

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE MARCH 4, 2013 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

MARCH 4, 2013

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, Jr.
	Tina M. Beilke	Ted V. Schauer
	Joseph A. Marchese	Joerg Seifert
	Sylvia McIvor	

Also in Attendance: Kathleen Moesle Weaver, Mayor
JoAnne E. Ragona, City Clerk
Michael J. Coren, City Treasurer
Bryon D. Vana, City Administrator
Scott Coren, Assistant 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. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL**

Douglas Johnson of 2219 Hamilton Lane spoke against adoption of video gaming.

6. **APPROVAL OF MINUTES** – February 19, 2013

It was moved by Alderman Seifert and seconded by Alderman Avci to approve the minutes of the City Council Meeting of February 19, 2013, as presented.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

7. **RECEIVING OF COMMUNICATIONS**

Alderman Avci...

...received a request from Steve Kadolph of 7134 Beechnut inquiring if the city would allow him to install a higher privacy fence along Cass Avenue. Mayor Weaver advised that discussions were previously held regarding a beautification project which would allow higher, uniform fencing along Cass Avenue. Director Gombac added that a survey went out to residents to see if there was interest in a fence program which would allow eight-foot fencing along Cass Avenue from Plainfield to 79th Street. There was no interest in participation and there were some objections. He added that, if desired, Mr. Kadolph could request a variance to allow a higher privacy fence. Alderman McIvor inquired about the cost of a variance request; Director Gombac responded that the cost of a variance request is \$700. Alderman McIvor commented that the \$700 expense added on to the cost of a fence could be prohibitive to residents. Administrator Vana noted that the City Council could revise the code to allow higher fences in specific areas. Mayor Weaver directed this item to the Municipal Services Committee for review and recommendation.

Alderman McIvor...

...received communication from a resident strongly opposing the use of tax dollars on beautification projects such as tree trimming. Director Gombac explained that tree trimming is not considered a beautification project but is necessary for maintenance, safety and the health of trees. He added that the cost of tree trimming is \$34 per tree.

...received communication from a resident regarding speeding on Manning Road. She sent the information to Chief Brown.

Alderman Beilke...

...received communication from Tammy Hollendonner of 7117 Crest Road complimenting the entrance signs, and requesting the city plant trees around Crest Basin. Staff will follow up with the county to determine their obligation, and will work on visuals showing the area if trees were planted.

Mayor Weaver...

...reminded residents that if they participate in the City's Electric Aggregation Program, there was no need to respond to the mailer sent out by ComEd regarding Nicor Electric.

8. **MAYOR'S REPORT**

There was no report.

9. **CITY CLERK'S REPORT**

Clerk Ragona invited all to Meet and Greet the Mayor at City Hall on Monday, March 18, 2013 at 6:00 P.M.

10. **CITY ADMINISTRATOR'S REPORT**

There was no report.

11. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Alderman Marchese inquired as to the approximate date of the opening of Chuck's Southern Comforts Café. Director Gombac responded that the owner anticipates opening at the end of March; Chuck's Facebook Page indicates opening in May.

Alderman Seifert heard that Chuck's will be conducting a job fair that will be open to Darien residents only for the first few days. Director Gombac confirmed this information. Mayor Weaver suggested job fair details be sent out as soon as possible on Direct Connect.

12. **TREASURER'S REPORT**

A. **WARRANT NUMBER 12-13-18**

It was moved by Alderman Seifert and seconded by Alderman Beilke to approve payment of Warrant Number 12-13-18 in the amount of \$70,417.07 from the General Fund; \$36,958.74 from the Water Fund; \$702.00 from the Motor Fuel Tax Fund;

\$9,259.85 from the Capital Improvement Fund; \$207,930.06 General Fund Payroll for the period ending 02/21/13; \$26,007.71 from the Water Fund Payroll for the period ending 02/21/13; for a total to be approved of \$351,275.43.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. TREASURER’S REPORT – JANUARY 2013

Treasurer Coren reviewed year-to-date sources of revenue, expenditures, and fund balances through the month of January 2013:

<u>General Fund:</u>	Revenue \$10,652,984; Expenditures \$8,031,285; Current Balance \$3,930,224
<u>Water Fund:</u>	Revenue \$4,107,838; Expenditures \$4,399,853; Current Balance \$586,140
<u>Motor Fuel Tax Fund:</u>	Revenue \$515,198; Expenditures \$306,702; Current Balance \$418,320
<u>Water Depreciation Fund:</u>	Revenue \$506,283; Expenditures \$20,691; Current Balance \$761,866
<u>Capital Improvement Fund:</u>	Revenue \$5,077,880; Expenditures \$2,911,877; Current Balance \$4,030,710
<u>Capital Projects Debt Service Fund:</u>	Revenue \$498,004; Expenditures \$494,375; Current Balance of \$7,836

13. **STANDING COMMITTEE REPORTS**

Municipal Services Committee — Chairman Marchese advised the minutes of the January 28, 2013 Municipal Services Committee Meeting were submitted to the Clerk’s office. He announced the next meeting is scheduled for March 25, 2013 at 6:30 P.M.

Police Committee — Chairman McIvor announced the March 7, 2013 Police Committee Meeting was cancelled; the next meeting is scheduled for April 4, 2013 at 6:00 P.M.

Administrative/Finance Committee — Chairman Poteraske announced the next meeting of the Administrative/Finance Committee is scheduled for March 11, 2013 at 6:30 P.M.

14. **QUESTIONS AND COMMENTS – AGENDA RELATED**

There were none.

15. **OLD BUSINESS**

There was none.

16. **CONSENT AGENDA**

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

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

- A. **RESOLUTION NO. R-13-13** **A RESOLUTION APPROVING AND PUBLISHING THE UPDATED CITY OF DARIEN OFFICIAL ZONING MAP**

- B. **ORDINANCE NO. O-04-13** **AN ORDINANCE GRANTING A ONE 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)**

- C. **RESOLUTION NO. R-14-13** **A RESOLUTION ACCEPTING A PROPOSAL FROM PAVEMENT SYSTEMS INC. AND SCORPIO CONSTRUCTION CORP FOR THE REMOVAL AND REPLACEMENT OF BITUMINOUS APRONS AND ROAD PATCHES AT THE PROPOSED UNIT PRICES AS REQUIRED FOR VARIOUS PUBLIC WORKS**

**PROJECTS FOR A PERIOD OF MAY 1,
2013 THROUGH APRIL 30, 2014**

D. RESOLUTION NO. R-15-13

A RESOLUTION ACCEPTING A PROPOSAL FROM NORWALK TANK COMPANY FOR CULVERT METAL PIPES, METAL BANDS AND METAL FLARED END SECTIONS AND FITTINGS AT THE PROPOSED UNIT PRICES FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2013 THROUGH APRIL 30, 2014

E. RESOLUTION NO. R-16-13

A RESOLUTION ACCEPTING A PROPOSAL FROM NORWALK TANK COMPANY FOR HIGH DENSITY POLYETHYLENE PIPES (HDPE), FLARED END SECTIONS, AND FITTING AT THE PROPOSED UNIT PRICES FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2013 THROUGH APRIL 30, 2014

F. RESOLUTION NO. R-17-13

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE 2013 LANDSCAPE FERTILIZATION PROGRAM BETWEEN THE CITY OF DARIEN AND TRU GREEN, LP

G. RESOLUTION NO. R-18-13

A RESOLUTION ACCEPTING A PROPOSAL FROM SCORPIO CONSTRUCTION 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, 2013 THROUGH APRIL 30, 2014

- H. RESOLUTION NO. R-19-13** **A RESOLUTION ACCEPTING A PROPOSAL WITH REVISED PRICING FROM NORWALK TANK COMPANY FOR STORM SEWER STRUCTURES, IRON SEWER GRATES, CONCRETE ADJUSTING RINGS AT THE PROPOSED UNIT PRICES FOR VARIOUS PUBLIC WORKS PROJECTS FOR A PERIOD OF MAY 1, 2013 THROUGH APRIL 30, 2014**
- I. RESOLUTION NO. R-20-13** **A RESOLUTION ACCEPTING THE UNIT PRICE PROPOSAL FOR ANALYTICAL SOIL TESTING FROM TESTING SERVICES CORPORATION AT THE PROPOSED UNIT PRICES FOR CERTAIN WASTE FOR A PERIOD OF MAY 1, 2013 THROUGH APRIL 30, 2014**
- J. RESOLUTION NO. R-21-13** **A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT AGREEMENT FOR THE 2013 STREET SWEEPING SERVICES BETWEEN THE CITY OF DARIEN AND WASTE MANAGEMENT OF ILLINOIS INC. IN AN AMOUNT NOT TO EXCEED \$27,994.00**
- K. RESOLUTION NO. R-22-13** **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION FOR STREET LIGHT MAINTENANCE SERVICES BETWEEN THE CITY OF DARIEN AND RAG'S ELECTRIC COMPANY**

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

17. **NEW BUSINESS**

A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE ABATING PROPERTY TAX HERETOFORE LEVIED BY ORDINANCE NO. O-39-12

It was moved by Alderman McIvor and seconded by Alderman Poteraske to approve the ordinance as presented.

Administrator Vana advised that the Administrative/Finance Committee of the Whole met on three occasions, and were able to include a tax levy abatement in the amount of \$502,568. He noted that guidelines were established last year, and residents can expect a household savings. Alderman McIvor noted that although the City’s portion of the tax bill would be reduced, which accounts for just 3 ½% of the total bill. The bottom line savings may not be realized if other taxing bodies levy higher taxes.

ORDINANCE NO. O-05-13

AN ORDINANCE ABATING PROPERTY TAX HERETOFORE LEVIED BY ORDINANCE NO. O-39-12

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

Mayor Weaver announced that New Business Items B & C will be considered with one vote.

Mayor Weaver reviewed New Business Items B & C.

It was moved by Alderman Marchese and seconded by Alderman Avci to approve New Business Items B & C as presented.

B. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE ABATING PROPERTY TAX HERETOFORE LEVIED BY ORDINANCE NO. O-26-06

**ORDINANCE NO. O-06-13 AN ORDINANCE ABATING
PROPERTY TAX HERETOFORE
LEVIED BY ORDINANCE NO. O-26-06**

C. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE ABATING PROPERTY TAX HERETOFORE LEVIED BY ORDINANCE NO. O-28-12.

**ORDINANCE NO. O-07-13 AN ORDINANCE ABATING
PROPERTY TAX HERETOFORE
LEVIED BY ORDINANCE NO. O-28-12**

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

Nays: None

Absent: None

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

D. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 6C-4-7 OF THE DARIEN CITY CODE, "WATER CONSUMPTION CHARGES"

It was moved by Alderman Seifert and seconded by Alderman Beilke to approve the ordinance as presented.

**ORDINANCE NO. O-08-13 AN ORDINANCE AMENDING
SECTION 6C-4-7 OF THE DARIEN
CITY CODE, "WATER
CONSUMPTION CHARGES"**

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

E. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 3-3-25 OF THE DARIEN CITY CODE

It was moved by Alderman Seifert and seconded by Alderman Beilke to approve the ordinance as presented.

Alderman McIvor advised that of the Ward 6 residents who contacted her, two were opposed. She suggested a survey poll be sent out early in May to give residents an opportunity to express their opinions.

Alderman Beilke noted that, due to the lengthy State application process, the City would have time to collect more data and could rescind the ordinance at any time. Assistant Administrator Coren stated that Attorney Murphey confirmed that the ordinance could be rescinded, at any time with no restrictions or obligations. Alderman McIvor noted that any expense incurred by a business for video gaming would be at their risk. Mayor Weaver suggested business owners check with the City prior to any financial investment. Alderman McIvor added that the application process was long and gave the city the opportunity to poll residents and obtain more data. It was noted that three businesses were interested in obtaining licenses and two might consider it in the future. Alderman Avci stated that there is not enough data, and he would like to wait six months.

It was moved by Alderman Avci and seconded by Alderman Beilke to amend the ordinance to add the following language – “This ordinance shall be reviewed and voted on to affirm, revise or rescind as appropriate the first meeting of the City Council in September, annually, starting in September 2013.”

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

 Absent: None

Results: Ayes 1, Nays 6, Absent 0

MOTION FAILED

It was moved by Alderman Poteraske and seconded by Alderman Avci to table the original ordinance.

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

 Absent: None

Results: Ayes 3, Nays 4, Absent 0

MOTION FAILED

It was moved by Alderman Seifert and seconded by Alderman Beilke to adopt the ordinance as originally presented.

ORDINANCE NO. O-09-13

**AN ORDINANCE AMENDING
SECTION 3-3-25 OF THE DARIEN
CITY CODE**

Alderman Marchese suggested a committee be assigned to develop the survey, and that Chief Brown provide monthly updates. Mayor Weaver stated that Assistant Administrator Coren would develop the survey language for review by the Administrative/Finance Committee. Chief Brown suggested a three month report would be more advantageous. Alderman McIvor recommended the three month update be included in the Chief’s May Report to the Police Committee.

City Council Meeting

March 4, 2013

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

Results: Ayes 5, Nays 2, Absent 0

MOTION DULY CARRIED

18. **QUESTIONS, COMMENTS AND ANNOUNCEMENTS – GENERAL**

Alderman Marchese advised that 17 years ago, Darien resident, Debra Nauman started Giant Steps, a school for autistic children. He commended the outstanding contributions made by Debra Nauman and recommended she be invited to a council meeting for recognition. Mayor Weaver assigned Alderman Marchese the task of obtaining the background information for a resolution.

Administrator Vana advised that Linda Painter, DuPage County Forest Preserve District Commissioner, will be attending the next City Council Meeting to discuss coyotes.

Alderman Marchese announced the Darien Lions Club will be hosting their annual Pancake Breakfast at Eisenhower Junior High on March 17, 2013; hearing and blood pressure screening will be available.

Alderman Beilke...

...announced Mayor Weaver and Chief Brown will be attending the Darien Woman's Club meeting at Darien Swim & Racquet Club on March 6, 2013.

...reminded residents to make their reservations for the Citizen of the Year Dinner/Dance on March 16, 2013.

Alderman Schauer invited all to attend the Harlem Wizards versus Darien Mayhem basketball game, in support of District 63, at Hinsdale South High School on March 9, 2013.

Alderman Seifert noted that many residents do not have the time to respond to lengthy surveys and, in the interest of obtaining as many responses as possible, suggested a simplified survey on video gaming be sent out on Direct Connect. Alderman McIvor added that a simplified survey should also be available to residents who do not have access to the internet.

Bob Taft thanked the City Council for their approval of the video gaming ordinance, which affords him the opportunity to begin the lengthy State application process. Administrator Vana requested that Mr. Taft advise city staff if the application process takes less than the projected six to eight months.

19. **ADJOURNMENT**

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:35 P.M.

Mayor

City Clerk

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 03-04-13.
Minutes of 03-04-13 CCM