

## **Minutes - November 1, 2004**

### EXECUTIVE SESSION

It was moved by Alderman Marchese and seconded by Alderman Hagen at 7:05 P.M. to move into Executive Session for the purpose of discussing Collective Bargaining as prescribed by Section 2(c)(2) of Public Act 88-621 with no action to be taken.

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

Nays: None

Absent: Tikalsky

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

It was moved by Alderman Biehl and seconded by Alderman Weaver at 7:31 P.M. to move into Open Session.

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

Nays: None

Absent: Tikalsky

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

### Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

NOVEMBER 1, 2004

#### 1. CALL TO ORDER

The regular meeting of the City Council of the City of Darien was called to order at 7:31 P.M. by Mayor Carmen D. Soldato.

#### 2. PLEDGE OF ALLEGIANCE

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

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

Present: Richard Biehl Joseph Marchese Morgan Cotten John F. Poteraske, Jr. David Hagen Kathleen Moesle-Weaver

Absent: James Tikalsky

Also in Attendance: Carmen D. Soldato, Mayor Joanne F. Coleman, City Clerk Kevin P. Monaghan, City Treasurer John B. Murphey, City Attorney Bryon D. Vana, City Administrator Robert Pavelchik, Chief of Police Gregory Dreyer, Community Development Director Robert Mengarelli, Asst. Director of Public Works Robert Rodgers, Asst. Director of Public Works

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

5. APPROVAL OF MINUTES — October 18, 2004

It was moved by Alderman Poteraske and seconded by Alderman Hagen to approve the Minutes of the Regular Meeting of October 18, 2004, as presented.

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

Nays: None

Abstain: Biehl

Absent: Tikalsky

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

6. RECEIVING OF COMMUNICATIONS

Alderman Hagen received a call from Sue Krause, who was concerned about proposed changes in the refuse program. She favored the current program due to possible cost increase.

Alderman Biehl... \* commented about the email the Aldermen received from the Environmental Committee, which he submitted for the record; the Committee suggested that the same refuse sticker program be retained. \* conversed with Henry Strobe of Marion Hills, who was concerned with the leaf pickup program. \* received email from Greg & Carla Rassi, 6700 block of Bentley Avenue. He read the email into the record, which requested placement of sidewalks on 67th Street. \* received correspondence from Crest Road residents regarding removal of trees for the Crest Road project. He said that the residents were contacted and information would continually be provided to them in regard to the retention area.

Alderman Poteraske received... \* email from George Teske, on Sequoia Lane, he was concerned about NI Cor gas leaks on Sequoia. Alderman Poteraske walked the area with Mr. Teske; they found a leak, they contacted NI Cor, and the leak was repaired. \* several calls about a satellite dish that was installed behind 1510 Plainfield in a stormwater detention area without a permit. He said that Community Development contacted the owner regarding violations.

Clerk Coleman received email from John Kavan, who supported the current recycling/refuse program.

7. MAYOR'S REPORT

A. MAYORAL PROCLAMATION "SNUG HUGS FOR KIDS" (November 1 – December 8, 2004)

Mayor Soldato read the Proclamation and proclaimed November 1 through December 8, 2004 as "Snug Hugs for Kids Days". He urged residents to support this worthy effort. Christopher Libby of Merlin Muffler

accepted the Proclamation; Mr. Libby spoke about the collection project and thanked Council for their support and concern.

#### B. SWEARING IN OF NEW OFFICER: LAUREN RENNER

Mayor Soldato introduced Chief Pavelchik, who introduced Lauren Renner. He said that Ms. Renner was from Naperville and had worked for the Naperville Park District. Chief Pavelchik introduced Carol Gierut and Mark Piccoli, members of the Fire and Police Commission. Commissioner Gierut administered the Oath of Office to Lauren Renner. Officer Renner was presented to the Mayor and Council and received a round of applause. Chief Pavelchik invited everyone to the Police Department for a cake/coffee reception immediately following the Council meeting. Mayor Soldato thanked the Commission for their efforts with testing, interviewing, and the outstanding results.

Mayor Soldato...

... mentioned that hundreds of citizens have responded to the City's refuse survey; he thanked Administrator Vana and staff for their communications with residents.

... stated that many residents and the press had been following up with the Darien Park District in regard to accessing public information. He referred to a newspaper article regarding another park district that was being investigated for FOIA violations and noted that an Assistant State's Attorney General from Lisa Madigan's office stated that the purpose of the Freedom of Information Act was for the release of public record to the public.

#### 8. CITY CLERK'S REPORT

Clerk Coleman...

... stated that the Police Pension Board scheduled a meeting for November 9th at 7:30 P.M. in the Council Chambers at City Hall.

... reminded everyone to vote on Tuesday, November 2nd; she noted that the polls opened at 6:00 A.M. and closed at 7:00 P.M.

#### 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... thanked residents for their participation with the refuse program survey. He stated that the City received 907 responses; 725 responses favored the current volume based refuse sticker program. He asked Council to allow BFI the opportunity to present their best proposal with a two-year extension prior to consideration of bidding out the contract. Alderman Weaver said that BFI submitted a proposal; Administrator Vana noted that the proposal contained additional fees.

... commented that the City was waiting for the final construction schedule in regard to the Crest Road project. He noted that he would keep Council and residents updated.

#### 10. DEPARTMENT HEAD REPORT

Police Department Chief Robert Pavelchik...

... commented about Crest Road and stated that Sgt. Falco was communicating with DuPage County in regard to 'no left turn' restriction onto High Road during morning rush hour.

... corrected a statement he made about crime statistics at the October 4th Council meeting; he previously said that the department went to 100 domestics a month; the correct statement should have been that the department went to approximately 100 domestics a year.

... informed Council that the department and the Secretary of State's office recently did liquor and identification training for some City liquor license holders; he noted that some establishments received warning letters due to a 'sting'.

... thanked the community and Lions Club for a successful Halloween party that was held at the Sportsplex on October 31st. He also thanked the Tootsie Roll Company for their donation of candy for the department and schools.

... congratulated Deputy Chief Skala for completion of the October 18th Chicago Marathon.

... sent well wishes to Officer Vaughn for a speedy recovery due to surgery.

Alderman Poteraske inquired about stolen campaign signage; Chief Pavelchik said that it happened and was somewhat sporadic.

Administrator Vana inquired about protocol when the department received calls regarding leaves in the street that caused flooding due to a rain storm. Chief Pavelchik said that on weekends and after hours, the Police Department was the resource; otherwise Public Works maintained the streets. He commented that he has also observed residents cleaning debris from storm sewers. Asst. Director Mengarelli noted that the street sweeper was scheduled to begin on Monday, November 8th. Chief Pavelchik reminded residents not to place their leaves in the street. Alderman Biehl commented that it was illegal to push/place leaves into the street and that there were consequences; he stated that was the purpose of the FREE leaf pickup program.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 04-05-12

It was moved by Alderman Biehl and seconded by Alderman Cotten to approve payment of Warrant Number 04-05-12 in the amount of \$114,941.32 from the General Fund; \$11,025.00 from the Water Fund; \$55,649.79 from Motor Fuel Tax Fund; \$4,837.56 from the Darien Area Dispatch Fund; \$208,176.86 from the General Fund Payroll for the period ending 10/28/04; \$21,730.94 from the Water Fund Payroll for the period ending 10/28/04; \$22,767.84 from the D.A.D.C. Fund Payroll for the period ending 10/28/04; for a total to be approved of \$439,129.31.

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

Nays: Hagen

Absent: Tikalsky

Results: Ayes 5, Nays 1, Absent 1 MOTION DULY CARRIED

## 12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — No report.

Planning/Development Committee — No report.

Public Works Water/Streets Committee — No report.

### 13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no Agenda related questions or comments.

### 14. OLD BUSINESS

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

### 15. CONSENT AGENDA

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

A. ORDINANCE NO. O-39-04 AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2004-11: 7015 SIERRA DRIVE)

B. ORDINANCE NO. O-40-04 AN ORDINANCE GRANTING A MINOR AMENDMENT TO AN APPROVED PLANNED UNIT DEVELOPMENT (CROSSROADS OF DARIEN PUD, 8342 LEMONT ROAD, OFFICE BUILDING F)

C. ORDINANCE NO. O-41-04 AN ORDINANCE AUTHORIZING THE EXECUTION OF A PRE-ANNEXATION AGREEMENT (ALLEN – 18W041 73rd PLACE; PIN: 09-28-210-011)

D. ORDINANCE NO. O-42-04 AN ORDINANCE AUTHORIZING THE EXECUTION OF A PRE-ANNEXATION AGREEMENT (PLZAK – 18W035 73rd STREET; PIN: 09-28-210-012)

E. ORDINANCE NO. O-43-04 AN ORDINANCE AUTHORIZING THE EXECUTION OF A PRE-ANNEXATION AGREEMENT (MURPHY – 18W131 CLAREMONT DRIVE; PIN: 09-21-407-001)

F. ORDINANCE NO. O-44-04 AN ORDINANCE AUTHORIZING THE EXECUTION OF A PRE-ANNEXATION AGREEMENT (BRENNAN – 8S061 ADAMS STREET; PIN: 09-28-207-013)

G. RESOLUTION NO. R-26-04 A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS SUBJECT TO MAINTENANCE (DICOSOLA COURTS OF DARIEN SUBDIVISION)

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

Nays: None

Absent: Tikalsky

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

### 16. NEW BUSINESS

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

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

Alderman Poteraske provided background about ComEd power outage problems and tree trimming. He said that on October 20th he met with Steve Rodriguez, ComEd Vegetation Manager, and they surveyed the City. He indicated that ComEd was aggressively trimming trees within the City.

Alderman Biehl thanked and congratulated all the residents who responded to the refuse survey, which made Council's decision making easier.

Mayor Soldato noted that a memo had been distributed by Administrator Vana in regard to the three parcels along Cass Avenue. He commented that the Village of Burr Ridge was in the same dilemma as Darien; Burr Ridge was also in the pursuit of a downtown center.

Director Dreyer introduced Dr. Chinwalla whose request for a minor PUD amendment was approved by Council for an office to be located in the Crossroads of Darien subdivision at 8342 Lemont Road.

#### 18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:05 P.M.

Mayor \_\_\_\_\_ 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 11-01-04.