nays: Dunn, Leader, Healy, Kennedy, Wagner)

Reports and Recommendations of Appointed and Elected Officials

- Mayor Morley congratulated the City staff on the City's top bond rating. Elmhurst Toyota is hosting a blood drive on 12/18, 12 – 4pm, at Elmhurst Toyota.
- City Manager Grabowski announced that there was a meeting of business owners regarding the N. York plans today, 12/16. Public Works director recruitment received 70 applications and recruitment is shut down.

Ordinances

- A. O-84-2013 – An ordinance providing for the issuance of \$8,950,000 General Obligation Refunding Bonds, Series 2014A, of the City of Elmhurst, DuPage and Cook Counties, IL for the purpose of Refunding certain outstanding General Obligation Bonds and paying

the expenses incident thereto and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds.

- a. This issuance saves the city \$861,000 by lowering the interest rate from 4% to 2%. The bond was sold to William Blair.
 - b. The City of Elmhurst was recently upgraded from AA to AAA status, one of the few cities' in IL (along with Naperville, Hinsdale, Winnetka, County of DuPage – about 30 communities in IL). Home rule is key to getting this status.
 - c. Ordinance passed (14 Ayes, 0 Nay)
- B. O-67-2013 – A budget and appropriation ordinance for the City of Elmhurst for the fiscal year beginning on January 1, 2014, and ending on December 31, 2014.
- a. Ald. Gutenkauf provided comments regarding the purpose of the city budget and the source of funds for the budget. She specifically brought up grant programs and the addition of \$40,000 in the grant program in this years budget that was added in at the last minute. She is concerned that there is no public information available regarding these last minute additions and the process is inappropriate. She will not support this budget because she does not support the process used to add to the community grant program.
 - b. Ald. Healy will support the budget this year.
 - c. Ald. York reiterates how the Finance committee vets grant requests and those they always come to the council for approval.
 - d. Ald. Bram will not support the budget as he feels that community grants are taking a higher role in the budget than core services like street reconstruction and shoring up our rainy day fund.
 - e. Ald. Polomsky thanked staff and council for all the work. She wished some areas were better funded and others could have had less but it is the council's responsibility to pass it.
 - f. Ald. Levin suggested it is a good budget and that this is the number one job of a city council and not to pass it would be irresponsible.
 - g. Ald. Dunn supports the budget and states that no budget is perfect but this does a lot of good to set the city up for success in the future.
 - h. Ordinance passed (12 Ayes, 2 Nay: Gutenkauf, Bram)

Other Business

- None

Adjournment

Meeting was adjourned at 9:18 pm.