

## Minutes

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE SEPTEMBER 15, 2008 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:17 P.M.

Minutes of the Regular Meeting  
of the City Council of the  
CITY OF DARIEN  
SEPTEMBER 15, 2008

### 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 Joseph A. Marchese (via teleconference) William R. Durkin Sylvia Mclvor John Galan John F. Poteraske, Jr. Carolyn A. Gattuso

Absent: None

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

### 4. DECLARATION OF A QUORUM — There being six aldermen present and one via teleconference, Mayor Weaver declared a quorum.

### 5. APPROVAL OF MINUTES – August 18, 2008

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve the minutes of the August 18, 2008 meeting, as presented.

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

Nays: None

Abstain: Mclvor

Absent: None

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

### 6. RECEIVING OF COMMUNICATIONS

Alderman Galan.... ..is in receipt of a copy of a City of Darien survey that was completed by John Callan, who lives on Royal Swan Lane. Mr. Callan made a point of sending Alderman Galan a copy of the survey which expresses pleasure with the excellent work performed by the Street Division staff.

...received a telephone message from Gary Roth, who lives on Elm Avenue, complimenting the city on how well the drainage project along Eleanor handled the water flow. Although the project has not been completed, it is evident that it kept the area from experiencing flood problems from the heavy rainfalls this past weekend.

...received communication from Barbara Schard of 6722 Alabama regarding water in her basement. Dan Gombac will visit Ms. Schard's residence tomorrow to see if there is something the city can do immediately to help the situation. Alabama is scheduled for ditch work next year. Ms Schard was very annoyed that there was no Amnesty Day this year to get rid of her flood damaged goods.

Mayor Weaver expressed pleasure with how well the city faired despite receiving more than seven inches of rain this past weekend.

Alderman Avci... ..received an e-mail from Paul Rymek of 6612 Ridge Road explaining his difficulty in receiving services from emergency personnel despite the fact that he resides within the corporate limits of Darien. Despite the fact that his property was annexed into Darien a few years ago, both Comcast and the U.S. Post Office consider Mr. Rymek a resident of Westmont. Scott Coren has been able to resolve most of the issues for the resident but has had no success with the U.S. Post Office.

Mayor Weaver commented that the city has had this problem with the U.S. Post Office in the past. The U.S. Post Office has refused to recognize certain areas of incorporated Darien.

Alderman Avci explained that he had been experiencing difficulty receiving some of his Darien e-mails. The problem has since been rectified. Alderman Avci requested that any residents who have e-mailed him, and have not received a response, to please re-send the e-mail.

Alderman Durkin advised that residents John Basso and Mike Barron are requesting the City Council consider installing a speed bump in the Smart Oaks Subdivision off Bailey. Motorists tend to accelerate beyond the speed limits as they travel down this long stretch of road. Director Gombac will contact the residents and explain the speed bump request process.

Mayor Weaver suggested that this problem might be rectified if Mr. Basso and Mr. Barron discuss this issue with their fellow residents.

Alderman Mclvor... ..received several e-mails expressing disappointment that there is no Amnesty Day this year.

...reminded residents that they might want to sign up for the city's Direct Connect Program in order to receive the latest news in Darien via e-mail.

...received an e-mail from Joan Hein of 3215 Beller expressing gratitude to the city and to Director Gombac for the elimination of standing water in her yard. Ms. Hein and her neighbors have experienced a perpetual problem with standing water in their yards which occurred even after the lightest rain. Director Gombac evaluated the situation and came up with a cost-sharing plan which has resolved their drainage issues.

Mayor Weaver... ..received a letter from Mr. and Mrs. John Lithrop thanking the Mayor Weaver, the City Council, and Dan Gombac for their efforts in resolving their drainage issues.

...received a letter of appreciation from Michael D. Marchi, Director of Village Services of the Village of Bloomingdale, for the City of Darien's generous participation on August 4, 2008 in the recovery operations in the aftermath of the tornado that struck Bloomingdale.

## 7. MAYOR'S REPORT

A. Mayor Weaver read into the record a Proclamation declaring Friday, October 10, 2008 and Saturday, October 11, 2008 as Darien Lions Club Candy Days in the City of Darien and urged citizens to support this very worthwhile organization in their fundraising drive.

Kevin Monaghan, Lions Club Co-Chairman of Candy Days, accepted the Proclamation. Alderman Galan, Lions Club Chairman of Candy Days, thanked the citizens of Darien for their support over the years. Alderman Galan advised that if anyone knows of someone in need, to please contact any of the Lions Club members.

B. Mayor Weaver read into the record a Proclamation declaring the month of October, 2008 as Fire Prevention Month and urged citizens to participate in fire prevention activities at work and school to ensure their safety, and the safety of their families and friends, in the event of a fire.

C. Mayor Weaver announced that the Council Members will be taking a vote this evening on the contract to purchase the BP property at the corner of Plainfield Road and Cass Avenue. Recently, the City Council has received some criticism from residents regarding the duration of this process. Mayor Weaver advised that due to the uniqueness of the property, it took the City Council a very long time to get BP to come to the table to address the issue of the purchase. There were many EPA issues to be dealt with and addressed prior to purchase of the property. The city has also been criticized lately due to the amount of property tax bills. Mayor Weaver pointed out that less than three percent of the property tax collections go to the City of Darien, and that most of those funds are to cover the salaries and expenses of the Police Department. Mayor Weaver explained that use of the BP property will be discussed during the city's goal setting session which will take place in the near future. Resident input will be most welcome, and all possible uses will be reviewed. Mayor Weaver expressed appreciation for the patience shown so far, and asked for further patience as the process continues.

Alderman Marchese requested Mayor Weaver address what will happen to the building in the next couple of months. Mayor Weaver stated that if it were up to her, the building would come down immediately, but when EPA is involved, the process takes much longer. The building will be demolished as soon as possible.

Administrator Vana added that, as part of the contract agreement, Amoco has lined up a contractor, and pending environmental testing, the project is ready to move forward. It is anticipated that the process will take approximately eight weeks.

## 8. CITY CLERK'S REPORT

City Clerk Coleman...

...announced that the Communication Commission Meeting of September 18, 2008 has been cancelled.

...invited everyone to attend Coffee with Mayor Weaver on Saturday, September 20, 2008 from 9:00 A.M. until 10:00 A.M. at Republic Bank at 1510 75th Street.

...advised that the last day to register or transfer voter registration for the November 4, 2008 General Election is October 7, 2008. Early voting will take place between October 13 and 30, 2008. There are various sites throughout DuPage County for Early Voting. The Early Voting locations nearest Darien are

Downers Grove Village Hall, Five Seasons Sports Country Club, Naperville Municipal Center, and the DuPage County Election Commission.

...announced that the City of Darien will be having a Consolidated Election on April 7, 2009 for the Aldermen in Wards One, Three, Five, and Seven. Clerk Coleman is in the process of preparing the candidate packets for that election. The packets will be available around October 20, 2008. The first day to circulate nomination petitions is on October 28, 2008.

Alderman Mclvor inquired if the Secretary of State will have a mobile unit at city hall again this year for driver's license renewals and issuance of State of Illinois I.D. cards. Administrator Vana responded that the State of Illinois will be setting up a mobile center at the Police Department. The date of this event will be posted.

Treasurer Coren believes the date he read in The Neighbors of Darien Magazine was October 22, 2008.

Alderman Mclvor suggested a Darien Direct Connect be sent out regarding this event.

## 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana advised that several of the Aldermen and staff at City Hall have been receiving telephone calls regarding Amnesty Day. Administrator Vana reminded the residents that the city reintroduced the Amnesty Day Program two years ago, after many years of not having one. The cost to offer the Amnesty Program to residents is approximately \$25,000 a year. The amount of refuse put out by the residents from the first year to the second year declined. During budget discussions, the council members and staff thought it would be more advantageous to conduct this program every other year. City staff did try to notify the public that there would be no Amnesty Day this year through a number of means, including Direct Connect. This past weekend, the message was frozen on Channel 6. Although it has not been determined if there will be an Amnesty Day next year, the city will consider the program during the budget review

Mayor Weaver asked if ARC offers some sort of program for items which got damaged during the storm this past weekend.

Administrator Vana responded that, if requested, the ARC supervisor will visit residences and provide a cost estimate for removal.

## 10. DEPARTMENT HEAD INFORMATION/QUESTIONS

Director of Community Development/Municipal Services, Daniel Gombac...

...advised that the Concrete Replacement Program has ended. The Road Resurfacing Program is in the process of being completed. The Crack Seal Program will begin tomorrow, and notification has been given to every resident on every affected street.

...advised that the City of Darien received between 7 inches and 8 1/2 inches of rain this past weekend, which is considered a 100 year rain event. Director Gombac extended gratitude to the staff of the Municipal Services Department for their hard work. Staff was out all weekend checking outfalls, critical structures, cleaning inlets, and assisting residents with flooding and sump pump failures. Municipal Services received 16 telephone calls this morning in reference to overflowing basins, backyard flooding, sanitary backup, and street flooding. All roads in Darien were passable except for one where the storm sewer collapsed.

...at Alderman Poteraske's request, Director Gombac explained that this is the third year of the Crack Seal Program. Crack sealing prevents premature road failures, and provides a three-year additional life.

Administrator Vana commented that a storm like the one encountered this past weekend, allows the city to see the success of the projects Municipal Services has performed over the last year or two. The city is starting to receive more calls from residents wanting to participate in the ditch program. In order to clarify the selection process, Administrator Vana provided a couple of examples of the criteria Director Gombac looks at in preparing a recommendation to the City Council for approval of the ditch projects. One is that ditch work needs to be performed prior to any scheduled road work, and the other is to begin work where the water ends up at the outfall. Staff will continue to aggressively recommend improvement projects to the council.

Director Gombac added that he is very pleased with the outcome of the projects that have been accomplished.

Administrator Vana commented that DuPage County is responsible for maintaining the city's sanitary sewer system. This past weekend, Director Gombac and his employees were able to identify sanitary manholes that were not functioning properly, and immediately forwarded that information to DuPage County.

Alderman Poteraske added that, on a much smaller scale, the city has recently performed a cost sharing rear drainage program that has been very successful. Alderman Poteraske has heard only positive feedback on this project.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 08-09-09

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve payment of Warrant Number 08-09-09 in the amount of \$447,176.85 from the General Fund; \$211,215.55 from the Water Fund; \$312,657.11 from the Motor Fuel Tax Fund; \$321.00 from the Special Service Area Tax Fund; \$123,184.76 from the Water Depreciation Fund; \$1,540.98 from the Darien Area Dispatch Center; \$420.92 from the D.A.R.E. Fund; \$672,515.84 from the Capital Improvement Fund; \$357,829.46 from the Debt Service Fund; \$113,622.90 from the General Fund Payroll for the period ending 08/28/08; \$14,037.71 from the Water Fund Payroll for the period ending 08/28/08; \$31,259.21 from the D.A.D.C. Fund Payroll for the period ending 08/28/08; for a total to be approved of \$2,285,782.29.

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

Nays: None

Absent: None

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

### B. TREASURER'S MONTHLY REPORT – AUGUST, 2008

Treasurer Coren reviewed all year-to-date sources of revenue and expenditures and fund balances through the month of August, 2008: General Fund Revenue \$4,531,664; General Fund Expenditures \$3,698,301; Current General Fund Balance \$4,100,003; Water Fund Revenue \$1,019,721; Water Fund Expenditures \$841,880; Current Water Fund Balance \$709,753; Motor Fuel Tax Fund Revenue \$213,139; Motor Fuel Tax Fund Expenditures \$34,744; Current Motor Fuel Tax Fund Balance \$207,090; Water Depreciation Fund Revenue \$27,306; Water Depreciation Fund Expenditures \$422,347; Current

Water Depreciation Fund Balance \$981,795; Capital Improvement Fund Revenue \$2,712,735; Capital Improvement Fund Expenditures \$271,073; Current Capital Improvement Fund Balance \$3,553,321; Capital Projects Debt Service Fund Revenue \$20,205; Capital Projects Debt Service Fund Expenditures \$296,292; and a current fund balance of \$1,203,156.

## 12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Alderman Poteraske submitted the Minutes of the Administrative/Finance Committee of the Whole Meeting of August 4, 2008 and the Minutes of the Administrative/Finance Committee Meeting of August 11, 2008, and advised that the next Administrative/Finance Committee Meeting is scheduled to take place on Monday, October 13, 2008 at 6:30 P.M.

Planning/Development Committee — Alderman McIvor advised that the next Planning and Development Committee Meeting has been rescheduled from Monday, September 22, 2008 to Monday, September 29, 2008 at 6:30 P.M. in the Council Chambers.

## 13. QUESTIONS AND COMMENTS — AGENDA RELATED

Jerry Leganski of 7929 Farmingdale Drive thanked Director Gombac for his assistance in the efforts to have a street light installed on his street at 8009 Farmingdale. The street light was identified through Mr. Leganski's Neighborhood Watch Group as a tool to deter the vandalism on his block and at the playground, and to illuminate the cross walk at the intersection. Mr. Leganski requested council approval of this item which is on this evening's agenda for action.

## 14. OLD BUSINESS

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

## 15. CONSENT AGENDA

There was no Consent Agenda this evening.

## 16. NEW BUSINESS

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

A. RESOLUTION NO. R-77-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM MEADE ELECTRIC COMPANY INC. FOR THE PURCHASE AND INSTALLATION OF A STREET LIGHT AT 8009 FARMINGDALE DRIVE IN AN AMOUNT NOT TO EXCEED \$4,190.00.

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

Nays: None

Absent: None

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

It was moved by Alderman Galan and seconded by Alderman Durkin to approve the following ordinance as presented:

B. ORDINANCE NO. O-35-08 CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY IN THE DARIEN BUSINESS DISTRICT (FORMER BP SITE/7533 SOUTH CASS)

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

Nays: None

Absent: None

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

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

C. RESOLUTION NO. R-78-08 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION REJECTING BIDS, WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF TWO 2009, FORD F-350- 4X4 TRUCKS WITH DUMP BODIES, SNOW PLOWS AND DEICING EQUIPMENT FROM SUTTON FORD IN THE AMOUNT OF \$111,958.00.

Alderman Poteraske requested staff clarify why competitive bids were waived.

Director Gombac explained that three bids were received. At the bid opening, Freeway Ford was the low bidder. One hour after the bid opening, the low bidder advised there was a calculator error, and faxed the city a revised bid which was \$10,000 higher. Staff felt that the bid was no longer competitive, and awarded it to the second responsive bidder.

At Alderman Poteraske's request, Attorney Murphey confirmed that proper action was taken.

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

Nays: None

Absent: None

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

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

Alderman Galan commented that Darienfest was a wonderful weekend, and there were no complaints received from residents in his ward. An e-mail complaint from a resident was filed with the city and the Chamber of Commerce in regards to the playing on an inappropriate song during one of the rides. Steps were taken by the Chamber and the manager of the amusement company to see that this never happens again.

Alderman McIvor heard very positive feedback on the amusement company that was used this year for Darienfest. The individuals working the fest were polite, professionally dressed, and clean cut. Alderman McIvor extended kudos to the Chamber for contracting with that particular amusement company.

Mayor Weaver also offered kudos to the Chamber of Commerce, as well as all the individuals who were involved with setting up and taking down the festival. Although the weather was beautiful for the fest, it rained during set up and tear down.

Alderman Poteraske thanked Steve Kowynia for video taping and creating a thirty-minute recap of the event.

Alderman Avci informed the City Council of two carpooling programs offered by PACE which may be of interest to Darien residents. Alderman Avci suggested inviting PACE representatives to a meeting to present the programs they offer.

Alderman Marchese thanked the Council Members for allowing him to participate in the meeting via the telephone.

Director Gombac invited the Council Members to go to the parking lot after the meeting to view the new piece of machinery which staff will be recommending for purchase at the next City Council Meeting.

#### 18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:43 P.M.

Mayor \_\_\_\_\_ City Clerk

Id All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 09-15-08. Minutes of 09-15-08 CCM September 15, 2008