

Minutes - March 1, 2004

EXECUTIVE SESSION

It was moved by Alderman Tikalsky and seconded by Alderman Poteraske at 7:05 P.M. to move into Executive Session for the purpose of discussing Collective Bargaining as prescribed by Section 2(c)(2) of Public Act 88-621 with no action to be taken.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0 MOTION DULY CARRIED

It was moved by Alderman Marchese and seconded by Alderman Tikalsky at 7:30 P.M. to move into Open Session.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0 MOTION DULY CARRIED

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

MARCH 1, 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

Webelos Pack 101 from Our Lady of Peace 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 David Hagen Kathleen Moesle-Weaver Joseph Marchese

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 Robert Pavelchik, Chief of

Police 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 seven Aldermen present, Mayor Soldato declared a quorum.

5. APPROVAL OF MINUTES — February 17, 2004

It was moved by Alderman Tikalsky and seconded by Alderman Cotten to approve the Minutes of the Regular Meeting of February 17, 2004, as presented.

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

Nays: None

Abstain: Hagen

Absent: None

Results: Ayes 7, Nays 0, Absent 0 MOTION DULY CARRIED

6. RECEIVING OF COMMUNICATIONS

Alderman Weaver received a fax and phone calls from residents on Iroquois Lane regarding a Notice of Public Hearing they received; the scheduled hearing was for March 17, 2004 and would involve a variation for a 12' x 15' deck that would encroach 13.6' into the rear yard setback. She explained to the residents that the petitioner was following procedure.

Alderman Poteraske received email from Zenah Khawaja, 1500 block of 77th Street; who was concerned about the surface of Williams Street, which falls under Downers Grove jurisdiction.

7. MAYOR'S REPORT

Mayor Soldato thanked and congratulated the Darien Chamber of Commerce for a successful Expo, which was held on Saturday, February 28th.

Mayor Soldato stated that New Business Item A was moved to the Mayor's Report; also, Consent Agenda Items A and B were moved to New Business as Items B and C.

A. CONSIDERATION OF A MOTION TO APPROVE APPOINTMENT TO FIRE AND POLICE COMMISSION – MARK PICCOLI

It was moved by Alderman Biehl and seconded by Alderman Tikalsky to approve appointment of Mark Piccoli to Fire and Police Commission, as presented.

Mayor Soldato stated that there were other candidates who had expressed interest in the position; he recommended Mark Piccoli due to his outstanding commitment to Darien and his expertise in law enforcement. Mayor Soldato commented that Mr. Piccoli's brother was employed within the Darien Police Department and that if an issue was presented to the Commission that involved his brother, Mr. Piccoli would reclude himself. There was discussion about the two being related. Attorney Murphey stated that there was no legal prohibition about a relative of an incumbent police officer serving on the Commission.

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

Nays: Hagen, Weaver

Absent: None

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

City Clerk Coleman administered the Oath of Office to Mark Piccoli; he received congratulations from the Council and a round of applause.

8. CITY CLERK'S REPORT

Clerk Coleman stated that the Planning and Zoning Commission meeting scheduled for Wednesday, March 3rd, had been cancelled due to lack of agenda items.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana commented that an article appeared in the newspaper regarding the proposed budget; he stated that he would give more background information at the next Council meeting when the meeting would be televised.

10. DEPARTMENT HEAD REPORT

Chief Robert Pavelchik...

... thanked all of the residents from the Seminole & Belair Drive area for their assistance with the SWAT task force last week.

... thanked the Texor Petroleum Company owner of the Minuteman Gas Station for donation of a laptop computer to D.A.R.E. Officer Menzione.

... reported that the canine unit assisted the DuPage Forest Preserve District with a drug bust.

... commented that annually the State of Illinois compiles crime statistics based on reported data. He noted that Darien's crime for 2003 went down approximately sixteen percent (16%).

... informed Council that in 2001 the department utilized 233 sick days; in 2002 they utilized 204 sick days, and in 2003 they utilized 160 sick days. He felt that there was a turn around within the department because they enjoyed coming to work.

... spoke about the canine assist that resulted with the capture of a burglar who was involved in a home invasion in the 1700 block of Holly Avenue.

Alderman Poteraske complimented the canine unit for their expertise and discipline that was demonstrated at the Darien Expo.

11. TREASURER'S REPORT

A. WARRANT NUMBER 03-04-19

It was moved by Alderman Tikalsky and seconded by Alderman Biehl to approve payment of Warrant Number 03-04-19 in the amount of \$64,139.78 from the General Fund; \$4,401.70 from the Water Fund; \$24,523.20 from Motor Fuel Tax Fund; \$39.66 from the Hotel/Motel Tax Fund; \$3,123.92 from the Darien Area Dispatch Fund; \$617.11 from the D.A.R.E. Fund; \$195,051.58 from the General Fund Payroll for the period ending 02/19/04; \$23,102.14 from the Water Fund Payroll for the period ending 02/19/04; \$22,859.23 from the D.A.D.C. Fund Payroll for the period ending 02/19/04; for a total to be approved of \$337,858.32.

Alderman Weaver inquired about an item listed under the Police Department; Chief Pavelchik responded that the costs involved replacement of custom wheels/tires due to a theft and the other item was a uniform expense.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0 MOTION DULY CARRIED

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Chairman Weaver reminded everyone that the second Committee-of-the-Whole budget meeting was scheduled for Tuesday, March 2nd at 6:30 P.M. in the Police Department.

Planning/Development Committee — No report.

Public Works Water/Streets Committee — No report.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no Agenda related questions or comments.

14. OLD BUSINESS

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

15. CONSENT AGENDA

Mayor Soldato reiterated that the items listed on the Consent Agenda had been moved to New Business as Items B and C.

16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING FINAL PLAT OF SUBDIVISION (PZC 2004-01: Darien Public Works Subdivision)

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

ORDINANCE NO. O-06-04 AN ORDINANCE APPROVING FINAL PLAT OF SUBDIVISION (PZC 2004-01: Darien Public Works Subdivision) as presented.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0 MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR DARIEN WOMAN'S CLUB

It was moved by Alderman Tikalsky and seconded by Alderman Biehl to grant a wavier of the Raffle License Bond requirement for Darien Woman's Club, as presented.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0 MOTION DULY CARRIED

C. CONSIDERATION OF A MOTION TO DIRECT STAFF TO PREPARE DOCUMENTATION IN REGARD TO PROPOSED ANNEXATION/ DEVELOPMENT AGREEMENT FOR TOWNHOMES OF VIOLET'S FARM (Wilmette Avenue, N. Frontage Road & Mystic Trace)

It was moved by Alderman Tikalsky and seconded by Alderman Marchese to direct staff to prepare documentation in regard to proposed Annexation/Development Agreement for Townhomes of Violet's Farm (Wilmette Avenue, N. Frontage Road & Mystic Trace), as presented.

Alderman Poteraske asked for clarification from the Planning/Development Committee as to why this item was before Council since the Committee vote was one-Aye, one-Nay, and one-Absent. Chairman Hagen had been absent; therefore, Alderman Cotten responded that he had voted 'nay' because he was concerned about the layout of the subdivision due to the thirty-three foot (33') right-of-way and easement. Chairman Hagen stated that after he had reviewed the subdivision documentation, he said that the variations requested were extreme and unnecessary.

Alderman Poteraske asked if there was discussion regarding the basin; Alderman Cotten stated that there was no discussion but he had raised a question in regard to the design of the detention pond. Alderman Poteraske verified that the sidewalk was to be placed on one side of the street and would be four feet (4') wide; Alderman Tikalsky responded that was Committee's recommendation.

The developer, Mike Beckerman, addressed Council. He stated that the proposed project would be similar to the Ashbrook development and spoke about dry detention, roadway, right-of-way, and utility easement.

Alderman Hagen commented that he liked the concept but felt the right-of-way should be wider and could be accomplished by eliminating a building. Alderman Weaver inquired about the density of the project; the response was that it met City requirements.

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

Nays: Cotten, Hagen, Weaver

Absent: None

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

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Biehl inquired if a 3-story parking garage with condominiums above was proposed on Cass Avenue and if the units would be sold or if they would be apartment type condominiums within the redevelopment triangle at 75th Street & Plainfield Road & Cass Avenue. Administrator Vana responded that the intent was condominiums for sale.

Alderman Biehl complimented the Darien Police Department for their participation with the Darien Expo, particularly the canine demonstration.

Alderman Tikalsky asked if the audio tape from the meeting could be played on Darien's cable channel with a 'still' picture since the meeting was not videotaped. Administrator Vana responded that the quality of the audio tape was not sufficient for the cable channel.

Alderman Hagen inquired if there was follow-up with the developer who had previously contacted the City regarding the development of the Shell property on Cass Avenue. Administrator Vana stated that a proposal was received late for the redevelopment of the triangle area; he said that Staff would meet with the developer.

Alderman Weaver stated that she would like to know if the proposed redevelopment could be staged in order to allow current retail the opportunity to transfer to the new location prior to tear-down. Administrator Vana responded that staff would review the preliminary proposal, make a list of questions, and ask the developer to present their proposal to Council for discussion purposes.

Maggie Korienek, 1521 Darien Club Drive, was concerned about accounting and organizational record-keeping procedures of the Darien Park District; she commented that the District was not being run as a business.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:28 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 03-01-04.