

Minutes - June 5, 2006

EXECUTIVE SESSION

It was moved by Alderman Gattuso and seconded by Alderman Poteraske at 7:11 P.M. to move into Executive Session for the purpose of discussing Personnel as prescribed by Section 2(c)(1) of Public Act 88-261.

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

Nays: None

Absent: None

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

It was moved by Alderman Marchese and seconded by Alderman Gattuso at 7:45 P.M. to move into Open Session.

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

Nays: None

Absent: None

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

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

JUNE 5, 2006

1. CALL TO ORDER

The regular meeting of the City Council of the City of Darien was called to order at 7:45 P.M. by Mayor Weaver.

2. PLEDGE OF ALLEGIANCE

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

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

Present: Richard A. Biehl Sylvia McIvor William R. Durkin John F. Poteraske, Jr. Carolyn A. Gattuso
Kathleen Moesle Weaver Joseph A. Marchese

Also in Attendance: Kathleen Moesle Weaver, Mayor Joanne F. Coleman, City Clerk Kevin P. Monaghan, City Treasurer Gina Madden, City Attorney Bryon D. Vana, City Administrator Robert Pavelchik, Chief of Police Daniel Gombac, Director of Community Development/Public Works

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

5. APPROVAL OF MINUTES – May 15, 2006

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve the Minutes of the Regular Meeting of May 15, 2006, as presented.

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

Nays: None

Absent: None

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

6. RECEIVING OF COMMUNICATIONS

Alderman Gattuso received email from Mike York, 911 Hickory Lane, in regard to telephone and cable service.

Alderman McIvor received several phone calls and visited with residents in regard to Steak 'N Shake. She indicated that five items were brought to the attention of Steak 'N Shake; the biggest issues were berm plantings/vegetation and noise from speakers. Mayor Weaver inquired if a response had been received from Steak 'N Shake; Director Gombac responded that correspondence was sent to them on Friday, June 2.

Alderman Biehl: * received a letter from Marvin Barmes, 7108 Crest Road, which he read into the record; the letter thanked Director Gombac because he dealt with the County, who re-ditched the south side of Plainfield Road and eliminated a water problem. * had a phone conversation with a resident from the 7200 block of Tennessee requesting a 'DUCK CROSSING' sign.

Alderman Durkin: * thanked Public Works for quick response in regard to downed trees, limbs, and branches due to the recent storm. * suggested posting up-dated information on Public Hearing signs. The suggestion would be sent to the Planning/Development Committee for review.

Mayor Weaver: * received a copy of a letter directed to Chief Pavelchik from Sharon Erwin of St. Charles, IL, who complimented Officer DeYoung for his assistance. * received email from Jim Jankowski regarding a requested streetlight at the intersection of Grandview & Brewer Road; he was impressed and thanked everyone involved for the light.

7. MAYOR'S REPORT

A. SWEARING-IN OF DEPARTMENT HEAD: ROBERT PAVELCHIK, POLICE CHIEF

Mayor Weaver requested that Chief Pavelchik come forward. City Clerk Coleman administered the "Oath of Office" to Chief Pavelchik.

B. SWEARING-IN OF COMMUNICATIONS COMMISSIONER: HAMILTON (BO) GIBBONS

Mayor Weaver requested that Hamilton (Bo) Gibbons come forward. City Clerk Coleman administered the "Oath of Office" to Commissioner Gibbons.

8. CITY CLERK'S REPORT

Clerk Coleman... stated that the Fire and Police Commission meeting scheduled for June 6th had a time change and would begin at 7:30 P.M.

... announced that the Planning and Zoning Commission meeting scheduled for June 7, 2006 had been cancelled.

... invited everyone to have Coffee with Mayor Weaver on Saturday, June 17th, from 9:00 until 10:00 A.M. at Carmelite Carefree Village located at 8419 Bailey Road.

... commented that a Committee-of-the-Whole meeting had been scheduled for 6:00 P.M. on Monday, June 19th.

... congratulated Caitlyn McIlwee for a perfect ACT score.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana thanked Public Works for cleaning up and painting the vacant Amoco station parcel located at Plainfield Road & Cass Avenue; he complimented Public Works for maintenance work along 75th Street. Alderman Biehl inquired about demolition of the Amoco building; Administrator Vana responded that there was no requirement for demolition of vacant buildings.

10. DEPARTMENT HEAD REPORT

Police Department Chief Robert Pavelchik...

... noted that the Lisle Police Department, at an awards function, awarded a Certificate of Appreciation to City of Darien employees: Dispatcher Panos and Officer Lis with Quanto.

... read an article about an incident that occurred on March 26, 2006. Detective Sergeant Reed along with Detectives Stock & Foster responded to a FIAT (Felony Investigation Assistance Team) callout; they assisted with the murder investigation of an 8-year old Clarendon Hills girl. He presented Detective Sergeant Reed with a Certificate from Clarendon Hills Police Chief Anderson.

... presented Officer Stutte (and Rolf) with a Letter of Commendation from the Downers Grove Police Department for assistance with the apprehension of suspects involved with a burglary that occurred on January 1, 2006.

11. TREASURER'S REPORT

A. WARRANT NUMBER 06-07-03

It was moved by Alderman Biehl and seconded by Alderman Poteraske to approve payment of Warrant Number 06-07-03 in the amount of \$244,675.67 from the General Fund; \$33,138.06 from the Water Fund; \$201,404.96 from Water Depreciation Fund; \$5,333.00 from the Motor Fuel Tax Fund; \$3,126.72 from the Darien Area Dispatch Center; \$10,082.14 from the Joint Use Facility Fund; \$1,166.00 from the D.A.R.E.

Fund; \$245,949.81 from the General Fund Payroll for the period ending 05/25/06; \$26,284.31 from the Water Fund Payroll for the period ending 05/25/06; \$27,264.37 from the D.A.D.C. Fund Payroll for the period ending 05/25/06; for a total to be approved of \$798,425.04.

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

Nays: None

Absent: None

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

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — Chairman Weaver submitted, for the record, Minutes from the April 10, 2006 meeting.

Planning/Development Committee — No Report.

Public Works Water/Streets Committee — No Report.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

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

14. OLD BUSINESS

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

15. CONSENT AGENDA

Mayor Weaver asked if Council had any comments about the Consent Agenda items since there was no Work Session. Alderman Biehl asked that Consent Agenda Item D be moved to New Business. Mayor Weaver indicated that Consent Agenda Item D would be moved to New Business as Item D and that New Business Item D would be moved to Consent Agenda as Item D.

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

A. ORDINANCE NO. O-22-06 AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE CITY OF DARIEN (17 W 611 N. FRONTAGE ROAD)

B. ORDINANCE NO. O-23-06 AN ORDINANCE REZONING CERTAIN PROPERTY NEWLY ANNEXED TO THE CITY OF DARIEN AND APPROVING A PRELIMINARY PLAT OF SUBDIVISION AND PRELIMINARY SITE PLAN (17W611 NORTH FRONTAGE ROAD, DARIEN OFFICE/WAREHOUSE) (PZC 2006-01: 17W611 N. FRONTAGE ROAD, DARIEN OFFICE/WAREHOUSE)

C. ORDINANCE NO. O-24-06 AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AND DEVELOPMENT AGREEMENT (17W611 N. FRONTAGE ROAD, "DARIEN OFFICE/WAREHOUSE") (PZC 2006-01: 17W611 N. FRONTAGE ROAD, DARIEN OFFICE/WAREHOUSE)

D. CONSIDERATION OF A MOTION TO APPROVE CONTRACT WITH A&R CEMENT INC. IN THE AMOUNT OF \$668,000.00 FOR THE 2006 SIDEWALK, APRON AND CURB AND GUTTER REMOVAL AND REPLACEMENT PROGRAM

E. CONSIDERATION OF A MOTION TO REVIEW AND UPDATE KEY AND NON KEY DEVELOPMENT AREAS WITHIN THE CITY'S COMPREHENSIVE PLAN

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

Nays: None

Absent: None

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

16. NEW BUSINESS

A. CONSIDERATION OF A MOTION REJECTING THE BIDS RECEIVED FOR THE CONSTRUCTION OF THE WATER TOWER ON PLAINFIELD ROAD

It was moved by Alderman Biehl and seconded by Alderman Gattuso to Reject the Bids Received for the Construction of the Water Tower on Plainfield Road, as presented.

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

Nays: None

Absent: None

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

B. CONSIDERATION OF A MOTION TO WAIVE BIDS AND AWARD A CONTRACT TO CHICAGO BRIDGE AND IRON FOR THE DEMOLITION AND RECONSTRUCTION OF A NEW 1.5 MILLION GALLON WATER TOWER, GARAGE, VARIOUS PUMPS, PUMP CONTROLLERS AND APPURTENANCES AT PLANT TWO-1220 PLAINFIELD ROAD IN THE AMOUNT OF \$3,424,180.00, AND APPROVE A PROJECT CONTINGENCY OF \$50,000 THAT CAN BE USED TOWARDS THE PROJECT IN ACCORDANCE WITH CURRENT EXPENDITURE PROCEDURES

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to Waive Bids and Award a Contract to Chicago Bridge and Iron for the Demolition and Reconstruction of a New 1.5 Million Gallon Water Tower, Garage, Various Pumps, Pump Controllers and Appurtenances at Plant Two-1220 Plainfield Road in the Amount of \$3,424,180.00, and Approve a Project Contingency of \$50,000 that can be used towards the Project in Accordance with Current Expenditure Procedures, as presented.

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

Nays: None

Absent: None

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

C. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR ENGINEERING DESIGN SERVICES BETWEEN THE CITY OF DARIEN AND CHRISTOPHER B. BURKE ENGINEERING, LTD. (CONSTRUCTION OBSERVATION OF WATER TOWER PROJECT) (IN AN AMOUNT NOT TO EXCEED \$50,000)

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

RESOLUTION NO. R-28-06 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR ENGINEERING DESIGN SERVICES BETWEEN THE CITY OF DARIEN AND CHRISTOPHER B. BURKE ENGINEERING, LTD. (CONSTRUCTION OBSERVATION OF WATER TOWER PROJECT) as presented.

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

Nays: None

Absent: None

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

D. CONSIDERATION OF A MOTION TO APPROVE A PROPOSAL FROM HOVING CLEAN SWEEP FOR THE CITY OF DARIEN'S ANNUAL STREET SWEEPING PROGRAM

It was moved by Alderman Biehl and seconded by Alderman Poteraske to Approve a Proposal from Hoving Clean Sweep for the City of Darien's Annual Street Sweeping Program, as presented.

Alderman Biehl inquired who performed street sweeping last year; Director Gombac responded that it was Waste Management. He asked if the price was the same; Director Gombac said that Waste Management was higher this year. Alderman Biehl said that the current contract was approximately \$10.00/hour cheaper and money would be saved; he suggested four sweeps instead of three. Alderman McIvor agreed with Alderman Biehl for a fourth sweep. Administrator Vana stated that a change in the contract might have an impact; he suggested approving the contract as presented and that an additional sweep could be reviewed later based on funding.

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

Nays: None

Absent: None

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

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Biehl complimented the VFW for the Memorial Day Ceremony held at Darien Community Park.

Robert Novak, 8418 Carriage Greens, inquired about the Pavel property located at 8422 Carriage Greens. Administrator Vana responded that the outcome of Court litigation permitted the City to enter the property to bring it into compliance. Mr. Novak expressed his opinion that the City Attorney who represented the City was not doing the job and was not qualified; he said that litigation was ongoing since 1989 and the attorney was more concerned about payment of attorney fees than restoration of the property. He asked that the City move forward and get the job done. Administrator Vana stated that the

City had to re-file because the original case was too old; the City re-filed and decided that it would also focus on cost reimbursement at the next court appearance. He indicated that the City intended to create a plan to correct the violations in the fall and would meet with the Homeowners Association; he indicated that the City would lien the property for legal fees. Mr. Novak invited City Staff to the Homeowners meeting scheduled for June 14th. Administrator Vana stated that he would call Mr. Novak to review the details. There was discussion about landscaping the property.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:53 P.M.

Mayor _____ City Clerk jr All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 06-05-06.