

A WORK SESSION WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR WEAVER FOR THE PURPOSE OF REVIEWING ITEMS ON THE MARCH 16, 2009 AGENDA WITH THE CITY COUNCIL. THE SESSION ADJOURNED AT 7:04 P.M.

Minutes of the Regular Meeting

of the City Council of the

CITY OF DARIEN

MARCH 16, 2009

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 Coleman was as follows:

Present: Halil Avci Joseph A. Marchese William R. Durkin Sylvia McIvor John Galan John F. Poteraske, Jr. Carolyn A. Gattuso

Absent: None

Also in Attendance: Kathleen Moesle Weaver, Mayor Joanne F. Coleman, 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 Robert Pavelchik, Police Chief

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

5. APPROVAL OF MINUTES – March 2, 2009

It was moved by Alderman Avci and seconded by Alderman Marchese to approve the minutes of the March 2, 2009 meeting, as presented.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

6. RECEIVING OF COMMUNICATIONS

Alderman Galan...

...received a telephone call from Mr. Klemz of 6709 Bentley regarding a drainage issue. Director Gombac will review the problem and contact Mr. Klemz to help rectify the situation.

...advised that the Police Department has handled and resolved the fly dumping which was occurring at 72nd and Richmond to the resident's satisfaction.

Alderman Avci...

... received an e-mail from Bill Curry of 1025 69th Street advising that he did not receive his March/April issue of the Neighbors of Darien until March 13. Mr. Curry noted that the calendar in the newsletter referred to activities that had already taken place. Alderman Avci requested the publisher be asked to mail the magazine out earlier in the month.

Mayor Weaver suggested that if it cannot be mailed out earlier in the month, the calendar should be adjusted accordingly.

Alderman Avci...

...received communication from Mrs. Susan Gately of 6808 Scotch Pines Trail concerning the badly deteriorated, chipping, yellow paint on the rounded curb at the entrance to the Woodlands from Cass Avenue.

...received a complaint from Mrs. Claudia Manley of 910 69th Street concerning the skunks which are frequenting the area behind her house. Alderman Avci requested Mrs. Manley's concerns be referred to the Environmental Committee for review and recommendation as to how to humanely deal with this problem.

Alderman McIvor advised that the Willowbrook Wildlife Haven has information on how to keep skunks out of yards and areas in a humane way.

In regards to the curb issue at the Woodlands, Mayor Weaver noted that upon review by Director Gombac, it was noted that parking is not allowed in that area, and there is no need for the painted curb. The yellow paint will, most likely, be removed.

7. MAYOR'S REPORT

Mayor Weaver announced that there are a number of commendations to be awarded this evening to recognize citizens that have gone above and beyond the call of duty in helping their fellow neighbors.

Mayor Weaver advised that she will be incorporating Items A, B, and C into one motion. Mayor Weaver read into the record Resolutions R-07-09 through R-09-09.

It was moved by Alderman McIvor and seconded by Alderman Avci to approve Resolutions R-07-09 through R-09-09 as read.

A. RESOLUTION NO. R-07-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE ACTIONS OF CITIZEN LAURA GURKE

B. RESOLUTION NO. R-08-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE ACTIONS OF CITIZEN KRISTINE KASSL

C. RESOLUTION NO. R-09-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE ACTIONS OF CITIZEN MICHAEL SLOTWINSKI

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske, Weaver, Coleman, Coren, Murphey, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

There was a resounding round of applause from the Council Members and the audience, and congratulatory hand shakes from the City Council.

Chief Pavelchik presented the Citizen Recognition Plaques, and Mayor Weaver presented the Resolutions to Laura Gurke, Kristine Kassl, and Michael Slotwinski.

Chief Pavelchik introduced Chief Michelle Gibson, and Deputy Chief Paul Ross of Tri-State Fire Department Protection District who presented awards to Citizens Gurke, Kassl and Slotwinski on behalf of the district.

Chief Pavelchik introduced David Joyce, Co-President of the Hornets Swim Club.

Mr. Joyce recognized several individuals who were also involved in the rescue of Coach Bryan Bateman as follows: Danielle Schumaker, Alicia Lewis, Eleni Murphy, Patrycia Zaporowski, Alden Leader, and parents Pat Berry and Tom O'Toole. Mr. Joyce presented certificates to all those involved.

Mayor Weaver read, into the record, Resolution R-10-09.

It was moved by Alderman Galan and seconded by Alderman Gattuso to approve Resolution R-10-09 as read.

D. RESOLUTION NO. R-10-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE ACTIONS OF CITIZEN KARL SCHOENEMAN

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske, Weaver, Coleman, Coren, Murphey, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

There was a resounding round of applause from those in attendance and congratulatory hand shakes from the City Council.

Chief Pavelchik presented the Citizen Recognition Plaque, and Mayor Weaver presented the Resolution to Mr. Schoeneman.

Chief Gibson and Deputy Chief Ross presented Mr. Schoeneman with an award from the Tri-State Fire Protection District.

Mayor Weaver incorporated Items E and F into one motion. Mayor Weaver read into the record Resolutions R-11-09 and R-12-09.

It was moved by Alderman McIvor and seconded by Alderman Durkin to approve Resolutions R-11-09 and R-12-09 as read.

E. RESOLUTION NO. R-11-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE LIFESAVING AWARD TO OFFICER OWEN DEYOUNG

F. RESOLUTION NO. R-12-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION COMMENDING AND AWARDING THE POLICE LIFESAVING AWARD TO OFFICER JASON NORTON

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske, Weaver, Coleman, Coren, Murphey, Vana

Nays: None

Absent: None

Results: Ayes 12, Nays 0, Absent 0 MOTION DULY CARRIED

Chief Pavelchik advised that Officer DeYoung could not be in attendance this evening. Chief Pavelchik presented the Lifesaving Medal, and Mayor Weaver presented the Resolution to Officer Norton.

There was a resounding round of applause from those in attendance and congratulatory hand shakes from the City Council.

Chief Pavelchik introduced Battalion Chief Jay Worden of the Darien-Woodridge Fire Protection District. Battalion Chief Worden gave a brief account of the actions which took place on August 16, 2008, and advised that commendations will be presented to Officers DeYoung and Norton at their award ceremony which takes place in May.

Chief Pavelchik invited Edwin Bronc, Jenny Gasaway and Rita Chandler to step forward. Edwin Bronc was the only individual in attendance. Chief Pavelchik read into the record an account of an attempted burglary which took place on August 13, 2008, which was witnessed and reported to the police by Mr. Bronc. Due to the efforts of Mr. Bronc, the offender was apprehended without incident. Chief Pavelchik commended Mr. Bronc as a guardian of the neighborhood, and a shining example of a caring neighbor. On behalf of the Darien Police Department, Chief Pavelchik thanked Mr. Bronc, and recognized him for his outstanding efforts in watching out for his neighbors and keeping Darien a "Nice Place to Live." Chief Pavelchik presented Mr. Bronc with a Certificate of Appreciation.

There was a resounding round of applause from those in attendance and congratulatory hand shakes from the City Council.

G. SWEARING IN OF POLICE OFFICERS JOHN JUMP AND KEITH KEOUGH

Chief Pavelchik invited Fire & Police Commission Members Mark Piccoli and Carol Gierut to swear in new Police Officers John Austin Jump and Keith Keough. Chairman Carol Gierut administered the Oath of Office to Police Officers John Jump and Keith Keough.

There was a resounding round of applause from those in attendance and congratulatory hand shakes from the City Council.

It was moved by Alderman Avci and seconded by Alderman McIvor to approve Resolution No. R-13-09 as presented.

H. RESOLUTION NO. R-13-09 CONSIDERATION OF A MOTION TO APPROVE THE REAPPOINTMENT OF PHILIP R. KOHL AND JAMES TIKALSKY TO THE ENVIRONMENTAL COMMITTEE

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

Clerk Coleman administered the Oath of Office to Philip R. Kohl and James Tikalsky.

There was a resounding round of applause from those in attendance and congratulatory hand shakes from the City Council.

It was moved by Alderman Gattuso and seconded by Alderman Avci to approve the following motion as presented.

I. CONSIDERATION OF A MOTION TO ADVISE AND CONSENT THE APPOINTMENT OF JANE L. HARMON TO THE ENVIRONMENTAL COMMITTEE

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

Clerk Coleman administered the Oath of Office to Jane L. Harmon.

There was a resounding round of applause from those in attendance and congratulatory hand shakes from the City Council.

J. AMVETS PRESENTATION

Amvets Department Commander Bill Scheffel presented Mayor Weaver with a plaque in appreciation of the City of Darien's outstanding support and for hosting the Amvets Drop Off Center.

8. CITY CLERK'S REPORT

City Clerk Coleman...

...invited all to attend Coffee with Mayor Weaver on Saturday, March 21, 2009 at Carmelite Carefree Village from 9:00 A.M. to 10:00 A.M.

...announced that Early Voting for the April 7, 2009 Consolidated Election began today and continues through April 2, 2009. Anyone in need of an Absentee Ballot can obtain an application at City Hall.

...advised that Economic Interest Statements must be filed with the County Clerk by May 1 in order to avoid late fees.

9. CITY ADMINISTRATOR'S REPORT

Administrator Vana noted that included in Friday's Administrator's Report was information on the Federal Stimulus Plan. Director Gombac and Administrator Vana participated in a conference call last week with Judy Biggert and a number of individuals from the State and other organizations regarding distribution of transportation funds included in the federal stimulus bill. Although the City of Darien has submitted a list of projects to the State and Federal Government, the city's residential street programs do not meet the requirements for funding through the stimulus program. Stimulus funds are geared toward major arterial roads. There is, however, a component of the stimulus program which has to do with public safety. The city will be researching this avenue to see if there are any funds available. Confirmation of funding from DuPage County in the amount of \$75,000 has been received. An intergovernmental agreement between DuPage County and the City of Darien will be required to receive those funds.

10. DEPARTMENT HEAD INFORMATION/QUESTIONS

Alderman Galan asked Director Gombac to apprise the Council Members of what is going on at 67th & Leonard.

Director Gombac advised that a week and a half ago, the road at 67th and Leonard began to collapse. Repair of Leonard Drive will take place in conjunction with the ditching project which will be presented to the City Council for approval within the next couple of weeks. The road is currently barricaded, and will remain so until the ditching project begins. Staff will closely monitor the situation.

Administrator Vana advised that the ditch and roadway repairs are included in the new year's budget.

11. TREASURER'S REPORT

A. WARRANT NUMBER 08-09-20

It was moved by Alderman Gattuso and seconded by Alderman Poteraske to approve payment of Warrant Number 08-09-20 in the amount of \$48,611.43 from the General Fund; \$241,294.46 from the Water Fund; \$2,747.80 from the Motor Fuel Tax Fund; \$780.88 from the Darien Area Dispatch Fund; \$116,951.31 from the General Fund Payroll for the period ending 03/12/09; \$21,889.06 from the Water Fund Payroll for the period ending 03/12/09; \$23,519.62 from the D.A.D.C. Fund Payroll for the period ending 03/12/09; for a total to be approved of \$455,794.56.

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

B. TREASURER'S MONTHLY REPORT – FEBRUARY, 2009

Treasurer Coren reviewed all year-to-date sources of revenue and expenditures and fund balances through the month of February, 2009: General Fund Revenue \$10,003,963; General Fund Expenditures \$10,420,884; Current General Fund Balance \$3,046,361; Water Fund Revenue \$2,834,518 Water Fund Expenditures \$2,740,444; Current Water Fund Balance \$692,809; Motor Fuel Tax Fund Revenue \$533,972; Motor Fuel Tax Fund Expenditures \$555,236; Current Motor Fuel Tax Fund Balance \$51,790; Water Depreciation Fund Revenue \$173,520; Water Depreciation Fund Expenditures \$742,048; Current Water Depreciation Fund Balance \$662,374; Capital Improvement Fund Revenue \$2,936,657; Capital Improvement Fund Expenditures \$1,355,715; Current Capital Improvement Fund Balance \$2,680,016; Capital Projects Debt Service Fund Revenue \$23,171; Capital Projects Debt Service Fund Expenditures \$1,237,941; and a current fund balance of \$236,473.

Alderman Avci inquired why the salary balance under the Public Works Streets Fund is negative this month.

Treasurer Coren explained that there was a reclassification, allocating half of Dan Salvato's and 40% of Ashley Preuter's salaries for the year to the Water Depreciation Fund, causing that year-to-date, catch up adjustment.

12. STANDING COMMITTEE REPORTS

Planning/Development Committee — Alderman McIvor submitted the minutes of the Planning/Development Committee Meetings of November 25, 2008, December 8, 2008, and January 20, 2009 into the record, and advised that the next Planning and Development Committee Meeting has been rescheduled to take place on Monday, March 30, 2009 at 6:30 P.M. in the Council Chambers. Presentations for the redevelopment of Darien Town Center, located on Cass between 75th and Plainfield, will be provided at this meeting. All those interested in hearing the proposals are invited to attend the meeting. Administrator Vana noted that the meeting will be televised live.

Administrative/Finance Committee — Alderman Poteraske advised that the next regularly scheduled Administrative/Finance Committee Meeting will take place on Monday, April 13, 2009 at 6:30 P.M. in the upstairs conference room.

Public Works Water/Streets Committee — Alderman Marchese submitted the minutes of the Public Works Water/Streets Committee Meeting of February 17, 2009 for the record, and advised that the next meeting is scheduled to take place on April 20, 2009 at 6:30 P.M. in the upstairs conference room.

13. QUESTIONS AND COMMENTS — AGENDA RELATED

There were none.

14. OLD BUSINESS

There was no old business to come before the City Council.

15. CONSENT AGENDA

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

A. ORDINANCE NO. O-05-09 CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE ABATING PROPERTY TAX HERETOFORE LEVIED BY ORDINANCE O-26-06

B. CONSIDERATION OF A MOTION TO APPROVE THE EXPENDITURE OF BUDGETED FUNDS FOR THE REPLACEMENT OF FLOOR COVERING IN THE POLICE DEPARTMENT (\$6,457.73)

C. CONSIDERATION OF A MOTION TO APPROVE THE EXPENDITURE OF BUDGETED FUNDS FOR THE PURCHASE OF AMMUNITION FROM GIL HEBARD GUNS, INC. (\$6,304.32)

D. ORDINANCE NO. O-06-09 CONSIDERATION OF A MOTION TO APPROVE AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OWNED BY THE CITY OF DARIEN

E. RESOLUTION NO. R-13-09 CONSIDERATION OF A MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE METROPOLITAN ALLIANCE OF POLICE AND THE CITY OF DARIEN

Roll Call: Ayes: Avci, Durkin, Galan, Gattuso, Marchese, McIvor, Poteraske

Nays: None

Absent: None

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

16. NEW BUSINESS

There was no new business to come before the City Council.

17. QUESTIONS, COMMENTS AND ANNOUNCEMENTS — GENERAL

Alderman Marchese announced that the Darien Lions Club Annual Pancake Breakfast will be held at Eisenhower Junior High on Sunday, March 22, 2009.

In regards to Chief Pavelchik's statistical report, and in the interest of clarifying how the Police Department is run and staffed, Alderman Galan requested calls for service be defined as to which incidents are handled by uniformed officers and which are handled by the Community Service Officer.

Chief Pavelchik responded that it would be important to include the time frame of each incident. The Community Service Officer is on duty Monday through Friday between 7:00 A.M. and 3:30 P.M. The CSO handles incidents such as vehicle lock outs and animal complaints. After hours and on weekends, all incidents are handled by uniformed officers.

Mayor Weaver suggested that the Police Chief and Administrator determine the format for this report which will then be reviewed during a City Council Work Session.

Alderman Galan advised that during the budget review sessions, the City Council spent a considerable amount of time discussing the contract which is in place between the city, schools, and the Darien Historical Society. During a conversation with Chip Johnson, Alderman Galan inquired why the school does not rent directly to the Historical Society. Alderman Galan was told that, at the time the contract was created, the city wanted to be involved. Alderman Galan reported that Chip Johnson would have no objection to the city's withdrawal from the contract. Alderman Galan requested the contract be sent to a committee for review and discussion.

Mayor Weaver agreed that now would be the time to extract the city from this contract.

In regards to Chief Pavelchik's report, Alderman Avci feels that the usefulness of this report will become more apparent with time. Alderman Avci stated that it is important to maintain the historical data.

Alderman McIvor commented that a yearly comparison report of the crime statistics would be of interest to the residents.

Mayor Weaver noted that an annual statistical report is published in the newspaper.

Chief Pavelchik advised that due to the Police Department's new reporting system, incidents which were not included in the past are now in the report, causing the theft line item to significantly rise. Chief Pavelchik explained that in the past, juveniles in custody for retail theft, who had no previous record, were issued ordinance tickets which are not included in the crime statistics. With the new reporting system, all thefts are included in case reports and count as a crime statistic. The council members will receive a letter of explanation of the dramatic increase in the theft category from the Chief. The Chief advised that next year's comparison will be fairer since the reporting will be the same.

Arleta Peknik brought up the shooting incident which occurred at an apartment building on Cass and 67th Street in Westmont. Ms. Peknik inquired if Darien was addressing this incident, and if it will be a problem in the future.

Chief Pavelchik advised that the shooting occurred approximately two weeks ago. Chief Pavelchik advised that the Darien Police Department is a mutual aid responder to the Westmont Police Department. The Darien Police Department assisted Westmont Police on that day.

18. ADJOURNMENT

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

VIA VOICE VOTE – MOTION DULY CARRIED

The City Council meeting adjourned at 8:37 P.M.

Mayor

_____ City Clerk

ld All supporting documentation and report originals of these minutes are on file in the Office of the City Clerk under File Number 03-16-09. Minutes of 03-16-09 CCM March 16, 2009