

## **Minutes - August 7, 2006**

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE AUGUST 7, 2006 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:20 P.M.

### EXECUTIVE SESSION

It was moved by Alderman Marchese and seconded by Alderman Gattuso at 7:20 P.M. to move into Executive Session for the purpose of discussing Purchase or Lease of Real Estate as prescribed by Section 2(c)(5) of Public Act 88-261, with no action to be taken.

Roll Call: Ayes: Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: Durkin

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

Council recessed and moved into Open Session at 7:35 P.M.

### Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

AUGUST 7, 2006

#### 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 Clerk Coleman was as follows:

Present: Richard A. Biehl Sylvia McIvor Carolyn A. Gattuso John F. Poteraske, Jr. Joseph A. Marchese Kathleen Moesle Weaver Absent: William R. Durkin

Also in Attendance: Kathleen Moesle Weaver, Mayor Joanne F. Coleman, City Clerk Kevin P. Monaghan, City Treasurer John B. Murphey, City Attorney Bryon D. Vana, City Administrator Robert Pavelchik, Chief of Police Daniel Gombac, Director of Community Development/Public Works

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

## 5. APPROVAL OF MINUTES – July 17, 2006

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve the Minutes of the Regular Meeting of July 17, 2006, as presented.

Roll Call: Ayes: Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: Durkin

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

## 6. RECEIVING OF COMMUNICATIONS

Alderman Biehl received a call from Linda Painter of Timberlake Estates in regard to signage proposed for an establishment within unincorporated DuPage County. He indicated that Director Gombac provided him with letters from the City of Darien and Village of Willowbrook, which opposed the signage. He said that the County Zoning Board denied the signage with a vote of 0-5-1 and that the County Planning & Development Committee would review the item at their meeting scheduled for August 15th.

7. MAYOR'S REPORT – No Report.

8. CITY CLERK'S REPORT – No Report.

## 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... announced that Amnesty Day would take place from September 18th through 22nd. He noted that the first two (2) items required stickers; he indicated that specific items were not included in the program; he said that if residents had questions that they should call City Hall.

... commented that the 'Neighbors of Darien' August/September newsletter was currently being delivered to homes. He asked residents to call City Hall if they had not received the publication.

## 10. DEPARTMENT HEAD REPORT

Community Development/Public Works Director Daniel Gombac provided an update of on-going projects: \* Concrete Sidewalk and Curb & Gutter Removal/Replacement Program was currently in progress; A&R Cement completed all concrete work within roadway areas scheduled for resurfacing. \* Water Tower Project on Plainfield Road: the contract was awarded on June 5; overhead utility project was completed; preconstruction meeting was held; temporary fencing was erected; the existing tower and garage/pump house would be demolished during the week of August 14th. \* Janet Avenue Ditch Maintenance Project: the project was on Janet Avenue between Route 83 & Clarendon Hills Road; Public Works removed and replaced over 1,000 lineal feet of culvert pipe, were re-profiling the ditches, and placed approximately 1,500 square yards of sod. \* 2006 Road Maintenance Program: Central Blacktop completed resurfacing of Hillside Court, Harvest Lane, Royal Oak Lane (cul-de-sac), Laurel Lane, Farmingdale Drive, Walnut Drive, and Richmond Avenue. Other streets scheduled for resurfacing included Beechnut Lane, Summit Road, Exner Road, Holly Avenue, Hinsbrook Avenue, Ironwood Avenue, Janet Avenue, and Wildwood Court. \* Roadway Crack Fill Program would begin shortly on nineteen (19) various roadways. It would consist of machine routing of existing cracks, removal of loose debris, and application of rubberized asphalt sealant. \* Illinois Department of Transportation released a contract for the paving of North

Frontage Road between Cass Avenue & Clarendon Hills Road; work was scheduled to begin after August 14th and should be completed by September. \* Monthly Brush Pickup was scheduled for August 21 through 25. Public Works has wood chips available for delivery; interested persons should contact the City at 852-5000, Extension 206. Mayor Weaver inquired about open issues with Farano Property at 67th Street & Ridge Road; Steak 'n Shake speaker, landscape and lighting issues; and Arvydas Subdivision encroachment. Director Gombac responded that the City had a letter of credit and cash bonds on file for Farano. He said that the light shield for Steak 'n Shake would be installed, that additional landscaping had been requested by residents, and that the speaker electronics issue was being worked on. Director Gombac indicated that the engineers were working on the Arvydas Subdivision issue.

Treasurer Monaghan asked for status on the Ash Borer; Director Gombac said that City inspected seven trees and they had no indication of the Ash Borer. Mayor Weaver asked about the closest location of where the Ash Borer was found; Director Gombac indicated that the closest location was Evanston.

Alderman Mclvor inquired about signage for the Steak 'n Shake roadway behind Downers Delight; Director Gombac indicated that the bank ordered the signs.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 06-07-06

It was moved by Alderman Poteraske and seconded by Alderman Gattuso to approve payment of Warrant Number 06-07-06 in the amount of \$449,303.65 from the General Fund; \$4,916.06 from the Darien Area Dispatch Fund; \$279,114.77 from the Motor Fuel Tax Fund; \$852.75 from the S.S.A. Tax Fund; \$219,838.25 from Water Operations/Depreciation Fund; \$112,894.23 from the General Fund Payroll for the period ending 07/06/06; \$22,269.85 from the Water Fund Payroll for the period ending 07/06/06; \$23,432.21 from the D.A.D.C. Fund Payroll for the period ending 07/06/06; \$222,633.51 from the General Fund Payroll for the period ending 07/20/06; \$19,783.75 from the Water Fund Payroll for the period ending 07/20/06; \$26,570.37 from the D.A.D.C. Fund Payroll for the period ending 07/20/06; for a total to be approved of \$1,381,609.40.

Roll Call: Ayes: Biehl, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Nays: None

Absent: Durkin

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

### B. TREASURER'S MONTHLY REPORT – MAY 2006 (AMENDED)

City Treasurer Monaghan reviewed all sources of revenue and expenditures for the month of May 2006 (Amended) with the following year-to-date fund balances: General Fund \$4,858,455; Water Fund \$351,869; and Motor Fuel Tax Fund \$197,754.

### C. TREASURER'S MONTHLY REPORT – JUNE 2006

City Treasurer Monaghan reviewed all sources of revenue and expenditures for the month of June 2006 with the following year-to-date fund balances: General Fund \$5,526,576; Water Fund \$535,679; and Motor Fuel Tax Fund \$234,949.

Administrator Vana spoke briefly about Certificates of Deposit; he indicated that the Administrative/Finance Committee would review information received from local banks affiliated with the Darien Chamber of Commerce.

## 12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Chairman Weaver announced that the Committee would meet on August 14th at 6:30 P.M.

Planning/Development Committee — No Report.

Public Works Water/Streets Committee — Chairman Biehl submitted, for the record, Minutes from the July 17, 2006 Rescheduled Meeting and July 31, 2006 Special Meeting.

## 13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no agenda related Questions or Comments to come before the City Council.

## 14. OLD BUSINESS

There was no Old Business to come before the City Council.

## 15. CONSENT AGENDA

It was moved by Alderman Biehl and seconded by Alderman Marchese 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 VETERANS OF FOREIGN WARS OF THE U.S., DARIEN MEMORIAL POST 2838

B. ORDINANCE NO. O-31-06 AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF DARIEN TITLE 6B, CHAPTER 1 STORMWATER AND FLOODPLAIN MANAGEMENT

C. RESOLUTION NO. R-34-06 A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS SUBJECT TO MAINTENANCE (PLAINFIELD OFFICE BUILDING-SIEVERS DEVELOPMENT 1410, 1450, AND 1510 PLAINFIELD ROAD)

D. ORDINANCE NO. O-32-06 AN ORDINANCE APPROVING A SPECIAL USE AND VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2006-10: 8301 CASS AVENUE, CITIZENS FINANCIAL BANK)

E. ORDINANCE NO. O-33-06 AN ORDINANCE APPROVING A SPECIAL USE AND VARIATIONS TO THE DARIEN ZONING ORDINANCE (PZC 2006-11: 7409 CASS AVENUE, BUONA BEEF)

F. RESOLUTION NO. R-35-06 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF DARIEN AND HARLEM IRVING COMPANIES (WILLOWBROOK TOWN CENTER)

G. CONSIDERATION OF A MOTION TO APPROVE INCREASED QUANTITIES FOR THE 2006 SIDEWALK, APRON AND CURB AND GUTTER REMOVAL AND REPLACEMENT PROGRAM IN AN AMOUNT OF \$33,795.00 (A&R CEMENT INC.)

H. CONSIDERATION OF A MOTION TO APPROVE INCREASED QUANTITIES FOR THE 2006 SIDEWALK, APRON AND CURB AND GUTTER REMOVAL AND REPLACEMENT PROGRAM FOR THE INSTALLATION OF A SIDEWALK ON NORTH FRONTAGE ROAD, IMMEDIATELY WEST OF WILMETTE AVENUE, IN AN AMOUNT NOT TO EXCEED \$9,516.26 (GASAWAY SUBDIVISION) Roll Call: Ayes: Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: Durkin

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

## 16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION STATING THE POSITION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DARIEN IN RELATION TO THE REQUEST TO CONSTRUCT A SOUNDWALL ALONG I-55 WITHIN THE CITY CORPORATE LIMITS

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve

RESOLUTION NO. R-36-06 A RESOLUTION STATING THE POSITION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DARIEN IN RELATION TO THE REQUEST TO CONSTRUCT A SOUNDWALL ALONG I-55 WITHIN THE CITY CORPORATE LIMITS as presented.

Alderman Marchese clarified that the Resolution indicated that the City would not use City funds to construct a sound wall. Mayor Weaver said that the Resolution would not stop the City's efforts with IDOT to make them accountable for the roadway and its safety.

Roll Call: Ayes: Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: Durkin

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

B. CONSIDERATION OF A MOTION TO APPROVE CHANGE ORDER #1, IN THE AMOUNT OF \$48,000 TO CHICAGO BRIDGE AND IRON FOR THE WATER TOWER PROJECT

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve Change Order #1, in the Amount of \$48,000 to Chicago Bridge and Iron for the Water Tower Project, as presented.

Roll Call: Ayes: Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: Durkin

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

## 17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Clerk Coleman invited everyone to have Coffee with Mayor Weaver on Saturday, August 19th, from 9:00 until 10:00 A.M. at City Hall in the Council Chambers.

Alderman Poteraske stated that ComEd would attend the next Council meeting.

Jerry Falasz, 1641 73rd Street, spoke about a monitoring device for electricity. He said that their dryer failed again and was being evaluated by another source; he indicated that voltage was still varying. He noted that Cornell Barnett had left a message for him but it was not claim related. He spoke about a discussion he had with Alderman Poteraske that resulted from ComEd's ad campaign, its funding, and their recent rate increase. He asked the Mayor and Council to draft a letter under the Freedom of Information Act for ComEd to disclose their total production costs for the ads and their schedule for all advertisements.

#### 18. ADJOURNMENT

There being no further business to come before the City Council, it was moved by Alderman Marchese and seconded by Alderman Gattuso to adjourn at 8:15 P.M.

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:15 P.M.

#### EXECUTIVE SESSION - RECONVENED

Council reconvened into Executive Session at 8:20 P.M. to continue discussion about Purchase or Lease of Real Estate as prescribed by Section 2(c)(5) of Public Act 88-261, with no action to be taken.

It was moved by Alderman Biehl and seconded by Alderman Marchese to adjourn from Executive Session at 8:46 P.M.

Roll Call: Ayes: Biehl, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: Durkin

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

Mayor \_\_\_\_\_ City Clerk jr All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 08-07-06.