

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

April 7, 2008

Mayor Frank Saverino, Sr. called the Regular Meeting of the Board of Trustees to order at 8:10 pm and directed Village Clerk Beth Melody to call the roll.

Present: Mayor Frank Saverino, Trustees Michael Drager, Don Weiss, Greg Schwarze, Matt McCarthy, Rick Gieser and Pamela Fenner
Absent: None
Also Present: Village Manager Joe Breinig, Assistant Village Manager Bob Mellor, Attorney Laura Pollastrini, 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 Fenner made the second to approve the Minutes of the Meeting of March 17, 2008 as presented. The results of the roll call vote were:

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

AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:

Mayor Saverino announced that the public hearing for the Proposed FY 2009 Annual Budget will be heard at the Regular Meeting of April 21, 2008 and Mr. Breinig noted that the notice of public hearing has been advertised in the Daily Herald, on April 11th as required by law.

Trustee Schwarze read a Proclamation Declaring April Severe Weather Preparedness Month in Carol Stream.

Trustee Gieser read a Proclamation Declaring Tuesday, April 22, 2008 Earth Day in Carol Stream.

CONSENT AGENDA:

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

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

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

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

Nays: 0

1. Final Plat of Subdivision: 680-690 E. North Avenue- R. 2334
2. Change Order # 1-Repainting of Tower #2
3. Budget Transfers
4. Award of contract: Village Wide Intersection Control Study
5. Award of contract: Landscape Maintenance
6. Change Order #1 – WRC Demolition
7. Ordinance 2008-04-08: Amend Municipal-13-3-13- Water & Sewer Rates
8. Ordinance 2008-04-09: Extend IPBC participation for 3 years
9. Ordinance 2008-04-10: Amend annual budget – 2007/08
10. Ordinance 2008-04-11: Reserve Volume Cap for Private Activity Bonds
11. Resolution 2335: Accept Public Improvements- Fountains at Town Center
12. Resolution 2336: Accept Public Improvements – Triumph Development
13. Resolution 2337: Declare surplus property- computer equipment
14. Request waiver of fees for Town Center Tent Rental / Amplification Fee- Glenbard North HS #87 – Teachers’ Retirement Reception – 5/12/08
15. Request wavier of fee-Chili Open Raffle License- Rotary Club
16. Regular Bills, Addendum Warrant of Bills

Trustee Schwarze moved and Trustee Drager made the second to approve the items on the Consent Agenda for this meeting by omnibus vote. The results of the roll call vote were:

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

Nays: 0

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

Final Plat of Subdivision: 680-690 E. North Avenue- R. 2334:

At their meeting on March 24, 3008, the Combined Plan Commission/Zoning Board of Appeals recommended approval in accordance with the4 recommendations of staff.

Change Order # 1-Repainting of Tower #2:

The Board approved Change Order # 1 for the repainting of Tower # 2 to allow the removal of all existing insulation, sandblast and repaint the pipe and the reinsulated the riser pipe with 2” thick insulation and install an aluminum jacket over the insulation. The Change Order is in the amount of \$8,660.

Budget Transfers:

The Board approved year-end Budget Transfers for the 2007/2008 Annual Budget from the following accounts; Community Development-Economic Development, Management Services- Vehicle Insurance, Legal Fees- Prosecution, and Police Pension- Employee Contribution Refund.

Award of contract: Village Wide Intersection Control Study:

The Board awarded a contract to Coulter Transportation Consulting, LLC for providing a Functional Classification Map for the Village. Payment will be based on an hourly rate of \$150/hr and is not expected to exceed \$8,700 for all services.

Award of contract: Landscape Maintenance:

The Board awarded a contract for Landscape Maintenance to The TLC Group of Clarendon Hills in the amount of approximately \$66,245/year for the period May 1, 2008 through April 30, 2009 with a contract option for two additional years.

Change Order #1 – WRC Demolition:

The Board approved Change Order # 1 for the Water Reclamation Center Demolition to replace an existing exhaust motor with single phase motor and install started and install two pole switch by the hatch on the existing pipe gallery.

Ordinance 2008-04-08: Amend Municipal-13-3-13- Water & Sewer Rates:

The Board adopted Ordinance 2008-04-08, AN ORDINANCE AMENDING SECTION 13-3-13 OF THE VILLAGE CODE PERTAINING TO WATER AND SEWER RATES.

Ordinance 2008-04-09: Extend IPBC participation for 3 years:

The Board adopted Ordinance 2008-04-09, AN ORDINANCE EXTENDING THE PERIOD OF PARTICIPATION IN THE INTERGOVERNMENTAL PERSONNEL BENEFIT COOPERATIVE FOR A PERIOD OF THREE ADDITIONAL YEARS.

Ordinance 2008-04-10: Amend annual budget – 2007/08:

The Board adopted Ordinance 2008-04-10, AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE VILLAGE OF CAROL STREAM FOR THE YEAR COMMENCING MAY 1, 2007 AND ENDING APRIL 30, 2008.

Ordinance 2008-04-11: Reserve Volume Cap for Private Activity Bonds:

The Board adopted Ordinance 2008-41-11, AN ORDINANCE RESERVING VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITIY BOND ISSUES, AND RELATED MATTERS.

Resolution 2335: Accept Public Improvements- Fountains at Town Center:

The Board adopted Resolution 2335, A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS – (FOUNTAINS AT TOWN CENTER).

Resolution 2336: Accept Public Improvements – Triumph Development:

The Board adopted Resolution 2236, A RESOLUTION ACCEPTING PUBLIC IMPROVEMENTS – (TRIUMPH DEVELOPMENT).

Resolution 2337: Declare surplus property- computer equipment:

The Board adopted Resolution 2237, A RESOLUTION DECLARING SURPLUS PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM – (COMPUTER EQUIPMENT).

Request waiver of fees for Town Center Tent Rental / Amplification Fee-Glenbard North HS #87 – Teachers' Retirement Reception – 5/12/08:

The Board approved the request for the waiver of fees for the Town Center Tent Rental and Amplification for a Teacher's Retirement Reception on May 12, 2008.

Request wavier of fee-Chili Open Raffle License- Rotary Club:

The Board approved the waiver of fee for the Chili Open Raffle License requested by the Rotary Club for their event to be held on May 9, 2008.

Regular Bills, Addendum Warrant of Bills:

The Board approved the Payment of the Regular Bills in the amount of \$994,237.34.
The Board approved the Payment of the Addendum Warrant of Bills in the amount of \$652,614.06.

REGULAR MEETING:**Request from Wheaton Christian Center at 610 E. North Avenue for an extension of the Temporary Suspension of Enforcement of the Requirements of Ordinance 2006-09-50.**

Trustee Weiss asked if there was a representative from Wheaton Christian Center in attendance and there was no response. Trustee Weiss that explained that this came before the Plan Commission in 2006 as a request for an extension for the improvements to the exterior of the building at 610 E. North Avenue. It went from the Plan Commission, he was a member of that Commission at that time, with their request for an extension for the improvements that they were contractually bound to make in that area, to the Village Board and the Village Board allowed a one year, from that time, for plans to be submitted for the improvements and then an additional year for the completion. Then the petitioner and their representatives came to the Village Board in September, 2007 asking for a seven month extension because of damage to the property from the micro-burst. That was granted. Now here is a request from the same petitioner for an additional extension of one year because they are entering into a contract for the potential development of the property for retail establishments on the out lots. Trustee Weiss said that his concern is that there is no definitive plan for the development of the area for retail businesses. There are businesses in the community that are held to a very high standard of architectural development and landscape, parking lot and exterior façade criteria along North Avenue and Gary Avenue under Code requirements. It is understood that this is a not for profit agency and that they have had issues with finances, and that is why they originally came to the Plan Commission and the Village Board a couple of years ago. Trustee Weiss said that his concern is that if we allow another extension for 12 months, where is the guarantee to the community that they will be any farther along with their exterior development and the build out as they have been bound to for several years.

Mayor Saverino asked Community Development Director Bob Glees for an update on this issue. Mr. Glees said that he has provided a recap of the situation that was in the Board's packet. He noted that everything that Trustee Weiss reported has happened with respect to Wheaton Christian Center's obligation and requests for extension. In regard to the proposed improvements, what they would like to do is to convert approximately 40,000 sq. ft. of the building to a commercial use and also to construct two out buildings adjacent to North Avenue. The two buildings are proposed to be 5,500 sq. ft. and 9,500 sq. ft. for retail use. Wheaton Christian Center has contracted with NAI Hiffman's commercial division to assist them in the submittal of applications that would be necessary for Building and Zoning approvals and the tenant search for this project.

Mayor Saverino commented that this is a huge piece of property that was taken for the intention of a church. It went from a church to a school, from a school to a furniture outlet store and now they still can't fill it up. The next alternative is to turn it into retail space. Mayor Saverino said that he is glad that they have decided to do something with all of the space, but he is not sure that giving them another year would be right. He said that the plan that was presented was done in March, close to the end of the extension time and then they do not have a representative at this meeting to discuss the proposal. It seems as if they believe that they can direct the Board and that is not going to happen. Mayor Saverino said that he believes that a shorter period of time would be adequate to

allow them to discuss the proposal with staff and work out time frames for the orderly development of the property. This has been going on since 1999 and the extensions cannot continue because it is not fair to the community and the businesses that have conformed to the North Avenue Corridor Regulations.

Trustee Schwarze asked what they have done to this point, as far as cleaning up the property and was told that the damage to the building was repaired, but they did not do any of the required changes, other than painting it. None of the façade and landscape improvements that were required were done.

Mr. Breinig asked if would be acceptable to the Board to establish a three month time frame, which is what Wheaton Christian Center estimated would be the time frame for a submittal for a Zoning approval. Trustee Fenner said that she would agree to have a submittal and progress within three months. Mr. Glees said that site plans and elevation drawings and landscape plans would be necessary.

Trustee Fenner said that she would like to establish a list of expectations and suggested that we continue this matter, so they have a chance to come to the next meeting. Mr. Breinig said that this was on the agenda for this meeting at their request and asked Mr. Glees if he had confirmed that they were aware it would be on the agenda. Mr. Glees said that he advised them that if a letter was received, he would put the matter on the agenda for this meeting. He said that he received a letter and he attempted to contact Mr. Ward twice and never received a return call.

Mr. Breinig said that they had architects and other people advising them after the micro-burst who could have offered assistance and it is surprising how little advancements were done during that period.

Trustee Drager asked if retail development would produce tax benefits for the Village and was told that it would.

Trustee Weiss said that if this proposal with Hiffman is going to go anywhere, it comes with a mixed use nature of a proposed re-development, it appears that a text amendment to the Zoning Code would be necessary, as well as North Avenue Corridor review, which require a Plan Commission hearing as well as a hearing for a Planned Unit Development Plan. What we are talking about in terms of months for progress, should already be in process.

Mr. Breinig said that he would like to have a plan submittal within three months. He reminded the Board that when this church was created, the Office/Research Zoning classification to allow Regional Churches. That Zoning classification does not allow retail, so the staff and the Board would have to look at creating another text amendment to allow that to occur. It is reasonable that in three months time, they could be giving staff the materials necessary to get this moving.

Trustee McCarthy said that he would like to see some type of time line for the progress of the submittal proposal. Mr. Breinig said that this could be done but that there could be nothing binding for enforcement.

Mayor Saverino suggested that this matter be tabled and inform Wheaton Christian Center that there is no more extension without a lot more than just the letter. In the absence of a submittal within three months, the Village can begin to enforce the terms of the agreement. Trustee Gieser moved and Trustee McCarthy made the second to table this matter. The results of the roll call vote were:

Ayes:	6	Trustees Drager, Weiss, Schwarze, McCarthy, Gieser & Fenner
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Nays:	0	
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REPORT OF OFFICERS:

Trustee Weiss said that he would like to recognize the Deputy Village Clerk and The Clerk's Office by stating that on March 21, 2008, Press publications reported on a study of municipalities and their responses to Freedom of Information Act request. Awarded an A grade for timely response, offer of additional information and waiver of fees for information was Deputy Clerk Wynne Progar from the Village of Carol Stream. Trustee Weiss and the other Trustees thanked Wynne and the Clerk's Office for their efforts in bringing this recognition to the Village.

Trustee Schwarze said that he is the Public Education Co-coordinator for the Fire Protection District and he would like to tell people that Lightning is the second leading cause of death and to remind everyone to seek shelter when lightning occurs, especially kids on the baseball fields. Trustee Schwarze also noted that that in celebration of Earth day there will be a recycling event at Town Center and other events that are listed in the Correspondent. Mr. Breinig noted that there are residential events, not for business or even the Village itself. Trustee Schwarze also recommended reading the Happenings for weekly events that happen in the Village. Mr. Oakley noted that residents can bring up to four banker boxes of papers to be shredded. This event is scheduled to help residents protect themselves from identity theft by shredding personal information that could be dangerous in the wrong hands. Trustee Schwarze commented that after attending the Budget Workshop earlier, he really wants all residents to buy their groceries, hardware and gasoline in Carol Stream.

Trustee Gieser noted that the Village is hosting Rick Kogan, of the Chicago Tribune and author of the book, Sidewalks, at 7 pm here in the Board Room. Trustee Gieser said that the 4th of July Parade Committee is sponsoring a fund raiser on April 30th at Culvers and invited everyone to participate. Lastly, Trustee Gieser said that while he was in Arizona he visited with the "real" Carol Stream and invited her to return to the Village for the 50th anniversary in January of 2009. He noted that they had a lively conversation and he gave her several mementoes of the Village and showed a number of pictures of the visit.

Trustee Drager just asked everyone to remember and pray for our troops.

Trustee McCarthy said that it appears that Spring is finally arriving and asked all residents to clean up everything that was under the snow, repair fences and put away the recycling containers. He urged everyone to watch out for the kids that will be outside playing. Trustee McCarthy reported that the Youth Council will be helping out on Mother's Day at the Town Center. He noted that they are still looking for local music talent for the Town Center activities and that they will be holding a food drive in mid June to benefit the local food pantry.

Trustee Fenner said that she will not be at the next meeting because she will be in Washington DC with the Lincoln Series group and they will be meeting with Judy Biggert and Peter Roskam. Trustee Fenner said that she would like to have residents be aware of the Rotary Club in Carol Stream. The Board waived the raffle fee for their Chili Open event. Last year this event raised over \$10,000 and The Rotary established Carol Stream Cares that sponsors youth community service projects. This year the proceeds will go to the PADS resource center. The Rotary Club is a great supporter of the Carol Stream community.

Village Clerk Melody also congratulated her Deputy for her efforts in regard to FOIA.

Mayor Saverino thanked Chris Oakley and the staff for their efforts in putting out the Correspondent. He said that it is an amazing amount of information for all of the residents and should be used as a guide for all of the activities going on in the Village. He noted that Relay for Life will be held on June 13th and that he has agreed to be the Chairman for this worthy cause and asked for everyone's support.

At 9pm Trustee McCarthy moved and Trustee Drager made the second to move to Executive Session to discuss The Purchase or Lease of Real Property and Salary Schedules for One or More Classes of Employees, as excepted under Sections 2 and 5 of the Open Meetings Act. There will be no further action taken and the Board will adjourn directly from the Executive Session.

FOR THE BOARD OF TRUSTEES

Minutes approved by the President and Board of Trustees on this

21st day of April, 2008.

Beth Melody

Village Clerk