

Village of Carol Stream

BOARD MEETING

AGENDA

MARCH 7, 2011

All matters on the Agenda may be discussed, amended and acted upon

A. ROLL CALL AND PLEDGE OF ALLEGIANCE: All Present.

B. MINUTES: Approval of the Minutes of the Special Meetings of February 7, 2011, and February 22, 2011 and the February 22, 2011 Board Meeting.
Approved.

C. AUDIENCE PARTICIPATION & PUBLIC HEARINGS:

1. Proclamation Designating March 14-18, 2011 as Flood Safety Awareness Week. **Proclamation read by Trustee Weiss and approved.**
2. Proclamation Supporting Earth Hour 2011, Saturday, March 26, 2011.
Proclamation read by Trustee Gieser and approved.
3. Proclamation Declaring March 2011 as Girl Scout Month.
Proclamation read by Trustee Schwarze and approved.

D. SELECTION OF CONSENT AGENDA:

If you are here for an item which is added to the consent agenda and approved, the Village Board has acted favorably on your request.
SEE ITEMS IDENTIFIED BELOW.

E. BOARD AND COMMISSION REPORTS:

1. PLAN COMMISSION:

- a. #11011 – Village of Carol Stream – 500 N. Gary Avenue

2011 Official Zoning Map

RECOMMENDED APPROVAL (5-0).

*Request for approval of the updated Official Zoning Map, as required by state law. **Concur with Plan Commission recommendation.***

- b. #11027 – Dunkin' Donuts (Vishal Vaghani) – 317 S. Schmale Road

Variations – Sign Code

RECOMMENDED APPROVAL SUBJECT TO CONDITIONS (5-0).

*Request for approval of five variations pertaining to menu board signs and wall signs. **Concur with Plan Commission recommendation.***

- c. #11039 – John C. Johnson – 720 Center Avenue

Variation – Sign Code

RECOMMENDED APPROVAL (5-0).

Village of Carol Stream

BOARD MEETING

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*Request for approval of a variation pertaining to a wall sign regulating on-premises traffic and parking. **Concur with Plan Commission recommendation.***

F. OLD BUSINESS:

G. STAFF REPORTS & RECOMMENDATIONS:

1. Salt Purchase – Winter 2011-2012.
Authorizing Participation in the State of Illinois Bid for Rock Salt for the 2011-12 Winter Season.
Approved. Phil Modaff to provide contract and purchase order for Village Manager's signature.
2. Engineering Services – Sanitary Sewer System Flow Monitoring.
*Motion authorizing the Village to enter into an agreement with Alfred Benesch & Company for sanitary sewer monitoring services in substantially the form as presented in the attached proposal and pending final approval of the Village Attorney. **Approved. Phil Modaff to provide contract and purchase order for Village Manager's signature.***

H. ORDINANCES:

I. RESOLUTIONS:

1. Resolution No. **2520**, Authorizing the Execution of the Official Zoning Map of the Village of Carol Stream. **Approved. Barb Chaplin to obtain signatures, execute and record.**

J. NEW BUSINESS:

1. Request from DuPage County for Comments Regarding a Petition from John & Tony's Italian Steakhouse, 27W371 North Avenue, for Approval of a Message Center Sign.
*Staff has prepared a draft letter of response to DuPage County and recommends commencing negotiation with the property owner to extend the term of the pre-annexation agreement for the property. **Approved. Bob Gles to transmit letter to DuPage County and commence negotiations with petitioner to amend pre-annexation agreement.***

Village of Carol Stream

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2. Gary Avenue Bike Path Project – CMAQ Grant Application.
Village Staff is requesting to use the \$117,000 budgeted for the Gary Avenue/Lies Road Pedestrian Improvement and Roadway Improvement projects toward the Gary Avenue Bike Path Project to be funded through a CMAQ Grant.

Approved. Jim Knudsen to coordinate co-sponsorship of grant application with DuPage County. Jon Batek to include matching funds of \$117,000 in the proposed FY 2011-12 Budget.

K. PAYMENT OF BILLS:

1. Regular Bills: **Approved. Jon Batek to process.**
2. Addendum Warrant: **Approved. Jon Batek to process.**

L. REPORT OF OFFICERS:

1. Mayor:
2. Trustees:
3. Clerk:

M. EXECUTIVE SESSION:

1. Collective Negotiating Matters.
2. Employment, Appointment, Performance and/or Dismissal of a Specific Employee.

N. ADJOURNMENT:

LAST ORDINANCE: 2011-01-01 LAST RESOLUTION: 2519

NEXT ORDINANCE: 2011-03-02 NEXT RESOLUTION: 2520

Village of Carol Stream
Special Meeting of the Village Board

Gregory J. Bielawski Municipal Center
500 N. Gary Avenue, Carol Stream, IL 60188

February 7, 2011
6:00 p.m. – 7:25 p.m.

Meeting Notes

ATTENDANCE: Mayor Frank Saverino Sr.
Trustee Pam Fenner
Trustee Rick Gieser
Trustee Matt McCarthy
Trustee Don Weiss
Trustee Greg Schwarze
Trustee Tony Manzzullo
Clerk Beth Melody

Joseph E. Breinig, Village Manager
Robert Mellor, Asst. Village Manager
Jon Batek, Finance Director
Phil Modaff, Dir. of Public Works
James Knudsen, Dir. Engineering Services
Kevin Orr, Police Chief
Robert Glees, Dir. of Community Dev.
Caryl Rebholz, Employee Relations Dir.
Chris Oakley, Asst. to the Village Manager

The meeting was called to order and the roll call read. The results of the roll call vote were as follows:

Present: Mayor Saverino and Trustees Fenner, Gieser, McCarthy, Weiss (arrived at 7:02 p.m.), Schwarze and Manzzullo

The following is a summary of the items discussed at this meeting:

PRESENTATION OF CAPITAL IMPROVEMENT PROGRAM

Director of Engineering Services Knudsen reviewed the major changes to 2010 Capital Improvement Plan (CIP) including the following:

- General Corporate Fund (GCF) CIP Balance is projected to show a deficit in Fiscal Year 2015 under the existing Plan.
- Motor Fuel Tax Fund (MFT) CIP Balance is projected to show a deficit in Fiscal Year 2013 under the existing Plan.
- The Modified Pavement Management Program includes deferred restorative maintenance for street resurfacings, structural overlays and pavement reconstructions. Additionally, the Village will use a rural pavement section in lieu of our standard urban section for Fair Oaks Road, Morton Road, Old Gary Avenue, Vale Road and Kuhn Road.
- Implementation of the Modified CIP versus the Existing CIP is projected to delay depletion of the GCF CIP fund balance from Fiscal Year 2015 to 2017.
- Implementation of the Modified CIP versus the Existing CIP is projected to delay depletion of the MFT CIP fund balance from Fiscal Year 2013 to 2015.

- Costs & Ramifications of the Modified Plan include:
 - Deferred Maintenance
 - Creation of a large backlog of work and costs
 - Future cost of Flexible Pavement Program will be greater
 - Additional maintenance costs associated with pavement failure will increase

Director of Engineering Services Knudsen reviewed the proposed five year CIP cash flows by fund. The primary source of CIP funding in the past has been operating fund reserves. Funding for CIP projects has been negatively impacted by limited or no availability of operating surplus funds. A list of the common funding sources of CIP projects was reviewed.

- The CIP GCF balance is projected to be \$5,831,000 in Fiscal Year 2016.
- The CIP Water and Sewer Fund (WSF) balance is projected to be \$777,000 in Fiscal Year 2016.
- The CIP MFT balance is projected to be \$819,000 in Fiscal Year 2016.

The CIP Roadway Projects were reviewed including Fair Oaks Road Pavement Rehabilitation, West Branch DuPage River Trail, Kuhn Road Trail, Flexible Pavement Program, Kuhn Road Pavement Rehabilitation, Gary Avenue/Lies Road Pedestrian Improvement, Miscellaneous Roadway Improvements, Streetlight Replacement Program and Illini Drive Bridge Deck Replacement.

The CIP Water and Sewer Projects were reviewed including Southwest Water Main Extension, Southwest Reservoir & Pumping Station, Southwest DPWC Connection & Metering Station, SCADA System Upgrade, WRC Headworks Improvements, WRC Phase II Aeration System Improvement, Building Roof Replacement, WRC Phase I Pumping Station Improvement, WRC Phase II Pumping Station Improvement, WRC Dewatering System Improvement, WRC Blower Motor Drive Replacement, WRC WAS Pump Replacement, Water System Studies, GIS Utility System Update & Implementation, Sanitary Sewer System Evaluation Study, Aztec Drive Sanitary Sewer Replacement and North Avenue Sanitary Sewer Replacement.

The CIP Storm Water Projects were reviewed including Carol Stream Venture Flood Control, Klein Creek Flood Plain Structure Buyout, Tubeway & Westgate Storm Water Study, Southeast Storm Water Study, Fullerton & Kimberly Storm Water Study and Flood Forecast Warning System. Additionally, the Public Works Facility Pavement Improvement Project was reviewed.

There being no further discussion, a motion was made by Trustee McCarthy and seconded by Trustee Schwarze to adjourn the Special Board meeting.

The meeting adjourned unanimously at 7:26 p.m.

SPECIAL MEETING OF THE MAYOR AND BOARD OF TRUSTEES
Lower Level Training Room, Gregory J. Bielawski Municipal Center

February 22, 2011

Mayor Frank Saverino, Sr. called the Special Meeting to order at 6:00 p.m. and directed Village Clerk Beth Melody to call the roll.

Present: Mayor Saverino, Trustees Weiss, Schwarze, McCarthy & Gieser
Absent: Trustee Fenner
Also Present: Village Manager Breinig, Assistant Village Manager Mellor, Village Clerk Melody, Deputy Clerk Progar, Finance Director Batek, Village Engineer Knudsen, Police Chief Orr, Deputy Chief O'Brien, Commander Sailer, Commander Hoffman, Officer Bucholz, Community Development Director Glees, Assistant Community Development Director Bastian, Employee Relations Director Rebholz, Public Works Director Modaff, Employee Damron, Trustee Candidate Frusolone and Trustee Candidate Joseph.

Jon Batek gave his presentation of the Financial Profile and Peer Comparison and a report of the Capital Improvement Direction.

There was discussion on the effects of late payment by the State and how it will continue to determine what projects can go ahead and what will have to be shelved.

The financial profile and peer comparison showed that the Village is in good shape in some aspects and not so good in others.

In regard to staffing, Public Works Director Modaff said that a Garage Supervisor needs to be hired as well as two part time clerks (instead of one $\frac{3}{4}$ time position that would have benefits and insurance).

Police Chief Orr said that a secretary for his office needs to be hired to handle reports and a CST for support services.

At 7:30 p.m. Trustee McCarthy moved and Trustee Schwarze made the second to adjourn. The motion passed by unanimous voice vote.

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois

February 22, 2011

Mayor Frank Saverino, Sr. called the Regular Meeting of the Board of Trustees to order at 8:00 p.m. and directed Village Clerk Beth Melody to call the roll.

Present: Mayor Frank Saverino, Sr. Trustees Anthony Manzzullo, Don Weiss, Greg Schwarze, Matt McCarthy and Rick Gieser

Absent: Trustee Pam Fenner

Also Present: Villager Manager Joe Breinig, Assistant Village Manager Bob Mellor, Attorneys Jim Rhodes and Jason Guisinger, Village Clerk Beth Melody and Deputy Village Clerk Wynne Progar

Mayor Saverino led those in attendance in The Pledge of Allegiance.

MINUTES:

Trustee McCarthy moved and Trustee Weiss made the second to approve the Minutes of the Meeting of February 7, 2011 as presented. The results of the roll call vote were:

Ayes: 5 Trustees Manzzullo, Weiss, Schwarze, McCarthy & Gieser
Nays: 0
Absent: 1 Trustee Fenner

CONSENT AGENDA:

Trustee Gieser moved and Trustee Manzzullo made the second to establish a Consent Agenda for this meeting. The results of the roll call vote were:

Ayes: 5 Trustees Manzzullo, Weiss, Schwarze, McCarthy & Gieser
Nays: 0
Absent: 1 Trustee Fenner

Trustee McCarthy moved and Trustee Weiss made the second to put the following items on the Consent Agenda for this meeting. The results of the roll call vote were:

Ayes: 5 Trustees Manzzullo, Weiss, Schwarze, McCarthy & Gieser
Nays: 0
Absent: 1 Trustee Fenner

1. Award of Contract for Carnival Amusement Services
2. Amplification Permit for Town Center Events
3. Award of Contract – Janitorial Services
4. Resolution 2517: Authorize Intergovt. Agree. – sale of Town Center property
5. Resolution 2518: Authorize Intergovt. Agree. – emergency shelter
6. Sound Amplification Permit – Joshua Kurby CHARGE 5k run
7. Regular Bills, Addendum Warrant of Bills, Treasurer's Report

Trustee Schwarze moved and Trustee Weiss made the second to approve the Consent Agenda by omnibus vote. The results of the roll call vote were:

Ayes:	5	Trustees Manzzullo, Weiss, Schwarze, McCarthy & Gieser
Nays:	0	
Absent:	1	Trustee Fenner

The following is a brief description of those item approved on the Consent Agenda.

Award of Contract for Carnival Amusement Services:

The Board made an award of Contract to Alpine Amusement Company for 4-day carnival at the Ross Ferraro Town Center from June 23 -26, 2011.

Amplification Permit for Town Center Events:

The Board approved amplification permits for 11-single day events and one 4-day carnival at the Town Center. There was a sponsorship appeal for financial backing for the Thursday night concerts.

Award of Contract – Janitorial Services:

The Board approved the request for renewal of the janitorial services contract with Uni-Max, in the amount of \$29,952 which is the same amount as last year.

Resolution 2517: Authorize Intergovt. Agree. – sale of Town Center property:

The Board adopted Resolution 2517, A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF CAROL STREAM AND THE CAROL STREAM PARK DISTRICT PROVIDING FOR THE CONVEYANCE OF PROPERTY FROM THE VILLAGE TO THE PARK DISTRICT AND FOR ONGOING AGREEMENTS FOR SHARED USE AND MAINTENANCE OF ADJACENT PROPERTY.

Resolution 2518: Authorize Intergovt. Agree. – emergency shelter:

The Board adopted Resolution 2518, A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF CAROL STREAM AND THE CAROL STREAM PARK DISTRICT TO ESTABLISH AN EMERGENCY SHELTER.

Sound Amplification Permit – Joshua Kurby CHARGE 5k run:

The Board approved an sound amplification permit for the Joshua Jurby CHARGE 5K Run on August 20, 2011 at Armstrong Park.

Regular Bills, Addendum Warrant of Bills, Treasurer's Report:

The Board approved the payment of the Regular Bills in the amount of \$491,199.33. The Board approved the payment of the Addendum Warrant of Bills in the amount of \$694,219.52.

The Board received the Treasurer's Report for the month ending January 31, 2011.

REGULAR MEETING:

I-3: A Resolution Adopting Municipal Legislative Positions and Priorities for the 2011 Legislative Session by the DuPage Mayors and Managers Conference.

Trustee Schwarze asked that this be held off the Consent Agenda because he does not agree with one of the positions having to do with supporting the consolidation of Police and Fire services. He said that cross training of Police officers and Fire fighter/paramedics would cause under-trained personnel in both positions and he does not want to support such an action. It was said that the issues listed do not necessarily pertain to each municipality and the priorities should not be taken literally. In regard to the question of rejecting some issues, it was stated that a municipality is either supportive of the entire document or does not support it. Trustee Gieser moved and Trustee McCarthy made the second to adopt Resolution 2519, A RESOLUTION TO ADOPT MUNICIPAL LEGISLATIVE POSITIONS AND PRIORITIES FOR THE 2011 LEGISLATIVE SESSION. The results of the roll call vote were:

Ayes:	5	Trustees Manzullo, Weiss, Schwarze, McCarthy & Gieser
Nays:	0	
Absent:	1	Trustee Fenner

REPORT OF OFFICERS:

Trustee Manzullo asked everyone to pray for our troops and their families.

Trustee McCarthy said that he hopes everyone appreciates the Village and the Park District working together to get a facility that many residents want. He said that Mayor Saverino, himself, Senator Roskam and State Senator Millner met with students at Glenbard North High School for a question and answer session and he was amazed at the types of questions that the students asked and was glad they all had the opportunity to reach out to the students.

Trustee Weiss said that College of DuPage Regional Center in Carol Stream will be having a job search program on April 8th from 10:00 a.m. to noon and anyone interested can call (630) 942-4888 to reserve a seat.

Trustee Schwarze asked everyone to Shop Carol Stream.

Trustee Gieser echoed Trustee Schwarze in regard to shopping in Carol Stream. He thanked all of the sponsors that have contributed toward the entertainment for the Thursday night concerts and hoped that there will be others interested in being a sponsor. He also thanked Assistant to the Village Manager Chris Oakley for all of his hard work in getting sponsors. Trustee Gieser congratulated the 5th thru 8th graders of Benjamin School for their performance of Music Man.

Village Clerk Melody welcomed back Deputy Clerk Progar and wished he continued good health.

Mayor Saverino said that he was amazed at the good questions that were asked at the High School and commented that it showed the interest of the next generations as to what is going on here and in the world. Mayor Saverino thanked the staff and the Park District for all of the work done together to get what is best for the community. He asked for a motion to move to Executive Session to discuss Acquisition of Real Property, Collective Negotiating Matters and Matters pertaining to a specific employee. There will be no action taken and the Board will adjourn directly from the Executive Session.

Trustee McCarthy made the motion and Trustee Manzullo made the second to move to Executive Session. The results of the roll call vote were:

Ayes:	5	Trustees Manzullo, Weiss, Schwarze, McCarthy & Gieser
Nays:	0	
Absent:	1	Trustee Fenner

Minutes approved by the Board of Trustees on this
_____ day of _____, 20____.

Village Clerk

**Regular Meeting – Plan Commission/Zoning Board of Appeals
Gregory J. Bielawski Municipal Center, DuPage County, Carol Stream, Illinois**

All Matters on the Agenda may be Discussed, Amended and Acted Upon

February 28, 2011

Chairman David Michaelsen called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:30 p.m. and directed Secretary Linda Damron to call the roll. The results of the roll call vote were:

Present: Chairman Dave Michaelsen and Commissioners David Hennessey, Timothy McNally, Frank Petella and Ralph Smoot

Absent: Commissioners Angelo Christopher and Dee Spink

Also Present: Don Bastian, Assistant Community Development Director and Linda Damron, Secretary

MINUTES:

Commissioner Smoot moved and Commissioner Petella made the second to approve the minutes of the meeting of December 13, 2010, as presented. The results of the roll call vote were:

Ayes: 5 Commissioners Hennessey, Petella, Smoot, McNally and Chairman Michaelsen
Nays: 0
Abstain: 0
Absent: 2 Commissioners Christopher and Spink

PUBLIC HEARING:

Commissioner McNally moved and Commissioner Hennessey made the second to open the Public Hearing. The motion passed by unanimous voice vote.

**Case # 11027 Vishal Vaghani – 317 S. Schmale Road
Variations – Sign Code**

Chairman Michaelsen swore in the witness, Vishal Vaghani, 27 W 109 Geneva Road Winfield, IL, and Diane Duncan from Gleason Architects – 769 Heartland Drive Unit A, Sugar Grove, IL 60554.

Diane Duncan is representing her client, Vishal Vaghani for sign code variances for Dunkin' Donuts, the first request would be for a larger menu board than the code allows. The code allows for 25 square feet in area, the one that the applicant is requesting is 44.8 square feet in area. The applicant is also requesting a preview board that would be a second ground sign for the building. They are requesting this because having a preview board makes it more efficient for drive through customers. The other request being asked for is a wall sign variation the petitioner would like to install two signs on the side of the building one with the Dunkin' Donuts mural and the Dunkin' Donuts sign. They are asking that the board take into consideration not to include the blank space between two signs when doing the calculation.

Assistant Community Development Director Don Bastian briefly summarized the variances requested; the petitioner is requesting five sign code variances; three of the variances had to do with the menu board, the first is to have a preview board that is 16.4 square feet in area and seven feet, four inches in height, the second menu board would be approximately 44.8 square feet in area and seven feet, two inches in height. The applicant is also requesting a variation to allow two menu boards versus one. In review of the requested menu board variations, staff has researched similar applications that have come before the Plan Commission/Zoning Board of Appeals over the past 10 years, (see staff report) with the most recent being the KFC at 297 Schmale Road. The menu boards being requested are consistent with similar requests that have been approved. Staff is recommending approval of the menu boards.

There are two wall sign variations being requested, one being to allow both the mural and the Dunkin' Donuts wall sign to be located on the north elevation. As the petitioner mentioned the Carol Stream Sign Code requires that if you have multiple wall signs on the same building façade you have to count the blank wall area between the two signs as part of the calculation of the wall sign area, they are requesting not to count that area as part of the sign area. The other request has to do with the placement of the sign on the building elevation, as the sign code directs that signs be placed on the same horizontal plane; the applicant is requesting a variance from this requirement. The Village has granted this type of variance in the past. Staff finds these requests to be consistent with previous approvals in the past and recommends approval of the five sign code variations being requested, subject to the conditions on page 5 of the staff report.

Chairman Michaelsen asked if anyone from the audience had any questions, there were no questions from the audience. Chairman Michaelsen asked if any of his fellow Commissioners had any question, and Commissioners Hennessey, Petella, Smoot and McNally had no questions. Chairman Michaelsen asked if the signs were going to be illuminated. Petitioner Vishal Vaghani answered yes.

Commissioner McNally moved and Commissioner Hennessey made the second to recommend approval of the requested variations to the sign code, subject to the conditions contained in the staff report, for the Dunkin' Donuts at 317 S. Schmale Drive. The results of the roll call vote were:

Ayes: 5 Chairman Michaelsen and Commissioners Hennessey, Petella, McNally and Smoot
 Nays: 0
 Absent: 2 Commissioner Christopher and Spink

Mr. Bastian reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on March 7, 2011, at which time the Board would take final action on the matter.

**Case #11039: Kenneth Radakovits – 720 Center Ave
 Variation – Sign Code**

Chairman Michaelsen swore in the witness, Kenneth Radakovits, Senior Project Manager for Peacock Engineering, 720 Center Ave, Carol Stream, IL 60188.

Peacock Engineering is a facility that is celebrating its fifth anniversary in the Village of Carol Stream, employing 400 people per shift in this facility. With the population that we have at this facility we have looked for recommendations from the Carol Stream Fire and Police Departments and implemented a special employee entrance last December. Not only does this

sign direct employees and contractors to come to a central location, it helps the Fire and Police Departments recognize the proper entrance to the building in an emergency situation.

Mr. Bastian briefly summarized the Variance request; the petitioner is requesting an employee entrance sign that is 26.7 square feet in area to be located on the east building wall that measures 875 feet in length by 34 feet in height, which results in a total façade area of almost 30,000 square feet. This type of sign normally does not need a permit as long as it does not exceed more than six square feet in area. However, with a wall façade of that size, a six square foot sign would get lost on that size building.

Mr. Bastian explained that in the Code of Ordinances the Village Board can grant a temporary waiver as outlined in § 1-1-17 of the Municipal Code. On December 20, 2010, the Village Board granted a temporary waiver from the six square foot area limitations of the sign, and sign was installed (see exhibit A in the staff report). The temporary waiver is effective for 120 days, and Peacock Engineering was advised that they would need to seek approval of a formal Sign Code variation if they wished to allow the sign to remain on a permanent basis. Peacock Engineering is requesting a variance to allow for the Employee Entrance sign to be 26.7 square feet in area. Based on the unique nature of this business staff has no concerns and recommends approval of this variance.

Chairman Michaelsen asked if anyone from the audience had any questions, there were no questions from the audience. Chairman Michaelsen asked if any of his fellow Commissioners had any questions, Commissioners Hennessey, Petella and McNally had no questions. Commission Smoot asked if Exhibit A was a picture of the sign that was on the building. Petitioner Kenneth Radakovits answered yes. Chairman Michaelsen asked if the signs were going to be illuminated. Petitioner Kenneth Radakovits answered no.

Commissioner Hennessey moved and Commissioner Petella made the second to recommend approval of the request for a variation to the sign code, for the 720 Center Ave. The results of the roll call vote were:

Ayes: 5 Chairman Michaelsen and Commissioners Hennessey, Petella, McNally and Smoot
 Nays: 0
 Absent: 2 Commissioner Christopher and Spink

Chairman Michaelsen reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on March 7, 2011, at which time the Board would take final action on the matter.

Commission Smoot moved and Commissioner McNally made a second to close the Public Hearing. The Motion Passed by unanimous voice vote.

PRESENTATION:

**Case # 11011: Village of Carol Stream – 500 N. Gary Ave
 2011 Official Zoning Map**

Mr. Bastian presented the 2011 Official Zoning Map. The only update to the map was the annexation and zoning approvals for the Firestone property at 500 S. Schmale Road.

Chairman Michaelsen asked if any of his fellow Commissioners had any questions. Commissioner Hennessey asked if there are any plans to annex the property by McCaslin Park. Mr. Bastian stated that the location is in the Village's Southwest Planning area, but that at this time McCaslin Park is not contiguous to the village. Commissioner Hennessey also asked if the property next to the Benjamin School on St. Charles Road would be annexed. Don Bastian answered that that property is in unincorporated DuPage County and is also not currently contiguous. Commissioners Petella, Smoot, McNally and Chairman Michaelsen had no questions.

Commissioner Petella moved and Commissioner McNally made the second to recommend approval the 2011 Official Zoning Map, the results of the roll call vote were:

Ayes: 5 Chairman Michaelsen and Commissioners Hennessey, Petella, McNally and Smoot
Nays: 0
Absent: 2 Commissioners Christopher and Spink

NEW BUSINESS:

Mr. Bastian stated that there will be a Plan Commission meeting on March 14, and that the two cases on that meeting agenda would be for the church located at 990 County Farm Road and McDonalds at 355 S. Schmale Road. Mr. Bastian also stated that he is anticipating that on April 11, the plans for the Park District will come before the Plan Commission.

Commissioner Petella asked if staff would look into updating the part of the sign code for menu boards, to be current with needs of restaurants. Mr. Bastian asked if there was a general concurrence with the board to have staff look into updating this part of the sign code. There was a unanimous vote by the board to do this.

ADJOURNMENT:

At 8:00 p.m. Commissioner McNally moved and Commissioner Petella made the second to adjourn the meeting. The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,


Linda Damron
Community Development Secretary

Minutes approved by Plan Commission on this 14th day of March, 2011.

Chairman

AGENDA ITEM

C-1 3-7-11

PROCLAMATION

DESIGNATING MARCH 14TH - 18TH FLOOD SAFETY AWARENESS WEEK

Whereas, Spring Flood Safety Awareness Week is an opportunity to raise awareness about the importance of understanding and preparing for potential flooding in our community and to encourage all residents and businesses to undertake preparedness measures for the upcoming spring rainy season; and

Whereas, Carol Stream over the decades and most recently has experienced the physical and emotional consequences of property damage and loss caused by the July 2010 flash flood disaster; and

Whereas, in conjunction with the Carol Stream Fire Protection District, Carol Stream Community Emergency Response Team (CERT) and the DuPage County Office of Homeland Security, Village emergency response personnel are dedicated to increase the preparedness level of its businesses and residents in an effort to minimize property loss in the event of flood emergency; and

Whereas, the Village is and will continue to educate the community, especially those living in the floodplain on preparedness measures through its newsletter, web page, and through the use of the City Watch Emergency Notification System, scheduled neighborhood education forums as well as its emergency radio station AM530 to alert residents when flood watches and warnings are issued so residents can make critical health and safety decisions before during and after a flood event; and

Whereas, residents are asked to update their family emergency plan and ensure their disaster supply kit is stocked in the event a need to evacuate your home from rising flood waters occurs and to reference www.ready.gov for additional advisories on flood preparedness.

NOW, THEREFORE, the Mayor and the Village Board of Trustees of the Village of Carol Stream, DuPage County, Illinois, in the exercise of its home rule powers do hereby proclaim

March 14th -18th as Flood Safety Awareness Week

in Carol Stream, and encourage all of our residents and business owners to assess their home and businesses for the risk reduction measures they can take in the event of a flood emergency.

PASSED AND APPROVED THIS 7th DAY OF MARCH 2011.

Frank Saverino Sr. - Mayor

ATTEST:

Beth Melody, Village Clerk

PROCLAMATION **AGENDA ITEM**

C2 3-7-11

SUPPORTING EARTH HOUR 2011
SATURDAY, MARCH 26TH

Whereas, the world's use of energy continues to increase resulting in detrimental effects on the world's climate patterns; and

Whereas, to address the problem of climate change, the World Wildlife Federation organized the inaugural global Earth Hour movement in March of 2007 that enlisted the support of citizens, governments, businesses to systematically reduce energy use all across the globe; and

Whereas, in 2010, approximately 1 billion people took part in the 4th annual Earth Hour during which 126 countries officially pledged to 'switch off' to support climate protection, making last year's effort the world's largest global climate change initiative;

Whereas, in 2010, it is estimated that about 90 million Americans participated in this climate protection event by successfully turning off non-essential lighting and appliances for 1-hour helping to save as much as 15% of the total energy consumed by our nation on an average Saturday night, and

Whereas, the associated energy savings will reduce carbon emissions, preserve the natural resources used to produce this energy, sets a positive precedent in reducing energy costs for residents, commercial business enterprises, the global manufacturing sector as well as both governmental and non-governmental organizations; and

Whereas, participation in Earth Hour 2011 whose theme is '**Go Beyond the Hour**' gives Village residents, and local businesses and governments an opportunity to unite as one community to advance the cause of achieving a sustainable planet for humans as well as all plant and animal species; and

NOW, THEREFORE BE IT PROCLAIMED THAT the Mayor and Village Board of Trustees of the Village of Carol Stream, DuPage County, Illinois in exercise of its Home Rule Powers hereby recognizes and supports **Earth Hour 2011 on March 26, 2011**, by recommending to the residents and businesses to participate by turning off non-essential lights between 8:30 - 9:30 p.m.

PROCLAIMED THIS 7th DAY OF MARCH 2011.

Frank Saverino Sr. - Mayor

Beth Melody, Village Clerk

AGENDA ITEM

C-3 3-7-11

PROCLAMATION

GIRL SCOUT MONTH

WHEREAS, March 12, 2011, marks the 99th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and,

WHEREAS, throughout its distinguished history, Girl Scouting has inspired millions of girls and women with the highest ideals of courage, confidence, and character; and,

WHEREAS, through the Girl Scout leadership experience girls develop the skills and lessons that will serve them a lifetime so that they may contribute to their communities; and,

WHEREAS, Girl Scouting takes an active role in increasing girls' awareness of the opportunities available to them today in math, science, sports, technology and other fields that can expand their horizons; and,

WHEREAS, more than 3 million current Girl Scout members nationwide will be celebrating 99 years of this American tradition, with nearly 50 million women who are former Girl Scouts and living proof of the impact of this amazing Movement;

NOW, THEREFORE, I, Frank Saverino, Sr., by virtue of the authority vested in me as mayor of the Village of Carol Stream, do hereby applaud the commitment Girl Scouting has made to support the leadership development of America's girls and proudly proclaim the month of March 2011 as Girl Scout Month.

PASSED AND APPROVED THIS 7TH DAY OF MARCH 2011.

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

AGENDA ITEM

Ela 3-7-11

Village of Carol Stream

Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Donald T. Bastian, Assistant Community Development Director *DB*

THROUGH: Robert J. Glees, Community Development Director *RG*

DATE: March 2, 2011

RE: **Agenda Item for the Village Board meeting of March 7, 2011**
PC/ZBA Case 11011, Village of Carol Stream, Official 2011 Zoning Map

As required by state statute, the Village must publish a current zoning map by March 31 of each year. Staff has prepared the draft Village of Carol Stream Official Zoning Map for 2011, which includes the one annexation and zoning district amendment that occurred during calendar year 2010, as listed below.

- 1. Annexation and Zoning of 500 S. Schmale Road** – Annexation of the former *Code* restaurant and bar property and rezoning, upon annexation, to B-3 Service District, for the development of a Firestone Complete Auto Care Facility. (PIN 05-04-304-046, -051, -059 and -060).

The staff report and draft zoning map were transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals (PC/ZBA) packet on February 25, 2011. At their February 28, 2011, meeting, the PC/ZBA recommended approval of the Official 2011 Zoning Map by a vote of 5-0.

If the Village Board concurs with the PC/ZBA recommendation, they should approve the Official 2011 Zoning Map and adopt the necessary Resolution.

DTB:db

AGENDA ITEM

Village of Carol Stream ELB 37-11

Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Donald T. Bastian, Assistant Community Development Director *DB*

THROUGH: Robert J. Glees, Community Development Director *RJG*

DATE: March 2, 2011

RE: **Agenda item for the Village Board meeting of March 7, 2011**
PC/ZBA Case 11027, Vishal Vaghani (Dunkin' Donuts) – 317 S. Schmale Road
Sign Code Variations for Menu Boards and Wall Signs

Vishal Vaghani, franchisee for the new Dunkin' Donuts Restaurant planned for construction at 317 S. Schmale Road, is requesting several Sign Code variations for the menu boards and wall signs on the north building elevation. The requested variations would allow: 1) a menu board sign larger than 25 square feet in area; 2) two menu board signs; 3) the menu board signs to exceed six feet in height; 4) the blank wall area between multiple wall signs to be excluded in the calculation of wall sign area and 5) the smaller of the two wall signs to be installed at a higher elevation on the building than the larger wall sign. The menu board variations are consistent with numerous variations that have been approved for several fast food restaurants over the past 10 years. The Village Board has also granted several variations to exclude the blank wall area between multiple wall signs in the calculation of wall sign area, and to allow multiple signs to be installed at different heights on the wall.

The staff report presenting the requests, with supporting documentation, was transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals (PC/ZBA) packet on February 25, 2011. At their February 28, 2011, meeting, by a vote of 5-0, the PC/ZBA approved the Sign Code variations subject to the conditions noted in the staff report. In addition, as recently suggested by the Village Board, the PC/ZBA requested that staff prepare Sign Code text amendments that would more closely align the Village's menu board and wall sign regulations with current fast food industry signage standards. These changes would be helpful to Carol Stream businesses and would reduce frequent PC/ZBA applications that have historically been unanimously approved. Staff will advance the proposed text amendments for PC/ZBA consideration in the near future.

The Plan Commission has the authority to approve or deny Sign Code variation requests. However, the Sign Code grants the Village Board the opportunity to affirm or reverse the decision of the Plan Commission within 21 days of the date that the request first appears before the Village Board. If the Village Board chooses to take action on the Sign Code Variation request, their decision is final. If the Board chooses not to take action within the 21-day period set forth in the Sign Code, the decision of the Plan Commission is final.


DTB:db


c: Vishal Vaghani (via e-mail)
Diane Duncan (via e-mail)

Village of Carol Stream
Interdepartmental Memo

AGENDA ITEM
ELC 3-7-11

TO: Joseph E. Breinig, Village Manager

FROM: Donald T. Bastian, Assistant Community Development Director 

THROUGH: Robert J. Glees, Community Development Director 

DATE: March 2, 2011

RE: **Agenda item for the Village Board meeting of March 7, 2011**
PC/ZBA Case 11039, Peacock Engineering Company LLC – 720 Center Avenue
Sign Code Variation for Sign Regulating On-Premises Traffic and Parking

Ken Radakovits, Senior Project Manager for Peacock Engineering Company at 720 Center Avenue, has filed an application for a Sign Code variation to allow a *sign regulating on-premises traffic and parking* to measure 26.7 square feet in area as opposed to a maximum of six square feet, as allowed. The "Employee Entrance" sign is needed to direct employees to the required employee entrance, and also to identify the desired building entrance for emergency service personnel. The large building area, at approximately 360,000 square feet, and the great length of the east building wall, at 845 feet, support the larger area for the Employee Entrance sign. In December 2010, the Village Board granted a temporary waiver to the code of ordinances in accordance with Section 1-1-17 of the Municipal Code to allow the Employee Entrance sign to be installed immediately. Such temporary waivers are valid for 120 days, and Peacock Engineering has followed up with the required formal Sign Code variation application.

The staff report presenting the requests, with supporting documentation, was transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals (PC/ZBA) packet on February 25, 2011. At their February 28, 2011, meeting, by a vote of 5-0, the PC/ZBA approved the Sign Code variation.

The Plan Commission has the authority to approve or deny Sign Code variation requests. However, the Sign Code grants the Village Board the opportunity to affirm or reverse the decision of the Plan Commission within 21 days of the date that the request first appears before the Village Board. If the Village Board chooses to take action on the Sign Code Variation request, their decision is final. If the Board chooses not to take action within the 21-day period set forth in the Sign Code, the decision of the Plan Commission is final.

DTB:db

c: Ken Radakovits (via e-mail)
John Johnson (via e-mail)


AGENDA ITEM

G-1 3-7-11

Village of Carol Stream

Interdepartmental Memo

TO: Joe Breinig, Village Manager

FROM: Philip J. Modaff, Director of Public Works 

DATE: March 2, 2011

RE: Salt Purchase – Winter 2011 – 2012

The State of Illinois Bureau of Strategic Sourcing is planning to solicit bids for the purchase of bulk rock salt in April 2011 for the 2011 – 2012 winter season. In order for Carol stream to participate in the State's bulk bidding program it is necessary to make a commitment at this time so that the State can estimate the total volume needed for the various participating agencies.

The Village has traditionally participated in this State program. For the past two winter seasons the Village purchased salt under the State contract that was valid for two years. Under this program, the Village is able to reserve for purchase 100% of its estimated needs (3,500 tons), plus an additional twenty percent (20%) if needed at the established price. Pricing for the current fiscal year was \$65.28 per ton. During the current winter season we have used nearly 3,300 tons of salt (thru March 1).

The Department of Public Works recommends that the Board approve a Motion directing staff to submit the State of Illinois Joint Purchasing Requisition for the purchase of a minimum of 3,500 tons of rock salt for the 2011 – 2012 winter season.

Attachment



ILLINOIS

JOINT PURCHASING REQUISITION

PLEASE RETURN TO:

Illinois Department of
Central Management Services
801 Wm. G. Stratton Building
401 S. Spring Street
Springfield, IL 62706
Fax: (217) 782-5187

Joint Purchasing #: _____ Date: 03/07/2011

Government Unit: Village of Carol Stream
Mailing Address: 500 N. Gary Avenue
City / State / Zip: Carol Stream, IL 60188
County: DuPage
Contact Person: Mike Scaramella
Telephone Number: (630) 871-6260
Fax Number: (630) 462-3650
Contact Email: msscaramella@carolstream.org

Delivery Point
< Please provide Email Address

Complete Only One Either "Table-A" or "Table-B" Below

Table A: Complete this table to have the State Solicit Bids for your governmental entity

ITEM DESCRIPTION	QUANTITY	UNIT MEASURE	AMOUNT BUDGETED
<u>AASHTO M143 Road Salt or Equivalent</u>	<u>(Total Tonnage)</u>	<u>(22-25 Ton / Truck)</u>	<u>(Local Governmental Use Only)</u>
Road Salt, Bulk	<u>3,500</u>	Tons	<u>\$257,000</u>

Please note your Purchase Commitment Percentage for total tonnage quantity stated above (choose one):

- OPTION 1 80% minimum purchase requirement/120% maximum purchase requirement
 OPTION 2 X 100% minimum purchase requirement/120% maximum purchase requirement

Complete Only One Either "Table-A" Above or "Table-B" Below

Table B: Complete this table to have the State RENEW for your governmental entity (ONLY)

ITEM DESCRIPTION	QUANTITY	UNIT MEASURE	AMOUNT BUDGETED
<u>AASHTO M143 Road Salt or Equivalent</u>	<u>(Total Tonnage)</u>	<u>(22-25 Ton / Truck)</u>	<u>(Local Governmental Use Only)</u>
Road Salt, Bulk	_____	Tons	_____

Note: Renewal is available ONLY under contracts 4016216, 4016217, 4016218, 4016219, or 4016220 for the 2011-2012 season. Your quantity may not exceed more than a 20% increase of last season's quantity, and price cannot increase more than 5% of last season's price. Other Terms & Conditions of Contract will remain the same as last year. Check renewing contract: Contract 4016216 () Contract 4016217 () Contract 4016218 () Contract 4016219 () Contract 4016220 ()

I certify that funds are available for the purchase of the items on this Requisition and that such items are for the sole use of this governmental unit, and not for personal use of any official or individual or re-sale.

In addition, I agree to abide by the Joint Purchasing Procedure established by the Department of Central Management Services.

SIGNATURE OF AUTHORIZED OFFICIAL OR AGENT

Printed on Recycled Paper

TITLE



ILLINOIS

Pat Quinn, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

James P. Sledge, Director

MEMORANDUM

TO: Local Governmental Units Authorized to Participate in Joint Purchasing

FROM: Bret McKneelen, Acting Portfolio Manager,
Bureau of Strategic Sourcing - Commodities & Equipment

DATE: February 14, 2011 *Bm 1-10-11*

SUBJECT: Deadline for Submission of Bulk Road Salt (Sodium Chloride)
Requirements for the 2011 - 2012 Winter Season

Action Required

The State of Illinois, Bureau of Strategic Sourcing is planning to solicit bids for highway ice control (bulk road salt) in April of 2011 for the 2011-2012 winter season.

Additionally, existing contracts 4016216, 4016217, 4016218, 4016219, and 4016220 contain a renewal option at the sole option of the State. If you are a participant within one of those contracts and if your community's intention is to renew your contract with the same vendor, then this must be identified.

If your unit of government desires to be included in this year's solicitation, or wishes to renew under one of the existing contracts with a renewal option, you are required to complete the copy of the attached Joint Purchasing Requisition and return it to the Bureau of Strategic Sourcing no later than 5:00 p.m. March 18, 2011. Your choice is to do one or the other, or to not be an active participant in the State's procurement efforts for the 2011-2012 season. Notice: This timeframe is firm, and will not be extended.

The Renewal Process

If your governmental entity is a participant under one of the following contracts - (4016216, 4016217, 4016218, 4016219, 4016220) - and upon receipt of your stated desire to renew with your updated quantity requirements, the State will work to finalize the renewal on behalf of your governmental entity. Note that a contract renewal option is not available under contracts 40153782, 4015783, or 4015784. Should you choose to renew, all terms and conditions shall remain the same as in the present contract, and you will be able to reset desired quantities (with a max. cap on quantity increases not to exceed 20.% more than your past year's quantity). Utilize Table B (only) to indicate your intent to renew and submit your renewal quantity requirements.

The Procurement Process

Should a renewal option not exist, or should you wish to be included in the State's bid process for the 2011-2012 season, complete Table A (only) to indicate your intent to participate in the solicitation process, your minimum purchase requirement, and your desired quantities at 100%.

The State seeks to combine the needs of hundreds of governmental entities across Illinois into a single bid in an effort to consolidate buying power, and to make it easier for vendors to respond to the individual needs of hundreds of communities through a single bid response. Award is to the lowest responsible bidder meeting the terms & conditions of the solicitation. A single contract is completed for each vendor for all locations awarded through the competitive process. Each governmental unit places its own orders with the vendor in compliance with the contract.

CMS does not set pricing, nor does CMS buy salt for resale. Vendors offer pricing under a competitive bid process, in accordance with the Illinois Procurement Code and Rules and the Illinois Joint Purchasing Act. CMS strives to utilize a consistent approach, to the greatest degree possible, and seeks to achieve as competitive of a process as possible.

Anticipated Terms – for the 2011-2012 Solicitation

This section applies to those units of government participating in the joint purchase of bulk rock salt solicitation. Renewing entities will be governed under the existing contract. All participants will be required to abide by the respective contract terms and conditions. The major terms of the bid for the 2011-2012 season are expected to be as follows:

1. Rock salt specification shall be in accordance with AASHTO Specification M143, Sodium Chloride Type 1, Grade 1, or an acceptable approved alternate.
2. Quantities shown in the invitation for bid are estimates only. The total ton quantity submitted shall be considered to be sufficient to service the seasonal needs of the local governmental unit, and may only be adjusted as stated.
3. The purchase percentage agreement is consistent with last season's bid. We are asking local government to identify their purchase percentage commitment (choose one) on the Requisition Form.
 - 3.a. When submitting rock salt estimated usage for next winter, local governmental unit shall agree to purchase at least 80-% of the amount; and the vendor shall agree to furnish not less than 120% of the awarded tonnage amount. (Please make selection on Requisition Form)
 - OR**
 - 3.b. When submitting rock salt estimated usage for next winter, local governmental unit shall agree to purchase at least 100% of the amount; and the vendor shall agree to furnish not less than 120% of the awarded tonnage amount. (Please make selection on Requisition Form)
- 3-c. Each governmental unit is responsible for ensuring that the guaranteed purchase requirement is met before the end of the winter season (June 30, 2012), and the vendor(s) shall be required to furnish (if required) the maximum percent tons by March 01, 2012.
4. Each governmental unit shall issue their own vendor purchase order. Order may be placed with the vendor via telephone and a written or fax confirmation document shall follow immediately thereafter.
 - 4.a. *Governmental units are strongly encouraged to order early and to store as much salt as possible in order to help prevent potential salt shortages.* Governmental units need to make every effort to place orders in full truckload quantities of (22 - 25 tons). Requests for rock salt with quantity of less than a truckload will not be accepted.
 - 4.b. Local governmental units reserve the right to purchase up to 50% of the total award requirements prior to November 30, 2011 and vendor shall notify each delivery point in advance of when shipment is to begin.

4.c. Vendors shall accept orders at any time during the period from the date of contract issue through the last day of the contract.

5. Deliveries shall be accepted only on regular work days (Monday through Friday and excluding all State holidays) during regular work hours (7:30 a.m. to 4:00 p.m.), except when special arrangements have been made in advance with an appropriate agency or governmental representative at the delivery site.

All truck loads shall be covered with an approved weatherproof material, and all deliveries shall be Pre-Paid F.O.B. Destination as stated in the order document.

Truckloads containing foreign material such as mud, rocks, etc., may be rejected at the delivery site, and a replacement shipment scheduled by the contract vendor.

The State and Local Governmental Units reserve the right to require that some trucks occasionally be directed to a scale in the vicinity of the delivery point as a check on delivered truckloads.

Deliveries are to be made as soon as possible after receipt of an order, maximum time from receipt of order placed by local governmental units after December 1st shall not exceed seven working days, or as modified by Contract Order Guidelines. There is not a set delivery time limit for orders placed prior to December 1, 2011 or orders placed after April 1, 2012.

Each governmental unit shall be responsible for the processing of vendor invoices in a timely manner to ensure prompt payment.

6. CMS intends to continue to include a liquidated damages clause similar to the following:
From December 1, 2011 thru April 1, 2012; if the vendor is unable to make delivery within the required working days, units shall have the right to retain \$.20 per ton per calendar day as liquidated damages on the undelivered portion of the order. If after seven days of liquidated damages assessment, the vendor has still failed to deliver as required, governmental units shall reserve the right to take action to remedy the failure of vendor performance in accordance with the contract.
7. For contract performance protection, the State will secure a performance bond from the contracted vendor, valued at 20% of the total of the contract award dollar value.
8. In December 2011 the contract vendor(s) shall have stockpile(s) in place located in or near Illinois covering 100% of the total tonnage awarded for the northern regions of the State, and in January of 2012 stockpile(s) located in or near Illinois covering 100% of the tonnage awarded for all other regions of the State. At CMS discretion, the State may inspect the stockpiles to ensure they are in sufficient quantities, and that vendor's commitments for these stockpiles are with users of this contract.
9. The contract price shall remain firm for the entire contract period up to the maximum guaranteed limit. Contract pricing for a purchase made in excess of the guaranteed limit, and if available for purchase, is subject to an increase if vendor's costs for providing rock salt increase by more than 5%.
10. Unless an emergency exists, the local governmental units under the maximum 120% purchase threshold will receive salt deliveries prior to the local governmental units over the maximum 120% purchase threshold. In the case of an emergency, efforts shall be made to have the vendor ship enough salt to aid affected local governmental units through the emergency situation.

This Is an Opt-in Process

Participation in the State's procurement process for rock salt is voluntary, an opt-in process. CMS has no method to ensure vendor participation, nor control pricing that vendor's offer in the competitive bid process.

Local communities are not inhibited nor restricted from seeking bids independently should they choose to do so. However, by indicating through this requisition process your desire to either renew or to participate in the upcoming bid process, you are committing your entity's participation. The State will act in accordance with your submitted requisition.

We ask that you give immediate attention to this matter and allow reasonable mailing time, or fax response, to ensure that we receive your salt request prior to the deadline. Return your Joint Purchasing Requisition via fax and/or mail no later than 5:00 p.m. March 18, 2011. This deadline is firm, and will not be extended.

We thank you for your consideration and welcome your inclusion in the upcoming solicitation. Any questions you have in completing the form or concerning the rock salt bid/contract can be directed to the following:

Wayne Ilsley, CPPB, Buyer
Department of Central Management Services
Bureau of Strategic Sourcing - Commodities & Equipment
Room 801 William G. Stratton Office Building
Springfield, IL 62706
Phone: (217) 782-8091
Fax: (217) 782-5187


AGENDA ITEM

G-2 3-7-11

Village of Carol Stream

Interdepartmental Memo

TO: Joe Breinig, Village Manager

FROM: Philip J. Modaff, Director of Public Works 

C: Jim Knudsen, Village Engineer

DATE: March 2, 2011

RE: Engineering Services – Sanitary Sewer System Flow Monitoring

Rain events in recent years have demonstrated that the sanitary sewer collection system is experiencing significant inflow and infiltration of rain water. Storm water should be entering the storm water sewer system or allowed to soak into the ground without entering the sanitary sewer system. Instead, the Water Reclamation Center has, at times, been inundated with flows approaching three times more than its permitted daily average flow.¹

This increases costs and places a burden on the treatment processes and related equipment. Every gallon of storm water that ends up in the sanitary sewer goes through the entire sewage treatment process, unnecessarily increasing costs related to energy usage, chemical consumption, labor and wear and tear on the mechanical equipment.

The presence and impact of inflow and infiltration was noted in the Baxter & Woodman Facility Inspection Report (December 2010). As we embark on a multi-million dollar, multi-year capital replacement program at the WRC, it is important that we undertake efforts to maximize the benefit of that significant investment by reducing the volume of influent that otherwise does not require treatment.

Inflow and infiltration can lead to overflow of untreated or partially treated effluent to the creek and subsequent violations of effluent limits. In addition, the impact of elevated flows on the bacterial treatment processes and the related recovery time can threaten the quality and expense of the overall treatment process.

During the flood event in July 2010, flow rates into the treatment plant exceeded 16 million gallons per day (MGD). Another severe storm two weeks later had a similar impact, compounding lingering treatment process problems from the first event. (Both of these events resulted in spills at the plant that were fortunately contained on site).

¹ The WRC has a permitted Daily Average Flow (DAF) of 6.5 MGD and a Daily Maximum Flow (DMF) of 13.0 MGD.

More recently, the melt off of snows from the blizzard, accompanied by a week of wet weather, caused influent rates to again exceed 14 MGD, requiring adjustment in treatment tactics and diversion of excess flow to avoid overwhelming the treatment system and possible effluent violations.

Inflow and infiltration (I & I) are terms used to describe the ways that groundwater and storm water enter into dedicated sanitary sewer collection systems. *Inflow* is storm water that enters into sanitary sewer system at points of direct connection to the system, including footing/foundation drains, roof drains, downspouts, drains from window wells, outdoor basement stairwells, drains from driveways, and basement sump pumps.

These sources are typically improperly or illegally via direct connections or discharged into sinks or tubs, allowing storm water to enter the sanitary sewer system. As a result, properly designed sanitary sewer collection systems can be overwhelmed.²

Infiltration is groundwater that enters sanitary sewer systems through cracks and/or leaks in sanitary sewer pipes or manholes that may be caused by age related deterioration, loose joints, poor design, installation or maintenance errors, or root infiltration. Groundwater can enter these cracks or leaks wherever sanitary sewer systems lie beneath water tables or the soil above the sewer systems becomes saturated.

Due to the negative operational and financial impact of I & I on the sanitary sewer collection and treatment systems, the potential for sewage backups in structures and overland, and the possibility of effluent violations, the Village Engineer and I have proposed a multi-year program (starting in FY12) to assess the level of I & I in the various sections of the Village, identify the sources of I & I, and develop a capital improvement plan for reducing or eliminating I & I.

It is important to acknowledge that storm water is just as likely to come from infrastructure deficiencies as it is from improper or illegal connections. Industry best practices consistently support efforts that reduce I & I through infrastructure repair and elimination of improper and illegal connections.

The very first step in the multi-year process will be to monitor flow in many of the sanitary sewer basins.³ Monitoring is done via a series of in-line flow monitors that gauge actual flows over a period of time (typically 30 days, or more).

² For example, eight inch sanitary sewer pipes can adequately move the domestic wastewater flow from up to 200 homes, but only eight sump pumps operating at full capacity or six homes with downspouts connected to the sanitary sewer pipe will overload the capacity of the same eight inch sewer pipes. A single sump pump can contribute over 7,000 gallons of water to sanitary sewer systems in a 24-hour period, the equivalent of the average daily flow from 26 homes.

³ A sanitary sewer "basin" is similar in concept to a "watershed", in that it represents a geographical area within which flow from properties is generated and collected.

In order to verify I & I, it is important to capture flow under both normal and wet weather conditions, typically in March and/or April. Without the flow data to aid us in isolating the worst areas, subsequent steps of the program will be less effective and more costly. Therefore, the Village Engineer and I have identified available funds in the current sewer budget to undertake flow monitoring starting in late March. With this data available in the coming fiscal year we will be able to proceed with the next step in the process, which is to prioritize the worst areas and pinpoint the sources through a program of televising and smoke testing.

We have solicited proposals from three engineering firms to install and maintain flow monitoring equipment at twenty (20) locations, collect and analyze the data and prepare an engineer's report prioritizing the basins and outlining a recommended program for the next steps. Alfred Benesch & Company has submitted the lowest proposal of the three:

Engineering Firm	Cost Proposal
Alfred Benesch & company	\$46,000
Baxter & Woodman	\$47,500
RJN	\$55,000 (only 8 locations proposed)

(NOTE: If sufficient rainfall does not occur within the 30-day period, the program can be extended in one week increments (at the Village's discretion) at established pricing.)

Funding for this work is available in a sanitary sewer maintenance account that had been intended for sewer televising (\$20,000) that will not be performed and from unused funds intended for the Phase I design of the Aztec Drive sewer replacement project (\$43,000). The Village Engineer has advised that the Aztec Drive Phase I design and construction will be undertaken entirely in the coming fiscal year. Diverting funds from the Aztec Drive sewer design in this fiscal year will not negatively impact delivery of that project.

Therefore, the Village Engineer and I recommend that the Board approve a Motion authorizing the Village to enter into an agreement with Alfred Benesch & Company for sanitary sewer flow monitoring services in substantially the form as presented in the attached proposal and pending final approval of the Village Attorney.

Attachment



Alfred Benesch & Company
205 North Michigan Avenue, Suite 2400
Chicago, IL 60601-5927
www.benesch.com
P 312-565-0450
F 312-565-2497

March 3, 2011

Mr. Philip J. Modaff
Director of Public Works
Village of Carol Stream
124 Gerzevske Lane
Carol Stream, IL 60188-1899

Project: 2011 Sanitary Sewer Flow Monitoring

Dear Mr. Modaff:

Alfred Benesch & Company (Benesch) is pleased to submit a proposal for sanitary sewer flow monitoring for the Village of Carol Stream. Having provided engineering services to various municipalities for over 60 years, Benesch has the knowledge and experience necessary to deliver this project successfully. Benesch will be contracting with ELAN Technologies to provide field metering services.

The following is a description of services to be provided.

- Attend project kickoff meeting to clarify project scope, establish lines of communication, and develop a project deliverables schedule.
- Review previous reports related to the subject project.
- Review the Village's sanitary sewer atlas to redefine basin boundaries, as necessary based on criteria to be discussed with Staff.
- Field verify the suitability for obtaining representative flow data at the locations identified on the sanitary sewer atlas. Alternative locations will be identified where unsuitable flow conditions exist.
- Provide, install, calibrate and remove twenty (20) in-line wastewater flow meters at the selected locations. It is anticipated that the meters will be in operation for a 30 to 90 day period, depending on the rainfall experienced.
- Conduct weekly site visits to collect the recorded flow data, clean the sensing probes as necessary, replace batteries as needed, and other maintenance required to insure proper operations of the equipment.
- Analyze flow data to determine average daily dry weather flow rates, wet weather flow rates, peak I/I rates, and flow rates per pipe length.
- Assign an I/I score for each basin and develop a prioritized multi-year evaluation investigation program to locate defects that allow I/I to enter the system. Include budget estimates for the cost of future SSES work.
- Prepare an engineer's report detailing the results of the study, recommendations, and conclusions.

The estimated engineering fee for 20 metering locations for a 30-day monitoring period is \$46,000.00 including rental of 20 flow meters. If sufficient rainfall is not experienced within the initial 30 day period, the program can be extended for a weekly cost of \$3,000.00 for week 5, \$4,500.00 for week 6 and \$6,000 for week 7 through week 13.

Benesch is committed to the success of this project, and asks for your favorable consideration of our proposal.

Sincerely,



Kevin J. Fitzpatrick, P.E.
Senior Vice President

AGENDA ITEM
I-1 3-7-11

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION OF THE
OFFICIAL ZONING MAP OF THE VILLAGE OF CAROL STREAM**

WHEREAS, the Combined Plan Commission and Zoning Board of Appeals, at the meeting of February 28, 2011, reviewed and recommended approval of the 2011 Zoning Map.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Mayor is authorized to execute and the Village Clerk to attest **The Official Zoning Map of the Village of Carol Stream**, a map drawn by the Carol Stream Community Development staff, using base map data provided by the DuPage County Mapping Department, dated March 2011, such document being attached to and made a part of this Resolution.

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 7TH DAY OF MARCH 2010.

AYES:

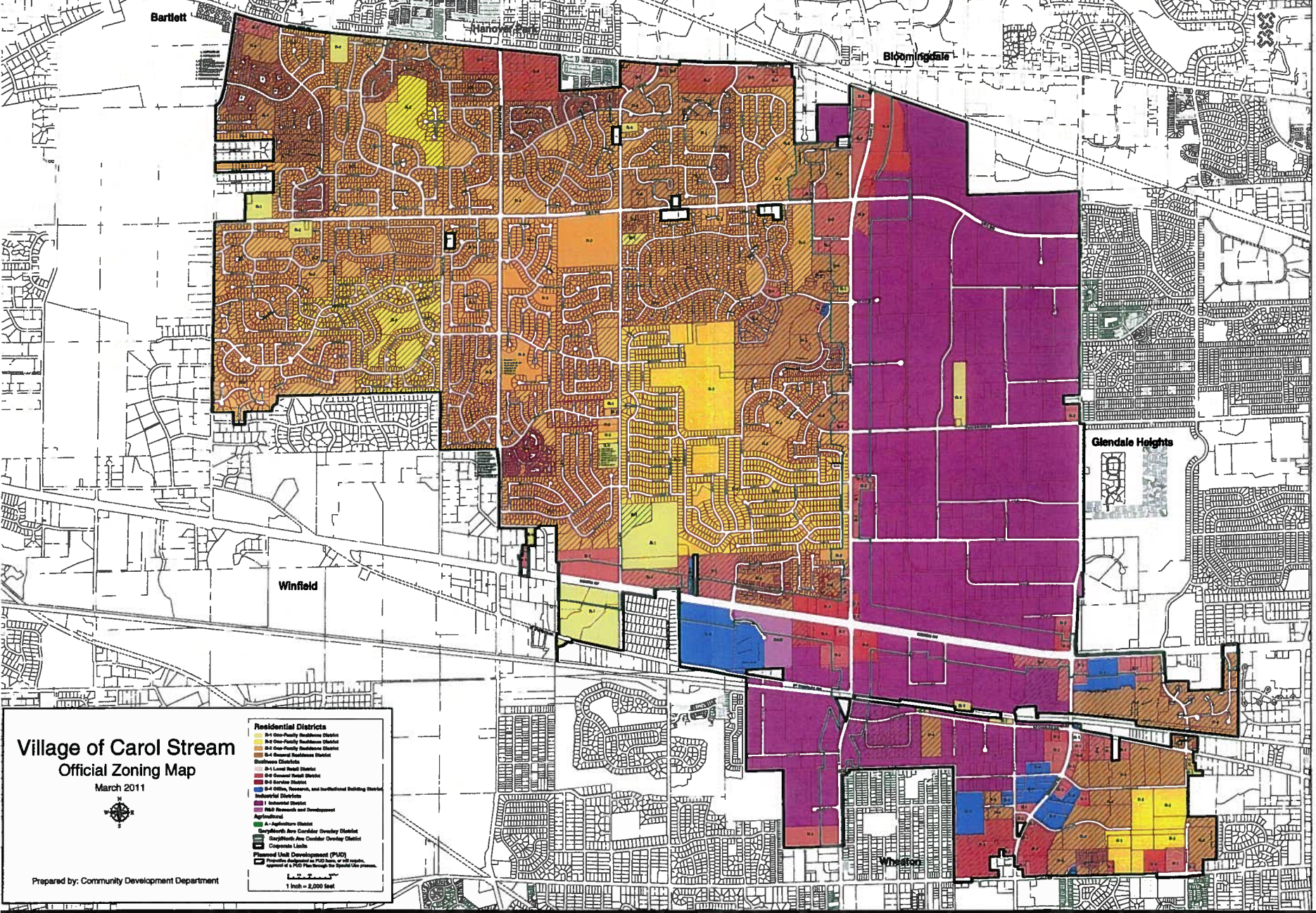
NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk



Village of Carol Stream Official Zoning Map

March 2011



Prepared by: Community Development Department

Residential Districts	
[Hatched]	B-1 One-Family Residential District
[Hatched]	B-2 One-Family Residential District
[Hatched]	B-3 One-Family Residential District
[Hatched]	B-4 One-Family Residential District
[Hatched]	B-5 One-Family Residential District
Business Districts	
[Hatched]	B-1 Local Retail District
[Hatched]	B-2 General Retail District
[Hatched]	B-3 General Retail District
[Hatched]	B-4 Office, Research, and Institutional Building District
[Hatched]	B-5 Office, Research, and Institutional Building District
Industrial Districts	
[Hatched]	I-1 General Industrial District
[Hatched]	I-2 Research and Development District
[Hatched]	I-3 Research and Development District
[Hatched]	I-4 Agriculture District
[Hatched]	I-5 Agriculture District
[Hatched]	North-South Area Corridor Overlay District
[Hatched]	Southwest Area Corridor Overlay District
[Hatched]	Corporate Lots
Planned Unit Development (PUD)	
[Hatched]	Subject to approval by PUD Board, or its designee.
[Hatched]	Subject to a PUD Plan approved by Board Use process.
<p>1 inch = 2,000 feet</p>	

STATE OF ILLINOIS
COUNTY OF DUPAGE
I, _____, CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS MAP WAS CORRECTLY FILED AND IS CORRECT TO THE VILLAGE OF CAROL STREAM, PENNSYLVANIA AND APPROVED BY _____

DATE: _____

ATTEST: _____

VILLAGE CLERK

J-1 3-7-11

Village of Carol Stream
Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Robert J. Glees, Community Development Director *RJG*

DATE: March 4, 2011

RE: **Agenda Item for the Village Board Meeting of March 7, 2011**
John & Tony's Italian Steakhouse, 27W371 North Avenue
Preannexation Agreement and Request for Approval of Message
Center Sign

PURPOSE

The purpose of this memorandum is to coordinate with the Village Board a request by the owner of *John & Tony's Italian Steakhouse* for approval from DuPage County for a Conditional Use for Message Center Sign.

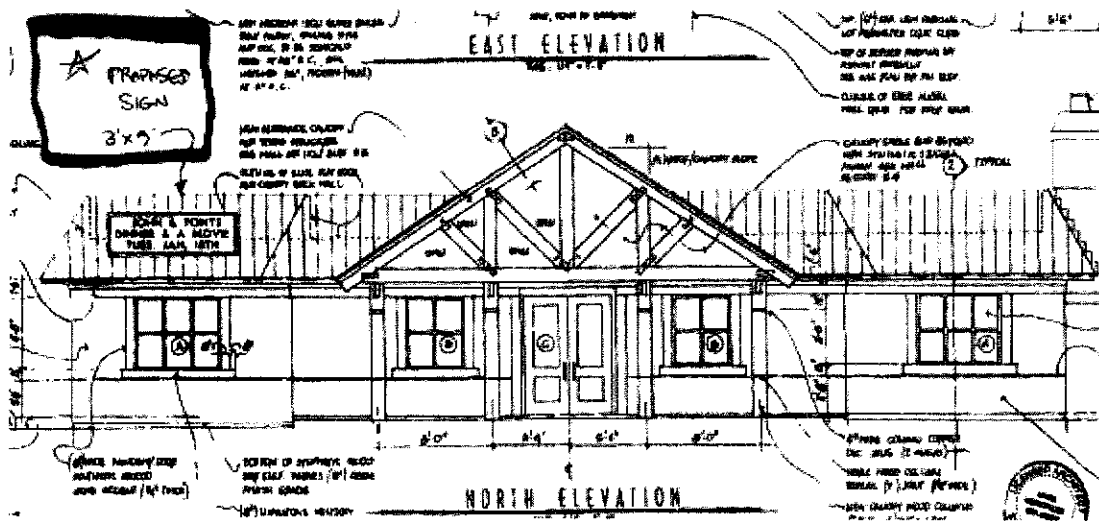
BACKGROUND

John Badway is the current owner of the *John & Tony's Italian Steakhouse*, an unincorporated property at 27W371 North Avenue in Carol Stream's Southwest Planning Area. In 1995, a previous owner of the property entered into a pre-annexation agreement with the Village in order to connect to the Village's sanitary sewer and water distribution systems. The agreement is binding to successors and assigns, and it expires on September 11, 2015. A copy of the pre-annexation agreement is attached.

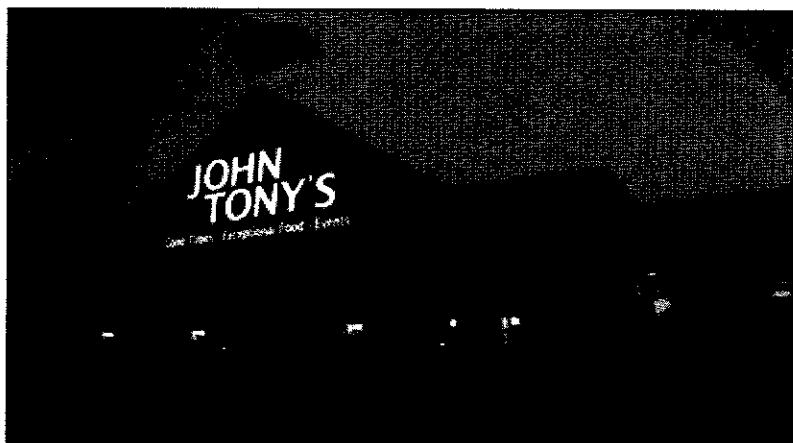
Mr. Badway wishes to place a message center sign (changeable copy) on the parapet wall of his building, and such a sign requires approval of a Conditional Use from DuPage County. Mr. Badway has petitioned the County for such approval, and a copy of the informational material received from the County is attached. The County has requested comments regarding the petition by Wednesday, March 9th. The proposed message center sign is classified in Carol Stream's Sign Code as a wall sign, as is the existing *John & Tony's* sign on the canopy above the main entrance to the building. (See the design elevation and picture below for sign locations.) Staff would observe that the proposed message center sign does not comply with Carol Stream's Sign Code in two respects:

1. The maximum allowable total combined area of all wall signage is 10% of the building façade area, and this calculation includes the space between

multiple signs. Although staff does not have precise dimensions to work with, it appears the resulting area calculation for the proposed and existing signs would be approximately 15%, which exceeds the 10% maximum. If the blank space between the two signs were not included, the resulting area calculation would be approximately 9%. The Village Board may recall that this is an aspect of the Sign Code for which businesses in Carol Stream have sought and received relief in the past through the variation process. Staff is currently in the process of bringing forward a proposed amendment to the Sign Code that would include consideration of removing the requirement that the blank space between signs be included as part of the area calculation.



LOCATION OF PROPOSED MESSAGE CENTER SIGN



EXISTING WALL SIGN

2. The Sign Code requires that one-third of the area of the proposed message center sign be permanent (not changeable copy), and that the permanent area include only the name and/or logo of the business. Staff would note that the intent of this requirement is appropriate and relevant to ground-mounted signs; however, the requirement may be less relevant to a wall sign on a façade that already includes the name of the business.

DISCUSSION

The pertinent feature of the pre-annexation agreement for the property, with respect to Mr. Badway's current zoning request, is contained in Item 9 on page 7, which states:

"Until such time as the property is annexed to the Village, the Owners shall not construct any new or modify any existing structures on the Property, even if permitted under the ordinances of DuPage County, without also receiving the approval of the Village of Carol Stream. That approval shall be considered by the Village through process in compliance with its zoning, building, subdivision and other ordinances, as if the property were within the corporate boundaries of the Village of Carol Stream."

Staff has spoken to Mr. Badway, and he is aware of the requirements of the pre-annexation agreement. To summarize, the code requirements and approvals required by the agreement from the Village of Carol Stream for the proposed message center sign include the following:

- Compliance with Carol Stream's building and zoning codes and local amendments, including the Sign Code, Building Code, Electrical Code and Zoning Code. This is in addition to compliance with the DuPage County codes. Per the agreement, "Where there is a conflict between the Village Codes and the DuPage County codes, the stricter provisions shall apply." Staff would note that the Village has adopted the 2006 ICC series of codes, while the County has adopted the 2009 ICC series.
- Approval of the building permit from the Village of Carol Stream. In similar cases in the past, this has been accomplished by the Village requiring a copy of the permit submittal, and DuPage County coordinating the Village's comments and requirements into its approval process. No fee has been taken by the Village for this review.

As noted above, the pre-annexation agreement expires on September 11, 2015. Staff has asked Mr. Badway whether he would be willing to meet to discuss an amendment to the agreement with an extension of the term, and Mr. Badway has indicated that he would. Staff believes it would be in the Village's best interests

to extend the term of this agreement, which would be the first of the North Avenue pre-annexation agreements to expire. It is likely Mr. Badway would be able to benefit from an amendment to the agreement in that development approvals, such as the sign case at hand, may become more simplified.

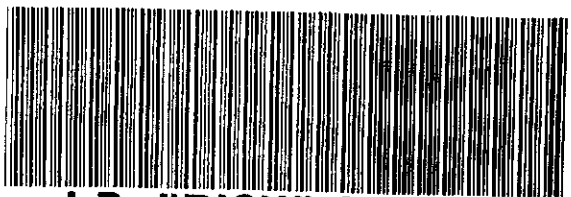
RECOMMENDATION

Staff recommendations are as follows:

1. That the Village respond to DuPage County's request for comment on Mr. Badway's request by indicating we have no objections at this time, but that:
(i) the proposed sign is regulated by a pre-annexation agreement which we are in the process of renegotiating with the property owner, (ii) the Village is not relinquishing its rights to review and approve the sign, and (iii) if the request were to be approved it should be with a condition that the building permit for the message center sign not be issued without written approval from the Village of Carol Stream. A draft copy of a response letter to DuPage County is attached.
2. That staff commence negotiation with Mr. Badway of an amendment to the pre-annexation agreement, with a 10-year extension of the term of the agreement. Such amendment would require approval from the Village Board.

RJG:bg

t:\director\correspondence\village board\badway preannexation agreement.doc



J.P. "RICK" CARNEY
DUPAGE COUNTY RECORDER

OCT. 17, 2000

1:12 PM

OTHER

01-36-400-023

018 PAGES

R2000-162409

96-03-17

(
VILLAGE OF CAROL STREAM
500 North Gary
Carol Stream, IL 60188
)

ORDINANCE NO. 96-03-17

AN ORDINANCE AUTHORIZING THE EXECUTION
OF A PRE-ANNEXATION AGREEMENT
(F.B. FAMILY VENTURE, INC. - 27W371 NORTH AVENUE)

PIN. 01-36-400-023

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF CAROL STREAM
THIS 4TH DAY OF MARCH, 1996

Published in pamphlet form
by order of the President
and Board of Trustees of
the Village of Carol Stream,
County of DuPage, Illinois
this 8th day of March, 1996.

ORDINANCE NO. 96-03-17

**AN ORDINANCE AUTHORIZING THE EXECUTION
OF A PRE-ANNEXATION AGREEMENT
(F.B. FAMILY VENTURE, INC. - 27W371 NORTH AVENUE)**

WHEREAS, F. B. Family Venture, Inc., owner of the property located at 27W371 North Avenue, such property being legally described in the Annexation Agreement, has petitioned the Village of Carol Stream to annex that property to the Village; and,

WHEREAS, the Plan Commission and the Village Board of Trustees, pursuant to proper legal notices, have held public hearings regarding the annexation and zoning of this property; and,

WHEREAS, a pre-annexation agreement has been drafted and found acceptable by the parties thereto.


NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AD BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Village President and Village Clerk are hereby authorized to execute a pre-annexation agreement regarding the annexation of the property located at 27W371 North Avenue, legally described in the Annexation Agreement, appended to and made a part of this Ordinance as Appendix A.

SECTION 2: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 4TH DAY OF MARCH, 1996.

AYES: 6 Trustees Kuecker, DeLonay, Fenner, Shanahan,
Sutcliffe and Vinson
NAYS: 0
ABSENT: 0



Ross Ferraro, Village President

ATTEST:



Ronald F. Kalck, Village Clerk

Village of Carol Stream



500 N. GARY AVENUE • CAROL STREAM, ILLINOIS 60188-1899 • (630) 665-7050 • FAX (630) 665-1064
ROSS FERRARO, MAYOR • JANICE KOESTER, CLERK • GREGORY J. BIELAWSKI, MANAGER

STATE OF ILLINOIS)
) SS. VILLAGE OF CAROL STREAM
COUNTY OF DU PAGE)

CERTIFICATION

I, Wynne W. Progar, do hereby certify that I am the duly appointed and acting municipal Deputy Clerk of the Village of Carol Stream, DuPage County, Illinois.

I further certify that the attached is a true and correct copy of Ordinance No. 96-03-17, AN ORDINANCE AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO A PRE-ANNEXATION AGREEMENT - (F.B. FAMILY VENTURE, INC. - 27W371 NORTH AVENUE).

This Ordinance was passed and approved on March 4, 1996 by the Mayor and Board of Trustees of the Village of Carol Stream, and published in pamphlet form on March 14, 1996.

DATED AT CAROL STREAM, ILLINOIS
this 30th day of August, 2000.


Wynne W. Progar, Deputy Clerk

3/21/95

PRE- ANNEXATION AGREEMENT

SOUTHWEST NORTH AVENUE CORRIDOR

This Agreement made and entered into this 11 day of Sept
 _____, 1995, by and between the Village of Carol
 Stream, an Illinois municipal corporation (hereinafter referred to
 as the "Village") and F.B. FAMILY VENTURE INC.

 (hereinafter referred to as the "Owners"),

W I T N E S S E T H :

WHEREAS, the Owners are the Owners of record of certain real estate as legally described in Exhibit A, attached hereto and incorporated herein by reference) hereinafter referred to as the "Property"); and

WHEREAS, the parties hereto desire that the Property be annexed to the Village on the terms and under the conditions hereafter set forth; and

WHEREAS, the Property is not located within the corporate boundaries of any municipality, but is within the planning area of the Village, and may be now or will, within a period of twenty (20) years, be contiguous to the Village; and

WHEREAS, the parties wish to enter into a binding agreement

with respect to the future annexation of the Property and to provide for various other matters related directly or indirectly to said future annexation, in accordance with the provisions of 65 ILCS 5/11-15.1-1 et seq.; and

WHEREAS, the Village Board has determined that the future annexation of the Property would further the orderly growth of the Village and promote the general welfare of the Village,

NOW, THEREFORE, in consideration of the mutual covenants, agreements, terms and conditions herein set forth, the Owners and the Village agree, as follows:

1. The provisions of the preamble hereinabove set forth are hereby restated and incorporated herein by reference.

2. The Owners, within thirty (30) days after a written notice from the Village indicating that the Property is now contiguous to the Village, shall submit to the Village an executed Petition for Annexation and plat of annexation in the form provided by law. The Owners shall pay all fees associated with the annexation including publication fees and recording fees.

3. This Agreement shall be binding upon the Owners, as well as the Owners' successors, assigns and heirs. This Agreement shall constitute a covenant running with the land and shall be binding upon all persons taking any interest or right in the Property after the date of the execution of this Agreement. Any person acquiring any rights or interest in the Property after the date of this Agreement shall be bound by the terms thereof and shall be deemed to have accepted and approved this Agreement in full. The Property

may not be annexed to any City or Village other than the Village of Carol Stream during the term of this Agreement.

4. If ownership of the Property or any portion thereof changes subsequent to the execution of this Agreement and prior to annexation, the new Owner or Owners shall submit to the Village a properly executed acknowledgement and acceptance of this Agreement within thirty (30) days of acquiring such interest which shall also notify the Village of the identity of the new Owner and the new Owner's address and telephone number. It shall be the responsibility of the new Owner or Owners to see to the submission of these items. Provided, however, the failure, refusal or neglect to submit these items shall in no way affect the continued validity of this Agreement.

5. The Village may record any Petition for Annexation submitted and this Agreement in the Office of the Recorder of Deeds of DuPage County.

6. The Owners and the Village respectively agree to do all things necessary or appropriate to cause the Property to be duly and validly annexed to the Village as promptly as practicable after the Property becomes contiguous to the Village. Upon contiguity, the Village may, at any time prior to expiration of this Agreement, annex the Property and at the option of the Village, this Agreement may constitute the petition to annex. The Owners, or their successors in interest, shall assist the Village and take all actions or steps necessary, including, but not limited to, preparing and executing new petitions for annexation, waivers and

option of the Village, and at their expense or by reimbursing the Village for its expenses, within seven (7) days after receiving a written request from the Village, initiate or join in any court proceeding which can result in the annexation of the Property, either by itself or along with other property, to the Village. Upon annexation, the Property shall become subject to all applicable ordinances of the Village, except as may be otherwise provided in this Agreement.

7. The Owners may connect to the Village water and sewer system, upon payment of the Special South West Utility estimated construction fee in the amount of \$^{8,931.98}~~20,000.00~~^{LMB}, or approval by the Village of financing terms specified hereinbelow, provided, however, that at least 50% of the said estimated construction fee shall be paid upon execution of this agreement, and Owners shall be liable for any difference in cost between the estimated and final construction amounts. The construction fee is a proportional cost based upon the square footage of the area to be served by the new system. The balance of the estimated construction fee, if less than \$1,000, is payable within six (6) months thereafter. If the balance is greater than \$1,000.00 but less than \$2,000.00, financing through deferred installment payments will be available for one (1) year. If the balance is greater than \$2,000.00 but less than \$3,000.00, such financing will be available for a period of two (2) years. If the balance is greater than \$3,000.00 but less than \$10,000.00, such financing will be available for a period of five (5) years. If the balance is greater than \$10,000.00, such

of five (5) years. If the balance is greater than \$10,000.00, such financing will be available for seven (7) years. The final amount of the construction fee will be determined upon completion of the construction project. Any excess owed by Owners will be separately billed at that time and shall be due in a single payment. If the final amount is less than that paid by Owners a rebate will be made. The amount due may be prepaid at any time without penalty. All amounts owed will be pro-rated and billed quarterly over the period of the applicable financing. The interest payable on the amount owed will be the "prime rate" as found in the Wall Street Journal. The interest rate will be adjusted quarterly based on the prime rate found in the Wall Street Journal on January 2nd, April 4th, July 1st and October 1st of each year. The minimum rate of interest shall, however, be seven percent (7%). Property owners will be given thirty (30) days from the date of any billing in which to make payment. A ten percent (10%) penalty will be assessed if payment is not received by the due date. At the request of the Village, the Owner will execute a note for the unpaid amount secured by a lien upon the property. Such lien will be released upon the payment of 100% of the loan, plus interest and any costs of collection. Any property owner delinquent in payments, which delinquency necessitates the Village to pursue the collection of such funds, shall pay the cost of such collection. The Village may also cut off utility service to the property and impose penalties for delinquent and special South West Utility construction fee payments in the same manner as permitted by

Village ordinance for delinquencies in the payment of utility service rates, fees and charges. It is expressly understood that construction fee amounts, rates and financing terms specified in this Paragraph 7 shall be effective only until August 1, 1995.

The Owner shall pay the full cost of construction of service lines in order to connect to the Village utility lines. The Owners also shall pay regular Village connection charges and tap-in fees and the cost of meter(s).

8. The Owners shall connect to the Village sanitary sewer and water system within two (2) years from the date of this Agreement and utilize only Village water, except where other provisions may be set forth in Paragraph 18 for non-potable water. The owners shall abide by the same rules and regulations with respect to water and sewer service as consumers and customers within the corporate limits of the Village. This provision includes, but is not limited to, any sprinkling bans or limitations which may be imposed by the Village. Until the Property is annexed to the Village, the Owners shall pay 150% of the metered water and sewer rates applicable to users within the Village.

9. Upon annexation, the property will be zoned B-2. After the date of this agreement, all development on the property shall take place only in accordance with the provisions of the planned unit development section of the Carol Stream Zoning Ordinance. The Village shall retain authorization for site plan approval for all new construction on the property other than as provided in Paragraph 18. The site plan approval shall include the approval of

ingress and egress, location and number of structures, parking, lighting, drainage, building code, subdivision ordinance and all other requirements of the Village's Planned Unit Development Ordinance, and other ordinances of the Village dealing with land development or construction. Where there is a conflict between the Village Codes and the DuPage County Codes, the stricter provisions shall apply. The Village Board, either with or without a public hearing before itself or some Board or Commission, may waive by motion the necessity of the Owners to comply with all such provisions.

Until such time as the Property is annexed to the Village, the Owners shall not construct any new or modify any existing structures on the Property, even if permitted under the ordinances of DuPage County, without also receiving the approval of the Village of Carol Stream. That approval shall be considered by the Village through process in compliance with its zoning, building, subdivision and other Village ordinances, as if the Property were within the corporate boundaries of the Village of Carol Stream. If the Village should deny such approval, the Owners, rather than proceeding to contest this determination through declaratory judgment, as would be the case if the Property were within the corporate boundaries of the Village, may proceed against the Village in the Circuit Court of DuPage County alleging a breach of this Agreement, and may seek a declaration that it may proceed with the requested development, but no damages may be sought.

10. The Village may seek to enforce the terms of this

Agreement through a suit seeking specific performance, damages, injunction and its costs of enforcing the agreement including attorneys' and expert witnesses' fees. The parties intend that the standard which a court would use under such circumstances shall be the same standards which would be used if the Property were within the Village. The intent of the Village, and the Owners in agreeing to the provisions of this Agreement, is not to unduly restrict the ability of the Owners to develop the Property, but, rather, to make certain that property which will ultimately be within the corporate boundaries of the Village is developed fully in accordance with the ordinances of that municipality.

11. Upon annexation, the Owners shall pay the annexation fee to the Village as currently set forth within the Village ordinances. This shall be the only annexation fee payable.

12. Where land annexed to the Village is not annexed to any fire protection district or park district, the Owners shall promptly, upon annexation to the Village, petition for annexation to the Carol Stream Park District and the Carol Stream Fire Protection District. If the land annexed to the Village is then part of a park district or fire protection district other than the Carol Stream Park District, or the Carol Stream Fire Protection District, the Owners shall, at the written request of the Village, actively endeavor to disconnect from the district and annex to the Carol Stream Park District and the Carol Stream Fire Protection District.

13. In addition to any other power residing in the Village to

enforce the terms and conditions of this Agreement, such as a suit for damages or specific performance, the Village may, upon a breach of this Agreement by the Owners, withhold the issuance of building or occupancy permits until the breach is cured. The Village also may cut off utility services provided by the Village to the Property for failure of the Owner or Owners to comply with the provisions of Paragraphs 2 and 6.

14. The Owners or their successors or assigns, may, in equity, by suit, action, mandamus, injunction, or other proceedings in court, enforce and compel the performance of this Agreement, including suits for specific performance, but they may not seek monetary damages.

15. This Agreement may only be amended by written instruments signed by both parties, and after the procedures required by law or ordinance to cause the amendment of an annexation agreement.

16. The term of this Agreement shall be twenty (20) years from the date of execution hereof.

17. If any portion of this Agreement or ordinance enacted pursuant hereto shall be declared invalid, the same shall not affect the validity of this Agreement as a whole, other than the part so declared invalid. The parties shall then negotiate in good faith to seek to re-establish the powers and duties found to be invalid. The Owners or the Village shall be obligated to execute any document or take any additional action which may be required to correct any defect which has resulted or could result in the invalidation of this Agreement in whole or in part.

18. In addition to the provisions within this Agreement, the Village and the Owners agree to those special terms and conditions, if any, as are appended to this Agreement as Paragraph 18 and separately executed by the parties.

19. This Agreement may be executed in multiple counterparts of duplicate originals or with multiple signature pages each of which shall constitute and be deemed one and the same document.

20. The undersigned Owners warrant that he constitute all Owners of the Property and that he have full authority and power to sign the Agreement and any petitions submitted hereunder and that he have not and will not take any action to change ownership in the Property until after this Agreement is recorded.

IN WITNESS WHEREOF this Agreement has been duly executed by whose names are subscribed below or on the signature pages attached hereto from time to time, and which pages are specifically incorporated herein.

Owners

VILLAGE OF CAROL STREAM,

By: Frank Brusciavelli

By: Ross Ferraro

FRANK BRUSCIAVELLI
(print name)

ROSS FERRARO
Village President

By: _____

(print name)

Attest: Donald G. Kuhl
Village Clerk

By: _____

(print name)

Subscribed and sworn to before me
this ____ day of _____, 19____.

Notary Public

SLE:dar\CA\WP51\CAROLSTR\NONCONTI.AGR\3049957.000

at the location commonly known as 27W371 North Avenue

and legally described as follows:

Part of Lot 4 in assessment plat of the Edward W. Plane Estate, more particularly described as follows: commencing in the center of North Avenue at the northwest corner of said Lot 4; thence southeasterly along the center line of North Avenue, 255.0 feet to a cross in said pavement; thence southerly parallel with the westerly line of said Lot 4, 883.86 feet to the center line of St. Charles Road; thence northwesterly along the center line of St. Charles Road 265.2 feet to the southwest corner of said Lot 4; thence northerly along the west line of said Lot 4, 837.8 feet to the place of beginning, being a subdivision of part of Section 36, Township 40 North, Range 9, East of the Third Principal Meridian, and Section 31, Township 40 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded June 15, 1931 as Document 313722, in DuPage County, Illinois.

pin 01-36-400-003

EXHIBIT A

APPENDIX - FB Family Venture Annexation Agreement

PARAGRAPH 18

18. Special Terms and Conditions

As a condition of the Owner's obligations under this Pre-Annexation Agreement, the Village and Owners agree upon annexation to the Village, Owners or their successors in interest in title:

- a) Shall be granted a zoning classification of B-2 General Retail District with a special use permit for a restaurant to continue to operate in the existing building with the existing parking spaces and a special use permit for an accessory gameroom with 3 games to be operated in the restaurant provided the applicant submits a formal floor plan showing locations of the games prior to adoption of the special use ordinance.
- b) Shall be granted variances from the Zoning Code to allow a minimum setback of 52 feet from the North Avenue property line and a minimum setback of 24 feet from the Morton Road property line for the existing building and any future additions to the existing building.
- c) Shall be granted a variance from the Zoning Code to allow the existing black mesh satellite dish to be attached to the south side of the building and to not have the required landscape buffering installed provided the dish antenna remains at its current height and location.
- d) Shall be permitted to replace the face only of the existing ground sign structure, however a sign permit shall still be required. In the event the sign structure itself is to be altered, relocated, or replaced in any way, a sign permit shall be required and the entire ground sign shall be made to be in conformance with the Village Sign Code in effect at the time.
- e) Owners and their successors in interest in title shall be permitted to continue to use, repair and maintain the water well on the Property after connection to the Village's water and sewer system provided:
 - 1) The use of the water from such well shall be discontinued upon the first to occur: the fifth (5th) anniversary of the execution of this Pre-annexation Agreement, or annexation to the Village of Carol Stream and shall be limited to watering landscaped areas and outside cleaning, and shall not be used as potable water for drinking or sanitary purposes.
 - 2) The Village shall have the right to install a meter on the well to measure well water usage for the purpose of determining sewer rates for well water discharge into the Village's sanitary sewer system; Owners shall pay sewer rates as provided in Paragraph 8.
 - 3) Owners shall comply with all DuPage County regulations pertaining to the use and maintenance of the well and the capping of the well upon discontinuance of its use. Without limiting the foregoing, the well shall not be connected in

any manner to the Village water system. There shall be no connection of the well water to the interior of the building.

- 4) The well does not cause a health or safety hazard and otherwise complies with all applicable codes and regulations.



DU PAGE COUNTY ZONING BOARD OF APPEALS

JACK T. KNUEPFER ADMINISTRATION BUILDING

421 NORTH COUNTY FARM ROAD, WHEATON, ILLINOIS 60187/ 630-407-6700/630-407-6702 (fax)

RECEIVED
 4/8 25 2011
 Planning Department

Zoning Petition Z11-002 Charhouse LLC

Please review the information herein and return with your comments to: Paul Lauricella, DuPage County Department of Economic Development & Planning, 421 North County Farm Road, Wheaton, Illinois 60187 or via email at Paul.Lauricella@dupageco.org , or via facsimile at 630-407-6702 by March 9, 2011.

COMMENT SECTION:	
: NO OBJECTION/CONCERNS WITH THE PETITION.	
: NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION. ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION.	
: I CAN NOT COMMENT AT THIS TIME. ADDITIONAL INFORMATION REQUIRED.	
: I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
COMMENTS:	
SIGNATURE:	DATE:
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:	

GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	Z11-002 Charhouse LLC	
OWNER	John A. Badway, 26W480 Churchill Rd., Winfield, IL 60190	
AGENT FOR PETITIONER	William Carter, 27W370 Victoria Ln., Winfield, IL 60190	
ADDRESS/LOCATION	27W371 North Ave., West Chicago, IL 60185	
PUBLICATION DATE	Daily Herald:	February 23, 2011
ZONING REQUEST	Conditional Use for a Message Center Sign. (Sec. 37-1103)	
PIN/TWSP./ COUNTY BOARD DIST.	01-36-400-026	Wayne Township/District 6
ZONING/LUP	B-2 General Business	Local Commercial
AREA/ UTILITIES	168,275 sq. ft. (3.86 Acres)	Water and Sewer
PUBLIC HEARING	March 10, 2011, 7:00 p.m.	

PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.



DU PAGE COUNTY ZONING BOARD OF APPEALS
JACK T. KNUEPFER ADMINISTRATION BUILDING
421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187/ 630-407-6700

Zoning Petition Z11-002 Charhouse LLC

The DuPage County Zoning Board of Appeals will conduct the following public hearing:

PUBLIC HEARING: 7:00 p.m., March 10, 2011, Room 3500-B, JACK T. KNUEPFER
ADMINISTRATION BUILDING 421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187

OWNER: John A. Badway, 26W480 Churchill Rd., Winfield, IL 60190

AGENT FOR PETITIONER: William Carter, 27W370 Victoria Ln., Winfield, IL 60190

REQUEST: Conditional Use for a Message Center Sign. (Sec. 37-1103)

ADDRESS OR GENERAL LOCATION: 27W371 North Ave., West Chicago, IL 60185

LEGAL DESCRIPTION:

PART OF LOT 4 IN ASSESSMENT PLAT OF THE EDWARD W. PLANE ESTATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING IN THE CENTER OF NORTH AVENUE AT THE NORTHWEST CORNER OF SAID LOT 4: THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF NORTH AVENUE, 255.0 FEET TO A CROSS IN SAID PAVEMENT: THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 4, 883.86 FEET TO THE CENTER LINE OF ST. CHARLES ROAD: THENCE NORTHWESTERLY ALONG THE CENTER LINE OF ST. CHARLES ROAD 265.2 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4: THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 4, 837.8 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM FOLLOWING DESCRIBED REAL ESTATE): BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4, BEING THE INTERSECTION OF THE CENTERLINE OF NORTH AVENUE (SBI ROUTE 64) AS DEDICATED BY DOCUMENT NO. 334933, RECORDED MARCH 3, 1933 AND THE CENTER LINE OF PUBLIC HIGHWAY KNOWN AS MORTON ROAD ALSO BEING THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 36: THENCE ON AN ASSUMED BEARING OF SOUTH 81 DEGREES 06 MINUTES 25 SECONDS EAST ALONG THE CENTER LINE OF NORTH AVENUE, 255.29 FEET (255 FEET, RECORD) TO THE EAST LINE OF GRANTORS PROPERTY: THENCE SOUTH 0 DEGREES 14 MINUTES 55 SECONDS WEST ALONG GRANTOR'S WEST LINE, 101.15 FEET TO THE SOUTHERLY LINE OF NORTH AVENUE: THENCE NORTH 81 DEGREES 06 MINUTES 25 SECONDS WEST ALONG THE SOUTHERLY LINE OF NORTH AVENUE, 206.79 FEET: THENCE SOUTH 24 DEGREES 33 MINUTES 24 SECONDS WEST, 35.93 FEET TO THE EAST LINE OF MORTON ROAD: THENCE SOUTH 0 DEGREES 11 MINUTES 05 SECONDS WEST ALONG THE EAST LINE OF MORTON ROAD, 672.87 FEET TO THE NORTHERLY LINE OF ST. CHARLES ROAD: THENCE NORTH 71 DEGREES 11 MINUTES 28 SECONDS WEST, 34.82 FEET TO THE CENTER LINE OF MORTON ROAD, BEING THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 26: THENCE NORTH 0 DEGREES 11 MINUTES 05 SECONDS EAST ALONG THE CENTER LINE OF MORTON ROAD, 802.98 FEET TO THE POINT OF BEGINNING, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 15, 1931, AS DOCUMENT 31722, IN DU PAGE COUNTY, ILLINOIS.

Respectfully Submitted,
ROBERT J. KARTHOLL, CHAIRMAN,
DUPAGE COUNTY ZONING BOARD OF APPEALS

Notice of this hearing is being sent to property owners within 300 feet of the subject property and as one of them you are invited to attend the meeting and comment on the petition. A sketch or drawing of the petitioner's request is included for your review. If you have any questions, please contact the Zoning Division at (630) 407-6700.



Please be advised that access to the 421 JACK T. KNUEPFER ADMINISTRATION BUILDING is limited to the main entrance located in the center on the east side of the building.

PLAT OF SURVEY

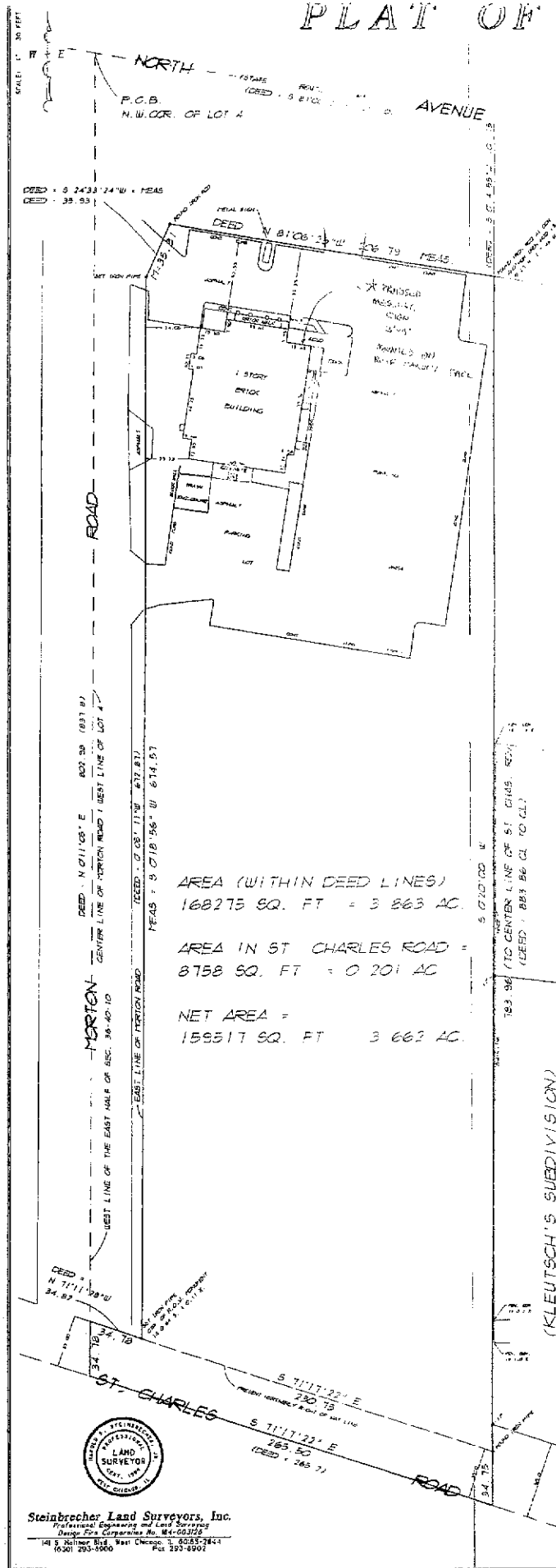
LEGAL DESCRIPTION

PART OF LOT 4 IN ASSESSMENT PLAT OF THE EDWARD W. PLANE (STATE), MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING IN THE CENTER OF NORTH AVENUE AT THE NORTHWEST CORNER OF SAID LOT 4, THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF NORTH AVENUE, 255.0 FEET TO A CROSS IN SAID PAVEMENT THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 4, 883.8 FEET TO THE CENTER LINE OF ST. CHARLES ROAD, THENCE NORTHERLY ALONG THE CENTER LINE OF ST. CHARLES ROAD 269.2 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4, THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 4, 817.2 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM FOLLOWING DESCRIBED REAL ESTATE:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4, BEING THE INTERSECTION OF THE CENTER LINE OF NORTH AVENUE (SDI ROUTE 64) AS DEDICATED BY DOCUMENT NO. 334933, RECORDED MARCH 3, 1933 AND THE CENTER LINE OF PUBLIC HIGHWAY KNOWN AS MORTON ROAD ALSO BEING THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 36, THENCE ON AN ASSUMED BEARING OF SOUTH 81 DEGREES 06 MINUTES 25 SECONDS EAST ALONG THE CENTER LINE OF NORTH AVENUE, 255.29 FEET (255 FEET, RECORD) TO THE EAST LINE OF GRANTON'S PROPERTY, THENCE SOUTH 0 DEGREES 14 MINUTES 55 SECONDS WEST ALONG GRANTON'S WEST LINE, 101.15 FEET TO THE SOUTHERLY LINE OF NORTH AVENUE, THENCE NORTH 81 DEGREES 06 MINUTES 25 SECONDS WEST ALONG THE SOUTHERLY LINE OF NORTH AVENUE, 206.79 FEET THENCE SOUTH 24 DEGREES 33 MINUTES 24 SECONDS WEST, 35.93 FEET TO THE EAST LINE OF MORTON ROAD, THENCE SOUTH 0 DEGREES 11 MINUTES 05 SECONDS WEST ALONG THE EAST LINE OF MORTON ROAD, 672.87 FEET TO THE NORTHERLY LINE OF ST. CHARLES ROAD, THENCE NORTH 71 DEGREES 11 MINUTES 19 SECONDS WEST, 34.82 FEET TO THE CENTER LINE OF MORTON ROAD, BEING THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 36, THENCE NORTH 0 DEGREES 11 MINUTES 05 SECONDS EAST ALONG THE CENTER LINE OF MORTON ROAD, 802.98 FEET TO THE POINT OF BEGINNING, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 15, 1931, AS DOCUMENT 313722 IN DU PAGE COUNTY, ILLINOIS.

This property is known as Brian's Charhouse
274371 North Avenue
West Chicago, IL 60418

Prepared for: John Rodway



AREA (WITHIN DEED LINES)
168275 SQ. FT = 3.863 AC.

AREA IN ST. CHARLES ROAD =
8758 SQ. FT = 0.201 AC.

NET AREA =
159517 SQ. FT = 3.662 AC.



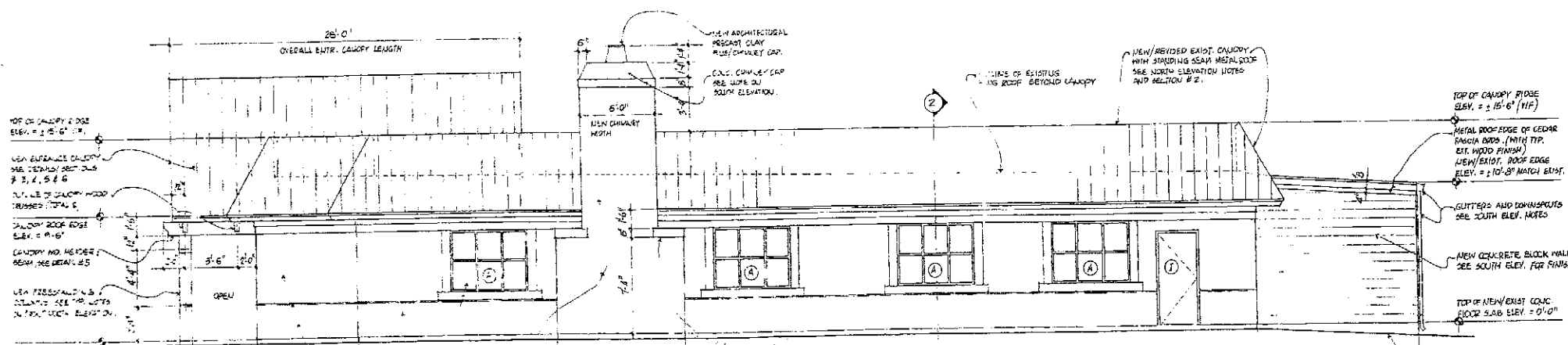
Steinbrecher Land Surveyors, Inc.
Professional Engineering and Land Surveying
Design Firm, Corporation No. 84-00326
141 S. North Ave. West Chicago, IL 60457-2424
(630) 293-0800 Fax: 293-0901

STATE OF ILLINOIS
COUNTY OF DU PAGE

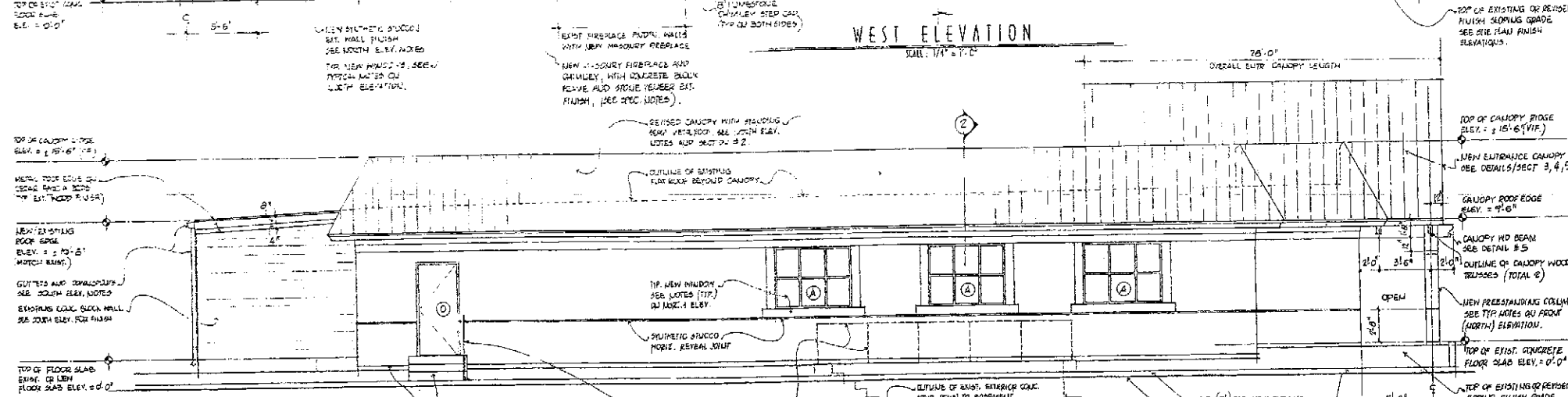
This is to certify that Steinbrecher Land Surveyors, Inc. Registered Professional Engineering and Land Surveying Design Firm, Corporation No. 84-00326, has surveyed the property shown and described hereon, which is to the best of our knowledge and belief, a correct representation thereof. This professional service conforms to the current State minimum standards for a boundary survey.

West Chicago, Ill., May 21, 2004.

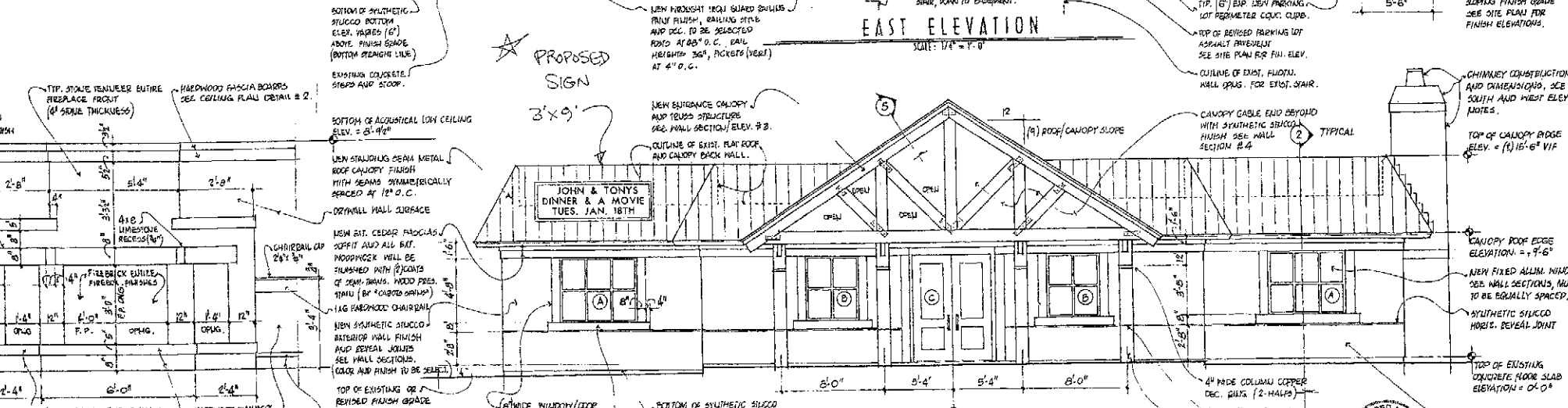
Paul F. Steinbrecher, J.
Registered Professional Engineer 2272
Professional Land Surveyor 85



WEST ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"





Village of Carol Stream

DRAFT

FRANK SAVERINO, SR., MAYOR • BETH MELODY, CLERK • JOSEPH E. BREINIG, MANAGER
500 N. Gary Avenue • Carol Stream, Illinois 60188-1899
(630) 665-7050 • FAX (630) 665-1064
www.carolstream.org

SENT VIA E-MAIL ONLY

March 8, 2011

Mr. Paul Lauricella
DuPage County Department of Economic Development & Planning
421 N. County Farm Road
Wheaton, IL 60187

Re: Zoning Petition Z11-002 Charhouse LLC
27W371 North Avenue

Dear Mr. Lauricella:

We have received the DuPage County ZBA informational material for the referenced zoning petition, which is a request for approval of a Conditional Use for a Message Center Sign. Attached, please find an executed response form from the Village of Carol Stream regarding the case. We wish to provide the following comments:

1. The property is located within the planning jurisdiction of the Village of Carol Stream, as determined by boundary agreements with neighboring municipalities. As such, we wish to ensure that the requested Conditional Use is compatible with the development standards of the Village of Carol Stream.
2. The property is also bound by a pre-annexation agreement with the Village of Carol Stream, which requires that improvements to the property be approved through the Village's standard building and zoning processes. Under the agreement, the proposed sign needs to meet the requirements of the Village's Sign Code as well as its building and zoning codes, and the building permit for the sign must be approved by the Village of Carol Stream.
3. Please be aware that the Village of Carol Stream is currently in negotiation with the petitioner to amend and update the pre-annexation agreement for the property. However, it is not the Village's intention to give up its right to review and approve plans for the improvements to or redevelopment of the property. At this time, we have no objection to the approval of the petitioner's request for Conditional Use for a Message Center Sign. We will notify you if this should change during the course of our negotiations.
4. We request that, if the DuPage County ZBA should be inclined to recommend approval of the petitioner's request for Conditional Use, such approval should include the following condition:

"That the building permit for the message center sign shall not be issued without written approval from the Village of Carol Stream."

I hope you find this useful. If you should require any additional information, please feel free to call me at (630)871-6231.

Very truly yours,




Robert J. Glees, PE, AICP
Community Development Director

RJG:bg

C: Paul Hoss, Zoning Division Manager
t:\dupage zba correspondence\z11-002 charhouse llc.doc

Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager

FROM: William N. Cleveland, Assistant Village Engineer 

DATE: March 4, 2011

RE: Gary Avenue Bike Trail - DuPage County CMAQ Application - Carol Stream Commitment

A Call for Projects has been issued for the next round of CMAQ (Congestion Mitigation and Air Quality) funding. About \$350M has been programmed for our region over the next 5 years (2012-2016). Projects not approved in this round will not be eligible for funding until after 2016.

DuPage County has expressed an interest in constructing a bike trail on the west side of Gary Avenue from the Great Western Trail to Lies Road. The cost for the design and construction has been estimated at \$3,162,000 with 80% (\$2,530,000) in CMAQ funding leaving \$632,000 for the 20% local match.

Applications indicating local cooperation and co-sponsorship sometimes score higher than other applications. Therefore DuPage County has requested the Village of Carol Stream as a financial co-sponsor for the application. The proposed budget currently has \$100,000 for roadway improvements and \$17,000 for Gary/Lies pedestrian improvements. The County has indicated that this amount is adequate and they would fund the remaining \$515,000.

As part of the grant application packet, DuPage County has requested a letter of commitment from the Village of Carol Stream indicating our interest as a project co-sponsor, stating the \$117,000 commitment to the local matching funds, and a reference date of Village Board approval. If the grant application is successful, we would then follow up with a formal intergovernmental agreement.

Engineering staff therefore recommends that \$117,000 be budgeted for the Gary Avenue Bike Trail as a local match for DuPage County's application to obtain Congestion Mitigation and Air Quality Funding.

Cc: James T. Knudsen, Director of Engineering Services
Jon Batek, Finance Director

VILLAGE OF CAROL STREAM SCHEDULE OF BILLS

March 7, 2011

AGENDA ITEM
K-1 3-7-11

<u>VENDOR NAME</u>	<u>AMOUNT</u>	<u>ACCT #</u>		<u>ACCT DESCRIPTION</u>	<u>INVOICE</u>
AT & T					
SERV FOR FEB 16 - MAR 15	415.41	01652800	52230	TELEPHONE	630Z57651902
	<u>415.41</u>				
ARTHUR CLESEN INC					
SILTFENCE -WRC	100.14	01670500	53317	OPERATING SUPPLIES	266911
	<u>100.14</u>				
AVALON PETROLEUM COMPANY					
BIO DIESEL	18,420.00	01696200	53356	GAS PURCHASED	6903
	<u>18,420.00</u>				
CALL ONE					
SERV FROM JAN 15-FEB 14 2011	347.08	04101500	52230	TELEPHONE	1010-6641 FEB/11
SERV FROM JAN 15-FEB 14 2011	1,979.22	04201600	52230	TELEPHONE	1010-6641 FEB/11
SERV FROM JAN 15-FEB 14 2011	2,654.88	01650100	52230	TELEPHONE	1010-6641 FEB/11
	<u>4,981.18</u>				
CH2MHILL OMI					
MNTHLY WRC -MARCH/11	134,428.38	04101100	52262	OMI CONTRACT	50841
	<u>134,428.38</u>				
CHRISTMAS SHARING PROGRAM					
DONATIONS FOR 2010/11	3,501.86	01	24223	CHRISTMAS SHARING	2010/11 DONATIONS
	<u>3,501.86</u>				
CITY LIMITS CLEANING SYSTEMS INC					
SALT AWAY FOR TRUCK WASH	261.25	01670200	53317	OPERATING SUPPLIES	947
	<u>261.25</u>				
COMED					
SERV FRM 01/24 - 02/22	1,066.99	04201600	52248	ELECTRICITY	0300009027 FEB/11
SERV FRM 01/24 - 02/23	14.91	01670600	52248	ELECTRICITY	4483019016 FEB/11
SERV FRM 01/25 - 02/22	97.30	06320000	52248	ELECTRICITY	0030086009 FEB/11
SERV FRM 01/25 - 02/22	120.83	06320000	52248	ELECTRICITY	6597112015 FEB/11

SERV FRM 01/25 - 02/22	129.20	06320000	52248	ELECTRICITY	1353117013 FEB/11
SERV FRM 01/25 - 02/23	14.91	01670600	52248	ELECTRICITY	0803155026 FEB/11
SERV FRM 01/25 - 02/23	17.37	06320000	52248	ELECTRICITY	7219135017 FEB/11
SERV FRM 01/25 - 02/23	30.48	01662300	52298	ATLE SERVICE FEE	4202129060 FEB/11
SERV FRM 01/25 -02-23	14.91	01670600	52248	ELECTRICITY	1865134015 FEB/11
SERV FRM 01/26- 02/24	29.16	06320000	52248	ELECTRICITY	1603109101 FEB/11
SERV FRM 1/24 - 02/22	142.79	01670600	52248	ELECTRICITY	6337409002 FEB/11
SERV FRM 1/24 - 02/22	325.81	06320000	52248	ELECTRICITY	6213120002 FEB/11
SERV FRM 1/24 - 02/22	652.49	04101500	52248	ELECTRICITY	2496057000 FEB/11
SERV FRM 1/24 -2/22	79.09	04201600	52248	ELECTRICITY	2514004009 FEB/11
SERV FRM 1/25 - 2/23	46.29	04101500	52248	ELECTRICITY	2073133107 FEB/11
SERV FRM 1/25 -02/23	183.32	06320000	52248	ELECTRICITY	6675448009 FEB/11
SERV FRM 1/25 THRU 2/23	55.47	06320000	52248	ELECTRICITY	1043062112 FEB/11
SERV FRM 1/26 - 02/24	111.31	04101500	52248	ELECTRICITY	0291093117 FEB/11
SERV FRM 1/27 THRU 2/25	21.44	01670600	52248	ELECTRICITY	5838596003 FEB/11
SERV FRM 12/18 - 01/24	3,903.35	06320000	52248	ELECTRICITY	5853045025 JAN/11
SERV FROM 01/25 - 02/22	98.10	06320000	52248	ELECTRICITY	3153036011 FEB/11

7,155.52

DUPAGE COUNTY

DATA PROCESS POLICE JANUARY 20	250.00	01662600	52247	DATA PROCESSING	8428
PERMIT APPL FEE SW AREA WTR EX	200.00	04200100	54480	CONSTRUCTION	070987.40

450.00

DUPAGE COUNTY RECORDER

RECORDING FEES	42.00	01580000	52233	RECORDING FEES	201102230126
RECORDING FEES	450.00	01580000	52233	RECORDING FEES	201102180301
RECORDINGS	616.00	01580000	52233	RECORDING FEES	201102180294

1,108.00

ELEVATOR INSPECTION SERVICES

INSPECTION PERFORMED FEB 8 2011	100.00	01680000	52244	MAINTENANCE & REPAIR	31024
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100.00

ELMHURST MEMORIAL

IN MEMORY DONATION (SISTER OF P	100.00	01600000	52273	EMPLOYEE SERVICES	JOYCE STARK
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100.00

EXELON ENERGY INC

SERV FRM 01/13 THR 02/13	98.01	04101500	52248	ELECTRICITY	100431100160
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98.01

FOUNTAIN PEOPLE INC

REPAIR 11 LAMPS-TWN CTR FOUNTA	2,785.00	01680000	52244	MAINTENANCE & REPAIR	0047854
	2,785.00				
HEALY ASPHALT COMPANY LLC					
ASPHALT	282.96	06320000	53340	MATERIALS	25868MB
COLD PATCH ASPHALT	305.64	06320000	53340	MATERIALS	25833MB
	588.60				
ILLINOIS MUNICIPAL LEAGUE					
DUES 4/1/2011 - 3/31/2012	2,065.00	01	13010	PRE-PAID ITEMS	FEB 23 2011
	2,065.00				
ILLINOIS SECRETARY OF STATE					
97 CHEV, 00 KIA, 99 CHRY, 01 PONTIA	380.00	01664700	53317	OPERATING SUPPLIES	4 TITLE FEES
	380.00				
JOHN L FIOTI					
ATLE LEGAL/TOWING FEB 9 2011	156.25	01662300	52310	ATLE LEGAL ADJUDICATION	C S 26
ATLE LEGAL/TOWING FEB 9 2011	156.25	01570000	52238	LEGAL FEES	C S 26
	312.50				
KLEIN, THORPE & JENKINS, LTD					
LEGAL SERVICES FOR JAN/11	1,216.00	04203100	52238	LEGAL FEES	151230
LEGAL SERVICES FOR JAN/11	1,501.00	04103100	52238	LEGAL FEES	151230
LEGAL SERVICES FOR JAN/11	2,455.58	01570000	52238	LEGAL FEES	151230
	5,172.58				
LOWE'S HOME CENTERS					
SALES TAX SHARE AGREEMENT	34,180.73	01720000	58206	LOWES SALES TAX REIMB	Oct - Dec 2010
	34,180.73				
MATTHEW YORK					
REIMB FOR MEALS 3/6 THRU 3/9	213.50	01670100	52223	TRAINING	WORK TRK SHW
	213.50				
NEXTEL COMMUNICATIONS					
SERV FRM 12/24/10-01/23/11	22.73	01642100	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	24.09	01643700	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	45.91	01680000	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	53.51	01662500	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	62.72	01600000	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	70.63	01610100	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	115.17	01622200	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	131.14	01662700	52230	TELEPHONE	760300514-108

SERV FRM 12/24/10-01/23/11	139.68	01652800	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	142.81	04201600	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	172.75	01620100	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	182.81	01650100	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	188.15	01664700	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	191.33	01662300	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	193.16	01662400	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	233.22	01670100	52230	TELEPHONE	760300514-108
SERV FRM 12/24/10-01/23/11	333.97	01660100	52230	TELEPHONE	760300514-108
	<u>2,303.78</u>				

PENN CREDIT

COLLECTION FEES THRU 9/30/11	408.00	01000000	45402	ORDINANCE FORFEITS	51376
	<u>408.00</u>				

PERSPECTIVES

EAP QURTLY SRV DEC 1- FEB 28	1,149.72	01600000	52273	EMPLOYEE SERVICES	70315
QRTLY SRV FRM MAR 1- MAY31	383.24	01	13010	PRE-PAID ITEMS	70852
QRTLY SRV FRM MAR 1- MAY31	766.48	01600000	52273	EMPLOYEE SERVICES	70852
	<u>2,299.44</u>				

ROAD SOLUTIONS INC

BEET EXTRACT FOR ICE MELTING	6,163.00	06320000	53335	SALT	4990
HYROMETER FOR MEASURING SALT	114.19	01670200	53317	OPERATING SUPPLIES	4964
	<u>6,277.19</u>				

SCHWAAB INC

STAMP FOR MINUTES	62.19	01650100	53314	OFFICE SUPPLIES	A81061
	<u>62.19</u>				

THOMAS F HOWARD JR

LEGAL SRV FOR FEB 2011	6,018.75	01570000	52312	PROSECUTION DUI	177
	<u>6,018.75</u>				

TRANSYSTEMS CORPORATION

KUHN RD BIKE TRL PHASE II CONS	15,916.49	11740000	55486	ROADWAY CAPITAL IMPROVEME	4(2028597)
	<u>15,916.49</u>				

U S PAVING INC

SNOW PLOWING 2/7/11	1,314.00	01670200	52266	SNOW REMOVAL	11-014
	<u>1,314.00</u>				

UNI MAX MANAGEMENT CORP

JANITORIAL SERVICE FOR FEB/11	623.75	01670100	52276	JANITORIAL SERVICES	2267
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JANITORIAL SERVICE FOR FEB/11

1,871.25

01680000

52276

JANITORIAL SERVICES

2267

2,495.00

253,912.50

The preceding list of bills payable totaling \$253,912.50 was reviewed and approved for payment.

Approved by:



Joseph Breinig, Village Manager

Date: 3/4/11

Authorized by:

Frank Saverino Sr – Mayor

Beth Melody, Village Clerk

Date: _____

AGENDA ITEM

K-2 3-7-11

ADDENDUM WARRANTS February 23, 2011 thru March 7, 2011

Fund	Check #	Vendor	Description	Amount
General	A C H	Charter One Bank	Payroll Feb 7, 2010 to Feb 20, 2011	420,672.97
Water & Sewer	A C H	Charter One Bank	Payroll Feb 7, 2010 to Feb 20, 2011	28,427.66
General	A C H	Ill Funds	Dupage Water Commission - January 2011	<u>202,345.93</u>
				<u>651,446.56</u>

Approved this _____ day of _____, 2011

By: _____
Frank Saverino Sr - Mayor

Beth Melody - Village Clerk