

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE AUGUST 15, 2011 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:15 P.M.

**Minutes of the Regular Meeting**

**of the City Council of the**

**CITY OF DARIEN**

**AUGUST 15, 2011**

1. **CALL TO ORDER**

The regular meeting of the City Council of the City of Darien was called to order at 7:30 P.M. by Mayor Weaver.

2. **PLEDGE OF ALLEGIANCE**

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

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

Present:	Halil Avci (via telephone)	John F. Poteraske, Jr.
	Tina M. Beilke	Ted V. Schauer
	Joseph A. Marchese	Joerg Seifert
	Sylvia McIvor	

Absent: None

Also in Attendance: Kathleen Moesle Weaver, Mayor  
JoAnne E. Ragona, City Clerk  
Michael J. Coren, City Treasurer  
John B. Murphey, City Attorney  
Bryon D. Vana, City Administrator  
Daniel Gombac, Director of Community Development/Municipal Services  
John Cooper, Deputy Chief

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

5. **APPROVAL OF MINUTES** – Committee of the Whole, August 1, 2011  
– City Council, August 1, 2011

It was moved by Alderman Marchese and seconded by Alderman Schauer to approve the minutes of the Committee of the Whole Meeting of August 1, 2011, as presented.

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

It was moved by Alderman Seifert and seconded by Alderman McIvor to approve the minutes of the City Council Meeting of August 1, 2011, as presented.

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

6. **RECEIVING OF COMMUNICATIONS**

Alderman Beilke received an e-mail from Dennis Bolsega of 106 68<sup>th</sup> Street regarding the VFW booth at DarienFest. Mayor Weaver advised that after speaking with Ed Oldis, she believes an agreement has been reached between the VFW and the Chamber.

Mayor Weaver received several communications commending staff on various City projects as follows:

...a telephone call from Karri Wagner of 6902 Brookbank Road commending clean up efforts following the major storm in June.

...an e-mail from Jim Tikalsky expressing gratitude to the City for assisting the Park District with the Sportsplex seal coating project.

...an e-mail from Dolores Wehn of Crossroads of Darien Condo Association commending Dennis and Kevin for their courteous, prompt, efficient service in isolating an excessive water usage problem in one of their buildings.

...an e-mail from Arleta Peknik on behalf of her neighbors, Sandra and George Rumbyrt, who have extensive medical issues, expressing gratitude to the City and to Ashley Prueter for providing them with a generator during a power outage.

...was copied on an e-mail from Mike Manescalchi of 7548 Exton commending the Sidewalk Replacement Program, and the professionalism of all those involved.

...a letter from Charles Livingood expressing gratitude for the prompt response and resolution to a complaint he lodged.

...an e-mail from Michael Minardi commending Municipal Services employee Pete Kilianek on his efforts in regards to curb replacement in front of his home.

7. **MAYOR'S REPORT**

**A. MAYORAL PROCLAMATION "LIAM FOGARTY AND WILL TISCHLER DAY" (AUGUST 15, 2011)**

Mayor Weaver read into the record a Proclamation declaring August 15, 2011 as Liam Fogarty and Will Tischler Day in the City of Darien and commended these young men on their service to the community.

There was resounding applause from the City Council Members and audience and congratulatory handshakes.

Liam Fogarty and Will Tischler thanked Mayor Weaver and the City Council Members for the Proclamation, and explained the Goombay Bash, an annual fundraiser at Navy Pier that raises money for cancer research.

**B. DARIEN CHAMBER OF COMMERCE UPDATE**

Clare Bongiovanni reported the following information:

- Welcomed new Darien Chamber Members Lord of Life Lutheran Church located at 725 75<sup>th</sup> Street and Four Corners Community Church located at 8251 Lemont Road. Both churches will be participating in DarienFest.
- Final preparations are being made for DarienFest where America Pride Weekend will be celebrated. Ms. Bongiovanni expressed gratitude to all the wonderful sponsors and volunteers.

- Fred Astaire Dance Studio is hosting a Multi-Chamber Business After Hours on August 24, 2011 from 5 P.M. to 7 P.M.
- The State of the City Address will be held September 20, 2011 at Ashton Place.
- The co-sponsored Health and Wellness Fair will be held on October 19 from 3 P.M. to 7 P.M. at the Darien Sportsplex.
- Artists, Crafters and Home Base businesses are needed for the Holiday Expo which will be held on November 19, 2011 at the Darien Sportsplex.
- Reminded all to check out the Hot Deals at [darienchamber.com](http://darienchamber.com).
- Volunteers are needed in the Chamber office.

Ms Bongiovanni introduced featured member, Ariana Jones of State Bank of Countryside located at 83<sup>rd</sup> and 75<sup>th</sup> Street. Ariana Jones announced that she is a new member of the Chamber Board of Directors. Ms. Jones provided a brief history of the State Bank of Countryside. She spoke of the bank's sponsorship and participation in various community service programs and events.

Ms Bongiovanni introduced featured member, Lizeth Gomez of El Puerto Mexican Restaurant. Lizeth Gomez expressed gratitude for the support of the City Council and the Darien Chamber. She invited everyone to enjoy the authentic Mexican Food and and new outdoor patio at El Puerto located at 7511 Lemont Road in Chestnut Court.

8. **CITY CLERK'S REPORT**

City Clerk Ragona...

...invited all to attend Coffee with the Mayor on Saturday, August 20, 2011 from 9 A.M. to 10 A.M. at Steak 'n Shake at 2019 75<sup>th</sup> Street.

...announced Darien City Offices will be closed on Monday, September 5, 2011 in observance of Labor Day.

...announced the next City Council Meeting will be held on Tuesday, September 6, 2011.

9. **CITY ADMINISTRATOR'S REPORT**

There was no report.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Director Gombac announced the next brush pick up will take place the week of August 22, 2011. He advised that double ground wood chips are currently available and to call City Hall if interested.

Deputy Chief Cooper announced that administrative towing fees began this past Friday.

11. **TREASURER'S REPORT**

**A. WARRANT NUMBER 11-12-07**

It was moved by Alderman Poteraske and seconded by Alderman Schauer to approve payment of Warrant Number 11-12-07 in the amount of \$51,118.35 from the General Fund; \$34,329.18 from the Water Fund; \$16,675.78 from the Motor Fuel Tax Fund; \$15,380.00 from the Darien Area Dispatch Fund; \$433,184.24 from the General Fund Payroll for the period ending 07/28/11 & 08/11/2011; \$40,551.61 from the Water Fund Payroll for the period ending 07/28/11 & 08/11/2011; for a total to be approved of \$591,239.16.

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

**B. TREASURER'S MONTHLY REPORT – JULY, 2011**

Treasurer Coren reviewed all year-to-date sources of revenue and expenditures and fund balances through the month of July, 2011:

General Fund: Revenue \$4,060,244; Expenditures \$3,018,852; Current Balance \$3,502,801;

Water Fund: Revenue \$688,984; Expenditures \$604,954; Current Balance \$1,434,712;

Motor Fuel Tax Fund: Revenue \$243,768; Expenditures \$98,225; Current Balance \$226,534;

Water Depreciation Fund: Revenue \$440; Expenditures \$0; Current Balance \$134,943;

Capital Improvement Fund: Revenue \$2,102,470; Expenditures \$1,244,432; Current Balance \$972,731;

Capital Projects Debt Service Fund: Revenue \$55,298; Expenditures \$52,375; Current Balance of \$5,125.

12. **STANDING COMMITTEE REPORTS**

**Municipal Services Committee** — Chairman Marchese advised the next meeting of the Municipal Services Committee is scheduled to take place on August 22, 2011 at 6:30 P.M. in the Council Chambers.

**Police Committee** — Chairman McIvor advised the next Police Committee Meeting is scheduled to take place on September 1, 2011 at 6:00 P.M. in the Council Chambers.

**Administrative/Finance Committee** — Chairman Poteraske advised the next Administrative/Finance Committee Meeting is scheduled to take place on September 12, 2011 at 6:30 p.m. in the upstairs conference room.

13. **QUESTIONS AND COMMENTS — AGENDA RELATED**

Mayor Weaver announced that New Business Items A and B have been moved to the Consent Agenda. The remaining New Business Items have been rearranged and renumbered as follows: New Business Item C is A; New Business Item D is B; New Business Item F has been moved up and is now Item C; and News Business Item E is D.

Alderman McIvor requested that New Business Item C include the “not to exceed” language.

Robyn Balster of 6709 High Road requested approval of the High Road project. Ms. Balster spoke of the standing water in front of her home. The problem developed following work performed by the County. She added that Darien Public Works performed temporary repairs which helped alleviate the situation but a permanent fix is necessary.

Director Gombac provided an explanation of the repair work performed. He advised that the County did not cause the problem and cannot be held responsible.

14. **OLD BUSINESS**

There was no old business to come before the City Council.

15. **CONSENT AGENDA**

Mayor Weaver reviewed the items on the Consent Agenda for the benefit of the viewing audience.

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

- A. RESOLUTION NO. R-69-11      A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH DENLER INC. IN THE AMOUNT OF \$19,997.34 FOR THE CRACK FILLING, SEALCOATING AND PAINT STRIPING FOR THE CITY OF DARIEN MUNICIPAL COMPLEX-1702 PLAINFIELD ROAD AND THE DARIEN SPORTSPLEX-451 PLAINFIELD ROAD
- B. RESOLUTION NO. R-70-11      A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND THE DARIEN PARK DISTRICT FOR SEALCOATING, PAINT STRIPING AND CRACK FILLING IN AN AMOUNT NOT TO EXCEED \$15,350.26

Roll Call:      Ayes:      Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

Nays:      None

Absent:      None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

16. **NEW BUSINESS**

- A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING THE CITY OF DARIEN 2011-2012 BUDGET

It was moved by Alderman Schauer and seconded by Alderman Marchese to approve:

- ORDINANCE NO. O-19-11      AN ORDINANCE AMENDING THE CITY OF DARIEN 2011-2012 BUDGET AN INTERGOVERNMENTAL

Administrator Vana explained the budget estimate for General Fund balance was less than the audited fund balance which was largely due to accrued revenues. He requested the \$1 million surplus be transferred from the General Fund to the Capital Projects Fund for ditch work or future infrastructure improvements.

Alderman Avci explained that he is opposed to the budget amendment as it will increase spending. He would prefer to leave the money in the fund until the completion of the ditch rating, the development of a comprehensive list of infrastructure needs, and prioritization of projects.

Administrator Vana advised that the three proposed ditch projects were discussed during the budget review, and were deferred with the idea that if anticipated funds became available through the sale of City-owned properties, the work may be performed this year. He added that although the sale of properties has not taken place, the additional funds became available through the audit accruals. Administrator Vana noted that the City's three year spending plan includes maintenance items, and not projects that are discretionary in nature.

Treasurer Coren added that a transfer of funds is not an authorization of spending.

Alderman Beilke noted that the three items on the list for ditch repairs has been scaled down to one. She added that there is an elaborate program in place for maintenance of roads, and that High Road is on top of the list for road work.

Roll Call:       Ayes:       Beilke, Marchese, McIvor, Schauer, Seifert, Weaver  
                      Nays:       Avci, Poteraske  
                      Absent:     None

Results: Ayes 6, Nays 2, Absent 0

**MOTION DULY CARRIED**

Attorney Murphey explained it was necessary for Mayor Weaver to vote since two-thirds of the corporate authority was required for passage of the ordinance.

**B. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE NEGOTIATED AGREEMENT BETWEEN THE METROPOLITAN ALLIANCE OF POLICE DARIEN POLICE CIVILIAN EMPLOYEES CHAPTER #147 UNIT "B" – NON-SWORN EMPLOYEES AND THE CITY OF DARIEN**



It was moved by Alderman McIvor and seconded by Alderman Seifert to approve:

**RESOLUTION NO. R-71-11**                    **A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE NEGOTIATED AGREEMENT BETWEEN THE METROPOLITAN ALLIANCE OF POLICE DARIEN POLICE CIVILIAN EMPLOYEES CHAPTER #147 UNIT "B" – NON-SWORN EMPLOYEES AND THE CITY OF DARIEN**

Roll Call:        Ayes:        Avci, Beilke, Marchese, McIvor, Schauer, Seifert  
                      Nays:        None  
                      Abstain:     Poteraske  
                      Absent:      None

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

**C. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING CITY STAFF TO PROCEED WITH THE HIGH ROAD PROJECTS IN AN AMOUNT NOT TO EXCEED TO \$420,000**

It was moved by Alderman Marchese and seconded by Alderman Beilke to approve:

**RESOLUTION NO. R-73-11**                    **A RESOLUTION AUTHORIZING CITY STAFF TO PROCEED WITH THE HIGH ROAD PROJECTS IN AN AMOUNT NOT TO EXCEED \$420,000**

Administrator Vana inquired if Director Gombac finds the added "not to exceed" language acceptable since the project is quantity based rather than fixed price. Director Gombac advised the City Council will have to authorize any added expense due to extenuating circumstances. In response to Alderman Poteraske, Director Gombac advised the \$90,855 comes out of the authorized \$420,000. Alderman Poteraske advised that he would prefer the project be deferred to allow flexibility with next year's budget.

Alderman Avci stated that he was opposed to the budget amendment and not to the High Road or Poplar projects.

Administrator Vana clarified that “not to exceed” was added to the resolution. Any additional funds would need Council approval.

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Schauer, Seifert

Nays: Poteraske

Absent: None

Results: Ayes 6, Nays 1, Absent 0

**MOTION DULY CARRIED**

**D. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT FOR THE 2011 DITCH MAINTENANCE PROJECT BETWEEN THE CITY OF DARIEN AND SCORPIO CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$90,855.00**

It was moved by Alderman Schauer and seconded by Alderman Beilke to approve:

**RESOLUTION NO. R-72-11**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT FOR THE 2011 DITCH MAINTENANCE PROJECT BETWEEN THE CITY OF DARIEN AND SCORPIO CONSTRUCTION CORP. IN AN AMOUNT NOT TO EXCEED \$90,855.00**

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

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

Alderman Beilke advised that she went on a ride along with Officer Mike Lorek. She reminded all of the importance of pulling over to allow the passage of police or emergency vehicles that have lights flashing and sirens. She added that over the last 18 months, there have been 1,328 dispatched medical assist calls, and credits the Police with the life saving measures they often must administer. Alderman Beilke expressed her gratitude to the Police for their service.

In response to Alderman McIvor, Deputy Chief Cooper announced there are openings for the Citizen Police Academy in September.

Charlene Folkins of 6802 High Road thanked Alderman Beilke and the City Council for their approval of the High Road project.

18. **ADJOURNMENT**

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

**VIA VOICE VOTE – MOTION DULY CARRIED**

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

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Mayor

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City Clerk

JER/ld

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 08-15-11.  
Minutes of 08-15-11 CCM