

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE NOVEMBER 1, 2010 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:05 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

NOVEMBER 1, 2010

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 McIvor
	John Galan	John F. Poteraske, Jr.
	Carolyn A. Gattuso	Ted V. Schauer
	Joseph A. Marchese	

Absent: None

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

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

5. **APPROVAL OF MINUTES** – October 18, 2010

It was moved by Alderman Gattuso and seconded by Alderman Schauer to approve the minutes of the October 18, 2010 meeting, as presented.

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

 Nays: None

 Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

6. **RECEIVING OF COMMUNICATIONS**

Alderman Galan received an inquiry from a resident on Holly and Brookbank in regards to the status of the street light at that location. Although Director Gombac has responded directly to the resident, Alderman Galan requested Director Gombac provide a status report for the benefit of others in the neighborhood.

Director Gombac explained that, initially, ComEd notified the city of the need to remove trees. It was later discovered that the tree removal was the responsibility of ComEd due to trees being within the wires. Once the trees were removed, ComEd requested the cable be re-routed to another location. It is anticipated the cable will be re-routed by the end of the week, and the light will be functional within two to three weeks. In response to Alderman Poteraske, Director Gombac advised that the cost to the city will be approximately \$500.

Alderman Poteraske advised that he has received many calls regarding the recent wind storms.

Mayor Weaver received communications from Bob Scatena regarding a drainage issue at Sawmill Creek Condominiums. Sawmill Creek Homeowners Association has been working with Director Gombac on this issue which has been ongoing for a couple of years. Mayor Weaver requested this issue be forwarded to the Municipal Services Committee for review and recommendation. Mayor Weaver requested the Sawmill Creek Homeowner Association be notified when the drainage issue will be discussed so that they may participate.

Director Gombac advised that the drainage issue is due to a deficient storm sewer which is located within a private development on private property.

Mayor Weaver noted that currently the city would not allow a private subdivision to exist due to the problems which arise when it comes to infrastructure repairs.

Alderman McIvor received an e-mail from Donna Mullahy of 2422 Abbey Drive in the Abbey Woods Townhomes expressing her concerns regarding the path located behind the townhomes which leads to the shopping center immediately north. Alderman McIvor requested Director Gombac provide an update for the benefit of the residents of the townhomes.

Director Gombac advised that the subdivision was built in 2004 in two phases. The first phase, referred to as the Marketplace of Darien, is adjacent to 75th Street, and is immediately west of Lyman. The second phase of the subdivision includes townhomes on Abbey Drive. A path was constructed leading from the townhomes to the Marketplace. The subdivision was constructed as part of a Conditional Use and is within a wetland buffer. The criteria of material which can be used for a path within the wetland buffer are wood chips, and is not user friendly. The path meanders from wood chips to stone to concrete. Staff has reviewed the language referred to as a pathway easement on the Plat of Survey. The path is the responsibility of the Homeowners Association, and it is their decision as to whether they want to abandon or rebuild it. The City, along with the City Engineer, would work in conjunction with DuPage County on behalf of the Homeowners Association to look at allowed alternatives. If there are complaints, or if the association requests, the City can restore the path to it's original condition at the expense of the Homeowners Association or property owners.

7. **MAYOR'S REPORT**

There was no report this evening.

8. **CITY CLERK'S REPORT**

City Clerk Coleman reminded all that tomorrow is Election Day, and the polls are open from 6:00 A.M. to 7:00 P.M. Clerk Coleman encouraged all to vote.

9. **CITY ADMINISTRATOR'S REPORT**

There was no report.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Director Gombac...

...advised that DuPage County Public Works will be conducting a sanitary sewer system investigation. A DuPage County contractor will be forcing smoke through the manholes

to locate illegal hook-ups. When smoke is injected into the manholes, the smoke should be coming out of the roofs. If it comes out in a basement or through outside storm drains at the sump pumps, that means the sump pump and/or any other connection is illegally hooked-up. DuPage County will be working from 75th Street to the south; Clarendon Hills Road to the east; Williams Street, Emerson Drive, Shelly Court, Carroll Court to the west; and 69th Street/Darien Club Drive to the north. The purpose of this program is to reduce the stormwater infiltration into the sanitary district which will help prevent overcharging of the sanitary system, as well as preventing sanitary back-ups. Smoke testing will begin within the next two weeks, and DuPage County is to notify the residents twenty-four hours prior to testing. Any questions in regards to this program are to be directed to Shawn Reese of DuPage County at 630-964-7503. Director Gombac read from the letter stating that, "The smoke is non-toxic, leaves no residue, and will not stain or corrode. The contractor will be taking pictures of any defects the contractor locates, both in the right-of-way and in your yard. Should you experience smoke in your house, open windows to dissipate the smoke, take children and pets outside, and contact the smoke testing crew that will be working nearby." If a resident does not see a crew working nearby, Director Gombac recommended residents call the county or the city. Director Gombac offered a tip to residents to pour a cup or two of water into each basement floor drain, spare bathrooms, or other interior drains not used on a regular (weekly) basis. This keeps the traps full of water so the smoke doesn't have the ability to enter the home.

In response to Alderman Poteraske, Director Gombac responded that the program is not new. When DuPage County receives a certain number of calls or sees damage, they try to be as proactive as possible to determine the problems within their system. Most of the deficiencies are located inside and are easy to correct.

Treasurer Coren inquired if this program will be spread among other areas of the city.

Director Gombac did not have that information, but will follow-up with the county to determine their overall plan.

In response to Administrator Vana, Director Gombac advised that if a sump pump was connected illegally and is affecting an adjacent property, the city should be notified, and will get involved to rectify the problem.

Director Gombac provided a status update on Fairview and Manning Road pedestrian and signage improvements which is scheduled for completion by November 19. The work includes tree removal, sidewalk removal and ADA replacement, striping, stop and stop ahead signs. In response to Galan, Director Gombac advised this includes a solar stop sign.

Director Gombac announced that an emergency brush pick-up has been scheduled for this Wednesday and Thursday. Residents are asked to have their brush out by Tuesday evening or by 7:00 A.M. on Wednesday.

Director Gombac announced that Home Depot is offering Darien Residents and Darien contractors a Volume Pricing Program on orders of \$2500 or more. A handout on this program will be on Direct Connect, cable, and at the front counter. The program includes windows, lumber, millwork, landscaping, electrical, plumbing, etc. Discounts are handled through the Pro Desk. In response to Alderman McIvor, Director Gombac advised that appliances are included in this program.

In response to Alderman Avci, Director Gombac advised that the discount is based on the volume purchased in one transaction. The purchase cannot be spread out over a period of time. The discount will vary from 1% to 50%.

Director Gombac presented the proposed 2010 Coach Light Program. Samples of the available coach lights will be on display in an illuminated state at City Hall.

Alderman Galan advised that Director Gombac brought this program to the city's attention at the Municipal Services Committee. Alderman Galan commented that he is very impressed with the work staff has put into this program. Alderman Galan applauded Alderman Poteraske for initiating the idea for this program.

Alderman Galan inquired about the dates for the free leaf pick-up.

Administrator Vana responded the program runs through the week of Thanksgiving.

In response to Alderman Galan, Director Gombac advised the EPA has issued a mandate which requires the analytical testing of dirt coming out of a commercial site and/or right-of-way. The final results of the analytical testing will not be available until early morning Wednesday. In the meantime, the shop plans have been approved by Don Morris Architects, and excavation is tentatively scheduled to begin on Wednesday. If no problems arise, the project should be completed in December.

Alderman McIvor noticed many residents are blowing their leaves into the street.

Director Gombac requested residents not blow leaves into the curbs, gutters, and ditches. When the rains come, the leaves clog the storm sewers and cause flooding. Director Gombac requested residents bag leaves for free leaf pick-up.

Mayor Weaver reiterated Director Gombac request.

Alderman Marchese advised that the Municipal Services Committee conducts a yearly review of budgeted funds versus actual cost for capital projects and equipment purchases. Alderman Marchese is happy to report that this year there is \$232,000 of unexpended budgeted money. In response to Alderman Poteraske, Alderman Marchese and Administrator Vana advised that this reflects the estimated actual for the year for projects and equipment on the list. Alderman Marchese attributes much of the savings to competitive bidding.

Alderman Poteraske requested Administrative Finance Committee be provided a copy of the report for Monday's meeting.

Alderman Marchese reported that much of the savings is due to Director Gombac and his staff's project management.

In response to Alderman Poteraske, Director Gombac advised that the report encompasses equipment, capital projects and one time expenditures or certain reoccurring expenditures that affect the budget.

Director Gombac thanked Ashley Prueter for her work on the coach light program and catalog.

In response to Alderman Galan, Administrator Vana advised that the city has received \$2,900 generated from the City's Amusement Tax for DarienFest. This tax applies to the carnival ride revenue. In addition, the Darien Chamber of Commerce has made a \$1,200 donation to the city. Administrator Vana advised that he is in the process of obtaining a list of funds received for DarienFest for the next City Council Meeting.

Mayor Weaver would like to be able to gather additional information from the Chamber of Commerce in order to give a more thorough presentation to the City Council.

In response to Alderman Galan, Administrator Vana advised that the amusement is based on a percentage of revenue collected. An Amusement Tax Form is completed and submitted to the Clerk's Office showing the revenue and the 3% applied to that revenue.

City Clerk Coleman added that the same applies to other businesses in town that are subject to the Amusement Tax.

Administrator Vana advised that some amusement taxes are reoccurring while others are annual.

In response to Alderman Galan, Clerk Coleman advised that the revenue is based on ride sales only.

Alderman Poteraske inquired how the \$1200 donation was determined.

Mayor Weaver responded that once all the information is obtained, it will be provided to the City Council. Mayor Weaver noted that sales are monitored through the ticket booth.

Alderman Galan advised that it is his understanding the ticket sales are conducted through the amusement company and not the Chamber of Commerce.

Mayor Weaver advised that details will be researched and presented at the next meeting.

Alderman Avci inquired if the Darien Police Department has the same capability as the DuPage County Sheriff's Office to notify residents by telephone of any important or emergency information.

Chief Pavelchik responded that the city is able to go through the DuPage County Sheriff's Office to communicate with residents. This has been done in the past.

11. **TREASURER'S REPORT**

A. WARRANT NUMBER 10-11-11

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve payment of Warrant Number 10-11-11 in the amount of \$50,857.21 from the General Fund; \$224,072.13 from the Water Fund; \$922.33 from the Motor Fuel Tax Fund; \$892.61 from the Darien Area Dispatch Fund; \$60,575.50 from the Capital Improvement Fund; \$203,783.34 from the General Fund Payroll for the period ending 10/21/10; \$17,168.79 from the Water Fund Payroll for the period ending 10/21/10; \$27,417.20 from the D.A.D.C. Fund Payroll for the period ending 10/21/10 for a total to be approved of \$585,689.11.

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

 Nays: None

 Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

Treasurer Coren provided a detailed review of the Darien Police Pension Fund and the actuarial report. Treasurer Coren answered questions from the City Council Members.

Treasurer Coren felt it was important to present this report so the City Council and residents are aware of the impact the Police Pension Fund has on real estate taxes.

12. **STANDING COMMITTEE REPORTS**

Police Committee — Alderman McIvor announced that the Police Committee Meeting has been rescheduled from Thursday, November 4, 2010 to Wednesday, November 3, 2010 at 6:00 P.M. in the Council Chambers.

Administrative/Finance Committee — Alderman Poteraske advised that the next Administrative and Finance Committee Meeting is scheduled to take place on Monday, November 8, 2010 at 6:30 P.M. in the upstairs conference room.

Municipal Services Committee — Alderman Marchese advised that the minutes of the September 27, 2010 Municipal Services Committee Meeting were submitted electronically to the Clerk's Office for posting on the City's website, and announced that the next Municipal Services Committee Meeting is scheduled to take place on Monday, November 22, 2010 at 6:30 P.M. in the Council Chambers.

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 reviewed the items on the Consent Agenda for the benefit of the viewing audience.

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

- A. **CONSIDERATION OF A MOTION TO ACCEPT THE PRACTICE OF THE 2010 CITY WIDE COACH LIGHT PROGRAM FOR RESIDENTS**
- B. **CONSIDERATION OF A MOTION TO ACCEPT THE FOLLOWING PROPOSALS FOR FIXTURES, REPAIR AND INSTALLATION FOR THE**

CITY WIDE POST COACH LIGHT PROGRAM FOR RESIDENTS AS OUTLINED IN THE MUNICIPAL SERVICES COMMITTEE AGENDA MEMO DATED OCTOBER 25, 2010

- C. CONSIDERATION OF A MOTION TO ACCEPT ALL FEES ASSOCIATED WITH THE INSPECTION PROCESS AND CONDUCTING RANDOM INSPECTIONS AT THE CITY’S DISCRETION AND EXPENSE**

- D. CONSIDERATION OF A MOTION GRANTING A WAIVER OF THE \$50.00 A DAY FEE FOR THE CLASS “J” TEMPORARY LIQUOR LICENSE FOR THE CLASS “J” TEMPORARY LIQUOR LICENSE FOR THE INDIAN PRARIE LIBRARY**

Roll Call: Ayes: Avcı, Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

 Nays: None

 Absent: None

Results: Ayes 7, Nays 0, Absent 0
MOTION DULY CARRIED

16. **NEW BUSINESS**

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

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

Alderman McIvor extended gratitude to Melinda Nowak, the Darien Park District, Officers Stutte, Rolf & Skweres of the Darien Police Department, and Darien Woodridge Fire Protection District for their participation in the annual Ward 6 Oktoberfest.

Alderman Poteraske referred to, and requested staff review the new law regarding political signs and the length of time they may remain on private property.

Matt Goodwin of Darien VFW Post 2838...

...invited all to attend the Veteran’s Day ceremony at Darien Community Park on November 11, 2010 at 11:00 A.M.

...announced the VFW has established a \$500 Scholarship Program at Hinsdale South High School in honor of Lester Weber and Scott Kerwin.

...announced the VFW has established a \$50 Citizenship Teacher Award, and invited the community to send in nominations.

...advised that the VFW has partnered with the Darien Day Committee to award the Citizen of the Year a lifetime membership to the National Home for Children.

...thanked Mayor Weaver and the City Council Members for the opportunity to speak at this evening's meeting.

18. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 9:30 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 11-01-10.
Minutes of 11-01-10 CCM