

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

January 16, 2007

Mayor Ross Ferraro called the Regular Meeting of the Board of Trustees to order at 8:00 p.m. and directed Deputy Village Clerk Wynne Progar to call the roll.

Present: Mayor Ferraro, Trustees McCarthy, Gieser, Saverino, Stubbs & Fenner
 Absent: Trustee Shanahan, Assistant Village Manager Mellor and Village Clerk Koester
 Also Present: Village Manager Breinig, Village Attorney Diamond, Village Treasurer Manzzullo and Deputy Clerk Progar

Mayor Ferraro led those in attendance in the Pledge of Allegiance.

MINUTES:

Trustee Fenner moved and Trustee Stubbs made the second to approve the Minutes of the Meeting of December 18, 2006 as presented. The results of the roll call vote were:

Ayes: 5 Trustees McCarthy, Gieser, Saverino, Stubbs & Fenner
 Nays: 0
 Absent: 1 Trustee Shanahan

CONSENT AGENDA:

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

Ayes: 5 Trustees McCarthy, Gieser, Saverino, Stubbs & Fenner
 Nays: 0
 Absent: 1 Trustee Shanahan

Trustee Stubbs moved and Trustee Gieser 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 McCarthy, Gieser, Saverino, Stubbs & Fenner
 Nays: 0
 Absent: 1 Trustee Shanahan

1. Continued from PC: Spina Commercial, Schmale south of St. Charles Rd.
2. Continued from PC: GB IL2,LLC/CVS: SEC Gary/Lies
3. Continued from PC: Parkview Partners LLC: Lot 2 SEC Gary/Lies
4. Variation: Zoning Code: Sandra Bergeson-1075 Buckskin-Ord. 2007-01-01
5. Tabled: Beltran, 1099 Buckskin & Easement Encroachment request
6. Approve Intergovt. Agree- DPC Forest Preserve Dist. – E85 Fuel Alternative-Resolution 2239.
7. Amendment to Tubeway Lift Station Project
8. Resolution 2237: Declare surplus property
9. Resolution 2238: MFT Resolution
10. Regular Bills: 12/28/2006 & 01/12/2007; Addendum Warrant: 12/19/06 thru 01/02/07 and 01/03/07 thru 01/16/07; Treasurer's Report 12/31/06.

COMMENTS:

Trustee Fenner commented that she has researched the proposed financial software and finds it to be highly recommended and that it is being purchased at a great price. She said that a larger capacity hard drive should be considered since the investment is relatively small compared to the expanded capacity. Mr. Breinig said that there is a contingency built into the purchase so the upgrades should be able to be accommodated.

Mr. Breinig commented on the intergovernmental agreement with the DPC Forest Preserve in regard to E-85 stated that this is an item that was discussed at the budget goal setting workshops to have the Village do things that are more environmentally responsible. The Forest Preserve is being co-operative in allowing us to use their facility in Glen Ellyn as a test facility. This will allow us to have a facility that will allow the Village to use the fuel without having to worry about tax rebates and excise taxes. It is a fair agreement and is a logical first step in this direction.

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

Ayes:	5	Trustees McCarthy, Gieser, Saverino, Stubbs & Fenner
Nays:	0	
Absent:	1	Trustee Shanahan

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

Variation: Zoning Code: Sandra Bergeson-1075 Buckskin-Ord. 2007-01-01:

At their meeting on January 8, 2007, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a variation to the zoning code for side and rear yard variations in accordance with staff recommendations. The Board concurred with the recommendation and adopted Ordinance 2007-01-01, AN ORDINANCE GRANTING A SIDE YARD SETBACK AND A REAR YARD SETBACK VARIATION – (1075 BUCKSKIN LANE).

Approve Intergovt. Agree- DPC Forest Preserve Dist. – E85 Fuel Alternative: Resolution 2239:

The Board adopted Resolution 2239, A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE FOREST PRESERVE DISTRICT OF DUPAGE COUNTY AND THE VILLAGE OF CAROL STREAM FOR THE PURCHASE OF ETHANOL, E85, PROPANE, BIO-DIESEL, AND COMPRESSED NATURAL GAS (CNG) FUEL.

Amendment to Tubeway Lift Station Project:

The Board approved an amendment to the Tubeway Lift Station Project that will make the change to the cost of the contract that takes the cost from not to exceed \$61,000 to not to exceed \$62,300. This will allow placement of a rise in the existing wet well at Charger Court that will allow the by-pass pump to connect directly to the riser and then discharge into the system.

Resolution 2237: Declare surplus property:

The Board adopted Resolution 2237, A RESOLUTION DECLARING SURPLUS PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM. (Executone Phone System)

Resolution 2238: MFT Resolution:

The Board adopted Resolution 2238, A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE.

Regular Bills: 12/28/2006 & 01/12/2007; Addendum Warrant: 12/19/06 thru 01/02/07 and 01/03/07 thru 01/16/07; Treasurer's Report 12/31/06.

The Board approved the payment of the Regular Bills, 12/28/06, in the amount of \$396,144.93.

The Board approved the payment of the Regular Bills, 1/16/07, in the amount of \$258,608.80.

The Board approved the payment of the Addendum Warrant of Bills, 12/19/06 in the amount of \$630,200.19.

The Board approved the payment of the Addendum Warrant of Bills, 1/16/07 in the amount of \$635,436.57.

The Board received the Treasurer's Report for month ending December 31, 2006.

REGULAR MEETING:

Proposed 2007 Town Center Events Music Line Up:

Trustee Gieser commented that in going through the Thursday Night Concert Series all he sees is a lot of "theme nights", and he said that we are promoting the Town Center and there are no bands listed. Trustee Gieser asked Ron Onesti if there are any ideas for what bands will be used for the Thursday Concerts? Mr. Onesti said that he wanted to have each of the Thursday Concerts an "event" and so he is proposing "themes" to carry out as an event. Trustee Gieser said that he wants to promote Town Center and not some type of branding thing, while different things are done on different nights, he does not want to start promoting something that someone may not come to because they don't like "that kind of music", rather than saying, it's the Town Center, we always have fun at the Town Center. Trustee Gieser said that he is also concerned that there are no band names listed for the Thursday Concerts. Mr. Onesti said that they are available and they will be given to the Trustees later in the week.

Trustee Fenner said that she wouldn't know a specific band name from any other, but if it says Mardi Gras night, she would think that would be fun. Mr. Breinig said that in the past the Thursday Concert would list the name of the band and then put a description of the type of music, and give it some energy

Trustee Saverino asked how the food vendors are picked and was told that Onesti Entertainment starts out with a foundation of people that have done well before, with a quality product and a quality clean and safe operation. Any Carol Stream business has the right of first refusal and then, if necessary we go outside of Carol Stream for food vendors. Trustee Saverino said that his concern is that he would like to see Carol Stream businesses have the first shot and there are several on the list that are not in the Village. It was stated that the list has not been finalized as yet. Mr. Breinig asked if there was an example that Trustee Saverino is concerned about and he stated Augustino's. Mayor Ferraro said that he does not want to do the Concert nights, the restaurant has done it in the past, and they ran out of food. They were told that this was not acceptable and when it happened again, the restaurant said that they were no longer interested in this venue. Mr. Breinig said that some of the businesses have to shut down in order to serve at the Town Center and it is too speculative to shut down and then risk having the night be a wash out.

Trustee Stubbs said that he likes the variety that have been chosen for the Center events. He asked if the bands for the four-day event are finalized. Mr. Onesti said that they started down the National Tribute Act road and it worked well last year. We are continuing with that this year, maximizing the budget by using what would be spent for one band with one or two hits, we can get five top bands doing all of the great hits of the bands. They have tried for variety unless there is something specific that your are totally opposed to.

Trustee McCarthy stated that he is not real comfortable with the Pink Floyd cover band for a Sunday night to close out the show. Mr. Onesti said that the dates are being changed, he said that he does not want them on Sunday night, but rather on Thursday or Friday.

Trustee Gieser said that the line-up for the Summer in the Center is a really good start and he suggested that Mr. Onesti get with the staff to work out the fine points and then get back to the Board. Mr. Onesti said that he is trying to get something for the late afternoon on Saturday and Sunday for a more mature audience, something like a big band type of thing, and also something for the Teen area.

Mayor Ferraro stated that is any Trustee has any particular band in mind, give the suggestions to Joe Breinig now, sometimes some bands cost more than others and availability will become more of an issue as we get closer to summer.

REPORT OF OFFICERS:

Trustee McCarthy said that the Martin Luther King memorial last night was unbelievable and inspiring.

Trustee Saverino concurred with those comments. He said that they expended more energy in twenty minutes that his priest has in the last two years. He commented that you could just feel the energy in the room from beginning to end. He thanked Trustee Shanahan for his opening comments, representing the Village in the Mayor's absence

Trustee Fenner said that she hopes everyone had a good holiday and that they will enjoy the rest of the new year.

Trustee Stubbs said that he appreciates all of the efforts in the organization of the event. Happy New Year.

Trustee Gieser bid everyone a Happy New Year, Welcome back to the Mayor. The MLK event was tremendous as usual and they are looking for ways to expand the event. He commended the Village on the E85 decision in looking for alternate sources of fuel.

Mayor Ferraro wished everyone a Happy New Year and thanked everyone including Tom Shanahan in representing the Village so well.

Mr. Breinig indicated a notice was at each place regarding the Library referendum. The ordinance was not prepared by the Library's attorney in time to be on the agenda. The Library Resolution and the additional financial information have been provided and in addition there is a legal opinion from the Village Attorney, as well as correspondence transmitting that legal opinion to the Library's legal counsel because there are a number of people questioning what the obligation of the Village Board is with respect to the referendum. Staff wanted the Board to have all of these documents prior to the February 5th meeting.

Mayor Ferraro said that he was under the impression that the Board had to participate in the referendum process. Mr. Diamond said that the law was actually changed about 20 years ago so that if the Library wanted to levy its' regular taxation within the amount that they were authorized by statute to do, that the Village couldn't say that the budget was too much and they are going to cut back the tax levy. The Village is obligated, with regards to the tax levy, to approve it as long as it is within the limits of the Library. Those limits remain even though the Village has become a home rule community. The Village does have the ability to levy more if it wanted to for the Library but it does not have any obligation to. It is obligated to levy for taxes, up to the amount that the Library has authorization for. With regards to bond issues, it is a different story. Mayor Ferraro said that for the budget, the Board has to approve the Library's budget by State law. Mr. Diamond said that in regard to the bond issue's approval the Library has to get the Board's approval before they can put the referendum question on the ballot. He said that he would recommend that the Board act on this one way or the other rather than just not acting. The Board has the obligation to either say yes or no on it and if you basically say that we don't think this is the right time to put this before the public, then it simply will not appear on the ballot in April. Trustee Stubbs said that he would like to wait until he has time to look

over the Library's documents. It was the consensus of the entire Board to wait until the next meeting for any discussion.

Village Treasurer Manzullo wished the Board and the residents a Happy New Year and said that he is always available to answer questions regarding his report and the analysis that is included in that report.

Mayor Ferraro said that he is requesting an Executive Session to discuss; Acquisition of Real Property, Compensation for a Specific Employee and Collective Negotiating Matters. He noted that the Board will adjourn directly from that Executive Session without taking any further action. Trustee Fenner moved and Trustee McCarthy made the second. The results of the roll call vote were:

Ayes:	5	Trustees McCarthy, Gieser, Saverino, Stubbs & Fenner
Nays:	0	
Absent:	1	Trustee Shanahan

At 8:40 p.m. the Mayor and Board of Trustees adjourned to Executive Session.

FOR THE BOARD OF TRUSTEES