

EXECUTIVE SESSION

It was moved by Alderman Galan and seconded by Alderman Gattuso to go into Executive Session for the purpose of discussing Personnel, Section 2(C)(1) of the Open Meetings Act at 7:00 P.M.

Roll Call: Ayes: Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

Nays: None

Absent: Avci

Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

EXECUTIVE SESSION ADJOURNMENT

It was moved by Alderman McIvor and seconded by Alderman Gattuso to adjourn into open session.

REVERSE ROLL CALL - MOTION DULY CARRIED

The Executive Session meeting adjourned at 7:25 P.M.

DUE TO THE LENGTHY EXECUTIVE SESSION, THERE WAS NO WORK SESSION.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

MAY 18, 2009

1. **CALL TO ORDER**

The regular meeting of the City Council of the City of Darien was called to order at 7:30 P.M. by Mayor Weaver.

2. **PLEDGE OF ALLEGIANCE**

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

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

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Present: John Galan Sylvia McIvor
Carolyn A. Gattuso John F. Poteraske, Jr.
Joseph A. Marchese Ted V. Schauer

Absent: Halil Avci

Also in Attendance: Kathleen Moesle Weaver, Mayor
Joanne F. Coleman, City Clerk
Michael J. Coren, City Treasurer
John Murphey, City Attorney
Bryon D. Vana, City Administrator
Daniel Gombac, Director of Community Development/Municipal Services
Robert Pavelchik, Police Chief
Scott Coren, Assistant City Administrator

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

5. **APPROVAL OF MINUTES** – May 4, 2009

It was moved by Alderman Gattuso and seconded by Alderman Poteraske approve the minutes of the May 4, 2009 meeting, as presented.

Roll Call: Ayes: Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

Nays: None

Absent: Avci

Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

6. **RECEIVING OF COMMUNICATIONS**

There were none.

7. **MAYOR'S REPORT**

It was moved by Alderman Galan and seconded by Alderman McIvor to approve the following motion as presented:

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are waiting for their day of honor. Honor Flight Chicago is looking for volunteers and donations. There are six flights scheduled this year.

Mayor Weaver advised that she will pursue publication of an article about this organization in the next edition of the Neighbors of Darien magazine.

In response to Alderman McIvor, Mary Pettinato provided Honor Flight Chicago's website and telephone contact information as follows:

honorflightchicago.org
773-227-8387

B. COM ED REPORT

Kenneth W. Seaton of The Seaton Group, Inc. reviewed the highlights of his report dated January 22, 2009 (revised May 11, 2009); the recommendations that were presented to ComEd; the comparison of ComEd's old policy of selecting cable to be replaced versus their new way; and the specific improvements ComEd has planned in the coming year. Following the presentation, Mr. Seaton and Assistant to the City Administrator, Scott Coren responded to questions from the City Council.

Mr. Seaton requested ComEd provide the city with specific information on the amount of cable that has been replaced on each particular feeder. This information will give the aldermen the ability to respond to questions from the residents.

Mayor Weaver asked Mr. Seaton to clarify a statement in his report (page 1, paragraph 3, line 5). Mr. Seaton advised that the word "increase" should be changed to "decrease."

Kathleen Maier, External Affairs Manager of Com Ed, briefly reviewed the improvements that were completed for the City of Darien last year, and the improvements scheduled for this year.

In response to Alderman McIvor, Ms. Maier advised that, in the event of an outage, residents should always call 1-800-Edison1. ComEd does not know there are outages unless they are reported.

Administrator Vana reminded all of the resident who attended a City Council Meeting awhile ago concerning his difficulty in receiving a hearing with ComEd. Administrator Vana requested Scott Coren provide an update on that issue.

Scott Coren advised that while repairing an outage, ComEd hit a cable that caused \$1500 damage to an association resident's garage. Since that time, ComEd offered, and the association accepted \$500 compensation.

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Mayor Weaver expressed concern with the amount of compensation the Homeowners Association was awarded.

Kathleen Maier will investigate this issue and report back.

In response to Alderman Galan, Ms. Maier advised that she will make certain Public Works is notified immediately when ComEd causes malfunction of traffic signals.

8. **CITY CLERK'S REPORT**

City Clerk Coleman...

...announced that the Planning and Zoning Commission Meeting of May 20, 2009 has been canceled due to a lack of agenda items.

...announced that the Communications Commission Meeting of May 21, 2009 has been rescheduled to Thursday, May 28, 2009 at 7:00 P.M.

...announced that City Hall will be closed on Monday, May 25, 2009 in observance of the Memorial Day Holiday.

...advised that the DuPage County Election Commission has offered the city the opportunity to have a Voter Information Kiosk to be placed in the lobby at City Hall.

...notified all that any City Council Committee and Subcommittee minutes submitted for the record from this day forward will be placed on the City's website.

Mayor Weaver pointed out that each Chairman will still have to submit the original minutes in paper form.

9. **CITY ADMINISTRATOR'S REPORT**

There was no report.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Due to an increased number of burglaries to motor vehicles, Chief Pavelchik urged residents to lock their car doors and remove any valuables from them.

At the request of Administrator Vana, Director Gombac provided a status update on the city's drainage projects. Director Gombac also reported that it is anticipated the roadway maintenance project will begin in the next few weeks, with an anticipated completion

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date of July 1, 2009. The roadway maintenance scheduling information can be viewed on the city's website and cable. Residents will be notified prior to work being performed on their streets. The concrete program is currently in process. The crack fill program will begin in late July or early August.

Alderman Galan inquired when DuPage County will perform the restoration work which is necessary due to their sewer maintenance project.

Director Gombac reported that he has a call in to DuPage County Sanitary District on this issue but has not heard back from them as yet. City staff will continue to pursue completion of the restoration work. Any information received from DuPage County Sanitary District will be posted on the city's website and e-mailed through Direct Connect.

In response to Alderman McIvor, Director Gombac advised that street sweeping in Darien has been completed, and the Mailbox Replacement Program is in effect all year.

Administrator Vana urged residents who are affected by the sewer maintenance work to contact DuPage County Sanitary District directly to voice their concerns.

11. **TREASURER'S REPORT**

A. WARRANT NUMBER 09-10-02

It was moved by Alderman Gattuso and seconded by Alderman Galan to approve payment of Warrant Number 09-10-02 for FYE 2009 in the amount of \$107,410.07 from the General Fund; \$130,033.38 from the Water Fund; \$1,050.00 from the Motor Fuel Tax Fund; \$988.33 from the Darien Area Dispatch Center; and for FYE 2010 in the amount of \$38,218.51 from the General Fund; \$1,973.49 from the Water Fund; \$63.75 from the Motor Fuel Tax Fund; \$20,800.00 from the Drug Forfeiture Fund; \$5,881.42 from the Capital Improvement Fund; \$213,800.37 from the General Fund Payroll for the period ending 05/07/09; \$22,406.11 from the Water Fund Payroll for the period ending 05/07/09; \$19,403.63 from the D.A.D.C. Fund Payroll for the period ending 05/07/09 for a total to be approved of \$562,029.06.

Treasurer Coren announced that since April 30, 2009 is the end of the city's fiscal year, the April financial report will be presented at the June 1, 2009 Council Meeting. The April report will include the accruals.

Roll Call: Ayes: Galan, Gattuso, Marchese, McIvor, Poterasko, Schauer

Nays: None

Absent: Avci

Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

12. **STANDING COMMITTEE REPORTS**

Planning/Development Committee — Alderman McIvor submitted the Planning and Development Committee Special Meeting Minutes of April 20, 2009, and announced that the next Planning/Development Committee meeting has been rescheduled to take place on Wednesday, May 27, 2009 at 6:30 P.M. in the Council Chambers.

Administrative/Finance Committee — Alderman Poteraske advised that the next Administrative and Finance Committee Meeting is scheduled to take place on Monday, June 8, 2009 at 6:30 P.M. in the upstairs conference.

Public Works Water/Streets Committee — Alderman Marchese advised that the next Public Works Water/Streets Committee Meeting is scheduled to take place on Monday, June 15, 2009 at 6:30 P.M. in the upstairs conference room pending agenda items.

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

In regards to Item C, Mayor Weaver requested that the consultant for the Darien Emergency Operation Plan be specified in the motion. Mayor Weaver suggested that Item C be removed from the Consent Agenda and added to New Business as Item A, and that Items D through G be re-lettered to C through F. There was no objection to Mayor Weaver's suggestion.

14. **OLD BUSINESS**

There was no old business to come before the City Council.

15. **CONSENT AGENDA**

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

Mayor Weaver reviewed the items on the Consent Agenda for the benefit of the viewing audience.

A. CONSIDERATION OF A MOTION TO APPROVE A THREE-YEAR EXTENSION OF THE WARRANTY THAT CURRENTLY COVERS

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**MAINTENANCE ON THE POLICE DEPARTMENT'S LIVESCAN
ELECTRONIC FINGERPRINT SCANNER**

- B. RESOLUTION NO. R-44-09** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION FOR PARTICIPATION IN THE STATE OF ILLINOIS FEDERAL SURPLUS PROPERTY PROGRAM**
- C. ORDINANCE NO. O-10-09** **CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE EXTENSION OF THE POLICE DEPARTMENT PROMOTIONAL LIST FOR AN ADDITIONAL ONE YEAR PERIOD**
- D. RESOLUTION NO. R-45-09** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION APPROVING THE ANNUAL DUES PAYMENT OF \$20,800.00 FOR THE DARIEN POLICE DEPARTMENT PARTICIPATION WITH THE DUPAGE METROPOLITAN ENFORCEMENT GROUP (DUMEG)**
- E. RESOLUTION NO. R-46-09** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE REIMBURSEMENT TO THE VILLAGE OF WOODRIDGE FOR THE 4TH OF JULY FIREWORKS IN AN AMOUNT NOT TO EXCEED \$5,250.00**
- F. RESOLUTION NO. R-47-09** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ESTABLISH A VANTAGECARE RETIREMENT HEALTH SAVINGS PLAN FOR RETIRING POLICE OFFICERS UNDER THE TERMS OF THE COLLECTIVE BARGAINING AGREEMENT**

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Roll Call: Ayes: Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

Nays: None

Absent: Avci

Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

16. **NEW BUSINESS**

It was moved by Alderman Galan and seconded by Alderman Gattuso to approve the following motion:

- A. CONSIDERATION OF A MOTION TO APPROVE THE CONTRACTUAL SERVICES OF PUBLIC SAFETY PLANNING SOLUTIONS TO ASSIST STAFF IN THE REVISION OF THE CURRENT CITY OF DARIEN EMERGENCY OPERATION PLAN IN AN AMOUNT NOT TO EXCEED \$5,000.00.**

Roll Call: Ayes: Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer

Nays: None

Absent: Avci

Results: Ayes 6, Nays 0, Absent 1

MOTION DULY CARRIED

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

Alderman Galan requested a status update on the creation of an incentive package to attract businesses to Darien.

Alderman McIvor advised that this issue was reviewed at the Planning/Development Committee where it was determined a consultant would need to be hired, and, therefore, considered an expansion item. Several consultants were interviewed during the process. Alderman McIvor commented that if this issue is to be revisited, perhaps it could be looked at internally.

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A lengthy discussion took place on the advantages and disadvantages of creating and providing an incentive package to attract businesses.

Alderman Galan requested a status update on the three-way contract with the Darien Historical Society.

Alderman Poteraske advised the issue has not been discussed at committee, but will in the near future.

Alderman Galan requested he be included at that meeting.

Bonnie Kucera of 1427 Coventry Court, President of the Norman Court Townhome Association, read into the record, and submitted, a petition from the residents of Norman Court Townhomes opposing the widening of 75th Street from a two lane roadway to a three lane thoroughfare. Ms. Kucera expressed appreciation to Director Gombac, Alderman Poteraske, and Administrator Vana for the communications and information they have provided. The Norman Court Townhome Association has received no information from the county.

Director Gombac advised that DuPage County has been gathering traffic and pedestrian data. At this time, DuPage County is anticipating a meeting in June to present the data collected, as well as a very rough, conceptual drawing.

Administrator Vana advised that once the city receives information on the plan from DuPage County it will be shared with the public immediately.

Alderman McIvor suggested the city involve an elected county representative.

Administrator Vana added that the City Council passed a resolution in 2005 objecting to the county's road plan, and that nothing has changed since then, in terms of the council's position. Administrator Vana added that the city will forward the petition to the county.

Alderman Marchese stated that the county owns much of the right of way on each side of 75th Street, and does have the right to expand the roadway.

Mayor Weaver stated that, although that is true, the city definitely wants to take a stand against the widening of 75th Street.

Administrator Vana agreed that the county does own the property and has certain rights within the law to expand the roadway, but the city will be watchful to make sure due diligence is accomplished and all federal guidelines are met.

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Brian Flisk of 1415 Greenbriar Lane received a notice from the city that he needs to remove the mobile home which is parked on his property. Mr. Flisk questioned the legality of the ordinance whereupon a discussion ensued between staff and Mr. Flisk.

Attorney Murphey advised that these types of ordinances have held up in court.

18. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 9:17 P.M.

Mayor

City Clerk

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All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 05-18-09.
Minutes of 05-18-09 CCM