
EXECUTIVE SESSION – 7:00 P.M.
– **PERSONNEL SECTION 2(C)(1) &**
– **LITIGATION SECTION 2(C)(11) OF THE OPEN MEETINGS ACT**

PRE-COUNCIL WORK SESSION — 7:00 P.M.

Agenda of the Regular Meeting
of the City Council of the
CITY OF DARIEN

May 21, 2012
7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Declaration of Quorum
5. Approval of Minutes — May 7, 2012
6. Receiving of Communications
7. Mayor's Report
 - A. Darien Chamber of Commerce Update
8. City Clerk's Report
9. City Administrator's Report
10. Department Head Information/Questions
11. Treasurer's Report
 - A. Warrant Number — 11-12-24
 - B. Warrant Number — 12-13-02
12. Standing Committee Reports
13. Questions and Comments — Agenda Related (This is an opportunity for the public to make comments or ask questions on any item on the Council's Agenda.)

14. Old Business
15. Consent Agenda
 - A. Consideration of a Motion to Approve a Resolution Accepting a Proposal from Chapman and Cutler LLP for Bond Counsel Services for the Advance Refunding of the G.O. Water Bonds, Series 2006
 - B. Consideration of a Motion to Approve a Resolution Approving an Expenditure in the Amount of \$9,500.00 to Obtain a Bond Rating from Moody's for the Advance Refunding of the G.O. Water Bonds, Series 2006
 - C. Consideration of a Motion to Approve an Ordinance Authorizing the Sale of Personal Property Owned by the City of Darien
 - D. Consideration of a Motion to Authorize the City Administrator to Purchase Accounting and Management Software Modules to Efficiently and Accurately Track Employee Hours and Benefits.
16. New Business
 - A. Consideration of a Motion to Approve an Ordinance Authorizing the Sale of Personal Property Owned by the City of Darien
 - B. Consideration of a Motion to Approve an Ordinance Granting a Major Amendment to an Approved Planned Unit Development and a Final Plat of Resubdivision (PZC 2012-07: 2101-2275 75th Street, Darien Towne Centre Planned Unit Development (PUD))
 - C. Consideration of a Motion to Approve a Resolution Approving an Interpretational Letter of Agreement
17. Questions, Comments and Announcements — General (This is an opportunity for the public to make comments or ask questions on any issue.)
18. Adjournment

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE MAY 7, 2011 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:30 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

MAY 7, 2012

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 Ragona was as follows:

Present:	Halil Avci	John F. Poteraske
	Tina M. Beilke	Ted V. Schauer
	Joseph A. Marchese	Joerg Seifert
	Sylvia McIvor	

Absent: None

Also in Attendance: Kathleen Moesle Weaver, Mayor
JoAnne E. Ragona, City Clerk
Michael J. Coren, City Treasurer
John B. Murphey, City Attorney
Bryon D. Vana, City Administrator
Daniel Gombac, Director of Municipal Services
Ernest Brown, Police Chief

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

5. **APPROVAL OF MINUTES** – April 16, 2012

It was moved by Alderman Schauer and seconded by Alderman Seifert to approve the minutes of the April 16, 2012 meeting, as presented.

Roll Call: Ayes: Avci, Beilke, Marchese, Poteraske, Schauer, Seifert
 Nays: None
 Abstain: McIvor
 Absent: None

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

6. **RECEIVING OF COMMUNICATIONS**

There were none.

7. **MAYOR'S REPORT**

A. **CONSIDERATION OF A MOTION TO APPROVE THE APPOINTMENT OF JAMES C. CALDWELL, JR. TO THE POLICE PENSION BOARD**

It was moved by Alderman Marchese and seconded by Alderman Schauer to approve:

MOTION TO APPROVE THE APPOINTMENT OF JAMES C. CALDWELL, JR. TO THE POLICE PENSION BOARD

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert
 Nays: None
 Absent: None

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

Clerk Ragona administered the Oath of Office to James C. Caldwell, Jr.

There was resounding applause and congratulatory handshakes from the City Council Members and Staff.

B. CONSIDERATION OF A MOTION TO APPROVE THE REAPPOINTMENT OF DEPARTMENT HEADS: BRYON VANA, CITY ADMINISTRATOR; ERNEST BROWN, POLICE CHIEF; AND DANIEL GOMBAC, DIRECTOR OF MUNICIPAL SERVICES

It was moved by Alderman Avci and seconded by Alderman Marchese to approve:

MOTION TO APPROVE THE REAPPOINTMENT OF DEPARTMENT HEADS: BRYON VANA, CITY ADMINISTRATOR; ERNEST BROWN, POLICE CHIEF; AND DANIEL GOMBAC, DIRECTOR OF MUNICIPAL SERVICES

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

Clerk Ragona administered the Oath of Office to Administrator Vana, Chief Brown, and Director Gombac.

There was resounding applause and congratulatory handshakes from the City Council Members.

8. CITY CLERK’S REPORT

Clerk Ragona...

...invited everyone to attend Coffee with Mayor Weaver at Darien Park District in conjunction with the Race Expo on Saturday, May 19, 2012 from 9:00 A.M. until 10:00 A.M.

9. CITY ADMINISTRATOR’S REPORT

Administrator Vana...

...advised that an informational letter from the City of Darien & Direct Energy on the Electrical Aggregation will be sent out May 8, 2012. Alderman McIvor commended Assistant Administrator Coren for his efforts in securing the lowest electric rates in the

State of Illinois for a two year period. She inquired if residents may opt out at any time. Administrator Vana responded in the affirmative.

...advised that the Police Committee has recommended School District 61 be approached to consider assuming the crossing guard agreement; out of the three school districts, the City serves one. The cost for outsourcing crossing guard services from Andy Frain is similar to current costs. Administrator Vana will contact Bob Carlo with the Police Committee's recommendation.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Chief Brown...

... explained the workload analysis is intended to identify the following:

- Number of events created by the agency
- Origin of those events
- Number of events requiring an officer's response
- Amount of time spent on each event
- Distribution of the calls by time of day, day of week, and month
- How officers spend duty time
- Amount of time identified as discretionary
- Determine if resources are allocated across watches in the most prudent manner

...explained the meaning of discretionary time, and reviewed how it can be utilized in proactive policing to prevent crime. He noted offences which have proven to be eligible for proactive intervention as follows:

- Burglary to motor vehicle
- Burglary
- Narcotics
- Domestic violence
- Prostitution

...distributed and reviewed the April 2012 Monthly Crime Report.

Alderman Avci requested the number and locations of events. Chief Brown responded that a mapping program is in the process of being developed.

11. **TREASURER'S REPORT**

A. WARRANT NUMBER 11-12-23

It was moved by Alderman Seifert and seconded by Alderman Poterasko to approve payment of Warrant Number 11-12-23 for FYE 2012 in the amount of \$35,656.52 from the General Fund; \$24,767.50 from the Water Fund; \$834.14 from the Motor Fuel Tax Fund; \$6,805.57 from the Capital Improvement Fund; \$219,322.81 General Fund Payroll for the period ending 04/19/2012; \$17,061.38 from the Water Fund Payroll for the period ending 04/19/2012; for a total to be approved of \$304,447.92.

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poterasko, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. WARRANT NUMBER 12-13-01

It was moved by Alderman Schauer and seconded by Alderman Seifert to approve payment of Warrant Number 12-13-01 for FYE 2013 in the amount of \$2,864.00 from the General Fund; \$375.00 from the Debt Service Fund; for a total to be approved of \$3,239.00.

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poterasko, Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

Treasurer Coren announced that the quarterly meeting of the Police Pension Board took place on March 25, and was attended by the fund's two investment advisors. The period of May 1, 2011 through December 31, 2011 showed a zero return. This year's first quarter has shown an approximate 5% return on investments which brings the pension fund closer to the goal of 7 1/2 %. The next quarterly meeting is scheduled for July 25, 2012.

12. **STANDING COMMITTEE REPORTS**

Municipal Services Committee — Chairman Marchese advised the minutes of the March 26, 2012 Municipal Services Committee Meeting have been submitted to the Clerk's Office. He advised the next meeting is scheduled for Tuesday, May 29, 2012 at 6:30 p.m.

Administrative/Finance Committee — Chairman Poteraske advised the next meeting of the Administrative/Finance Committee is scheduled for May 14, 2012 at 6:30 p.m.

Police Committee — Chairman McIvor submitted the minutes of the April 2, 2012 Police Committee Meeting. She advised the next meeting has been rescheduled to Monday, June 4, 2012 at 6:00 p.m. in the upstairs conference room.

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

Jill Petranek of 2700 Woodmere, representing the Woodmere Condo and Townhouse Boards addressed the City Council with the following concerns regarding New Business Item A:

- Liability/Safety – towers are close to residences; concerned with items falling from towers and possibility of tower collapse.
- Security Issues – thefts, such as copper tubing, and the effect on the sturdiness of the towers. Appreciate the proposed fencing.
- Environmental Issues – request confirmation that ponds are not wetlands.
- Impact Fees – request an impact fee that is appropriate for creating a buffer.
- Certificate of Insurance – would like a certificate of insurance provided for both towers.
- Annual Engineering Inspection – would like an annual engineering inspection of both towers

Soni Macy requested the City Council approve the proposed variance for 1417 Sequoia Lane.

At the request of Alderman Poteraske, Attorney Murphey provided a lengthy explanation of the differences between a typical variance request and that of a cell tower, which is regulated under Federal Law. He noted that under the Federal Telecommunications Act, there are specific regulations and restrictions which the City must follow.

Alderman McIvor stated she would not oppose a 100-foot tower. Alderman McIvor inquired if the request meets setback requirements. Director Gombac responded in the affirmative.

Alderman Seifert felt that full consideration was not given to the matter and would like to see more significant and substantive data.

Alderman McIvor talked about the shadowing effect and was uncertain that definitive answers to concerns have been addressed. She would like the matter to be tabled.

A discussion took place regarding the time frame.

Alderman Avci feels that the concerns mentioned this evening have been considered and addressed through the Municipal Services Committee. He would support tabling the matter if there were new concerns and a specific target date.

Michael McCrery, 411 W. Hillgrove Avenue, LaGrange, attorney for the petitioner, thanked Dan Gombac and Michael Griffith for their professionalism. Mr. McCrery reviewed the concerns expressed by Ms. Petranek and explained how each item was addressed. He noted that the signals generated will not work if the tower is any lower than requested.

In response to Alderman McIvor, Director Gombac advised that the total height of the tower including the antennae will be 180 feet.

Stanley Stann, the petitioner, provided a brief history of the original tower, and information on the various reports which were submitted with the request. He discussed the various types of towers and their construction. He noted that tower construction is regulated, and the proposed tower is designed to collapse upon itself.

Alderman Marchese reviewed the conditions which were placed on the request and agreed upon by the petitioner.

Jill Petranek advised that the Woodmere residents are not happy with the height and would like it to be no more than 80-feet total. She would like to see a substantive report confirming the necessity of 180-feet. She would also like a more reasonable impact fee than what was offered, as well as confirmation on whether the ponds are wetlands.

Director Gombac reviewed the building permit requirements and process should the variance be approved.

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 McIvor and seconded by Alderman Beilke to approve by Omnibus Vote the following items on the Consent Agenda:

- A. A MOTION TO GRANT A WAIVER OR THE RAFFLE LICENSE BOND REQUIREMENT FOR OUR LADY OF PEACE HOME AND SCHOOL ASSOCIATION**

- B. ORDINANCE NO. O-18-12 AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2012-04: 1417 SEQUOIA LANE)**

- C. RESOLUTION NO. R-37-12 A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE**

- D. RESOLUTION NO. R-38-12 A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) NEW FUEL DISPENSERS, OPTION-A, OPTION-B AND INSTALLATION FROM CROWNE INDUSTRIES IN AN AMOUNT NOT TO EXCEED \$15,700.00**

- E. RESOLUTION NO. R-39-12 A RESOLUTION TO ACCEPT A PROPOSAL FOR THE PURCHASE OF ROCK SALT FROM NORTH AMERICAN SALT COMPANY IN AN AMOUNT NOT TO EXCEED \$195,681.50**

- F. RESOLUTION NO. R-40-12 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR ENGINEERING SERVICES BETWEEN THE CITY OF DARIEN AND CHRISTOPHER B. BURKE ENGINEERING, LTD. FOR ENGINEERING SERVICES FOR MONUMENT ENTRANCE SIGNS IN**

**AN AMOUNT NOT TO EXCEED
\$18,000.00**

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske,
Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

16. **NEW BUSINESS**

**A. CONSIDERATION OF A MOTION APPROVING AN ORDINANCE
APPROVING A SPECIAL USE AND A VARIATION TO THE DARIEN
ZONING ORDINANCE (PZC 2012-03: 8245 LEMONT ROAD, CHICAGO
TOWER LEASING)**

MOTION TO AMEND

It was moved by Alderman McIvor and seconded by Alderman Seifert to amend language on Page 4 to *“transmitting tower to be constructed to a height of 180 feet, including antennae”* and on Page 5 to add: *“K. In the event that the existing ponds are regulated wetlands no construction permit will issue until applicant furnishes the city with all required other agency approvals.”*

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske,
Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

AMENDING MOTION CARRIED

It was moved by Alderman Marchese and seconded by Alderman Schauer to approve:

ORDINANCE NO. O-19-12

AN ORDINANCE APPROVING A SPECIAL USE AND A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2012-03: 8245 LEMONT ROAD, CHICAGO TOWER LEASING)

as amended.

Alderman Avci commented that the Municipal Services Committee recognized the concerns of the residents and did what could be done to mitigate the impact. Alderman McIvor advised that she would prefer a not-to-exceed height of 100 feet. Alderman Schauer noted that in order for the tower to work, it had to be 180 feet. Alderman Marchese added that the Municipal Services Committee worked very hard to answer and address the concerns of the residents. Attorney Murphey provided an explanation as to necessity of the 180-foot tower height.

Roll Call: Ayes: Avci, Beilke, Marchese, Poteraske, Schauer, Seifert

Nays: McIvor

Absent: None

Results: Ayes 6, Nays 1, Absent 0

MOTION DULY CARRIED

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

On behalf of the Board of Directors of the Darien Historical Society, Alderman Marchese thanked Mayor Weaver, Alderman McIvor, Treasurer Coren, and members of Lions Club for contributing to the success of the fundraising tag day.

Alderman Seifert thanked all the participants of the Borsilli Fundraiser, and especially Clare Bongiovanni and the members of the Darien Police Department for the successful event.

Administrator Vana advised a Special Council Committee of the Whole will be scheduled on May 21, 2012 at 6:00 p.m. to review funding, project identification and prioritization of capital projects.

18. **EXECUTIVE SESSION**

It was moved by Alderman Schauer and seconded by Alderman Beilke to go into Executive Session for the purpose of discussing Personnel, Section 2(C)(1) of the Open Meetings Act at 9:48 P.M. No action will take place as a result of these discussions.

Roll Call: Ayes: Avci, Beilke, Marchese, McIvor, Poteraske,
Schauer, Seifert

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

EXECUTIVE SESSION ADJOURNMENT

It was moved by Alderman Seifert and seconded by Alderman Schauer to adjourn Executive Session.

REVERSE ROLL CALL – MOTION DULY CARRIED

Executive Session was adjourned at 10:30 P.M.

18. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 10:31 P.M.

Mayor

City Clerk

JER/ld

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 05-07-12.
Minutes of 05-07-12 CCM

CITY OF DARIEN

**EXPENDITURE APPROVAL LIST
FOR CITY COUNCIL MEETING ON
May 21, 2012**

Approval is hereby given to have the City Treasurer of Darien, Illinois pay to the officers, employees, independent contractors, vendors, and other providers of goods and services in the indicated amounts as set forth.

A summary indicating the source of funds used to pay the above is as follows:

General Fund	\$65,740.13
Water Fund	\$242,793.04
Motor Fuel Tax Fund	\$1,230.14
Water Depreciation Fund	
Darien Dispatch Center	
Capital Improvement Fund	\$5,573.01
Special Service Area Tax Fund	
Debt Service Fund	
Subtotal:	<u>\$ 315,336.32</u>
General Fund Payroll	
Water Fund Payroll	
Subtotal:	<u>\$ -</u>
<i>Total to be Approved by City Council: <u>\$ 315,336.32</u></i>	

Approvals:

Kathleen Moesle Weaver, Mayor

JoAnne E. Ragona, City Clerk

Michael J. Coren, Treasurer

Bryon D. Vana, City Administrator

**CITY OF DARIEN
Expenditure Journal
General Fund
Administration
From 4/24/2012 Through 4/24/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
AIS	(2) MINCROSOFT OFFICE 2010	Consulting/Professional	500.00	4325
AIS	BUSINESS WORKSTATION & (1) MICROSOFT OFFICE 2010	Consulting/Professional	1,149.00	4325
AIS	APRIL 2012 COMPUTER SERVICES	Consulting/Professional	2,040.00	4325
CHASE CARD SERVICES	JOB ADVERTISEMENT	Legal Notices	310.00	4221
COM ED	REQUIRED MUNICIPAL AGGREGATION INITIAL PROVISION REPORT	Legal Notices	168.00	4221
DUPAGE COUNTY PUBLIC WORKS	1702 PLAINFIELD - FEB 23, 2012 TO APR 25, 2012	Utilities (Elec, Gas, Wtr, Sewer)	27.73	4271
NEXTEL COMMUNICATIONS	CELLULAR SERVICE	Telephone	1,763.72	4267
NICOR GAS	7422 S. CASS AVENUE - ACCT 05-09-41-1000 3	Utilities (Elec, Gas, Wtr, Sewer)	64.23	4271
NICOR GAS	1702 PLAINFIELD - ACCT 82-54-11-1000 1	Utilities (Elec, Gas, Wtr, Sewer)	137.20	4271
SUBURBAN LIFE PUBLICATIONS	LEGAL NOTICE 8213 - DARIEN TOWNE CENTER PUD	Conslt/Prof Reimbursable	370.86	4328
Total Administration			6,530.74	

CITY OF DARIEN
Expenditure Journal
General Fund
City Council
From 4/24/2012 Through 4/24/2012

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
ROSENTHAL, MURPHEY, COBLENTZ	APRIL 2012 LEGAL FEES	Liability Insurance	8.15	4219
ROSENTHAL, MURPHEY, COBLENTZ	WAL-MART AGREEMENT	Liability Insurance	1,890.00	4219
ROSENTHAL, MURPHEY, COBLENTZ	CHASE BANK/SALE OF 7501 CASS	Liability Insurance	1,207.50	4219
ROSENTHAL, MURPHEY, COBLENTZ	ELECTRIC AGGREGATION	Liability Insurance	315.00	4219
		Total City Council	3,420.65	

CITY OF DARIEN
Expenditure Journal
General Fund
Community Development
From 4/24/2012 Through 4/24/2012

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
ALL-STAR MAINTENANCE	LAWN MAINTENANCE - 1810 71ST STREET	Const/Prof Reimbursable	30.00	4328
ALL-STAR MAINTENANCE	LAWN MAINTENANCE - 1030 JANET	Const/Prof Reimbursable	35.00	4328
ALL-STAR MAINTENANCE	LAWN MAINTENANCE - 7317 ELEANOR	Const/Prof Reimbursable	75.00	4328
DON MORRIS ARCHITECTS P.C.	APRIL 2012 PLAN REVIEW & INSPECTIONS	Consulting/Professional	1,125.00	4325
DON MORRIS ARCHITECTS P.C.	APRIL 2012 PLAN REVIEW & INSPECTIONS	Const/Prof Reimbursable	2,543.70	4328
KING CAR WASH	CAR WASHES	Vehicle (Gas and Oil)	7.50	4273
ROSENTHAL, MURPHEY, COBLENTZ	MISCELLANEOUS	Liability Insurance	<u>2,310.00</u>	4219
		Total Community Development	6,126.20	

CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 4/24/2012 Through 4/24/2012

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
ADVANTAGE CHEVROLET	REPAIR PARTS	Maintenance - Vehicles	271.06	4229
AWP CUSTOM UNIFORMS	UNIFORMS	Uniforms	120.00	4269
CHASE CARD SERVICES	PUBLIC WORKS WEEK POSTERS	Supplies - Office	38.00	4253
CHEMSEARCH	DEPLOY AEROSOL	Supplies - Other	365.77	4257
COM ED	2510 ABBEY DR, LOT 278 DARIEN - ACCT 0448008035	Street Light Oper & Maint.	284.87	4359
CULLIGAN	BOTTLED WATER & FILTER RENTAL	Maintenance - Building	69.74	4223
EJ EQUIPMENT, INC.	REPAIR PARTS FOR #208	Maintenance - Equipment	339.83	4225
EMBASSY REFRESHMENT SERVICE	3 BURNER COFFEE BREWER & 3 GLASS DECANTERS	Maintenance - Building	56.50	4223
EXELON ENERGY INC.	SW CORNER 75TH ST, ADAMS	Street Light Oper & Maint.	1,559.28	4359
EXELON ENERGY INC.	2510 ABBEY DR, LOT 278, DARIEN	Street Light Oper & Maint.	1,274.44	4359
FOSTER'S TRUCK REPAIR	SAFETY LANE	Liability Insurance	449.00	4219
HOME DEPOT	SUPPLIES	Maintenance - Building	60.79	4223
HOME DEPOT	SUPPLIES	Maintenance - Equipment	31.94	4225
LAWSON PRODUCTS INCORPORATED	SUPPLIES	Small Tools & Equipment	308.79	4259
OCCUPATIONAL HEALTH CENTERS	RAPID DRUG SCREEN	Liability Insurance	50.00	4219
OCCUPATIONAL HEALTH CENTERS	RAPID DRUG SCREEN	Liability Insurance	50.00	4219
RAGS ELECTRIC	STREET LIGHT MAINTENANCE - 3 LOCATIONS	Street Light Oper & Maint.	500.00	4359
RAGS ELECTRIC	STREET LIGHT MAINTENANCE - 2 LOCATIONS	Street Light Oper & Maint.	465.78	4359
RAGS ELECTRIC	STREET LIGHT MAINTENANCE - 2 LOCATIONS	Street Light Oper & Maint.	250.00	4359
RED WING SHOES	UNIFORMS	Uniforms	423.40	4269

**CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 4/24/2012 Through 4/24/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
RED WING SHOES	UNIFORMS	Uniforms	250.78	4269
RIC MAR INDUSTRIES, INC.	GLOVES	Liability Insurance	76.90	4219
STEVE PIPER & SONS, INC.	2011-12 TREE REMOVALS	Tree Trim/Removal	29,670.00	4375
TRUGREEN	FERTILIZATION OF 75TH STREET	Forestry	2,208.56	4350
VERMEER-ILLINOIS, INC	SHARPEN BLADES FOR CHIPPER	Maintenance - Equipment	344.80	4225
WILLOWBROOK FORD, INC.	REPAIR PARTS FOR P.D. & P.W.	Maintenance - Vehicles	221.18	4229
		Total Public Works, Streets	39,741.41	

CITY OF DARIEN
Expenditure Journal
General Fund
Police Department
From 4/24/2012 Through 4/24/2012

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
CHASE CARD SERVICES	DETECTIVE INTERNET SEARCHES	Investigation and Equipment	84.55	4217
CHASE CARD SERVICES	GAS FOR CERTIFYING BREATHALYZER	Investigation and Equipment	74.00	4217
CHASE CARD SERVICES	DOG FOOD	Investigation and Equipment	121.17	4217
CHASE CARD SERVICES	PAID 4/16/12-REFUND CHECK TO BE ISSUED PAYING AVOID FINANCE	Rent - Equipment	58.38	4243
CHASE CARD SERVICES	SUPPLIES	Supplies - Office	8.94	4253
CHASE CARD SERVICES	CONFERENCE HOTEL - FOSTER	Travel/Meetings	257.64	4265
CHASE CARD SERVICES	SERGEANT MEETING SUPPLIES	Travel/Meetings	4.35	4265
CHASE CARD SERVICES	COFFEE POT	Travel/Meetings	79.99	4265
CHASE CARD SERVICES	INTERNET SERVICE	Telephone	101.90	4267
CREATIVE PRODUCT SOURCING, INC	CLASSROOM SUPPLIES	Public Relations	40.00	4239
CREATIVE PRODUCT SOURCING, INC	CLASSROOM SUPPLIES	Public Relations	404.39	4239
FedEx	SHIPPING COSTS - RECOVERED STOLEN PROPERTY	Investigation and Equipment	64.01	4217
HOME DEPOT	SUPPLIES	Maintenance - Building	205.81	4223
I.R.M.A.	APRIL 2012 DEDUCTIBLE	Liability Insurance	2,369.60	4219
ILLINOIS ATTORNEY GENERAL	SEX OFFENDER REGISTRATION FEES 043012	Investigation and Equipment	90.00	4217
ILLINOIS STATE POLICE	SEX OFFENDER REGISTRATION FEES	Investigation and Equipment	90.00	4217
KAESER BLAIR INCORPORATED	PENS	Public Relations	419.90	4239
KING CAR WASH	CAR WASHES	Maintenance - Vehicles	492.50	4229
LINDA S. PIECZYNSKI	PROSECUTION FEES	Liability Insurance	1,364.50	4219
NICOR GAS	1710 PLAINFIELD ROAD - ACCT 82-80-00-1000 9	Utilities (Elec,Gas,Wtr,Sewer)	311.63	4271
PETTY CASH	PETTY CASH REIMBURSEMENT - P.D.	Auxiliary Police	25.90	4203

**CITY OF DARIEN
Expenditure Journal
General Fund
Police Department
From 4/24/2012 Through 4/24/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
PETTY CASH	PETTY CASH REIMBURSEMENT - P.D.	Supplies - Office	32.34	4253
PETTY CASH	PETTY CASH REIMBURSEMENT - P.D.	Travel/Meetings	142.67	4265
SHELL	GAS FOR SQUADS - COOPER & BOZEK	Vehicle (Gas and Oil)	107.78	4273
TREASURER, STATE OF ILLINOIS	SEX OFFENDER REGISTRATION FEES	Investigation and Equipment	30.00	4217
UNIQUE PRODUCTS & SERVICE CORP	JANITORIAL SUPPLIES	Maintenance - Building	191.66	4223
VERIZON WIRELESS	EVDO	Telephone	798.21	4267
WILLOWBROOK FORD, INC.	REPAIR PARTS FOR P.D. & P.W.	Maintenance - Vehicles	882.26	4229
			8,854.08	
		Total Police Department		

CITY OF DARIEN
Expenditure Journal
General Fund
Business District
From 4/24/2012 Through 4/24/2012

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
COM ED	7515 S. CASS, UNIT J - ACCT 7156801032	Utilities (Elec, Gas, Wtr, Sewer)	64.84	4271
COM ED	7515 S. CASS, UNIT BD - ACCT 7156796018	Utilities (Elec, Gas, Wtr, Sewer)	63.73	4271
COM ED	7515 S. CASS, SUITE D	Utilities (Elec, Gas, Wtr, Sewer)	215.15	4271
DUPAGE COUNTY PUBLIC WORKS	7515 S. CASS, UNIT C 2/24/12 TO 4/24/12	Utilities (Elec, Gas, Wtr, Sewer)	11.17	4271
DUPAGE COUNTY PUBLIC WORKS	7515 S. CASS, UNIT D 2/24/12 TO 4/24/12	Utilities (Elec, Gas, Wtr, Sewer)	523.03	4271
DUPAGE COUNTY PUBLIC WORKS	7515 S. CASS, UNITS J & K - 2/24/12 TO 4/24/12	Utilities (Elec, Gas, Wtr, Sewer)	11.17	4271
NICOR GAS	7515 S. CASS, UNIT D - ACCT 40-53-48-5251 8	Utilities (Elec, Gas, Wtr, Sewer)	165.55	4271
NICOR GAS	7515 S. CASS, UNIT J	Utilities (Elec, Gas, Wtr, Sewer)	12.41	4271
		Total Business District	1,067.05	
		Total General Fund	65,740.13	

CITY OF DARIEN
Expenditure Journal
Water Fund
Public Works, Water
From 4/24/2012 Through 4/24/2012

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
CENTRAL SOD FARMS	SOD FOR PARKWAY REPAIRS	Maintenance - Water System	101.40	4231
CENTRAL SOD FARMS COM ED	SOD FOR PARKWAYS 2103 75TH ST PUMP - ACCT 3118112014	Maintenance - Water System Utilities (Elec,Gas,Wtr,Sewer)	101.40 494.73	4231 4271
CULLIGAN	BOTTLED WATER & FILTER RENTAL	Maintenance - Building	69.75	4223
DAS ENTERPRISES, INC. DUPAGE WATER COMMISSION	TRUCK RENTAL FEE APRIL 2012 WATER OPERATION & MAINTENANCE COSTS	Maintenance - Water System DuPage Water Commission	1,600.00 237,239.25	4231 4340
EMBASSY REFRESHMENT SERVICE	3 BURNER COFFEE BREWER & 3 GLASS DECANTERS	Maintenance - Building	56.50	4223
FOSTER'S TRUCK REPAIR HD SUPPLY WATERWORKS	SAFETY LANE UPPER VALVE ROD FOR U.S. PIPE HYDRANTS	Liability Insurance Maintenance - Water System	104.50 160.97	4219 4231
HOME DEPOT	SUPPLIES	Maintenance - Laundromat ...	50.40	4230
HOME DEPOT	SUPPLIES	Maintenance - Water System	65.21	4231
NEXTEL COMMUNICATIONS	CELLULAR SERVICE	Telephone	311.25	4267
RED WING SHOES	SAFETY BOOTS	Liability Insurance	608.99	4219
RED WING SHOES	UNIFORMS	Uniforms	338.39	4269
RED WING SHOES	UNIFORMS	Uniforms	293.39	4269
RIC MAR INDUSTRIES, INC.	GLOVES	Liability Insurance	76.91	4219
SUBURBAN LABORATORIES	WATER SAMPLES	Quality Control	648.00	4241
TRUGREEN	FERTILIZATION OF PW & WATER PLANTS	Maintenance - Building	420.00	4223
US GAS	OXYGEN & ACETYLENE RENTAL	Maintenance - Water System	52.00	4231
			242,793.04	
			242,793.04	

CITY OF DARIEN
Expenditure Journal
Motor Fuel Tax
MFT Expenses
From 4/24/2012 Through 4/24/2012

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
HOME DEPOT	SUPPLIES	Supplies - Other	222.13	4257
KIEFT BROS., INC.	FRAMES & ADJUSTING RINGS FOR FARMINGDALE VILLAGE REHAB	Supplies - Other	397.00	4257
KIEFT BROS., INC.	ADJUSTING RINGS FOR STREET REHAB JOBS	Supplies - Other	196.00	4257
VULCAN CONSTRUCTION MATERIALS	CA6 STONE	Road Material	415.01	4245
		Total MFT Expenses	1,230.14	
		Total Motor Fuel Tax	1,230.14	

**CITY OF DARIEN
Expenditure Journal
Capital Improvement Fund
Capital Fund Expenditures
From 4/24/2012 Through 4/24/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
HOME DEPOT	SUPPLIES	Sidewalk Replacement Prog...	89.76	4380
VEOLIA ES SOLID WASTE MIDWEST	WASTE REMOVAL - DORCHESTER DRAINAGE PROJECT	Ditch Projects	5,483.25	4376
		Total Capital Fund Expenditures	5,573.01	
		Total Capital Improvement Fund	5,573.01	
Report Total			315,336.32	

Payment Due Date	New Balance	Payment Due Amount	Minimum Payment
05/24/12	\$1,423.92	\$0.00	\$284.00



FXE 12

Account number: [REDACTED]

\$ 1,138.92

Make your check payable to:
Chase Card Services.
Please write amount enclosed.
New address or e-mail? Print on back.

[REDACTED]

40334 BEX Z 12312 C
BRYON VANA
CITY OF DARIEN
1702 PLAINFIELD RD
DARIEN IL 60561-5044



CARDMEMBER SERVICE
PO BOX 15153
WILMINGTON DE 19886-5153



[REDACTED]

BUSINESS CARD STATEMENT

Customer Service 1-800-346-5538
Additional contact information on back

ACCOUNT SUMMARY

Account Number: [REDACTED]

Previous Balance	\$1,473.05
Payment, Credits	-\$1,473.05
Purchases	+\$1,423.92
Cash Advances	\$0.00
Balance Transfers	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
New Balance	\$1,423.92

Opening/Closing Date	04/03/12 - 05/02/12
Total Credit Line	\$100,000
Available Credit	\$98,576
Cash Access Line	\$20,000
Available for Cash	\$20,000

PAYMENT INFORMATION

New Balance	\$1,423.92
Payment Due Date	05/24/12
Minimum Payment Due	\$284.00

Late Payment Warning: If we do not receive your minimum payment by the due date, you may have to pay up to a \$39 late fee.
Minimum Payment Warning: Enroll in Auto-Pay and avoid missing a payment. To enroll, call the number on the back of your card or go to the web site listed above.

FLEXIBLE REWARDS SUMMARY

Previous points balance	40,261
Points earned on purchases this period	1,424
New total points balance	41,685

Every time you use your Chase Business card with Flexible Rewards Select, you are on your way to earning great rewards. You earn 1 point per \$1 spent on all purchases and there's no cap on how many points you can earn and points never expire. Add employees and earn rewards even faster! You can redeem your points for airline tickets, gift certificates to leading merchants, top quality merchandise or cash. Check out the entire rewards collection and redeem your points online at www.chase.com/businesscard.

ACCOUNT ACTIVITY

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
04/14	Payment Thank You - Image Check BRYON VANA TRANSACTIONS THIS CYCLE ([REDACTED]) -\$1,473.05 INCLUDING PAYMENTS RECEIVED	-1,473.05
04/03	AMERICAN PUBLIC WORKS DAN.PAVLICH@C MO 01-30-4253 Pw Work Posters	38.00
04/10	Illinois Section AWWA 866-521-3595 IL 01-30-4263 Training Seminar - Full	120.00
04/24	Illinois Section AWWA 866-521-3595 IL 02-50-4263 Training Seminar - Cable	45.00
04/26	Illinois Section AWWA 866-521-3595 IL 02-50-4263 Training Seminar - Throm	120.00
	DANIEL GOMBAC TRANSACTIONS THIS CYCLE ([REDACTED]) \$323.00	
04/13	BED BATH & BEYOND #1203 WILLOWBROOK IL 01-40-4265 Coffee Pot	79.99
04/25	PETSMART INC 422 DARIEN IL 01-40-4217 Dog Food	121.17
	SARAH FALCO TRANSACTIONS THIS CYCLE ([REDACTED]) \$201.16	
04/04	LEXISNEXIS RISK MGT 888-332-8244 FL 01-40-4217 Detective internet searches	84.55
04/12	JEWEL #3123 DARIEN IL 01-40-4265 Sergeant Mtg. Supplies	4.35
04/13	COMCAST CHICAGO 800-COMCAST IL 01-40-4267 Internet Service	101.90
04/15	AMERICAN MESSAGING 888-247-7890 TX 01-40-4243 Page find overpayment	58.38
04/18	WAL-MART#2215 DARIEN IL 01-40-4253 Supplies	8.94
04/21	MARK TWAIN HOTEL PEO 3096763600 IL 01-40-4265 Hotel Job Conference - Foster	257.64
	CAROL KOPTA TRANSACTIONS THIS CYCLE ([REDACTED]) \$515.76	
04/04	ILMO PRODUCTS CO.-MAIN JACKSONVILLE IL 01-40-4217 Gas for certifying breathalyzer	74.00

FXE 12
FXE 13
FXE 13
FXE 13

ACCOUNT ACTIVITY (CONTINUED)

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
	JOHN COOPER TRANSACTIONS THIS CYCLE ([REDACTED])	\$74.00
05/01	MWW*MONSTER.COM 800-MONSTER MA 01-10-4221 - Job Advertiser	310.00
	SCOTT COREN TRANSACTIONS THIS CYCLE ([REDACTED])	\$310.00

2012 Totals Year-to-Date	
Total fees charged in 2012	\$0.00
Total interest charged in 2012	\$0.00

Year-to-date totals reflect all charges minus any refunds applied to your account.

INTEREST CHARGES

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Balance Type	Annual Percentage Rate (APR)	Balance Subject To Interest Rate	Interest Charges
PURCHASES			
Purchases	13.24% (v)	-0-	-0-
CASH ADVANCES			
Cash Advances	19.24% (v)	-0-	-0-
BALANCE TRANSFERS			
Balance Transfers	13.24% (v)	-0-	-0-

(v) = Variable Rate

30 Days in Billing Period

Please see Information About Your Account section for the Calculation of Balance Subject to Interest Rate, Annual Renewal Notice, How to Avoid Interest on Purchases, and other important information, as applicable.

CITY OF DARIEN

**EXPENDITURE APPROVAL LIST
FOR CITY COUNCIL MEETING ON
May 21, 2012**

Approval is hereby given to have the City Treasurer of Darien, Illinois pay to the officers, employees, independent contractors, vendors, and other providers of goods and services in the indicated amounts as set forth.

A summary indicating the source of funds used to pay the above is as follows:

General Fund		\$101,287.72
Water Fund		\$2,982.79
Motor Fuel Tax Fund		\$1,879.52
Water Depreciation Fund		
Debt Service Fund		
Capital Improvement Fund		\$27,823.93
Special Service Area Tax Fund		
	Subtotal:	\$ 133,973.96
General Fund Payroll	05/03/12	\$ 208,109.95
Water Fund Payroll	05/03/12	\$ 18,822.57
	Subtotal:	\$ 226,932.52
Total to be Approved by City Council:		\$ 360,906.48

Approvals:

Kathleen Moesle Weaver, Mayor

JoAnne E. Ragona, City Clerk

Michael J. Coren, Treasurer

Bryon D. Vana, City Administrator

**CITY OF DARIEN
Expenditure Journal
General Fund
Administration
From 5/8/2012 Through 5/21/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
BEST QUALITY CLEANING, INC.	MAY 2012 JANITORIAL SERVICE	Janitorial Service	1,182.00	4345
DATAKOM	INTEGRITY SHIELD SOFTWARE - STATISTIC RECORDING P.D.	Consulting/Professional	449.00	4325
DUPAGE COUNTY RECORDER	R2012-060050 09-21-301-012	Consulting/Professional	9.00	4325
DUPAGE COUNTY RECORDER	R2012-060051 09-21-301-012	Consulting/Professional	8.00	4325
DUPAGE COUNTY RECORDER	R2012-060052 09-21-301-012	Consulting/Professional	8.00	4325
ICMA MEMBERSHIP RENEWALS	SCOTT COREN ICMA MEMBERSHIP RENEWAL	Dues and Subscriptions	610.02	4213
		Total Administration	2,266.02	

CITY OF DARIEN
Expenditure Journal
General Fund
City Council
From 5/8/2012 Through 5/21/2012

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
ILLINOIS STATE POLICE	VIDA DRUNGILIENE FINGERPRINTING - GRAND DUKES RESTAURANT	Boards and Commissions	39.25	4205
ILLINOIS STATE POLICE	AGNE MARGEVICIUTE FINGERPRINTING - GRAND DUKES RESTAURANT	Boards and Commissions	39.25	4205
ILLINOIS STATE POLICE	STEPHANIE N. GOCAL - FINGERPRINTING - SMASHBURGER	Boards and Commissions	39.25	4205
		Total City Council	117.75	

CITY OF DARIEN
Expenditure Journal
General Fund
Public Works, Streets
From 5/8/2012 Through 5/21/2012

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
CHASE CARD SERVICES	TRAINING SEMINAR - DAVID FELL	Training and Education	120.00	4263
CINTAS FIRST AID AND SAFETY	FIRST AID	Liability Insurance	171.89	4219
GENE'S TIRE SERVICE, INC.	DISPOSAL OF OLD TIRES	Maintenance - Vehicles	123.00	4229
GRAINGER	FUSE	Maintenance - Building	37.65	4223
HCI TRANSPORTATION	CLUTCH BELTS	Maintenance - Vehicles	171.74	4229
JAKE THE STRIPER	INSTALL GRAPHICS ON #503	Maintenance - Vehicles	535.00	4229
JSN CONTRATORS SUPPLY	MARKING PAINT	Supplies - Other	225.60	4257
JSN CONTRATORS SUPPLY	NEW 18-INCH SAW BLADE	Small Tools & Equipment	230.00	4259
KIEFT BROS., INC.	24-IN INLETS & ADJUSTING RINGS - 77TH ST REAR YARD PROJECT	Drainage Projects	510.00	4374
NORWALK TANK	SEQUOIA & 77TH STREET REAR YARD PROJECT	Drainage Projects	1,777.70	4374
OCCUPATIONAL HEALTH CENTERS	PRE-EMPLOYMENT RAPID DRUG SCREENINGS	Liability Insurance	400.00	4219
OFFICE DEPOT	OFFICE SUPPLIES	Supplies - Office	259.98	4253
WAREHOUSE DIRECT	TWO TONER CARTRIDGES	Supplies - Office	179.80	4253
WESTOWN AUTO SUPPLY COMPANY	REPAIR PARTS	Maintenance - Equipment	36.46	4225
WESTOWN AUTO SUPPLY COMPANY	REPAIR PARTS	Maintenance - Vehicles	11.98	4229
		Total Public Works, Streets	4,790.80	

**CITY OF DARIEN
Expenditure Journal
General Fund
Police Department
From 5/8/2012 Through 5/21/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
AMERICAN COP	COOPER AMERICAN COP 2-YR RENEWAL	Dues and Subscriptions	29.50	4213
COMCAST DU-COMM	CABLE BOX MAY-JULY 2012 QUARTERLY SHARES	Telephone Consulting/Professional	2.10 86,173.00	4267 4325
DUPAGE JUVENILE OFFICERS' ASSN	NICK SKWERES MEMBERSHIP	Dues and Subscriptions	20.00	4213
DUPAGE JUVENILE OFFICERS' ASSN	JASON NORTON MEMBERSHIP	Dues and Subscriptions	20.00	4213
NOTARY PUBLIC ASSOCIATION OF I	ELIZABETH POTERASKE-WHITE NOTARY PUBLIC RENEWAL	Dues and Subscriptions	45.00	4213
NOTARY PUBLIC ASSOCIATION OF I	MICHAEL C. CAMPO NOTARY PUBLIC RENEWAL	Dues and Subscriptions	45.00	4213
PRIORITY ONE EMERGENCY	NON-OPTIC CLEAR LENS	Equipment	116.89	4815
SIRCHIE FINGER PRINT LABS ULINE	EVIDENCE SUPPLIES EVIDENCE BOXES	Investigation and Equipment Investigation and Equipment	283.52 39.83	4217 4217
WAREHOUSE DIRECT	SUPPLIES	Supplies - Office	17.56	4253
WILLOWBROOK FORD, INC.	D25-2006 FORD 500 REPAIR	Maintenance - Vehicles	100.00	4229
WILLOWBROOK FORD, INC.	REPAIRA 2006 FORD 500 - D25	Maintenance - Vehicles	317.90	4229
			87,210.30	
			Total Police Department	

**CITY OF DARIEN
Expenditure Journal
General Fund
Business District
From 5/8/2012 Through 5/21/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
DUPAGE COUNTY COLLECTOR	09-27-300-002 - 1ST INSTALLMENT - HERITAGE CENTER PARCEL TWO	Maintenance - Grounds	3,019.77	4227
DUPAGE COUNTY COLLECTOR	09-27-300-003 1ST INSTALLMENT - HERITAGE CENTER PARCEL ONE	Maintenance - Grounds	3,883.08	4227
		Total Business District	6,902.85	
		Total General Fund	101,287.72	

CITY OF DARIEN
Expenditure Journal
Water Fund
Public Works, Water
From 5/8/2012 Through 5/21/2012

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
AWP CUSTOM UNIFORMS	UNIFORMS	Uniforms	136.00	4269
BEST QUALITY CLEANING, INC.	MAY 2012 JANITORIAL SERVICE	Maintenance - Building	608.00	4223
CHASE CARD SERVICES	TRAINING SEMINAR - DENNIS CABLE	Training and Education	45.00	4263
CHASE CARD SERVICES	TRAINING SEMINAR - KRIS THROM	Training and Education	120.00	4263
CINTAS FIRST AID AND SAFETY	FIRST AID	Liability Insurance	171.90	4219
DAS ENTERPRISES, INC.	TRUCK RENTAL FEE	Maintenance - Water System	1,560.00	4231
JSN CONTRATORS SUPPLY	MARKING PAINT	Maintenance - Water System	60.00	4231
THE BANK OF NEW YORK	ESCROW AGENT FEES - ACCT #2217063900	Debt Retire-Water Refunding	225.00	4950
US GAS	OXYGEN & ACETYLENE	Maintenance - Water System	56.89	4231
		Total Public Works, Water	2,982.79	
		Total Water Fund	2,982.79	

CITY OF DARIEN
Expenditure Journal
Motor Fuel Tax
MFT Expenses
From 5/8/2012 Through 5/21/2012

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
KIEFT BROS., INC.	INLET, FRAME & GRATE FOR POPLAR, CLARE CT & STREET REHAB	Supplies - Other	1,401.32	4257
KIEFT BROS., INC.	ADJUSTING RINGS FOR STREET REHAB	Supplies - Other	166.20	4257
METAL CULVERTS, INC.	12-IN & 15-IN PIPE FOR POPLAR PROJECT	Supplies - Other	312.00	4257
		Total MFT Expenses	1,879.52	
		Total Motor Fuel Tax	1,879.52	

**CITY OF DARIEN
Expenditure Journal
Capital Improvement Fund
Capital Fund Expenditures
From 5/8/2012 Through 5/21/2012**

Vendor Name	Invoice Description	Acct Title	Dept Amount	Acct Code
ELMHURST CHICAGO STONE COMPANY	CA6 & CA7 STONE FOR POPLAR PROJECT	Ditch Projects	5,027.75	4376
HD SUPPLY WATERWORKS	SDR26 PIPE FOR POPLAR PROJECT	Ditch Projects	720.72	4376
HD SUPPLY WATERWORKS	12-IN SDR26 PIPE FOR POPLAR PROJECT	Ditch Projects	5,765.76	4376
KIEFT BROS., INC.	INLET, FRAME & GRATE FOR POPLAR, CLARE CT & STREET REHAB	Ditch Projects	65.00	4376
KIEFT BROS., INC.	INLET, FRAME & GRATE FOR POPLAR, CLARE CT & STREET REHAB	Ditch Projects	200.00	4376
KIEFT BROS., INC.	12 GALV CMP 45 BEND FOR POPLAR PROJECT	Ditch Projects	192.50	4376
KIEFT BROS., INC.	MORTAR MIX 12-IN RISER & TYPE 8 GRATE FOR POPLAR PROJECT	Ditch Projects	1,511.10	4376
KIEFT BROS., INC.	TYPE 8 GRATES FOR POPLAR PROJECT	Ditch Projects	2,580.00	4376
KIEFT BROS., INC.	24-IN INLETS & ADJUSTING RINGS - 77TH ST REAR YARD PROJECT	Ditch Projects	96.00	4376
KIEFT BROS., INC.	24-IN INLET FOR CLARE COURT	Ditch Projects	65.00	4376
KIEFT BROS., INC.	MORTAR & BRICKS FOR POPLAR PROJECT	Ditch Projects	71.75	4376
KIEFT BROS., INC.	ADJUSTING RINGS FOR POPLAR PROJECT	Ditch Projects	2,417.89	4376
KIEFT BROS., INC.	ADJUSTING RINGS FOR POPLAR PROJECT	Ditch Projects	396.44	4376
METAL CULVERTS, INC.	12-IN & 15-IN PIPE FOR POPLAR PROJECT	Ditch Projects	2,949.20	4376
NORWALK TANK	PIPE & YARD DRAINS FOR POPLAR PROJECT	Ditch Projects	3,148.04	4376

**CITY OF DARIEN
Expenditure Journal
Capital Improvement Fund
Capital Fund Expenditures
From 5/8/2012 Through 5/21/2012**

<u>Vendor Name</u>	<u>Invoice Description</u>	<u>Acct Title</u>	<u>Dept Amount</u>	<u>Acct Code</u>
NORWALK TANK	4-IN YARD DRAIN OUTLET FOR POPLAR PROJECT	Ditch Projects	12.18	4376
NORWALK TANK	12-IN HDPE, YARD DRAIN & 4-IN W/SOCK FOR POPLAR PROJECT	Ditch Projects	2,176.60	4376
THE BANK OF NEW YORK	ESCROW AGENT FEE	Debt Retire - Property	<u>428.00</u>	4945
		Total Capital Fund Expenditures	27,823.93	
		Total Capital Improvement Fund	27,823.93	
Report Total			<u>133,973.96</u>	

05/24/12 \$1,423.92 \$0.00 \$284.00



Account number: [REDACTED]

\$ 285.00

Make your check payable to:
Chase Card Services.
Please write amount enclosed.
New address or e-mail? Print on back.

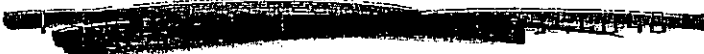
FYE 13



40334 BEX Z 12312 C
BRYON VANA
CITY OF DARIEN
1702 PLAINFIELD RD
DARIEN IL 60551-5044



CARDMEMBER SERVICE
PO BOX 15153
WILMINGTON DE 19886-5153



BUSINESS CARD STATEMENT

Customer Service 1-800-346-5538 Additional contact information on back →

ACCOUNT SUMMARY

Account Number: [REDACTED]

Previous Balance	\$1,473.05
Payment, Credits	-\$1,473.05
Purchases	+\$1,423.92
Cash Advances	\$0.00
Balance Transfers	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
New Balance	\$1,423.92

Opening/Closing Date	04/03/12 - 05/02/12
Total Credit Line	\$100,000
Available Credit	\$98,576
Cash Access Line	\$20,000
Available for Cash	\$20,000

PAYMENT INFORMATION

New Balance	\$1,423.92
Payment Due Date	05/24/12
Minimum Payment Due	\$284.00

Late Payment Warning: If we do not receive your minimum payment by the due date, you may have to pay up to a \$39 late fee.

Minimum Payment Warning: Enroll in Auto-Pay and avoid missing a payment. To enroll, call the number on the back of your card or go to the web site listed above.

WAT

FLEXIBLE REWARDS SUMMARY

Previous points balance	40,261
Points earned on purchases this period	1,424
New total points balance	41,685

Every time you use your Chase Business card with Flexible Rewards Select, you are on your way to earning great rewards. You earn 1 point per \$1 spent on all purchases and there's no cap on how many points you can earn and points never expire. Add employees and earn rewards even faster! You can redeem your points for airline tickets, gift certificates to leading merchants, top quality merchandise or cash. Check out the entire rewards collection and redeem your points online at www.chase.com/businesscard.

ACCOUNT ACTIVITY

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
04/14	Payment Thank You - Image Check BRYON VANA TRANSACTIONS THIS CYCLE ([REDACTED]) -\$1,473.05 INCLUDING PAYMENTS RECEIVED	-1,473.05
04/03	AMERICAN PUBLIC WORKS DAN.PAVLICH@C MO	38.00
04/10	Illinois Section AWWA 866-521-3595 IL 01-30-4263 - Training Seminar - Full	120.00
04/24	Illinois Section AWWA 866-521-3595 IL 02-30-4263 - Training Seminar - Cash	45.00
04/26	Illinois Section AWWA 866-521-3595 IL 02-30-4263 - Training Seminar - Throm DANIEL GOMBAC TRANSACTIONS THIS CYCLE ([REDACTED]) \$323.00	120.00
04/13	BED BATH & BEYOND #1203 WILLOWBROOK IL	79.99
04/25	PETSMART INC 422 DARIEN IL SARAH FALCO TRANSACTIONS THIS CYCLE ([REDACTED]) \$201.16	121.17
04/04	LEXISNEXIS RISK MGT 888-332-8244 FL	84.55
04/12	JEWEL #3123 DARIEN IL	4.35
04/13	COMCAST CHICAGO 800-COMCAST IL	101.90
04/15	AMERICAN MESSAGING 888-247-7890 TX	58.38
04/18	WAL-MART #2215 DARIEN IL	8.94
04/21	MARK TWAIN HOTEL PEO 3096763600 IL CAROL KOPTA TRANSACTIONS THIS CYCLE ([REDACTED]) \$515.76	257.64
04/04	ILMO PRODUCTS CO.-MAIN JACKSONVILLE IL	74.00

FYE 13
FYE 13
FYE 13



ACCOUNT ACTIVITY (CONTINUED)

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
	JOHN COOPER TRANSACTIONS THIS CYCLE ([REDACTED])	\$74.00
05/01	MWW*MONSTER.COM 800-MONSTER MA 01-10-4221 - Job Advertisment	310.00
	SCOTT COREN TRANSACTIONS THIS CYCLE ([REDACTED])	\$310.00

2012 Totals Year-to-Date	
Total fees charged in 2012	\$0.00
Total interest charged in 2012	\$0.00

Year-to-date totals reflect all charges minus any refunds applied to your account.

INTEREST CHARGES

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Balance Type	Annual Percentage Rate (APR)	Balance Subject To Interest Rate	Interest Charges
PURCHASES			
Purchases	13.24% (v)	-0-	-0-
CASH ADVANCES			
Cash Advances	19.24% (v)	-0-	-0-
BALANCE TRANSFERS			
Balance Transfers	13.24% (v)	-0-	-0-

(v) = Variable Rate

30 Days in Billing Period

Please see Information About Your Account section for the Calculation of Balance Subject to Interest Rate, Annual Renewal Notice, How to Avoid Interest on Purchases, and other important information, as applicable.

AGENDA MEMO
City Council
Meeting Date: May 21, 2012

ISSUE STATEMENT

Motion approving:

- A proposal from Chapman and Cutler LLP for Bond Counsel services for the advance refunding of the G.O. Water Bonds, Series 2006 [RESOLUTION](#)
- An expenditure in the amount of \$9,500.00 to obtain a bond rating from Moody's for the advance refunding of the G.O. Water Bonds, Series 2006 [RESOLUTION](#)

BACKGROUND/HISTORY

The city council approved a proposal from SPEER FINANCIAL, INC related to professional services for the City and Darien advance refunding the G.O. Water Bonds, Series 2006. As part of the advance refunding process, the staff is requesting the approval of a proposal from Chapman and Cutler LLP for Bond Counsel services for the advance refunding of the G.O. Water Bonds, Series 2006. The proposal from Chapman and Cutler is in the amount of \$5,500. Other proposals include *Ice Miller LLP* in the amount of \$9,000 and Louis Cainkar, LTD in the amount of \$7,500 to \$9,500. We have used Chapman and Cutler previously and have been satisfied with their services.

Staff is also requesting approval to proceed with a bond rating from Moodys in the amount of \$9,500. SPEER Financial, INC recommends a bond rating when the cost of a rating is offset or exceeded by interest savings. The cost for the bond rating is payable even if the city does not close on bonds.

STAFF/COMMITTEE RECOMMENDATION

Administrative/Finance Committee and Staff recommends approval of the proposal from Chapman and Cutler LLP for Bond Counsel services for the advance refunding of the G.O. Water Bonds, Series 2006 and approval of an expenditure in the amount of 9,500 to obtain a bond rating from Moody's for the advance refunding of the G.O. Water Bonds, Series 2006

ALTERNATE CONSIDERATION

To be discussed.

DECISION MODE

This will be on the May 21, 2012, City Council agenda for formal approval.

**A RESOLUTION ACCEPTING A PROPOSAL FROM CHAPMAN
AND CUTLER LLP FOR BOND COUNSEL SERVICES FOR THE ADVANCE
REFUNDING OF THE G.O. WATER BONDS, SERIES 2006**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The City Council of the City of Darien hereby accepts the proposal from Chapman and Cutler LLP for Bond Counsel Services for the Advance Refunding of the G.O. Water Bonds, Series 2006, a copy of which is attached hereto as "**Exhibit A**" and is by this reference expressly incorporated herein.

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 21st day of May, 2012.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 21st day of May, 2012.

KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Chapman and Cutler LLP

Attorneys at Law · Focused on Finance®

111 West Monroe Street
Chicago, Illinois 60603T 312.845.3000
F 312.701.2361
www.chapman.com

May 7, 2012

VIA EMAIL

Mr. Byron D. Vana
City Administrator
City of Darien
1702 Plainfield Road
Darien, Illinois 60559

Re: City of Darien, DuPage County, Illinois
General Obligation Water Refunding Bonds, Series 2012

Dear Mr. Vana:

We are pleased to provide this proposal letter for services as bond counsel for the bonds in reference (the “*Bonds*”). For convenience and clarity, we may refer to the City in its corporate capacity and to you, the City officers (including the City Council of the City), employees, and general and special counsel to the City, collectively as “*you*” (or the possessive “*your*”). You have advised us that the purpose of the issuance of the Bonds, briefly stated, is to provide for the advance refunding of \$2,690,000 General Obligation Water Bonds, Series 2006, of the City, to their December 15, 2014, first date of redemption, to achieve debt service savings. You would be retaining us for the limited purpose of rendering our customary approving legal opinion as described in detail below.

A. DESCRIPTION OF SERVICES

As Bond Counsel, we will work with you and the following persons and firms: the underwriters who purchase the Bonds from the City (whom we understand are to be Robert W. Baird & Co. Incorporated, and whom we shall refer to as the “*Bond Purchasers*”) and counsel for the Bond Purchasers, financial advisors, if any, paying agent and bond registrar and their designated counsel (you and all of the foregoing persons or firms, collectively, the “*Participants*”). We intend to undertake each of the following as necessary:

1. Review relevant Illinois law, including pending legislation and other recent developments, relating to the legal status and powers of the City or otherwise relating to the issuance of the Bonds.
2. Obtain information about the Bond transaction and the nature and use of the facilities or purposes financed with the proceeds of the bonds to be refunded (the “*Prior Project*”).

Chapman and Cutler LLP

Mr. Byron D. Vana

May 7, 2012

Page 2

3. Review the proposed timetable and consult with the Participants as to issuance of the Bonds in accordance with the timetable.

4. Consider the issues arising under the Internal Revenue Code of 1986, as amended, and applicable tax regulations and other sources of law, relating to the issuance of the Bonds on a tax-exempt basis; these issues include, without limitation, ownership and use of the Prior Project, use and investment of Bond proceeds prior to expenditure, and security provisions or credit enhancement relating to the Bonds.

5. Prepare or review major Bond documents, including tax compliance certificates, review the bond purchase agreement, if applicable, and, at your request, draft descriptions of the documents which we have drafted. We understand that the Bond Purchasers will undertake to independently perform their due diligence investigation with respect to the Bonds. As Bond Counsel, we assist you in reviewing those sections of the official statement or any other disclosure document to be disseminated in connection with the sale of the Bonds involving the description of the Bonds, the security for the Bonds, and the description of the federal tax exemption of interest on the Bonds and, if applicable, the "bank-qualified" status of the Bonds.

6. Prepare or review all pertinent proceedings to be considered by the City Council of the City; confirm that the necessary quorum, meeting and notice requirements are contained in the proceedings, and draft pertinent excerpts of minutes of the meetings relating to the financing.

7. Attend or host such drafting sessions and other conferences as may be necessary, including a preclosing, if needed, and closing; and prepare and coordinate the distribution and execution of closing documents and certificates, opinions and document transcripts.

8. Render our legal opinion regarding the validity of the Bonds, the source of payment for the Bonds, and the federal income tax treatment of interest on the Bonds, which opinion (the "*Bond Opinion*") will be delivered in written form on the date the Bonds are exchanged for their purchase price (the "*Closing*"). The Bond Opinion will be based on facts and law existing as of its date. Please see the discussion below at part D. Please note that our opinion represents our legal judgment based upon our review of the law and the facts so supplied to us that we deem relevant and is not a guarantee of a result.

B. LIMITATIONS; SERVICES WE DO NOT PROVIDE

Our duties as Bond Counsel are limited as stated above. Consequently, unless otherwise agreed pursuant to a separate engagement letter, our duties *do not* include:

1. Giving any advice, opinion or representation as to the financial feasibility or the fiscal prudence of issuing the Bonds, advice estimating or comparing the relative cost to maturity

Chapman and Cutler LLP

Mr. Byron D. Vana

May 7, 2012

Page 3

of the Bonds depending on various interest rate assumptions, or advice recommending a particular structure as being financially advantageous under prevailing market conditions, or financial advice as to any other aspect of the Bond transaction, including, without limitation, the investment of Bond proceeds, the making of any investigation of or the expression of any view as to the creditworthiness of the City, of the Prior Project, or of the Bonds or the form, content, adequacy or correctness of the financial statements of the City. We will not offer you financial advice in any capacity beyond that constituting services of a traditionally legal nature.

2. Except as described in Paragraph (A)(5) above, assisting in the preparation or review of an official statement or any other disclosure document with respect to the Bonds or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering any advice, view or comfort that the official statement or other disclosure document (which may hereafter be referred to as the “*Official Statement*”) does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading. Please see our comments below at paragraphs (D)(5) and (D)(6).

3. Independently establishing the veracity of certifications and representations of you or the other Participants. For example, we will not review the data available on the Electronic Municipal Market Access system website created by the Municipal Securities Rulemaking Board (and commonly known as “EMMA”) to verify the information relating to the Bonds to be provided by the Bond Purchasers, and we will not undertake a review of your website to establish that information contained corresponds to that you provide independently in your certificates or other transaction documents.

4. Supervising any state, county or local filing of any proceedings held by the City Council of the City incidental to the Bonds.

5. Preparing any of the following — requests for tax rulings from the Internal Revenue Service, blue sky or investment surveys with respect to the Bonds, state legislative amendments, or pursuing test cases or other litigation.

6. Opining on securities laws compliance or as to the continuing disclosure undertaking pertaining to the Bonds; and, after the execution and delivery of the Bonds, providing advice as to any Securities and Exchange Commission investigations or concerning any actions necessary to assure compliance with any continuing disclosure undertaking.

7. After Closing, providing continuing advice to the City or any other party concerning any actions necessary to assure that interest paid on the Bonds will continue to be tax-exempt; *e.g.*, we will not undertake rebate calculations for the Bonds without a separate engagement for

Chapman and Cutler LLP

Mr. Byron D. Vana

May 7, 2012

Page 4

that purpose, we will not monitor the investment, use or expenditure of Bond proceeds or the use of the Prior Project, and we are not retained to respond to Internal Revenue Service audits.

8. Any other matter not specifically set forth above in Part A.

C. ATTORNEY-CLIENT RELATIONSHIP; REPRESENTATION OF OTHERS

If our proposal is accepted, upon execution of this engagement letter, the City will be our client, and an attorney-client relationship will exist between us. However, our services as Bond Counsel are limited as set forth in this engagement letter, and your execution of this engagement letter will constitute an acknowledgment of those limitations. Also please note that the attorney-client privilege, normally applicable under State law, may be diminished or non-existent for written advice delivered with respect to Federal tax law matters.

From time to time we represent in a variety of capacities and consult with most underwriters, investment bankers, credit enhancers such as bond insurers or issuers of letters of credit, ratings agencies, investment providers, brokers of financial products, financial advisors, banks and other financial institutions, and other persons who participate in the public finance market on a wide range of issues. We represent the Bond Purchasers in other matters not related to the Bond transaction. We are advising you, and you understand that the City consents to our representation of it in this matter, even though parties whose interests are or may be adverse to the City in this transaction are clients in other unrelated matters. Neither our representation of the City nor such additional relationships will affect, however, our responsibility to render an objective Bond Opinion.

Your consent does not extend to any conflict that is not subject to waiver under applicable Rules of Professional Conduct (including Circular 230 discussed below), or to any matter that involves the assertion of a claim against the City or the defense of a claim asserted by the City. In addition, we agree that we will not use any confidential non-public information received from you in connection with this engagement to your material disadvantage in any matter in which we would be adverse to you.

Further, this engagement letter will also serve to give you express notice that we represent many other municipalities, school districts, park districts, counties, townships, special districts and units of local government both within and outside of the State of Illinois and also the State itself and various of its agencies and authorities (collectively, the “*governmental units*”). Most but not all of these representations involve bond or other borrowing transactions. We have assumed that there are no controversies pending to which the City is a party and is taking any position which is adverse to any other governmental unit, and you agree to advise us promptly if this assumption is incorrect. In such event, we will advise you if the other governmental unit is our client and, if so, determine what actions are appropriate. Such actions

could include seeking waivers from both the City and such other governmental unit or withdrawal from representation.

The City will have its general or special counsel available as needed to provide advocacy in the Bond transaction and has had the opportunity to consult with such counsel concerning the conflict consents and other provisions of this letter; and other Participants will retain such counsel as they deem necessary and appropriate to represent their interests.

D. OTHER TERMS OF THE ENGAGEMENT; CERTAIN OF YOUR UNDERTAKINGS

Please note our understanding with respect to this engagement and your role in connection with the issuance of the Bonds.

1. In rendering the Bond Opinion and in performing any other services hereunder, we will rely upon the certified proceedings and other certifications you and other persons furnish to us. Other than as we may determine as appropriate to rendering the Bond Opinion, we are not engaged and do not provide services intended to verify the truth or accuracy of these proceedings or certifications. We do not ordinarily attend meetings of the City Council at which proceedings related to the Bonds are discussed or passed unless special circumstances require our attendance.

2. The factual representations contained in those documents which are prepared by us, and the factual representations which may also be contained in any other documents that are furnished to us by you are essential for and provide the basis for our conclusions that there is compliance with State law requirements for the issue and sale of valid Bonds and with the Federal tax law for the tax exemption of interest paid on the Bonds. Accordingly, it is important for you to read and understand the documents we provide to you because you will be confirming the truth, accuracy and completeness of matters contained in those documents at the issuance of the Bonds.

3. If the documents contain incorrect or incomplete factual statements, you must call those to our attention. We are always happy to discuss the content or meaning of the transaction documents with you. Any untruth, inaccuracy or incompleteness may have adverse consequences affecting either the tax exemption of interest paid on the Bonds or the adequacy of disclosures made in the Official Statement under the State and Federal securities laws, with resulting potential liability for you. During the course of this engagement, we will further assume and rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Bonds and their security. We understand that you will cooperate with us in this regard.

4. You should carefully review all of the representations you are making in the transaction documents. We are available and encourage you to consult with us for explanations

Chapman and Cutler LLP

Mr. Byron D. Vana

May 7, 2012

Page 6

as to what is intended in these documents. To the extent that the facts and representations stated in the documents we provide to you appear reasonable to us, and are not corrected by you, we are then relying upon your signed certifications for their truth, accuracy and completeness.

5. Issuing the Bonds as “securities” under State and Federal securities laws and on a tax-exempt basis is a serious undertaking. As the issuer of the Bonds, the City is obligated under the State and Federal securities laws and the Federal tax laws to disclose all material facts. The City’s lawyers, financial advisors and bankers can assist the City in fulfilling these duties, but the City in its corporate capacity, including your knowledge, has the collective knowledge of the facts pertinent to the transaction and the ultimate responsibility for the presentation and disclosure of the relevant information. Further, there are complicated Federal tax rules applicable to tax-exempt bonds. The Internal Revenue Service has an active program to audit such transactions. The documents we prepare are designed so that the Bonds will comply with the applicable rules, but this means you must fully understand the documents, including the representations and the covenants relating to continuing compliance with the federal tax requirements. Accordingly, we want you to ask questions about anything in the documents that is unclear.

6. As noted, the members of the City Council also have duties under the State and Federal securities and tax laws with respect to these matters and should be knowledgeable as to the underlying factual basis for the bond issue size, use of proceeds and related matters.

7. We are also concerned about the adoption by the City of the gift ban provisions of the State Officials and Employees Ethics Act, any special ethics or gift ban ordinance, resolution, bylaw or code provision, any lobbyist registration ordinance, resolution, bylaw or code provision, or any special provision of law or ordinance, resolution, bylaw or code provision relating to disqualification of counsel for any reason. We are aware of the provisions of the State Officials and Employees Ethics Act and will assume that you are aware of these provisions as well and that the City has adopted proceedings that are only as restrictive as such Act. However, if the City has stricter provisions than appear in such Act or is subject to or has adopted such other special ethics, lobbyist or disqualification provisions, we assume and are relying upon you to advise of same.

E. FEES

As is customary, we will bill our fees as Bond Counsel on a transactional basis instead of hourly. Disbursements and other non-fee charges are included within our fees for professional services. Factors which affect our billing include: (a) the amount of the Bonds; (b) an estimate of the time necessary to do the work; (c) the complexity of the issue (number of parties, timetable, type of financing, legal issues and so forth); (d) recognition of the partially contingent nature of our fee, since it is customary that in the case no financing is ever completed, we render

Chapman and Cutler LLP

Mr. Byron D. Vana

May 7, 2012

Page 7

a greatly reduced statement of charges; and (e) a recognition that we carry the time for services rendered on our books until a financing is completed, rather than billing monthly or quarterly.

Based upon our current understanding of the terms, structure, size and schedule of the proposed financing, the duties we will undertake pursuant to this engagement letter, the time we estimate will be necessary to effectuate the transaction and the responsibilities we will assume, we expect that our fee will be \$5,500.

The undersigned will be the attorney primarily responsible for the firm's services on this Bond issue, with assistance as needed from other members of our bond, securities and tax departments.

F. RISK OF AUDIT BY INTERNAL REVENUE SERVICE

The Internal Revenue Service (the "*Service*") has an ongoing program of auditing tax-exempt obligations to determine whether, in the view of the Service, interest on such tax-exempt obligations is excludable from gross income of the owners for federal income tax purposes. We can give no assurances as to whether the Service might commence an audit of the Bonds or whether, in the event of an audit, the Service would agree with our opinions. If an audit were to be commenced, the Service may treat the City as the taxpayer of purposes of the examination. As noted in paragraph 6 of Part B above, the scope of our representation does not include responding to such an audit. However, if we were separately engaged at the time, and subject to the applicable rules of professional conduct, we may be able to represent the City in the matter.

G. TREASURY CIRCULAR 230

We wish to call to your attention the publication by the U.S. Department of the Treasury ("*Treasury*") of certain amendments to Circular 230, rules of professional conduct governing the practice of attorneys and other tax advisors before the Internal Revenue Service. Certain of these rules became effective September 26, 2007, June 21, 2005, and earlier (collectively, the "*Final Regulations*"). A portion of these rules relating to tax-exempt or tax-credit bonds remain in proposed form (the "*Proposed Regulations*"). The Final Regulations specifically exclude "state or local bond opinions" (as defined in Notice 2005-47, issued June 7, 2005) from the specific content requirements of the Final Regulations, but only until the Proposed Regulations are made final and become effective.

When the Proposed Regulations for "state or local bond opinions" are made final and become effective, and if these regulations are made final in the form now proposed, extensive and lengthy changes to the form of bond opinions and other written tax advice, as well as different or additional disclosures in the Official Statement, may be required. These new requirements may entail increased time for all transaction participants and are likely to increase

Chapman and Cutler LLP

Mr. Byron D. Vana

May 7, 2012

Page 8

costs. If those requirements become applicable to opinions or other written tax advice we are expected to render hereunder, we reserve the right to increase our fees appropriately, subject to consultation with and agreement by you.

As noted, the Proposed Regulations with respect to “state or local bond opinions” have not been finalized by Treasury. They will not be applicable until 120 days after they are made final and published. We are unable to predict when the Proposed Regulations may be made final or what they may require. We are following actions with respect to the Proposed Regulations, and are happy to discuss their status and possible impact on your proposed transaction with you.

In addition to governing the form and content of written tax advice, the Final Regulations provide rules for tax practitioners regarding conflicts of interest and related consents that in some respects are stricter than applicable state rules of professional conduct which otherwise apply.

H. END OF ENGAGEMENT AND POST ENGAGEMENT; RECORDS

Our representation of the City and the attorney-client relationship created by this engagement letter will be concluded upon the issuance of the Bonds. Nevertheless, subsequent to the Closing, we will prepare and provide a bond transcript in a CD-ROM format pertaining to the Bonds and make certain that a Federal Information Reporting Form 8038-G is filed.

Please note that you are engaging us as special counsel to provide legal services in connection with a specific matter. After the engagement, changes may occur in the applicable laws or regulations, or interpretations of those laws or regulations by the courts or governmental agencies, that could have an impact on your future rights and liabilities. Unless you engage us specifically to provide additional services or advice on issues arising from this matter, we have no continuing obligation to advise you with respect to future legal developments.

This will be true even though as a matter of courtesy we may from time to time provide you with information or newsletters about current developments that we think may be of interest to you. While we would be pleased to represent you in the future pursuant to a new engagement agreement, courtesy communications about developments in the law and other matters of mutual interest are not indications that we have considered the individual circumstances that may affect your rights or have undertaken to represent you or provide legal services.

At your request, to be made at or prior to Closing, any other papers and property provided by the City will be promptly returned to you upon receipt of payment for our outstanding fees. All other materials shall thereupon constitute our own files and property, and these materials, including lawyer work product pertaining to the transaction, will be retained or discarded by us at our sole discretion. You also agree with respect to any documents or information relating to our representation of you in any matter which have been lawfully disclosed to the public in any

Chapman and Cutler LLP

Mr. Byron D. Vana

May 7, 2012

Page 9

manner, such as by posting on EMMA, your website, newspaper publications, filings with a County Clerk or Recorder or with the Secretary of State, or otherwise, that we are permitted to make such documents or information available to other persons in our reasonable discretion. Such documents might include (without limitation) legal opinions, official statements, bond resolutions or ordinances, or like documents as assembled and made public in a governmental securities offering.

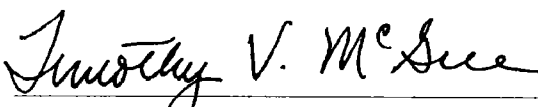
We call your attention to the City's own record keeping requirements as required by the Internal Revenue Service. Answers to frequently asked questions pertaining to those requirements can be found on the IRS website under frequently asked questions related to tax-exempt bonds at www.irs.gov (click on "Tax Exempt Bond Community", then "Frequently Asked Questions"), and it will be your obligation to comply for at least as long as any of the Bonds (or any future bonds issued to refund the Bonds) are outstanding, plus three years.

I. YOUR SIGNATURE

If our proposal is acceptable to you, please so indicate by returning the enclosed copy of this engagement letter dated and signed by an authorized officer, retaining the original for your files. We will provide copies of this letter to certain of the Participants to provide them with an understanding of our role. We look forward to working with you.

Very truly yours,

CHAPMAN AND CUTLER LLP

By 
Timothy V. McGree

Accepted and Approved:
CITY OF DARIEN
DUPAGE COUNTY, ILLINOIS

By: _____

Title: _____

Date: _____, 2012

A RESOLUTION APPROVING AN EXPENDITURE IN THE AMOUNT OF \$9,500.00 TO OBTAIN A BOND RATING FROM MOODY'S FOR THE ADVANCE REFUNDING OF THE G.O. WATER BOND SERIES 2006

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The City Council of the City of Darien hereby approves the expenditure in the Amount of \$9,500.00 to obtain a bond rating from Moody's for the advance refunding of the G.O. Water Bond, Series 2006, a copy of Moody's Fee schedule is attached hereto as "[Exhibit A](#)" and is by this reference expressly incorporated herein.

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 21st day of May, 2012.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 21st day of May, 2012.

KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

**Moody's Public Finance Group
2012 Rating Fee Schedule
Local Governments**

Moody's Code of Professional Conduct states that Moody's employees who approve or participate in determining or monitoring credit ratings, or who are involved in the development or approval of models or methodologies used in providing rating services, will not participate in discussions regarding fees or payments with any rated entity. Therefore, please do not return this rating application or Fee Schedule to any member of the analytic team involved in the rating process (including managers), or include the analytic team (including managers) in any fee-related correspondence. Moody's maintains a separate, dedicated group not involved in the rating process for handling applications, fee schedules and fee and payment discussions. If you have any questions regarding this Application or Fee Schedule, please contact the Moody's Account Management Team.

Moody's rating fees are shown in the schedule below.

Issue Size	General Obligation Bonds	Revenue, Lease, Special Tax & State Revolving Fund Bonds	Short Term Notes
Less than \$1 mil.**	\$8,000	\$10,000	\$3,000
\$1 mil to \$4.9 mil.	\$9,500	\$10,000	\$6,000
\$5 mil. to \$9.9 mil.	\$11,500	\$14,000	\$7,000
\$10 mil. to \$19.9 mil.	\$15,500	\$17,000	\$9,000
\$20 mil. to \$24.9 mil.	\$15,500	\$21,000	\$10,000
\$25 mil. to \$34.9 mil.	\$22,000	\$21,000	\$13,000
\$35 mil. to \$39.9 mil.	\$22,000	\$26,000	\$12,500
\$40 mil. to \$49.9 mil.	\$22,000	\$26,000	\$15,000
\$50 mil. to \$74.9 mil.	\$26,500	\$34,000	\$18,000
\$75 mil. to \$89.9 mil.	\$37,000	\$40,000	\$21,000
\$90 mil. to \$99.9 mil.	\$37,000	\$49,000	\$21,000
\$100 mil. to \$149.9 mil.	\$57,000	\$67,000	\$32,000
\$150 mil. to \$199.9 mil.	\$77,000	\$82,000	\$42,000
\$200 mil. to \$299.9 mil.	\$100,000	\$105,000	\$60,000
\$300 mil. to \$499.9 mil.	\$100,000	\$125,000	\$75,000
\$500 mil. to \$999.9 mil.	\$105,000	\$140,000	\$80,000
\$1 bil. and over	Case by case	Case by case	Case by case

From: Barbara Chevalier
Sent: Monday, January 09, 2012 10:17 AM
To: Kevin McCanna; Dave Phillips; Dan Forbes; Raphaliata McKenzie; Larry Burger; Brenda Houston; William Glass; Maggie Burger; Mark Jeretina
Subject: FW: 2012 Fee Schedule
Attachments: 2012.01 Local Governments PFG USD US PFG.pdf

This is the new fee schedule for Moody's for 2012. In addition the preferred rate discount from the standard rate is:

- 1 to 3 months from last issuance – 30% discount
- 3 to 6 months from last issuance – 20% discount
- 6 to 90 months from last issuance – 10% discount.

Barbara

AGENDA MEMO
City Council
May 21, 2012

ISSUE STATEMENT

The City Council is requested to review and recommend approval to the City Council of an ordinance authorizing the disposal of surplus property, either by public auction or disposal.

ORDINANCE

BACKGROUND/HISTORY

The Municipal Services Department has an old semi trailer that has been used as a storage shed for various items. It was given to the department by the trucking company that previously occupied the property at 1033 N. Frontage Road. It is approximately forty feet long with truck parts removed. The trailer is no longer needed for storage, is deteriorating, and will be in the way during the repaving of the Municipal Services lot. Staff is requesting it be declared as surplus and put to public auction, or disposed of if there is no interest.

STAFF/COMMITTEE RECOMMENDATION

The Administrative/Finance Committee recommends that the property listed above be declared surplus property and be put to public auction or disposed of.

ALTERNATE CONSIDERATION

Not approving the ordinance at this time would be an alternate consideration.

DECISION MODE

If approved by the Committee, this item will be placed on the May 21, 2012, City Council Agenda.

*Passage of this ordinance requires a three-fourths majority vote by the City Council.

CITY OF DARIEN
DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY
OWNED BY THE CITY OF DARIEN**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN**

THIS 21st DAY OF MAY, 2012

**Published
in
pamphlet
form
by
authority
of
the
Mayor
and
City**

**Council
of
the
City
of
Darien,
DuPage
County,
Illinois,
this**

**day
of**

_____,
2012.

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY
OWNED BY THE CITY OF DARIEN**

WHEREAS, in the opinion of at least three fourths of the corporate authorities of the City of Darien, it is no longer necessary or useful, or for the best interests of the City of Darien, to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the Mayor and City Council of the City of Darien to sell said personal property at a Public Auction or dispose of said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: The Mayor and City Council of the City of Darien find that the following described personal property, now owned by the City of Darien, is no longer necessary or useful to the City of Darien and the best interests of the City of Darien will be served by auctioning it using Public Surplus or disposing of said property.

1. 40 Foot Storage Trailer – PW

SECTION 2: The City Administrator is hereby authorized and directed to sell the aforementioned personal property, now owned by the City of Darien. Item will be auctioned using Public Surplus or disposing of said property.

SECTION 3: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 21st day of May, 2012.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 21st day of May, 2012.

KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

AGENDA MEMO

**City Council
May 21, 2012**

ISSUE STATEMENT

Consideration of a motion to authorize the City Administrator to purchase accounting and management software modules to efficiently and accurately track employee hours and benefits.

BACKUP

BACKGROUND/HISTORY

Personnel costs are the majority of expenses for the City of Darien, and tracking hours worked and employee benefits are critical to managing these costs. Currently City employees utilize hard copy paper timesheets, which are filled out and given to secretaries to enter in data, and sent to the accountant for payroll and processing. Periodically another secretary updates additional sheets for each individual employee to track vacation time, sick time, compensatory time, and other items. The problem with this setup is it requires several employees devoting time to the process and there is a delay in record keeping, which can lead to a delay in processing this information for utilization by management and the City Council.

Sage, the accounting software company the City uses for payroll, payables and receivables, has come out with software that streamlines this process. With this software an employee would enter their time on the computer, which would go to a supervisor for approval. All the information including overtime, vacation, sick time, compensatory time, and different categories of work accomplished would be immediately dumped into a database for easy access and use. Additionally employees would have access to an updated sheet showing them the amount of benefit time they have accrued. There are also additional benefits to the software, including automatic entering of changes in benefits and deductions for the entire staff as they change.

The total cost of the two modules is \$6,447 for the software and the initial implementation, and would cost an additional \$617 in yearly maintenance. Software is budgeted from line item 10-4325 and will be within budget.

STAFF/COMMITTEE RECOMMENDATION

The Administrative/Finance Committee recommends purchasing this software.

ALTERNATE CONSIDERATION

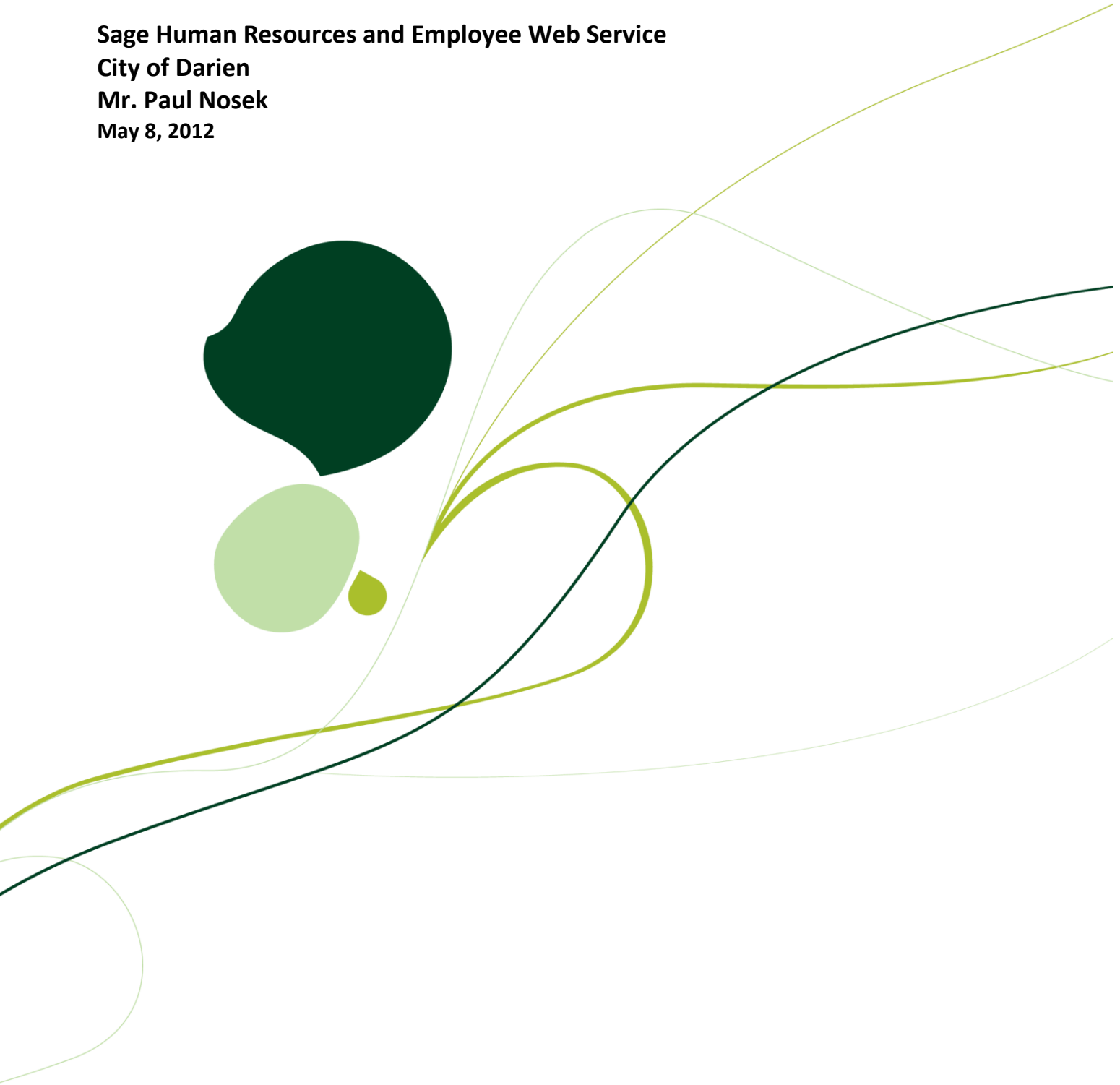
Not purchasing the software would be an additional consideration.

DECISION MODE

This item will be on the May 21, 2012 City Council meeting agenda.



Sage Human Resources and Employee Web Service
City of Darien
Mr. Paul Nosek
May 8, 2012



City of Darien
May 8, 2012

Software Investment – Under 75 Active Employees:

HR Management: (1 user license)	\$1495.00
One Additional Concurrent HR User	\$295.00
Employee Web Services	\$1295.00

Licenses for HR for MIP are concurrent. HR Management comes standard with one concurrent HR User license. You may have multiple user names/passwords and security access for each license. Each user can have a unique security set up (by HR tab.)

Annual Maintenance & Support – Under 75 Active Employees:

HR Management	\$ 299.00 per year
HR One Additional Concurrent User:	\$59.00 per year
Employee Web Services	\$259.00 per year

Annual M&S will be prorated to run concurrent with your existing MIP agreement at purchase. Your current agreement expires on 1/14/2013.

Professional Services – Basic Setup and Implementation – Under 75 Active Employees:

HR Management Setup:

HR and Payroll Optimization or Setup	\$1,000.00
Setup of (1) HR User	\$150.00
Setup of (3) Plans	\$345.00
(1) Benefit Plan -	
(1) Deduction Plan -	
(1) Leave Plan -	
System Overview during setup	included

Employee Web Services Setup:**

Setup of System Configuration	\$495.00
Setup of Timesheet format(s)	included
Setup of (4) Security levels	\$165.00
(1) Staff -	
(1) Supervisor -	
(1) Manager -	
(1) User	
System Overview during setup	included

Two Additional HR Scripts to be determined \$590.00

TOTAL Investment*: **\$6447.00**

*Amount does not include prorated maintenance – will be prorated at time of purchase. This amount includes full maintenance.

**Additional fees may apply if your system requires special scripting, database conversions (import current excel data), etc. The total implementation costs cannot be determined until our professional services consultants are able to discuss your business needs.



City of Darien
May 8, 2012

If you would like to move forward with this investment, please sign below and fax this to me @ **866-304-7015** or scan to berry.hirsch@sage.com. If you have any questions, please contact Berry Hirsch at 800-647-3863 ext. 250012.

Customer Acceptance

Date

Thank you!

This quote is good until 5/15/12. All sales are final.

Optional Training After Basic Implementation and Setup:

TRAINING OPTIONS:

On Site Training: Curriculum to be tailored to your specific needs. \$1475/day + all travel expenses

Custom Realtime (Web Based) Training or Implementation Assistance: \$ 225/ hour

We schedule this at a date/ time that is convenient for you and your staff. Content is tailored to your specific needs.

OR

Basic Realtime (Web Based) Training \$ 290/person (HR Mgt bundle \$500/person for 2 classes):

NPS-FA221 - Sage MIP Fund Accounting Human Resource Management Part 1

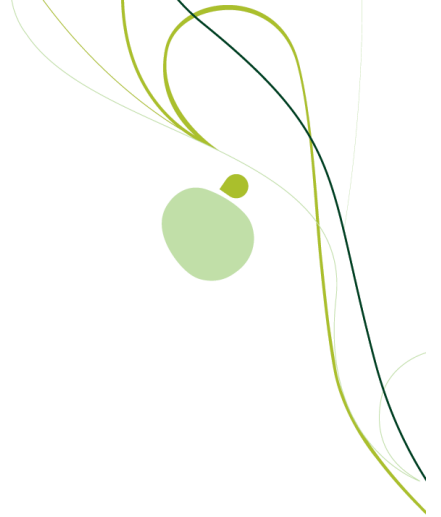
The Sage MIP Fund Accounting Human Resource Management module integrates with the Payroll module providing additional human resource management and payroll processing tools. Part 1 of the two part Human Resource Management Realtime series covers important integration concepts and key features. Participants will learn how Payroll module codes integrate with Human Resource Management as well as how to manage security, define organization specific fields, create customized benefit and leave plans, set up salary grades, and set up job codes.

NPS-FA222 - Sage MIP Fund Accounting Human Resource Management Part 2

The Sage MIP Fund Accounting Human Resource Management Module integrates with the Payroll module providing additional human resource management and payroll processing tools. Part 2 of the two part Human Resource Management Realtime series covers managing employees and processing payrolls. Participants will learn how to add and maintain employees, apply benefit and leave plans, track organization educational and certification requirements, capture FMLA and EEO data, schedule employee events, maintain complete employment history, and create timesheets.

****You must register for Part 1 and Part 2 of the series at the same time. ****





**AGENDA MEMO
CITY COUNCIL
May 21, 2012**

ISSUE STATEMENT

Approval of an ordinance authorizing the disposal of surplus property.

ORDINANCES

BACKGROUND/HISTORY

Staff is requesting that the following property be declared as surplus property and auctioned using an on-line auction service, Public Surplus, or disposed of:

1. 1999 Chevrolet Blazer, VIN #1GNCT18W3XK236487, mileage 163,821

The above item is a seizure vehicle that was forfeited to the City of Darien by the Circuit Court of DuPage County. This vehicle has no use in City service.

2. 2003 Ford Taurus SEL, VIN #1FAFP56S43A256156, mileage 107,200
3. 2000 Dodge Dakota, VIN #1B7GL2AX3YS783604, mileage 122,218

The above items are Public Works vehicles that are no longer of value to the City.

The following items are surplus property from the police department evidence room:

Prop. #	Case #	Items for Auction
4562	00-5494	Electric connectors
4563	00-5494	Misc. tool accessories
8276	08-2491	Phone, misc. clothes, purses
8388	08-4419	Satellite radio
8543	08-7939	Watch
8914	09-3109	Yellow ring w/clear stones
8982	09-3792	White MSI laptop
9090	09-5206	Twin sheets
9527	10-1613	Actron pocketscan plus, Escort Radar detector
9542	10-1619	Ohio State jacket
9843	10-6752	2 Black bags

9911	10-7692	Misc. games/DVDs
10044	11-1022	Misc. DVDs
10195	11-3910	Vehicle DVD unit
10217	11-4216	Scooter
10270	11-5464	4 Necklaces
10299	11-7816	Dyson vacuum
10300	1107559	Game accessories
10356	11-8954	Stroller
10360	11-9090	Wallet, Motorola blue tooth
10361	11-9439	Backpack, leafblower, chemical sprayer & tank
10448	11-12346	Silver color man's ring

Staff is requesting that all the above property be declared as surplus and auctioned by Public Surplus or disposed of.

STAFF/COMMITTEE RECOMMENDATION

At their May 3, 2012, meeting, the Police Committee unanimously approved of the items listed above to be declared surplus property and be auctioned using Public Surplus or be disposed of.

ALTERNATE CONSIDERATION

Not approving this ordinance at this time would be an alternate consideration.

DECISION MODE

This item will be placed on the May 21, 2012, City Council Agenda for formal approval.

CITY OF DARIEN
DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY
OWNED BY THE CITY OF DARIEN**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN**

THIS 21st DAY OF MAY, 2012

**Published
in
pamphlet
form
by
authority**

**of
the
Mayor
and
City
Council
of
the
City
of
Darien,
DuPage
County,
Illinois,
this**

**day
of**

_____,
2012.

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY
OWNED BY THE CITY OF DARIEN**

WHEREAS, in the opinion of at least three fourths of the corporate authorities of the City of Darien, it is no longer necessary or useful, or for the best interests of the City of Darien, to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the Mayor and City Council of the City of Darien to sell said personal property using Public Auction or dispose of said property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: The Mayor and City Council of the City of Darien find that the following described personal property, now owned by the City of Darien, is no longer necessary or useful to

the City of Darien and the best interests of the City of Darien will be served by auctioning it using Public Surplus or disposing of said property.

1. 1999 Chevrolet Blazer, VIN #1GNCT18W3XK236487, mileage 163,821
2. 2003 Ford Taurus SEL, VIN #1FAFP56S43A256156, mileage 107,200
3. 2000 Dodge Dakota, VIN #1B7GL2AX3YS783604, mileage 122,218

Prop. #	Case #	Items for Auction
4562	00-5494	Electric connectors
4563	00-5494	Misc. tool accessories
8276	08-2491	Phone, misc. clothes, purses
8388	08-4419	Satellite radio
8543	08-7939	Watch
8914	09-3109	Yellow ring w/clear stones
8982	09-3792	White MSI laptop
9090	09-5206	Twin sheets
9527	10-1613	Actron pocketscan plus, Escort Radar detector
9542	10-1619	Ohio State jacket
9843	10-6752	2 Black bags
9911	10-7692	Misc. games/DVDs
10044	11-1022	Misc. DVDs
10195	11-3910	Vehicle DVD unit
10217	11-4216	Scooter
10270	11-5464	4 Necklaces
10299	11-7816	Dyson vacuum
10300	1107559	Game accessories
10356	11-8954	Stroller
10360	11-9090	Wallet, Motorola blue tooth
10361	11-9439	Backpack, leafblower, chemical sprayer & tank
10448	11-12346	Silver color man's ring

SECTION 2: The City Administrator is hereby authorized and directed to sell the aforementioned personal property, now owned by the City of Darien. Item will be auctioned using Public Surplus or disposing of said property.

SECTION 3: This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate

authorities of the City of Darien that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, 21st this day of May, 2012.**

AYES: _____

NAYS: _____

ABSENT: _____

**APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY,
ILLINOIS, 21st this day of May, 2012.**

KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

AGENDA MEMO
CITY COUNCIL
MEETING DATE: May 21, 2012

Issue Statement

PZC 2012-07: **2101-2275 75th Street, Darien Towne Centre Planned Unit Development (PUD):** Petitioner requests approval of a final plat of subdivision and a major amendment to an approved PUD, including but not limited to, the alteration of the shopping center site plan, Walmart expansion and the reduction in the Buffer Area open space contained on Lot 4 of the approved PUD.
[ORDINANCE](#) [PLANS](#)

Discussion/Overview

The Planning and Zoning Commission will consider this item at its meeting on May 16, 2012. Staff will update the City Council on the outcome of the Commission meeting.

A rough draft of the ordinance is attached. Revisions to the ordinance are likely once the Commission has considered this matter and once the City Attorney and the attorneys for the petitioners have had a chance to review it.

A reduced copy of the proposed plans are attached. Full sized copies of the plans are available at City Hall for review.

Decision Mode

The Planning/Zoning Commission will consider this item at its meeting on May 16, 2012.
The City Council will consider this item at its meeting on May 21, 2012.

Additional Information

Issue Statement

PZC 2012-07: **2101-2275 75th Street, Darien Towne Centre Planned Unit Development (PUD):** Petitioner requests approval of a final plat of subdivision and a major amendment to an approved PUD, including but not limited to, the alteration of the shopping center site plan, Walmart expansion and the reduction in the Buffer Area open space contained on Lot 4 of the approved PUD.

Applicable Regulations: Subdivision Regulations: Section 5B-1-6: Final Plat Procedures and Requirements
Zoning Ordinance: Section 5A-3-2-5(A): Changes in the Development, Major Changes.
Ordinance O-18-93: Ordinance granting a special use for a PUD, Darien Towne Centre PUD.

General Information

Petitioners/

Property Owners: Inland Southeast Darien, LLC
2901 Butterfield Road
Oak Brook, IL 60523

Wal-Mart Stores, Inc.
2001 Southeast 10th Street
Bentonville, AR 72716

Property Location: 2101-2275 75th Street, Darien Towne Centre

PINs: 09-29-400-018; 09-29-400-019; 09-29-400-020; 09-29-400-021;
09-29-400-023; 09-29-400-024; 09-29-400-025; 09-29-400-026;
09-29-400-027

Existing Zoning: B-3 General Business District

Existing Land Use: Shopping center

Surrounding Zoning and Land Use:

North: B3 General Services and Highway Business, R5 Two Family Residence and R6 Multiple Family Residence (all in Village of Downers Grove) – shopping center, residential.

South: R-1 Single-Family Residence and R-2 Single-Family Residence – detached, single-family homes.

East: B-2 Community Shopping Center Business and R-2 Single-Family Residence – Steak n' Shake, detached, single-family homes.

West: B-2 and R-2 Single-Family Residence – shopping center, fire station.

Comprehensive Plan Update: Commercial

History: The subject property was annexed in 1993, along with approval of a PUD for the Darien Towne Centre shopping center. Since then, minor PUD amendments have been approved.

Size of Property: 52.1 acres

Floodplain: There is an area of floodplain within the wetland/detention area on the west side of the shopping center.

Natural Features: The PUD plan includes Buffer Areas along the south side of the developed portion of the PUD. There is a wetland/detention area on the west side of the PUD, along Lyman Avenue.

Transportation: Property has frontage and access on 75th Street and Lyman Avenue.

Documents Submitted

This report is based on the following information submitted to the Community Development Department by the petitioner:

1. Stationing, Dimensions, Site Lighting and Pavement Striping Plan, 2 sheets, prepared by The Balsamo/Olson Engineering Company, latest revision dated August 30, 1993.
2. Final Plat of Subdivision, 2 sheets, prepared by Manhard Consulting, LTD, latest revision dated April 19, 2012.
3. Preliminary Site Plan, 1 sheet, prepared by Manhard Consulting, LTD, dated April 18, 2012.
4. Preliminary Landscape Plan, 1 sheet, prepared by Manhard Consulting, LTD, dated April 18, 2012.
5. Preliminary Site Lighting Photometrics Plan, 1 sheet, prepared by Manhard Consulting, LTD, dated April 23, 2012.
6. Building Elevations, Signage, Building Footprint, 5 sheets, prepared by pb2 Architecture + Engineering, dated April 4, 2012.

Planning Overview/ Discussion

The Darien Towne Centre PUD encompasses the Darien Towne Centre shopping center, along with the out lots along 75th Street and Buffer Area lots along the south side of the shopping center. The shopping center is anchored by Walmart, Home Depot and PetSmart, along with a variety of national and local retail businesses, restaurants, services and banks.

The petitioners propose to demolish the retail space between the existing Walmart and PetSmart spaces, construct a 42,578 square foot addition to Walmart on the east side of the existing store and to construct a new 12,000 square foot retail building adjacent to PetSmart.

The proposed plan includes adding truck loading docks, locating bale and pallet recycling area and an organic recycling area behind Walmart, adding a bagged goods pick-up area within the existing outdoor garden area, and altering the front façade to construct a new west store entrance.

Walmart will become a stand along building within the shopping center.

Plat of Subdivision

A new plat of subdivision is being created. Currently, Walmart owns their lot. The new lot configuration accommodates Walmart's expansion, moving their lot line further east.

PUD Plan

The reconfiguration of the retail space, as noted earlier in this memo, does not alter the essential character of the shopping center of PUD. Though, the proposed plan increases the total amount of retail space from 378,341 to 385,528 square feet.

The petitioner is seeking a waiver from the Zoning Ordinance to reduce the required parking stall width from 10 feet to 9.5 feet within the parking lot serving Walmart, and to 9 feet for the remainder of the shopping center. Based on a 1993 plan the City has on file, the parking stalls are a mix of 9 feet and 10 feet in width. The parking lot striping for the out lots will remain the same, 10 feet wide.

The total number of proposed number of parking stalls, including the out lots and the proposed, comply with the required amount of parking, 5 spaces/1,000 of gross square footage for a shopping center over 200,000 square feet in area. The total number of parking stalls will decrease from 1,998 to 1,962. The proposed parking ratio is 5.08 parking stalls/1,000.

The plan shows two new loading docks at the southeast corner of Walmart, to be located next to the existing loading docks. The loading docks comply with the minimum size dimensions of 12 feet x 30 feet. The plan shows a screening wall along the south side of the loading dock area. The building elevation drawing indicates the screening wall will be masonry, similar to the building facade, and will be 12'-4" tall.

The plan shows a 130-foot truck turning radius for the loading docks. This truck turning area pushes the rear service area into Lot 4, a Buffer Area created in the original approved PUD plan. The required 30-foot parking setback is still maintained with the truck turning radius. The City currently owns Lot 4 but is in the process of conveying the property to Walmart to accommodate their expansion.

There is an existing 8-foot tall privacy fence running along the south side of the shopping center. This fence will be relocated further south to accommodate the truck turning area. At its furthest extension into Lot 4, the fence will be 30 feet from the residential property line to the south.

Landscaping

The petitioner provided a landscape plan. The plan is considered maintenance.

Lighting

The lighting plan shows light poles along the south side of the shopping center. The lighting plan shows the illumination levels comply with the Zoning Ordinance along the south side of the shopping. The Zoning Ordinance limits illumination levels to a maximum of 3 foot-candles in residential areas, such as the area to the south. Any new lighting installed will be required to be shielded to prevent light glare onto adjacent properties, if

found to do so.

Signage

The maximum amount of wall signage permitted is 500 square feet per the Sign Code. The plan shows 484.5 square feet of wall signage. The new Walmart logo will be displayed on the existing center monument signs, the signs will not be altered otherwise.

Engineering

The City Engineer will review the plan for compliance with stormwater management ordinances, specifically, due to the additional pavement for the truck turning radius.

Staff Findings/Recommendations

The revised PUD plan does not alter the essential character of the originally approved PUD. The reduction in the Buffer Area, part of the originally approved PUD plan and considered open space, triggered the public hearing. A significant amount of open space is still maintained on the proposed plan. The existing screening in place will be continued and the required parking setback is maintained where the truck turning radius is to be located.

The reduction in the parking stall widths, while less than the Darien standard, are consistent with model zoning ordinances and adjacent municipalities, including Woodridge and Downers Grove, which both require a minimum parking stall width of 9 feet.

Therefore, staff recommends the Planning and Zoning Commission make the following recommendation granting the variation petition:

Based upon the submitted petition and the information presented, the request associated with PZC 2012-07 is in conformance with the standards of the Darien City Code and, therefore, I move the Planning and Zoning Commission recommend approval of the petition as presented, subject to the following conditions:

- 1. A waiver to reduce the required parking stall width from 10 feet to 9.5 feet for the parking lot servicing Walmart and 9 feet wide for the remainder of the shopping center, excluding the out lots which will remain at 10 feet wide.**

CITY OF DARIEN

DUPAGE COUNTY, ILLINOIS

**AN ORDINANCE APPROVING A MAJOR AMENDMENT TO A FINAL PLANNED UNIT
DEVELOPMENT PLAN AND A FINAL PLAT OF RESUBDIVISION**

**(PZC 2012-07: 2101-2275 75th Street, Darien Towne Centre
Planned Unit Development (PUD))**

ADOPTED BY THE

MAYOR AND CITY COUNCIL

OF THE

CITY OF DARIEN

THIS 21ST DAY OF MAY, 2012

**Published
in
pamphlet
form
by
authority
of
the
Mayor
and
City
Council
of**

the
City
of
Darien,
DuPage
County,
Illinois,
this

—
day
of _____

,
2012.

AN ORDINANCE APPROVING A MAJOR AMENDMENT TO A FINAL PLANNED UNIT DEVELOPMENT PLAN AND A FINAL PLAT OF RESUBDIVISION

**(PZC 2012-07: 2101-2275 75th Street, Darien Towne Centre
Planned Unit Development (PUD))**

WHEREAS, the City of Darien is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of local government, the City may exercise any power and perform any function pertaining to its government except as limited by Article VII, Section 6; and

WHEREAS, heretofore, pursuant to Ordinances O-16-93 and O-18-93, the City granted a special use for a Planned Unit Development (PUD) for the Subject Property described therein and commonly referred to as the “Darien Towne Centre”, which special use has been previously amended; and

WHEREAS, the City of Darien received an application for a major change to the approved final PUD plan for the Darien Towne Centre (the “Application”) to allow for an expansion of the Wal-Mart retail store and for a reduction in the buffer area to accommodate a truck turning radius and to ratify and confirm other aspects of said final PUD plan; and

WHEREAS, pursuant to notice as required by law, on May 16, 2012, the Planning and Zoning

Commission reviewed the Application and forwarded its recommendations to the City Council; and

WHEREAS, the City Council reviewed the findings and recommendations described above and now determines to grant the relief requested in the Application subject to the terms, conditions and limitations described below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: Final Plat of Resubdivision Approved. The Final Plat of Subdivision for “Darien Towne Centre Resubdivision” prepared by Manhard Consulting, LTD., consisting of two pages and bearing a most recent revision date of April 19, 2012 (the “Final Plat of Resubdivision”) is hereby approved. The Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, the Final Plat of Resubdivision. The Final Plat of Resubdivision shall be held by the City Clerk until such time as the City has been notified that Wal-Mart and Inland are prepared to complete their final closing, at which point, the Plat shall be deposited into the closing escrow subject to usual and customary escrow closing instructions.

SECTION 2: Approval of Major Amendment to Final PUD Plan. A major amendment to the approved final PUD plan for the Darien Towne Centre is hereby approved. The approved major amendment includes the following departures and exceptions from the Darien City Code:

- A. Section 5A-11-2-1(F), Off-Street Parking, Design and Maintenance, to reduce the required parking stall widths from 10 feet to 9.5 feet for the parking lot serving Wal-Mart and from 10 feet to 9 feet for the parking lot serving the remainder of the shopping center.
- B. Such other departures and exceptions as are set forth in the Application and/or reflected on the plans identified below.

The corporate authorities hereby find that granting the aforesaid departures and exceptions will not be detrimental to or endanger the public health, safety, and welfare of the residents of the City.

The amended final PUD plan for the Darien Towne Centre shall consist of all previously approved plans and the following additional plans, all of which are hereby approved subject to final engineering:

1. The Final Plat of Subdivision.
2. Site Plan, 1 sheet, prepared by Manhard Consulting, LTD, dated April 18, 2012.

3. Landscape Plan, 1 sheet, prepared by Manhard Consulting, LTD, dated April 18, 2012.
4. Site Lighting Photometrics Plan, 1 sheet, prepared by Manhard Consulting, LTD, dated April 23, 2012.
5. Building Elevations, Signage, Building Footprint, 5 sheets, prepared by pb2 Architecture + Engineering, dated April 4, 2012.

If the plans set forth above conflict in any way with provisions of the Darien City Code, such conflicts shall be resolved in favor of such plans.

SECTION 3: Conditions of Approval. This Approval is subject to the following conditions:

A. Consistent with covenant and lease obligations existing as of the date of this Ordinance, Inland shall use reasonable efforts to maximize the number of parking spaces on Lot 2 that have a stall width of 9.5 feet.

B. Subject to engineering, the approved Landscape Plan shall provide landscape buffering between the relocated Lot 4 fence and the residential property lines to the south. The additional screening shall be in the form of a row of evergreen trees or similar plantings.

SECTION 4: Remainder of PUD. All terms, conditions and limitations of Ordinances O-16-93 and O-18-93 and subsequent PUD amendments shall remain in full force and effect to the extent they are not in conflict with or superseded by the provisions of this Ordinance.

SECTION 5: Home Rule. This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether the Ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of Darien that to the extent the terms of this Ordinance are inconsistent with any non-preemptive state law, such terms shall supersede state law in that regard.

SECTION 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY,
ILLINOIS, this 21st day of May, 2012.**

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS,

this 21st day of May, 2012.

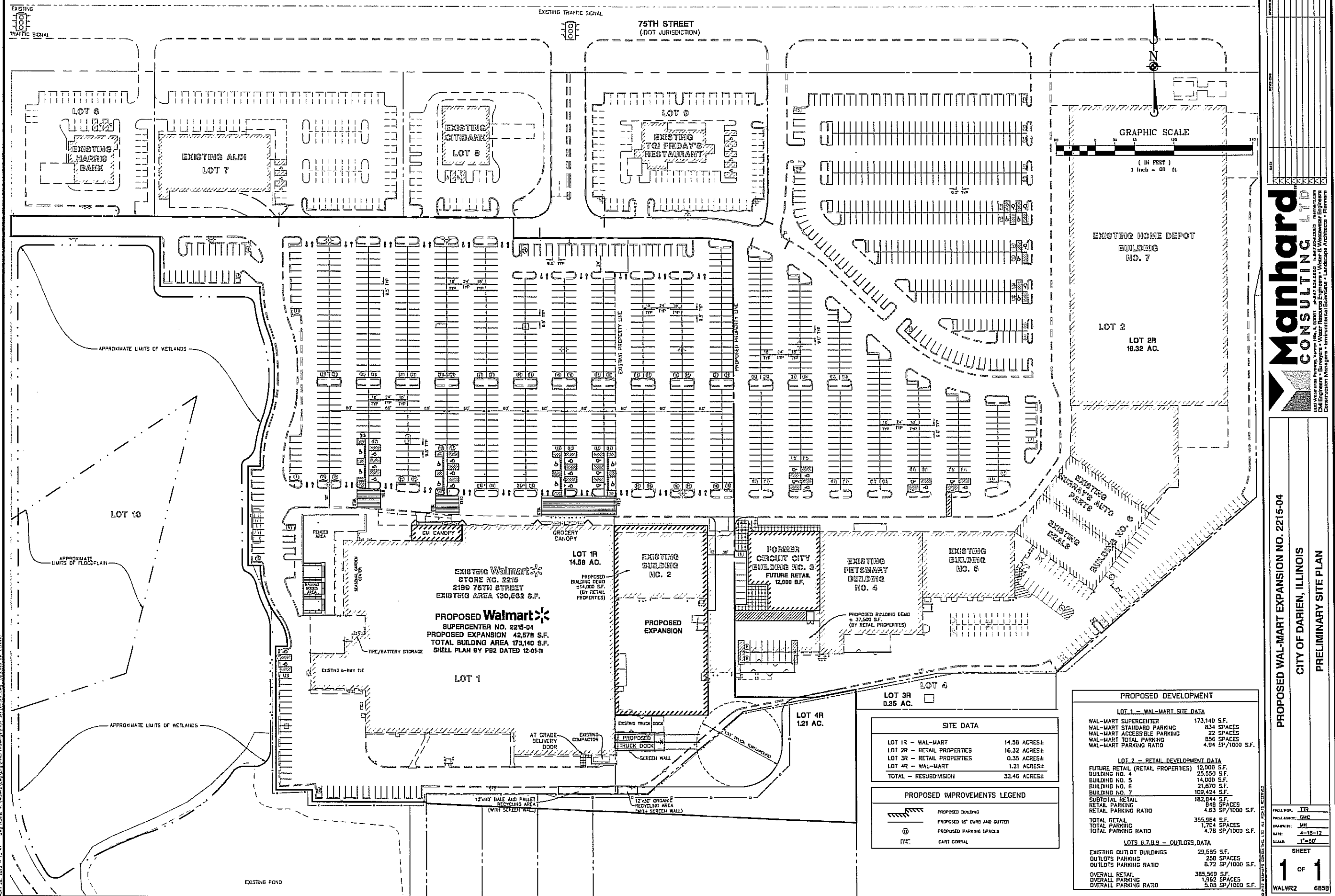
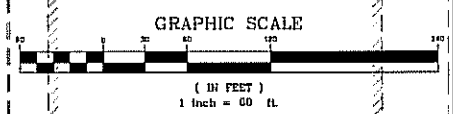
KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



EXISTING Walmart
STORE NO. 2215
2199 76TH STREET
EXISTING AREA 130,882 S.F.

PROPOSED Walmart
SUPERCENTER NO. 2215-04
PROPOSED EXPANSION 42,578 S.F.
TOTAL BUILDING AREA 173,140 S.F.
SHELL PLAN BY P82 DATED 12-01-11

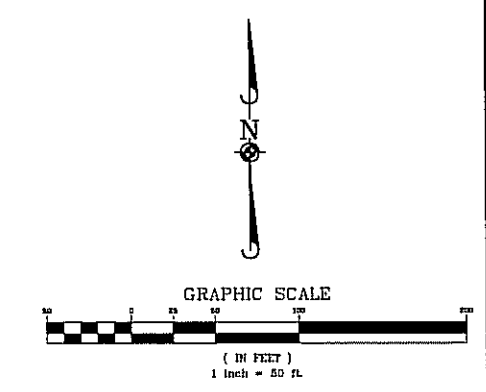
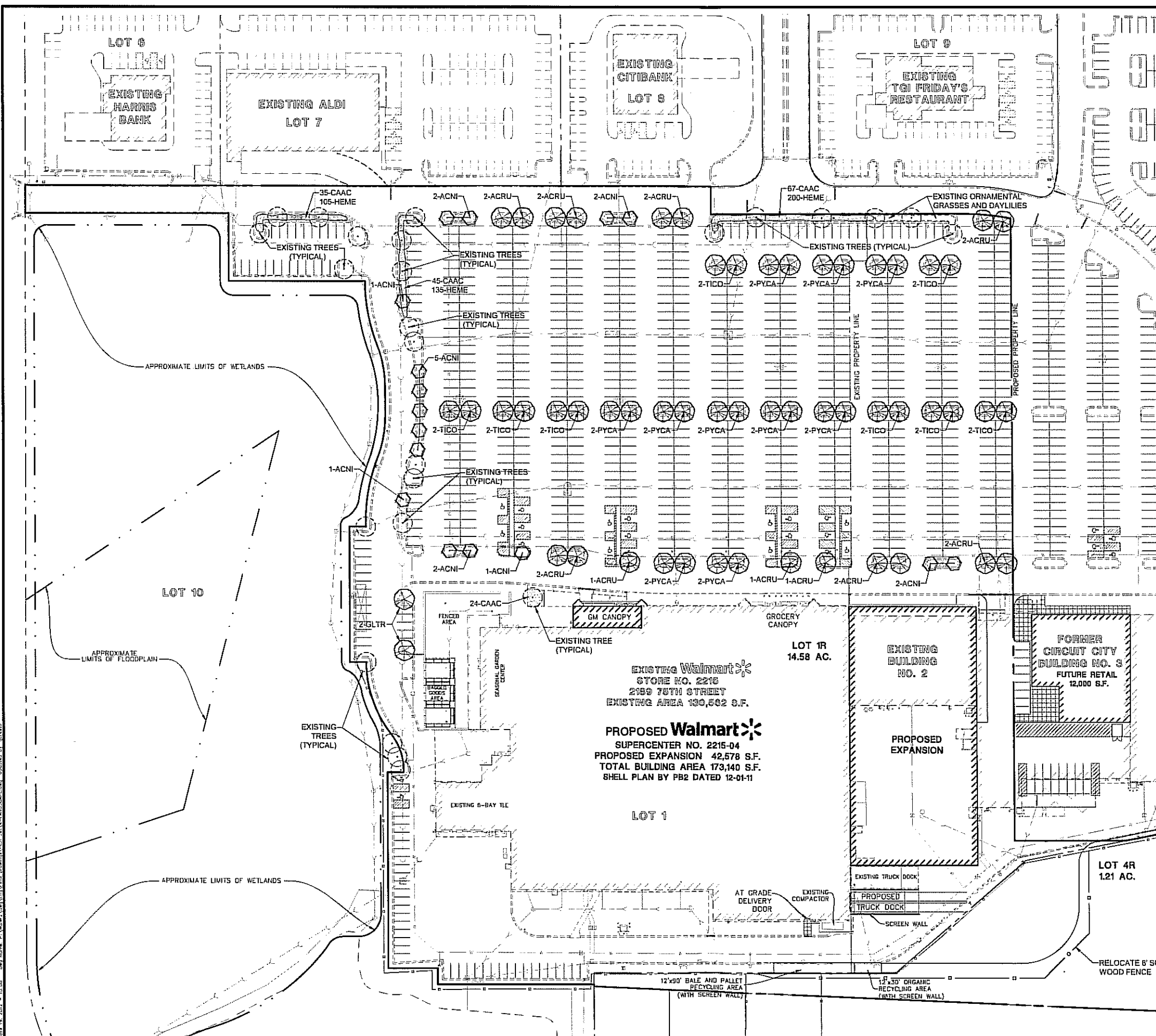
SITE DATA	
LOT 1R - WAL-MART	14.58 ACRES±
LOT 2R - RETAIL PROPERTIES	16.32 ACRES±
LOT 3R - RETAIL PROPERTIES	0.35 ACRES±
LOT 4R - WAL-MART	1.21 ACRES±
TOTAL - RESUBDIVISION	32.46 ACRES±

PROPOSED IMPROVEMENTS LEGEND	
	PROPOSED BUILDING
	PROPOSED 16' CURB AND GUTTER
	PROPOSED PARKING SPACES
	CART CORRAL

PROPOSED DEVELOPMENT	
LOT 1 - WAL-MART SITE DATA	
WAL-MART SUPERCENTER	173,140 S.F.
WAL-MART STANDARD PARKING	834 SPACES
WAL-MART ACCESSIBLE PARKING	22 SPACES
WAL-MART TOTAL PARKING	856 SPACES
WAL-MART PARKING RATIO	4.94 SP/1000 S.F.
LOT 2 - RETAIL DEVELOPMENT DATA	
FUTURE RETAIL (RETAIL PROPERTIES)	12,000 S.F.
BUILDING NO. 4	25,550 S.F.
BUILDING NO. 5	14,000 S.F.
BUILDING NO. 6	21,870 S.F.
BUILDING NO. 7	109,424 S.F.
SUBTOTAL RETAIL	182,844 S.F.
RETAIL PARKING	848 SPACES
RETAIL PARKING RATIO	4.63 SP/1000 S.F.
TOTAL RETAIL	355,984 S.F.
TOTAL PARKING	1,704 SPACES
TOTAL PARKING RATIO	4.78 SP/1000 S.F.
LOTS 6,7,8,9 - OUTLOTS DATA	
EXISTING OUTLOT BUILDINGS	29,585 S.F.
OUTLOTS PARKING	298 SPACES
OUTLOTS PARKING RATIO	6.72 SP/1000 S.F.
OVERALL RETAIL	385,569 S.F.
OVERALL PARKING	1,902 SPACES
OVERALL PARKING RATIO	5.00 SP/1000 S.F.



PROPOSED WAL-MART EXPANSION NO. 2215-04
CITY OF DARIEN, ILLINOIS
PRELIMINARY SITE PLAN



NOTE: IN ALL PLANTING AREAS EXCEPT WHERE THERE ARE EXISTING TREES TO REMAIN, REMOVE ALL EXISTING PLANT MATERIAL, SOIL, AND MULCH TO A DEPTH OF TWO FEET. REPLACE REMOVED SOIL WITH TOP SOIL AND MULCH ALL BEDS WITH 4" OF SHREDDED BARK MULCH.

Preliminary Plant List

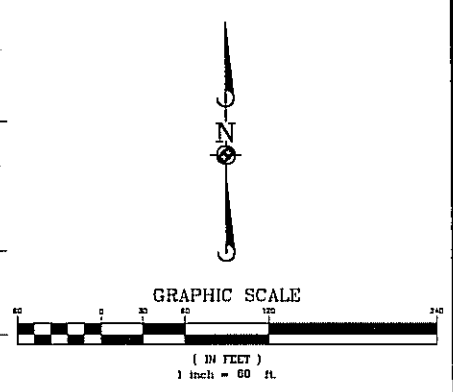
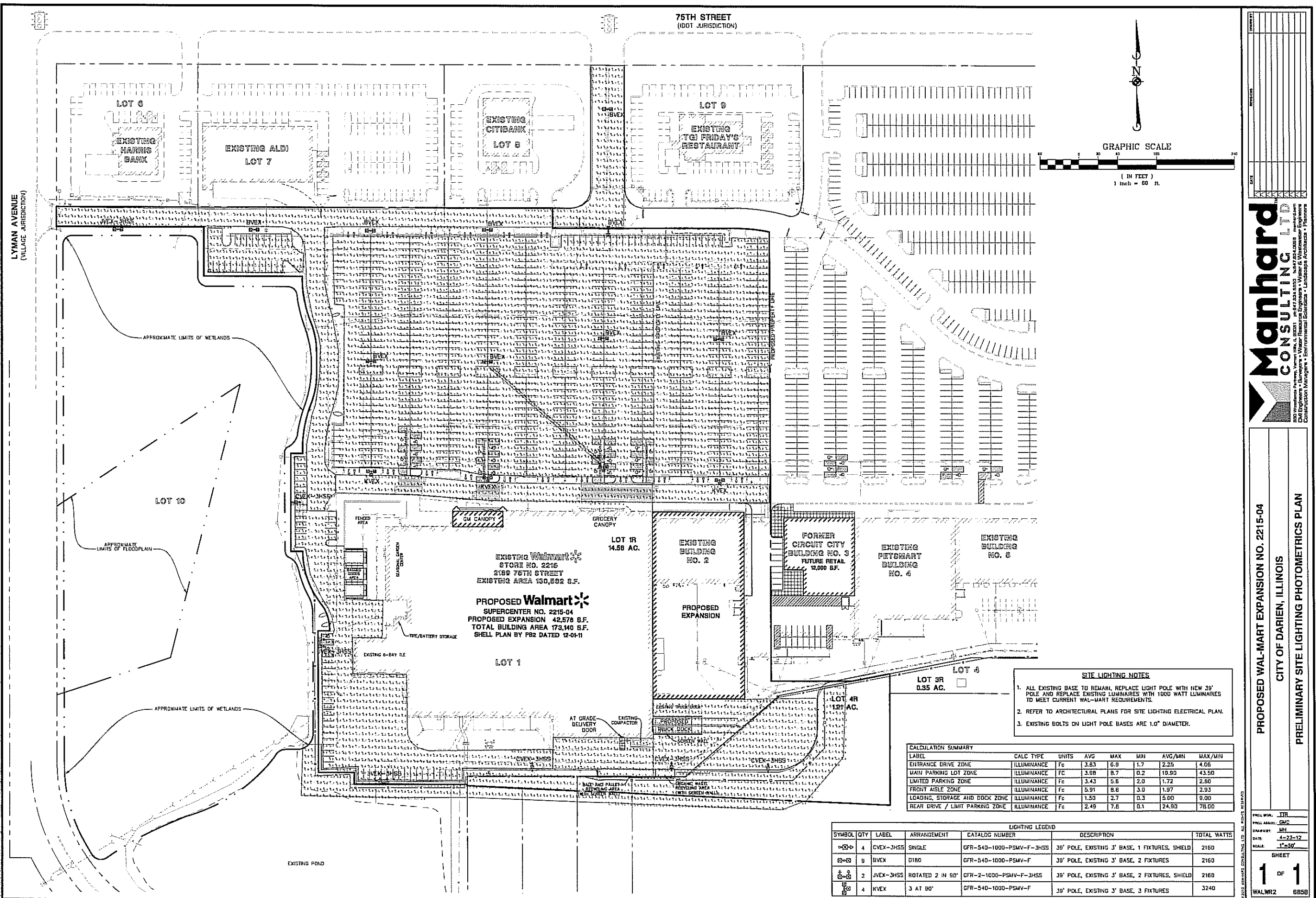
Key	Quantity	Name	COMMON/Botanical	Size	Comments
ACNI	16	GREEN COLUMN BLACK MAPLE/	Acer nigrum 'Greencolumn'	3" BB	
ACRU	17	RED SUNSET RED MAPLE/	Acer rubrum 'Frankford'	3" BB	
CAAC	147	KARL FOERSTER FEATHER REED	GRASS/ Calamagrostis australis 'Karl Foerster'	#3 Container	Planted 3'-0" on center
GLTR	2	SKYLINE HONEYLOCUST/	Gleditsia triacanthos var. inermis 'Skyline'	3" BB	
HEME	440	HAPPY RETURNS DAYLILY/	Hemerocallis 'Happy Returns'	#1 Container	Planted 2'-0" on center
PYCA	20	AUTUMN BLAZE MAPLE/	Pyrus calleryana 'Autumn Blaze'	3" BB	
TICO	16	GREENSPIRE LINDEN/	Tilia cordata 'Greenspire'	3" BB	

Manhard CONSULTING LTD.
 810 Westline Parkway, Vernon Hills, IL 60061
 847.304.8888
 Civil Engineers • Surveyors • Water Resources Engineers • Wireless & Wastewater Engineers
 Construction Management • Environmental Services • Landscaping • Horticulture

PROPOSED WAL-MART EXPANSION NO. 2215-04
 CITY OF DARIEN, ILLINOIS
 PRELIMINARY LANDSCAPE PLAN

PROJECT NO.: 2215
 PROJECT: WALMART
 DRAWN BY: MJB
 DATE: 4-18-12
 SCALE: 1"=50'
 SHEET
1 OF **1**
 WALWR2 6858

April 18, 2012 - 12:00
 Shop Name: P:\Walmart\2215\1215\1215.dwg
 User: V. J. Anderson
 Plot Date: 4/18/12 12:00
 Plot Scale: 1"=50'
 Plot Sheet: 1 of 1
 Plot Title: WALWR2 6858



EXISTING Walmart
STORE NO. 2215
2180 76TH STREET
EXISTING AREA 130,892 S.F.

PROPOSED Walmart
SUPERCENTER NO. 2215-04
PROPOSED EXPANSION 42,578 S.F.
TOTAL BUILDING AREA 173,470 S.F.
SHELL PLAN BY P82 DATED 12-01-11

- SITE LIGHTING NOTES**
1. ALL EXISTING BASE TO REMAIN, REPLACE LIGHT POLE WITH NEW 39' POLE AND REPLACE EXISTING LUMINAIRES WITH 1000 WATT LUMINAIRES TO MEET CURRENT WAL-MART REQUIREMENTS.
 2. REFER TO ARCHITECTURAL PLANS FOR SITE LIGHTING ELECTRICAL PLAN.
 3. EXISTING BOLTS ON LIGHT POLE BASES ARE 1.0" DIAMETER.

CALCULATION SUMMARY

LABEL	CALC TYPE	UNITS	AVG	MAX	MIN	AVG/MIN	MAX/MIN
ENTRANCE DRIVE ZONE	ILLUMINANCE	Fc	3.83	6.9	1.7	2.25	4.06
MAIN PARKING LOT ZONE	ILLUMINANCE	Fc	3.98	8.7	0.2	19.90	43.50
LIMITED PARKING ZONE	ILLUMINANCE	Fc	3.43	5.6	2.0	1.72	2.80
FRONT AISLE ZONE	ILLUMINANCE	Fc	5.91	8.8	3.0	1.97	2.93
LOADING, STORAGE AND DOCK ZONE	ILLUMINANCE	Fc	1.50	2.7	0.3	5.00	9.00
REAR DRIVE / LIMIT PARKING ZONE	ILLUMINANCE	Fc	2.49	7.8	0.1	24.90	78.00

LIGHTING LEGEND

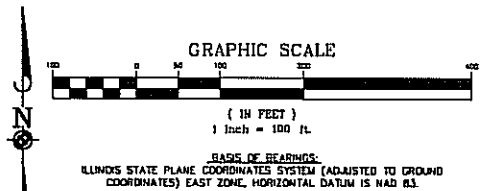
SYMBOL	QTY	LABEL	ARRANGEMENT	CATALOG NUMBER	DESCRIPTION	TOTAL WATTS
⊙	4	CVEX-3HSS	SINGLE	GFR-540-1000-PSMV-F-3HSS	39' POLE, EXISTING 3' BASE, 1 FIXTURES, SHIELD	2160
⊙	9	BVEX	D180	GFR-540-1000-PSMV-F	39' POLE, EXISTING 3' BASE, 2 FIXTURES	2160
⊙	2	JVEX-3HSS	ROTATED 2 IN 90°	GFR-2-1000-PSMV-F-3HSS	39' POLE, EXISTING 3' BASE, 2 FIXTURES, SHIELD	2160
⊙	4	KVEX	3 AT 90°	GFR-540-1000-PSMV-F	39' POLE, EXISTING 3' BASE, 3 FIXTURES	3240

Manhard CONSULTING LTD.
 100 Woodlands Parkway, Vernon Hills, IL 60061
 847.234.8500
 300 Englewood Avenue, Vernon Hills, IL 60061
 847.234.8500
 Services: Surveying • Water Resources • Environmental Sciences • Landscape Architecture • Planning
 Construction Management

PROPOSED WAL-MART EXPANSION NO. 2215-04
 CITY OF DARIEN, ILLINOIS
 PRELIMINARY SITE LIGHTING PHOTOMETRICS PLAN

SHEET
1 OF **1**
 WALWR2 6858

THIS SURVEY PREPARED FOR:
WAL-MART REAL ESTATE
BUSINESS TRUST
BENTONVILLE, ARKANSAS 72716



FINAL PLAT OF SUBDIVISION
OF

DARIEN TOWNE CENTRE RESUBDIVISION

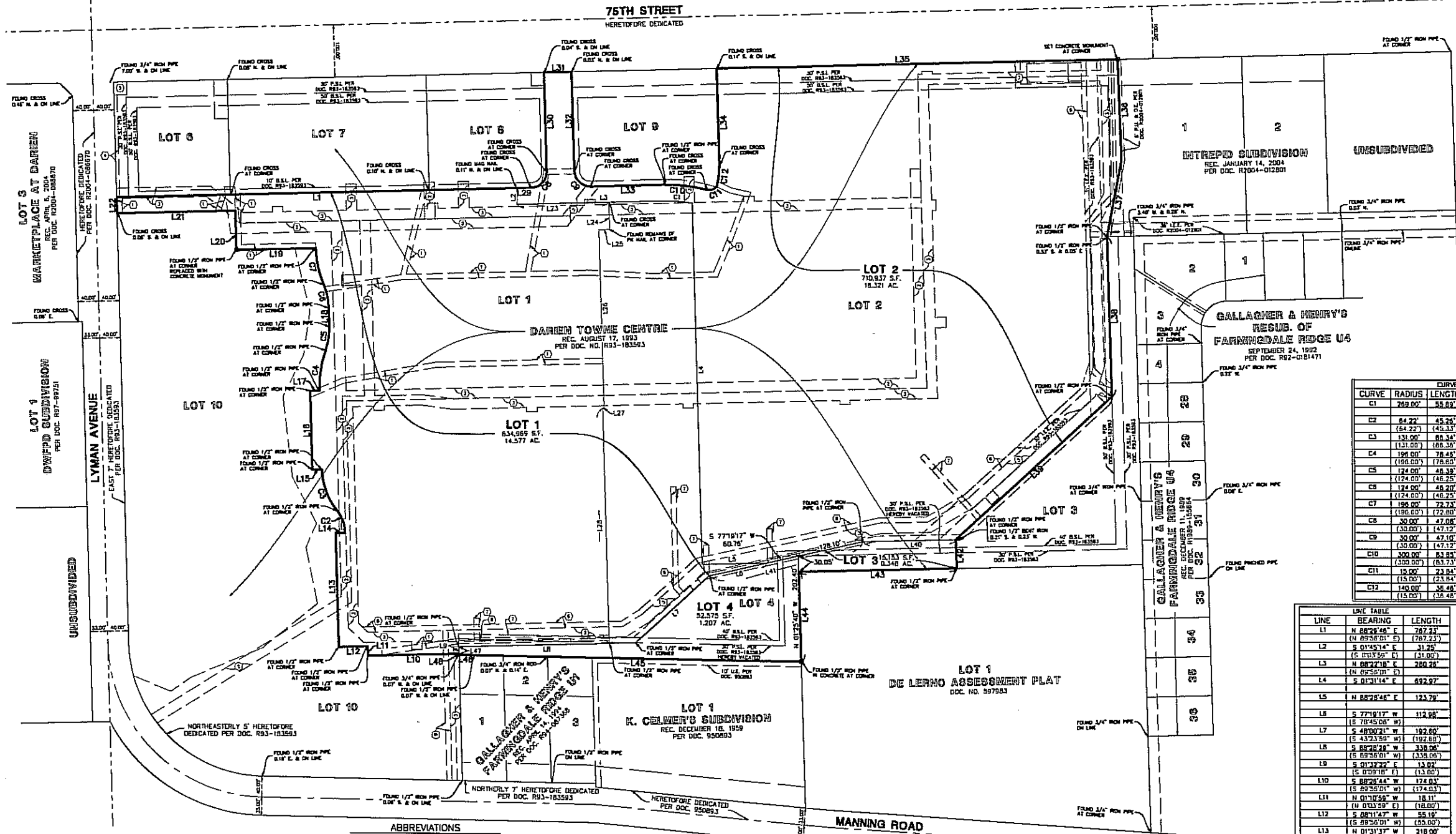
LOTS 1, 2 AND 4 IN DARIEN TOWNE CENTRE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 17, 1993 PER DOCUMENT R93-183593, IN DU PAGE COUNTY, ILLINOIS.

EXISTING P.L.N.:
09-29-400-010
09-29-400-019
09-29-400-021
09-29-400-027

SEND TAX BILL TO:
WAL-MART REAL ESTATE
BUSINESS TRUST
BENTONVILLE, ARKANSAS 72716
(LOT 1)

RETAIL PROPERTIES OF AMERICA, INC.
2091 BUTTERFIELD ROAD
OAK BROOK, ILLINOIS 60523
(LOT 2)

CITY OF DARIEN, ILLINOIS
1702 PLAINFIELD ROAD
DARIEN, ILLINOIS 60561
(LOTS 3 & 4)



CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	292.00'	52.83'	N 68°11'18" W	52.78'
C2	84.22'	45.26'	N 19°13'02" W	44.33'
C3	131.00'	88.34'	N 20°31'35" W	84.78'
C4	198.00'	78.48'	N 08°18'26" E	77.93'
C5	124.00'	48.39'	N 08°12'43" E	48.12'
C6	174.00'	48.20'	N 12°18'56" W	45.91'
C7	198.00'	72.23'	N 12°07'21" W	72.31'
C8	30.00'	47.06'	N 43°33'49" E	47.40'
C9	30.00'	47.12'	S 48°32'10" E	47.41'
C10	300.00'	83.84'	N 83°27'37" W	83.50'
C11	15.00'	23.84'	N 58°51'44" E	21.41'
C12	140.00'	36.48'	N 05°58'45" E	36.38'

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N 89°28'48" E	787.23'	L25	S 89°28'44" W	20.00'
L2	S 01°45'14" E	31.25'	L26	S 01°30'14" E	341.64'
L3	S 01°30'50" E	31.00'	L27	S 03°33'59" E	341.67'
L4	S 01°31'14" E	492.97'	L28	S 03°33'59" E	2.80'
L5	N 88°28'46" E	123.79'	L29	S 03°33'59" E	451.31'
L6	S 77°01'17" W	112.98'	L30	S 03°33'59" E	1451.35'
L7	S 48°00'21" W	192.80'	L31	N 89°28'46" E	28.71'
L8	S 43°23'59" W	192.68'	L32	N 89°28'46" E	28.72'
L9	S 88°28'48" W	338.06'	L33	N 89°28'46" E	190.06'
L10	S 89°28'48" W	338.06'	L34	N 89°28'46" E	190.00'
L11	S 89°28'48" W	338.06'	L35	N 89°28'46" E	190.00'
L12	S 89°28'48" W	338.06'	L36	N 89°28'46" E	190.00'
L13	S 89°28'48" W	338.06'	L37	N 89°28'46" E	190.00'
L14	S 89°28'48" W	338.06'	L38	N 89°28'46" E	190.00'
L15	S 89°28'48" W	338.06'	L39	N 89°28'46" E	190.00'
L16	S 89°28'48" W	338.06'	L40	N 89°28'46" E	190.00'
L17	S 89°28'48" W	338.06'	L41	N 89°28'46" E	190.00'
L18	S 89°28'48" W	338.06'	L42	N 89°28'46" E	190.00'
L19	S 89°28'48" W	338.06'	L43	N 89°28'46" E	190.00'
L20	S 89°28'48" W	338.06'	L44	N 89°28'46" E	190.00'
L21	S 89°28'48" W	338.06'	L45	N 89°28'46" E	190.00'
L22	S 89°28'48" W	338.06'	L46	N 89°28'46" E	190.00'
L23	S 89°28'48" W	338.06'	L47	N 89°28'46" E	190.00'
L24	S 89°28'48" W	338.06'	L48	N 89°28'46" E	190.00'

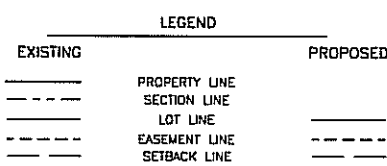
- ABBREVIATIONS**
- U.E. - UTILITY EASEMENT
 - B.S.L. - BUILDING SETBACK LINE
 - P.S.L. - PARKING SETBACK LINE
 - 1 - 10' STORM SEWER EASEMENT PER DOC. R93-183593
 - 2 - 20' SANITARY SEWER EASEMENT PER DOC. R93-183593
 - 3 - 20' WATERMAIN EASEMENT PER DOC. R93-183593
 - 4 - 6" ELECTRIC SERVICE EASEMENT PER DOC. R93-183593
 - 5 - 25' X 25' SIGN EASEMENT PER DOC. R93-183593
 - 6 - 10' PUBLIC UTILITY EASEMENT PER DOC. R93-183593
 - 7 - 10' PUBLIC UTILITY EASEMENT PER DOC. R93-284714
 - X.XX - MEASURED INFORMATION
 - (X.XX) - RECORD INFORMATION

AREA SUMMARY

LOT 1:	834,989 SQUARE FEET (14.577 ACRES±)
LOT 2:	710,937 SQUARE FEET (16.321 ACRES±)
LOT 3:	15,183 SQUARE FEET (0.348 ACRES±)
LOT 4:	52,475 SQUARE FEET (1.202 ACRES±)
TOTAL:	1,413,634 SQUARE FEET (32.453 ACRES±)

SHEET INDEX

SHEET 1 OF 2 = LOT, BOUNDARY & EASEMENT DETAIL SHEET
SHEET 2 OF 2 = LEGAL DESCRIPTION, CERTIFICATIONS AND NOTATIONS



- GENERAL NOTES:**
- DISTANCES ARE MARKED BY FEET AND DECIMAL PLACES THEREOF.
 - NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
 - THERE MAY BE ADDITIONAL TERMS, POWERS, PROVISIONS AND LIMITATIONS CONTAINED IN AN ABSTRACT DEED, LOCAL ORDINANCES, DEEDS, TRUSTS, COVENANTS OR OTHER INSTRUMENTS OF RECORD.
 - COMPARE ALL POINTS BEFORE BUILDING BY SAME AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
 - 30 DENOTES CONCRETE MONUMENTS.
 - IN ACCORDANCE WITH CHAPTER 765 ICS SECTION 205.71 5/8" X 24" LONG IRON RODS WILL BE SET AT ALL PROPERTY CORNERS AND POINTS OF GEOMETRIC CHANGE.

Manhard CONSULTING LTD

2100 S. W. 11th St., Suite 101, Ft. Lauderdale, FL 33304
 Phone: (954) 576-1111
 Fax: (954) 576-1112
 Email: info@manhard.com

DARIEN WAL-MART SUBDIVISION
DARIEN, ILLINOIS
FINAL PLAT OF SUBDIVISION



Walmart *

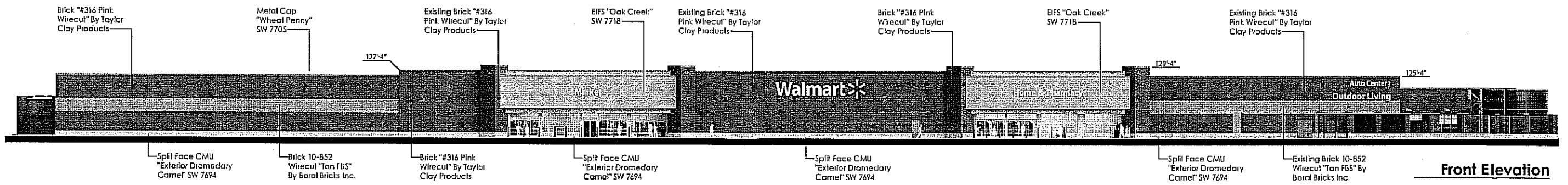
pb2
architecture
+ engineering

April 4, 2012

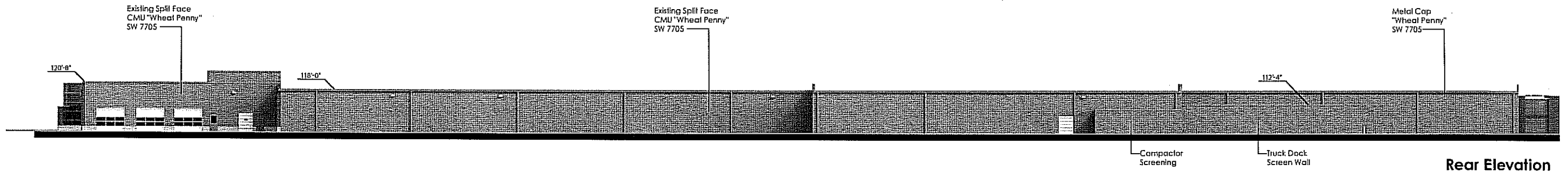
Darien, IL #2215

Overall Perspective

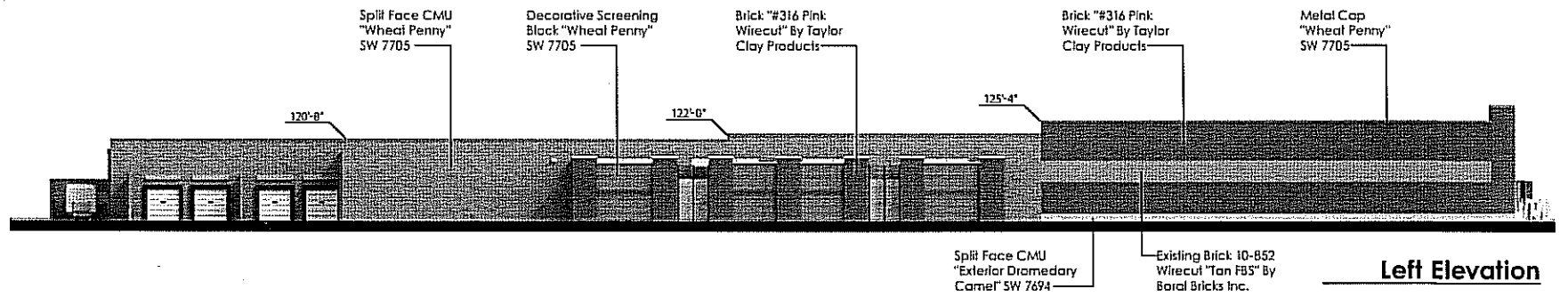
REPRESENTATION ONLY, NOT FOR CONSTRUCTION: All images shown are a representation of the design intent and may not portray the exact scale, colors, materials, or construction that could occur due to material availability and final architectural modifications.
© 2012 pb2 architecture & engineering
All information contained in this document is confidential and may not be used without permission.



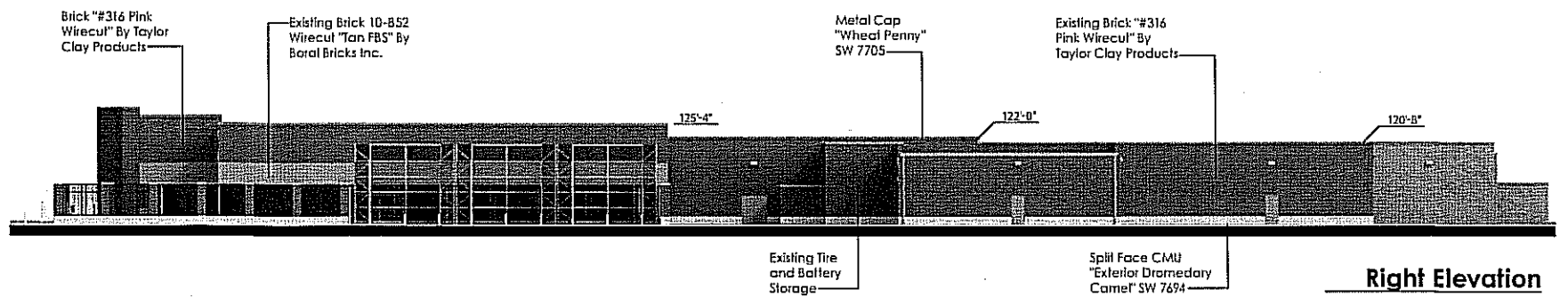
Front Elevation



Rear Elevation



Left Elevation



Right Elevation

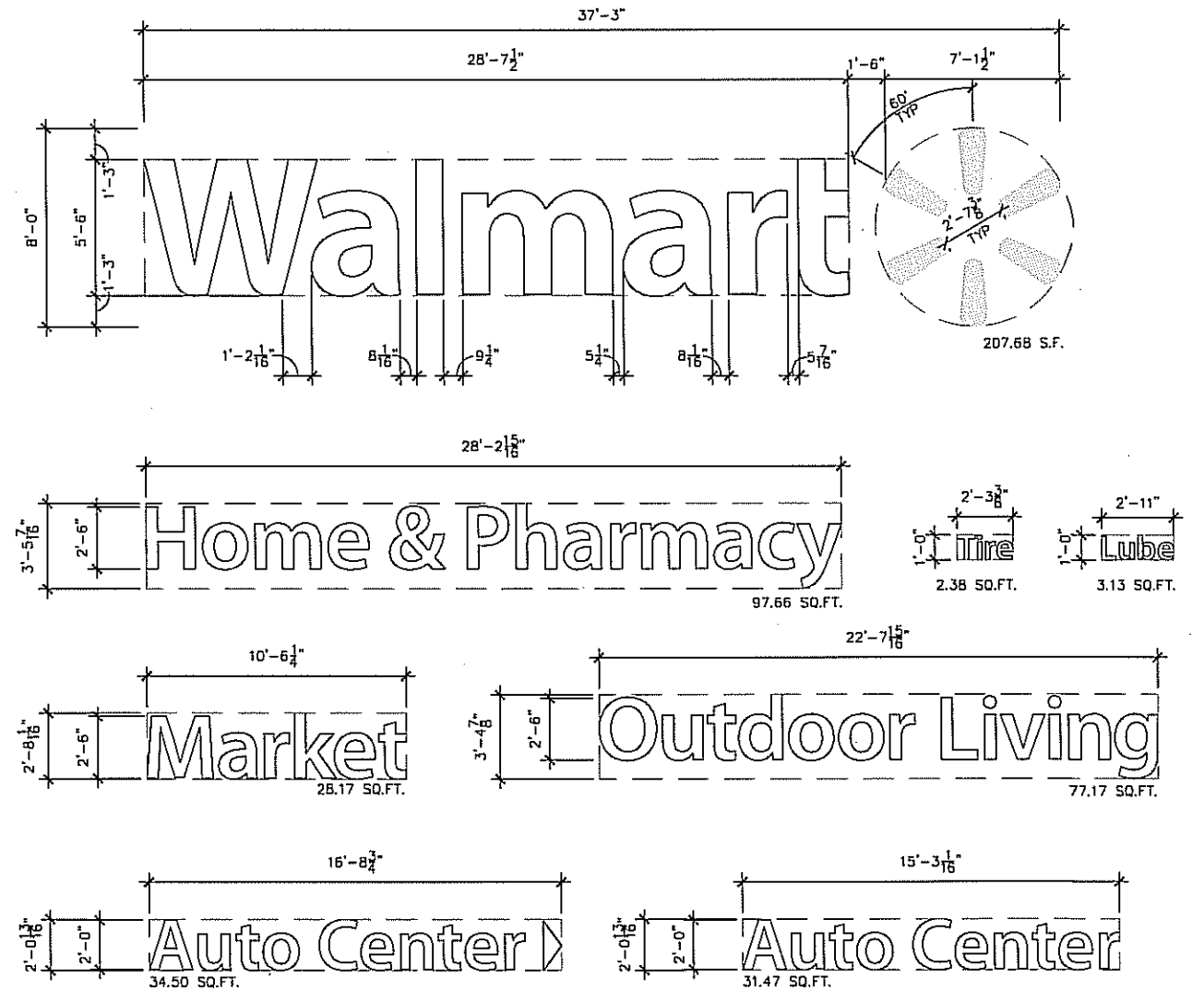
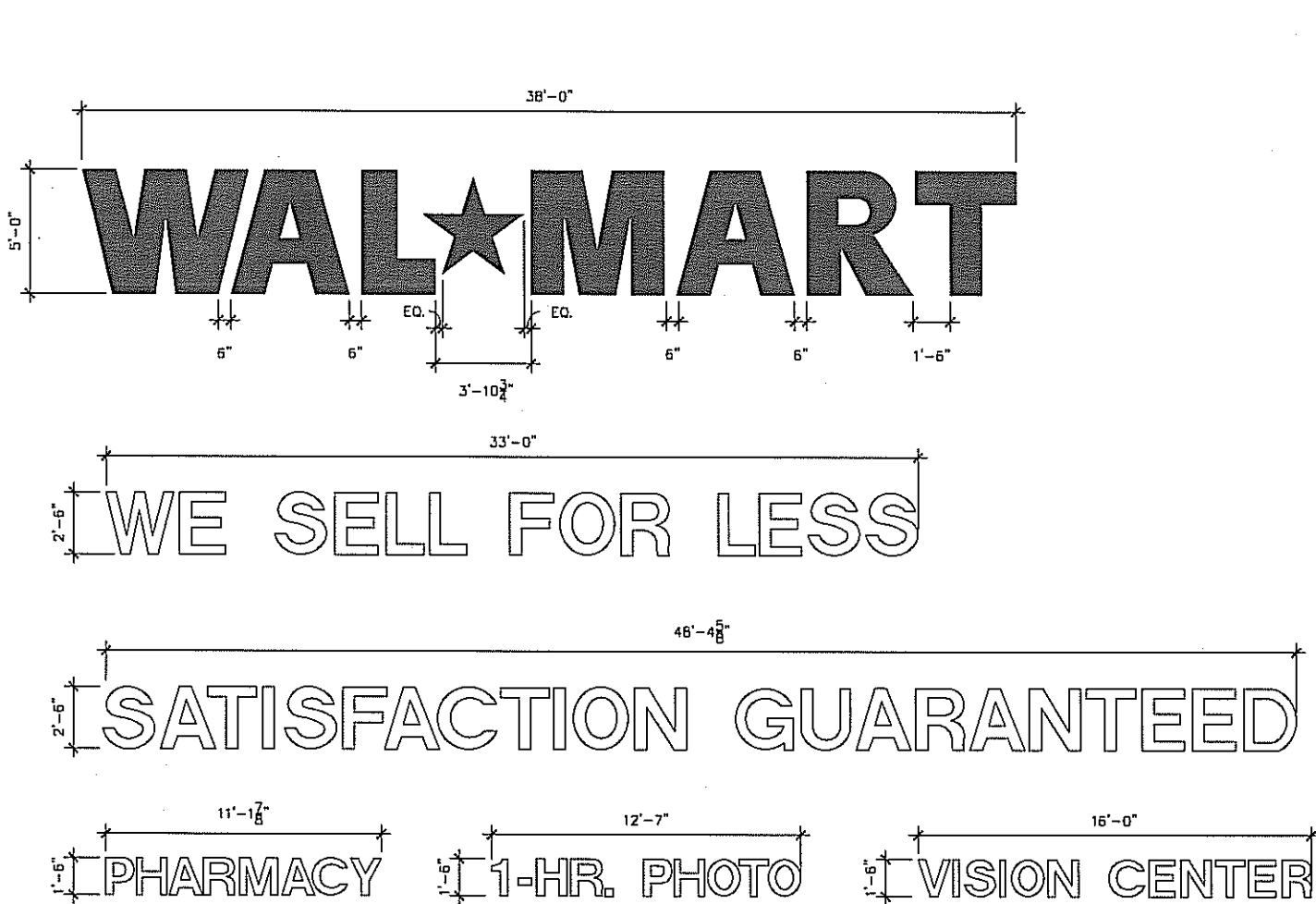


April 4, 2012

Darien, IL #2215

Color Elevations

REPRESENTATION ONLY, NOT FOR CONSTRUCTION: All images shown are a representation of the design intent and may not portray the exact scale, colors, materials, or construction that could occur due to material availability and final architectural modifications.
 © 2012 pb2 architecture + engineering
 All information contained in this document is confidential and may not be used without permission.



EXISTING SIGNAGE SCHEDULE						
SIGN	QTY	COLOR	INDIVIDUAL AREA		TOTAL AREA	
FRONT SIGNAGE						
5' WAL*MART	1	RED	190.00	SF	190.00	SF
30" WE SELL FOR LESS	1	WHITE	82.50	SF	82.50	SF
30" SATISFACTION GUARANTEED	1	WHITE	121.25	SF	121.25	SF
18" PHARMACY	1	WHITE	16.73	SF	16.73	SF
18" 1-HR. PHOTO	1	WHITE	18.88	SF	18.88	SF
18" VISION CENTER	1	WHITE	24.00	SF	24.00	SF
TOTAL FRONT SIGNAGE					453.36	SF
AUTO CENTER SIGNAGE - NO SIGNS						
TOTAL BUILDING SIGNAGE					453.36	SF

PROPOSED SIGNAGE SCHEDULE							
Sign	Qty	Type	Color	Height	Illumination	Sq. Ft.	Total Sq. Ft.
FRONT SIGNAGE							
Walmart *	1	Identity	White	5'-6"	Channel Lit	207.68	207.68
Spark			Yellow	8'-0"			
Home & Pharmacy	1	Directional	White	2'-6"	N/A	97.66	97.66
Market	1	Directional	White	2'-6"	N/A	28.17	28.17
Outdoor Living	1	Directional	White	2'-6"	N/A	77.17	77.17
Auto Center >	1	Directional	White	2'-0"	N/A	34.50	34.50
TOTAL FRONT SIGNAGE							445.18
AUTO CENTER SIGNAGE							
Auto Center	1	Additional	White	2'-0"	N/A	31.47	31.47
Tire	2	Traffic	White	1'-0"	N/A	2.38	4.76
Lube	1	Traffic	White	1'-0"	N/A	3.13	3.13
TOTAL AUTO CENTER SIGNAGE							39.36
TOTAL BUILDING SIGNAGE							484.54

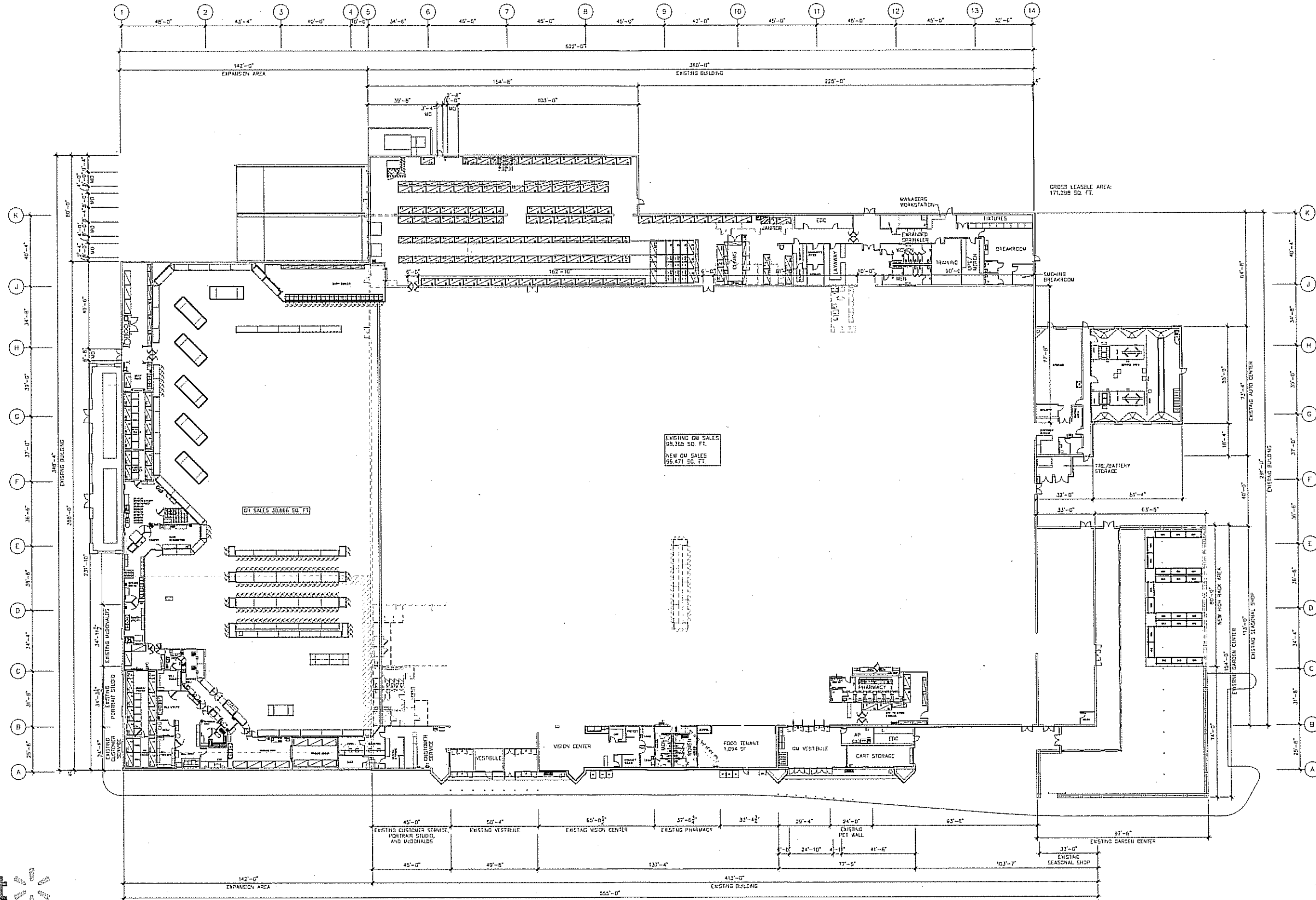


April 4, 2012

Darien, IL #2215

Building Signage

REPRESENTATION ONLY, NOT FOR CONSTRUCTION. All images shown are a representation of the design intent and may not portray the exact scale, colors, materials, or construction that could occur due to material availability and final architectural modifications.
© 2012 pb2 architecture + engineering
All information contained in this document is confidential and may not be used without permission.



April 4, 2012

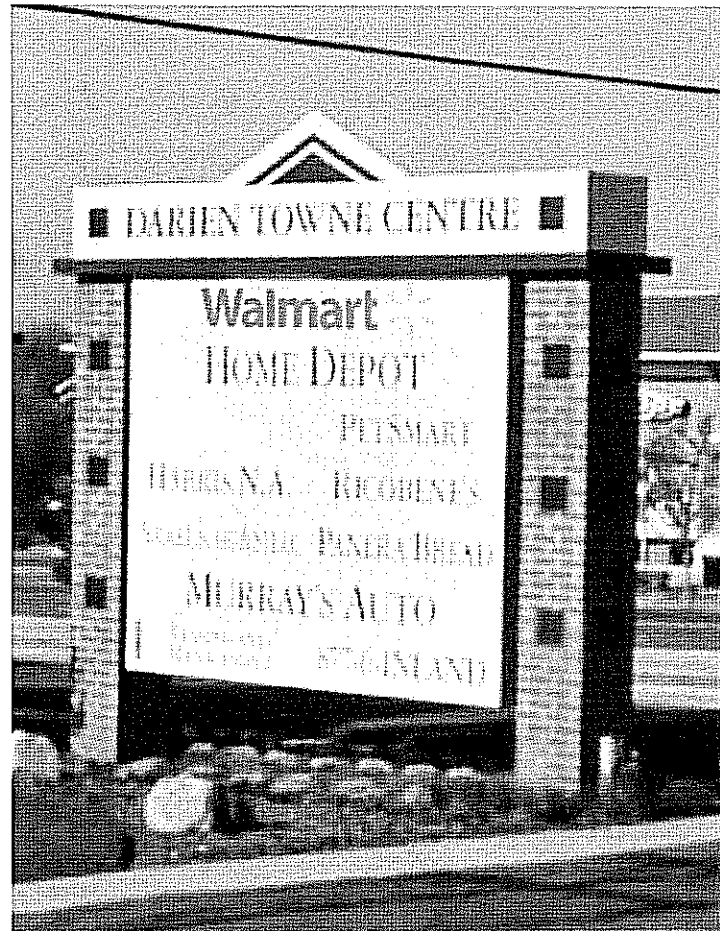
Darien, IL #2215

Footprint

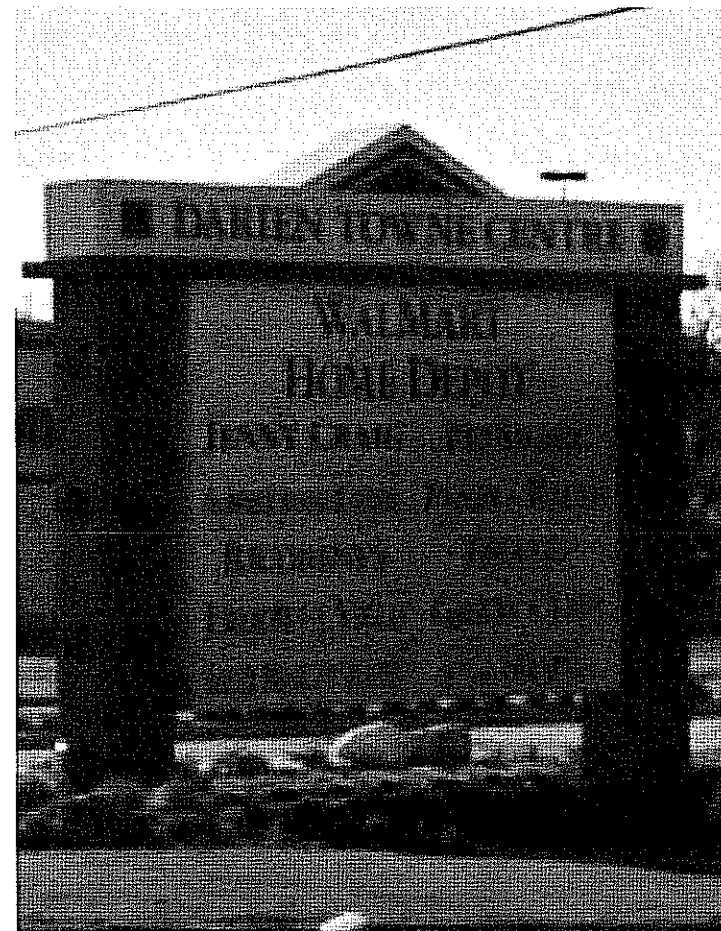
REPRESENTATION ONLY, NOT FOR CONSTRUCTION: All images shown are a representation of the design intent and may not portray the exact scale, colors, materials, or construction that could occur due to material availability and final architectural modifications.
 © 2012 pb2 architecture + engineering
 All information contained in this document is confidential and may not be used without permission.



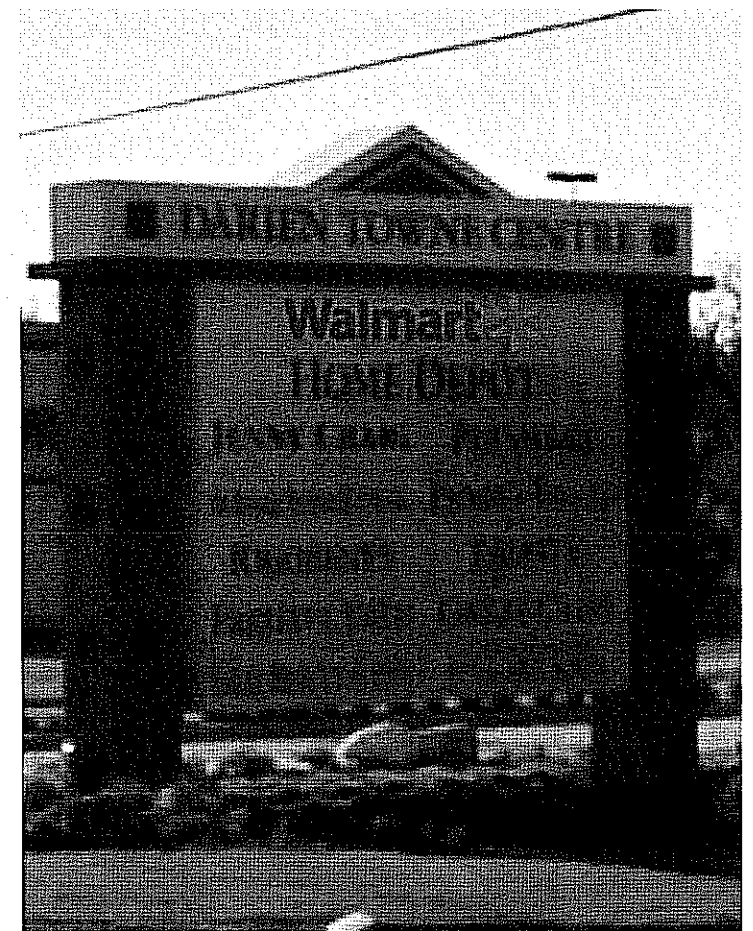
Existing



Proposed



Existing



Proposed

SITE SIGNAGE SCHEDULE					
Sign	# of Signs	Type	Proposed Panel Color	Panel Dimensions	Illumination
Multi Tenant Development Sign - Walmart panel	1	Business	Background: To match existing Lettering: Blue to match PMS 285C, Yellow spark to match PMS 1235C	Sign size and placement to remain the same.	Internally illuminated
Multi Tenant Development Sign - Walmart panel	1	Business	Background: To match existing Lettering: Blue to match PMS 285C, Yellow spark to match PMS 1235C	Sign size and placement to remain the same.	Internally illuminated



Site Signage Locations

Proposed Site Signage



April 4, 2012

Darien, IL #2215

REPRESENTATION ONLY, NOT FOR CONSTRUCTION: All images shown are a representation of the design intent and may not portray the exact scale, colors, materials, or construction that could occur due to material availability and final architectural modifications.
© 2012 pb2 architecture + engineering
All information contained in this document is confidential and may not be used without permission.

AGENDA MEMO
CITY COUNCIL
MEETING DATE: May 21, 2012

Issue Statement

Approval of an Interpretational Letter of Agreement between the City of Darien and Inland Southeast Darien LLC and Wal-Mart Stores, Inc.

[RESOLUTION](#) **[BACKUP](#)**

Discussion/Overview

In April 2012, the City of Darien entered into an Economic Incentive Agreement with Inland and Wal-Mart concerning the distribution of sales taxes. In order to clarify the Economic Incentive Agreement, a table has been created to illustrate hypothetical examples of cash flow per the Agreement. The Agreement itself is not being altered. This is a non-substantive change, but it is appropriate to have formal Council approval. A Resolution is attached. The illustrative table is Exhibit 1 in the Resolution.

Recommendation

Staff recommends approval of the Interpretational Letter of Agreement.

Decision Mode

The City Council will consider this item at its meeting on May 21, 2012.

**A RESOLUTION APPROVING AN
INTERPRETATIONAL LETTER OF AGREEMENT**

RECITALS

A. On April 2, 2012, the City of Darien (“City”) entered into an Agreement with Inland Southeast Darien LLC (“Inland”) and Wal-Mart Stores, Inc. (“Wal-Mart”), headed “Economic Development Agreement” (“Agreement”).

B. The Agreement provides for the distribution of “Incremental Sales Taxes” arising out of “Incremental Sales Taxes” generated by the “Expanded Wal-Mart Store,” as these terms are defined in the Agreement.

C. Section 4 of the Agreement, “Calculating and Distributing Payments to Wal-Mart and Inland,” sets forth the priorities and methodology to be utilized in the distribution of Incremental Sales Tax from the City to Wal-Mart and Inland.

D. Because the parties expect that the distribution of the Incremental Sales Tax will take place over several years, the parties have determined that it will assist the long-term process and eliminate any potential disputes if the parties agree to some illustrative examples setting forth the methodology and priorities for distributing Incremental Sales Tax during the term of the Agreement.

E. The City Council has reviewed this matter, and believes that approving an “Interpretational Letter of Agreement” with respect to the distribution of Incremental Sales Tax is reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, as follows:

Section 1: **Incorporation of Recitals** The recitals set forth in this Resolution are incorporated herein.

Section 2: **Approval.** The City Council hereby approves of an “Interpretational Letter of Agreement” in the form of [Exhibit 1](#) attached hereto and made a part hereof.

Section 3: **Authorization.** The Mayor is hereby authorized to execute said Interpretational Letter of Agreement.

Section 4: **Effective Date.** This Resolution shall be in full force and effect immediately upon its

passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY,

ILLINOIS, this 21st day of May, 2012.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DUPAGE COUNTY,

ILLINOIS, this 21st day of May, 2012.

KATHLEEN MOESLE WEAVER, MAYOR

ATTEST:

JOANNE E. RAGONA, CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

ILLUSTRATIVE EXAMPLE*

Darien Towne Centre / Incentive Model

	Sales Taxes Generated	Base Sales Tax**	Incremental Sales Taxes	Wal-Mart Economic Development Incentive	Inland Economic Development Incentive	Incremental Sales Taxes Retained by City of Darien
Example 1	\$ 1,000,000	\$ 882,628	\$ 117,930	\$ 117,930	\$ -	\$ -
Example 2	\$ 1,350,000	\$ 882,628	\$ 467,930	\$ 300,000	\$ 167,930	\$ -
Example 3	\$ 1,650,000	\$ 882,628	\$ 767,930	\$ 300,000	\$ 200,000	\$ 267,930
Example 4***	\$ 1,750,000	\$ 882,628	\$ 867,930	\$ -	\$ 500,000	\$ 367,930

*This is an illustrative example only. Any conflicts between this example and the Economic Development Agreement dated April 2, 2012 (the "Agreement"), shall be resolved in favor of the Agreement. All terms used in this illustrative example shall have the meanings given them in the Agreement.

**This sum shall increase or decrease by Ninety Eight Thousand Seventy Dollars (\$98,070.00) for every one-quarter of one percent (.0025%) increase or decrease in the City's Home Rule Municipal Service Occupation Tax and Home Rule Municipal Retailers Occupation Tax that is enacted by the City after the effective date of the Agreement.

***Assumes Wal-Mart has received the Wal-Mart Maximum Total Payment.

Rosenthal, Murphey, Coblenz & Donahue

30 North LaSalle St. Suite 1624 ~Chicago, Illinois 60602
Phone (312) 541-1070 ~ Fax (312) 541-9191
JBM Direct Dial (312) 541-1072
JBM e-mail: jmurphey@rmcj.com

Memorandum

Via E-mail

To: Byron Vana
Fr: John B. Murphey
Date: May 17, 2012
Re: Wal-Mart/Inland – Interpretational Letter of Agreement

When we were drafting the Economic Incentive Agreement, I had originally put a couple of hypothetical examples of cash flow into the agreement. My thought was that since this is going to be a long term agreement, it would be helpful to have a clear understanding of how the money flows, particularly since Inland is in a second priority position. Ultimately, it was decided not to put the illustrative table into the agreement.

Inland has rethought the matter and has requested that we agree to the illustrations. Wal-Mart has no objection. This is what is commonly referred to as a “side letter” agreement. Nevertheless, it should have Council approval. The attached Resolution approves the illustrative table. I will forward the table to you separately.

This is a non-substantive change, but it is appropriate to have formal Council approval.

JBM/sml
Attachment