

EXECUTIVE SESSION

It was moved by Alderman McIvor and seconded by Alderman Gattuso to go into Executive Session for the purpose of discussing Collective Bargaining, Section 2(C)(2), and Sale or Lease of Real Estate, Section 2(C)(6) of the Open Meetings Act at 7:00 P.M.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

EXECUTIVE SESSION RECESS

It was moved by Alderman McIvor and seconded by Alderman Gattuso to recess Executive Session.

REVERSE ROLL CALL – MOTION DULY CARRIED

Executive Session was recessed at 7:30 P.M.

THERE WAS NO WORK SESSION THIS EVENING.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

FEBRUARY 7, 2011

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**

Cub Scout Pack 36 led the Council and audience in the Pledge of Allegiance.

Mayor Weaver explained that she is wearing a Green Bay Packers Jersey as the result of a friendly bet with the Mayor of Oak Creek, Wisconsin over the playoff game between the Chicago Bears and the Green Bay Packers.

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

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

Absent: None

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

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

5. **APPROVAL OF MINUTES** – January 17, 2011

It was moved by Alderman Gattuso and seconded by Alderman Schauer to approve the minutes of the January 17, 2011 meeting.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

6. **RECEIVING OF COMMUNICATIONS**

Mayor Weaver stated that words cannot express the appreciation of the City Council and residents for the extraordinary snowplowing efforts of the Municipal Services Department during and following the recent blizzard. Mayor Weaver recognized all the residents that sent letters e-mails and letters commending the City on the wonderful snow removal as follows:

Robert, Heidenreich, Bonnie Kucera, Ted Staroscik, Deb Cerny, George Nakis, Vesna Nikolic, Jim Tikalsky, Bob Meister, Kathy DeSalvo, and Donna Kolacki.

Mayor Weaver expressed pride and gratitude toward Director Gombac and the Municipal Services Department for an exemplary job, and thanked the residents for their e-mails and letters.

Alderman Galan received many communications from residents relative to the waste disposal contract that is being voted on this evening. Using a letter from Ed Kalebich of 1386 Von Drash Drive as a point of reference for all the letters, e-mails and calls he received, Alderman Galan reviewed Mr. Kalebich's concerns. Alderman Galan added that Mr. Kalebich extended his congratulations to Director Gombac and his team for the excellent snow removal efforts. Alderman Galan requested Assistant Administrator Coren review the high points of the contract that is being considered this evening.

Assistant Administrator Coren advised that when entering into a refuse removal contract, a number of items are considered. These items, which include cost of service and recycling, are reviewed consistently throughout the years by staff and the Environmental Committee. The Environmental Committee provides a report of their findings to the City Council. The Environmental Committee is very proud of the fact that Darien is the second highest ranking recycling community in DuPage County. The Environmental Committee and the City Council believe the high recycling rating is largely due to the sticker program which provides free recycling. In an effort to obtain the best rates for their residents, the City recently went out to bid for refuse removal. Veolia Environmental Services came in significantly lower in terms of pricing. The Administrative Finance Committee carefully reviewed the bids and recommended Veolia Environmental Services as offering the best economical and sustainable program.

In response to Alderman Galan, Assistant Administrator Coren advised that staff is working with Veolia Environmental Services to find a larger recycling container, with a lid, for residents. In the meantime, residents may use a refuse container that is up to 35 gallons in size for recyclables. All the advantages of the current contract are provided under the lower pricing with Veolia Environmental Services. It is important to note that the free recycling totes offered in a letter Allied Waste sent to residents is applicable to the 20% of residents who are on the tote rental program.

As Chairman of the Police Committee, Alderman McIvor commended the Police Department on the outstanding job they performed during the blizzard.

At the request of Alderman McIvor, Chief Pavelchik advised that the warming centers in Darien are located at the Sportsplex, Mt. Carmel Church, and the Police Department Training Room.

Mayor Weaver commended Deputy Chief Skala, who spent the evening on premises to make certain all calls and e-mails were responded to in a timely fashion.

Alderman Schauer advised that he received an e-mail from Jackie Koranda commending the City on their snowplowing efforts. Her area was plowed by 5:30 A.M. on Wednesday morning.

Alderman Avci received an e-mail from Frank DuPont of 917 Belair expressing his support of the City's choice for refuse pick-up. Mr. DuPont also strongly supports a \$.10 surcharge to subsidize the leaf pickup program which benefits the entire community. Mr. DuPont feels the \$.20 surcharge to subsidize the one time Amnesty Day pick program seems to be quite high.

In response to Mayor Weaver, Assistant Administrator Coren responded that, upon approval of the contract with Veolia Environmental Services, program information will be provided to all residents. In addition, a representative of Veolia Environmental will attend a City Council Meeting to explain their services.

Mayor Weaver pointed out that whether there is an Amnesty Day or not, residents have the ability to put out almost any household item on their regular garbage day at a minimal cost.

Administrator Vana clarified that Veolia's contract and program will be identical to the current program. Items such as Amnesty Day and free leaf pick up will be considered during the budget review.

7. **MAYOR'S REPORT**

There was no report.

8. **CITY CLERK'S REPORT**

City Clerk Coleman...

...announced that Darien City Offices will be closed on Monday, February 21, 2011 in observance of the Presidents Day Holiday.

...advised that the next City Council Meeting will take place on Tuesday, February 22, 2011, with the Work Session beginning at 7:00 P.M. and the Council Meeting at 7:30 P.M.

...invited all to attend Coffee with the Mayor on Saturday, February 19, 2011 at Dunkin' Donuts located at 7516 Cass Avenue.

9. **CITY ADMINISTRATOR'S REPORT**

Administrator Vana...

...commended staff on the snow removal efforts, and thanked Ashley Prueter for coming to City Hall on Wednesday to make sure the office was open.

...thanked Lauren at the Darien Patch for providing up to the minute blizzard information to the residents.

Mayor Weaver added that at the height of the storm on Tuesday night, there were 1300 reported electric outages due to a downed wire in Willowbrook on Plainfield Road. The electricity was restored by 9:00 P.M. Tuesday night.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

In response to Alderman McIvor, Director Gombac advised that 60% of fire hydrants throughout town have been uncovered. All fire hydrants can be seen but staff is working on improving visibility. Residents are encouraged to contact City Hall in the event of snow covered fire hydrants. The City and Fire Department are aware of all fire hydrant locations.

In response to Alderman Poteraske, Director Gombac advised that there is a coordinated effort between the City and the Fire Department to dig out fire hydrants, and efforts are not duplicated. Director Gombac advised that Municipal Services snow removal overtime expenses were approximately \$13,000. Due to the magnitude of the storm, snow removal equipment was outsourced. The total cost of snow removal efforts over the three day period was \$27,000. The initial round of snow removal from sidewalks is

65% completed. The City is working with the County on sidewalk snow removal along county roads.

In response to Alderman Poteraske, Chief Pavelchik advised the Police Department overtime expense during the blizzard was approximately \$1800.

Assistant Administrator Coren added that since the State of Illinois declared a State of Emergency, the City will be applying for federal funds.

In response to Alderman McIvor, Director Gombac informed the City Council and viewing audience that mailboxes damaged during snow removal efforts will be taken care of through the City's Mailbox Replacement Program. Damaged mailboxes or street signs may be reported to Ashley Prueter at 630-353-8105.

In response to Alderman Avci, Director Gombac provided an explanation and report on the recent water main breaks.

11. **TREASURER'S REPORT**

A. WARRANT NUMBER 10-11-16

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve payment of Warrant Number 10-11-16 in the amount of \$50,521.25 from the General Fund; \$192,795.57 from the Water Fund; \$54,993.81 from the Motor Fuel Tax Fund; \$1,604.00 from the Darien Area Dispatch Fund; \$5,015.50 from the Capital Improvement Fund; \$215,707.17 from the General Fund Payroll for the period ending 01/27/2011; \$17,612.08 from the Water Fund Payroll for the period ending 01/27/2011; \$24,641.32 from the D.A.D.C. Fund Payroll for the period ending 01/27/2011 for a total to be approved of \$562,890.70.

Discussion: Alderman Avci questioned why a replacement computer for a sergeant was charged to Administration, and why snow plowing for Heritage Center was not listed under the Business District.

Administrator Vana advised that if a bill is received for two separate services, the description appears under both funds. The funds are dispensed properly.

Assistant Administrator Coren advised that it is easier to manage the cost of computer services and parts from one account to cover Administration, Police, and Municipal Services Departments.

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

- A. ORDINANCE NO. O-01-11** **CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE GRANTING A ONE (1) YEAR EXTENSION TO THE PREVIOUSLY APPROVED MINOR AMENDMENT TO AN APPROVED PLANNED UNIT DEVELOPMENT (DARIEN TOWNE CENTRE PUD, 2189 75TH STREET, ILLINOIS, AMVETS COLLECTION CENTER AT WAL-MART)**

- B. ORDINANCE NO. O-02-11** **CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING A SPECIAL USE TO THE DARIEN ZONING ORDINANCE (PZC 2010-16: 2425 75TH STREET, SMASHBURGER)**

- C. ORDINANCE NO. O-03-11** **CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2010-17: 1133 JAMES PETER COURT)**

- D. RESOLUTION NO. R-02-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM PLOTKE ASPHALT INC. FOR THE REMOVAL AND REPLACEMENT OF BITUMINOUS APRONS AND ROAD PATCHES AS REQUIRED FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012**

- E. RESOLUTION NO. R-03-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM KIEFT BROTHERS INC. FOR CULVERT METAL PIPES, METAL**

BANDS AND METAL FLARED END SECTIONS AND FITTING FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012

- F. RESOLUTION NO. R-04-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM LAND AND LAKES COMPANY FOR CERTAIN GENERATED WASTE FROM VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012**
- G. RESOLUTION NO. R-05-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM DAS ENTERPRISES INC. TO PROVIDE TRUCKING SERVICES RELATING TO HAULING WASTE FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012**
- H. RESOLUTION NO. R-06-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM C & M PIPE SUPPLY FOR HIGH DENSITY POLYETHYLENE PIPES (HDPE), FLARED END SECTIONS, AND FITTING FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012**
- I. RESOLUTION NO. R-07-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FOR THE PURCHASE OF STONE AT THE PROPOSED UNIT PRICES FROM E. D. SIEBERT TRUCKING SERVICE INC. FOR VARIOUS PUBLIC WORKS**

**PROJECTS FOR A PERIOD OF MAY 1,
2011 THROUGH APRIL 30, 2012**

- J. RESOLUTION NO. R-08-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM ALL STAR MAINTENANCE AT THE PROPOSED SCHEDULE OF PRICES FOR THE PLACEMENT OF TOPSOIL AND FOR THE PURCHASE AND PLACEMENT OF FERTILIZER AND SOD FOR LANDSCAPE RESTORATION SERVICES FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012**
- K. RESOLUTION NO. R-09-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM BEARY LANDSCAPING AT THE PROPOSED SCHEDULE OF PRICES FOR THE PLACEMENT OF TOPSOIL AND FOR THE PURCHASE AND PLACEMENT OF FERTILIZER AND SOD FOR LANDSCAPE RESTORATION SERVICES FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012**
- L. RESOLUTION NO. R-10-11** **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FOR THE PURCHASE OF STONE AT THE PROPOSED UNIT PRICES FROM VULCAN CONSTRUCTION MATERIALS INC. FOR CA-6 AND CA-7 STONE DELIVERED TO THE CITY OF DARIEN FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012**

- M. RESOLUTION NO. R-11-11 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM NORWALK TANK COMPANY FOR STORM SEWER STRUCTURES, IRON SEWER GATES, CONCRETE ADJUSTING RINGS FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012
- N. RESOLUTION NO. R-12-11 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM DUPAGE TOPSOIL INC. AT THE PROPOSED SCHEDULE OF PRICES, FOR TOPSOIL FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012
- O. RESOLUTION NO. R-13-11 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM DAS ENTERPRISES INC. AT THE PROPOSED SCHEDULE OF PRICES, FOR TOPSOIL FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2011 THROUGH APRIL 30, 2012

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

 Nays: None

 Absent: None

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

16. **NEW BUSINESS**

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

- A. RESOLUTION NO. R-14-11 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION TO ENTER INTO AN AGREEMENT WITH VEOLIA ENVIRONMENTAL TO PROVIDE RESIDENTIAL REFUSE HAULING BEGINNING APRIL 1, 2011 THROUGH MARCH 31, 2015 WITH TWO OPTION YEARS**

Discussion: Alderman Avci stated that Allied Waste did an excellent job, and this resolution should not be a reflection of their service. The new company has provided a comparable proposal with the same type of service at a lower price. Alderman Avci thanked Allied Waste for the great job they have performed over the last several years.

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

 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 to approve the following motion:

- B. CONSIDERATION OF A MOTION TO ACCEPT THE LETTER OF INTENT FROM CHASE BANK TO PURCHASE THE PROPERTY ON THE SOUTHEAST CORNER OF 75TH AND CASS FOR \$2,050,000.00.**

Discussion: Mayor Weaver explained that this evening’s vote is to accept the Letter of Intent received from Chase Bank for the purchase of the Shell property located at 75th & Cass.

Administrator Vana added that Chase and the City have a common interest in a unified development, and the City will work with Chase to negotiate access easements through the strip center.

Attorney Murphey explained that the Letter of Intent is not a contract, and is non-binding. The Letter of Intent establishes the corral within which the City has agreed with Chase to negotiate a contract. There is general language regarding their proposed land use, and the necessity to go through zoning. The Letter of Intent provides Chase the assurance that during the due diligence process, the City will honor them as the sole potential buyer. Chase will be performing due diligence to insure the site is suitable from an environmental standpoint, and for their proposed use. The Letter of Intent does not provide a waiver on zoning, and Chase must obtain whatever zoning relief is necessary from the City. Chase understands that the drawings on the Site Plan are bare concept that provide a sense of whether both sides think this potential arrangement can work. Chase understands that there are other agency approvals involved in terms of curb cuts, and that both the City and Chase have an interest in making certain there is easy access to and from the center. The document which is being approved this evening merely establishes the price, and the period of time for the two sides to negotiate a contract to be brought before the City Council.

Roll Call:	Ayes:	Avci, Galan, Gattuso, Marchese, McIvor, Poteraske, Schauer
	Nays:	None
	Absent:	None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

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

Bob Pfister, the Municipal Marketing Manager for Veolia Environmental Services, expressed gratitude for the opportunity to serve the City of Darien. Mr. Pfister will be in attendance at a future City Council Meeting to provide specifics on the entire transition plan. The transition should be seamless for the residents.

In response to Alderman Poteraske, Mr. Pfister confirmed that the carts will need to be switched out during the transition, and this will be coordinated with Allied Waste.

Alderman Gattuso announced that tickets for the Darien Citizen of the Year Dinner/Dance on March 5, 2011 are available at City Hall at a cost of \$30.

Mayor Weaver added that the Cake and Coffee Reception for 2011 Citizen of the Year Bob Klein will be held on Tuesday, February 22, 2011 at City Hall.

EXECUTIVE SESSION RECONVENE

It was moved by Alderman McIvor and seconded by Alderman Marchese to reconvene Executive Session for the purpose of discussing Collective Bargaining, Section 2(C)(2) of the Open Meetings Act. No action will take place as a result of these discussions.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

Executive Session reconvened at 8:40 P.M.

EXECUTIVE SESSION ADJOURNMENT

It was moved by Alderman McIvor and seconded by Alderman Galan to adjourn Executive Session.

REVERSE ROLL CALL - MOTION DULY CARRIED

The Executive Session meeting adjourned at 8:50 P.M.

18. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting finally adjourned at 8:50 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 02-07-11.
Minutes of 02-07-11 CCM