

Minutes - February 5, 2007

EXECUTIVE SESSION

It was moved by Alderman Marchese and seconded by Alderman Biehl at 6:35 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) of Public Act 88-261.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Poteraske, Weaver

Nays: None

Absent: McIvor

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

It was moved by Alderman Gattuso and seconded by Alderman Marchese at 7:20 P.M. to move into Open Session.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: None

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

A WORK SESSION WAS CALLED TO ORDER AT 7:20 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE FEBRUARY 5, 2007 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:25 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

FEBRUARY 5, 2007

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: Richard A. Biehl Sylvia Mclvor William R. Durkin John F. Poteraske, Jr. Carolyn A. Gattuso
Kathleen Moesle Weaver Joseph A. Marchese

Also in Attendance: Kathleen Moesle Weaver, Mayor Joanne F. Coleman, City Clerk Kevin P. Monaghan,
City Treasurer Judith N. Kolman, City Attorney Bryon D. Vana, City Administrator David Skala, Deputy
Chief of Police Daniel Gombac, Director of Community Development/Public Works Scott Coren, Assistant
to the Administrator

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

5. APPROVAL OF MINUTES – January 15, 2007

It was moved by Alderman Biehl and seconded by Alderman Gattuso to approve the Minutes of the
Regular Meeting of January 15, 2007, as presented.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Nays: None

Absent: None

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

6. RECEIVING OF COMMUNICATIONS

Alderman Gattuso received email from Tim Daly, 801 79th Street, which she submitted for the record; Mr.
Daly requested a 'smoking ban' in all public places within the City of Darien. Mayor Weaver commented
that a report had recently been completed by DuPage County with Mayors from DuPage municipalities in
regard to the issue.

Alderman Poteraske stated that he received several calls on Sunday, February 4th, regarding flickering of
power. He asked that Cornell Barnett, ComEd Representative, address the issue during his report.

Mayor Weaver received a letter from Beth Hatter with essays from the 3rd Grade Class at Lace
Elementary about great places to visit in Darien. She thanked Teacher Hatter and the students for their
informational submittals.

7. MAYOR'S REPORT

A. SWEARING IN OF NEW OFFICER – BRIAN LITTLE

Mayor Weaver turned the meeting over to Deputy Chief Skala. Deputy Chief Skala introduced Mark
Piccoli and Carol Gierut of the Fire and Police Commission and appointee, Brian Little. Mark Piccoli
administered the Oath of Office to Brian Little; Officer Little received congratulations from the City Council
and a resounding round of applause from the audience.

Deputy Skala invited Javier Gonzalez to the podium; he recognized Auxiliary Officer Gonzalez for 10
years of service and presented him with a plaque as a token of appreciation.

B. ILLINOIS DEPARTMENT OF TRANSPORTATION REPRESENTATIVE DIANE O'KEEFE- REPORTING ON PAVEMENT CONDITION AND RESIDENT CONCERNS ON NORTH FRONTAGE RD. (BETWEEN CASS AVENUE AND CLARENDON HILLS ROAD)

Mayor Weaver invited Diane O'Keefe to address Council and residents regarding concerns about the resurfacing of North Frontage Road. Ms. O'Keefe noted that Darien does not have many State roadways; she indicated that IDOT received numerous letters and calls in regard to the inadequate resurfacing of this roadway. She indicated that IDOT prioritizes roadway work based on traffic volume and condition of the roadway; frontage roads were not considered a priority until four years ago; funding was also an issue. She said that North Frontage Road had been patched, hot milled with rejuvenated materials, and placed back in place. She noted that in the past the procedure was successful but this particular project failed due to an inadequate base. Ms. O'Keefe commented that IDOT made this project a priority because the roadway condition worsened; the roadway is scheduled to receive a full resurfacing with IDOT's June 2007 letting; roadway work should be completed by late summer/early fall 2007; the IDOT maintenance department was instructed to keep the roadway pothole patched until work begins. Residents were instructed to contact IDOT maintenance division or Darien Public Works Department regarding roadway concerns/problems. Ms. O'Keefe responded to questions regarding litter and grass mowing.

C. THE GAMMONLEY GROUP PRESENTATION

Mayor Weaver asked The Gammonley Group to revisit their previous presentation for the benefit of the new aldermen; she indicated that this was only a proposal. Richard Gammonley, Executive Vice President, provided background information about the Group and spoke about various projects through a slide presentation. He indicated that the Group designs, develops, builds, and sells. Mr. Gammonley displayed the concept and proposed site plan for 'Darien Crossings', which was for the redevelopment on Cass Avenue between 75th Street & Plainfield Road. Darien Crossings would include two structures on top of one underground level of parking and would also have grade level parking; there would be 116 condominium units (945 feet to 1,620 feet) on top of approximately 31,665 feet of retail separated by a plaza with water fountain, outdoor courtyard, and seating area. David Kennedy, Principal with Perkins Pride Kennedy Stevens Architects from Glen Ellyn, addressed Council; he indicated that their firm had worked on many projects with the Gammonley Group. Some important aspects of the site design included: the site east to the proposed project was kept open for future development; traffic access would be from Cass Avenue, from 75th Street on the north, and from Plainfield Road on the south; underground parking would be shared between retail and residential; private elevators would be provided for retail; private elevators would be provided for resident access; condominium units would have one or two bedrooms with private balconies; and private/public pedestrian friendly space was provided for community use.

Alderman Mclvor inquired about marketability of the units; Mr. Gammonley stated that Darien's demographics were strong. Alderman Marchese indicated that the project was brought forward through resident input. Alderman Durkin inquired about retail within Gammonley projects; Mr. Gammonley responded that he was optimistic and felt that retail spaces would attract higher end retailers.

D. NEIGHBORS PUBLICATION REVIEW

Mayor Weaver indicated that the City met with Tim Sullivan of Emerald Marketing and that he presented a concept to incorporate the Darien Chamber's directory into the May-June Neighbors of Darien publication. Mr. Sullivan spoke of the Chamber directory and the creation of a 'true' community guide, which would incorporate information about the community as an overview; the information would be placed in a Neighbors publication. The front twenty pages would be dedicated to the City of Darien with the rear portion dedicated to the Chamber listing, which would be distributed to over 10,000 businesses and residents. The Community Guide would be an annual publication that would enhance real estate value, increase desirability of homeownership, and serve as a marketing tool. Mayor Weaver noted that the current cost was \$1,400/publication; she indicated that the cost for the Community Guide, May-June publication, would be \$2,800. Aldermen Biehl, Durkin, Gattuso, Marchese, Mclvor, and Weaver supported

the publication proposal; Alderman Poteraske stated that he would support the proposal if it included all businesses, even those who chose not to be Chamber members. There was discussion about inclusion of local Darien businesses that were not Chamber members. Alderman Poteraske inquired if a City map would be included; Mr. Sullivan indicated that a 'general' map could be included based on the size of the publication. It was noted that the Neighbors of Darien publications were available on the City's web site and also at: www.neighborsofdarien.com.

Mayor Weaver moved New Business Item A to Mayor's Report Item E.

E. CONSIDERATION OF A MOTION TO APPROVE REAPPOINTMENTS TO PLANNING AND ZONING COMMISSION – MICHAEL COREN, JOHN HENIFF, DONALD HICKOK, JOHN LIND, RAYMOND MIELKIS, AND KENNETH RITZERT

It was moved by Alderman Biehl and seconded by Alderman Poteraske to approve Reappointments to Planning and Zoning Commission – Michael Coren, John Heniff, Donald Hickok, John Lind, Raymond Mielkis, and Kenneth Ritzert, as presented.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: None

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

City Clerk Coleman administered the Oath of Office to Michael Coren, John Heniff, Donald Hickok, John Lind, and Raymond Mielkis. They received congratulations from Council and a round of applause from the audience.

F. COMED UPDATE

Cornell Barnett reviewed the completed items from information that he had distributed to Council. He said that the Request for Proposal for URD cable replacement was completed in December 2006; contract award for cable replacement was done in January 2007; pre-construction meeting was held on January 31, 2007; and a meeting with the City was held on February 5, 2007. He indicated that the project would begin as soon as weather permitted. He spoke about cable replacement for W804 and W386, which should be completed the week of February 12th. Mr. Barnett indicated that he received an email from Assistant Coren on February 5th to investigate the flickering lights; he indicated that he would have information for Assistant Coren on Friday, February 9th. Alderman Poteraske indicated that he had not received the January report; Mr. Barnett responded that he would forward the report around February 18th. Alderman Poteraske inquired about the W8014 November-December information; Mr. Barnett stated that he would forward the report to Assistant Coren.

Mr. Barnett spoke about the trenching process. He indicated that a contractor would perform the work for ComEd; information would be distributed to affected residences; workers would be walking and working in yards throughout the day; work would be done underground and the trench should be 36" deep; after cable installation, another crew would follow to splice the old to the new and there should be no outages. Additional information would be distributed to the affected residences notifying them that the work has been completed; landscaping would be completed when weather permitted.

Alderman McIvor stated that W386 had been a really long project; she asked Mr. Barnett to explain what changed over time and the reason for the length of time to repair the line. He said that the foreman had some switching concerns and did not want to create any type of outage. He indicated that everything

should be completed in the Spring. Alderman McIvor said that crews were on-site 24/7; she indicated that even though it was a long process there were no power interruptions.

8. CITY CLERK'S REPORT

Clerk Coleman...

... invited everyone for Coffee with Mayor Weaver on Saturday, February 17th, from 9:00 – 10:00 A.M. at City Hall in the Council Chambers.

... announced that City offices would be closed on Monday, February 19th in observance of Presidents Day.

... noted that the Candidate Filing period ended at 5:00 P.M. on February 5th. She indicated that the following people filed: Mayor: Richard A. Biehl & Kathleen Moesle Weaver Clerk: Joanne F. Coleman & Janine B. Kiwiet Treasurer: Michael J. Coren & Kevin P. Monaghan Alderman Ward 2: Juan (John) Galan Alderman Ward 4: Carolyn Gattuso Alderman Ward 6: Sylvia McIvor She informed everyone that a lottery would be held on Thursday, February 8th, at 4:30 P.M. in the Council Chambers for ballot position. 9.

CITY ADMINISTRATOR'S REPORT

Administrator Vana spoke about the sidewalk replacement program that included resident participation for concrete driveway and apron replacement; he indicated that the City waived permit fees as a convenience and as an incentive. He said that a resident nominated the program to the American Public Works Association Metro Chapter; the City was presented with a Public Service Improvement award from APWA for the 2006 Sidewalk, Curb & Gutter, and Apron Program.

10. DEPARTMENT HEAD REPORT — No Report

11. TREASURER'S REPORT

A. WARRANT NUMBER 06-07-17

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve payment of Warrant Number 06-07-17 in the amount of \$67,534.50 from the General Fund; \$21,394.39 from the Water Fund; \$6,186.76 from the Motor Fuel Tax Fund; \$29.02 from the Water Depreciation Fund; \$7,663.69 from the Darien Area Dispatch Center; \$1,135.60 from the DARE Fund; \$107,945.70 from the General Fund Payroll for the period ending 01/18/07; \$20,826.08 from the Water Fund Payroll for the period ending 01/18/07; \$25,856.29 from the D.A.D.C. Fund Payroll for the period ending 01/18/07; for a total to be approved of \$258,572.03.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: None

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

B. TREASURER'S MONTHLY REPORT – DECEMBER 2006

Treasurer Monaghan reviewed all sources of revenue and expenditures for the month of December 2006 with the following year-to-date fund balances: General Fund \$3,816,556; Water Fund \$786,986; Motor

Fuel Tax Fund \$187,574; and Water Depreciation Fund \$3,917,380; Capital Improvement Fund \$1,338,047.

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Chairman Weaver submitted, for the record, Minutes from the meetings held on September 11, 2006 and November 13, 2006. She announced that there would be a Committee-of-the-Whole meeting on Monday, February 12th, at 6:30 P.M.

Planning/Development Committee — No Report.

Public Works Water/Streets Committee — No Report.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no Agenda Related Questions or Comments to come before the City Council.

14. OLD BUSINESS

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

15. CONSENT AGENDA

Mayor Weaver indicated that New Business Item B had been moved to Consent Agenda as Item E.

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

A. CONSIDERATION OF A MOTION TO DIRECT THE PLANNING AND ZONING COMMISSION TO CONSIDER A TEXT AMENDMENT TO SECTION 5B-2-5(F): LAND CASH DONATIONS, FAIR MARKET VALUE, OF THE SUBDIVISION REGULATIONS, RAISING THE FAIR MARKET VALUE OF LAND WITHIN AND SURROUNDING DARIEN

B. RESOLUTION NO. R-02-07 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR ENGINEERING SERVICES BETWEEN THE CITY OF DARIEN AND CHRISTOPHER B. BURKE ENGINEERING, LTD. (WATER MODELING STUDY 2007) (IN AN AMOUNT NOT TO EXCEED \$16,000.00)

C. RESOLUTION NO. R-03-07 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR ENGINEERING SERVICES BETWEEN THE CITY OF DARIEN AND CHRISTOPHER B. BURKE ENGINEERING, LTD. (PAVEMENT CORING STREET MAINTENANCE 2007) (IN AN AMOUNT NOT TO EXCEED \$7,800.00)

D. RESOLUTION NO. R-04-07 A RESOLUTION SUPPORTING RECENT ACTIONS BY THE DUPAGE WATER COMMISSION AND URGING THE COMMISSION TO IMPLEMENT THE RECENT ACTIONS BY PASSING A BUDGET THAT INCLUDES A WATER RATE REDUCTION

E. ORDINANCE NO. O-01-07 AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2006-19: 7222 EXNER ROAD)

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, McIvor, Poteraske, 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 A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT AGREEMENT FOR THE TREE TRIMMING PROGRAM BETWEEN THE CITY OF DARIEN AND VEGA TREE SERVICE INC. IN AN AMOUNT NOT TO EXCEED \$39,375.74 FOR PARKWAY TRIMMING AND \$55.00 COST PER RESIDENT FOR PRIVATE TREES

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

RESOLUTION NO. R-05-07 A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT AGREEMENT FOR THE TREE TRIMMING PROGRAM BETWEEN THE CITY OF DARIEN AND VEGA TREE SERVICE INC. IN AN AMOUNT NOT TO EXCEED \$39,375.74 FOR PARKWAY TRIMMING AND \$55.00 COST PER RESIDENT FOR PRIVATE TREES as presented.

Alderman Mclvor asked for clarification of the \$55.00 cost per resident for private trees; Director Gombac responded that the cost was for a private residential tree from ground level to 12' high for trimming. Mayor Weaver said that the private tree trimming was a 'pilot' program; the area was bounded by Cass Avenue on the west, Clarendon Hills Road on the east, 69th Street on the north, and Plainfield Road on the south with a portion near 79th Street & Farmingdale Drive.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Nays: None

Absent: None

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

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Eric Goldbranson, 413 Maple, a representative of "Citizens for Education in District 61"; he wanted to inform the public of their existence and purpose in support of the upcoming February 27th Referendum. The group was committed to a 'YES' vote for the Referendum; their purpose was to provide citizens of District 61 with facts and implications of the Referendum. He invited residents to attend a question and answer session on February 22nd, 7:00 P.M., at Safety Village or to call (630) 651-5200 or to visit their website at www.cfd61.org.

James Tikalsky, 8301 Woodland Drive: * thanked everyone who attended the Historical Society dinner on January 28th; the event was successful and the Society appreciated the support. * asked that the request for a smoking ban in the City be forwarded to the Environmental Committee for review. Mayor Weaver commented that Woodridge Mayor Murphy was trying to form a countywide group to discuss the issue. She indicated that a 'model' ordinance had been received from the group. Alderman Marchese noted that he, Alderman Mclvor, and Assistant Coren attended a meeting with the DuPage County Department of Health; he indicated that they offered their services to share research in regard to the ban and that local businesses should be included. Administrator Vana commented that the law may be State mandated. * spoke about North Frontage Road; he thanked staff for providing contact information to residents in

regard to the roadway condition both prior to and after repair work. He was pleased that IDOT would be revamping the roadway. * announced that the Darien Lions Club would host the Darien Blood Drive on Tuesday, February 20th, from 4:30 – 8:00 P.M. at Lace School. * stated that he filed candidacy for the Darien Park District Board Commissioner.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 9:25 P.M.

Mayor _____ City Clerk Jfc/jr All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 02-05-07.