

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

**September 4, 2007**

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 Saverino, Trustees Drager, Weiss, Schwarze, McCarthy, Gieser & Fenner  
 Absent: None  
 Also Present: Village Manager Breinig, Assistant Village Manager Mellor, 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 August 20, 2007 as presented. The results of the roll call vote were:

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

**AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:**

**Annexation Agreement and Annexation of Slepicka Property:**

Trustee Gieser moved and Trustee Schwarze made the second to open the public hearing. The results of the roll call vote were:

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

At the call for public hearing, Mary Kay Padleckas, 1285 Lilly Lane said that the entrance for the park will be directly across from her house and she is concerned that the plan does not show any "speed bumps" at the entrance to slow traffic that was discussed with the Park District. She also said that all of the residents on Lilly have concerns about lights at the park.

Jim Knudsen, Director of Engineering Services, said that speed bumps are illegal on a roadway. He said that if there is going to be any traffic control devices within the parking lot that would be something different. Ms. Padleckas said that there have been many incidents of cars turning in from Lies Road and ending up in any one of the neighbors front yards due to speed. She noted that there are several young children that live on the street and she and her neighbors are seeking something to slow traffic down. Mr. Breinig asked Ms. Padleckas if she and her neighbors have talked to the Park District about this and she said that they had attended the meetings and she was here to see if what they had asked for was being included. Mr. Breinig said that the question of lighting was discussed and it is not the Park's intention to put lighting in the park. He said that Village staff was hoping that there would be some lighting, so that if there were any problems, the Police could see the area.

Dennis Ulrey, Superintendent of Capital Projects for the Park District, said that in regard to the speed bumps, the annexation agreement does not require speed bumps. It did come up in discussions, but it was not stated that it was necessary. Mr. Ulrey said that the Park District

was planning on using temporary type speed bumps. They are the kind that are bolted into the street and then can be removed in the winter time, so that snow plows can use the area as a turn around. With respect to lighting, the only lighting proposed is security lighting in and around the shelter as well as some low level spot security lighting just to provide a presence for security. There are no plans for parking lot lighting.

Attorney Diamond commented that the site plan does not show any lighting and the Park District has to follow the terms of the annexation agreement. If lighting is wanted in the future, they would have to come back to amend the annexation agreement. In response to the question of when the removable speed bumps would be removed, Mr. Ulrey responded that they would not be down from November 15<sup>th</sup> through March 15<sup>th</sup>. Ms. Padleckas said that she feels that is reasonable.

Trustee McCarthy moved and Trustee Drager made the second to close the public hearing. The results of the roll call vote were:

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

Trustee Matt McCarthy read a Proclamation Designating September 2007 as National Alcohol & Drug Addiction Recovery Month.

Trustee Rick Gieser read a Proclamation Designating September 2007 as Prostate Cancer Awareness Month.

Trustee Michael Drager read a Proclamation Designating September 10 – 14, 2007 as Chamber of Commerce Week in Carol Stream.

Trustee Greg Schwarze read a Proclamation Designating September 2007 as Disaster Preparedness Month.

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

1. Special Use Permit: Invensys Controls-191 E. North Ave. Ord. 2007-09-33
2. Ord. 2007-09-30: Authorize Annex. Agree.- Slepicka Park – Park District
3. Ord. 2007-09-31: Annex Certain Property – Slepicka Park
4. Ord. 2007-09-32: Authorize Traffic & Parking Agreement- Fountains Condos
5. Res. 2285: Accept grant of stormwater mgmt. & Conveyance-410/420 Fullerton
6. Res. 2286: Declare surplus property-junk van
7. Payment to DuPage County- Judith/Riviera Water Main Improvement Project

## 8. Regular Bills, Addendum Warrant of Bills

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

Ayes: 7      Mayor Saverino, 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.

**Special Use Permit: Invensys Controls-191 E. North Ave. Ord. 2007-09-33:**

At their meeting on August 27, 2007, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a special use permit for Outdoor activities and operations at 191 E. North Avenue in accordance with staff recommendations and the added recommendation of three additional evergreens to screen visibility of the tank from Gary Avenue. The Board concurred with the recommendation and adopted Ordinance 2007-09-33, AN ORDINANCE GRANTING A SPECIAL USE FOR OUTDOOR ACTIVITIES AND OPERATIONS – (191 E. NORTH AVENUE).

**Ord. 2007-09-30: Authorize Annex. Agree.- Slepicka Park – Park District:**

The Board adopted Ordinance 2007-09-30, AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT – (SLEPICKA PARK).

**Ord. 2007-09-31: Annex Certain Property – Slepicka Park:**

The Board adopted Ordinance 2007-09-31, AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS – ( SLEPICKA PARK ).

**Ord. 2007-09-32: Authorize Traffic & Parking Agreement- Fountains Condos:**

The Board adopted Ordinance 2007-09-32, AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT FOR THE REGULATION OF PARKING OF MOTOR VEHICLES AND TRAFFIC - (FOUNTAINS AT TOWN CENTER CONDOMINIUMS).

**Res. 2285: Accept grant of stormwater mgmt. & Conveyance-410/420 Fullerton:**

The Board adopted Resolution 2285, A RESOLUTION ACCEPTING A GRANT OF STORM WATER MANAGEMENT AND CONVEYANCE EASEMENT – (410-420 FULLERTON AVENUE).

**Res. 2286: Declare surplus property-junk van:**

The Board adopted Resolution 2286, A RESOLUTION DECLARING SURPLUS PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM. – (JUNKED VAN).

**Payment to DuPage County- Judith/Riviera Water Main Improvement Project:**

The Board approved payment of the construction fees for the Judith and Riviera Courts Water Main Improvement Project to DuPage County in the amount of \$564,189.30.

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

The Board approved the payment of the Regular Bills in the amount of \$591,005.09.

The Board approved the payment of the Addendum Warrant of Bills in the amount of \$650,816.54.

**REGULAR MEETING:****Request from Doug Salemi for Relief from the Use Restrictions for the Commercial Property at 1270-1276 Kuhn Road in Pasquinelli's Central Park Subdivision.**

Mr. Salemi is requesting the Board to amend the annexation agreement for the Central Park development to remove all use restrictions for his property at 1270-1276 Kuhn Road in the same manner as was done for the Shiner Group. Mr. Salemi believes his request to be justified because his building is affected by the same market dynamics as the Shiner building, but in addition his building has less exposure to Army Trail Road.

Trustee McCarthy said that he believes that the Board has to be careful about dictating market conditions and he agrees that the annexation agreement should be amended to remove this restriction.

Trustee Fenner said that she agrees that the restriction should be lifted unless the Board is willing to impose the same restrictions on all developments in the Village.

Trustee Drager said that he is in total agreement with both Trustees McCarthy and Fenner.

Mayor Saverino commented that at the time this annexation agreement was negotiated, these type of restrictions were acceptable but now market conditions have changed and while the Village still needs retail sales tax dollars, the Board should make the effort to give the developers the chance to make the most of their investments.

Mr. Salemi said that he is doing everything he can by transferring his personal business from St. Charles here to Carol Stream. In response to the question by Trustee Weiss, he said that he is an insurance agent.

Mr. Diamond said that the Board should be to direct staff to prepare an ordinance that will amend the annexation agreement to take out the language regarding tax generating uses for the properties, and to bring such ordinance back to the Village Board for approval.

Mr. Breinig asked if that would be for all of the properties because he said that he believes that Mr. Shiner's property is still under this restriction....Bob Glee, Community Development Director said that Mr. Shiner's building, east of Kuhn Road were lifted, but the building Mr. Shiner has west of Kuhn Road still has that restriction. Mr. Diamond said that if this were lifted for anyone else, the Board would have to modify each agreement. Mr. Breinig said that he believes that this is just setting up another cycle of letters from Mr. Shiner. Mayor Saverino said that he would like to see action on just this one issue at this time.

Mr. Diamond said that staff will proceed with this applicant's request for this property, by modifying the annexation agreement, scheduling a public hearing and bringing the document before the Board.

**Request from Home Town RV at 110 E. North Avenue for Extension of a Temporary Special Use Permit:**

On March 15, 2004 the Board adopted Ordinance 2004-03-15 granting a temporary special use permit for an open sales lot and trailer sales for the property at 110 E. North Avenue. The request is for an extension of the temporary special use permit.

Trustee Fenner asked if there is a time table established to get all of the conditions of the original ordinance completed and Tony Mucerino, owner of Home Town RV said that they have done as many of the improvements as could be done since they do not own the property. In response to the question by Trustee Fenner, Mr. Mucerino said that they have now purchased the property along with Advanced Trailer. He said that realistically, it will be spring before there can be good progress made on the landscaping improvements. Mr. Mucerino said that since

2004 they have removed 14 semi loads of asphalt, increased the green space by 25,000 sf and installed 5 landscape islands.

Trustee McCarthy commented that the front of the building looks sad and asked if there is something that can be done to remedy it. Mr. Mucerino said that this is the area where there is the problem with the parapet wall and there will be construction of a new parapet wall that cover the area and protect the paint. He said that the plans for this were submitted to the Village and they are now working on the changes that were proposed in the commentary on those plans.

Trustee Schwarze commented that he is in favor of granting the extension of the temporary use. Mayor Saverino said that he believes that this is an asset to the Village and he is in favor of supporting the request.

Mr. Diamond said that the way the ordinance is written the Board has the ability to extend the terms simply by motion. That motion would be to grant an extension in the period of time for the owner of the property to execute Ordinance 2004-03-15 to and including September 15, 2008. Trustee Fenner made the motion and it was seconded by Trustee McCarthy. The results of the roll call vote were:

Ayes: 7 Mayor Saverino, Trustees Drager, Weiss, Schwarze, McCarthy, Gieser & Fenner

Nays: 0

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

Trustee Drager commented that all of the events at Town Center were great this year. He said that every resident has to do their part in keeping the Village a beautiful place to live, if your grass is long, cut it, if your fence is falling down, put it back up, and keep all garbage picked up. Trustee Drager reminded everyone to pray for our troops.

Trustee McCarthy said that this last Sunday, the Youth Council partnered with Parents & Teens together for the JP Fun Run. They helped the Petit 's with the Jonathan's fun run to raise funds to help kids make the right decisions but also to combat underage drinking. Trustee McCarthy said that Mayor Saverino was there with hot dogs, nachos, and water. Trustee Gieser brought some sports memorabilia for the raffle, Trustee Fenner brought some gift certificates. Other making contributions were Mike and Wayne from Public Works with a generator, Trustee Schwarze and the firefighters, Culvers and their Culver's cart, Greco Meats sent over 100 pounds of meat to cook for everyone. He said that he hopes it will continue to grow and become something the whole community will get involved with.

Mayor Saverino stated that this town is about volunteers. He is constantly amazed at how many people come out and give to support these causes.

Trustee Fenner said it was great to be out there with neighbors for a good cause. She reminded drivers to watch for children now that school has started.

Trustee Weiss included those that were recognized for helping the community by proclamation earlier this evening. He complimented the Police Department and their volunteers who he met with on August 25<sup>th</sup> at their recognition luncheon.

Trustee Schwarze commented that while sales tax revenue is very important to the Village, the Board considers every case on its merits and tries to do everything it can to help. Please help the community by shopping in Carol Stream.

Trustee Gieser enjoyed the Jonathan Petit event. He said that the Village is going to give every elementary school student a chance to design the 2008 vehicle sticker. Applications will be given to every school and they will be available at the Village Hall, the Library and the Park District. The winner will receive one year's worth of free ice cream from Culvers. There will be other prizes as well. The deadline is October 12<sup>th</sup>. The judges will be a Blue Ribbon panel of community residents.

Mr. Breinig announced that DuPage County will be having a public meeting on Disaster Preparedness at the Administrative Building at the County Complex on Wednesday, September 26<sup>th</sup> at 2:00 p.m. He reminded everyone that this Saturday will be the Multi-Cultural event at the Town Center. Mr. Breinig noted that the work is continuing at the Municipal Center Parking Lot and apologized for the inconvenience that this has made for some residents.

On behalf of himself and his family, Mr. Breinig thanked the Board, the Staff and those of the Community for their support during this time of loss.

Mr. Diamond remembered another loss to the community in the death of a resident who served for many years, Jean Bornholt.

Mayor Saverino said that he is very proud of our Police Department and the work that they do in enforcing the laws enacted by the State. He asked everyone to buckle their seat belt, don't drink and drive and don't speed and they will not be stopped in the Village of Carol Stream.

At 9:05 p.m. Trustee McCarthy moved and Trustee Schwarze made the second to adjourn. The results of the roll call vote were:

Ayes: 7      Mayor Saverino, 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

17<sup>th</sup> day of September, 2007.

Beth Melody  
Village Clerk