

**MINUTES
CITY OF DARIEN
MUNICIPAL SERVICES COMMITTEE MEETING
September 27, 2010**

PRESENT: Alderman Joseph Marchese, Alderman John Galan, Alderman Ted Schauer, Dan Gombac-Director, Michael Griffith – Senior Planner, Elizabeth Lahey-Secretary

ABSENT: None.

Chairperson Marchese called the Municipal Services Committee Meeting to order at 6:30 p.m. at City Hall – City Council Chambers, Darien, Illinois and declared a quorum present.

MEETING:

A. Resolution – Acceptance of Public Improvements – Mayada Brook

Mr. Dan Gombac, Director reported that the resolution is to accept the public improvements of the Mayada Brook Subdivision located north of 67th Street and west of Bentley. He reported that the residential subdivision contains 8 lots of which 4 are built out. Mr. Gombac stated that the City Engineer reviewed and approved the as-built plans. He reported that the developer could not be in attendance. Mr. Gombac stated that the developer has one standing invoice in the amount of just under one-thousand dollars and due to financial hardship has requested and was approved with a three month payment plan. The maintenance letter of credit would cover the amount in the event of default.

There was no one in the audience wishing to present public comment.

Alderman Galan made a motion and it was seconded by Alderman Schauer to approve A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS SUBJECT TO MAINTENANCE (MAYADA BROOK).

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

B. Ordinance – 622 72nd Street: Petitioner seeks a variation to reduce the required side yard setback from 10 feet to 6.8 feet for an addition to an attached garage.

C.

Mr. Michael Griffith, Senior Planner presented the staff report. He stated that the petitioner proposes to construct an addition to enlarge the existing attached garage for storage of an auto. Mr. Griffith reported that the PZC held a public hearing and that they recommended approval of the variation. He reported that a letter was submitted from the neighbor to the west from the attorney Robert Claes dated September 20, 2010. Mr. Griffith reported that Mr. Claes was present and that the petitioner could not be in attendance but that their attorney, Gabriella Comstock was present. He stated that the petitioner provided elevations for a basic garage.

Alderman Galan stated that he had an issue with the request being that it was close to the neighbor. He stated that he was surprised at the PZC's approval of the request and that it appears that there is an encroachment issue for the neighbor.

Mr. Griffith reported that the PZC recommended approval with a 5-2 vote. He stated that the two Commissioners that voted against the petition did so because they thought it would alter the character of the neighborhood. He further stated that there were comments that this request is one that was in line with what the City has approved in the past.

Alderman Galan asked if staff could provide a few examples.

Mr. Griffith reported that a variation to a home at 109 68th Street was approved for a setback just under five feet and was related to a garage. He also reported that a side yard setback related to a garage for 4.7 feet in R-2 was approved at 1418 Plainfield Road. Mr. Griffith reported that 8001 Sauk Mill Creek was approved for a 7 ½ ft. porch enclosure as well as a 7 ½ ft. setback simple variation at 7309 Seminole Drive.

Mr. Griffith reported that 2919 87th Street added a garage to the house and a setback of 3 feet was granted. He stated that this approval is the most comparable and that all of the examples occurred over a ten year period.

Mr. Gombac, Director reported that the subdivision was developed under Dupage County.

Alderman Schauer questioned if there were any runoff issues with the home.

Mr. Gombac reported that staff reviews every addition with regard to runoff. He stated that the sheet flow runs in two directions. He further stated that the property to the west has a swale that carries storm water. Mr. Gombac stated that if granted that staff recommends that the downspouts be installed to flow to an under drain to the front to the City's right-of-way or to the back that flows in two other directions. He stated that staff does not feel that there is an impact.

Alderman Galan stated that he struggles with how the impacted homeowner feels and that this should weigh heavily on a decision.

Mr. Robert Claes, Attorney representing the Werner and Anne Thiele Family Trust, 626 72nd Street stated that he submitted two letters to the PZC and the Municipal Services Committee stating objection to the request. Mr. Claes presented photos to the Committee. He stated that the photos show side yards of 30-40 feet and that the side yard exceeds the Code requirements. He further stated that there is an elevation difference and that a surveyor showed that there is 26 ½ ft. difference before the variation and that it is out of character. Mr. Claes stated that the elevation is just under a foot and that there would be some impact of water flow and the underground storage is only going to direct the water.

Mr. Claes stated that Mr. Griffith did not provide any examples of any variation approvals in

R-1. He stated that because of Darien's Home Rule that a hardship does not have to be demonstrated and that the Ordinance requires that there should be a "need". Mr. Claes stated that there is room on both sides to allow access to an accessory structure.

Ms. Gabriella Comstock, Attorney for the petitioner stated that the petitioner could not be present but that the petitioner's father was present. She stated that her client considered the neighbor and that the structure in the back of the home would have an adverse affect with the driveway along the side. She further stated that a driveway along the side would require removal of trees and bushes and that although a variation would not be needed that the privacy would be taken away. Ms. Comstock stated that the structure as requested keeps in line with the character of the homes in the neighborhood.

Ms. Comstock stated that the petitioner would not object to the downspout under drain tie-ins and that they do not want to create a drainage issue. She stated that the petitioner indicated that they would do whatever is necessary to not create any drainage issues.

Alderman Galan stated that a driveway on the west side would not require a variation and that the 5 yard set back would allow them to get a permit.

Mr. Gombac stated that there would be removal of several mature trees.

Chairperson Marchese questioned how the petitioner would proceed if the request was not granted.

Ms. Comstock stated that the petitioner will consider other options and what can be done to the rear of the home.

Mr. Claes stated that his client would prefer an accessory structure over an addition.

Ms. Comstock stated that an accessory structure would have an adverse affect on privacy and the trees.

There was no one in the audience wishing to present public comment.

Alderman Galan made a motion and it was seconded by Alderman Schauer that based upon the submitted petition and the information presented, the request associated with PZC 2010-13 is in conformance with the standards of the Darien City Code and move that the Municipal Services Committee recommend approval of the petition.

Upon voice vote, THE MOTION CARRIED 2-1.

Marchese, Schauer – AYE

Galan – NAY

Chairperson Marchese announced that this would be forwarded to the City Council and placed on the consent agenda.

C. Ordinance – 1406 Plainfield Road: Petitioner seeks a variation to permit a detached accessory structure, a garage, within an interior side yard, and to reduce the required rear yard setback from 30 feet to 14.7 feet for an addition to the residence.

Mr. Michael Griffith, Senior Planner presented the staff report. He reported that the PZC held a public hearing on September 15th and recommended approval of the variation. He stated that the variation is to permit a detached accessory structure, a garage, within the interior side yard and to reduce the required rear yard setback for an addition to the residence.

Mr. Griffith reported that the rear yard addition that encroaches is also a code enforcement issue. He stated that this is a classic variation where the lot is unique and that if the house was built today it would likely need a variation. He further stated that even if the garage were in the back a variation would still be needed because of the utility easement. Mr. Griffith reported that there were no comments at the public hearing but that the petitioner provided correspondence from the neighbor supporting their request.

Chairperson Marchese questioned if the petitioner had a permit for the roof.

Mr. Griffith reported that the petitioner obtained a permit to re-roof the house. He stated that based on aerial photos that the room on the back is much larger than the previous structure and required a permit.

Alderman Galan questioned if it has been taken down.

Mr. Dan Gombac, Director stated that the addition has already been built and without a permit. He stated that the petitioner has received a letter of what needs to be done in order to assure building code compliance.

Chairperson Marchese stated that the petitioner was told not to finish construction until the issue was resolved.

Mr. Griffith stated that the detached garage is 11 feet from the property line and 5 feet from the house. He stated that the PZC asked why the garage couldn't be attached and that the petitioner stated that it was a cost factor.

There was no one in the audience wishing to present public comment.

Alderman Schauer made a motion and it was seconded by Alderman Galan that based upon the submitted petition and the information presented, the request associated with PZC 2010-12 is in conformance with the standards of the Darien City Code and move that the Municipal Services Committee recommend approval of the petition subject to:

1. **The shed along the east lot line (12.2 feet x 16.2 feet) is to be removed upon completion of the addition and garage or building permit is to be issued and it is to comply with the Darien City Code.**
2. **All applicable building code requirements are to be met for the addition and garage. Also, a sign off will be required from the architect as attached from 12/12 Architects and Planners and dated September 7 and September 9, 2010.**

Upon voice vote, THE MOTION CARRIED unanimously 3-0

Chairperson Marchese announced that this would be forwarded to the City Council and placed on the consent agenda.

D. Resolution – Execute a joint purchasing requisition through the Illinois Department of Transportation Central Management Services to North American Salt Company for the annual purchase of Rock Salt in an amount not to exceed \$205,755.00.

Mr. Dan Gombac, Director presented the staff report. He stated that this resolution is to authorize a joint purchasing requisition through the Illinois Department of Central Management Services to North American Salt Company for the annual purchase of Rock Salt.

Mr. Gombac stated that Morton Salt quoted a better price and that he contacted CMS regarding the penalty. He reported that the City would have to commit to 80% regardless and that staff will further review salt suppliers and bulk quantity pricing in February or March.

Mr. Gombac stated that \$205,755 is Darien's proposed expenditure.

Alderman Galan stated that approving the Salt Storage Facility was the best decision yet because salt may be purchased in bulk and stored and pending the end of the year inventory the remainder may be purchased for the following year.

Alderman Schauer questioned what the cost per ton was last year.

Mr. Gombac stated that four years ago it was \$35 per ton and believed the pricing last year was in the 80 dollar range.

There was no one in the audience wishing to present public comment.

Alderman Galan made a motion and it was seconded by Alderman Schauer to accept A RESOLUTION TO EXECUTE A JOINT PURCHASING REQUISITION THROUGH THE ILLINOIS DEPARTMENT OF TRANSPORTATION CENTRAL MANAGEMENT SERVICES TO NORTH AMERICAN SALT COMPANY FOR THE ANNUAL PURCHASE OF ROCK SALT FOR ROADWAY DEICING OPERATIONS IN AN AMOUNT NOT TO EXCEED \$224,834.10.

Upon voice vote, **THE MOTION CARRIED unanimously 3-0.**

E. Resolution – Execute an Intergovernmental Agreement with Darien Park District for the reimbursement of Rock Salt.

Mr. Dan Gombac, Director presented the staff report. He stated that the resolutions authorizes the Mayor and the City Clerk to execute an Intergovernmental Agreement with the Darien Park District for the reimbursement of Rock Salt through the City's 2010 Rock Salt Agreement with North American Salt Company.

There was no one in the audience wishing to present public comment.

Alderman Galan made a motion and it was seconded by Alderman Schauer to accept A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND THE DARIEN PARK DISTRICT FOR ROCK SALT.

Upon voice vote, **THE MOTION CARRIED unanimously 3-0.**

F. Resolution – Executive an Intergovernmental Agreement with Center Cass School District #66 for the reimbursement of Rock Salt.

Mr. Dan Gombac, Director presented the staff report. He stated that the resolution authorizes the Mayor and the City Clerk to execute an Intergovernmental Agreement with Center Cass School District #66 for the reimbursement of Rock Salt through the City's 2010 Rock Salt Agreement with North American Salt Company.

There was no one in the audience wishing to present public comment.

Alderman Galan made a motion and it was seconded by Alderman Schauer to accept A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND CENTER CASS SCHOOL DISTRICT #66 FOR ROCK SALT.

Upon voice vote, **THE MOTION CARRIED unanimously 3-0.**

G. Resolution – Accepting quotes from the following vendors for materials and services to remove and replace the siding, soffit, fascia, gutters and roof at Plant Two – 1220 Plainfield Road in an amount not to exceed \$6,433.00.

Mr. Dan Gombac, Director presented the staff report. He stated that this resolution is to accept quotes from the listed vendors for materials and services to remove and replace the siding, soffit, fascia, gutters and roof at Plant Two – 1220 Plainfield Road. He further stated that roofers do not dabble in siding and gutters and that staff reconstructed competitive quotes for the trades.

There was no one in the audience wishing to present public comment.

Alderman Schauer made a motion and it was seconded by Alderman Galan approving A RESOLUTION ACCEPTING QUOTES FOR MATERIALS AND SERVICES TO REMOVE AND REPLACET HE SIDING, SOFFIT, FASCIA, GUTTERS AND ROOF AT PLANT TWO-1220 PLAINFIELD ROAD IN AN AMOUNT NOT TO EXCEED \$6,433.00.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

- H. Resolution – Accepting quotes from the following vendors for materials and services to remove and replace the gutters and roof at Plant Three – 1930 Manning Road in an amount not to exceed \$12,972.00.**

Mr. Dan Gombac, Director presented the staff report. He stated that this resolution is to accept quotes from the listed vendors for materials and services to remove and replace the siding, soffit, fascia, gutters and roof at Plant Three- 1930 Manning Road.

There was no one in the audience wishing to present public comment.

Alderman Schauer made a motion and it was seconded by Alderman Galan approving A RESOLUTION ACCEPTING QUOTES FOR MATERIALS AND SERVICES TO REMOVE AND REPLACE THE SIDING, SOFFIT, FASCIA, GUTTERS AND ROOF AT PLANT THREE – 1930 MANNING ROAD IN AN AMOUNT NOT TO EXCEED \$12,972.00.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

- I. Resolution – Accepting quotes from the following vendors for materials and services to remove and replace the siding, soffit, fascia, gutters and roof at Plant Four – 1897 Manning Road in an amount not to exceed \$10,695.00.**

Mr. Dan Gombac, Director presented the staff report. He stated that this resolution is to accept quotes from the listed vendors for materials and services to remove and replace the siding, soffit, fascia, gutters and roof at Plant Four – 1897 Manning Road.

There was no one in the audience wishing to present public comment.

Alderman Galan made a motion and it was seconded by Alderman Schauer approving A RESOLUTION ACCEPTING QUOTES FOR MATERIALS AND SERVICES TO REMOVE AND REPLACE THE SIDING, SOFFIT, FASCIA, GUTTERS AND ROOF AT PLANT FOUR – 1897 MANNING ROAD IN AN AMOUNT NOT TO EXCEED \$10,695.00.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

J. Resolution – Accepting quotes from the following vendors for materials and services to remove and replace the siding, fascia, gutters and roof at Plant Five – 8600 Lemont Road in an amount not to exceed \$12,944.00.

Mr. Dan Gombac, Director presented the staff report. He stated that this resolution is to accept quotes from the listed vendors for materials and services to remove and replace the siding, soffit, fascia, gutters and roof at Plant Five – 8600 Lemont Road.

There was no one in the audience wishing to present public comment.

Alderman Schauer made a motion and it was seconded by Alderman Galan approving A RESOLUTION ACCEPTING QUOTES FOR MATERIALS AND SERVICES TO REMOVE AND REPLACE THE SIDING, SOFFIT, FASCIA, GUTTERS AND ROOF AT PLANT FIVE – 8600 LEMONT ROAD IN AN AMOUNT NOT TO EXCEED \$12,944.00.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

K. Discussion – Coach Light Program

Mr. Dan Gombac, Director reported that at the request of the Committee that staff further explore options for a Coach Light Program. He stated that staff mailed out a survey and that 77 responses were received.

Mr. Gombac reported on Natural Gas Coach lights and stated that NICOR does not have any programs. He stated that there is a business in St. Charles that sells fixtures and installs the gas coach lights. He further stated that there is a permit fee for two inspections for \$70.

Mr. Gombac reported that Incandescent/LED Coach lights also could require up to two inspections ranging from \$35 to \$70 for an electric coach light. He reported that Solor Coach light could be a fee of \$35 to disconnect the electric which is for one inspection.

Alderman Galan questioned how many of the surveyed have coach lights.

Mr. Gombac reported that the responses were mixed.

Alderman Galan stated that the focus should be on repairs and existing lights and that he preferred electric over gas.

Chairperson Marchese stated he would like to see people encouraged to put in the lights and waive the \$75 fee.

Mr. Gombac stated that Home Depot is interested in the program and that he would get proposals to move the program along.

Mr. Kevin Monahan was in the audience and suggested that the City make sure an inspection is done for liability to the City and requested that Staff contact the City Attorney for direction.

The Committee directed Staff to seek proposals for the fixture and installations on behalf of the residents. Director Gombac informed the Committee that Staff will present a program for Committee consideration at the October 25, 2010 Municipal Services Committee meeting.

L. Minutes

Alderman Galan made a motion and it was seconded by Alderman Schauer to approve the August 23, 2010 Municipal Services Committee Meeting Minutes.

Upon voice vote, THE MOTION CARRIED unanimously 3-0.

DIRECTOR'S REPORT

Mr. Dan Gombac, Director reported that Speedway applied for their final permit and that the tentative schedule to shut down is 5-7 days.

Mr. Gombac reported that he would like to propose a fence program for corridors such as 75th Street, Cass Ave, Plainfield Road for residents and also review and amend the Code to 8 ft for the proposed applications.

Chairperson Marchese reported that he received a letter from Mr. Greg Speers from the Saw Mill Creek Homeowners Association regarding the City's storm water running into their sewer line. He stated that he forwarded the letter to Mr. Gombac

Mr. Gombac stated that he would schedule a meeting with Mr. Speers and Chairperson Marchese.

NEXT MEETING:

Chairperson Marchese announced that the next regularly scheduled meeting is scheduled for Monday, October 25, 2010 at 6:30 p.m.

ADJOURNMENT:

With no further business before the Committee, Alderman Schauer made a motion and it was seconded by Alderman Galan to adjourn. Upon voice vote, THE MOTION CARRIED unanimously and the meeting adjourned at 7:49 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

Elizabeth Lahey
Secretary

Joseph Marchese
Chairperson

John Galan
Alderman

Ted Schauer
Alderman