

**EXECUTIVE SESSION – PERSONNEL, SECTION 2(C)(1) OF THE OPEN MEETINGS ACT**

It was moved by Alderman Marchese and seconded by Alderman McIvor to go into Executive Session for the purpose of discussing Personnel, Section 2(C)(1) of the Open Meetings Act at 7:03 P.M.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

It was moved by Alderman McIvor and seconded by Alderman Beilke to adjourn Executive Session.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

Executive Session was adjourned at 7:21 P.M.

**Minutes of the Regular Meeting**

**of the City Council of the**

**CITY OF DARIEN**

**JULY 15, 2013**

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 Ragona was as follows:

Present:	Tina M. Beilke	Sylvia McIvor
	Thomas J. Belczak	Ted V. Schauer
	Joseph A. Kenny	Joerg Seifert
	Joseph A. Marchese	

Absent: None

Also in Attendance: Kathleen Moesle Weaver, Mayor  
JoAnne E. Ragona, City Clerk  
Michael J. Coren, City Treasurer  
Peter Coblenz, City Attorney  
Bryon D. Vana, City Administrator  
Scott Coren, Assistant City Administrator  
Daniel Gombac, Director of Municipal Services  
Ernest Brown, Police Chief

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

**Clerk’s Note: Minutes follow agenda not actual sequence of meeting.**

5. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL**

The following individuals spoke in opposition to New Business Items C and D, which reference ‘Assault Weapons’: Jim Sobun, Bill Rybak, Jr., David Taylor, and Mary of Ward 7.

6. **APPROVAL OF MINUTES** – June 17, 2013

It was moved by Alderman Marchese and seconded by Alderman Kenny to approve the minutes of the City Council Meeting of June 17, 2013, as presented.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

7. **RECEIVING OF COMMUNICATIONS**

Mayor Weaver read the names of the following individuals who sent e-mails opposing New Business Items C & D, which reference ‘Assault Weapons’: Mary Boland, Brad Drake, Ed Musial, Robert Bland, Edward Mack, Mark Greg, Grant Workman, Christine Workman, Ryan Workman, Claudia Barengo, Bill Bell, Kelly Glisan, Marty Graves, Scott Arnold, Scott Haugh, Timothy Schmidt, and Kelly Glisan.

Alderman Beilke received communication from Kathy Enright of 222 68<sup>th</sup> Street regarding stormwater issues; she considered her property to be a sink hole. Director Gombac advised that he has spoken with Ms. Enright, and is working with her to rectify the problem.

Alderman Kenny...

...received communication from Vince Esposito regarding an ash tree; Director Gombac is aware of the tree.

...received communication from Stanley Niemiec, 7100 block of Hudson, regarding a recreational vehicle; the issue is being addressed.

8. **MAYOR’S REPORT**

**A. CERTIFICATE OF RECOGNITION – SHEENA PANTHAPLACKEL**

Mayor Weaver presented Sheena Panthaplackel with a certificate in recognition of her achievement of being one of the top 2% students in a class of 650 at Downers Grove South High School.

**B. & C.** Mayor Weaver read Items B & C into the record.

It was moved by Alderman McIvor and seconded by Alderman Schauer to approve the following resolutions:

**CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION  
COMMENDING AND AWARDED THE POLICE LIFE SAVING AWARD  
TO OFFICER LAUREN RENNER**

**RESOLUTION NO. R-61-13      A RESOLUTION COMMENDING AND  
AWARDING THE POLICE LIFE  
SAVING AWARD TO OFFICER  
LAUREN RENNER**

**CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION  
COMMENDING AND AWARDED THE POLICE LIFE SAVING AWARD  
TO OFFICER WILLIAM GREENABERG**

**RESOLUTION NO. R-62-13      A RESOLUTION COMMENDING AND  
AWARDING THE POLICE LIFE  
SAVING AWARD TO OFFICER  
WILLIAM GREENABERG**

Roll Call:      Ayes:      Beilke, Belczak, Kenny, Marchese, McIvor,  
Schauer, Seifert, Weaver, Ragona, Coren, Murphey,  
Vana  
  
                     Nays:      None  
  
                     Absent:      None

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

Chief Brown presented Officers Renner and Greenaberg with the Life Saving Award, and Mayor Weaver presented the resolution to each.

**D. SWEARING IN OF NEW SERGEANT: WILLIAM GREENABERG**

Clerk Ragona administered the Oath of Office to Sergeant William Greenaberg.

Deputy Cooper provided a brief history of Sergeant Greenaberg's career with Darien. Sergeant Greenaberg's father had the honor of placing the Sergeant's pin on him.

**E. SHIVEHATTERY EXISTING CONDITION REPORT – HERITAGE  
PLAZA**

Wayne Marth, VP, Director of Business Development, presented the Heritage Center Existing Condition Report, which included Shivehattery's opinion and recommendations. Following the report, Mr. Marth responded to Council Members questions. Administrator Vana advised that a Phase II Study will be brought to Municipal Services for a more detailed review.

**F. DARIEN CHAMBER OF COMMERCE UPDATE**

Clare Bongiovanni provided a report as follows:

- Welcomed new Darien Chamber Member Hokkai Sushi Cuisine; their grand opening ribbon cutting ceremony will be July 16, 2013 at 5:00 P.M.
- Cass Avenue Motors will celebrate their ribbon cutting ceremony on August 7, 2013 at 5:00 P.M.
- Chuck's Southern Comforts Café will celebrate their ribbon cutting ceremony on August 8, 2013 at 5:00 P.M.
- Battle of the Bands and Darien Idol return to DarienFest; the registration deadline is July 31, 2013.
- The Darien Chamber of Commerce Shop Local Shop Darien! Campaign has begun. \$5 preferred cards, which provide exclusive deals, discounts and offers from participating businesses are available at City Hall and participating businesses.

Clare Bongiovanni introduced Gus Dahleh from Cass Avenue Motors. Gus Dahleh advised that Cass Avenue Motors is an internet-based luxury auto dealership that provides luxury vehicles at wholesale prices.

9. **CITY CLERK'S REPORT**

There was no report.

10. **CITY ADMINISTRATOR'S REPORT**

Administrator Vana reminded all that Direct Connect is an excellent way to keep current with Darien events and information.

11. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Assistant Administrator Coren reported that several residents recently suffered power outages. He provided a brief history on the lawsuit filed against ComEd and the improvements that have been made as a result of litigation. He noted that the City and ComEd are in the process of evaluating outages in the problem areas in Darien. He added that outages due to storms cannot be attributed to ComEd service.

Chief Brown reported there have been three burglaries in Darien within the last two weeks. He suggested that residents secure their homes. He encouraged residents to call 911 to report any suspicious activity and/or to confirm that solicitors in the area are licensed. Alderman Marchese inquired if the Police Department assists residents in establishing a Neighborhood Watch. Chief Brown responded that the Police Department will assist and train individuals for this program.

Director Gombac advised that next month the City will be going out for bid for the fall tree planting program; the bids will include private trees. Information on the program will be publicized on the City's website and through Direct Connect. He added that residents still have an opportunity to participate in the Emerald Ash Borer Program for private trees. He announced that brush pick up has been completed; residents are welcome to bring additional brush to the Public Works facility.

12. **TREASURER'S REPORT**

**A. WARRANT NUMBER 13-14-05 - REVISED**

Treasurer Coren explained that the Warrant was revised to include payment of an overdue invoice in the amount of \$41,900 which needed to be included.

It was moved by Alderman Seifert and seconded by Alderman Beilke to approve payment of Warrant Number 13-14-05 in the amount of \$828,303.85 from the enumerated funds; and \$254,527.81 from payroll funds for the period ending 06/27/13; for a total to be approved of \$1,082,531.66.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

**B. TREASURER'S REPORT – MAY, 2013**

Treasurer Coren noted that the Monthly Report is for May, 2013 and not June, 2013 as indicated on the agenda.

Treasurer Coren reviewed year-to-date sources of revenue, expenditures, and fund balances through the month of May 2013:

<u>General Fund:</u>	Revenue \$993,354; Expenditures \$1,040,832; Current Balance \$2,018,896
<u>Water Fund:</u>	Revenue \$3,062; Expenditures \$88,996; Current Balance \$876,114
<u>Motor Fuel Tax Fund:</u>	Revenue \$38,223; Expenditures \$25,923; Current Balance \$333,550
<u>Water Depreciation Fund:</u>	Revenue \$641; Expenditures \$0; Current Balance \$763,660
<u>Capital Improvement Fund:</u>	Revenue \$2,903,393; Expenditures \$249,365; Current Balance \$6,553,188
<u>Capital Projects Debt Service Fund:</u>	Revenue \$7; Expenditures \$86,838; Current Balance of (\$78,971)

13. **STANDING COMMITTEE REPORTS**

**Municipal Services Committee** — Chairman Marchese announced the next Municipal Services Committee Meeting is scheduled for July 22, 2013 at 6:30 P.M. in the Council Chambers.

**Administrative/Finance Committee** – Chairman Schauer announced the next Administrative Finance Committee Meeting is scheduled for August 5, 2013 at 6:00 P.M. in the upstairs conference room.

**Police Committee** – Chairman McIvor advised the Police Committee Meeting minutes of February 6, 2013 and June 17, 2013 have been approved. She announced the next meeting is scheduled for August 19, 2013 at 6:00 P.M. in the Council Chambers.

**Police Pension Board** – Treasurer Coren announced the next Police Pension Board Meeting is scheduled for July 31, 2013 at 7:00 P.M. in the Police Department Training Room.

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

Attorney Peter Coblenz provided a Power Point presentation on the State of Illinois House Bill 183, which provided an overview of the law and implications on Municipal Government. Following the presentation, Attorney Coblenz responded to questions and concerns from the City Council. Alderman McIvor advised that it is very important that residents and business owners become familiar with the new law. Alderman Marchese verified with Attorney Coblenz that the City of Darien does not receive any portion of

the fees collected by the State. Attorney Coblenz reviewed assault weapon definitions. He also reviewed current litigation and the likelihood of possible future law suits.

At the request of Alderman McIvor, Chief Brown advised that he is bound by the Constitution to support and defend the law. He noted that assault weapons are dangerous, and that there is a significant difference between handguns and assault weapons. He went on to explain the differences in firearm nozzle velocities.

The following individuals spoke in opposition of New Business Items C and D: Mark Greg, Matt Goodwin, Bob Fortelka, Ed Mack, Gerry Miskowicz, Bradley Carrino, Thomas Kozeluh, Bill Fosgate, Patrick Donaldson, Tom Weiland, and Marc Provenzano.

In regards to New Business Item B, Matt Goodwin inquired why the City of Darien is providing services to one of the three elementary School Districts in Darien. Administrator Vana provided a brief history of the issue and advised that this service will be revisited during next year's budget review. He added that Andy Frain provides a cost savings and eliminates Police Department management.

15. **OLD BUSINESS**

There was none.

16. **CONSENT AGENDA**

Mayor Weaver reviewed the items on the Consent Agenda for the benefit of the viewing audience.

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

**A. RESOLUTION NO. R-63-13**                      **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CLASSIC FENCE INC. IN AN AMOUNT NOT TO EXCEED \$37,820.00 FOR THE PURCHASE AND INSTALLATION OF A 6-FOOT HIGH BOARD-ON-BOARD WOOD FENCE**

**B. RESOLUTION NO. R-64-13**                      **A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE AN EXPENDITURE FOR LANDSCAPE RESTORATION; TREE TRIMMING OR REMOVAL; AND SURVEY**



**STAKING IN AN AMOUNT NOT TO EXCEED \$5,000.00**

- C. RESOLUTION NO. R-65-13**      **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF DARIEN AND DMD CONSTRUCTION INC. FOR THE 2013 FIRE HYDRANT PAINTING PHASE 1 IN AN AMOUNT NOT TO EXCEED \$35,520.00**
- D. RESOLUTION NO. R-66-13**      **A RESOLUTION APPROVING THE PLAT OF DRAINAGE EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF A STORM SEWER AT 1010, 1014, 1018, 1022 AND 1026 69<sup>TH</sup> STREET**
- E. ORDINANCE NO. O-15-13**      **AN ORDINANCE AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY (XEROX PHASER 6360 COLOR PRINTER WITH 4 COLOR CARTRIDGES)**

Roll Call:      Ayes:      Beilke, Belczak, Kenny, Marchese, McIvor, Schauer, Seifert

                 Nays:      None

                 Absent:      None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

17. **NEW BUSINESS**

- A. CONSIDERATION OF A MOTION APPROVING THE ANNUAL DUES PAYMENT FOR PARTICIPATION WITH THE DUPAGE METROPOLITAN ENFORCEMENT GROUP (DUMEG) IN THE AMOUNT OF \$17,680.00**

It was moved by Alderman Schauer and seconded by Alderman Seifert to approve the annual dues payment for participation with the DuPage Metropolitan Enforcement Group (DUMEG) in the amount of \$17,680.00.

Chief Brown provided an explanation of the services of DUMEG.

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

- B. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ANDY FRAIN SERVICES FOR DISTRICT 61 CROSSING GUARD SERVICES FOR THE 13/14 SCHOOL YEAR IN THE AMOUNT OF \$20,590.00.**

It was moved by Alderman McIvor and seconded by Alderman Belczak to approve the resolution as presented.

**RESOLUTION NO R-67-13**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ANDY FRAIN SERVICES FOR DISTRICT 61 CROSSING GUARD SERVICES FOR THE 13/14 SCHOOL YEAR IN THE AMOUNT OF \$20,590.00**

Roll Call: Ayes: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

**C. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING TITLE 8 (“POLICE REGULATIONS”) OF THE DARIEN CITY CODE BY ADDING CHAPTER 23 (“ASSAULT WEAPONS”) (ASSAULT WEAPON BAN)**

It was moved by Alderman Kenny and seconded by Alderman Schauer to approve the resolution as presented.

Roll Call: Ayes: None  
Nays: Beilke, Belczak, Kenny, Marchese, McIvor, Schauer, Seifert  
Absent: None

Results: Ayes 0, Nays 7, Absent 0  
**MOTION FAILED**

**D. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING TITLE 8 (“POLICE REGULATIONS”) OF THE DARIEN CITY CODE BY ADDING CHAPTER 23 (“ASSAULT WEAPONS”) (SAFE STORAGE OF ASSAULT WEAPONS)**

It was moved by Alderman McIvor and seconded by Alderman Beilke to approve the resolution as presented.

Alderman McIvor explained her reasons for being in favor of the ordinance.

Roll Call: Ayes: McIvor  
Nays: Beilke, Belczak, Kenny, Marchese, Schauer, Seifert  
Absent: None

Results: Ayes 1, Nays 6, Absent 0  
**MOTION FAILED**

**18. QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL**

A resident came forward and thanked the City Council for listening to the people’s concerns.

Bill Marchetti suggested the City consider providing brush removal from private property upon request at a cost to the residents.

19. **ADJOURNMENT**

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

**VIA VOICE VOTE – MOTION DULY CARRIED**

The City Council meeting adjourned at 10:07 P.M.

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Mayor

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City Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 07-15-13.  
Minutes of 07-15-13 CCM