

Minutes - February 17, 2004

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR CARMEN D. SOLDATO FOR THE PURPOSE OF REVIEWING ITEMS ON THE FEBRUARY 17, 2004 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:30 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

FEBRUARY 17, 2004

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 Carmen D. Soldato.

2. PLEDGE OF ALLEGIANCE

Mayor Soldato 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: Richard Biehl John F. Poteraske, Jr. Morgan Cotten James Tikalsky Joseph Marchese Kathleen Moesle-Weaver

Absent: David Hagen

Also in Attendance: Carmen D. Soldato, Mayor Joanne F. Coleman, City Clerk Kevin P. Monaghan, City Treasurer John B. Murphey, City Attorney Bryon D. Vana, City Administrator Gregory Dreyer, Community Development Director Robert Mengarelli, Asst. Director of Public Works Robert Rodgers, Asst. Director of Public Works

4. DECLARATION OF A QUORUM - There being six Aldermen present, Mayor Soldato declared a quorum.

5. APPROVAL OF MINUTES - February 2, 2004

It was moved by Alderman Biehl and seconded by Alderman Tikalsky to approve the Minutes of the Regular Meeting of February 2, 2004, as presented. Roll Call: Ayes: Biehl, Cotten, Poteraske, Tikalsky, Weaver

Nays: None

Abstain: Marchese

Absent: Hagen

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

6. RECEIVING OF COMMUNICATIONS

Alderman Marchese received an email from Bill Kohlsaas, 9017 Kilkenny Drive, regarding proposed improvements to Oldfield Road; he wanted the City to pursue complete curb & gutter and development of Oldfield Road.

Alderman Weaver received an email from Henry Grimme, 1100 Lodgepole Court; he asked for additional information about the Darien Community Expo, particularly the location. Alderman Weaver verified that the City's cable channel had been updated to include the information.

Alderman Cotten communicated with Mr. Byrd, 8638 Woodvale Drive, regarding the City's mailbox policy.

7. MAYOR'S REPORT

A. A RESOLUTION RECOGNIZING JOHN E. CALLAN AS 2004 CITIZEN OF THE YEAR IN THE CITY OF DARIEN, ILLINOIS

Mayor Soldato welcomed John Callan, his family and friends. He turned the meeting over to Alderman Weaver, the liaison for the Citizen of the Year Committee, who read into the record the Resolution honoring John Callan.

It was motioned by Alderman Weaver and seconded by Alderman Marchese to approve

RESOLUTION NO. R-02-04 A RESOLUTION RECOGNIZING JOHN E. CALLAN AS 2004 CITIZEN OF THE YEAR IN THE CITY OF DARIEN, ILLINOIS as presented.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver, Soldato, Coleman, Monaghan, Murphey, Vana

Nays: None

Absent: None

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

John Callan accepted the Resolution and received a round of applause from the audience and Council. John thanked everyone for the honor bestowed upon him.

Alderman Weaver commented that the Citizen of the Year Dinner-Dance would be held on Saturday, March 6th, at Ripples; she said that reservations for the dinner/dance could be made by contacting City Hall.

Mayor Soldato thanked the Citizen of the Year Committee for their efforts and hard work. Committee members included: Kathy Abbate, Joan Graham, Debby Heniff, Kathy Lyons, Fran Mazzolini, David Mendez, and Liaison Alderman Weaver.

B. CITIZEN OF THE YEAR COFFEE AND CAKE RECEPTION

Alderman Weaver announced that the cake and coffee reception would take place in the Lobby immediately following the City Council meeting.

Mayor Soldato commented that he and Administrator Vana attended the graduation of Chief Pavelchik and Sergeant Cheaure from Northwestern University Command and Control School.

8. CITY CLERK'S REPORT

Clerk Coleman...

... noted that the Darien Community Expo would be held on Saturday, February 28th, from 9:00 A.M. until 2: 00 P.M. at Ashton Place, 341 West 75th Street in Willowbrook.

... invited everyone to attend Coffee with Mayor Soldato on Saturday, February 21st, from 9:00 until 10:00 A.M. at City Hall in the Council Chambers.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... stated that he had been contacted by numerous residents regarding the continuation of phone calls about the Darien Park District dissolution petitions. He advised residents that if they were being harassed, they should contact the Police Department.

... advised Council that he had anti-virus software to distribute for installation on their computers.

... noted that the budget was ready and available on CD to the Council.

... commented that February 17th was the deadline for proposals for the Redevelopment District; he said that information would be distributed to Council and the Committee.

10. DEPARTMENT HEAD REPORT

Director of Community Development Gregory Dreyer...

... stated that the final plans for Marketplace of Darien would be reviewed by the Planning and Zoning Commission at their February 18th meeting.

... commented that according to Darien Towne Centre's management, the parking lot lights were being worked on.

Alderman Tikalsky inquired about the property located at 67th Street & Bentley; Director Dreyer responded that the new developer stated that he would like to construct eight (8) homes facing Bentley Avenue in Darien. It was noted that the new development would need to follow procedures for consideration.

11. TREASURER'S REPORT

A. WARRANT NUMBER 03-04-18

It was moved by Alderman Tikalsky and seconded by Alderman Cotten to approve payment of Warrant Number 03-04-18 in the amount of \$46,173.15 from the General Fund; \$101,818.94 from the Water Fund; \$32,605.01 from the Motor Fuel Tax Fund; \$263,578.00 from the Towne Centre Sales Tax Fund; \$6,341.27 from the Darien Area Dispatch Fund; \$177,337.96 from the General Fund Payroll for the period ending 02/05/04; \$20,814.25 from the Water Fund Payroll for the period ending 02/05/04; \$23,786.12

from the D.A.D.C. Fund Payroll for the period ending 02/05/04; for a total to be approved of \$672,454.70.
Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: Hagen

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

B. TREASURER'S MONTHLY REPORT - JANUARY 2004

City Treasurer Monaghan reviewed all sources of revenue and expenditures for the month of January 2004 with the following year-to-date fund balances: General Fund \$1,013,168; Water Fund \$38,458; Motor Fuel Tax Fund \$682,193; Darien Towne Centre Sales Tax Fund \$455,132; and Hotel/Motel Tax Fund \$70,730.

Administrator Vana made comments about the Water Fund.

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee - Chairman Weaver submitted, for the record, Revised Minutes from the January 12, 2004 meeting. She noted that the next meeting for the Administrative/Finance Committee-of-the-Whole was scheduled for February 24th.

Alderman Weaver stated that two proposals had been received from the United States Census Bureau: cost for a full special census would be approximately \$346,000 and a partial special census would be approximately \$78,147. She noted that Staff identified areas within the City that would qualify for a recounting. The Committee recommended a partial special census, which would have a net benefit in the amount of \$339,053; the full special census would have a net benefit in the amount of \$103,482. The Committee questioned if the City should spend the money and initiate the census this fiscal year or place it in next fiscal year's budget; she said there were a lot of uncertainties with next fiscal year's budget.

Mayor Soldato stated that growth had occurred in the identified areas and that revenues could be measured versus the expenditures. Alderman Weaver stated that payment could be utilized from unused funds or from the 'fund balance'. Alderman Poteraske suggested that perhaps the City should wait until a response was received from the unincorporated residents in regard to annexation. Alderman Cotten inquired if adding residents for the census could be on-going; Administrator Vana stated that Staff would follow-up with the Census Bureau.

Planning/Development Committee - Alderman Cotten announced that the Committee would meet on February 23rd at 6:30 P.M.

Public Works Water/Streets Committee - Chairman Biehl announced that the meeting scheduled for February 25th had been cancelled due to lack of agenda items.

13. QUESTIONS AND COMMENTS - AGENDA RELATED

Gloria Jiskra, a member of the Woodland Homeowners Association, spoke in support of Tim Ryan's proposed condominium project at the northeast corner of 67th Street & Cass Avenue.

Tim Ryan, President of Ryan Builders, stated that he would agree to the initial \$5,000 fee and suggested that the yearly fee be waived after that. He asked that there be no limitation for turning onto 67th Street; he said that if the development was limited to right out only that he would abandon the project. Mr. Ryan

stated that according to the traffic study, the development would have no affect on the traffic volume for 67th Street. It was noted that the proposed curb cut would be as far east from Cass Avenue as possible; it was stated that Mr. Ryan's suggestions were contained in the proposed Ordinance.

14. OLD BUSINESS

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

15. CONSENT AGENDA

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

A. CONSIDERATION OF A MOTION TO GRANT WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR THE DARIEN ROTARY CLUB

B. RESOLUTION NO. R-03-04 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN JOSEPH R. ALGOZINE AND THE CITY OF DARIEN FOR ELECTRICAL INSPECTION SERVICES

C. RESOLUTION NO. R-04-04 A RESOLUTION TO ACCEPT A PLAT OF DEDICATION FOR THISTLEWOOD COURT

D. RESOLUTION NO. R-05-04 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN NATIONAL SEMI-TRAILER CORP. AND THE CITY OF DARIEN (AN EXTENSION FROM 05/01/04 UNTIL 04/30/05)

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: Hagen

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

16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE SALES CONTRACT BETWEEN ZYGMUNT ENTERPRISES, L.L.C. AND THE CITY OF DARIEN

It was moved by Alderman Marchese and seconded by Alderman Cotten to approve

RESOLUTION NO. R-06-04 A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A REAL ESTATE SALES CONTRACT BETWEEN ZYGMUNT ENTERPRISES, L.L.C. AND THE CITY OF DARIEN as presented.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: Hagen

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

B. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE GRANTING A RIGHT-OF-WAY ACCESS PERMIT AND WAIVING THE ANNUAL MAINTENANCE FEE (ASHTON GROVE CONDOMINIUMS/ NORTHEAST CORNER 67th & CASS)

Alderman Weaver inquired about the language in Section 2: Limitation; Attorney Murphey suggested that the language be changed as follows: Strike out all of paragraph "A" and the designation of letter "B" only.

It was moved by Alderman Weaver and seconded by Alderman Marchese to Approve an Ordinance Granting a Right-of-Way Access Permit and Waiving the Annual Maintenance Fee (Ashton Grove Condominiums/Northeast Corner 67th & Cass) specifically providing that Section 2. A. provided to the Council be struck from the Ordinance.

Alderman Biehl complimented the proposed development but was concerned about increased traffic east of the project. He disagreed with allowing left-hand turns onto 67th Street from the development.

Alderman Weaver stated that according to the traffic study, the proposed development would generate sixty-four (64) cars over a 24-hour period. She did not want to limit the subdivision from turning left onto 67th Street.

Alderman Cotten noted that other developments were proposed for 67th Street and would create a higher density; he did not support the left-turn movement.

Mayor Soldato stated that the City had the ability to restrict traffic at a later date if a problem was identified or created.

Alderman Tikalsky verified that the \$5,000 initial fee would be set aside for additional street improvement on 67th Street. He noted that residents of the development would not pay taxes to Darien for roadway improvement because the project was located in Westmont. He felt that the development would have a negative impact on 67th Street.

Alderman Poteraske agreed that if there was a traffic problem, the City had the option to make restrictions. Alderman Cotten disagreed with that philosophy; he said that people would purchase based on what existed and could be adversely impacted if access was limited or changed.

MOTION TO TABLE

Alderman Biehl motioned and Alderman Cotten seconded to Table the Ordinance Granting a Right-of-Way Access Permit and Waiving the Annual Maintenance Fee (Ashton Grove Condominiums/Northeast Corner 67th & Cass) until the March 1, 2004 City Council meeting.

There was a call for the question on the Motion to Table:

Roll Call: Ayes: Biehl, Cotten, Tikalsky

Nays: Marchese, Poteraske, Weaver, Soldato

Absent: Hagen

Results: Ayes 3, Nays 4, Absent 1 MOTION FAILED

There was a call for the question on the original Motion:

ORDINANCE NO. O-05-04 AN ORDINANCE GRANTING A RIGHT-OF-WAY ACCESS PERMIT AND WAIVING THE ANNUAL MAINTENANCE FEE (ASHTON GROVE CONDOMINIUMS/NORTHEAST CORNER 67th & CASS) as presented.

Roll Call: Ayes: Marchese, Poteraske, Tikalsky, Weaver

Nays: Biehl, Cotten

Absent: Hagen

Results: Ayes 4, Nays 2, Absent 1 MOTION DULY CARRIED

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL

Alderman Biehl stated that he was not opposed to the Ashton Grove development but that he was concerned about traffic issues.

Gloria Jiskra, a member of the Woodland Homeowners Association, inquired about jurisdiction for maintenance of 67th Street; it was noted that 67th Street was multi-jurisdictional. She thanked Council for their support with the curb cut and noted that the Village of Westmont would vote on the proposed development on February 26, 2004.

Beatta Kopeck, 1061 Sean Circle, felt that the new condominium development would have little traffic impact on 67th Street. She suggested erection of 'stop' signs and enforcement of the speed limit between Clarendon Hills Road and Cass Avenue.

Mike Worrall, Bristlecone Court resident, stated that there was minimal traffic on 67th Street and that the development would not impact the Street.

18. ADJOURNMENT

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

VIA VOICE VOTE - MOTION DULY CARRIED

The City Council meeting adjourned at 8:35 P.M.

Mayor _____ City Clerk

JFC/jr All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 02-17-04.

Minutes of 02-17-04 CCM February 17, 2004