

Minutes - November 17, 2003

A WORK SESSION WAS CALLED TO ORDER AT 7:10 P.M. BY MAYOR CARMEN D. SOLDATO FOR THE PURPOSE OF REVIEWING ITEMS ON THE NOVEMBER 17, 2003 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:25 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

NOVEMBER 17, 2003

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 Carmen D. Soldato.

2. PLEDGE OF ALLEGIANCE

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

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

Present:

Richard Biehl

John F. Poteraske, Jr.

Morgan Cotten

James Tikalsky

David Hagen

Kathleen Moesle-Weaver

Joseph Marchese

Also in Attendance:

Carmen D. Soldato, Mayor

Joanne F. Coleman, City Clerk

John B. Murphey, City Attorney

Kevin P. Monaghan, City Treasurer

Bryon D. Vana, City Administrator

Gregory Dreyer, Director of Community Development

Robert Mengarelli, Asst. Director of Public Works

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

APPROVAL OF MINUTES — November 3, 2003

It was moved by Alderman Marchese and seconded by Alderman Tikalsky to approve the Minutes of the Regular Meeting of November 3, 2003, as presented.

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

6. RECEIVING OF COMMUNICATIONS

Alderman Biehl received email correspondence from:

Heather Morford in regard to sidewalks in Marion Hills.

Elyse Byron, the Schardt family, Don & Carol McDowell, and Laura Vince; they voiced their opposition to the rezoning and redevelopment of the property located at 67th Street & Bentley Avenue.

Kris Sant in regard to procedures for cleaning leaves from street gutters in order to eliminate flooding. Administrator Vana responded with an explanation of City procedures.

Alderman Weaver stated that she also received email from:

the Schardt family and Don & Carol McDowell in opposition to the rezoning and redevelopment of the property located at 67th Street & Bentley Avenue.

Kris Sant and Mr. & Mrs. Curry regarding leaves.

She also received a letter in support of the development at 67th Street & Bentley Avenue.

Alderman Tikalsky received three emails regarding 67th Street & Bentley Avenue. He also received email from Lynn Siefert, 7727 Farmingdale Drive, regarding speeding vehicles.

Alderman Poteraske also received email regarding opposition to the 67th Street & Bentley Avenue development. He also received email from:

Jack Quinnert, 7300 block of Summit Road; he supported dissolution of the Darien Park District.

Randy Wooten, 1900 block of McAdam Road; he had questions about equipment in Holly Park and High School District 99. Mr. Wooten was referred to the Darien Park District and School District.

7. MAYOR'S REPORT

ILLINOIS POLICE ASSOCIATION AWARDS PRESENTATION

Mayor Soldato introduced Deputy Chief Skala. Deputy Chief Skala noted that Richard Trojanek, Vice President of Illinois Police Association, was attending the meeting in order to make a "Life Saving Award" presentation to Darien Police Officers James Topel and Nicholas Skweres for their actions on April 6, 2003. He noted that Mr. & Mrs. Jerry Bonet were also in attendance. He introduced Mr. Trojanek, who provided background information as to the actions of the Officers on April 6th. The officers and Tri-State Fire Department had been dispatched to Our Lady of Peace because Mr. Bonet had collapsed and was unresponsive. The officers were first to arrive; they acted appropriately, utilized the Automated External Deliberator (AED), and stabilized Mr. Bonet who was transported to the hospital. Officers Topel and

Skweres were presented with plaques commemorating their outstanding service and received a resounding round of applause from Council and the audience.

Mayor Soldato recognized audience member, Bob Grember. Mayor Soldato said that Mr. Grember was a past auxiliary officer who had asked the Council approximately five (5) years ago to consider the purchase of AEDs as standard equipment for police cars. Mr. Grember received a round of applause from those in attendance.

MAYORAL PROCLAMATION "NATIONAL ELEVATOR ESCALATOR SAFETY AWARENESS WEEK" (November 9-15, 2003)

Mayor Soldato read the Proclamation and proclaimed November 9 through 15, 2003 as "National Elevator Escalator Safety Awareness Week". He urged citizens to participate fully in this observance to improve our quality of life. Scott Rowell, a Darien resident and safety coordinator, accepted the proclamation; he thanked Council and Safety Village for acknowledging the importance for the proper use of elevators/escalators.

8. CITY CLERK'S REPORT

City Clerk Coleman...

... stated that the Environmental Committee meeting scheduled for November 18th and the Cable Communications Commission meeting scheduled for November 20th were cancelled.

... announced that City offices would be closed on November 27 and 28 for the Thanksgiving Holiday. She wished everyone a very happy Thanksgiving Holiday.

CITY ADMINISTRATOR'S REPORT

Administrator Vana...

... stated that Public Works scheduled a special branch pickup due to the severe rainstorm that occurred last week.

... noted that Public Works was called out to clean leaves from manholes due to the heavy rainstorm.

Alderman Poteraske inquired if the City approached storm situations differently than surrounding communities; Administrator Vana responded that he would survey neighboring municipalities.

10. DEPARTMENT HEAD REPORT – No Report.

11. TREASURER'S REPORT

A. WARRANT NUMBER 03-04-12

It was moved by Alderman Tikalsky and seconded by Alderman Biehl to approve payment of Warrant Number 03-04-12 in the amount of \$47,435.12 from the General Fund; \$107,032.39 from the Water Fund; \$7,876.08 from Motor Fuel Tax Fund; \$30,368.00 from Impact Fee Agency Fund; \$100,858.87 from Darien Area Dispatch Fund; \$165,153.27 from the General Fund Payroll for the period ending 10/30/03; \$15,893.59 from the Water Fund Payroll for the period ending 10/30/03; \$25,767.17 from the D.A.D.C. Fund Payroll for the period ending 10/30/03; \$187,211.20 from the General Fund Payroll for the period

ending 11/13/03; \$20,261.88 from the Water Fund Payroll for the period ending 11/13/03; \$25,689.75 from the D.A.D.C. Fund Payroll for the period ending 11/13/03; for a total to be approved of \$733,547.32.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky, Weaver

Nays: Hagen

Absent: None

Results: Ayes 6, Nays 1, Absent 0

MOTION DULY CARRIED

TREASURER'S MONTH REPORT – OCTOBER 2003

City Treasurer Monaghan reviewed all sources of revenue and expenditures for the month of October 2003 with the following year-to-date fund balances: General Fund \$1,735,319; Water Fund \$572,996; Motor Fuel Tax Fund \$617,148; Darien Towne Centre Sales Tax Fund \$185,101; and Hotel/Motel Tax Fund \$75,102.

12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee — No report.

Planning/Development Committee — Chairman Hagen announced that the next Committee meeting was scheduled for Monday, November 24, 2003, at 6:30 P.M. and that there were three (3) items on the Agenda.

Public Works Water/Streets Committee — Chairman Biehl announced that the meeting scheduled for Wednesday, November 26, 2003, was cancelled.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

Alderman Tikalsky commented that Consent Agenda Item C, Taxi Service Program, was a perfect example of the City's concern for senior citizen residents and providing a service.

Maggie Korienek, 1521 Darien Club Drive, thanked Council for their consideration for the consolidation of the Darien Park District into the City.

14. OLD BUSINESS

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

CONSENT AGENDA

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

CONSIDERATION OF A MOTION TO GRANT A WAIVER OF THE RAFFLE LICENSE BOND REQUIREMENT FOR THE DARIEN LIONS CLUB

ORDINANCE NO. O-34-03 AN ORDINANCE AMENDING TITLE 2, CHAPTER 7, "DARIEN CABLE COMMUNICATIONS COMMISSION," SECTION 2-7-10, "POWERS AND DUTIES," OF THE DARIEN CITY CODE

CONSIDERATION OF A MOTION TO APPROVE AN INCREASE FOR AN ADDITIONAL \$1,500.00 FOR THE SUBSIDIZED TAXI SERVICE PROGRAM

CONSIDERATION OF A MOTION TO APPROVE THE EXPENDITURE OF BUDGETED FUNDS FOR THE POLICE CANINE UNIT

CONSIDERATION OF A MOTION TO APPROVE THE EXPENDITURE OF BUDGETED FUNDS FOR FOUR PORTABLE RADIOS AND TWO CHARGING UNITS

Roll Call: Ayes: Biehl, Cotten, Hagen, Marchese, Poteraske, Tikalsky, Weaver

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

NEW BUSINESS

Mayor Soldato noted that New Business Item A had been removed from the Agenda during the Work Session for further review by the Planning/Development Committee.

A. CONSIDERATION OF A MOTION TO DIRECT CITY ATTORNEY TO PREPARE RESOLUTION OF INTENT TO CREATE CITY OF DARIEN PARKS AND RECREATION DEPARTMENT IF THE DARIEN PARK DISTRICT IS DISSOLVED BY VOTER REFERENDUM

It was moved by Alderman Tikalsky and seconded by Alderman Poteraske to approve a Motion to Direct City Attorney to Prepare Resolution of Intent to Create City of Darien Parks and Recreation Department if the Darien Park District is Dissolved by Voter Referendum, as presented.

Mayor Soldato stated that Council discussed the issue during the 6:00 P.M. Committee-of-the-Whole meeting. He noted that residents came forward and asked that the City consider consolidation of the Darien Park District into the City and that it was the intention of the residents to have a referendum on the ballot in March 2004 to dissolve the Darien Park District. Mayor Soldato reiterated that this was not a draconian effort but was a State Statute, which allowed citizens the right to dissolve a park district by two-thirds (2/3) vote. He said that if the Darien Park District was dissolved in March, the City could enter into an intergovernmental agreement and take over the on-going operations, liabilities and revenues of the Park District.

Alderman Hagen stated that he was uncomfortable making a decision based on 'what if'. He noted that he understood that many residents were upset with the Darien Park District, he was unsure if that represented the majority of the people.

Alderman Marchese viewed the situation as one that the City needed to be prepared to absorb and not to be negligent in its responsibility. He supported presentation of the proposed resolution to Council but stated that it was the residents' responsibility to be educated on the issue.

Alderman Biehl commented that Council was only preparing for the situation 'if' the Darien Park District were to be dissolved.

Attorney Murphey stated that he would email the proposed resolution to Council prior to Thanksgiving for their review.

Roll Call: Ayes: Biehl, Cotten, Marchese, Poteraske, Tikalsky, Weaver

Nays: Hagen

Absent: None

Results: Ayes 6, Nays 1, Absent 0

MOTION DULY CARRIED

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Gloria Jiskra, 1000 Bristlecone Court, thanked Council for consideration and action regarding the Darien Park District.

Kris Sant, 410 71st Street, stated that comments were made regarding his email to Council; he clarified that he received email from Administrator Vana but felt that his issues were not addressed. He said that no one came out to clean the leaves from 71st Street; he suggested placing information on signage about heavy rainfall and to have the City's engineer perform a review in regard to more storm drains.

Warren Anderson, 533 Chestnut Lane, spoke about the flooding near his property on Bentley Avenue; he said that the water remained in the easement.

Don Schardt, resident of Ward 2 on Alabama Avenue, spoke in opposition to 67th Street & Bentley Avenue development. He said that residents voiced their concerns about stormwater to the Planning/Development Committee; they were informed by the Committee that the County needed to approve the plan prior to City approval of the development; Mr. Schardt stated that he was informed by the County that the City interprets the County Stormwater Ordinance. Mr. Schardt noted that he collected approximately 100 signatures on a Petition, which was presented to the Darien Park District; the Petition requested that the Park District purchase the property for a park/preserve. He displayed pictures to Council that depicted flooding in the 67th Street & Bentley Avenue area.

Phyllis Zimmer, 6446 Tennessee, opposed the development at 67th Street & Bentley Avenue due to stormwater flooding, which she stated would be channeled toward her property.

Ken Ritzert, an Alabama Avenue resident and a Planning and Zoning Commissioner, opposed the development at 67th Street & Bentley Avenue. He stated there was inadequate infrastructure and that there were flaws within the proposed floodway design; he noted that there would be an increase in stormwater runoff that would create additional flooding along Bentley Avenue. Mr. Ritzert said that the sanitary sewer system would be overburdened and that a traffic hazard would be enhanced at the intersection of 67th Street & Clarendon Hills Road. He felt that the area should remain zoned R1 and spoke about the proposed lot sizes. He stated that the proposed development was unworkable and that it had been unanimously rejected by the Planning and Zoning Commission.

Grace Olech, 6440 Tennessee in Willowbrook, objected to the plan that would direct stormwater onto her private property from the proposed development at 67th Street & Bentley Avenue. She stated that it would be an encroachment onto her private property and that the stormwater should be directed down

Bentley Avenue utilizing the right-of-way to the storm sewers at 63rd Street & Bentley Avenue. She felt that her health and welfare were endangered and that the municipality was responsible for protecting residents. She commented "no stormwater on private property".

Dr. Jorge Arteaga, 6709 Alabama Avenue, spoke about compromise; he asked that residents who live near the proposed development at 67th Street & Bentley Avenue be surveyed.

Mayor Soldato stated that residents have given input and have been heard by various committees regarding the proposed development at 67th Street & Bentley Avenue. He noted that a decision would be made based on accurate information and that was the purpose for meetings and decisions, which was representative of government. Mayor Soldato provided history and explained the unique situation regarding the Ryan's development, Darien Ridge Subdivision, at 67th Street & Ridge Road, which decisions were based on compromise.

Laura Vince, 6700 block of Alabama Avenue, thanked Alderman Marchese for his explanation about the Darien Park District issue and Mayor Soldato for the background history regarding the Ryan home subdivision. She asked that the surrounding character be kept within the proposed development at 67th Street & Bentley Avenue.

Mayor Soldato invited residents to his monthly coffees scheduled for the third Saturday of each month; he said that they could make inquiries and receive answers/clarifications to their concerns. Mayor Soldato stated that the 67th Street & Bentley Avenue area was unique because it involved Willowbrook, Clarendon Hills, unincorporated County and Darien.

Margaret Busik, 6702 Alabama Avenue, inquired why there was a compromise for zoning from R1 to R2. Mayor Soldato stated that it had not been compromised because Council had not voted on the rezoning; he said that Council could deny or accept the project, which would be based on the best interest of the City. He noted that the City was considering annexation of the parcel and that R1 zoning varies from municipality to municipality; the varying differences could be parcel size or square footage of the home.

Dave Lenn, 6712 Clarendon Hills Road, was concerned about flooding and the inadequacy of the sewer system. He favored annexation of the property to Darien; he said that compromise was a 'no win' situation.

ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 9:00 P.M.

JFC/jr

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 11-17-03.

Minutes of 11-17-03 CCM