

Minutes

THE ADMINISTRATIVE/FINANCE COMMITTEE OF THE WHOLE MEETING WAS CALLED TO ORDER AT 6:32 P.M. THE MEETING ADJOURNED AT 7:00 P.M.

A WORK SESSION WAS CALLED TO ORDER AT 7:02 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE AUGUST 4, 2008 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:11 P.M.

Minutes of the Regular Meeting
of the City Council of the
CITY OF DARIEN
AUGUST 4, 2008

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 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: Halil Avci Sylvia Mclvor John Galan John F. Poteraske, Jr. Carolyn A. Gattuso

Absent: William R. Durkin Joseph A. Marchese

Also in Attendance: Kathleen Moesle Weaver, Mayor Joanne F. Coleman, City Clerk Michael J. Coren, City Treasurer Bryon D. Vana, City Administrator Daniel Gombac, Director of Community Development/Municipal Services Robert Pavelchik, Police Chief Scott Coren, Assistant to the City Administrator

4. DECLARATION OF A QUORUM — There being five aldermen present, Mayor Weaver declared a quorum.

5. APPROVAL OF MINUTES – July 21, 2008

It was moved by Alderman Galan and seconded by Alderman Avci to approve the minutes of the July 21, 2008 meeting, as presented.

Roll Call: Ayes: Avci, Galan, Mclvor, Poteraske

Abstain: Gattuso

Nays: None

Absent: Durkin, Marchese

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

6. RECEIVING OF COMMUNICATIONS

There were no communications to share with the City Council.

7. MAYOR'S REPORT

A. Mayor Weaver announced that a letter has been received notifying the City of Darien that Argonne Laboratories has been taken off the list as a possible site for the GNEP Program for nuclear testing.

It was moved by Alderman Gattuso and seconded by Alderman Avci to approve the following motion as presented:

B. CONSIDERATION OF A MOTION TO ADVISE AND CONSENT THE APPOINTMENT OF PATRICK MURPHY TO THE POLICE PENSION BOARD

Roll Call: Ayes: Avci, Galan, Gattuso, McIvor, Poteraske

Nays: None

Absent: Durkin, Marchese

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

Clerk Coleman administered the Oath of Office to Patrick Murphy.

8. CITY CLERK'S REPORT

City Clerk Coleman...

...advised that the Planning and Zoning Commission meeting, which was scheduled to take place on August 6, 2008, has been cancelled due to a lack of agenda items.

...invited all to attend Coffee with Mayor Weaver on Saturday, August 16, 2008 at City Hall in the Council Chambers from 9:00 A.M. to 10:00 A.M.

9. CITY ADMINISTRATOR'S REPORT

There was no report this evening.

10. DEPARTMENT HEAD REPORT

Assistant to the Administrator, Scott Coren...

...provided an update on the status of ComEd outages in Darien. ComEd provided the city with outage data for the first six months of 2008. In comparison with the same period in 2007, there were three additional outages in 2008. The increase was due to weather related outages. Underground failures and malfunctions went down slightly due to work the city has had ComEd perform since the lawsuit. Staff has invited ComEd to attend the September 15, 2008 City Council Meeting to provide updated information. Staff will be meeting with ComEd prior to the Council Meeting in order to review the weather related outages, specifically lightening strikes, to see what further work can be done to reduce the amount under those conditions. Circuit inspections and trimming which will be performed soon should help reduce

outages next year. Outages continue to occur in Farmingdale Village and Marion Hills. The city is still waiting to hear whether cable will be replaced in those areas.

...advised that city staff and Website Q&A have been working on website improvements. Website Q&A has added a new search feature which will provide answers to frequently asked questions. Residents will also be able to request city services on-line. Website Q&A is also working on providing internet access to the Council Members in the Council Chambers.

...announced that government access should be available with AT&T Project Light Speed beginning on September 22, 2008.

Mayor Weaver disagreed with ComEd's report that the number of underground faults has gone down. A number of faults occurred in Ward 4, and one circuit in particular seemed to have a good deal of down time.

Scott Coren advised that although many faults continue to occur, the numbers have gone down steadily. Compared with last year, the number of underground faults went down from sixteen to ten. Although progress has been made, the city will continue to pursue improvements from ComEd. Staff will meet with ComEd every six months, and require attendance at City Council Meetings on a regular basis.

Alderman Poteraske commented that W804 continues to be a constant problem. Darien was slightly affected during the last outage, but areas around Darien, which use the same circuit, seemed to have a problem.

Scott Coren advised that W804 originates out of Downers Grove, and is fed from the Lisle substation. ComEd appears to be focusing on providing Darien with the cable improvements. It is evident that ComEd needs to perform improvements in other communities as well as Darien.

Alderman Mclvor stressed the need to continue to pursue ComEd repairs.

Mayor Weaver suggested it may be beneficial to bring back the city's consultant, Ken Seaton, to assist in determining where the city's efforts should be directed.

Alderman Mclvor agreed that it would be pro-active to have a consultant come in on an annual basis to review ComEd's reports, and put together an action plan.

Mayor Weaver stated that the city would need to seek a proposal from Mr. Seaton.

Administrator Vana suggested it would be advantageous to have Ken Seaton sit in on the initial meeting with staff and ComEd. Administrator Vana added that it would be more productive and informative to have ComEd technical representatives attend the September 15 Council Meeting with Katie Maier.

Alderman Mclvor reminded staff to follow up with Comcast on the pedestal on Beller which is in disrepair.

Mayor Weaver added that there is also another pedestal located in front of St. John's Lutheran Church which is also in disrepair.

Staff will look into both.

11. TREASURER'S REPORT

A. WARRANT NUMBER 08-09-07

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve payment of Warrant Number 08-09-07 in the amount of \$132,330.38 from the General Fund; \$131,393.56 from the Water Fund; \$9,086.91 from the Motor Fuel Tax Fund; \$1,010.68 from the Darien Area Dispatch Center; \$109.79 from the D.A.R.E. Fund; \$16,613.66 from the Capital Improvement Fund; \$160.00 from the Debt Service Fund; \$241,139.42 from the General Fund Payroll for the period ending 07/17/08 – 7/31/08; \$48,377.58 from the Water Fund Payroll for the period ending 07/17/08 – 7/31/08; \$47,077.72 from the D.A.D.C. Fund Payroll for the period ending 07/17/08 – 7/31/08; for a total to be approved of \$627,299.70.

Roll Call: Ayes: Avci, Galan, Gattuso, Mclvor, Poteraske

Nays: None

Absent: Durkin, Marchese

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

Treasurer Coren advised that the city has been informed by the State of Illinois that they are withholding all municipal allocations of income taxes. This will not affect city services. The city was told to contact the State of Illinois at the end of August for an update.

12. STANDING COMMITTEE REPORTS

Planning/Development Committee — Alderman Mclvor advised that the next Planning and Development Committee Meeting is scheduled to take place on Monday, August 25, 2008 at 6:30 P.M. in the Council Chambers pending agenda items.

Administrative/Finance Committee — Alderman Poteraske advised that the next Administrative and Finance Committee Meeting is scheduled to take place on Monday, August 11, 2008 at 6:30 P.M. in the Police Department Training Room. One of the topics at the meeting will be the traffic sign adjustments throughout the city.

Mayor Weaver added that a letter was received from Bonnie Kohout regarding the “No Left Turn” sign at Lyman/Manning Road. Mayor Weaver observed drivers crossing the street, making a U-turn and then turning right.

Alderman Mclvor advised that she has also received communications from residents regarding this “No Left Turn” sign. Alderman Mclvor suggested that the upcoming meeting be posted on Channel 6 and our website.

Staff will make sure the information is posted on Channel 6 and on the website.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were none.

14. OLD BUSINESS

There was no old business to come before the City Council.

15. CONSENT AGENDA

Mayor Weaver announced that it was determined during the work session to move New Business Item B to the Consent Agenda as Item H.

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

A. CONSIDERATION OF A MOTION TO GRANT AND APPROVE THE PARTICIPATION OF OUR LADY OF PEACE AT THE DARIENFEST ON SEPTEMBER 5, 6, AND 7TH 2008 FOR BINGO AND PULL TABS

B. CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR OUR LADY OF PEACE HOME AND SCHOOL ASSOC. (SCHOOL)

C. CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR OUR LADY OF PEACE (DARIENFEST)

D. CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR DENNIS J. MURPHY MEMORIAL FUND

E. RESOLUTION NO. R-71-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH FAHRNER ASPHALT SERVICES, INC. FOR THE 2008 STREET MAINTENANCE CRACK FILL PROGRAM IN AN AMOUNT NOT TO EXCEED \$21,744.28

F. RESOLUTION NO. R-72-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A LEASE ADDENDUM WTH DR. ATASSI TO REVISE THE TERMINATION DATE OF A LEASE TO MAY 31, 2009

G. RESOLUTION NO. R-73-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH US CELLULAR TO CONSTRUCT ANTENNA FACILITIES AT 1220 PLAINFIELD ROAD

H. RESOLUTION NO. R-74-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPROVE A THREE YEAR CONTRACT WITH THE LOWEST COST ELECTRIC PROVIDER ON AUGUST 12, 2008

Roll Call: Ayes: Avci, Galan, Gattuso, McIvor, Poteraske

Nays: None

Absent: Durkin, Marchese

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

16. NEW BUSINESS

New Business Item A. was moved to the Mayor's Report, and Item B. was moved to the Consent Agenda as Item H.

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Tom Diviscour of 341 Plainfield Road addressed the City Council with concerns regarding a letter he received from the city on the placement of his fence which is located within the flood plain. Mr. Diviscour has been residing at this address for approximately eight years, and the seller lived there for at least ten years. Mr. Diviscour advised that when the culvert fills with water, the excess goes through his property. The fence serves as a strainer, collecting the debris from the culvert, and keeping it from going into the main storm sewer. Mr. Diviscour feels it would be a mistake to remove the fence.

Director Gombac advised that the Illinois Department of Natural Resources identified four properties within Darien which violate the state's codes regarding structures located within a flood way or plain. IDNR sent a letter to the City of Darien mandating compliance. A topographical survey, which would show if the fence is located within the flood way or plain, could not be located. Topographical surveys cost approximately \$1200 per lot. The city has been trying to assist the four residents involved in obtaining a cost share for the topographical survey. Director Gombac warned that the survey may not justify that the fences should remain.

Police Chief Pavelchik announced that a tornado was sited in Westmont and requested the meeting be adjourned as quickly as possible.

Mayor Weaver assured Mr. Diviscour that the city will do their part to try to save the residents money but added that a topographical survey may prove that the fence needs to be removed. Mayor Weaver stated that the city has to adhere to a higher authority in this case.

Mayor Weaver inquired if the boy scouts in attendance wished to address the City Council. They did not.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:00 P.M.

Mayor

_____ City Clerk

Id All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 08-04-08. Minutes of 08-04-08 CCM August 4, 2008