

Minutes - July 15, 2002

A WORK SESSION WAS CALLED TO ORDER AT 7:08 P.M. BY MAYOR CARMEN SOLDATO FOR THE PURPOSE OF REVIEWING ITEMS ON THE JULY 15, 2002 AGENDA WITH THE CITY COUNCIL. THE WORK SESSION ADJOURNED AT 7:10 P.M.

Minutes of the Regular Meeting of the City Council of the CITY OF DARIEN JULY 15, 2002

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 Joseph Marchese
Morgan Cotten James Tikalsky
Sean P. Durkin Kathleen Moesle-Weaver
David Hagen
Also in Attendance: Carmen D. Soldato, Mayor
Joanne F. Coleman, City Clerk
Arthur P. Donner, City Treasurer
Judith N. Kolman, City Attorney
Bryon Vana, City Administrator
Robert Pavelchik, Acting Chief of Police
JoEllen Charlton, Director Community Development
Robert Rodgers, Asst. Director of Public Works

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

5. APPROVAL OF MINUTES - July 1, 2002

It was moved by Alderman Durkin and seconded by Alderman Hagen to approve the Minutes of the Regular Meeting of July 1, 2002, as presented.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

6. RECEIVING OF COMMUNICATIONS

Alderman Biehl communicated with John Koliopoulos, owner of Patio Restaurant, who was concerned about needed roadway repair at Route 83 & 74th Street; with Jack Norridge from Crest Road and Joe Vojacek of 74th Street who were concerned about the work stoppage on the Dale Basin, which was due to buried concrete.

Administrator Vana stated that he spoke with DuPage County Board Member Bill Brown, who explained that they anticipated the receipt of a change order request from the contractor. The reason for the request was due to buried concrete that was not included in the contract.

Administrator Vana noted that the City received a notice of a grant in the amount of \$200,000.00 for the Brookeridge Streambank Stabilization Project. He said that City Engineer Lynch was in the process of completing the required information requested by the Department of Commerce and Community Affairs.

Alderman Marchese spoke with Anita Simester of Creekside Lane regarding noise at Carriage Greens Country Club, particularly truck deliveries at 2:00 A.M. and grass cutting at 4:00-5:00 A.M.

Alderman Cotten was contacted by Mary Toniolo, Water Tower Court Homeowners Association, who heard rumor that the developer of Crossroads was interested in making changes to the original P.U.D. He noted that the Association made it known that they would frown upon any proposed changes. Alderman Weaver was contacted by Christy Grannen, 532 67th Street, in regard to subdividing her property.7. MAYOR'S REPORT

A. SWEARING IN OF NEW SERGEANT - JAMES BORSILLI

Mayor Soldato introduced Chief Pavelchik who stated that James Borsilli had been with the Darien Police Department for almost fourteen years, was a third year detective who worked as a property officer, evidence technician and assisted in the FIAT major crime task force. The Chief introduced James Borsilli and family.

Fire and Police Commissioner Louis Scaglione on behalf of the Board extended congratulations to Chief Pavelchik for his recent appointment. Commission Scaglione administered the Oath of Office to James Borsilli. Sergeant Borsilli received congratulations from the City Council and a round of applause from the audience.

8. CITY CLERK'S REPORT

Clerk Coleman...

... noted that a Goal Setting Session was scheduled for Tuesday, July 16th, at 5:30 P.M. in the Darien Police Department Training Room located at 1710 Plainfield Road.

... invited everyone to join Mayor Soldato for coffee on Saturday, July 20th, from 9:00-10:00 A.M. at the Darien City Hall in the Council Chambers.

9. CITY ADMINISTRATOR'S REPORT

No report.

10. DEPARTMENT HEAD REPORT

Asst. Director of Public Works Robert Rodgers...

... reported that the Department completed taking lead samples as required by the Illinois Environmental Protection Agency.

... noted that the striping on the roadway at 87th Street & Lemont Road was completed.

... commented that brush pick-up would take place during the week of July 21. He said that the tub grinder was scheduled for the end of the month and that wood chips would be re-ground and available. He advised residents to call Public Works if they wanted chips.

... stated that the Street Rehab Program would begin July 22nd.

... informed Council that since the City became a member of J.U.L.I.E., Public Works receives 10-20 calls per day for utility locations. Alderman Hagen inquired about the new membership, Asst. Director Rodgers said that the State of Illinois mandated that all underground utility owners had to become members.

11. TREASURER'S REPORT

A. WARRANT NUMBER 02-03-06

It was moved by Alderman Tikalsky and seconded by Alderman Durkin to approve payment of Warrant Number 02-03-06 in the amount of \$77,341.58 from the General Fund; \$162,655.37 from the Water Fund; \$9,697.65 from the Motor Fuel Tax Fund; \$229.86 from the Hotel/Motel Tax Fund; \$65,600.00 from the Water Depreciation Fund; \$4,046.96 from the Darien Area Dispatch Fund; \$231,917.79 from the General Fund Payroll for the period ending 07/11/02; \$17,370.73 from the Water Fund Payroll for the period ending 07/11/02; \$21,821.13 from the D.A.D.C. Fund Payroll for the period ending 07/11/02; for a total to be approved of \$590,681.07.

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

B. TREASURER'S MONTHLY REPORT - JUNE 2002

City Treasurer Donner reviewed all sources of revenue and expenditures for the month of June 2002 with the following year-to-date fund balances: General Fund \$3,152,986; Water Fund \$259,594; Motor Fuel Tax Fund \$1,023,093; Darien Towne Centre Sales Tax Fund \$427,739; and Hotel/Motel Tax Fund \$74,799.

Alderman Durkin inquired if the Water Fund included the deposit from the Village of Woodridge; Treasurer Donner stated that he would confirm with Accountant Richards that the entire receivable was included.

Mayor Soldato noted that budget items would be discussed at the Goal Setting Session.12. STANDING COMMITTEE REPORTS

Administrative/Finance Committee - Chairman Weaver submitted, for the record, Minutes from the June 10, 2002 meeting. She announced that the Committee was scheduled to meet on Monday, August 12th, at 6:30 P.M.

Planning/Development Committee - Chairman Hagen announced that the Committee was scheduled to meet on Monday, July 22nd at 6:30 P.M. He noted that there were no agenda items and that the meeting could be cancelled.

Public Works Water/Streets Committee - Chairman Biehl submitted, for the record, Minutes of the July 1, 2002 meeting.

13. QUESTIONS AND COMMENTS - AGENDA RELATED

There were no 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

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

A. RESOLUTION NO. R-23-02 A RESOLUTION APPOINTING AN AUTHORIZED DELEGATE TO THE INTER- GOVERNMENTAL RISK MANAGEMENT AGENCY

B. RESOLUTION NO. R-24-02 A RESOLUTION APPOINTING AN AUTHORIZED DELEGATE TO THE SOUTH CENTRAL DU PAGE COUNTY BENEFIT POOL ("SDCBP")

C. CONSIDERATION OF A MOTION TO AWARD A CONTRACT TO LEAHY CONSTRUCTION IN THE AMOUNT OF \$59,407.95 FOR THE 2002 SIDEWALK, DRIVEWAY APPROACH AND CURB REPLACEMENT PROGRAM

D. CONSIDERATION OF A MOTION TO APPROVE THE PURCHASE OF A PANASONIC WJMX50A PRODUCTION SWITCHER UNIT FROM MCSi

E. CONSIDERATION OF A MOTION TO APPROVE THE PURCHASE OF WATER METERS FROM WATER RESOURCES IN THE AMOUNT OF \$22,580.00

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

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

16. NEW BUSINESS

Mayor Soldato noted that Item B under New Business had been removed from the Agenda.

A. CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING TITLE 6B, "STREET DIVISION" OF THE DARIEN CITY CODE BY ADDING NEW CHAPTER 6, "RIGHT-OF-WAY ACCESS REGULATIONS FOR DEVELOPMENTS NOT SUBJECT TO CITY REGULATION" THERETO

It was moved by Alderman Durkin and seconded by Alderman Weaver to approve

ORDINANCE NO. 0-27-02 AN ORDINANCE AMENDING TITLE 6B, "STREET DIVISION" OF THE DARIEN CITY CODE BY ADDING NEW CHAPTER 6, "RIGHT-OF-WAY ACCESS REGULATIONS FOR DEVELOPMENTS NOT SUBJECT TO CITY REGULATION" THERETO

as presented.

Mayor Soldato noted that the City Attorney and Staff worked diligently to make certain that Darien City Code defined circumstances and standards for granting curb cuts. Roll Call: Ayes: Biehl, Cotten, Durkin, Hagen, Marchese, Tikalsky Weaver

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

MOTION DULY CARRIED

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS - GENERAL

Christy Grannen, 532 67th Street, recently sold property to Siebert Builders. She noted that they incorporated into Darien in December; that they wanted to subdivide the parcel into two lots; that she spoke with Attorney Murphey and Director Charlton; and that she was informed to speak with Alderman Weaver and Council. Director Charlton explained to Council that the lot was a 150' wide parcel, contained one home and was zoned R-1. She noted that the property to the east was subdivided into 75' wide R-2 lots, that the parcel in question was currently zoned R-1 and was not in compliance for subdividing. She said that Siebert was taking a risk because the parcel would need to follow through the City's process. Mayor Soldato stated "Procedurally and we talked about it in email and put you in touch with John Murphey, we talked about it that it would create a situation even if we granted a subdivision. As you know, it would be non-conforming and even if we could do that quickly, the rezoning takes a hearing, which has to follow the normal course. What we are asking the Council is if they would agree to give Christy and her builder some indication that we will support both the subdivision and the rezoning so that they can make their decision based on that affirmation. It wouldn't be binding; obviously, they would have to take some risk but in light of our procedural dilemma that is the best we could do. I think the thing to keep in mind is what JoEllen said, it has been granted as R-2 up and down the road, that has worked for us it is a far better environment for us there and one that everybody could expect would be granted. I would certainly support it, but I think what we would like to do maybe is go around the Council table and see if the rest of the Council is generally in agreement and maybe ask you to take that back and hopefully that will carry the day for you. We will keep moving it through our process as best we can."

Alderman Marchese had no problem with rezoning the property to R2. Alderman Cotten asked Director Charlton if she had a preliminary site plan, she affirmed; he asked if there would be variations, she indicated there would be none requested; he verified that the lot met Code requirements, she said they would comply with Code including street improvement standards or provide cash in lieu of. Aldermen Durkin, Weaver, Biehl, Tikalsky and Hagen had no problem with the concept.

Alderman Tikalsky asked for clarification of the address of the property and inquired if it was within Ward 2; the response was 532 67th Street and Alderman Weaver said it was west of Richmond. It was determined that the current address was not a Darien address, which would be corrected when homes were constructed. Mayor Soldato commented that the City was trying to unify the addresses.

18. ADJOURNMENT

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

VIA VOICE VOTE - MOTION DULY CARRIED

The City Council meeting adjourned at 8:00 P.M.

Mayor

City Clerk

JFC/jr

All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 07-15-02. Minutes of 07-15-02 CCM

July 15, 2002

