

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE JULY 18, 2011 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:12 P.M.

EXECUTIVE SESSION – COLLECTIVE BARGAINING, SECTION 2(C)(2) OF THE OPEN MEETINGS ACT

It was moved by Alderman Poteraske and seconded by Alderman Seifert to go into Executive Session for the purpose of discussing Collective Bargaining, Section 2 (C)(2) of the Open Meetings Act at 7:15 P.M.

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

Nays: None

Absent: McIvor, Schauer

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

It was moved by Alderman Seifert and seconded by Alderman Beilke at 7:31 P.M. to adjourn into open session.

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

Nays: None

Absent: McIvor, Poteraske, Schauer

Results: Ayes 4, Nays 0, Absent 3

MOTION DULY CARRIED

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

JULY 18, 2011

1. **CALL TO ORDER**

The regular meeting of the City Council of the City of Darien was called to order at 7:33 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, Jr.
 Tina M. Beilke Joerg Seifert
 Joseph A. Marchese

Absent: Sylvia McIvor
 Ted V. Schauer

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 Community Development/Municipal Services
 John Cooper, Deputy Chief

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

5. **APPROVAL OF MINUTES** – June 20, 2011

It was moved by Alderman Marchese and seconded by Alderman Avci to approve the minutes of the City Council Meeting of June 20, 2011, as presented.

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

Abstain: Seifert

Nays: None

Absent: McIvor, Schauer

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

6. **RECEIVING OF COMMUNICATIONS**

Alderman Marchese received compliments from residents regarding the clean up of brush following last week's storm. Alderman Marchese commended Director Gombac and his staff on their efforts. Mayor Weaver added her gratitude to Director Gombac and his staff and commended his proactive approach.

Alderman Seifert spoke about the reoccurring coyote issues, and their increased aggressiveness. Administrator Vana noted this is a county-wide problem. Since food source is the number one problem, residents are encouraged not to leave food out for any wildlife. He said if desired by Council, a workshop to further review and discuss coyote issues could be scheduled. The approximate cost to trap one coyote is \$2,000. Mayor Weaver added that coyotes are very territorial, and attack dogs they feel infringe on their territory. Deputy Chief Cooper commented that there has been no increase in the number of coyotes in the area. He added that if coyotes are trapped and removed, others will move in to take their place. Coyote are easily frightened off by yelling or making loud noises. Administrator Vana encouraged residents to report sightings to City Hall.

7. **MAYOR'S REPORT**

A. CONSIDERATION OF A MOTION TO APPROVE THE REAPPOINTMENT OF MIKE VONDER HEIDE AND STEVE KOWYNIA TO THE COMMUNICATIONS COMMISSION

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

THE REAPPOINTMENT OF MIKE VONDER HEIDE AND STEVE KOWYNIA TO THE COMMUNICATIONS COMMISSION

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

Nays: None

Absent: McIvor, Schauer

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

City Clerk Ragona administered the Oath of Office to Mike Vonder Heide. Steve Kowynia was not in attendance.

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

B. CONSIDERATION OF A MOTION TO APPROVE THE APPOINTMENT OF WAYNE SCHARNAK TO THE BOARD OF FIRE AND POLICE COMMISSIONERS

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

THE APPOINTMENT OF WAYNE SCHARNAK TO THE BOARD OF FIRE AND POLICE COMMISSIONERS

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

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

City Clerk Ragona administered the Oath of Office to Wayne Scharnak.

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

C. DARIEN CHAMBER OF COMMERCE UPDATE

Clare Bongiovanni reported the following information:

- DarienFest will be held on September 9, 10 and 11, 2011. Sponsorship opportunities for this event are now available, and volunteers are needed.
- Nominations are being accepted for the Darien Chamber of Commerce Business Excellence Award.
- The City of Darien, Darien Park District and Darien Chamber of Commerce will be co-sponsoring a Health and Wellness Fair at the Sportsplex on October 19, 2011.
- Reminded everyone to check out the hot deals and events on the Darien Chamber website.
- Announced that Coffee with the Mayor has been rescheduled to take place on July 23, 2011 from 9 A.M. to 10 A.M. at the National Shrine of St. Therese in Darien.
- The Annual State of the City will be held on September 20, 2011 at Ashton Place.
- The Darien Chamber of Commerce is seeking a college intern for the fall.

Ms Bongiovanni introduced July's featured member, Russ Barney of State Farm.

Russ Barney spoke of the many changes that have occurred throughout the years. He cautioned residents not to over insure their homes. He stressed the importance of insuring property, and not land, against loss. State Farm's objective is to take care of their clients. Mr. Barney invited all to view a detailed presentation of State Farm on the Chamber's website. In response to Alderman Poteraske, Mr. Barney confirmed that home values are down, and noted that State Farm has software that determines the cost to rebuild a home.

Mayor Weaver provided information on the advisory committee she established which consists of five individuals, who are assisting her in the search for a Police Chief. One hundred forty resumes have been received. The committee has been given one hundred resumes to review.

8. **CITY CLERK'S REPORT**

There was no report.

9. **CITY ADMINISTRATOR'S REPORT**

City Administrator Vana advised that the preliminary audit numbers have been received. Preliminary numbers indicate there will be funds for three ditch projects proposed for this year. A Committee of the Whole Meeting will be scheduled to take place on August 1, 2011 at 6:00 P.M. to review the ditch projects, as well as review fund balances and revenues. If approved, the projects can be performed this Fall.

Director Gombac advised that the proposed vendor will honor estimates previously submitted. The cost of the projects is approximately \$620,000.

Administrator Vana advised that ongoing ComEd outages not related to recent storms, are continually monitored. Representatives of ComEd will be invited to a future City Council Meeting to review and discuss residences which continually suffer outages. Administrator Vana recommended that City Council Members provide questions and/or comments to be submitted to ComEd prior to their attendance.

Alderman Poteraske would like ComEd to provide a report on what they have learned from the last storm outages, and what they plan on doing differently in the future. He also suggested that more cable be buried over a period of time.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Director Gombac provided information on DuPage County's patch resurfacing project on 75th Street from Cass to Lyman. The County is also patch resurfacing 87th Street from

Lemont to 355. 75th Street is not being widened at this time. Mayor Weaver added that funds to widen 75th Street have not been secured.

Deputy Chief Cooper discussed procedures for calling 911 from wireless telephones. 911 calls made from wireless telephones go directly to the DuPage County Sheriff. To expedite 911 calls, residents are urged to ask for Darien Police or a specific Fire Department. Deputy Chief Cooper recommended wireless users register with Smart 911 so pertinent information will be available when emergency calls are made.

11. **TREASURER'S REPORT**

A. WARRANT NUMBER 10-11-26

It was moved by Alderman Poteraske and seconded by Alderman Seifert to approve payment of Warrant Number 10-11-26 for FYE 2011 in the amount of \$117.51 from the General Fund; \$503.15 from the Darien Area Dispatch Fund for a total to be approved of \$620.66.

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

Nays: None

Absent: McIvor, Schauer

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

B. WARRANT NUMBER 11-12-05

It was moved by Alderman Poteraske and seconded by Alderman Avci to approve payment of Warrant Number 11-12-05 for FYE 2012 in the amount of \$188,900.39 from the General Fund; \$225,086.29 from the Water Fund; \$14,181.66 from the Motor Fuel Tax Fund; \$1,129.86 from the Darien Area Dispatch Fund; \$13,847.19 from the Capital Improvement Fund; \$499,821.09 from the General Fund Payroll for the period ending 06/16/2011 and 06/30/2011; \$40,452.50 from the Water Fund Payroll for the period ending 06/16/2011 and 06/30/2011; for a total to be approved of \$983,418.98.

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

Results: Ayes 5, Nays 0, Absent 2
MOTION DULY CARRIED

C. TREASURER’S MONTHLY REPORT – JUNE, 2011

Treasurer Coren reviewed all year-to-date sources of revenue and expenditures and fund balances through the month of June, 2011:

General Fund: Revenue \$2,999,691; Expenditures \$4,296,078; Current Balance \$3,130,497;
Water Fund: Revenue \$671,901; Expenditures \$303,146; Current Balance \$1,696,860;
Motor Fuel Tax Fund: Revenue \$96,653; Expenditures \$68,232; Current Balance \$111,919;
Water Depreciation Fund: Revenue \$295; Expenditures \$0; Current Balance \$134,620;
Capital Improvement Fund: Revenue \$2,100,392; Expenditures \$1,244,432; Current Balance \$992,284;
Capital Projects Debt Service Fund: Revenue \$53,460; Expenditures \$52,375; Current Balance of \$3,288.

12. **STANDING COMMITTEE REPORTS**

Municipal Services Committee — Chairman Marchese advised the minutes of the May 23, 2011 Municipal Services Committee Meeting were submitted to the Clerk’s Office. The next meeting is scheduled to take place on July 25, 2011 at 6:30 P.M. in the Council Chambers.

Administrative/Finance Committee — Chairman Poteraske advised the next Administrative/Finance Committee Meeting is scheduled to take place on August 8, 2011 at 6:30 p.m. in the upstairs conference room.

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

Mayor Weaver announced that Consent Agenda Items G, H, I, and L have been moved to New Business as Items A, B, C, and D. Consent Agenda Items J, K, M and N have been re-lettered as G, H, I, and J.

There were no other comments or questions.

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

- A. **A MOTION TO GRANT AND APPROVE THE PARTICIPATION OF CHRIST THE SERVANT CATHOLIC CHURCH AT THE DARIENFEST ON SEPTEMBER 9, 10, AND 11, 2011 FOR BINGO AND PULL TABS (UPON WRITTEN APPROVAL FROM THE DARIEN PARK DISTRICT)**
- B. **A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR VETERANS OF FOREIGN WARS OF THE U.S. DARIEN MEMORIAL POST 2838**
- C. **RESOLUTION NO. R-59-11** **A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH VERIZON WIRELESS TO UTILIZE THE COMMUNICATIONS TOWER AT 1041 S. FRONTAGE ROAD**
- D. **ORDINANCE NO. O-16-11** **AN ORDINANCE AMENDING SECTION 9-5-4 OF THE DARIEN CITY CODE (FINES REGARDING VEHICLE CODE VIOLATIONS)**
- E. **RESOLUTION NO. R-60-11** **A RESOLUTION APPROVING THE ANNUAL DUES PAYMENT OF \$19,240.00 FOR THE DARIEN POLICE DEPARTMENT PARTICIPATION WITH THE DUPAGE METROPOLITAN ENFORCEMENT GROUP (DUMEG)**
- F. **ORDINANCE NO. O-17-11** **AN ORDINANCE APPROVING A VARIATION TO THE DARIEN**

**ZONING ORDINANCE (PZC 2011-05:
1806 HOLLY AVENUE)**

- G. RESOLUTION NO. R-64-2011** **A RESOLUTION ACCEPTING A PROPOSAL FROM D. RYAN TREE & LANDSCAPING LLC FOR HAZARDOUS TREE REMOVAL AND STUMP GRINDING AT A PER UNIT COST NOT TO EXCEED \$15,000.00**
- H. RESOLUTION NO. R-65-2011** **A RESOLUTION AUTHORIZING THE PURCHASE OF 105 SETS OF NEW BANNER BRACKETS, POLES AND HARDWARE FROM MVP VISUALS IN AN AMOUNT NOT TO EXCEED \$7,818.75**
- I. A MOTION TO AUTHORIZE CITY STAFF TO BEGIN THE PROCESS OF ACCEPTING A FUTURE PLAT OF DEDICATION FOR THE ROADWAYS WITHIN THE REFLECTIONS AT HIDDEN LAKE DEVELOPMENT CONSISTING OF SPRING COURT AND A FIVE (5) FOOT ROADWAY EASEMENT**
- J. A MOTION TO AUTHORIZE THE CITY STAFF TO BEGIN THE PROCESS OF ACCEPTING A FUTURE PLAT OF DEDICATION FOR THE ROADWAYS WITHIN THE REFLECTIONS AT HIDDEN LAKE DEVELOPMENT CONSISTING OF RIPPLE RIDGE COVE AND A FIVE (5) FOOT ROADWAY EASEMENT**

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

Nays: None

Absent: McIvor, Schauer

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

16. **NEW BUSINESS**

- A. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE PURCHASE OF ONE NEW 2012 INTERNATIONAL MODEL 7400 SFA 4 X 2, 9-TON CAB AND CHASSIS FROM PRAIRIE/ARCHWAY INTERNATIONAL TRUCKS INC. IN THE AMOUNT OF \$67,285.00.**

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

RESOLUTION R-61-11

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE NEW 2012 INTERNATIONAL MODEL 7400 SFA 4 X 2, 9-TON CAB AND CHASSIS FROM PRAIRIE/ARCHWAY INTERNATIONAL TRUCKS INC. IN THE AMOUNT OF \$67,285.00

In response to Alderman Poteraske's inquiry, Director Gombac and Administrator Vana provided an explanation of the State Bid Program and the benefit to participating municipalities. It was noted that the State's specifications meet the City's requirements.

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

Nays: None

Absent: McIvor, Schauer

Results: Ayes 5, Nays 0, Absent 2
MOTION DULY CARRIED

- B. CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION REJECTING ALL THE SEALED BIDS FOR THE PURCHASE OF EQUIPMENT PACKAGE-CONSISTING OF A DUMP BODY, HOIST, BODY OPTIONS, LIGHTING ACCESSORIES, HYDRAULICS, CONTROLS, SNOW AND DE-ICING EQUIPMENT FOR THE 2012 INTERNATIONAL MODEL 7400 SFA 4 X 2, 9-TON CAB AND CHASSIS**

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

RESOLUTION NO. R-62-11

A RESOLUTION REJECTING ALL THE SEALED BIDS FOR THE PURCHASE OF EQUIPMENT PACKAGE-CONSISTING OF A DUMP

**BODY, HOIST, BODY OPTIONS,
LIGHTING ACCESSORIES,
HYDRAULICS, CONTROLS, SNOW
AND DE-ICING EQUIPMENT FOR
THE 2012 INTERNATIONAL MODEL
7400 SFA 4 X 2, 9-TON CAB AND
CHASSIS**

A lengthy discussion took place regarding the rejection of the sealed bids and the acceptance of the proposal for an equipment package in the next resolution. Director Gombac and Administrator Vana provided a detailed explanation of the process, and defined the difference between the lowest and responsive bids. A discussion also took place regarding the specificity of the bid request.

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

Nays: None

Absent: McIvor, Schauer

Results: Ayes 5, Nays 0, Absent 2

MOTION DULY CARRIED

- C. **CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION ACCEPTING A PROPOSAL FROM AUTO TRUCK GROUP FOR THE PURCHASE OF EQUIPMENT PACKAGE-CONSISTING OF A DUMP BODY, HOIST, BODY OPTIONS, LIGHTING ACCESSORIES, HYDRAULICS, CONTROLS, SNOW AND DE-ICING EQUIPMENT, AND OPTION 1-CHIPPER BOX FOR THE 2012 INTERNATIONAL MODEL 7400 SFA 4 X 2, 9-TON CAB AND CHASSIS, IN THE AMOUNT OF \$82,288**

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

RESOLUTION NO. R-63-11

A RESOLUTION ACCEPTING A PROPOSAL FROM AUTO TRUCK GROUP FOR THE PURCHASE OF EQUIPMENT PACKAGE-CONSISTING OF A DUMP BODY, HOIST, BODY OPTIONS, LIGHTING ACCESSORIES, HYDRAULICS, CONTROLS, SNOW AND DE-ICING EQUIPMENT, AND OPTION 1-CHIPPER BOX FOR THE 2012

**INTERNATIONAL MODEL 7400 SFA 4
X 2, 9-TON CAB AND CHASSIS, IN
THE AMOUNT OF \$82,288**

Per the inquiry of Alderman Poteraske, Director Gombac confirmed that in his opinion, re-bidding would not have resulted in a lower bid. In response to Alderman Avci, Attorney Murphey verified that the process followed was appropriate.

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

Results: Ayes 5, Nays 0, Absent 2
MOTION DULY CARRIED

**D. CONSIDERATION OF A RESOLUTION FOR MAINTENANCE OF
STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS
HIGHWAY CODE (PHASE II – STORM SEWER ADJACENT TO
CLARENDON HILLS ROAD AT 69TH STREET AND AT 71ST STREET)**

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

**RESOLUTON NO. R-66-2011 A RESOLUTION FOR MAINTENANCE
OF STREETS AND HIGHWAYS BY
MUNICIPALITY UNDER THE
ILLINOIS HIGHWAY CODE (PHASE
II – STORM SEWER ADJACENT TO
CLARENDON HILLS ROAD AT 69TH
STREET AND AT 71ST STREET)**

Alderman Poteraske felt that since this is an unbudgeted item, discussion and explanation should be provided. A lengthy explanation was provided by Director Gombac as to the necessity of the emergency steps taken to address flooding and prevention of the collapse of the road and right of way. Alderman Beilke is hopeful these repairs will also alleviate the flooding of the residences on Brookbank.

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

Results: Ayes 5, Nays 0, Absent 2
MOTION DULY CARRIED

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

Alderman Marchese announced that the July 4 Independence Day Parade was taped and will be broadcast on Channel 6. Mayor Weaver thanked the Darien Lions Club for the well organized parade.

Joe Kenney of 1605 Holly Avenue commended Director Gombac and his department for their fine work throughout the city, and spoke about the equipment approval discussions which took place.

Rick Feldges of 7013 Clarendon Hills Road spoke of the severe flooding issues he and his neighbors have been experiencing. Director Gombac will meet with Mr. Feldges to provide him information on the City’s plans which should provide relief.

18. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 9:17 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 07-18-11.
 Minutes of 07-18-11 CCM