

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

**January 17, 2005**

Mayor Pro-Tem Pamela Fenner called the Regular Meeting of the Mayor and Board of Trustees to order at 8:00 p.m. and directed Deputy Village Clerk Wynne Progar to call the roll.

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

Mayor Pro-Tem Fenner led those in attendance in the Pledge of Allegiance.

**MINUTES:**

Trustee Gieser moved and Trustee Stubbs made the second to approve the Minutes of the Meeting of January 3, 2005 as presented. The results of the roll call vote were:

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

**AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:**

Mayor Pro-Tem Fenner asked Attorney Diamond to read a proclamation observing 2005 Martin Luther King, Jr. Day.

**CONSENT AGENDA:**

Trustee McCarthy moved and Trustee Saverino 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 and Fenner  
Nays: 0  
Absent: 1 Trustee Shanahan

Trustee Stubbs 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 and Fenner  
Nays: 0  
Absent: 1 Trustee Shanahan

1. Off the table: Variation-corner side yard a/c equip.-Guzel-178 El Paso
2. Award of Contract: Evidence Drying Cabinet-PD
3. Final Payment/Acceptance-Town Center sign & electrical upgrade
4. Award of Contract: 2005 Summer in the Center Carnival
5. Ord. 2005-01-04: Extend IBPC participation for 3 years
6. Res. 2112: IDOT- MFT funds for pavement project

7. R. 2113: Accept stormwater easement-355 Kehoe Blvd.
8. Approved: request for Raffle License- Carl Sandburg School PTA
9. Regular Bills, Addendum Warrant of Bills
10. Treasurer's Report

Trustee Gieser 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:

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

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

**Award of Contract: Evidence Drying Cabinet-PD:**

The Board awarded a contract to Misonix Company for an evidence drying cabinet in the amount of \$10,563.00.

**Final Payment/Acceptance-Town Center sign & electrical upgrade:**

The Board accepted the Town Center Sign and Electrical Upgrade Project and approved the final payment of \$21,656.60 to Schaeffges Brothers, Inc.

**Award of Contract: 2005 Summer in the Center Carnival:**

The Board awarded a contract for the 2005 Summer in the Center carnival amusement services to Alpine Amusement Co. subject to final contract to review by staff.

**Ord. 2005-01-04: Extend IBPC participation for 3 years:**

The Board adopted Ordinance 2005-01-04, AN ORDINANCE EXTENDING THE PERIOD OF PARTICIPATION IN THE INTERGOVERNMENTAL PERSONNEL BENEFIT COOPERATIVE FOR A PERIOD OF THREE ADDITIONAL YEARS.

**Res. 2112: IDOT- MFT funds for pavement project:**

The Board adopted Resolution 2112, A RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE – (05-00048-00-FP) – 2005 FLEXIBLE PAVEMENT PROJECT.

**R. 2113: Accept stormwater easement-355 Kehoe Blvd:**

The Board adopted Resolution 2113, A RESOLUTION ACCEPTING A GRANT OF STORMWATER CONVEYANCE AND MANAGEMENT EASEMENT – (355 KEHOE BOULEVARD).

**Approved: request for Raffle License- Carl Sandburg School PTA:**

The Board approved a request for a raffle and waiver of fees for the Carl Sandburg School PTA.

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

The Board approved the payment of the Regular Bills in the amount of \$263,988.89.  
The Board approved the payment of the Addendum Warrant of Bills in the amount of \$412,551.85.

**Treasurer's Report:**

The Board accepted the Treasurer's report for the month ending December 31, 2004.

**REGULAR MEETING:**

**Variation-corner side yard a/c equip.-Guzel-178 El Paso:**

Ken Guzel, 178 El Paso presented pictures of his home and 40 other homes that have air conditioner compressors in the side yard. He stated that he did this to show that a precedent has been set.

Mayor Pro-Tem Fenner explained that staff has provided the Board with a comprehensive report which included Mr. Guzel's recommendation for a text amendment as well as a couple of alternatives. Mayor Pro-Tem Fenner said that in her opinion the alternative that is best suited for this because of the number of residents that have condenser units in the side yard is to postpone any action to give staff the opportunity to craft a text amendment so that it is no longer in violation. She suggested that possibly some screening around the unit would solve the issue entirely. Mr. Guzel said that he would not have a problem with that.

Trustee Stubbs said that whether the petitioner feels that there is precedent or not, there is a process set by the Village within the ordinances that does not allow corner side yard use. He said that he does agree that there can be a text amendment drafted, but many of the ordinances regarding esthetics protect property values for everyone.

Trustee Gieser said that he believes that this is an issue that can be addressed by staff in a text amendment that would include what type of screening would be appropriate.

Trustee Saverino moved and Trustee Stubbs made the second to table the request for a variance for a corner side yard air conditioner condenser to allow the staff to consider a text change to the zoning ordinance and instruct staff to prepare such a text change and to take no further action regarding any violation relating to the condenser until action by the Village Board. The results of the roll call vote were:

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

**REPORT OF OFFICERS:**

Trustee Stubbs complimented the Public Works Department on their handling of the latest snow event.

Mr. Breinig asked for an Executive Session to discuss the Appointment, Employment, Compensation, Discipline, Performance or Dismissal of a Specific Employee. It was determined that no action would be taken following that session and that the Board will adjourn directly.

At 8:15 p.m. Trustee McCarthy moved and Trustee Saverino made the second to move to Executive Session 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 and Fenner
Nays:	0	
Absent:	1	Trustee Shanahan

FOR THE BOARD OF TRUSTEES

