

**REVISED AGENDA**  
**Administrative-Finance Committee**  
**February 3, 2014**  
**6:00 p.m. – Conference Room**

- 1. Call to Order**
- 2. Public Comment**
- 3. New Business**
  - a. Resolution** – Authorizing the Mayor, City Clerk and Treasurer to sign a Modification and Extension Agreement to keep open a line of credit with Republic Bank
  - b. Discussion** – District 61 Crossing Guards
  - c. Motion** – Approve the recommendation to release Executive Session Minutes that no longer require confidentiality
  - d. Resolution** – Approval of a Supplemental Illinois Department of Transportation Resolution (IDOT BLR 14230) authorizing the expenditure of Motor Fuel Tax (MFT) funds for the FY 2013/14 General Maintenance – for the purchase of rock salt from North American Salt Company in an amount not to exceed \$70,000.00
  - e. Minutes** – January 6, 2014 – Administrative-Finance Committee
- 4. Other Business**
- 5. Next Meeting – Monday, March 3, 2014**
- 6. Adjournment**

**AGENDA MEMO**  
**Administrative/Finance Committee**  
**February 3, 2014**

**ISSUE STATEMENT**

A resolution authorizing the Mayor, City Clerk and Treasurer to sign a Modification and Extension Agreement to keep open a line of credit with Republic Bank.

**BACKGROUND/HISTORY**

The City of Darien accepted a proposal from Republic Bank in 2009 to provide banking services. In 2012 the City of Darien opened a line of credit with Republic Bank which the City could draw upon in case of emergency or cash flow deficiencies. The existing agreement provides for credit up to \$1,250,000.00. The City is not using the money at this time; it is only keeping the option of borrowing the funds at a future date. The intention is to use the line of credit in an emergency or if needed for cash flow. Any and all purchases will need to be approved by the elected officials in accordance with Darien City Code.

In the event the City of Darien requires the funds, a Promissory Note, Business Loan Affidavit, Disbursement Request and Notice of Final Agreement must also be executed by the Mayor, City Clerk and Treasurer. These documents contain the interest rate, which for this loan is the Republic Bank Prime Rate, which currently stands at 3.25%.

**STAFF/COMMITTEE RECOMMENDATION**

Staff recommends approving the resolution

**ALTERNATE CONSIDERATION**

Not approving the resolution would be an alternate consideration.

Prepared by and Mail to:  
Commercial Loan Dept.  
Republic Bank of Chicago  
2221 Camden Court, Floor 1  
Oak Brook, IL 60523

### **MODIFICATION AND EXTENSION AGREEMENT**

**THIS AGREEMENT made as of this 6<sup>TH</sup> day of December, 2013 between REPUBLIC BANK OF CHICAGO, an Illinois banking corporation, hereinafter called Lender, and CITY OF DARIEN, the Borrower under the Note hereinafter called Second Party, WITNESSETH:**

**THAT WHEREAS, Lender is the owner of a certain Note in the amount of \$1,250,000.00 dated August 13, 2012, together with all renewals, extensions, modifications, refinancings, consolidations and substitutions thereof.**

**WHEREAS, the parties hereto wish to modify the terms of said Note by extending the maturity date and as otherwise set forth herein;**

**NOW THEREFORE, in consideration of ONE DOLLAR (\$1.00), the covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:**

- 1. The maturity date of the Note hereinbefore described is hereby extended from August 13, 2013 to December 5, 2014.**

**Second Party warrants and certifies that the indebtedness evidenced by the Note is a valid and subsisting debt of the Borrower and in all respects free from all defenses, setoffs and counterclaims both in law and equity.**

**In all other respects, the Note hereinbefore described and all executed documents in conjunction therewith shall remain unchanged and in full force and effect.**

**Notwithstanding the foregoing, Second Party expressly waives any defenses which it now has or may have or assert. Furthermore, in order to induce Lender to enter into this agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Second Party does hereby release, remise and forever discharge Lender of and from any and all setoffs, claims, counterclaims, demands, causes, causes of action, suits and/or judgments which it now has or may have against Lender including but not limited to matter arising out of the Note and/or any document, instrument or agreement securing the same or arising out of any banking relationship existing between the parties.**

IN WITNESS WHEREOF, this instrument is executed the date and year first above written.

**LENDER:**  
REPUBLIC BANK OF CHICAGO, an  
Illinois banking corporation

**SECOND PARTY:**  
City of Darien

BY: \_\_\_\_\_  
Paul Guagenti, Vice President

BY: \_\_\_\_\_  
Kathleen Moesle-Weaver, Mayor

BY: \_\_\_\_\_  
Michael J. Coren, Treasurer

BY: \_\_\_\_\_  
JoAnne Ragona, City Clerk

STATE OF ILLINOIS            ]  
  ] ss  
COUNTY OF \_\_\_\_\_]

I, THE UNDERSIGNED, a Notary Public in and for the said County in the State aforesaid, DO HEREBY CERTIFY that PAUL GUAGENTI personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as such officer of said Lender and caused the seal of said Lender to be thereunto affixed as \_\_\_\_\_ free and voluntary act and as the free and voluntary act and deed of said Lender for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

STATE OF ILLINOIS            ]  
  ] ss  
COUNTY OF \_\_\_\_\_]

I, THE UNDERSIGNED, a Notary Public in and for the said County in the State aforesaid, DO HEREBY CERTIFY that KATHLEEN MOESLE-WEAVER, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

STATE OF ILLINOIS            ]  
  ] ss  
COUNTY OF \_\_\_\_\_]

I, THE UNDERSIGNED, a Notary Public in and for the said County in the State aforesaid, DO HEREBY CERTIFY that MICHAEL J. COREN, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

STATE OF ILLINOIS                    ]  
  ] ss  
COUNTY OF \_\_\_\_\_]

I, THE UNDERSIGNED, a Notary Public in and for the said County in the State aforesaid, DO HEREBY CERTIFY that JOANNE RAGONA, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public



# Republic Bank

## COMMERCIAL LOAN INTENT FORM

IMPORTANT NOTICE - MUST BE SIGNED AT APPLICATION

### BORROWER(S):

<u>City of Darien</u> <small>(Please Print Name) / Title</small>	<u>36-2696683</u> <small>Social Security # / TIN</small>	<u></u> <small>Signature</small>	<u>12/6/2013</u> <small>Date</small>
<u></u> <small>(Please Print Name) / Title</small>	<u></u> <small>Social Security # / TIN</small>	<u></u> <small>Signature</small>	<u></u> <small>Date</small>

### GUARANTOR(S):

<u></u> <small>(Please Print Name)</small>	<u></u> <small>Social Security # / TIN</small>	<u></u> <small>Signature</small>	<u></u> <small>Date</small>
<u></u> <small>(Please Print Name)</small>	<u></u> <small>Social Security # / TIN</small>	<u></u> <small>Signature</small>	<u></u> <small>Date</small>
<u></u> <small>(Please Print Name)</small>	<u></u> <small>Social Security # / TIN</small>	<u></u> <small>Signature</small>	<u></u> <small>Date</small>
<u></u> <small>(Please Print Name)</small>	<u></u> <small>Social Security # / TIN</small>	<u></u> <small>Signature</small>	<u></u> <small>Date</small>

BY SIGNING THIS FORM, I/WE AGREE TO ALLOW THE CREDITOR TO OBTAIN MY/OUR CREDIT BUREAU REPORT, CREDIT SCORE AND TO EVALUATE MY/OUR CREDIT STANDING AND CREDITWORTHINESS FROM ANY AND ALL SOURCES. FURTHER, I/WE SCKNOWLEDGE THAT I/WE HAVE RECEIVED A COPY OF THE DISCLOSURES BELOW.

**Right to Specific Reasons Business Credit Disclosure:** If your application for business credit is denied, You have the right to a written statement of the specific reasons for the denial. To obtain the statement, please contact Republic Bank of Chicago, 2221 Camden Court, Oak Brook, IL 60523 at 630-570-7700 within 60 days from the date you are notified of our decision. We will send you a written statement of reasons for the denial within 30 days of receiving your request for the statement.

**Notice:** The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is FDIC Consumer Response Center, 1100 Walnut Street, Box #11, Kansas City, Missouri 64106.

**Disclosure of Right to Receive a Copy of an Appraisal:** If your application for business credit is to be secured by a residential, 1-4 dwelling, then you have a right to a copy of the appraisal report used in connection with your application for credit. If you wish to have a copy, please write to us at the following mailing address: Republic Bank of Chicago, Attn: Loan Department, 2221 Camden Court, Oak Brook, IL 60523-9848. We must hear from you no later than ninety (90) days after we notify you about the action taken on your credit application or no later than ninety (90) days after you withdraw your application. In your letter, please provide your name and address for proper delivery.

Copy - Lender / Copy - Applicant(s)

Revised August 2011



# CITY OF DARIEN

## M E M O

**TO: Administrative/Finance Committee Members**  
**FROM: Bryon D. Vana, City Administrator**  
**DATE: January 30, 2014**  
**SUBJECT: District 61 Crossing Guards**

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Several residents attended the January 20, 2014, Council meeting asking about funding of crossing guards on 75<sup>th</sup> Street. During the meeting staff provided background information on that subject. Staff also advised that School District 61 is scheduled to meet on January 28, 2014, and will discuss crossing guards. I advised the Council I would talk with Bob Carlo for an update after the School Board meeting and forward the update to the Administrative Finance Committee for review. The email update I received from Bob Carlo on January 29, 2014, is as follows:

*Bryon,*

*We did meet yesterday. Shared information with the Board, as I had mentioned. We had a few parents attend the meeting and they shared their concerns with the City no longer providing the service to the community.*

*Board was told about the committee meeting the Council is having in February and hopes to hear what that discussion leads to, if anything.*

*We will be continuing to explore other safe options for the students to get to school. Since we are already providing the bus service that would, potentially, be the first option for the district. We will be exploring the impact of having walkers become riders if the plan stays as planned with no more crossing guards.*

*The Board has been told and understands that the obligation to get children to and from school belongs with the parents. Having said that, District #61 is providing the bus service both to District #61 students and Our Lady of Peace students. This takes a number of cars off the streets at arrival and dismissal times. The numbers of students who still walk, according to the Andy Frain report, is concerning from a safety standpoint considering the counts were taken in December.*

*I continue to want to work with you as we have in the past; however, the idea of the school district moving to assume the crossing guard liability is not something that they seem ready to explore at this time.*

*Bob*



**AGENDA MEMO**  
**Administrative/Finance Committee**  
**Meeting Date: February 3, 2014**

**ISSUE STATEMENT**

Approval of recommendation releasing executive session minutes that no longer requires confidentiality.

**BACKGROUND/HISTORY**

Executive session minutes are required to be reviewed in six month cycles. The executive session minutes that no longer require confidentiality are then released as all other public meeting minutes are. Attached is a chart showing the minutes currently classified as confidential. The chart also shows minutes recommended for release. Minute dates noted with \* and bold are recommended for release. The executive session minutes are kept in the Clerk’s office for your review.

**STAFF/COMMITTEE RECOMMENDATION**

The Staff recommends release of the minutes as shown in the attached chart.

**ALTERNATE CONSIDERATION**

Revise list of minutes to be released based on need to keep confidential.

**DECISION MODE**

This will be placed on the February 18, 2014, City Council meeting for formal consideration.

**CURRENT UNRELEASED EXECUTIVE SESSION MINUTES**

	<b>2003</b>		<b>2014</b>
	May 5, 2003 –Litigation- first 3 paragraphs only	*	January 20, 2014 - <b>Collective Bargaining</b>
	May 19, 2003 – Litigation – last paragraph only		
	<b>2004</b>		
	January 19, 2004 Litigation		
	April 5, 2004 – Litigation		
	<b>2009</b>		
	April 20, 2009 – setting price for sale or lease of property owned by the City		
	<b>2013</b>		
*	<b>February 4, 2013 – Sale or Lease of Real Estate</b>		
*	<b>May 6, 2013 – Collective Bargaining, Sale or Lease of Real Estate</b>		
*	<b>June 17, 2013 - Personnel</b>		
*	<b>July 15, 2013 - Personnel</b>		
*	<b>August 5, 2013 - Collective Bargaining</b>		

**\* - INDICATES DATE OF MINUTES RECOMENED FOR RELEASE.  
ONLY THOSE SUBJECTS IN BOLD RECOMMENDED FOR RELEASE**

**AGENDA MEMO**  
**Administrative Finance Committee**  
**February 3, 2014**

**ISSUE STATEMENT**

Approval of a Supplemental Illinois Department of Transportation Resolution, (IDOT BLR 14230) authorizing the expenditure of Motor Fuel Tax (MFT) funds for the FY 2013/14 General Maintenance for the purchase of rock salt from North American Salt Company in an amount not to exceed \$70,000.

**BACKGROUND/HISTORY**

The City Council approved an Illinois Department of Transportation Resolution on May 6, 2013 in the amount of \$523,630.00 for Motor Fuel Tax Fund (MFT) expenditures as they relate to various street maintenance functions. On October 7<sup>th</sup>, 2013 the City Council approved a supplemental IDOT resolution in the amount of \$77,352 for the Emerald Ash Borer tree removal.

The rock salt is utilized by the Municipal Services Department for street de-icing operations during the snow season. This year the City has utilized approximately 3000 tons of salt and has approximately 500 tons remaining within the salt storage building. The remainder of the salt equates to 4-5 snow events. Due to the unprecedented frequencies of snow events this year and the areas shortage of rock salt from the suppliers, staff is requesting to restock the bin in the event additional rock salt is required. If the rock salt is not utilized it would be stored for next year's inventory and the budget would be decreased accordingly. As per the terms of the contract on file, the City has a remaining balance of approximately 1020 tons at a cost of \$68.60 per ton.

Please recall the City Council approved the 2<sup>nd</sup> extension of the North American Salt Contract in May of 2013, with a renegotiated unit pricing of \$68.60 per ton and was the same unit price as of 2012. The contract further has an option for a 3<sup>rd</sup> and final extension scheduled for May 2014 and the proposed unit price will be \$72.59 per ton.

While funding for the proposed expenditure was not anticipated or budgeted, the Motor Fuel Tax-Fund Balance would allow for the expenditure.

The proposed expenditure would be expended from the following account:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 13-14 BUDGET	ADDITIONAL EXPENDITURE	PROPOSED EXPENDITURE
03-60-4249	ROCK SALT	\$170,000	\$ 70,000	\$240,000

MFT EXPENDITURE REPORT ENDING DECEMBER 31, 2013			
MOTOR FUEL TAX	BEGINNING FUND BALANCE	PROPOSED EXPENDITURE	REVISED BEGINNING BALANCE
Totals	\$268,958.00	\$ 70,000.00	\$198,958.00

**STAFF RECOMMENDATION**

Staff recommends approval of a Supplemental Illinois Department of Transportation Resolution, (IDOT BLR 14230) authorizing the expenditure of Motor Fuel Tax (MFT) funds for the FY 2013/14 General Maintenance – for the purchase of rock salt from North American Salt Company in an amount not to exceed \$70,000.00.

**ALTERNATE CONSIDERATION**

Not approving the contract extension.

**DECISION MODE**

This item will be placed on the February 3, 2014 City Council agenda under New Business for formal consideration.



**Illinois Department of Transportation**

**Supplemental 2  
Resolution for Maintenance of  
Streets and Highways by Municipality  
Under the Illinois Highway Code**

BE IT RESOLVED, by the City Council of the City of Darien, Illinois, that there is hereby appropriated the sum of \$70,000.00 of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of the Illinois Highway Code from May 1, 2013 to April 30, 2014.

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg, Illinois.

I, JoAnne Ragona Clerk in and for the City of Darien, County of DuPage

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the City Council at a meeting on February 3, 2014

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 3rd day of February, 2014

(SEAL) \_\_\_\_\_ City Clerk  
(City, Town or Village)

**Approved**  
\_\_\_\_\_  
Regional Engineer  
Department of Transportation  
\_\_\_\_\_  
Date

**City of Darien**  
Minutes of the Administrative Finance Committee  
January 6, 2014

The Meeting was called to order by Alderman Ted Schauer at 6:00 p.m. Committee members present: Aldermen Schauer, Beilke, and Kenny. Also present City Administrator Bryon Vana and Director of Municipal Services Dan Gombac.

Administrator Vana advised that the next 3 items have been recommended for approval by the Municipal Services Committee and are on the Administrative/Finance Agenda because they are not included in the current budget.

**Approval of engineering agreement with Christopher B. Burke Engineering, Ltd for the Phase I Engineering of the Plainfield Road and Bailey Road roadway improvement in an amount not to exceed \$80,000.**

Staff advised the City of Darien was notified on June 14, 2013, through the DuPage Mayors and Mangers Conference that the City is a recipient of a grant for the Plainfield Road and Bailey Road roadway improvement. The County of DuPage recently completed a traffic signal analysis and provided e-mail correspondence on October 29, 2013 that the traffic signal meets their criteria. The engineering project is required to be developed in accordance with federal project development procedures in accordance with Surface Transportation Program (STP) procedures. As such, the project will be coordinated through IDOT-Bureau of Local Roads in Schaumburg with IDOT granting Design Approval. The engineering firm is IDOT Certified and in current good standing. Upon completion of the Phase I Engineering, staff will be able to provide a cost analysis including cost sharing responsibilities with the County. The FYE14 budget did not include funding for the Phase I Engineering however; the Capital Projects fund has sufficient reserve to fund the engineering. The Committee recommended approval of the agreement 3-0.

**Approval of an agreement with Christopher B. Burke Engineering, Ltd for Site Engineering Services for the Heritage Center redevelopment in an amount not to exceed \$37,660.00**

Staff advised at the November 13, 2013 Goal Setting Session the City Council reached a consensus on the redevelopment and conceptual plan for the 1.69 acres at the northwest corner of Plainfield Road and Cass Avenue. The staff was directed to proceed to the next phase of seeking proposals for the site engineering. The site engineering plan will provide a set of working plans and an estimated cost summary as it relates to the sites redevelopment. The proposed plan will also allow staff to determine if variances would be required. The staff had opened four (4) sealed bids for the professional engineering services and the lowest competitive bid was from Christopher B. Burke Engineering. The FYE14 budget did not include funding for the Phase I Engineering however, the Capital Projects fund has sufficient reserve to fund the engineering. The Committee recommended approval of the agreement 3-0.

**Approval of an agreement with Shive Hattery Architecture Engineering for Architectural Services for the Heritage Center redevelopment in an amount not to exceed \$67,960.00**

At the November 13, 2013 Goal Setting Session the Council agreed to the redevelopment and conceptual plan for the 1.69 acres at the northwest corner of Plainfield Road and Cass Avenue. The staff was directed to proceed to the next phase of seeking proposals for architectural plans. Staff had opened three (3) sealed bids for the professional architectural services and the lowest competitive bid was Shive Hattery Architecture Engineering. The FYE14 budget did not include funding for the architectural plans however, the Capital Projects Fund has sufficient reserve to fund the agreement. The Committee recommended approval of the agreement 3-0.

**Minutes**

The minutes of the November 4, 2013, Administrative/Finance Committee meeting were approved 3-0.

**Adjournment**

The meeting adjourned at 6:47 pm.

Approved:

Ted Schauer, Chairman

\_\_\_\_\_

Joseph Kenny, Member

\_\_\_\_\_

Tina Beilke, Member

\_\_\_\_\_