

## Minutes - January 6, 2003

Minutes of the Regular Meeting of the City Council of the  
CITY OF DARIEN  
JANUARY 6, 2003

### 1. CALL TO ORDER

The regular meeting of the City Council of the City of Darien was called to order at 7:45 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 City Clerk Coleman 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 F. Coleman, City Clerk  
Attorney John B. Murphey  
Arthur P. Donner, City Treasurer  
Bryon D. Vana, City Administrator  
Robert Pavelchik, Chief of Police  
Gregory Dreyer, Community Development Director  
Robert Mengarelli, Asst. Director of Public Works  
Robert Rodgers, Asst. Director of Public Works

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

### 5. APPROVAL OF MINUTES—December 16, 2002

It was moved by Alderman Cotten and seconded by Alderman Poteraske to approve the Minutes of the Regular Meeting of December 16, 2002, as presented.

Alderman Biehl noted that under Executive Session it was indicated that he was absent but he had actually arrived late.

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 Marchese received email from Gregory Pierce, 1500 Willowcreek Lane, in regard to removal of snow from the parking lot at Cass Junior High School, which was resolved without City involvement.

Alderman Poteraske:

\* Was contacted by Jim Hurriss, 1500 block of 71st Street, in regard to a sewer problem. DuPage County televised the sewer line, which indicated the main line and access to his property was clear and that the problem was within his property. The resident also inquired about removal of a large tree in front of the home.

\* Received correspondence from Beatrice Raga, 1500 block of Foxtail Court, and Arlyne Lukes, Walnut Drive, in regard to a senior subsidized taxi service. He indicated that he was gathering quotes, which would be reviewed by Administrative/Finance Committee in February.

## 7. MAYOR'S REPORT

Mayor Soldato noted that Item A under New Business was an Ordinance for establishment of a central business district at 75th Street and Cass Avenue. He said the proposed district was an affirmation of what was outlined in the Comprehensive Plan to redevelop and upgrade the commercial area. He commented that he and the City Council were concerned not to negatively impact the School District or any taxpayer and that he and Administrator Vana have a meeting scheduled with School Board 61 on January 14th.

## 8. CITY CLERK'S REPORT

Clerk Coleman:

—invited everyone to have Coffee with Mayor Soldato on Saturday, January 18th, from 9:00 until 10:00 A.M. at Darien City Hall in the Council Chambers.

—announced that nomination petitions for Mayor, Clerk, Treasurer and Ward 3 Alderman could be filed between January 13th at 8:30 A.M. and January 21st at 5:00 P.M.

—noted that nominations for the 2003 Citizen of the Year must be received by January 7th in order to be considered. She indicated that applications were available at the Indian Prairie Library and City Hall; completed nomination forms need to be submitted to the Citizen of the Year Committee at City Hall.

## 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana noted that the computer upgrades approved by the City Council had been started; he noted that all of the servers were upgraded and that the laptop and desktop upgrades were in the process of being scheduled.

## 10. DEPARTMENT HEAD REPORT

Community Development Director Gregory Dreyer:

—reported that a Development Status Report was being distributed to Council in the weekly Administrator packet. spoke about the Wight & Co. development, which was scheduled for a public hearing and should be presented to Council in February.

—noted that there would be a neighborhood meeting on Tuesday, January 14th, at the Darien-Woodridge Fire Protection District, 7550 Lyman Avenue, in regard to the development at 75th Street & Lyman Avenue.

—commented that 543 building permits were issued in 2002; 566 building permits were issued in 2001.

Alderman Weaver complimented the Development Status Report and the information contained therein.

Alderman Tikalsky inquired about the non-compliant signage at the cleaners in the Crossroads development. Director Dreyer stated that he would investigate if the signage had been removed.

Mayor Soldato asked that the Development Status Report be distributed to the Planning and Zoning Commission.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 02-03-17

It was moved by Alderman Hagen and seconded by Alderman Cotten to approve payment of Warrant Number 02-03-17 in the amount of \$56,189.19 from the General Fund; \$400,000.00 from the Darien Towne Center Fund; \$23,101.99 from the Motor Fuel Tax Fund; \$42,141.31 from the Water Fund; \$1,555.54 from the Darien Area Dispatch Fund; \$197,292.41 from the General Fund Payroll for the period ending 12/26/02; \$19,091.23 from the Water Fund Payroll for the period ending 12/26/02; \$23,862.65 from the D.A.D.C. Fund Payroll for the period ending 12/26/02; for a total to be approved of \$763,234.32.

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

Nays: Tikalsky

Absent: None

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

## 12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee—Chairman Weaver submitted, for the record, Minutes from the December 12, 2002 meeting. She announced that the next scheduled meeting was January 13, 2003 at 6:30 P.M. It was reported that the Budget Meetings were scheduled for February 25, March 4 and 11, 2003.

Planning/Development Committee—No report.

Public Works Water/Streets Committee—No report.

## 13. QUESTIONS AND COMMENTS ó AGENDA RELATED

Gene Kolling commented that there was a need for senior housing within Darien and that the Comprehensive Plan was a guideline. He inquired if the redevelopment (75th Street -Plainfield Road - Cass Avenue) was a T.I.F. Mayor Soldato responded that New Business Item A was redevelopment of three corners at 75th Street, Plainfield Road & Cass Avenue as defined in the Comprehensive Plan and that if the area was considered for a T.I.F. district that a public hearing would be necessary.

Warren Anderson, 533 Chestnut Lane, inquired why the area was being considered for redevelopment. Mayor Soldato responded that there was a process. A committee was formed along with a professional consultant; they reviewed and redefined the Comprehensive Plan, which included hearings, surveys and resident input. He indicated that it was premature to speak about a T.I.F. district. He said that there were

twelve parcels involved and that the vision had been set forth by the residents of Darien. Administrator Vana highlighted that the area was also designated as a meeting place, a town center.

Treasurer Donner noted that a feasibility study would indicate if the area could be a T.I.F. district for redevelopment; he indicated that the School District would receive new impact fees as a result.

Eugenia Gazoriak, 7105 Bentley Avenue, inquired why Darien does not have a senior subsidized taxi service. Alderman Poteraske stated that programs were being researched and would be reviewed by the City Council. Ms. Gazoriak also suggested that the City ban Cottonwood trees.

#### 14. OLD BUSINESS

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

#### 15. CONSENT AGENDA

There were no Consent Agenda items to come before the City Council.

#### 16. NEW BUSINESS

##### A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE ESTABLISHING THE PLAINFIELD-CASS AVENUE BUSINESS REDEVELOPMENT DISTRICT IN THE CITY OF DARIEN

It was moved by Alderman Weaver and seconded by Alderman Cotten to approve an Ordinance Establishing the Plainfield-Cass Avenue Business Redevelopment District in the City of Darien, as presented.

Alderman Hagen read the following statement: iAlthough I support the concept of improving 75th and Cass our Center of Town, I feel that more information needs to be presented to our citizens and the council before we embark on this radical departure from anything which Darien has ever done in the past. Questions I would have are: Why now? - what is the hurry? We do not rezone property based on our comprehensive plan - we wait until a petitioner has a project. My major concern here is that this action opens the door as I see it for eminent domain actions - without a current need absent a plan. Why can't we have a conceptual idea of the design of this development? I believe we need more public input on any specifics of this development, in addition to the general recommendations offered in the Comprehensive Plan. What are the ramifications to local taxing districts if we establish a TIFF district? What about the impacts on existing businesses and residents? What benefits would it offer to Darien residents - and at what cost? I believe, based on what little discussion has been presented, that the direction of any development like this would mean a dramatic increase in multi-family density in order for it to work.

Recent attempts at urban redevelopment in Wheaton and Downers Grove have led to unexpected cost overruns, costing those municipalities many millions of dollars beyond what was anticipated. Any municipal costs associated with this development must come from our residents in taxes or bonded indebtedness.

I recommend that a steering committee consisting of two members of the planning and zoning commission and residents from throughout Darien (perhaps one recommended by each alderman from within their wards-to insure a comprehensive approach), be appointed to study two or three optional concepts including financing alternatives to report back to the council within the next 6 to 12 months with recommendations.

Therefore, I would like to make a motion to table this decision.î

It was motioned by Alderman Hagen and seconded by Alderman Tikalsky to Table the Ordinance Establishing the Plainfield-Cass Avenue Business Redevelopment District in the City of Darien.

Roll Call: Ayes: Biehl, Hagen, Tikalsky

Nays: Cotten, Marchese, Poteraske, Weaver

Absent: None

Results: Ayes 3, Nays 4, Absent 0  
MOTION FAILED

Responding to Alderman Hagen's prepared statement, Mayor Soldato stated "If I can, I would just like to address maybe some of Alderman Hagen's concerns, and I guess begin by saying it shouldn't surprise me running for Mayor that there has to be some differentiation, I guess Alderman Hagen so here it begins. But, it is just a little bit disappointing because the process that we follow has been one that you have been a part of, not only with this Council but actually going back to the Comprehensive Plan update and following it all the way forward through your Committee which recommended the Plan be approved and that the route that we followed be pursued. It is easy to say, and I think Mr. Anderson raised the rightful concern as well, that we need to communicate, there is no question about that. The troublesome part of this matter and I think you are aware of it or you don't understand it or it's, I would guess just political, is that there is no way really to go out and get public input because frankly as you know until we get, as Art rightfully said, the numbers as to what this could yield and more importantly get the input of a developer as to what this project would need to look like to yield a financial return that they would be interested in pursuing, there is absolutely no way to talk about this corner. and to put a volunteer group together. Frankly, it is not the job of a volunteer group, it is the job of a professional, who you've told staff to go ahead and authorize to hire the professional that could look at this land, analyze it and come back to us with a cost. So, to be asking these questions now and more importantly ask a citizens committee of some type to do this type of work, is really inappropriate and I don't think even indicates an understanding of the process that we really have all agreed to follow and you have been a part of up until this point. But again, as always, if you have questions as we go along we would be happy to here them; but, to raise these notes of opposition at this point, which is really the easy thing to do, I think is nothing other than potentially damaging to the city. There is no question that this is a demarcation from where we have headed, but we have all agreed and you have prior as well, that if we pursue this and work hard at it, this could be a net improvement and an asset in Darien that will be here for dozens of years into the future."

There was a call for the question.

ORDINANCE NO. O-01-03 AN ORDINANCE ESTABLISHING THE PLAINFIELD-CASS AVENUE BUSINESS REDEVELOPMENT DISTRICT IN THE CITY OF DARIEN as presented.

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

Nays: Hagen

Absent: None

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

B. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2002-02: 2601 75th Street)

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

ORDINANCE NO. O-02-03 AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2002-02: 2601 75th Street) as presented.

Alderman Weaver questioned if this proposal did not proceed, if it would revert back to the current status. Attorney Murphey stated that the variation went with the planned unit development.

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

Nays: None

Absent: None

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

#### C. CONSIDERATION OF A MOTION TO APPROVE THE REQUEST TO LEASE AN ATM IN THE LOBBY OF THE POLICE STATION

It was moved by Alderman Tikalsky and seconded by Alderman Poteraske to approve the Request to Lease an ATM in the Lobby of the Police Station, as presented.

Alderman Tikalsky stated that he found it ironic that this would make it more convenient for people to get out of jail but it would allow officers the opportunity to get back out on the street in a timely manner. He inquired if the Committee addressed the signage on the ATM machine; Alderman Hagen advised our codes do not address inside signage. He indicated that he would prefer a machine with minimal signage; Chief Pavelchik responded that the Lease Agreement indicated signage in compliance with Darien's ordinances/regulations.

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

Nays: None

Absent: None

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

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

Alderman Hagen announced that the Darien Historical Society would have "Sunday Dinner" on February 2nd from 1:00-4:00 P.M. at Ripples; he said that tickets could be purchased through Historical Society members.

Alderman Weaver inquired if the City would oversee changes in property taxes; Clerk Coleman stated that the Council previously joined forces with other taxing districts.

Luke Peterson, 1026 Janet Avenue, commented about the self-service car wash on Plainfield Road, which operates 24 hours/seven days a week. He stated that the users often played loud music, he suggested meeting with surrounding residents and perhaps installation of an 8' fence for noise

abatement. Mayor Soldato recommended that Chief Pavelchik inquire about communication with the owner and that the Administrative/ Finance Committee review the fence suggestion.

Alderman Tikalsky thanked Public Works for the outstanding job of snowplowing over the Holiday.

#### 18. ADJOURNMENT

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

VIA VOICE VOTE ñ MOTION DULY CARRIED

The City Council meeting adjourned at 8:50 P.M.