

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE MAY 3, 2010 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED TO GO INTO EXECUTIVE SESSION AT 7:20 P.M.

**EXECUTIVE SESSION**

It was moved by Alderman Marchese and seconded by Alderman Gattuso to go into Executive Session for the purpose of discussing Personnel, Section 2(C)(1) of the Open Meetings Act at 7:20 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 ADJOURNMENT**

It was moved by Alderman Gattuso and seconded by Alderman Galan to adjourn into open session.

**REVERSE ROLL CALL - MOTION DULY CARRIED**

The Executive Session meeting adjourned at 7:35 P.M.

**Minutes of the Regular Meeting**

**of the City Council of the**

**CITY OF DARIEN**

**MAY 3, 2010**

1. **CALL TO ORDER**

The regular meeting of the City Council of the City of Darien was called to order at 7:35 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 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 Coleman, City Clerk  
Michael J. Coren, City Treasurer  
Bryon D. Vana, City Administrator  
Daniel Gombac, Director of Community Development/Municipal Services  
David Skala, Deputy Police Chief

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

5. **APPROVAL OF MINUTES** – April 19, 2010

It was moved by Alderman Galan and seconded by Alderman Schauer to approve the minutes of the April 19, 2010 meeting as presented.

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

Abstain: Gattuso, McIvor

Nays: None

Absent: None

Results: Ayes 7, Nays 0, Absent 0

**MOTION DULY CARRIED**

6. **RECEIVING OF COMMUNICATIONS**

Alderman Schauer received a note from the property owner at 7721 Linden concerning rear drainage problems. The property owner is very happy with the ditch work that was performed last year and is able to perform minor profiling on the side of his home to provide drainage from the back yard to the drainage area. Alderman Schauer thanked Director Gombac for his efforts.

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In response to Mayor Weaver, Director Gombac advised that the very minor profiling/grading performed by the property owner allows the water to run to the front and is not hindering any drainage.

7. **MAYOR'S REPORT**

**A. Recognition of State Champions-Hinsdale South Dance Line Team**

Mayor Weaver announced that under the direction of Head Coach Courtney Gillette, Assistant Coach Heather Riggs, and lead by Co-Captains Janet Folkerts, Danielle Gombac, and Melissa Sedlack, Hinsdale South Varsity Danceline became the first team in school history to win an Illinois Drill Team Association State Championship on Saturday, March 7, 2010. The team attributes their success to the continued support of their community, parents, Athletic Director Tim Feigh, Principal Dr. Brian Waterman and the entire Hinsdale South Hornet family. Mayor Weaver introduced the members of the Varsity Danceline as follows: Seniors: Talia Avci, Janet Folkerts, Danielle Gombac, Melissa Sedlack; Juniors: Colleen Borek, Morgan Perconti, Gabija Stonys; Sophomores: Miranda Gron, Eleni Kokinis, Samantha Lyons, Mary Marshall, Jessica Perisin, Jorie Stavropoulos; Freshmen: Cassie Calvello, Jamie Massimilian, Nicole Spacone.

There was a resounding round of applause from the Council Members and the audience, and congratulatory hand shakes from the City Council. Mayor Weaver awarded City of Darien pins to each team member. The team had their photograph taken with Mayor Weaver for the Wall of Fame.

On behalf of Hinsdale South Varsity Danceline's captains and coaches, Danielle Gombac thanked Mayor Weaver and the City Council for recognizing their team's success.

8. **CITY CLERK'S REPORT**

City Clerk Coleman invited all to attend Coffee with the Mayor in conjunction with the Darien Dash at Darien Community Park on Sunday, May 16, 2010 from 9:00 A.M. to 10:00 A.M.

9. **CITY ADMINISTRATOR'S REPORT**

There was no report.

10. **DEPARTMENT HEAD INFORMATION/QUESTIONS**

Alderman Avci inquired if PACE representatives have followed up with city staff from their previous meeting.

Administrator Vana responded that staff will follow-up with PACE.



public will not be invited to ride with the elected officials, a tour information schedule will be provided.

Alderman McIvor suggested that since the public would not be invited to participate, a video of the tour be presented at the meeting.

Mayor Weaver noted that since a schedule of the tour will be provided, the residents could participate using their own mode of transportation.

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

Bob Cleary of 1301 Iroquois submitted photographs for the record, and spoke in opposition of Item A under New Business.

Administrator Vana advised that an e-mail was received today from the petitioner explaining the steps that he may take to come into compliance if the variance request is denied.

Director Gombac reviewed another option the petitioner may pursue in order to achieve compliance if the variance request is denied. Any option the homeowner chooses would be reviewed through the building permit process to insure compliance with building codes.

Ted Schimel of 7620 Wilton Court advised that he and his wife have worked with the city on several options in order to be allowed to keep their boat on their property. Mr. Schimel noted that a petition in favor of allowing the boat to remain on the driveway, which was signed by all but one of their neighbors, has been submitted to the city.

Mr. Schimel noted that prior to purchase of the boat in 2004, he and his wife came to City Hall to determine if there were any ordinances restricting parking the boat on their property. At that time, there were none.

Alderman McIvor expressed concern that residents are going to extreme and permanent measures to come into compliance.

Alderman Galan noted that short of revisiting the ordinance, the city must respond to complaints.

Administrator Vana advised that a number of residents have already complied with the new ordinance.

A lengthy discussion ensued, and the various expensive, permanent options available to the Schimels were discussed.

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Mayor Weaver expressed concern that the suggestions this evening are in opposition to the City Council's goal of eliminating recreational vehicles from the front of private homes.

Alderman McIvor expressed concern with the number of variation requests the city may have to consider under this ordinance.

Katherine Houdak of 7612 Wilton spoke in support of the Schimel's variance request.

Mr. Pawan Gupta of 7616 Wilton spoke in opposition of allowing any recreational vehicles to be parked on private property.

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 Schauer and seconded by Alderman Gattuso to approve by Omnibus Vote the following items on the Consent Agenda:

- |                                  |   |
|----------------------------------|---|
| <b>A. ORDINANCE NO. O-12-10</b>  | <b>CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE APPROVING A VARIATION TO THE DARIEN ZONING ORDINANCE (PZC 2010-01: 6800 ROUTE 83, STONECRAFT)</b>  |
| <b>B. ORDINANCE NO. O-13-10</b>  | <b>CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AMENDING A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT (PZC 2010-03: PETSMA RT, DARIEN TOWNE CENTRE PUD, 2153 75<sup>TH</sup> STREET)</b> |
| <b>C. RESOLUTION NO. R-32-10</b> | <b>CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE CITY OF DARIEN TO PERFORM MAINTENANCE OR EMERGENCY</b>   |

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WORK AS IT RELATES TO CITY  
MAINTAINED INFRASTRUCTURE  
ON STATE MAINTAINED RIGHT OF  
WAYS BETWEEN THE CITY OF  
DARIEN AND THE ILLINOIS  
DEPARTMENT OF  
TRANSPORTATION

**D. RESOLUTION NO. R-33-10**

CONSIDERATION OF A MOTION TO  
APPROVE A RESOLUTION  
ACCEPTING A PROPOSAL FROM  
GAFFNEY'S PMI FOR THE  
PURCHASE AND INSTALLATION OF  
A STREET LIGHT IN THE 700 BLOCK  
OF WALNUT DRIVE IN AN AMOUNT  
NOT TO EXCEED \$4,757.00

**E. RESOLUTION NO. R-34-10**

CONSIDERATION OF A MOTION TO  
APPROVE A RESOLUTION  
ACCEPTING A PROPOSAL FROM  
GAFFNEY'S PMI FOR THE  
PURCHASE AND INSTALLATION OF  
A STREET LIGHT AT THE  
NORTHEAST CORNER OF ADAMS  
STREET AND SLEEPY HOLLOW  
LANE IN AN AMOUNT NOT TO  
EXCEED \$4,420.00

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 Poteraske and seconded by Alderman Gattuso to approve the following motion:





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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 Schauer and seconded by Alderman Gattuso to approve the following motion:

**D. CONSIDERATION OF A MOTION TO APPROVE AN EXPENDITURE IN AN AMOUNT NOT TO EXCEED \$3,377.00 TO BE USED TO LOBBY AGAINST HOUSE BILL 5552 AND SENATE BILL 580 WHICH WOULD ABOLISH THE DUPAGE WATER COMMISSION AND PUT IT UNDER THE AUTHORITY OF DUPAGE COUNTY**

**Discussion:** Alderman Galan expressed concern with spending money on a lobbyist.

Roll Call: Ayes: Gattuso, Marchese, Poteraske, Schauer

Nays: Avci, Galan, McIvor

Absent: None

Results: Ayes 4, Nays 3, Absent 0

**MOTION DULY CARRIED**

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

Alderman Schauer advised that during the budget process, it was decided that the candy purchased for distribution at the Independence Day parade should not be a city expense. Alderman Schauer suggested the aldermen pool their money, and allow city staff to continue to purchase the candy using the children volunteers to sort.

Alderman Gattuso volunteered to coordinate the purchase of the candy for the aldermen.

Alderman Marchese congratulated and commended Kathy Minardi and her group for the touching and appropriate Arbor Day Program.

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As a point of clarification, Alderman Galan inquired if the City Council would like to revisit the Recreational Vehicle Ordinance.

A lengthy discussion took place.

A majority of the City Council Members did not feel the ordinance needs to be revisited.

Mayor Weaver noted that criteria is currently in place for variation requests.

Another lengthy discussion took place regarding the ordinance and options available to petitioners.

Frank Brodzinski of 7932 Grant spoke in opposition to the recreational vehicle located at 1418 Greenbriar Lane, and inquired about the process for compliance.

Administrator Vana and Director Gombac reviewed the compliance process.

Mr. Brezinski recommended the recreational vehicle issue be placed on the ballot at the next election.

Administrator Vana advised that an advisory referendum question can be placed on the ballot but that it would not be legally binding.

In response to Alderman Schauer's inquiry regarding ordinances specific to individual subdivisions, Mayor Weaver advised those conditions would be provided for in homeowners association covenants.

A lengthy discussion ensued.

Doug Hodik of 7612 Wilton Road spoke in favor of the recreational ordinance but would like to see the will of the people be heard. Mr. Hodik spoke in favor of the Schimel's petition.

Lucille Piatrowski 7918 Grant Street spoke in opposition to the recreational vehicle parked at 1418 Greenbriar.

Mayor Weaver, Administrator Vana, and Director Gombac reviewed Zoning Code enforcement, and the Building Code review process.

Alderman Avci explained why he would like the Recreational Vehicle Ordinance revisited.

Alderman Marchese advised that the committee conducted a thorough review prior to making a recommendation for a Recreational Vehicle ordinance. Alderman Marchese

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suggested each Council Member individually review the ordinance to see if a particular issue needs to be improved.


Director Gombac offered to meet with the residents in attendance this evening to explain the zoning process and answer any questions.


18. **ADJOURNMENT**

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

**VIA VOICE VOTE – MOTION DULY CARRIED**

The City Council meeting adjourned at 9:40 P.M.

  
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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 05-03-10.  
Minutes of 05-03-10 CCM