

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR MARCHESE FOR THE PURPOSE OF REVIEWING ITEMS ON THE DECEMBER 16, 2019 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:29 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

December 16, 2019

7:30 P.M.

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 Marchese.

2. **PLEDGE OF ALLEGIANCE**

Mayor Marchese 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:	Thomas J. Belczak	Ted V. Schauer
	Thomas M. Chlystek	Mary Coyle Sullivan
	Eric K. Gustafson	Lester Vaughan
	Joseph A. Kenny	

Absent: None

Also in Attendance: Joseph Marchese, Mayor
JoAnne E. Ragona, City Clerk
Michael J. Coren, City Treasurer
Bryon D. Vana, City Administrator
Gregory Thomas, Police Chief
Daniel Gombac, Director of Municipal Services

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

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

Anne Murphy, Attorney, provided background information and expressed a desire to operate a cannabis dispensary in the Brookhaven Plaza.

Residents: Edward Mack, Jeanna Wiggins, Sharon Poteraske, Joline Labedis and Kathy Abbate expressed concerns regarding cannabis dispensary in Darien.

6. **APPROVAL OF MINUTES** – November 18, 2019

It was moved by Alderman Kenny and seconded by Alderman Vaughan to approve the minutes of the City Council Meeting of November 18, 2019.

Roll Call:	Ayes:	Belczak, Chlystek, Gustafson, Kenny, Sullivan, Vaughan
	Abstain:	Schauer
	Nays:	None
	Absent:	None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

7. **RECEIVING OF COMMUNICATIONS**

Alderman Schauer, Alderman Vaughan, Alderman Kenny, Alderman Gustafson, Alderwoman Sullivan and Mayor Marchese stated they received communication from constituents regarding concerns with sale of cannabis in Darien.

Alderwoman Sullivan received communication from Amy Kaleta regarding snowplowing at 3:30 A.M. at Cass Jr. High School. She stated Director Gombac advised emergency snowplowing does not fall within the noise ordinance.

Alderman Chlystek received communication from Tom Yarbor, 600 block of Chippewa Lane, regarding need for additional police patrols in the area after recent vehicle break-in.

8. **MAYOR'S REPORT**

A. RECOGNITION OF 2019 HOLIDAY HOME DECORATING CONTEST WINNERS

Gerry Leganski, Elizabeth Hayes and Jim Kiser highlighted the winning homes and presented the following awards.

2019 Holiday Home Decorating Contest Winners:

- Fifth Place Winner received a certificate and \$25.00 check – 508 Easy Street
- Fourth Place Winner received a certificate and \$25.00 check – 8125 Sawyer Road
- Third Place Winner received a certificate and \$50.00 check – 809 Belair Drive
- Second Place Winner received a certificate and \$100.00 check – 7209 Richmond Avenue
- First Place Winner received a certificate, Honorary Lifetime Award, and \$200.00 check – 1905 Center Circle

Honorable Mention Certificates to:

- 7706 Sawyer Road
- 621 Maple Lane
- 3433 Brewer Road
- 7718 Sawyer Road

Best Block Certificate awarded to:

- 7700 Block of Sawyer Road

Jim Kiser showcased photographs of the winning homes, which will be displayed in the lobby of City Hall and will be featured on Direct Connect. Mayor Marchese reminded residents to call City Hall to reserve seats for the Holiday Bus Tours on December 19 at 6:30 P.M. and 8:00 P.M.

B. HINSDALE SOUTH PRESENTATIONS – POSTPONED TO JANUARY 2020

C. CENSUS 2020 UPDATE

Mayor Marchese provided an update on the Census that will take place in 2020. He explained the importance, contact strategy, establishment of Complete Count Committee, funding and job opportunities. Updates with information will be highlighted in Direct Connect.

Mayor Marchese commented regarding the actions of the audience at the Planning and Zoning Meeting; he stated petitioners have the right to submit plans to increase their business. Resident comments should be made in a respectful manner.

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. WARRANT NUMBER 19-20-17

It was moved by Alderman Schauer and seconded by Alderman Kenny to approve payment of Warrant Number 19-20-17 in the amount of \$452,023.69 from the enumerated funds, and \$278,889.77 from payroll funds for the period ending 12/05/19 for a total to be approved of \$730,913.46.

Roll Call: Ayes: Belczak, Chlystek, Gustafson, Kenny, Schauer, Sullivan, Vaughan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

C. MONTHLY REPORT – NOVEMBER 2019

Treasurer Coren reviewed year-to-date sources of revenue, expenditures, and fund balances through the month of November 2019. He commented the approved transfer of funds from the General Fund to the Capital Improvement Fund is reflected in the statements.

General Fund: Revenue \$10,547,250; Expenditures \$7,900,258
Current Balance \$3,461,241

Water Fund: Revenue \$5,114,937; Expenditures \$3,262,722;
Current Balance \$3,489,460

Motor Fuel Tax Fund: Revenue \$416,156; Expenditures \$234,590; Current
Balance \$529,908

Water Depreciation Fund: Revenue \$12,104; Expenditures \$366,260; Current
Balance \$2,207,405

Capital Improvement Fund: Revenue \$273,238; Expenditures \$4,607,993;
Current Balance \$4,702,499

13. **STANDING COMMITTEE REPORTS**

Administrative/Finance Committee – Chairwoman Sullivan announced the next meeting of the Administrative/Finance Committee is scheduled for January 6, 2020 at 6:00 P.M. in the City Hall Conference Room. She commented the next Economic Development Committee Meeting will be held on Wednesday, January 8, 2020.

Municipal Services Committee – Chairman Belczak announced the next meeting of the Municipal Services Committee is scheduled for December 23, 2019 at 7:00 P.M. in the Council Chambers.

Police Committee – Chairman Kenny announced the next meeting of the Police Committee is scheduled for January 20, 2020 at 6:00 P.M. in the Police Department Training Room.

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

There were none.

15. **OLD BUSINESS**

There was no Old Business.

16. **CONSENT AGENDA**

It was moved by Alderman Belczak seconded by Alderwoman Sullivan to approve by Omnibus Vote the following items on the Consent Agenda:

A. CONSIDERATION OF A MOTION GRANTING WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR THE DARIEN LIONS CLUB

B. ORDINANCE NO. O-32-19 **AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN (PD) (CHARGING STATIONS, CHARGERS, MICROPHONES, ETC)**

C. RESOLUTION NO. R-111-19 **A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT FOR THE RECIPROCAL REPORTING OF CRIMINAL OFFENSES COMMITTED BY STUDENTS BETWEEN THE BOARD OF EDUCATION OF HINSDALE TOWNSHIP HIGH SCHOOL DISTRICT NO. 86 AND THE CITY OF DARIEN**

D. RESOLUTION NO. R-112-19 **A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN**

INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF EDUCATION OF HINSDALE TOWNSHIP HIGH SCHOOL DISTRICT NO. 86 AND THE CITY OF DARIEN AUTHORIZING THE CITY POLICE DEPARTMENT'S EMERGENCY ACCESS TO SCHOOL SECURITY VIDEO FEEDS AND RADIO FREQUENCIES

- E. RESOLUTION NO. R-113-19** **A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF EDUCATION OF HINSDALE TOWNSHIP HIGH SCHOOL DISTRICT NO. 86 AND THE CITY OF DARIEN AUTHORIZING SCHOOL RESOURCE OFFICER SERVICES FROM 2019 – 2021**
- F. RESOLUTION NO. R-114-19** **A RESOLUTION AUTHORIZING THE PURCHASE OF A THREE YEAR EMPLOYEE ASSISTANCE PROGRAM FROM COMPSYCH GUIDANCE RESOURCES WORLDWIDE IN THE AMOUNT OF \$5,475**
- G. RESOLUTION NO. R-115-19** **A RESOLUTION ACCEPTING A PROPOSAL FROM RGL II, INC., AT THE PROPOSED SCHEDULE OF PRICES FOR THE PLACEMENT OF TOPSOIL AND FOR THE PURCHASE AND PLACEMENT OF FERTILIZER AND SOD FOR LANDSCAPE RESTORATION SERVICES FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- H. RESOLUTION NO. R-116-19** **A RESOLUTION APPROVING A CONTRACT EXTENSION WITH EJ USA, INC. FOR EAST JORDAN WATERMASTER 5BR250 AND EAST JORDAN WATERMASTER 5CD250 FIRE HYDRANT REPAIR PARTS AT THE PROPOSED UNIT OF PRICES AS REQUIRED FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- I. RESOLUTION NO. R-117-19** **A RESOLUTION APPROVING A CONTRACT EXTENSION WITH CORE & MAIN LP FOR THE MUELLER SUPER CENTURION FIRE HYDRANT REPAIR PARTS AT THE PROPOSED UNIT PRICES AS REQUIRED FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- J. RESOLUTION NO. R-118-19** **A RESOLUTION APPROVING A CONTRACT EXTENSION WITH ZIEBELL WATER SERVICE PRODUCTS FOR TRAVERSE CITY FIRE HYDRANT REPAIR PARTS AT THE PROPOSED UNIT PRICES AS REQUIRED FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**

- K. RESOLUTION NO. R-119-19** **A RESOLUTION APPROVING A CONTRACT EXTENSION WITH ZIEBELL WATER SERVICE PRODUCTS, INC. FOR WATEROUS PACER FIRE HYDRANT REPAIR PARTS AT THE PROPOSED UNIT PRICES AS REQUIRED FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- L. RESOLUTION NO. R-120-19** **A RESOLUTION APPROVING A CONTRACT EXTENSION WITH ZIEBELL WATER SERVICE PRODUCTS FOR THE U.S. PIPE FIRE HYDRANT REPAIR PARTS AT THE PROPOSED UNIT PRICES AS REQUIRED FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- M. RESOLUTION NO. R-121-19** **A RESOLUTION APPROVING A CONTRACT EXTENSION WITH CORE & MAIN LP FOR GENERAL WATER DEPARTMENT UTILITY FIXTURES FOR THE MAINTENANCE OF THE WATER SYSTEM FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- N. RESOLUTION NO. R-122-19** **A RESOLUTION APPROVING A CONTRACT EXTENSION WITH ZIEBELL WATER SERVICE PRODUCTS FOR GENERAL WATER DEPARTMENT UTILITY TOOLS AND MARKING SUPPLIES FOR THE MAINTENANCE OF THE WATER SYSTEM FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- O. RESOLUTION NO. R-123-19** **A RESOLUTION APPROVING A CONTRACT EXTENSION WITH WATER PRODUCTS COMPANY FOR VARIOUS WATER VALVES FOR THE MAINTENANCE OF THE WATER SYSTEM FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- P. RESOLUTION NO. R-124-19** **A RESOLUTION ACCEPTING A PROPOSAL FROM UNDERGROUND PIPE & VALVE COMPANY FOR CULVERT METAL PIPES, METAL BANDS AND METAL FLARED END SECTIONS AND FITTINGS AT THE PROPOSED UNIT PRICES FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**
- Q. RESOLUTION NO. R-125-19** **A RESOLUTION ACCEPTING A PROPOSAL FROM UNDERGROUND PIPE & VALVE COMPANY FOR HIGH DENSITY POLYETHYLENE PIPES (HDPE), BANDS, FLARED END SECTIONS AND FITTINGS AT THE PROPOSED UNIT PRICES FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021**

- R. RESOLUTION NO. R-126-19 A RESOLUTION ACCEPTING A PROPOSAL FROM EJ USA, INC. FOR STORM SEWER STRUCTURES, IRON SEWER GRATES, CONCRETE ADJUSTING RINGS AT THE PROPOSED UNIT PRICES FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021
- S. RESOLUTION NO. R-127-19 A RESOLUTION ACCEPTING A PROPOSAL FROM PAVEMENT SYSTEMS, INC. FOR THE REMOVAL AND REPLACEMENT OF BITUMINOUS APRONS AND ROAD PATCHES AT THE PROPOSED UNIT PRICES AS REQUIRED FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021
- T. RESOLUTION NO. R-128-19 A RESOLUTION ACCEPTING A PROPOSAL FROM JC LANDSCAPING & TREE SERVICES, INC. AT THE PROPOSED SCHEDULE OF PRICES FOR THE REAR YARD DRAINAGE ASSISTANCE PROGRAM FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021
- U. RESOLUTION NO. R-129-19 A RESOLUTION ACCEPTING A PROPOSAL FOR THE PURCHASE AND DELIVERY OF STONE AT THE PROPOSED UNIT PRICES FROM VULCAN CONSTRUCTION MATERIALS, LLC., DELIVERED TO THE CITY OF DARIEN FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021
- V. RESOLUTION NO. R-130-19 A RESOLUTION ACCEPTING A PROPOSAL FOR THE PURCHASE AND PICK UP OF STONE AT THE PROPOSED UNIT PRICES FROM VULCAN CONSTRUCTION MATERIALS, LLC., FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021
- W. RESOLUTION NO. R-131-19 A RESOLUTION ACCEPTING A PROPOSAL FROM XBE, LLC, AT A RATE OF \$95.00 PER HOUR FOR SERVICES RELATING TO HAULING WASTE FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021
- X. RESOLUTION NO. R-132-19 A RESOLUTION APPROVING A CONTRACT EXTENSION WITH EJ USA, INC. FOR EAST JORDAN CD250 FIRE HYDRANTS, VALVES AND ACCESSORIES AT THE PROPOSED UNIT OF PRICES AS REQUIRED FOR A PERIOD OF MAY 1, 2020 THROUGH APRIL 30, 2021
- Y. RESOLUTION NO. R-133-19 A RESOLUTION AUTHORIZING THE PURCHASE OF THE DEICING AND ANTI-ICING PRODUCT THERMAPOINT R AT THE UNIT PRICE OF \$1.09 PER GALLON FROM INDUSTRIAL SYSTEMS LTD IN AN

AMOUNT NOT TO EXCEED \$30,000, (27,523 GALLONS X \$1.09/GALLON)

Z. ORDINANCE NO. O-33-19

AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN (PW) (2005 CATERPILLAR TH 220 B LOADBALL MACHINE AND RYAN SODCUTTER)

Roll Call: Ayes: Belczak, Chlystek, Gustafson, Kenny, Schauer, Sullivan, Vaughan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

17. **NEW BUSINESS**

A. CONSIDERATION OF A MOTION TO DIRECT STAFF TO NEGOTIATE A FORMAL ECONOMIC DEVELOPMENT AGREEMENT WITH JEMCO & ASSOCIATES, LTD. WITHIN THE GENERAL TERMS IDENTIFIED BY STAFF

It was moved by Alderwoman Belczak and seconded by Alderman Vaughan to approve the motion as presented.

Alderman Belczak clarified reason for vote. Alderman Gustafson inquired regarding esthetic requirement. Mayor Marchese and Director Gombac responded. Council discussion ensued.

Roll Call: Ayes: Belczak, Chlystek, Gustafson, Kenny, Schauer, Sullivan, Vaughan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING TITLE 5A, “ZONING REGULATIONS”, OF THE DARIEN CITY CODE BY ADDING NEW CHAPTER 9A, “CANNABIS BUSINESS ESTABLISHMENTS”, THERETO

It was moved by Alderman Belczak and seconded by Alderman Vaughan to approve the motion as presented.

MOTION TO AMEND

Alderwoman Sullivan motioned and Alderman Schauer seconded to accept amendments to remove options 5A-9A-5: (A) “4. Brookhaven Plaza – Interior
PIN: 09-28-402-026”

and

“5. Brookhaven Plaza – Existing Grocery Store
PINs: 09-28-402-024/025”

from the list of PERMITTED LOCATIONS FOR CANNABIS DISPENSING ORGANIZATIONS as proposed and add those two locations to (C) Cannabis Dispensing Organizations shall not be allowed in the following locations as either a permitted or special use.

Alderwomen Sullivan stated reasons for proposed changes. Council members shared their viewpoints; Council discussion ensued. Ms. Murphy addressed Council questions. Members of the audience provided additional comments.

There was a call for the question on the amendments.

Roll Call: Ayes: Chlystek, Kenny, Schauer, Sullivan, Vaughan

Nays: Belczak, Gustafson

Absent: None

Results: Ayes 5, Nays 2, Absent 0
AMENDING MOTION CARRIED

There was a call for the question on the original motion.

ORDINANCE NO. O-34-19 **AN ORDINANCE AMENDING TITLE 5A, “ZONING REGULATIONS”, OF THE DARIEN CITY CODE BY ADDING NEW CHAPTER 9A, “CANNABIS BUSINESS ESTABLISHMENTS”, THERETO**

as amended.

Roll Call: Ayes: Belczak, Chlystek, Gustafson, Vaughan

 Nays: Kenny, Schauer, Sullivan

Absent: None

Results: Ayes 4, Nays 3, Absent 0
MOTION DULY CARRIED

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

Aldерwoman Sullivan...

...wished everyone a Merry Christmas and Happy New Year.

...thanked audience for their feedback and expressing concern/inquiries in a respectful manner.

Mayor Marchese commented on the 50th Birthday Gala; he thanked and congratulated the committee on a fabulous job. More than 300 people attended the event held at Carriage Greens Country Club. He stated the historical slideshow and video will be available on Channel 6 and Direct Connect.

19. **ADJOURNMENT**

City Council Meeting

December 16, 2019

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 10:27 P.M.

Mayor

City Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 12-16-19. Minutes of 12-16-19 CCM.