

Minutes - July 1, 2002

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 JULY 1, 2002 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:15 P.M. Minutes of the Regular Meeting of the City Council of the CITY OF DARIEN
JULY 1, 2002

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 Joseph Marchese
Morgan Cotten James Tikalsky
Sean P. Durkin Kathleen Moesle-Weaver
David Hagen

Also in Attendance: Carmen D. Soldato, Mayor
Joanne F. Coleman, City Clerk
Arthur P. Donner, City Treasurer
John B. Murphey, City Attorney
Bryon D. Vana, City Administrator
Robert Pavelchik, Acting Chief of Police
JoEllen Charlton, Director Community Development
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 - May 29, 2002

It was moved by Alderman Hagen and seconded by Alderman Tikalsky to approve the Minutes of the Special Meeting of May 29, 2002, as presented.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

APPROVAL OF MINUTES - June 17, 2002

It was moved by Alderman Tikalsky and seconded by Alderman Durkin to approve the Minutes of the Regular Meeting of June 17, 2002, as presented.

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

Nays: None

Absent: None

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

6. RECEIVING OF COMMUNICATIONS

Alderman Marchese stated that he had received communication from Maria Knecht in regard to the maintenance and restoration of the Tara Hill wetlands. He read and submitted for the record the email he received from Maria & Karl Knecht.

Alderman Durkin noted that a residence at 1642 Claremont Drive had cable television/ telephone box wires exposed. He presented pictures of the site to Administrator Vana for follow-up.

Alderman Biehl stated that he received email from Mark Piccoli who supported the appointment of Robert Pavelchik to the position of Chief of Police.

7. MAYOR'S REPORT

Mayor Soldato happily announced that he attended the groundbreaking ceremony of the Dale Basin project, the Marion Hills stormwater solution. He complimented DuPage County and City staff for a job well done. Alderman Biehl noted that surrounding residents were unaware that the basin was scheduled to be a wetland area.

8. CITY CLERK'S REPORT

City Clerk Coleman...

... announced that the Fire and Police Commission meeting scheduled for July 2nd and the Plan Commission meeting scheduled for July 3rd were cancelled.

... informed everyone that City offices would be closed on Thursday, July 4th, in observance of Independence Day and that offices would reopen on Friday, July 5th.

... wished the residents a Happy 4th of July.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... thanked Public Works staff for their efforts with brush pickup; he noted that due to the abundance of material left at curbside, staff should complete the project on July 2nd.

... noted that communication was received from a resident regarding the late night improvement work on I-55. The State commented that they expected completion of the work adjacent to Darien by early next week.

10. DEPARTMENT HEAD REPORT

Acting Chief Robert Pavelchik...

... commented that Detective Michael Campo, the high school liaison officer, was working a traffic complaint unit during the summer months.

... stated that the Department was ready to proceed with the July 4th parade plan.

... noted that DarienFest plans were underway and that Detective Sergeant Cheaure was the liaison.

... informed everyone that the Bike Patrol was active throughout the City.

... encouraged residents to contact the Police Department if their neighborhood had activities planned, i.e. block party, in order for the department to make an appearance.

11. TREASURER'S REPORT

A. WARRANT NUMBER 02-03-05

It was moved by Alderman Durkin and seconded by Alderman Tikalsky to approve payment of Warrant Number 02-03-05 in the amount of \$30,056.77 from the General Fund; \$2,318.59 from the Water Fund; \$8,695.61 from Motor Fuel Tax Fund; \$4,706.95 from the Hotel/Motel Tax Fund; \$1,470.17 from the Darien Area Dispatch Fund; \$173,765.76 from the General Fund Payroll for the period ending 06/27/02; \$17,124.59 from the Water Fund Payroll for the period ending 06/27/02; \$25,300.77 from the D.A.D.C. Fund Payroll for the period ending 06/27/02; for a total to be approved of \$263,439.21.

Alderman Weaver inquired about the Hotel/Motel Tax Fund, particularly Christopher B. Burke Engineering Ltd. for gateway signage. Director Charlton responded that the cost was for surveying of the area for placement of gateway corridor signage. The payment was removed from the Warrant, which amended Hotel/Motel Tax Fund to \$500.00 and the total to be approved to \$259,232.26.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED AS AMENDED

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee - No report.

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

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 AWARD A CONTRACT TO HARRY W. KUHN, INC. IN THE AMOUNT OF \$498,352.57 FOR THE 2002 STREET REHAB PROGRAM

B. ORDINANCE NO. O-24-02 AN ORDINANCE OF THE CITY OF DARIEN, ILLINOIS CONSENTING TO THE CHANGE OF CONTROL OF THE CABLE TELEVISION FRANCHISEE FROM AT&T CORPORATION TO AT&T COMCAST CORPORATION

C. ORDINANCE NO. O-25-02 AN ORDINANCE GRANTING A MINOR CHANGE TO AN APPROVED PLANNED UNIT DEVELOPMENT (O-57-87) (1452 COVENTRY COURT)

D. ORDINANCE NO. O-26-02 AN ORDINANCE APPROVING A PLAT OF RESUBDIVISION (PC2002-04: 7520 Main Street/McNeill Resubdivision)

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

Nays: None

Absent: None

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

16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE APPOINTMENT TO CABLE COMMUNICATIONS COMMISSION - STEVE KOWYNIA

It was moved by Alderman Durkin and seconded by Alderman Biehl to approve appointment of Steve Kowynia to Cable Communications Commission, as presented.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CITY ADMINISTRATOR TERMINATION AGREEMENT BETWEEN RICK O. CURNEAL AND THE CITY OF DARIEN

It was moved by Alderman Hagen and seconded by Alderman Cotten to approve RESOLUTION NO. R-22-02 A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CITY ADMINISTRATOR TERMINATION AGREEMENT BETWEEN RICK O. CURNEAL AND THE CITY OF DARIEN as presented.

Mayor Soldato said: "I just had one comment that I had shared with the Council under my June 27th memo on the agreement and generally, as I expressed to you separately in Executive Session on this topic, this will provide a payment to Rick Curneal in the amount of \$55,000. As I said at the time, I think that when an employee breaches their obligation to the City, I don't know any circumstance in business or any place else where they're compensated for those breaches. Here, many aldermen have been on record as saying that they weren't happy with the failure to give them information; that Rick had in fact withheld information. I just want to be on the record tonight, once more, saying that when someone is terminated for cause, it should mean that they are not entitled to additional compensation by way of severance or gift, which is what this is. I just want that reflected in the Minutes and would urge the Council not to provide this package as it's set out here."

Alderman Weaver verified with Mayor Soldato that he suggested that no compensation be given; he affirmed.

MOTION TO AMEND

Alderman Durkin motioned and Alderman Weaver seconded to amend the motion for a lump sum settlement of \$30,622 due to breach.

There was a call for the question on the amendment.

Roll Call: Ayes: Durkin, Weaver

Nays: Biehl, Cotten, Hagen, Marchese, Tikalsky

Absent: None

Results: Ayes 2, Nays 5, Absent 0

AMENDING MOTION FAILED

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

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

Nays: Durkin, Weaver
Absent: None
Results: Ayes 5, Nays 2, Absent 0
MOTION DULY CARRIED

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL

Alderman Marchese also wished everyone a happy Fourth of July. He reminded elected officials to meet at 8:30 A.M. at Hinsdale South High School for the Parade.

Alderman Biehl reiterated a happy Fourth of July to all; he invited all to come to the parade. He asked Clerk Coleman if she had scheduled a meeting with the residents and Chamber regarding DarienFest; she responded that she would notify him of the meeting date and time when scheduled.

Alderman Durkin complimented the Police Department regarding the press release for an investigation that lead to an arrest, which utilized the Internet.

Bob Klein, 8515 Carriage Green Drive, raised concern about aldermanic terms, which all expire at the same time. He asked that a method be devised to stagger the terms and offered his assistance; he thanked Council for their service. Alderman Marchese verified with Mayor Soldato that terms changed when the City restructured from two aldermen per Ward to one; Mayor Soldato said that it occurred when the Wards were redistricted.

Alderman Weaver suggested that a timetable be established in order for the placement of the item on a future ballot; she asked for background data.

Alderman Cotten asked if the City had an obligation, due to the recent Census, to redistrict pursuant to the change in population and demographics. He inquired if the numbers changed significantly to require a new Ward Map similar to State and County redistricting. Mayor Soldato responded that the City had an on-going obligation to make certain that Wards remained in alignment both geographically and population wise; he said that it would be a topic for the Goal Setting Session.

18. ADJOURNMENT

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

VIA VOICE VOTE - MOTION DULY CARRIED

The City Council meeting adjourned at 8:00 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 07-01-02.

Minutes of 07-01-02 CCM

July 1, 2002