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**PRE-COUNCIL WORK SESSION — 7:00 P.M.**

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## Agenda of the Regular Meeting

of the City Council of the

**CITY OF DARIEN**

December 16, 2013

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. Recognition of 2013 Holiday Home Decorating Contest Winners
  - B. Darien Chamber of Commerce Update
9. City Clerk's Report
10. City Administrator's Report
11. Department Head Information/Questions
12. Treasurer's Report
  - A. Warrant Number — [13-14-15](#)
  - B. Monthly Report — [November 2013](#)
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.)
15. Old Business
16. Consent Agenda
  - A. Consideration of a Motion to Approve [a Resolution Authorizing City Staff to Proceed with Water Main Improvements and a Water Service Line](#) for the Public Works Facility Located at 1041 South Frontage Road at a Cost Not to Exceed \$25,509.08
17. New Business
  - A. Consideration of a Motion to Approve [a Resolution Adopting the DuPage County Natural Hazards Mitigation Plan](#)
  - B. Consideration of a Motion to Approve [an Ordinance Amending Title 3, Chapter 3, "Liquor Control Regulations," of the Darien City Code by adding New Section 3-3-25, "Video Gaming Signage,"](#) Thereto of the Darien City Code
18. Questions, Comments and Announcements — General (This is an opportunity for the public to make comments or ask questions on any issue.)
19. Adjournment

## CITY OF DARIEN

EXPENDITURE APPROVAL LIST  
FOR CITY COUNCIL MEETING ON  
December 16, 2013

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		\$47,715.73
Water Fund		\$310,634.09
Motor Fuel Tax Fund		\$47,896.65
Water Depreciation Fund		
Debt Service Fund		
Capital Improvement Fund		\$2,449.75
Special Service Area Tax Fund		
	<i>Subtotal:</i>	<u>\$ 408,696.22</u>
General Fund Payroll	<i>Payroll 12/12/13</i>	\$ 256,635.44
Water Fund Payroll	<i>Payroll 12/12/13</i>	\$ 16,146.53
	<i>Subtotal:</i>	<u>\$ 272,781.97</u>
<i>Total to be Approved by City Council:</i>		<u>\$ 681,478.19</u>

*Approvals:*

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Kathleen Moesle Weaver, Mayor

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JoAnne E. Ragona, City Clerk

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Michael J. Coren, Treasurer

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Bryon D. Vana, City Administrator

**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Administration  
From 12/3/2013 Through 12/16/2013**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
AIS	HP PRINTER MEMORY REPLACEMENT (K37010)	Consulting/Professional	26.00	4325
AIS	NOVEMBER 2013 COMPUTER SERVICES	Consulting/Professional	2,720.00	4325
BEST QUALITY CLEANING, INC.	DECEMBER 2013 JANITORIAL SERVICE	Janitorial Service	1,182.00	4345
COM ED	TORNADO SIREN	ESDA	0.41	4279
COMCAST	INTERNET AT 1041 S. FRONTAGE - ACCT 8771 20 109 0343850	Consulting/Professional	94.85	4325
DUPAGE COUNTY RECORDER	R2013 154620 LIEN 7928 GRANT STREET	Legal Notices	8.00	4221
DUPAGE COUNTY RECORDER	R2013 156400 - LIEN 7005 HIGH ROAD	Legal Notices	8.00	4221
DUPAGE COUNTY RECORDER	R2013 158536 - RELEASE OF LIEN 1129 69TH STREET	Legal Notices	8.00	4221
EMERALD MARKETING INC.	JAN/FEB 2014 NEIGHBORS OF DARIEN	Public Relations	3,145.27	4239
ICMA MEMBERSHIP RENEWALS	2014 MEMBERSHIP RENEWAL	Dues and Subscriptions	1,334.04	4213
MUNICIPAL WEB SERVICES	OCTOBER 2013 WEBSITE HOSTING	Consulting/Professional	533.25	4325
NICOR GAS	7422 S. CASS - ACCT 05-09-41-1000 3	Utilities (Elec,Gas,Wtr,Sewer)	176.72	4271
NICOR GAS	1702 PLAINFIELD - ACCT 82-54-11-1000 1	Utilities (Elec,Gas,Wtr,Sewer)	185.28	4271
NOTARY PUBLIC ASSOCIATION OF I	ROBYN C. PARKS NOTARY PUBLIC RENEWAL	Dues and Subscriptions	49.00	4213
OFFICE DEPOT	SUPPLIES	Supplies - Office	337.18	4253
OFFICE DEPOT	SUPPLIES	Supplies - Office	1.11	4253
OFFICE DEPOT	SUPPLIES	Supplies - Office	141.61	4253
OFFICE DEPOT	SUPPLIES	Supplies - Office	55.24	4253
OFFICE DEPOT	SUPPLIES	Supplies - Office	647.27	4253

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Administration**  
**From 12/3/2013 Through 12/16/2013**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
RAGS ELECTRIC	TORNADO SIREN REPAIR	ESDA	108.50	4279
SHAW MEDIA	LEGAL NOTICE 6897 - 334 JANET P&Z HEARING 12-04-13	Legal Notices	318.88	4221
VERIZON WIRELESS	CELL PHONES & POLICE AIRCARDS -ACCT 480506384-00001	Telephone	1,427.70	4267
		Total Administration	12,508.31	

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**City Council**  
**From 12/3/2013 Through 12/16/2013**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
ACTION FLAG COMPANY	FIVE CITY FLAGS	Public Relations	399.88	4239
HOME DEPOT	SUPPLIES	Boards and Commissions	75.20	4205
ILLINOIS STATE POLICE	MAUREEN ANN STRAUSER/ DRY DOCK-FINGERPRINT FEE	Boards and Commissions	36.50	4205
ROSENTHAL, MURPHEY, COBLENTZ	NOVEMBER 2013 LEGAL FEES	Liability Insurance	1,227.40	4219
		Total City Council	1,738.98	

**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Community Development  
From 12/3/2013 Through 12/16/2013**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
CHASE CARD SERVICES	SEMINAR - D. GOMBAC	Training and Education	149.00	4263
DON MORRIS ARCHITECTS P.C.	NOVEMBER 2013 BUILDING INSPECTIONS & PLAN REVIEW	Consulting/Professional	1,690.00	4325
DON MORRIS ARCHITECTS P.C.	NOVEMBER 2013 BUILDING INSPECTIONS & PLAN REVIEW	Const/Prof Reimbursable	2,814.94	4328
JOSEPH ALGOZINE	NOVEMBER 2013 ELECTRICAL INSPECTIONS	Consulting/Professional	660.00	4325
KLOA, INC.	TRAFFIC EVALUATION	Consulting/Professional	450.00	4325
ROSENTHAL, MURPHEY, COBLENTZ	NOVEMBER 2013 LEGAL FEES	Liability Insurance	105.00	4219
ROYAL OAKS LANDSCAPING	LANDSCAPE MAINTENANCE - 1129 69TH STREET	Const/Prof Reimbursable	200.00	4328
ROYAL OAKS LANDSCAPING	LANDSCAPE MAINTENANCE - 3216 STEWERT	Const/Prof Reimbursable	200.00	4328
ROYAL OAKS LANDSCAPING	LANDSCAPE MAINTENANCE - 7700 LYMAN	Const/Prof Reimbursable	200.00	4328
ROYAL OAKS LANDSCAPING	LANDSCAPE MAINTENANCE - 8535 MEADOW	Const/Prof Reimbursable	100.00	4328
			6,568.94	
			Total Community Development	

**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Public Works, Streets  
From 12/3/2013 Through 12/16/2013**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
ADVANTAGE CHEVROLET	REPAIR PARTS FOR FLEET VEHICLES	Maintenance - Vehicles	86.57	4229
AIR-RITE HEATING & COOLING	SERVICE CITY HALL FURNACES	Maintenance - Building	532.00	4223
AIR-RITE HEATING & COOLING	SERVICE VIBRATING HEATER AT P.W. GARAGE	Maintenance - Building	124.00	4223
ALL-STAR MAINTENANCE	NOVEMBER 2013 PINE PARKWAY MEDIAN MOWING	Consulting/Professional	32.50	4325
BUTTERY RENTAL SERVICES, INC.	LIFT RENTAL FOR DARIEN HISTORICAL SOCIETY TREE	Rent - Equipment	552.75	4243
CHASE CARD SERVICES	REPAIR PART - HYDRAULIC JACK	Maintenance - Equipment	20.00	4225
CHASE CARD SERVICES	CONCRETE SEALER - ENTRANCE SIGNS	Supplies - Other	426.00	4257
CHASE CARD SERVICES	CONCRETE SEALER - ENTRANCE SIGNS	Supplies - Other	62.00	4257
COM ED	STREET LIGHTS - ACCT 0448008035	Street Light Oper & Maint.	403.53	4359
COM ED	STREET LIGHTS - ACCT 0267129091	Street Light Oper & Maint.	1,460.37	4359
CONSTELLATION NEW ENERGY, INC.	STREET LIGHTS - ACCT 6753122017	Street Light Oper & Maint.	89.09	4359
CULLIGAN	WATER & FILTER RENTAL @ PUBLIC WORKS	Maintenance - Building	64.93	4223
DAS ENTERPRISES, INC.	HAULING - MISCELLANEOUS DRAINAGE	Drainage Projects	790.00	4374
DAS ENTERPRISES, INC.	HAULING - STUMP REMOVALS & 6701 CLARENDON HILLS ROAD	Drainage Projects	790.00	4374

**CITY OF DARIEN  
Expenditure Journal  
General Fund  
Public Works, Streets  
From 12/3/2013 Through 12/16/2013**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
DECKER SUPPLY CO.	PUBLIC WORKS SIGN	Supplies - Other	49.65	4257
FOSTER'S TRUCK REPAIR	SAFETY LANE TRUCK #108	Liability Insurance	30.00	4219
FOX LANDSCAPING, INC.	CITY HALL & P.D. LANDSCAPING CLEAN UP	Maintenance - Building	350.00	4223
HCI TRANSPORTATION	AUGER BEARING FOR TAILGATE SPREADER - TRUCK 103	Maintenance - Vehicles	36.82	4229
HOME DEPOT	SUPPLIES	Maintenance - Building	576.61	4223
HOME DEPOT	SUPPLIES	Maintenance - Vehicles	1.56	4229
HOME DEPOT	SUPPLIES	Supplies - Other	357.12	4257
HOME DEPOT	SUPPLIES	Small Tools & Equipment	47.44	4259
HOMER TREE CARE, INC.	EMERGENCY REMOVAL OF TREE AT P.W. FACILITY AFTER STORM	Tree Trim/Removal	870.00	4375
JOHN K. CARR	GAS SYSTEM PRINTER	Supplies - Other	54.24	4257
JSN CONTRATORS SUPPLY	14-INCH CHOP SAW	Liability Insurance	150.00	4219
KARA COMPANY, INC.	WOOD LATHES TO MARK PLOW STOPPERS ON SIDEWALK ROUTE	Supplies - Other	59.16	4257
LAWSON PRODUCTS INCORPORATED	GREASE & HOSE FITTINGS	Maintenance - Equipment	529.62	4225
LAWSON PRODUCTS INCORPORATED	GREASE, SCREWS, WASHERS, COUPLERS & FITTINGS FOR MECHANIC	Maintenance - Equipment	412.35	4225
MARTIN IMPLEMENT SALES, INC.	SHIPPING CHARGES FOR PARTS ORDERED	Maintenance - Equipment	6.41	4225
McMASTER-CARR SUPPLY CO.	PINS FOR BANNER BRACKETS	Small Tools & Equipment	90.90	4259
NATIONAL POWER RODDING	MARK DELAY BOWL JETTING	Rent - Equipment	3,579.38	4243



**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Public Works, Streets**  
**From 12/3/2013 Through 12/16/2013**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
RED WING SHOES	UNIFORMS JEFF CORNEILS & KEVIN ONCHUCK	Uniforms	91.78	4269
RENDEL'S GMC, INC.	TRANSMISSION WIRE REPAIR - TRUCK 103	Maintenance - Vehicles	972.31	4229
RICHARD E. LEPIC	CDL REIMBURSEMENT	Liability Insurance	60.00	4219
UNIQUE PRODUCTS & SERVICE CORP	JANITORIAL SUPPLIES	Maintenance - Building	37.20	4223
US GAS	OXYGEN & ACETYLENE TANK RENTALS	Supplies - Other	32.00	4257
WASTE MANAGEMENT LARAWAY RDF	STREET SWEEPING	Street Sweeping	3,740.00	4373
WHOLESALE DIRECT, INC.	WINTER WIPER BLADES FOR TRUCKS	Maintenance - Vehicles	212.06	4229
			17,780.35	
		Total Public Works, Streets		

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Police Department**  
**From 12/3/2013 Through 12/16/2013**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
ADVANTAGE CHEVROLET	REPAIR PARTS FOR FLEET VEHICLES	Maintenance - Vehicles	96.88	4229
ANTON HRUBY	UNIFORM ALLOWANCE	Uniforms	43.37	4269
CHASE CARD SERVICES	DOG FOOD	Investigation and Equipment	90.47	4217
CHASE CARD SERVICES	DETECTIVE INTERNET SEARCHES	Investigation and Equipment	50.00	4217
CHASE CARD SERVICES	BATTERIES	Investigation and Equipment	200.00	4217
CHASE CARD SERVICES	BATTERIES	Investigation and Equipment	9.47	4217
CHASE CARD SERVICES	SAND TUBES FOR SQUADS	Investigation and Equipment	11.37	4217
CHASE CARD SERVICES	SHIPPING - RETURN	Postage/Mailings	27.80	4233
CHASE CARD SERVICES	SHIPPING - PRODUCT REPAIR	Postage/Mailings	26.19	4233
CHASE CARD SERVICES	SUPPLIES	Supplies - Office	19.54	4253
CHASE CARD SERVICES	SUPPLIES	Supplies - Office	15.83	4253
CHASE CARD SERVICES	CARTRIDGE FOR ID MAKER	Supplies - Office	78.94	4253
CHASE CARD SERVICES	DISINFECTANT WIPES	Supplies - Office	17.94	4253
CHASE CARD SERVICES	2014 CALENDAR	Supplies - Office	1.94	4253
CHASE CARD SERVICES	2014 CALENDARS	Supplies - Office	48.12	4253
CHASE CARD SERVICES	SUPPLIES	Supplies - Office	23.45	4253
CHASE CARD SERVICES	DETECTIVE CAMERA MEMORY CARDS	Supplies - Office	47.94	4253
CHASE CARD SERVICES	TRAINING - J. COOPER	Training and Education	40.00	4263
CHASE CARD SERVICES	TRAINING - LISS	Training and Education	119.00	4263
CHASE CARD SERVICES	INTERNET	Telephone	104.85	4267
COMCAST	CABLE BOX	Telephone	2.13	4267
CRIME ANALYSTS OF IL ASSN	STACY SHERMAN - 2014 MEMBERSHIP DUES	Dues and Subscriptions	35.00	4213
HONER BUILDERS INC.	REPAIR BROKEN DOOR	Investigation and Equipment	95.00	4217
ILEAS	GERALD PICCOLI WITH LODGING (MARCH 2 & 3, 2014)	Training and Education	200.00	4263
ILEAS	JOHN COOPER AS COMMUTER	Training and Education	125.00	4263

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Police Department**  
**From 12/3/2013 Through 12/16/2013**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
KIESLER POLICE SUPPLY COMPANY	AMMUNITION	Investigation and Equipment	985.40	4217
KING CAR WASH	SQUAD WASHES	Maintenance - Vehicles	218.00	4229
LAUREN RENNER	UNIFORM ALLOWANCE	Uniforms	32.48	4269
LINDA S. PIECZYNSKI	NOVEMBER 2013 PROSECUTION FEES	Liability Insurance	952.50	4219
MOORE MEDICAL	MEDICAL SUPPLIES	Liability Insurance	592.50	4219
NICOR GAS	1710 PLAINFIELD - ACCT 82-80-00-1000 9	Utilities (Elec,Gas,Wtr,Sewer)	590.90	4271
NORTHEAST MULTIREGIONAL TRNG	DOUGLAS J. RUMICK & JOHN A. JUMP 5-31-13	Training and Education	150.00	4263
NORTHEAST MULTIREGIONAL TRNG	ANTON HRUBY & DAVID MILAZZO - 11/5/13 - 11/7/13	Training and Education	100.00	4263
RCM DATA CORPORATION	LIVESCAN TONER CARTRIDGE	Supplies - Office	119.28	4253
ROSENTHAL, MURPHEY, COBLENTZ	NOVEMBER 2013 LEGAL FEES	Liability Insurance	2,047.50	4219
STACY SHERMAN	2014 IACA DUES	Dues and Subscriptions	25.00	4213
THEODORE POLYGRAPH SERVICE	JENNIFER DOLLINS - 11/22/13	Boards and Commissions	135.00	4205
VERIZON WIRELESS	CELL PHONES & POLICE AIRCARDS -ACCT 480506384-00001	Telephone	798.21	4267
		Total Police Department	8,277.00	

**CITY OF DARIEN**  
**Expenditure Journal**  
**General Fund**  
**Business District**  
**From 12/3/2013 Through 12/16/2013**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
COM ED	7515 S. CASS, UNIT BD - ACCT 7156796018	Utilities (Elec,Gas,Wtr,Sewer)	28.66	4271
COM ED	7515 S. CASS, UNIT D - ACCT 7156797060	Utilities (Elec,Gas,Wtr,Sewer)	251.97	4271
COM ED	7515 S. CASS, UNIT 19 (F) - ACCT 7156805021	Utilities (Elec,Gas,Wtr,Sewer)	21.21	4271
FIRE & SECURITY SYSTEMS, INC.	ALARM SERVICES - 7515 S. CASS	Maintenance - Grounds	183.00	4227
NICOR GAS	7515 S. CASS, UNIT F - ACCT 27-03-27-0545 4	Utilities (Elec,Gas,Wtr,Sewer)	98.86	4271
NICOR GAS	7515 S. CASS, UNIT D - ACCT 40-53-48-5251 8	Utilities (Elec,Gas,Wtr,Sewer)	258.45	4271
			842.15	
			47,715.73	

**CITY OF DARIEN**  
**Expenditure Journal**  
**Water Fund**  
**Public Works, Water**  
**From 12/3/2013 Through 12/16/2013**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
BEST QUALITY CLEANING, INC.	DECEMBER 2013 JANITORIAL SERVICE	Maintenance - Building	608.00	4223
CHASE CARD SERVICES	JULIE LOCATING - STREET LIGHTS	Maintenance - Water System	31.49	4231
COM ED	2103 75TH ST PUMP - ACCT 3118112014	Utilities (Elec,Gas,Wtr,Sewer)	641.57	4271
COM ED	2103 75TH ST PUMP - ACCT 3118112014	Utilities (Elec,Gas,Wtr,Sewer)	(311.40)	4271
CONSTELLATION NEW ENERGY, INC.	2101 W. 75TH STREET - ACCT 0269155053	Utilities (Elec,Gas,Wtr,Sewer)	47.23	4271
CULLIGAN	WATER & FILTER RENTAL @ PUBLIC WORKS	Maintenance - Building	64.92	4223
DUPAGE COUNTY PUBLIC WORKS	METER READINGS & BILLING	Data Processing	25,000.25	4336
DUPAGE WATER COMMISSION	WATER OPERATION & MAINTENANCE COSTS	DuPage Water Commission	280,965.14	4340
E.F. HEIL LLC	EAB STUMP SCRAPINGS & WATER MAIN REPAIRS	Maintenance - Water System	600.00	4231
HBK WATER METER SERVICE	BENCH TEST METER - 18W173 HOLLY (DISPUTED WATER BILL)	Water Meter Purchases	19.40	4880
HD SUPPLY WATERWORKS	WATER MAIN BREAK REPAIR CLAMPS	Maintenance - Water System	295.40	4231
HOME DEPOT	SUPPLIES	Maintenance - Building	11.87	4223
HOME DEPOT	SUPPLIES	Maintenance - Water System	189.65	4231
ILLINI POWER PRODUCTS	SERVICE CALL PLANT #2 GENERATOR	Maintenance - Water System	876.04	4231
JSN CONTRATORS SUPPLY	14-INCH CHOP SAW	Liability Insurance	150.00	4219
JSN CONTRATORS SUPPLY	14-INCH CHOP SAW	Maintenance - Water System	269.50	4231
MENNON RUBBER & SAFETY PRODUCT	RUBBER OVERBOOTS FOR RICK REID	Liability Insurance	30.32	4219
NICOR GAS	1220 PLAINFIELD - ACCT 21-71-02-6494 2	Utilities (Elec,Gas,Wtr,Sewer)	16.76	4271

**CITY OF DARIEN**  
**Expenditure Journal**  
**Water Fund**  
**Public Works, Water**  
**From 12/3/2013 Through 12/16/2013**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
SUBURBAN LABORATORIES	RADIOLOGICAL & COLIFORM SAMPLES FOR WELL WATER TESTING	Quality Control	589.00	4241
SUBURBAN LABORATORIES	COLIFORM SAMPLES FOR WATER TESTING	Quality Control	255.00	4241
US GAS	OXYGEN & ACETYLENE TANK RENTALS	Maintenance - Water System	32.00	4231
VERIZON WIRELESS	CELL PHONES & POLICE AIRCARDS -ACCT 480506384-00001	Telephone	251.95	4267
			310,634.09	
			Total Public Works, Water	
			310,634.09	
			Total Water Fund	

**CITY OF DARIEN**  
**Expenditure Journal**  
**Motor Fuel Tax**  
**MFT Expenses**  
**From 12/3/2013 Through 12/16/2013**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
HOMER TREE CARE, INC.	DEAD ASH TREE REMOVAL (LIST #5)	Consulting/Professional	34,026.75	4325
HOMER TREE CARE, INC.	EAB DEAD TREE REMOVAL - LIST #6	Consulting/Professional	13,216.50	4325
QUARRY MATERIALS	COLD PATCH	Road Material	<u>653.40</u>	4245
		Total MFT Expenses	<u>47,896.65</u>	
		Total Motor Fuel Tax	47,896.65	

**CITY OF DARIEN  
Expenditure Journal  
Capital Improvement Fund  
Capital Fund Expenditures  
From 12/3/2013 Through 12/16/2013**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
DAS ENTERPRISES, INC.	HAULING	Equipment	809.75	4815
DUPAGE TOPSOIL, INC.	EAB STUMP RESTORATION	Equipment	570.00	4815
DUPAGE TOPSOIL, INC.	EAB STUMP RESTORATIONS	Equipment	570.00	4815
E.F. HEIL LLC	EAB STUMP SCRAPINGS & WATER MAIN REPAIRS	Equipment	500.00	4815
			Total Capital Fund Expenditures	2,449.75
			Total Capital Improvement Fund	2,449.75
Report Total			408,696.22	





P.O. BOX 15123  
WILMINGTON, DE  
19850-5123

**Payment Due Date:** 12/24/13  
**New Balance:** \$1,621.34  
**Minimum Payment:** \$324.00

Account number: [REDACTED]

\$ 1621.34 Amount Enclosed  
Make your check payable to: Chase Card Services

45836 BEX Z 33613 C  
BRYON VANA  
CITY OF DARIEN  
1702 PLAINFIELD RD  
DARIEN IL 60561-5044



CARDMEMBER SERVICE  
PO BOX 15153  
WILMINGTON DE 19886-5153



**BUSINESS CARD STATEMENT**



Customer Service:  
1-800-275-0863



Mobile: Visit chase.com  
on your mobile browser

**ACCOUNT SUMMARY**

<b>Account Number:</b>	[REDACTED]
Previous Balance	\$481.77
Payment, Credits	-\$481.77
Purchases	+\$1,621.34
Cash Advances	\$0.00
Balance Transfers	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
<b>New Balance</b>	<b>\$1,621.34</b>
<hr/>	
Opening/Closing Date	11/03/13 - 12/02/13
Credit Limit	\$50,000
Available Credit	\$48,378
Cash Access Line	\$10,000
Available for Cash	\$10,000
<hr/>	
Past Due Amount	\$0.00
Balance over the Credit Limit	\$0.00

**PAYMENT INFORMATION**

New Balance	\$1,621.34
Payment Due Date	12/24/13
Minimum Payment Due	\$324.00

**Late Payment Warning:** If we do not receive your minimum payment by the due date, you may have to pay up to a \$39 late fee.

**Minimum Payment Warning:** Enroll in Auto-Pay and avoid missing a payment. To enroll, call the number on the back of your card or go to the web site listed above.

**FLEXIBLE REWARDS SUMMARY**

Previous points balance	26,210
+ Points earned on purchases this period	1,622
= New total points balance	27,832

Every time you use your Chase Business card with Flexible Rewards Select, you are on your way to earning great rewards. You earn 1 point per \$1 spent on all purchases and there's no cap on how many points you can earn and points never expire. Add employees and earn rewards even faster! You can redeem your points for airline tickets, gift certificates to leading merchants, top quality merchandise or cash. Check out the entire rewards collection and redeem your points online at [www.chase.com/businesscard](http://www.chase.com/businesscard).

**ACCOUNT ACTIVITY**

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
11/19	Payment Thank You Image Check BRYON VANA TRANSACTIONS THIS CYCLE [REDACTED] -\$481.77 INCLUDING PAYMENTS RECEIVED	-481.77
11/05	PRINTING SERVICES 888-888-4211 CA 62-50-4231 Stickers-Julie (wednesday) 1/13/13	31.49
11/07	CARROLL DIST 22 630-257-5440 IL 01-30-4257- Concrete Sealer-Entrance Signs	62.00
11/08	PETERSEN'S HYDRAULIC J TOMAHAWK WI 01-30-4225 Repair Part-Hydraulic Jack	20.00
11/11	CARROLL DIST 22 6302575440 IL 01-30-4257 Concrete Sealer- Entrance Signs	426.00
11/11	FREDPRYOR CAREERTRACK 800-5563012 KS 01-20-4263 Seminar - D. Gombac DANIEL GOMBAC TRANSACTIONS THIS CYCLE [REDACTED] \$688.49	149.00
11/18	PETSMART INC 422 DARIEN IL 01-40-4217 Dog Food	90.47
11/22	WAL-MART #2215 DARIEN IL 01-40-4253 Disinfectant Wipes SARAH FALCO TRANSACTIONS THIS CYCLE [REDACTED] \$108.41	17.94
10/31	OFFICE DEPOT #1090 800-463-3768 MA 01-40-4253 2014 Calendar	1.94
10/31	OFFICE DEPOT #1105 800-463-3768 IL 01-40-4253 2014 Calendars	48.12
10/31	OFFICE DEPOT #1105 800-463-3768 IL 01-40-4253 Supplies	23.45



**ACCOUNT ACTIVITY**

**(CONTINUED)**

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
11/01	IL AS. OF CHIEFS POLICE 217-5233765 IL 01-404263 Training Cooper	40.00
11/04	USPS.COM CLICK66100611 800-3447779 DC 01-40-4233 Shipping return	27.80
11/04	LEXISNEXIS RISK MGT 888-332-8244 FL 01-40-4217 Detective internet searches	50.00
11/08	OFFICE DEPOT #1105 800-463-3768 IL 01-40-4253 Supplies	19.54
11/12	UPS*000000Y1048X453 800-811-1648 GA 01-40-4232 Shipping product repair	26.19
11/19	FREDPRYOR CAREERTRACK 800-5563012 KS 01-40-4263 Training -less	119.00
11/20	BATTERIES AND BUTTER 718-4912700 NY 01-40-4217 Batteries	200.00
11/20	BATTERIES AND BUTTER 718-4912700 NY 01-40-4217 Batteries	9.47
11/20	OFFICE DEPOT #1105 800-463-3768 IL 01-40-4253 Supplies	15.83
11/21	AMAZON MKTPLACE PMTS AMZN.COM/BILL WA 01-40-4253 Cartridge for IDmaker	78.94
11/27	COMCAST CHICAGO 800-COMCAST IL 01-40-4267 Internet	104.85
11/27	OFFICE DEPOT #1105 800-463-3768 IL 01-40-4253 Memory Cards - Cameras	47.94
	CAROL KOPTA	
	TRANSACTIONS THIS CYCLE (CARD 4519) \$813.07	
11/25	THE HOME DEPOT 1905 DARIEN IL 01-40-4217 SAND tubes for sgo do	11.37
	JOHN COOPER	
	TRANSACTIONS THIS CYCLE (CARD 4519) \$11.37	

2013 Totals Year-to-Date	
Total fees charged in 2013	\$0.00
Total interest charged in 2013	\$0.00

Year-to-date totals reflect all charges minus any refunds applied to your account.

**INTEREST CHARGES**

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Balance Type	Annual Percentage Rate (APR)	Balance Subject To Interest Rate	Interest Charges
<b>PURCHASES</b>			
Purchases	13.24% (v)	-0-	-0-
<b>CASH ADVANCES</b>			
Cash Advances	19.24% (v)	-0-	-0-
<b>BALANCE TRANSFERS</b>			
Balance Transfer	13.24% (v)	-0-	-0-

(v) = Variable Rate

**30 Days in Billing Period**

Please see Information About Your Account section for the Calculation of Balance Subject to Interest Rate, Annual Renewal Notice, How to Avoid Interest on Purchases, and other important information, as applicable.

**CITY OF DARIEN  
REVENUE AND EXPENDITURE REPORT SUMMARY  
November 30, 2013**

**GENERAL FUND - (01)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 928,936	\$ 8,656,968	\$ 12,476,230
Expenditures	\$ 689,495	\$ 6,823,763	\$ 10,809,655

Audited 5/1/13 Opening Fund Balance: \$ 4,671,008  
 Transfer to Capital Fund \$ (3,747,422)  
 Current Fund Balance: \$ 2,756,791

**WATER FUND - (02)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 36,142	\$ 2,922,002	\$ 6,334,567
Expenditures	\$ 396,777	\$ 2,910,096	\$ 6,066,503

\*Audited 5/1/13 Cash Balance \$ 872,495  
 Current Cash Balance: \$ 884,401

**MOTOR FUEL TAX FUND - (03)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 151,055	\$ 421,078	\$ 519,021
Expenditures	\$ 25,835	\$ 251,948	\$ 578,915

Audited 5/1/13 Opening Fund Balance: \$ 292,709  
 Current Fund Balance: \$ 461,839

**WATER DEPRECIATION FUND (12)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 401	\$ 61,852	\$ -
Expenditures	\$ -	\$ 129,320	\$ 121,000

\*Audited 5/1/13 Cash Balance \$ 742,718  
 Current Cash Balance: \$ 675,250

**CAPITAL IMPROVEMENT FUND (25)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 80,796	\$ 4,051,451	\$ 3,149,820
Expenditures	\$ 133,922	\$ 2,688,539	\$ 3,217,224

Audited 5/1/13 Opening Fund Balance: \$ 3,811,097  
 Current Fund Balance: \$ 5,174,009

**CAPITAL PROJECTS DEBT SERVICE FUND (35)**

	Current Month <u>Actual</u>	Year To Date <u>Actual</u>	Total <u>Budget</u>
Revenue	\$ 8,077	\$ 498,689	\$ 498,400
Expenditures	\$ -	\$ 86,838	\$ 498,400

Audited 5/1/13 Opening Fund Balance: \$ 7,860  
 Current Fund Balance: \$ 419,712

	Current Actual Year to Date	Current Budgeted F.Y.E. '14	Prior Year Actual Through November 12
Property Tax Collections	\$ 1,818,189	\$ 1,821,002	\$ 2,316,666
Sales Tax Collections	\$ 2,979,698	\$ 4,900,000	\$ 2,868,282

\* Audited cash balance adjusted for accrual items

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**General Fund**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Revenue</b>								
<b>Taxes</b>								
Real Estate Taxes - Current	3110	17,352.37	5,282.00	1,113,520.89	1,115,282.00	1,115,282.00	(1,761.11)	0.15%
Road and Bridge Tax	3120	3,211.98	0.00	206,424.34	95,000.00	185,000.00	21,424.34	(11.58)%
Municipal Utility Tax	3130	71,731.24	86,666.67	584,807.88	606,666.69	1,040,000.00	(455,192.12)	43.76%
Amusement Tax	3140	5,809.24	7,500.00	48,534.27	52,500.00	90,000.00	(41,465.73)	46.07%
Hotel/Motel Tax	3150	4,359.96	2,583.33	35,857.56	18,083.31	31,000.00	4,857.56	(15.66)%
Personal Property Tax	3425	0.00	416.67	3,552.90	2,916.69	5,000.00	(1,447.10)	28.94%
<b>Total Taxes</b>		<b>102,464.79</b>	<b>102,448.67</b>	<b>1,992,697.84</b>	<b>1,890,448.69</b>	<b>2,466,282.00</b>	<b>(473,584.16)</b>	<b>19.20%</b>
<b>License, Permits, Fees</b>								
Business Licenses	3210	425.00	0.00	11,933.95	0.00	40,000.00	(28,066.05)	70.16%
Liquor License	3212	1,500.00	0.00	60,125.00	50,000.00	50,000.00	10,125.00	(20.25)%
Contractor Licenses	3214	510.00	0.00	11,700.00	11,000.00	12,000.00	(300.00)	2.50%
Court Fines	3216	6,364.42	11,666.67	72,831.01	81,666.69	140,000.00	(67,168.99)	47.97%
Towing Fees	3217	1,500.00	4,166.67	42,503.00	29,166.69	50,000.00	(7,497.00)	14.99%
Ordinance Fines	3230	2,025.00	1,666.67	9,720.50	11,666.69	20,000.00	(10,279.50)	51.39%
Building Permits and Fees	3240	9,298.00	500.00	151,371.00	24,000.00	35,000.00	116,371.00	(332.48)%
Telecommunication Taxes	3242	70,887.60	75,000.00	508,525.90	525,000.00	900,000.00	(391,474.10)	43.49%
Cable T.V. Franchise Fee	3244	89,154.38	28,333.33	271,519.80	198,333.31	340,000.00	(68,480.20)	20.14%
NICOR Franchise Fee	3246	0.00	3,333.33	0.00	23,333.31	40,000.00	(40,000.00)	100.00%
Public Hearing Fees	3250	485.00	333.33	3,581.08	2,333.31	4,000.00	(418.92)	10.47%
Elevator Inspections	3255	0.00	333.33	2,075.00	2,333.31	4,000.00	(1,925.00)	48.12%
Public Improvement Permit Fee	3260	0.00	0.00	175.00	0.00	0.00	175.00	0.00%
Engineering/Prof Fee Reimb	3265	3,827.00	500.00	52,808.49	13,500.00	20,000.00	32,808.49	(164.04)%
D.U.I. Technology Fines	3267	8,289.58	541.67	15,435.83	3,791.69	6,500.00	8,935.83	(137.47)%
Police Special Service	3268	13,189.29	10,416.67	73,195.27	72,916.69	125,000.00	(51,804.73)	41.44%
Stormwater Management Fees	3270	0.00	8.33	962.00	58.31	100.00	862.00	(862.00)%
<b>Total License, Permits, Fees</b>		<b>207,455.27</b>	<b>136,800.00</b>	<b>1,288,462.83</b>	<b>1,049,100.00</b>	<b>1,786,600.00</b>	<b>(498,137.17)</b>	<b>27.88%</b>
<b>Charges for Services</b>								

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**General Fund**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Inspections/Tap on/Permits	3320	0.00	0.00	100.00	0.00	0.00	100.00	0.00%
Total Charges for Services		0.00	0.00	100.00	0.00	0.00	100.00	0.00%
Intergovernmental								
State Income Tax	3410	118,849.04	174,847.50	1,263,118.10	1,223,932.50	2,098,170.00	(835,051.90)	39.79%
Local Use Tax	3420	29,003.84	29,448.00	204,427.17	206,136.00	353,376.00	(148,948.83)	42.15%
Sales Taxes	3430	426,694.08	408,333.33	2,979,697.76	2,858,333.31	4,900,000.00	(1,920,302.24)	39.18%
Total Intergovernmental		574,546.96	612,628.83	4,447,243.03	4,288,401.81	7,351,546.00	(2,904,302.97)	39.51%
Other Revenue								
Interest Income	3510	447.98	833.33	5,388.56	5,833.31	10,000.00	(4,611.44)	46.11%
Gain/Loss on Investment	3515	7.77	0.00	17.34	0.00	0.00	17.34	0.00%
Water Share Expense	3520	20,833.34	20,833.33	145,833.38	145,833.31	250,000.00	(104,166.62)	41.66%
Police Report/Prints	3534	325.00	333.33	3,760.00	2,333.31	4,000.00	(240.00)	6.00%
Reimbursement-Rear Yard Drain	3541	0.00	0.00	6,273.94	0.00	0.00	6,273.94	0.00%
Street Recon Prog - Reimb	3550	0.00	0.00	78,718.28	0.00	0.00	78,718.28	0.00%
Grants	3560	0.00	0.00	11,702.59	0.00	0.00	11,702.59	0.00%
Rents	3561	15,101.45	19,941.83	279,467.03	139,592.81	239,302.00	40,165.03	(16.78)%
Other Reimbursements	3562	6,045.34	7,083.33	84,297.79	49,583.31	85,000.00	(702.21)	0.82%
Residential Concrete Reimb	3563	(7,481.25)	0.00	67,987.04	0.00	0.00	67,987.04	0.00%
Mail Box Reimbursement Program	3569	628.40	0.00	2,308.60	0.00	0.00	2,308.60	0.00%
Sales of Wood Chips	3572	219.00	0.00	4,299.00	0.00	0.00	4,299.00	0.00%
Sale of Equipment	3575	0.00	1,250.00	2,506.99	8,750.00	15,000.00	(12,493.01)	83.28%
Miscellaneous Revenue	3580	2,993.66	9,583.33	8,917.80	67,083.31	115,000.00	(106,082.20)	92.24%
Transfer from Other Funds	3612	0.00	0.00	145,901.51	0.00	0.00	145,901.51	0.00%
Total Other Revenue		39,120.69	59,858.48	847,379.85	419,009.36	718,302.00	129,077.85	(17.97)%
Total Revenue		923,587.71	911,735.98	8,575,883.55	7,646,959.86	12,322,730.00	(3,746,846.45)	30.41%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Water Fund**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Charges for Services							
Water Sales	3310 33,712.16	0.00	2,902,584.21	3,159,285.00	6,318,567.00	(3,415,982.79)	54.06%
Inspections/Tap on/Permits	3320 240.00	0.00	9,404.60	2,000.00	4,000.00	5,404.60	(135.11)%
Sale of Meters	3325 1,259.00	291.67	2,634.00	2,041.69	3,500.00	(866.00)	24.74%
Other Water Sales	3390 0.00	375.00	3,010.20	2,625.00	4,500.00	(1,489.80)	33.10%
Total Charges for Services	35,211.16	666.67	2,917,633.01	3,165,951.69	6,330,567.00	(3,412,933.99)	53.91%
Other Revenue							
Interest Income	3510 931.07	333.33	4,368.68	2,333.31	4,000.00	368.68	(9.21)%
Total Other Revenue	931.07	333.33	4,368.68	2,333.31	4,000.00	368.68	(9.22)%
Total Revenue	36,142.23	1,000.00	2,922,001.69	3,168,285.00	6,334,567.00	(3,412,565.31)	53.87%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Motor Fuel Tax**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining	
Revenue								
Intergovernmental								
MFT Allotment	3440	48,250.69	43,251.75	316,811.09	302,762.25	519,021.00	(202,209.91)	38.95%
Total Intergovernmental		48,250.69	43,251.75	316,811.09	302,762.25	519,021.00	(202,209.91)	38.96%
Other Revenue								
Interest Income	3510	252.40	0.00	1,714.89	0.00	0.00	1,714.89	0.00%
Grants	3560	102,552.00	0.00	102,552.00	0.00	0.00	102,552.00	0.00%
Total Other Revenue		102,804.40	0.00	104,266.89	0.00	0.00	104,266.89	0.00%
Total Revenue		151,055.09	43,251.75	421,077.98	302,762.25	519,021.00	(97,943.02)	18.87%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Impact Fee Agency Fund**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Interest Income	3510 10.39	0.00	73.18	0.00	0.00	73.18	0.00%
Total Other Revenue	10.39	0.00	73.18	0.00	0.00	73.18	0.00%
Total Revenue	10.39	0.00	73.18	0.00	0.00	73.18	0.00%



**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Special Service Area Tax Fund**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Taxes							
Real Estate Taxes - Current	3110 83.86	416.67	5,021.05	2,916.69	5,000.00	21.05	(0.42)%
Total Taxes	83.86	416.67	5,021.05	2,916.69	5,000.00	21.05	(0.42)%
Other Revenue							
Interest Income	3510 9.85	0.00	62.17	0.00	0.00	62.17	0.00%
Total Other Revenue	9.85	0.00	62.17	0.00	0.00	62.17	0.00%
Total Revenue	93.71	416.67	5,083.22	2,916.69	5,000.00	83.22	(1.66)%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Drug Forfeiture Fund**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Interest Income	3510 4.82	0.00	32.54	0.00	0.00	32.54	0.00%
Total Other Revenue	4.82	0.00	32.54	0.00	0.00	32.54	0.00%
Total Revenue	4.82	0.00	32.54	0.00	0.00	32.54	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Water Depreciation Fund**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Interest Income	3510	398.08	0.00	3,344.99	0.00	3,344.99	0.00%
Gain/Loss on Investment	3515	3.33	0.00	7.42	0.00	7.42	0.00%
Other Reimbursements	3562	0.00	0.00	58,500.00	0.00	58,500.00	0.00%
Total Other Revenue	<u>401.41</u>	<u>0.00</u>	<u>61,852.41</u>	<u>0.00</u>	<u>0.00</u>	<u>61,852.41</u>	<u>0.00%</u>
Total Revenue	401.41	0.00	61,852.41	0.00	0.00	61,852.41	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Drug Seizures Fund**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Interest Income	3510 18.44	0.00	129.73	0.00	0.00	129.73	0.00%
Total Other Revenue	18.44	0.00	129.73	0.00	0.00	129.73	0.00%
Total Revenue	18.44	0.00	129.73	0.00	0.00	129.73	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Capital Improvement Fund**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue								
Taxes								
Real Estate Taxes - Current	3110	3,148.00	0.00	202,012.53	202,320.00	202,320.00	(307.47)	0.15%
Total Taxes		3,148.00	0.00	202,012.53	202,320.00	202,320.00	(307.47)	0.15%
Other Revenue								
Interest Income	3510	4,147.76	833.33	28,516.35	5,833.31	10,000.00	18,516.35	(185.16)%
Grants	3560	2,214.00	0.00	2,214.00	0.00	0.00	2,214.00	0.00%
Residential Concrete Reimb	3563	7,481.25	0.00	7,481.25	37,500.00	37,500.00	(30,018.75)	80.05%
Miscellaneous Revenue	3580	63,805.20	0.00	63,805.20	0.00	0.00	63,805.20	0.00%
Transfer from Other Funds	3612	0.00	0.00	3,747,422.00	2,900,000.00	2,900,000.00	847,422.00	(29.22)%
Total Other Revenue		77,648.21	833.33	3,849,438.80	2,943,333.31	2,947,500.00	901,938.80	(30.60)%
Total Revenue		80,796.21	833.33	4,051,451.33	3,145,653.31	3,149,820.00	901,631.33	(28.62)%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Revenue**  
**Debt Service Fund**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Taxes							
Real Estate Taxes - Current	3110 7,754.84	0.00	497,634.62	498,400.00	498,400.00	(765.38)	0.15%
Total Taxes	7,754.84	0.00	497,634.62	498,400.00	498,400.00	(765.38)	0.15%
Other Revenue							
Interest Income	3510 322.18	0.00	1,054.81	0.00	0.00	1,054.81	0.00%
Total Other Revenue	322.18	0.00	1,054.81	0.00	0.00	1,054.81	0.00%
Total Revenue	8,077.02	0.00	498,689.43	498,400.00	498,400.00	289.43	(0.06)%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Revenue**  
**Business District**  
**General Fund**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Revenue							
Other Revenue							
Rents	3561 5,200.00	11,916.67	76,610.00	83,416.69	143,000.00	(66,390.00)	46.42%
Maintenance - Reimbursable	3567 148.50	875.00	1,745.75	6,125.00	10,500.00	(8,754.25)	83.37%
Operations Revenue	3576 0.00	0.00	2,728.77	0.00	0.00	2,728.77	0.00%
Total Other Revenue	<u>5,348.50</u>	<u>12,791.67</u>	<u>81,084.52</u>	<u>89,541.69</u>	<u>153,500.00</u>	<u>(72,415.48)</u>	<u>47.18%</u>
Total Revenue	5,348.50	12,791.67	81,084.52	89,541.69	153,500.00	(72,415.48)	47.18%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Administration**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	41,784.09	36,092.00	298,180.65	270,690.00	469,194.00	171,013.35	36.44%
Overtime	4030	0.00	166.67	0.00	1,166.69	2,000.00	2,000.00	100.00%
<b>Total Salaries</b>		<b>41,784.09</b>	<b>36,258.67</b>	<b>298,180.65</b>	<b>271,856.69</b>	<b>471,194.00</b>	<b>173,013.35</b>	<b>36.72%</b>
<b>Benefits</b>								
Social Security	4110	1,827.98	2,071.60	16,013.42	15,537.00	26,931.00	10,917.58	40.53%
Medicare	4111	608.83	525.52	4,351.70	3,941.40	6,832.00	2,480.30	36.30%
I.M.R.F.	4115	6,485.25	5,132.38	42,648.45	38,492.85	66,721.00	24,072.55	36.07%
Medical/Life Insurance	4120	5,179.21	5,300.67	35,978.93	37,104.69	63,608.00	27,629.07	43.43%
Supplemental Pensions	4135	1,937.06	1,998.67	15,496.48	13,990.69	23,984.00	8,487.52	35.38%
<b>Total Benefits</b>		<b>16,038.33</b>	<b>15,028.84</b>	<b>114,488.98</b>	<b>109,066.63</b>	<b>188,076.00</b>	<b>73,587.02</b>	<b>39.13%</b>
<b>Materials and Supplies</b>								
Dues and Subscriptions	4213	165.00	250.00	1,612.37	1,750.00	3,000.00	1,387.63	46.25%
Liability Insurance	4219	100.00	1,666.67	1,056.35	11,666.69	51,623.00	50,566.65	97.95%
Legal Notices	4221	1,415.72	666.67	2,965.44	4,666.69	8,000.00	5,034.56	62.93%
Maintenance - Building	4223	172.70	700.00	280.12	4,900.00	8,400.00	8,119.88	96.66%
Maintenance - Equipment	4225	0.00	1,066.67	1,454.20	7,466.69	12,800.00	11,345.80	88.63%
Maintenance - Grounds	4227	0.00	583.33	1,404.35	4,083.31	7,000.00	5,595.65	79.93%
Postage/Mailings	4233	136.56	433.33	1,900.80	3,033.31	5,200.00	3,299.20	63.44%
Printing and Forms	4235	159.06	333.33	1,474.72	2,333.31	4,000.00	2,525.28	63.13%
Public Relations	4239	500.00	2,458.33	10,166.21	17,208.31	29,500.00	19,333.79	65.53%
Rent - Equipment	4243	0.00	200.00	1,170.00	1,400.00	2,400.00	1,230.00	51.25%
Supplies - Office	4253	532.75	833.33	2,753.24	5,833.31	10,000.00	7,246.76	72.46%
Supplies - Other	4257	0.00	41.67	0.00	291.69	500.00	500.00	100.00%
Training and Education	4263	0.00	375.00	633.00	2,625.00	4,500.00	3,867.00	85.93%
Travel/Meetings	4265	0.00	166.67	204.72	1,166.69	2,000.00	1,795.28	89.76%
Telephone	4267	5,263.95	5,250.00	27,315.44	36,750.00	63,000.00	35,684.56	56.64%
Utilities (Elec,Gas,Wtr,Sewer)	4271	230.41	291.67	830.95	2,041.69	3,500.00	2,669.05	76.25%
Vehicle (Gas and Oil)	4273	303.31	658.33	2,557.77	4,608.31	7,900.00	5,342.23	67.62%
ESDA	4279	0.00	166.67	371.26	1,166.69	2,000.00	1,628.74	81.43%
<b>Total Materials and Supplies</b>		<b>8,979.46</b>	<b>16,141.67</b>	<b>58,150.94</b>	<b>112,991.69</b>	<b>225,323.00</b>	<b>167,172.06</b>	<b>74.19%</b>



**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Administration**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Contractual								
Audit	4320	0.00	0.00	12,775.00	12,775.00	12,775.00	0.00	0.00%
Consulting/Professional	4325	4,506.85	7,448.08	31,090.28	52,136.56	89,377.00	58,286.72	65.21%
Conslt/Prof Reimbursable	4328	0.00	0.00	1,178.40	0.00	0.00	(1,178.40)	0.00%
Contingency	4330	0.00	833.33	7,231.68	5,833.31	10,000.00	2,768.32	27.68%
Janitorial Service	4345	1,182.00	1,375.00	8,274.00	9,625.00	16,500.00	8,226.00	49.85%
Total Contractual		<u>5,688.85</u>	<u>9,656.41</u>	<u>60,549.36</u>	<u>80,369.87</u>	<u>128,652.00</u>	<u>68,102.64</u>	<u>52.94%</u>
Other Charges								
Transfer to Other Funds	4605	0.00	0.00	3,747,422.00	0.00	0.00	(3,747,422.00)	0.00%
Total Other Charges		<u>0.00</u>	<u>0.00</u>	<u>3,747,422.00</u>	<u>0.00</u>	<u>0.00</u>	<u>(3,747,422.00)</u>	<u>0.00%</u>
Capital Outlay								
Equipment	4815	0.00	0.00	469.00	14,000.00	14,000.00	13,531.00	96.65%
Total Capital Outlay		<u>0.00</u>	<u>0.00</u>	<u>469.00</u>	<u>14,000.00</u>	<u>14,000.00</u>	<u>13,531.00</u>	<u>96.65%</u>
Total Expenditures		<u>72,490.73</u>	<u>77,085.59</u>	<u>4,279,260.93</u>	<u>588,284.88</u>	<u>1,027,245.00</u>	<u>(3,252,015.93)</u>	<u>(316.58)%</u>
Total		(72,490.73)	(77,085.59)	(4,279,260.93)	(588,284.88)	(1,027,245.00)	3,252,015.93	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**City Council**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Salaries								
Salaries	4010	3,562.50	3,562.50	24,937.50	24,937.50	42,750.00	17,812.50	41.66%
Total Salaries		3,562.50	3,562.50	24,937.50	24,937.50	42,750.00	17,812.50	41.67%
Benefits								
Social Security	4110	220.88	220.83	1,546.13	1,545.81	2,650.00	1,103.87	41.65%
Medicare	4111	51.67	51.67	361.71	361.69	620.00	258.29	41.65%
Total Benefits		272.55	272.50	1,907.84	1,907.50	3,270.00	1,362.16	41.66%
Materials and Supplies								
Boards and Commissions	4205	0.00	208.33	511.00	1,458.31	2,500.00	1,989.00	79.56%
Cable Operations	4206	0.00	208.33	0.00	1,458.31	2,500.00	2,500.00	100.00%
Dues and Subscriptions	4213	0.00	0.00	65.00	100.00	100.00	35.00	35.00%
Liability Insurance	4219	0.00	3,000.00	11,724.25	21,000.00	42,806.00	31,081.75	72.61%
Public Relations	4239	0.00	0.00	0.00	2,000.00	2,000.00	2,000.00	100.00%
Training and Education	4263	0.00	500.00	0.00	1,000.00	1,000.00	1,000.00	100.00%
Travel/Meetings	4265	0.00	0.00	20.00	0.00	0.00	(20.00)	0.00%
Total Materials and Supplies		0.00	3,916.66	12,320.25	27,016.62	50,906.00	38,585.75	75.80%
Contractual								
Consulting/Professional	4325	0.00	1,250.00	2,065.00	8,750.00	15,000.00	12,935.00	86.23%
Trolley Contracts	4366	0.00	0.00	0.00	0.00	900.00	900.00	100.00%
Total Contractual		0.00	1,250.00	2,065.00	8,750.00	15,900.00	13,835.00	87.01%
Total Expenditures		3,835.05	9,001.66	41,230.59	62,611.62	112,826.00	71,595.41	63.46%
Total		(3,835.05)	(9,001.66)	(41,230.59)	(62,611.62)	(112,826.00)	(71,595.41)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Community Development**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Salaries								
Salaries	4010	26,626.01	21,782.52	178,263.73	163,368.90	283,173.00	104,909.27	37.04%
Overtime	4030	0.00	0.00	0.00	500.00	500.00	500.00	100.00%
Total Salaries		26,626.01	21,782.52	178,263.73	163,868.90	283,673.00	105,409.27	37.16%
Benefits								
Social Security	4110	825.59	1,264.22	9,835.45	9,481.79	16,435.00	6,599.55	40.15%
Medicare	4111	374.65	318.06	2,506.33	2,385.45	4,135.00	1,628.67	39.38%
I.M.R.F.	4115	4,488.50	3,365.08	25,097.04	23,555.56	40,381.00	15,283.96	37.84%
Medical/Life Insurance	4120	3,293.32	3,348.17	22,867.00	23,437.19	40,178.00	17,311.00	43.08%
Supplemental Pensions	4135	184.60	300.00	1,569.10	2,100.00	3,600.00	2,030.90	56.41%
Total Benefits		9,166.66	8,595.53	61,874.92	60,959.99	104,729.00	42,854.08	40.92%
Materials and Supplies								
Boards and Commissions	4205	310.00	200.00	700.00	1,400.00	2,400.00	1,700.00	70.83%
Dues and Subscriptions	4213	0.00	54.17	470.00	379.19	650.00	180.00	27.69%
Liability Insurance	4219	0.00	1,916.67	630.00	13,416.69	46,568.00	45,938.00	98.64%
Maintenance - Vehicles	4229	0.00	100.00	222.50	700.00	1,200.00	977.50	81.45%
Printing and Forms	4235	0.00	220.08	711.50	1,540.56	2,641.00	1,929.50	73.05%
Supplies - Office	4253	0.00	37.50	0.00	262.50	450.00	450.00	100.00%
Training and Education	4263	0.00	250.00	179.00	500.00	500.00	321.00	64.20%
Travel/Meetings	4265	0.00	16.67	40.00	116.69	200.00	160.00	80.00%
Vehicle (Gas and Oil)	4273	125.81	166.67	597.26	1,166.69	2,000.00	1,402.74	70.13%
Total Materials and Supplies		435.81	2,961.76	3,550.26	19,482.32	56,609.00	53,058.74	93.73%
Contractual								
Consulting/Professional	4325	4,896.74	2,625.00	19,946.39	18,375.00	31,500.00	11,553.61	36.67%
Const/Prof Reimbursable	4328	5,216.50	4,033.33	61,154.92	30,233.31	50,400.00	(10,754.92)	(21.33)%
Total Contractual		10,113.24	6,658.33	81,101.31	48,608.31	81,900.00	798.69	0.98%
Total Expenditures		46,341.72	39,998.14	324,790.22	292,919.52	526,911.00	202,120.78	38.36%
Total		(46,341.72)	(39,998.14)	(324,790.22)	(292,919.52)	(526,911.00)	(202,120.78)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Public Works, Streets**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	48,056.42	38,603.14	354,882.49	289,523.55	501,841.00	146,958.51	29.28%
Overtime	4030	2,245.62	6,250.00	34,619.73	43,750.00	75,000.00	40,380.27	53.84%
<b>Total Salaries</b>		<u>50,302.04</u>	<u>44,853.14</u>	<u>389,502.22</u>	<u>333,273.55</u>	<u>576,841.00</u>	<u>187,338.78</u>	<u>32.48%</u>
<b>Benefits</b>								
Social Security	4110	4,871.72	4,420.30	36,553.46	33,152.25	57,464.00	20,910.54	36.38%
Medicare	4111	1,139.34	1,033.76	8,544.30	7,753.20	13,439.00	4,894.70	36.42%
I.M.R.F.	4115	14,211.10	10,124.92	79,404.08	70,874.44	121,499.00	42,094.92	34.64%
Medical/Life Insurance	4120	11,765.85	13,460.67	79,833.16	94,224.69	161,528.00	81,694.84	50.57%
Supplemental Pensions	4135	276.90	208.33	2,030.60	1,458.31	2,500.00	469.40	18.77%
<b>Total Benefits</b>		<u>32,264.91</u>	<u>29,247.98</u>	<u>206,365.60</u>	<u>207,462.89</u>	<u>356,430.00</u>	<u>150,064.40</u>	<u>42.10%</u>
<b>Materials and Supplies</b>								
Liability Insurance	4219	1,439.19	1,745.33	8,343.45	12,217.31	63,073.00	54,729.55	86.77%
Maintenance - Building	4223	42,806.45	11,069.67	72,106.99	77,487.69	132,836.00	60,729.01	45.71%
Maintenance - Equipment	4225	1,281.39	1,920.83	20,188.62	13,445.81	23,050.00	2,861.38	12.41%
Maintenance - Vehicles	4229	324.72	2,166.67	19,176.29	15,166.69	26,000.00	6,823.71	26.24%
Postage/Mailings	4233	0.00	83.33	469.99	583.31	1,000.00	530.01	53.00%
Rent - Equipment	4243	0.00	1,970.83	21,366.45	13,795.81	23,650.00	2,283.55	9.65%
Supplies - Office	4253	168.58	341.67	756.04	2,391.69	4,100.00	3,343.96	81.56%
Supplies - Other	4257	3,709.12	3,480.00	24,081.75	24,360.00	41,760.00	17,678.25	42.33%
Small Tools & Equipment	4259	109.20	466.67	4,954.21	3,266.69	5,600.00	645.79	11.53%
Training and Education	4263	270.00	714.58	1,170.61	5,002.06	8,575.00	7,404.39	86.34%
Uniforms	4269	717.15	537.17	2,698.46	3,760.19	6,446.00	3,747.54	58.13%
Utilities (Elec, Gas, Wtr, Sewer)	4271	1,402.98	258.33	1,632.18	1,808.31	3,100.00	1,467.82	47.34%
Vehicle (Gas and Oil)	4273	4,416.46	6,897.92	31,773.93	48,285.44	82,775.00	51,001.07	61.61%
<b>Total Materials and Supplies</b>		<u>56,645.24</u>	<u>31,653.00</u>	<u>208,718.97</u>	<u>221,571.00</u>	<u>421,965.00</u>	<u>213,246.03</u>	<u>50.54%</u>
<b>Contractual</b>								
Consulting/Professional	4325	902.25	333.33	5,872.90	2,333.31	4,000.00	(1,872.90)	(46.82)%
Forestry	4350	3,371.40	3,942.83	26,403.86	27,599.81	47,314.00	20,910.14	44.19%
Landfill	4352	0.00	0.00	109.95	0.00	0.00	(109.95)	0.00%
Street Light Oper & Maint.	4359	5,517.49	8,033.33	30,016.08	56,233.31	96,400.00	66,383.92	68.86%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Public Works, Streets**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Mosquito Abatement	4365	0.00	0.00	40,887.00	42,114.00	42,114.00	1,227.00	2.91%
Street Sweeping	4373	0.00	0.00	10,040.00	35,843.00	35,843.00	25,803.00	71.98%
Drainage Projects	4374	2,039.75	0.00	26,710.03	34,500.00	34,500.00	7,789.97	22.57%
Tree Trim/Removal	4375	1,945.00	0.00	22,452.50	0.00	120,800.00	98,347.50	81.41%
Total Contractual		13,775.89	12,309.49	162,492.32	198,623.43	380,971.00	218,478.68	57.35%
Capital Outlay								
Residential Concrete Program	4381	(7,481.25)	0.00	58,795.04	0.00	0.00	(58,795.04)	0.00%
Equipment	4815	0.00	11,250.00	112,200.00	78,750.00	135,000.00	22,800.00	16.88%
Street Recon Rehab-Reimb	4856	0.00	0.00	79,330.68	0.00	0.00	(79,330.68)	0.00%
Total Capital Outlay		(7,481.25)	11,250.00	250,325.72	78,750.00	135,000.00	(115,325.72)	(85.43)%
Total Expenditures		145,506.83	129,313.61	1,217,404.83	1,039,680.87	1,871,207.00	653,802.17	34.94%
Total		(145,506.83)	(129,313.61)	(1,217,404.83)	(1,039,680.87)	(1,871,207.00)	(653,802.17)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Police Department**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	38,314.51	32,615.30	269,935.05	244,614.75	423,999.00	154,063.95	36.33%
Salaries - Officers	4020	231,622.41	255,512.76	1,931,287.33	1,916,345.70	3,321,666.00	1,390,378.67	41.85%
Overtime	4030	55,073.90	38,395.83	368,075.95	268,770.81	460,750.00	92,674.05	20.11%
<b>Total Salaries</b>		<u>325,010.82</u>	<u>326,523.89</u>	<u>2,569,298.33</u>	<u>2,429,731.26</u>	<u>4,206,415.00</u>	<u>1,637,116.67</u>	<u>38.92%</u>
<b>Benefits</b>								
Social Security	4110	2,235.08	1,886.84	16,606.21	14,151.38	24,529.00	7,922.79	32.29%
Medicare	4111	4,219.79	3,853.52	33,042.85	28,901.40	50,096.00	17,053.15	34.04%
I.M.R.F.	4115	6,750.93	6,178.83	39,829.06	43,251.81	74,146.00	34,316.94	46.28%
Medical/Life Insurance	4120	35,325.49	42,958.33	252,641.22	300,708.31	515,500.00	262,858.78	50.99%
Police Pension	4130	17,352.37	0.00	1,113,520.89	1,115,282.00	1,115,282.00	1,761.11	0.15%
Supplemental Pensions	4135	3,392.80	4,166.67	27,493.40	29,166.69	50,000.00	22,506.60	45.01%
<b>Total Benefits</b>		<u>69,276.46</u>	<u>59,044.19</u>	<u>1,483,133.63</u>	<u>1,531,461.59</u>	<u>1,829,553.00</u>	<u>346,419.37</u>	<u>18.93%</u>
<b>Materials and Supplies</b>								
Animal Control	4201	30.00	166.67	615.00	1,166.69	2,000.00	1,385.00	69.25%
Auxiliary Police	4203	68.98	666.67	324.01	4,666.69	8,000.00	7,675.99	95.94%
Boards and Commissions	4205	0.00	541.67	1,684.00	3,791.69	6,500.00	4,816.00	74.09%
Dues and Subscriptions	4213	100.00	333.33	727.97	2,333.31	4,000.00	3,272.03	81.80%
Investigation and Equipment	4217	192.49	4,801.25	4,877.60	33,608.75	57,615.00	52,737.40	91.53%
Liability Insurance	4219	2,063.50	5,266.67	26,034.71	36,866.69	219,314.00	193,279.29	88.12%
Maintenance - Equipment	4225	143.40	1,283.33	5,904.19	8,983.31	15,400.00	9,495.81	61.66%
Maintenance - Vehicles	4229	1,280.73	2,566.67	29,891.82	17,966.69	30,800.00	908.18	2.94%
Postage/Mailings	4233	0.00	350.00	1,190.53	2,450.00	4,200.00	3,009.47	71.65%
Printing and Forms	4235	325.55	333.33	1,274.83	2,333.31	4,000.00	2,725.17	68.12%
Public Relations	4239	10.82	416.67	2,594.51	2,916.69	5,000.00	2,405.49	48.10%
Rent - Equipment	4243	0.00	14,362.08	165,837.88	100,534.56	172,345.00	6,507.12	3.77%
Supplies - Office	4253	350.97	500.00	2,181.58	3,500.00	6,000.00	3,818.42	63.64%
Training and Education	4263	400.00	2,617.50	11,329.00	18,322.50	31,410.00	20,081.00	63.93%
Travel/Meetings	4265	2,080.73	841.67	7,222.92	5,891.69	10,100.00	2,877.08	28.48%
Telephone	4267	901.41	1,058.33	5,581.36	7,408.31	12,700.00	7,118.64	56.05%
Uniforms	4269	(265.59)	3,008.33	20,674.88	21,058.31	36,100.00	15,425.12	42.72%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Police Department**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Utilities (Elec,Gas,Wtr,Sewer)	4271	465.54	583.33	1,773.75	4,083.31	7,000.00	5,226.25	74.66%
Vehicle (Gas and Oil)	4273	8,211.58	11,333.33	48,920.25	79,333.31	136,000.00	87,079.75	64.02%
Total Materials and Supplies		16,360.11	51,030.83	338,640.79	357,215.81	768,484.00	429,843.21	55.93%
Contractual								
Consulting/Professional	4325	0.00	30,068.58	271,601.19	210,480.06	360,623.00	89,021.81	24.68%
Dumeg/Fiat/Child Center	4337	0.00	2,056.67	24,680.00	14,396.69	24,680.00	0.00	0.00%
Total Contractual		0.00	32,125.25	296,281.19	224,876.75	385,303.00	89,021.81	23.10%
Capital Outlay								
Equipment	4815	0.00	733.33	2,843.00	5,133.31	8,800.00	5,957.00	67.69%
Total Capital Outlay		0.00	733.33	2,843.00	5,133.31	8,800.00	5,957.00	67.69%
Total Expenditures		410,647.39	469,457.49	4,690,196.94	4,548,418.72	7,198,555.00	2,508,358.06	34.85%
Total		(410,647.39)	(469,457.49)	(4,690,196.94)	(4,548,418.72)	(7,198,555.00)	(2,508,358.06)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**General Fund**  
**Business District**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Materials and Supplies								
Liability Insurance	4219	0.00	0.00	0.00	0.00	4,410.00	4,410.00	100.00%
Maintenance - Equipment	4225	0.00	1,458.33	2,642.70	10,208.31	17,500.00	14,857.30	84.89%
Maintenance - Grounds	4227	9,766.98	3,416.67	10,106.48	23,916.69	41,000.00	30,893.52	75.35%
Utilities (Elec, Gas, Wtr, Sewer)	4271	905.93	833.33	5,552.78	5,833.31	10,000.00	4,447.22	44.47%
Total Materials and Supplies		<u>10,672.91</u>	<u>5,708.33</u>	<u>18,301.96</u>	<u>39,958.31</u>	<u>72,910.00</u>	<u>54,608.04</u>	<u>74.90%</u>
Total Expenditures		<u>10,672.91</u>	<u>5,708.33</u>	<u>18,301.96</u>	<u>39,958.31</u>	<u>72,910.00</u>	<u>54,608.04</u>	<u>74.90%</u>
Total		(10,672.91)	(5,708.33)	(18,301.96)	(39,958.31)	(72,910.00)	(54,608.04)	0.00%



**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Water Fund**  
**Public Works, Water**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
<b>Expenditures</b>								
<b>Salaries</b>								
Salaries	4010	47,451.58	34,871.14	304,029.11	261,533.73	453,325.00	149,295.89	32.93%
Overtime	4030	1,360.08	4,166.67	31,784.22	29,166.69	50,000.00	18,215.78	36.43%
<b>Total Salaries</b>		<b>48,811.66</b>	<b>39,037.81</b>	<b>335,813.33</b>	<b>290,700.42</b>	<b>503,325.00</b>	<b>167,511.67</b>	<b>33.28%</b>
<b>Benefits</b>								
Social Security	4110	2,556.04	2,638.92	17,335.93	19,791.94	34,306.00	16,970.07	49.46%
Medicare	4111	597.76	617.14	4,072.58	4,628.55	8,023.00	3,950.42	49.23%
I.M.R.F.	4115	6,296.16	5,962.67	36,239.70	41,738.69	71,552.00	35,312.30	49.35%
Medical/Life Insurance	4120	7,515.62	9,215.33	49,448.78	64,507.31	110,584.00	61,135.22	55.28%
Supplemental Pensions	4135	92.30	200.00	923.00	1,400.00	2,400.00	1,477.00	61.54%
<b>Total Benefits</b>		<b>17,057.88</b>	<b>18,634.06</b>	<b>108,019.99</b>	<b>132,066.49</b>	<b>226,865.00</b>	<b>118,845.01</b>	<b>52.39%</b>
<b>Materials and Supplies</b>								
Liability Insurance	4219	297.68	1,467.58	5,014.34	10,273.06	194,311.00	189,296.66	97.41%
Maintenance - Building	4223	1,574.06	5,230.83	38,874.18	36,615.81	62,770.00	23,895.82	38.06%
Maintenance - Equipment	4225	108.80	1,008.33	8,136.28	7,058.31	12,100.00	3,963.72	32.75%
Maintenance - Water System	4231	8,245.91	12,437.50	71,260.76	87,062.50	149,250.00	77,989.24	52.25%
Postage/Mailings	4233	0.00	83.33	48.04	583.31	1,000.00	951.96	95.19%
Quality Control	4241	501.99	1,365.83	6,218.04	9,560.81	16,390.00	10,171.96	62.06%
Service Charge	4251	20,833.34	20,833.34	145,833.38	145,833.38	250,000.00	104,166.62	41.66%
Supplies - Operation	4255	75.00	596.66	565.30	4,176.62	7,160.00	6,594.70	92.10%
Training and Education	4263	0.00	453.24	15.00	3,172.69	5,439.00	5,424.00	99.72%
Telephone	4267	902.39	895.75	4,621.05	6,270.25	10,749.00	6,127.95	57.00%
Uniforms	4269	0.00	258.33	1,782.07	1,808.31	3,100.00	1,317.93	42.51%
Utilities (Elec,Gas,Wtr,Sewer)	4271	3,769.55	4,068.75	17,323.48	28,481.25	48,825.00	31,501.52	64.51%
Vehicle (Gas and Oil)	4273	1,715.17	1,856.25	10,463.63	12,993.75	22,575.00	12,111.37	53.64%
<b>Total Materials and Supplies</b>		<b>38,023.89</b>	<b>50,555.72</b>	<b>310,155.55</b>	<b>353,890.05</b>	<b>783,669.00</b>	<b>473,513.45</b>	<b>60.42%</b>
<b>Contractual</b>								
Audit	4320	0.00	0.00	3,225.00	10,000.00	10,000.00	6,775.00	67.75%
Consulting/Professional	4325	0.00	1,083.33	2,050.50	7,583.31	13,000.00	10,949.50	84.22%
Leak Detection	4326	0.00	1,675.00	0.00	11,725.00	20,100.00	20,100.00	100.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Water Fund**  
**Public Works, Water**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Data Processing	4336	0.00	12,694.00	75,515.00	88,858.00	152,328.00	76,813.00	50.42%
DuPage Water Commission	4340	292,883.94	329,276.75	2,036,595.32	2,304,937.25	3,951,321.00	1,914,725.68	48.45%
Total Contractual		292,883.94	344,729.08	2,117,385.82	2,423,103.56	4,146,749.00	2,029,363.18	48.94%
Capital Outlay								
Equipment	4815	0.00	6,000.00	23,100.00	42,000.00	72,000.00	48,900.00	67.91%
Water Meter Purchases	4880	0.00	2,083.33	7,440.00	14,583.31	25,000.00	17,560.00	70.24%
Total Capital Outlay		0.00	8,083.33	30,540.00	56,583.31	97,000.00	66,460.00	68.52%
Debt Service								
Debt Retire-Water Refunding	4950	0.00	0.00	8,181.13	108,896.00	308,896.00	300,714.87	97.35%
Total Debt Service		0.00	0.00	8,181.13	108,896.00	308,896.00	300,714.87	97.35%
Total Expenditures		396,777.37	461,040.00	2,910,095.82	3,365,239.83	6,066,504.00	3,156,408.18	52.03%
Total		(396,777.37)	(461,040.00)	(2,910,095.82)	(3,365,239.83)	(6,066,504.00)	(3,156,408.18)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Motor Fuel Tax**  
**MFT Expenses**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Salaries								
Salaries	4010	25,000.00	25,000.00	175,000.00	175,000.00	300,000.00	125,000.00	41.66%
Total Salaries		25,000.00	25,000.00	175,000.00	175,000.00	300,000.00	125,000.00	41.67%
Materials and Supplies								
Road Material	4245	835.08	2,951.25	21,267.77	20,658.75	35,415.00	14,147.23	39.94%
Salt	4249	0.00	14,166.67	0.00	99,166.69	170,000.00	170,000.00	100.00%
Supplies - Other	4257	0.00	1,250.00	9,025.76	8,750.00	15,000.00	5,974.24	39.82%
Pavement Striping	4261	0.00	0.00	5,959.00	8,500.00	8,500.00	2,541.00	29.89%
Total Materials and Supplies		835.08	18,367.92	36,252.53	137,075.44	228,915.00	192,662.47	84.16%
Contractual								
Consulting/Professional	4325	0.00	0.00	40,695.00	50,000.00	50,000.00	9,305.00	18.61%
Total Contractual		0.00	0.00	40,695.00	50,000.00	50,000.00	9,305.00	18.61%
Total Expenditures		25,835.08	43,367.92	251,947.53	362,075.44	578,915.00	326,967.47	56.48%
Total		(25,835.08)	(43,367.92)	(251,947.53)	(362,075.44)	(578,915.00)	(326,967.47)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Special Service Area Tax Fund**  
**SSA Expenditures**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Materials and Supplies								
Maintenance - Grounds	4227	0.00	0.00	0.00	3,900.00	3,900.00	3,900.00	100.00%
Total Materials and Supplies		0.00	0.00	0.00	3,900.00	3,900.00	3,900.00	100.00%
Contractual								
Consulting/Professional	4325	0.00	250.00	1,335.96	1,750.00	3,000.00	1,664.04	55.46%
Contingency	4330	0.00	0.00	0.00	1,500.00	1,500.00	1,500.00	100.00%
Total Contractual		0.00	250.00	1,335.96	3,250.00	4,500.00	3,164.04	70.31%
Total Expenditures		0.00	250.00	1,335.96	7,150.00	8,400.00	7,064.04	84.10%
Total		0.00	(250.00)	(1,335.96)	(7,150.00)	(8,400.00)	(7,064.04)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Water Depreciation Fund**  
**Depreciation Expenses**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Capital Outlay								
Capital Improv-Infrastructure	4390	0.00	0.00	10,000.00	10,000.00	10,000.00	0.00	0.00%
Hydrant Painting	4391	0.00	0.00	35,520.00	41,000.00	41,000.00	5,480.00	13.36%
Capital Improvements	4810	0.00	0.00	0.00	70,000.00	70,000.00	70,000.00	100.00%
Equipment	4815	0.00	0.00	83,800.00	0.00	0.00	(83,800.00)	0.00%
Total Capital Outlay		<u>0.00</u>	<u>0.00</u>	<u>129,320.00</u>	<u>121,000.00</u>	<u>121,000.00</u>	<u>(8,320.00)</u>	<u>(6.88)%</u>
Total Expenditures		<u>0.00</u>	<u>0.00</u>	<u>129,320.00</u>	<u>121,000.00</u>	<u>121,000.00</u>	<u>(8,320.00)</u>	<u>(6.88)%</u>
Total		0.00	0.00	(129,320.00)	(121,000.00)	(121,000.00)	8,320.00	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Darien Area Dispatch Center**  
**Darien Area Dispatch**  
**From 11/1/2013 Through 11/30/2013**

	Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining	
Expenditures								
Other Charges								
Transfer to Other Funds	4605	0.00	0.00	145,901.51	0.00	0.00	(145,901.51)	0.00%
Total Other Charges	0.00	0.00	145,901.51	0.00	0.00	(145,901.51)	0.00%	
Total Expenditures	0.00	0.00	145,901.51	0.00	0.00	(145,901.51)	0.00%	
Total	0.00	0.00	(145,901.51)	0.00	0.00	145,901.51	0.00%	

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Capital Improvement Fund**  
**Capital Fund Expenditures**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Contractual								
Consulting/Professional	4325	0.00	0.00	0.00	45,500.00	45,500.00	45,500.00	100.00%
Total Contractual		0.00	0.00	0.00	45,500.00	45,500.00	45,500.00	100.00%
Capital Outlay								
Ditch Projects	4376	26,670.16	0.00	731,995.89	808,000.00	808,000.00	76,004.11	9.40%
Sidewalk Replacement Program	4380	7,481.25	0.00	60,253.25	71,800.00	71,800.00	11,546.75	16.08%
Crack Seal Program	4382	99,770.40	0.00	99,770.40	101,250.00	101,250.00	1,479.60	1.46%
Curb & Gutter Replacement Prog	4383	0.00	0.00	257,116.75	351,075.00	351,075.00	93,958.25	26.76%
Equipment	4815	0.00	0.00	114,732.72	100,000.00	210,000.00	95,267.28	45.36%
Street Reconstruction/Rehab	4855	0.00	0.00	1,390,582.12	1,427,405.00	1,427,405.00	36,822.88	2.57%
Total Capital Outlay		133,921.81	0.00	2,654,451.13	2,859,530.00	2,969,530.00	315,078.87	10.61%
Debt Service								
Debt Retire	4905	0.00	0.00	34,087.38	0.00	202,194.00	168,106.62	83.14%
Total Debt Service		0.00	0.00	34,087.38	0.00	202,194.00	168,106.62	83.14%
Total Expenditures		133,921.81	0.00	2,688,538.51	2,905,030.00	3,217,224.00	528,685.49	16.43%
Total		(133,921.81)	0.00	(2,688,538.51)	(2,905,030.00)	(3,217,224.00)	(528,685.49)	0.00%

**CITY OF DARIEN**  
**Statement of Revenues and Expenditures - Expenditures**  
**Debt Service Fund**  
**Debt Service Fund Expenditures**  
**From 11/1/2013 Through 11/30/2013**

		Current Period Actual	Current Period Budget	Current Year Actual	YTD Budget	Total Budget	Total Budget Variance	Percent Total Budget Remaining
Expenditures								
Debt Service								
Debt Service - Series 2007B	4951	0.00	0.00	86,837.50	208,400.00	498,400.00	411,562.50	82.57%
Total Debt Service		0.00	0.00	86,837.50	208,400.00	498,400.00	411,562.50	82.58%
Total Expenditures		0.00	0.00	86,837.50	208,400.00	498,400.00	411,562.50	82.58%
Total		0.00	0.00	(86,837.50)	(208,400.00)	(498,400.00)	(411,562.50)	0.00%



**CITY OF DARIEN -- CASH RESERVES**  
**November 30, 2013**

<b>FUND</b>	<b>FUND NAME</b>	<b>TOTAL</b>
01	General Fund	\$ 1,117,671.69
02	Water Fund	\$ 823,504.26
03	MFT Fund	\$ 446,549.87
05	Impact Fees Fund	\$ 13,290.83
10	Special Service Area Tax Fund	\$ 12,678.87
11	Drug Forfeiture Fund	\$ 6,168.01
12	Water Depreciation Fund	\$ 505,258.50
16	Escrow Fund	\$ 25.87
18	Drug Seizure Fund	\$ 10,979.41
25	Capital Improvement Fund	\$ 5,241,434.39
35	Debt Service Fund	\$ 419,712.05
	<b>TOTAL</b>	<b><u>\$ 8,597,273.75</u></b>

*Prior Month Cash Balance*                      **\$ 8,642,636.95**

<b>Bank Accounts and Interest Rates</b>	<b>Account Balances</b>
Republic Bank Drug Forfeiture Account - 1.00%	\$ 12,010.86
Republic Bank Equitable Federal Sharing Acct	\$ 1,031.91
Republic Bank Now Account - 1.00%	\$ 8,621,323.85
Republic Bank Operating Account	\$ 22,977.79
Republic Bank Payroll Account - Zero Balance Acct	\$ (113,030.72)
Illinois Funds Money Market Account - .027%	\$ 635.59
IMET Investment Fund - .33%	\$ 52,324.47
	<b><u>\$ 8,597,273.75</u></b>

**Wells Fargo Collateral Statement**    **Market Value**  
**\$ 8,765,894**

**AGENDA MEMO**  
**City Council**  
**December 16, 2013**

**ISSUE STATEMENT**

A resolution adopting the DuPage County Natural Hazards Mitigation Plan.

**RESOLUTION**      **BACKUP**

**BACKGROUND/HISTORY**

Communities must have a Natural Hazards Mitigation Plan in order to be eligible for certain types of funds made available by the federal government both before and after declared disasters. Over the past four years, the City of Darien has received over \$50,000 after successfully applying for reimbursement for mitigation activities related to the 2011 blizzard and the 2013 rainstorms that caused damage throughout the communities. Residents also may be eligible for reimbursements under these laws.

Rather than each individual community completing their own plan, which is a lengthy and time consuming process directed at only a small area, municipalities work together to complete a plan with DuPage County to take a regional comprehensive approach to hazard mitigation. The plan includes strategies to be used countywide, but also within the City of Darien. The first plan was passed by the City Council on October 20, 2008, and there is a requirement to update it every five years. When projects are identified within the City of Darien they are brought to the City Council for discussion.

The full plan is 241 pages in length and can be found at this website:  
[http://www.state.il.us/iema/planning/documents/plan\\_dupagecounty.pdf](http://www.state.il.us/iema/planning/documents/plan_dupagecounty.pdf)

**STAFF/COMMITTEE RECOMMENDATION**

Staff recommends approving the plan.

**ALTERNATE CONSIDERATION**

Not approving the plan is an alternate consideration.

**A RESOLUTION ADOPTING THE DuPAGE COUNTY NATURAL HAZARDS MITIGATION PLAN**

*Whereas* the City of Darien is subject to natural hazards, such as, floods, severe summer and winter storms tornadoes, extreme heat events, and

*Whereas* natural hazards can damage property, close businesses, disrupt traffic, can threaten lives, and present public health and safety hazards; and

*Whereas* the DuPage County Natural Hazards Mitigation Workgroup has prepared a recommended *DuPage County Natural Hazards Mitigation Plan* that reviews the City's options to protect people and reduce damage from the hazards; and

*Whereas* the City has participated in the development of the *DuPage County Natural Hazards Mitigation Plan*; and

*Whereas* the recommended *DuPage County Natural Hazards Mitigation Plan* has been presented for review by residents, federal, state and regional agencies;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE**

**COUNTY, ILLINOIS THAT:**

1. The *DuPage County Natural Hazards Mitigation Plan* is hereby adopted as an official plan of the City Darien.

2. The *DuPage County Natural Hazards Mitigation Plan* identifies a series of action items. The following action items are hereby assigned to the noted person or department of the City. The designated person or department shall be responsible for the implementation of the action item, provided that resources are available, by the deadline listed in the Plan.

- A. Improvement of Building Code Effectiveness Grading Schedule (BCEGS) Rating
- B. Urban Forestry - Participation in Tree City USA
- C. Community Rating System Participation
- D. Community Rating System Information Workshop
- E. Property Protection Checklist
- F. Property Protection Projects
- G. Continued Watershed Management
- H. Structural Flood Control Projects
  - I. Stream Maintenance Programs
  - J. Participation in StormReady
- K. Identification of Floodplain Structures
- L. Review of Critical Facilities
- M. Development of Flood Stage Maps
- N. Seek Mitigation Grant Funding for Additional Mitigation Planning Cost Beneficial Projects
- O. Development of a Public Information Strategy
- P. Property Protection References

3. Gerald R. Piccoli is hereby appointed as the City representative on the DuPage County Natural Hazards Mitigation Workgroup. The offices charged with implementation of action items in Section 2 shall keep the representative advised of their progress and recommendations.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of December, 2013.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of December, 2013.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



# DuPage County Office of Homeland Security and Emergency Management

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Norman A. Sturm, Jr., Director  
William P. Babyar, Deputy Director

- Purpose of the Natural Hazards Mitigation Plan:
  - Ensure DuPage County jurisdictions are able to qualify for mitigation funding that would not be possible without the Mitigation Plan.
- Importance of Natural Hazards Mitigation Planning:
  - Protect lives and property
  - Identify hazards within the jurisdiction
  - Propose strategies to prevent or lessen the effects of the hazards
  - Ensure regional comprehensive approach
    - Make sure one community's mitigation activity isn't negatively impacting another community
    - Facilitate communication across jurisdictions
  - While jurisdictions can develop their own they are encouraged to participate in and adopt the County Plan
  - The Mitigation Plan identifies mitigation strategies to be utilized countywide
  - Prioritizes the risks and actions to prevent or lessen the effects of risks
- Natural Hazards Mitigation Plan requirements:
  - Plan must meet federal regulation: 44 CFR §201.6
  - Must update the plan every 5 years
  - Must produce an annual report
- Funding for Mitigation Projects:
  - The Natural Hazards Mitigation Plan is required to be eligible to apply for Hazard Mitigation Grant Program (HMGP) funding.
    - **The key purpose of HMGP is to ensure that the opportunity to take critical mitigation measures to reduce the risk of loss of life and property from future disasters is not lost during the reconstruction process following a disaster. HMGP is available, when authorized under a Presidential major disaster declaration, in the areas of the State requested by the Governor. The amount of HMGP funding available to the Applicant is based upon the estimated total Federal assistance to be provided by FEMA for disaster recovery under the Presidential major disaster declaration.**
  - Since the first countywide plan (2007), DuPage County jurisdictions have received over \$3.5M in mitigation funding
  - In 2012, \$18.8M was **requested** for mitigation projects throughout the County
    - 10 separate projects
- Planning Process and Plan Update Timeline:
  - Survey sent out to Municipal partners and Workgroup members (September, 2012)
  - Hazard/Risk Assessment conducted by OHSEM
  - Workgroup meeting to review and agree on 2012 plan update and action items (October, 2012)
  - Public Meeting held for public comment and participation (November, 2012)
  - Additional Workgroup Webinar held (December, 2012)
  - Plan submitted for review to IEMA (December, 2012)
  - IEMA reviewed the plan and forwarded it to FEMA for review and approval (January, 2013)
  - Received approval from FEMA pending plan adoption by County Board (March, 2013)
  - Preparing resolution for the adoption of the plan by:
    - JPS (May 7, 2013)
    - County Board (May 14, 2013)
  - Municipal adoption within 60 days of County adoption (July 12, 2013 deadline)

**AGENDA MEMO**  
**CITY COUNCIL**  
**MEETING DATE: December 16, 2013**

**Issue Statement**

**Video gaming signage:** Consideration of an amendment to Section 3-3-25 of the City Code to amend signage related to video gaming.  
**ORDINANCE**

**Planning Overview/Discussion**

In March of 2013, the City Council adopted an ordinance permitting video gaming pursuant to the Illinois Video Gaming Act. At a recent City Council goal setting session, there was discussion on whether or not to regulate signage advertising video gaming operations. The City Council directed staff to propose an ordinance amending said signage, including banners, signs in windows, wall signs and free-standing permanent signs.

Staff recently contacted adjacent communities as well as several communities that allow video gaming concerning whether they have enacted regulations specific to video gaming signage. See attached sheet labeled as **Attachment A**. The table indicates that none of the surveyed communities has any special regulations regarding video gaming only.

The Committee is requested to review the proposed items regarding Gaming Signage:

- Temporary Signs
- Permanent Signs
- Window Signs

**TEMPORARY SIGNS**

The Sign Code defines a temporary sign as:  
A sign intended to be displayed for thirty (30) days or less

4-3-9: TEMPORARY SIGNS:

The following signs shall be permitted anywhere on private property in the city subject to a sign permit and a permit fee as otherwise set forth in this code. Said signs shall in all respects comply with the applicable regulations contained in this sign code. Such signs shall not be mounted at a height which causes the top of the sign to exceed eight feet (8') above the average surrounding grade. The application for a temporary sign permit shall include a diagram depicting the number, location, size and such other information as requested by the director identifying any proposed signage. No more than one portable sign may be included as part of temporary promotional signage. Portable signs may not exceed four feet by eight feet (4' x 8') in size and shall not employ flashing lights. Such signs may be internally illuminated. Temporary signs are prohibited in the public right of way.

- A. Not more than two (2) construction signs, or signs announcing future construction, with a

combined sign surface area not to exceed thirty two (32) square feet, identifying the architects, engineers, contractors and other individuals or firms involved with the construction and announcing the character of the building enterprise or the purpose for which the building is intended. The signs shall be confined to the site of the construction or development and shall be removed within fourteen (14) days after the issuance of the final occupancy permit for the construction or development.

- B. Portable signs, banners, streamers, balloons, or other promotional materials or events, specifically approved by the director, and then only for the location(s) designated by the director. Each freestanding business or shopping center is permitted two (2) promotions per calendar year for a period not to exceed thirty (30) days for each promotion.

### **Action Items**

The Committee is requested to review the following regarding Temporary Signs as it relates to Gaming:

### **Temporary Signs**

1. The signs must be in compliance with the Sign Code, Section 4-3-9, Temporary Signs. **This will require no amendment and No Action.**
2. Signage containing video gaming language or graphics shall not exceed 50% of the permitted sign area for temporary signs.

### **PERMANENT SIGNS**

The Section of the Sign Code regulating permitted permanent signs within the Business Districts:

#### **4-3-10: PERMITTED SIGNS IN ZONING DISTRICT:**

- A. Signs In The Residential Districts:
1. All signs, flags and pennants are prohibited in residential districts except for those enumerated in sections 4-3-8 and 4-3-9 of this chapter.
  2. Within residential planned unit developments for which the approved site plan allows nonresidential land uses, the signs allowed within such nonresidential uses shall comply with other provisions of this sign code relating to the type of use allowed (e.g., business zone, office zone, industrial zone).
  3. Permanent residential development signs at major entrances designed to identify a residential subdivision or planned unit development and containing no commercial advertising, constructed of material which is the same or of a more permanent nature than the material used in the development with a maximum of thirty two (32) square feet per side.
  4. Exempt signs.
  5. Temporary signs.
- B. Signs In The Business Districts:

1. All signs permitted in residential districts.
2. Wall signs not to exceed two (2) square feet of wall signage for each linear foot of business building frontage, up to a maximum of five hundred (500) square feet. The wall signs shall be placed upon the same side of the building that is considered the business building frontage. A commercial building with frontage on two (2) or more streets shall be permitted an additional one square foot of wall signage for the side of the business building facing the second street for each linear foot of building facing the second street.
3. Not more than one ground sign per street frontage is permitted. Manual changeable copy signs not exceeding forty percent (40%) of the sign area may be included on a ground sign, provided that all individual letters shall be uniform in height, style, and color, and provided the message is enclosed in a locking case. The area of a permitted ground sign shall be limited to sixty (60) square feet per side. The highest point on such ground sign shall not exceed twelve feet (12') above grade.
4. Not more than one gasoline point of sale price sign per street abutting a gasoline filling station, with a maximum sign size of no more than four feet (4') in any direction. No gasoline price sign shall be closer than four feet (4') from the front or corner side property line and shall be no closer than thirty feet (30') from any interior or rear property line.

### **Action Items**

The Committee is requested to review the following regarding Permanent Signs as it relates to Gaming:

1. The signs must be in compliance with the Sign Code, Section 4-3-10(B), Permitted Signs, Signs in the Business Districts. **This will require no amendment and No Action.**
2. Signage containing video gaming language or graphics shall not exceed 50% of the permitted sign area for permanent window and ground signs.

### **WINDOW SIGNS**

The following section relates to Window Signs.

#### **4-3-7: GENERAL SIGN REGULATIONS:**

(A) General Provisions: The following provisions shall apply in all zoning districts.

8. Permanent window signs shall conform to the requirements for wall signs under the provisions of the zoning district in which they are located.

#### **4-3-8: EXEMPT SIGNS:**

Unless otherwise provided, the signs set forth in this section are permitted in all zoning districts, shall not require a sign permit, and shall not be counted when calculating the number of signs with square footage on premises. However, such signs shall conform to other general regulations for signs enumerated in the remainder of this sign code. Signs exceeding the provisions of this section shall be required to obtain permits and shall conform to all of the requirements for permanent signs in the districts in which they are located.



(L) Window signs of paper or other similar material, placed on the inside of the window of the premises shall be permitted in business zones, provided that such signs are to be used to notify the public of special sales or current prices, and cover no more than fifty percent (50%) of the window area.

### **Action Items**

The Committee is requested to review the following regarding Window Signs as it relates to Gaming:

1. The signs must be in compliance with the Sign Code, Section 4-3-7 and 4-3-8, Permitted Signs, Signs in the Business Districts. **This will require no amendment and No Action.**
2. Window signs referencing gaming shall not exceed 20 square feet. The wall signs shall be placed upon the same side of the building that is considered the business building frontage. A commercial building with frontage on two (2) or more streets shall be permitted window signage for the side of the business building facing the second street.

### **Additional Information**

Staff requested input from the City Attorney regarding some of the legal issues which may be involved in the regulation of video gaming signage. Attorney Murphey's memo and relevant case law is attached and labeled as [Attachment B](#).

### **Committee Recommendation**

The Committee is requested to review the following and provide a recommendation to the City Council approving an amendment to Section 3-3-25 of the City Code to amend signage related to the video gaming Ordinance.

### **Temporary Signs**

1. The signs must be in compliance with the Sign Code, Section 4-3-9, Temporary Signs. **This will require no amendment and No Action.**

**OR**

2. Signage containing video gaming language or graphics shall not exceed 50% of the permitted sign area for temporary signs.

### **Permanent Signs**

1. The signs must be in compliance with the Sign Code, Section 4-3-10(B), Permitted Signs, Signs in the Business Districts. **This will require no amendment and No Action.**

**OR**

2. Signage containing video gaming language or graphics shall not exceed 50% of the permitted sign area for permanent window and ground signs.

### **Window Signs**

1. The signs must be in compliance with the Sign Code, Section 4-3-7 and 4-3-8, Permitted Signs, Signs in the Business Districts. **This will require no amendment and No Action.**

**OR**

2. Window signs referencing gaming shall not exceed 20 square feet.

**Alternate Consideration**

As directed by Committee.

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**CITY OF DARIEN**  
**DU PAGE COUNTY, ILLINOIS**

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, "LIQUOR CONTROL REGULATIONS," OF THE DARIEN CITY CODE BY ADDING NEW SECTION 3-3-25, "VIDEO GAMING SIGNAGE," THERETO OF THE DARIEN CITY CODE**

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**ADOPTED BY THE**  
**MAYOR AND CITY COUNCIL**  
**OF THE**  
**CITY OF DARIEN**

**THIS 16<sup>th</sup> DAY OF DECEMBER, 2013**

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**Published in pamphlet form by authority of the Mayor and City Council of the City of Darien, DuPage County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 3, "LIQUOR CONTROL REGULATIONS," OF THE DARIEN CITY CODE BY ADDING NEW SECTION 3-3-25, "VIDEO GAMING SIGNAGE," THERETO OF THE DARIEN CITY CODE**

**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:** Section 3-3-25 of the Darien City Code is amended to provide as follows:

**3-3-25: VIDEO GAMING ALLOWED; FEE.**

- (A) Video gaming is allowed in accordance with the Illinois Video Gaming Act.
- (B) An annual fee of \$25.00 is imposed for the operation of each video gaming terminal in the City of Darien.

(C) **1. Temporary Signs**

Signage containing video gaming language or graphics shall not exceed 50% of the permitted sign area for temporary signs.

**2. Permanent Signs**

Signage containing video gaming language or graphics shall not exceed 50% of the permitted sign area for permanent window and ground signs.

**3. Window Signs**

No window sign containing video gaming language or graphics shall exceed 20 square feet.

**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 (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 3:** This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

**APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE**

COUNTY, ILLINOIS, this 16<sup>th</sup> day of December, 2013.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,**

**ILLINOIS, this 16<sup>th</sup> day of December, 2013.**

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

## Video Gaming Sign Survey

<b>Municipality</b>	<b>Allows Video Gaming</b>	<b>Temporary Signs</b>	<b>Permanent Sign</b>	<b>Stella's Location</b>	<b>Dotty's Location</b>
Downers Grove	No	NA	NA	NA	NA
Carol Stream	Yes	No regulations	No regulations	NA	NA
Fox Lake	Yes	No regulations	No regulations	NA	NA
Hoffman Estates	Yes	No regulations	No regulations	Yes, no special treatment regarding signage	Yes, no special treatment regarding signage
Homer Glen	Yes	No regulations	No regulations	NA	Yes, no special treatment regarding signage
Lemont	Yes	No regulations	No regulations	NA	Yes, no special treatment regarding signage
Oak Forest	No Response				
Streamwood	Yes	No Regulations	No Regulations		Yes, no special treatment regarding signage
Waukegan	Yes	No regulations	No regulations	NA	Yes, no special treatment regarding signage
Westmont	No Response				
Wheeling	Yes	No regulations	No regulations	Yes, no special treatment regarding signage	NA
Willowbrook	No Response				
Woodridge	No	NA	NA	NA	NA

**Rosenthal, Murphey, Coblenz & Donahue**

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30 North LaSalle St. Suite 1624 ~Chicago, Illinois 60602

Phone (312) 541-1070 ~ Fax (312) 541-9191

JBM Direct Dial (312) 541-1072

JBM e-mail: [jmurphey@rmcj.com](mailto:jmurphey@rmcj.com)

<b>Memorandum</b>
-------------------

**Via E-Mail**

To: Dan Gombac

Fr: John B. Murphey

Date: December 11, 2013

Re: Content-Based Restrictions on Video Gaming Signage

I thought it would be helpful for you to have a simple explanation of the ability of the City to restrict or limit the “message” that can appear on signage advertising video gaming.

Of course, “free speech” is protected by the First Amendment. The courts have recognized a distinction between non-commercial speech and commercial speech.

Non-commercial speech, such as political speech, religious expression and the like are entitled to the highest protection under the First Amendment. The government can rarely, if at all, control or regulate the content of political, religious or other non-commercial forms of speech.

On the other hand, the courts allow government a little more flexibility in creating content-based regulations of commercial speech. Messages appearing on signs are a form of commercial speech. A recent federal decision summarizes the standard. In order to “sustain its content-based regulation of commercial speech,” the City “must show at least that the [sign ordinance] directly advances a substantial governmental interest, and that the measure is drawn to achieve that interest.” *Wag More Dogs, LLC v. Cozart*, 680 F.3d 359, 370 (4<sup>th</sup> Cir. 2012). I am attaching a copy of this decision to illustrate the complex constitutional issues which may arise when a local government enacts sign regulations.

In our case, the first question is “what is the substantial governmental interest” we are trying to achieve by regulating the content of video gaming

signage? This is a question for Council consideration, but it seems to me that the governmental interest in enacting a content-based regulation of video gaming commercial speech is that the City wants to avoid “the tail wagging the dog,” meaning that video gaming is designed to be ancillary to the principal business of the restaurant or bar, and, therefore, video gaming should not be the dominant activity taking place in the premises. A content-based regulation, which is drawn to achieve this interest, may be constitutionally permissible.

The question then becomes: What is a reasonable regulation to serve this purpose? In my opinion, it would be very difficult for the City to draw up specific language which must appear on video gaming advertising signage, and dictate that language to the business establishments. Similarly, it would be very difficult for the City to draft regulations limiting language that could be put on video gaming advertising.

Should the Council determine to restrict video gaming beyond the restrictions set forth in the City’s sign regulations, a more reasonable approach might be limiting the number of signs devoted to video gaming or limiting the total square footage of signage devoted to video gaming, as opposed to dictating or restricting specific content of signage. To some extent, this would still be a content-based regulation, but it would be much easier to administer and more closely connected to the City’s goal of making sure that legalized video gaming does not become the predominant activity taking place at the licensed establishments.

I have done additional research on a nation-wide basis. A case arising out of South Carolina held that it was unconstitutional for the state to entirely prohibit the advertising of video gaming. I am attaching a copy of this case, *Video Gaming Consultants, Inc. v. South Carolina Department of Revenue*, 535 S.E.2d 642 (2000). Video gaming has been legal in the state of South Carolina for many years. A state statute provided that “No person who maintains a place or premises for the operation of machines licensed under [the law] may advertise in any manner for the playing of the machines.” The Supreme Court of South Carolina held that even though “minimizing gambling would certainly qualify as a substantial government interest,” there was no evidence that a complete ban on advertising “would promote its goal of decreasing gambling activity.”

It is my understanding that the Council has moved away from any sort of complete ban of video gaming. Nevertheless, I wanted to bring the existence of this case law authority to the Council’s attention.

As discussed, I will participate in a telephone conference call on Monday, December 16, 2013, at 6:00 p.m. to review this matter.

JBM/sml



**H**

Supreme Court of South Carolina.  
 VIDEO GAMING CONSULTANTS, INC.,  
 Appellant,  
 v.  
 SOUTH CAROLINA DEPARTMENT OF  
 REVENUE, Respondent.

No. 25177.


Heard June 20, 2000.

Decided July 31, 2000.

Operator of video gaming business appealed from administrative law judge's affirmation of citations issued by the Department of Revenue (DOR) for violation of statute prohibiting advertisement in any manner for playing of machines. The Circuit Court, Horry County, [J. Stanton Cross](#), Special J., affirmed. Operator appealed. The Supreme Court, [Moore, J.](#), held that statute that prohibited video gaming operators from advertising the playing of video gaming machines violated the First Amendment.

Reversed.

West Headnotes

**[1] Administrative Law and Procedure**  
 15A 429

[15A](#) Administrative Law and Procedure

[15AIV](#) Powers and Proceedings of Administrative Agencies, Officers and Agents


[15AIV\(C\)](#) Rules, Regulations, and Other Policymaking

[15Ak428](#) Administrative Construction of Statutes

[15Ak429](#) k. In general. [Most Cited Cases](#)

(Formerly 15Ak330)

Administrative law judges (ALJs) are an agency of the executive branch of government and must follow the law as written until its constitutionality is judicially determined.

**[2] Administrative Law and Procedure**  
 15A 316


[15A](#) Administrative Law and Procedure

[15AIV](#) Powers and Proceedings of Administrative Agencies, Officers and Agents

[15AIV\(A\)](#) In General

[15Ak316](#) k. Constitutional questions. [Most Cited Cases](#)

Administrative law judges (ALJs) have no authority to pass upon the constitutionality of a statute or regulation.

**[3] Administrative Law and Procedure**  
 15A 229


[15A](#) Administrative Law and Procedure

[15AIII](#) Judicial Remedies Prior to or

## Pending Administrative Proceedings

[15Ak229](#) k. Exhaustion of administrative remedies. [Most Cited Cases](#)

Exhaustion of administrative remedies is generally required as a matter of preventing premature interference with agency processes, so that the agency may function efficiently and so that it may have an opportunity to correct its own errors, to afford the parties and the courts the benefit of its experience and expertise, and to compile a record which is adequate for judicial review.

**[4] Administrative Law and Procedure**  
15A 229

[15A](#) Administrative Law and Procedure

[15AIII](#) Judicial Remedies Prior to or Pending Administrative Proceedings

[15Ak229](#) k. Exhaustion of administrative remedies. [Most Cited Cases](#)

Purposes of requirement of exhaustion of administrative remedies would not be served when the only issue is the validity of a statute.

**[5] Constitutional Law** 92 983

[92](#) Constitutional Law

[92VI](#) Enforcement of Constitutional Provisions

[92VI\(C\)](#) Determination of Constitutional Questions

[92VI\(C\)2](#) Necessity of Determina-

tion

[92k983](#) k. Exhaustion of other remedies. [Most Cited Cases](#)

(Formerly 92k46(1))

As a general rule, if the sole issue posed in a particular case is the constitutionality of a statute, a court may decide the case without waiting for an administrative ruling.

**[6] Declaratory Judgment** 118A 41


[118A](#) Declaratory Judgment

[118AI](#) Nature and Grounds in General

[118AI\(C\)](#) Other Remedies

[118Ak41](#) k. Existence and effect in general. [Most Cited Cases](#)

If the only issue presented in challenge to agency action is a constitutional challenge to a statute or regulation, a party should seek a declaratory judgment from circuit court rather than going before an administrative law judge (ALJ).

**[7] Administrative Law and Procedure**  
15A 229

[15A](#) Administrative Law and Procedure

[15AIII](#) Judicial Remedies Prior to or Pending Administrative Proceedings

[15Ak229](#) k. Exhaustion of administrative remedies. [Most Cited Cases](#)

Mere presence of a constitutional issue does not excuse the exhaustion of adminis-

trative remedies requirement where there are other issues in controversy.

**[8] Administrative Law and Procedure**  
**15A ↪316**

[15A](#) Administrative Law and Procedure

[15AIV](#) Powers and Proceedings of Administrative Agencies, Officers and Agents

[15AIV\(A\)](#) In General

[15Ak316](#) k. Constitutional questions. [Most Cited Cases](#)

Constitutional issues may be raised, but not ruled upon, in administrative proceedings.

**[9] Constitutional Law 92 ↪1518**

[92](#) Constitutional Law

[92XVIII](#) Freedom of Speech, Expression, and Press

[92XVIII\(A\)](#) In General

[92XVIII\(A\)1](#) In General

[92k1516](#) Content-Based Regulations or Restrictions

[92k1518](#) k. Strict or exacting scrutiny; compelling interest test. [Most Cited Cases](#)

(Formerly 92k90.2)

**Constitutional Law 92 ↪1624**

[92](#) Constitutional Law

[92XVIII](#) Freedom of Speech, Expression, and Press

[92XVIII\(D\)](#) False Statements in General

[92k1624](#) k. Deception; misrepresentation. [Most Cited Cases](#)

(Formerly 92k90.2)

When a state regulates commercial messages to protect consumers from misleading, deceptive, or aggressive sales practices, or requires the disclosure of beneficial consumer information, the purpose of its regulation is consistent with the reasons for according constitutional protection to commercial speech and therefore justifies less than strict review. [U.S.C.A. Const.Amend. 1.](#)

**[10] Constitutional Law 92 ↪1518**

[92](#) Constitutional Law

[92XVIII](#) Freedom of Speech, Expression, and Press

[92XVIII\(A\)](#) In General

[92XVIII\(A\)1](#) In General

[92k1516](#) Content-Based Regulations or Restrictions

[92k1518](#) k. Strict or exacting scrutiny; compelling interest test. [Most Cited Cases](#)

(Formerly 92k90.2)

When a state entirely prohibits the dissemination of truthful, nonmisleading commercial messages for reasons unrelated to the preservation of a fair bargaining process, there is far less reason to depart from the rigorous review that the First Amendment

generally demands. [U.S.C.A. Const.Amend. 1](#).

### [\[11\]](#) **Constitutional Law 92 ↩️1651**

#### [92](#) Constitutional Law

[92XVIII](#) Freedom of Speech, Expression, and Press

[92XVIII\(E\)](#) Advertising and Signs

[92XVIII\(E\)2](#) Advertising

[92k1651](#) k. Gambling and gaming. [Most Cited Cases](#)

(Formerly 92k90.3)

Advertising the playing of video gaming machines was entitled to First Amendment protection, as it was commercial speech concerning a legal activity and was not misleading. [U.S.C.A. Const.Amend. 1](#).

### [\[12\]](#) **Constitutional Law 92 ↩️1651**

#### [92](#) Constitutional Law

[92XVIII](#) Freedom of Speech, Expression, and Press

[92XVIII\(E\)](#) Advertising and Signs

[92XVIII\(E\)2](#) Advertising

[92k1651](#) k. Gambling and gaming. [Most Cited Cases](#)

(Formerly 92k90.3)

### **Gaming 188 ↩️63(1)**

#### [188](#) Gaming

[188III](#) Criminal Responsibility

[188III\(A\)](#) Offenses

[188k63](#) Constitutional and Statutory Provisions

[188k63\(1\)](#) k. Constitutionality. [Most Cited Cases](#)

Statute that prohibited video gaming operators from advertising the playing of video gaming machines violated the First Amendment, though minimizing gambling was a substantial government interest, where there was no expert testimony on the connection between advertising the playing of video games and increased gambling and alternate forms of regulation and educational campaigns regarding effects of gambling might prove effective. [U.S.C.A. Const.Amend. 1](#); [Code 1976, § 12-21-2804\(B\)](#) (Repealed).

### [\[13\]](#) **Constitutional Law 92 ↩️1541**

#### [92](#) Constitutional Law

[92XVIII](#) Freedom of Speech, Expression, and Press

[92XVIII\(A\)](#) In General

[92XVIII\(A\)2](#) Commercial Speech in General

[92k1541](#) k. Reasonableness; relationship to governmental interest. [Most Cited Cases](#)

(Formerly 92k90.2)

A governmental body seeking to sustain a restriction on commercial speech must demonstrate that the harms it recites are real and that its restrictions will in fact alleviate

them to a material degree. [U.S.C.A. Const.Amend. 1.](#)

**\*\*644 \*36** [H. Buck Cutts](#), of Surfside, for appellant.

General Counsel [Harry T. Cooper, Jr.](#), and Chief Counsel for Regulation [Nicholas P. Sipe](#), both of Columbia, for respondent.

**\*37** [MOORE](#), Justice:

Appellant Video Gaming Consultants, Inc. (Video Gaming), appeals the circuit court's decision holding [S.C.Code Ann. § 12-21-2804\(b\)](#) (Supp.1999) <sup>FN1</sup> constitutional. We reverse.

[FN1.](#) This section was repealed by 1999 Act No. 125, Part I, § 8, effective July 1, 2000.

### FACTS

Video Gaming operates a video gaming business, Jackpot Video Games, in Garden City. On July 27, 1995, and September 25, 1995, respondent South Carolina Department of Revenue (DOR) issued citations to Video Gaming for violating [§ 12-21-2804\(b\)](#).

This code section states: “No person who maintains a place or premises for the operation of machines licensed under [Section 12-21-2720\(A\)\(3\)](#) may advertise in any manner for the playing of the machines.” <sup>FN2</sup> Video Gaming had displayed a large sign

reading: “STOP HERE TRY OUR POKER VIDEO GAMES” and two signs stating “JACKPOT VIDEO GAMES.” <sup>FN3</sup>

[FN2.](#) 27 [S.C.Code Ann.Reg. 117-190.2](#) states:

The Video Game Machines Act, found in Article 20, Chapter 21 of Title 12, states that no person who maintains a place or premises for the operation of video game machines as defined in [Code Section 12-21-2772\(5\)](#) may advertise in any manner for the playing of the machines. Therefore, any attempt to call attention to, or make known, to the general public that video game machines as defined in [Code Section 12-21-2772\(5\)](#) are available for play is advertising and is strictly prohibited by the statute.

[FN3.](#) The September violation was only for the two “Jackpot Video Games” signs.

Video Gaming appealed to the Administrative Law Judge (ALJ) challenging the statute on the ground that it violates the First Amendment. The ALJ upheld the citations. Video Gaming appealed to the circuit court. The circuit court affirmed the ALJ.

### ISSUES

1) Does the ALJ have the authority to rule

on the constitutionality of a statute?

\*38 2) Is the ban on advertising constitutional?

to issue those remedial writs as are necessary to give effect to its jurisdiction.”

## DISCUSSION

### 1) ALJ's authority

[1][2] Initially, we address an issue which has appeared in several recent cases. The ALJ specifically stated he had the authority to declare a statute unconstitutional because an ALJ has the same authority as a circuit court judge.<sup>FN4</sup> However, we have ruled an ALJ should not rule on the constitutionality of statutes. See *Al-Shabazz v. State*, 338 S.C. 354, 527 S.E.2d 742 (2000) (ALJs must leave question of statute's constitutionality to the courts). ALJs are an agency of the executive branch of government and must follow the law as written until its constitutionality is judicially determined; ALJs have no authority to pass upon the constitutionality of a statute or regulation. See, e.g., *Beaufort County Bd. of Educ. v. Lighthouse Charter Sch. Comm.*, 335 S.C. 230, 516 S.E.2d 655 (1999); *South Carolina Tax Comm'n v. South Carolina Tax Bd. of Review*, 278 S.C. 556, 299 S.E.2d 489 (1983). In the present case, the only issue raised is the constitutionality of a statute.

FN4. The ALJ cited § 1–23–630 (Supp.1999), which states: “Each of the law judges of the division has the same power at chambers or in open hearing as do circuit court judges, and

[3][4] Exhaustion is generally required as a matter of preventing premature interference with agency processes, so that the agency may function efficiently and so that it may have an opportunity to correct its own errors, to afford the parties and the courts the benefit of its experience and expertise, and to compile a record which is adequate for judicial review. Plainly these purposes would \*\*645 not be served when the only issue is the validity of a statute. See, e.g., *Insurance Commissioner of Md. v. Equitable Life Assurance Soc.*, 339 Md. 596, 664 A.2d 862 (1995).

[5][6] Several cases from other jurisdictions have addressed this issue and have dispensed with the exhaustion requirement in certain situations. See, e.g., *Finnerty v. Cowen*, 508 F.2d 979 (2d Cir.1974); \*39 *Martinez v. Richardson*, 472 F.2d 1121 (10th Cir.1973); *Marsh v. County Sch. Bd.*, 305 F.2d 94 (4th Cir.1962). In *Finnerty*, the court held for it to require exhaustion of administrative remedies would be both futile and unnecessary when the party sought judicial resolution of only a constitutional question that could not be adjudicated by the federal agency. As here, Video Gaming sought a determination that could not be made by an agency or ALJ. See also *Sch. Dist. of City of Saginaw v. United States Dept. of HEW*, 431 F.Supp. 147

342 S.C. 34, 535 S.E.2d 642

(Cite as: 342 S.C. 34, 535 S.E.2d 642)

(E.D.Mich.1977); [Plano v. Baker, 504 F.2d 595 \(2d Cir.1974\)](#). As a general rule, if the sole issue posed in a particular case is the constitutionality of a statute, a court may decide the case without waiting for an administrative ruling. [Weinberger v. Salfi, 422 U.S. 749, 95 S.Ct. 2457, 45 L.Ed.2d 522 \(1975\)](#). Thus, we hold if the only issue is a constitutional challenge to a statute or regulation, a party should seek a declaratory judgment from circuit court rather than going before an ALJ.

[7][8] We note the mere presence of a constitutional issue does not excuse the exhaustion requirement where there are other issues in controversy. The constitutional issues may be raised, but not ruled upon, in the administrative proceedings. [Sch. Dist. of City of Saginaw, 431 F.Supp. 147, 154](#) (citing [Yakus v. United States, 321 U.S. 414, 437, 64 S.Ct. 660, 88 L.Ed. 834 \(1944\)](#)). However, practically speaking, *requiring* a party to raise an issue which cannot be ruled upon by an ALJ makes little sense. See [Richardson v. Tennessee Bd. of Dentistry, 913 S.W.2d 446 \(Tenn.1995\)](#) (APA requires more flexible approach and party may raise constitutional challenge upon judicial review). Thus, we hold the issue need only be raised to and ruled upon by the circuit court for preservation for further review.

## 2) Constitutionality of ban

The circuit court held the ALJ had properly applied the test set forth in [Central](#)

[Hudson](#).<sup>FN5</sup> In [Central Hudson](#), the United States Supreme Court held:

FN5. [Central Hudson Gas & Elect. Corp. v. Public Serv. Comm'n of N.Y., 447 U.S. 557, 100 S.Ct. 2343, 65 L.Ed.2d 341 \(1980\)](#) (setting forth the test for determining the constitutionality of regulations and restrictions on speech).

\*40 In commercial speech cases, then, a four-part analysis has developed. At the outset, we must determine whether the expression is protected by the First Amendment. For commercial speech to come within that provision, it at least must concern lawful activity and not be misleading. Next, we ask whether the asserted governmental interest is substantial. If both inquiries yield positive answers, we must determine whether the regulation directly advances the governmental interest asserted, and whether it is not more extensive than is necessary to serve that interest.

[447 U.S. at 566, 100 S.Ct. at 2351](#). The circuit court also stated that this statute had been upheld under the [Central Hudson](#) analysis in [Reyelt et al. v. South Carolina Tax Comm'n, Civil Action No. 6:93-1491-3 \(D.S.C. July 5, 1994\)](#). However, this decision is not binding on this Court. See [Gentry v. Yonce, 337 S.C. 1, 522 S.E.2d 137 \(1999\)](#) (citing [Phillips v. Periodical Publishers' Serv. Bureau, Inc., 300 S.C. 444, 388 S.E.2d 787 \(1989\)](#)). Fur-

thermore, the *Reyelt* decision, the ALJ, and the circuit court all relied heavily upon the case of *Posadas*,<sup>FN6</sup> in which the Supreme Court deferred to the decision of the Puerto Rican legislature to ban advertising of casinos. In *Posadas*, Puerto Rico was permitted to ban casino gambling advertising aimed at its residents, while permitting advertising for other wagering games like cock fights. The Supreme Court has since disavowed its reasoning in *Posadas*. See **\*\*646**[\*44 Liquormart, Inc., v. Rhode Island\*, 517 U.S. 484, 509, 116 S.Ct. 1495, 1511, 134 L.Ed.2d 711 \(1996\)](#) (“we are now persuaded that *Posadas* erroneously performed the First Amendment analysis”).

[FN6. \*Posadas de Puerto Rico Assoc. v. Tourism Co. of Puerto Rico\*, 478 U.S. 328, 106 S.Ct. 2968, 92 L.Ed.2d 266 \(1986\).](#)

In *44 Liquormart*, licensed retailers of alcoholic beverages who had violated Rhode Island's statutory ban on liquor price advertising challenged the ban's constitutionality. The first statute prohibited a licensee from advertising in any manner whatsoever the price of any malt beverage, cordials, wine, or distilled liquor offered for sale in that state. The second statute applied to the Rhode Island news media and contained a categorical prohibition against the publication or broadcast of any advertisements, even those referring to sales in other **\*41** states, that made reference to the price of any alcoholic

beverage. Additionally, the retailers in *44 Liquormart* challenged regulations which provided that no placard or sign that is visible from the exterior of a package store may make any reference to the price of any alcoholic beverage. Rhode Island argued the ban promoted temperance. The Supreme Court held the challenged Rhode Island statutes and regulation abridged speech in violation of the First Amendment as made applicable to the States by the Due Process Clause of the Fourteenth Amendment.

[9][10] In *44 Liquormart*, the Supreme Court concluded that “special care” should attend the review of such blanket bans, and it pointedly remarked that “in recent years this Court has not approved a blanket ban on commercial speech unless the expression itself was flawed in some way, either because it was deceptive or related to unlawful activity.” [517 U.S. at 507, 116 S.Ct. at 1507 \(quoting \*Central Hudson\*, 100 S.Ct. at 2351\).](#) When a State regulates commercial messages to protect consumers from misleading, deceptive, or aggressive sales practices, or requires the disclosure of beneficial consumer information, the purpose of its regulation is consistent with the reasons for according constitutional protection to commercial speech and therefore justifies less than strict review. However, when a State entirely prohibits the dissemination of truthful, nonmisleading commercial messages for reasons unrelated to the preservation of a fair bargaining process, there is far less reason to



depart from the rigorous review that the First Amendment generally demands. *Id.*

Sound reasons justify reviewing the latter type of commercial speech regulation more carefully. Most obviously, complete speech bans, unlike content-neutral restrictions on time, place, or manner of expression, are particularly dangerous because they all but foreclose alternative means of disseminating certain information. *Id.* The Court also held “[s]peech prohibitions of this type rarely survive constitutional review.” [517 U.S. at 504, 116 S.Ct. at 1508.](#)

[\[11\]\[12\]\[13\]](#) Here, as the circuit court held, the first prong of *Central Hudson* is clearly met. The advertising is entitled to first amendment protection as it is commercial speech concerning [\\*42](#) a legal activity and it is not misleading.<sup>FN7</sup> The second prong is whether the asserted governmental interest is substantial. If both inquiries yield positive answers, then, under *Central Hudson*, we must determine whether the regulation directly advances the governmental interest asserted, and lastly whether it is more extensive than is necessary to serve that interest. Stated another way: “[A] governmental body seeking to sustain a restriction on commercial speech must demonstrate that the harms it recites are real and that its restrictions will in fact alleviate them to a material degree.” [Greater New Orleans Broadcasting Ass'n v. United States, 527 U.S. 173, 188, 119 S.Ct. 1923, 1932, 144 L.Ed.2d 161](#)

[\(1999\)](#) (citing [\\*\\*647 Edenfield v. Fane, 507 U.S. 761, 770, 113 S.Ct. 1792, 123 L.Ed.2d 543 \(1993\)](#)). The circuit court found the ban met the third and fourth prongs of *Central Hudson*. We disagree.

[FN7.](#) The DOR concedes the signs in question concern lawful activity. The ALJ found the signs were misleading based upon the word “Jackpot.” The DOR states in its brief that it does not waive the issue whether the signs are misleading. However, the DOR does not make any argument on the issue. Thus, the DOR has abandoned this issue. *See First Sav. Bank v. McLean, 314 S.C. 361, 363, 444 S.E.2d 513, 514 (1994)* (noting an issue that is not argued in the brief is deemed abandoned and precludes consideration on appeal); *see also Muir v. C.R. Bard, Inc., 336 S.C. 266, 519 S.E.2d 583 (Ct.App.1999)* (noting that conclusory arguments may be treated as abandoned); [Rule 208\(b\)\(1\)\(B\), SCACR](#) (“Ordinarily, no point will be considered which is not set forth in the statement of the issues on appeal.”).

Minimizing gambling would certainly qualify as a substantial governmental interest. However, the DOR has not shown the ban would promote its goal of decreasing gambling activity. Under the third prong, the ban must advance the State's objective “to a

material degree.” [44 \*Liquormart\*, 517 U.S. at 505, 116 S.Ct. at 1509](#). Here, the DOR argues and the circuit court found that the ban would prevent gambling and gambling addictions and all of the social ills implicated from addictive gambling (i.e. increased criminal activity and harm to families). However, the DOR has presented no evidence that the advertising ban would significantly reduce gambling. [44 \*Liquormart\*, 517 U.S. at 506, 116 S.Ct. at 1510](#).

The DOR presented three experts. Two were experts on gambling and the third was an expert on advertising. Dr. Valerie Loranz testified that children are starting to gamble earlier because of watching their parents play the games, \*43 advertising of lottery tickets as family entertainment, and their experiences with computers and other video games such as Pac Man—not because of the advertising of “playing” of video poker machines. The DOR contends the other experts testified as to the connection between gambling and societal costs. Again, there was no expert testimony on the connection between advertising “playing” of video games and increased gambling.<sup>FN8</sup> The circuit court also held that, “Video Gaming would not be contesting the ban unless it believed that advertising would increase gambling and machine use.” Certainly, we cannot conclude that advertising increases gambling simply because a party is contesting the constitutionality of the ban.

<sup>FN8</sup>. Mr. Joseph Cook, one of the DOR's experts, testified that in his opinion publishing a business's name would not be “advertising.” Mr. Cook made a distinction between “advertising” which is paid for by a business and “promotion” which he testified would be placing a sign with the business's name on the building.

After [44 \*Liquormart\*](#), the fourth-prong or “reasonable fit” inquiry under [Central Hudson](#) has become a tougher standard for the State to satisfy. Little deference can be accorded to the State's legislative determination that a commercial speech restriction is no more onerous than necessary to serve the government's interests. [44 \*Liquormart\*, 517 U.S. 484, 509, 116 S.Ct. 1495, 1511, 134 L.Ed.2d 711](#).

In [Greater New Orleans Broadcasting Ass'n, supra](#), other media remained available, such as newspapers, magazines and billboards, and broadcast advertising of casinos, without reference to gambling, was permitted. The cases have repeatedly stated that government restrictions upon commercial speech may be no more broad or no more expansive than “necessary” to serve its substantial interests. *See, e.g.*, [Central Hudson, 447 U.S. at 566, 100 S.Ct. at 2351](#). The Supreme Court has not insisted that there be no conceivable alternative, but only that the regulation not “burden substantially more speech than is necessary to further the gov-

ernment's legitimate interests.” [Board of Trustees of the State University of N.Y. v. Fox](#), 492 U.S. 469, 109 S.Ct. 3028, 3034, 106 L.Ed.2d 388 (1989).

The ALJ held the statute was not too restrictive because persons other than Video Gaming operators could advertise \*44 the playing of the machines. <sup>FN9</sup> THE CIRCUIT COURT agreed and, quoting *reyelt*, stated that the Tourism Department or the Chamber of Commerce could advertise. In its brief, the DOR takes this analysis even further and contends video game operators can advertise “Games” and “Food” <sup>FN10</sup> and even “24 Hours” as long as the \*\*648 advertisements do not refer or call attention to the playing of games. <sup>FN11</sup> We fail to see the practical distinction between these supposedly legal examples of advertising and the ones for which Video Gaming was fined. All would in effect be advertising the games and, since the gaming machines were not being sold outright, the promotion would be, of course, for the “play” of the games. The implied assertion is that somehow a ban on advertising the “playing” of the games accomplishes the State's objective of not promoting gambling; but merely advertising “games” also promotes gambling. <sup>FN12</sup> We reiterate that the business Video Gaming was running was named “Jackpot Video Games.” Thus, two of the signs were advertising the business's name and there was some discussion in the record about whether placing a sign with a business's name on it even qualifies as “ad-

vertising.” <sup>FN13</sup> \*45 Further, the DOR also cannot satisfy the requirement that its restriction on speech is reasonable or no more extensive than necessary to meet the fourth prong because alternate forms of regulation and educational campaigns regarding the effects of gambling might prove effective. [44 Liquormart](#), 517 U.S. at 507, 116 S.Ct. at 1510 (alternate regulations, educational campaigns, limiting per capita purchases, or increased taxation are all alternatives which could be more effective in tempering the use of alcohol).

<sup>FN9</sup>. He also stated that the person who maintains the premises could also advertise its business but not the playing of the machines. Arguably, Video Gaming had done just that—advertised its business which was named “Jackpot Video Games.”

<sup>FN10</sup>. 27 [S.C.Code Ann.Reg. 117–190.1](#) provides that a business cannot offer “food” as an inducement to influence a person to play video games. Further, [S.C.Code Ann. 12–21–2804\(E\)](#) states: “It is unlawful to operate machines licensed under [Section 12–21–2720\(A\)\(3\)](#) between the hours of midnight Saturday night and six o'clock a.m. Monday morning.” Thus, this type of conduct would be illegal.

<sup>FN11</sup>. It appears that in 1995, the

DOR agreed with Video Gaming that “Video Games” was not advertising violating the statute. Thus, the effect of the word “Jackpot” would have to be somehow be interpreted as referring to the playing of the games. Obviously, the DOR tied its hands when it agreed to the above and now it is stuck with the unappealing argument it makes.

[FN12](#). We note the DOR did not fine Video Gaming for a violation of offering a special inducement, such as a jackpot.

[FN13](#). The DOR stated at oral arguments the placing of a video gaming business's name and phone number in the white pages of the phone book would be a violation.

Obviously, the DOR realizes that a complete or total ban on advertising would be unconstitutional and violate the fourth prong of the [Central Hudson](#) test. Thus, the DOR is trying to illustrate the reasonableness of the prohibition. In doing so, the DOR has shown that the ban does not accomplish their goal and thus, also does not meet the third prong of the [Central Hudson](#) test. In conclusion, we hold the statute does not meet the last two prongs in the [Central Hudson](#) test and thus the statute is unconstitutional.

**REVERSED.**

[TOAL](#), C.J., [BURNETT](#), [PLEICONES](#), JJ., and Acting Justice [JAMES W. JOHNSON, Jr.](#), concur.

S.C.,2000.

Video Gaming Consultants, Inc. v. South Carolina Dept. of Revenue  
342 S.C. 34, 535 S.E.2d 642

END OF DOCUMENT

**AGENDA MEMO**

**City Council**

**December 16, 2013**

**Issue Statement**

Approval of a Resolution authorizing City staff to proceed with water main improvements and a water service line for the Public Works Facility located at 1041 South Frontage Road at a cost not to exceed \$25,509.08

**RESOLUTION**

**BACKUP**

**Background/History**

The Public Works Facility is currently supplied with a private well for potable water. At the September 3, 2013 City Council meeting, the City Council approved a resolution for World Wide Class Inc. to construct an antenna tower and contribute \$63,805.20 for facility improvements, relating to potable water and parking lot improvements.

The County of DuPage currently has an existing water main parallel with South Frontage Road and fronts the Public Works Facility. The existing water main is owned and maintained by the County and is served by a well for emergency purposes only. The County would allow the existing main to be utilized for Lake Michigan water, provided the City would make the necessary improvements for a potable water main. Once the main line is brought into conformance, the City would be allowed to install a water service line into the building. The County and the City have an existing Intergovernmental Agreement that allows the County and City to work collaboratively regarding water infrastructure improvements.

The proposed improvement would consist of the following material and attached is a cost summary sheet labeled as **Attachment A**:

- 2 fire hydrants
- 2 Isolation Valves
- 1 Service Line with B-box
- Chlorination and sampling of the water main
- Connection Fee-Payable to DuPage County

Please note that many of the materials on the attached sheet, indicated in bold under Awarded Vendor, were bid out earlier this year and remain in effect through April 2014. All other items have been quoted and are on file.

The proposed improvements would be installed by the Municipal Services Department, monitored by the County. The County would continue to own and maintain the water main, including the proposed improvements upon completion. The City received funds in the amount of \$63,805.20 from World Class Wireless LLC on November 27, 2013. The expenditure would be expended from the following line item:

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>CONTRIBUTION</b>	<b>PROPOSED EXPENDITURE</b>	<b>PROPOSED BALANCE</b>
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25-35-4810	Capital Improvements	\$63,805.20	\$ 25,509.08	\$ 38,296.12
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**Committee Recommendation**

The Municipal Services Committee, at their September 30, 2013 committee meeting, recommended approval of the resolution authorizing City staff to proceed with water main improvements and a water service line for the Public Works Facility at a cost not to exceed \$25,509.08 for the Public Works Facility located at 1041 South Frontage Road.

**Alternate Consideration**

As recommended by the Municipal Services Committee

**Decision Mode**

This item will be placed on the December 16, 2013 City Council agenda for formal consideration.

**RESOLUTION NO.** \_\_\_\_\_

**A RESOLUTION AUTHORIZING CITY STAFF TO PROCEED WITH WATER MAIN IMPROVEMENTS AND A WATER SERVICE LINE FOR THE PUBLIC WORKS FACILITY LOCATED AT 1041 SOUTH FRONTAGE ROAD AT A COST NOT TO EXCEED \$25,509.08**

**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 City staff to proceed with water main improvements and a water service line for the Public Works Facility located at 1041 South Frontage Road at a cost not to exceed \$25,509.08.

**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 16<sup>th</sup> day of December, 2013.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS**, this 16<sup>th</sup> day of December, 2013.

\_\_\_\_\_  
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

\_\_\_\_\_  
JOANNE E. RAGONA, CITY CLERK








APPROVED AS TO FORM:

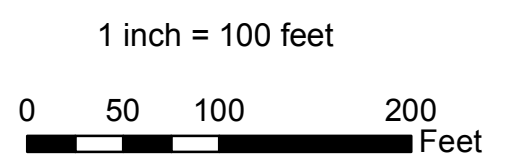
\_\_\_\_\_  
CITY ATTORNEY

# Darien Public Works Facility Water Main Improvement



## Legend

-  Hydrant- Proposed
-  Valve Isolation
-  Parcels
-  Hydrant line
-  Hydrant Buffer 150'
-  Raw water
-  Service Line (Preliminary Location)





JOB LOCATION	South Frontage Road Water Main Improvements-Public Works Facility						
DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL COST	ACTUAL UNITS	FINAL COST	AWARDED VENDOR
FIRE HYDRANTS WITH VALVES	2	EACH	\$ 2,525.00	\$ 5,050.00	-	\$ -	HD SUPPLY DPC
VALVES	2	EACH	\$ 1,316.09	\$ 2,632.18	-	\$ -	HD SUPPLY
VALVE VAULTS	2	EACH	\$ 950.00	\$ 1,900.00	-	\$ -	KIEFT BROTHERS
SOLID SLEEVES	6	EACH	\$ 227.00	\$ 1,362.00	-	\$ -	HD SUPPLY
DUCTILE IRON TEES	4	EACH	\$ 276.00	\$ 1,104.00			UNDERGROUND PIPE AND SUPPLY
BUFALLO BOX 1.5 INCH	1	EACH	\$ 41.63	\$ 41.63	-	\$ -	HD SUPPLY
1.5 INCH COPPER	100	LINEAL FT	\$ 7.25	\$ 725.00	-	\$ -	HD SUPPLY-ESTIMATE TO BE REQUOTED
6-INCH WATER MAIN	20	LINEAL FT	\$ 13.25	\$ 265.00	-	\$ -	UNDERGROUND PIPE AND SUPPLY
MEGALUGS	6	EACH	\$ 57.95	\$ 347.70	-	\$ -	ZIEBELL
PERMIT COST-METER 5/8	1	EACH	\$ 2,000.00	\$ 2,000.00	-	\$ -	DUPAGE COUNTY
AUGERING SERVICE	1	LUMP SUM	\$ 4,950.00	\$ 4,950.00	-	\$ -	H & R CONSTRUCTION
PRESSURE TEST	1	LUMP SUM	\$ 1,000.00	\$ 1,000.00			NEE CORP
CHLORINATION	1	LUMP SUM	\$ 1,200.00	\$ 1,200.00	-	\$ -	NEE CORP
SEED AND STRAW	1	LUMP SUM	\$ 1,000.00	\$ 1,000.00			
TOP SOIL-MATERIAL	10	CUBIC YARD	\$ 14.45	\$ 144.50	-	\$ -	DUPAGE TOPSOIL
TOTAL LENGTH (FT)=	25						
WIDTH (FT)=	45						
AREA (CY)=	10						
STONE GRADE CA-7	21.735	TON	\$ 14.45	\$ 314.07	-	\$ -	ELMHURST CHICAGO
TOTAL LENGTH (FT)=	10		\$ -				
WIDTH (FT)=	19		\$ -				
AREA (SY)=	21		\$ -				
			\$ -				
ANALYTICAL TESTING	0	LUMP SUM	\$ 1,600.00	\$ -	-	\$ -	N/A
DUMP FEES	1	PER LOAD	\$ 65.00	\$ 65.00	-	\$ -	EF HEIL
TOTAL LENGTH (FT)=	15		\$ -		-	\$ -	
WIDTH (FT)=	20						
AREA (CY)=	14						
TRUCKING	2	HOURLY	\$ 79.00	\$ 158.00	-	\$ -	DAS
SUB-TOTAL COST				\$ 24,259.08		\$ -	
MISC-BRICK/ ADJ RINGS,MORTAR,MASTIC TAPS	1	LUMP SUM	\$ 1,250.00	\$ 1,250.00	-	\$ -	
SUB-TOTAL COST				\$ 25,509.08		\$ -	
						\$ -	
TOTAL COST				\$ 25,509.08			
DIFFERENCE							
<b>TOTAL ESTIMATE-BUDGET</b>				<b>\$ 25,509.08</b>			