

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE OCTOBER 19, 2009 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:29 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

OCTOBER 19, 2009

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:	Halil Avci	Sylvia McIvor
	John Galan	John F. Poteraske, Jr.
	Carolyn A. Gattuso	Ted V. Schauer
	Joseph A. Marchese	

Absent: None

Also in Attendance: Kathleen Moesle Weaver, Mayor
Joanne F. Coleman, City Clerk
Michael J. Coren, City Treasurer
Judith Kolman, City Attorney
Bryon D. Vana, City Administrator
Daniel Gombac, Director of Community Development/Municipal Services
Robert Pavelchik, Police Chief
Scott Coren, Assistant City Administrator
Paul Nosek, Accounting Manager

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

5. **APPROVAL OF MINUTES** — September 17, 2009 Goal Setting Session
— October 5, 2009 City Council Meeting

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...advised that, as part of their budget review for next year, PACE is proposing to eliminate Saturday service on Bus Route 715. Public comment is being accepted from October 19 to October 30, 2009. Information on the proposed budget cuts can be obtained on PACE's website at www.pacebus.com. PACE is in the process of conducting several public hearings. The hearings nearest to Darien will be taking place on Tuesday, October 20 from 4:30 P.M. to 6:30 P.M. at College of DuPage, and on Wednesday, October 21 from 4:30 P.M. to 6:30 P.M. at Bicentennial Park Theater in Joliet. Residents who will be affected by the elimination of Saturday service on Bus Route 715 are encouraged to call 847-364-7223 to submit their concerns.

Mayor Weaver...

...added that PACE is also proposing elimination of Bus Route 661 on weekdays.

...advised that Atillo Dinello of 610 Chippewa Lane stopped at City Hall last Friday to express his pleasure with the rear yard drainage work that was performed at his home. Mr. Dinello was excited that the drainage problem, which was caused by DuPage County thirty years ago, has finally been resolved.

Per Administrator Vana's request, Director Gombac reviewed the Rear Yard Drainage Cost Share Program.

7. **MAYOR'S REPORT**

Mayor Weaver announced that Jo Ann Fabrics opened their doors as a new business in the Chestnut Court Shopping Center in Darien on Friday, October 16, 2009.

Mayor Weaver advised that the Blue Diamond Group hosted a very pleasurable, successful Coffee with the Mayor this past Saturday. The Chamber of Commerce has expressed interest in continuing the program with other businesses in town. Mayor Weaver looks forward to many more opportunities to work with the Chamber.

A. Swearing in of Police Officers: Michael D. Krueger and James T. Seaton

City Clerk Coleman administered the Oath of Office to Michael D. Krueger.

There was a round of applause from the Council Members and the audience, and congratulatory hand shakes from the City Council.

City Clerk Coleman administered the Oath of Office to James T. Seaton.

There was a round of applause from the Council Members and the audience, and congratulatory hand shakes from the City Council.

B. Mayor Weaver read into the record a proclamation declaring October, 2009 as “*National Breast Cancer Awareness Month*” in the City of Darien.

C. **Audit Presentation**

Lou Karrison of Sikich Professional Services & Support presented and reviewed the Independent auditors Report and the Comprehensive Annual Financial Report which was expanded to meet the requirements of Government Finance Officers Association. Mr. Karrison advised that the auditors agree that the city’s financial statements are fair, reasonable, and contain no misstatements. This is the highest form of assurance the auditors can provide.

Treasurer Coren thanked Mr. Karrison, Accounting Manager Paul Nosek, and other staff members for all their efforts, not only with the audit but throughout the year. Treasurer Coren is pleased the city was able to achieve the highest level of opinion.

Alderman Poteraske noted that a detailed review of the Annual Financial Report was conducted during the Administrative/Finance Committee Meeting.

Mayor Weaver advised that the Comprehensive Annual Financial Report is available for public review.

8. **CITY CLERK’S REPORT**

City Clerk Coleman announced that the City Council packets are now available on the City’s website. Clerk Coleman thanked Maria Gonzalez for her efforts in accomplishing this.

9. **CITY ADMINISTRATOR’S REPORT**

City Administrator Vana advised that, in response to Mayor Weaver’s request, the current budget has been reviewed, and items which may be reduced, eliminated, or postponed have been identified to offset the \$700,000 reduction in this year’s revenue from the state’s sales and income taxes. The list includes approximately \$270,000 from the General Fund, and approximately \$150,000 from the Water Depreciation Fund. The MFT Fund will remain as is. Administrator Vana is anticipating bringing the list back to the next City Council Meeting in the form of an ordinance for a budget amendment.

Mayor Weaver pointed out misinformation in Don Grigas’s article which was published in the Suburban Life Newspaper.

Administrator Vana will review the information and contact Mr. Grigas.

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Alderman Avci noted a discrepancy in the information provided through Direct Connect on the tax increases. Alderman Avci requested that the corrected information be published in the Neighbors of Darien Magazine, if possible.

A lengthy discussion took place regarding the language used to define the rate increases.

Mayor Weaver disagreed with Alderman Avci's assessment, and felt a correction need not be published.

Treasurer Coren agreed with Mayor Weaver.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

In response to Alderman Gattuso, Director Gombac advised that the Walnut construction project remains on schedule, and is expected to be completed by October 31, 2009.

In response to Alderman Galan, Assistant Administrator Coren updated the City Council on two ComEd projects. ComEd will be replacing a mile of lines between 69th and Chestnut, and sixteen poles identified in poor condition are being replaced. ComEd is the process of performing a more regional project to upgrade capacity. Unfortunately, as part of this project, ComEd is planning on the low cost option of putting overhead lines on the north side of 75th Street near Cass Avenue. The ICC requires ComEd to follow the lowest cost option. Staff is working with ComEd in an attempt to find low cost alternatives.

Mayor Weaver directed staff to immediately communicate, in writing, to ICC to explain the impact the overhead lines would have on the City of Darien, and the Darien Historical Society.

Alderman Poteraske advised that the ICC has a website where the communication can be filed.

Mayor Weaver stressed the urgency of the situation.

In response to Alderman Poteraske's inquiry, Chief Pavelchik advised that, if Darien's Police Officers choose to get immunized for H1N1 Flu, vaccines are offered by the Health Department. Although getting immunized is encouraged, no one is being ordered to get one. Many officers got the seasonal flu shots.

In response to Alderman McIvor, Director Gombac responded that the markings the residents have noticed in Farmingdale Village are related to the city's 2010 proposed

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road program. Core samples will be taken within the next two days to determine the consistency of the existing road.

Chief Pavelchik reminded the residents that, although there are no regulations governing the hours of trick or treating in Darien, residents are encouraged to go out early. The Lions Club will be hosting a Halloween party on Saturday, October 31, at 6:30 P.M. at the Darien Sportsplex.

Chief Pavelchik added that the Police Department has a Harley motorcycle, which was obtained through DUI forfeiture, for sale on EBay. The EBay identification number is CODPD1710.

11. **TREASURER'S REPORT**

A. WARRANT NUMBER 09-10-11

It was moved by Alderman Galan and seconded by Alderman Gattuso to approve payment of Warrant Number 09-10-11 in the amount of \$68,829.97 from the General Fund; \$181,553.65 from the Water Fund; \$486.63 from the Motor Fuel Tax Fund; \$62,242.00 from the Water Depreciation Fund; \$575.07 from the Darien Area Dispatch Fund; \$15,386.00 from the Capital Improvement Fund; \$216,472.42 from the General Fund Payroll for the period ending 10/08/09; \$22,696.95 from the Water Fund Payroll for the period ending 10/08/09; \$20,986.69 from the D.A.D.C. Fund Payroll for the period ending 10/08/09 for a total to be approved of \$589,229.38.

Discussion: Alderman Poteraske requested information on the two charges for patching on 63rd Street. Director Gombac responded that the two charges relate to two water main breaks under 63rd. Although the water main is old, Director Gombac does not feel it needs to be removed and replaced at this time.

Alderman Poteraske asked if there are plans to screen the ornamental fencing on Plainfield. Director Gombac responded that Public Works is working on welding some of the old screening on to the new fence.

Administrator Vana added that, in the future, staff will be looking for another area to store the vehicles.

In response to Mayor Weaver's inquiry, Director Gombac advised that the city has a service contract with C & A Landscaping to maintain the center island in the cul de sac at Grant Court.

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Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. TREASURER’S MONTHLY REPORT – SEPTEMBER, 2009

Treasurer Coren reviewed all year-to-date sources of revenue and expenditures and fund balances through the month of September, 2009: General Fund Revenue \$6,059,467; General Fund Expenditures \$5,304,239; Current General Fund Balance \$3,634,294; Water Fund Revenue \$1,061,349 Water Fund Expenditures \$1,511,461; Current Water Fund Balance \$843; Motor Fuel Tax Fund Revenue \$249,683; Motor Fuel Tax Fund Expenditures \$141,269; Current Motor Fuel Tax Fund Balance (\$3,433); Water Depreciation Fund Revenue \$8,843; Water Depreciation Fund Expenditures \$948; Current Water Depreciation Fund Balance \$644,069; Capital Improvement Fund Revenue \$211,971; Capital Improvement Fund Expenditures \$1,550,691; Current Capital Improvement Fund Balance \$1,352,278; Capital Projects Debt Service Fund Revenue \$84,819; Capital Projects Debt Service Fund Expenditures \$452,000; and a current fund balance of \$73,104.

12. **STANDING COMMITTEE REPORTS**

Public Works Water/Streets Committee — Alderman Marchese submitted the minutes of the Public Works Water/Streets Committee Meeting of September 21, 2009, and announced that the next meeting has been rescheduled to take place on Tuesday, November 17, 2009 at 6:30 P.M. in the upstairs conference room.

Planning/Development Committee — Alderman McIvor advised that the next Planning/Development Committee Meeting has been rescheduled to take place tomorrow, Tuesday, October 20, 2009 at 6:30 P.M. in the Council Chambers.

Administrative/Finance Committee — Alderman Poteraske submitted the minutes of the Administrative Finance Committee Meeting of October 16, 2009, and advised that the next meeting is scheduled to take place on Monday, November 9, 2009 at 6:30 P.M. in the upstairs conference room pending agenda times.

13. **QUESTIONS AND COMMENTS — AGENDA RELATED**

There were none.

14. **OLD BUSINESS**

There was no old business to come before the City Council.

15. **CONSENT AGENDA**

Mayor Weaver reviewed the items on the Consent Agenda for the benefit of the viewing audience.

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

A. CONSIDERATION OF A MOTION TO APPROVE LEVY DETERMINATION AND ORDINANCE LEVYING TAXES FOR GENERAL AND SPECIAL PURPOSES FOR FISCAL YEAR 2009-2010

B. CONSIDERATION OF A MOTION TO APPROVE CITY ADMINISTRATOR SUBMITTING REQUEST TO DUPAGE COUNTY TO TRANSFER THE COUNTY PARCELS ON 74TH STREET TO THE CITY OF DARIEN

C. RESOLUTION NO. R-73-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO REPLACE THE TORNADO SIREN AND POLE AT 1834 MANNING IN AN AMOUNT NOT TO EXCEED \$17,325.25

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

16. **NEW BUSINESS**

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

A. RESOLUTION NO. R-74-2009 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH JIM SCHANE TO RENT SPACE AT THE HERITAGE CENTER FOR \$1,350.00 PER MONTH

Alderman Galan inquired if this is an open ended lease or if there is a specific time frame.

Assistant Administrator Coren advised that the lease will be on a month-to-month basis beginning November 15, 2009. The new business operation is coin dealer and cash for gold. Mr. Schane plans to continue his business in Darien once the center closes.

In response to City Clerk Coleman and Mayor Weaver, Assistant Administrator Coren advised the business is not a pawn broker or loan operation.

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

Nays: None

Absent: None

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

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

Alderman Galan questioned why the city does not regulate trick or treating hours.

Mayor Weaver advised that discussions were held in the past, but the City Council chose not to act on those discussions.

Administrator Vana questioned whether an ordinance regulating the hours would be enforceable.

Attorney Kolman commented that other communities do have specific hours for trick or treating. Attorney Kolman added that if an ordinance is passed and the date of the time

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change is moved, the ordinance may have to be revisited as the daylight hours may be affected.

Mayor Weaver feels that parents self-regulate trick or treating hours.

Alderman Avci reviewed the highlights of the public transportation conference he attended on behalf of the city on October 9, 2009.

Jack McDonnell of 7925 Farmingdale Drive addressed the City Council with his displeasure at how the sales and utility tax increases occurred, and his feelings that an increase in property taxes would be more advantageous to Darien residents.

EXECUTIVE SESSION

It was moved by Alderman McIvor and seconded by Alderman Galan to go into Executive Session for the purpose of discussing Personnel 2(C)(1) of the Open Meetings Act at 7:00 P.M. No action will take place as a result of these discussions.

Roll Call: Ayes: Avci, Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

18. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

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

Mayor

City Clerk

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All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 10-19-09.
Minutes of 10-19-09 CCM