

EXECUTIVE SESSION

It was moved by Alderman McIvor and seconded by Alderman Marchese to go into Executive Session for the purpose of discussing Sale or Lease of Real Estate, Section 2(C)(6) of the Open Meetings Act at 7:00 P.M.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

EXECUTIVE SESSION ADJOURNMENT

It was moved by Alderman Galan and seconded by Alderman McIvor to adjourn into open session.

REVERSE ROLL CALL - MOTION DULY CARRIED

The Executive Session meeting adjourned at 7:15 P.M.

PUBLIC HEARING – MUNICIPAL AGGREGATION-ELECTRIC SERVICE

THE MUNICIPAL AGGREGATION-ELECTRIC SERVICE PUBLIC HEARING WAS CALLED TO ORDER AT 7:15 P.M. BY MAYOR WEAVER. THE PUBLIC HEARING ADJOURNED AT 7:23 P.M.

A WORK SESSION WAS CALLED TO ORDER AT 7:23 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE DECEMBER 20, 2010 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:35 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

DECEMBER 20, 2010

1. **CALL TO ORDER**

The regular meeting of the City Council of the City of Darien was called to order at 7:35 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 City Clerk Coleman was as follows:

Present:	Halil Avci	Sylvia McIvor
	John Galan	John F. Poteraske, Jr.
	Carolyn A. Gattuso	Ted V. Schauer
	Joseph A. Marchese	

Absent: None

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

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

5. **APPROVAL OF MINUTES** – December 6, 2010

It was moved by Alderman Galan and seconded by Alderman Gattuso to approve the minutes of the December 6, 2010 meeting, as presented.

The Holiday Home Decorating Contest Committee presented a photographic display of the winning homes to Mayor Weaver and the City Council Members. Mayor Weaver announced that the display will be on exhibit in the lobby of City Hall.

In response to Mayor Weaver, Assistant Administrator Coren, advised that there are seats available for the tour of the winning homes on December 21, 22, and 23. Anyone interested in taking the tour should call 630-852-5000.

Mayor Weaver advised that a school bus will be utilized for the tour this year rather than a trolley.

Mayor Weaver thanked Ms. Campo and her committee for the lovely photographic display board, and for all their work on this contest.

8. **CITY CLERK'S REPORT**

City Clerk Coleman...

...announced that City Offices will be closed on Friday, December 24th and Monday, December 27th in observance of the Christmas holiday, and Friday, December 31st in observance of the New Year's Day holiday.

...advised that the January 3, 2011 City Council Meeting has been cancelled and the next City Council Meeting will take place on Monday, January 17, 2011.

...advised that deadline for candidates to file their nominating petitions for the April 5, 2011 Consolidated Election was today at 5:00 P.M. City Clerk Coleman announced the names of the candidates who filed as follows:

- | | |
|------------------|---|
| Mayor: | Kathleen Moesle Weaver
Kevin P. Monaghan |
| City Clerk: | Arleta Peknik
Jo Anne E. Ragona |
| Treasurer: | Michael J. Coren |
| Alderman Ward 2: | Tina Beilke
John Galan |

Alderman Ward 4: Carolyn A. Gattuso
Joerg Seifers

Alderman Ward 6: Sylvia McIvor

City Clerk Coleman announced that there will be a lottery held for ballot positions on Wednesday, December 22, 2010 at 4:30 P.M. in the Council Chambers. The lottery is open to the public.

9. **CITY ADMINISTRATOR'S REPORT**

There was no report.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

In response to Alderman McIvor, Director Gombac advised that the utility work she has seen being performed around town were Comcast and/or AT&T putting in additional cable.

Director Gombac...

...reminded interested residents that sample gas coach lights are currently on display in the front of City Hall and electric coach lights are located in the rear yard.

...announced that Speedway on 63rd and Cass will be opening tomorrow, December 21, 2010.

...invited all interested parties to come view the construction of the salt dome which is currently in process.

In response to Alderman Avci, Assistant Administrator Coren advised that there have been no new developments with PACE.

11. **TREASURER'S REPORT**

A. WARRANT NUMBER 10-11-14

It was moved by Alderman Gattuso and seconded by Alderman Schauer to approve payment of Warrant Number 10-11-14 in the amount of \$75,351.53 from the General Fund; \$176,544.07 from the Water Fund; \$36,720.13 from the Motor Fuel Tax Fund; \$142.47 from the Darien Area Dispatch Fund; \$3,993.97 from the Capital Improvement Fund; \$481,990.15 from the General Fund Payroll for the period ending 12/2/2010 & 12/16/2010; \$42,409.20 from the Water Fund Payroll for the period ending 12/2/2010 &

12/16/2010; \$79,701.92 from the D.A.D.C. Fund Payroll for the period ending 12/2/2010 & 12/16/2010 for a total to be approved of \$896,853.44.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. TREASURER’S MONTHLY REPORT – NOVEMBER, 2010

Treasurer Coren reviewed all year-to-date sources of revenue and expenditures and fund balances through the month of November, 2010: General Fund Revenue \$8,131,874; General Fund Expenditures \$7,626,244; Current General Fund Balance \$3,754,355; Water Fund Revenue \$2,914,400 Water Fund Expenditures \$2,013,120; Current Water Fund Balance \$1,113,523; Motor Fuel Tax Fund Revenue \$465,633; Motor Fuel Tax Fund Expenditures \$212,955; Current Motor Fuel Tax Fund Balance \$203,934; Water Depreciation Fund Revenue \$2,168; Water Depreciation Fund Expenditures \$608,158; Current Water Depreciation Fund Balance \$134,724; Capital Improvement Fund Revenue \$1,901,272; Capital Improvement Fund Expenditures \$1,883,339; Current Capital Improvement Fund Balance \$533,198; Capital Projects Debt Service Fund Revenue \$105,484; Capital Projects Debt Service Fund Expenditures \$95,285; and a current fund balance of \$54,143.

Treasurer Coren pointed out that the state is two months behind in their allocation of the state income tax revenue.

Alderman Avci inquired why there are negative numbers for police salaries in November.

Treasurer Coren responded that there was a reclassification of the salaries between the police officer and support personnel during the month.

In response to Alderman Poteraske, Treasurer Coren advised that the reclassification was necessary because the allocation had not been made in the prior month.

12. **STANDING COMMITTEE REPORTS**

Police Committee — Alderman McIvor submitted the minutes of the October 7, 2010 and November 3, 2010 Police Committee Meetings for the record, and announced that the next meeting is scheduled to take place on Thursday, January 6, 2011 at 6:00 P.M.

Administrative/Finance Committee — Alderman Poteraske advised that the next meeting of the Administrative and Finance Committee Meeting is scheduled to take place on Monday, January 10, 2011 at 6:30 P.M. in the upstairs conference room.

Municipal Services Committee — Alderman Marchese submitted the minutes of the November 22, 2010 Municipal Services Committee Meeting for the record, and announced that the next meeting has been re-scheduled to take place on Tuesday, December 28, 2010 at 6:30 P.M. in the Council Chambers.

13. **QUESTIONS AND COMMENTS — AGENDA RELATED**

Mayor Weaver announced that New Business Items D, E, F, and G have been moved to the Consent Agenda as Items I, J, K & L respectively, and New Business Item H has been moved up as Item D.

Joe Kenny of 1605 Holly advised that when the sewer pipes at 70th & Clarendon Hills Road were discussed at the last City Council meeting, a figure of \$25,000 was mentioned for the repairs. On the agenda this evening, the expense is \$35,000. Mr. Kenny requested clarification of the \$10,000 difference. Mr. Kenny also inquired how projects are bid out.

Director Gombac explained that the \$25,000 presented two weeks ago was a preliminary figure. The bid results for the total package was \$35,712. Of the \$35,712, \$5,000 is a contingency number. Director Gombac reviewed the several different facets of the project and the bid process.

Joe Kenny inquired if there has been any communication between the city and District 3 representatives to enlist their financial assistance.

Director Gombac advised that staff submitted a letter requesting the county perform a water modeling study. The county responded that the study could not be performed until the end of summer, 2011. The water modeling study has been included in the total bid package so that problems can be identified and addressed to avoid problems in the future. Staff is attempting to recoup reimbursement from the county for the \$2,000 cost of the study.

Alderman Poteraske requested the financial impact on the budget be clarified.

Director Gombac responded that there is no financial impact. The amount expended for this project will be taken from the drainage projects which came in under budget earlier this year.

Alderman Galan clarified that although the storm sewer infrastructure is owned by the City of Darien, and the city is responsible for repairs, the county has the authority to dictate what can and cannot be done. Alderman Galan advised that repair of the infrastructure is imperative since there is a safety issue.

14. **OLD BUSINESS**

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

15. **CONSENT AGENDA**

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

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

- A. **CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR THE DARIEN HISTORICAL SOCIETY**
- B. **CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR THE DARIEN WOMAN'S CLUB**
- C. **ORDINANCE NO. O-30-10** **CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 3-3-7-5 OF THE DARIEN CITY CODE**
- D. **RESOLUTION NO. R-78-10** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION EXTENDING THE PERIOD OF PARTICIPATION IN THE INTERGOVERNMENTAL PERSONNEL BENEFIT COOPERATIVE FOR A PERIOD OF THREE ADDITIONAL YEARS**

- E. RESOLUTION NO. R-79-10** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING THE EMERGENCY OPERATIONS PLAN ASSEMBLED BY PUBLIC SAFETY PLANNING SOLUTIONS AND STAFF DURING FYE 2010**
- F. ORDINANCE NO. O-31-10** **CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN - PD**
- G. ORDINANCE NO. O-32-10** **CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 9-2-2 (STOP SIGNS) OF CHAPTER 2 (TRAFFIC SIGNS AND SIGNAL LOCATIONS) TITLE 9 (TRAFFIC REGULATIONS), OF THE DARIEN CITY CODE**
- H. ORDINANCE NO. O-33-10** **CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN – MS**
- I. CONSIDERATION OF A MOTION TO APPROVE AUTHORIZING THE URGENT REPAIRS AND A WATER MODELING STUDY AND ANALYSIS ON THE 42-INCH STORM SEWER ADJACENT TO CLARENDON HILLS ROAD, BETWEEN 71ST STREET AND 69TH STREET AT A TOTAL COST NOT TO EXCEED \$35,712.50**
- J. RESOLUTION NO. R-81-10** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM DAWN COMPANIES, INC. FOR THE JETTING AND VIDEO TAPING AND THE PLACEMENT OF FLOWABLE-FILL FOR THE 42-INCH STORM SEWER ADJACENT TO CLARENDON**

HILLS ROAD, BETWEEN 71ST STREET AND 69TH STREET AT A COST NOT TO EXCEED \$6,252.50 OF THE \$35,712.50 PROJECT COST

K. RESOLUTION NO. R-82-10

CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM VISU-SEWER OF ILLINOIS LLC FOR THE PLACEMENT OF MECHANICAL SEALS WITHIN THE 42-INCH STORM SEWER ADJACENT TO CLARENDON HILLS ROAD, BETWEEN 71ST STREET AND 69TH STREET AT A COST NOT TO EXCEED \$12,960 OF THE \$35,712.50 PROJECT COST

L. RESOLUTION NO. R-83-10

CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A QUOTE FROM CHRISTOPHER B. BURKE ENGINEERING LTD. TO CONDUCT A FEQ WATER MODELING ANALYSIS – NOT TO EXCEED \$2,500.00 AND TO ACCEPT A QUOTE TO DETERMINE OPTIMAL ALTERNATIVE ANALYSIS FOR REMEDIATION - NOT TO EXCEED \$5,000.00

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

16. NEW BUSINESS

It was moved by Alderman Poteraske and seconded by Alderman Marchese to approve the following resolution as presented:

A. ORDINANCE NO. O-34-10

CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING TITLE 5A, CHAPTER 9, SECTION 5A-9-4-3: PERMITTED USES, I-1 GENERAL INDUSTRIAL DISTRICT, OF THE DARIEN CITY CODE (PZC 2010-15: TEXT AMENDMENT, ZONING ORDINANCE: SEMI-TRUCK, SEMI-TRAILER AND BUS SALES LOT)

Discussion: Assistant Administrator Coren provided an explanation of the purpose of the proposed ordinance.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

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

B. ORDINANCE NO. O-35-10

CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING A SPECIAL USE AND VARIATIONS TO DARIEN ZONING ORDINANCE (PZC 010-14: 6818 ROUTE 83, AUTO SERVICE)

DARIEN SHOULD HAVE THE AUTHORITY UNDER PUBLIC ACT 096-0176 TO ARRANGE FOR THE SUPPLY OF ELECTRICITY FOR ITS RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO HAVE NOT OPTED OUT OF SUCH PROGRAM

Discussion: Mayor Weaver pointed out that, once again, the city is at the forefront of introducing a new program that will be of financial benefit to the residents. Mayor Weaver commented that a press release published in patch.com describes Darien as a city that introduces creative, new ideas that are beneficial to the community.

Administrator Vana added that the City of Darien has been honored with Harvard University's 2010 Bright Ideas Program award for its concrete replacement program.

Director Gombac extended kudos to his staff for their efforts in the success of city programs.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

17. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL**

Alderman Gattuso advised that January 3, 2011 is the deadline to submit nominations for the 2011 Citizen of the Year.

Alderman Poteraske advised that there was an article in the Highland Park newspaper regarding their proposal to outlaw Styrofoam in their community. Alderman Poteraske requested a similar review be conducted by the city's Environmental Committee.

On behalf of the Darien Lions Club, Alderman Galan thanked the community for their support and assistance in the Food Baskets Program. Alderman Galan stated that with the invaluable help of the Darien Park District and residents, the Lions Club was able to deliver food and gifts to 211 families.

Alderman Poteraske asked Director Gombac to research the chromium levels in the City's water supply.

Director Gombac will look into this and provide a report to the City Council.

Alderman Avci requested that the city go out for bid for engineering services so as to provide Christopher Burke Engineering with competition.

Mayor Weaver advised that this practice has already been instituted.

Director Gombac added that the city goes out for bid for engineering services every couple of years. To date, Christopher Burke has been the only engineering company that can perform all services needed by the city.

Alderman Poteraske suggested a copy of the bid results be provided to the aldermen.

Alderman Marchese remarked that, at Alderman Poteraske's request, the Municipal Services Committee reviewed engineering services awhile ago. One of the items reviewed was the additional cost to the city to go with a new company.

Alderman Avci reiterated his concern that Christopher Burke may be losing their competitive edge.

Mayor Weaver responded that sending out a request for proposal every couple of years ensures a competitive edge.

City Treasurer Coren wished his wife a Happy 35th Wedding Anniversary, thanked her for her patience and understanding throughout the years, and for giving him the opportunity to attend this evening's meeting on their anniversary.

Mayor Weaver wished all a Happy Holiday Season.

18. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:38 P.M.

Mayor

City Clerk

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All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 12-20-10.
Minutes of 12-20-10 CCM