

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

December 3, 2007

Mayor Frank Saverino, Sr. 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 Frank Saverino, Trustees Michael Drager, Donald Weiss, Greg Schwarze, Matt McCarthy, Rick Gieser and Pamela Fenner
Absent: Assistant Village Manager Bob Mellor
Also Present: Village Manager Joe Breinig, Attorney Stewart Diamond, Village Clerk Beth Melody and Deputy Village Clerk Wynne 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 Special Meetings of October 29 and October 30, 2007 as presented. The results of the roll call vote were:

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

Trustee Fenner moved and Trustee Gieser made the second to approve the Minutes of the Meeting of November 19, 2007 with a correction on page 2, changing talked to "homeowners" to talked to Plan Commissioners in Trustee Schwarzes' comments on Item 1b/H2. The results of the roll call vote were:

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

AUDIENCE PARTICIPATION & PUBLIC HEARINGS:

Resolution 2309:

Mayor Saverino asked Trustee Drager to read Resolution 2309, Recognizing Glenbard North Panthers Varsity Football Team on a storied 2007 Football Season. Trustee McCarthy moved and Trustee Gieser made the second to adopt Resolution 2309. The results of the roll call vote were:

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

The team, their coaches, the principal of Glenbard North and the Superintendent of District 97 were applauded by the Trustees and all of those present.

Resolution 2310:

Mayor Saverino asked Trustee Gieser to read Resolution 2310, Recognizing the Community Service of the 2007 Holiday Tree Lighting Volunteers. Trustee Fenner moved and Trustee Schwarze made the second to adopt Resolution 2310. The results of the roll call vote were:

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

Resolution 2311:

Mayor Saverino asked Trustee McCarthy to read Resolution 2311, A Resolution Appointing Members to the Local Youth Council. Trustee McCarthy then moved to adopt Resolution 2311 and Trustee Drager made the second. The results of the roll call vote were:

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

Proclamation:

Trustee Schwarze read a Proclamation Declaring December 2007 as National Drunk and Drugged Driving Prevention Month.

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:

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

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

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

1. Street light Replacement – Munson Drive
2. R. 2312: Amend Residential Solid Waste Collection Contract;
3. Regular Bills, Addendum Warrant of Bills

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

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

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

Street light Replacement – Munson Drive:

The Board awarded the bid for Streetlight Replacement on Munson Drive to Associated Electrical Contractors of Woodstock, IL at the total project cost of \$54,945.

R. 2312: Amend Residential Solid Waste Collection Contract:

Attorney Diamond said that the following language should be added to Section 2 of the Resolution “provided that the designation as sole franchisee shall not become effective for current term of any contract in force on December 1, 2007 and Flood Brothers Disposal shall be required to meet or offer a lower price than any alternative company shall offer for future contracts.” This language reflects the oral agreement by Brian Flood at the previous meeting. It was explained that this resolution amends the extension to the contract without any further action. Mayor Saverino explained that there will not be an increase for this service in 2008 as was stated in the newspaper. He noted that Flood Brothers will be rebating the cost of the recycling totes over the time of the contract which will be approximately \$200,000, and have also said that they will donate energy saving light bulbs to given away at the Thursday Night Concerts.

Regular Bills, Addendum Warrant of Bills:

The Board approved the payment of the Regular Bills in the amount of \$110,758.36. The Board approved the payment of the Addendum Warrant of Bills in the amount of \$623,530.34.

REGULAR MEETING:

Automated Traffic Law Enforcement Systems (ATLE):

Trustee Gieser asked that if we agree to the Automated Traffic Law Enforcement System what will the officers that are currently assigned to traffic enforcement be doing. Police Chief Willing said that this will supplement the current traffic safety program and will identify intersections that have significant traffic safety issues and will provide enforcement 24 hours a day. The officers will still be present to enforce traffic issues in the area. Trustee Gieser said that this program is solely for traffic safety at the intersections frequently and Chief Willing said that there should be a reduction in crashes at these intersections by 40% in about six months after installation and that the “halo” effect could lower the crash rate at nearby intersections just because drivers will be extra cautious.

Trustee Weiss said that he supports the ATLE system and said that this is not a revenue generator, this is to save lives, and you cannot put a price tag on that. He said that he would suggest an additional person be trained to back up the command sergeant so that there will be a back-up if a problem arises. Chief Willing noted that the contract provides that they will train a certain amount of people and we will take advantage of that.

Trustee Schwarze said that he thinks this program is an excellent idea and everyone needs to understand that this should help modify driving behavior, not to be making money. Having drivers be aware that these automated traffic law enforcement systems are present will cause drivers to concentrate on their driving and not their phone

conversations or their lunch. In response to the question by Trustee Schwarze, Chief Willing explained that it will take about 6 months to finalize the plan with the vendor, install the hardware and educate the officers on the system. Implementation and public education will probably be a two month period.

Trustee McCarthy said that the videos will show exactly who runs the red light and the vehicle as well. He also agreed that this is for safety and driver awareness not a revenue generator.

Trustee Drager said that he has seen this in action in another community and it does work to save lives and reduce accidents. In response to the question, it was noted that the vendor has a local office in Chicago and will also have one in Aurora.

Mayor Saverino thanked the Police staff, the Village staff for all of the time putting together the presentation and researching what is available and what other communities are doing.

Trustee Drager moved and Trustee Schwarze made the second to authorize the Mayor and the Village Manager to approve the contract with Redflex to provide an automated traffic law enforcement system. The results of the roll call vote were:

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

Liquor License Request:

Pride of Carol Stream convenience store has asked for the creation of a liquor license classification permitting the sale of alcohol at service stations/convenience stores. Mayor Saverino noted that currently the Village Code does not have provisions for a gas station to sell liquor. There are liquor licenses for restaurants, convenience stores and super markets.

Trustee Schwarze said that he is 50/50 about this and would like to hear what the rest of the Board has to say.

Trustee Drager said that in any direction from his home, within a quarter of a mile is a place to buy liquor, Jewel, several liquor stores. He said that if we do this for one gas station would we have to do it for any other one. Mr. Diamond said that the Board would not have to, from a legal standpoint, the Board could authorize just one liquor license and no one can compel the Board to issue any others. It is hard to know on what basis the decision to authorize just one is being made. Trustee Drager commented that most gas stations are open 14/7, therefore would liquor be available for sale 24/7. Mr. Breinig said that other places that are open 24 hours are restricted from selling liquor during certain hours.

Trustee Fenner said that she has looked at this from both sides and is neutral on it. She said that her pro business side said that this is additional business for the Village, but she has concerns about what clerks will be there for the sale, most gas stations have underage clerks, so will they be staffed by someone of legal age all of the time. Basset training is also a requirement for a liquor license, and a lot of little problems rang alarm bells. As a rule, Trustee Fenner said, if it is 50/50, she will vote positively for the request, but right now, she would say no. She then asked Police Chief Willing, what his stand is on this request. Chief Willing said that is cause for some concern only because of the configuration of the stores. Typically, there is an attendant behind a caged or secure area, so the possibility of retail theft is greatly enhanced. In addition, pulling into a place to get gas and to purchase alcohol concerns him since it is almost promoting the deadly combination of alcohol and motor vehicles.

Mr. Breinig noted that a number of communities have been contacted and if the Board is leaning toward doing something like this, he would not recommend modifying or extending the convenience store license to gas stations. He said that there should be a separate classification created that would create space limitations for the product, and hours of operation. Attorney Diamond said that the Board has the absolute right to say that they have considered the request and that they do not wish to go forward at this time.

Trustee Weiss said that he is opposed to this request. He said that it is not appropriate, there are enough retail stores to sell alcohol products and the Board has just approved a contract that will promote traffic safety and this does not promote traffic safety, or any type of safety and that he is opposed to it.

Trustee McCarthy said that the oversight of it is what worries him, if there are 5 or 6 cars at once come in to a gas station with a single person working the counter, it would be entirely too easy to sell to an underage person or somebody who has obviously been over-served. He said that he does not like that mix.

Mayor Saverino commented that staff has done their job well, as usual. They did poll other communities and found that those that have allowed this will not renew them for new owners and noted that Addison and West Chicago are two of the communities.

Trustee McCarthy made a motion to deny the request for the creation of new liquor license to allow sales at a convenience store that sells gasoline. Trustee Weiss made the second. The results of the roll call vote were:

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

Nays: 0

Absent: 0

REPORT OF OFFICERS:

Trustee Weiss commented that on November 29th our community and our Country lost someone who stood up for his beliefs and represented his Congressional District well. He said he would like to take a moment to extend to the family of Congressman Henry Hyde our sympathies. This was a man who not only stood out on the national stage and the international stage, but also remembered our community in this Congressional District, so it is appropriate that we remember him. Trustee Weiss said that he received a note this afternoon that the family has asked that any memorial donations be sent to any of the following; Marklund Children's Home, The DuPage Convalescent Center or the Marianjoy Rehabilitation Center. Henry Hyde served in Congress for 32 years.

Trustee Weiss also acknowledged that 20 of his fellow students of the Citizen's Police Academy will graduated after the 12 week course. He urged everyone in the community to enroll in this course, or the Teen Police Academy course and he congratulated Sgt. Brian Pece and Rich Garza, the co-ordinators of the program and the Police Department.

Trustee Schwarze shared some safety tips from a newspaper article given to him by students from School District 46. He said that with Christmas coming up, he urged everyone to Shop Carol Stream.

Trustee Gieser congratulated GBN Football Team. He also thanked all of the volunteers in the Village and encouraged all residents to volunteer their time and talents to the Village.

Trustee Drager also congratulated GBN and thanked the volunteers for their contributions at the Tree Lighting and he welcomed the new members of the Youth Council. He asked residents to check on their elderly or shut neighbors during the cold

weather and to help out with shoveling if possible and as always to pray for our troops, especially during this Holiday season.

Trustee Fenner also congratulated GBN Football team. She noted that wrapping of gifts for Christmas Sharing will be Tuesday and Wednesday next week and that distribution of clothing will be at the Lutheran Church of the Master. Trustee Fenner commented that Sen. Randy Ramey is collecting coats for the needy at his local office.

Village Clerk Beth Melody second all of everyone's good wishes.

Village Manager Breinig polled the Board for their availability for a Capital Improvements Workshop at 6 PM on the 17th prior to the Regular Board Meeting and all will be available.

Mayor Saverino also recognized the career of Henry Hyde as a congressman and statesman for 32 years and said that he will be missed. Mayor Saverino noted that the Town Center events are over for 2007 and he thanked everyone who made the year such a success including Public Works, Police Department volunteers, Youth Council, Business Supporters and all of the Trustees. He said that Town Center is our Village Down Town and it is obvious that each year brings out more and more people to enjoy it. Mayor Saverino commented to Chief Willing that he is very disappointed...USA Today said that Carol Stream is only #2, instead of #1, he said that Carol Stream is ranked as #2 in the State of Illinois for the worst speed traps in Illinois. He noted that it references North Avenue and told the Chief that Carol Stream should be number 1.

Mayor Saverino commented on the Christmas light decorations and how great the Village looks and thanked the residents for their spirit and commended Public Works for their work on keeping our streets in great shape.

Trustee Gieser moved and Trustee McCarthy made the second to adjourn at 9:07 PM.

The results of the roll call vote were:

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

FOR THE BOARD OF TRUSTEES

Minutes approved by the President and Board of Trustees on this

17th day of December, 2007.

Beth Melody

Village Clerk