

## Minutes - June 7, 2004

### EXECUTIVE SESSION

It was moved by Alderman Marchese and seconded by Alderman Tikalsky at 7:03 P.M. to move into Executive Session for the purpose of discussing Personnel as prescribed by Section 2(c)(1) of Public Act 88-621 with no action to be taken.

#### Roll Call:

Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver  
Nays: None  
Absent: None

Results: Ayes 7, Nays 0, Absent 0

### MOTION DULY CARRIED

It was moved by Alderman Tikalsky and seconded by Alderman Weaver at 7:20 P.M. to move into Open Session.

#### Roll Call:

Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver  
Nays: None  
Absent: None

Results: Ayes 7, Nays 0, Absent 0

### MOTION DULY CARRIED

Minutes of the Regular Meeting  
of the City Council of the  
CITY OF DARIEN

JUNE 7, 2004

#### 1. CALL TO ORDER

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

#### 2. PLEDGE OF ALLEGIANCE

Mayor Soldato asked for a brief moment of silence in remembrance of Past President Ronald Reagan; he then led the Council and audience in the Pledge of Allegiance.

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

Present:	Richard Biehl	Joseph Marchese
Morgan Cotten	John F. Poteraske, Jr.	
	David Hagen	James Tikalsky

Kathleen Moesle-Weaver

Also in Attendance: Carmen D. Soldato, Mayor

Joanne F. Coleman, City Clerk

Judith N. Kolman, City Attorney

Bryon D. Vana, City Administrator

Robert Pavelchik, Chief of Police

Michael Griffith, Sr. Planner Community Development

Robert Mengarelli, Asst. Director of Public Works

Robert Rodgers, Asst. Director of Public Works

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

5. APPROVAL OF MINUTES

City Council and Committee-of-the-Whole Meetings of May 17, 2004

It was moved by Alderman Cotten and seconded by Alderman Poteraske to approve the Minutes of the Regular Meeting and the Committee-of-the-Whole Meeting of May 17, 2004, as presented.

Roll Call:

Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

6. RECEIVING OF COMMUNICATIONS

Alderman Biehl spoke with:

· Jack Morge regarding garbage removal/loud music at Wendy's and he had inquired about the Crest Road project; Administrator Vana had informed Alderman Biehl that the project was scheduled to begin within a week or so.

· Kyle Gilgis regarding the Dale Basin and she informed him that Crest Road project was on hold. Mayor Soldato commented that there was a County Stormwater Committee meeting and President Pretzer inquired about Darien resident concerns; Mayor Soldato stated that Administrator sent an email on June 4th to Council regarding input regarding the project. It was noted that some of the residents liked the current appearance of the Dale Basin; the vegetation has now grown in and the water has been attracting wild life.

Alderman Tikalsky received communication from Tom Lutzski, a Farmingdale resident whose property abuts Gallagher & Henry's retention property; he was concerned about maintenance of the property. Alderman Weaver inquired if the City had an agreement with Gallagher & Henry regarding maintenance; it was stated that this issue was never resolved. Mayor Soldato asked that the issue be brought before Committee for consideration.

Alderman Marchese received email:

- from Marion Batryn, 1808 Woodview Court, regarding construction noise from a nearby unincorporated residential project.
- regarding an exposed cable near the Creek, which Administrator Vana responded to.
- from John & Renee Zita regarding Tara Hill wetlands.
- from John & Colleen Hoppa, residents south of I-55, regarding grass maintenance on the Sokol property; and traffic issues from vehicles exiting Forest Preserve District property near Argonne.

Alderman Cotten asked if a presentation could be made at the next Council meeting to apprise residents about the City's mosquito abatement program since the West Nile Virus had been located within the City. Mayor Soldato stated that a presentation could be made under the 'Mayor's Report' at the next meeting; Administrator Vana responded that staff recently met with Clarke Environmental and they would make a presentation.

## 7. MAYOR'S REPORT

Mayor Soldato...

- ... stated that a letter was sent to residents regarding the Dale Basin project. It was noted that some of the residents liked the current appearance of the Dale Basin; the vegetation has now grown in and the water has been attracting wild life.

... thanked the Public Works Department for a wonderful 'Open House'.

## 8. CITY CLERK'S REPORT

Clerk Coleman...

... noted that the June 15th Environmental Committee and June 17th Cable Commission meetings had been cancelled.

... invited everyone to attend Coffee with Mayor Soldato on Saturday, June 19th, from 9:00 until 10:00 A.M. at Carmelite Carefree Village located at 8419 Bailey Road.

... congratulated JoAnne Ragona for receiving a Bachelor's Degree from DePaul University.

## 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... congratulated Administrative/Finance Committee and Staff for receiving a Certificate of Achievement for Excellence - Financial Reporting for the Fiscal Year Ending 2003.

... commented that he and Mayor Soldato attended a meeting at the County in regard to the Knecht complaint against the City for stormwater management. He said that the County Stormwater Committee agreed with the City's position; he noted that a letter would be sent to the Tara Hill residents adjacent to the wetlands.

... stated that a property maintenance complaint had been received regarding the Sportsplex.

## 10. DEPARTMENT HEAD REPORT

Chief Robert Pavelchik...

... stated that the Police Department participated in and would continue to implement the seatbelt enforcement program.

... commented that residents should contact a neighbor or friend, as well as the Police Department, to keep watch over their property while on vacation.

... asked that neighbors keep a watchful eye on seniors due to the approaching inclement weather.

... requested that young people and their parents be aware of traffic and parking when attending recreational events.

... told residents to beware of solicitors and if they were suspicious that they should call the Police Department to investigate.

Chief Pavelchik responded to Alderman Biehl inquiry regarding ticketing for non-seatbelt use; Alderman Tikalsky inquired about child seats/restraints.

Alderman Hagen stated that his vehicle broke down near I-55 and North Frontage Road; he called for a tow and waited approximately two hours from 5:30 to 7:30 P.M.; he noted that during that time, a police vehicle never went through the area. Chief Pavelchik stated that he would investigate.

Administrator Vana gave an update on screening of the seized vehicles; he stated that the screening had been ordered and was partially installed.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 04-05-03

It was moved by Alderman Hagen and seconded by Alderman Biehl to approve payment of Warrant Number 04-05-03 in the amount of \$109,637.47 from the General Fund; \$40,685.15 from the Water Fund; \$6,748.09 from the Motor Fuel Tax Fund; \$2,873.20 from the Darien Area Dispatch Fund; \$1,814.76 from the S.S.A. Tax Fund; \$34,122.50 from the Joint Use Facility Fund; \$300.00 from the D.A.R.E. Fund; \$191,448.60 from the General Fund Payroll for the period ending 05/27/04; \$24,646.11 from the Water Fund Payroll for the period ending 05/27/04; \$33,241.09 from the D.A.D.C. Fund Payroll for the period ending 05/27/04; for a total to be approved of \$445,516.97.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Chairman Weaver noted that the next meeting for the Committee was scheduled for June 14th at 6:30 P.M.

Planning/Development Committee — No report.

Public Works Water/Streets Committee — No report.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no Questions and Comments to come before the City Council.

14. OLD BUSINESS

There was no Old Business to come before the City Council.

15. CONSENT AGENDA

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

A. ORDINANCE NO. 0-11-04 REVISED AN ORDINANCE CREATING SECTIONS 3-4-1 AND 3-4-2 OF THE DARIEN CITY CODE WHICH AUTHORIZE THE IMPOSITION AND COLLECTION OF A  $\frac{3}{4}$  OF 1% HOME RULE MUNICIPAL RETAILERS' OCCUPATION TAX AND A  $\frac{3}{4}$  OF 1% HOME RULE MUNICIPAL SERVICE OCCUPATION TAX, RESPECTIVELY, EFFECTIVE JULY 1, 2004

B. ORDINANCE NO. O-14-04 AN ORDINANCE OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN, AND MECHANICS EMPLOYED ON PUBLIC WORKS OF SAID CITY

C. CONSIDERATION OF A MOTION TO PURCHASE WATER METERS FROM NATIONAL WATERWORKS IN THE AMOUNT OF \$42,157.50

D. CONSIDERATION OF A MOTION TO GRANT WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR THE DARIEN YOUTH CLUB

E. CONSIDERATION OF A MOTION TO APPROVE SEPTEMBER 10, 11, AND 12 AS DATES FOR THE DARIEN CHAMBER OF COMMERCE TO HOLD THE DARIENFEST 2004 CELEBRATION

F. CONSIDERATION OF A MOTION TO APPROVE THE CLOSURE OF CLARENDON HILLS ROAD FROM PLAINFIELD ROAD TO 71st STREET FROM NOON ON THURSDAY, SEPTEMBER 9, UNTIL 5:00 P.M. ON MONDAY, SEPTEMBER 13, 2004 (WITH MAINTENANCE OF LANE FOR EMERGENCY VEHICLES), TENNESSEE AVENUE AND 72nd STREET TO BENTLEY TO BE CLOSED EXCEPT FOR LOCAL TRAFFIC, NO PARKING ON THE NORTH SIDE OF 71st STREET FROM CLARENDON HILLS ROAD TO THE WEST END OF DARIEN COMMUNITY PARK, NO PARKING ON BOTH SIDES OF

CLARENDON HILLS ROAD FROM 71st STREET TO 69th STREET, NO PARKING ON THE EAST SIDE OF BENTLEY AVENUE FROM 71st STREET TO 72nd STREET, AND PARKING ON ONE SIDE ONLY OF ROGER ROAD

G. CONSIDERATION OF A MOTION TO APPROVE THE PROVISION OF POLICE PROTECTION FOR THE DARIENFEST 2004 CELEBRATION

H. CONSIDERATION OF A MOTION GRANTING A WAIVER OF THE \$50.00 A DAY FEE FOR THE TEMPORARY LIQUOR LICENSE

I. CONSIDERATION OF A MOTION TO APPROVE PROPOSAL FROM BOMBA EVALUATION GROUP FOR APPRAISAL SERVICES FOR CASS AVENUE PARCELS: 09-27-300-001, 09-27-300-002 & 003, AND 09-27-300-013

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

#### 16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AND DEVELOPMENT AGREEMENT (TOWNHOMES OF VIOLET'S FARM L.L.C. ET AL)

It was moved by Alderman Poteraske and seconded by Alderman Tikalsky to approve

ORDINANCE NO. O-19-04 AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AND DEVELOPMENT AGREEMENT (DARIEN-WOODRIDGE FIRE PROTECTION DISTRICT, ET AL/75th & LYMAN AVENUE)

as presented.

Alderman Hagen questioned the procedure; he stated that if a matter was denied by Council that he understood that there was a time limit before it could be brought up before the Council. Mayor Soldato stated that it was a contractual matter; it was an annexation agreement that required a Public Hearing, which was held prior to the Council meeting. Attorney Kolman commented that it was a contract and did not fall under the normal time limit requirement. It was noted that Attorney Murphey prescribed the manner in which this item could appear again for consideration by the City Council.

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

Nays: Cotten

Absent: None

Results: Ayes 6, Nays 1, Absent 0

MOTION DULY CARRIED

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Tikalsky thanked Public Works for their hospitality during the Open House. He asked that the Administrative/Finance Committee review ice cream vendor sales; he said that he received complaints about the ice cream truck noise volume and hours of operation.

Alderman Hagen invited everyone to the Darien Historical Society's Ice Cream Social scheduled for Wednesday, June 16th at 6:30 P.M. at Darien Community Park. He stated that tickets were being sold for \$3.00 per person and included all the ice cream, lemonade and cookies one could eat.

Alderman Cotten stated that he received mixed response from residents about eliminating the westbound 'No Left Turn' from the Darien Towne Center. Mayor Soldato recommended that consideration for changing the flow of traffic wait until the new development was completed.

Mayor Soldato thanked Council, Staff and the Redevelopment Committee for the on-going effort to achieve a downtown area within Darien. The consensus from the Committee-of-the-Whole meeting was to continue looking at the Cass Avenue frontage that would be a beginning point for a more comprehensive 12-acre development according to the Comprehensive Plan.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:10 P.M.

Mayor

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City Clerk

JFC/jr

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 06-07-04.

Minutes of 06-07-04 CCM