

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

December 7, 2009

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 Tony Manzzullo, Don Weiss, Greg Schwarze, Matt McCarthy, Rick Gieser and Pam Fenner

Absent: none

Also Present: Joe Breinig, Village Manager, Bob Mellor, Assistant Village Manager, Stewart Diamond, Village Attorney, Beth Melody Village Clerk, and Wynne Progar, Deputy Village Clerk

Cub Scout Pack 175 Den 1 led those in attendance in the Pledge of Allegiance.

MINUTES:

Trustee McCarthy moved and Trustee Manzzullo made the second to approve the Minutes of the Meeting of November 16, 2009 as presented. The results of the roll call vote were:

Ayes: 6 Trustees Manzzullo, Weiss, Schwarze, McCarthy, Gieser & Fenner

Nays: 0

Absent: 0

AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:

Proclamations presented by Senator Carole Pankau and Senator John Milner recognizing the Village of Carol Stream's 50th Anniversary. Each of the resolutions was read by the respective Senator and both conveyed the congratulations of the Governor.

Resolution 2446 Recognizing the 2009 Carol Stream Panther 100lb. Gold Football Team:

The team mom for this team, Jenny Wegner read the Resolution and each member of the team received a copy of the Resolution and had pictures taken with the Mayor and the Village Board.

Resolution 2447 Recognizing the 2009 Carol Stream Panther 130 lb. Gold Football team:

A team dad read the Resolution and each member of the team received a copy of the Resolution and had their picture taken with the Mayor and the Village Board.

Historical Recollection Series:

Don Depa, long- time Glenbard North High School instructor shared his recollections of Carol Stream when he took a teaching assignment from this school and has been there ever since his appointment some thirty five years ago. He spoke of the changes in both the students and the parents over his tenure and the entire area of cornfields that surrounded the school.

CONSENT AGENDA:

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

Ayes: 6 Trustees Manzzullo, Weiss, Schwarze, McCarthy, Gieser & Fenner
Nays: 0

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

Ayes: 6 Trustees Manzzullo, Weiss, Schwarze, McCarthy, Gieser & Fenner
Nays: 0

1. 2009 flexible Pavement Project
2. 2009 Asphalt Surface Treatment Project (rejuvenator)
3. 2009 Budget Transfers
4. Ordinance 2009-12-66: Amend Code – Traffic Chap.8
5. Resolution 2448: Declare surplus – PD
6. Regular Bills; Addendum Warrant of Bills

Trustee Fenner moved and Trustee McCarthy made the second to approve the Consent Agenda by Omnibus Vote. The results of the roll call were:

Ayes: 6 Trustees Manzzullo, Weiss, Schwarze, McCarthy, Gieser & Fenner
Nays: 0

The following is a brief description of those items approved on the Consent Agenda for this Meeting.

2009 flexible Pavement Project:

The Engineering Staff has received final waivers and are now recommending final payment be made for the referenced project. No Motor Fuel Tax funds were used for this project; therefore IDOT documents are not required. The project was completed for \$2,064,148.11. It was \$476,851.89 (19%) under the budget amount (2,541,000.00) and \$952.19 (0.04%) over the original contract (\$2,063,195.92 based on actual field measured quantities. Engineering staff therefore recommends approval of final payment in the amount of \$23,848.29 be made to Plote Construction, Inc. and acceptance of the public improvements for the 2009 Flexible Pavement Project.

2009 Asphalt Surface Treatment Project (rejuvenator):

Staff recommends approval of final payment to American Road Maintenance in the amount of \$11,442.48 and acceptance of the 2009 Asphalt Surface Treatment Project.

2009 Budget Transfers:

The Board approved several budget transfers in the 2009 Budget for Engineering, Employee Relations and the Village Clerk.

Ordinance 2009-12-66: Amend Code – Traffic Chapter 8:

The Board adopted Ordinance 2009-12-66, AN ORDINANCE AMENDING SECTION 8-2-18 OF THE VILLAGE CODE – (STOPPING, STANDING OR PARKING PROHIBITED; NO SIGNS REQUIRED).

Resolution 2448: Declare surplus – PD:

The Board adopted Resolution 2448, A RESOLUTION DECLARING SURPLUS PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM – (VEHICLES)

The Board approved the payment of the Regular Bills in the amount of \$438,297.22.
The Board approved the payment of the Addendum Warrant of Bills in the amount of \$1,194,961.03.

Trustee Fenner moved and Trustee Manzzullo made the second to approve the items on the Consent Agenda for this meeting by Omnibus Vote. The results of the roll call were:

Ayes: 6 Trustees Manzzullo, Weiss, Schwarze, McCarthy, Gieser & Fenner
Nays: 0

REGULAR MEETING:

An Ordinance denying a request for approval of a variation from the Zoning Code to allow a shed in a Residential corner side yard at 1098 Spring Valley Drive:

Trustee Don Weiss asked that this be held off of the Consent Agenda. He said that this issue came up about three weeks ago, as a request for a variance for the location of a shed in the corner side yard at 1098 Spring Valley Drive, he was supporting the request from the petitioner, but the Board concurred with the denial of the request. Trustee Weiss said that the petitioner presented a case for the variance in that without the variance it would impact their family and they offered to provide screening for the shed in the side yard as a common ground to reconsider. He said that he feels that the petitioner presented a case for the variance and presented a case that any other location would impact their family and that the shed could be located within the side yard and offered to screen it. The options that were presented by the Staff at the Plan Commission Hearing all had a negative impact within this unusually shaped and narrow piece of property. Trustee Weiss said that he has observed many sheds recently, more than he ever has noticed before and they are all maintained just fine. He said that the Board passed an issue some time ago and it was based on the concept that not everything is black or white and he feels that this is the same kind of case, where everything isn't black or white. Trustee Weiss feels that these people made their case, they talked about their special needs son and needing the shed because they do not have any storage on this property and asking for the shed in a location that would fit in just fine with their neighborhood and property. He said that he will continue to support the requested and variance and asked the Board to do the same, and to deny, to vote no for the ordinance that is presented.

Trustee McCarthy commented to Trustee Weiss that the petitioners did have different options and that he agrees that not everything is black and white, but not only were they given three different options by staff, Trustee Gieser also gave them a couple of options and for each one they dismissed them out of hand. Their intention is that the shed

should be here and only here. Trustee McCarthy said that even looking at their property, I think they do have options that would not need a variance, and would be very simple to use, and that is the reason he did not support it.

Trustee Gieser said that he did present a number of options to the petitioners at the last meeting that were different from what the staff presented. He said that he also lives on a corner side yard within a cul se sac and can understand the unique characteristics and the unique challenges that come with a property like that. There were other options and it has not been stated tonight that there was a letter from a resident in the neighborhood contesting having a shed in the corner side yard and that was one of the reasons that he was in agreement with the denial.

Trustee Fenner moved to approve Ordinance 2009-12-67 denying the approval of a variance, Trustee McCarthy made the second. The results of the roll call vote were:

Ayes:	5	Trustees Manzzullo, Schwarze, McCarthy, Gieser and Fenner
Nays:	1	Trustee Weiss

REPORT OF OFFICERS:

Trustee Manzzullo thanked Pack 175, Den 1 for the presentation of the Colors, he congratulated the 130lb and 100lb football teams for their great winning season. Trustee Manzzullo thanked Senators Pankau and Milner for the letters of congratulations. He thanked GBN Teacher Don Depa for his recollections of the early days in Carol Stream and reminded everyone to pray for our troops and their families.

Trustee McCarthy said ditto to all of the items Trustee Manzzullo mentioned and added that the Youth Council has stuffed over 420 stockings for Christmas Sharing which will be at Joe Cotton Ford on Thursday afternoon and evening, Trustee McCarthy gave the following a thank you for their donations; Mayor Saverino, Trustees Gieser and Fenner, the Barrett Family, McNees and Associates, Olympic Logistics, former Mayor Ross Ferraro, the Rotary Club, the students at Glenbard North collected change and Flip Flops and their customers did sticker cards for donations and Frito Lay gave boxes and boxes of chips. He thanked all of the members of the Youth Council for their work and to all the donors.

Trustee Fenner wished everyone Happy Holidays!

Trustee Gieser said Happy Holidays and hoped to see the volunteers at Lutheran Church of the Master and Cotton Ford. He said that in driving around the Village, he noticed many houses with a single lighted Christmas tree in the middle of the front yards and discovered that this is a charitable contribution for "Brittany's Trees" and is done in memory of a Carol Stream youngster who passed away from a rare problem and the trees represent donations for finding a cure and he congratulated all of those who are doing that. Trustee Gieser said that today is the anniversary of the bombing of Pearl Harbor and said to thank a veteran.

Trustee Schwarze reminded everyone about the 2010 census and asked that everyone participate because it is very important to the Village. He said that there will be many activities in connection with the census, one of which will be a Poster contest for students and that there is e-stream links to information. Trustee Schwarze reminded everyone to shop in Carol Stream whenever possible.

Trustee Weiss gave an update on his nephew that has been serving in Afghanistan and has now rotated back home and will be at home for the Holidays. He wished everyone Happy Holidays.

Village Clerk Melody wished everyone Happy Holidays and Happy New Year.

Mr. Diamond also wished everyone Happy Holidays.

Mr. Breinig thanked everyone for their participation in the Tree Lighting Ceremony, the Youth Council, Police Department Volunteers, Public Works, and the Park District. He especially thanked Charlie Tucek for the outstanding pictures he captures of the kids and Santa, and all of the Christmas Sharing Volunteers who are the elves that wrap all of the presents. Mr. Breinig said that we have the first really serious weather advisory coming up and he warned residents not to park on the streets during the storm, and he and the Public Works crews ask that no one throw the snow from their driveways into the street. Throwing snow into the street can cause icy patches that are very dangerous and can sometimes cause the street department to come back out get rid of it. Mr. Breinig said that on the agenda was an amendment to the parking regulations, the Village has had a long standing restriction for parking over the sidewalk, recently it has come to light the hardship that it creates in parts of the Village where there is not enough room in the driveway for all the cars. There are a lot of one car garages and single wide driveways and sidewalks that were not designed for the community as it was built. It becomes impossible to not park overnight over the sidewalk, similarly there are neighborhoods that are not allowed to park on the street during the day, especially those around the high school, and there is no other alternative than to park over the sidewalk. The ordinance that was approved keeps the parking over the sidewalk in place, but provides some relief for people in those unique situations, to allow parking over the sidewalk during the night, but will not allow parking over the sidewalk during daylight hours.

Mayor Saverino thanked the Park District for their participation at the Tree Lighting. He said that they had roasted chestnuts, a hay ride and an ice carver. He also thanked Culvers for the hot chocolate and coffee, the Police Volunteers and noted that we had the first snow fall. Mayor Saverino asked everyone to be extra careful on the roads and drive safely. He noted that there will be two more football teams coming to the next meeting. Mayor Saverino said that there was another budget workshop and every department is working to see how much they can cut to keep the budget as lean as possible. There will be a Board retreat in January and with the help of a facilitator, see if there are any other ways to reduce the deficit that is occurring now.

Mayor Saverino asked for a motion to go to Executive Session to discuss Collective Negotiating Matters. There will be no action taken and the Board will adjourn directly from that session.

Trustee Gieser reminded everyone that there will be a fund-raiser at Culvers on Thursday, December 10 to benefit the 4th of July Parade. He urged everyone to attend during the day and allow a 10% donation for each meal.

Trustee McCarthy moved and Trustee Schwarze made the second to move to Executive Session and to adjourn from there without taking any further action. The results of the roll call were:

Ayes: 6 Trustees Manzzullo, Weiss, Schwarze, McCarthy, Gieser & Fenner
Nays: 0

FOR THE BOARD OF TRUSTEES

Minutes approved by the President and Board of Trustees on this

21st day of December, 2009.

Beth Melody
Village Clerk