

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR MARCHESE FOR THE PURPOSE OF REVIEWING ITEMS ON THE NOVEMBER 6, 2023 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:12 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

NOVEMBER 6, 2023

7:30 P.M.

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 Marchese.

2. **PLEDGE OF ALLEGIANCE**

Mayor Marchese led the Council and audience in the Pledge of Allegiance.

3. **ROLL CALL** — The Roll Call of Aldermen by Clerk Ragona was as follows:

Present:	Thomas J. Belczak	Ted V. Schauer
	Eric K. Gustafson	Ralph Stompanato
	Joseph A. Kenny	Mary Coyle Sullivan
	Gerry Leganski	

Absent: None

Also in Attendance: Joseph Marchese, Mayor
JoAnne E. Ragona, City Clerk
Michael J. Coren, City Treasurer
Bryon Vana, City Administrator
John B. Murphey, City Attorney
Gregory Thomas, Police Chief
Daniel Gombac, Director of Municipal Services
Jordan Yanke, City Planner

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

5. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL**

There were none.

6. **APPROVAL OF MINUTES** – October 16, 2023

It was moved by Alderman Stompanato and seconded by Alderman Kenny to approve the minutes of the City Council Meeting of October 16, 2023.

Roll Call: Ayes: Belczak, Gustafson, Kenny, Leganski, Schauer, Stompanato, Sullivan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

7. **RECEIVING OF COMMUNICATIONS**

Alderwoman Sullivan...

...received numerous communications regarding proposed Gerber Collision site at Plainfield & Lemont Roads.

...provided an update on continuous communication with Mel Gregory, Carriage Way West, regarding IDOT Managed Lane Program, fence repairs along North & South Frontage Roads, and fixing of curve along North Frontage by Mt. Carmel.

...received communication from Drew Kelly regarding video gaming with a suggestion to add signage, so users can seek help for gaming/gambling addictions.

Alderman Gustafson received communication from resident regarding street sweeping.

Alderman Kenny received communication from Bonnie Kucera, President Norman Courts Homeowners Association, regarding party that took place in guest parking area; he stated calling 911 is best course of action.

Mayor Marchese commented about a draft letter to Governor Pritzker requesting the development of Managed Lane Project on Frontage Road for safety and emission reasons. He noted Senate passed Public Private Partnership last spring.

8. **MAYORS REPORT**

A. CONSIDERATION OF A MOTION TO APPROVE THE APPOINTMENT OF MELODY JANKOWSKI TO THE HOLIDAY HOME DECORATING COMMITTEE

It was moved by Alderman Belczak and seconded by Alderman Gustafson to approve the appointment of Melody Jankowski to the Holiday Home Decorating Committee

Roll Call: Ayes: Belczak, Gustafson, Kenny, Leganski, Schauer, Stompanato, Sullivan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE THE REAPPOINTMENT OF ELIZABETH HAYES TO THE HOLIDAY HOME DECORATING COMMITTEE

It was moved by Alderman Leganski and seconded by Alderwoman Sullivan to approve the appointment of Elizabeth Hayes to the Holiday Home Decorating Committee

Roll Call: Ayes: Belczak, Gustafson, Kenny, Leganski, Schauer, Stompanato, Sullivan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

Clerk Ragona administered the Oath of Office to Melody Jankowski and Elizabeth Hayes.

Elizabeth Hayes...

...stated Holiday Home Decorating Committee will be viewing holiday lights the week of December 4; winners will be announced at the December 18 City Council Meeting. She

encouraged all to make nominations; she noted to qualify for block competition there must be a minimum of five contiguous decorated homes.
...congratulated the De La Cruz family for donating this year’s Christmas tree for display at Millennium Park in Chicago.

9. **CITY CLERK’S REPORT**

There was no report.

10. **CITY ADMINISTRATOR’S REPORT**

There was no report.

11. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

A. POLICE DEPARTMENT – NO REPORT

B. MUNICIPAL SERVICES – NO REPORT

12. **TREASURER’S REPORT**

A. WARRANT NUMBER 23-24-13

It was moved by Alderwoman Sullivan and seconded by Alderman Belczak to approve payment of Warrant Number 23-24-13 in the amount of \$876,404.82 from the enumerated funds, and \$584,185.31 from payroll funds for the periods ending 10/19/23 and 11/02/23 for a total to be approved of \$1,460,590.13.

Roll Call: Ayes: Belczak, Gustafson, Kenny, Leganski, Schauer, Stompanato, Sullivan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

13. **STANDING COMMITTEE REPORTS**

Administrative/Finance Committee – Chairwoman Sullivan announced the Administrative/Finance Committee meeting is scheduled for December 4, 2023 at 6:00 P.M. She noted Goal Setting Session is planned for November 14, 2023; draft budget

should be distributed by February 13, 2024; and Committee-of-the-Whole 2024-2025 Budget Meetings are scheduled for February 2024.

Municipal Services Committee – Chairman Belczak announced the Municipal Services Committee meeting has been rescheduled from November 27 to November 20, 2023 at 6:15 P.M.

Police Committee – Chairman Kenny announced the Police Committee meeting is scheduled for November 20, 2023 at 6:00 P.M. in the Police Department Training Room.

Police Pension Board – Liaison Coren announced the Police Pension Board quarterly meeting is scheduled for Thursday, November 9, 2023 at 5:30 P.M. in the Police Department Training Room; third quarter performance will be reviewed.

Mayor Marchese announced the Darien Community Action Committee will be planning the tree lighting for Darien Historical Society; and is meeting at Indian Prairie Public Library on November 11, 2023 at 9:00 A.M.

14. **QUESTIONS AND COMMENTS – AGENDA RELATED**

There were none.

15. **OLD BUSINESS**

There was no Old Business.

16. **CONSENT AGENDA**

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

A. CONSIDERATION OF A MOTION TO APPROVE THE EXPENDITURE OF BUDGETED FUNDS, LINE ITEM 01-40-4219 PROFESSIONAL LIABILITY INSURANCE – PPE FIRST AID, TO PURCHASE (20) ZOLL AED 3 PACKAGES FROM SECOND CHANCE CARDIAC SOLUTIONS INC. IN THE AMOUNT OF \$28,815.00

B. CONSIDERATION OF A MOTION TO APPROVE THE EXPENDITURE OF BUDGETED FUNDS, LINE ITEM 01-40-4325 CONSULTING/PROFESSIONAL SERVICES FOR A ONE-YEAR LAW ENFORCEMENT POLICY MANUAL UPDATE SUBSCRIPTION FROM LEXIPOL, LLC IN THE AMOUNT OF \$10,134.09

- C. RESOLUTION NO. R-114-23** **A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A PROPOSAL FROM CHRISTOPHER B. BURKE ENGINEERING, LTD. (CBBEL) FOR THE PROFESSIONAL DESIGN ENGINEERING SERVICES RELATED TO THE SURVEY AND PREPARATION OF DESIGN DRAWINGS FOR THE PLAINFIELD ROAD RETAINING WALL AT THE SOUTH WEST CORRIDOR OF PLAINFIELD ROAD AND CASS AVENUE IN AN AMOUNT NOT TO EXCEED \$52,300**
- D. CONSIDERATION OF A MOTION APPROVING A CONTINGENCY IN THE AMOUNT OF \$20,000 FOR EASEMENT ACQUISITION, PENDING SURVEY AND DESIGN ENGINEERING FOR THE PLAINFIELD ROAD RETAINING WALL**
- E. RESOLUTION NO. R-115-23** **A RESOLUTION ACCEPTING A PROPOSAL FROM CONNEXION TO PURCHASE STREET LIGHT FIXTURES AND SHIELD AT THE SUBMITTED UNIT PRICE THROUGH APRIL 30, 2024**
- F. RESOLUTION NO. R-116-23** **A RESOLUTION ACCEPTING A PROPOSAL FROM CONNEXION TO PURCHASE STREET LIGHT POLES AT THE SUBMITTED UNIT PRICE THROUGH APRIL 30, 2024**
- G. RESOLUTION NO. R-117-23** **A RESOLUTION AUTHORIZING THE PURCHASE OF BIOMELT AG 64, THE ORGANIC DEICING ACCELERATOR PRODUCT, FROM SNI SOLUTIONS, IN AN AMOUNT NOT TO EXCEED \$11,205 (4,500 GALLONS X \$2.49/GALLON)**
- H. RESOLUTION NO. R-118-23** **A RESOLUTION AUTHORIZING THE PURCHASE OF ALTERNATIVE LIQUID DE-ICER AND ANTI-ICING PRODUCTS FROM INDUSTRIAL SYSTEMS LTD., IN AN AMOUNT NOT TO EXCEED \$17,235.00**
- I. CONSIDERATION OF A MOTION APPROVING A CONTINGENCY IN THE AMOUNT OF \$10,000 FOR UNFORESEEN WINTER CONDITIONS THAT MAY REQUIRE THE USE OF ADDITIONAL LIQUID DE-ICER AND ANTI-ICING PRODUCTS**
- J. RESOLUTION NO. R-119-23** **A RESOLUTION AUTHORIZING THE PURCHASE OF ALTERNATIVE LIQUID DE-**

ICER AND ANTI-ICING PRODUCTS FROM K-TECH SPECIALTY COATINGS, INC., IN AN AMOUNT NOT TO EXCEED \$23,276.00

- K. CONSIDERATION OF A MOTION APPROVING A CONTINGENCY IN THE AMOUNT OF \$10,000 FOR UNFORESEEN WINTER CONDITIONS THAT MAY REQUIRE THE USE OF ADDITIONAL LIQUID DE-ICER AND ANTI-ICING PRODUCTS**
- L. ORDINANCE NO. O-17-23 AN ORDINANCE APPROVING A WATER PURCHASE AND SALE CONTRACT BETWEEN THE DUPAGE WATER COMMISSION AND CONTRACT CUSTOMERS**
- M. RESOLUTION NO. R-120-23 A RESOLUTION APPROVING AN EXTENSION OF THE WATER SUPPLY CONTRACT BETWEEN THE DUPAGE WATER COMMISSION AND THE CITY OF CHICAGO**
- N. ORDINANCE NO. O-18-23 AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN (PICK-UP, DUMP TRUCK, COMPUTER MONITORS, ETC.)**
- O. ORDINANCE NO. O-19-23 AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE CITY OF DARIEN (10S360 KEARNEY ROAD)**

Roll Call: Ayes: Belczak, Gustafson, Kenny, Leganski, Schauer, Stompanato, Sullivan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

17. **NEW BUSINESS**

- A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE GRANTING A SPECIAL USE (PZC2023-08: GERBER COLLISION, 8325 LEMONT ROAD)**

City Planner Yanke provided an overview of special use request by applicant Storebuild LLC representing Gerber Collision regarding conversion of vacant building (former CVS Pharmacy) located at 8325 Lemont Road to an auto collision, repair, and service center. He spoke of physical improvements planned for property, noted key items and sequence of meetings held by Planning & Zoning Commission and Municipal Services Committee leading to Council review for consideration.

Director Gombac commented on history of property, uses considered, Gerber’s petition for special use, fence mandate condition, and environmental & traffic concerns.

City Attorney Murphey explained special uses, special use criteria and issue of “necessity.”

Representatives from Storebuild LLC/Gerber Collision addressed Council questions.

Numerous area residents voiced their concerns regarding granting Gerber Collision request for special use. Concerns included: property values of surrounding residences at stake; brick wall; wrecked vehicles; other vehicle repair shops in area; eyesore for gateway to City; wanted retail on property; hazardous fluids, outdoor space usage; domino effect-catastrophic; voice of residents being ignored; doesn’t resemble character of area; release of toxins; disposal of hazardous materials; contamination of wells; traffic, pollution and noise.

It was moved by Alderman Belczak and seconded by Alderman Schauer to approve the motion as presented.

Director Gombac addressed Council question about security concerns; Ryan Murphy, Storebuild LLC, addressed Council questions regarding HVAC, sprinkler system, and tax revenue. Treasurer Coren commented on projected sales tax revenue; Mike Peirce, Storebuild LLC, provided average store and parts sales information.

Treasurer Coren, Alderman Leganski, Alderman Gustafson, Alderman Kenny, and Alderwoman Sullivan voiced their opinions regarding the special use.

ORDINANCE NO. O-20-23

**AN ORDINANCE GRANTING A SPECIAL USE
(PZC2023-08: GERBER COLLISION, 8325
LEMONT ROAD)**

Roll Call: Ayes: Belczak, Gustafson, Schauer, Stompanato,
 Nays: Kenny, Leganski, Sullivan
 Absent: None

Results: Ayes 4, Nays 3, Absent 0

MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 3-3-7- 4(D) OF THE DARIEN CITY CODE (LIQUOR CONTROL REGULATIONS)

It was moved by Alderwoman Sullivan and seconded by Alderman Stompanato to approve the motion as presented.

Mayor Marchese reiterated the second license is for Carriage Greens; he stated there has been a separation between banquet and golf sides of the business.

Alderman Gustafson inquired about City involvement in legal action. Attorney Murphy provided an update on Carriage Greens eviction action lawsuit against the LLC and counter suit by LLC. He stated City reached a consensus of neutrality.

Alderwoman Sullivan inquired about status of additional liquor license should LLC forfeit the business; Attorney Murphey stated license would automatically cease.

ORDINANCE NO. O-21-23 AN ORDINANCE AN ORDINANCE AMENDING SECTION 3-3-7- 4(D) OF THE DARIEN CITY CODE (LIQUOR CONTROL REGULATIONS)

Roll Call: Ayes: Belczak, Gustafson, Kenny, Leganski, Schauer, Stompanato, Sullivan
 Nays: None
 Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

C. CONSIDERATION OF A MOTION TO APPROVE THE EXPENDITURE OF BUDGETED FUNDS, LINE ITEM 01-40-4815 CAPITAL PURCHASES, TO PURCHASE (7) POLICE ADMINISTRATIVE VEHICLES FROM NAPLETON FLEET GROUP IN THE AMOUNT OF \$308,424

It was moved by Alderman Leganski and seconded by Alderman Schauer to approve the motion as presented.

Roll Call: Ayes: Belczak, Gustafson, Kenny, Leganski, Schauer, Stompanato, Sullivan

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

18. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL**

Mayor Marchese thanked...

... all for their hard work on the Gerber Collision proposal.

...the public for expressing their opinions.

Alderman Gustafson commented on attending ‘Stop the Bleed’ class in New Lenox. He will be taking ‘CPR & Defibrillator’ class in Hinsdale for \$65.

19. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 9:36 P.M.

Mayor

City Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 11-06-23. Minutes of 11-06-23 CCM.