

## **Minutes - November 4, 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 NOVEMBER 4, 2002 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:10 P.M.

Minutes of the Regular Meeting  
of the City Council of the  
CITY OF DARIEN  
NOVEMBER 4, 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 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  
Attorney John Murphey  
Arthur P. Donner, City Treasurer  
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 - October 21, 2002**

It was moved by Alderman Tikalsky and seconded by Alderman Cotten to approve the Minutes of the Regular Meeting of October 21, 2002, 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

### **6. RECEIVING OF COMMUNICATIONS**

Alderman Biehl thanked Ms. Spano of Marco Development for the donation of fill, which was utilized for the property on Elm Street.

Alderman Poteraske:

\* Received information from County Board Member Bennington in regard to three changes made to the bikeway project, which included: 1) off trail at 83rd Street east of Lemont Road would be located on the south side of 83rd Street, 2) on-street bike route through Forest Preserve property was postponed, and 3) off-street path from Route 83 & 75th Street to Quincy would be a 9-10' wide path.

\* Was contacted by Ron Kiefer, 1500 block of 71st Street, regarding placement of streetlights for the unincorporated intersection of 71st Street & Cass Avenue and trimming of trees at the intersection to improve visibility.

\* Received a copy of an email from Administrator Vana from residents in the 7200 blocks of Walden and Bayberry Lanes regarding standing water in rear yards.

\* Was approached by Ralph Odato of the 1500 block of 71st Street who said that traffic and speed issues on 71st Street were a significant problem.

## 7. MAYOR'S REPORT

### A. SWEARING IN OF NEW SERGEANT - GERALD PICCOLI

Mayor Soldato introduced Chief Pavelchik who informed Council and residents that Sergeant David Skala was appointed Deputy Chief of Police effective November 4, 2002. He presented Deputy Chief Skala with a plaque from the Auxiliary Police Officers. The Chief introduced Fire and Police Commissioner Louis Scaglione who administered the Oath of Office to Officer Gerald Piccoli, who was promoted to the status of Sergeant. Sergeant Piccoli received congratulations from the Council and a round of applause from the audience.

### B. RECOGNITION FOR SERVICE: BARBARA BARDER, EUGENE R. KOLLING, JOHN POTERASKE, JR. AND WILLIAM SCHOMIG

Mayor Soldato spoke about their volunteer rolls within the City; each served on the Plan Commission or Zoning Board of Appeals. He read and presented each with a plaque, which recognized them for their years of service to the City of Darien.

### C. RELAY 2003

Mayor Soldato introduced Joan Ackerman who made a presentation on behalf of the American Cancer Society Relay for Life. She explained that the Relay was a non-competitive, walk/run, fourteen-hour overnight event that celebrated life. She commented that one of the inspirational parts of the Relay was the Luminaria Service where illuminated candles are placed around the track in memory of those who lost their battle to cancer and in honor of those who were cancer survivors. The Relay for Life has been scheduled for June 13-14, 2003 at Downers Grove North High School, for additional information contact Kate Hicks at American Cancer Society DuPage Area Office at (630) 469-3011.

Mayor Soldato, on behalf of Council and the City of Darien, thanked School District 61 for hosting a Recognition Breakfast for "Red Ribbon Week" and he complimented Asst. to the Superintendent, Michael Gormley, for his efforts in coordinating the event.

Mayor Soldato reminded all citizens to exercise their right to vote in the General Election on November 5, 2002.

## 8. CITY CLERK'S REPORT

Clerk Coleman...

... reminded citizens that the Election Polls on November 5, 2002 would open at 6:00 A.M. and would close at 7:00 P.M. She noted that the City had a question on the ballot for the staggering of terms for the Aldermen. She asked for everyone to look at the card received from the DuPage County Board of Election, which indicated their polling place because some had been relocated.

... noted that the Planning and Zoning Commission meeting scheduled for Wednesday, November 6th, had been cancelled due to lack of agenda items.

... announced that the Ad Hoc Steering Committee scheduled a meeting for Saturday, November 9, at 8:30 A.M. in the Police Training Room to discuss gateway entry signage.

... invited everyone to have Coffee with Mayor Soldato on Saturday, November 16th, from 9:00 until 10:00 A.M. at Darien City Hall in the Council Chambers.

## 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... stated that the Administrator would fill the void for Emergency Services and Disaster Agency until someone was appointed to the position of Coordinator.

... commented that an article appeared in the Doings Newspaper in regard to sexual harassment complaints filed against both the Darien Park District and City of Darien. The complaints were misfiled with the City of Darien because the complainants were employees of the Darien Park District, not the City. He requested Attorney Murphey to inform their Counsel accordingly. Attorney Murphey stated that he wrote a letter to the E.E.O.C., which explained that the Darien Park District was a separate taxing body and was not a part of the City, that each was a separate entity.

## 10. DEPARTMENT HEAD REPORT

Asst. Director of Public Works Robert Mengarelli...

... updated Council that the Street Rehab Project was complete; that the Sidewalk Replacement Program was approximately 85% completed; and that street sweeping would begin within one-two weeks.

... spoke about the "free" leaf subsidy program. Residents should rake and place leaves in leaf bags or 33-gallon containers for curbside pickup on garbage day. He noted that to rake and place the leaves in the street was illegal.

... reported that the Bruce Lake watermain was complete; that eighty-eight permits had been issued for connection to the watermain.

... commented that spreaders and plows were being prepared for winter.

... noted that the "Snow-Plow Rodeo" was scheduled for November 27th between 11:00 A.M. and 2:00 P.M.

... said that brush pickup was done for the year and that processed wood chips were available for delivery by contacting Public Works.

Alderman Hagen inquired about the salt supplier; Asst. Director Mengarelli replied that Cargill was the supplier.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 02-03-13

It was moved by Alderman Tikalsky and seconded by Alderman Biehl to approve payment of Warrant Number 02-03-13 in the amount of \$56,978.93 from the General Fund; \$5,249.04 from the Water Fund; \$21,428.43 from Motor Fuel Tax Fund; \$1,824.62 from the Hotel/Motel Tax Fund; \$26,769.57 from Joint Use Facility Fund; \$607.84 from the Special Service Area Tax Fund; \$1,348.83 from the Darien Area Dispatch Fund; \$183,517.96 from the General Fund Payroll for the period ending 10/17/02; \$17,446.65

from the Water Fund Payroll for the period ending 10/17/02; \$26,531.25 from the D.A.D.C. Fund Payroll for the period ending 10/17/02; for a total to be approved of \$341,703.12.

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 submitted, for the record, Minutes of the Special Meeting held on October 28, 2002. She reported that the next scheduled meeting would be held on November 11, 2002 at 6:30 P.M.

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 Cotten to approve by Omnibus Vote the following items on the Consent Agenda:

A. ORDINANCE NO. O-36-02 AN ORDINANCE AUTHORIZING THE EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT FOR THE PROVISION OF LAKE MICHIGAN WATER TO AREAS OF DU PAGE COUNTY AFFECTED BY CONTAMINATION

B. ORDINANCE NO. O-37-02 AN ORDINANCE APPROVING FINAL PLAT OF SUBDIVISION, FINAL ENGINEERING PLANS AND BUILDING ELEVATIONS (PC 2002-10: Chapman Court Subdivision)

C. CONSIDERATION OF A MOTION TO APPROVE A LEASE OF TWELVE (12) IN-CAR LAPTOP COMPUTERS (MDCs) FOR A PERIOD OF THREE YEARS

D. ORDINANCE NO. O-38-02 AN ORDINANCE AMENDING SECTION 2 OF CHAPTER 3 (PARKING), TITLE 9 (TRAFFIC REGULATIONS), OF THE DARIEN CITY CODE

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver  
Nays: None  
Absent: None  
Results: Ayes 7, Nays 0, Absent 0  
MOTION DULY CARRIED

## 16. NEW BUSINESS

Mayor Soldato noted that New Business Item C was removed from the Agenda during the Work Session for further review by the Planning/Development Committee due to the proposed building materials.

A. CONSIDERATION OF A MOTION TO APPROVE THE PURCHASE OF SEVEN (7) DELL LAPTOP COMPUTERS, ONE (1) DELL DESKTOP COMPUTER, ONE (1) HP SCANJET 7450C SCANNER, AND FIVE (5) CURRENT LAPTOP SOFTWARE UPGRADES FOR A TOTAL COST OF \$16,357.25

It was moved by Alderman Marchese and seconded by Alderman Cotten to approve the Purchase of Seven (7) Dell Laptop Computers, One (1) Dell Desktop Computer, One (1) HP Scanjet 7450C Scanner, and Five (5) Current Laptop Software Upgrades for a Total Cost of \$16,357.25, as presented.

Alderman Weaver stated that during the Administrative/Finance Committee meeting, there was discussion that upgrades were needed for City Hall equipment; five outages had occurred within 2002. She noted that staff's equipment and ability to function should be a priority instead of laptops.

Alderman Poteraske stated that he agreed with Alderman Weaver's position. Mayor Soldato agreed with the Aldermen and that staff needed to function well, which was a priority.

Alderman Hagen noted that the City had emergency funds for repairs. Alderman Poteraske stated that City equipment should be taken care of first and the Aldermen should be second. Alderman Cotten questioned the cost deferment, he said he would agree only if a date certain was scheduled for the purchase of the laptops and the upgrade to the City equipment.

Administrator Vana stated that the consultant made recommendations for the upgrades, which were included in the Council packets.

It was moved by Alderman Hagen and seconded by Alderman Poteraske to Table the Purchase of Seven (7) Dell Laptop Computers, One (1) Dell Desktop Computer, One (1) HP SCANJET 7450C Scanner, and Five (5) Current Laptop Software Upgrades for a Total Cost of \$16,357.25.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION TABLED

B. CONSIDERATION OF A MOTION TO A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE (Tree Trimming)

It was moved by Alderman Tikalsky and seconded by Alderman Cotten to approve RESOLUTION NO. R-28-02 A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE 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 APPROVE AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION; FINAL PUD APPROVAL FOR PHASE II, INCLUDING MAJOR CHANGES TO THE APPROVED PRELIMINARY PUD; AND VARIATIONS TO THE DARIEN ZONING ORDINANCE (PC

2002-08: Burnside's Preserves of Waterfall Glen PUD, Sokol, Gymnasium Facility)  
REMOVED FROM AGENDA DURING WORK SESSION.

#### D. CONSIDERATION OF A MOTION TO AUTHORIZE THE CITY ATTORNEY TO PREPARE THE ANNEXATION/DEVELOPMENT AGREEMENT FOR THE MYERS SENIOR HOUSING PROJECT

It was moved by Alderman Tikalsky and seconded by Alderman Cotten to Authorize the City Attorney to Prepare the Annexation/Development Agreement for the Myers Senior Housing Project, as presented.

Alderman Cotten noted that the development raised issues and that it was a P.U.D. (Planned Unit Development). He asked that the attorney incorporate language within the agreement to specifically state that the development must remain a senior housing development that it could not revert to anything else.

Mayor Soldato stated that the Plan Commission did not support the project but the Council Committee, Planning/Development Committee, did. He noted that he would invite the Plan Commission to participate in the discussion of this item when it returns before the City Council for action to permit the Commission members to understand that many of their concerns had been met when this item was discussed at the Planning/Development Committee.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver  
Nays: None  
Absent: None  
Results: Ayes 7, Nays 0, Absent 0  
MOTION DULY CARRIED

#### 17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL

Alderman Marchese reiterated Mayor Soldato's comments about the School District 61 Recognition Breakfast for "Red Ribbon Week". He complimented the program and camaraderie displayed when students intermingled with World War II Veterans.

Alderman Cotten commented that Council had approved the tree-trimming contract; he asked that residents who reside in the area of the proposed tree trimming be notified. Asst. Director Mengarelli stated that door hangers would be left at the affected residents' homes.

Attorney Murphey said that he spoke with the real estate representative from Shell regarding the parcel at 75th Street & Cass Avenue. He was informed that they might want to rebuild on the site unless they receive a good offer.

Gene Kolling referred to an article in the Chicago Tribune about a Plan Commission where the Mayor was a member and people who spoke at the meeting were charged \$25.00.

Dr. Frank Michalek, Chairman of the Building Committee for the American Sokol Organization, addressed the Council. He noted that they purchased the land in 1976 and wanted to construct a building to provide services and programs. He said Sokol had previously been informed by former Community Development Director Charlton that the material chosen for the building was acceptable. He noted that the Organization was becoming frustrated with the lack of progress.

Mayor Soldato said that the City was aware of the time involved surrounding the project. He noted that Council has always promoted a facade that represented a professional stature instead of a warehouse, particularly because it was adjacent to the Burnside multi-family residential area. He stated that he was surprised that Director Charlton and the Planning/Development Committee would approve a metal structure building since they were aware of the Council's desire to maintain higher quality development within the City.

Will Bujack, Vice President of the Sokol Building Committee, clarified that they would work with the Planning/Development Committee to resolve the issues. Mayor Soldato responded that the building must fit into the character of the City, which would be located off a major expressway and would be adjacent to high caliber single-family residences. Mayor Soldato stated that the facility was a good use, the faÁade needed to fit the character of the upscale area and that Staff and Planning/Development Committee would work with Sokol.

Alderman Weaver asked about the material board, which indicated Dryvit. She said that specific material information was lacking. She noted that the same standards must apply for Sokol as they did for Extended Stay America.

#### 18. EXECUTIVE SESSION - PERSONNEL SECTION 2(c)(1) OF PUBLIC ACT 88-261

It was moved by Alderman Poteraske and seconded by Alderman Tikalsky to adjourn into Executive Session for the purpose of discussing Personnel, Section 2(c)(1) of Public Act 88-261, 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

#### 19. ADJOURNMENT

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

VIA VOICE VOTE - MOTION DULY CARRIED

The City Council meeting adjourned at 9:30 P.M.

Mayor

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City ClerkJFC/jr

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 11-04-02.

Minutes of 11-04-02 CCM  
November 4, 2002