

## **Minutes - July 16, 2001**

A WORK SESSION WAS CALLED TO ORDER AT 7:10 P.M. BY MAYOR CARMEN SOLDATO FOR THE PURPOSE OF REVIEWING ITEMS ON THE JULY 16, 2001 AGENDA WITH THE CITY COUNCIL. THE WORKSHOP SESSION ADJOURNED AT 7:20 P.M.

Minutes of the Regular Meeting of the City Council of the CITY OF DARIEN,  
July 16, 2001

### 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 Carmen D. Soldato.

### 2. PLEDGE OF ALLEGIANCE

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

### 3. ROLL CALL - The Roll Call of Aldermen by City Clerk Coleman was as follows:

Present: Richard Biehl, Joseph Marchese, Morgan Cotten, James Tikalsky, David Hagen, Kathleen Moesle-Weaver

Absent: Sean P. Durkin

Also in Attendance: Carmen D. Soldato, Mayor

Joanne F. Coleman, City Clerk

Arthur Donner, Treasurer

John B. Murphey, City Attorney

Rick O. Curneal, City Administrator

Edward Musial, Chief of Police

JoEllen Charlton, Director of Community Development

Barbara Richards, Director of Finance & Administration

Robert Rodgers, Asst. Director of Public Works

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

### 5. APPROVAL OF MINUTES - July 2, 2001

It was moved by Alderman Cotten and seconded by Alderman Hagen to approve the Minutes of the Regular Meeting of July 2, 2001 as presented.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Tikalsky, Weaver  
Abstain: Cotten  
Nays: None  
Absent: Durkin  
Results: Ayes 6, Nays 0, Absent 1

#### MOTION DULY CARRIED

#### 6. RECEIVING OF COMMUNICATIONS

Alderman Biehl stated that he was contacted by Tammy Hollendonner, 7117 Crest Road. She was concerned about the cleanliness of the Wendy's site and the overgrown weeds surrounding the concrete street signs on Crest Road between 67th Street and Janet Avenue.

Alderman Biehl was also contacted by Jack Morge, 7112 Crest Road, who was concerned about placement of gravel alongside the roadways. He said that Public Works would schedule placement of the gravel after the street rehab project was completed and that they would also clean out the area behind Crest Road and Sunrise Avenue. Mr. Morge had inquired about the status of bond sales for flood relief funding; Alderman Biehl stated that Administrator Curneal had informed him that Mayor Soldato had contacted County Board Member Schillerstrom. Mayor Soldato stated that the bonds were on Mr. Schillerstrom's desk awaiting action.

Clerk Coleman received a letter from Olivia Fleetwood, 7113 Clarendon Hills Road, who was in favor of DarienFest. Ms. Fleetwood wrote "...Go ahead shoot the works for DarienFest. I am 98 years of age and with you 100%. I never complained once...Just leave a peek hole so I can see the people with people...Make all the noise you want."

Administrator Curneal reported on behalf of Alderman Durkin that Lisa Ziomek, 1433 77th Street, was concerned about dust from the Sievers development on Plainfield Road, which was reported to Community Development.

#### 7. MAYOR'S REPORT

Mayor Soldato...

... commented that crime statistics released by the State indicated that the lowest ratings were found within Darien. He congratulated Chief Musial and the Police Department for their efforts.

... mentioned that he and Alderman Cotten had sent a letter to residents in Ward Six regarding roadwork to be completed. He said that numerous emails were received, which thanked Council for moving forward on the project.

... stated that there would be an Executive Session to review litigation and personnel with no action to be taken.

#### 8. CITY CLERK'S REPORT

Clerk Coleman...

... invited everyone for Coffee with Mayor Soldato on Saturday, July 21, from 9:00-10:00 A.M. in the Darien City Hall Council Chambers.

... stated that the Environmental Committee meeting scheduled for July 18th and the Cable Commission meeting scheduled for July 19th were cancelled due to a lack of Agenda items.

... noted that a letter was sent to residents that surround the Darien Community Park regarding DarienFest and that a meeting was scheduled for August 7th at 6:00 P.M. in the Upstairs Conference Room at City Hall.

## 9. CITY ADMINISTRATOR'S REPORT

Administrator Curneal stated that he previously reported that notification was received from the Government Finance Officers Association (GFOA) that for the sixth consecutive year, the City was awarded the Certificate of Achievement for Excellence in Financial Reporting. He said that less than ten percent of local governments within Illinois receive the award. He presented the "Award of Financial Reporting Achievement" to Treasurer Donner; and the "Certificate of Achievement" plaque to Director Richards.

## 10. DEPARTMENT HEAD REPORT

Community Development Director JoEllen Charlton ...

... updated Council regarding the Sievers Development on Plainfield Road. She said that residents have complained about dust from the project and that inspectors were sent to the site, that Sievers Development was doing a reasonable job with dust control and that resident tolerance was intense. She stated that some communities had adopted ordinances for dust control and she had requested information from them.

... stated the recently mailed Darien Data included an insert that discussed the updated Darien Comprehensive Plan. She commented that City Hall had received numerous calls regarding the insert.

... spoke about the pre-application review process with developers, which tailored a plan of action for each individual project. She noted that Community Development would compose a checklist to assist all developers.

... received a voicemail from the Village of Woodridge that stated notices, with a public hearing information, were being mailed to residents in regard to the Gallagher & Henry project on Woodward Avenue. She said the public hearing date was August 6, 2001 but did was unsure of the time or location. Mayor Soldato asked Director Charlton to keep Darien residents informed; she replied that when all information was received, a mailing would be done.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 01-02-06

It was moved by Alderman Hagen and seconded by Alderman Tikalsky to approve payment of Warrant Number 01-02-06 in the amount of \$64,478.86 from the General Fund; \$4,736.19 from the Darien Area Dispatch Fund; \$225.00 from the Hotel/Motel Tax Fund; \$1,235.97 from the Special Service Area Tax Fund; \$9,141.16 from the Motor Fuel Tax Fund; \$180,342.52 from the Water Operations Fund; \$161,274.59 from the General Fund Payroll for the period ending 07/12/01; \$17,013.08 from the Water Fund Payroll for the period ending 07/12/01; \$23,194.37 from the D.A.D.C. Fund payroll for the period ending 07/12/01; for a total to be approved of \$461,641.74.

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

Nays: None

Absent: Durkin

Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

B. MONTHLY REPORT - JUNE 2001

City Treasurer Donner reviewed all sources of revenue and expenditures for the month of June with the following year-to-date fund balances: General Fund \$3,959,256; Water Fund \$75,609; MFT Fund \$918,808; Darien Towne Centre Sales Tax Fund \$278,365; and Hotel/Motel Tax Fund \$51,208.

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee - Chairman Weaver submitted, for the record, Minutes from the Meeting of June 25, 2001. She announced that there would be a short Meeting on August 6th at 6:45 P.M.

Planning/Development Committee - No Report.

Public Works Water/Streets Committee - Chairman Biehl announced that the meeting scheduled for June 25th was rescheduled to August 6th at 6:30 P.M. He commented that he would like Item B on the Consent Agenda moved to New Business for discussion.

13. QUESTIONS AND COMMENTS - AGENDA RELATED

There were no questions or comments from either the audience or the Council.

14. OLD BUSINESS

There was no Old Business to come before the City Council

15. CONSENT AGENDA

Mayor Soldato noted that Consent Agenda Item B was moved to New Business as Item B.

It was moved by Alderman Tikalsky and seconded by Alderman Weaver to approve by Omnibus vote the following items on the Consent Agenda:

A. CONSIDERATION OF A MOTION TO APPROVE SEPTEMBER 7, 8 AND 9 AS DATES FOR THE DARIEN CHAMBER OF COMMERCE TO HOLD THE DARIEN FEST 2001 CELEBRATION

B. CONSIDERATION OF A MOTION TO APPROVE THE PROVISION OF POLICE PROTECTION FOR THE DARIEN FEST 2001 CELEBRATION

C. CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE \$50.00 A DAY FEE FOR THE TEMPORARY LIQUOR LICENSE

D. CONSIDERATION OF A MOTION TO APPROVE CONTRACT FOR PURCHASE OF 117 74th STREET

E. ORDINANCE NO. O-31-01 AN ORDINANCE AMENDING TITLE 4 CHAPTER 1 OF THE CITY CODE OF DARIEN (BUILDING CODE AMENDMENTS)

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Tikalsky Weaver  
Nays: None

Absent: Durkin  
Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

#### 16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE CONTRACT FOR MOWING AND TURF MAINTENANCE SERVICES FOR 75TH STREET RIGHT-OF-WAY WITH ACRES GROUP IN THE AMOUNT OF \$20,551.50

It was moved by Alderman Weaver and seconded by Alderman Marchese to approve the contract for mowing and turf maintenance services for 75th Street right-of-way with Acres Group in the amount of \$20,551.50, as presented.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Tikalsky Weaver  
Nays: None  
Absent: Durkin  
Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE THE CLOSURE OF CLARENDON HILLS ROAD FROM PLAINFIELD ROAD TO 71st STREET FROM NOON ON THURSDAY, SEPTEMBER 6, UNTIL 5:00 P.M. ON MONDAY, SEPTEMBER 10, 2001 (WITH MAINTENANCE OF LANE FOR EMERGENCY VEHICLES), TENNESSEE AVENUE AND 72nd STREET TO BENTLEY TO BE CLOSED EXCEPT FOR LOCAL TRAFFIC

It was moved by Alderman Cotten and seconded by Alderman Biehl to approve the closure of Clarendon Hills Road from Plainfield Road to 71st Street from Noon on Thursday, September 6, until 5:00 P.M. on Monday, September 10, 2001 (with maintenance of lane for emergency vehicles), and Tennessee Avenue and 72nd Street to Bentley to be closed except for Local Traffic.

Alderman Biehl wanted designation made that no parking would be allowed on the north side of 71st Street from Clarendon Hills Road to the west end of Darien Community Park and that there would be no parking on both sides of Clarendon Hills Road from 71st Street to 69th Street. He asked that this language be included for Council consideration.

Alderman Hagen expressed concern because the re-paving of Clarendon Hills Road would be done prior to DarienFest. Discussion ensued about possible damage to the street, it was stated that if damage occurred whomever caused the damage would be responsible for the repair.

MOTION TO AMEND

Alderman Biehl motioned and Alderman Cotten seconded to amend the motion by adding the following language to the original Motion: "No Parking on the North Side of 71st Street from Clarendon Hills Road to the West End of Darien Community Park, No Parking on Both Sides of Clarendon Hills Road from 71st Street to 69th Street, and No Parking on the East Side of Bentley Avenue from 71st Street to 72nd Street."

There was a call for the question on the amendment.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Tikalsky Weaver  
Nays: None  
Absent: Durkin  
Results: Ayes 6, Nays 0, Absent 1

#### AMENDING MOTION CARRIED

There was a call for the question on the original motion as amended.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Tikalsky Weaver  
Nays: None  
Absent: Durkin  
Results: Ayes 6, Nays 0, Absent 1

#### MOTION APPROVED AS AMENDED

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

Alderman Marchese, on behalf of the Darien Lions Club and Chairman Ray Littmann, thanked the City of Darien, its officials, Mayor and Administrator for financial support for the 4th of July Parade. He also thanked Public Works and Police Departments for their assistance.

Mayor Soldato asked Council to respond to Administrator Curneal's survey of proposed dates for a Goal Setting Session.

Eugene Ziomek, 1433 77th Street, addressed Council and expressed concern about the dust generated by the Sievers project on Plainfield Road. He also inquired about electrical lines, which were not located on the development or property line. Director Charlton responded that the developer was watering the site for dust control and that Community Development would continue to monitor the site. Mayor Soldato asked Mr. Ziomek to drop off his Plat of Survey so a determination could be made about the utility easement for placement of the electrical lines.

#### 18. EXECUTIVE SESSION - LITIGATION, SECTION 2(c)(1), AND PERSONNEL, SECTION 2(c)(1), OF PUBLIC ACT 88-261

It was moved by Alderman Cotten and seconded by Alderman Tikalsky to adjourn into Executive Session for the purpose of discussing Litigation, Section 2(c)(1), and Personnel, Section 2(c)(1), of Public Act 88-261, with no action to be taken.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Tikalsky, Weaver  
Nays: None  
Absent: Durkin  
Results: Ayes 6, Nays 0, Absent 1

#### MOTION DULY CARRIED

#### 20. ADJOURNMENT

The City Council adjourned into Executive Session at 8:15 P.M. and upon proper reverse roll call, adjourned at 8:50 P.M.

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

VIVA VOCE VOTE - MOTION DULY CARRIED

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

Mayor

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City Clerk

JFC/jr

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 07-16-01.

Minutes of 07/16/01 CCM

July 16, 2001