

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

December 18, 2006

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

Present: Mayor Ferraro, Trustees Matt McCarthy, Rick Gieser, Frank Saverino, Skip Stubbs & Pamela Fenner

Absent: Trustee Tom Shanahan & Village Treasurer Anthony Manzzullo

Also Present: Village Manager Breinig, Assistant Village Manager Mellor, Attorney Anderson, Village Clerk Koester and Deputy Clerk Progar

Carol Stream Cub Scout Pack 190, Den # 5 presented the colors and led those in attendance in the Pledge of Allegiance.

MINUTES:

Trustee Stubbs moved and Trustee McCarthy made the second to approve the Minutes of the Meeting of December 4, 2006 as presented. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser, Saverino and Stubbs
Nays: 0
Abstain: 1 Trustee Fenner
Absent: 1 Trustee Shanahan

AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:

LuAnn Triolo of the Carol Stream Chamber of Commerce presented Mayor Ferraro a check for \$1,100 from the Chamber members for the Christmas Sharing Program.

Trustee Fenner read Resolution 2236, Honoring Elizabeth Hoover on her promotion to Cadet Captain in the Civil Air Patrol and moved for its adoption. Trustee Saverino made the second.

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 Gieser 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 McCarthy moved and Trustee Saverino 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. No action required: Lot 1 SEC Gary/Lies- CVS
- 2. No action required: Lot 2 SEC Gary/Lies – Zoning Variance
- 3. Received: Update- Hazard Mitigation Plan Development
- 4. Received: Change Order No. 3- Fair Oaks Road Reconstruction
- 5. 2006 Pavement rejuvenator-Final Acceptance & Payment
- 6. Ordinance 2006-12-74: Amend Chap. 8, Art. 6- Traffic-Parking Schedules
- 7. Ordinance 2006-12-75: Revise Code- Amend Chap. 6-Carbon Monoxide detectors
- 8. Request fee waiver- CS Park District
- 9. Request fee waiver – WDSRA
- 10. Right of way use agreement – ConocoPhillips Co.
- 11. Regular Bills, Addendum Warrant of Bills – Treasurer’s Report 11/30/06

Questions/Comments:

Trustee Stubbs asked if there was any way that tests could have been done in regard to the Fair Oaks Road reconstruction project to determine that this problem was there? Mr. Breinig noted that staff is looking into the cause of the error, the reality is that had it been done right, the quantity would have been the same. Instead of 400 cu. yds. it is 4,000 cu. yds. and it is believed that the mistake was done by the engineer in designing the project. Had it been in the plans, we would have paid for 4500 yards, it wouldn’t have been a change order and the bid would have been higher. At the end of the day we end up at the same place. In going back to “what if” scenarios, if it was a higher quantity, it is not believed that it would have had much of an effect on the costs. There were soil borings done and we believe that this should have been caught before this.

Trustee Saverino said that his questions were answered.

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

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

Change Order No. 3- Fair Oaks Road Reconstruction:

The amount of the change order is estimated at \$292,500 or 18.7% of the original contract price of \$1,564,039.65.

2006 Pavement rejuvenator-Final Acceptance & Payment:

The Board approved the final acceptance of the 2006/07 Asphalt Surface Treatment Project and final payment in the amount of \$2,996.50 to Midwest Tar Sealer Co.

Ordinance 2006-12-74: Amend Chap. 8, Art. 6- Traffic-Parking Schedules:

The Board adopted Ordinance 2006-12-74, AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 6 OF THE CAROL STREAM TRAFFIC CODE – PARKING SCHEDULES – (PARKING RESTRICTIONS ALONG TOWER BOULEVARD).

Ordinance 2006-12-75: Revise Code- Amend Chap. 6-Carbon Monoxide detectors:

The Board adopted Ordinance 2006-12-75, AN ORDINANCE AMENDING THE MUNICIPAL CODE BY ADDING CARBON MONOXIDE DETECTOR REQUIREMENTS TO THE VILLAGE'S BUILDING CONSTRUCTION AND MAINTENANCE CODES, REQUIRING INSTALLATION OF CARBON MONOXIDE DETECTORS IN SINGLE FAMILY HOMES, MULTIPLE FAMILY APARTMENT COMPLEXES, MIXED USE BUILDINGS AND OTHER DWELLING UNITS.

Request fee waiver- CS Park District:

The Board approved a request for a waiver of building permit fees for a number of anticipated projects by the Carol Stream Park District. It was stated that any outside expenses incurred by the Village for these projects will not be waived and will be passed along.

Request fee waiver – WDSRA:

The Board approved a request for a waiver of fees associated with building renovations and a new sign at the WDSRA facility on Schmale Road. It was stated that the fee waiver will be limited to internal costs, and any out of pocket costs incurred as a result of the permits, will be passed on the WDSRA.

Right of way use agreement – ConocoPhillips Co.:

The Board approved a Right of Way Use Agreement with ConocoPhillips Company to allow them to drill a ground water monitoring well on the west side of Fair Oaks Road south of Army Trail Road. The term of the agreement will be for five (5) years, or until ConocoPhillips is able to obtain a NFR (No Further Remediation) for the site, after which the well will be filled and abandoned.

Regular Bills, Addendum Warrant of Bills – Treasurer's Report - 11/30/06:

The Board approved the payment of the Regular Bills in the amount of \$861,007.67.

The Board approved the payment of the Addendum Warrant of Bills in the amount of \$711,438.09.

The Board received the Treasurer's Report for the month ending November 30, 2006.

Regular Meeting:

DuPage County ZBA Case # 5311-06 – Request for Approval of a Conditional Use for Religious Institution, the Almadina Islamic Center at 2N579 Morton Road:

Trustee Stubbs said that he supports Staff's comments that there is not sufficient detail in the request for use. He said that it is extremely conceptual and it is very hard to understand what the configuration of the proposed building.

Trustee Fenner concurred and said that it may be that the County does not have all of the information either but she would like to have all of the finalized plans in order to make an educated decision.

Trustee Gieser noted that in the past we have demanded definitive plans from other groups that have proposed religious institutions and he specifically wants detailed plans in regard to traffic generation and planning before going forward.

Trustee McCarthy also concurred as did Mayor Ferraro.

It is the consensus of the Board to authorize staff to respond to the County Board with the requests of the Board and authorizing Mayor Ferraro to sign such a response.

Report of Officers:

Mayor Ferraro stated that he, Trustee Gieser and Trustee McCarthy were in Reno, NV for the National League of Cities conference. He noted that Trustee McCarthy was appointed to the

Committee for Public Safety and Trustee Gieser was appointed to the IPC Committee and congratulated them on their appointments.

Trustee McCarthy said that the Christmas Sharing was a great success. He thanked the Youth Council for their efforts and wished everyone Happy Holidays and Merry Christmas. He also thanked the Staff for all of their efforts this past year.

Trustee Saverino thanked the staff as well, he also noted the success of Christmas Sharing and thanked the sponsors and the volunteers. Happy Holidays, Merry Christmas, Happy New Year and stay safe.

Trustee Fenner wished everyone Happy Holidays and Happy New Year.

Trustee Gieser echoed all of the previous statements and all of the volunteers that have stepped up to help others all through out the year.

Trustee Stubbs thanked everyone and on a serious note he said that he has thought long and hard about running for either Mayor or Trustee and while he has enjoyed the support from numerous people he has decided that he will not be running in the upcoming election. He has aggressive growth plans for his business and finds that he must use his time for those endeavors. He thanked everyone for their past support.

Mayor Ferraro stated that the meeting for 01/01/07 has been cancelled, but since Martin Luther King Day is on Monday, January 15, he suggested that the Board moved that Board Meeting to Tuesday, January 16th. Trustee Fenner moved and Trustee McCarthy made the second to change the January 15th meeting to Tuesday, January 16th. The results of the roll call vote were:

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

Mayor Ferraro wished everyone Happy Holidays, Happy Hanukkah, and Happy New Year.

Mr. Breinig said that on behalf of the staff, he wishes the same to the community.

Village Clerk Koester said Merry Christmas to all the Carol Stream families, all of our friends on the Board and especially her grandkids. She thanked the Republican Party for their donation to the Christmas Sharing fund.

At 8:30 p.m. Trustee Fenner moved and Trustee McCarthy made the second to move to Executive Session to discuss Collective Negotiating Matters and Acquisition of Real Property and to adjourn directly from that session without taking any 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

