

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR MARCHESE FOR THE PURPOSE OF REVIEWING ITEMS ON THE MARCH 1, 2021 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:20 P.M.

**Minutes of the Regular Meeting**

**of the City Council of the**

**CITY OF DARIEN**

**March 1, 2021**

**7:30 P.M.**

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 Marchese.

2. **PLEDGE OF ALLEGIANCE**

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

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

Present:	Thomas J. Belczak (Phone)	Joseph A. Kenny
	Eric K. Gustafson	Ted V. Schauer
	Thomas M. Chlystek	Mary Coyle Sullivan

Absent: Lester Vaughan

Also in Attendance: Joseph Marchese, Mayor  
JoAnne E. Ragona, City Clerk  
Michael J. Coren, City Treasurer  
Bryon D. Vana, City Administrator  
Gregory Thomas, Police Chief  
Daniel Gombac, Director of Municipal Services  
Jordan Yanke, City Planner

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

5. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL**

Robert Mukenschnabl, Darien resident, voiced opposition with cannabis location on 75<sup>th</sup> Street; he expressed concerns with clientele and proximity to schools, church and bank. Mr. Mukenschnabl did not want to see a cannabis location anywhere in our community.

Brad, Darien resident, was in opposition to Steak n’ Shake becoming a cannabis dispensary because he has children attending Marquette Manor Baptist Academy. Working in the mental health industry, he expressed concern. He recounted incident that resulted in fatality of Downers Grove North High School student due to driver that was high.

Gary Mik, Downers Grove resident on Florence Avenue, opposed Steak n’ Shake location due to proximity to home, bike path, daycare, church and school. He commented on clientele of Oregon dispensaries; he would prefer a more remote location.

Mayor Marchese thanked those sharing comments. He clarified the agenda item was not to gain approval for a cannabis store at the Steak n’ Shake location, but to determine if zoning should be changed for the site. He noted that there was a process and the public will have ample opportunity to voice their opinions.

6. **APPROVAL OF MINUTES** – February 16, 2021 City Council Meeting

It was moved by Alderwoman Sullivan and seconded by Alderman Kenny to approve the minutes of the City Council Meeting of February 16, 2021.

Roll Call:       Ayes:       Belczak, Chlystek, Gustafson, Kenny, Schauer, Sullivan

                      Nays:       None

                      Absent:      Vaughan

Results: Ayes 6, Nays 0, Absent 1

**MOTION DULY CARRIED**

7. **RECEIVING OF COMMUNICATIONS**

Alderman Schauer received communication from Jackie Price, 7700 block of Lester Lane, regarding opposition to zoning for a marijuana dispensary.

Alderman Kenny received communication from...

- ...Tom McAuliffe opposing a dispensary.
- ...Heather Conroy in favor of a dispensary.
- ...Bob Rzeszutko, resident on Allison, regarding snow removal and Park District.
- ...Martin Gorski regarding audit.
- ...Anthony Pecora regarding trees in median.
- ...son of Stan Niemiec regarding the sudden passing of his father.
- ...from Anna & Anthony Leopoldo regarding saving of their pet chickens.

Alderman Gustafson received...

- ...two emails from homeowners on Wilton Road concerned with a marijuana store.
- ...several phone calls regarding a barking dog. He noted conversation with Administrator Vana regarding noise ordinance; residents were directed to call "911." Chief Thomas stated Police Department would respond to resolve issue; he addressed Council questions.

Alderman Chylstek noted residents are hesitant to call "911," which is why he is in favor of police presence at community events and block parties.

Alderwoman Sullivan...

- ...noted there has been community outreach regarding "911" through Direct Connect. She stressed the importance of calling "911" for nuisance and suspicious situations, so Police Department can investigate and provide comfort.
- ...thanked Anna and Anthony Leopoldo for their heartfelt hand-drawn thank you card.
- ...received communication from Joline Lobedis, professional therapist and mental health worker, regarding concerns with cannabis.

Alderman Kenny suggested calling Alderman if hesitant to call "911."

Mayor Marchese received emails from...

- ...George Nassis, 7200 block of Richmond Avenue, regarding the exceptional efforts by Public Works with snow removal and salting.
- ...Mike Manescalchi, Jessica Glennon, Kristina Ondracek, Jennifer Lechner, Catherine Glennon, Ken Lechner in opposition to Steak n' Shake as a marijuana establishment. Mayor Marchese responded to emails and explained purpose of agenda item.

8. **MAYORS REPORT**

Mayor Marchese announced City of Darien in conjunction with Darien Chamber of Commerce will be commemorating the 20<sup>th</sup> Anniversary of 9/11 on Saturday, September 11 and Sunday, September 12 with the following events:

- Resolution recognizing month of September as: Darien Remembers 9/11
- Street Banners on 75<sup>th</sup> Street and Cass Avenue

- Educational Activities
  - Participation from local schools
  - Posters and letters to First Responders
  - Student research on 9/11
  - Papers: “What 9/11 Means to Me/Our Country”
- First Responder Parade on Saturday, September 11
- Luncheon at Darien Community Park following Parade
- Darien Dash on Sunday, September 12
- Concert at Carriage Greens featuring patriotic music
- Miscellaneous Activities

Mayor Marchese provided the following Covid-19 Vaccination Program update:

- Attends weekly conference call with Mayors and DuPage County Health Department.
- Shared data on DuPage County vaccination sites and doses.
- State of Illinois and Federal Government are contracting with chains and independent pharmacies.
- Continues to communicate vaccine events in Direct Connect.
- Johnson & Johnson vaccine approved by FDC.

9. **CITY CLERK’S REPORT**

Clerk Ragona announced the Consolidated General Election will be held on April 6, 2021. She noted early voting has begun. There are temporary and permanent voting locations with various hours of operation; specific information is available on the DuPage County Election Commission website.

10. **CITY ADMINISTRATOR’S REPORT**

Administrator Vana stated there is a significant amount of planning and preparation that provides Public Works the ability to do an efficient job snowplowing. He expressed how proud he was of the quality work performed. Director Gombac explained how exhausting snow plowing can be in addition to keeping sidewalks clear and fixing water main breaks. He noted a resident demonstrated appreciation by providing a pizza lunch for the team.

11. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

**A. POLICE DEPARTMENT**

Based on inquiries received, Chief Thomas provided an update on House Bill 3653 that becomes law on July 1, 2021. He reviewed the affects the new legislation will have on

the Police Department budget, safety and security, management and miscellaneous impacts. He addressed Council questions.

**B. MUNICIPAL SERVICES**

Alderman Kenny inquired about water main breaks. Director Gombac noted City has been fortunate; he explained temperature fluctuations cause pipes to expand or contract leading to breakage.

12. **TREASURER’S REPORT**

**A. WARRANT NUMBER 20-21-21**

It was moved by Alderwoman Sullivan and seconded by Alderman Schauer to approve payment of Warrant Number 20-21-21 in the amount of \$185,715.43 from the enumerated funds, and \$305,206.74 from payroll funds for the period ending 2/11/21 for a total to be approved of \$490,922.17.

Roll Call:       Ayes:       Belczak, Chlystek, Gustafson, Kenny, Schauer, Sullivan,

                      Nays:       None

                      Absent:      Vaughan

Results: Ayes 6, Nays 0, Absent 1

**MOTION DULY CARRIED**

13. **STANDING COMMITTEE REPORTS**

**Administrative/Finance Committee** – Alderwoman Sullivan announced the Economic Development Committee meeting is scheduled for March 4, 2021 at 7:00 P.M. She noted the Administrative/Finance Committee completed Fiscal Year 2021-22 Budget Workshops in two sessions. A public hearing for the proposed budget will be held on April 5, 2021 prior to the City Council Meeting.

**Municipal Services Committee** – Chairman Belczak announced the Municipal Services Committee meeting scheduled for March 22, 2021 at 7:00 P.M.

**Police Committee** – Chairman Kenny announced the next meeting of the Police Committee is scheduled for March 15, 2021 at 6:00 P.M.

14. **QUESTIONS AND COMMENTS – AGENDA RELATED**

Jason Huizenga, former Downers Grove resident who attends Marquette Manor, voiced his opposition to the Steak n’ Shake location. He questioned the process and felt there was a plethora of negative effects and social consequences.

15. **OLD BUSINESS**

There was no Old Business.

16. **CONSENT AGENDA**

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

- A. **ORDINANCE NO. O-03-21**      **AN ORDINANCE ABATING PROPERTY TAX HERETOFORE LEVIED BY ORDINANCE NO. O-28-12 (IN THE AMOUNT OF \$306,825)**
- B. **ORDINANCE NO. O-04-21**      **AN ORDINANCE ABATING PROPERTY TAX HERETOFORE LEVIED BY ORDINANCE NO. O-11-18 (IN THE AMOUNT OF \$385,150)**
- C. **RESOLUTION NO. R-10-21**      **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN KARYN BYRNE AND THE CITY OF DARIEN FOR CODE ENFORCEMENT SERVICES**
- D. **RESOLUTION NO. R-11-21**      **A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A PROPOSAL FROM CHRISTOPHER B. BURKE ENGINEERING, LTD. FOR THE PROFESSIONAL DESIGN SERVICES RELATED TO THE CONSTRUCTION LAYOUT SERVICES FOR THE GEOMETRICAL RECONFIGURATION OF 67<sup>TH</sup> STREET-ADJACENT TO THE WESTERN LEG OF CLARENDON HILLS ROAD IN AN AMOUNT NOT TO EXCEED \$5,000**
- E. **CONSIDERATION OF A MOTION TO AUTHORIZE A CONTINGENCY IN THE AMOUNT OF \$2,000 WITH CHRISTOPHER B. BURKE ENGINEERING, LTD. FOR ANY ADDITIONAL ENGINEERING OR CONSTRUCTION LAYOUT SERVICES FOR THE GEOMETRICAL RECONFIGURATION OF 67<sup>TH</sup>**

**STREET-ADJACENT TO THE WESTERN LEG OF CLARENDON HILLS ROAD**

- F. RESOLUTION NO. R-12-21**      **A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE (AUTHORIZING THE EXPENDITURE OF MOTOR FUEL TAX FUNDS)**
- G. RESOLUTION NO. R-13-21**      **A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE (AUTHORIZING THE EXPENDITURE OF REBUILD ILLINOIS BONDS PROGRAM FUNDS)**
- H. RESOLUTION NO. R-14-21**      **A RESOLUTION ALLOWING THE CITY OF DARIEN TO PERFORM MAINTENANCE AND EMERGENCY WORK ON CITY OWNED INFRASTRUCTURE ON STATE OF ILLINOIS HIGHWAY SYSTEM, FOR A PERIOD MAY 1, 2021 THROUGH APRIL 30, 2023**
- I. RESOLUTION NO. R-15-21**      **A RESOLUTION ACCEPTING THE UNIT PRICE PROPOSAL FOR ANALYTICAL SOIL TESTING FEES FROM CLEAN SOILS CONSULTING, LLC AT THE PROPOSED UNIT PRICES WASTE FOR A PERIOD OF MAY 1, 2021 THROUGH APRIL 30, 2022**
- J. RESOLUTION NO. R-16-21**      **A RESOLUTION FOR THE PURCHASE, REMOVAL AND INSTALLATION OF 33 STREET LIGHTS BY RAG'S ELECTRIC, INC. WITHIN THE WOODLAND SUBDIVISION AT A COST NOT TO EXCEED \$71,200**
- K. RESOLUTION NO. R-17-21**      **A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXTEND THE ROADSIDE DITCH MAINTENANCE CONTRACT UNIT PRICES BETWEEN THE CITY OF DARIEN AND SCORPIO CONSTRUCTION CORPORATION AS IT RELATES TO THE 67<sup>TH</sup> STREET GEOMETRICAL ROADWAY RECONFIGURATION, 67<sup>TH</sup> STREET AND CLARENDON HILLS ROAD, FOR THE**

**REMOVAL AND REPLACEMENT OF STORM SEWER PIPES, STRUCTURES AND GRADING IN AN AMOUNT NOT TO EXCEED \$40,000**

Roll Call: Ayes: Belczak, Chlystek, Gustafson, Kenny, Schauer, Sullivan

Nays: None

Absent: Vaughan

Results: Ayes 6, Nays 0, Absent 1

**MOTION DULY CARRIED**

17. **NEW BUSINESS**

**A. CONSIDERATION OF A MOTION TO RECOMMEND ZONING ORDINANCE REVISION TO THE PLANNING AND ZONING COMMISSION FOR A PUBLIC HEARING AND COMMISSION REVIEW REGARDING THE CITY’S ZONING REGULATIONS PERTAINING TO CANNABIS BUSINESS ESTABLISHMENTS – ORDINANCE REVISION PERTAINS TO ADDING AN ADDITIONAL PROPERTY/ADDRESS (2019 75<sup>TH</sup> STREET; FORMER STEAK N’ SHAKE BUILDING) TO THE LIST OF PERMITTED LOCATIONS FOR A CANNABIS DISPENSING ORGANIZATION**

It was moved by Alderman Gustafson and seconded by Alderman Chlystek to approve the motion as presented.

**MOTION TO REMOVE FROM AGENDA**

Alderman Chlystek motioned and Alderman Gustafson seconded to remove item from agenda.

Council members shared their viewpoints regarding removal of item from the agenda.

There was a call for the question to remove item from Agenda.



Roll Call:      Ayes:      Belczak, Chylstek, Gustafson  
                     Nays:      Kenny, Schauer, Sullivan, Marchese  
                     Absent:     Vaughan

Results: Ayes 3, Nays 4, Absent 1  
**MOTION FAILED**

There was a call for the question on the original motion.

**CONSIDERATION OF A MOTION TO RECOMMEND ZONING ORDINANCE REVISION TO THE PLANNING AND ZONING COMMISSION FOR A PUBLIC HEARING AND COMMISSION REVIEW REGARDING THE CITY’S ZONING REGULATIONS PERTAINING TO CANNABIS BUSINESS ESTABLISHMENTS – ORDINANCE REVISION PERTAINS TO ADDING AN ADDITIONAL PROPERTY/ADDRESS (2019 75<sup>TH</sup> STREET; FORMER STEAK N’ SHAKE BUILDING) TO THE LIST OF PERMITTED LOCATIONS FOR A CANNABIS DISPENSING ORGANIZATION**

Lengthy Council discussion ensued regarding merits/detriments to adding property to the list of permitted locations at this time. Mayor Marchese reiterated a Public Hearing will provide the public an opportunity to voice their opinions.

Roll Call:      Ayes:      Belczak, Chylstek, Gustafson, Kenny  
                     Nays:      Schauer, Sullivan  
                     Absent:     Vaughan

Results: Ayes 4, Nays 2, Absent 1  
**MOTION DULY CARRIED**

Mayor Marchese introduced Jordan Yanke, City Planner, who explained the avenues for filing objections to City Code text amendment. He identified four adjacent properties that could file an objection. City Planner Yanke addressed Council question. Administrator Vana and Director Gombac provided clarifying comments pertaining to Public Hearing communication.

18. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL**

Aldерwoman Sullivan...

...announced Hinsdale South High School Booster Club 17<sup>th</sup> Annual Fundraiser, a virtual event entitled "Hornet Showcase," on March 5, 2021 from 7-8 P.M. More information is available at hinsdalesouthboosters.org.

...stated an Auction will take place from Noon, Tuesday, March 2 and extends to 10:00 P.M. Friday, March 5, 2021.

...highlighted several Team successes.

...encouraged support by all.

19. **ADJOURNMENT**

There being no further business to come before the City Council, it was moved by Alderman Schauer and seconded by Alderwoman Sullivan to adjourn the City Council meeting.

**VIA VOICE VOTE – MOTION DULY CARRIED**

The City Council meeting adjourned at 9:10 P.M.

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Mayor

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City Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 3-01-21. Minutes of 3-01-21 CCM.