

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

**November 20, 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 and Deputy Clerk Progar  
 Also Present: Village Manager Breinig, Assistant Village Manager Mellor, Attorney Diamond, Treasurer Manzzullo, and Village Clerk Koester.

Cub Scout Den 10, Pack 175 from Evergreen School presented the Colors and 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 November 6, 2006 as presented. The results of the roll call vote were:

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

Mayor Ferraro announced that he will not be run again for Mayor at the next election. He thanked his wife for her support over the last 20 years. Trustee Tom Shanahan stated that he also will not be seeking re-election as Village Trustee.

**AUDIENCE PARTICIPATION AND PUBLIC HEARING:**

Robert Douglas, as a resident of Carol Stream, thanked the Board for the prairie plantings that were put in the ponds. This is the first year that the plantings have reached their full effect and it was beautiful this summer. As the President of the Carol Stream Library Board of Trustees, Mr. Douglas said that as a municipal Library, the Village Board must approve some of what is done by the Library Board. Recently, the Library has completed meetings by the Citizen's Committee and one of the things that was determined is that the Library Board needs to improve communication with the public as well as the other elected officials in the Village. The results of the meetings of the Citizens Committee to examine the roll of the Library in the community in the coming years and how best the Library could fill those rolls and get the message of provided services out to the broader community. As reported to the Library Board on November 8<sup>th</sup>, the Committee found that; the Library maintains a high level of service to its patrons from capable and conscientious staff; though the Library provides a variety of materials and service, a larger and more diverse collection of both print and audio books, CDs and DVDs are desired by the public; Additional space is needed to house such a collection and to provide for amenities such as comfortable reading, quiet study space and additional items such as drive-up book drops, etc. The Library needs a marketing plan to alert the citizenry to the services it provides, aside from just lending books. It was suggested that we make better use of the Internet, our newsletter and cable to promote ourselves as well as to coming to Village Board meetings periodically to report on happenings at the Library. The final consensus of opinion is that new space be constructed for the Library to allow for many of the suggested improvements and services. There is nothing that was given to the committee as to what type

of new space that should be constructed, but based on input, the work of the committee, and the fiscal and practical problems of expanding on the current site, it was determined that the Library should once again seek through referendum, funds to construct a new facility at the Kuhn Road site. The Library Board will be voting on the issue at its December 20<sup>th</sup> meeting and he invited all of the Board members to come to that meeting to see the presentation by the architect of what is being proposed. The meeting will actually be held here in the Boardroom. Mayor Ferraro thanked Mr. Douglas for his report.

Mayor Ferraro asked for a motion to concur with the appointment of Angelo Christopher to the Combined Plan Commission/Zoning Board of Appeals. Trustee McCarthy moved and Trustee Saverino made the second. The results of the roll call vote were:

Ayes: 6 Trustees McCarthy, Gieser, Saverino, Stubbs, Fenner & Shanahan  
Nays: 0

Angelo Christopher was then sworn in as a Commissioner.

#### **CONSENT AGENDA:**

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

Ayes: 6 Trustees McCarthy, Gieser, Saverino, Stubbs, Fenner & Shanahan  
Nays: 0

Trustee Shanahan 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 McCarthy, Gieser, Saverino, Stubbs, Fenner & Shanahan  
Nays: 0

1. No Action Required: Tabled at Plan Commission level: Spina Commercial, Subdivision Code Variation, 1358 Tall Oaks Drive, and Parkway Bank, 908 ATR
2. Zoning Code Variance: American Legion Post 76-Ord. 2006-11-66
3. Text Amendment- Sign Code - Ord. 2006-11-67
4. Budget Transfers
5. Budget Amendments- Ord. 2006-11-59
6. Snow Removal Plan -2006-07
7. Contractual Snow Removal Agreements
8. Amend Code-Amend Traffic - 2006-11-60
9. Amend Code - Decrease Class C Liq. Lic. -Ord., 2006-11-61-Malloy's
10. Amend Code - Increase Class C Liq. Lic. - Ord. 2006-11-62 - P&M Finest
11. Amend Code - Decrease Class C Liq. Lic. - Ord. 2006-11-63 - Wine & Spirits-Geneva
12. Amend Code - Increase Class C. Liq. Lic. - Ord. 2006-11-64-Wine & Spirits - Geneva
13. Amend Code - Increase Class F Liq. Lic. - Ord. 2006-11-65 - Wing Stop
14. Resolution 2230 - Approve plat of vacation - 575 St. Paul Blvd.
15. Resolution 2231 - Accept Grant of easement - 575 St. Paul Blvd.
16. Resolution 2232 - Declare Surplus Property - radar units as trade units
17. R. 2233 - Authorize Execution of Intergovt. Agree. Glendale Hgts. Police shooting range
18. Regular Bills, Addendum Warrant of Bills - Treasurer's Report

Trustee Shanahan asked how many independent contractors for snow removal are there and was told that there are and was told there are 7 contractors and they are paid based on the

type of equipment they use. This is the first year that there is an increase of 2 additional contractors for the last four years.

Trustee Gieser 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: 6 Trustees McCarthy, Gieser, Saverino, Stubbs, Fenner & Shanahan  
Nays: 0

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

**Zoning Code Variance: American Legion Post 76-Ord. 2006-11-66:**

At their meeting on November 13, 2006, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a variance from the Gary Avenue Corridor requirements in the Subdivision Code to allow existing rooftop mechanical equipment to remain unscreened in accordance with the conditions noted in the staff report. The Board concurred with the recommendation and adopted Ordinance 2006-11-68, AN ORDINANCE GRANTING A VARIATION FOR ROOFTOP EQUIPMENT SCREENING (AMERICAN LEGION POST NO. 76, 570 S. GARY AVENUE).

**Text Amendment- Sign Code - Ord. 2006-11-67:**

At their meeting on November 13, 2006, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a text amendment for the Sign Code in accordance with the conditions in the staff report. The Board concurred with the recommendation and adopted Ordinance 2006-11-67, AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 11 OF THE MUNICIPAL CODE OF THE VILLAGE OF CAROL STREAM – (SIGN CODE).

**Budget Transfers:**

The Board approved budget transfer requests for the Legislative Board – Operating Supplies, Town Center – Expenses for various activities held at the Town Center and Police Pension Fund – attendance at the IPPFA Conference in Collinsville.

**Budget Amendments– Ord. 2006-11-59:**

The Board adopted Ordinance 2006-11-59, AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE VILLAGE OF CAROL STREAM FOR THE YEAR COMMENCING MAY 1, 2006 AND ENDING APRIL 30, 2007. This includes amendments for Police-Consultant Account, Building Maintenance-Other Equipment, Construction and Water and Sewer-Construction.

**Snow Removal Plan –2006-07:**

The Board approved the Snow Removal Plan for 2006-07 as prepared by Public Works Director, John A. Turner.

**Contractual Snow Removal Agreements:**

The Board approved Contractual Snow Removal Agreements with the following Independent Contractors: D&M Services, Carol Stream, Kammes Auto & Truck Repair Inc., Bloomingdale, Olive Grove Landscaping, Carol Stream, S&S Maintenance, West Chicago, Tautges Trucking, Schaumburg, T.C.L. Excavating, Genoa, and U.S. Paving, Carol Stream.

**Amend Code-Amend Traffic – 2006-11-60:**

The Board adopted Ordinance 2006-11-60, AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 6 OF THE CAROL STREAM TRAFFIC CODE – PARKING SCHEDULES – (PARKING RESTRICTIONS ALONG POCAHONTAS).

**Amend Code – Decrease Class C Liq. Lic. –Ord., 2006-11-61-Malloy’s:**

The Board adopted Ordinance 2006-11-61, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY DECREASING THE NUMBER OF CLASS C LIQUOR LICENSES FROM 16 TO 15 – (MALLOY’S FINEST WINES & SPIRITS, 521 S. SCHMALE ROAD).

**Amend Code – Increase Class C Liq. Lic. – Ord. 2006-11-62 – P&M Finest:**

The Board adopted Ordinance 2006-11-62, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY INCREASING THE NUMBER OF CLASS C LIQUOR LICENSES FROM 15 TO 16 – (P & M FINEST WINES & SPIRITS, 521 S. SCHMALE ROAD).

**Amend Code - Decrease Class C Liq. Lic. – Ord. 2006-11-63 – Wine & Spirits-Geneva Rd.:**

The Board adopted Ordinance 2006-11-63, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY DECREASING THE NUMBER OF CLASS C LIQUOR LICENSES FROM 16 TO 15 – (WINE & SPIRITS DEPOT, 879 E. GENEVA ROAD).

**Amend Code – Increase Class C. Liq. Lic. – Ord. 2006-11-64-Wine & Spirits – Geneva:**

The Board adopted Ordinance 2006-11-64, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY INCREASING THE NUMBER OF CLASS C LIQUOR LICENSES FROM 15 TO 16 – (WINE & SPIRITS DEPOT, 879 E. GENEVA ROAD).

**Amend Code – Increase Class F Liq. Lic. - Ord. 2006-11-65 – Wing Stop:**

The Board adopted Ordinance 2006-11-65, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY INCREASING THE NUMBER OF CLASS F LIQUOR LICENSES FROM 7 TO 8 – (WING STOP, 566 W. ARMY TRAIL ROAD).

**Resolution 2230 – Approve plat of vacation – 575 St. Paul Blvd.:**

The Board adopted Resolution 2230, A RESOLUTION APPROVING A PLAT OF VACATION – INTERNATIONAL TRUCK & ENGINE - 575 ST. PAUL BOULEVARD.

**Resolution 2231 – Accept Grant of easement – 575 St. Paul Blvd.:**

The Board adopted Resolution 2231, A RESOLUTION ACCEPTING A GRANT OF STORMWATER MANAGEMENT AND CONVEYANCE EASEMENT – INTERNATIONAL TRUCK & ENGINE, 575 ST. PAUL BOULEVARD.

**Resolution 2232 – Declare Surplus Property – radar units as trade units:**

A RESOLUTION DECLARING SURPLUS PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM – (SURPLUS RADAR EQUIPMENT).

**R. 2233 – Authorize Execution of Intergovt. Agree. Glendale Hgts. Police shooting range:**

The Board adopted Resolution 2233, A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF CAROL

**STREAM AND THE VILLAGE OF GLENDALE HEIGHTS – (USE OF GLENDALE HEIGHTS FIRING RANGE).**

**Regular Bills, Addendum Warrant of Bills – Treasurer’s Report:**

The Board approved the payment of the Regular Bills in the amount of \$732,193.48.

The Board approved the payment of the Addendum Warrant of Bills in the amount of \$630,656.26.

The Board accepted the Treasurer’s Report for the month ending October 31, 2006.

**REGULAR MEETING:**

Request from Kenneth Flanigan for Extension of the Deadline for Compliance with the Conditions of Approval for the Special Uses Granted by Ordinance 2006-09-43 through 2006-09-48 for the property at 211-231 E. St. Charles Road.

Trustee Saverino said that he does not have a problem with giving an extension, but not for a time period to November of 2007, since the paving problem could be the same then as it is now. Mr. Breinig said that if a six month extension was granted that would be in the middle of the construction season, so the reason for a one year extension will allow them ample time to get it done and if at the end of one year there would be no mercy if it were not completed.

Trustee Saverino suggested that by the end of September, 2007 should be a reasonable time extension.

Aaron Reinke, representing St. Charles Building Partners, said that the biggest problem is cash flow. All of the improvements needed on the property will be funded by lease/rental income and they do not have that cash coming in. Mayor Ferraro asked if the buildings don’t get rented is the petitioner going to ask for an extension again next year, and Mr. Reinke said that it is their intent to have the necessary cash flow with the one year to finance the improvements. Mayor Ferraro said that he understands what the intent would be, but now this is about cash flow, not about asphalt production.

Attorney Diamond stated that the Board could require an irrevocable letter of credit, but if the extension is given to September 1<sup>st</sup> the owners know that it has to be done by that date, and the suggested earlier date gives the Village an opportunity to respond if the project is not completed. Mayor Ferraro said that he would not have a problem with a letter of credit.

Trustee Fenner asked how long it would take to accomplish all the improvements that are required and she was told it would be approximately two to three months worth of work. She then suggested that the extension be granted until August 1<sup>st</sup> and if the work is not complete by that time the Board requires a Letter of Credit.

Trustee Stubbs asked if the tenants have leases and was told that they do. Mayor Ferraro asked if the Judge has made the decision yet regarding the property and he was told that the decision was made and that they have gained title to the triangle parcel. They have expended a significant amount of funds, and they are not interested in delaying this or dragging it out, it is simply a matter of getting the property cleaned up.

Trustee Saverino commented that he believes that November 20 is too much time and that August 1<sup>st</sup> is too soon. He said that he would like to see this resolved on a basis where bonds would not be required and that the work will be done in a timely manner without charges and courts and problems. He said that the end of September is more than enough time. Mr. Larry Meyers, representing Mr. Flanigan concurred and said that with the exception of one unit, the properties are all leased and it is hoped that it will be leased soon. He also noted that they do not want this to go on forever and with the reduced need for legal services, cash flow is expected to increase dramatically and they will do everything they can to get the improvements completed as quickly as possible.

Trustee Saverino moved and Trustee Gieser made the second to concur with the staff recommendation to approve of an extension of one year to November 30, 2007 with no further requests for extension. The results of the roll call vote were:

Ayes: 6 Trustees McCarthy, Gieser, Saverino, Stubbs, Fenner & Shanahan  
Nays: 0

**REPORT OF OFFICERS:**

Trustee McCarthy said that the Tree Lighting Ceremony is this Friday and invited everyone to attend. He commented that Rob Douglas mentioned better communication between the Library Board and us and that this is a huge point and he would like to see that happen with them as well as the Park Board. Mayor Ferraro commented that he has been an advocate for this for many years.

Trustee Saverino wished everyone a Happy Thanksgiving and he said that personally wants to thank Mayor Ross Ferraro for twenty years of service to this Village. He said that he is proud to live here, proud to sit on this Board with my fellow Trustees and the Village staff.

Trustee Fenner said that she will save her comments to Ross until April. Happy Thanksgiving and she hopes to see many residents at the Tree Lighting.

Trustee Shanahan said Happy Thanksgiving to all, and he commented that he has never sat on a Board with a bad Trustee and he said that it has been his pleasure to sit on the Board with Mayor Ferraro.

Trustee Stubbs wished everyone a Happy and Safe Thanksgiving and hopes to see everyone at the Tree Lighting Ceremony.

Trustee Gieser said to Ross and Tom, thank you for your service, thank you for the guidance provided to me and the other Board members. He said that he will have more to say in the weeks and months to come. Trustee Gieser wished all a Happy and Safe Thanksgiving. Don't forget the Tree Lighting.

Mayor Ferraro wished everyone a Happy Thanksgiving, see everyone on Friday night.

Trustee McCarthy moved and Trustee Saverino made the second to move to Executive Session to discuss Collective Negotiating Matters and the Continued Employment of a Specific Employee and to adjourn directly from that Session. The results of the roll call vote were:

Ayes: 6 Trustees McCarthy, Gieser, Saverino, Stubbs, Fenner & Shanahan  
Nays: 0

FOR THE BOARD OF TRUSTEES