

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

**June 4, 2007**

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

Present: Mayor Saverino, Trustees Drager, Weiss, Schwarze, McCarthy, Gieser & Fenner  
Absent: Assistant Village Manager Mellor  
Also Present: Village Manager Breinig, Attorney Diamond, Village Clerk Melody and Deputy Clerk Progar

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

**MINUTES:**

Trustee Fenner moved and Trustee McCarthy made the second to approve the Minutes of the Meeting of May 21, 2007 as presented. The results of the roll call vote were:

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

**AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:**

Police Chief Rick Willing presented Mayor Saverino the CALEA Certificate of Recognition that was earned by the Department. Chief Willing also presented a certificate of appreciation for heading the CALEA application process to Sgt. Hunter Gilmore.

**CONSENT AGENDA:**

Trustee Fenner moved and Trustee Gieser 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. Off the table: Text Amendment – Zoning Code – Family Life Christian Center
2. Authorize repair contract on Well # 3
3. Award contract – Sewer Televising
4. Award contract – Sand Filters- WRC
5. Vehicle Sticker Design
6. Fourth of July Parade Donation
7. R. 2266: Release of escrow funds
8. Request to increase final cost of St. Charles Road Water main Extension Project
9. Appointment to DuPage Mayors/Manager Conference Alternate
10. Appointment of NORDCAT representative and alternates

11. Received 2006-07 Annual Report for Carol Stream Library
12. Regular Bills, Addendum Warrant of Bills

Trustee Weiss moved and Trustee Schwarze made the second to approve the Consent Agenda 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 those items approved on the Consent Agenda for this meeting.

**Authorize repair contract on Well # 3:**

The Board approved a waiver of competitive bidding and awarded a contract for repairs to Well #3 on a time and material basis at an estimated cost of \$43,702.00.

**Award contract – Sewer Televising:**

The Board awarded a bid to the low bidder, National Power Rodding of Chicago, IL. The award will be at the unit cost contained in their bid at an amount not to exceed the amount budgeted for each of the next three years.

**Award contract – Sand Filters- WRC:**

Trustee McCarthy suggested that all seals be replaced instead of just partial replacements to which staff agreed. The Board waived formal bidding and awarded the bid to A-1 Filter Rehab Contracting Corp. in accordance with their quotation of May 30<sup>th</sup>, 2007 at a cost not to exceed \$22,600.

**Vehicle Sticker Design:**

The Board concurred with the idea proposed by Trustee Gieser to have the Vehicle Sticker for 2008 designed by an elementary school student. Staff will work with Trustee Gieser on developing parameters for this undertaking and the Village Board will review the proposed design prior to printing the stickers.

**Fourth of July Parade Donation:**

The Board approved a donation to the 4<sup>th</sup> of July Parade Committee of \$18,017. Resident contributions included in that amount are \$4,192.

**R. 2266: Release of escrow funds:**

The Board adopted Resolution 2266, A RESOLUTION AUTHORIZING RELEASE OF EXCESS ESCROW FUNDS FROM 1967 SERIES WATERWORKS AND SEWERAGE BONDS.

**Request to increase final cost of St. Charles Road Water main Extension Project:**

Ten Talents, Inc. has requested an increase in the final cost of the St. Charles Water main Extension Project of \$9,320.00. or a 1.9% in the total cost. Staff has reviewed the request and finds it acceptable. The Board approved the request to increase the final cost of the project to \$488,609.

**Appointment to DuPage Mayors/Manager Conference Alternate:**

The Board approved the appointment of Trustee Fenner to be designated the alternate to the Mayor for voting on Conference business.

The Board approved the appointment of Trustee Drager and Village Manager Breinig as representatives to serve on the NORDCAT Board, and Trustee Gieser and Assistant Village Manager Mellor as the alternates to the Board.

**Regular Bills, Addendum Warrant of Bills:**

The Board approved the payment of the Regular Bills in the amount of \$405,536.81. The Board approved the payment of the Addendum Warrant of Bills in the amount of \$648,165.29.

**REGULAR MEETING:**

**Text Amendment to Chapter 16, the Zoning Code to allow churches in the B-3 commercial zoning district:**

At their meeting on May 14, 2007, the Combined Plan Commission/Zoning Board of Appeals recommended denial of the request for a text amendment to allow churches in the business districts in accordance with staff recommendations.

Attorney Diamond said that this is a proposal of a request to amend a provision of the zoning code to add churches to the list of special uses allowed within the B-3 Service District. There was a hearing before the Plan Commission/Zoning Board of Appeals which considered the matter and recommended that the application not be granted. On that basis, an ordinance has been prepared which concurs with that recommendation.

The petitioner, Pastor Joseph Barlow, Family Life Christian Center appeared before the Board. He said that he made the application and he understands that it is an uncomfortable thing for the Board to approve, because it allows churches into an area which the Board is looking to for tax revenue. He said that he understands that since he has been a businessman before entering the pastorate. He said that he has been a pastor for the last year and a half, taking over the church at the corner of Bloomingdale and St. Charles. The owner decided to sell the property, so the congregation has nowhere to go. Currently they are worshipping at the Carol Stream Holiday Inn on Wednesday nights and at the Wheaton Bowl on Sunday morning. Pastor Barlow said that he has been mentored by Pastor Bill Winston, who purchased the Forest Park Mall and has successfully combined a strip mall and a ministry at the back half of the property. He said that Pastor Winston ordained him and that he has the same mind-set so he was not looking for property in a residential area, he was looking for a place that needed some economic revitalization. The first contact was at 511 Schmale, the abandoned USA Karate location, which had been empty well over one year. Pastor Barlow said that his church is interested in raising people up economically and there are a lot of people there and the owner of the strip mall given a good deal on the unit. Once it was determined that they could not have a church in the B-3 district, they were advised that they could propose a text amendment to the code. It was voted down at the Plan Commission. They decided to get a permit for the training center and then rent the center to the church, much as they do at the Holiday Inn, where they meet. Pastor Barlow said that when he suggested this to the Village Manager and the Building Department it was met with strong opposition and he felt that he was verbally abused and told that he would never have a church in that facility. He said that he does not have the capacity to fight with the Village on these things and they are going to look elsewhere.

Mayor Saverino said that he is sorry that the Pastor feels that way, and in defense of the Village Manager, he is a great Village Manager and he treats everyone like a decent human being. The residents in that part of the Village are an important part of the Village, and in regard to Mr. Milroy, there is not any better inspector in the whole State, and Mayor Ferraro said that he is happy to have these staff members keeping the best interests of the Village in practice.

Mr. Diamond said that the Plan Commission voted to deny the request and said that the language that was proposed would is not workable, while it may have been intended in the best of hopes that it would give the Board more discretion, but it would put the Village in a situation that would allow confusion between zoning categories and it would not be workable. In terms of having a training center, it would comply with the ordinances. Mr. Diamond said that the Plan Commission made a sound recommendation in regard to denial and unless there are other interests for discussion, the action would be to approve the ordinance denying the amendment for the various reasons stated.

Trustee McCarthy asked why this property is the focus when there are five other districts that would allow what is being sought and Pastor Barlow said that this is in the closest proximity and within walking distance, because so many people do not have transportation. This is two doors down from the Currency Exchange and there are many people that use that regularly and the second reason is that the owner of the property was willing to cut them a good deal.

Trustee McCarthy stated that those rents could be escalating if the Village has to find another way to function when the sales tax revenue dwindles due to lack of retail space.

Mayor Saverino asked if it would be unheard of for this group to go to the Wheaton Christian Center, that has an excess amount of space and make a deal with them to accomplish the goals. Mayor Saverino said that they seem to be on the same mission, with the same people you want to help, it seems to make a lot of sense. Pastor Barlow concurred and said that he had not considered that before.

Trustee Fenner said that she apologizes that Pastor Barlow feels that he was mistreated by the Village. She said that she hopes that he will find a way to continue to do your services here. She said that the Village needs him, his goals and objectives and there are people here that need those services. Trustee Fenner stated that to allow what is being requested would open us floodgates that can harm our residents. She said that the suggestion given is a great thing and that she hopes that they can find a place to continue their good works.

Trustee Schwarze asked if the ordinance would jeopardize the training center use and was told that it would not. He asked if Pastor Barlow would consider going ahead with the training center and it was stated that financially they cannot afford to have this facility and to pay rent at the Holiday Inn and the Wheaton Bowl.

Pastor Barlow said that he can understand that the text amendment doesn't really work for the Village, but he was trying to get his heart across, that he greatly respects the business aspect of running the Village and that you have to have tax revenue to keep the Village running and to serve the people. He said that the Village should not lose sight of the fact that there are some poor people that need some help and if there is someone that is willing to get in there and do something, don't put your watchdogs on them,

Trustee Fenner moved and Trustee McCarthy made the second to adopt Ordinance 2007-06-22, AN ORDINANCE DENYING AN AMENDMENT OT CHAPTER 16 OF THE MUNICIPAL CODE OF THE VILLAGE OF CAROL STREAM – (ZONING CODE). The results of the roll call vote were:

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

#### **REPORT OF OFFICERS:**

Trustee Weiss congratulated the Police Department on their recognition by CALEA.

Trustee Schwarze reminded everyone to shop in Carol Stream.

Trustee Gieser said the VFW had a nice Memorial Day remembrance at Memorial Park. He said that Town Center events begin on Thursday for the Summer in the Center. He also reminded everyone of the 4<sup>th</sup> of July Parade and more information can be found at [www.carolstreamparade.com](http://www.carolstreamparade.com)

Trustee Drager thanked and congratulated the past and present administrations for their efforts in creating the Town Center events and programs. They are great.

Trustee McCarthy thanked the police volunteers that worked the Bike Rodeo last weekend for the fantastic job that they do with the kids. He noted that the Youth Council will sponsor the Saturday night music fest. There will be 14 local bands playing from 5 PM to 11 PM. Trustee McCarthy also said that several of the Youth Council members will be leaving for college so that is plenty of room for anyone interested, from any in high school.

Trustee Fenner said that on Sunday night, she, Trustee Gieser and Trustee McCarthy will be serving at the Beer Garden from 7:30 to 10:30 PM.

Mr. Breinig congratulated Cars and Rods, especially those who stayed despite the threatening weather. He said that there will be another Toys for Tots event on August 18<sup>th</sup> at the concert with Tony Spavone. Mr. Breinig also noted the up-coming four-day event which will include a great line-up of acts as well as 14 local bands on the teen stage.

Mayor Saverino thanked the Police Department for their efforts in attaining the CALEA recognition. He thanked the Public Works Department for all of their efforts with the Bike Rodeo and the clean up of all of the white powder with the street sweeper before the Car Show. Mayor Saverino thanked the Car Club for sponsoring the Toys for Tots, stating that it appears that there was about \$700 raised for Christmas Sharing. He said that he appreciated having representatives of the Marine Corps and State Police there as well. Mayor Saverino said that this is a big weekend for the Village and that every Thursday night is a big night in the Village with both entertainment and movies. This is the center where all residents can come together to have a good time.

At 8:40 PM., Trustee McCarthy moved and Trustee Drager made the second to adjourn. The results of the roll call vote were:

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

FOR THE BOARD OF TRUSTEES

Minutes approved by the President and Board of Trustees on this

18<sup>th</sup> day of June, 2007.

*Beth Melody*

\_\_\_\_\_  
Village Clerk