

**EXECUTIVE SESSION**

EXECUTIVE SESSION DID NOT TAKE PLACE.

A WORK SESSION WAS CALLED TO ORDER AT 7:01 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE APRIL 5, 2010 AGENDA WITH THE CITY COUNCIL. THE SESSION RECESSED AT 7:10 P.M. TO CONDUCT THE 2010-2011 BUDGET HEARING. THE WORK SESSION RECONVENED AT 7:15 P.M. AND ADJOURNED AT 7:30 P.M.

THE 2010-2011 BUDGET PUBLIC HEARING WAS CALLED TO ORDER AT 7:10 P.M. BY MAYOR WEAVER. THE PUBLIC HEARING ADJOURNED AT 7:15 P.M.

**Minutes of the Regular Meeting**

**of the City Council of the**

**CITY OF DARIEN**

**APRIL 5, 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 Coleman, City Clerk  
Michael J. Coren, City Treasurer  
John B. Murphey, City Attorney  
Bryon D. Vana, City Administrator  
Scott Coren, Assistant City Administrator  
Daniel Gombac, Director of Community Development/Municipal Services  
David Skala, Deputy Police Chief

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

5. **APPROVAL OF MINUTES** – March 15, 2010

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve the minutes of the March 15, 2010 meeting, as presented.

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

Abstain: McIvor

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

6. **RECEIVING OF COMMUNICATIONS**

Alderman Schauer received a telephone call on March 16, 2010 from Louise Petlik of 7618 Gail regarding a drainage problem in her backyard. Director Gombac and Superintendent Salvato inspected the premises, and discovered a landscaping problem, and not a problem with the drainage on Gail. Alderman Schauer thanked Director Gombac and Superintendent Salvato for their assistance.

Alderman Avci submitted, for the record, e-mails from David May and William Curry regarding the poor condition of 69<sup>th</sup> Street, particularly between Cass and Willmette.

At Alderman Avci's request, Director Gombac provided an update on the issues with 69<sup>th</sup> Street and the resurfacing program.

7. **MAYOR'S REPORT**

A. Mayor Weaver read into the record a Proclamation declaring April 11 through 17, 2010 as "*National Public Safety Telecommunicators Week*" in the City of Darien.

Deputy Chief Skala accepted the Proclamation and expressed gratitude to the City Council for recognizing the work of the city's dispatchers.

B. Mayor Weaver read into the record a Proclamation declaring April 30, 2010 as "*Arbor Day*" in the City of Darien.

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Kathy Minardi accepted the Proclamation and thanked the City Council for recognizing Arbor Day. Kathy Minardi also expressed gratitude to the Park District, Municipal Services, the Police Department, and the schools for their continued support.

- C. Mayor Weaver recognized the Lakeview Spartans Girls Basketball Team for their accomplishment in becoming the Southeast DuPage Elementary Athletic Association Champs. Mayor Weaver invited the Lakeview Spartans Girls Basketball Team to have their picture taken, and congratulated them on their achievement.

There was a round of applause from the audience and congratulatory handshakes extended by the City Council.

Coach Little thanked Alderman McIvor and the City Council for recognizing the Lakeview Spartans Girls Basketball Team. Coach Little advised that the girls worked very hard to achieve the championship.

It was moved by Alderman Marchese and seconded by Alderman Avci to approve the following motion as presented.

**D. CONSIDERATION OF A MOTION TO APPROVE REAPPOINTMENT TO THE ENVIRONMENTAL COMMITTEE: DEB GEMMEL, ALLAN JACKIMEK, ARLETA PEKNIK AND KRISHAN SANT**

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

Nays:           None

Absent:         None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

City Clerk Coleman administered the Oath of Office to Allan Jackimek and Arleta Peknik, after which there was a round of applause from the audience and congratulations extended by the City Council. Deb Gemmel and Krishan Sant were not in attendance and will be sworn in at a later date.

It was moved by Alderman Schauer and seconded by Alderman Gattuso to approve Resolution R-14-10 as presented.

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Discussion: Alderman Galan stated that he is in favor of abolishing the DuPage Water Commission and incorporating it into DuPage County. Alderman Galan feels that if the DuPage Water Commission were doing a more vigilant job, the City Council would not have to raise the water rates.

Mayor Weaver noted that the City of Chicago is passing on a water rate increase to the DuPage Water Commission.

Alderman Galan advised that he is aware of the increase but is also aware the Commission lost \$20 million, and feels there was an opportunity for them to absorb water rate increases.

Mayor Weaver added that Chairman Schillerstrom attempted to abolish the Commission previously. At that time, the DuPage Water Commission gave DuPage County \$75 million out of their funds to help the county balance their budget. In addition, when the DuPage Water Commission recognized a surplus of revenue, each Charter Member was given \$1 million. In balancing all events, Mayor Weaver feels the DuPage Water Commission should remain independent.

Alderman Poteraske agreed with Mayor Weaver, and would prefer the DuPage Water Commission remain independent. Alderman Poteraske opposes the wording in the resolution stating that the DuPage Water Commission has done a great job. Historically, the DuPage Water Commission has done a great job, but the \$20 million shortfall shows their operation is not well run. Alderman Poteraske also believes the Commission Members should be elected and not appointed.

Mayor Weaver agreed that the positions should be elected.

Alderman Avci also felt the DuPage Water Commission should remain separate from the county, but would like the words "been well run" in paragraph four of the resolution to be eliminated.

Administrator Vana suggested that an alternative to amending the resolution would be a motion opposing the two bills.

Alderman McIvor thought that Administrator Vana's suggestion was reasonable.

Alderman Schauer felt that it is in the city's best interest to keep the DuPage Water Commission separate from the county, and would like to vote on the resolution.

#### **MOTION TO AMEND**

It was moved by Alderman Avci to amend the resolution to remove the words "*been well run and*" from the fourth paragraph of Resolution R-14-10. The motion was seconded by Alderman Poteraske.

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

Results: Ayes 7, Nays 0, Absent 0  
**AMENDING MOTION CARRIED**

It was moved by Alderman Schauer and seconded by Alderman Gattuso to approve the following resolution as amended:

**E. RESOLUTION NO. R-14-10 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION OPPOSING ILLINOIS SENATE BILL 580 AND ILLINOIS HOUSE BILL 5552 – ABOLISHING THE DUPAGE WATER COMMISSION AND TRANSFERRING DUTIES AND POWERS TO DUPAGE COUNTY**

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

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

8. **CITY CLERK'S REPORT**

City Clerk Coleman invited all to attend Coffee with the Mayor at J. Vincent's Salon Day Spa at 7511 Lemont Road, Suite 140, on Saturday April 17, 2010 from 9:00 A.M. to 10:00 A.M.

9. **CITY ADMINISTRATOR'S REPORT**

Administrator Vana advised that per the requests of residents, a revision to the Brush Pick-Up schedule is on this evening's agenda. If approved, the first pick-up week will be May 24 through 28, and the last brush pick up will be from September 27 through October 1. Residents also have the option to bring brush directly to the dumpster at the Public Works facility. At Alderman Poteraske's request, Administrator Vana reviewed the revised dates for brush pick-up as follows:

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May 24 through 28, July 26 through 30, August 23 through 27, and September 27 through October 1.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Alderman Poteraske inquired how the city would fare if there was a major main break which took an extended period of time to repair.

Director Gombac responded that the city has several interconnections that could be put into place if necessary. In addition, the city has an intergovernmental agreement with DuPage County to provide additional back-up.

Alderman Poteraske requested this subject be forwarded to Municipal Services for review.

Director Gombac advised that a water modeling study would be necessary in order to provide an educated review.

In response to Alderman Schauer, Director Gombac advised that hydrant flushing has been completed and five repairs were necessary.

Alderman McIvor reminded residents that solicitation telephone calls received from Metropolitan Alliance of Police are not representing the Darien Police Department.

Deputy Chief Skala added that the solicitors are representing the police union association.

Administrator Vana noted that the calls are made by paid solicitors to benefit the police union.

11. **TREASURER'S REPORT**

**A. WARRANT NUMBER 09-10-21**

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve payment of Warrant Number 09-10-21 in the amount of \$47,562.77 from the General Fund; \$9,899.52 from the Water Fund; \$2,258.10 from the Motor Fuel Tax Fund; \$1,509.81 from the Darien Area Dispatch Fund; \$760.00 from the Special Service Area Tax Fund; \$235,291.54 from the General Fund Payroll for the period ending 03/25/10; \$16,146.19 from the Water Fund Payroll for the period ending 03/25/10; \$25,546.33 from the D.A.D.C. Fund Payroll for the period ending 03/25/10 for a total to be approved of \$338,974.26.

Mayor Weaver requested clarification of the Brookeridge/Donut Lake LOMR General Fund item on Page 3. Director Gombac responded that the expense was for a Letter of Map Amendment which was necessary to remove property out of the flood plain.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

12. **STANDING COMMITTEE REPORTS**

**Police Committee** — Alderman McIvor announced that the April 5, 2010 meeting of the Police Committee has been rescheduled to Thursday, April 8, 2010 at 6:00 P.M. in the Council Chambers.

**Municipal Services Committee** — Alderman Marchese advised the minutes of the January 25, 2010 Municipal Services Committee Meeting have been submitted electronically for posting on the City’s website, and advised that the next meeting is scheduled to take place on Monday, April 26, 2010 at 6:30 P.M. in the Council Chambers. City Clerk Coleman requested that all future minutes be submitted electronically to Maria Gonzalez.

**Administrative/Finance Committee** — Alderman Poteraske advised that the next Administrative and Finance Committee Meeting is scheduled to take place on Monday, April 12, 2010 at 6:30 P.M. in the upstairs conference room.

13. **QUESTIONS AND COMMENTS — AGENDA RELATED**

Kevin Monaghan of 7509 Norman Drive thanked the City Council for their hard work on the annual budget. Mr. Monaghan expressed concern with the amount of the city’s reserves and expenses.

Treasurer Coren advised that the City Council worked very hard on this budget, and expenses were cut significantly. Treasurer Coren feels that the proposed budget is very good. Treasurer Coren requested Mr. Monaghan keep in mind that the city’s portion of the entire tax bill is only 4.8%. The Forest Preserve receives 2.4%, the Fire Protection District receives 8.74%, the Elementary School District receives 37.5%, High School District 99 receives 29%, and the College of DuPage receives almost 4%. Treasurer Coren noted that much of Darien’s budget is fixed and determined. A good deal of the police budget is contractual and is set up statutorily.

Budget cuts suggested by Mr. Monaghan were the Citizen of the Year Program, and reducing the street and ditch programs.

The importance of the road and ditch programs was discussed at length.

Alderman Poteraske stated that the proposed budget is very lean.

14. **OLD BUSINESS**

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

15. **CONSENT AGENDA**

There was no Consent Agenda.

16. **NEW BUSINESS**

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

**A. ORDINANCE NO. O-08-10                      CONSIDERATION OF A MOTION TO  
APPROVE AN ORDINANCE APPROVING  
THE 2010-2011 BUDGET**

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

                          Nays:            None

                          Absent:           None

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

It was moved by Alderman Marchese and seconded by Alderman Schauer to approve the following resolution as presented:

**B. RESOLUTION NO. R-15-10                      CONSIDERATION OF A MOTION TO  
APPROVE A RESOLUTION TO ENTER INTO  
A CONTRACT AGREEMENT FOR THE 2010  
STREET MAINTENANCE PROGRAM  
BETWEEN THE CITY OF DARIEN AND  
JAMES D. FIALA PAVING COMPANY INC.  
IN AN AMOUNT NOT TO EXCEED  
\$1,298,473.34**



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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

It was moved by Alderman Gattuso and seconded by Alderman Schauer to approve the following ordinance as presented:

**S. ORDINANCE NO. O-10-10**

**CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 6C-4-7 OF THE DARIEN CITY CODE, "WATER CONSUMPTION CHARGES"**

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

Mayor Weaver provided a general review of Items C through R under New Business.

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

**C. RESOLUTION NO. R-16-10**

**CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING A CONTRACT FOR THE 2010 CONCRETE SIDEWALK, APRON, CURB AND GUTTER REMOVAL AND REPLACEMENT PROGRAM AND WAIVING THE \$75.00 PERMIT FEE APPLICATION TO PARTICIPATING RESIDENTS**

- D. RESOLUTION NO. R-17-10**                      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM DAS ENTERPRISES INC. TO PROVIDE TRUCKING SERVICES AT A RATE OF \$84.00 PER HOUR FOR SERVICES RELATING TO HAULING WASTE FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**
  
- E. RESOLUTION NO. R-18-10**                      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM METAL CULVERTS INC. FOR CULVERT METAL PIPES, METAL BANDS AND METAL FLARED END SECTIONS AND FITTINGS FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**
  
- F. RESOLUTION NO. R-19-10**                      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING THE UNIT PRICE PROPOSAL FOR TIPPING AND TRANSFER FEES FROM LAND AND LAKES COMPANY FOR CERTAIN GENERATED WASTE FROM VARIOUS PUBLIC WORKS FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**
  
- G. RESOLUTION NO. R-20-10**                      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FOR THE PURCHASE OF STONE AT THE PROPOSED UNIT PRICES FROM ELMHURST CHICAGO STONE FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**
  
- H. RESOLUTION NO. R-21-10**                      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM KIEFT BROTHERS INC. FOR STORM SEWER STRUCTURES, IRON SEWER GRATES, CONCRETE ADJUSTING RINGS FOR VARIOUS PUBLIC WORKS**

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**PROJECTS FOR A PERIOD OF MAY 1, 2010  
THROUGH APRIL 30, 2011**

- I. RESOLUTION NO. R-22-10**      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM A & J CONSTRUCTION INC. FOR THE REMOVAL AND REPLACEMENT OF BITUMINOUS APRONS AND ROAD PATCHES AS REQUIRED FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**
- J. RESOLUTION NO. R-23-10**      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM DUPAGE TOPSOIL INC. AT THE PROPOSED SCHEDULE OF PRICES, FOR TOPSOIL FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**
- K. RESOLUTION NO. R-24-10**      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM BEARY LANDSCAPING AT THE PROPOSED SCHEDULE OF PRICES FOR THE PLACEMENT OF TOPSOIL AND FOR THE PURCHASE AND PLACEMENT OF FERTILIZER AND SOD FOR LANDSCAPE RESTORATION SERVICES FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**
- L. RESOLUTION NO. R-25-10**      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM NORWALK TANK FOR HIGH DENSITY POLYETHYLENE PIPES (HDPE), FLARED END SECTIONS, AND FITTING FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**
- M. RESOLUTION NO. R-26-10**      **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FOR THE PURCHASE OF**

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**STONE AT THE PROPOSED UNIT PRICES FROM SALCE INC. FOR CA-6 AND CA-7 STONE DELIVERED TO THE CITY OF DARIEN FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2010 THROUGH APRIL 30, 2011**

**N. RESOLUTION NO. R-27-10**

**CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION TO ADD QUANTITIES TO THE CURRENT CONTRACT FROM SUBURBAN CONCRETE INC. FOR APRON RESTORATIONS FOR THE 2010 DITCH MAINTENANCE IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$55,000.00**

**O. RESOLUTION NO. R-28-10**

**CONSIDERATION OF A MOTION TO AUTHORIZE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT FOR THE 2010 DITCH MAINTENANCE PROJECT BETWEEN THE CITY OF DARIEN AND SCORPIO CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$134,600.00**

**P. RESOLUTION NO. R-29-10**

**CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION FOR LANDSCAPE FERTILIZATION SERVICES BETWEEN THE CITY OF DARIEN AND SPRING GREEN LAWN CARE**

**Q. ORDINANCE NO. O-09-10**

**CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN, AND MECHANICS EMPLOYED ON PUBLIC WORKS OF SAID CITY**

**R. CONSIDERATION OF A MOTION TO APPROVE REVISING THE BRUSH PICK UP SCHEDULE FOR FISCAL YEAR 2010-2011**

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

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

Alderman Marchese commended and expressed gratitude to the Darien Park District and the Lions Club participants on the Easter Egg Hunt and breakfast.

Alderman Galan requested that a head count at the Police Department be reviewed and discussed at Thursday's Police Committee Meeting, and that he be allowed to make a presentation.

Alderman McIvor advised that Police Department head count is to be reviewed on Thursday, and that Alderman Galan is welcome to make his presentation.

Director Gombac reviewed the 2010 Concrete Replacement Program and costs.

Don Damon of 1017 69<sup>th</sup> Street objected to the "DuPage County Communities Comparison of 2008 Municipal Property Tax Rates" which was published in the November/December issue of the Neighbors of Darien magazine. Mr. Damon felt the list is not accurate.

A lengthy discussion ensued.

18. **ADJOURNMENT**

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

**VIA VOICE VOTE – MOTION DULY CARRIED**

**April 5, 2010**

The City Council meeting adjourned at 9:10 P.M.

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Mayor

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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 04-05-10.  
Minutes of 04-05-10 CCM