

Minutes - January 16, 2006

EXECUTIVE SESSION

It was moved by Alderman Poteraske and seconded by Alderman Biehl at 7:02 P.M. to move into Executive Session for the purpose of discussing Purchase or Lease of Real Estate as prescribed by Section 2(c)(5) of Public Act 88-261.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Nays: None

Absent: None

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

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

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Nays: None

Absent: None

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

A WORK SESSION WAS CALLED TO ORDER AT 7:20 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE JANUARY 16, 2006 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:30 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

JANUARY 16, 2006

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

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

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

Present: Richard A. Biehl Sylvia Mclvor William R. Durkin John F. Poteraske, Jr. Carolyn A. Gattuso
Kathleen Moesle Weaver Joseph A. Marchese

Also in Attendance: Kathleen Moesle Weaver, 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 Daniel Gombac, Director of Community Development/Public Works

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

5. APPROVAL OF MINUTES – December 19, 2005

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve the Minutes of the
Regular Meeting of December 19, 2005, as presented.

Roll Call: Ayes: Durkin, Gattuso, Marchese, Mclvor, Poteraske, Weaver

Abstain: Biehl

Nays: None

Absent: None

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

6. RECEIVING OF COMMUNICATIONS

Alderman Biehl: * read an email from Gary Roth, 105 Elm Street, into the record; the email referenced a
water problem and the quick professional response received. * spoke with residents in regard to vehicles
parked over sidewalk on Maple Lane. * conversed with residents who asked that Council speak louder
and clearly into the microphones. * received complaints from residents regarding the boarded-up gas
station at Plainfield & Cass; he asked that the City contact the owner and request them to demolish the
building.

Alderman Mclvor: * spoke with Tom Sailer on December 24th in regard to a ComEd outage within the
Woodmere townhome development, which lasted about 2-1/2 hours. * submitted a letter dated January 4,
2006, for the record, from Philip Gardner regarding a proposed development at 2100 Manning Road.

Alderman Poteraske stated that Ward 3 had ComEd outages with flickering on December 23rd and 24th.

Alderman Durkin received communication from a resident who was informed by ComEd that they would
not reimburse her for a generator purchased due to the outage.

7. MAYOR'S REPORT

A. 2006 CITIZEN OF THE YEAR NOMINATION

Mayor Weaver introduced and thanked the members of the Citizen of the Year Committee who were
present: Chairman Debby Heniff, Kathy Abbate, and Kathy Lyons, and also, Ed Sawica, Joan Graham
and Fran Mazzolini. Mayor Weaver read the letter of recommendation for the 2006 Citizen of the Year
that nominated Rosemarie Courtney as their choice. The recommendation stated that Rosemarie's
"volunteer activities...span the entire 39 years she has lived in Darien...she is a special lady who seems

to thrive on volunteer work...Rosemarie's list of volunteer activities is extensive...she has devoted her efforts toward formation of the youth of Darien...she has eagerly lent her heart and hands to scores of community projects...Rosemarie and her Cubs have pounded nails, fashioned birdhouses and erected weather vanes...Under Rosemarie's firm, yet gentle direction, the boys in her troop have learned about good citizenship and community service. She is also the first to wipe away tears or put her arm around the Soap Box Derby loser...she loves each scout as much as she loves her own two sons...Rosemarie Courtney is one lovely rose growing in Darien that keeps this city blooming...she often is spotted doing that extra favor, baking those extra cupcakes, picking up someone's kids from school or simply lending an understanding ear when needed." Mayor Weaver stated that Rosemarie had been involved with Girl Scouting for 55 years, Boy Scouting for 31 years, a volunteer with: Our Lady of Peace as current Blood Program Chairperson and other church programs, Indian Prairie Library, Hinsbrook Newcomers Club, Darien Youth Club, Hinsbrook Recreation Club, Darien Historical Society, and the list continued on.

It was moved by Alderman Weaver and seconded by Alderman Biehl to accept the Citizen of the Year Committee's nomination of ROSEMARIE COURTNEY as Darien's 2006 Citizen of the Year.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: None

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

Mayor Weaver reminded everyone that there would be a Cake/Coffee Reception for Rosemarie Courtney on Tuesday, February 21st, after the City Council meeting; the Citizen of the Year Dinner/Dance would be held on March 11th.

B. JOINT PROJECT BETWEEN THE CITY OF DARIEN AND THE DARIEN CHAMBER OF COMMERCE-COMMUNITY NEWSLETTER

Mayor Weaver indicated that the joint project publication would be entitled "NEIGHBORS"; the publication was the brain child of Tim Sullivan of Emerald Marketing. She recommended that the City become involved with the Chamber in order to upgrade the current 'Darien Data' newsletter sent to citizens. Tom Sailer, President of Darien Chamber of Commerce, said that the Chamber wanted to work more closely with the City; he introduced Marie Brady, a Chamber communications committee member. Ms. Brady said it would be a great opportunity for the residents and that the publication would benefit businesses through advertisement. Mayor Weaver stated that the City would have four pages within each publication dedicated toward City information and the publication would be sent six times per year; she indicated that the City's cost would be \$1,400 per publication. There was discussion about its contents.

C. COM ED UPDATE

Cornell Barnett reviewed the 'Darien Reliability Action Plan' dated January 16, 2006, a copy of which is attached hereto. He addressed the issue regarding claims that have been denied and stated that some were being re-reviewed. Mayor Weaver inquired how the City would know the outcome; Mr. Barnett indicated that he would communicate with Scott Coren. He spoke about the December 23rd flickering light problem within the City; he said that a specialist was called out and arresters were replaced. John O'Neill, ComEd Reliability Manager, addressed Council; he said they utilized a thermal camera and found warm lightning arrestors caused lights to flicker; they were replaced. Alderman Poteraske noted that nine circuits were affected, six within Darien and that over 2700 people were impacted; Mr. O'Neill affirmed and compared the happening to a home circuit breaker. Alderman Poteraske noted that there was a reoccurrence on December 24th; he inquired if the incidents were related. Mr. O'Neill stated that there was a cable fault outage on the 24th. Alderman Poteraske spoke about the outage report and stated that

21 of the 31 reported outages were due to equipment failure, which he considered excessive. Mr. O'Neill responded that there was a lot of different equipment involved and that ComEd monitored to see if it was the same or different equipment that failed. Alderman Poteraske and Mr. O'Neill conversed about the numerous outages and pockets within the City. Mayor Weaver inquired when ComEd would update Council. Administrator Vana stated that the agreement required ComEd to update the City quarterly; he requested that ComEd continue to provide an update at Council meetings until the problems have been minimized. Mr. Barnett stated that he would attend the February 6th meeting.

8. CITY CLERK'S REPORT

Clerk Coleman...

... stated that the following meetings had been cancelled: * January 18th Planning and Zoning Commission * January 19th Cable Commission

... invited everyone to have Coffee with Mayor Weaver on Saturday, January 21st, from 9:00 until 10:00 A.M. at City Hall in the Council Chambers.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... stated that Arc Disposal distributed promotional flyers to residents regarding their tote program. He indicated that the City's refuse program had not changed.

... commented that Philip Gardner previously submitted a 'conceptual plan' for Council review in regard to a townhome development at 2100 Manning Road; he indicated that the proposed development needed to proceed through the process. Aldermen Biehl and Marchese stated what they remembered from that proposal, which included density and buffering.

... noted that the Suburban Life Newspaper recently printed an article about local taxing districts; he indicated that the new water tower would not raise taxes. Mayor Weaver stated that the City was not proposing a tax increase referendum.

10. DEPARTMENT HEAD REPORT

Community Development/Public Works Director Daniel Gombac...

... provided an update on the sidewalk snow plowing program; he indicated that Public Works plows approximately 20 miles of sidewalk after one inch of snow has fallen, which was done after local roadways had been plowed. The routes include: Cass Avenue from Frontage Road to 67th Street; southern right-of-way of 75th Street from Lemont Road to Clarendon Hills Road; northern right-of-way of 75th Street from Fairview Avenue to Route 83; Plainfield Road/83rd Street from Route 83 to Manning Road; southern right-of-way of 67th Street from Cass Avenue to the 'school bus barn'; northern right-of-way of 678th Street from Ridge Road to Cass Avenue; eastern right-of-way of Clarendon Hills Road from Plainfield Road to 71st Street; western right-of-way of Clarendon Hills Road from Plainfield Road to 75th Street; eastern right-of-way of Bailey Road from Westminster Court to Marco Court; western right-of-way of Bailey Road from Plainfield Road to Frontage Road; northern right-of-way of Frontage Road from Bailey Road to Oldfield Road; eastern right-of-way of Manning Road/Lyman Avenue from Florence Avenue to 75th Street; and western right-of-way of Manning Road/Lyman Avenue from 75th Street to Plainfield Road.

... reminded residents that parking was prohibited on roadways after a one-inch snowfall.

... spoke about the tree trimming program, which was in its fifth year and consisted of trimming approximately 1600 trees. The following areas were included in the 2006 program: Carriage Way West Unit 4; Lake Ridge; Tara Hill East and West; Darien Woods; Waterfall Glen; Water Tower; and Farmingdale Village subdivisions. He said that if residents had additional questions regarding tree trimming that they should call City Hall at 852-5000 Extension 206.

... presented a landscape plan for the Water Tower project, which included placement of a 6 foot wooden fence; removal of existing 4 foot cyclone fence to be replaced with twenty-seven 5 foot arborvitae; for security measures, placement of wrought iron fence at eastern quadrant of property and adjacent to proposed garage/pump station; and removal of existing parking lot upon completion of construction, which would be replaced with sod.

Alderman Marchese stated that the City adopted a 5-year cycle for tree trimming; he verified that the cycle would begin again. Director Gombac affirmed that the cycle program would continue with 1200-1700 trees trimmed each year.

11. TREASURER'S REPORT

A. WARRANT NUMBER 05-06-16

It was moved by Alderman Biehl and seconded by Alderman Gattuso to approve payment of Warrant Number 05-06-16 in the amount of \$183,778.89 from the General Fund; \$37,524.80 from the Water Fund; \$67,869.17 from the Motor Fuel Tax Fund; \$31,372.00 from the Impact Fee Agency Fund; \$4,449.13 from the Darien Area Dispatch Center; \$1,315.39 from the D.A.R.E. Fund; \$242,578.25 from the General Fund Payroll for the period ending 12/23/05; \$35,779.68 from the Water Fund Payroll for the period ending 12/23/05; \$38,220.61 from the D.A.D.C. Fund Payroll for the period ending 12/23/05; \$246,429.78 from the General Fund Payroll for the period ending 01/05/06; \$25,466.37 from the Water Fund Payroll for the period ending 01/05/06; \$31,576.31 from the D.A.D.C. Fund Payroll for the period ending 01/05/06; for a total to be approved of \$946,360.38.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, McIvor, Poteraske, Weaver

Nays: None

Absent: None

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

B. TREASURER'S MONTHLY REPORT – DECEMBER 2005

City Treasurer Monaghan reviewed all sources of revenue and expenditures for the month of December 2005 with the following year-to-date fund balances: General Fund \$4,709,560; Water Fund \$637,341; and Motor Fuel Tax Fund \$127,300.

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Chairman Weaver submitted, for the record, Minutes for the December 12, 2005 meeting. She indicated that Council received dates for the budget process

Planning/Development Committee — Chairman Poteraske announced that the Committee would meet on Monday, January 23rd, at 6:30 P.M.

Public Works Water/Streets Committee — Chairman Biehl submitted, for the record, Minutes for the November 21, 2005 and December 19, 2005 meetings. He announced that the January 25th meeting was cancelled due to lack of agenda items.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no agenda related Questions or Comments to come before the City Council.

14. OLD BUSINESS

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

15. CONSENT AGENDA

Mayor Weaver announced that New Business Items A, B and D had been moved to Consent Agenda as Items H, I and J, respectively.

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

A. ORDINANCE NO. O-01-06 AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2005-20: 7209 EMERSON DRIVE)

B. ORDINANCE NO. O-02-06 AN ORDINANCE AMENDING TITLE 5A, CHAPTER 8, "BUSINESS DISTRICTS," SECTION 5A-8-3-3, "PERMITTED USES" AND 5A-8-3-4, "SPECIAL USES", IN THE B-2 COMMUNITY SHOPPING CENTER DISTRICT, OF THE DARIEN CITY CODE (PZC 2005-21: TEXT AMENDMENT, EATING ESTABLISHMENTS)

C. RESOLUTION NO. R-01-06 A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE METROPOLITAN ALLIANCE OF POLICE AND THE CITY OF DARIEN

D. CONSIDERATION OF A MOTION TO APPROVE AN UNBUDGETED EXPENDITURE TO UPGRADE THE POLICE DEPARTMENT'S MOBILE DATA COMPUTERS (MDC) TO WORK ON THE NEW RECORDS MANAGEMENT SYSTEM (RMS) AND COMPUTER AIDED DISPATCH (CAD) SYSTEMS

E. CONSIDERATION OF A MOTION TO APPROVE TO RECOMMEND THAT THE CITY ATTORNEY BE DIRECTED TO PREPARE AN ORDINANCE REGULATING HOURS OF OPERATION FOR EATING ESTABLISHMENTS WITH DRIVE-THRU SERVICE

F. CONSIDERATION OF A MOTION TO APPROVE THE INSTALLATION OF A STREET LIGHT AT THE SOUTHWEST CORNER OF GRANDVIEW LANE AND BREWER DRIVE, AND TO AWARD THE COMPETITIVE QUOTE FOR THE PURCHASE AND INSTALLATION OF THE PROPOSED STREET LIGHT TO CATTANEO ELECTRIC, IN THE AMOUNT OF \$4,234.00

G. RESOLUTION NO. R-02-06 A RESOLUTION APPROVING A WAIVER OF CERTAIN PROVISIONS OF THE CHARTER CUSTOMER CONTRACT WITH THE DUPAGE WATER COMMISSION

H. CONSIDERATION OF A MOTION TO APPROVE THE RELEASE OF EXECUTIVE SESSION MINUTES THAT NO LONGER REQUIRE CONFIDENTIALITY

I. CONSIDERATION OF A MOTION TO AWARD CONTRACT TO ARBOR GREEN, LTD., IN AN AMOUNT OF \$39,644 FOR THE 2006 TREE TRIMMING PROGRAM

J. RESOLUTION NO. R-04-06 A RESOLUTION APPROVING THE COST SHARING, MANAGEMENT, OPERATION AND MAINTENANCE DECLARATION FOR THE "PLAINFIELD OFFICE BUILDINGS 2" (1430, 1450, 1510 Plainfield Road)

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, McIvor, Poteraske, 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 A RESOLUTION APPROVING AN ILLINOIS MUNICIPAL RETIREMENT FUND BENEFIT PROTECTION LEAVE

It was moved by Alderman Gattuso and seconded by Alderman Marchese to approve

RESOLUTION NO. R-03-06 A RESOLUTION APPROVING AN ILLINOIS MUNICIPAL RETIREMENT FUND BENEFIT PROTECTION LEAVE as presented.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, McIvor, Weaver

Abstain: Poteraske

Nays: None

Absent: None

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

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Biehl stated that he supported Director Gombac's efforts as stated in his December 9th letter to the State of Illinois, which requested the State to fix/maintain North Frontage Road from Cass Avenue to Clarendon Hills Road. Alderman Gattuso concurred with Alderman Biehl.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:48 P.M.

Mayor _____ City Clerk jr All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 01-16-06.