

## Minutes

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE JUNE 4, 2007 AGENDA WITH THE CITY COUNCIL. MR. JOHN MANOS INFORMALLY ADDRESSED THE COUNCIL REGARDING OPENING AN UPSCALE LIQUOR STORE IN BROOKHAVEN PLAZA. THE SESSION ADJOURNED AT 7:20 P.M.

### EXECUTIVE SESSION

It was moved by Alderman Marchese and seconded by Alderman Gattuso at 7:20 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) and collective bargaining as prescribed by Section 2(C)(2) of Public Act 88-261.

Roll Call: Ayes: Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

It was moved by Alderman Poteraske and seconded by Alderman Marchese at 7:35 P.M. to recess into Open Session.

Roll Call: Ayes: Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

### Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

JUNE 4, 2007

#### 1. CALL TO ORDER

The regular meeting of the City Council of the City of Darien was called to order at 7:35 P.M. by Mayor Weaver.

#### 2. PLEDGE OF ALLEGIANCE

The students of Eisenhower Junior High Music Department 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: William R. Durkin Joseph A. Marchese John Galan Sylvia Mclvor Carolyn A. Gattuso John F. Poteraske, Jr.

Also in Attendance: Kathleen Moesle Weaver, Mayor Joanne F. Coleman, City Clerk John B. Murphey, City Attorney Bryon D. Vana, City Administrator Robert Pavelchik, Chief of Police Daniel Gombac, Director of Community Development/Public Works David Skala, Deputy Police Chief

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

5. APPROVAL OF MINUTES – May 21, 2007

It was moved by Alderman Poteraske and seconded by Alderman Gattuso to approve the Minutes of the May 21, 2007 meeting, as presented.

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

Nays: None

Absent: None

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

6. RECEIVING OF COMMUNICATIONS

Alderman Durkin...

...advised he met with approximately thirty-five area residents last Sunday in regards to the proposed Special Use and Variance requests at 7800 Cass Avenue. He also submitted for the record nine emails he received concerning the same. This item is going before the Planning/Development Committee on June 25, 2007 for further review.

Emails submitted for the record from:

1. Partrick and Barbara Fatigati, 1312 Regency Grove 2. Bob and Sandy Pacyga, 1305 Regency Grove 3. Barb and Ron Herber, 7841 Regency Grove 4. Robert J. Denk, 7821 Regency Grove 5. Shawn Sweeney (skswweeney968@sbcglobal.net) 6. Sue Plahm (slplahm615@yahoo.com) – 2 separate emails 7. Al Bonavolonta (abona@sbcglobal.net) 8. Bryon Vana, City Administrator

7. MAYOR'S REPORT

Mayor Weaver...

...read into the record a Proclamation declaring June 4, 2007 as Eisenhower Junior High Music Department Day in the City of Darien. Mayor Weaver presented the Proclamation to the Choir Director, Carrie Vaccaro and the Director of Bands, Maria Zurbano. Mayor Weaver presented a Darien City pin to each of the students in attendance. A picture that will appear on the City's "Hall of Fame" was taken.

8. CITY CLERK'S REPORT

Clerk Coleman...

... invited the Council Members, audience, and residents to attend a Coffee with Mayor Weaver, which is scheduled to take place on Saturday, June 16th from 9:00 A.M. to 10:00 A.M. at Carmelite Carefree Village, 8419 Bailey Road.

... announced that the Planning & Zoning Committee Meeting of June 6, 2007 has been cancelled.

... thanked the VFW 2838 for the heartfelt Memorial Day observance that was held at Darien Community Park. She noted the Eisenhower Junior High Band also participated in this event.

## 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... has received a few calls questioning the color of the water tower. The color selected for the water tower is tan, and will be completed in a very nice manner.

## 10. DEPARTMENT HEAD REPORT

Police Department Chief Robert Pavelchik...

... expressed gratitude to the residents who attended the City's open house.

...in response to a concern expressed by Alderman Marchese at a previous meeting, advised that his concerns on Hemlock have been addressed.

...advised that there has been a parking problem at the ball field. Chief Pavelchik requested that those attending games at the ball field be respectful of the parking restrictions. Parking regulations will be enforced.

...stated the three offenders in an armed robbery, which took place at the Shell Station on July 12, 2006, were apprehended, have pled guilty, and have been sentenced. The two adult offenders have been sentenced to 8 and 12 years at the State Penitentiary, and the one juvenile has been sentenced to 8 years in the Juvenile detention facility. He commended the police department for their outstanding efforts.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 07-08-03

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve payment of Warrant Number 07-08-03 in the amount of \$28,959.75 from the General Fund; \$12,631.48 from the Water Fund; \$156,988.36 from the Water Depreciation Fund; \$2,160.50 from the Darien Area Dispatch Center; \$709.50 from the DARE; \$114,073.66 from the General Fund Payroll for the period ending 06/04/07; \$25,444.10 from the Water Fund Payroll for the period ending 06/04/07; \$22,874.78 from the D.A.D.C. Fund Payroll for the period ending 06/04/07; for a total to be approved of \$363,842.13.

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

Nays: None

Absent: None

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

## 12. STANDING COMMITTEE REPORTS

Planning/Development Committee — Chairman Mclvor announced that the next scheduled meeting is scheduled to take place on Monday, June 25, 2007 at 6:30 P.M. in the Council Chambers.

Public Works Water/Streets Committee — Chairman Marchese announced that the next meeting has been rescheduled to take place on Monday, June 18, 2007 at 6:30 P.M. in the Council Chambers.

Administrative/Finance Committee — Chairman Poteraske announced that the next meeting has been rescheduled from June 11, 2007 to Tuesday, June 12, 2007 at 6:30 P.M. in the City Offices on the main floor.

## 13. QUESTIONS AND COMMENTS — AGENDA RELATED

Stan Mlyadrczyk of 1106- 69th Street suggested the City refund the DuPage Water Commission water rebate to the residents as Naperville is doing.

Mayor Weaver advised that a reduction of the water rates is on this evening's agenda for action. The city has received \$1.1 million from the DuPage Water Commission. These funds will be placed in the General Capital Improvement Fund while the Council Members look to future years when considering how the \$1.1 million rebate is to be used.

Administrator Vana explained why the rebate was issued, noting that the rebate took place after the city's budget was completed. Darien is passing on the savings through a rate reduction to the residents through action to be taken this evening. Most communities are using the rebate for capital projects. Administrator Vana believes that Naperville is providing a rate reduction to their residents; not a rebate. The City Council is looking at a two-year forecast for infrastructure and capital improvement projects. The use of the rebate will be reviewed in February during the budget review process.

Mr. Mlyadrczyk feels the funds should be used for water projects.

Mayor Weaver advised that the Water Commission issued the rebates with no restriction on how the funds are utilized. The City Council is forecasting necessary projects into the year 2010. The rebate could fund improvement projects with no tax increase to the residents.

Mr. Mlyadrczyk feels the residents should have input as to how the rebate is used.

Alderman Marchese advised that citizens are welcome to attend and participate in the budget review meetings that will be held in February 2008.

Mayor Weaver advised that a unique situation exists in that not all resident's water rates are the same. For example, residents of the Farmingdale area have been paying a higher rate since their water system had to be purchased. Their rates will be reduced even more than the \$.20 reduction since the debt service has been paid. Since this will affect the water fund, the City Council is taking a "wait and see" approach as to how the rebate will be used.

In response to Alderman Mclvor, Administrator Vana advised that a reduction in the water rates from \$3.83 to \$3.63 is on this evening's agenda for action. The water users who have paid a higher rate represent approximately 16% of the water users.

Alderman Gattuso advised that Ward 4 residents would not see the rate reduction until they are on Lake Michigan Water. It is anticipated that it will take approximately six months to one year for that to occur.

#### 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 Gattuso to approve by Omnibus Vote the following items on the Consent Agenda:

A. RESOLUTION NO. R-30-07 A RESOLUTION AUTHORIZING A CONTRACT AGREEMENT FOR THE 2007 STREET MAINTENANCE PROGRAM BETWEEN THE CITY OF DARIEN AND JAMES D. FIALA PAVING COMPANY, INC., IN AN AMOUNT NOT TO EXCEED \$1,235,351.90.

B. RESOLUTION NO. R-31-07 A RESOLUTION AUTHORIZING AN EXPENDITURE BETWEEN THE CITY OF DARIEN AND DOWNERS GROVE TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$29,704.71 FOR THE REIMBURSEMENT OF STREET MAINTENANCE COSTS.

C. ORDINANCE NO. 0-22-07 AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2006-21: 7306 EXNER ROAD).

D. ORDINANCE NO. 023-07 AN ORDINANCE GRANTING A MINOR AMENDMENT TO AN APPROVED PLANNED UNIT DEVELOPMENT (CROSSROADS OF DARIEN PUD, 8334 LEMONT ROAD, OFFICE BUILDING F).

E. CONSIDERATION OF A MOTION TO AUTHORIZE STAFF TO PROCEED WITH DRAINAGE PROJECT H IN AN AMOUNT NOT TO EXCEED \$20,000 FOR MATERIALS AND LABOR.

F. ORDINANCE NO. 024-07 AN ORDINANCE AUTHORIZING THE EXECUTION OF A WATER TRANSMISSION AND DELIVERY AGREEMENT WITH THE COUNTY OF DUPAGE AND DUPAGE WATER COMMISSION. G. CONSIDERATION OF A MOTION TO APPROVE AN EXPENDITURE OF BUDGETED FUNDS TO IMPLEMENT THE RECOMMENDATION OF THE TRAFFIC CONSULTANT IN SUB AREAS 1 & 2 OF THE NEIGHBORHOOD TRAFFIC STUDY (APPROXIMATE COST IS \$13,630.00).

Roll Call: Ayes: Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

#### 16. NEW BUSINESS

A. ORDINANCE NO. 0-25-07 AN ORDINANCE AMENDING SECTION 6C OF THE DARIEN CITY CODE TO REDUCE THEIR WATER RATES FOR THE CITY OF DARIEN.

It was moved by Alderman Poteraske and seconded by Alderman Gattuso to approve the ordinance as presented.

Administrator Vana announced that the new rate will be \$3.63 per 1,000 gallons for Darien residents.

Roll Call: Ayes: Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

#### B. CONSIDERATION OF A MOTION TO PLACE THE WATER REBATE IN THE GENERAL CAPITAL PROJECTS FUND.

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve the motion as presented.

Roll Call: Ayes: Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

#### C. CONSIDERATION OF A MOTION TO AUTHORIZE CHANGE ORDER #1 TO VEGA TREE SERVICE IN AN AMOUNT NOT TO EXCEED \$38,252.00 FOR ADDITIONAL TREE REMOVAL AND STUMPING OF DEAD CITY TREES.

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve the motion as presented.

Roll Call: Ayes: Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None Results: Ayes 6, Nays 0, Absent 0 MOTION DULY CARRIED

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

Joe Buell, of 7834 Regency Drive, a resident representative, reviewed the Special Use and nine Variance requests that are being considered by the City for the property at 7800 Cass. Mr. Buell encouraged all residents of Darien to attend the Planning/Development Committee meeting which is scheduled to take place on Monday, June 25, 2007 at 6:30 p.m.

Alderman Durkin encouraged residents to e-mail him at [wdurkin@darien.il.us](mailto:wdurkin@darien.il.us) to share their opinions regarding this request prior to the meeting on June 25, 2007.

#### 18. EXECUTIVE SESSION

Alderman Poteraske made a motion to reconvene into Executive Session at 8:35 P.M. Alderman Gattuso seconded the motion.

Roll Call: Ayes: Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None Results: Ayes 6, Nays 0, Absent 0 MOTION DULY CARRIED

#### 19. ADJOURNMENT

There being no further business to come before the City Council, it was moved by Alderman McIvor to finally adjourn the meeting. Alderman Marchese seconded the motion.

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting finally adjourned at 9:45 P.M.

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