
PRE-COUNCIL WORK SESSION — 7:00 P.M.

Agenda of the Regular Meeting
of the City Council of the
CITY OF DARIEN
September 3, 2019
7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Quorum
5. Questions, Comments and Announcements — **General (This is an opportunity for the public to make comments or ask questions on any issue – 3 Minute Limit Per Person, Additional Public Comment Period - Agenda Item 18)**
6. Approval of Minutes
7. Receiving of Communications
8. Mayor's Report
 - A. Mayoral Proclamation “National Suicide Prevention Awareness Month” (September 2019)
 - B. Consideration of a Motion to Advise and Consent the Appointment of John E. Callan to the Board of Fire and Police Commissioners
 - C. Actuarial Presentation
9. City Clerk's Report
10. City Administrator's Report
 - A. Recreational Cannabis Survey Results and Discussion
11. Department Head Information/Questions
12. Treasurer's Report
 - A. Warrant Number — 19-20-10
13. Standing Committee Reports

14. Questions and Comments — **Agenda Related (This is an opportunity for the public to [make comments or ask questions on any item on the Council's Agenda](#) – 3 Minute Limit Per Person)**
15. Old Business
16. Consent Agenda
 - A. Consideration of a Motion to Approve an Ordinance Amending Various Sections of Title 8, Chapter 13 “[Sale of Tobacco Products to Minors](#)” of the City of Darien City Code
 - B. Consideration of a Motion to Approve an Ordinance Authorizing the [Sale of Personal Property Owned by the City of Darien](#) (Police Department)
 - C. Consideration of a Motion to Approve an Ordinance Authorizing the [Sale of Personal Property Owned by the City of Darien](#) (Municipal Services)
 - D. Consideration of a Motion to Approve a Resolution Accepting a Proposal from Associated Technical Services Ltd (ATS) for the [2019 Water Leak Survey](#), in an Amount not to Exceed \$12,109.50 for the Leak Detection Phase and a Per Unit Cost for the Leak Detection Phase in the Amount of \$420.00 per Mainline or Service Leak, and \$95.00 Per Fire Hydrant Leak or Mainline Valve for a Total Amount not to Exceed \$16,000
 - E. Consideration of a Motion to Approve a Resolution Accepting a Proposal from Tria Architecture, Inc. for the [Professional Design Services for the Public Works Facility](#) Located at 1041 South Frontage Road in an Amount not to Exceed \$23,850
 - F. Consideration of a Motion to Approve a Resolution Rejecting All Bids, Waiving the Competitive Bid Process, and Accepting a Proposal from Kenny Construction Company in an Amount not to Exceed \$692,560 for the Seminole 72-inch [Storm Sewer Lining Project](#) - Seminole Dr. and Plainfield Rd. - under McDonald’s Parking Lot, East to 801 Plainfield Rd and a Contingency in the Amount of \$125,000 for Unforeseen Excavations and Spot Repairs Due to Potential Conflicts. The Total Expenditure Request Would be not to Exceed \$817,560
 - G. Consideration of a Motion to Approve a Resolution Awarding a Contract Extension to Homer Tree Care, Inc. in an Amount not to Exceed \$216,750.00 for the City’s [2019/2020 Tree Trimming and Removal Program](#)
 - H. Consideration of a Motion to Approve a Resolution Authorizing the Mayor to Accept a proposal from Core & Main for the Purchase of the Following [Commercial Water Meters and Remote Readers](#) in an Amount not to Exceed \$250,162.40: 85 - 1 ½ Inch, 75 - 2 Inch, 35 - 3 Inch, 9 - 4 Inch, 2 - 6 Inch Water Meters and Remote Readers

17. New Business
 - A. Consideration of a Motion to Approve a Resolution Approving an [Economic Development Agreement with Carriage Greens Country Club](#) and Authorizing the Mayor and City Clerk to Execute the Economic Development Agreement
 - B. Consideration of a Motion to Approve a Resolution Accepting a Proposal at the Unit Price From Morning Noon Night for the [Jetting and Cleaning of the Storm Sewer Infrastructure](#) at Various Locations Throughout the City
18. Questions, Comments and Announcements — **General (This is an opportunity for the public to [make comments or ask questions on any issue](#) – 3 Minute Limit Per Person)**
19. Adjournment

Mayoral Proclamation

Whereas, September is known around the United States as “National Suicide Prevention Awareness Month”, most of us are quite aware of suicide. National Suicide Prevention & Action Month is intended to help promote and give attention to the Suicide Prevention services available to us and our Darien community. The goal is to speak openly about the topic of suicide to help erase the stigma surrounding it, and to direct those in need to the appropriate support services; and

Whereas, Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and

Whereas, According to the American Foundation for Suicide Prevention (AFSP), more than 47,000 people died by suicide in the year 2017; and

Whereas, Suicide is the 10th leading cause of death among adults in the US, and nearly 20% of all suicides were completed by people ages 45-54; and

Whereas, Darien, Illinois is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, athletic coaches, pack leaders, police officers, and parents, as partners in supporting our community in simply being available to one another; and

Whereas, local organizations like Suicide Prevention Services (SPS), national organizations like the National Alliance on Mental Illness (NAMI) and international groups like Hope For The Day (HFTD) are on the front lines of a war that many still refuse to discuss, as suicide and mental illness remain too uncomfortable of a topic to talk about; and

Whereas, every member of our community should understand that throughout life’s struggles we all need the occasional reminder that we are all fighting our own battles; and

Whereas, I encourage all residents to take the time to check in with their family, friends, and neighbors on regular basis and to honestly communicate their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

*Now, **Therefore, I, Joseph A. Marchese, Mayor of the City of Darien, do hereby proclaim the month of September 2019, as***

NATIONAL SUICIDE PREVENTION AWARENESS MONTH

in the City of Darien.

Mayoral Proclamation

*In Witness Whereof, I Have Hereunto Set My Hand And Caused To Be Affixed
The Seal Of The City Of Darien, this 3rd day of September Two-Thousand Nineteen.*

Joseph A. Marchese, Mayor

Attest:

JoAnne E. Ragona, City Clerk

CITY OF DARIEN

MEMO

TO: City Council

FROM: Mayor Joseph A. Marchese

DATE: August 29, 2019

SUBJECT: APPOINTMENT TO BOARD OF FIRE AND POLICE COMMISSIONERS

This is written to request your advice and consent to the appointment of [John E. Callan](#) to the Board of Fire and Police Commissioners. He has expressed an interest to serve the City in this capacity.

Again, should you have any questions, please do not hesitate to contact me.

mg

CITY OF DARIEN

APPLICATION FOR SERVICE ON CITY COMMISSION

Are you interested in serving on a City Commission? If so, please complete this application and return it to the Darien City Hall, 1702 Plainfield Road, Darien, Illinois 60561.

Date July 7, 2019
 Name John E. Callan

Address [REDACTED] (Phone [REDACTED])

Email [REDACTED]

How long have you lived in Darien? 42 years

Where did you live prior to coming to Darien? Lombard, IL

If Married, Spouse's Name Kathleen Children (include ages) Michael (39), Joseph (35), James (33)

Education: Bachelor of Science If you attended college, what was your major? Civil Engineering

Present Employer Retired Phone _____

Address _____ Fax _____

Nature of Occupation Consulting Engineer - Potable Water Supply Industry

Other Employment Experience Argonne National Laboratory
Infrastructure Assessment

Interests and Hobbies? Travel, Darien Lions Club, Cruise Nights with my Corvette

Of what local organizations have you been a member? (Please include offices held, if any) Darien Lions Club,

Our Lady of Mt. Carmel - Parish Council, 5 years, Chair 3. Current Bldg & Maint. Committee, Carriage Hill Homeowners Assoc - Founder & 1st Pres.

Have you served the community in any other way? Plan Commission: 1978-1989, 1990-1993. Alderman 1989-90, 1993-97. Chairman, Darien Comprehensive Plan Committee: 1989

Time you would have available to serve the City As Needed

In which of the following areas would you like to serve? (Please feel free to check more than one.)

- Citizen of the Year Committee Planning and Zoning Commission
- Economic Development Committee Police Pension Board
- Environmental Committee Other (Please specify) _____
- Fire & Police Commission

What are your qualifications for this position(s)?

Served Darien for nearly 20 years on Plan Commission and City Council. Active in Darien Lions Club (Lion of the Year - 2016). Darien Citizen of the Year - 2004. Treasurer - Millennium Millionaires Stock Club over 10 years. ^{Past} Secretary / Board Member - Darien Historical Society. Hinsdale South Booster Club Board Member for 3 years.

Why are you interested in this position(s)?

Interested in using my past experience with Darien and the Community to assist in any way I can. Besides Darien, have worked with many communities in the Chicago land area (and elsewhere) to solve their utility issues.

What can you contribute to this board(s) or commissions(s)?

50 years of experience in personal and professional capacity, such as all offices of the Illinois Section, American Water Works Association including chair. Received their highest award in 2010. Received Community Service Award from the Consulting Engineers Council of Illinois in 2004.



REIMER & DOBROVOLNY PC

A PUBLIC SAFETY LAW FIRM



15 SPINNING WHEEL ROAD, SUITE 310, HINSDALE, ILLINOIS 60521
(630) 654-9547 (630) 654-9676 FAX
WWW.RDLABORLAWPC.COM

306 W. GREEN STREET
URBANA, ILLINOIS, 61801
217-344-2376

840 S. SPRING STREET, SUITE D
SPRINGFIELD, ILLINOIS 62704

RICHARD J. REIMER
JAMES L. DOBROVOLNY
BRIAN J. LABARDI
BRYAN L. STRAND
CHRIS W. POTTHOFF, JR.
MARK S. MCQUEARY

August 8, 2019

Byron Vana, City Administrator
City of Darien
1702 Plainfield Rd.
Darien, IL 60561

By Certified Return Receipt Mail

Re: Darien Police Pension Fund-Annual Tax Levy Requirements

Dear City Administrator Vana:

Please be advised that the undersigned is legal counsel for the Darien Police Pension Fund. At the August 7, 2018 Pension Board meeting, the Pension Board Trustees discussed the annual tax levy/municipal contribution requirements for the Pension Fund for the upcoming tax year. As you are aware, the Pension Board either relies on an actuarial valuation performed by the Illinois Department of Insurance or an independent actuary employed by the Pension Board.

In this case, the Pension Board relied upon the Actuarial Valuation of Jason Franken, an independent actuary, for purposes of determining the "recommended levy". Mr. Franken's recommended levy for the upcoming tax year, in order to satisfy the annual requirements of the Darien Police Pension Fund, as required by §5/3-125 of the Pension Code, is \$1,905,149. A copy of Mr. Franken's Report is attached for your review.

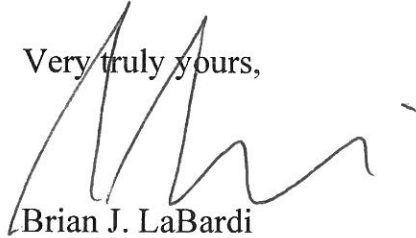
Accordingly, pursuant to §5/3-125 of the Pension Code, the Darien Police Pension Board is requesting that the City of Darien levy or contribute that amount for the upcoming tax year in order to satisfy the annual requirements of the Darien Police Pension Fund. In the event the City will not be levying or contributing this amount, please advise me.

Finally, the Pension Board wishes to draw your attention to §3-125.1 of the Pension Code and §4402.30 of the Illinois Administrative Code defining salary for pension purposes. Both those authorities refer to pensionable salary as being determined at least in part as that established by the municipality's appropriations ordinance. A similar conclusion was recently reached by the First District Appellate Court in *Village of*

Chicago Ridge v. Chicago Ridge Firefighters' Pension Bd. of Trustees, 2016 IL App (1st) 152089. In light of these authorities, the Pension Board requests the Village ensure the appropriate salaries attached to rank for officers covered by Article 3 of the Pension Code are properly reflected in a municipal appropriations ordinance.

Thank you for your anticipated cooperation and assistance in this matter. Please do not hesitate to contact the undersigned should you have any questions concerning this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Brian J. LaBardi". The signature is fluid and cursive, with a prominent initial "B" and "L".

Brian J. LaBardi

Enclosure

cc: Mr. Jason Norton, President
Darien Police Pension Board

Mr. Michael Coren, Treasurer
Village of Darien

CITY OF DARIEN
POLICE PENSION FUND
ACTUARIAL VALUATION
AS OF MAY 1, 2019
CONTRIBUTIONS APPLICABLE TO THE
PLAN/FISCAL YEAR ENDING APRIL 30, 2021
GASB 67/68 DISCLOSURE INFORMATION
AS OF APRIL 30, 2019



FOSTER & FOSTER
ACTUARIES AND CONSULTANTS

June 26, 2019

Board of Trustees
City of Darien Police Pension Fund
1710 Plainfield Road
Darien, IL 60561

Re: Actuarial Valuation Report (including GASB Statements No. 67 and No. 68) – City of Darien Police Pension Fund

Dear Board:

We are pleased to present to the Board this report of the annual actuarial valuation of the City of Darien Police Pension Fund. Included are the related results for GASB Statements No. 67 and No. 68. The funding valuation was performed to determine whether the assets and contributions are sufficient to provide the prescribed benefits and to develop the appropriate funding requirements for the applicable plan year. The calculation of the liability for GASB results was performed for the purpose of satisfying the requirements of GASB Statements No. 67 and No. 68. Use of the results for other purposes may not be applicable and produce significantly different results.

The valuations have been conducted in accordance with generally accepted actuarial principles and practices, including the applicable Actuarial Standards of Practice as issued by the Actuarial Standards Board, and reflects laws and regulations issued to date pursuant to the provisions of Article 3, Illinois Pension Code, as well as applicable federal laws and regulations. In our opinion, the assumptions used in this valuation, as adopted by the Board of Trustees, represent reasonable expectations of anticipated plan experience. Future actuarial measurements may differ significantly from the current measurements presented in this report for a variety of reasons including: changes in applicable laws, changes in plan provisions, changes in assumptions, or plan experience differing from expectations. Due to the limited scope of the valuation, we did not perform an analysis of the potential range of such future measurements.

In conducting the valuation, we have relied on personnel, plan design, and asset information supplied by the Board, financial reports prepared by the custodian bank and the actuarial assumptions and methods described in the Actuarial Assumptions section of this report. While we cannot verify the accuracy of all this information, the supplied information was reviewed for consistency and reasonableness. As a result of this review, we have no reason to doubt the substantial accuracy of the information and believe that it has produced appropriate results. This information, along with any adjustments or modifications, is summarized in various sections of this report.

The total pension liability, net pension liability, and certain sensitivity information shown in the GASB results are based on an actuarial valuation performed as of the valuation date.


The undersigned is familiar with the immediate and long-term aspects of pension valuations and meets the Qualification Standards of the American Academy of Actuaries necessary to render the actuarial opinions contained herein. All of the sections of this report are considered an integral part of the actuarial opinions.


To our knowledge, no associate of Foster & Foster, Inc. working on valuations of the program has any direct financial interest or indirect material interest in the City of Darien, nor does anyone at Foster & Foster, Inc. act as a member of the Board of Trustees of the City of Darien Police Pension Fund. Thus, there is no relationship existing that might affect our capacity to prepare and certify this actuarial report.

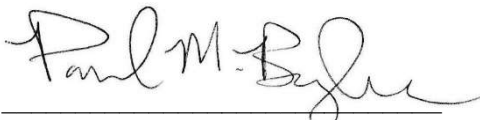
If there are any questions, concerns, or comments about any of the items contained in this report, please contact us at 630-620-0200.

Respectfully submitted,

Foster & Foster, Inc.

By: 
Jason L. Franken, FSA, EA, MAAA

By: 
Heidi E. Andorfer, FSA, EA, MAAA

By: 
Paul M. Baugher, FSA, EA, MAAA

JLF/lke
Enclosures

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SUMMARY OF REPORT

The regular annual actuarial valuation of the City of Darien Police Pension Fund, performed as of May 1, 2019, has been completed and the results are presented in this Report. The contribution amounts set forth herein are applicable to the plan/fiscal year ended April 30, 2021.

The contribution requirements, compared with those set forth in the May 1, 2018 actuarial report, are as follows:

Valuation Date	5/1/2019	5/1/2018
Applicable to Fiscal Year Ending	<u>4/30/2021</u>	<u>4/30/2020</u>
Total Recommended Contribution	\$2,234,109	\$2,027,891
% of Projected Annual Payroll	67.3%	64.1%
Member Contributions (Est.)	328,960	313,541
% of Projected Annual Payroll	9.9%	9.9%
City Recommended Contribution	1,905,149	1,714,350
% of Projected Annual Payroll	57.4%	54.2%

As you can see, the Total Recommended Contribution shows an increase when compared to the results determined in the May 1, 2018 actuarial valuation report. The increase is attributable to assumption changes reflected as part of this valuation and the anticipated amortization payment increase due to the payroll growth assumption.

Plan experience was favorable overall on the basis of the plan's actuarial assumptions. Sources of favorable experience included more inactive mortality than expected, fewer retirements than expected, and an average salary increase of 4.05% which fell short of the 5.15% assumption. These gains were offset in part by a loss associated with an investment return of 5.70% (Actuarial Asset Basis) which fell short of the 7.00% assumption.

CHANGES SINCE PRIOR VALUATION

Plan Changes Since Prior Valuation

No plan changes have occurred since the prior valuation.

Actuarial Assumption/Method Changes Since Prior Valuation

The valuation reflects the following assumption change:

- The mortality rates were updated to reflect the PubS-2010 tables.

There were no method changes since the prior valuation.

COMPARATIVE SUMMARY OF PRINCIPAL VALUATION RESULTS

	New Assump <u>5/1/2019</u>	Old Assump <u>5/1/2019</u>	<u>5/1/2018</u>
A. Participant Data			
Number Included			
Actives	33	33	32
Service Retirees	20	20	21
Beneficiaries	3	3	2
Disability Retirees	3	3	3
Terminated Vested	<u>13</u>	<u>13</u>	<u>12</u>
Total	72	72	70
Total Annual Payroll	\$3,319,478	\$3,319,478	\$3,163,883
Payroll Under Assumed Ret. Age	3,319,478	3,319,478	3,163,883
Annual Rate of Payments to:			
Service Retirees	1,843,463	1,843,463	1,869,443
Beneficiaries	166,278	166,278	84,753
Disability Retirees	150,937	150,937	148,936
Terminated Vested	114,630	114,630	62,338
B. Assets			
Actuarial Value	29,406,129	29,406,129	28,029,102
Market Value	29,022,830	29,022,830	27,497,602
C. Liabilities			
Present Value of Benefits			
Actives			
Retirement Benefits	20,330,930	19,538,741	18,861,571
Disability Benefits	1,671,680	1,470,000	1,424,682
Death Benefits	187,950	418,712	406,695
Vested Benefits	1,422,725	1,391,098	1,397,040
Service Retirees	28,527,593	27,616,696	28,409,022
Beneficiaries	1,731,462	1,677,240	884,122
Disability Retirees	2,184,008	1,944,852	1,929,966
Terminated Vested	<u>1,198,977</u>	<u>1,176,079</u>	<u>445,808</u>
Total	57,255,325	55,233,418	53,758,906

C. Liabilities - (Continued)	New Assump <u>5/1/2019</u>	Old Assump <u>5/1/2019</u>	<u>5/1/2018</u>
Present Value of Future Salaries	33,983,292	33,796,036	32,152,081
Present Value of Future Member Contributions	3,367,744	3,349,187	3,186,271
Normal Cost (Retirement)	533,229	512,477	498,543
Normal Cost (Disability)	93,483	82,974	78,505
Normal Cost (Death)	8,531	16,626	16,204
Normal Cost (Vesting)	<u>72,358</u>	<u>70,962</u>	<u>69,415</u>
Total Normal Cost	707,601	683,039	662,667
Present Value of Future Normal Costs	6,611,328	6,339,333	6,228,079
Accrued Liability (Retirement)	15,278,218	14,707,899	14,090,582
Accrued Liability (Disability)	705,296	614,977	612,255
Accrued Liability (Death)	112,174	270,169	261,603
Accrued Liability (Vesting)	906,269	886,173	897,469
Accrued Liability (Inactives)	<u>33,642,040</u>	<u>32,414,867</u>	<u>31,668,918</u>
Total Actuarial Accrued Liability	50,643,997	48,894,085	47,530,827
Unfunded Actuarial Accrued Liability (UAAL)	21,237,868	19,487,956	19,501,725
Funded Ratio (AVA / AL)	58.1%	60.1%	59.0%

	New Assump <u>5/1/2019</u>	Old Assump <u>5/1/2019</u>	<u>5/1/2018</u>
D. Actuarial Present Value of Accrued Benefits			
Vested Accrued Benefits			
Inactives	33,642,040	32,414,867	31,668,918
Actives	5,645,733	5,362,300	4,937,854
Member Contributions	<u>3,331,533</u>	<u>3,331,533</u>	<u>3,162,234</u>
Total	42,619,306	41,108,700	39,769,006
Non-vested Accrued Benefits	<u>958,624</u>	<u>929,469</u>	<u>871,209</u>
Total Present Value Accrued Benefits	43,577,930	42,038,169	40,640,215
Funded Ratio (MVA / PVAB)	66.6%	69.0%	67.7%
Increase (Decrease) in Present Value of Accrued Benefits Attributable to:			
Plan Amendments	0	0	
Assumption Changes	1,539,761	0	
New Accrued Benefits	0	753,332	
Benefits Paid	0	(2,125,790)	
Interest	0	2,770,412	
Other	<u>0</u>	<u>0</u>	
Total	1,539,761	1,397,954	

	New Assump	Old Assump	
Valuation Date	5/1/2019	5/1/2019	5/1/2018
Applicable to Fiscal Year Ending	<u>4/30/2021</u>	<u>4/30/2021</u>	<u>4/30/2020</u>

E. Pension Cost

Normal Cost ¹	\$757,133	\$730,852	\$709,054
% of Total Annual Payroll ¹	22.8	22.0	22.4
Administrative Expenses ¹	44,446	44,446	42,133
% of Total Annual Payroll ¹	1.3	1.3	1.3
Payment Required to Amortize Unfunded Actuarial Accrued Liability over 22 years (as of 5/1/2019) ¹	1,432,530	1,314,496	1,276,704
% of Total Annual Payroll ¹	43.2	39.7	40.4
Total Recommended Contribution	2,234,109	2,089,794	2,027,891
% of Total Annual Payroll ¹	67.3	63.0	64.1
Expected Member Contributions ¹	328,960	328,960	313,541
% of Total Annual Payroll ¹	9.9	9.9	9.9
Expected City Contribution	1,905,149	1,760,834	1,714,350
% of Total Annual Payroll ¹	57.4	53.1	54.2

F. Past Contributions

Plan Years Ending:	<u>4/30/2019</u>
Total Recommended Contribution	1,938,653
City	1,618,878
Actual Contributions Made:	
Members (excluding buyback)	319,775
City	<u>1,634,019</u>
Total	1,953,794

G. Net Actuarial (Gain)/Loss (102,000)

¹ Contributions developed as of 5/1/2019 displayed above have been adjusted to account for assumed interest.

H. Schedule Illustrating the Amortization of the Total Unfunded Actuarial Accrued Liability as of:

<u>Year</u>	<u>Projected Unfunded Accrued Liability</u>
2019	21,237,868
2020	21,291,989
2021	21,299,760
2026	20,453,326
2031	17,498,026
2036	11,253,078
2041	0

I. (i) 3 Year Comparison of Actual and Assumed Salary Increases

		<u>Actual</u>	<u>Assumed</u>
Year Ended	4/30/2019	4.05%	5.15%
Year Ended	4/30/2018	4.27%	5.51%
Year Ended	4/30/2017	4.07%	5.50%

(ii) 3 Year Comparison of Investment Return on Actuarial Value

		<u>Actual</u>	<u>Assumed</u>
Year Ended	4/30/2019	5.70%	7.00%
Year Ended	4/30/2018	5.69%	7.00%
Year Ended	4/30/2017	5.74%	7.00%

DEVELOPMENT OF MAY 1, 2019 AMORTIZATION PAYMENT

(1)	Unfunded Actuarial Accrued Liability as of May 1, 2018	\$19,501,725
(2)	Sponsor Normal Cost developed as of May 1, 2018	349,126
(3)	Expected administrative expenses for the year ended April 30, 2019	39,377
(4)	Expected interest on (1), (2) and (3)	1,390,938
(5)	Sponsor contributions to the System during the year ended April 30, 2019	1,634,019
(6)	Expected interest on (5)	57,191
(7)	Expected Unfunded Actuarial Accrued Liability as of April 30, 2019, (1)+(2)+(3)+(4)-(5)-(6)	19,589,956
(8)	Change to UAAL due to Assumption Change	1,749,912
(9)	Change to UAAL due to Actuarial (Gain)/Loss	(102,000)
(10)	Unfunded Accrued Liability as of May 1, 2019	21,237,868
(11)	UAAL Subject to Amortization (100% AAL less Actuarial Assets)	21,237,868

<u>Date</u> <u>Established</u>	<u>Years</u> <u>Remaining</u>	<u>5/1/2019</u> <u>Amount</u>	<u>Amortization</u> <u>Amount</u>
5/1/2019	22	21,237,868	1,338,813

DETAILED ACTUARIAL (GAIN)/LOSS ANALYSIS

(1) Unfunded Actuarial Accrued Liability (UAAL) as of May 1, 2018	\$19,501,725
(2) Expected UAAL as of May 1, 2019	19,589,956
(3) Summary of Actuarial (Gain)/Loss, by component:	
Investment Return (Actuarial Asset Basis)	364,002
Salary Increases	(172,205)
Active Decrements	(356,682)
Inactive Mortality	(117,339)
Other	<u>180,224</u>
Change in UAAL due to (Gain)/Loss	(102,000)
Assumption Changes	<u>1,749,912</u>
(4) Actual UAAL as of May 1, 2019	\$21,237,868

RECONCILIATION OF CHANGES IN CONTRIBUTION REQUIREMENT

(1) Contribution Determined as of May 1, 2018	\$1,714,350
(2) Summary of Contribution Impact by component:	
Change in Normal Cost	21,798
Change in Assumed Administrative Expense	2,313
Investment Return (Actuarial Asset Basis)	24,553
Salary Increases	(11,616)
Active Decrements	(24,059)
Inactive Mortality	(7,915)
Contributions (More) or Less than Recommended	(1,057)
Increase in Amortization Payment Due to Payroll Growth Assumption	44,685
Change in Expected Member Contributions	(15,419)
Assumption Change	144,315
Other	<u>13,201</u>
Total Change in Contribution	190,799
(3) Contribution Determined as of May 1, 2019	\$1,905,149

STATUTORY MINIMUM REQUIRED CONTRIBUTION

Contribution requirements shown on this page are calculated according to statutory minimum funding requirements of the Illinois Pension Code. We do not believe this method is sufficient to fund future benefits; as such, we recommend funding according to the contributions developed in Section E of this report.

	New Assump	Old Assump	
Valuation Date	5/1/2019	5/1/2019	5/1/2018
Applicable to Fiscal Year Ending	<u>4/30/2021</u>	<u>4/30/2021</u>	<u>4/30/2020</u>
Actuarial Accrued Liability (PUC)	48,874,980	47,159,443	45,725,891
Actuarial Value of Assets	<u>29,406,129</u>	<u>29,406,129</u>	<u>28,029,102</u>
Unfunded Actuarial Accrued Liability (UAAL)	19,468,851	17,753,314	17,696,789
UAAL Subject to Amortization	14,581,353	13,037,370	13,124,200
Normal Cost ¹	\$889,374	\$859,138	\$834,563
% of Total Annual Payroll ¹	26.8	25.9	26.4
Administrative Expenses ¹	44,446	44,446	42,133
% of Total Annual Payroll ¹	1.3	1.3	1.3
Payment Required to Amortize Unfunded Actuarial Accrued Liability over 21 years (as of 5/1/2019) ¹	1,015,373	907,858	885,250
% of Total Annual Payroll ¹	30.6	27.4	28.0
Total Required Contribution	1,949,193	1,811,442	1,761,946
% of Total Annual Payroll ¹	58.7	54.6	55.7
Expected Member Contributions ¹	328,960	328,960	313,541
% of Total Annual Payroll ¹	9.9	9.9	9.9
Expected City Contribution	1,620,233	1,482,482	1,448,405
% of Total Annual Payroll ¹	48.8	44.7	45.8
Assumptions and Methods:			
Actuarial Cost Method	Projected Unit Credit		
Amortization Method	90% Funding by 2040		

All other assumptions and methods are as described in the Actuarial Assumptions and Methods section.

¹ Contributions developed as of 5/1/2019 displayed above have been adjusted to account for assumed interest.

PROJECTION OF BENEFIT PAYMENTS

Year	Payments for Current Actives	Payments for Current Inactives	Total Payments
2019	109,539	2,178,134	2,287,673
2020	194,687	2,198,759	2,393,446
2021	282,555	2,251,929	2,534,484
2022	372,711	2,301,208	2,673,919
2023	462,382	2,368,115	2,830,497
2024	568,380	2,468,018	3,036,398
2025	665,266	2,533,555	3,198,821
2026	770,720	2,579,342	3,350,062
2027	868,308	2,622,650	3,490,958
2028	961,827	2,662,854	3,624,681
2029	1,114,227	2,706,965	3,821,192
2030	1,269,019	2,740,583	4,009,602
2031	1,441,364	2,768,864	4,210,228
2032	1,612,352	2,790,919	4,403,271
2033	1,794,508	2,805,814	4,600,322
2034	2,004,389	2,812,614	4,817,003
2035	2,186,568	2,827,196	5,013,764
2036	2,394,155	2,815,618	5,209,773
2037	2,575,057	2,793,588	5,368,645
2038	2,769,264	2,760,704	5,529,968
2039	2,943,609	2,741,965	5,685,574
2040	3,109,589	2,687,561	5,797,150
2041	3,271,303	2,622,166	5,893,469
2042	3,431,168	2,545,973	5,977,141
2043	3,613,876	2,459,264	6,073,140
2044	3,733,443	2,362,500	6,095,943
2045	3,848,872	2,256,373	6,105,245
2046	3,960,372	2,141,803	6,102,175
2047	4,071,633	2,019,977	6,091,610
2048	4,170,775	1,892,347	6,063,122
2049	4,243,190	1,760,572	6,003,762
2050	4,302,542	1,626,361	5,928,903
2051	4,350,476	1,491,418	5,841,894
2052	4,387,564	1,357,411	5,744,975
2053	4,414,886	1,225,975	5,640,861
2054	4,430,949	1,098,687	5,529,636
2055	4,436,631	977,059	5,413,690
2056	4,431,646	862,467	5,294,113
2057	4,415,910	756,016	5,171,926
2058	4,389,017	658,518	5,047,535

ACTUARIAL ASSUMPTIONS AND METHODS

Interest Rate	7.00% per year compounded annually, net of investment related expenses. This is supported by the target asset allocation of the trust and the expected long-term return by asset class.
Mortality Rate	<p><i>Active Lives:</i> PubS-2010 Employee mortality, projected 5 years past the valuation date with Scale MP-2018. 10% of active deaths are assumed to be in the line of duty.</p> <p><i>Inactive Lives:</i> PubS-2010 Healthy Retiree mortality, projected 5 years past the valuation date with Scale MP-2018.</p> <p><i>Beneficiaries:</i> PubS-2010 Survivor mortality, projected 5 years past the valuation date with Scale MP-2018.</p> <p><i>Disabled Lives:</i> PubS-2010 Disabled mortality, projected 5 years past the valuation date with Scale MP-2018.</p> <p>The mortality assumptions sufficiently accommodate anticipated future mortality improvements.</p>
Retirement Age	See table later in this section. This is based on a 2017 experience study performed for the State of Illinois Department of Insurance.
Disability Rate	See table later in this section. 60% of the disabilities are assumed to be in the line of duty. This is based on a 2017 experience study performed for the State of Illinois Department of Insurance.
Termination Rate	See table later in this section. This is based on a 2017 experience study performed for the State of Illinois Department of Insurance.

Salary Increases

See table below. This is based on a 2017 experience study performed for the State of Illinois Department of Insurance.

Salary Scale	
Service	Rate
0	11.00%
1	10.75%
2	8.75%
3	8.50%
4	7.00%
5	6.25%
6	5.25%
7	4.25%
8 - 16	4.00%
17 - 32	3.75%
32+	3.50%

Inflation

2.50%.

Cost-of-Living Adjustment

Tier 1: 3.00% per year after age 55. Those that retire prior to age 55 receive an increase of 1/12 of 3.00% for each full month since benefit commencement upon reaching age 55.

Tier 2: 1.25% per year after the later of attainment of age 60 or first anniversary of retirement.

Marital Status

80% of Members are assumed to be married.

Spouse's Age

Males are assumed to be three years older than females.

Funding Method

Entry Age Normal Cost Method.

Actuarial Asset Method

Investment gains and losses are smoothed over a 5-year period.

Funding Policy Amortization Method

The UAAL is amortized according to a Level Percentage of Payroll method over a period ending in 2041. The initial amortization amount is 100% of the Accrued Liability less the Actuarial Value of Assets.

Payroll Growth

3.50% per year.

Administrative Expenses

Expenses paid out of the fund other than investment-related expenses are assumed to be equal to those paid in the previous year.

Decrement Tables

<u>% Terminating During the Year</u>		<u>% Becoming Disabled During the Year</u>		<u>% Retiring During the Year (Tier 1)</u>		<u>% Retiring During the Year (Tier 2)</u>	
<u>Age</u>	<u>Rate</u>	<u>Age</u>	<u>Rate</u>	<u>Age</u>	<u>Rate</u>	<u>Age</u>	<u>Rate</u>
20	14.00%	20	0.000%	50 - 51	15%	50 - 54	5%
25	10.40%	25	0.030%	52 - 54	20%	55	40%
30	5.60%	30	0.140%	55 - 64	25%	56 - 64	25%
35	3.10%	35	0.260%	65 - 69	40%	65 - 69	40%
40	1.90%	40	0.420%	70+	100%	70+	100%
45	1.50%	45	0.590%				
50	1.50%	50	0.710%				
56+	0.00%	55	0.900%				
		60	1.150%				

GLOSSARY

Total Annual Payroll is the projected annual rate of pay for the fiscal year following the valuation date of all covered members.

Present Value of Benefits is the single sum value on the valuation date of all future benefits to be paid to current Members, Retirees, Beneficiaries, Disability Retirees and Vested Terminations.

Normal (Current Year's) Cost is the current year's cost for benefits yet to be funded.

Unfunded Accrued Liability is a liability which arises when a pension plan is initially established or improved and such establishment or improvement is applicable to all years of past service.

Total Recommended Contribution is equal to the Normal Cost plus an amount sufficient to amortize the Unfunded Accrued Liability over a period ending in 2041. The recommended amount is adjusted for interest according to the timing of contributions during the year.

Entry Age Normal Cost Method - Under this method, the normal cost is the sum of the individual normal costs for all active participants. For an active participant, the normal cost is the participant's normal cost accrual rate, multiplied by the participant's current compensation.

- (a) The normal cost accrual rate equals:
 - (i) the present value of future benefits for the participant, determined as of the participant's entry age, divided by
 - (ii) the present value of the compensation expected to be paid to the participant for each year of the participant's anticipated future service, determined as of the participant's entry age.
- (b) In calculating the present value of future compensation, the salary scale is applied both retrospectively and prospectively to estimate compensation in years prior to and subsequent to the valuation year based on the compensation used for the valuation.
- (c) The accrued liability is the sum of the individual accrued liabilities for all participants and beneficiaries. A participant's accrued liability equals the present value, at the participant's attained age, of future benefits less the present value at the participant's attained age of the individual normal costs payable in the future. A beneficiary's accrued liability equals the present value, at the beneficiary's attained age, of future benefits. The unfunded accrued liability equals the total accrued liability less the actuarial value of assets.
- (d) Under this method, the entry age used for each active participant is the participant's age at the time he or she would have commenced participation if the plan had always been in existence under current terms, or the age as of which he or she first earns service credits for purposes of benefit accrual under the current terms of the plan.

DISCUSSION OF RISK

ASOP No. 51, Assessment and Disclosure of Risk Associated with Measuring Pension Obligations and Determining Pension Plan Contributions, states that the actuary should identify risks that, in the actuary's professional judgment, may reasonably be anticipated to significantly affect the plan's future financial condition.

Throughout this report, actuarial results are determined under various assumption scenarios. These results are based on the premise that all future plan experience will align with the plan's actuarial assumptions; however, there is no guarantee that actual plan experience will align with the plan's assumptions. Whenever possible, the recommended assumptions in this report reflect conservatism to allow for some margin of unfavorable future plan experience. However, it is still possible that actual plan experience will differ from anticipated experience in an unfavorable manner that will negatively impact the plan's funded position.

Below are examples of ways in which plan experience can deviate from assumptions and the potential impact of that deviation. Typically, this results in an actuarial gain or loss representing the current-year financial impact on the plan's unfunded liability of the experience differing from assumptions; this gain or loss is amortized over a period of time determined by the plan's amortization method. When assumptions are selected that adequately reflect plan experience, gains and losses typically offset one another in the long term, resulting in a relatively low impact on the plan's contribution requirements associated with plan experience. When assumptions are too optimistic, losses can accumulate over time and the plan's amortization payment could potentially grow to an unmanageable level.

- Investment Return: When the rate of return on the Actuarial Value of Assets falls short of the assumption, this produces a loss representing assumed investment earnings that were not realized. Further, it is unlikely that the plan will experience a scenario that matches the assumed return in each year as capital markets can be volatile from year to year. Therefore, contribution amounts can vary in the future.
- Salary Increases: When a plan participant experiences a salary increase that was greater than assumed, this produces a loss representing the cost of an increase in anticipated plan benefits for the participant as compared to the previous year. The total gain or loss associated with salary increases for the plan is the sum of salary gains and losses for all active participants.
- Payroll Growth: The plan's payroll growth assumption, if one is used, causes a predictable annual increase in the plan's amortization payment in order to produce an amortization payment that remains constant as a percentage of payroll if all assumptions are realized. If payroll does not increase according to the plan's payroll growth assumption, the plan's amortization payment can increase significantly as a percentage of payroll even if all assumptions other than the payroll growth assumption are realized.
- Demographic Assumptions: Actuarial results take into account various potential events that could happen to a plan participant, such as retirement, termination, disability, and death. Each of these potential events is assigned a liability based on the likelihood of the event and the financial consequence of the event for the plan. Accordingly, actuarial liabilities reflect a blend of financial consequences associated with various possible outcomes (such as retirement at one of various possible ages). Once the outcome is known (e.g. the participant retires) the liability is adjusted to reflect the known outcome. This adjustment produces a gain or loss depending on whether the outcome was more or less favorable than other outcomes that could have occurred.

- Contribution risk: Risks associated with the items outlined above will inherently create varying liabilities and assets resulting in volatility in contributions. Actuarial losses on assets and liabilities will lead to higher contribution amounts, while actuarial gains on assets and liabilities will lead to lower contribution amounts.

Impact of Plan Maturity on Risk

For newer pension plans, most of the participants and associated liabilities are related to active members who have not yet reached retirement age. As pension plans continue in operation and active members reach retirement ages, liabilities begin to shift from being primarily related to active members to being shared amongst active and retired members. Plan maturity is a measure of the extent to which this shift has occurred. It is important to understand that plan maturity can have an impact on risk tolerance and the overall risk characteristics of the plan. For example, plans with a large amount of retired liability do not have as long of a time horizon to recover from losses (such as losses on investments due to lower than expected investment returns) as plans where the majority of the liability is attributable to active members. For this reason, less tolerance for investment risk may be warranted for highly mature plans with a substantial inactive liability. Similarly, mature plans paying substantial retirement benefits resulting in a small positive or net negative cash flow can be more sensitive to near term investment volatility, particularly if the size of the fund is shrinking, which can result in less assets being available for investment in the market.

To assist with determining the maturity of the plan, we have provided some relevant metrics in table following titled “Plan Maturity Measures and Other Risk Metrics”. Highlights of this information are discussed below:

- The Support Ratio, determined as the ratio of active to inactive members has decreased from 97.0% to 84.6% over the last four years, meaning the plan has been gradually maturing.
- The Accrued Liability Ratio, determined as the ratio of the Inactive Accrued Liability, which is the accrued liability associated with those receiving payments to the Total Accrued Liability, is 66.4%. With a plan of this maturity, losses due to lower than expected investment returns or demographic factors will need to be made up for over a shorter time horizon than would be needed for a less mature plan.
- The Funded Ratio, determined as the ratio of the Actuarial Value of Assets to the Total Accrued Liability has decreased from 61.4% on January 1, 2016 to 58.1% on January 1, 2019 due mainly to investment performance and updated assumptions.

It is important to note that the actuary has identified the risks above as the most significant risks based on the characteristics of the plan and the nature of the project, however, it is not an exhaustive list of potential risks that could be considered. Additional advanced modelling, as well as the identification of additional risks, can be provided at the request of the reader.

PLAN MATURITY MEASURES AND OTHER RISK METRICS

	<u>1/1/2016</u>	<u>1/1/2017</u>	<u>1/1/2018</u>	<u>1/1/2019</u>
<u>Support Ratio</u>				
Total Actives	32	30	32	33
Total Inactives	33	38	38	39
Actives / Inactives	97.0%	78.9%	84.2%	84.6%
 <u>Asset Volatility Ratio</u>				
Market Value of Assets (MVA)	24,179,284	26,028,563	27,497,602	29,022,830
Total Annual Payroll	3,054,195	2,941,511	3,163,883	3,319,478
MVA / Total Annual Payroll	791.7%	884.9%	869.1%	874.3%
 <u>Accrued Liability (AL) Ratio</u>				
Inactive Accrued Liability	25,849,920	30,103,564	31,668,918	33,642,040
Total Accrued Liability	41,553,774	45,969,410	47,530,827	50,643,997
Inactive AL / Total AL	62.2%	65.5%	66.6%	66.4%
 <u>Funded Ratio</u>				
Actuarial Value of Assets (AVA)	25,504,285	26,831,419	28,029,102	29,406,129
Total Accrued Liability	41,553,774	45,969,410	47,530,827	50,643,997
AVA / Total Accrued Liability	61.4%	58.4%	59.0%	58.1%

STATEMENT OF FIDUCIARY NET POSITION
April 30, 2019

<u>ASSETS</u>	MARKET VALUE
Cash and Cash Equivalents:	
Cash and Cash Equivalents	292,332
Total Cash and Equivalents	292,332
Receivables:	
Prepays	530
Accrued Past Due Interest	98,073
Total Receivable	98,603
Investments:	
Municipal Obligations	906,676
Corporate Bonds	3,712,541
U.S. Gov't and Agency Obligations	7,464,095
Stocks	1,208,918
Mutual Funds	15,351,543
Total Investments	28,643,773
Total Assets	29,034,708
 <u>LIABILITIES</u>	
Liabilities:	
Payable:	
Accounts Payable	11,878
Total Liabilities	11,878
Net Assets:	
Active and Retired Members' Equity	29,022,830
NET POSITION RESTRICTED FOR PENSIONS	29,022,830
TOTAL LIABILITIES AND NET ASSETS	29,034,708

STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
 FOR THE YEAR ENDED April 30, 2019
 Market Value Basis

ADDITIONS

Contributions:

Member	319,775
City	1,634,019

Total Contributions 1,953,794

Investment Income:

Net Increase in Fair Value of Investments	649,310
Interest & Dividends	1,174,242
Less Investment Expense ¹	(84,790)

Net Investment Income 1,738,762

Total Additions 3,692,556

DEDUCTIONS

Distributions to Members:

Benefit Payments	2,125,790
Refund of Contributions/Transfers	0

Total Distributions 2,125,790

Administrative Expenses 41,538

Total Deductions 2,167,328

Net Increase in Net Position 1,525,228

NET POSITION RESTRICTED FOR PENSIONS

Beginning of the Year 27,497,602

End of the Year 29,022,830

¹ Investment Related expenses include investment advisory, custodial and performance monitoring fees.

ACTUARIAL ASSET VALUATION

April 30, 2019

Actuarial Assets for funding purposes are developed by recognizing the total actuarial investment gain or loss for each Plan Year over a five year period. In the first year, 20% of the gain or loss is recognized. In the second year 40%, in the third year 60%, in the fourth year 80%, and in the fifth year 100% of the gain or loss is recognized. The actuarial investment gain or loss is defined as the actual return on investments minus the actuarial assumed investment return. Actuarial Assets shall not be less than 80% nor greater than 120% of the Market Value of Assets.

Plan Year Ending	Gain/(Loss)	Gains/(Losses) Not Yet Recognized				
		Amounts Not Yet Recognized by Valuation Year				
		2019	2020	2021	2022	2023
4/30/2016	(1,725,988)	(345,198)	0	0	0	0
4/30/2017	294,244	117,698	58,849	0	0	0
4/30/2018	(21,537)	(12,922)	(8,615)	(4,307)	0	0
4/30/2019	(178,596)	(142,877)	(107,158)	(71,438)	(35,719)	0
Total		(383,299)	(56,924)	(75,745)	(35,719)	0

Development of Investment Gain/Loss

Market Value of Assets, 4/30/2018	27,497,602
Contributions Less Benefit Payments & Administrative Expenses	(213,534)
Expected Investment Earnings ¹	1,917,358
Actual Net Investment Earnings	1,738,762
2019 Actuarial Investment Gain/(Loss)	(178,596)

¹ Expected Investment Earnings = 7.00% x (27,497,602 + 0.5 x -213,534)

Development of Actuarial Value of Assets

Market Value of Assets, 4/30/2019	29,022,830
(Gains)/Losses Not Yet Recognized	383,299
Actuarial Value of Assets, 4/30/2019	29,406,129
(A) 4/30/2018 Actuarial Assets:	28,029,102
(I) Net Investment Income:	
1. Interest and Dividends	1,174,242
2. Realized Gains (Losses)	0
3. Change in Actuarial Value	501,109
4. Investment Expenses	(84,790)
Total	1,590,561
(B) 4/30/2019 Actuarial Assets:	29,406,129
Actuarial Asset Rate of Return = (2 x I) / (A + B - I):	5.70%
Market Value of Assets Rate of Return:	6.35%
4/30/2019 Limited Actuarial Assets:	29,406,129
Actuarial Gain/(Loss) due to Investment Return (Actuarial Asset Basis)	(364,002)

CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
 April 30, 2019
 Actuarial Asset Basis

INCOME		
Contributions:		
Member	319,775	
City	1,634,019	
Total Contributions		1,953,794
Earnings from Investments		
Interest & Dividends	1,174,242	
Change in Actuarial Value	501,109	
Total Earnings and Investment Gains		1,675,351
EXPENSES		
Administrative Expenses:		
Investment Related ¹	84,790	
Other	41,538	
Total Administrative Expenses		126,328
Distributions to Members:		
Benefit Payments	2,125,790	
Refund of Contributions/Transfers	0	
Total Distributions		2,125,790
Change in Net Assets for the Year		1,377,027
Net Assets Beginning of the Year		28,029,102
Net Assets End of the Year ²		29,406,129

¹ Investment Related expenses include investment advisory, custodial and performance monitoring fees.

² Net Assets may be limited for actuarial consideration.

STATISTICAL DATA

	<u>5/1/2016</u>	<u>5/1/2017</u>	<u>5/1/2018</u>	<u>5/1/2019</u>
<u>Actives - Tier 1</u>				
Number	26	24	23	22
Average Current Age	42.3	42.4	43.0	43.9
Average Age at Employment	25.9	25.6	25.6	25.6
Average Past Service	16.4	16.8	17.4	18.3
Average Annual Salary	\$101,832	\$104,501	\$108,450	\$111,605
<u>Actives - Tier 2</u>				
Number	6	6	9	11
Average Current Age	28.9	30.5	31.7	32.2
Average Age at Employment	27.9	28.7	29.9	30.0
Average Past Service	1.0	1.8	1.8	2.2
Average Annual Salary	\$67,759	\$72,248	\$74,392	\$78,562
<u>Service Retirees</u>				
Number	18	20	21	20
Average Current Age	62.9	62.9	63.4	64.1
Average Annual Benefit	\$86,082	\$87,595	\$89,021	\$92,173
<u>Beneficiaries</u>				
Number	2	2	2	3
Average Current Age	61.9	62.9	63.9	66.0
Average Annual Benefit	\$42,377	\$42,377	\$42,377	\$55,426
<u>Disability Retirees</u>				
Number	3	3	3	3
Average Current Age	60.8	61.8	62.8	63.8
Average Annual Benefit	\$48,311	\$48,978	\$49,645	\$50,312
<u>Terminated Vested</u>				
Number	10	13	12	13
Average Current Age	38.0	37.0	37.7	38.6
Average Annual Benefit ¹	\$20,779	\$20,779	\$20,779	\$28,658

¹ Average Annual Benefit for Terminated Vested members reflects the benefit for members entitled to a future annual benefit from the plan. Nine of the terminated vested members for the 5/1/2019 valuation are due accumulated contributions only.

AGE AND SERVICE DISTRIBUTION

PAST SERVICE

AGE	0	1	2	3	4	5-9	10-14	15-19	20-24	25-29	30+	Total
15 - 19	0	0	0	0	0	0	0	0	0	0	0	0
20 - 24	0	0	0	0	0	0	0	0	0	0	0	0
25 - 29	2	0	0	1	0	0	0	0	0	0	0	3
30 - 34	1	1	0	0	0	3	1	0	0	0	0	6
35 - 39	0	2	0	1	0	1	4	0	0	0	0	8
40 - 44	0	0	0	0	0	0	1	5	0	0	0	6
45 - 49	0	0	0	0	0	0	0	3	3	0	0	6
50 - 54	0	0	0	0	0	0	0	0	0	0	0	0
55 - 59	0	0	0	0	0	0	0	0	0	2	1	3
60 - 64	0	0	0	0	0	0	0	0	0	0	1	1
65+	0	0	0	0	0	0	0	0	0	0	0	0
Total	3	3	0	2	0	4	6	8	3	2	2	33

VALUATION PARTICIPANT RECONCILIATION

1. Active lives

a. Number in prior valuation 5/1/2018	32
b. Terminations	
i. Vested (partial or full) with deferred benefits	(2)
ii. Non-vested or full lump sum distribution received	0
iii. Transferred service to other fund	0
c. Deaths	
i. Beneficiary receiving benefits	0
ii. No future benefits payable	0
d. Disabled	0
e. Retired	<u>0</u>
f. Continuing participants	30
g. New entrants	<u>3</u>
h. Total active life participants in valuation	33

2. Non-Active lives (including beneficiaries receiving benefits)

	Service Retirees, Vested Receiving <u>Benefits</u>	Receiving Death <u>Benefits</u>	Receiving Disability <u>Benefits</u>	Vested <u>Deferred</u>	<u>Total</u>
a. Number prior valuation	21	2	3	12	38
Retired	0	0	0	0	0
Vested Deferred	0	0	0	2	2
Death, With Survivor	(1)	1	0	0	0
Death, No Survivor	0	0	0	0	0
Disabled	0	0	0	0	0
Refund of Contributions	0	0	0	(1)	(1)
Rehires	0	0	0	0	0
Expired Annuities	0	0	0	0	0
Data Corrections	0	0	0	0	0
Hired/Termed in Same Year	0	0	0	0	0
b. Number current valuation	20	3	3	13	39

SUMMARY OF CURRENT PLAN

Article 3 Pension Fund

The Plan is established and administered as prescribed by “Article 3. Police Pension Fund – Municipalities 500,000 and Under” of the Illinois Pension Code.

Plan Administration

The Plan is administered by a Board of Trustees comprised of:

- a) Two members appointed by the Municipality,
- b) Two active Members of the Police Department elected by the Membership, and
- c) One retired Member of the Police Department elected by the Membership.

Credited Service

Complete years of service as a sworn police officer employed by the Municipality.

Normal Retirement

Date

Tier 1: Age 50 and 20 years of Credited Service.

Tier 2: Age 55 with 10 years of Credited Service.

Benefit

Tier 1: 50% of annual salary attached to rank on last day of service plus 2.50% of annual salary for each year of service over 20 years, up to a maximum of 75% of salary. The minimum monthly benefit is \$1,000 per month.

Tier 2: 2.50% per year of service times the average salary for the eight consecutive years prior to retirement times the number of years of service, up to a maximum of 75% of average salary. The minimum monthly benefit is \$1,000 per month.

Form of Benefit

Tier 1: For married retirees, an annuity payable for the life of the Member; upon the death of the member, 100% of the Member’s benefit payable to the spouse until death. For unmarried retirees, the normal form is a Single Life Annuity.

Tier 2: Same as above, but with 66 2/3% of benefit continued to spouse.

Early Retirement

Date

Tier 1: Age 60 and 8 years of Credited Service.

Tier 2: Age 50 with 10 years of Credited Service.

Benefit

Tier 1: Normal Retirement benefit with no minimum.

Tier 2: Normal Retirement benefit, reduced 6% each year before age 55, with no minimum benefit.

Form of Benefit

Same as Normal Retirement.

Disability Benefit

Eligibility Total and permanent as determined by the Board of Trustees.

Benefit Amount A maximum of:

- a.) 65% of salary attached to the rank held by Member on last day of service, and;
- b.) The monthly retirement pension that the Member is entitled to receive if he or she retired immediately.

For non-service connected disabilities, a benefit of 50% of salary attached to rank held by Member on last day of service.

Cost-of-Living Adjustment

Tier 1:

Retirees: An annual increase equal to 3.00% per year after age 55. Those that retire prior to age 55 receive an increase of 1/12 of 3.00% for each full month since benefit commencement upon reaching age 55.

Disabled Retirees: An annual increase equal to 3.00% per year of the original benefit amount beginning at age 60. Those that become disabled prior to age 60 receive an increase of 3.00% of the original benefit amount for each year since benefit commencement upon reaching age 60.

Tier 2: An annual increase each January 1 equal to 3.00% per year or one-half of the annual unadjusted percentage increase in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the original pension after the attainment of age 60 or first anniversary of pension start date whichever is later.

Pre-Retirement Death Benefit

Service Incurred 100% of salary attached to rank held by Member on last day of service.

Non-Service Incurred A maximum of:

- a.) 50% of salary attached to the rank held by Member on last day of service, and;
- b.) The monthly retirement pension earned by the deceased Member at the time of death, regardless of whether death occurs before or after age 50.

For non-service deaths with less than 10 years of service, a refund of member contributions is provided.

Vesting (Termination)

Vesting Service Requirement	Tier 1: 8 years. Tier 2: 10 years.
Non-Vested Benefit	Refund of Member Contributions.
Vested Benefit	Either the termination benefit, payable upon reaching age 60 (55 for Tier 2), provided contributions are not withdrawn, or a refund of member contributions. The termination benefit is 2.50% of annual salary held in the year prior to termination (8-year final average salary for Tier 2) times creditable service.

Contributions

Employee	9.91% of Salary.
Municipality	Remaining amount necessary for payment of Normal (current year's) Cost and amortization of the accrued past service liability.

SUMMARY OF PARTICIPANT DATA

Plan Membership:

	<u>5/1/2019</u>	<u>5/1/2018</u>
Inactive Plan Members or Beneficiaries Currently Receiving Benefits	26	26
Inactive Plan Members Entitled to But Not Yet Receiving Benefits	13	12
Active Plan Members	<u>33</u>	<u>32</u>
Total	72	70
Covered Payroll	\$3,319,478	\$3,163,883

SCHEDULE OF CHANGES IN NET PENSION LIABILITY

GASB 68 Reporting Period Ending	04/30/2019	04/30/2018
Measurement Date	04/30/2019	04/30/2018
Total Pension Liability		
Service Cost	685,980	730,502
Interest	3,270,691	3,168,022
Changes of Benefit Terms	-	-
Differences Between Expected and Actual Experience	(473,570)	274,605
Changes of Assumptions	1,749,927	(576,498)
Benefit Payments, Including Refunds of Employee Contributions	(2,125,790)	(2,045,013)
Net Change in Total Pension Liability	3,107,238	1,551,618
Total Pension Liability - Beginning	47,101,075	45,549,457
Total Pension Liability - Ending (a)	\$ 50,208,313	\$ 47,101,075
Plan Fiduciary Net Position		
Contributions - Employer	1,634,019	1,468,691
Contributions - Employee	319,775	295,483
Net Investment Income	1,738,762	1,789,255
Benefit Payments, Including Refunds of Employee Contributions	(2,125,790)	(2,045,013)
Administrative Expense	(41,538)	(39,377)
Net Change in Plan Fiduciary Net Position	1,525,228	1,469,039
Plan Fiduciary Net Position - Beginning	27,497,602	26,028,563
Plan Fiduciary Net Position - Ending (b)	\$ 29,022,830	\$ 27,497,602
Net Pension Liability - Ending (a) - (b)	\$ 21,185,483	\$ 19,603,473
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	57.80%	58.38%
Covered Payroll	\$ 3,319,478	\$ 3,163,883
Net Pension Liability as a Percentage of Covered Payroll	638.22%	619.60%

Changes reflected in April 30, 2019 results:

The results reflect the assumption changes noted in the assumptions section of the report.

STATEMENT OF CHANGES IN NET PENSION LIABILITY

	Increase (Decrease)		
	Total Pension Liability	Plan Fiduciary Net Position	Net Pension Liability
	(a)	(b)	(a)-(b)
Balances at April 30, 2018	\$ 47,101,075	\$ 27,497,602	\$ 19,603,473
Changes for a Year:			
Service Cost	685,980	-	685,980
Interest	3,270,691	-	3,270,691
Differences Between Expected and Actual Experience	(473,570)	-	(473,570)
Changes of Assumptions	1,749,927	-	1,749,927
Changes of Benefit Terms	-	-	-
Contributions - Employer	-	1,634,019	(1,634,019)
Contributions - Employee	-	319,775	(319,775)
Net Investment Income	-	1,738,762	(1,738,762)
Benefit Payments, Including Refunds of Employee Contributions	(2,125,790)	(2,125,790)	-
Administrative Expense	-	(41,538)	41,538
Net Changes	3,107,238	1,525,228	1,582,010
Balances at April 30, 2019	\$ 50,208,313	\$ 29,022,830	\$ 21,185,483

Sensitivity of Net Pension Liability to changes in the Discount Rate:

	Current Discount		
	1% Decrease	Rate	1% Increase
	6.00%	7.00%	8.00%
Sponsor's Net Pension Liability	\$ 28,397,877	\$ 21,185,483	\$ 15,288,634

Pension Plan Fiduciary Net Position

Detailed information about the Pension Plan's Fiduciary Net Position is available in a separately issued Plan financial report.

PENSION EXPENSE AND DEFERRED OUTFLOWS OF RESOURCES AND DEFERRED INFLOWS OF
RESOURCES RELATED TO PENSIONS
YEAR-END APRIL 30, 2019

For the year ended April 30, 2019, the Sponsor will recognize a pension expense of \$2,212,596. On April 30, 2019, the Sponsor reported deferred outflows of resources and deferred Inflows of Resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between actual and expected experience	264,050	869,478
Changes of assumptions	1,777,609	384,332
Net difference between projected and actual earnings on pension plan investments	383,297	0
Total	\$2,424,956	\$1,253,810

Amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year-ended April 30:

2020	\$451,524
2021	\$106,326
2022	\$202,438
2023	\$198,131
2024	\$212,727
Thereafter	\$0

COMPONENTS OF PENSION EXPENSE
YEAR-END APRIL 30, 2019

	Net Pension Liability	Deferred Inflows	Deferred Outflows	Pension Expense
Beginning Balance	\$ 19,603,473	\$ 1,369,219	\$ 1,536,932	
Total Pension Liability Factors:				
Service Cost	685,980	-	-	685,980
Interest	3,270,691	-	-	3,270,691
Changes in Benefit Terms	-	-	-	-
Differences Between Expected and Actual Experience With Regard to Economic or Current Year Amortization	(473,570)	473,570	-	-
Changes in Assumptions About Future Economic or Demographic Factors or Other Inputs Current Year Amortization	1,749,927	-	1,749,927	-
Benefit Payments, Including Refunds of Employee Contributions	-	(96,083)	(451,319)	355,236
Net Change	(2,125,790)	-	-	-
	<u>3,107,238</u>	<u>61,138</u>	<u>1,212,351</u>	<u>4,081,815</u>
Plan Fiduciary Net Position:				
Contributions - Employer	1,634,019	-	-	-
Contributions - Employee	319,775	-	-	(319,775)
Projected Net Investment Income	1,917,358	-	-	(1,917,358)
Difference Between Projected and Actual Earnings on Pension Plan Investments Current Year Amortization	(178,596)	-	178,596	-
Benefit Payments, Including Refunds of Employee Contributions	-	(58,849)	(385,225)	326,376
Administrative Expenses	(2,125,790)	-	-	-
Net Change	(41,538)	-	-	41,538
	<u>1,525,228</u>	<u>(58,849)</u>	<u>(206,629)</u>	<u>(1,869,219)</u>
Ending Balance	<u>\$ 21,185,483</u>	<u>\$ 1,371,508</u>	<u>\$ 2,542,654</u>	<u>\$ 2,212,596</u>

AMORTIZATION SCHEDULE – EXPERIENCE

Increase (Decrease) in Pension Expense Arising from the Recognition of the Effects of Differences between Expected and Actual Experience

Year Base Established	Differences Between Expected and Actual Experience	Recognition Period (Years)	2019	2020	2021	2022	2023	2024	2025
2019	\$ (473,570)	6	\$ (78,930)	\$ (78,928)	\$ (78,928)	\$ (78,928)	\$ (78,928)	\$ (78,928)	\$ -
2018	\$ 274,605	6	\$ 45,768	\$ 45,768	\$ 45,768	\$ 45,768	\$ 45,768	\$ -	\$ -
2017	\$ 202,447	5	\$ 40,489	\$ 40,489	\$ 40,489	\$ -	\$ -	\$ -	\$ -
2016	\$ (1,424,513)	6	\$ (237,419)	\$ (237,419)	\$ (237,419)	\$ -	\$ -	\$ -	\$ -
Net Increase (Decrease) in Pension Expense			(230,092)	(230,090)	(230,090)	(33,160)	(33,160)	(78,928)	-

AMORTIZATION SCHEDULE – CHANGES OF ASSUMPTIONS

Increase (Decrease) in Pension Expense Arising from the Recognition of the Effects of Changes of Assumptions

Year Base Established	Effects of Changes in Assumptions	Recognition Period (Years)	2019	2020	2021	2022	2023	2024	2025
2019	\$ 1,749,927	6	\$ 291,652	\$ 291,655	\$ 291,655	\$ 291,655	\$ 291,655	\$ 291,655	\$ -
2018	\$ (576,498)	6	\$ (96,083)	\$ (96,083)	\$ (96,083)	\$ (96,083)	\$ (96,083)	\$ -	\$ -
2017	\$ 798,335	5	\$ 159,667	\$ 159,667	\$ 159,667	\$ -	\$ -	\$ -	\$ -
Net Increase (Decrease) in Pension Expense			\$ 355,236	\$ 355,239	\$ 355,239	\$ 195,572	\$ 195,572	\$ 291,655	\$ -

AMORTIZATION SCHEDULE – INVESTMENTS

Increase (Decrease) in Pension Expense Arising from the Recognition of the of Differences Between Projected and Actual Earnings on Pension Plan Investments

Year Base Established	Differences		Increase (Decrease) in Pension Expense Arising from the Recognition of the of Differences Between Projected and Actual Earnings on Pension Plan Investments							
	Between Projected and Actual Earnings	Recognition Period (Years)	2019	2020	2021	2022	2023	2024		
2019	\$ 178,596	5	\$ 35,720	\$ 35,719	\$ 35,719	\$ 35,719	\$ 35,719	\$ 35,719	\$ -	\$ -
2018	\$ 21,537	5	\$ 4,307	\$ 4,307	\$ 4,307	\$ 4,307	\$ -	\$ -	\$ -	\$ -
2017	\$ (294,244)	5	\$ (58,849)	\$ (58,849)	\$ (58,849)	\$ -	\$ -	\$ -	\$ -	\$ -
2016	\$ 1,725,988	5	\$ 345,198	\$ 345,198	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Net Increase (Decrease) in Pension Expense			\$ 326,376	\$ 326,375	\$ (18,823)	\$ 40,026	\$ 35,719	\$ -	\$ -	\$ -

SCHEDULE OF CONTRIBUTIONS

Plan Year-End	Actuarially Determined Contribution	Contributions in Relation to the Actuarially Determined Contributions	Contribution Deficiency (Excess)	Covered Payroll	Contributions as a Percentage of Covered Payroll
04/30/2019	1,618,878	1,634,019	(15,141)	3,319,478	49.23%
04/30/2018	1,456,052	1,468,691	(12,639)	3,163,883	46.42%

The following assumptions were used to determine the Actuarially Determined Contribution as of May 1, 2017:

Calculation Timing	The Actuarially Determined Contribution is calculated as of May 1 two years prior to the year in which contributions are reported.
Interest Rate	7.00%
Mortality	RP-2000 Combined Healthy Mortality with a blue collar adjustment, projected to the valuation date with Scale BB.
Disabled Mortality Rate	RP-2000 Disabled Retiree Mortality, projected to the valuation date with Scale BB.
Assumptions	All other assumptions and methods used for determining the Actuarially Determined Contribution can be found in the May 1, 2017 Actuarial Valuation Report for the City of Darien Police Pension Fund prepared by Foster & Foster.

SCHEDULE OF INVESTMENT RETURNS

For the year ended April 30, 2019, the annual money-weighted return on Pension Plan investments, net of pension plan investment expense, was 6.41 percent. The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested.

Plan Year-End	Annual Money-Weighted Rate of Return Net of Investment Expense
04/30/2019	6.41%
04/30/2018	6.99%

ASSUMPTIONS – TOTAL PENSION LIABILITY

The valuation reflects the following assumption changes :

- The mortality rates were updated to reflect the PubS-2010 tables.

The following assumptions were used to determine the Net Pension Liability:

Valuation Date	May 1, 2019
Measurement Date	April 30, 2019
GASB 68 Expense Measurement Period	May 1, 2018 - April 30, 2019
Reporting Period	May 1, 2018 - April 30, 2019
Discount Rate	7.00%
Mortality Rate	<p>Active Lives: PubS-2010 Employee mortality, projected 5 years past the valuation date with Scale MP-2018. 10% of active deaths are assumed to be in the line of duty.</p> <p>Inactive Lives: PubS-2010 Healthy Retiree mortality, projected 5 years past the valuation date with Scale MP-2018.</p> <p>Beneficiaries: PubS-2010 Survivor mortality, projected 5 years past the valuation date with Scale MP-2018.</p> <p>Disabled Lives: PubS-2010 Disabled mortality, projected 5 years past the valuation date with Scale MP-2018.</p> <p>The mortality assumptions sufficiently accommodate anticipated future mortality improvements.</p>
Retirement Age	See table later in this section. This is based on a 2017 experience study performed for the State of Illinois Department of Insurance.
Disability Rate	See table later in this section. 60% of the disabilities are assumed to be in the line of duty. This is based on a 2017 experience study performed for the State of Illinois Department of Insurance.
Termination Rate	See table later in this section. This is based on a 2017 experience study performed for the State of Illinois Department of Insurance.

Salary Increases

See table below. This is based on a 2017 experience study performed for the State of Illinois Department of Insurance.

Salary Scale	
Service	Rate
0	11.00%
1	10.75%
2	8.75%
3	8.50%
4	7.00%
5	6.25%
6	5.25%
7	4.25%
8 - 16	4.00%
17 - 32	3.75%
32+	3.50%

Inflation

2.50%.

Cost-of-Living Adjustment

Tier 1: 3.00% per year after age 55. Those that retire prior to age 55 receive an increase of 1/12 of 3.00% for each full month since benefit commencement upon reaching age 55.

Tier 2: 1.25% per year after the later of attainment of age 60 or first anniversary of retirement.

Marital Status

80% of Members are assumed to be married.

Spouse's Age

Males are assumed to be three years older than females.

Funding Method

Entry Age Normal Cost Method.

Decrement Tables

% Terminating During the Year		% Becoming Disabled During the Year		% Retiring During the Year (Tier 1)		% Retiring During the Year (Tier 2)	
Age	Rate	Age	Rate	Age	Rate	Age	Rate
20	14.00%	20	0.000%	50 - 51	15%	50 - 54	5%
25	10.40%	25	0.030%	52 - 54	20%	55	40%
30	5.60%	30	0.140%	55 - 64	25%	56 - 64	25%
35	3.10%	35	0.260%	65 - 69	40%	65 - 69	40%
40	1.90%	40	0.420%	70+	100%	70+	100%
45	1.50%	45	0.590%				
50	1.50%	50	0.710%				
56+	0.00%	55	0.900%				
		60	1.150%				

NOTES TO THE FINANCIAL STATEMENTS

Support for Long-Term Expected Rate of Return

The Long-Term Expected Rate of Return on Pension Plan investments can be determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of Pension Plan investment expenses and inflation) are developed for each major asset class.

These ranges are combined to produce the Long-Term Expected Rate of Return by weighting the expected future real rates of return by target asset allocation percentage and by adding expected inflation.

Best estimates of geometric real rates of return for each major asset class included in the Pension Plan’s target asset allocation adopted as of April 30, 2019, as provided by Sawyer Falduto Asset Management, LLC, are summarized in the following table:

Asset Class	Target Allocation	Long Term Expected Real Rate of Return
Large Cap Domestic Equity	35.75%	6.6%
Mid Cap Domestic Equity	5.50%	8.6%
Small Cap Domestic Equity	5.50%	8.4%
International Equity	8.25%	6.4%
Fixed Income	45.00%	1.6%
Total	100.00%	

Concentrations

The Plan did not hold investments in any one organization that represent 5 percent or more of the Pension Plan’s fiduciary net position.

Discount Rate

The Discount Rate used to measure the Total Pension Liability was 7.00 percent.

The projection of cash flows used to determine the Discount Rate assumed that Plan Member contributions will be made at the current contribution rate and that Sponsor contributions will be made at rates equal to the difference between actuarially determined contribution rates and the Member rate. Based on those assumptions, the Pension Plan’s Fiduciary Net Position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the Long-Term Expected Rate of Return on Pension Plan investments (7.00 percent) was applied to all periods of projected benefit payments to determine the Total Pension Liability.

For the purpose of this valuation, the expected rate of return on pension plan investments is 7.00 percent. The municipal bond rate is 3.21 percent (based on the weekly rate closest to, but not later than the measurement date of the S&P Municipal Bond 20 Year High Grade Rate Index). The resulting single discount rate is 7.00 percent.

SUMMARY OF CURRENT PLAN

Article 3 Pension Fund

The Plan is established and administered as prescribed by “Article 3. Police Pension Fund – Municipalities 500,000 and Under” of the Illinois Pension Code.

Plan Administration

The Plan is a single employer defined benefit pension plan administered by a Board of Trustees comprised of:

- a) Two members appointed by the Municipality,
- b) Two active Members of the Police Department elected by the Membership, and
- c) One retired Member of the Police Department elected by the Membership.

Credited Service

Complete years of service as a sworn police officer employed by the Municipality.

Normal Retirement

Date

Tier 1: Age 50 and 20 years of Credited Service.

Tier 2: Age 55 with 10 years of Credited Service.

Benefit

Tier 1: 50% of annual salary attached to rank on last day of service plus 2.50% of annual salary for each year of service over 20 years, up to a maximum of 75% of salary. The minimum monthly benefit is \$1,000 per month.

Tier 2: 2.50% per year of service times the average salary for the eight consecutive years prior to retirement times the number of years of service, up to a maximum of 75% of average salary. The minimum monthly benefit is \$1,000 per month.

Form of Benefit

Tier 1: For married retirees, an annuity payable for the life of the Member; upon the death of the member, 100% of the Member’s benefit payable to the spouse until death. For unmarried retirees, the normal form is a Single Life Annuity.

Tier 2: Same as above, but with 66 2/3% of benefit continued to spouse.

Early Retirement

Date

Tier 1: Age 60 and 8 years of Credited Service.

Tier 2: Age 50 with 10 years of Credited Service.

Benefit

Tier 1: Normal Retirement benefit with no minimum.

Tier 2: Normal Retirement benefit, reduced 6% each year before age 55, with no minimum benefit.

Form of Benefit

Same as Normal Retirement.

Disability Benefit

Eligibility Total and permanent as determined by the Board of Trustees.

Benefit Amount A maximum of:

- a.) 65% of salary attached to the rank held by Member on last day of service, and;
- b.) The monthly retirement pension that the Member is entitled to receive if he or she retired immediately.

For non-service connected disabilities, a benefit of 50% of salary attached to rank held by Member on last day of service.

Cost-of-Living Adjustment

Tier 1:

Retirees: An annual increase equal to 3.00% per year after age 55. Those that retire prior to age 55 receive an increase of 1/12 of 3.00% for each full month since benefit commencement upon reaching age 55.

Disabled Retirees: An annual increase equal to 3.00% per year of the original benefit amount beginning at age 60. Those that become disabled prior to age 60 receive an increase of 3.00% of the original benefit amount for each year since benefit commencement upon reaching age 60.

Tier 2: An annual increase each January 1 equal to 3.00% per year or one-half of the annual unadjusted percentage increase in the consumer price index-u for the 12 months ending with the September preceding each November 1, whichever is less, of the original pension after the attainment of age 60 or first anniversary of pension start date whichever is later.

Pre-Retirement Death Benefit

Service Incurred 100% of salary attached to rank held by Member on last day of service.

Non-Service Incurred A maximum of:

- a.) 50% of salary attached to the rank held by Member on last day of service, and;
- b.) The monthly retirement pension earned by the deceased Member at the time of death, regardless of whether death occurs before or after age 50.

For non-service deaths with less than 10 years of service, a refund of member contributions is provided.

GASB 67/68

Vesting (Termination)

Vesting Service Requirement **Tier 1:** 8 years.

Tier 2: 10 years.

Non-Vested Benefit Refund of Member Contributions.

Vested Benefit Either the termination benefit, payable upon reaching age 60 (55 for Tier 2), provided contributions are not withdrawn, or a refund of member contributions. The termination benefit is 2.50% of annual salary held in the year prior to termination (8-year final average salary for Tier 2) times creditable service.

Contributions

Employee 9.91% of Salary.

Municipality Remaining amount necessary for payment of Normal (current year's) Cost and amortization of the accrued past service liability.

CITY OF DARIEN

Memorandum

TO: Mayor, City Council, City Clerk, City Treasurer

FROM: Bryon D. Vana, City Administrator

DATE: August 27, 2019

RE: 9-3-19 Council Meeting-Recreational Cannabis

As you are aware, effective January 1, 2020, the Illinois Public Act 101-0027, the Cannabis Regulation and Tax Act, legalizes the possession and private use of cannabis for Illinois residents over 21 years of age. As a part of the City's review of this topic, the Council requested that staff prepare a non-binding, advisory survey that the city will use to help formulate a position on this topic Please find attached the survey results which shows 521 responses. We also received an additional 12 in person surveys. In summary, the results are:

Should the City of Darien:

297 (56%) --allow the sale of recreational marijuana in Darien

234 (44%) --prohibit the sale of recreational marijuana in Darien

[Backup – Background](#)

[Summary Cannabis Survey](#)

[Survey Comments](#)

At the 9-3-19 Council meeting, the staff will be seeking direction from the Council on the questions numbered below. The direction will be affirmed by a formal vote at the following Council meeting. If a majority of the Council wants to prohibit recreational cannabis in Darien, then questions 2-5 become irrelevant.

1. Does the City want to allow the growing of cannabis or the retailing of cannabis in the City?
2. If so, in what zones?
3. If so, as a permitted use or special use?
4. Does the City want to allow on premise consumption?
5. Does the City want to impose up to an additional 3% tax on the retail sale of cannabis?

Feel free to contact me if you have any additional questions.

**ADULT USE OF RECREATIONAL MARIJUANA
"CANNABIS REGULATION AND TAX ACT"
HB 1438**

The Cannabis Regulation and Tax Act, effective as of June 25, 2019, legalizes the use of recreational cannabis by persons over 21 years of age. The Act legalizes the possession, use and purchase of limited amounts of cannabis for personal use. The Act additionally amends various state statutes, including the: Freedom of Information Act (FOIA); Criminal Identification Act (Expungement); State Finance Act; Use & Occupation Tax Act, Service Use and Occupation Tax Act, Retailer's Occupation Tax Act, Municipal Retailer's Occupation Act, and Cannabis and Controlled Substances Tax Act (collectively, "Sales Tax"); Illinois Police Training Act; Counties Code; Illinois Vehicle Code; Criminal Code; Code of Civil Procedure; and the Right to Privacy in the Workplace Act.

The Act does not pre-empt or alter the Compassionate Use of Medical Cannabis Pilot Program (which is now permanent). However, the Act does pre-empt non-home rule and home-rule municipalities from imposing regulations that are in conflict with, or are more stringent than those imposed by the Act. That being said, municipalities do retain certain authority, including zoning, over various aspects of recreational cannabis, as further described below.

REGULATED CANNABIS BUSINESSES

The Act regulates six different cannabis business establishments. Because a municipality retains zoning authority over cannabis business establishments, as discussed in further detail below, it is important to describe the activities of each business. The following definitions apply to the various businesses:

1. Craft Grower is a facility that cultivates, dries, cures and packages cannabis for sale at a dispensary. The craft grower may contain up to 5,000 sq.ft. of enclosed space, with a maximum of 14,0000 sq.ft., if authorized by the Department of Agriculture. A craft grower may share premises with a processor and/or a dispensary.

2. Cultivation Center is a facility which cultivates, processes and transports cannabis and cannabis-infused products to dispensaries.

3. Dispensary is a facility that sells cannabis, cannabis-infused products, cannabis seeds, paraphernalia and related supplies to the general public and qualified medical cannabis patients.

4. Infuser is a facility that directly incorporates cannabis or cannabis concentrate into a product to produce a cannabis-infused product.

5. Processor is a facility that extracts constituent chemicals or compounds to produce cannabis concentrate or incorporates cannabis or cannabis concentrate into a product to produce a cannabis product.

6. Transporter transports cannabis on behalf of a cannabis business establishment.

The Department of Agriculture will regulate cultivation centers, craft growers, infusers and transporters. The Department of Financial and Professional Regulation will regulate dispensaries.

LOCAL CONTROL

Although the Act gives authority to local government to regulate commercial cannabis activity within their boundaries through their zoning regulations, such regulations cannot conflict with the Act or the rules adopted pursuant to the Act. Herein lies the conundrum. For example, the Act regulates advertising by cannabis related businesses. Under the Act, no business may advertise within 1,000 feet of school grounds, playgrounds, recreation centers/facilities, child care centers,

public parks or public libraries, or game arcades where minors (under 21) are allowed. In many communities, sign regulations are contained in the municipality's zoning code. The question becomes whether a municipality may enact regulations that are stricter (*i.e.*, banning advertising within 1,500 feet) or completely ban advertising. Would this be considered in conflict with the Act? At this point it is unclear.

a. Zoning

A municipality may "prohibit or significantly" limit the location of cannabis businesses through its zoning ordinance. Many commentators have interpreted this provision as allowing a municipality to impose a prohibition against recreational cannabis businesses. However, as discussed below, it is my opinion that a municipality may not ban a preexisting medical cannabis dispensary from obtaining a recreational cannabis license to operate out of the same location as the medical dispensary. Under its zoning authority, a municipality may allow certain cannabis businesses (*i.e.* dispensary), but prohibit other cannabis businesses (*i.e.*, cultivators, infusers). It cannot prohibit home cultivation (medical cannabis) or unreasonably prohibit the use of cannabis allowed under the Act.

If a municipality chooses to allow cannabis businesses within its jurisdiction, it may enact reasonable zoning ordinances, not in conflict with the Act, regulating cannabis business establishments, including time, place, manner and number of businesses, including minimum distances between cannabis businesses and locations it deems sensitive, including colleges and universities, through the use of conditional/special use permits. It may also permit cannabis businesses to locate in certain zoning districts, but not others. For example, the Act does not allow craft growers and infusers to be located in residential zones. It is presumed that a municipality may

enact zoning regulations to only permit the various cannabis businesses in the zoning districts the municipality deems appropriate for the specific cannabis business establishment. The cannabis businesses would also be subject to the zoning regulations, *i.e.*, setbacks, off-street parking regulations, for the specific zoning district or as set forth in the conditional/special use permit. However, a municipality may not adopt regulations that unreasonably restrict the time, place, manner and number of cannabis business establishments authorized by the Act. Along with adopting an ordinance or rules establishing such regulations, a municipality may establish civil penalties for violation of the ordinance or rules or an issued conditional/special use permit.

Hence, there are still many unanswered questions as how restrictive local zoning regulations may be and not be in conflict with the Act's regulations. For instance, the Act allows a municipality to set minimum distances between cannabis businesses and locations deemed sensitive, but it doesn't make it clear whether a municipality may impose a greater separation between two dispensaries (Act requires minimum of 1500 ft) or two craft growers (Act requires minimum of 1500 ft). Because the Act doesn't establish any minimum distance requirement between two different types of cannabis businesses, I presume that a municipality could impose "reasonable" minimum distance requirements between two such businesses.

The extent to which a municipality's zoning restrictions may regulate other aspects of cannabis businesses is also unclear. For example, the Act authorizes up to 500 dispensary licenses, allows dispensaries to operate from 6:00 a.m. to 10:00 p.m. and allows dispensaries, infusers and/or craft growers to share a facility. As of now, the Act does not address whether local zoning codes and other regulations may limit the number of conditional/special use permits a municipality may issue or limit the hours of operation. Hopefully, many of these outstanding issues will be addressed by the

Legislature in the Fall term or by the Administrative Rules promulgated by the Departments of Agriculture, State Police, Financial Professional Regulation, Revenue, Commerce and Economic Opportunity ("IDFPR") and the Treasurer's Office. The Act mandates that such agencies must adopt rules within 180 days of the effective date of June 25, 2019 (December 16, 2019).

b. Local Zoning and the Various Licences

As I stated earlier, a municipality may limit or prohibit cannabis businesses through its zoning ordinance. It is my opinion that this is true for all but one of the cannabis business establishments. An existing medical cannabis dispensary may apply for early approval from the IDFPR. Any medical dispensary holding a valid medical cannabis license may apply within 60 days of the effective date of the Act for early approval to operate a recreational dispensary at its existing medical dispensary location that is in operation. If the applicant meets all of the requirements under the Act, it will be issued a license. **NO LOCAL ZONING APPROVAL IS REQUIRED.** Therefore, I have concluded that a municipality may not block a recreational dispensary from operating out of an existing medical dispensary if the applicant receives early approval from the state. This is the only license that **DOES NOT** require zoning approval as part of its application process.

All of the other cannabis business establishments - early approval for a secondary site by an applicant who has a valid medical cannabis license, a conditional adult use license (applicant does not have a medical cannabis license), cultivation center, craft grower, infuser and transporter must submit a copy of the current local zoning ordinance section relevant to its business operations and documentation of the approval, conditional approval or status of request for zoning approval from the local zoning official that the proposed cannabis business establishment location is in compliance

with local zoning rules. Thus, a municipality has the power to limit or prohibit such establishments under its zoning code.

c. Business Licenses

The licensing of cannabis businesses is the exclusive domain of the Department of Agriculture and the IDFPR. However, a municipality may require business licenses for registration purposes only [not regulation]. A municipality may conduct inspections of the premises to ensure compliance with local building codes and health and safety inspections. The local law enforcement agency may also search the premises if there is probable cause to believe that criminal laws have been violated. All cannabis business establishments must notify the local law enforcement agency within 24 hours of any loss or theft.

d. On-Premises Consumption

A municipality may regulate, or totally ban, on-premises consumption of cannabis at or in a licensed recreational cannabis establishment. If the municipality deems to allow on-premises consumption, the establishment would not be deemed a public place within the meaning of the Smoke Free Illinois Act. The regulation of on-premises consumption may be done through a licensing or permit process and would allow the municipality to impose restrictions on the license or permit such as location within the establishment, security and environmental concerns. The municipality, through the permit process, would have the right to enforce its requirements and/or to make periodic inspections to check on compliance with such requirements.

TAXES

Recreational cannabis will be subject to taxation by the state, and may be subject to taxation by counties and municipalities, and is in addition to other occupation and privilege taxes imposed

by the state, county and municipality.

a. State Taxation

Starting on September 1, 2019, the state will collect taxes from cultivators and craft growers at the rate of 7%. Beginning on January 1, 2020, the state will impose a Purchaser's tax ranging from 10% to 25%, depending on the level of THC contained in the cannabis and if it is a cannabis infused product. All monies collected under the Act are to be deposited into the Cannabis Regulation Fund, consisting of taxes, license fees, *etc.* Each month, the Department of Revenue (IDOR) will determine the amounts to remain in the Fund to pay for the direct and indirect costs associated with the implementation, administration and enforcement of the Act. After the allocations are made, 8% of the remainder will be put into the Local Government Distributive Fund and allocated as provided by the State Revenue Sharing Fund, to fund crime prevention programs, training and interdiction efforts, including detention, enforcement and prevention efforts relating to illegal cannabis market.

b. Municipal Cannabis Retailers Occupation Tax Law (65 ILCS 5/8-11-22)

Under this amendment to the Illinois Municipal Code, a municipality may impose a tax on all persons engaged in the selling of cannabis at retail. This does not include the sale of medical cannabis. The tax cannot exceed 3% and can only be imposed in 1/4% increments. The municipality must impose the tax by ordinance or resolution and send a certified copy to IDOR on or before June 1, which will then be applied the following September 1. The tax will be collected by IDOR and deposited into dedicated funds that are protected from budgetary sweeps. The revenues will then be distributed to the municipality in the same manner as the local sales tax revenues. This amendment applies to home rule and non-home rule municipalities alike.

c. County Taxation

Non-home rule counties may impose a tax up to 0.75% on sales in incorporated areas and 3.75% on sales in unincorporated areas. Cook County, as a home-rule county, may impose a tax of 3% across the board - not distinguishing between incorporated and unincorporated areas.

PERSONAL USE OF CANNABIS

As of January 1, 2020, an individual 21 years and older may possess, consume, use, purchase, obtain and transport for personal use. The amount allowed is different for Illinois residents and non-residents as shown in the following chart. These amounts are cumulative.

ILLINOIS RESIDENTS	NON-RESIDENTS
30 grams cannabis flower	15 grams of cannabis flower
500 milligrams of THC in cannabis-infused products	250 milligrams of THC in cannabis-infused products
5 grams of cannabis concentrate	2.5 grams of cannabis concentrate

All permitted cannabis must be purchased from a licensed dispensary unless an individual is a registered qualifying patient under the Compassionate Use of Medical Cannabis Pilot Program Act ("Registered User"). A Registered User may cultivate up to 5 plants, no more than 5" tall, in his/her residence, in an enclosed, locked space, which cannot be viewed from a public street, sidewalk or adjacent property.

a. Minor's Use of Cannabis

An individual under the age of 21 is considered a minor under the Act. No one can give or sell cannabis and cannabis products to a minor. A minor cannot possess, use, process, transport, grow or use cannabis or a cannabis product unless he/she is a Registered User. If the minor is found in possession of cannabis, the minor is guilty of a civil law violation under the Cannabis Control Act.

If he/she is in a motor vehicle at the time of the offense, his/her driver's license may be suspended or revoked. The violation for presenting false ID to obtain cannabis is a Class A misdemeanor. Additionally, the minor's driver's license is subject to suspension or revocation. A clerk/owner will not be disciplined if shown adequate written evidence of age and identity, unless the clerk/owner knew the ID was false..

Parents who knowingly permit their residence, private property, vehicle, boat, *etc.*, to be used by a minor to possess, use, *etc.*, cannabis is guilty of a Class A misdemeanor, with a maximum fine of \$500.00. If it results in great bodily harm or death, they will be guilty of a Class 4 felony.

b. Limitations on Use

Possession and consumption are prohibited on school buses (unless a Registered User), preschool, primary and secondary school grounds (unless a Registered User), correctional facilities, and licensed day-care centers, foster care or similar social service in a private residence. You may not have cannabis in a motor vehicle unless it is in a reasonably secured, sealed container and not accessible while the vehicle is moving. It goes without saying that it may not be consumed while in a motor vehicle or when driving a motor vehicle, aircraft or motor boat. Additionally, use is prohibited in any public place and smoking cannabis is prohibited in any place prohibited under the Smoke Free Illinois Act. A public place includes any place where you can be observed by others, parks, and government buildings. Any person, business or landlord may prohibit or restrict use on their property, including parking lots. Colleges and universities may continue to prohibit cannabis use under the Colleges Drug-Free Schools and Communities Act, which requires drug-free campuses.

Other violations include knowingly using cannabis in close proximity to a minor, enabling

a minor's use, and transferring cannabis and/or a cannabis product to a minor.

Cannabis products, cannabis paraphernalia, legal property or interest in legal property that is possessed, owned or used in connection with the use of cannabis cannot be seized or forfeited unless it exceeds amounts allowed under the Act or if the basis of the action is unrelated to the cannabis.

c. Municipal Regulation

Under the Act, a municipality has the right to regulate possession and consumption of cannabis consistent with the provisions of the Act. Therefore, a municipality may adopt the prohibitions and penalties (not to exceed the Act's penalties) set forth in the Act as local laws. If a municipality chooses to enforce and prosecute such violations (except DUIs) through its own municipal code, it may then do so through its local administrative adjudication hearing process or in the circuit court. Not only would this enable the municipality to enforce the provisions of the Act, it would also generate more revenue through the collection of the penalties.

EXPUNGEMENT OF ARREST RECORDS

The Act mandates that the State Police and local police departments automatically expunge all criminal history records of an arrest, charge not initiated by arrest, order of supervision, or order of qualified probations for a minor cannabis offense committed prior to June 25, 2019. A "minor cannabis offense" is a violation of Section 4 or 5 of the Cannabis Control Act involving not more than 30 grams of a substance containing cannabis, if it did not involve an enhanced penalty under Section 7 and was not associated with an arrest, conviction or other disposition for a violent crime as defined in subsection (c) of the Rights of Crime Victims and Witnesses Act. It is not clear if the automatic expungement includes local ordinances violations since it specifically references the

Cannabis Control Act. The record must be expunged if:

1. One year or more has elapsed since the date of the arrest or law enforcement interaction documented in the records; and

2. No criminal charges were filed relating to the arrest or law enforcement interaction or criminal charges were foiled and subsequently dismissed or vacated or the arrestee was acquitted.

The qualifying records are to be expunged as follows:

1. Records created prior to June 25, 2019, but on or after January 1, 2013, shall be automatically expunged prior to January 1, 2021;

2. Records created prior to January 1, 2013, but on or after January 1, 2020, shall be automatically expunged prior to January 1, 2023; and

3. Records created prior to January 1, 2000 shall be automatically expunged prior to January 1, 2025.

EMPLOYMENT

There is nothing in the Act to prevent an employer from adopting and enforcing reasonable workplace policies such as zero tolerance or drug free policies concerning drug testing, smoking, consumption, storage or use in the workplace or while on call. The Act allows an employer to prohibit employees from being impaired or under the influence of cannabis not only in the workplace, but also while on duty or while on call, which is when the employee is scheduled to be on standby with at least 24 hours' notice or otherwise responsible for performing work-related tasks.

The Act broadly defines workplace as the employer's premises, including any building, real property, and parking areas under the control of the employer or area used by an employee while in the performance of the employee's job duties, and vehicles, whether leased, rented, or owned. The

employer may also further define "workplace" in its employment policy/handbook as long as it is not inconsistent with the Act.

The Act does not preempt federal, state or local restrictions on employment, including the federal CDL regulations, or an employer's ability to comply with federal or state law or cause it to lose a federal or state contract or funding.

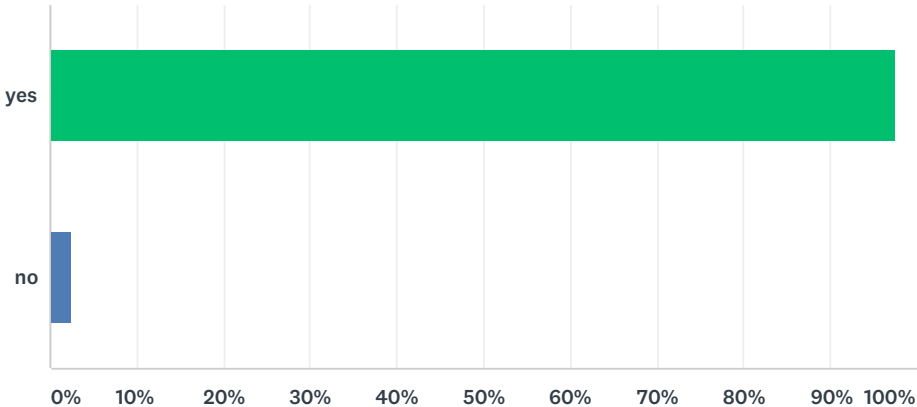
Employers retain the authority to discipline or terminate employees for violating any employment policies or workplace drug policies. However, the Act amended the Illinois Right to Privacy in the Workplace Act, which protects employees from adverse employment actions related to their use of "lawful products", including cannabis products, outside of working hours.

/JNK



Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one)

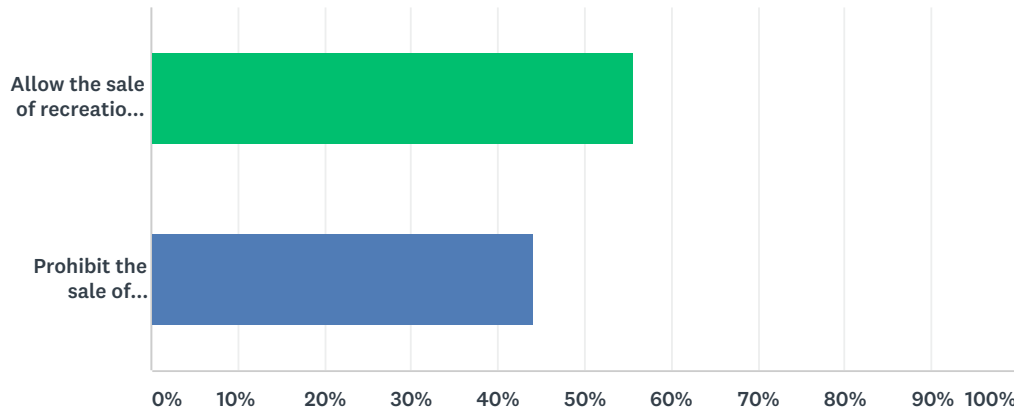
Answered: 521 Skipped: 1



ANSWER CHOICES	RESPONSES	
yes	97.50%	508
no	2.50%	13
TOTAL		521

Q2 Should the City of Darien: (select one)

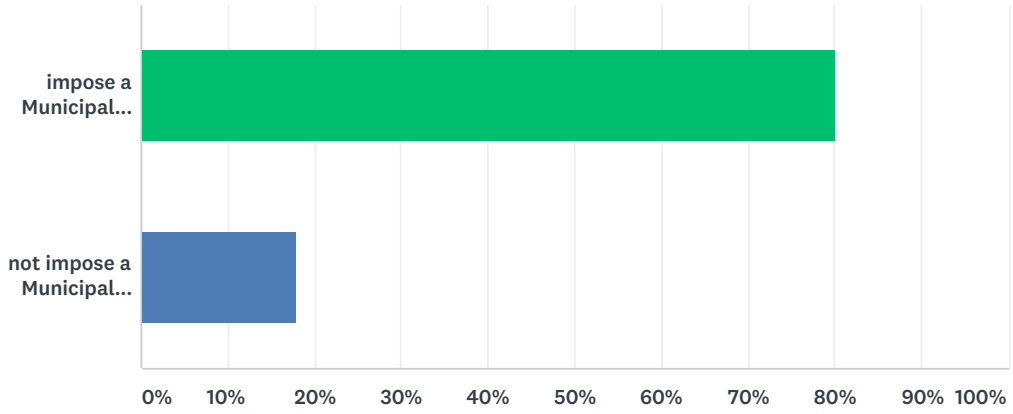
Answered: 521 Skipped: 1



ANSWER CHOICES	RESPONSES	
Allow the sale of recreational marijuana in Darien	55.66%	290
Prohibit the sale of recreational marijuana in Darien	44.15%	230
TOTAL		521

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it:

Answered: 515 Skipped: 7



ANSWER CHOICES	RESPONSES	
impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.	80.19%	413
not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.	18.06%	93
TOTAL		515

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, August 07, 2019 9:36:16 AM
Last Modified: Wednesday, August 07, 2019 9:39:14 AM
Time Spent: 00:02:57
IP Address: 50.204.220.10

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien** ,
 Additional Comments::
 Test

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 3:59:16 PM
Last Modified: Thursday, August 08, 2019 4:02:52 PM
Time Spent: 00:03:35
IP Address: 172.58.62.175

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
I'm currently a medical user, with State card. My dispensary is in Naperville, I would prefer not to drive so far. I understand the new law to give preference to medical users and hope that would be accommodated in Darien.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: Additional Comments::
No opinion.

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:27:59 PM
Last Modified: Thursday, August 08, 2019 4:30:17 PM
Time Spent: 00:02:18
IP Address: 63.126.66.2

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
It is a bad drug which leads to more violent drugs. I do not want this in my city.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
I do not want it in my city but if it is approve tax the hell out of it!

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:30:24 PM
Last Modified: Thursday, August 08, 2019 4:36:09 PM
Time Spent: 00:05:45
IP Address: 67.167.83.78

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
This is something that if we allowed businesses in the area to sell it would make me want to leave Darien. I have been a resident of Darien for 30 years and have raised my children here always feeling safe. Although the state has made it legal for financial purposes, that doesn't mean we should accept it in our own backyard.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Please don't allow it!

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:35:15 PM
Last Modified: Thursday, August 08, 2019 4:41:25 PM
Time Spent: 00:06:09
IP Address: 69.245.255.26

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
The state is wrong to allow this. There are many health risks associated and driving while on any drug should be illegal

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
The tax should be much higher, 3% is NOT, DEFINITELY NOT ENOUGH and we need the tax to assist in drug and alcohol education at our schools and to add more law enforcement to be sure people are not driving while on narcotics or drugs. While we are fighting drug use across America we now make marijuana legal. How foolish can we be!

#6

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:43:35 PM
Last Modified: Thursday, August 08, 2019 4:47:13 PM
Time Spent: 00:03:38
IP Address: 67.167.83.40

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
In my opinion, recreational marijuana will eventually lead to other drug related abuses and issues.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
If you are going to do it anyway, get some revenue to deal with the problems it will create.

#7

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:46:25 PM
Last Modified: Thursday, August 08, 2019 4:48:15 PM
Time Spent: 00:01:49
IP Address: 69.245.252.92

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
In certain locations—Such as where you might find a liquor store, I think it is fine provided the city can get tax benefits.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#8

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:46:54 PM
Last Modified: Thursday, August 08, 2019 4:48:42 PM
Time Spent: 00:01:48
IP Address: 67.167.83.10

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Surrounding suburbs will reap the tax dollars, might as well get out share of the money.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#9

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:47:38 PM
Last Modified: Thursday, August 08, 2019 4:51:47 PM
Time Spent: 00:04:08
IP Address: 71.201.154.124

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**
Additional Comments::
It was illegal for a reason, it's a drug a drug that leads to stronger drugs and has no place in Darien. It will bring crime to our city, we do not have street cameras like Chicago making us an easy target.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#10

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:49:32 PM
Last Modified: Thursday, August 08, 2019 4:51:57 PM
Time Spent: 00:02:25
IP Address: 73.75.100.187

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Just as people can buy alcohol I di not see why people can't buy cannabis which doesn't make people violent it relaxes people relives pain just like getting tylenol or any other over the. Counter medications. This may even improve the revenue of the village

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#11

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:50:33 PM
Last Modified: Thursday, August 08, 2019 4:59:01 PM
Time Spent: 00:08:27
IP Address: 207.227.23.131

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
We don't need more riff raff passing through our town. We have enough as it is with Bolingbrook and Woodridge. I grew up in Darien, moved away when I married and now we are back with our kids. I'm sad to say that disappointed with the gambling facilities as it is. I'm strongly against the sale of marijuana in Darien!

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#12

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:56:56 PM
Last Modified: Thursday, August 08, 2019 4:59:47 PM
Time Spent: 00:02:51
IP Address: 73.110.19.9

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
While I will never smoke marijuana again, I don't believe keeping it illegal makes sense in this day and age.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#13

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:48:05 PM
Last Modified: Thursday, August 08, 2019 5:02:10 PM
Time Spent: 00:14:04
IP Address: 24.13.26.100

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one)

Prohibit the sale of recreational marijuana in Darien

Additional Comments::

Today's high potency marijuana is linked to increases in addiction, psychosis, schizophrenia and violence. States that have legalized it have seen an increase in emergency room visits, hospitalizations, poison control center calls and an increase in use in every age category, including youth. An increase of marijuana use among people 25 and under—those whose brains are still developing and whose brains are most susceptible to the harms of marijuana use—I think will not enhance Darien as "A Nice Place to Live".

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it:

Respondent skipped this question

#14

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 4:44:18 PM
Last Modified: Thursday, August 08, 2019 5:05:12 PM
Time Spent: 00:20:53
IP Address: 71.201.193.193

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Sell it in other towns not Darien.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
Yes, if it doesn't raise my taxes. If my taxes go up then no.

#15

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:09:01 PM
Last Modified: Thursday, August 08, 2019 5:15:55 PM
Time Spent: 00:06:54
IP Address: 107.77.207.230

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Legitimate business. No reason to exclude.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
Many people use marijuana as medicine. What sort of person puts an additional tax on that?

#16

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:25:07 PM
Last Modified: Thursday, August 08, 2019 5:26:39 PM
Time Spent: 00:01:32
IP Address: 99.35.166.101

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
There are so many medical problems including myself that could really benefit having this and even better if it's close by to buy!

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#17

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:27:58 PM
Last Modified: Thursday, August 08, 2019 5:29:22 PM
Time Spent: 00:01:23
IP Address: 71.201.193.62

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Tax revenue will go else where if Darien doesn't sell it.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#18

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:27:30 PM
Last Modified: Thursday, August 08, 2019 5:29:41 PM
Time Spent: 00:02:11
IP Address: 24.13.26.218

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
People will just go to another municipality to buy it. Might as well realize the tax income.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#19

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:12:21 PM
Last Modified: Thursday, August 08, 2019 5:33:20 PM
Time Spent: 00:20:59
IP Address: 104.129.196.121

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
As long as the city gets a portion of the tax revenue from that sale.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#20

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:41:28 PM
Last Modified: Thursday, August 08, 2019 5:44:50 PM
Time Spent: 00:03:22
IP Address: 73.246.121.96

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Darien has already allowing gaming locations, why not the sale of recreational marijuana? To be honest, I'm not a fan of the gaming but to not allow recreational marijuana would be a little hypocritical in my eyes. I'd prefer to have neither.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
The only reason we should allow the sale of recreational marijuana is for the potential tax revenue.

#21

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:53:34 PM
Last Modified: Thursday, August 08, 2019 5:56:05 PM
Time Spent: 00:02:30
IP Address: 99.203.200.185

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Medical
user

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#22

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:55:36 PM
Last Modified: Thursday, August 08, 2019 5:58:28 PM
Time Spent: 00:02:51
IP Address: 108.70.94.105

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Next door neighbor has son that has been on drugs for a long time, this will just encourage him to continue drug use.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
They should make the tax on it as high as the Cook County Cigarette Tax. 3% tax is nothing compared to Cook County's. They want to buy and use this drug, tax them to the limit for all the trouble it's going to cause the police and communities.

#23

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:58:08 PM
Last Modified: Thursday, August 08, 2019 5:59:07 PM
Time Spent: 00:00:58
IP Address: 99.102.109.22

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Same as liquor sales

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#24

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 5:58:03 PM
Last Modified: Thursday, August 08, 2019 5:59:22 PM
Time Spent: 00:01:18
IP Address: 67.167.82.60

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Only allow 1 business in Darien to sell marijuana.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#25

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 6:06:53 PM
Last Modified: Thursday, August 08, 2019 6:08:23 PM
Time Spent: 00:01:29
IP Address: 47.12.111.192

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Yup! About time. A great place to live, needs some great bud to smoke!

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
Negative.

#26

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 6:08:33 PM
Last Modified: Thursday, August 08, 2019 6:09:38 PM
Time Spent: 00:01:05
IP Address: 108.70.95.137

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Bad for the children of Darien.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#27

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 6:12:48 PM
Last Modified: Thursday, August 08, 2019 6:14:49 PM
Time Spent: 00:02:01
IP Address: 73.247.229.131

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
This revenue source could substantially benefit the community, and regulations prohibiting sale to minors are sufficient to protect the community.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
The tax should only apply to recreational, not medically prescribed, cannabis

#28

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 6:33:09 PM
Last Modified: Thursday, August 08, 2019 6:36:12 PM
Time Spent: 00:03:03
IP Address: 71.201.193.10

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Would be no different than going to a bar.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
It's going to be taxed already by the state, but if the extra 3% can go towards bettering the City and out communities - might as well.

#29

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 7:13:43 PM
Last Modified: Thursday, August 08, 2019 7:16:51 PM
Time Spent: 00:03:07
IP Address: 71.201.144.78

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Personally we are non Marijuana users but advocates of the tax driven revenue it may produce

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#30

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 7:30:33 PM
Last Modified: Thursday, August 08, 2019 7:32:43 PM
Time Spent: 00:02:10
IP Address: 24.13.28.153

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Please prohibit the sale of marijuana in Darien

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#31

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 7:25:36 PM
Last Modified: Thursday, August 08, 2019 7:32:59 PM
Time Spent: 00:07:23
IP Address: 108.212.96.178

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Marijuana is Federally illegal...and will be legal in the state of Illinois soon ...do s the small of Darien really want to be involved in this situation ?

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: Additional Comments::
I don't care either way

#32

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 7:47:24 PM
Last Modified: Thursday, August 08, 2019 7:49:29 PM
Time Spent: 00:02:04
IP Address: 24.13.24.199

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
As a general statement, we need less laws in the US, and less (or at least no more) laws in Darien.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
I think that we should encourage a dispensary (or whatever the term is for a store that sells cannabis), and locate it on a major thoroughfare.

#33

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 7:47:33 PM
Last Modified: Thursday, August 08, 2019 7:49:45 PM
Time Spent: 00:02:11
IP Address: 71.201.144.35

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Cannabis is safer than alcohol. Studies show that it has medicinal benefits. Studies also show that although illegal, cannabis is also safer while operating heavy machinery or driving (not that it's condoned). Cannabis will be consumed in Darien regardless whether it is prohibited for sale or not. Might as well just get the much needed tax revenue and put it to schools.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#34

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 8:20:32 PM
Last Modified: Thursday, August 08, 2019 8:21:25 PM
Time Spent: 00:00:53
IP Address: 108.79.1.21

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **no**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Limits should apply

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#35

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 8:44:44 PM
Last Modified: Thursday, August 08, 2019 8:47:04 PM
Time Spent: 00:02:20
IP Address: 75.34.47.139

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one)

Prohibit the sale of recreational marijuana in Darien

Additional Comments::

I'm very opposed to the use of cannabis for anything other than medical use. Since IL has made that impossible, we should at least restrict it within city limits.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it:

impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.

#36

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 8:53:00 PM
Last Modified: Thursday, August 08, 2019 8:54:19 PM
Time Spent: 00:01:19
IP Address: 71.201.144.107

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Do not need this in our "nice place to live"

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Better make as much money from it if you must allow it.

#37

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 9:37:27 PM
Last Modified: Thursday, August 08, 2019 9:39:49 PM
Time Spent: 00:02:22
IP Address: 174.198.0.57

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) Additional Comments::
Don't care but if you do see answer
3

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#38

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 08, 2019 10:35:49 PM
Last Modified: Thursday, August 08, 2019 10:38:40 PM
Time Spent: 00:02:50
IP Address: 69.245.252.54

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
If the city can collect a tax, and attract customers to other retail businesses in, absolutely.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Maybe waive the tax for locals.

#39

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 5:24:43 AM
Last Modified: Friday, August 09, 2019 5:28:08 AM
Time Spent: 00:03:24
IP Address: 67.167.80.20

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Ununless Darien will put a recreational tax of 50% on any sales of marijuana, so the tax could be used for other services

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Tax needs to be higher, and strick laws on using marijuana.in city limits of Darien and in force it!

#40

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 6:48:30 AM
Last Modified: Friday, August 09, 2019 6:51:27 AM
Time Spent: 00:02:56
IP Address: 73.246.120.108

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien** ,
Additional Comments::
Not allow anyone under the legal age into the establishment

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.** ,
Additional Comments::
Tax it to the max. Otherwise, prohibit the sale in Darien.

#41

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 7:50:06 AM
Last Modified: Friday, August 09, 2019 7:51:09 AM
Time Spent: 00:01:03
IP Address: 69.245.252.54

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Anything to relieve the tax burden to residents would be great

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#42

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 7:51:18 AM
Last Modified: Friday, August 09, 2019 7:57:03 AM
Time Spent: 00:05:45
IP Address: 96.95.121.49

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
There is no reason not to allow sale.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#43

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 7:58:17 AM
Last Modified: Friday, August 09, 2019 8:03:43 AM
Time Spent: 00:05:26
IP Address: 71.201.155.60

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
If it brings money into our city . And properly controlled !

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Does this tax the consumer or the retailer ?

#44

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 8:58:18 AM
Last Modified: Friday, August 09, 2019 9:03:38 AM
Time Spent: 00:05:20
IP Address: 73.246.120.247

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Recreational cannabis will be legal; don't let other cities generate tax income while Darien could lose valuable tax monies.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Yes, take full advantage of the tax opportunity for Darien.

#45

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 11:20:39 AM
Last Modified: Friday, August 09, 2019 11:23:09 AM
Time Spent: 00:02:30
IP Address: 96.90.103.97

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
I've seen how it can help people, why make it more difficult for people to get when the tax dollars could go back into our community.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#46

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 12:31:35 PM
Last Modified: Friday, August 09, 2019 12:33:02 PM
Time Spent: 00:01:26
IP Address: 107.211.255.53

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Massive mistake for the State to pass that law! More DUIs coming...

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Tax should be 25%

#47

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 1:55:09 PM
Last Modified: Friday, August 09, 2019 2:08:28 PM
Time Spent: 00:13:18
IP Address: 12.47.205.126

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Allowing the sale would condone the use of a drug which will make our roads more dangerous. You think cell phone use impacts the accident rate, the use of marijuana will also increase it. I don't think Darien should jump on the liberal band wagon, it is a drug that impairs judgement and reaction time. It also stays in your system for days after use which makes operating any type of machinery more dangerous.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
May as well make money from it and maybe reduce another tax to help people who don't use drugs for recreation.

#48

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 2:56:50 PM
Last Modified: Friday, August 09, 2019 3:06:15 PM
Time Spent: 00:09:25
IP Address: 128.135.185.235

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one)

yes

Q2 Should the City of Darien: (select one)

Prohibit the sale of recreational marijuana in Darien ,

Additional Comments::

The sale of recreational marijuana is not all up side risk. Federal law still prohibits bank charters from accepting deposits and this is a an all cash business with little ability provide accurate track of in-and-outs of business and susceptible to illegal monetary deeds and issues with community protecting considering large amounts of cash. There is also the consequences of driving while under the influence and legal dilemmas it presents in very grey area. There have also been reputable research on the social impact of recreational marijuana being more negative than beneficial from a health, economic, and community perspective. Darien is "a nice place to live" and the people and organization in Darien exhibit this everyday and the sale of recreational marijuana vehemently contradicts this.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it:

impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.

,

Additional Comments::

I favor Darien being a marijuana free town. But if the town selects the lesser of 2 evils, it should use taxation in its favor to curb the overall utilization and sale of marijuana in the town.

#49

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 4:05:29 PM
Last Modified: Friday, August 09, 2019 4:08:50 PM
Time Spent: 00:03:20
IP Address: 172.56.12.67

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
If other surrounding communities will sell it and the town can impose the 3% fee to collect more taxes to benefit the police, fire, infrastructure I can see the benefit. If crime would increase, I would say no. Location would be important too. Not near residential areas and schools.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
See previous comments. I see both pros and cons. Pros could be a revenue stream. Cons could be crime.

#50

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 5:47:38 PM
Last Modified: Friday, August 09, 2019 5:54:04 PM
Time Spent: 00:06:26
IP Address: 71.201.144.186

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Prohibit the sale as long as neighboring suburbs also prohibit. If they allow sale so should Darien.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#51

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 6:19:02 PM
Last Modified: Friday, August 09, 2019 6:21:26 PM
Time Spent: 00:02:24
IP Address: 73.211.44.229

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
If people want to smoke it in Darien and we don't sell it, they will go to the next town over to buy it, and that town will earn the tax revenue.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
The whole reason to legalize it is to generate money for the government.

#52

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 6:52:43 PM
Last Modified: Friday, August 09, 2019 6:54:17 PM
Time Spent: 00:01:34
IP Address: 162.239.201.245

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
If there is potential tax gains for the city you should take advantage otherwise Darien residents will just go buy in neighboring communities

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#53

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 7:38:42 PM
Last Modified: Friday, August 09, 2019 7:41:45 PM
Time Spent: 00:03:03
IP Address: 71.178.182.27

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Only a reasonable amount.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Only if the tax is used to supplement city services; thereby reducing real estate taxes

#54

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 09, 2019 10:01:22 PM
Last Modified: Friday, August 09, 2019 10:06:11 PM
Time Spent: 00:04:49
IP Address: 99.101.183.109

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
This city does not need stoned people driving in this city (its one thing for sick people to use but it is immoral for governmental bodies to profit and encourage this unhealthy behavior!

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
I still say do not sell it in the first place. I will vote against any elected official who allows the sale of cannabis products in Darien

#55

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, August 10, 2019 10:41:33 AM
Last Modified: Saturday, August 10, 2019 10:42:35 AM
Time Spent: 00:01:01
IP Address: 205.213.104.222

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Taxable product to generate additional revenue for city

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#56

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, August 10, 2019 11:52:05 AM
Last Modified: Saturday, August 10, 2019 12:04:28 PM
Time Spent: 00:12:22
IP Address: 24.13.26.100

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one)

Prohibit the sale of recreational marijuana in Darien

Additional Comments::

Please prohibit the sale of recreational marijuana and keep Darien "A nice place to live" and keep our young people safe! A person under 25 would have access to marijuana at a time when their brains are not fully developed and most susceptible to the harmful effects of the drug. Also, I see no reason to add drug-related problems to the alcohol-related problems that already exist.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it:

Additional Comments::

I did not answer this question because I hope there will be not cannabis sales to require this decision

#57

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, August 11, 2019 5:50:05 AM
Last Modified: Sunday, August 11, 2019 6:00:38 AM
Time Spent: 00:10:33
IP Address: 73.211.44.226

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **no**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
It's a downward slide for the reputation of our city. Once it starts you never go back.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
It should be higher and credit resident property tax.

#58

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, August 11, 2019 10:06:38 AM
Last Modified: Sunday, August 11, 2019 10:11:22 AM
Time Spent: 00:04:44
IP Address: 174.221.1.26

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
No dispensaries near (within 2 blocks of) schools or parks.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#59

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, August 11, 2019 2:11:54 PM
Last Modified: Sunday, August 11, 2019 2:14:00 PM
Time Spent: 00:02:05
IP Address: 69.245.254.122

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
But, I am really not comfortable with allowing it. For me, I feel that this needs to be done in baby steps.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#60

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, August 11, 2019 7:16:50 PM
Last Modified: Sunday, August 11, 2019 7:20:44 PM
Time Spent: 00:03:53
IP Address: 99.60.81.138

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
The sales should be limited to areas zoned OR&I

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#61

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 12, 2019 7:50:58 AM
Last Modified: Monday, August 12, 2019 7:56:49 AM
Time Spent: 00:05:50
IP Address: 38.142.57.83

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
IF it is allowed, it needs to be highly taxed and regulated. the store owner should pay for added additional muni services to protect the store and the area. no stores near parks, schools

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Hell yeah - tax the crap out of it. Borrow a page from the City of Chgo and add some fees to it on top of the tax, - a 50 cent carry-out fee or a 'bag tax' or some other creative way to get more money from these pot-heads, maybe it will lower my exorbitant property taxes

#62

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 12, 2019 2:01:10 PM
Last Modified: Monday, August 12, 2019 2:02:40 PM
Time Spent: 00:01:30
IP Address: 24.13.25.222

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
We do not need that kind of activity here in Darien.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#63

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 12, 2019 3:49:06 PM
Last Modified: Monday, August 12, 2019 3:51:39 PM
Time Spent: 00:02:33
IP Address: 99.203.15.63

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Great revenue opportunity, no worse than selling alcohol or having gambling in town!

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Let's make some to make improvements for our downtown area. Make Jewel sell off some of their parking lot, move the school entrance off Cass.

#64

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, August 13, 2019 2:33:43 PM
Last Modified: Tuesday, August 13, 2019 2:37:10 PM
Time Spent: 00:03:26
IP Address: 24.13.31.60

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one)

Prohibit the sale of recreational marijuana in Darien

Additional Comments::

I am not in favor of augmenting the sale of marijuana in our community & feel to do so would just encourage consumption among youth under 21.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it:

impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.

Additional Comments::

It makes sense to impose a tax for the recreational use of this product, as there is a tax on almost everything else.

#65

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, August 13, 2019 9:37:24 PM
Last Modified: Tuesday, August 13, 2019 9:38:42 PM
Time Spent: 00:01:18
IP Address: 73.74.140.93

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Limit to 1 location only, review in 3 years to stop allowing or increase number

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#66

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 8:48:26 AM
Last Modified: Thursday, August 15, 2019 9:00:07 AM
Time Spent: 00:11:41
IP Address: 38.140.113.138

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Whether we like it or not, it is legal in the state. Why not benefit off of the sales. If we do not do it, Downers Grove or surrounding towns will do it. Licenses are scarce, if were lucky to get one, why not?

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#67

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 9:54:20 AM
Last Modified: Thursday, August 15, 2019 9:55:58 AM
Time Spent: 00:01:38
IP Address: 75.26.224.141

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Concern re impaired drivers on the road

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#68

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 10:50:56 AM
Last Modified: Thursday, August 15, 2019 10:55:00 AM
Time Spent: 00:04:03
IP Address: 174.221.22.153

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
It's always good to be ahead of the curve rather than behind it and the additional tax income can always be used by the city. No reason for the surrounding communities to get a jump on us.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
See the comments above.

#69

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 3:07:20 PM
Last Modified: Thursday, August 15, 2019 3:14:00 PM
Time Spent: 00:06:39
IP Address: 99.101.183.65

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
I fully support a business with one strong restriction....no business to open near a school. We have plenty of business areas where a shop could open.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
the stae of Illinois will be taxing this. I do not think we need to tax this any more then any other product that is sold in Darien.

#70

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 3:57:00 PM
Last Modified: Thursday, August 15, 2019 3:59:56 PM
Time Spent: 00:02:55
IP Address: 76.216.182.180

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Can't argue with potential income to be generated

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
But only if surrounding municipalities also impose the tax. Otherwise you'll price yourself out of the market. If I can purchase something for less cost in Westmont or Downers, then I'll shop there.

#71

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 4:15:39 PM
Last Modified: Thursday, August 15, 2019 4:20:53 PM
Time Spent: 00:05:13
IP Address: 198.28.13.18

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
Personally, I will not be participating in the sale or purchase of recreational marijuana but I don't believe it's my job to say that someone shouldn't either. If it's the law of the land, then we should allow for it in some reasonable fashion.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Just like the sale of cigarettes or alcohol, this is a vice or luxury item and should be treated as such. And there will be additional costs to the City to monitor and enforce the new laws, the City should be able to tax it in an effort to cover our costs and pay for additional services.

#72

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 4:21:52 PM
Last Modified: Thursday, August 15, 2019 4:25:21 PM
Time Spent: 00:03:28
IP Address: 71.201.154.124

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
We have enough businesses i the area that attract a shady element of people, a business that sells drugs legal or not will attract even more. Then they will be robbing us for drug money.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Please don't do this for the money,
Please.

#73

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 5:16:26 PM
Last Modified: Thursday, August 15, 2019 5:18:00 PM
Time Spent: 00:01:34
IP Address: 204.154.54.189

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
I don't want to allow any more access than currently will be available thru other communities

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
Everything else is taxed

#74

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 5:53:28 PM
Last Modified: Thursday, August 15, 2019 5:54:59 PM
Time Spent: 00:01:31
IP Address: 174.221.15.242

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Don't need to endorse another way for people to drive impaired

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**

#75

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, August 15, 2019 8:09:33 PM
Last Modified: Thursday, August 15, 2019 8:13:52 PM
Time Spent: 00:04:18
IP Address: 73.246.120.120

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
There are more than enough recreational drugs available in the Qbar parking lot now.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: Additional Comments::
Do we really need the tax that would be derived from the sale of cannabis?

#76

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 16, 2019 2:18:50 AM
Last Modified: Friday, August 16, 2019 2:22:06 AM
Time Spent: 00:03:16
IP Address: 67.167.82.53

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
My son just passed away from an overdose, and I believe marijuana is a gateway drug. Additional legalization of mind alternating substances is extremely dangerous to society.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Hopefully the higher cost would deter purchasers.

#77

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 16, 2019 1:17:03 PM
Last Modified: Friday, August 16, 2019 1:19:27 PM
Time Spent: 00:02:24
IP Address: 206.213.63.206

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
Do not need that in Darien, even if brings in tax revenue

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
Well impose tax BUT i DONT want that business any where in Darien

#78

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 16, 2019 2:58:40 PM
Last Modified: Friday, August 16, 2019 3:00:05 PM
Time Spent: 00:01:25
IP Address: 75.145.131.85

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Prohibit the sale of recreational marijuana in Darien**,
Additional Comments::
I don't think the tax income is worth it.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**
,
Additional Comments::
Although I would rather not have retailers in Darien.

#79

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, August 16, 2019 4:09:41 PM
Last Modified: Friday, August 16, 2019 4:17:54 PM
Time Spent: 00:08:12
IP Address: 73.110.18.243

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one)

Prohibit the sale of recreational marijuana in Darien

Additional Comments::

We live in a great city. Other nearby cities aren't allowing it because they don't want the repercussions attached to allowing it in thier town/city. There will be more robberies, more traffic of people, too much exposure, more accidents. Our "nice place to live" doesn't need it. The families don't want it. We cannot allow it.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it:

Additional Comments::

I can't even answer because I'm hoping and praying that we won't allow it.

#80

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, August 18, 2019 9:55:05 AM
Last Modified: Sunday, August 18, 2019 9:56:40 AM
Time Spent: 00:01:34
IP Address: 75.26.225.152

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
City needs the tax revenue. If Darien doesn't allow it, neighboring towns will, and Darien will miss the tax revenue

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**,
Additional Comments::
absolutely

#81

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, August 19, 2019 5:37:04 PM
Last Modified: Monday, August 19, 2019 5:38:33 PM
Time Spent: 00:01:29
IP Address: 71.201.152.94

Page 1

Q1 Were you aware that the State of Illinois has approved the use of recreational cannabis beginning January 1, 2020? (select one) **yes**

Q2 Should the City of Darien: (select one) **Allow the sale of recreational marijuana in Darien**,
Additional Comments::
This will bring additional commercial revenue that our city needs. Will also attract more business.

Q3 If the City of Darien allows the sale of recreational marijuana in Darien, should it: **not impose a Municipal Cannabis Retailers' Occupation Tax on adult-use cannabis products of up to 3%.**



CITY OF DARIEN

**EXPENDITURE APPROVAL LIST
FOR CITY COUNCIL MEETING ON
September 3, 2019**

Approval is hereby given to have the City Treasurer of Darien, Illinois pay to the officers, employees, independent contractors, vendors, and other providers of goods and services in the indicated amounts as set forth.

A summary indicating the source of funds used to pay the above is as follows:

General Fund				\$48,054.00
Water Fund				\$34,514.91
Motor Fuel Tax Fund				\$1,873.04
Water Depreciation Fund				
Special Service Area Tax Fund				
E-Citation Fund				
Capital Improvement Fund				204,608.07
State Drug Forfeiture Fund				\$339.44
Federal Equitable Sharing Fund				\$300.00
DUI Technology Fund				
			Subtotal:	<u>\$289,689.46</u>
General Fund Payroll	08/29/19	\$	246,434.22	
Water Fund Payroll	08/29/19	\$	20,095.71	
			Subtotal:	<u>\$ 266,529.93</u>
Total to be Approved by City Council:				<u>\$ 556,219.39</u>

Approvals:

Joseph A. Marchese, Mayor

JoAnne E. Ragona, City Clerk

Michael J. Coren, Treasurer

Bryon D. Vana, City Administrator

CITY OF DARIEN
Expenditure Journal
General Fund
Administration
From 9/3/2019 Through 9/3/2019

Vendor Name	Invoice Description	Session ID	Acct Code	Acct Title	Dept Amount
AIS	OVER BLOCK HOURS - JULY 2019 (INVOICE 65053)	AP090319	4325	Consulting/Professional	315.00
AIS	MONTHLY SERVICES -BLOCK PURCHASE - SEPTEMBER (INVOICE 64962)	AP090319	4325	Consulting/Professional	5,130.26
AIS	CLOUD CONTROLLER - MONTHLY HOSTING (INVOICE 64960) SEPT-2019	AP090319	4325	Consulting/Professional	20.00
AIS	DATA SERVICE BACK-UP INVOICE 64961 -MONTHLY SERVICE 9/20/19	AP090319	4325	Consulting/Professional	1,250.00
AIS	ADAPTER - R GONZALEZ - INVOICE #65170	AP090319	4325	Consulting/Professional	20.52
AIS	CABLES - R GONZALEZ - INVOICE #65160	AP090319	4325	Consulting/Professional	27.55
COMCAST BUSINESS	CABLE BILL FOR CITY HALL	AP090319	4271	Utilities (Elec,Gas,Wtr,Sewer)	8.40
GOVTEMPSUSA LLC	PERIOD 08/04 & 08/11	AP090319	4325	Consulting/Professional	6,830.76
IMPACT NETWORKING, LLC	KONICA COPIER LEASE	AP090319	4225	Maintenance - Equipment	130.00
NEOFUNDS	POSTAGE	AP090319	4233	Postage/Mailings	175.00
OFFICE DEPOT	OFFICE SUPPLIES - HOLDER/PAPER	AP090319	4253	Supplies - Office	20.36
OFFICE DEPOT	NEVER RECEIVED HOLDER (RE: INVOICE 344837776001)	AP090319	4253	Supplies - Office	(10.99)
OFFICE DEPOT	DEPOSIT ONLY STAMP	AP090319	4253	Supplies - Office	42.99
				Total Administration	13,959.85

CITY OF DARIEN
Expenditure Journal
General Fund
City Council
From 9/3/2019 Through 9/3/2019

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Session ID</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
ALKAYE MEDIA GROUP	DEPOSIT FOR PRODUCTION OF TWO (2) VIDEOS	AP090319	4239	Public Relations	4,000.00
				Total City Council	4,000.00

CITY OF DARIEN
Expenditure Journal
General Fund
Community Development
From 9/3/2019 Through 9/3/2019

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Session ID</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
NEOFUNDS	POSTAGE	AP090319	4233	Postage/Mailings	135.00
				Total Community Development	135.00

CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 9/3/2019 Through 9/3/2019

Vendor Name	Invoice Description	Session ID	Acct Code	Acct Title	Dept Amount
ADVANCE AUTO PARTS	AC VALVE CORE FOR SHOP	AP090319	4225	Maintenance - Equipment	71.39
ADVANCE AUTO PARTS	GROMMET MOUNT FOR SHOP	AP090319	4225	Maintenance - Equipment	88.36
ADVANCE AUTO PARTS	BACK UP ALARM	AP090319	4225	Maintenance - Equipment	105.36
ADVANCE AUTO PARTS	ATO BLADE 32V 5 PK	AP090319	4229	Maintenance - Vehicles	5.58
ADVANCE AUTO PARTS	DEXCOOL AND FILTER	AP090319	4229	Maintenance - Vehicles	109.61
ADVANCE AUTO PARTS	AC EVAP, CORE	AP090319	4229	Maintenance - Vehicles	499.79
ADVANCE AUTO PARTS	SEAL KIT FOR #112	AP090319	4229	Maintenance - Vehicles	28.99
ADVANCE AUTO PARTS	CREDIT FOR RETURN-INV	AP090319	4229	Maintenance - Vehicles	(44.00)
ADVANCE AUTO PARTS	AC VALVE CORE FOR SHOP	AP090319-2	4229	Maintenance - Vehicles	71.39
ADVANCE AUTO PARTS	GROMMET MOUNT FOR SHOP	AP090319-2	4229	Maintenance - Vehicles	88.36
ADVANCE AUTO PARTS	BACK UP ALARM FOR SHOP	AP090319-2	4229	Maintenance - Vehicles	105.36
ADVANCE AUTO PARTS	ATO BLDE FOR SHOP	AP090319-2	4229	Maintenance - Vehicles	5.58
ADVANCE AUTO PARTS	DEXCOOL & FILTER	AP090319-2	4229	Maintenance - Vehicles	109.61
ADVANCE AUTO PARTS	MOTORCRAFT A/C & HEATER CORE	AP090319-2	4229	Maintenance - Vehicles	499.79
ADVANCE AUTO PARTS	SEAL KIT	AP090319-2	4229	Maintenance - Vehicles	28.99
ADVANCE AUTO PARTS	BTRY-PLAT AGM ATOCF	AP090319-2	4229	Maintenance - Vehicles	(22.00)
ADVANCE AUTO PARTS	BATTERY GOLD	AP090319-2	4229	Maintenance - Vehicles	(44.00)
ADVANCE AUTO PARTS	AC VALVE CORE ASST	AP090319-3	4225	Maintenance - Equipment	71.39
ADVANCE AUTO PARTS	DIODE STT LED GROMMET MOUNT	AP090319-3	4225	Maintenance - Equipment	88.36
ADVANCE AUTO PARTS	BACK UP ALARM	AP090319-3	4225	Maintenance - Equipment	105.36
ADVANCE AUTO PARTS	ATO BLDE	AP090319-3	4229	Maintenance - Vehicles	5.58
ADVANCE AUTO PARTS	DEXCOOL & AIR FILTER	AP090319-3	4229	Maintenance - Vehicles	109.61
ADVANCE AUTO PARTS	MOTORCRAFT A/C EVAP & HEATER CORE	AP090319-3	4229	Maintenance - Vehicles	499.79
ADVANCE AUTO PARTS	SEAL KIT	AP090319-3	4229	Maintenance - Vehicles	28.99
ADVANCE AUTO PARTS	BTRY-PLAT CORE RETURN	AP090319-3	4229	Maintenance - Vehicles	(22.00)

CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 9/3/2019 Through 9/3/2019

Vendor Name	Invoice Description	Session ID	Acct Code	Acct Title	Dept Amount
ADVANCE AUTO PARTS	BATTERY CORE RETURN	AP090319-3	4229	Maintenance - Vehicles	(44.00)
CHEMSEARCH	DIESEL GUARD	AP090319	4229	Maintenance - Vehicles	709.51
CINTAS FIRST AID AND SAFETY	FIRST AID	AP090319	4219	Liability Insurance	81.44
CLIFFORD-WALD COMPANY	PRINTER PAPER	AP090319	4253	Supplies - Office	211.80
COM ED	CLOCK TOWER	AP090319	4271	Utilities (Elec,Gas,Wtr,Sewer)	107.69
COM ED	PW ELECTRIC	AP090319	4271	Utilities (Elec,Gas,Wtr,Sewer)	56.09
COM ED	STREET LIGHT ENERGY	AP090319	4359	Street Light Oper & Maint.	61.87
CONSTELLATION NEW ENERGY, INC.	O CASS AVE LITE RT/25, N OF JAMES PETER CT	AP090319	4359	Street Light Oper & Maint.	18.88
DECKER SUPPLY CO.	CORNER MARKERS	AP090319	4257	Supplies - Other	858.20
DECKER SUPPLY CO.	SIGNS ACCESSORIES	AP090319	4257	Supplies - Other	586.24
GOLDSTAR PRODUCTS INC.	RUST PROTECTIION FOR VEHICLES & EQUIPMENT	AP090319	4225	Maintenance - Equipment	1,109.20
HOMER TREE CARE, INC.	STORM DAMAGED TREE REMOVAL ELEANOR BY BALL FIELDS	AP090319	4375	Tree Trim/Removal	1,975.00
IL CENTRAL SWEEPING SERVICE	SPECIAL CALL OUT - EMERGENCY SWEEP - HOLLY	AP090319	4373	Street Sweeping	327.00
JSN CONTRACTORS SUPPLY	SAFETY GLOVES	AP090319	4219	Liability Insurance	243.18
KARA COMPANY, INC.	AP090319	AP090319	4257	Supplies - Other	160.00
KARA COMPANY, INC.	TOOLS	AP090319	4259	Small Tools & Equipment	308.82
NEOFUNDS	POSTAGE	AP090319	4233	Postage/Mailings	50.00
NORWALK TANK	CATCH BASIN INLET FILTER	AP090319	4257	Supplies - Other	756.00
RAGS ELECTRIC	2740 WOODMERE DR LIGHT POLE REPAIR	AP090319	4359	Street Light Oper & Maint.	135.00
RED WING SHOES	CLOTHES JAKE & MARC	AP090319	4219	Liability Insurance	179.06
RED WING SHOES	CLOTHES JAKE & MARC	AP090319	4219	Liability Insurance	28.80
STEVE PIPER & SONS, INC.	TUB GRIND	AP090319	4243	Rent - Equipment	1,584.00
TOWER WORKS	REPLACE LAMPS ON CELL TOWER @ PW	AP090319	4223	Maintenance - Building	824.00

CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 9/3/2019 Through 9/3/2019

Vendor Name	Invoice Description	Session ID	Acct Code	Acct Title	Dept Amount
TRI-K INC	BUILDING MAINT	AP090319	4223	Maintenance - Building	430.35
TRI-K INC	BUILDING MAINT	AP090319	4223	Maintenance - Building	319.50
TRI-K INC	EQUIP-MAINT	AP090319	4225	Maintenance - Equipment	658.20
UNIQUE PRODUCTS & SERVICE CORP	PD JANITORIAL SUPPLIES	AP090319	4223	Maintenance - Building	126.35
WESTOWN AUTO SUPPLY COMPANY	GEAR LUBE (208)	AP090319	4225	Maintenance - Equipment	36.95
WESTOWN AUTO SUPPLY COMPANY	PMO 5353 (208)	AP090319	4229	Maintenance - Vehicles	7.20
WESTOWN AUTO SUPPLY COMPANY	GRO 45832 & GRO 67050 FOR SHOP	AP090319	4229	Maintenance - Vehicles	24.12
WESTOWN AUTO SUPPLY COMPANY	PVF 3012 SHOP SUPPLY	AP090319	4229	Maintenance - Vehicles	76.20
WESTOWN AUTO SUPPLY COMPANY	DRI 50LB FOR SHOP	AP090319	4229	Maintenance - Vehicles	24.48
WESTOWN AUTO SUPPLY COMPANY	LUG NUTS FOR SHOP	AP090319	4229	Maintenance - Vehicles	36.00
WESTOWN AUTO SUPPLY COMPANY	LED TAIL LAMP ASSY FOR SHOP	AP090319	4229	Maintenance - Vehicles	201.00
WESTOWN AUTO SUPPLY COMPANY	EDE 712330	AP090319	4229	Maintenance - Vehicles	3.20
WL CONSTRUCTION SUPPLY INC	SAW BLADE	AP090319	4257	Supplies - Other	<u>289.97</u>
				Total Public Works, Streets	15,156.54

CITY OF DARIEN
Expenditure Journal
General Fund
Police Department
From 9/3/2019 Through 9/3/2019

Vendor Name	Invoice Description	Session ID	Acct Code	Acct Title	Dept Amount
ADVANCE AUTO PARTS	BATTERY FOR D6	AP090319	4229	Maintenance - Vehicles	311.98
ADVANCE AUTO PARTS	PRESSURE TEST MILL FOR D6	AP090319	4229	Maintenance - Vehicles	550.00
ADVANCE AUTO PARTS	QUICKLIFT RETURN -INV 720330	AP090319	4229	Maintenance - Vehicles	(382.48)
ADVANCE AUTO PARTS	QUICKLIFT	AP090319	4229	Maintenance - Vehicles	382.48
ADVANCE AUTO PARTS	STRUT/COIL SPRING ASSY	AP090319	4229	Maintenance - Vehicles	360.16
ADVANCE AUTO PARTS	REAR BRAKE ROTOR AND PADS	AP090319	4229	Maintenance - Vehicles	119.57
ADVANCE AUTO PARTS	REARVIEW MIRROR REPAIR KIT AND DOOR WINDOW SWITCH	AP090319	4229	Maintenance - Vehicles	176.35
ADVANCE AUTO PARTS	CREDIT FOR RETURN -INV 707493	AP090319	4229	Maintenance - Vehicles	(22.00)
ADVANCE AUTO PARTS	BTRY PD 26	AP090319-2	4229	Maintenance - Vehicles	311.98
ADVANCE AUTO PARTS	CLEAN, PRESSURE TEST	AP090319-2	4229	Maintenance - Vehicles	550.00
ADVANCE AUTO PARTS	QUICKLIFT RETURN INV 2377-720330	AP090319-2	4229	Maintenance - Vehicles	(382.48)
ADVANCE AUTO PARTS	QUICKLIFT	AP090319-2	4229	Maintenance - Vehicles	382.48
ADVANCE AUTO PARTS	STRUT/COIL SPRING	AP090319-2	4229	Maintenance - Vehicles	360.16
ADVANCE AUTO PARTS	REAR BRAK ROTOR & BRAKE PADS	AP090319-2	4229	Maintenance - Vehicles	119.57
ADVANCE AUTO PARTS	MIRROR & SWITCH	AP090319-2	4229	Maintenance - Vehicles	176.35
ADVANCE AUTO PARTS	BTRY	AP090319-3	4229	Maintenance - Vehicles	311.98
ADVANCE AUTO PARTS	CLEAN/PRESSURE TEST MILL	AP090319-3	4229	Maintenance - Vehicles	550.00
ADVANCE AUTO PARTS	QUICKLIFT LOADED	AP090319-3	4229	Maintenance - Vehicles	(382.48)
ADVANCE AUTO PARTS	QUICKLIFT LOADED	AP090319-3	4229	Maintenance - Vehicles	382.48
ADVANCE AUTO PARTS	STRUT/COIL SPRING ASSY	AP090319-3	4229	Maintenance - Vehicles	360.16
ADVANCE AUTO PARTS	REAR BRAKE ROTOR/BRAKE PADS	AP090319-3	4229	Maintenance - Vehicles	119.57

CITY OF DARIEN
Expenditure Journal
General Fund
Police Department
From 9/3/2019 Through 9/3/2019

Vendor Name	Invoice Description	Session ID	Acct Code	Acct Title	Dept Amount
ADVANCE AUTO PARTS	RRVEW MIRROR RPR KIT/DOOR WINDOW	AP090319-3	4229	Maintenance - Vehicles	176.35
ALTERNATIVE BUSINESS SUPPLIERS	2019 COPIER SERVICE AGREEMENT	AP090319-3	4225	Maintenance - Equipment	1,485.00
DUPAGE COUNTY CHILDRENS	MUNICIPAL CONTRIBUTION JULY 1, 2019 - JUNE 30, 2020	AP090319	4337	Dumeg/Fiat/Child Center	3,500.00
GOLD SHIELD DETECTIVE AGENCY	BACKGROUND INVESTIGATION FEE PO CANDIDATE PAULINA NOGA	AP090319	4205	Boards and Commissions	826.50
GOLD SHIELD DETECTIVE AGENCY	BACKGROUND INVESTIGATION FEE PO CANDIDATE KYLE CALERWAY	AP090319	4205	Boards and Commissions	797.84
GOLD SHIELD DETECTIVE AGENCY	BACKGROUND INVESTIGATION FEE FOR PO RECRUIT KAPPMAYER	AP090319	4205	Boards and Commissions	746.90
INDUSTRIAL ORG SOLUTIONS	PO RECRUIT NOGA - PSYCH EVAL FEE	AP090319	4205	Boards and Commissions	485.00
JP MORGAN CHASE BANK	DA18-14668 DOCUMENT SEARCH FEE CASE ID 28865, 18 MR	AP090319	4217	Investigation and Equipment	21.30
NEOFUNDS	POSTAGE	AP090319	4233	Postage/Mailings	135.00
NORTHEAST MULTIREGIONAL TRNG	SRO RUNDELL - CYBER INVESTIGATIONS	AP090319	4263	Training and Education	80.00
NORTHEAST MULTIREGIONAL TRNG	OFC. MILAZZO - BREATH ANALYSIS FOR ALCOHOL TRAINING	AP090319	4263	Training and Education	125.00
PORTER LEE CORPORATION	BATTERY FOR BEAST	AP090319	4217	Investigation and Equipment	29.00
RAY O'HERRON CO. INC.	BP VEST FOR SGT. LISS	AP090319	4269	Uniforms	761.81
THE NORTHERN TRUST COMPANY	DOCUMENT SEARCH FEE CASE #19-1726	AP090319	4217	Investigation and Equipment	19.16

CITY OF DARIEN
Expenditure Journal
General Fund
Police Department
From 9/3/2019 Through 9/3/2019

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Session ID</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
THEODORE POLYGRAPH SERVICE	POLYGRAPH EXAM FEES FOR PO CANDIDATES, MOORE, LOPEZ AND KANO	AP090319	4205	Boards and Commissions	525.00
THOMSON REUTERS - WEST	WEST INFORMATION CHARGES CLEAR LE	AP090319	4217	Investigation and Equipment	316.19
VILLAGE OF LEMONT	RANGE RENTAL 7/2, 7/3, 7/17 & 7/31	AP090319	4243	Rent - Equipment	400.00
WESTOWN AUTO SUPPLY COMPANY	GE BP1210/BP1255	AP090319	4229	Maintenance - Vehicles	<u>16.73</u>
				Total Police Department	<u>14,802.61</u>
				Total General Fund	<u>48,054.00</u>

CITY OF DARIEN
Expenditure Journal
Water Fund
Public Works, Water
From 9/3/2019 Through 9/3/2019

Vendor Name	Invoice Description	Session ID	Acct Code	Acct Title	Dept Amount
CHEMSEARCH	DIESEL GUARD	AP090319	4225	Maintenance - Equipment	709.50
CINTAS FIRST AID AND SAFETY	FIRST AID	AP090319	4219	Liability Insurance	81.43
DUPAGE COUNTY PUBLIC WORKS	METER READINGS/BILLING	AP090319	4336	Data Processing	26,693.86
DYNEGY ENERGY SERVICES	WATER PLANTS	AP090319	4271	Utilities (Elec,Gas,Wtr,Sewer)	2,057.91
HACH COMPANY	CHLORINE REAGENT	AP090319	4231	Maintenance - Water System	913.11
HAWKINS INC	CHLORINE	AP090319	4255	Supplies - Operation	282.50
INDUSTRIAL ELECTRICAL SUPPLY	PLANT 3	AP090319	4223	Maintenance - Building	50.00
JSN CONTRACTORS SUPPLY	SAFETY GLOVES	AP090319	4219	Liability Insurance	243.18
NEOFUNDS	POSTAGE	AP090319	4233	Postage/Mailings	5.00
NICOR GAS	NICOR 05002110004 1930 MANNING PLANT 3	AP090319	4271	Utilities (Elec,Gas,Wtr,Sewer)	46.49
SERVICE INDUSTRIAL SUPPLY INC.	HYDRANT PARTS	AP090319	4231	Maintenance - Water System	172.00
TRI-K INC	BUILDING MAINT	AP090319	4223	Maintenance - Building	319.50
TRI-K INC	BUILDING MAINT	AP090319	4223	Maintenance - Building	430.35
USABLUBOOK	CHLORINE INJECTOR PARTS	AP090319	4231	Maintenance - Water System	358.06
WESTOWN AUTO SUPPLY COMPANY	BATTERY (400)	AP090319	4225	Maintenance - Equipment	153.00
WESTOWN AUTO SUPPLY COMPANY	TRD EL2 - ELECTRONIC FLASHER (408)	AP090319	4225	Maintenance - Equipment	19.02
ZIEBELL WATER SERVICE PRODUCTS	WATER MAIN CLAMPS/HYDRANT EXTENSION	AP090319	4231	Maintenance - Water System	746.00
ZIEBELL WATER SERVICE PRODUCTS	WATER MAIN CLAMPS/HYDRANT EXTENSION	AP090319	4231	Maintenance - Water System	654.00
ZIEBELL WATER SERVICE PRODUCTS	WATER MAIN CLAMPS	AP090319	4231	Maintenance - Water System	580.00
				Total Public Works, Water	34,514.91
				Total Water Fund	34,514.91

CITY OF DARIEN
Expenditure Journal
Motor Fuel Tax
MFT Expenses
From 9/3/2019 Through 9/3/2019

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Session ID</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
ORANGE CRUSH LLC	PATCHING	AP090319	4245	Road Material	619.84
ORANGE CRUSH LLC	PATCHING	AP090319	4245	Road Material	775.32
ORANGE CRUSH LLC	HOT SURFACE MIX	AP090319	4245	Road Material	<u>477.88</u>
				Total MFT Expenses	<u>1,873.04</u>
				Total Motor Fuel Tax	<u>1,873.04</u>

CITY OF DARIEN
Expenditure Journal
State Drug Forfeiture Fund
Drug Forfeiture Expenditures
From 9/3/2019 Through 9/3/2019

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Session ID</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
WEX BANK	GAS FOR DEA OFFICER VEHICLE	AP090319	4273	Vehicle (Gas and Oil)	339.44
				Total Drug Forfeiture Expenditures	339.44
				Total State Drug Forfeiture Fund	339.44

CITY OF DARIEN
Expenditure Journal
FESA - Justice - 1
Police Department
From 9/3/2019 Through 9/3/2019

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Session ID</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
AIS	FBR INSTALL - INVOICE #65086	AP090319	4213	Dues and Subscriptions	300.00
				Total Police Department	300.00
				Total FESA - Justice - 1	300.00

CITY OF DARIEN
Expenditure Journal
Capital Improvement Fund
Capital Fund Expenditures
From 9/3/2019 Through 9/3/2019

Vendor Name	Invoice Description	Session ID	Acct Code	Acct Title	Dept Amount
CORE & MAIN	2ND WATER MAIN ADJ ON 67TH	AP090319	4376	Ditch Projects	1,657.60
ELMHURST CHICAGO STONE COMPANY	OLD CONCRETE PIPE REMOVE DISPOSAL	AP090319	4376	Ditch Projects	540.00
NORWALK SALES CO.	67TH STREET DITCH PROJECT	AP090319	4376	Ditch Projects	3,984.00
NORWALK TANK	67TH ST DITCH PROJECT	AP090319	4376	Ditch Projects	4,907.64
SCORPIO CONSTRUCTION CORP	DITCH PROJECT: 67TH (Western and Leonard)	AP090319	4376	Ditch Projects	15,680.00
SCORPIO CONSTRUCTION CORP	DITCH PROJECT: 67TH CLARENDON HILLS RD - CASS	AP090319	4376	Ditch Projects	125,745.00
SHREVE SERVICES INC	TOPSOIL	AP090319	4376	Ditch Projects	2,720.00
SHREVE SERVICES INC	DIRT FOR ELM STREET	AP090319	4376	Ditch Projects	10,944.00
VULCAN CONSTRUCTION MATERIALS	DITCH PROJECT STONE	AP090319	4376	Ditch Projects	5,859.29
VULCAN CONSTRUCTION MATERIALS	STONE	AP090319	4376	Ditch Projects	6,128.98
WELCH BROS INC	PIPE	AP090319	4376	Ditch Projects	3,128.00
WELCH BROS INC	PIPE	AP090319	4376	Ditch Projects	3,124.40
WELCH BROS INC	PIPE FOR 67TH STREET	AP090319	4376	Ditch Projects	2,958.00
WILLCO GREEN LLC	TIPPING FEE	AP090319	4376	Ditch Projects	2,160.00
WILLCO GREEN LLC	DUMP FEES	AP090319	4376	Ditch Projects	1,442.00
XBE CHICAGO	TRUCKING	AP090319	4376	Ditch Projects	2,543.64
XBE CHICAGO	TRUCKING	AP090319	4376	Ditch Projects	2,533.80
XBE CHICAGO	DITCH PROJ TRUCKING	AP090319	4376	Ditch Projects	3,189.80
XBE CHICAGO	HAULING/TRUCKING	AP090319	4376	Ditch Projects	814.26
XBE CHICAGO	HAULING OLD CONCRETE PIPE REMOVED FROM DITCH	AP090319	4376	Ditch Projects	150.00
XBE CHICAGO	TRUCKING	AP090319	4376	Ditch Projects	4,204.96
XBE CHICAGO	TRUCKING	AP090319	4376	Ditch Projects	192.70
				Total Capital Fund Expenditures	204,608.07

CITY OF DARIEN
Expenditure Journal
Capital Improvement Fund
Capital Fund Expenditures
From 9/3/2019 Through 9/3/2019

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Session ID</u>	<u>Acct Code</u>	<u>Acct Title</u>	<u>Dept Amount</u>
				Total Capital Improvement Fund	204,608.07
Report Total					289,689.46

AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

An ordinance amending various sections of Title 8, Chapter 13 “Sale of Tobacco Products to Minors” of the City of Darien city code.

ORDINANCE **BACKUP**

BACKGROUND HISTORY

Staff is recommending several changes to the Sale of Tobacco Products to Minors. A change to who cannot purchase or possess tobacco products and alternative tobacco products from those under the age of 18 to those under the age of 21. A change to who merchants cannot sell tobacco products and alternative tobacco products, from those under 21 to those under 18. The addition of E-Cigarettes as a prohibited form of smoking. We are recommending an update to the fines so that a first time offender who purchases or possesses the prohibited products is \$75.00.

There are a number of reasons for this change. The State legislature updated the state law regarding tobacco products to prohibit those under age 21 from purchasing and/or possessing tobacco products. Hinsdale High School has advised they have had a significant increase in the use of e-cigarettes by students. They provided some statistics that show there were five violations in 2017. That rose to 42 violations in 2018 and currently in 2019 there are 81 violations as of 05/15/19. Additionally the number of repeat violators has increased. In 2019 there were thirteen 2 time violators, two 3 time violators and two 4 time violators.

Staff believes that by updating the ordinance we can help minors stay safe from tobacco products including e-cigarettes. There is a School Resource Officer assigned to Hinsdale South High School to use his discretion on appropriate level of enforcement. There are options of having the school handle the matter in-house, the use of the ordinance, use the state violation and have the minor go to peer jury.

A redline copy and a clean copy of proposed changes are attached

STAFF/COMMITTEE RECOMMENDATION

The Police Committee recommends approval of an ordinance updating the sale, purchase and possession of tobacco products to minors.

ALTERNATE CONSIDERATION

The Police Committee requested a change to the fine structure. That change was to alter the first violation from \$75.00 to \$100.00. That change has been made to the attached ordinance.

DECISION MODE

This item will be on the September 3, 2019, City Council agenda for formal approval.

Chapter 13
SALE OF TOBACCO PRODUCTS TO MINORS

- 8-13-1: DEFINITIONS
- 8-13-2: PURCHASE OR POSSESSION OF TOBACCO PRODUCTS
- 8-13-3: SALE OF TOBACCO PRODUCTS TO MINORS
- 8-13-4: SALE OF SMOKELESS TOBACCO PRODUCTS TO MINORS
- 8-13-5: SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO MINORS
- 8-13-6: SIGNS REQUIRED
- 8-13-7: PENALTY

8-13-1: DEFINITIONS

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

BIDI CIGARETTES: A product that contains tobacco that is wrapped in temburni or tendu leaf or that is wrapped in any other material identified by rules of the department of public health that is similar in appearance or characteristics to the temburni or tendu leaf.

SMOKELESS TOBACCO: Any tobacco products that are suitable for dipping or chewing.

SMOKING HERBS: Smoking herbs include: all substances of plant origins and their derivatives, including, but not limited to, broom, calea, California poppy, damiana, hops, ginseng, lobelia, jimsonweed and other member of the datura genus, passion flower, and wild lettuce which are processed or sold primarily for use as smoking materials.

TOBACCO ACCESSORIES: Cigarette papers, pipes, holders of smoking materials of all types, cigarette rolling machines, and other items designed primarily for the smoking or ingestion of tobacco products or of substances made illegal under law. (Ord. 0-32-01, 8-20-2001)

ALTERNATIVE NICOTINE PRODUCT: Any product or device not consisting or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, vaporizing or by any other means. The term alternative nicotine product excludes any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

E-CIGARETTE: Any electronic device that provides a gas or vapor derived from nicotine and/or other chemicals and inhaled by the user to simulate smoking. The term e-cigarette includes electronic cigars, electronic pipes, electronic hookah pipes, vape pens, advanced personal vaporizers, box mods or other devices capable of delivering aerosolized nicotine or other chemicals through inhalation.

8-13-2: PURCHASE OR POSSESSION OF TOBACCO PRODUCTS

No minor under twenty-one (21) ~~eighteen (18)~~ years of age shall buy or have in his or her possession any cigar, cigarette, e-cigarette, smokeless tobacco, alternative nicotine product, or tobacco in any of its forms. No person regardless of age shall purchase or possess bidi cigarettes. (Ord. 0-32-01, 8-20-2001)

8-13-3: SALE OF TOBACCO PRODUCTS TO MINORS

No person shall sell, buy for, distribute samples of or furnish any cigar, cigarette, e-cigarette, smokeless tobacco, alternative nicotine product, or tobacco in any of its forms, to any minor under twenty-one (21) ~~eighteen (18)~~ years of age. Tobacco products listed in this section may be sold through a vending machine only in the following locations:

- (A) Factories, businesses, offices, private clubs and other places not open to the general public.
- (B) Places to which minors under twenty-one (21) ~~eighteen (18)~~ years of age are not permitted access.
- (C) Places where alcoholic beverages are sold and consumed on the premises.
- (D) Places where the vending machine is under the direct supervision of the owner of the establishment or an employee over eighteen (18) years of age. The sale of tobacco products from a vending machine under the direct supervision of the owner or an employee of the establishment is considered a sale of tobacco products by that person. As used in this subsection, "direct supervision" means the owner or employee has an unimpeded line of sight to the vending machine.
- (E) Places where the vending machine can only be operated by the owner or employee over the age of eighteen (18) years either directly or through a remote control device if the device is inaccessible to all customers. (Ord. 0-32-01, 8-20-2001)

8-13-4: SALE OF SMOKELESS TOBACCO PRODUCTS TO MINORS

No person shall sell any smokeless tobacco product to any person under the age of twenty-one (21) ~~eighteen (18)~~. No person shall distribute or cause to be distributed to any person under the age of twenty-one (21) ~~eighteen (18)~~ without charge or at a normal cost, any smokeless tobacco product. (Ord. 0-32-01, 8-20-2001)

8-13-5: SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO MINORS

No person shall knowingly sell, barter, exchange, deliver, or give away or cause or permit or procure to be sold, bartered, exchanged, delivered, given away tobacco accessories or smoking herbs to any person under twenty-one (21) ~~eighteen (18)~~ years of age, or bidi cigarettes to any person regardless of age. (Ord. 0-32-01, 8-20-2001)

8-13-6: SIGNS REQUIRED

Any person, firm, partnership, company or corporation operating a place of business where tobacco accessories and smoking herbs are sold or offered for sale shall post in a conspicuous place upon the premises a sign upon which there shall be imprinted the following statement:

SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO PERSONS
UNDER ~~EIGHTEEN~~ TWENTY-ONE YEARS OF AGE OR THE
MISREPRESENTATION OF AGE TO PROCURE SUCH A SALE IS
PROHIBITED BY LAW.

No person may sell or offer to sell cigarettes at retail, or sell cigarettes at retail using a cigarette vending machine, unless a health warning sign is posted in a conspicuous place with the following message:

SURGEON GENERAL'S WARNING: SMOKING BY PREGNANT WOMEN
MAY RESULT IN FETAL INJURY, PREMATURE BIRTH, AND LOW BIRTH
WEIGHT.

The signs shall be printed on white card in red letters at least one-half inch ($1/2$ ") in height. (Ord. 0-32-01, 8-20-2001)

8-13-7: PENALTY

- (A) Fine: Any person violating the provisions of sections 8-13-2 and 8-13-6 of this chapter shall be fined not less than seventy-five (\$75.00) ~~forty dollars (\$40.00)~~ nor more than five hundred dollars (\$500.00). Any person violating the provisions of section 8-13-3, 8-13-4, or 8-13-5 of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the first offense within a twelve (12) month period.
- (B) Subsequent Violations Within Twelve Months: Any person violating the provisions of section 8-13-3, 8-13-4, or 8-13-5 of this chapter shall, upon a finding of guilty by a court of competent jurisdiction, be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) for the second offense in a twelve (12) month period, and not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) for the third and any subsequent offense in a twelve (12) month period. (Ord. 0-32-01, 8-20-2001)



CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. _____

**AN ORDINANCE REPLACING TITLE 8 (POLICE REGULATIONS),
CHAPTER 13, (SALE OF TOBACCO PRODUCTS TO MINORS)
OF THE CITY OF DARIEN CITY CODE**

ADOPTED BY THE MAYOR

AND CITY COUNCIL

OF THE CITY OF DARIEN

THIS 3rd DAY OF SEPTEMBER, 2019

**Published in pamphlet form by authority
of the Mayor and City Council of the
City of Darien, DuPage County, Illinois,
this _____ day of September 2019.**

ORDINANCE NO. _____

AN ORDINANCE REPLACING TITLE 8, CHAPTER 13, "SALE OF TOBACCO PRODUCTS TO MINORS" OF THE CITY OF DARIEN CITY CODE

WHEREAS, changes have been made to the Illinois Compiled Statutes relating to tobacco offenses; and

WHEREAS, a portion of Chapter 13 of Title 8 of the Darien City Code is no longer consistent with State statutes; and

WHEREAS, a revision and expansion of the tobacco related violations in Chapter 13 of Title 8 of the Darien is now appropriate;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That Chapter 13 of Title 8 of the Darien City Code be deleted and the text in [Appendix A](#) be inserted in its stead.

SECTION 2: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (h) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 3: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ORDINANCE NO. _____

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Chapter 13

SALE OF TOBACCO PRODUCTS TO MINORS

- 8-13-1: DEFINITIONS
- 8-13-2: PURCHASE OR POSSESSION OF TOBACCO PRODUCTS
- 8-13-3: SALE OF TOBACCO PRODUCTS TO MINORS
- 8-13-4: SALE OF SMOKELESS TOBACCO PRODUCTS TO MINORS
- 8-13-5: SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO MINORS
- 8-13-6: SIGNS REQUIRED
- 8-13-7: PENALTY

8-13-1: DEFINITIONS

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

BIDI CIGARETTES: A product that contains tobacco that is wrapped in temburni or tendu leaf or that is wrapped in any other material identified by rules of the department of public health that is similar in appearance or characteristics to the temburni or tendu leaf.

SMOKELESS TOBACCO: Any tobacco products that are suitable for dipping or chewing.

SMOKING HERBS: Smoking herbs include: all substances of plant origins and their derivatives, including, but not limited to, broom, calea, California poppy, damiana, hops, ginseng, lobelia, jimsonweed and other member of the datura genus, passion flower, and wild lettuce which are processed or sold primarily for use as smoking materials.

TOBACCO ACCESSORIES: Cigarette papers, pipes, holders of smoking materials of all types, cigarette rolling machines, and other items designed primarily for the smoking or ingestion of tobacco products or of substances made illegal under law. (Ord. 0-32-01, 8-20-2001)

ALTERNATIVE NICOTINE PRODUCT: Any product or device not consisting or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, vaporizing or by any other means. The term alternative nicotine product excludes any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

E-CIGARETTE: Any electronic device that provides a gas or vapor derived from nicotine and/or other chemicals and inhaled by the user to simulate smoking. The term e-cigarette includes electronic cigars, electronic pipes, electronic hookah pipes, vape pens, advanced personal vaporizers, box mods or other devices capable of delivering aerosolized nicotine or other chemicals through inhalation.

8-13-2: PURCHASE OR POSSESSION OF TOBACCO PRODUCTS

No minor under twenty-one (21) years of age shall buy or have in his or her possession any cigar, cigarette, e-cigarette, smokeless tobacco, alternative nicotine product, or tobacco in any of its forms. No person regardless of age shall purchase or possess bidi cigarettes. (Ord. 0-32-01, 8-20-2001)

8-13-3: SALE OF TOBACCO PRODUCTS TO MINORS

No person shall sell, buy for, distribute samples of or furnish any cigar, cigarette, e-cigarette, smokeless tobacco, alternative nicotine product, or tobacco in any of its forms, to any minor under twenty-one (21) years of age. Tobacco products listed in this section may be sold through a vending machine only in the following locations:

- (A) Factories, businesses, offices, private clubs and other places not open to the general public.
- (B) Places to which minors under twenty-one (21) years of age are not permitted access.
- (C) Places where alcoholic beverages are sold and consumed on the premises.
- (D) Places where the vending machine is under the direct supervision of the owner of the establishment or an employee over eighteen (18) years of age. The sale of tobacco products from a vending machine under the direct supervision of the owner or an employee of the establishment is considered a sale of tobacco products by that person. As used in this subsection, "direct supervision" means the owner or employee has an unimpeded line of sight to the vending machine.
- (E) Places where the vending machine can only be operated by the owner or employee over the age of eighteen (18) years either directly or through a remote control device if the device is inaccessible to all customers. (Ord. 0-32-01, 8-20-2001)

8-13-4: SALE OF SMOKELESS TOBACCO PRODUCTS TO MINORS

No person shall sell any smokeless tobacco product to any person under the age of twenty-one (21) No person shall distribute or cause to be distributed to any person under the age of twenty-one (21) without charge or at a normal cost, any smokeless tobacco product. (Ord. 0-32-01, 8-20-2001)

8-13-5: SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO MINORS

No person shall knowingly sell, barter, exchange, deliver, or give away or cause or permit or procure to be sold, bartered, exchanged, delivered, given away tobacco accessories or smoking herbs to any person under twenty-one (21) years of age, or bidi cigarettes to any person regardless of age. (Ord. 0-32-01, 8-20-2001)

8-13-6: SIGNS REQUIRED

Any person, firm, partnership, company or corporation operating a place of business where tobacco accessories and smoking herbs are sold or offered for sale shall post in a conspicuous place upon the premises a sign upon which there shall be imprinted the following statement:

SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO PERSONS
UNDER TWENTY-ONE YEARS OF AGE OR THE MISREPRESENTATION
OF AGE TO PROCURE SUCH A SALE IS PROHIBITED BY LAW.

No person may sell or offer to sell cigarettes at retail, or sell cigarettes at retail using a cigarette vending machine, unless a health warning sign is posted in a conspicuous place with the following message:

SURGEON GENERAL'S WARNING: SMOKING BY PREGNANT WOMEN
MAY RESULT IN FETAL INJURY, PREMATURE BIRTH, AND LOW BIRTH
WEIGHT.

The signs shall be printed on white card in red letters at least one-half inch ($\frac{1}{2}$ ") in height. (Ord. 0-32-01, 8-20-2001)

8-13-7: PENALTY

- (A) Fine: Any person violating the provisions of sections 8-13-2 and 8-13-6 of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Any person violating the provisions of section 8-13-3, 8-13-4, or 8-13-5 of this chapter shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the first offense within a twelve (12) month period.
- (B) Subsequent Violations Within Twelve Months: Any person violating the provisions of section 8-13-3, 8-13-4, or 8-13-5 of this chapter shall, upon a finding of guilty by a court of competent jurisdiction, be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) for the second offense in a twelve (12) month period, and not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) for the third and any subsequent offense in a twelve (12) month period. (Ord. 0-32-01, 8-20-2001)

AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

Approval of an ordinance authorizing the sale or disposal of surplus property.

ORDINANCE

BACKGROUND/HISTORY

Staff is requesting that the following property be declared as surplus property and auctioned using an on-line auction service, GovDeals.com, or disposed of:

ITEM	EXPLANATION
1 Grey Rolling File Cabinet (1 Drawer)	No longer useful to the City
2 Small Black Filing Cabinet (2 Drawers)	No longer needed
3 Small White Filing Cabinet (2 drawers)	No longer needed
4 Grey Shelving Unit (3 Shelves)	No longer needed
5 Small Tan Filing Cabinet (2 drawers)	No longer needed
6 Tan Scale	No longer useful to the City
7 Tan Filing Cabinet (4 drawers)	No longer useful to the City
8 (2) Grey Filing Cabinets (4 drawers)	No longer needed
9 (2) Small Black Filing Cabinet (2 drawers)	No longer useful to the City
10. Silver Lamp	No longer useful to the City
11. (4) Tires for a 2006 Tahoe	No longer useful to the City
12. Yellow Bike	No longer needed
13. (11) Used Stalker Dual DSR Traffic Radar Units with accessories	No longer useful to the City
14. White collapsible rolling pushcart.	No longer useful to the City
15. Miscellaneous file organizers	No longer useful to the City

STAFF/COMMITTEE RECOMMENDATION

The Police Committee approved of the listed items above to be declared surplus property and auctioned using an on-line auction service, GovDeals.com

ALTERNATE CONSIDERATION

As recommended.

DECISION MODE

This item will be placed on the September 3, 2019 City Council Agenda for formal approval.



CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY
OWNED BY THE CITY OF DARIEN**

ADOPTED BY THE

MAYOR AND CITY COUNCIL

OF THE

CITY OF DARIEN

THIS 3rd DAY OF SEPTEMBER, 2019

**Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
_____ day of September, 2019.**

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY
OWNED BY THE CITY OF DARIEN**

WHEREAS, in the opinion of at least three fourths of the corporate authorities of the City of Darien, it is no longer necessary or useful, or for the best interests of the City of Darien, to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the Mayor and City Council of the City of Darien to sell said personal property at a Public Auction or dispose of said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: The Mayor and City Council of the City of Darien find that the following described personal property, now owned by the City of Darien, is no longer necessary or useful to the City of Darien and the best interests of the City of Darien will be served by auctioning it using Public Surplus or disposing of said property.

ITEM	EXPLANATION
1 Grey Rolling File Cabinet (1 Drawer)	No longer useful to the City
2 Small Black Filing Cabinet (2 Drawers)	No longer needed
3 Small White Filing Cabinet (2 drawers)	No longer needed
4 Grey Shelving Unit (3 Shelves)	No longer needed
5 Small Tan Filing Cabinet (2 drawers)	No longer needed
6 Tan Scale	No longer useful to the City
7 Tan Filing Cabinet (4 drawers)	No longer useful to the City
8 (2) Grey Filing Cabinets (4 drawers)	No longer needed
9 (2) Small Black Filing Cabinet (2 drawers)	No longer useful to the City
10. Silver Lamp	No longer useful to the City
11. (4) Tires for a 2006 Tahoe	No longer useful to the City
12. Yellow Bike	No longer needed

ORDINANCE NO. _____

13. (11) Used Stalker Dual DSR Traffic Radar Units with accessories	No longer useful to the City
14. White collapsible rolling pushcart.	No longer useful to the City
15. Miscellaneous file organizers	No longer useful to the City

SECTION 2: The City Administrator is hereby authorized and directed to sell the aforementioned personal property, now owned by the City of Darien. Items will be auctioned using Public Surplus or disposing of said property.

SECTION 3: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

ORDINANCE NO. _____

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, this 3rd day of September, 2019.**

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

Approval of an ordinance authorizing the disposal of surplus property.

ORDINANCE

BACKGROUND/HISTORY

Staff is requesting that the following property be declared as surplus property and auctioned using an on-line auction service, Public Surplus, or disposed of:

	ITEM	VIN/MODEL#	MILEAGE	EXPLANATION
1	#102 - 2009 Ford F-350 with spreader & 9' plow	1FDWF37R59EA11876	77,721	replaced
2	#104 – 2009 Ford F-350 with spreader & 9' plow	1FDWF37R59EA11875	88,575	replaced
3	2007 Ford Crown Victoria	2FAFP71W77X102043	198,602	not needed

COMMITTEE RECOMMENDATION

The Municipal Services Committee recommends the above be declared surplus property and auctioned using Public Surplus or disposed of.

ALTERNATE CONSIDERATION

As recommended by the City Council.

DECISION MODE

This item will be placed on the September 3, 2019 City Council Agenda for formal approval.



CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY
OWNED BY THE CITY OF DARIEN**

ADOPTED BY THE

MAYOR AND CITY COUNCIL

OF THE

CITY OF DARIEN

THIS 3rd DAY OF SEPTEMBER, 2019

**Published in pamphlet form by authority of
the Mayor and City Council of the City of
Darien, DuPage County, Illinois, this ____
day of September, 2019.**

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY
OWNED BY THE CITY OF DARIEN**

WHEREAS, in the opinion of at least three fourths of the corporate authorities of the City of Darien, it is no longer necessary or useful, or for the best interests of the City of Darien, to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the Mayor and City Council of the City of Darien to sell said personal property at a Public Auction or dispose of said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: The Mayor and City Council of the City of Darien find that the following described personal property, now owned by the City of Darien, is no longer necessary or useful to the City of Darien and the best interests of the City of Darien will be served by auctioning it using Public Surplus or disposing of said property.

	ITEM	VIN/MODEL#	MILEAGE	EXPLANATION
1	#102 - 2009 Ford F-350 with spreader & 9' plow	1FDWF37R59EA11876	77,721	replaced
2	#104 - 2009 Ford F-350 with spreader & 9' plow	1FDWF37R59EA11875	88,575	replaced
3	2007 Ford Crown Victoria	2FAFP71W77X102043	198,602	not needed

SECTION 2: The City Administrator is hereby authorized and directed to sell the aforementioned personal property, now owned by the City of Darien. Items will be auctioned using Public Surplus or disposing of said property.

SECTION 3: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ORDINANCE NO. _____

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

A resolution accepting a proposal from Associated Technical Services Ltd (ATS) for the 2019 Water Leak Survey, in amount not to exceed \$12,109.50 for the Leak Detection Phase and a per unit cost for the Leak Location Phase in the amount of \$420.00 per mainline or service leak, and \$95.00 per fire hydrant leak or mainline valve.

RESOLUTION

BACKGROUND/HISTORY

The FY 19/2019 Budget includes \$16,000.00 for this year’s Water Leak Survey Program. The leak survey program as proposed by Associated Technical Services Ltd (ATS) includes two phases consisting of surveying 473,616 lineal feet (89.7 lineal miles) of water main and the second phase includes the pinpointing of leaks found in the system. The proposed quote from ATS is structured in a fashion that the vendor is additionally motivated to find as many leaks as possible since the proposal is further driven on unit costs for pinpointing leaks. Based on leak detection results from previous years, ATS has located an average of 20 various leaks per year.

Should the City have 30 various leaks, (see [Attachment A](#), labeled as Competitive Quote Summary), the cost for the program would be based on the ATS proposal for a total expense of \$15,572.32. Staff does anticipate finding leaks, but the amount will not be known until the leak survey is completed. ATS has indicated they will not exceed \$12,109.50 should more than 30 various leaks be located, see [Attachment B](#).

City staff had solicited for competitive quotes and received five. Based on the detection phase, ATS is the lowest competitive quote. Funding for the Water Leak Maintenance Program would be expended from the following line item of the FY19/20 Budget:

ACCOUNT NUMBER	PROJECT CODE	ACCOUNT DESCRIPTION	FY 19/20 BUDGET	PROPOSED EXPENDITURE	PROPOSED BALANCE
02-50-4326	N/A	LEAK LOCATING QUALITY CONTROL	\$16,000.00	\$9,472.32-\$12,109.50	\$6,527.68-\$3,890.50

COMMITTEE RECOMMENDATION

Municipal Services Committee recommends a resolution accepting a proposal from Associated Technical Services Ltd (ATS) for the 2019 Water Leak Survey, in amount not to exceed \$12,109.50 for the Leak Detection Phase and a per unit cost for the Leak Location Phase in the amount of \$420.00 per mainline or service leak, and \$95.00 per fire hydrant leak or mainline valve. Associated Technical Services has provided very satisfactory services to the City of Darien in the past.

ALTERNATE CONSIDERATION

As directed by the City Council.

DECISION MODE

This item will be placed on the September 3, 2019 City Council agenda for formal consideration.

2019 COST CENTER ANALYSIS

Competitive Quote Summary					
Vendor	Cost	Package Price	Anticipated Leaks	Estimated Cost for Pinpoint of Leaks for Darien	Total Proposed Costs for City of Darien
Associated Technical Services-Option B-Incentive-Based Proposal	\$9,472.32	\$9,472.32			\$9,472.32
Location Phase-Per leak	0.02 per LF				\$9,472.32
Pinpoint Mainline or Service Line	\$420.00		10	\$4,200.00	\$4,200.00
Fire Hydrant/Main line valve	\$95.00		20	\$1,900.00	\$1,900.00
Sub Total Cost				\$6,100.00	\$6,100.00
Associated Technical Services (ATS) Total Cost					\$15,572.32
			N/A	N/A	N/A
ADS Environmental Services	\$12,109.50	\$12,109.50	N/A	N/A	N/A
American Leak Detection	\$21,960.00	\$21,960.00	N/A	N/A	N/A
Eden Bros, LLC.	\$13,990.00	\$13,990.00	N/A	N/A	N/A
M.E. Simpson Company, Inc.	\$17,495.00	\$17,495.00			
Water Loss Ayatems, Inc.	\$12,109.50	\$12,109.50			

Break Size: 1/16" x 180 Degrees of 360				
Pipe Diameter Per Inch	Daily Loss in Gallons	Price per 1,000 gallon-Wholesale	Annual Loss in Gallons	Annual Cost
2	45,600	\$ 3.32	16,644,000	\$ 55,258.08
4	81,400	\$ 3.32	29,711,000	\$ 98,640.52
6	136,800	\$ 3.32	49,932,000	\$ 165,774.24
8	182,400	\$ 3.32	66,576,000	\$ 221,032.32
10	228,100	\$ 3.32	83,256,000	\$ 276,411.58
12	273,700	\$ 3.32	99,900,500	\$ 331,669.66
16	364,900	\$ 3.32	133,188,500	\$ 442,185.82

Break Size: 1/16" x 360 Degrees				
Pipe Diameter Per Inch	Daily Loss in Gallons	Price per 1,000 gallon	Annual Loss in Gallons	Annual Cost
2	91,100	\$ 3.32	33,251,500	\$ 110,394.98
4	182,500	\$ 3.32	66,612,500	\$ 221,153.50
6	273,600	\$ 3.32	99,864,000	\$ 331,548.48
8	364,800	\$ 3.32	133,152,000	\$ 442,064.64
10	456,200	\$ 3.32	166,513,000	\$ 552,823.16
12	547,400	\$ 3.32	199,801,000	\$ 663,339.32
16	729,900	\$ 3.32	266,413,500	\$ 884,492.82

WATER INVENTORY (LMO) REPORTING YEAR	UNACCOUNTABLE FLOW PERCENTAGE	UNACCOUNTABLE FLOW - GALLONS PER DAY	UNACCOUNTABLE FLOW - GALLONS PER YEAR	WHOLESALE COST PER 1000 GALLONS	WHOLESALE COST
2018	10.40%	175,370	64,010,000	\$4.91	-\$314,289.10
2017	18.20%	389,810	142,281,000	\$ 4.85	-\$690,062.85
2016	14.40%	292,000	106,580,000	\$ 4.80	-\$511,584.00
**2015	14.80%	274,000	100,010,000	\$ 4.85	-\$485,048.50
*2014	4.55%	99,200	94,535,000	\$ 4.68	-\$442,423.80
2013	3.18%	69,200	25,258,000	\$ 3.03	-\$76,531.74
2012	3.76%	89,232	32,569,669	\$ 2.73	-\$88,915.20
2011	1.61%	46,726	17,054,990	\$ 2.73	-\$46,560.12
2010	7.96%	191,000	69,715,000	\$ 2.73	-\$190,321.95
2009	6.40%	153,000	55,845,000	\$ 2.73	-\$152,456.85
2008	3.20%	81,000	29,565,000	\$ 2.73	-\$80,712.45
2007	1.46%	29,900	10,913,500	\$ 2.73	-\$29,793.86
2006	4.91%	102,000	37,230,000	\$ 2.73	-\$101,637.90
2005	3.80%	88,500	32,302,500	\$ 2.73	-\$88,185.83
AVERAGE	5.55%	129,080	47,114,200	\$ 2.73	-\$128,621.77

* A major leak was identified at Cass Ave and South Frontage Rd-accounting for the increase.
 **New standards implemented for calculations-First standard goal is to be under 12% water loss

Regina Kokkinis

From: Marcie Kaplar <Marcie@ATSLimited.com>
Sent: Tuesday, August 20, 2019 2:57 PM
To: Dan Gombac; Ralph L Gross
Cc: Regina Kokkinis; Ralph L. Gross; Kris Throm
Subject: Re: 2019 Leak Detection Services

Dan I bill surveys don't worry about it. We will not go over agreed amount. Have a great rest of your day.

Get [Outlook for iOS](#)

From: Dan Gombac <dgombac@darienil.gov>
Sent: Tuesday, August 20, 2019 11:50:48 AM
To: Ralph L Gross <ralphgross@aol.com>
Cc: Regina Kokkinis <rkokkinis@darienil.gov>; Marcie Kaplar <Marcie@ATSLimited.com>; Ralph L. Gross <Ralph@ATSLimited.com>; Kris Throm <kthrom@darienil.gov>
Subject: RE: 2019 Leak Detection Services

Ralph

Clarification, we will not exceed the \$12,109, regardless the no of leaks? Your 2nd sentence below is a bit confusing.

Thanks.

Daniel Gombac
Director of Municipal Services
630-353-8106

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<http://www.darien.il.us/Departments/Administration/CityNews.html>

From: RalphLGross <ralphgross@aol.com>
Sent: Tuesday, August 20, 2019 11:46 AM
To: Dan Gombac <dgombac@darienil.gov>
Cc: Regina Kokkinis <rkokkinis@darienil.gov>; Marcie Kaplar <Marcie@atslimited.com>; ralph@ATSLIMITED.com; Kris Throm <kthrom@darienil.gov>
Subject: Re: 2019 Leak Detection Services

Hello Kris.

We are willing agree to that "not to exceed" price.

As noted in my proposal, we would not exceed our agreed upon cost without supplemental authorization in writing by the City so you're covered.

Ralph L. Gross
Vice President
Associated Technical Services Ltd.
Mobile: (630) 935-3435
Email: RalphLGross@gmail.com

Sent from my mobile phone. Typos are possible. Feel free to contact me if you have any questions.

On Aug 20, 2019, at 10:57 AM, Dan Gombac <dgombac@darienil.gov> wrote:

As an FYI we will revise page 3 of 14, Total Cost not to exceed \$12,109.

Daniel Gombac
Director of Municipal Services
630-353-8106

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News.html](http://www.darien.il.us/Departments/Administration/CityNews.html)

From: Dan Gombac
Sent: Thursday, August 15, 2019 9:34 AM
To: 'Marcie Kaplar' <Marcie@ATSLimited.com>
Cc: Regina Kokkinis <rkokkinis@darienil.gov>; Kris Throm <kthrom@darienil.gov>
Subject: RE: 2019 Leak Detection Services

Thank you Marcie. Ralph has not gotten back to me.

Daniel Gombac
Director of Municipal Services
630-353-8106

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News.html](http://www.darien.il.us/Departments/Administration/CityNews.html)

From: Marcie Kaplar <Marcie@ATSLimited.com>
Sent: Thursday, August 15, 2019 7:46 AM
To: Dan Gombac <dgombac@darienil.gov>
Subject: Re: 2019 Leak Detection Services

I will take care of this for you unless Ralph has already gotten back to you on this. Let me know please.

Get [Outlook for iOS](#)

From: Dan Gombac <dgombac@darienil.gov>
Sent: Tuesday, August 13, 2019 9:41:14 AM
To: Marcie Kaplar <Marcie@ATSLimited.com>; Ralph L. Gross <Ralph@ATSLimited.com>; Kris Throm <kthrom@darienil.gov>
Cc: Dennis Cable <dcable@darienil.gov>; Regina Kokkinis <rkokkinis@darienil.gov>
Subject: 2019 Leak Detection Services

Ralph OR Marcie,

Please see the attached bid tally for the 2019 Leak Locating Services. Based on the bid review ATS would be the awarded vendor. Based on a hypothetical of an average amount of leaks ATS would not be the lowest competitive bid. Will ATS be willing not to exceed a total of \$12,109.50 and pinpoint all the leaks as identified?

Kris,

Please complete yellow highlight section and double check current wholesale cost.

Daniel Gombac
Director of Municipal Services
630-353-8106

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News.html](http://www.darien.il.us/Departments/Administration/CityNews.html)**



RESOLUTION NO. _____

A RESOLUTION ACCEPTING A PROPOSAL FROM ASSOCIATED TECHNICAL SERVICES LTD (ATS) FOR THE 2019 WATER LEAK SURVEY, IN AMOUNT NOT TO EXCEED \$12,109.50 FOR THE LEAK DETECTION PHASE AND A PER UNIT COST FOR THE LEAK LOCATION PHASE IN THE AMOUNT OF \$420.00 PER MAINLINE OR SERVICE LEAK, AND \$95.00 PER FIRE HYDRANT LEAK OR MAINLINE VALVE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The City Council of the City of Darien hereby authorizes the Mayor and City Clerk to accept a proposal from Associated Technical Services Ltd (ATS) for the 2019 Water Leak Survey, in amount not to exceed \$12,109.50 for the Leak Detection Phase and a per unit cost for the Leak Location Phase in the amount of \$420.00 per mainline or service leak, and \$95.00 per fire hydrant leak or mainline valve. copy of which is attached hereto as "[Exhibit A](#)".

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



**CITY OF DARIEN & THE COUNTY OF DUPAGE-SERF SYSTEM
2019 WATER LEAK SURVEY PROGRAM**

To Whom It May Concern:

The **City of Darien** is currently seeking quotes for the 2019 Leak Survey Program. The survey will incorporate the following items:

City of Darien

- 473,616 Lineal Feet of Various Water Main
- 1,435 Fire Hydrants with Valves
- 451 Main Line Valves in Boxes
- 983 Main Line Valves in Valve Vaults

Total Cost for the City of Darien \$ Please see attached proposal for detailed price information

The 2019 Leak Survey Program will be scheduled for commencement on **October 7, 2019** and will be completed by **December 20, 2019**. Water main atlases shall be forwarded to the awarded vendor. The basis of award shall be based on the total sum. Upon completion of the survey program 2 detailed reports containing a summary and findings shall be submitted to the City of Darien. The billing shall be directed as follows:

City of Darien
c/o Municipal Services
1702 Plainfield Road
Darien, IL 60561

Contact Person – Dennis Cable, Municipal Services Water Foreman 630-417-5146 or via e-mail at dcable@darienil.gov

The vendor is required to complete the following information:

COMPANY NAME: Associated Technical Services Ltd Attn: Ralph L Gross, Vice President

ADDRESS: 524 W. St. Charles Road, Villa Park, IL 60181

TELEPHONE: 630.935.3435 cell/ 630.834.1558 ofc FAX: 630.834.5501

E-MAIL ADDRESS: RalphLGross@gmail.com; Ralph@ATSLimited.com

AUTHORIZED SIGNATURE: Ralph L. Gross, Vice President

Quotes may be sent via facsimile to the City of Darien (630) 852-4709, Attn: Regina Kokkinis or email at rkokkinis@darienil.gov AND by no later than August 13, 2019 11:00 AM, followed by a mailed original. Should you have any other questions regarding the project, please contact the Municipal Services Department at (630) 353-8105.

City of Darien 1702 Plainfield Road Darien, IL 60561

Office: 630-852-5000 Fax: 630-852-4709 www.darienil.us

ATS All-Inclusive and Incentive-Based Comprehensive Leak Survey Programs

The **ATS Comprehensive Leak Surveys** are the most thorough and successful leak survey programs in the business on two fronts – **Superior results and Superior Accuracy**.

All-Inclusive Based Pricing – The cost of the survey is locked in regardless of how many leaks exist in the system. It's a good choice for those who suspect many leaks and need their total cost locked in.

Incentive-Based Pricing gives the City the most flexibility and the opportunity to save money if the water system turns out to be tighter than expected. The City still wins if it ends up that your water system contains many leaks because you won't spend an extra dollar without getting an accurate leak location in return. Since there are no fee guarantees for beyond the detection phase, there is obvious incentive for **ATS** to find as many leaks as possible for you.

ESTIMATE OF COST – ATS COMPREHENSIVE LEAK SURVEY PROGRAM

Leak Survey Project Area – The entire water distribution system that serves the City of Darien. Every mainline valve and fire hydrant will be located and ultrasonically surveyed for leak sounds. For purposes of developing this estimate of cost, we have used the City's estimate of **89.7** lineal miles of water main (**473,616 lineal feet**) as the total amount of water main owned by the City.

Monitored System Appurtenances will include:

- Every Fire Hydrant (± 1,435)
- Every accessible Fire Hydrant Auxiliary Valve (± 1,435)
- Every accessible Main Line Valve (± 1,500 valves in boxes and vaults)
- ± 175 strategically located Customer Service Line Curb Stops (aka B-Boxes)
- Approximately ± 4,450 potential points will be ultrasonically surveyed for leak sounds

ESTIMATE OF COST: Choose the option that suits you best

Option A: All-Inclusive Proposal – All detection and pinpointing costs are included.

Detection & Location Phases:

473,616 per lineal feet of water main @ \$ 0.035 per LF = \$ 16,500.00

Option B: Incentive-Based Proposal – Only pay for the leaks you actually have.

Detection Phase: 473,616 per lineal feet of water main @ \$ 0.02 per LF = \$ 9,472.32

Location Phase: \$ 420.00 for Every Pinpointed Main Line and Service Line Leak.

\$ 95.00 for Every Fire Hydrant Leak and Main Line Valve Leak.

Total Cost: Not to exceed \$16,500 without supplemental authorization from the City.

*Negotiated
See ATT. Email
08/13/19
12,109.50*

Survey Completion Time: On or before December 20, 2019. We estimate the **Detection Phase** of the survey can be completed in approximately 20 workdays. The duration of the **Location Phase** will depend upon the number of suspect leak sites to investigate and actual number, type and location of those pinpointed leaks. Based upon our past experiences, another 5-7 workdays for pinpointing is possible

Additional Callout Savings: Discounted Leak Pinpointing for Survey Clients - While your leak survey is underway any leak or utility location callout, that can be scheduled while we are in town or the next weekday during normal work hours, will be discounted to the \$ 420.00 leak survey rate. This discount represents a savings of at least \$ 250.00 per callout or more from our normal callout charges with round trip mileage. After-hour, Emergency, Holiday and Weekend service calls are charged per our normal basic schedule of prices which we have previously submitted to the City.

AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

A resolution accepting a proposal from Tria Architecture, Inc. for the Professional Design Services for the Public Works Facility located at 1041 South Frontage Road in an amount not to exceed \$23,850.

RESOLUTION

BACKGROUND/HISTORY

The proposed existing Public Works Garage located at 1041 South Frontage Road is approximately 10,000 square foot building with 2,500 square feet of office space. The building was built in the mid 1980's as metal building with a brick faced fronting Frontage Road. Currently the building is showing signs of deficiencies as follows:

- ✓ Support Poles-Critical Elements Repaired
- ✓ Roof - The roof system is obsolete and requires replacement
- ✓ Locker Rooms - No current facility
- ✓ Bathroom Facilities-Non ADA compliant
- ✓ Garage Doors – Replaced or repaired
- ✓ HVAC - Units are approaching their useful life-Current system undersized and units are rare ranging 15 years in age-Units are currently being replaced upon failure
- ✓ Glazing - Existing glazing is single pane-non energy efficient
- ✓ Fuel Pump Island - Upgraded
- ✓ Storage for vehicles and dry inventory is currently being utilized outside of the garage area.

Note: Upon receipt of the study/plans they will be reviewed for future budget consideration. The study/plans will have the ability to be shelved for a future renovation.

A space allocation study was completed in August of 2001. The space allocation study was then referred to as the Joint Use Facility. Due to economic factors, the project was tabled. The proposed study will review the existing building conditions, inventory of the fleet, dry goods, and to determine the required renovation/remodeling space needs for the Public Works Street and Water Department. The proposal called out for the existing facility to be updated and expanded, including bringing the building into compliance with the A.D.A. The expansion concept includes adding up to 10 bays; see attached aerial, labeled as [Attachment 1](#), new roof system, freestanding bay area, locker rooms, HVAC System, plan storage, office reconfiguration, automated truck wash bay, mechanic space reconfiguration, lift systems and general space allocation.

Staff had solicited for competitive proposals and received one non-responsive proposal on August 15, 2019. Tria Architecture, Inc. had submitted all the required documents with the exception of the pricing. The price schedule was left as, "To Be Determined", thereby submitting no price.

Since Tria Architecture, Inc was the only firm that met the qualified requirements for the professional design services, with the exception of the total project cost, Staff requested a meeting with their representative at the Public Works Facility and to provide a proposal for the requested scope of services.

Attached and labeled, as [Attachment 2](#), pages 1-5 is the proposal for the professional services for the project.

Tria Architecture, Inc. will provide the following services:

- ✓ Space Needs Analysis-Existing Municipal Services Vehicles and Equipment
- ✓ Facility Assessment-Review of Existing Municipal Services Facility Operations
- ✓ Schematic Design Services Renderings

The 2019/20 Budget calls out for the funding for the Professional Design Services from the following line items:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 19/20 BUDGET	PROPOSED EXPENDITURE
01-30-4223	MAINTENANCE BUILDING-PW BUILDING DESIGN	\$ 12,500	\$ 11,925
02-50-4223	MAINTENANCE BUILDING-PW BUILDING DESIGN	\$ 12,500	\$ 11,925
TOTALS		\$ 25,000	\$ 23,850

COMMITTEE RECOMMENDATION

The Municipal Services Committee recommends a resolution accepting a proposal from Tria Architecture, Inc for the Professional Design Services for the Public Works Facility located at 1041 South Frontage Road in an amount not to exceed \$23,850.

ALTERNATE CONSIDERATION

As directed by the City Council.

DECISION MODE

This item will be placed on the September 3, 2019 City Council agenda for formal approval.





August 20, 2019

VIA Hand Delivery

(5) Page(s) Inclusive

Mr. Daniel Gombac, Director of Municipal Services
1702 Plainfield Road
Darien, IL 60561

Re: City of Darien – Public Works Facility
Proposal for Professional Services

Dear Mr. Gombac:

It was a pleasure talking with you about your Public Works Renovation project. We thank you for the opportunity to work with you. We have reviewed the project and understand the scope of services. We feel that our experience in similar projects will blend in perfectly with this project. We have described our scope of services below.

PROJECT UNDERSTANDING:

I. Tria Architecture (Tria) will complete all Space Needs Analysis, Facility Assessment and Schematic Design Services for you (Owner), as described herein. This proposal is based on the following key components:

A. Tria will analyze the current and future needs of your Public Works facility (approx. 9,600 s.f.) located at 1041 South Frontage Road, based on your Request for Proposal issued on July 17, 2019.

1. This includes the analysis of the existing Public Works vehicle and equipment space needs.

SPACE NEEDS ANALYSIS SERVICES:

- I. The Owner shall provide the following existing information to Tria:
 - A. An electronic (AutoCAD) copy of the existing facilities (also showing all utility locations, M.E.P.FP. equipment details and sizes).
 1. All building covenants, rules and regulations regarding our scope of services are to be provided to Tria prior to the start of services.
 - B. An electronic (AutoCAD) copy of the Plat of Survey of the existing and proposed properties (also showing all utility locations and sizes).
 1. All site restraints such as deed restrictions and covenants, if any, are to be provided to Tria prior to the start of services.
- II. Tria will complete a Space Needs Inventory and Analysis of the existing Public Works facilities including:
 - A. Meet with key personnel to discuss any space or adjacency concerns.
 - B. Perform field documentation of all relevant existing conditions.
 - C. The assessment is to include review of existing information available from the Owner such as:
 1. Inventory of all vehicles and equipment, including overall sizes and wheel

TRIA ARCHITECTURE

West Suburban Office: 901 McClintock Drive, Suite 100, Burr Ridge, Illinois 60527

South Suburban Office: 1820 Ridge Road, Suite 209, Homewood, Illinois 60430

Indiana Office: 436 Sand Creek Drive N, Suite 105, Chesterton, Indiana 46304

Company Main: 630.455.4500 Fax: 630.455.4040

www.TriaArchitecture.com

INIT.

Proposal for Professional Services

City of Darien – Public Works Facility

1702 Plainfield Road, Darien, IL 60561

August 20, 2019

Page 2 of 5

- base dimensions for the larger equipment.
- 2. List of future vehicles and equipment, including overall sizes and wheel base dimensions for the larger equipment.
- 3. List of future services to be provided in the new facility.
- D. Assess staffing space and location needs
- E. Evaluate the physical location of all Public Works facility sites with regard to their current and potential best use, and recommend options for relocation if necessary.
- F. Evaluate the physical condition of current facilities, including building safety and security features.
- G. No other assessments will be provided as part of this proposal.
- H. All assessments are based on visual reviews of existing conditions and do not include any destructive or other form of testing.
- III. Tria will complete a space needs analysis report of our findings including:
 - A. Space requirements and adjacency diagrams based on staff interviews.
 - B. Identification of potential issues or deficiencies.
- IV. Attendance at up to one (1) site investigation/ staff survey meeting and one (1) Owner meetings are included in this proposal.
 - A. Because of the undetermined length and amount of additional meetings the Owner may request, Tria will prepare any presentation materials required and attend any other meetings requested by the Owner, on a Time-and-Material basis above and beyond this proposal, including travel.

FACILITY ASSESSMENT SERVICES:

- I. The Facility Assessment will include, but not be limited to the following:
 - A. Meet with key personnel to discuss any operational concerns
 - B. Review of building envelope including exterior walls, windows and roofing.
 - C. Document any observed issues or deficiencies.
 - D. All assessments are based on visual reviews of existing conditions and do not include any destructive or other form of testing.
 - E. This Facility Assessment Report will include:
 - 1. Identification of potential issues or deficiencies.
 - 2. List of basic recommendations to correct the major identified issues or deficiencies.
 - 3. Construction cost estimates for each item.
 - 4. Generic life cycle analysis of applicable items.
 - 5. Prioritization of all items into a multi-year plan.

SCHEMATIC DESIGN PHASE:

- I. Tria will meet with the Owner to determine up to two (2) schematic design space plans for the new design based on the Owner's program requirements. We will provide one (1) round of design revisions before proceeding to Design Development and Construction Documentation (under separate contract). This will include:
 - A. Meet with the Owner to discuss any program, site or space restrictions and regulations.

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South Suburban Office: 1820 Ridge Road, Suite 209, Homewood, Illinois 60430

Indiana Office: 436 Sand Creek Drive N, Suite 105, Chesterton, Indiana 46304

Company Main: 630.455.4500 Fax: 630.455.4040

www.TriaArchitecture.com

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- B. Analyze building options for the Owner including size, height, massing and location.
- C. Analyze site options for the Owner including building location, traffic patterns and pedestrian access.
- II. No Mechanical, Electrical, Plumbing, Fire Protection, Structural (M.E.P.FP.S.) design services are included during this phase.
 - 1. The Owner's civil engineer will provide a site development estimate for incorporation into the main estimate.
- III. Tria will perform an architectural code review as applicable to this project.
 - A. Tria will complete a site analysis of this site. This analysis will include preliminary Local and State code reviews of site setbacks, height restrictions and allowable square footage.
 - B. Tria will design the site to accommodate the new addition(s).
- IV. Tria will design up to two (2) schematic design space plans and building elevations for the new designs based on the Owner's program requirements. We will provide one (1) round of design revisions to finalize the schematic design.
 - A. All additional designs or design modifications requested by the Owner or Authorities Having Jurisdiction will be completed on a Time and Material basis above and beyond this proposal, including travel.
- V. The final Schematic Design will be used to create a series of 3D renderings (3-4 images) with preliminary material designations.
- VI. A Schematic Design estimate of construction cost will be provided for the final Schematic Design option.
- VII. Attendance at up to two (2) Owner design meetings is included in this phase.
 - A. Because of the undetermined length and amount of additional meetings the Owner may request, Tria will prepare any presentation materials required and attend any other meetings requested by the Owner, on a Time-and-Material basis above and beyond this proposal, including travel.

DESIGN DEVELOPMENT and CONSTRUCTION DOCUMENTATION PHASES:

- I. Not Applicable

BIDDING PHASE:

- I. Not Applicable

CONSTRUCTION OBSERVATION PHASE:

- I. Not Applicable

This proposal references and includes the AIA Document B101 (2007 edition) - Standard Form of Agreement Between Owner and Architect, Articles five, six, seven, eight (with the litigation option for section 8.2.4), nine and ten inclusive.

As discussed, our goal is not just to complete this project, but also to build a relationship with you so that we may fill any future design needs of yours. Please review this proposal and don't hesitate to contact me if you have any questions or require any additional information. **If this proposal is acceptable, please execute all of the**

TRIA ARCHITECTURE

West Suburban Office: 901 McClintock Drive, Suite 100, Burr Ridge, Illinois 60527

South Suburban Office: 1820 Ridge Road, Suite 209, Homewood, Illinois 60430

Indiana Office: 436 Sand Creek Drive N, Suite 105, Chesterton, Indiana 46304

Company Main: 630.455.4500 Fax: 630.455.4040

www.TriaArchitecture.com

INIT.

yellow highlighted areas and send the entire proposal back to our office. Tria Architecture and I look forward to your direction and working with you and your associates.

FEE SCHEDULE

BASE BID PROPOSAL: Architectural Building Documentation as described above
for a Lump Sum Fee of \$23,850.00.

2019 HOURLY RATES

(For work above and beyond our scope of services listed above):

Principal Architect	\$195.00
Associate Architect	\$165.00
Architectural Associate	\$155.00
Senior Staff Architect / Senior Interior Designer	\$145.00
Staff Architect II / Interior Designer II	\$135.00
Staff Architect I / Interior Designer I	\$125.00
Architectural Staff	\$110.00
Graphic Designer	\$110.00
Architectural Intern / Interiors Intern	\$105.00
Administrative Assistant	\$85.00

Approved by (Sign / Print): _____

Title: _____

Date: _____

Sincerely,



TRIA ARCHITECTURE, INC.

Thomas R. Szurgot, AIA, LEED AP
Principal Architect

TRS/rm

Attachments: None

File Name: MRK.PRP.082019.DarienPW.Renovation.SD.docx

TRIA ARCHITECTURE

West Suburban Office: 901 McClintock Drive, Suite 100, Burr Ridge, Illinois 60527

South Suburban Office: 1820 Ridge Road, Suite 209, Homewood, Illinois 60430

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Company Main: 630.455.4500 Fax: 630.455.4040

www.TriaArchitecture.com

INIT. _____

TERMS AND CONDITIONS

- I. If Tria Architecture, Inc. is requested to perform any onsite visits during construction, the Owner or Contractor will obtain General Liability Insurance during construction and name Tria Architecture, Inc. as additional insured.
- II. The Owner will be responsible for all material, printing and distribution costs of progress printings, presentations, office drawings and bid documents. These will be provided through Tria Architecture, Inc. as a reimbursable expense.
- III. Tria Architecture, Inc. shall not be liable or responsible for the quality of materials, equipment and fixtures used, nor the quality of workmanship on the project.
- IV. The Owner will provide proportional monthly progress payments throughout the project and final payment upon completion of Tria Architecture's services for that phase.
- V. If any payment is not paid by the Owner when due, the unpaid balance shall accrue interest at one and one-half percent (1.5%), or the maximum legal rate, per month until paid.
- VI. Tria Architecture, Inc. reserves the right to cease all services until prompt payment of all outstanding invoices. In the event any portion of an account remains unpaid 120 days after the billing, Tria Architecture, Inc. may institute collection action and the Owner shall pay all costs of collection, including reasonable attorney fees.
- VII. Payment of invoices is in no case subject to unilateral discounting, back-charges, or set-offs by the Owner, and payment is due regardless of suspension or termination of this agreement by either party. Time allotted for permit revisions are deemed inconsequential to the whole project, therefore no portion of the fee will be credited if the project does not go through the permit process.
- VIII. This proposal is valid for a period of 45 days. After that period, Tria Architecture, Inc. will provide a revised proposal for any services.
- IX. If the services covered by this proposal have not been completed within 6 months of the date hereof through no fault of Tria Architecture, Inc., the amounts of compensation, rates and multiples set forth herein shall be equitably adjusted.
- X. All designs are the property of Tria Architecture, Inc. and are not to be used for any project without the expressed written consent of Tria Architecture. The Owner will allow Tria Architecture, Inc. full access to the site and project to be photographed for use in marketing material. The Owner will provide a copy of the final approved permit set to Tria Architecture, Inc.
- XI. To the fullest extent permitted by law, and notwithstanding any other provisions of this agreement, the total liability, in the aggregate, of Tria Architecture, Inc. and Tria Architecture, Inc.'s officers, directors, partners, employees, agents, and subconsultants, and any of them, to the Owner and anyone claiming by, through or under the Owner, for any and all claims, losses, costs or damages of any nature whatsoever arising out of, resulting from or in any way related to the Project or Agreement from any cause or causes, including, but not limited to the negligence, professional errors and omissions, strict liability, breach of contract or warranty, expressed or implied, of Tria Architecture, Inc. and Tria Architecture, Inc.'s officers, directors, partners, employees, agents, and subconsultants, or any of them, shall not exceed the amount of Tria Architecture's fee received for this project.
- XII. The Architect and Owner waive consequential damages for claims, disputes or other matters in question arising out of or relating to this Agreement. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination in accordance with AIA B101 (2007 edition) - Article 9.
- XIII. Hourly rates are subject to change at the beginning of every calendar year.
- XIV. Tria Architecture, Inc. reserves the right to renegotiate the fee should changes in the scope of services occur.
- XV. All reimbursables will be forwarded with a 1.1 multiplier factor.
- XVI. All additional services will proceed only on a verbal or written "as directed" basis from the Owner.
- XVII. Tria Architecture will not be held responsible for identifying and/or investigating any existing hazardous conditions or materials on site.

(Initial) The Terms and Conditions have each been individually read and agreed upon.

TRIA ARCHITECTURE

West Suburban Office: 901 McClintock Drive, Suite 100, Burr Ridge, Illinois 60527
South Suburban Office: 1820 Ridge Road, Suite 209, Homewood, Illinois 60430
Indiana Office: 436 Sand Creek Drive N, Suite 105, Chesterton, Indiana 46304
Company Main: 630.455.4500 Fax: 630.455.4040

www.TriaArchitecture.com

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RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A PROPOSAL FROM TRIA ARCHITECTURE, INC.
FOR THE PROFESSIONAL DESIGN SERVICES FOR THE PUBLIC WORKS
FACILITY LOCATED AT 1041 SOUTH FRONTAGE ROAD IN AN AMOUNT NOT TO
EXCEED \$23,850.**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU
PAGE COUNTY, ILLINOIS, as follows:**

SECTION 1: The City Council of the City of Darien hereby accepts a proposal from Tria Architecture, Inc for the Professional Design Services for the Public Works Facility located at 1041 South Frontage Road in an amount not to exceed \$23,850, a copy of which is attached hereto as "[Exhibit A](#)".

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE
COUNTY, ILLINOIS, this 3rd day of September, 2019.**

AYES: _____

NAYS: _____

ABSENT: _____

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, this 3rd day of September, 2019.**

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



August 20, 2019

VIA Hand Delivery

(5) Page(s) Inclusive

Mr. Daniel Gombac, Director of Municipal Services
1702 Plainfield Road
Darien, IL 60561

Re: City of Darien – Public Works Facility
Proposal for Professional Services

Dear Mr. Gombac:

It was a pleasure talking with you about your Public Works Renovation project. We thank you for the opportunity to work with you. We have reviewed the project and understand the scope of services. We feel that our experience in similar projects will blend in perfectly with this project. We have described our scope of services below.

PROJECT UNDERSTANDING:

I. Tria Architecture (Tria) will complete all Space Needs Analysis, Facility Assessment and Schematic Design Services for you (Owner), as described herein. This proposal is based on the following key components:

A. Tria will analyze the current and future needs of your Public Works facility (approx. 9,600 s.f.) located at 1041 South Frontage Road, based on your Request for Proposal issued on July 17, 2019.

1. This includes the analysis of the existing Public Works vehicle and equipment space needs.

SPACE NEEDS ANALYSIS SERVICES:

- I. The Owner shall provide the following existing information to Tria:
 - A. An electronic (AutoCAD) copy of the existing facilities (also showing all utility locations, M.E.P.FP. equipment details and sizes).
 - 1. All building covenants, rules and regulations regarding our scope of services are to be provided to Tria prior to the start of services.
 - B. An electronic (AutoCAD) copy of the Plat of Survey of the existing and proposed properties (also showing all utility locations and sizes).
 - 1. All site restraints such as deed restrictions and covenants, if any, are to be provided to Tria prior to the start of services.
- II. Tria will complete a Space Needs Inventory and Analysis of the existing Public Works facilities including:
 - A. Meet with key personnel to discuss any space or adjacency concerns.
 - B. Perform field documentation of all relevant existing conditions.
 - C. The assessment is to include review of existing information available from the Owner such as:
 - 1. Inventory of all vehicles and equipment, including overall sizes and wheel

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Proposal for Professional Services

City of Darien – Public Works Facility

1702 Plainfield Road, Darien, IL 60561

August 20, 2019

Page 2 of 5

- base dimensions for the larger equipment.
- 2. List of future vehicles and equipment, including overall sizes and wheel base dimensions for the larger equipment.
- 3. List of future services to be provided in the new facility.
- D. Assess staffing space and location needs
- E. Evaluate the physical location of all Public Works facility sites with regard to their current and potential best use, and recommend options for relocation if necessary.
- F. Evaluate the physical condition of current facilities, including building safety and security features.
- G. No other assessments will be provided as part of this proposal.
- H. All assessments are based on visual reviews of existing conditions and do not include any destructive or other form of testing.
- III. Tria will complete a space needs analysis report of our findings including:
 - A. Space requirements and adjacency diagrams based on staff interviews.
 - B. Identification of potential issues or deficiencies.
- IV. Attendance at up to one (1) site investigation/ staff survey meeting and one (1) Owner meetings are included in this proposal.
 - A. Because of the undetermined length and amount of additional meetings the Owner may request, Tria will prepare any presentation materials required and attend any other meetings requested by the Owner, on a Time-and-Material basis above and beyond this proposal, including travel.

FACILITY ASSESSMENT SERVICES:

- I. The Facility Assessment will include, but not be limited to the following:
 - A. Meet with key personnel to discuss any operational concerns
 - B. Review of building envelope including exterior walls, windows and roofing.
 - C. Document any observed issues or deficiencies.
 - D. All assessments are based on visual reviews of existing conditions and do not include any destructive or other form of testing.
 - E. This Facility Assessment Report will include:
 - 1. Identification of potential issues or deficiencies.
 - 2. List of basic recommendations to correct the major identified issues or deficiencies.
 - 3. Construction cost estimates for each item.
 - 4. Generic life cycle analysis of applicable items.
 - 5. Prioritization of all items into a multi-year plan.

SCHEMATIC DESIGN PHASE:

- I. Tria will meet with the Owner to determine up to two (2) schematic design space plans for the new design based on the Owner's program requirements. We will provide one (1) round of design revisions before proceeding to Design Development and Construction Documentation (under separate contract). This will include:
 - A. Meet with the Owner to discuss any program, site or space restrictions and regulations.

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- B. Analyze building options for the Owner including size, height, massing and location.
- C. Analyze site options for the Owner including building location, traffic patterns and pedestrian access.
- II. No Mechanical, Electrical, Plumbing, Fire Protection, Structural (M.E.P.FP.S.) design services are included during this phase.
 - 1. The Owner's civil engineer will provide a site development estimate for incorporation into the main estimate.
- III. Tria will perform an architectural code review as applicable to this project.
 - A. Tria will complete a site analysis of this site. This analysis will include preliminary Local and State code reviews of site setbacks, height restrictions and allowable square footage.
 - B. Tria will design the site to accommodate the new addition(s).
- IV. Tria will design up to two (2) schematic design space plans and building elevations for the new designs based on the Owner's program requirements. We will provide one (1) round of design revisions to finalize the schematic design.
 - A. All additional designs or design modifications requested by the Owner or Authorities Having Jurisdiction will be completed on a Time and Material basis above and beyond this proposal, including travel.
- V. The final Schematic Design will be used to create a series of 3D renderings (3-4 images) with preliminary material designations.
- VI. A Schematic Design estimate of construction cost will be provided for the final Schematic Design option.
- VII. Attendance at up to two (2) Owner design meetings is included in this phase.
 - A. Because of the undetermined length and amount of additional meetings the Owner may request, Tria will prepare any presentation materials required and attend any other meetings requested by the Owner, on a Time-and-Material basis above and beyond this proposal, including travel.

DESIGN DEVELOPMENT and CONSTRUCTION DOCUMENTATION PHASES:

- I. Not Applicable

BIDDING PHASE:

- I. Not Applicable

CONSTRUCTION OBSERVATION PHASE:

- I. Not Applicable

This proposal references and includes the AIA Document B101 (2007 edition) - Standard Form of Agreement Between Owner and Architect, Articles five, six, seven, eight (with the litigation option for section 8.2.4), nine and ten inclusive.

As discussed, our goal is not just to complete this project, but also to build a relationship with you so that we may fill any future design needs of yours. Please review this proposal and don't hesitate to contact me if you have any questions or require any additional information. **If this proposal is acceptable, please execute all of the**

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yellow highlighted areas and send the entire proposal back to our office. Tria Architecture and I look forward to your direction and working with you and your associates.

FEE SCHEDULE

BASE BID PROPOSAL: Architectural Building Documentation as described above
for a Lump Sum Fee of \$23,850.00.

2019 HOURLY RATES

(For work above and beyond our scope of services listed above):

Principal Architect	\$195.00
Associate Architect	\$165.00
Architectural Associate	\$155.00
Senior Staff Architect / Senior Interior Designer	\$145.00
Staff Architect II / Interior Designer II	\$135.00
Staff Architect I / Interior Designer I	\$125.00
Architectural Staff	\$110.00
Graphic Designer	\$110.00
Architectural Intern / Interiors Intern	\$105.00
Administrative Assistant	\$85.00

Approved by (Sign / Print): _____

Title: _____

Date: _____

Sincerely,



TRIA ARCHITECTURE, INC.

Thomas R. Szurgot, AIA, LEED AP
Principal Architect

TRS/rm

Attachments: None

File Name: MRK.PRP.082019.DarienPW.Renovation.SD.docx

TRIA ARCHITECTURE

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TERMS AND CONDITIONS

- I. If Tria Architecture, Inc. is requested to perform any onsite visits during construction, the Owner or Contractor will obtain General Liability Insurance during construction and name Tria Architecture, Inc. as additional insured.
- II. The Owner will be responsible for all material, printing and distribution costs of progress printings, presentations, office drawings and bid documents. These will be provided through Tria Architecture, Inc. as a reimbursable expense.
- III. Tria Architecture, Inc. shall not be liable or responsible for the quality of materials, equipment and fixtures used, nor the quality of workmanship on the project.
- IV. The Owner will provide proportional monthly progress payments throughout the project and final payment upon completion of Tria Architecture's services for that phase.
- V. If any payment is not paid by the Owner when due, the unpaid balance shall accrue interest at one and one-half percent (1.5%), or the maximum legal rate, per month until paid.
- VI. Tria Architecture, Inc. reserves the right to cease all services until prompt payment of all outstanding invoices. In the event any portion of an account remains unpaid 120 days after the billing, Tria Architecture, Inc. may institute collection action and the Owner shall pay all costs of collection, including reasonable attorney fees.
- VII. Payment of invoices is in no case subject to unilateral discounting, back-charges, or set-offs by the Owner, and payment is due regardless of suspension or termination of this agreement by either party. Time allotted for permit revisions are deemed inconsequential to the whole project, therefore no portion of the fee will be credited if the project does not go through the permit process.
- VIII. This proposal is valid for a period of 45 days. After that period, Tria Architecture, Inc. will provide a revised proposal for any services.
- IX. If the services covered by this proposal have not been completed within 6 months of the date hereof through no fault of Tria Architecture, Inc., the amounts of compensation, rates and multiples set forth herein shall be equitably adjusted.
- X. All designs are the property of Tria Architecture, Inc. and are not to be used for any project without the expressed written consent of Tria Architecture. The Owner will allow Tria Architecture, Inc. full access to the site and project to be photographed for use in marketing material. The Owner will provide a copy of the final approved permit set to Tria Architecture, Inc.
- XI. To the fullest extent permitted by law, and notwithstanding any other provisions of this agreement, the total liability, in the aggregate, of Tria Architecture, Inc. and Tria Architecture, Inc.'s officers, directors, partners, employees, agents, and subconsultants, and any of them, to the Owner and anyone claiming by, through or under the Owner, for any and all claims, losses, costs or damages of any nature whatsoever arising out of, resulting from or in any way related to the Project or Agreement from any cause or causes, including, but not limited to the negligence, professional errors and omissions, strict liability, breach of contract or warranty, expressed or implied, of Tria Architecture, Inc. and Tria Architecture, Inc.'s officers, directors, partners, employees, agents, and subconsultants, or any of them, shall not exceed the amount of Tria Architecture's fee received for this project.
- XII. The Architect and Owner waive consequential damages for claims, disputes or other matters in question arising out of or relating to this Agreement. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination in accordance with AIA B101 (2007 edition) - Article 9.
- XIII. Hourly rates are subject to change at the beginning of every calendar year.
- XIV. Tria Architecture, Inc. reserves the right to renegotiate the fee should changes in the scope of services occur.
- XV. All reimbursables will be forwarded with a 1.1 multiplier factor.
- XVI. All additional services will proceed only on a verbal or written "as directed" basis from the Owner.
- XVII. Tria Architecture will not be held responsible for identifying and/or investigating any existing hazardous conditions or materials on site.

(Initial) The Terms and Conditions have each been individually read and agreed upon.

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AGENDA Memo
City Council
September 3, 2019

Issue Statement

Approval of a resolution rejecting all bids, waiving the competitive bid process, and accepting a proposal from Kenny Construction Company in an amount not to exceed \$692,560 for the Seminole 72-inch Storm Sewer Lining Project - Seminole Dr. and Plainfield Rd. - under McDonald's Parking lot, east to 801 Plainfield Rd and a contingency in the amount of \$125,000 for unforeseen excavations and spot repairs due to potential conflicts. The total expenditure request would be not to exceed \$817,560.

RESOLUTION

Background/History

The FYE 20 budget includes funds to reline the existing 72-inch storm sewer under the existing driveway fronting the office complex at 809 Plainfield Road and parking lot of McDonalds at 805 Plainfield Road, see attached aerial labeled as [Attachment A](#). The existing conditions also identify blind connections from the parking lot storm sewer structures. The pipe traverses Plainfield Road and Seminole Drive.

On or about, October 25, 2017 a sink hole was identified in the southern parking lot of 801 Plainfield Road. It was determined that the sink hole was due to a storm sewer system that conveys storm water from Cass Ave, 67th Street and Clarendon Hills Road though two 72-inch pipes. The pipe route traverses through private parking lots/properties and are located within an easement.

The storm sewer infrastructure is a critical component for the conveyance of storm water from the limits described above. To date the Staff has field identified the following:

1. There are two 72-inch diameter pipes
2. The depth of the pipes is approximately 14 feet
3. The bottom of one of the two pipes is completely disintegrated
4. Documentation, including video is on file depicting deterioration of the existing pipes.
Note: Cameras were limited in televising due to the lack of inspection points/manholes and the cameras was limited to video due to deteriorated bottom of the pipe.

On August 15, 2019, 10:30 a.m., two (2) bids were received and read aloud at the City of Darien, see [Attachment B](#), labeled as Bid Tally. The bid award was based on upon a **Base** bid, which included Items 1-6, including relining of 450 lineal feet of the 72-inch culvert metal pipe.

The **Base** bid summary is as follows:

Kenny Construction Company	\$443,210.00	450 L/F 72-Inch Pipe	\$386,550.00	\$859 LF
Visu - Sewer of Illinois, LLC.	\$374,300.00	450 L/F 72-Inch Pipe	\$348,750.00	\$775 LF

Per the bid specifications, Visu – Sewer of Illinois, LLC. would be lowest responsive bidder.

The contract called out for an Option, that included Items 1-5A, including relining both 72-inch culvert metal pipes, for a total of 900 lineal feet.

Storm Sewer Lining

August 26, 2019

Page 2

The **Option** bid summary is as follows:

Kenny Construction Company	\$692,560.00	900 L/F 72-Inch Pipe	\$639,900.00	\$711 LF
Visu - Sewer of Illinois, LLC.	\$696,950.00	900 L/F 72-Inch Pipe	\$671,400.00	\$746 LF

Typically, the lowest base bid vendor would be the lowest responsive bidder for options. In this case the opposite has occurred and due to irregularities Staff is recommending rejecting all bids, waiving the competitive bid process and accepting a proposal from Kenny Construction Company.

Staff is also requesting a contingency in the amount of \$125,000 due to unforeseen excavations that may be required. While Staff is confident that the relining will be successful, there are blind connections from the parking lots storm sewer structures that may require reconstruction. Prior to the lining process, a thorough walkthrough of the pipe will be completed to identify areas of concern.

Funding for one 72-inch culvert metal relining was included in this year’s budget. Funding for the second 72 inch is included within the three-year budget and is scheduled for relining next year. Staff is requesting to complete the relining of both pipes this year due to an economy of scale, resulting in a savings of approximately \$175,000.

Funds for the storm water project would be expended from the following line item:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 19/20 BUDGET	PROPOSED FY 20/21 BUDGET	PROPOSED EXPENDITURE RE	PROPOSED BALANCE
25-35-4376	Capital - Storm Water Projects Seminole Manhole Rehabilitation	\$500,000	\$500,000	\$817,560	\$182,440

Committee Recommendation

The Municipal Services Committee recommends approval of the resolution.

Alternate Consideration

As directed by the City Council.

Decision Mode

This item will be placed on the September 3, 2019 City Council Meeting for formal consideration.

MEMO



72" STORM SEWER
WITHIN EASEMENT

SEALED BID-City of Darien Storm Sewer Lining
 OPENING DATE/TIME: August 15, 2019 10:30 a.m.
 City Hall Conference Room 1702 Plainfield Rd

2019 STORM SEWER LINING

Addendum 1						Kenny Construction Company Addendum 1		Addendum 2						Kenny Construction Company Addendum 2		
Visu-Sewer of Illinois, LLC Addendum 1								Visu-Sewer of Illinois, LLC Addendum 2								
ITEM NO	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	ITEM NO	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	
1	CURED IN PLACE PIPE - 10"	LF	20	\$ 130.00	\$ 2,600.00	\$ 615.00	\$ 12,300.00	1	CURED IN PLACE PIPE - 10"	LF	20	\$ 130.00	\$ 2,600.00	\$ 570.00	\$ 11,400.00	
2	CURED IN PLACE PIPE - 12"	LF	20	\$ 135.00	\$ 2,700.00	\$ 626.00	\$ 12,520.00	2	CURED IN PLACE PIPE - 12"	LF	20	\$ 135.00	\$ 2,700.00	\$ 580.00	\$ 11,600.00	
3	CURED IN PLACE PIPE - 18"	LF	20	\$ 175.00	\$ 3,500.00	\$ 657.00	\$ 13,140.00	3	CURED IN PLACE PIPE - 18"	LF	20	\$ 175.00	\$ 3,500.00	\$ 608.00	\$ 12,160.00	
4	CURED IN PLACE PIPE - 24"	LF	50	\$ 260.00	\$ 13,000.00	\$ 359.00	\$ 17,950.00	4	CURED IN PLACE PIPE - 24"	LF	50	\$ 260.00	\$ 13,000.00	\$ 335.00	\$ 16,750.00	
5	CURED IN PLACE PIPE - 72"	LF	450	\$ 775.00	\$ 348,750.00	\$ 859.00	\$ 386,550.00									
6	PROTRUDING ROOT REMOVA	LF	50	\$ 75.00	\$ 3,750.00	\$ 15.00	\$ 750.00	5	PROTRUDING ROOT REMOVAL	LF	50	\$ 75.00	\$ 3,750.00	\$ 15.00	\$ 750.00	
								5A	OPTION CURED IN PLACE PIPE - 72"	LF	900	\$ 746.00	\$ 671,400.00	\$ 711.00	\$ 639,900.00	
TOTAL								TOTAL								
					TOTAL LINES	\$	374,300.00						TOTAL LINES	\$	696,950.00	
															\$	692,560.00



RESOLUTION NO. _____

A RESOLUTION REJECTING ALL BIDS, WAIVING THE COMPETITIVE BID PROCESS, AND ACCEPTING A PROPOSAL FROM KENNY CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED \$692,560 FOR THE SEMINOLE 72-INCH STORM SEWER LINING PROJECT - SEMINOLE DR. AND PLAINFIELD RD. - UNDER MCDONALD’S PARKING LOT, EAST TO 801 PLAINFIELD RD AND A CONTINGENCY IN THE AMOUNT OF \$125,000 FOR UNFORESEEN EXCAVATIONS AND SPOT REPAIRS DUE TO POTENTIAL CONFLICTS. THE TOTAL EXPENDITURE REQUEST WOULD BE NOT TO EXCEED \$817,560.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: The City Council hereby rejects all bids previously submitted in connection with the Seminole Drive/Plainfield Road sewer lining project.

SECTION 2: The City Council hereby waives the competitive bid process and accepts a proposal from Kenny Construction Company in an amount not to exceed \$692,560 for the Seminole 72-inch Storm Sewer Lining Project - Seminole Dr. and Plainfield Rd. - under McDonald’s Parking lot, east to 801 Plainfield Rd and a contingency in the amount of \$125,000 for unforeseen excavations and spot repairs due to potential conflicts. The total expenditure request would be not to exceed \$817,560, attached hereto as “[Exhibit A](#)”.

SECTION 3: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September 2019.

AYES: _____

NAYS: _____

ABSENT: _____

RESOLUTION NO. _____

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, this 3rd day of September 2019.**

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



SECTION III

BIDDER SUMMARY SHEET

2019 CITY OF DARIEN STORM SEWER LINING

Firm Name: Kenny Construction Company DBA Granite Inliner

Address: 2215 Sanders Road, Suite 400

City, State, Zip Code: Northbrook, IL 60062

Contact Person: Pat Szyska

FEIN #: 36-2046200

Phone: (847) 919-8200

Fax: (847) 272-5421

Mobile: (312) 860-0224

E-mail Address: pat.szyska@gcinc.com

RECEIPT OF ADDENDA: The receipt of the following addenda is hereby acknowledged:

Addendum No. 1, Dated 8/5/19

Addendum No. 2, Dated 8/6/19

**ADDENDUM 1-REVISED SUMMARY SHEET
PAGE 23-A (1 OF 2)**

**ADDENDUM 1
Summary Schedule of Cost for the
2019 City Of Darien Storm Sewer Lining**

All bids shall be sealed and returned prior to the bid opening at 10:30 a.m. on Thursday,
August 15, 2019 at the City of Darien, 1702 Plainfield Road, Darien, Illinois, 60561.

ITEM NO	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED PRICE
1	CURED IN PLACE PIPE - 10"	LF	20	\$ 615.00	\$ 12,300.00
2	CURED IN PLACE PIPE - 12"	LF	20	\$ 626.00	\$ 12,520.00
3	CURED IN PLACE PIPE - 18"	LF	20	\$ 657.00	\$ 13,140.00
4	CURED IN PLACE PIPE - 24"	LF	50	\$ 359.00	\$ 17,950.00
5	CURED IN PLACE PIPE - 72"	LF	450	\$ 859.00	\$ 386,550.00
6	PROTRUDING ROOT REMOVAL	LF	50	\$ 15.00	\$ 750.00
	*TOTAL		TOTAL LINES 1-6		\$ 443,210.00

***AWARD OF CONTRACT IS BASED ON TOTALS OF 1-6.**

Company Name: Kenny Construction Company

END OF SPECIFICATION

Firm Name: Kenny Construction Company

Signature of Authorized Representative:  James D. Nickerson

Title: Vice President Date: 8-14-19

ACCEPTANCE: This proposal is valid for 60 calendar days from the date of submittal.

ADD THIS PAGE

**ADDENDUM 2-REVISED SUMMARY SHEET
PAGE 23-B-1 (2OF 2)**

**ADDENDUM 2
OPTION 1-Summary Schedule of Cost for the
2019 City Of Darien Storm Sewer Lining**

All bids shall be sealed and returned prior to the bid opening at 10:30 a.m. on Thursday, August 15, 2019 at the City of Darien, 1702 Plainfield Road, Darien, Illinois, 60561.

ITEM NO	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED PRICE
1	CURED IN PLACE PIPE - 10"	LF	20	\$ 570.00	\$ 11,400.00
2	CURED IN PLACE PIPE - 12"	LF	20	\$ 580.00	\$ 11,600.00
3	CURED IN PLACE PIPE - 18"	LF	20	\$ 608.00	\$ 12,160.00
4	CURED IN PLACE PIPE - 24"	LF	50	\$ 335.00	\$ 16,750.00
5	PROTRUDING ROOT REMOVAL	LF	50	\$ 15.00	\$ 750.00
5-A	OPTION CURED IN PLACE PIPE - 72"	LF	900	\$ 711.00	\$ 639,900.00
	TOTAL		TOTAL LINES 1-5A		\$ 692,560.00

Company Name: Kenny Construction Company DBA Granite Inliner

END OF SPECIFICATION

Firm Name: Kenny Construction Company DBA Granite Inliner

Signature of Authorized Representative:  James D. Nickerson

Title: Vice President Date: 8-14-19

ACCEPTANCE: This proposal is valid for 60 calendar days from the date of submittal.

CITY OF DARIEN

CONTRACT

This Contract is made this _____ day of _____, 20__ by and between the City of Darien (hereinafter referred to as the "CITY") and _____ (hereinafter referred to as the "CONTRACTOR").

WITNESSETH

In consideration of the promises and covenants made herein by the CITY and the CONTRACTOR (hereinafter referred to collectively as the "PARTIES"), the PARTIES agree as follows:

SECTION 1: THE CONTRACT DOCUMENTS: This Contract shall include the following documents (hereinafter referred to as the "CONTRACT DOCUMENTS") however this Contract takes precedence and controls over any contrary provision in any of the CONTRACT DOCUMENTS. The Contract, including the CONTRACT DOCUMENTS, expresses the entire agreement between the PARTIES and where it modifies, adds to or deletes provisions in other CONTRACT DOCUMENTS; the Contract's provisions shall prevail. Provisions in the CONTRACT DOCUMENTS unmodified by this Contract shall be in full force and effect in their unaltered condition.

- The Invitation to Bid
- The Instructions to the Bidders
- This Contract
- The Terms and Conditions
- The Bid as it is responsive to the CITY'S bid requirements
- All Certifications required by the City
- Certificates of insurance
- Performance and Payment Bonds as may be required by the CITY

SECTION 2: SCOPE OF THE WORK AND PAYMENT: The CONTRACTOR agrees to provide labor, equipment and materials necessary to provide the services as described in the CONTRACT DOCUMENTS and further described below:

Lump sum pricing for the 2019 Storm Sewer Lining. (Hereinafter referred to as the "WORK") and the CITY agrees to pay the CONTRACTOR pursuant to the provisions of the Local Government Prompt Payment Act (50 ILCS 505/1 *et seq.*) the following amount for performance of the described unit prices.

SECTION 3: ASSIGNMENT: CONTRACTOR shall not assign the duties and obligations involved in the performance of the WORK which is the subject matter of this Contract without the written consent of the CITY.

SECTION 4: TERM OF THE CONTRACT: This Contract shall commence on the date of its execution. The WORK shall commence upon receipt of a Notice to Proceed and continue for the period specified. This Contract shall terminate upon completion of the WORK, but may be terminated by either of the PARTIES for default upon failure to cure after ten (10) days prior written notice of said default from the aggrieved PARTY. The CITY, for its convenience, may terminate this Contract with thirty (30) days prior written notice.

SECTION 5: INDEMNIFICATION AND INSURANCE: The CONTRACTOR shall indemnify and hold harmless the CITY, its officials, officers, directors, agents, employees and representatives and assigns, from lawsuits, actions, costs (including attorneys' fees), claims or liability of any character, incurred due to the alleged negligence of the CONTRACTOR, brought because of any injuries or damages received or sustained by any person, persons or property on account of any act or omission, neglect or misconduct of said CONTRACTOR, its officers, agents and/or employees arising out of, or in performance of any of the provisions of the CONTRACT DOCUMENTS, including any claims or amounts recovered for any infringements of patent, trademark or copyright; or from any claims or amounts arising or recovered under the "Worker's Compensation Act" or any other law, ordinance, order or decree. In connection with any such claims, lawsuits, actions or liabilities, the CITY, its officials, officers, directors, agents, employees, representatives and their assigns shall have the right to defense counsel of their choice. The CONTRACTOR shall be solely liable for all costs of such defense and for all expenses, fees, judgments, settlements and all other costs arising out of such claims, lawsuits, actions or liabilities. The Contractor shall not make any settlement or compromise of a lawsuit or claim, or fail to pursue any available avenue of appeal of any adverse judgment, without the approval of the City and any other indemnified party. The City

or any other indemnified party, in its or their sole discretion, shall have the option of being represented by its or their own counsel. If this option is exercised, then the Contractor shall promptly reimburse the City or other indemnified party, upon written demand, for any expenses, including but not limited to court costs, reasonable attorneys' and witnesses' fees and other expenses of litigation incurred by the City or other indemnified party in connection therewith. Execution of this Contract by the CITY is contingent upon receipt of Insurance Certificates provided by the CONTRACTOR in compliance with the CONTRACT DOCUMENTS.

SECTION 6: COMPLIANCE WITH LAWS: The bidder shall at all times observe and comply with all laws, ordinances and regulations of the federal, state, local and City governments, which may in any manner affect the preparation of bids or the performance of the Contract. Bidder hereby agrees that it will comply with all requirements of the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., including the provision dealing with sexual harassment and that if awarded the Contract will not engage in any prohibited form of discrimination in employment as defined in that Act and will require that its subcontractors agree to the same restrictions. The contractor shall maintain, and require that its subcontractors maintain, policies of equal employment opportunity which shall prohibit discrimination against any employee or applicant for employment on the basis of race, religion, color, sex, national origin, ancestry, citizenship status, age, marital status, physical or mental disability unrelated to the individual's ability to perform the essential functions of the job, association with a person with a disability, or unfavorable discharge from military service. Contractors and all subcontractors shall comply with all requirements of the Act and of the Rules of the Illinois Department of Human Rights

with regard to posting information on employees' rights under the Act. Contractors and all subcontractors shall place appropriate statements identifying their companies as equal opportunity employers in all advertisements for workers to be employed in work to be performed. Not less than the Prevailing Rate of Wages as found by the City of Darien or the Department of Labor shall be paid to laborers, workmen, and mechanics performing work under the Contract. If awarded the Contract, contractor must comply with all provisions of the Illinois Prevailing Wage Act, including, but not limited to, providing certified payroll records to the Municipal Services Department. Contractor and subcontractors shall be required to comply with all applicable federal laws, state laws and regulations regarding minimum wages, limit on payment to minors, minimum fair wage standards for minors, payment of wage due employees, and health and safety of employees. Contractor and subcontractor are required to pay employees all rightful salaries, medical benefits, pension and social security benefits pursuant to applicable labor agreements and federal and state statutes and to further require withholdings and deposits therefore. The CONTRACTOR shall obtain all necessary local and state licenses and/or permits that may be required for performance of the WORK and provide those licenses to the CITY prior to commencement of the WORK if applicable.

SECTION 7: NOTICE: Where notice is required by the CONTRACT DOCUMENTS

it shall be considered received if it is delivered in person, sent by registered United States mail, return receipt requested, delivered by messenger or mail service with a signed receipt, sent by facsimile or e-mail with an acknowledgment of receipt, to the following:

City of Darien
1702 Plainfield Road
Darien, IL 60561
Attn: Director of Municipal Services

SECTION 8: STANDARD OF SERVICE: Services shall be rendered to the highest professional standards to meet or exceed those standards met by others providing the same or similar services in the Chicago land area. Sufficient competent personnel shall be provided who with supervision shall complete the services required within the time allowed for performance. The CONTRACTOR'S personnel shall, at all times present a neat appearance and shall be trained to handle all contact with City residents or City employees in a respectful manner. At the request of the Director of Municipal Services or a designee, the CONTRACTOR shall replace any incompetent, abusive or disorderly person in its employ.

SECTION 9: PAYMENTS TO OTHER PARTIES: The CONTRACTOR shall not obligate the CITY to make payments to third parties or make promises or representations to third parties on behalf of the CITY without prior written approval of the City Administrator or a designee.

SECTION 10: COMPLIANCE: CONTRACTOR shall comply with all of the requirements of the Contract Documents, including, but not limited to, the Illinois Prevailing Wage Act where applicable and all other applicable local, state and federal statutes, ordinances, codes, rules and regulations.

SECTION 11: LAW AND VENUE: The laws of the State of Illinois shall govern this Contract and venue for legal disputes shall be DuPage County, Illinois.

SECTION 12: MODIFICATION: This Contract may be modified only by a written amendment signed by both PARTIES.

FOR: THE CITY

FOR: THE CONTRACTOR

By: _____

By:  _____

Print Name: _____

Print Name: James D. Nickerson

Title: Mayor

Title: Uico President

Date: _____

Date: 8-14-19

BUSINESS ORGANIZATION:

_____ Sole Proprietor: An individual whose signature is affixed to this bid.

_____ Partnership: Attach sheet and state full names, titles and address of all responsible principals and/or partners.

X Corporation: State of incorporation: Illinois

Provide a disclosure of all officers and principals by name and business address, date of incorporation and indicate if the corporation is authorized to do business in Illinois. In submitting this bid, it is understood that the City of Darien reserves the right to reject any or all bids, to accept an alternate bid, and to waive any informalities in any bid. In compliance with your Invitation to Bid, and subject to all conditions thereof, the undersigned offers and agrees, if this bid is accepted, to furnish the services as outlined.

Kenny Construction Company DBA Granite Inliner (Corporate Seal)

Business Name


Signature

James D. Nickerson
Print or type name

Vice President
Title

8/14/19
Date

CERTIFICATION OF ELIGIBILITY TO ENTER INTO PUBLIC CONTRACTS

IMPORTANT: THIS CERTIFICATION MUST BE EXECUTED.

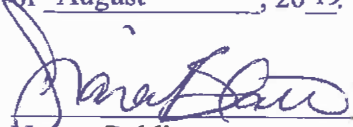
I, James D. Nickerson, being first duly sworn certify
and say that I am Vice President
(insert "sole City of Darien," "partner," "president," or other proper title) of
Kenny Construction Company DBA Granite Inliner, the Prime Contractor
submitting this proposal, and that the Prime Contractor is not barred from contracting with any unit
of state or local government as a result of a violation of either Section 33E-3, or 33E-4 of the
Illinois Criminal Code, or of any similar offense of "bid-rigging" or "bid-rotating" of any state or of
the United States.



Signature of Person Making Certification

Subscribed and Sworn To
Before Me This 14 Day

of August, 2019



Notary Public



SEXUAL HARASSMENT POLICY

Please be advised that pursuant to Public Act 87-1257, effective July 1, 1993, 775 ILCS 5/2-105 (A) has been amended to provide that every party to a public contract must: "Have written sexual harassment policies that shall include, at a minimum, the following information: (I) the illegality of sexual harassment; (II) the definition of sexual harassment under State law; (III) a description of sexual harassment, utilizing examples; (IV) the contractor's internal complaint process including penalties; (V) the legal recourse, investigative and complaint process available through the Department (of Human Rights) and the Commission (Human Rights Commission); (VI) directions on how to contact the Department and Commission; and (VII) protection against retaliation as provided by Section 6-101 of the Act. (Illinois Human Rights Act). (emphasis added) Pursuant to 775 ILCS 5/1-103 (M) (2002), a "public contract" includes: ...every contract to which the State, any of its political subdivisions or any municipal corporation is a party."

I, James D. Nickerson , having submitted a bid for Kenny Construction Company DBA Granite Inliner

(Name of Contractor) for storm sewer relining (General Description of Work Bid on) to the City of Darien, hereby certifies that said contractor has a written sexual harassment policy in place in full compliance with 775 ILCS 5/2-105 (A) (4).

By: [Signature]
Authorized Agent of Contractor

Subscribed and Sworn To
Before Me This 14 Day

of August , 2019.
[Signature]
Notary Public



VENDOR INFORMATION

The Contract shall begin on September 4, 2019 and be in effect until November 30, 2019.

TO BE COMPLETED BY VENDOR

COMPANY NAME: Kenny Construction Company DBA Granite Inliner

CONTACT PERSON: Pat Szyska

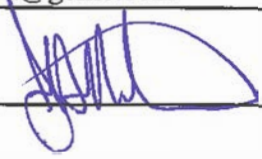
ADDRESS: 2215 Sanders Road, Suite 400

CITY, STATE, ZIP CODE: Northbrook, IL 60062

TELEPHONE NUMBER: Office 847-919-8200 Mobile 312-860-0224

FACSIMILE NUMBER: 847-272-5421

E-MAIL ADDRESS pat.szyska@gcinc.com

AUTHORIZED SIGNATURE:  / James D. Nickerson Vice President

ITEM 5-CONTRACT COMPLETION

Page 5 currently states the following:

4.0 Contract Completion Date and Interim Completion Dates

The Contractor shall execute the contract within 60 working days after contract award. The Contractor shall start the work to be performed under the contract not later than 30 calendar days after the execution of the contract by the Government Agency.

The Contractor shall complete all work under this Contract on or before, but no later than, November 30, 2019

Response:

REVISION-QUANTITY-HIGHLIGHTED

Page 4 has been revised to the following:

4.0 Contract Completion Date and Interim Completion Dates

4.0 Contract Completion Date and Interim Completion Dates

The Contractor shall execute the contract within ~~60~~ **170** working days after contract award. The Contractor shall start the work to be performed under the contract ~~not later than 30 calendar days after the execution of the contract by the Government Agency.~~ The Contractor shall start the work to be performed under the contract not later than March 1, 2020.

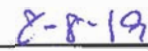
The Contractor shall complete all work under this Contract on or before, but no later than, ~~November 30, 2019~~ **April 24, 2020**.

The following sheets labeled as Addendum 1-Pages **A-C** must be returned with the bid package signed and dated below:

I hereby am in receipt of the Addendum 1.



Signature

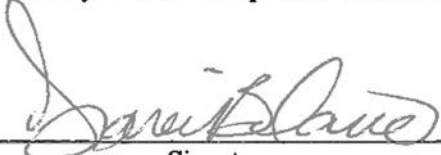


Dated

Kenny Construction Company DBA Granite Inliner
Company Name

The following sheets labeled as Addendum 2-Page 23B-1 Addendum 2 must be returned with the bid package signed and dated below:

I hereby am in receipt of the Addendum 2.



Signature

8/12/19

Dated

Kenny Construction Company DBA Granite Inliner
Company Name

AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

Approval of a resolution awarding a contract extension to Homer Tree Care, Inc in an amount not to exceed \$216,750.00, for the City's 2019/2020 Tree Trimming and Removal Program.

RESOLUTION

BACKGROUND/HISTORY

The proposed contract is the second of two contract extensions. The Tree Trimming and Removal Contract was awarded to Homer Tree Care on August 7, 2017, Res. No R-86-17 with two optional annual contract extensions. Homer Tree Care, Inc. has acknowledged the extension and accepts the extension as presented.

Program 1-City Tree Trimming-This year's tree trimming program consists of trimming approximately 1,750 parkway trees, approximately 65-(1500 Diameter By Height-DBH), tree removals and stump grinding. Below are the subdivisions to be trimmed:

- The Woodlands of Darien
- Clarefield
- Marion Hills South
- Farmingdale Terrace
- Farmingdale Terrace West
- Portsmouth
- Violet's Farm
- Farmingdale Heights
- Marion Hills North
- Brookdale
- Farmingdale Terrace South
- High Point Circle
- Brookhaven #1
- Reflections of Hidden Lakes

Program 2-Conservation Area-East of Home Depot-South of Steak and Shake-Removal of Dead-Diseased and Evasive Species-see attached aerial labeled as [Attachment A](#). The parcel is owned and controlled by the City of Darien and referred to as a Conservation Area. The area serves as a natural buffer between the residents adjacent to Wilton Drive and the existing Home Depot within the Darien Towne Center. The area requires safety removals of dead, diseased and evasive tree species. The area will also be trimmed for safety trimming.

Program 3-Emerald Ash Trees/Limb Removals

The program consists of residual Ash trees that may require removal and or safety trimming. While the majority of the Ash Trees continue to thrive from the EAB Treatment program, there are a minimal amount of trees that may require removal due to growth and aesthetics. In some instances, trimming is required due to a limb not surviving thereby causing a hazard.

Program 4-Private Property Program-This year's program also includes contract pricing for the *Private Property Tree Trimming Program* to all the residents. The program would allow residents to have their private property trees trimmed or removed and stump grinding at the resident's expense. The trimming will include removal of perished, diseased, interfering, and weak branches, as well as removal of under branches as requested. The bid included unit prices for Private Property Tree Trimming that would be paid for directly by the residents. The bid price for the Private Property tree trimming is \$250.00 per tree in the front yard and \$375.00 per tree in the back yard. The contract also includes unit pricing for private property tree removal, and stump grinding and emergency services. The contract begins on December 2, 2019 through November 30, 2020.

Private Property Tree Trimming

Tree Trimming – Front Yard	Each	\$ 250.00
Tree Trimming – Back Yard	Each	\$ 375.00
Tree Removal per DBH (Front)	Per Inch	\$ 35.00
Tree Removal per DBH (Back)	Per Inch	\$ 50.00
Stump Grinding – Front	Each	\$ 150.00
Stump Grinding – Back	Each	\$ 200.00

Please find labeled as [Attachment B](#), the bid results that were opened on July 17, 2017. The proposed contract is the second contract extension for 2019-20 and Homer has agreed to accept the extension, see [Attachment C](#).

2019-2020 CITY OF DARIEN TREE REMOVAL SCHEDULE				
DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	COST
Tree Trimming	Each	1,750	\$ 52.00	\$ 91,000.00
Tree Removal per DBH	Per Inch	1,500	\$ 26.25	\$ 39,375.00
Stump Removal	Each	120	\$ 94.50	\$ 11,340.00
Emergency – Storm/Hazards	Hourly	TBD	\$ 200.00	\$ 15,000.00
Emerald Ash Trees/Limb Removals	Each	TBD	\$52.00 Trimming \$26.25 Removal \$94.50 Stump Removal	\$ 25,000.00
Conservation Area- East of Home Depot South of Steak & Shake	Hourly	175	\$200.00 No Stump Grinding	\$ 35,000.00
TOTAL PROPOSED COST				\$ 216,715.00

The proposed expenditure would be expended from the following accounts:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 19/20 BUDGET	EXPENDITURE TO DATE	PROPOSED EXPENDITURE
01-30-4375	TREE TRIMMING	\$221,715.00	\$1,000.00	\$216,750.00

COMMITTEE RECOMMENDATION

Municipal Services Committee recommends approval of a resolution awarding a contract extension to Homer Tree Care, Inc. an amount not to exceed \$216,750.00 for the City's 2019/2020 Tree Trimming and Removal Program. Homer Tree Care has provided very satisfactory tree care services for the City in the past.

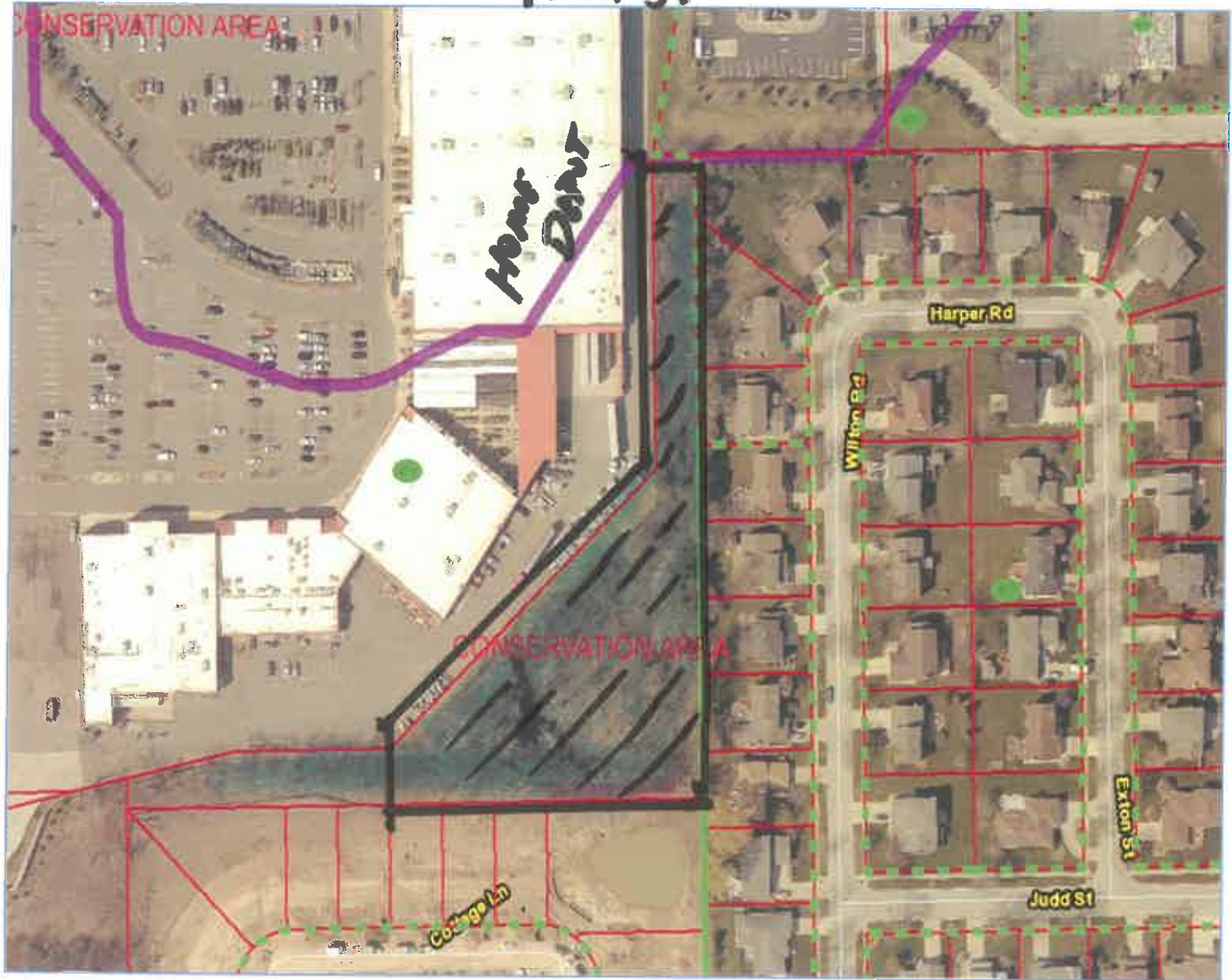
ALTERNATE DECISION

Not approving the contract extension.

DECISION MODE

This item will be placed on the September 3, 2019 City Council agenda for formal consideration.

75th St
N →



SEALED BID-TREE TRIMMING PROGRAM
 OPENING DATE/TIME: July 17, 2017 10:00 a.m.

City of Darien Parkway		Homer Tree Care, Inc						
Fiscal Year			2017/2018		2018/2019		2019/2020	
DESCRIPTION	UNIT	PROPOSED UNITS	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST
Tree Trimming	Each	1,750	\$ 49.50	\$ 86,625.00	\$ 52.00	\$ 91,000.00	\$ 52.00	\$ 91,000.00
Tree Removal per DBH	Per Inch	100	\$ 25.00	\$ 2,500.00	\$ 26.25	\$ 2,625.00	\$ 26.25	\$ 2,625.00
Misc Stump Removal	Each	20	\$ 90.00	\$ 1,800.00	\$ 94.50	\$ 1,890.00	\$ 94.50	\$ 1,890.00
Subtotal - Section A			\$ 164.50	\$ 90,925.00	\$ 172.75	\$ 95,515.00	\$ 172.75	\$ 95,515.00
DESCRIPTION	UNIT	PROPOSED UNITS	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST
Tree Trimming-Front Yard	Each	1	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Tree Trimming-Back Yard	Each	1	\$ 375.00	\$ 375.00	\$ 375.00	\$ 375.00	\$ 375.00	\$ 375.00
Tree Removal per DBH (Front)	Per Inch	1	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Tree Removal per DBH (Back)	Per Inch	1	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00
Stump Grinding-Front	Each	1	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00
Stump Grinding-Back	Each	1	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00
Subtotal - Section B			#####	\$ 1,060.00	\$ 1,060.00	\$ 1,060.00	#####	\$ 1,060.00
Emergency Services		40	\$ 200.00	\$ 8,000.00	\$ 200.00	\$ 8,000.00	\$ 200.00	\$ 8,000.00
TOTAL - SECTIONS A, B & C				\$ 99,985.00		\$ 104,575.00		\$ 104,575.00

MEMO

Regina Kokkinis

From: Ryan Countryman <RyanCountryman@homertree.com>
Sent: Friday, August 2, 2019 8:54 AM
To: Regina Kokkinis
Cc: Dan Gombac
Subject: RE: City of Darien 2019-20 tree trimming

We are in agreement!

Thank you,

Ryan P. Countryman
Board Certified Master Arborist IL 5140B
Certified Treecare Safety Professional 1093
Tree Risk Assessment Qualified
Homer Tree Care
Residential/Municipal Division
14000 S. Archer Ave.
Lockport, IL 60441
Main Office 815-838-0320
Fax 815-838-0375

RyanCountryman@homertree.com



Homer

TREE CARE, INC.

Professional. Knowledgeable. Caring

From: Regina Kokkinis [mailto:rkokkinis@darienil.gov]
Sent: Friday, August 2, 2019 8:39 AM
To: Ryan Countryman <RyanCountryman@homertree.com>
Cc: Dan Gombac <dgombac@darienil.gov>
Subject: City of Darien 2019-20 tree trimming

Good Morning,

Attached, please see the pricing schedule for 2019-20 as it relates to the subject line.

The City would like to extend the contract per the proposed pricing schedule.
Please confirm that you are in agreement.

Thank you,

Regina Kokkinis

Administrative Assistant

Municipal Services

City of Darien

630-353-8105

To receive important information from the City of Darien sign up for our electronic newsletter:

DARIEN DIRECT CONNECT

Follow the link and subscribing is simple!

<http://www.darien.il.us/Reference-Desk/DirectConnect.aspx>



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE AWARDING A CONTRACT EXTENSION TO HOMER TREE CARE, INC IN AN AMOUNT NOT TO EXCEED \$216,750.00 FOR THE CITY’S 2019/2020 TREE TRIMMING AND REMOVAL PROGRAM

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The City Council of the City of Darien, hereby authorizes the Mayor to award a contract extension to Homer Tree Care, Inc. in an amount not to exceed \$216,750.00 for the City’s 2019/2020 Tree Trimming and Removal Program, a copy of which is attached hereto as, “[Exhibit A.](#)”

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

CITY OF DARIEN

CONTRACT

This Contract is made this _____ day of _____, 20__ by and between the City of Darien (hereinafter referred to as the "CITY") and _____ (hereinafter referred to as the "CONTRACTOR").

WITNESSETH

In consideration of the promises and covenants made herein by the CITY and the CONTRACTOR (hereinafter referred to collectively as the "PARTIES"), the PARTIES agree as follows:

SECTION 1: THE CONTRACT DOCUMENTS: This Contract shall include the following documents (hereinafter referred to as the "CONTRACT DOCUMENTS") however this Contract takes precedence and controls over any contrary provision in any of the CONTRACT DOCUMENTS. The Contract, including the CONTRACT DOCUMENTS, expresses the entire agreement between the PARTIES and where it modifies, adds to or deletes provisions in other CONTRACT DOCUMENTS; the Contract's provisions shall prevail. Provisions in the CONTRACT DOCUMENTS unmodified by this Contract shall be in full force and effect in their unaltered condition.

The Invitation to Bid

The Instructions to the Bidders

This Contract

The Terms and Conditions

The Bid as it is responsive to the CITY'S bid requirements

All Certifications required by the City

Certificates of insurance

Performance and Payment Bonds as may be required by the CITY

SECTION 2: SCOPE OF THE WORK AND PAYMENT: The CONTRACTOR agrees to provide labor, equipment and materials necessary to provide the services as described in the CONTRACT DOCUMENTS and further described below:

Unit Pricing for Tree Trimming, Removals and Stump Grinding within the City of Darien and Tree Trimming, Removals and Stump Grinding for Private Properties

(Hereinafter referred to as the "WORK") and the CITY agrees to pay the CONTRACTOR pursuant to the provisions of the Local Government Prompt Payment Act (50 ILCS 505/1 *et seq.*) the following amount for performance of the described unit prices.

SECTION 3: ASSIGNMENT: CONTRACTOR shall not assign the duties and obligations involved in the performance of the WORK which is the subject matter of this Contract without the written consent of the CITY.

SECTION 4: TERM OF THE CONTRACT: This Contract shall commence on the date of its execution. The WORK shall commence upon receipt of a Notice to Proceed and continue expeditiously for 30 days from that date until final completion. This Contract shall terminate upon completion of the WORK, but may be terminated by either of the PARTIES for default upon failure to cure after ten (10) days prior written notice of said default from the aggrieved PARTY. The CITY, for its convenience, may terminate this Contract with thirty (30) days prior written notice.

SECTION 5: INDEMNIFICATION AND INSURANCE: The CONTRACTOR shall indemnify and hold harmless the CITY, PARK DISTRICT, its officials, officers, directors, agents, employees and representatives and assigns, from lawsuits, actions, costs (including attorneys' fees), claims or liability of any character, incurred due to the alleged negligence of the CONTRACTOR, brought because of any injuries or damages received or sustained by any person, persons or property on account of any act or omission, neglect or misconduct of said CONTRACTOR, its officers, agents and/or employees arising out of, or in performance of any of the provisions of the CONTRACT DOCUMENTS, including any claims or amounts

recovered for any infringements of patent, trademark or copyright; or from any claims or amounts arising or recovered under the "Worker's Compensation Act" or any other law, ordinance, order or decree. In connection with any such claims, lawsuits, actions or liabilities, the CITY, its officials, officers, directors, agents, employees, representatives and their assigns shall have the right to defense counsel of their choice. The CONTRACTOR shall be solely liable for all costs of such defense and for all expenses, fees, judgments, settlements and all other costs arising out of such claims, lawsuits, actions or liabilities. The Contractor shall not make any settlement or compromise of a lawsuit or claim, or fail to pursue any available avenue of appeal of any adverse judgment, without the approval of the City and any other indemnified party. The City or any other indemnified party, in its or their sole discretion, shall have the option of being represented by its or their own counsel. If this option is exercised, then the Contractor shall promptly reimburse the City or other indemnified party, upon written demand, for any expenses, including but not limited to court costs, reasonable attorneys' and witnesses' fees and other expenses of litigation incurred by the City or other indemnified party in connection therewith. Execution of this Contract by the CITY is contingent upon receipt of Insurance Certificates provided by the CONTRACTOR in compliance with the CONTRACT DOCUMENTS.

SECTION 6: COMPLIANCE WITH LAWS: The bidder shall at all times observe and comply with all laws, ordinances and regulations of the federal, state, local and City governments, which may in any manner affect the preparation of bids or the performance of the Contract. Bidder hereby agrees that it will comply with all requirements of the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., including the provision dealing with sexual harassment and that if awarded the Contract will not engage in any prohibited form of discrimination in employment as defined in that Act and will require that its subcontractors agree to the same restrictions. The contractor shall maintain, and require that its subcontractors maintain, policies of equal employment opportunity which shall prohibit discrimination against any employee or applicant for employment on the basis of race, religion, color, sex, national origin, ancestry, citizenship status, age, marital status, physical or mental disability unrelated to the individual's ability to perform the essential functions of the job, association with a person with a disability, or unfavorable discharge from military service. Contractors and all subcontractors shall comply with all requirements of the Act and of the Rules of the Illinois Department of Human Rights with regard to posting information on employees' rights under the Act. Contractors and all subcontractors shall place appropriate statements identifying their companies as equal opportunity employers in all advertisements for workers to be employed in work to be performed. If awarded the Contract, contractor must comply with all provisions including, but not limited to, providing certified payroll records to the Municipal Services Department. Contractor and subcontractors shall be required to comply with all applicable federal laws, state laws and regulations regarding minimum wages, limit on payment to minors, minimum fair wage standards for minors, payment of wage due employees, and health and safety of employees. Contractor and subcontractor are required to pay employees all rightful salaries, medical benefits, pension and social security benefits pursuant to applicable labor agreements and federal and state statutes and to further require withholdings and deposits therefore. The CONTRACTOR shall obtain all necessary local and state licenses and/or permits that may be required for performance of the WORK and provide those licenses to the CITY prior to commencement of the WORK if applicable.

SECTION 7: NOTICE: Where notice is required by the CONTRACT DOCUMENTS it shall be considered received if it is delivered in person, sent by registered United States mail, return receipt requested, delivered by messenger or mail service with a signed receipt, sent by facsimile or e-mail with an acknowledgment of receipt, to the following:

City of Darien
1702 Plainfield Road
Darien, IL 60561
Attn: Director of Municipal Services

SECTION 8: STANDARD OF SERVICE: Services shall be rendered to the highest professional standards to meet or exceed those standards met by others providing the same or similar services in the Chicagoland area. Sufficient competent personnel shall be provided who with supervision shall complete the services required within the time allowed for performance. The CONTRACTOR'S personnel shall, at all times present a neat appearance and shall be trained to handle all contact with City residents or City employees in a respectful manner. At the request of the City Administrator or a designee, the CONTRACTOR shall replace any incompetent, abusive or disorderly person in its employ.

SECTION 9: PAYMENTS TO OTHER PARTIES: The CONTRACTOR shall not obligate the CITY to make payments to third parties or make promises or representations to third parties on behalf of the CITY without prior written approval of the City Administrator or a designee.

SECTION 10: COMPLIANCE: CONTRACTOR shall comply with all of the requirements of the Contract Documents, including, but not limited to, all other applicable local, state and federal statutes, ordinances, codes, rules and regulations.

SECTION 11: LAW AND VENUE: The laws of the State of Illinois shall govern this Contract and venue for legal disputes shall be DuPage County, Illinois.

SECTION 12: MODIFICATION: This Contract may be modified only by a written amendment signed by both PARTIES.

FOR: THE CITY

FOR: THE CONTRACTOR

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: Mayor

Title: _____

Date: _____

Date: _____

Vendor Information

The project is scheduled for a December 1, 2017 start date, and to be completed by no later than March 1, 2018. Two optional contract extensions may be considered and will be reviewed for recommendation by November of the respective subsequent year.

TO BE COMPLETED BY VENDOR

COMPANY NAME: Homer Tree Care Inc.

CONTACT PERSON: James Reiter

ADDRESS: 14000 S. Archer Ave

CITY, STATE, ZIP CODE: Lockport, IL 60441

TELEPHONE NUMBER: Office 815-838-0320 Mobile 815-546-7486

FACSIMILE NUMBER: 815-838-0375

E-MAIL ADDRESS JimReiter@homertree.com

AUTHORIZED SIGNATURE: 

Schedule of Prices – 2019/20

Item No.	Items	Unit	Quantity	Unit Price	Total
A	City of Darien Program				
A 1	Tree Trimming-Parkways	Each	1750	52.00	91,000.00
A 2	Tree Removal cost per DBH	Per Inch	100	26.25	2,625.00
A 3	Stump Removal	Each	20	94.50	1,890.00
	Sub-Total A1 – A3				
B	Private Property Program				
B 1	Tree Trimming - Front Yard	Each	1	250.00	250.00
B 2	Tree Trimming - Back Yard	Each	1	375.00	375.00
B 3	Tree Removal cost per DBH - Front yard	Per Inch	1	35.00	35.00
B 4	Tree Removal cost per DBH - Back yard	Per Inch	1	50.00	50.00
B 5	Stump Grinding – Front Yard	Each	1	150.00	150.00
B 6	Stump Grinding – Back Yard	Each	1	200.00	200.00
	Sub-Total B1 – B6				
C	Emergency Services				
C 1	2 man crew with operating equipment, bucket truck and 15 cubic yard capacity truck with a 100 hp brush chipper	Hourly	40	200	8,000.00
	Sub-Total C1				
	Total Cost Sections A, B and C				
	Bid Bond is 5% of Total Costs- Sections A,B and C				\$104,575.00

The contract will be awarded on a Total Cost – All quantities are subject to decrease or increase.

TOTAL COST SUMMARY

SUMMARY COSTS	2017/2018	2018/2019	2019/2020
Total Cost of A, B & C	\$99,985.00	\$104,575.00	\$104,575

The contract will be awarded on a total sum of A B and C.

Firm Name: Homer Tree Care Inc.

Signature of Authorized Representative: _____

Title: Chief Operation Officer

Date: 7/16/2017

ACCEPTANCE: This proposal is valid for 150 calendar days from the date of submittal.

AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

Approval of a resolution authorizing the mayor to accept a proposal from Core & Main for the purchase of the following commercial water meters and remote readers in an amount not to exceed \$250,162.40.

- 85 - 1 ½ inch
- 75 - 2 inch
- 35 - 3 inch
- 9 - 4 inch
- 2 - 6 inch water meters and remote readers.

RESOLUTION

BACKGROUND/HISTORY

The following removal and replacement of the commercial meters is considered Phase 1 of a City wide meter replacement program. The existing commercial meters are in excess of 10 years in age and have been identified to be running approximately 5 – 10 % slow. The existing remote readers are obsolete and the remote guns utilized to read them are failing. Please note, the City and the County of DuPage purchased additional guns several years ago for inventory due to the manufacturer discontinuing parts and support.

During the past several years, the City Staff has been engaged with the County and several other municipalities to move towards technology that is referred to as Automated Meter Reading, AMR technology. The AMR system is technology that is supported through dedicated FM frequencies and/or cellular technology. The joint coop would allow savings for all participating municipalities by utilizing infrastructure such as water towers for antennas and provide on demand readings to municipalities as well as the County of DuPage. This item will be covered under a separate future IGA agenda. The technology is identical to the current automated meter reading standards of Com Ed and Nicor.

The City Staff has been exclusively utilizing the Sensus water meter brand for the last 8 years and has the capability to be utilized as part of the future AMR system by replacing the remote (outside) reader. All meters regardless of the brand are territory protected and there is no further opportunity for competitive bidding. Core & Main LP is the exclusive Authorized Distributor of Sensus products in the State of Illinois through 2019. See sole source letter as [Attachment A](#).

Further is recommended that the City maintain one standard and not utilize different meter brand throughout town.

The goal of replacing the commercial meters is to capture accurate readings resulting in lowering the City's unaccountable water flow.

Attached as [Attachment B](#), please find a summary of the pricing for the purchase of 206 commercial water meters.

Water Meters and Remote Readers

September 3, 2019

Page 2

The FY19/20 Budget includes funding for the abovementioned items from the following account:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 19/20 BUDGET	METERS	TOTAL PROGRAM COST
12-51-4390	WATER DEPRECIATION COMMERCIAL WATER METER REPLACEMENT	\$250,000.00	\$250,162.40	(\$162.40)

COMMITTEE RECOMMENDATION

Municipal Services Committee recommends approval of the resolution from Core & Main for the purchase of commercial water meters in amount not to exceed \$250,162.40.

ALTERNATE DECISION

As directed by City Council.

DECISION MODE

This item will be placed on the September 3, 2019 City Council agenda for formal consideration.

MEMO

March 20, 2019

To Whom It May Concern:

Sensus, USA is pleased to announce that Core & Main LP is the exclusive Authorized Distributor of Sensus products for the state of Illinois through 2019. Please contact Core & Main LP for all of your Sensus needs. Purchasing Sensus, USA products from the authorized distributor for your area ensures that your products will be properly supported and warranted.

We look forward to the opportunity of providing your firm with quality water measurement equipment and support in the near future. Please feel free to contact me at andrea.davis@xylem.com regarding this or any other matter.

Sincerely,

Andrea M. Davis

Andrea Davis
Sensus, USA
Director, Channel Marketing



Bid Proposal for 2019 Large Meter Darien

CUSTOMER	<p>CITY OF DARIEN 1041 SOUTH FRONTAGE ROAD DARIEN, IL 60561 Contact: Kris Throm (T) 630/514-3453 kthrom@darienil.gov</p>	<p>Job 2019 Large Meter Darien Bid Date: 08/02/2019 Bid #: 1017689</p>
CONTACT	<p>Sales Representative Joseph Szerszen (M) 630-461-5399 (T) 630-665-1800 (F) 630-665-1887 Joe.Szerszen@coreandmain.com</p>	<p>Core & Main 220 South Westgate Dr Carol Stream, IL 60188 (T) 630-665-1800</p>
NOTES		



Bid Proposal for 2019 Large Meter Darien

CITY OF DARIEN
 Bid Date: 08/02/2019
 Core & Main 1017689

Core & Main
 220 South Westgate Dr
 Carol Stream, IL 60188
 Phone: 630-665-1800
 Fax: 630-665-1887

Seq#	Qty	Description	Units	Price	Ext Price
10	85	OMNI 1-1/2" C2 MTR 1000 GAL W/ INT'L STRNR, DEF'T PULSE OUT 13" LL	EA	955.00	81,175.00
20		C11XXXXG1GA0X			
30	75	OMNI 2" C2 MTR 1000 GAL 15.25" W/INT'L STRNR, DEF'T PULSE OUT	EA	1,102.00	82,650.00
40		C23XXXXG1GA0X			
50	35	OMNI 3" C2 MTR-1000GAL METER W/INT'L STRNR, DEF'T PULSE OUT	EA	1,467.00	51,345.00
60		C33XXXXG1GA0X			
70	9	OMNI 4" C2 1000GAL METER W/INT'L STRNR, DEF'T PULSE OUT	EA	2,547.00	22,923.00
80		C43XXXXG1GA0X			
90	2	OMNI 6" C2 MTR 1000GAL METER W/INT'L STRNR, DEF'T PULSE OUT	EA	4,399.00	8,798.00
100		C63XXXXG1GA0X			
110	206	#39A AMR TOUCHPAD - BLACK AMR ACCESSORY 5390720600811	EA	12.00	2,472.00
120	170	1-1/2X1/8 RUB.DROP IN MTR GSKT	EA	1.30	221.00
130	150	2X1/8 RUBBER DROP-IN MTR GSKT	EA	1.35	202.50
140	70	3X1/8 FLG FF RR GASKET	EA	4.00	280.00
150	18	4X1/8 FLG FF RR GASKET	EA	4.25	76.50
160	4	6X1/8 FLG FF RR GASKET	EA	4.85	19.40
180					
190					
200		THANK YOU FOR THE OPPORTUNITY			
210		TO QUOTE YOUR PROJECT.			
220					
230		SINCERELY,			
240					
250		JOE SZERSZEN			
				Sub Total	250,162.40
				Tax	0.00
				Total	250,162.40

Branch Terms:

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES UPON THIRTY (30) CALENDAR DAYS' NOTICE TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A PROPOSAL FROM CORE & MAIN FOR THE PURCHASE OF THE FOLLOWING COMMERCIAL WATER METERS AND REMOTE READERS IN AN AMOUNT NOT TO EXCEED \$250,162.40:

- **85 - 1 ½ INCH**
- **75 - 2 INCH**
- **35 - 3 INCH**
- **9 - 4 INCH**
- **2 - 6 INCH WATER METERS AND REMOTE READERS.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The City Council of the City of Darien hereby authorizes the Mayor and City Clerk to accept a proposal from Core & Main for the purchase of the following commercial water meters and remote readers in an amount not to exceed \$250,162.40: 85 - 1 ½ inch, 75 - 2 inch, 35 - 3 inch, 9 - 4 inch, 2 - 6 inch water meters and remote readers, a copy of which is attached hereto as "[Exhibit A](#)".

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Bid Proposal for 2019 Large Meter Darien

CUSTOMER	<p>CITY OF DARIEN 1041 SOUTH FRONTAGE ROAD DARIEN, IL 60561 Contact: Kris Throm (T) 630/514-3453 kthrom@darienil.gov</p>	<p>Job 2019 Large Meter Darien Bid Date: 08/02/2019 Bid #: 1017689</p>
CONTACT	<p>Sales Representative Joseph Szerszen (M) 630-461-5399 (T) 630-665-1800 (F) 630-665-1887 Joe.Szerszen@coreandmain.com</p>	<p>Core & Main 220 South Westgate Dr Carol Stream, IL 60188 (T) 630-665-1800</p>
NOTES		



Bid Proposal for 2019 Large Meter Darien

CITY OF DARIEN
 Bid Date: 08/02/2019
 Core & Main 1017689

Core & Main
 220 South Westgate Dr
 Carol Stream, IL 60188
 Phone: 630-665-1800
 Fax: 630-665-1887

Seq#	Qty	Description	Units	Price	Ext Price
10	85	OMNI 1-1/2" C2 MTR 1000 GAL W/ INT'L STRNR, DEF'T PULSE OUT 13" LL	EA	955.00	81,175.00
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200		THANK YOU FOR THE OPPORTUNITY			
210		TO QUOTE YOUR PROJECT.			
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230		SINCERELY,			
240					
250		JOE SZERSZEN			
				Sub Total	250,162.40
				Tax	0.00
				Total	250,162.40

Branch Terms:

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES UPON THIRTY (30) CALENDAR DAYS' NOTICE TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>

AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT WITH CARRIAGE GREENS COUNTRY CLUB AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ECONOMIC DEVELOPMENT AGREEMENT

RESOLUTION

BACKGROUND/HISTORY

As part of a *business outreach program*, Mayor Marchese met with Carriage Greens Country Club owner, Brian Broderick. As part of the discussion, Mayor Marchese and Mr. Broderick discussed the long term business plan for the club. Mr. Broderick provided the City with a list of items that would significantly develop the business as a premier destination for food and golf entertainment. At the August 5, 2019 City Council meeting, the Council approved a motion for staff to negotiate a formal economic development agreement with Carriage Greens within the general terms identified by staff.

The agreement has been negotiated and is acceptable to Carriage Greens. In summary, the Economic Development Agreement includes:

- City to provide an economic development incentive to Carriage Greens in the amount of \$366,000 as part of a 10 year agreement. The incentive will be used for items specifically listed in the agreement.
- The incentive will be paid back to the City from increased revenues generated from virtual golf revenue sharing, sales, amusement, food and beverage and video gaming taxes
- City will place a lien on the property for the \$366,000. The lien will be removed when Carriage Greens generates additional revenue of \$366,000 to the City over the 10 year period. If Carriage Greens does not generate an additional \$366,000 in revenues to the City, prior to the end of the agreement, they will be responsible to pay back the difference.
- City will have access to conduct unlimited special events at Carriage Greens Monday to Thursday and Friday to Sunday with permission from Carriage Greens.
- The financial incentive will be used for items shown in the attached packet. Items related to building and grounds will require final approval from the City prior to beginning the work. The maintenance equipment, kitchen equipment, and virtual golf will not need approval prior to purchasing.
- Carriage Greens will invest a minimum of \$180,000 of its own money into building and grounds improvements over the next 2 years. (includes \$80,000 recently spent on parking lot improvements)
- The virtual golf would be covered by the City's 3% amusement tax. In addition to that tax, the City will receive a portion of the gross receipts from revenue generated from the virtual golf to help offset the financial incentive provided to Carriage Greens. This sharing will

begin after the virtual golf has been in operation for one year. So, Carriage Greens will keep all of the virtual golf revenue the first year.

STAFF/COMMITTEE RECOMMENDATION

As directed by City Council.

ALTERNATE CONSIDERATION

As directed.

DECISION MODE

This item will be placed on the September 3, 2019, City Council Agenda for consideration.



RESOLUTION NO. _____

A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT WITH CARRIAGE GREENS COUNTRY CLUB AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ECONOMIC DEVELOPMENT AGREEMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS as follows:

SECTION 1: The City Council of the City of Darien hereby authorizes an Economic Development Agreement with Carriage Greens Country Club and authorizes the Mayor and the City Clerk to execute the Economic Development Agreement attached hereto as "**Exhibit A**".

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, this 3rd day of August, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, this 3rd day of August, 2019.

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

ECONOMIC DEVELOPMENT AGREEMENT

THIS ECONOMIC DEVELOPMENT AGREEMENT (“Agreement”) is dated the ____ day of _____, 2019, by and between the City of Darien, DuPage County, Illinois (“City”) and Carriage Way West, Inc., an Illinois corporation (“Owner”).

RECITALS

A. Owner owns the Carriage Greens Country Club (“Subject Property”). The Subject Property consists of the golf course and clubhouse, a restaurant, and related improvements (these improvements are sometimes referred to as the “Facilities”).

B. The Subject Property is an important contributor to the City from an economic, social, and quality of life standpoint.

C. Owner is undertaking a substantial renovation and upgrade to the Facilities. A general description of the upgrades is attached to this Agreement as **Exhibit 1**. Owner has committed to spend at least \$180,000.00 on these or other upgrades, \$80,000.00 of which has already been spent. For purposes of this Agreement, these improvements will be referred to as the “Project.”

D. The City has determined that it is reasonable and will support the sound economic growth and development of the City as a whole, and the Subject Property in particular, if the City provides specific targeted economic support to the Project, subject to the terms, conditions, and limitations hereof.

Accordingly, IT IS HEREBY AGREED by and between the parties as follows:

Section 1. Economic Development Support. Subject to the terms of this Agreement, the City agrees to support Owner and the Project in a not-to-exceed amount of \$366,000.00.

Section 2. Categories of Expenditures; Conditions for Certain Reimbursements.

A. The City support will be used solely in connection with upgrades to the Facilities.

B. Owner shall be solely responsible for entering into and administering each contract.

C. For those items other than (i) the front yard fountain improvements, (ii) the Sandtrap Grill patio improvements, and (iii) the concrete circle driveway improvements, the City will promptly reimburse Owner for Project Costs upon being furnished with paid receipts.

D. (i) The front yard fountain improvements, Sandtrap Grill patio improvements, and concrete circle driveway improvements are all subject to City prior approval of design and cost.

(ii) All contracts shall require the contractor to pay “prevailing wage” as required by the Illinois Prevailing Wage Act.

(iii) In order to be entitled to City reimbursement for these expenditures, Owner must furnish the City with lien waivers from each approved contractor. All final reimbursement payments shall be preceded by final lien waivers.

E. Owner will be permitted to make individual Project line item adjustments as long as the overall budget does not exceed \$366,000.00. For example, if it turns out that the burner/griddle/ oven combination costs \$8,824.00 instead of the budgeted \$7,824.00, Owner may make this purchase by reducing other line items without prior City approval.

Section 3. Lien Against Subject Property; Annual Reduction of Indebtedness. At such time as the City has completed making Project payments to Owner, City will record a lien against the Subject Property in the amount of \$366,000.00. The indebtedness will be subject to annual reductions in accordance with the provisions of Section 5 below. Owner shall not permit

any lien to be filed against the Subject Property during the period of time between the date of this Agreement and the date the City has completed making Project payments.

Section 4. “Project Base Annual Revenues” Defined. For purposes of this Agreement, the term “Project Annual Base” shall be \$23,500.00.

Section 5. Reduction of Indebtedness Based On Enhanced Project Revenues. The

A. City currently derives sales tax, amusement tax, food and beverage tax and video gaming tax generated by the activities on the Subject Property (“Project Tax Revenues”).

B. Subject to the terms below, beginning 1-1-21, Owner will annually remit to the City 50% of the gross revenue generated from the Virtual Golf Facility. Owner shall also be obligated to pay all local taxes arising out of the Virtual Golf Facility operation based on 100% of the gross revenue generated.

C. Commencing January 1, 2021 (“Commencement Date”), the parties will do an annual recapitulation of (a) Project Tax Revenues, plus (b) 50% of the gross revenue generated by the Virtual Golf Facility being installed as part of the project improvements. The Project Tax Revenues and the City’s 50% share of the Virtual Golf Facility Revenues are referred to as the “Enhanced Project Revenues.” To the extent Enhanced Project Revenues exceed the Project Annual Base in a given year, the indebtedness shall be reduced by a corresponding amount.

D. By way of example, assume that for calendar year 2021, the Enhanced Project Revenues are \$50,000.00. The indebtedness will accordingly be reduced by \$26,500.00 (\$50,000.00-\$23,600.00).

Section 6. Reconciliation; Deficiency Payment.

A. If at the end of 10 years from the Commencement Date, the City’s Enhanced Project Revenues meet or exceed \$366,000.00, then Owner shall have no further obligation to the City

and the City shall release its lien. If, on the other hand, net Enhanced Project Revenues for said 10 year period do not add up to \$366,000.00, then Owner will pay the City the difference within ninety (90) days after a demand from the City.

B. If Owner defaults on this obligation, City may pursue all available remedies to collect the amounts due and owing. In the event the City pursues litigation in order to obtain repayment of this deficiency, then Owner shall also be liable for the City's costs and attorney's fees in connection with any such litigation.

Section 7. Availability For City Community Events. For a period of 20 years from the date of this Agreement, and upon reasonable prior notice, Owner will provide the City with access to the Subject Property without charge for purposes of City-sponsored non-golf community events. This entitlement shall be available Monday-Thursday only. Use of the facilities for Friday, Saturday and Sunday shall require prior permission of the Owner. The City will be responsible for repairing any damage caused by City events and will provide Owner with evidence of City's insurance (or self-insurance through the Intergovernmental Risk Management Agency) in connection with such events.

Section 8. Successors And Assigns; Payment of Balance Upon Sale. The obligations of this Agreement shall be binding on Owners, its successors and assigns. Owner shall provide the City with sixty (60) days' notice of any contemplated sale of the Subject Property. At closing, the City will provide Owner and Owner's Purchaser with a statement recapitulating the amount of money still owed the City pursuant to this Agreement. This sum shall be paid to the City at closing from sale proceeds.

Section 9. Recordation. The City shall cause this Agreement or Memorandum thereof to be recorded against the Subject Property in the Office of the DuPage County Recorder of Deeds.

Section 10. Notices. Any notices contemplated by this Agreement shall be in writing and either delivered personally or transmitted via nationally-recognized commercial entity such as Federal Express or UPS as follows:

IF TO OWNER:

Carriage Way West, Inc.
8700 Carriage Green Drive
Darien, Illinois 60561
Attention: Brian Broderick, President

IF TO CITY:

City of Darien
1702 Plainfield Road
Darien, Illinois 60562
Attention: Joseph A. Marchese, Mayor
and Bryon D. Vana, Administrator

WITH A COPY TO:

John B. Murphey
Rosenthal, Murphey, Coblenz & Donahue
30 N. LaSalle Street, Suite 1624
Chicago, Illinois 60602

OWNER:

CARRIAGE WAY WEST, INC.

By: 
Its: **President**

Brian Broderick

CITY:

CITY OF DARIEN

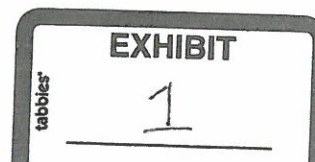
By: _____
Joseph A. Marchese, Mayor

By: _____
JoAnne Ragona, City Clerk

APPROVED by the Darien City Council at its _____, 2019 City Council Meeting.

Carriage Greens Capital Improvements - 2019

GOLF			
VIRTUAL GOLF RANGE	\$60,000.00		
ROUGH MOWER	\$25,000.00		
FAIRWAY MOWER	\$20,000.00		
BUNKER SAND	\$20,000.00		
MULCH	\$5,000.00		
GOLF TOTAL:	\$130,000.00		
BUILDING			
FRONT YARD FOUNTAIN	\$20,000.00		
SANDTRAP PATIO	\$40,000.00		
CONCRETE CIRCLE DRIVE	\$40,000.00		
HVAC UNIT - GRAND BALLROOM	\$50,000.00		
SANDTRAP & LOBBY CARPET	\$28,000.00		
BUILDING TOTAL:	\$178,000.00		
KITCHEN			
		\$ PER UNIT:	Quantity:
STEAM TABLE	\$529.00		
SOFT SERVE ICE CREAM	\$11,625.00		
6 PAN STEAMER	\$5,400.00		
BURNER/GRIDDLE/OVEN COMBO	\$7,824.00		
2100W MICROWAVE	\$1,638.00	\$819.00	2
CHARBROILER/FRIDGE COMBO	\$5,198.00	\$2,599.00	2
SALAMANDER 36,000 BTU	\$1,189.00		
81" REFRIDGERATOR	\$3,199.00		
CONVECTION OVEN 108,000 BTU	\$13,887.00	\$4,629.00	3
DEEP FRYER	\$8,288.00	\$2,072.00	4
KITCHEN TOTAL:	\$58,787.00		
GOLF TOTAL:	\$130,000.00		
BUILDING TOTAL:	\$178,000.00		
KITCHEN TOTAL:	\$58,787.00		
TOTAL:	\$366,787.00		



AGENDA MEMO
City Council
September 3, 2019

ISSUE STATEMENT

A resolution accepting a proposal at the unit price from Morning Noon Night for the jetting and cleaning of the storm sewer infrastructure at various locations throughout the City.

RESOLUTION

BACKGROUND

Throughout the year the City requires jetting and vacuum services for the City’s storm water system. The services of the jetting and vacuum are utilized for the following:

- ✓ Removal of obstructions and sedimentation within storm sewer pipes ranging from 6-24 inches
- ✓ Root cutting - cutters designed with the ability to jet and cut roots out of various pipes
- ✓ Cleaning of manholes/catch basins filled with debris or sedimentation

The goal of the project is to clean the existing infrastructure to maintain optimal operating conditions. The project also fulfills the ongoing requirements of the IEPA, as it pertains to the Storm Water Protection Plan (SWPP) for the City.

The proposal will allow Staff to contact the awarded vendor on an as needed basis including emergencies.

Staff had requested proposals and received three. One proposal was incomplete thus disqualified. The FY19/20 Budget includes funds for the jetting and cleaning of various locations in the City, below are the results:

VENDOR	HOURLY RATE
Morning Noon Night Plumbing Service	\$ 500
National Power Rodding	\$ 850
United Septic – Non Responsive	\$ 500

The expenditure would be expended from the following line item account:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY19-20 BUDGET	PROPOSED EXPENDITURE
03-60-4325	MFT-Consulting Professional Services	\$ 5,000	\$ 5,000
01-30-4243	Sewer Jetting	\$15,000	\$15,000
Total Cost		\$20,000	\$20,000

Jetting Maintenance

September 3, 2019

Page 2

STAFF RECOMMENDATION

Staff recommends approval of this resolution accepting a proposal from Morning Noon Night for the jetting and cleaning of various locations throughout the City.

This item was not reviewed by the Municipal Services Committee due to timing constraints and will be placed on New Business for the September 3, 2019 City Council Meeting. Moving forward this item will be out to quote in January 2020, as a one year service maintenance proposal.

ALTERNATE CONSIDERATION

Not approving the resolution.

DECISION MODE

This item will be placed under New Business for the September 3, 2019 City Council agenda for formal consideration.



RESOLUTION NO. _____

A RESOLUTION ACCEPTING A PROPOSAL AT THE UNIT PRICE FROM MORNING NOON NIGHT FOR THE JETTING AND CLEANING OF THE STORM SEWER INFRASTRUCTURE AT VARIOUS LOCATIONS THROUGHOUT THE CITY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The City Council of the City of Darien does hereby accept a proposal at the unit price from Morning Noon Night for the jetting and cleaning of the Storm Sewer Infrastructure at various locations throughout the City, attached hereto as "[Exhibit A](#)".

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 3rd day of September, 2019.

JOSEPH A. MARCHESE, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Morning Noon Night

Emergency 24hr Plumbing & Sewer Service

8557 44th Street • Lyons, Illinois 60534

Toll Free 1 877 THY PLUMBER

(1 877 849 7586)

Fax: 708 447 9641

E-Mail: thyplumber@yahoo.com

ThyPlumber.com

CUSTOMER'S NAME CITY OF DORRIN	OWNER'S PHONE	DATE 8-7-19
ADDRESS	BUSINESS PHONE	PLUMBER RON CAWDFORD
CITY, STATE, ZIP	OTHER PHONE	DISPATCH # RPT
OCCUPANT'S NAME ATONI DAVID FELL		

ESTIMATE NOT A CONTRACT

LICENSE # 055-034250

DESCRIPTION OF WORK TYPICAL MOBILIZATION OF INDUSTRIAL TYPE COMBO
 VAC TRUCK WITH HIGH VELOCITY WATERJET CAPABLE OF 500 FT
 STORM / SANITARY / MANHOLE / CURB BASED TYPE STRUCTURES
 IN ROAD OR PARKWAY TO CLEAN DRAINAGE INFRASTRUCTURE
 PRICE REFLECTS VAC DEMOLS FROM STRUCTURE TO ACCESS
 PIPES, ALL JET FLUSH EXISTING LINES OPEN BLOCKAGES
 & Haul DEMOLS AWAY ACCESSIBLE BY TRUCK WITHOUT
 ADDITION OF REMOTE HOSE @ 4 HR MINIMUM
 3 ON SITE & 1 TO DUMP IS TYPICAL @ \$7,000
 (\$500 CR. HR. TRUCK/OPERATOR/CR. KNOWLEDGE OF PIPE
 INFRASTRUCTURE, CONFINED SPACE ENTRY, TRAFFIC CONTROL
 SAFETY ETC.)
 HAUL OFF SITE / & DISPOSE @ EPA FACILITY WITH SAFETY
 ENVIRONMENTAL FEES ADD \$100 PER TON PICKUP/DUMPED
 OR DUMP IN MUNICIPAL YARD IN TRUCK DEBRIS EMPTY
 IN SUITABLE AREA TO FILTER/DRAIN.

EXCEPTIONS CAN BE MADE IN EZ CASE QUICK SERVICE TO
 OBTAIN FLOW 1 STRUCTURE @ 3 HRS MUST DUMP ON SITE
 MOST EMERGENCY IN ABOVE PRICES, WITH EXCEPTION OF LATE
 NOTICE NEXT A.M SERVICE AVAILABLE AT QUOTED

NOTE: REMOTE HOSE TO OFF ROAD UN APPROACHABLE
 LOCATION ADD \$500 FOR ADDITIONAL EQUIP.

Thank You Ron Cawford

CITY OF DARIEN

RULES FOR COMPLIANCE WITH PUBLIC COMMENT REQUIREMENTS OF THE ILLINOIS OPEN MEETINGS ACT

I. PURPOSE OF RULES.

The purpose of these Rules is to comply with the requirement of Section 2.06 of the Illinois Open Meetings Act that a public comment section be provided at each meeting subject to the Open Meetings Act.

II. DEFINITION OF “PUBLIC BODY” or “BODY.”

For purposes of these Rules, the term “Public Body” or “Body” shall mean the City Council, any Committee of the City Council, and any Board and Commission established by the City Council.

III. RULES GOVERNING PUBLIC COMMENT.

A. Unless otherwise allowed by a majority vote of the Body, the public comment periods shall be as follows:

1. For the City Council, as set forth on the attached **Agenda template**.
2. For Council committees and advisory committees, at the conclusion of the meeting immediately before adjournment. At the direction of the Body, the floor may be opened for public comment in conjunction with specific agenda items.

B. Individuals seeking to make public comment to the Body shall be formally recognized by the Chair.

C. Individuals addressing the Body shall identify themselves by name, but need not provide their home address.

D. Individuals addressing the Body shall do so by addressing their comments to the Body

itself and shall not turn to address the audience.

E. Public comment time shall be limited to three (3) minutes per person.

F. An individual will be allowed a second opportunity to address the Body only after all other interested persons have addressed the Body and only upon the majority vote of the Body.

G. In the case of a special meeting, public comment will be limited to subject matters germane to the agenda of the special meeting.

IV. PUBLIC HEARING REQUIREMENTS.

Additional public comments periods will be allowed as required by law in the case of public hearing, subject to the same time constraints.

Approved by a Motion on November 17, 2014