

Minutes - January 7, 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 JANUARY 7, 2002 AGENDA WITH THE CITY COUNCIL. THE WORKSHOP SESSION ADJOURNED AT 7:04 P.M.

Minutes of the Regular Meeting of the City Council of the CITY OF DARIEN, JANUARY 7, 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 Deputy City Clerk Ragona was as follows:

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

Also in Attendance: JoAnne E. Ragona, Deputy City Clerk
Arthur P. Donner, City Treasurer
John B. Murphey, City Attorney
Rick O. Curneal, City Administrator
Edward Musial, Chief of Police
JoEllen Charlton, Director Community Development
Barbara Richards, Director of Finance & Administration
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 - December 17, 2001

It was moved by Alderman Marchese and seconded by Alderman Hagen to approve the Minutes of the Regular Meeting of December 17, 2001 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 Durkin stated that he met with the executor and attorney for the Daisy Clark property on South Frontage Road. He referred them to Community Development Director Charlton for additional information.

7. MAYOR'S REPORT

A. SWEARING IN OF NEW POLICE OFFICER - BRIAN BISCHOFF

Mayor Soldato introduced Mr. Louis Scaglione, Chairman Fire and Police Commission, who administered the Oath of Office to Police Officer Brian Bischoff. Officer Bischoff was presented to the Mayor and Council; he received a round of applause from all.

Mayor Soldato ...

... noted that the State of Illinois was redistricting the Representative and Senate Districts. He said that this was an opportunity for residents to contact them about their concerns and the need to rebuild South Frontage Road from Lemont Road to Cass Avenue.

... commented that Dominick's was on the Agenda and that on October 15th they had been granted a 90-day extension for submittal of additional information. He said that there seemed to be a lack of communication because no changes were made or submitted. He stated that for a development to be successful there needed to be on-going communication. He said that the City would recommit to work with the people, staff and the taxing body, Darien-Woodridge Fire Protection District, to find the right use for this parcel.

8. CITY CLERK'S REPORT

Deputy City Clerk Ragona ...

... noted that the Zoning Board of Appeals meeting scheduled for Tuesday, January 8th, was cancelled due to lack of agenda items.

... invited everyone for coffee with Mayor Soldato on Saturday, January 19th, from 9:00-10:00 A.M. in the Darien City Hall Council Chambers.

9. CITY ADMINISTRATOR'S REPORT

Administrator Curneal reminded City Council about the DuPage Mayors & Managers Legislative Dinner scheduled for January 16th. He also reminded Council that there was additional space on the web page for more information about them.

10. DEPARTMENT HEAD REPORT

Police Chief Edward Musial ...

... commented that MPH Industries manufactured radar units, traffic monitors and in-car cameras. He said they offered twenty-four free in-car cameras to police departments within the State of Illinois. The Darien Police Department submitted an application and was a recipient of one free \$3,300 in-car camera from MPH Industries, which was installed in a new squad car.

... stated that the recruiting list for officers was exhausted. He said that the Fire and Police Commission had a meeting scheduled for January 8th to discuss future testing dates and that the Department received numerous requests for applications through job fairs, posting on the City's web site, and advertising in the DARIEN DATA.

... said that the City Attorney, Administrator and he spent January 2nd in mediation for the police contract. He was hopeful that the contract would be settled and could be presented to Council for approval at their next meeting.

... noted that all school districts within Darien were updating their disaster plans. He said that Darien-Woodridge Fire Chief Tinucci and he scheduled a meeting for January 30th with all the school districts to coordinate one format for consistency.

... mentioned that there were many residential burglaries since late November; that they resolved a recent burglary and hoped to solve others.

11. TREASURER'S REPORT

A. WARRANT NUMBER 01-02-17

It was moved by Alderman Hagen and seconded by Alderman Tikalsky to approve payment of Warrant Number 01-02-17 in the amount of \$208,372.65 from the General Fund; \$3,471.69 from the Darien Area Dispatch Fund; \$550.00 from the Joint Use Facility Fund; \$1,542.05 from the Motor Fuel Tax Fund; \$262,826.88 from the Town Center Sales Tax Fund; \$37,715.09 from the Water Operations Fund; \$150,823.51 from the General Fund Payroll for the period ending 12/13/01; \$13,906.52 from the Water Fund Payroll for the period ending 12/13/01; \$20,708.91 from the D.A.D.C. Fund Payroll for the period ending 12/13/01; \$152,315.96 from the General Fund Payroll for the period ending 12/27/01; \$14,448.58 from the Water Fund Payroll for the period ending 12/27/01; \$20,651.08 from the D.A.D.C. Fund Payroll for the period ending 12/27/01; for a total to be approved of \$887,332.92.

Roll Call: Ayes: Biehl, Cotten, Durkin, Hagen, Marchese, 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 announced that the next scheduled meeting would be held on Monday, January 14th, at 6:30 P.M.

Planning/Development Committee - Chairman Hagen announced that the next scheduled meeting would be held on Monday, January 14th, at 6:30 P.M. in the Council Chambers.

Public Works Water/Streets Committee - No report.

13. QUESTIONS AND COMMENTS - AGENDA RELATED

Eric Gustafson, 7556 Wakefield Drive, said that he spoke to Council previously about the proposed Dominick's project. He thanked everyone involved for allowing the residents to present and address their concerns.

Jeff Huebsch, 2434 Marlborough Lane, urged Council to vote not in favor of the proposed Dominick's project due to traffic volume, drainage and environmental issues.

Vince Raso, 2401 Marlborough Lane, inquired if Dominick's ever discussed their intended longevity at this location and the possible revenue it could generate. He was concerned that Dominick's could out grow the proposed space and he did not support the store being opened 24 hours.

Christopher Waz, Westmont, quoted Alderman Durkin's statements that appeared on January 5, 2002 in the Suburban Life Newspaper. He referred to a meeting held by the Darien-Woodridge Fire Protection District on June 19, 2001 regarding other possible developments for the site. He questioned Alderman Durkin about the meeting; Alderman Durkin stated that he previously answered the questions. Mayor Soldato suggested that Mr. Waz and Alderman Durkin resolve the issue between themselves because Alderman Durkin did not represent the City at that meeting, he attended as a resident.

Edward Welch, Attorney for Dominick's, thanked the Council and staff for their time and effort with the project. He noted that a letter was sent to the Mayor and Council that requested a vote on the Plan Commission recommendation since an annexation agreement had not been drafted or negotiated. He was concerned about statements made about lack of communication; he said an extension of time was requested in order to address Planning/Development Committee concerns. Some of the issues included: make the store smaller, which was not economical to do; turn/relocate the building, which could not be done because of a site development problem; have an entrance align with Towne Centre, DuPage County was approached in order to move the wetland and Dominick's was informed that it could not be done; and install a full stop light on 75th Street and Lyman Avenue, DuPage County would not allow it. He addressed some of the resident concerns: he noted that even if the store was opened 24 hours, State law

did not allow the sale of alcohol at all times; he stated that Dominick's would not allow loitering in the parking lot; he said that Dominick's would be a good neighbor and a good addition to the City. He asked for approval of the Dominick's project.

Alderman Weaver asked if an effort was made to obtain feedback from the Aldermen in regard to the project. She was informed that correspondence was sent and there was verbal communication and that some of the Council responded.

Attorney Murphey addressed Council about the Motion. He said that the City always had an annexation agreement prior to development of property within the City. He noted that property would only be annexed if the Council and owner were satisfied with the annexation agreement and proposed development. He said that the Motion reflected the annexation agreement, that this was an annexation matter between the City and a particular property owner for development. He noted that if the City chose not to enter into the annexation agreement, the matter was finished. He commented that the Motion was written to amend an existing annexation agreement with the Darien-Woodridge Fire Protection District and a new annexation agreement, both were for the development of the property.

Kathy DiBacco, 7760 Green Valley Court, presented Mayor Soldato with additional Petitions in opposition to the proposed Dominick's project. She suggested that residents should be more involved; she volunteered to form a Citizen Advisory Committee to work with the Darien-Woodridge Fire Protection District in order to have a win-win situation for the development of the property.

14. OLD BUSINESS

There was no Old Business to come before the City Council

15. CONSENT AGENDA

There was no Consent Agenda to come before the City Council.

16. NEW BUSINESS

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

It was moved by Alderman Biehl and seconded by Alderman Tikalsky to grant a waiver of the raffle license bond requirement for Darien Woman's Club 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 AUTHORIZE THE PREPARATION OF (a) AMENDMENT TO DARIEN-WOODRIDGE FIRE PROTECTION DISTRICT ANNEXATION AGREEMENT AND (b) NEW ANNEXATION AGREEMENT FOR THE PROPERTY COMMONLY LOCATED AT 2425 75th STREET AND 950 75th STREET, SAID ANNEXATION AGREEMENT AND AMENDMENT TO BE PREPARED IN ACCORDANCE WITH THE PLAN COMMISSION RECOM-ENDATION OF AUGUST 1, 2001

It was moved by Alderman Weaver and seconded by Alderman Cotten to authorize the preparation of (a) Amendment to Darien-Woodridge Fire Protection District Annexation Agreement and (b) new Annexation Agreement for the property commonly located at 2425 75th Street and 950 75th Street, said Annexation Agreement and Amendment to be prepared in accordance with the Plan Commission recommendation of August 1, 2001, as presented.

Alderman Hagen commented that he would like to see the property developed as a commercial site but did not feel that Dominick's was the appropriate use for the site because of the traffic issue.

Roll Call: Ayes: Weaver

Nays: Biehl, Cotten, Durkin, Hagen, Marchese, Tikalsky

Absent: None

Results: Ayes 1, Nays 6, Absent 0

MOTION DULY FAILED

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL

Alderman Cotten thanked the City Council for their action in regard to the Dominick's project. He said that the community was not adverse to development of the parcel, he urged future developers to meet with the residents impacted by development.

Alderman Hagen announced that the Darien Historical Society was having their Annual Sunday Dinner on January 27th from 1:00-4:00 P.M. at Ripples. He said that members of the Society had tickets for sale.

Alderman Tikalsky thanked the residents for their patience and diligence with the Dominick's process.

Gloria Jiskra, President of Woodlands of Darien, inquired about the recent forced annexation of the property at 67th Street & Ridge Road. Mayor Soldato explained that the properties along 67th Street easterly from Cass Avenue to Ridge Road were for sale and were available for redevelopment. Darien wanted to be part of that redevelopment and that was the purpose for the City exercising its authority under law. He noted that the forced annexation of the properties did not include the corner parcel at 67th Street and Cass Avenue that parcel lies within Westmont. He noted that the City's goal was to have planning input and that the City was willing to work with Westmont in regard to redevelopment. He commented that the City would continue to communicate with Westmont about the properties.

18. EXECUTIVE SESSION - PURCHASE OR LEASE OF REAL ESTATE, SECTION 2(c)(5), AND PERSONNEL, SECTION 2(c)(1), OF PUBLIC ACT 88-261

It was moved by Alderman Biehl and seconded by Alderman Hagen to adjourn into Executive Session for the purpose of discussing Purchase or Lease of Real Estate, Section 2(c)(5), and Personnel, Section 2(c)(1), of Public Act 88-261, with no action to be taken.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

19. ADJOURNMENT

The City Council adjourned into Executive Session at 8:20 P.M. and upon proper reverse roll call, adjourned at 9:15 P.M.

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

VIA VOICE VOTE - MOTION DULY CARRIED

The City Council meeting adjourned at 9:15 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 01-07-02.

Minutes of 01-07-02 CCM
January 7, 2002