

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE APRIL 20, 2009 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:25 P.M.

EXECUTIVE SESSION

It was moved by Alderman Gattuso and seconded by Alderman Marchese to go into Executive Session for the purpose of discussing Collective Bargaining Section 2(C)(2) of the Open Meetings Act – the setting of a price for sale or lease of property owned by the public body at 7:01 P.M.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Poteraske

Nays: None

Absent: McIvor

Results: Ayes 6 Nays 0, Absent 1

MOTION DULY CARRIED

EXECUTIVE SESSION RECESS

It was moved by Alderman Durkin and seconded by Alderman Galan to recess into open session.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Poteraske

Nays: None

Absent: McIvor

Results: Ayes 6 Nays 0, Absent 1

MOTION DULY CARRIED

The meeting recessed at 7:25 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

APRIL 20, 2009

1. **CALL TO ORDER**

April 20, 2009

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	Carolyn A. Gattuso
	William R. Durkin	Joseph A. Marchese
	John Galan	John F. Poteraske, Jr.

Absent: Sylvia McIvor

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

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

5. **APPROVAL OF MINUTES** – April 6, 2009

Clerk Coleman noted that on Page 5, Line 3 under the Administrator’s Report, the date needs to be changed from March 31, 2009 to March 30, 2009.

It was moved by Alderman Marchese and seconded by Alderman Gattuso to approve the minutes of the April 6, 2009 meeting, as amended.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Poteraske

Nays: None

Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

6. **RECEIVING OF COMMUNICATIONS**

There were none.

7. **MAYOR'S REPORT**

- A. Mayor Weaver read into the record a proclamation declaring Tuesday, April 21, 2009 as *2009 Eisenhower Junior High Wrestling Team Day* in the City of Darien.

There was a resounding round of applause from the Council Members and the audience, and congratulatory hand shakes from the City Council. The team had their photograph taken with Mayor Weaver for the City's Hall of Fame wall.

Coach Phil Esposito thanked the City Council for acknowledging the team's accomplishments, hard work, and dedication. Coach Esposito expressed pride in the Eisenhower Junior High Wrestling Team.

- B. Mayor Weaver read into the record a proclamation declaring Wednesday, April 22, 2009 as *Eisenhower Junior High Special Olympians Day* in the City of Darien.

There was a resounding round of applause from the Council Members and the audience, and congratulatory hand shakes from the City Council. Allen Rosete and Christopher Haines were photographed with Mayor Weaver for the City's Hall of Fame wall.

Joel Filas, the Assistant Principal of Eisenhower Junior High School, expressed his sincerest gratitude to the City Council for this evening's recognition. Assistant Principal Filas also expressed great pride in the boys and their parents.

Mayor Weaver announced that the city is very happy to welcome JoAnn Fabrics to Darien. They will be occupying space at Chestnut Court previously occupied by Steinmart. Mayor Weaver looks forward to new improvements and developments in the city.

8. **CITY CLERK'S REPORT**

City Clerk Coleman...

...reminded all that the Economic Interest Statements are due to be filed with the DuPage County Clerk by May 1, 2009. Late filing will result in a fine of \$15 per day. The Ethics Statement must be filed with the City Clerk's Office by May 1, 2009.

...read the results of the April 7, 2009 Consolidated Election as follows:

April 20, 2009

Ward 1	Ted V. Schauer	100% of the vote
Ward 3	John F. Poteraske	63.95% of the vote
Ward 5	Joseph A. Marchese	100% of the vote
Ward 7	Halil Avci	51.81% of the vote

...announced that the incumbents and new alderman will be sworn in during the May 4, 2009 City Council Meeting.

9. **CITY ADMINISTRATOR'S REPORT**

There was no report.

Alderman Poteraske inquired why Will County received stimulus funds to put up a sound barrier on I-55, and the city of Darien did not.

Staff will contact IDOT to find the answer to Alderman Poteraske's question.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Mayor Weaver inquired if Director Gombac has received any information on when Speedway will begin their improvements.

Director Gombac responded that the city is still waiting for their final plans.

11. **TREASURER'S REPORT**

A. WARRANT NUMBER 08-09-22

It was moved by Alderman Galan and seconded by Alderman Gattuso to approve payment of Warrant Number 08-09-22 in the amount of \$48,229.47 from the General Fund; \$147,427.44 from the Water Fund; \$3,574.96 from the Motor Fuel Tax Fund; \$209.97 from the Darien Area Dispatch Fund; \$263.22 from the D.A.R.E. Fund; \$254,287.90 from the General Fund Payroll for the period ending 04/09/09; \$21,170.61 from the Water Fund Payroll for the period ending 04/09/09; \$22,507.82 from the D.A.D.C. Fund Payroll for the period ending 04/09/09; for a total to be approved of \$497,671.39.

Treasurer Coren noted that payroll in the general fund is a little higher since it includes the Police retro adjustment which was paid on April 3, 2009.

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Alderman Avci asked if the water meter purchase which is listed on Page 13 of the Expenditure Journal is reimbursable or if the city purchased this for the school.

Director Gombac responded that the City of Darien is responsible for the water meter. The previous water meter, which contained a strainer basket, was going out on an average of every six months resulting in periods of time with no readings. There will be no maintenance issues with the new meter since it does not have strainer basket.

Mayor Weaver advised that the new water meter is reimbursable in the fact that the city will obtain more accurate meter readings.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Poteraske
 Nays: None
 Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1
MOTION DULY CARRIED

B. TREASURER’S MONTHLY REPORT – MARCH, 2009

Treasurer Coren reviewed all year-to-date sources of revenue and expenditures and fund balances through the month of March, 2009: General Fund Revenue \$10,881,109; General Fund Expenditures \$11,054,730; Current General Fund Balance \$3,289,661; Water Fund Revenue \$2,846,409; Water Fund Expenditures \$3,069,130; Current Water Fund Balance \$376,014; Motor Fuel Tax Fund Revenue \$589,115; Motor Fuel Tax Fund Expenditures \$563,025; Current Motor Fuel Tax Fund Balance \$99,144; Water Depreciation Fund Revenue \$177,082; Water Depreciation Fund Expenditures \$742,048; Current Water Depreciation Fund Balance \$665,936; Capital Improvement Fund Revenue \$2,951,439; Capital Improvement Fund Expenditures \$1,355,715; Current Capital Improvement Fund Balance \$2,694,798; Capital Projects Debt Service Fund Revenue \$24,498; Capital Projects Debt Service Fund Expenditures \$1,237,941; and a current fund balance of \$237,799.

Mayor Weaver inquired if Alderman Poteraske’s questions on the Water Fund were answered. Alderman Poteraske responded that they were.

In response to Mayor Weaver, Treasurer Coren advised that the city is in the process of trying to move the Illinois Funds into the Republic Bank account in order to receive a higher interest rate. This will, hopefully, be accomplished before the end of April, 2009.

12. **STANDING COMMITTEE REPORTS**

Public Works Water/Streets Committee — Alderman Marchese submitted the minutes of the Public Works Water/Streets Committee Meeting of March 16, 2009, and advised that the next meeting is scheduled to take place on Monday, May 18, 2009 at 6:30 P.M. in the upstairs conference room, pending agenda items.

Planning/Development Committee — City Clerk Coleman announced that the April 27, 2009 meeting of the Planning/Development Committee has been cancelled, and the next meeting is scheduled to take place on Tuesday, May 26, 2009.

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**

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

A. CONSIDERATION OF A MOTION TO REVIEW AND APPROVE THE PURCHASE OF A REPLACEMENT SUV COMMAND VEHICLE FOR THE POLICE DEPARTMENT (UN-BUDGETED EXPENSE)

B. ORDINANCE O-08-09 CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Poteraske

 Nays: None

 Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1
MOTION DULY CARRIED

16. **NEW BUSINESS**

It was moved by Alderman Marchese and seconded by Alderman Poteraske to approve the following motion:

A. CONSIDERATION OF A MOTION TO DIRECT STAFF TO MOVE FORWARD WITH NEGOTIATIONS FOR THE REDEVELOPMENT OF THE 75TH STREET-CASS-PLAINFIELD TOWN CENTER PROPERTY WITH BRADFORD GROUP AND GAMMONLEY GROUP

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Poteraske
 Nays: None
 Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1
MOTION DULY CARRIED

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve the following resolution as presented:

B. RESOLUTION NO. R-33-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR TO CONTRACT WITH THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY FOR THE 2009 CHEMICAL/RADIOLOGICAL/LT2 WATER SAMPLING PROGRAM IN THE AMOUNT OF \$5,032.80

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Poteraske
 Nays: None
 Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1
MOTION DULY CARRIED

17. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL**

Alderman Avci thanked the residents of Ward Seven who voted on April, 7, 2009. Alderman Avci extended his appreciation for the support and trust that has been shown to him. He advised that he will continue to serve Ward Seven to the best of his ability. Alderman Avci also extended gratitude to his opponents who have provided him with excellent suggestions, and expressed a desire to work with them to make Ward Seven a nice place to live.

Jerry Falasz of 1641 73rd Street expressed his favorable opinion of the proposal from Harlem Irving Mid America, and reviewed his objections which were contained in his April 20, 2009 memo to Administrator Vana.

Administrator Vana clarified that, due to the current housing market, the proposal the city is considering from the Gammonley Group is a scaled back project which deals with retail only.

Edmund Jezewski of 7703 Sussex Creek Drive addressed the City Council regarding two claims that were submitted to and denied by ComEd. Mr. Jezewski is seeking a fair hearing from ComEd. Mr. Jezewski requested the city notify him when ComEd representatives will be meeting a city hall so he can attend.

Mayor Weaver advised that Katie Maier is the city's ComEd representative, and that it is anticipated she will be attending the May 18, 2009 City Council meeting. Mayor Weaver added that ComEd will be meeting with city staff to review Mr. Seaton's report, and requested staff include Mr. Jezewski's issue at that meeting.

Administrator Vana advised that it can be added.

Mr. Jezewski reiterated his request to be notified when the meeting with ComEd will be held.

Arleta Peknik of 609 72nd Street spoke in favor of the redevelopment proposal from the Bradford Group. Ms. Peknik feels the Bradford Group has been very insightful in looking beyond Phase I, and approves of their plans to improve the aesthetics of the apartments which are located behind the property.

David Hagen of 7735 Warwick addressed the City Council in opposition to the redevelopment and enumerated his reasons. Mr. Hagen also advised that he believes it was a mistake to narrow the process to two developers.

18. **EXECUTIVE SESSION RECONVENE**

It was moved by Alderman Durkin and seconded by Alderman Galan to reconvene Executive Session to resume discussions of Collective Bargaining Section 2(C)(2) of the Open Meetings Act. No action will take place as a result of these discussions.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, Poteraske

Nays: None

Absent: McIvor

Results: Ayes 6 Nays 0, Absent 1

MOTION DULY CARRIED

The Executive Session reconvened at 8:24 P.M.

EXECUTIVE SESSION ADJOURNMENT

It was moved by Alderman Durkin and seconded by Alderman Gattuso to adjourn into open session.

REVERSE ROLL CALL - MOTION DULY CARRIED

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese

Nays: None

Absent: McIvor, Poteraske

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

The Executive Session adjourned at 8:55 P.M.

18. **CITY COUNCIL MEETING RECONVENE**

It was moved by Alderman Durkin and seconded by Alderman Gattuso to reconvene the City Council Meeting at 8:55 P.M.

April 20, 2009

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese

Nays: None

Absent: McIvor, Poteraske

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

19. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting finally adjourned at 8:55 P.M.

Mayor

City Clerk

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All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 04-20-09.
Minutes of 04-20-09 CCM