

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

**April 17, 2006**

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

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

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

**MINUTES:**

Trustee McCarthy moved and Trustee Stubbs made the second to approve the Minutes of the Meeting of April 3, 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

**AUDIENCE PARTICIPATION AND PUBLIC HEARING:**

**FY 07 Proposed Annual Budget:**

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

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

Mr. Breinig commented that since the budget has been printed, there have been two amendments that have been put forward. These were reviewed with the Board at the Budget Workshops. The first is in terms of the Water and Sewer Fund, water billing revenues were decreased by \$267,763, \$274,527 and \$274,944 in FY 07, 08 and 09 respectively. Most importantly, even with those reductions and projected revenues, the budget remains in the black every year. The second thing is that the Village Hall parking lot is being replaced in Fiscal Year 07 and the addition of that project at \$295,000 is proposed for inclusion into the budget as well. Finance Director Stan Helgerson said that in reviewing the notice he said that since the Capital Improvement Program is a separate fund, he did that, in error, he did not include those numbers in the public notice, so an additional CIP fund amount, \$8,017,000 needs to be added for the Capital Improvement projects for the upcoming fiscal year also.

There were no comments or questions from those in attendance at the call for public hearing. Trustee Fenner said that she is pleased to see that the budget shows all three years in the black, which shows it appears that the economy is improving and things are getting better. Trustee Stubbs moved and Trustee Gieser made the second to close the public hearing. 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 Fenner 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 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:	5	Trustees McCarthy, Gieser, Saverino, Stubbs & Fenner
Nays:	0	
Absent:	1	Trustee Shanahan

1. 2006 Official Zoning Map: Resolution 2181
2. Final PUD-Spec. Use- shopping plaza/drive-up service: Ord. 2006-04-18
3. Off the table: Duke appeal- Gary Ave. Master Plan denial – 121-131 North Ave.
4. Year end Budget Transfers
5. 2006 Flexible Pavement Project-Section 06-00049-00-FP
6. Received: 2005 Annual Report
7. Ord. 2006-04 16: Approve Annual Budget
8. Ord. 2006-04-17:Amend Class C Liq. Lic. Code
9. Ord. 2006-04-19: Requiring CATV System to obtain franchise agreement
10. Resolution 2182: Adopt 2006/07 Employee Pay Plan
11. Request: CS Library-Temp. approval of special use permit
12. Tree lighting ceremony request
13. Regular Bills, Addendum Warrant of Bills, Treasurer's Report 3/31/06

Trustee McCarthy moved and Trustee Gieser 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.

**2006 Official Zoning Map: Resolution 2181:**

At their meeting on April 11, 2006, the Combined Plan Commission/Zoning Board of Appeals recommended approval of the 2006 Official Zoning Map in accordance with staff recommendations. The Board concurred with the recommendations and adopted Resolution

2181, A RESOLUTION AUTHORIZING THE EXECUTION OF THE OFFICIAL ZONING MAP OF THE VILLAGE OF CAROL STREAM.

**Final PUD-Special Use- shopping plaza/drive-up service: Ord. 2006-04-18:**

At their meeting on April 11, 2006, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a final planned unit development and a special use for a shopping plaza and a special use for drive-up window service in accordance with staff recommendations. The Board concurred with the recommendation and adopted Ordinance 2006-04-18, AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT PLAN AND SPECIAL USES FOR A SHOPPING PLAZA AND DRIVE-UP SERVICE WINDOW – (SE CORNER OF ARMY TRAIL ROAD AND KUHN ROAD).

**Off the table: Duke appeal- Gary Ave. Master Plan denial – 121-131 North Ave.:**

The Board took off the table the matter of the request from Duke Construction to appeal the decision of the Plan Commission denying Duke's Proposed Gary Avenue Master Plan for the property at 121-131 E. North Avenue. Duke needs approvals of a Final Plat of Resubdivision, rezoning from I Industrial District to B-3 Service District and Gary Avenue Master Plan for a proposed subdivision to create two 0.6-acre commercial lots on the east side of Gary Avenue north of North Avenue. The Plan Commission, which has the approval authority for Gary Avenue Corridor Review, denied the proposed Master Plan. The Board remanded this matter back to the Plan Commission for re-consideration.

**Year end Budget Transfers:**

The Board approved year-end budget transfers as explained in the April 13, 2006 memo to the Village Manager from the Finance Director.

**2006 Flexible Pavement Project-Section 06-00049-00-FP:**

The Board approved an award of bid for the 2006 Flexible Pavement Project – Section 06-00049-00 FP to Plote Construction, Inc. at the bid unit prices submitted.

**Ord. 2006-04 16: Approve Annual Budget:**

The Board adopted Ordinance 2006-04-16, AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE VILLAGE OF CAROL STREAM FOR THE YEAR COMMENCING MAY 1, 2006 AND ENDING APRIL 30, 2007.

**Ord. 2006-04-17: Amend Number of Class C Liq. Lic. Code:**

The Board adopted Ordinance 2006-04-17, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY INCREASING THE NUMBER OF CLASS C LIQUOR LICENSES FROM 215 TO 16 – (GOODIE'S DELI AND LIQUOR, INC. – 1270 KUHN ROAD).

**Ord. 2006-04-19: Requiring CATV System to obtain franchise agreement:**

The Board adopted Ordinance 2006-04-19, AN ORDINANCE REQUIRING COMMUNITY ANTENNA TELEVISION SYSTEMS TO OBTAIN FRANCHISES.

**Resolution 2182: Adopt 2006/07 Employee Pay Plan:**

The Board adopted Resolution 2182, A RESOLUTION ADOPTING THE 2006-07 EMPLOYEE PAY PLAN FOR THE VILLAGE OF CAROL STREAM.

**Request: CS Library-Temp. approval of special use permit:**

The Board approved a temporary special use permit to the Carol Stream Public Library to allow an Arts and Crafts Fair to be held at property they own at 480 N. Kuhn Road on May 13, 2006.

**Tree lighting ceremony request:**

The Board approved the purchase of an enhanced 22' Christmas tree for the Tree Lighting Ceremony at Town Center from Temple Display in the amount of \$6,152.61.

**Regular Bills, Addendum Warrant of Bills, Treasurer's Report 3/31/06:**

The Board approved the payment of the Regular Bills in the amount of \$399,990.87.

The Board approved the payment of the Addendum Warrant of Bills in the amount of \$621,788.81.

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

**REGULAR MEETING:**

**An Ordinance approving an amendment to a preliminary planned unit development plan and approving a partial final planned unit development plan –Heritage Plaza Shopping Center:**

Mr. Diamond said that there are two slight changes for the Ordinance that was prepared for this matter. In the second Whereas Clause there is language that make it appear as if the Plan Commission had approved this. Actually, the Plan Commission did not give an affirmative recommendation so the language about the determination being made by the Plan Commission should go into the next Whereas Clause, which would be the material regarding the determination by the Village Board. "This Village Board would find that it does not find pose a negative effect on property values in the area, would not be detrimental to the public health, safety or general welfare." This just shifts the two languages. Finally, one other modification, at the last meeting, the Board asked for and the developer agreed to do a traffic study with regard to ingress and egress to the property and therefore a new #11 is added as a condition, "The owner shall submit to the Village a traffic study prepared by a recognized expert on ingress and egress access to the site. This issue will be reviewed by the Village Board at the time of final site plan approval at which time the Village may exercise its' reasonable legislative discretion." Attorney Greg Dose, representing the developer, has agreed to that language. Mr. Breinig commented that the reason for this is because there are concerns about the right in/right out possibility on County Farm Road from what would be their new drive and concerns about pedestrian safety to cross from parking to the new stores.

Trustee Stubbs said that is the primary reason he did not want this on the consent agenda. Trustee Fenner moved and Trustee McCarthy made the second to adopt Ordinance 2006-04-20, AN ORDINANCE APPROVING AN AMENDMENT TO A PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN AND APPROVING A PARTIAL FINAL PLANNED UNIT DEVELOPMENT PLAN – (HERITAGE PLAZA SHOPPING CENTER) as amended with the additions made previously. The results of the roll call vote were:

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

**REPORT OF OFFICERS:**

Mayor Ferraro thanked the Board and the staff for keeping things in good order while he was away. He noted that he will be at the next three meetings.

Trustee McCarthy reminded everyone that as the weather gets warmer and it is lighter longer to watch out for the kids out playing and bike riding. Slow down and really pay attention, and Good Luck to all of the sports teams as they begin their season.

Trustee Saverino also said that drivers need to look out for children playing.

Trustee Fenner welcomed Mayor Ferraro back.

Trustee Stubbs complimented staff on the Annual Report activities and reminded everyone that Police Department will be having a fund raiser at McDonald's for Special Olympics tomorrow from 5 p.m. to 8 p.m.

Trustee Gieser said that tomorrow the 4<sup>th</sup> of July Parade Committee will be having a fund raiser at Culvers. He stated that as spring sports games are starting that this is for the kids to have fun and learn about the sport, it's not about the parents.

Mr. Breinig said the budget is now on the website and can be accessed there as well as at the Library.

Trustee Fenner moved and Trustee McCarthy made the second to move to Executive Session to discuss the purchase of real property and probable or imminent litigation and to adjourn directly from that session without taking further action. The results of the roll call vote were:

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

FOR THE BOARD OF TRUSTEES