

## **Minutes - July 17, 2006**

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE JULY 17, 2006 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:10 P.M.

Minutes of the Regular Meeting  
of the City Council of the  
CITY OF DARIEN  
JULY 17, 2006

### 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: Richard A. Biehl Joseph A. Marchese William R. Durkin John F. Poterasko, Jr. Carolyn A. Gattuso Kathleen Moesle Weaver

Absent: Sylvia McIvor

Also in Attendance: Kathleen Moesle Weaver, 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 Daniel Gombac, Director of Community Development/Public Works

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

### 5. APPROVAL OF MINUTES – June 19, 2006

It was moved by Alderman Gattuso and seconded by Alderman Poterasko to approve the Minutes of the Regular Meeting of June 19, 2006, as presented. Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Poterasko, Weaver

Nays: None

Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

### 6. RECEIVING OF COMMUNICATIONS

Alderman Biehl spoke with Paul Schoenbeck, owner of UniCarrier; Mr. Schoenbeck was concerned about lack of sidewalk along his property because there had been \$3,800 deposited with the City for sidewalk

installation. He indicated that Director Gombac researched the situation; he was informed that all improvements had been approved but the sidewalk was never installed; the money had been refunded. Director Gombac provided history regarding the development and the missing sidewalk. Discussion ensued. It was recommended that the matter be reviewed by the Public Works Water/Streets Committee prior to the next Council meeting.

Alderman Durkin was contacted by a resident on Marco Court because yard waste had not been picked up by ARC on the regular pickup day. Alderman Marchese spoke about the time span for the day of pickup.

Mayor Weaver... \* noted that she and Director Gombac received communications regarding brush pickup. Director Gombac indicated that there were severe storms at the end of June, which created additional downed brush/limbs; he said that there were 700 cubic yards of brush collected or approximately 30 semi trucks of chips. Mayor Weaver said that during brush pickup the City owned and operated three (3) chippers. \* received communication from the Indian Prairie Library that Rosemarie Courtney donated another book in honor of the Citizen of the Year Committee. \* received emails from: Don & Karen Dufour of Chapman Court regarding denial of the proposed zoning change for Lots 16 & 17; and Tony & Diana Kizlauskas of Ashbrook Court in support of Darien's downtown efforts.

Alderman Poteraske introduced Jerry Falasz, 1641 73rd Street. Mr. Falasz was a thirty year resident of Darien; he spoke about electrical voltage. He indicated that they bought a new washer & dryer in January 2005 with an extended warranty. He noted that he contacted ComEd regarding an electrical problem - voltage spikes. He said that since the ComEd fire, they have had irregularity in voltage. When he arrived home on July 17th, voltage measured 127.7 and when he left for the Council meeting the voltage measured 124.5 volts. He said that in March of 2006 voltage measured 125 but over the past thirty years it averaged 115-119. Mr. Falasz commented that he was in electronics and that the high voltage created a dangerous situation. The new washer needed service and the G.E. serviceman informed him that Darien had unusual voltage conditions from lows to highs. The washer problem was the diverter board, which controls motors. He commented that high voltage burned out equipment much quicker; low voltage also made equipment motors work harder.

## 7. MAYOR'S REPORT

Mayor Weaver noted that DuPage County Board Member Tom Bennington was in the audience; she asked him to speak. He spoke about a new prescription drug card program; he indicated that it was not an insurance program; it was a discount card program with the National Association of Counties and CareMark. The card program would discount drugs by approximately twenty percent (20%) and the County expected to receive 320,000 cards within the next 4-6 weeks. The intent was to distribute one card to every household within DuPage County; the cost would be zero to recipients. The card would be accepted by 169 pharmacies throughout the County. The target would be the 150,000 people in the County who do not have prescription coverage and those on Medicare; others that have coverage could utilize the card instead of their insurance or if their insurance did not cover certain drugs.

### A. CONSIDERATION OF A MOTION TO REAPPOINTMENT TO ENVIRONMENTAL COMMITTEE – PHILIP KOHL, WILLY PUA, & ALLAN JACKIMEK

It was moved by Alderman Gattuso and seconded by Alderman Biehl to approve the reappointment to Environmental Committee – Philip Kohl, Willy Pua, & Allan Jackimek, as presented.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Poteraske, Weaver

Nays: None

Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

#### B. CONSIDERATION OF A MOTION TO APPOINTMENT TO ENVIRONMENTAL COMMITTEE – KRISHAN SANT, DEB HURTKE-GEMMELL, & PEGGY McCAULEY

It was moved by Alderman Biehl and seconded by Alderman Gattuso to approve the appointment to Environmental Committee – Krishan Sant, Deb Hurtke-Gemmell, & Peggy McCauley, as presented.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Poteraske, Weaver

Nays: None

Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

City Clerk Coleman administered the "Oath of Office" to Environmental Committee Members Pua, Jackimek, Sant, Hurtke-Gemmell, and McCauley.

#### C. COMED UPDATE

Cornell Barnett addressed Council and residents; he said that he provided Mr. Falasz with his business card and that he would personally work with him to resolve his concerns. Alderman Poteraske asked that Mr. Barnett help Mr. Falasz settle his claim. Mr. Barnett indicated that ComEd had settled all claims; no claims were in arbitration. He noted that ComEd was working with Staff/Leadership on information to be contained in the Annual Report; Alderman Poteraske reiterated what the City's consultant suggested be contained within the report. Mr. Barnett reviewed the outage report for the month of June; there had been seven (7) outages. Alderman Poteraske said that May was worse; it had eleven (11) outages and three of them were over 4 hours in duration. Mr. Barnett spoke about a meeting that ComEd had with Representative Patti Bellock regarding southeastern DuPage County. Mayor Weaver asked when action would be taken to include the southeastern DuPage County area; Mr. Barnett said that the completion date was December 2007. He said that he would like to provide a comparison from a year ago to date in order to show improvements. Alderman Poteraske spoke about 'pocket' outages on Hawthorne & Stevens; Mr. Barnett said that ComEd had a solution, that a work order was created, and that they were working on the mapping in order to place the residences on a different circuit. Alderman Biehl inquired if placement of the residences on another circuit would strain that circuit; Mr. Barnett said it would not and that an analysis had been done. Alderman Poteraske indicated that there were repetitive brownouts; Mr. Barnett had been informed that one of the circuits had a lockout, which the circuit was designed to do - open & close. Mr. Falasz questioned if all or some of Darien's subdivisions were equipped with aluminum conductors or copper. Mr. Barnett responded that copper was used from the substations and buried utilized aluminum. Mr. Falasz stated that aluminum had problems with moisture and was easily nicked; he said that aluminum was utilized in the 1970s.

#### 8. CITY CLERK'S REPORT

Clerk Coleman stated that the Environmental Committee meeting scheduled for July 18th had been cancelled.

#### 9. CITY ADMINISTRATOR'S REPORT

Administrator Vana spoke about the property owned by Gallagher & Henry. He said that the property was not being maintained or improved; no response had been received from them. He indicated that something would be formally presented to Council.

## 10. DEPARTMENT HEAD REPORT

Police Department Chief Robert Pavelchik...

... spoke about the new truck scale, which was a budgeted item. He indicated that the police made their first stop; the truck was overweight.

... congratulated Sergeant Piccoli and Sergeant Borsilli who recently graduated from Northwestern University's Center for Public Safety, School of Police Staff & Command.

... thanked the community for their patience, support, understanding, and participation with the Darien Lions Club 4th of July parade.

## 11. TREASURER'S REPORT

### A. WARRANT NUMBER 06-07-05

It was moved by Alderman Biehl and seconded by Alderman Gattuso to approve payment of Warrant Number 06-07-05 in the amount of \$271,092.80 from the General Fund; \$17,187.30 from the Water Fund; \$41,112.74 from the Motor Fuel Tax Fund; \$29,938.75 from the Water Depreciation Fund; \$3,345.00 from the Darien Area Dispatch Center; \$10,082.14 from the Joint Use Facility Fund; \$343.12 from the D.A.R.E. Fund; \$125,339.57 from the General Fund Payroll for the period ending 06/22/06; \$22,737.56 from the Water Fund Payroll for the period ending 06/22/06; \$24,855.69 from the D.A.D.C. Fund Payroll for the period ending 06/22/06; for a total to be approved of \$546,034.67.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Poteraske, Weaver

Nays: None

Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

## 12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Chairman Weaver submitted, for the record, Minutes from the May 8, 2006 and June 12, 2006 meetings.

Planning/Development Committee — Chairman Poteraske stated that the Committee would meet on Monday, July 24th, at 6:30 P.M.

Public Works Water/Streets Committee — No Report.

## 13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were no agenda related Questions or Comments to come before the City Council.

## 14. OLD BUSINESS

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

## 15. CONSENT AGENDA

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

A. CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR OUR LADY OF PEACE HOME AND SCHOOL ASSOC.

B. CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR OUR LADY OF PEACE HOME AND SCHOOL ASSOC. WEEKLY RAFFLES

C. ORDINANCE NO. O-27-06 AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2006-08: 604 72nd STREET)

D. ORDINANCE NO. O-28-06 AN ORDINANCE OF THE CITY OF DARIEN DUPAGE COUNTY, ILLINOIS, ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN, AND MECHANICS EMPLOYED ON PUBLIC WORKS OF SAID CITY

E. ORDINANCE NO. O-29-06 AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY (POLICE VEHICLE & POLICE BICYCLES) OWNED BY THE CITY OF DARIEN

F. CONSIDERATION OF A MOTION TO WAIVE SIGN PERMIT FEES FOR INLAND PROPERTY MANAGEMENT TO DEMOLISH THE TWO CURRENT RETAIL SIGNS IN FRONT OF THE DARIEN TOWNE CENTER AND CONSTRUCT TWO NEW SIGNS

G. RESOLUTION NO. R-31-06 A RESOLUTION AUTHORIZING THE CITY OF DARIEN TO PARTICIPATE WITH THE DUPAGE COUNTY NATURAL HAZARDS MITIGATION PLAN

H. ORDINANCE NO. O-30-06 AN ORDINANCE AMENDING TITLE 2 BOARDS AND COMMISSIONS; CHAPTER 3 ENVIRONMENTAL COMMITTEE OF THE DARIEN CITY CODE

I. RESOLUTION NO. R-32-06 A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FOURTH AMENDMENT TO THE CITY ADMINISTRATOR AGREEMENT BETWEEN THE CITY OF DARIEN AND BRYON D. VANA

J. RESOLUTION NO. R-33-06 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR AND CITY CLERK TO EXECUTE A SETTLEMENT AGREEMENT BETWEEN THE CITY OF DARIEN AND DUPAGE MAYORS AND MANAGERS CONFERENCE –

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Poteraske, Weaver

Nays: None

Absent: McIvor

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

## 16. NEW BUSINESS

A. CONSIDERATION OF A MOTION TO DIRECT STAFF/CITY ATTORNEY TO DRAFT AN ORDINANCE GRANTING THE PETITIONER'S REQUESTS (PZC 2006-07: 8110-8120 CASS AVENUE)

It was moved by Alderman Poteraske and seconded by Alderman Biehl to direct Staff/City Attorney to draft an Ordinance granting the Petitioner's Requests (PZC 2006-07: 8110-8120 Cass Avenue), as presented.

Roll Call: Ayes: None

Nays: Biehl, Durkin, Gattuso, Marchese, Poteraske, Weaver

Absent: Mclvor

Results: Ayes 0, Nays 6, Absent 1 MOTION FAILED

B. CONSIDERATION OF A MOTION TO AUTHORIZE ACCEPTANCE OF COMPETITIVE QUOTE FOR THE 2006 CRACK SEAL PROGRAM FROM BEHM PAVEMENT MAINTENANCE IN AN AMOUNT OF \$9,631.44

It was moved by Alderman Biehl seconded by Alderman Gattuso to authorize acceptance of competitive quote for the 2006 Crack Seal Program from Behm Pavement Maintenance in an amount of \$9,631.44, as presented.

Roll Call: Ayes: Biehl, Durkin, Gattuso, Marchese, Poteraske, Weaver

Nays: None

Absent: Mclvor

Results: Ayes 6, Nays 0, Absent 1 MOTION DULY CARRIED

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

Alderman Biehl, as a Darien Lions Club member, thanked the Police and Public Works departments for their assistance with the 4th of July parade.

Mayor Weaver stated that the Darien Lions Club deserved accolades for the parade because it improved each year.

Mona Stone, 1210 Chapman Court, thanked the Council for their responsiveness to her emails about the rezoning issue. She thanked Chief Pavelchik for police patrolling her neighborhood.

#### 18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 9:05 P.M.

Mayor \_\_\_\_\_ City Clerk jr All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 07-17-06.

