

## Minutes

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE MAY 5, 2008 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:10 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

MAY 5, 2008

### 1. CALL TO ORDER

The regular meeting of the City Council of the City of Darien was called to order at 7:30 P.M. by Mayor Weaver.

### 2. PLEDGE OF ALLEGIANCE

Mayor Weaver led the Council and audience in the Pledge of Allegiance.

### 3. ROLL CALL — The Roll Call of Aldermen by Clerk Coleman was as follows:

Present: Halil Avci Joseph A. Marchese John Galan Sylvia Mclvor Carolyn A. Gattuso John F. Poteraske, Jr.

Absent: William Durkin

Also in Attendance: Kathleen Moesle Weaver, Mayor Joanne F. Coleman, City Clerk Michael J. Coren, City Treasurer Bryon D. Vana, City Administrator Daniel Gombac, Director of Community Development/Public Works Robert Pavelchik, Police Chief

### 4. DECLARATION OF A QUORUM — There being six aldermen present, Mayor Weaver declared a quorum.

### 5. APPROVAL OF MINUTES - April 7, 2008 - April 21, 2008

It was moved by Alderman Gattuso and seconded by Alderman Avci to approve the minutes of the April 7, 2008 meeting, as presented.

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, Mclvor, Poteraske

Nays: None

Absent: Durkin

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve the minutes of the April 21, 2008 meeting, as presented.

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, Poteraske

Nays: None

Absent: Durkin

Abstain: Mclvor

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

## 6. MAYOR'S REPORT

Mayor Weaver announced the special event for this evening's meeting was the recognition of previous accomplishments of our police force. She then read into the record:

A. RESOLUTION NO. R-36-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE MEDAL OF HONOR TO OFFICER JASON NORTON

B. RESOLUTION NO. R-37-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE MEDAL OF HONOR TO OFFICER OWEN DEYOUNG

It was moved by Alderman Mclvor and seconded by Alderman Gattuso to approve Resolutions R-36-08 and R-37-08 as presented.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Mclvor, Poteraske, Weaver, Coleman, Coren, Murphy, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

Chief Pavelchik presented the awards to Officers Norton and DeYoung after which the Officers received a resounding round of applause from those in attendance and congratulatory hand shakes from the City Council.

Mayor Weaver then read into the record:

C. RESOLUTION NO. R-38-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE MEDAL OF MERIT TO SERGEANT GERALD PICCOLI

D. RESOLUTION NO. R-39-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE MEDAL OF MERIT TO SERGEANT GREGORY CHEAURE

It was moved by Alderman Mclvor and seconded by Alderman Marchese to approve Resolutions R-38-08 and R-39-08 as presented.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Mclvor, Poteraske, Weaver, Coleman, Coren, Murphey, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

Chief Pavelchik presented the awards to Sergeants Piccoli and Cheaure after which the Sergeants received a resounding round of applause from those in attendance and congratulatory hand shakes from the City Council.

Mayor Weaver then read into the record:

E. RESOLUTION NO. R-40-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE MEDAL OF MERIT TO CHIEF OF POLICE ROBERT PAVELCHIK

F. RESOLUTION NO. R-41-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE MEDAL OF MERIT TO SERGEANT GREGORY CHEAURE

G. RESOLUTION NO. R-42-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE MEDAL OF MERIT TO SERGEANT OFFICER PATRICIA GREENABERG

H. RESOLUTION NO. R-43-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE MEDAL OF MERIT TO OFFICER RALPH MENZIONE

It was moved by Alderman Galan and seconded by Alderman Gattuso to approve Resolutions R-40-08, R-41-08, R-42-08, and R-43-08 as presented.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Mclvor, Poteraske, Weaver, Coleman, Coren, Murphey, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

Chief Pavelchik presented the awards to Sergeants Greenaberg and Cheaure and Officer Menzione. Deputy Chief Skala presented Chief Pavelchik his award after which they all received a resounding round of applause from those in attendance and congratulatory handshakes from the City Council.

Mayor Weaver & Chief Pavelchik read into the record:

I. RESOLUTION NO. R-44-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE PURPLE HEART MEDAL TO DETECTIVE MICHAEL CAMPO

It was moved by Alderman Marchese and seconded by Alderman Mclvor to approve the resolution as presented.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Mclvor, Poteraske, Weaver, Coleman, Coren, Murphey, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

Chief Pavelchik presented the award to Detective Michael Campo afterwhich he received a resounding round of applause from those in attendance and congratulatory handshakes from the City Council.

Mayor Weaver read into the record:

J. RESOLUTION NO. R-45-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE PURPLE HEART MEDAL TO OFFICER JAMES GROSS

It was moved by Alderman Mclvor and seconded by Alderman Avci to approve the resolution as presented.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Mclvor, Poteraske, Weaver, Coleman, Coren, Murphey, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

Mayor Weaver read into the record:

K. RESOLUTION NO. R-46-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE PURPLE HEART MEDAL TO DETECTIVE WILLIAM FOSTER

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve the resolution as presented.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Mclvor, Poteraske, Weaver, Coleman, Coren, Murphey, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

Chief Pavelchik presented the award to Detective Foster after which he received a resounding round of applause from those in attendance and congratulatory handshakes from the City Council.

L. Mayor Weaver read into the record a Proclamation declaring May 5, 2008 as "Matthew Santee Comcast Leaders & Achievers Award Day" in honor of his hard work and achievement.

Matthew Santee extended his gratitude to the City Council for the recognition.

## 7. NEW BUSINESS

### A. CONSIDERATION OF A MOTION TO APPROVE THE REAPPOINTMENT OF CAROL GIERUT TO THE FIRE AND POLICE COMMISSION.

It was moved by Alderman McIvor and seconded by Alderman Gattuso to approve the motion as presented.

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: Durkin

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

City Clerk Coleman administered the Oath of Office to Carol Gierut.

### B. CONSIDERATION OF A MOTION TO ADVISE AND CONSENT THE APPOINTMENT OF GLORIA D. JISKRA TO THE PLANNING AND ZONING COMMISSION.

It was moved by Alderman Gattuso and seconded by Alderman Avci to approve the motion as presented.

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: Durkin

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

City Clerk Coleman administered the Oath of Office to Gloria D. Jiskra.

## 8. CITY CLERK'S REPORT

Clerk Coleman...

...announced that the May 7, 2008 Planning and Zoning Commission meeting has been cancelled due to a lack of agenda items.

...invited all to attend Coffee with Mayor Weaver on Saturday, May 17, 2008 from 9:00 A.M. until 10:00 A.M. at City Hall in the Council Chambers.

## 9. CITY ADMINISTRATOR'S REPORT

There was no report this evening.

## 10. DEPARTMENT HEAD REPORT

Police Chief Robert Pavelchik...

...reminded everyone that the month of May is "Youth Traffic Safety Month."

...read into the record and presented a Letter of Commendation to Officer William Greenberg in recognition of his actions on November 30, 2007.

...read into the record and presented a Letter of Commendation to Detective David Stock in recognition of his actions on January 8, 2008.

...read into the record and presented a Certificate of Appreciation to Citizen Gail Pierce for her actions in assisting the Darien Police Department and her community on January 18, 2008.

...presented Retired Patrol Officer George Vlach with a plaque which memorializes his career with the Darien Police Department.

Retired Patrol Officer George Vlach extended his gratitude to the City Council and the members of the Darien Police Department.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 08-09-01

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve payment of Warrant Number 08-09-01 for FYE 2008 in the amount of \$18,115.03 from the General Fund; \$15,963.13 from the Water Fund; \$20,586.74 from the Motor Fuel Tax Fund; \$23.16 from the Water Depreciation Fund; \$641.20 from the Darien Area Dispatch Center; \$110,869.31 from the General Fund Payroll for the period ending 04/25/08; \$18,735.59 from the Water Fund Payroll for the period ending 04/25/08; \$24,678.18 from the D.A.D.C. Fund Payroll for the period ending 04/25/08; and for FYE 2009 in the amount of \$229,894.51 from the General Fund; \$287.00 from the Water Fund for a total to be approved of \$439,793.85.

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, McIvor Poteraske

Nays: None

Absent: Durkin

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

## 12. STANDING COMMITTEE REPORTS

Public Works Water/Streets Committee — Alderman Marchese advised that the next meeting is scheduled to take place on Monday, May 19, 2008 at 6:30 P.M.

Planning/Development Committee — Alderman Mclvor announced that the next meeting has been rescheduled from Monday, May 26, 2008 at 6:30 P.M. to Tuesday, May 20, 2008 at 6:00 P.M. in the Council Chambers. Items which are expected to be on the agenda are the Euclid Foundation and Speedway Gas Station on 75th and Cass.

Administrative/Finance Committee — Alderman Poteraske submitted the minutes of the March 10, 2008 Administrative Finance Committee meeting for the record, and advised that the next meeting is scheduled to take place on Monday, May 12, 2008 at 6:30 P.M. in the upstairs conference room.

### 13. RECEIVING OF COMMUNICATIONS

Alderman Galan received an e-mail from Paul and Dorothy Morris of 526 69th Street regarding the power failure they experienced on Friday, April 24, 2008. Mr. & Mrs. Morris were very upset with the length of time it took to regain power. Preliminary investigation by Scott Coren revealed that a tree limb took out a wire and left 565 customers without power. It took approximately seven to eight hours for the problem to be rectified. Scott Coren is following up with ComEd. ComEd will attend a City Council meeting this month.

Alderman Poteraske received a complaint from a resident who lives on Holly Avenue regarding the construction noise which has been going on in his neighborhood as late as 10:00 P.M. for the past two to three weeks. Upon calling the Police Department, the resident was told that, according to city code, a nuisance is created prior to 6:30 A.M. or after 10 P.M. Monday through Friday; or before 7:30 A.M. or after 10:00 P.M. on Saturday and Sunday. The resident requested the City Council review the noise ordinance.

Mayor Weaver directed that this item be reviewed by the Administrative Finance Committee.

Alderman Poteraske attended the annual symphony at Eisenhower Junior High. Attendance at this event was very highly attended. During this same time frame, there was a Darien Youth Club baseball game, and another event at Lace field. The three events created a serious parking problem. Alderman Poteraske would like to see that the Darien Youth Club and Eisenhower Junior High coordinate their events in order to avoid these parking problems. He also suggested that Republic Bank might be willing to offer their parking lot for overflow parking for special events.

Mayor Weaver felt that contacting Republic Bank would be a great idea.

Alderman Galan feels that perhaps Eisenhower Junior High School should probably better schedule their events.

Mayor Weaver would like to avoid over-regulation.

In order for residents in the area to understand that permission was given to park in no parking zones, Alderman Poteraske suggested that the Police Department cover the no parking signs or put a note out to area residents notifying them that permission to park was granted for a particular event.

Alderman Galan advised in order for the city to take this type of action, the school district would be required to take a more proactive approach. Neither Alderman Galan nor Mayor Weaver want these events to be regulated by the city.

Alderman Mclvor suggested the city send a letter to the superintendent of District 61 explaining the city's concerns.

Alderman Poteraske advised that the city is working with DuPage County to learn their plans for 75th Street.

Mayor Weaver advised that it appears nothing will be done by the county prior to 2010. The city has asked the county to revisit this issue, and to provide a copy of their preliminary plan.

Administrator Vana advised that Dan Gombac will be following up with the County in order to obtain their plans. The city is in opposition to the widening aspect of the roadway. An e-mail from the county indicates widening of the roadway is still on the table. The city will stay on top of this issue.

Alderman McIvor received multiple communications over the past couple of weeks from residents concerned with the number of break-ins and robberies of residences in Darien and surrounding communities. A group of residents attended a Neighborhood Watch Program this past week. Residents are urged to be aware of door to door solicitors and to feel free to contact the city to determine if they have a permit. Any suspicious activity should be reported to 911.

#### 14. QUESTIONS AND COMMENTS – AGENDA RELATED

There were none.

#### 15. OLD BUSINESS

There was no old business to come before the City Council.

#### 16. CONSENT AGENDA

It was moved by Alderman Galan and seconded by Alderman Gattuso to approve by Omnibus Vote the following items on the Consent Agenda:

A. ORDINANCE NO. O-19-08 CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING A REZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-2 SINGLE-FAMILY RESIDENTIAL FOR A PORTION OF SUBJECT PROPERTY, FINAL PLAT OF SUBDIVISION, INCLUDING FINAL ENGINEERING PLANS, AND WAIVERS FROM THE SUBDIVISION REGULATIONS (PZC 2007-17: CAPITOL ESTATES)

B. RESOLUTION NO. R-47-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN AN AGREEMENT DATED MAY 5, 2008 WITH ROBERT RODGERS

C. RESOLUTION NO. R-48-08 CONSIDERATION OF A MOTION TO ACCEPT A RESOLUTION ACCEPTING A PROPOSAL FROM DUPAGE TOPSOIL AT THE PROPOSED SCHEDULE OF PRICES FOR TOPSOIL FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2008 THROUGH APRIL 30, 2009

D. RESOLUTION NO. R-49-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM ELIA PAVING FOR THE REMOVAL AND REPLACEMENT OF BITUMINOUS APRONS AND ROAD PATCHES AS REQUIRED FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2008 THROUGH APRIL 30, 2009

E. RESOLUTION NO. R-50-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM NORWALK TANK COMPANY FOR STORM SEWER STRUCTURES, IRON SEWER GRATES, CONCRETE ADJUSTING RINGS FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2008 THROUGH DECEMBER 31, 2008



F. RESOLUTION NO. R-51-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM KIEFT BROTHERS INC. FOR CULVERT METAL PIPES, METAL BANDS AND METAL FLARED END SECTIONS AND FITTINGS FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2008 THROUGH APRIL 30, 2009

G. RESOLUTION NO. R-52-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FOR THE PURCHASE OF STONE AT THE PROPOSED UNIT PRICES FROM VULCAN MATERIALS FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2008 THROUGH APRIL 30, 2009

H. RESOLUTION NO. R-53-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING THE UNIT PRICE PROPOSAL FOR TIPPING AND TRANSFER FEES FROM LAND AND LAKES COMPANY FOR CERTAIN WASTE

I. RESOLUTION NO. R-54-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM US 1 LOGISTICS TO PROVIDE TRUCKING SERVICES AT A RATE OF \$85.00 PER HOUR FOR SERVICES RELATING TO HAULING WASTE FOR A PERIOD OF MAY 1, 2008 THROUGH APRIL 30, 2009

J. RESOLUTION NO. R-55-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM ALL STAR MAINTENANCE AT THE PROPOSED SCHEDULE OF PRICES FOR THE PLACEMENT OF TOPSOIL FOR THE PURCHASE AND PLACEMENT OF FERTILIZER AND SOD FOR LANDSCAPE RESTORATION SERVICES FOR A PERIOD OF MAY 1, 2008 THROUGH APRIL 30, 2009

K. RESOLUTION NO. R-56-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM ADVANCED DRAINAGE SYSTEMS INC. FOR HIGH DENSITY POLYETHYLENE PIPES (HDPE), FLARED END SECTIONS, AND FITTING FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2008 THROUGH APRIL 30, 2009

L. RESOLUTION NO. R-57-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING A CONTRACT FOR THE 2008 CONCRETE SIDEWALK, APRON, CURB AND GUTTER REMOVAL AND REPLACEMENT PROGRAM AND WAIVING THE \$75.00 PERMIT FEE APPLICATION TO PARTICIPATING RESIDENTS

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: Durkin

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

## 17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Marchese...

...announced that May 5 through May 11, 2008 is National Public Works Week. If you have an opportunity to thank one our Public Works employees, please do so.

...extended gratitude to Mayor Weaver, Mr. Coren, and all the workers and contributors to Darien Historical Society's event on Saturday.

...wished everyone a Happy Mother's Day.

Alderman Poteraske advised that he and Alderman Gattuso attended the Arbor Day activities, and commended Rosanna, Scott, Kathy Minardi, and the Environmental Committee on a wonderful and moving event.

Corinne Stranski of 8391 Mystic Trail, representing Reflections Homeowners Association and the three-hundred homeowners, expressed concern with drainage issues.

Dan Gombac who will look into and review all Ms. Stranski's concerns with her.

Ms. Stranski also expressed concerns with the increase in traffic around their complex.

Mayor Weaver will e-mail Chief Pavelchik regarding Ms. Stranski's concerns.

#### 18. ADJOURNMENT

There being no further business to come before the City Council, it was moved by Alderman Gattuso and seconded by Alderman Poteraske to adjourn.

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:45 P.M.

Mayor

\_\_\_\_\_ City Clerk

Id All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 05-05-08. Minutes of 05-05-08 CCM May 5, 2008