

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR MARCHESE FOR THE PURPOSE OF REVIEWING ITEMS ON THE OCTOBER 5, 2020 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:12 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

October 5, 2020

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**

Austin Krucek and Jayden Villa, Boy Scout Troop 101, 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	Ted V. Schauer
	Thomas M. Chlystek	Mary Coyle Sullivan
	Eric K. Gustafson	Lester Vaughan (Phone)
	Joseph A. Kenny	

Absent: None

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

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

Alderman Belczak forwarded emails pertaining to chickens to staff.

Mayor Marchese...

...stated receipt of many emails pertaining to chickens.

...provided an updated from Illinois Department of Public Health regarding Halloween. Mayor Marchese stated the City of Darien has put the decision of participation in the event as a parental decision as communicated in Direct Connect eNews. He reminded parents to make sure children wear medical face masks and gloves; those passing out treats should also wear face masks. He noted the best time to trick-or-treat is late morning and early afternoon.

8. **MAYORS REPORT**

A. HEART OF DARIEN AWARD – PATRICIA EVANS

Mayor Marchese awarded the Heart of Darien Award to Patricia Evans, a retired teacher, who unselfishly donated a kidney to Nancy Zicarelli. Nancy's husband, Aldo, went public with his need for a kidney donor by advertising on his front lawn and on his car. The answer to his need and his prayers came from his next-door neighbor, Patricia Evans. The surgery was successfully performed in October 2019, and today, both Nancy and Patricia are doing well.

Mayor Marchese stated, "While Patricia gave Nancy one of her own kidneys, she also gave a piece of her heart to the Zicarelli's, and for that reason, we honor her by giving her a part of our heart by honoring her as our 'Heart of Darien Award' recipient."

Mr. Zicarelli was beyond words and commented Patricia was unbelievable, an angel from heaven who answered their prayers.

B. MAYORAL PROCLAMATION "ARTS DUPAGE MONTH" (OCTOBER 2020)

Mayor Marchese read into record the proclamation declaring October 2020 as Arts DuPage Month.

C. DARIEN CHAMBER OF COMMERCE REPORT – BUSINESS UPDATE

April Padalik, Chamber of Commerce, introduced James Burke, Chamber Chairman of the Board, and newest Chamber member, Ms. Kelly Ford, Marketing Director, with Edgewood Clinical Services. Ms. Padalik stated an outdoor ribbon cutting ceremony was held on September 18, 2020 to welcome Edgewood Clinical Services located in the 7900 Building on Cass Avenue.

Ms. Ford stated she is pleased to be part of the Darien community and a Darien resident. She noted Edgewood Clinical Services offers full psychiatry, psychological testing, including autism counseling and therapy services. Complimentary de-escalation training is also available.

Mayor Marchese noted he is pleased to have an agency in our community to assist with mental health and COVID fatigue. He thanked and welcomed Ms. Ford to the Darien community.

Ms. Padalik announced First Merchants Bank is sponsoring a free lunch & learn on identity theft and fraud on October 15, 2020 in the Police Department Training Room. All are welcome to attend; reservations can be made by calling the Chamber office.

James Burke announced Chamber of Commerce Golf Outing on October 24, 2020 at Carriage Greens Country Club.

D. ANNUAL FINANCIAL REPORT

Treasurer Coren introduced Jim Savio, Partner, with Sikich LLP. Mr. Savio thanked Treasurer Coren, Accountant Julie Saenz and Staff for their assistance through the audit process, which was handled remotely due to COVID-19. Mr. Savio reviewed the audit results and highlights from the Annual Financial Report, Auditor’s Communication document, Management Letter and Consolidated Year End Financial Report in accordance with Illinois Grant Accountability and Transparency Act (GATA). Mr. Savio addressed Council question.

Administrator Vana noted Mr. Savio presented budget draft at the Administrative Finance Committee Meeting in September.

Alderman Sullivan thanked Mr. Savio, Treasurer Coren and Accountant Julie Saenz as Chairperson for the Administrative/Finance Committee for their level of professionalism and accuracy.

Mayor Marchese noted pink ribbons were placed on the Clock Tower to commemorate Breast Cancer Awareness Month. He stressed the importance of early detection.

Alderman Sullivan announced Darien Woman’s Club is hosting fundraiser, “Bingo for Breast Cancer” at Carriage Greens Country Club on October 7, 2020 at 6:00 P.M.; a donation of \$20 is suggested.

9. **CITY CLERK’S REPORT**

There was no report.

10. **CITY ADMINISTRATOR’S REPORT**

Administrator Vana stated City Hall and Police Department phones are not in service; emergency “911” service is working. AT&T has been notified and is working on the issue. Staff emails will be provided in Direct Connect eNews to assist residents with communication.

11. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

A. POLICE DEPARTMENT – NO REPORT

B. MUNICIPAL SERVICES – NO REPORT

Alderman Chlystek stated he emailed Director Gombac a request for non-idling sign near warehouse.

Alderman Kenny stated he received an inquiry regarding political signage in parkways of Darien Club subdivision. Direct Gombac responded political signs are not allowed in any Darien right-of-way (R-O-W) with the exception of Cass Avenue, Plainfield Road and 75th Street, which are DuPage County right-of ways. He noted Public Works removes signs in R-O-W every 3-4 days.

Administrator Vana commented on the challenges of areas with no sidewalks and rural cross sections. If no sidewalks, signs must be 10-15 feet off the street.

12. **TREASURER’S REPORT**

A. WARRANT NUMBER 20-21-11

It was moved by Alderwoman Sullivan and seconded by Alderman Belczak to approve payment of Warrant Number 20-21-11 in the amount of \$86,626.86 from the enumerated funds, and \$274,727.90 from payroll funds for the period ending 09/24/20 for a total to be approved of \$361,354.76.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

13. **STANDING COMMITTEE REPORTS**

Administrative/Finance Committee – Alderwoman Sullivan announced the next meeting of the Administrative/Finance Committee is scheduled for November 2, 2020 at 6:00 P.M. in the City Hall Conference Room. She noted the Economic Development Committee will be meeting on October 14, 2020 at 7:00 P.M in Council Chambers.

Municipal Services Committee – Chairman Belczak announced the next meeting of the Municipal Services Committee is scheduled for October 26, 2020 at 7:00 P.M.

Police Committee – Chairman Kenny announced the next meeting of the Police Committee is scheduled for October 19, 2020 at 6:00 P.M. in the Police Department Training Room.

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

Scouts, Austin Krucek and Jayden Villa, expressed their concerns with banning chickens and the need to pass an ordinance in favor of chickens.

Marie Freidag expressed her concerns with chickens and the need to ban in Darien.

Heather Conroy expressed her concerns with proposed changes to Darien City Code regarding chickens.

Mr. Swevia shared the importance of chickens to his family. He hopes the chicken proposal does not get overly regulated or too expensive; he would like to see a middle-ground compromise.

Jim Freidag provided highlights from Illinois Department of Public Health website and a number of “pro-chicken” websites regarding issue with backyard chickens attracting rodents.

Jeannie Krucek commented she has never had issues with chickens attracting rats. She stressed the importance of keeping chicken feed in a metal container. She noted chickens have provided therapy for her mother who has dementia.

Elisabeth Monahan commented rats and rodents can be prevented by keeping food in metal garbage cans. Hardware cloth will keep chickens safe from predators and from other animals getting in the coop.

15. **OLD BUSINESS**

There was no Old Business.

16. **CONSENT AGENDA**

There was no Consent Agenda.

17. **NEW BUSINESS**

A. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE PURCHASE OF THE DEICING AND ANTI-ICING PRODUCT THERMAPOINT R AT THE UNIT PRICE OF \$1.09 PER GALLON FROM INDUSTRIAL SYSTEMS LTD IN AN AMOUNT NOT TO EXCEED \$32,000, (29,358 GALLONS X \$1.09/GALLON)

It was moved by Alderman Schauer and seconded by Alderman Kenny to approve the motion as presented.

Alderman Gustafson inquired about product consumption and product benefits; Director Gombac responded.

RESOLUTION NO. R-47-20

A RESOLUTION AUTHORIZING THE PURCHASE OF THE DEICING AND ANTI-ICING PRODUCT THERMAPOINT R AT THE UNIT PRICE OF \$1.09 PER GALLON FROM INDUSTRIAL SYSTEMS LTD IN AN AMOUNT NOT TO EXCEED \$32,000, (29,358 GALLONS X \$1.09/GALLON)

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING A BUSINESS ASSISTANCE REBATE UNDER THE CARES ACT FOR CERTAIN LOCAL BUSINESSES THAT EXPERIENCED ADDITIONAL EXPENSES TO CREATE OUTDOOR SERVICES DURING THE COVID PANDEMIC

It was moved by Alderman Belczak and seconded by Alderman Schauer to approve the motion as presented.

Administrator Vana stated a correction was made to the Agenda Memo. Dry Dock was added to the list of businesses, which increased the total rebate expenditure to \$108,500.

Mayor Marchese provided history of prior rebate and the justification for additional business assistance.

Administrator Vana provided details of CARES Act funding and our Intergovernmental Agreement with DuPage County.

Mayor Marchese addressed questions from Alderman Belczak and Alderman Chylstek.

RESOLUTION NO. R-48-20

A RESOLUTION APPROVING A BUSINESS ASSISTANCE REBATE UNDER THE CARES ACT FOR CERTAIN LOCAL BUSINESSES THAT EXPERIENCED ADDITIONAL EXPENSES TO CREATE OUTDOOR SERVICES DURING THE COVID PANDEMIC

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

C. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING TITLE VII OF THE DARIEN CITY CODE, “HEALTH AND SANITATION” (BEEKEEPING)

It was moved by Alderman Belczak and seconded by Alderman Schauer to approve the motion as presented.

Alderman Belczak noted item was on the Municipal Services agenda last week and passed with a vote of 2 to 1.

Alderman Chylstek inquired about initial concerns that led to regulating the keeping of bees. Mayor Marchese and Alderman Vaughan responded.

Alderwoman Sullivan asked Alderman Vaughan if beekeeping ordinance would help residents in his neighborhood. Alderman Vaughan agreed; he felt enforcement would be easier with guidelines and restrictions in place.

Director Gombac addressed Council question.

ORDINANCE NO. O-18-20

AN ORDINANCE AMENDING TITLE VII OF THE DARIEN CITY CODE, “HEALTH AND SANITATION” (BEEKEEPING)

Roll Call: Ayes: Belczak, Chylstek, Gustafson, Schauer, Sullivan, Vaughan

Nays: Kenny

Absent: None

Results: Ayes 6, Nays 1, Absent 0

MOTION DULY CARRIED

D. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING TITLE VII OF THE DARIEN CITY CODE, “HEALTH AND SANITATION” (DOMESTIC FOWL)

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

Mayor Marchese provided background information regarding the domestic fowl proposed ordinance that was under consideration by Municipal Services Committee last week. He noted that since the motion was not seconded by the committee at the Municipal Services Meeting, the proposed ordinance is being presented without endorsement from the Committee.

Alderman Belczak shared highlights from Municipal Services Committee meeting; he noted a middle ground must be determined that takes into account the needs of all residents. Council discussion ensued.

Council reviewed all proposed ordinance amendments under Item 2, Sections a through q and made language changes to Item 2, Sections b, g, h, o, and q.

MOTION TO AMEND

Alderman Chlystek motioned and Alderman Gustafson seconded to accept amendments to Section 1, Title 7, Chapter 5, 7-5-1 Chickens Item 2 to read:

b. “A maximum of **six (6)** hens shall be permitted.”

g. “All areas where hens are kept shall be clean and well maintained on a daily basis, with little to no accumulation of waste. In addition, all areas where hens are kept shall not produce or cause odors that are detectable on adjacent properties. **All feed shall be kept in a sealed metal container.** All electrical appurtenances shall be UL listed and clearly labeled.”

h. “Perimeter fencing six foot high, privacy/solid fencing shall be required around the entire **rear** yard.”

o. “A hen permit issued under this article shall be revoked upon the commission of three (3) violations within a period of twelve (12) months. If the permit is revoked, the property shall not be eligible for a permit or one year after revocation. **Any enclosure/structure shall be required to be removed within 15 days of revocation.**”

q. “On or prior to May 1, 2021 all nonconforming properties must be brought into conformance with the keeping of hens regulations of this article. **On or prior to March 1, 2021 residents with chickens and no existing privacy fence, will be required to show proof of contract for privacy fence.** This period is for all purposes deemed an appropriate amortization period for each and every nonconforming property presently located within the corporate limits of the City or hereinafter located within the City by reason of annexation into the City of the lot or parcel on which the uses are located.”

There was a call for the question on the amendment.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

AMENDING MOTION CARRIED

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

ORDINANCE NO. O-19-20

AN ORDINANCE AMENDING TITLE VII OF THE DARIEN CITY CODE, “HEALTH AND SANITATION” (DOMESTIC FOWL)

as amended.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

E. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING THE DARIEN CITY CODE BY ADDING A CHAPTER TO TITLE VII, “HEALTH AND SANITATION” (DOMESTIC FOWL)

MOTION FAILED

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

Alderman Belczak announced Darien Lion Club Halloween Party will not be held at the Sportsplex. A “Trunk or Treat” is planned from 1-4 P.M. at the Darien Swim & Recreation Club parking lot.

Alderwoman Sullivan announced...

...Darien Rotary Club Food-for-Kids back-pack event will be held on October 6, 2020 from 4-5 P.M. and 5-6 P.M. at Lace School. Volunteers 12 years and older are encouraged to sign-up; face masks are mandatory.

...Hinsdale South High School Drama Department will be broadcasting “The Wizard of Oz” Radio Show on October 30, 2020.

Scout Krucek inquired about the effective date of the chicken ordinance. Mayor Marchese stated residents with more than six chickens will need to conform by May 1, 2021.

19. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 9:42 P.M.

Mayor

City Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 10-05-20. Minutes of 10-05-20 CCM.