

Minutes - October 18, 2004

A WORK SESSION WAS CALLED TO ORDER AT 7:03 P.M. BY MAYOR CARMEN D. SOLDATO FOR THE PURPOSE OF REVIEWING ITEMS ON THE OCTOBER 18, 2004 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:06 P.M.

Minutes of the Regular Meeting
of the City Council of the
CITY OF DARIEN
OCTOBER 18, 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

Mayor Soldato invited Girl Scout Troop 405 from Our Lady of Peace to lead 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: Morgan Cotten John F. Poteraske, Jr. David Hagen Kathleen Moesle-Weaver Joseph Marchese

Absent: Richard Biehl James Tikalsky

Also in Attendance: Carmen D. Soldato, Mayor Joanne F. Coleman, City Clerk Kevin P. Monaghan, 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 five Aldermen present, Mayor Soldato declared a quorum.

5. APPROVAL OF MINUTES — October 4, 2004

It was moved by Alderman Marchese and seconded by Alderman Hagen to approve the Minutes of the Regular Meeting of October 4, 2004, as presented.

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

Nays: None

Absent: Biehl, Tikalsky

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

6. RECEIVING OF COMMUNICATIONS

Alderman Weaver received two email communications from Susan Johnson of Darien Lane, which she submitted for the record, regarding the Jewel and TCF Bank improvements. Alderman Weaver said that she received an email from a resident regarding the garbage sticker program.

Alderman Poteraske spoke with Steven Rodriguez, Project Leader of Vegetation for ComEd, regarding lack of tree trimming; they were scheduled to meet at 10:00 A.M. on Wednesday, October 20th, in order to survey the trees.

Alderman Cotten received several calls regarding the 'NO LEFT TURN' signage from the Wal-Mart parking lot; the signage had been removed for placement of the new driveway. He asked that the signage be re-installed.

Mayor Soldato mentioned that numerous communications had been received from Crest Road residents regarding the storm drainage lot and DiCarlo's proposed improvement. He noted that Administrator Vana met with the homeowners for input.

8. MAYOR'S REPORT

A. RECOGNITION OF GIRL SCOUT TROOP #405 FROM OUR LADY OF PEACE SCHOOL

Mayor Soldato stated that Girl Scout Troop #405 planted pink mums on the municipal complex site in recognition of Breast Cancer Awareness. He thanked the Troop for their efforts and presented each scout with a City of Darien pin; they received applause from the audience.

B. COMPREHENSIVE ANNUAL FINANCIAL REPORT – FISCAL YEAR ENDED APRIL 30, 2004

Mayor Soldato introduced auditors Robert Horstman and Kelly Zabinski of William F. Gurrie & Co., Ltd. Mr. Horstman gave a brief overview description of the Financial Report. Ms. Zabinski thanked Accountant Richards for her assistance; she spoke specifically about the General Fund and Police Pension Fund.

8. CITY CLERK'S REPORT – No Report.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana spoke about Consent Agenda Item C, which was for the purchase of a solar-powered STOP sign to be installed at the intersection of 67th Street & Clarendon Hills Road; the sign was displayed for all to view. Administrator Vana stated that the installation would be coordinated with removal of the overhead lights, which should take 3-4 weeks.

Alderman Weaver commented that the overhead flashing lights at 67th Street & Clarendon Hills Road would be removed; trees and shrubs would be removed, and the 'stop bars' on the pavement would be moved up for better driver visibility.

10. DEPARTMENT HEAD REPORT

Community Development Director Gregory Dreyer...

... noted that a meeting was held with Myers Senior Housing Development representatives; he said that final plans, final plat, and final engineering needed to be submitted; construction was tentatively scheduled for February-March 2005. Alderman Hagen inquired about the extension granted to the Development; Director Dreyer said that the extension was for plan approval not for building permits.

... commented that work at Market Place of Darien, 75th Street & Lyman Avenue, was progressing and nearing completion; he said that four businesses (Sports Clips, Vitamin Shoppe, Chicago Home Fitness, and Caribou Coffee) wanted to be open for business by December 1st. He indicated that the center would also have an Italian restaurant.

... stated that the new grocery store in Brookhaven was scheduled to open on November 1, 2004.

... said that AmVets would like to open a donation center in the Darien Towne Centre between Wal-Mart and the wetlands; the donation center would be manned 10-12 hours per day. He noted that the center would need a minor PUD amendment, which would require Council approval.

... received a new submittal from the Capitol Estates developer for five (5) single-family lots on 87th Street, west of Clarendon Hills Road. The subdivision was scheduled for review by the Planning and Zoning Commission on November 5th.

... mentioned that 'Steak n Shake' was close to finalizing their proposal to locate within Darien.

... indicated that a submittal had been received for a single-family development located on the previously owned Darien Park District property at 7201 Cass Avenue. Mayor Soldato inquired if the District sold the property; Director Dreyer stated that a District staff member said it had been sold.

Mayor Soldato asked about the proposed up-grading/improvement of the monument signs at the Darien Towne Centre; Director Dreyer said that he would provide the owners with additional information regarding new or remodeled signage. There was discussion about the current signage.

11. TREASURER'S REPORT

A. WARRANT NUMBER 04-05-11

It was moved by Alderman Hagen and seconded by Alderman Poteraske to approve payment of Warrant Number 04-05-11 in the amount of \$33,360.02 from the General Fund; \$155,979.63 from the Water Fund; \$3,582.96 from the Motor Fuel Tax Fund; \$5,076.20 from the Special Service Area Tax Fund; \$891.66 from the Darien Area Dispatch Fund; \$300.00 from the Joint Use Facility Fund; \$574.60 from the DARE Fund; \$179,670.47 from the General Fund Payroll for the period ending 09/30/04; \$17,287.17 from the Water Fund Payroll for the period ending 09/30/04; \$21,095.78 from the D.A.D.C. Fund Payroll for the period ending 09/30/04; \$192,197.71 from the General Fund Payroll for the period ending 10/14/04; \$22,767.73 from the Water Fund Payroll for the period ending 10/14/04; \$28,407.95 from the D.A.D.C. Fund Payroll for the period ending 10/14/04; for a total to be approved of \$661,191.88.

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

Nays: None

Absent: Biehl, Tikalsky

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

B. TREASURER'S MONTHLY REPORT – SEPTEMBER 2004

City Treasurer Monaghan reviewed all sources of revenue and expenditures for the month of September 2004 with the following year-to-date fund balances: General Fund \$3,091,103; Water Fund \$281,976; Motor Fuel Tax Fund \$432,787; and Darien Towne Centre Sales Tax Fund \$268,048.

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Chairman Weaver noted that the Committee would meet on November 8th at 6:30 P.M.

Planning/Development Committee — Chairman Hagen announced that the Committee would meet on October 25th at 6:30 P.M. He said that they would discuss hardship criteria for granting variances; it was noted that Attorney Murphey was asked to prepare documentation for consideration.

Public Works Water/Streets Committee — No report.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no agenda related questions or comments to come before the City Council.

14. OLD BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2004-09: 109 68th Street)

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

ORDINANCE NO. O-36-04 AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2004-09: 109 68th Street) as presented.

Alderman Hagen expressed concern in regard to granting variances based on hardship. He stated that this property did not meet any of the criteria but Council, after discussion, chose to be more flexible with granting variations based on the City's Home Rule status.

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

Nays: None

Absent: Biehl, Tikalsky

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

15. CONSENT AGENDA

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

A. RESOLUTION NO. R-24-04 A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS SUBJECT TO MAINTENANCE (McNeill Resubdivision)

B. CONSIDERATION OF A MOTION TO GRANT WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR THE HINSDALE SOUTH HIGH SCHOOL BOOSTER CLUB

C. CONSIDERATION OF A MOTION TO APPROVE THE PURCHASE OF NEW ELECTRONIC STOP SIGNS FOR USE IN THE INTERSECTION OF 67th AND CLARENDON HILLS ROAD

D. ORDINANCE NO. O-37-04 AN ORDINANCE AMENDING SECTION 9 (FLASHING LIGHT SIGNALS), OF CHAPTER 2 (TRAFFIC SIGNS AND SIGNAL LOCATIONS), TITLE 9 (TRAFFIC REGULATIONS), OF THE DARIEN CITY CODE

E. ORDINANCE NO. O-38-04 AN ORDINANCE AMENDING SECTION 4 (PENALTY) OF CHAPTER 17 (ELECTRONIC PAGING) DEVICES OR CELLULAR TELECOMMUNICATIONS DEVICES ON SCHOOL PROPERTY), TITLE 8 (POLICE REGULATIONS), OF THE DARIEN CITY CODE

F. RESOLUTION NO. R-25-04 A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE (Sidewalk Add Ons)

G. CONSIDERATION OF A MOTION TO INCREASE THE CONTRACT WITH D'LAND CONSTRUCTION L.L.C. IN THE AMOUNT OF \$17,354.00 FOR THE 2004 SIDEWALK, DRIVEWAY APPROACH AND CURB REPLACEMENT PROGRAM

H. CONSIDERATION OF A MOTION TO APPROVE PROPOSAL FROM MARTINO CONCRETE TO INSTALL 315' OF STAMPED CONCRETE SIDEWALK IN THE AMOUNT OF \$7,985.25

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

Nays: None

Absent: Biehl, Tikalsky

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

16. NEW BUSINESS

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

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Mayor Soldato asked the press if they would pursue obtaining information from the Darien Park District on Appeal; the response was that they were still negotiating.

Nancy Campagnolo, Darien Park District Commissioner and Save the Barn Committee Member, thanked Administrator Vana, Aldermen Poteraske and Tikalsky for their participation with the Fall Festival and Save the Barn project. She spoke about the history of the barn located near Meyers Woods and Tara Hill Subdivision. The barn was constructed in 1913 and was one of the oldest structures within Darien; she noted that the barn was in need of repair.

Ms. Campagnolo updated Council in regard to the Darien Park District: * indicated that the District previously had a Master Plan meeting that was accessible to residents but the follow-up meeting with the consultant was held on a Monday afternoon at 4:00 P.M. with no resident attendance/participation. She said that the meeting had been taped but was never rendered to the City for replay on the City's cable channel. * noted that the State Attorney's Office, after an investigation, found several areas of concern about the Open Meetings Act; they responded that they would monitor the District meetings for the next nine (9) months, particularly closed session meetings. She indicated that since monitoring began, the District had not entered into a closed session meeting.

Mayor Soldato thanked Ms. Campagnolo for her efforts with having the District respond to and work for residents. He spoke about lawsuits against the District and settlements made by the District and also the inconvenience of the District meeting date and time.

Alderman Weaver inquired if the City had received a copy of the District's Master Plan meeting tapes. Ms. Campagnolo responded that she asked for a copy but had not received a response; she indicated that she would continue to follow-up.

Mayor Soldato said that he read that Park District Commissioner Gillespie received comments from Eisenhower Junior High students in regard to a go-kart park; he said that it was difficult to place a new development next to an existing home and he said that there was no logical place for such a use because there was no zoning classification for this type of park within the City. Ms. Campagnolo stated that Ms. Gillespie wrote a memo that indicated the EJH student meeting was a brainstorming session.

Administrator Vana addressed Ms. Campagnolo and said that the City would schedule the Darien Park District tapes for viewing by residents on the cable channel. He reminded residents that they had to increase their television volume because of the poor sound quality of the tapes. Alderman Cotten inquired if there was an option to include closed captioning. Mayor Soldato commented that some terms of the Park District Board members would expire; he said that residents could elect others to fill those positions at the April election.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:30 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 10-18-04.