

Minutes - April 5, 2004

EXECUTIVE SESSION

It was moved by Alderman Poteraske and seconded by Alderman Marchese at 7:07 P.M. to move into Executive Session for the purpose of discussing Collective Bargaining as prescribed by Section 2(c)(2) and Litigation as prescribed by Section 2(c)(11) of Public Act 88-621 with no action to be taken.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky

Nays: None

Absent: Hagen, Weaver

Results: Ayes 5, Nays 0, Absent 2 MOTION DULY CARRIED

It was moved by Alderman Marchese and seconded by Alderman Poteraske at 7:12 P.M. to move into Open Session.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky

Nays: None

Absent: Hagen, Weaver

Results: Ayes 5, Nays 0, Absent 2 MOTION DULY CARRIED

A WORK SESSION WAS CALLED TO ORDER AT 7:12 P.M. BY MAYOR CARMEN D. SOLDATO FOR THE PURPOSE OF REVIEWING ITEMS ON THE APRIL 5, 2004 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:20 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

APRIL 5, 2004

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 Carmen D. Soldato.

2. PLEDGE OF ALLEGIANCE

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

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

Present: Richard Biehl John F. Poteraske, Jr. Morgan Cotten James Tikalsky Joseph Marchese

Absent: David Hagen Kathleen Moesle-Weaver

Also in Attendance: Carmen D. Soldato, 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 Gregory Dreyer, Community Development Director Robert Mengarelli, Asst. Director of Public Works Robert Rodgers, Asst. Director of Public Works

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

5. APPROVAL OF MINUTES — March 15, 2004

It was moved by Alderman Poteraske and seconded by Alderman Tikalsky to approve the Minutes of the Regular Meeting of March 15, 2004, as presented.

Roll Call: Ayes: Cotten, Poteraske, Tikalsky

Nays: None

Abstain: Biehl, Marchese

Absent: Hagen, Weaver

Results: Ayes 5, Nays 0, Absent 2 MOTION DULY CARRIED

6. RECEIVING OF COMMUNICATIONS

Alderman Biehl submitted emails from: * William Repole in regard to the Budget. * Roxana Salvato, 6934 Crest Road, in regard to the detention basin at Crest Road. Alderman Biehl indicated that the item was on the Consent Agenda for consideration by Council and if approved, Administrator Vana would reply to Mrs. Salvato's email. * Administrative Assistant Ballestra in regard to a parkway tree at 541 Maple Lane.

After a very heavy rainstorm, Alderman Biehl conversed twice with the Anderson family, who reside on Chestnut Lane, in regard to the berm and to small amounts of standing water on the front of their property. He asked that they contact him again when the stormwater flows over the berm.

Alderman Poteraske: * Received email from Rupi Singh, 1400 block of Coventry, in regard to the poor condition of Williams Street in Downers Grove. * Attended a Norman Court Townhome Association meeting; topics included Williams Street, sales tax, budget, Brookhaven Plaza and redevelopment of the Triangle.

Alderman Tikalsky received telecommunication from Mrs. Ferguson in regard to the poor condition of North Frontage Road east of High Point Circle toward Clarendon Hills Road; Administrator Vana stated that staff would contact the Highway Department.

Alderman Marchese received email from Robert Bland, 1512 Willowcreek Lane, who was concerned about the lack of signage in front of Kingswood Academy located on North Frontage Road.

7. MAYOR'S REPORT

A. MAYORAL PROCLAMATION "NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK"
(Week of April 11-17, 2004)

Mayor Soldato read the Proclamation and proclaimed April 11 through 17, 2004 as "National Public Safety Telecommunications Week". He recognized public safety telecommunications professionals and hoped to awaken public awareness. Chief Pavelchik accepted the Proclamation.

Mayor Soldato commented that Alderman Poteraske, Administrator Vana and he met with property owners from the Triangle who were concerned about redevelopment of the area; he invited them to continue their participation with forthcoming presentations/meetings.

8. CITY CLERK'S REPORT

Clerk Coleman...

... invited everyone to have Coffee with Mayor Soldato on Saturday, April 17th, from 9:00 until 10:00 A.M. at Darien City Hall in the Council Chambers.

... reminded Council, Committee/Commission/Board members that Statement of Economic Interests forms needed to be filed with the DuPage County Clerk on or before May 1 or a fine would be imposed; and Ethics Statement forms needed to be filed with the Darien City Clerk's office on or before May 1.

... stated that the following meetings had been cancelled: * Planning and Zoning Commission meeting scheduled for Wednesday, April 7th, and * Cable Communications Commission meeting scheduled for Thursday, April 15th.

... informed everyone that City offices would be closed on April 9th in observance of Good Friday.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... announced that the Public Works Department would begin brush pickup the week of April 26th.

... reminded residents and businesses that their address must be posted according to City Code; the posting of addresses assists responding emergency vehicles.

10. DEPARTMENT HEAD REPORT

Community Development Director Gregory Dreyer...

... reported that he provided Council with a summary of responses to the recent annexation information sent to specific unincorporated areas. He said that some negative responses included the \$200-300 cost for plat preparation; he recommended that the City prepare the Plat of Annexation and share the cost. Administrator Vana noted that the Council previously agreed to waive some application fees but plat preparation was an out-of-pocket expense. Alderman Poteraske noted that if the plat cost was \$200 and there were 2-3 people in the family, if a 'special census' was taken, \$100 in revenue per year per family would be generated; the City would be at a break-even point after one year. Alderman Tikalsky suggested that the homeowners referendum that a whole area be annexed; Alderman Poteraske stated that there was not enough interest within the group to do so. Alderman Poteraske suggested a meeting with the notified unincorporated homeowners to explain the annexation process and its benefits.

... commented that a plan application had been received for Abbey Woods, which was a twelve (12) townhome subdivision located at Marketplace of Darien.

... informed Council that the proposed development at 67th Street & Bentley Avenue would include nine lots in Darien and four lots in the Village of Willowbrook; he said the developer began the process with Willowbrook. He noted that a public hearing with Darien would be scheduled sometime in May. Mayor Soldato inquired about the stormwater maintenance particularly if it could be coordinated with both municipalities; Director Dreyer noted that Darien and Willowbrook utilize the same engineer.

Administrator Vana stated that the Bradford development was under review by DuPage County for highway related matters and the wetlands.

11. TREASURER'S REPORT

A. WARRANT NUMBER 03-04-21

It was moved by Alderman Tikalsky and seconded by Alderman Cotten to approve payment of Warrant Number 03-04-21 in the amount of \$103,664.16 from the General Fund; \$24,610.64 from the Water Fund; \$25,071.15 from Motor Fuel Tax Fund; \$161,964.28 from the Towne Center Sales Tax Fund; \$5,300.00 from the Hotel/Motel Tax Fund; \$444.00 from the D.A.R.E. Fund; \$3,286.53 from the Darien Area Dispatch Fund; \$190,130.46 from the General Fund Payroll for the period ending 03/18/04; \$21,320.70 from the Water Fund Payroll for the period ending 03/18/04; \$21,677.42 from the D.A.D.C. Fund Payroll for the period ending 03/18/04; for a total to be approved of \$557,469.34.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky

Nays: None

Absent: Hagen, Weaver

Results: Ayes 5, Nays 0, Absent 2 MOTION DULY CARRIED

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — No report.

Planning/Development Committee — No report.

Public Works Water/Streets Committee — Chairman Biehl noted that five items on the Consent Agenda were unanimously approved by the Committee.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no Agenda related questions or comments.

14. OLD BUSINESS

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

15. CONSENT AGENDA

Mayor Soldato noted that Item D listed under Consent Agenda had been moved to New Business as Item C.

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

A. CONSIDERATION OF A MOTION TO APPROVE THE DARIEN CHAMBER OF COMMERCE 4th ANNUAL DARIEN DASH, A 5K RUN/1 MILE WALK, ON MAY 16, 2004 BEGINNING AT 8:30 A.M.

B. CONSIDERATION OF A MOTION TO APPROVE THE USE OF THE RIGHT HALF OF THE FOLLOWING STREETS FOR THE DARIEN DASH WHICH BEGINS AT THE NORTHWEST CORNER OF DARIEN COMMUNITY PARK AND CONTINUES: 5K RUN – 71st STREET TO RICHMOND AVENUE; SOUTH ON RICHMOND AVENUE AND FOLLOWING CHEROKEE DRIVE TO DARIEN LANE; NORTH ON DARIEN LANE AND FOLLOWING TIMBER LANE TO SEMINOLE DRIVE; NORTH ON SEMINOLE DRIVE TO 71st STREET; WEST ON 71st STREET TO BEECHNUT LANE TO HINSBROOK AVENUE; EAST ON HINSBROOK AVENUE TO WILMETTE AVENUE; NORTH ON WILMETTE AVENUE TO 69th STREET; EAST ON 69th STREET TO BENTLEY AVENUE; SOUTH ON BENTLEY AVENUE TO 71st STREET; EAST ON 71st STREET TO NORTHWEST CORNER OF DARIEN COMMUNITY PARK WITH ACCESS FOR EMERGENCY VEHICLES AND LOCAL TRAFFIC AT ALL TIMES; AND 1 MILE WALK – 71st STREET TO RICHMOND AVENUE; NORTH ON RICHMOND TO MAPLE LANE; EAST ON MAPLE LANE TO BENTLEY AVENUE; SOUTH ON BENTLEY AVENUE TO 71st STREET; EAST ON 71st STREET TO NORTHWEST CORNER OF DARIEN COMMUNITY PARK WITH ACCESS FOR EMERGENCY VEHICLES AND LOCAL TRAFFIC AT ALL TIMES

C. RESOLUTION NO. R-09-04 A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE (2004 STREET REHAB PROGRAM)

D. CONSIDERATION OF A MOTION TO APPROVE RECOMMENDATION TO HIRE SEVERN TRENT PIPELINE SERVICES, INC. TO COMPLETE THE CITY OF DARIEN WATER MAIN LEAK DETECTION SURVEY

E. CONSIDERATION OF A MOTION TO APPROVE A POLICY THAT WOULD PROVIDE GUIDELINES FOR CITY ASSISTANCE TO RESIDENTS THAT EXPERIENCE REAR YARD DRAINAGE PROBLEMS

F. RESOLUTION NO. R-11-04 A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND COUNTY OF DUPAGE FOR THE CONSTRUCTION OF THE CREST ROAD DETENTION FACILITY

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky

Nays: None

Absent: Hagen, Weaver

Results: Ayes 5, Nays 0, Absent 2 MOTION DULY CARRIED

16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING THE 2004-2005 BUDGET

It was moved by Alderman Biehl and seconded by Alderman Tikalsky to approve an Ordinance Approving the 2004-2005 Budget, as presented.

Alderman Tikalsky stated concern about dues for the DuPage Mayors and Managers Conference in the amount of \$22,000.

MOTION TO AMEND

Alderman Tikalsky motioned and Alderman Poteraske seconded to remove the DuPage Mayors and Managers Conference dues in the amount of \$22,000 from the Budget.

There was a call for the question on the amendment.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky

Nays: None

Absent: Hagen, Weaver

Results: Ayes 5, Nays 0, Absent 2 AMENDING MOTION CARRIED

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

ORDINANCE NO. O-12-04 AN ORDINANCE APPROVING THE 2004-2005 BUDGET as amended.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky

Nays: None

Absent: Hagen, Weaver

Results: Ayes 5, Nays 0, Absent 2 MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE REPEALING ORDINANCE NUMBERS O-2-70, O-3-70 AND O-56-78 IN THEIR ENTIRETY

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

ORDINANCE NO. O-10-04 AN ORDINANCE REPEALING ORDINANCE NUMBERS O-2-70, O-3-70 AND O-56-78 IN THEIR ENTIRETY as presented.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky

Nays: None

Absent: Hagen, Weaver

Results: Ayes 5, Nays 0, Absent 2 MOTION DULY CARRIED

CLERK'S NOTE: Alderman Cotten left the Council Chambers at 8:05 P.M.

C. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND THE COUNTY OF DUPAGE FOR 2004 MOWING ALONG COUNTY ROAD AND RIGHTS OF WAY

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

RESOLUTION NO. R-10-04 A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF DARIEN AND THE COUNTY OF DUPAGE FOR 2004 MOWING ALONG COUNTY ROAD AND RIGHTS OF WAY as presented.

Mayor Soldato stated that this Intergovernmental Agreement allowed Darien to maintain rights-of-way throughout the City with reimbursement from DuPage County.

Roll Call: Ayes: Biehl, Marchese, Poteraske, Tikalsky

Nays: None

Absent: Cotten, Hagen, Weaver

Results: Ayes 4, Nays 0, Absent 3 MOTION DULY CARRIED

CLERK'S NOTE: Alderman Cotten returned to the Council Chambers at 8:08 P.M.

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Tikalsky reminded residents that the Darien Park District would conduct an Easter Egg Hunt on April 10th at 9:00 A.M. at all parks for children ages 2 – 8.

Administrator Vana commented that he had not received a response from DuPage Mayors and Managers in regard to an 'exit fee' from the Conference.

Nancy Campagnolo updated Council on Darien Park District issues, particularly: vending concession, procedural problems, Sportsplex legal expenses, record keeping, and bond refinancing. She stated that the benefit of asking questions was overall improvement. She thanked residents who faithfully attended Park District Board Meetings in order to ask questions; she thanked Park District Staff who went over and above expectations with supplying requested documentation. She noted that positive changes have been made and need to continue being made.

Mayor Soldato thanked Ms. Campagnolo for her diligent inquiries to solve problems within the District. He commented that one of the newspapers made untrue statements that the problem was personal between the Mayor and Park District President. He urged residents to demand open and honest government from the Darien Park District. He commented that he and Ms. Campagnolo were sued by a Park District employee; they were sued because of comments made about Alex Mihailovic's employment with the Park District and for commission he had received for purchases made by the Park District for Sportsplex.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:20 P.M.

Mayor _____ City Clerk

JFC/jr All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 04-05-04.