

## Minutes

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE MAY 19, 2008 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:15 P.M.

### EXECUTIVE SESSION

It was moved by Alderman Galan and seconded by Alderman Mclvor at 7:15 P.M. to move into Executive Session for the purpose of discussing Purchase or Lease of Real Estate as prescribed by Section 2(C)(5), Personnel as prescribed by Section 2(C)(1), Collective Bargaining as prescribed by Section 2(C)(2), and Litigation as prescribed by Section 2(C)(11) of the Open Meetings Act.

Roll Call: Ayes: Durkin, Galan, Marchese, Mclvor, Poteraske

Nays: None

Abstain: None

Absent: Halil Avci, Carolyn A. Gattuso

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

It was moved by Alderman Galan and seconded by Alderman Marchese at 7:35 P.M. to adjourn into Open Session.

### Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

MAY 19, 2008

#### 1. CALL TO ORDER

The regular meeting of the City Council of the City of Darien was called to order at 7:40 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: William R. Durkin Sylvia Mclvor John Galan John F. Poteraske, Jr. Joseph A. Marchese

Absent: Halil Avci and Carolyn A. Gattuso

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/Public Works Robert Pavelchik, Police Chief

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

5. APPROVAL OF MINUTES – May 5, 2008

It was moved by Alderman Galan and seconded by Alderman Poteraske to approve the minutes of the May 5, 2008 meeting, as presented.

Roll Call: Ayes: Galan, Marchese, McIvor, Poteraske

Abstain: Durkin

Nays: None

Absent: Avci, Gattuso

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

6. RECEIVING OF COMMUNICATIONS

Alderman Marchese....

...received a telephone call from Kathy Abbate regarding the graffiti on the Pine Hurst entrance sign. The Homeowner's Association has made arrangements to have the sign sandblasted and the graffiti removed. There is concern with the damage to property and who is responsible.

...received communication from M. Herman of 1630 Royal Oak regarding the poor condition of Royal Oak Drive which is due for repair in 2009.

7. MAYOR'S REPORT

A. Mayor Weaver read into the record a press release regarding the city's acquisition of the vacant BP gas station at Plainfield and Cass.

Mayor Weaver requested that Item B. under New Business be moved to the Mayor's Report.

It was moved by Alderman Galan and seconded by Alderman Durkin to approve the following motion as presented.

B. CONSIDERATION OF A MOTION TO APPROVE REAPPOINTMENT OF MEMBERS TO THE ENVIRONMENTAL COMMITTEE: DEB HURDTKE-GEMMELL, ALLAN P. JACKIMEK, AND KRISHAN SANT

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

Nays: None

Absent: Avci, Gattuso

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

City Clerk Coleman administered the Oath of Office to Deb Hurdtk-Gemmell, Allan P. Jackimek, and Krishan Sant.

C. Commonwealth Edison Representative, Kate Maier, reviewed the Darien Reliability Update, and answered the Council Member's questions. Alderman Mclvor requested that ComEd include the duration of power outages on their next report.

D. Speer Financial Representative, Brenda Houston reviewed the bids which were received for the purchase of the General Obligation Bonds, Series 2008. The low bid of 3.8715% was received from Griffin, Kubik, Stephens & Thompson, Inc., Chicago, IL. Moody's Investors Services has affirmed the City of Darien's high quality bond rating of AA3 rating.

#### 8. CITY CLERK'S REPORT

Clerk Coleman announced that in observance of Memorial Day, Darien City offices will be closed on Monday, May 26, 2008. Residents are invited to attend the VFW presentation at Darien Community Park on Memorial Day at 11:00 a.m.

#### 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

...announced that the Neighbors of Darien magazine has been sent to residents via U. S. Postal Service. Residents who did not receive the magazine should contact City Hall.

...the city has received the first cable franchise fee check from AT&T. The city's public access channel is currently not available for residents who have signed up for AT&T, but should be within the next sixty days.

Alderman Marchese learned that AT&T is providing a new service in other communities which is similar to Comcast, and inquired if staff has any information.

Scott Coren advised that there are certain areas in Darien that are able to get this service, which is similar to Comcast Triple Play. The City of Darien passed an ordinance wherein the same fees will be collected from AT&T as with Comcast. AT&T is building their infrastructure along major roadways. Residences that are closer to the infrastructure are more likely to be served by AT&T. DSL is still available in some areas.

Mayor Weaver advised that the State Legislature has allowed AT&T to pick and choose the areas they wish to serve. This is the reason certain areas of Darien are not receiving service.

Alderman Mclvor advised that AT&T currently provides satellite service, but it does not include Direct TV. Alderman Mclvor asked if AT&T has plans of providing this service in the future.

Scott Coren was not certain of AT&T's future plans, and will research the issue.

Clerk Coleman asked if staff is aware of the areas not serviced by AT&T.

Scott Coren responded that AT&T has not provided the city with this information but a good indicator of service locations is to look at the permits which have been issued.

## 10. DEPARTMENT HEAD REPORT

Community Development/Municipal Services Director Daniel Gombac...

...reminded residents and property owners to take the time to inspect their decks. Wood deck failures have been on the rise over the last several years, generally due to age, poor maintenance, and/or improper building methods. For information regarding deck construction and maintenance, Director Gombac recommended an internet site sponsored by the North American Deck and Railing Association at [www.nadra.org](http://www.nadra.org).

...staff is in the process of completing the marking of approximately 30,000 square feet of sidewalk, and approximately 17,000 lineal feet of curb and gutter for removal and replacement. The resident program includes unit pricing for driveways, aprons, and depressing the curb and gutter. This year's program also includes a concrete sealer for new concrete. The cost to the residents for the aprons range from \$3.59 to \$4.00 per square foot, the driveway is \$4.65 per square foot, the curb and gutter cost is \$13.90 per lineal foot, and the driveway sealer is \$.25 per square foot. Residents interested in participating in the program are encouraged to contact Mary Belmonte at 630-353-8102. The cutoff date for resident requests is May 30, 2008. A & R Concrete was awarded the contract and is scheduled to begin work the week of June 1 and to be completed by August 31.

...Municipal Services is currently in the process of marking the limits for the 2008 Road Maintenance Program. Director Gombac read the proposed roads for resurfacing which total approximately 5.5 miles of roadway.

...brush pickup began last month, and is scheduled to take place the last full week of every month through October.

...residents and businesses interested in obtaining a truck load of wood chips should contact Ashley Preuter at 630-353-8105. A typical load of delivered wood chips is approximately 9 cubic yards, which translates into a pile of wood chips 7 feet high, 6 feet wide and 6 feet long. Municipal Services will deliver a minimum of 4 cubic yards.

...B & R Dentists, located at 2861 83rd Street, has recently opened. Their website is [www.brdentists.com](http://www.brdentists.com).

Mayor Weaver extended welcome to B & R Dentists, Doctors Belsham and Rania Kashlan.

Mayor Weaver advised that, even before the Darien Initiatives Program began, the City of Darien has been working with the Park District in conjunction with the city's concrete and asphalt program.

Director Gombac advised that the city has been working with the Executive Director of the Park District this year on the repaving of the Darien Sportsplex. By incorporating this work into the city's contract, the Park District was able to save \$75,000 on the project. The city is also working with Tri-State Fire Department, Brookhaven Market, and, potentially, Cornerstone Restaurant.

Mayor Weaver stated that this is a perfect example of the benefits achieved through intergovernmental cooperation.

Alderman Durkin asked if there is a way to load the 2008 Road Maintenance Program map on the city's website.

Director Gombac responded that the names of the streets approved for the 2008 Road Maintenance Program can be posted, but that it would be very difficult to try to put the map on cable or the website.

At the request of Alderman Marchese, Director Gombac cautioned residents to be very careful when retaining a contractor. Contractor's are to be licensed with the city, and must provide the required documentation in order to obtain the license. Unless a resident is the general contractor and/or performing the work themselves, the contractor, and not the resident, should be the one to obtain the permit. Permitted work is reviewed prior to issuance of the permit. The license and permit processes have been instituted to help protect the homeowner. Residents should be aware of contractors who want the resident to pick up the permit. If residents have a question or are unsure about the process, please feel free to contact City Hall. Residents are urged to verify that their contractors are licensed with the city.

Mayor Weaver noted that the licensing and permitting processes are in place to protect the city's homeowners from contractors who perform substandard work.

Alderman Marchese added that the permit process can take a few days, and for residents to understand that there are processes which must be followed prior to issuance of a permit.

Dan Gombac advised that, generally, permitted work, such as a deck, can be approved within two days.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 08-09-02

It was moved by Alderman Galan and seconded by Alderman Durkin to approve payment of Warrant Number 08-09-02 for FYE 2008 in the amount of \$49,368.18 from the General Fund; \$9,448.02 from the Water Fund; \$18,327.76 from the Motor Fuel Tax Fund; \$11,302.09 from the Water Depreciation Fund; \$1,536.92 from the Darien Area Dispatch Center; and for FYE 2009 in the amount of \$59,582.43 from the General Fund; \$2,372.50 from the Water Fund; \$18,660.77 from the Motor Fuel Tax Fund; \$7,120.45 from the Darien Area Dispatch Center; \$300.00 from the D.A.R.E. Fund; \$152,738.87 from the General Fund Payroll for the period ending 05/09/08; \$23,937.68 from the Water Fund Payroll for the period ending 05/09/08; \$15,664.45 from the D.A.D.C. Fund Payroll for the period ending 05/09/08; for a total to be approved of \$370,360.12.

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

Nays: None

Absent: Avci, Gattuso

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

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

Treasurer Coren reviewed all year-to-date sources of revenue and expenditures and fund balances through the month of April, 2008: General Fund Revenue \$12,071,692; General Fund Expenditures \$11,536,140; Current General Fund Balance \$3,947,279. Water Fund Revenue \$2,840,588; Water Fund Expenditures \$2,759,432; Current Water Fund Balance \$665,481; Motor Fuel Tax Fund Revenue \$684,252; Motor Fuel Tax Fund Expenditures \$868,353; Current Motor Fuel Tax Fund Balance \$84,477; Water Depreciation Fund Revenue \$196,691; Water Depreciation Fund Expenditures \$2,269,513; Current Water Depreciation Fund Balance \$1,406,941; Capital Improvement Fund Revenue \$2,477,038; Capital Improvement Fund Expenditures \$1,403,331; Current Capital Improvement Fund Balance \$1,111,659; Capital Projects Debt Service Fund Revenue \$2,690,957; Capital Projects Debt Service Fund Expenditures \$1,211,715; and a fund balance of \$1,479,242.

Per Alderman Poteraske's request, Treasurer Coren incorporated the anticipated fund balances as of April 30 in the current report. In all but one instance, there is a surplus compared to what was projected.

Mayor Weaver commented that the City Council is very conservative in their projection of revenues.

## 12. STANDING COMMITTEE REPORTS

Planning/Development Committee — Alderman McIvor advised that the next meeting is scheduled to take place on Tuesday, May 20, 2008 at 6:00 P.M. in the Council Chambers. Speedway at Cass and 75th Street, and the Euclid Foundation at 7800 Cass Avenue, as well as other items are on the agenda.

Public Works Water/Streets Committee — Alderman Marchese submitted the minutes of the Public Works Water/Streets Committee Meetings of March 17, 2008 and April 21, 2008 for the record, and advised that the next meeting is scheduled to take place on Monday, June 16, 2008 at 6:30 P.M. in the upstairs conference room pending agenda items.

## 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 McIvor and seconded by Alderman Poteraske to approve by Omnibus Vote the following items on the Consent Agenda:

A. ORDINANCE NO. O-20-08 CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE CITY OF DARIEN

B. RESOLUTION NO. R-58-2008 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING THE ANNUAL DUES FOR PAYMENT OF \$20,800.00 FOR THE DARIEN POLICE DEPARTMENT PARTICIPATION WITH THE DUPAGE METROPOLITAN ENFORCEMENT GROUP (DUMEG)

C. ORDINANCE NO. O-21-08 CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE DISPOSAL OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN

D. CONSIDERATION OF A MOTION TO AUTHORIZE THE CITY ADMINISTRATOR TO IMPLEMENT WEBSITE SOFTWARE PROVIDED BY WEB Q&A AT NO COST TO THE CITY OF DARIEN

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

Nays: None

Absent: None

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

## 16. NEW BUSINESS

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

A. ORDINANCE NO. O-22-08 CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$2,370,000 GENERAL OBLIGATION BONDS, SERIES 2008, OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, AND PROVIDING FOR THE LEVY AND COLLECTION OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS, AND FURTHER PROVIDING FOR THE EXECUTION OF A DIRECTION FOR REDEMPTION IN CONNECTION WITH SUCH ISSUANCE

Roll Call: Ayes: Durkin, Galan, Marchese, Mclvor, Poteraske

Nays: None

Absent: None

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

## 17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Marchese...

...at the request of Ken Poindexter, the Chairperson of the 2008 Darien fourth of July Parade, reminded the aldermen to return their entry forms by June 5th if they are interested in participating in the parade.

...extended thanks to Scott Coren for getting the Lions Club flyer posted on the City's Channel 6 television station. This year's theme is "Freedom in Democracy 2008."

...was very pleased with the city's portion of the new Neighbors of Darien magazine.

Alderman Mclvor...

...commented that the new street signs look great.

...received another telephone call from a senior citizen regarding telephone solicitation. In this particular case, when the resident declined, the solicitor starting putting on pressure and accused the resident of not supporting local law enforcement. It is important to note that telephone solicitors are not representing the Darien Police Department.

Mayor Weaver relayed a similar story regarding misrepresentation of a telephone solicitor. Mayor Weaver reiterated that the Police Department and the City of Darien are not soliciting for funds.

Administrator Vana advised that one group of solicitors has a telephone number that is one number different than our Police Department's number.

## 18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:50 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 05-19-08. Minutes of 05-19-08 CCM May 19, 2008