

Minutes - September 2, 2003

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR CARMEN D. SOLDATO FOR THE PURPOSE OF REVIEWING ITEMS ON THE SEPTEMBER 2, 2003 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:15 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

SEPTEMBER 2, 2003

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 Carmen D. Soldato.

2. PLEDGE OF ALLEGIANCE

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

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

Present: Richard Biehl John F. Poteraske, Jr.

Morgan Cotten James Tikalsky

David Hagen Kathleen Moesle-Weaver

Joseph Marchese

Also in Attendance: Carmen D. Soldato, Mayor

JoAnne E. Ragona, Acting Deputy City Clerk

Judith N. Kolman, Attorney

Kevin P. Monaghan, City Treasurer

Bryon D. Vana, City Administrator

Robert Pavelchik, Chief of Police

Gregory Dreyer, Community Development Director

Robert Mengarelli, Asst. Director of Public Works

4. DECLARATION OF A QUORUM — There being seven Aldermen present, Mayor Soldato declared a quorum.

5. APPROVAL OF MINUTES

City Council Meeting of August 4, 2003

It was moved by Alderman Hagen and seconded by Alderman Tikalsky to approve the Minutes of the Regular Meeting of August 4, 2003, as presented.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

Committee-of-the-Whole Meetings of August 4, 2003 and August 11, 2003

It was moved by Alderman Tikalsky and seconded by Alderman Poteraske to approve the Committee-of-the-Whole Minutes of August 4, 2003 and August 11, 2003, as presented.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

6. RECEIVING OF COMMUNICATIONS

Alderman Biehl received communication from:

- Ms. Duka of Downers Grove; she voiced concern about the proposed project near the fire station at 75th Street & Lyman Avenue.
- Jim Cermak, Alan Larsen, Don & Carol McDowell, and Jim & Emily White; their emails voiced concerns and requested Council to vote 'NO' for the West Point development proposed at 67th Street & Bentley Avenue.
- Susan Jurjonas, 7014 High Road; she inquired if Crest Road would be closed at Plainfield Road, about stagnant water, and traffic control on High Road due to the Marion Hills flood water project. Alderman Biehl spoke with Ms. Jurjonas and informed her that the County did propose to close Crest Road at Plainfield and that the City would work with the County and the residents in regard to the Marion Hills project.

Alderman Hagen received communication from:

- Chuck Thompson, a Chapman Court resident, who was concerned about the new homes under construction on Chapman, increased traffic, and signage.
- Norbert Borowski, 8100 block of Sawyer, in regard to parked cars in driveways blocking sidewalks, street lights, street sign replacement, sound barriers, and development of the triangle area.

Alderman Poteraske received communication from:

- George Padera, 1600 block of Arbor Court; he requested a 'NO OUTLET' sign. The issue would be discussed by the Administrative/Finance Committee.
- Ed Rzececzkowski, 1500 block of Hawthorne Place, the designated representative of the July 5th storm outage. Administrator Vana was requested to schedule a follow-up meeting with ComEd during the month of September.
- Mike & Stella Jozwik, 1900 block of McAdam Road, wrote a letter thanking Council for the installation of a streetlight in their neighborhood.

Alderman Poteraske spoke about the Plainfield Office Complex; he stated that the site had been improved. He requested that the dumpster and large chunks of wood be removed from behind the buildings.

Alderman Cotten received letters from:

- Ron Grower, 7611 Wakefield Drive, in regard to ponding at the driveway/curb. Alderman Cotten spoke with the resident and was informed that the area was on the list for the curb replacement program.
- Phyllis Burns, 8619 Woodvale Drive, was concerned about restraint of dogs and owners responsibilities.

Alderman Weaver apologized to residents for not responding to emails; she was out of town and stated that she would respond as soon as possible.

7. MAYOR'S REPORT

A. MAYORAL PROCLAMATION "CHAMBER OF COMMERCE WEEK" (September 14-20, 2002)

Mayor Soldato read the Proclamation and proclaimed September 14 through 20, 2003 as "Chamber of Commerce Week". Chamber President Steve Hynek accepted the Proclamation on behalf of all Chamber of Commerce members; Mr. Hynek thanked everyone for their support. He also reminded everyone that DarienFest would be held September 5, 6 and 7 at Darien Community Park.

Mayor Soldato...

... welcomed all representatives who supported the Skate Park; he informed them that they would have an opportunity to speak under Item 13, Questions and Comments.

... commented that he had met with the homeowners of Water Tower Court Condominium Association in regard to the improvements at the Crossroads development.

... noted that a Goal Setting Session was scheduled for Tuesday, September 9, 2003 at 6:30 P.M.

... received numerous emails and calls regarding the televising of the Park District Board Meetings on the Darien Cable Channel. He noted that the Park District had been offered the opportunity to utilize the City Council Chambers for their meetings; he urged residents to attend the District meetings, which are held on the third Tuesday of each month.

... read additional language added to the proposed Ordinance, for the Skate Park located at the Sportsplex, under Section 2: "4. Repeated disturbances on the premises which require significant police attention may be cause for revocation of the special use granted by this ordinance. Any revocation shall be subject to a prior hearing before the Mayor and City Council of the City of Darien."

8. CITY CLERK'S REPORT

Acting Deputy City Clerk Ragona...

... announced that the Fire and Police Commission rescheduled their September 2nd meeting to Tuesday, September 9th, at 7:30 P.M.

... commented that the Planning and Zoning Commission meeting scheduled for Wednesday, September 3rd, had been cancelled.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... reported that the property maintenance lawsuit filed against the property at 917 Ironwood had been dismissed because the property had been sold. He thanked local residents, police and attorney for their persistence.

... stated that Council would review the sidewalk bid at the next Council meeting; the program was scheduled to begin in the Fall.

... commented that the Mayor and he had met with representatives of Brookhaven Plaza; the representatives announced that Walgreens had leased space within the Plaza and that internal and external improvements would be made.

... announced that the Administrative/Finance Committee would review signage at 72nd Street & Richmond Avenue.

Alderman Biehl stated that the house at Crest & Plainfield Roads had been demolished; he inquired if there was an update from the County. Administrator Vana replied that an informational letter had been received from the County and that he would forward a copy to Alderman Biehl.

Alderman Poteraske asked about the status of the sewer damaged by the DuPage Water Commission's contractor; Administrator Vana replied that the City was communicating with the Commission and that the City requested a letter verifying that the Commission would have the sewer repaired.

10. DEPARTMENT HEAD REPORT

Police Chief Robert Pavelchik...

... addressed comments made by the Aldermen:

- stated that the Dog Ordinance was in the process of being revised and that it would be re-reviewed by the Administrative/Finance Committee. He asked residents to be a 'good neighbor' and speak with one another if there were questions about their animals.

- stated that sidewalks should not be blocked by parked vehicles on driveways. He noted that administratively the Police Department did not enforce the ordinance twenty-four hours per day, that is was unreasonable to ticket someone at 3:00 A.M.

- stated that traffic would increase on High & Crest Roads due to road closures for DarienFest. He noted that there would also be an increase in police enforcement.

... commented that there were three significant losses within the Police Department: Sue Mika, an employee who was the midnight shift receptionist, had passed away due to cancer; Rich Stutte's grandmother passed away; and Marina Liska's brother passed away.

... noted that \$8,500 in grant money had been received from the Federal Government for bullet proof vests.

... spoke about the police departmental meeting scheduled for Wednesday, September 3rd, where awards would be distributed.

... talked about placement of child safety car seats within vehicles; he said that Officer Menzione completed a program and received certification.

Alderman Poteraske inquired if the "Kids Alive Program" would take place this Fall; Chief Pavelchik responded that Officer Menzione was seeking information from the Village of Bolingbrook because they have a large program.

Alderman Biehl commented that there was specific timeframe language within the City Code about vehicles that park over sidewalks; Chief Pavelchik stated that the Ordinance says 'no parking at all' and the time restriction was in the enforcement procedural policy. Mayor Soldato stated that State law supercedes the Ordinance and that the City could not dictate an enforcement time. Alderman Marchese inquired about areas where there were no sidewalks; Chief Pavelchik responded that the enforcement for right-of-way was fifteen feet (15') from the curb.

11. TREASURER'S REPORT

A. WARRANT NUMBER 03-04-07

It was moved by Alderman Tikalsky and seconded by Alderman Biehl to approve payment of Warrant Number 03-04-07 in the amount of \$241,322.35 from the General Fund; \$194,865.78 from the Water Fund; \$321,056.41 from the Motor Fuel Tax Fund; \$1,278.11 from the D.A.R.E. Fund; \$13,011.98 from the Joint Use Facility Fund; \$318.64 from the Hotel/Motel Tax Fund; \$494.00 from the Special Service Area Tax Fund; \$6,669.22 from the Darien Area Dispatch Fund; \$190,215.69 from the General Fund Payroll for the period ending 08/07/03; \$22,409.43 from the Water Fund Payroll for the period ending 08/07/03; \$25,577.69 from the D.A.D.C. Fund Payroll for the period ending 08/07/03; \$207,775.03 from the General Fund Payroll for the period ending 08/21/03; \$24,816.05 from the Water Fund Payroll for the period ending 08/21/03; \$21,075.35 from the D.A.D.C. Fund Payroll for the period ending 08/21/03; for a total to be approved of \$1,270,885.73.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky, Weaver

Nays: Hagen

Absent: None

Results: Ayes 6, Nays 1, Absent 0

MOTION DULY CARRIED

B. TREASURER'S MONTHLY REPORT – JULY 2003

City Treasurer Monaghan reviewed all sources of revenue and expenditures for the month of July 2003 with the following year-to-date fund balances: General Fund \$1,932,094; Water Fund \$830,248 Motor Fuel Tax Fund \$986,556; Darien Towne Centre Sales Tax Fund \$258,861; and Hotel/Motel Tax Fund \$69,347.

Alderman Poteraske inquired about the availability of the final audit report; Administrator Vana stated that it should be available by late September.

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — No Report.

Planning/Development Committee — No Report.

Public Works Water/Streets Committee — No Report.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

A group of young gentlemen residents who attend Downers Grove South High School, Hinsdale South High School and Eisenhower Junior High School encouraged the City Council to approve the proposed Skate Park Ordinance. They stated that they loved skate boarding because it built self-confidence; that it was fun, a challenge and that it appealed to kids, that it was popular and a legitimate sport, that it would provide a safe environment and would keep kids off streets by providing them with somewhere to go. They thanked everyone for their support and asked for their dream to become reality.

Denise Banaszak, 517 70th Street, stated that the students who spoke, with the guidance of Eisenhower Junior High School teacher, Dean Rodkin, learned how to speak, how to write letters, how to have State representatives come to their schools, and how to be acknowledged. She asked that Council vote for the proposed Skate Park Ordinance.

Mayor Soldato noted the importance of various roles played. He said that the Darien Park District would build the Skate Park. Council viewed the Skate Park from a 'Special Use' zoning standpoint; that no City funds or City involvement beyond the approval of the Skate Park as an appropriate use in the Sportsplex area. He introduced Scott Nerger, Administrator of the Darien Park District. Mr. Nerger stated that they had limited funds in the amount of \$85,000; that they were trying to raise additional money. The estimated cost of the Skate Park, depending on the size ranging from 7,500 to 10,000 sq.ft., would be \$190,000-256,000. The Park District would like to design and install the concrete pad and fencing within the basin as soon as possible, depending on weather conditions; they would propose plans for purchase and placement of equipment after the receipt of additional funds.

14. OLD BUSINESS

There was no Old Business to come before the City Council.

15. CONSENT AGENDA

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

A. ORDINANCE NO. O-29-03 AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN

B. ORDINANCE NO. O-30-03 AN ORDINANCE APPROVING A SPECIAL USE TO THE DARIEN ZONING ORDINANCE (PZC 2003-10: Chang's Hapkido Academy)

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING AN EXISTING SPECIAL USE TO THE DARIEN ZONING ORDINANCE (Darien Park District/Sportsplex) (PZC 2003-13: 451 Plainfield Rd., Skate Park)

It was moved by Alderman Marchese and seconded by Alderman Tikalsky to approve

ORDINANCE NO. O-31-03 AN ORDINANCE AMENDING AN EXISTING SPECIAL USE TO THE DARIEN ZONING ORDINANCE (Darien Park District/Sportsplex) (PZC 2003-13: 451 Plainfield Rd., Skate Park)

as presented.

Mayor Soldato reiterated the additional language under Section 2: "4. Repeated disturbances on the premises which require significant police attention may be cause for revocation of the special use granted by this ordinance. Any revocation shall be subject to a prior hearing before the Mayor and City Council of the City of Darien."

Roll Call: Ayes: Biehl, Hagen, Marchese, Poteraske, Tikalsky, Weaver

Nays: Cotten

Absent: None

Results: Ayes 6, Nays 1, Absent 0

MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING THE TRANSFER OF TARA HILL WETLAND AND CONSERVATION EASEMENT TO THE CITY OF DARIEN

It was moved by Alderman Weaver and seconded by Alderman Biehl to approve

RESOLUTION NO. R-30-03 A RESOLUTION APPROVING THE TRANSFER OF TARA HILL WETLAND AND CONSERVATION EASEMENT TO THE CITY OF DARIEN

as presented.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky, Weaver

Abstain: Hagen

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

A spokesman for the Tara Hill residents thanked Council for their action in regard to the Tara Hill Wetlands.

The Aldermen verified that the Goal Setting Session was scheduled for September 9th at 6:30 P.M. in the Police Training Room.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:30 P.M.

Mayor

Acting Deputy Clerk

JR/jr

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 09-02-03.

Minutes of 09-02-03 CCM