

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

June 6, 2005

Mayor Ross Ferraro called the Regular Meeting of the Board of Trustees to order at 8:00 pm and directed Deputy Village Clerk Wynne Progar to call the roll.

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

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

MINUTES:

Trustee McCarthy moved and Trustee Gieser made the second to approve the Minutes of the Meeting of May 16, 2005 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

AUDIENCE PARTICIPATION & PUBLIC HEARINGS:

RESOLUTION NO. 2134: RECOGNIZING FATIMA & FARAH AHMEDI

Attorney Stewart Diamond read a Resolution recognizing Fatima & Farah Ahmedi and welcoming them to the Community.

Trustee Fenner moved and Trustee Saverino made the second to adopt this Resolution. The results of the roll call vote were:

- Ayes: 6 Trustees McCarthy, Gieser, Saverino, Stubbs, Fenner and Shanahan
- Nays: 0
- Absent: 0

Trustee Stubbs moved and Trustee McCarthy made the second to open the public hearing for an annexation agreement for the two new single-family home developments on St. Charles Road, east of President Street. The results of the roll call vote were:

- Ayes: 6 Trustees McCarthy, Gieser, Saverino, Stubbs, Fenner and Shanahan
- Nays: 0
- Absent: 0

Timothy Wilson of Ten Talents, Inc. the developer, appeared before the Board. Mr. Wilson displayed a plat of the proposed developments, Chapel Hill Estates Subdivision on the north side of St. Charles Road and Blue Ridge Subdivision on the south side St.

Charles Road just west of Bloomingdale Road. Chapel Hill is an 11 lot subdivision, the final plat conforms to the previously submitted and approved plat of subdivision. There are requests for a variation on the right of way width from 66' to 60', and the cul de sac width from 60' to 55'. These are included in the annexation agreement for the Chapel Hill subdivision. A rear yard setback variation has also been requested because these are being developed under DuPage County since the property is not currently contiguous to the Village. The property is zoned R-4 in the county and their setback requirements are front yard of 30' and the back yard is 25', in Carol Stream it is the reverse. Because of the depth of the cul de sac they are requesting a variance to the 25' for four of the eleven lots around the cul de sac. Mr. Wilson said that they are providing all of the public improvements which all conform to the subdivision regulations for the community. They are providing an access to the Prairie Path through the lots at the end of the cul de sac. They are proposing to work with Carol Stream in cooperation to extend the water main from President Street down to Bloomingdale Road and across to service this property and agreeing to contract with sub-contractors and general that work so that this improvement can be done and service these two properties in conjunction with that. They will pay their pro-rata share of the costs of doing that. The primary purpose of the annexation agreement is to establish both the zoning once it comes in and the public improvements as being proposed. Mr. Wilson said that with Blue Ridge, there are no variations being requested, it meets all of the zoning and subdivision requirements. He said that it is a side lot subdivision with larger lots and they will be a different price point package than at Chapel Hill. He said that they have developed a garage concept where they can accommodate a four car garage in a two car space, called an over/under garage. It has two separate driveway points that come out of the house but tie together at the curb. He did present a picture of this type of construction.

Trustee Shanahan said that he believes that the only reason for this annexation agreement is so that the developer can get water and sewer and thus be able to develop more houses on smaller lots than would be allowed under county regulations.

Mr. Wilson responded that if these projects would be in the county, under the R-4 zoning there were other methods to provide sewer and water such as with Glen Ellyn or with a private utility service. Mr. Breinig noted that the sewer connection is with the Wheaton Sanitary District so Carol Stream will just be providing water. In response to the question, Mr. Wilson said that the post office lists these properties as Carol Stream and it will be made clear to prospective buyers that this property will eventually be annexed to Carol Stream.

Mr. Diamond said that for 20 years, if the property becomes contiguous to the Village, all of the property owners that buy these lots are bound by this annexation agreement and would be obligated at that time to give a petition for annexation agreement. He also noted that if there is an intervening property that did not annex. The Village could go to court with a petition that each of these lot owners would be required to sign to allow the property to be annexed even if there is a missing piece.

Trustee Saverino asked about the price ranges of the homes and Mr. Wilson replied that the home at Blue Ridge would range from \$ 750,000/850,000 and up and size would be 3200 sq. ft. to 4000 sq. ft. At Chapel Hill the homes would range from \$450,000 to \$550,000 and sized from 2400 sq.ft. to 3200 sq. ft.

Trustee McCarthy said that he wants it known during the sales process that there is a pre-annexation agreement for each of the lots so that there is no surprise in the future for the purchasers.

Trustee Gieser commented that with the Village extending water service down St. Charles it will give the Village a lot of leverage in developing that area of St. Charles Road.

Community Development Director Bob Glees said that the rear yard setback and the dual garage were highlighted because they were not identified during the public hearing process but came up after going through the Plan Commissions. They do not represent variations to the Subdivision Code, but they would be variations to the Zoning Code and as such they can be agreed to by the Village Board in the Annexation Agreement without have to go back to the Plan Commission for a variance.

There were no comments or questions from those in attendance at the call for public hearing.

Trustee Saverino moved and Trustee McCarthy made the second to close the public hearing. The results of the roll call vote were:

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

CONSENT AGENDA:

Trustee Shanahan moved and Trustee Fenner 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 and Shanahan
Nays:	0	
Absent:	0	

Trustee Gieser moved and Trustee Stubbs 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 and Shanahan
Nays:	0	
Absent:	0	

1. From the PC: Spec. Use Amend.-New Access to CFR; Variance- parking stall width: Simkus Center – Ord. 2005-06-27
2. Town Center/Fountain View Rd. Acceptance & Final Payment
3. Letter of Credit Reduction # 2- Jason Court
4. 2005 Summer in the Center Festival Budget
5. Award of Purchase- PC equipment
6. Village Manager Employment Agreement
7. Ord. 2005-06-26: Authorize Annexation Agreement
8. Ord. 2005-06-28: Amend Code- Dec. Class A Liq. Lic.-10 to 9-Diamond Garden
9. Ord. 2005-06-29: Amend Code-Dec.Class A Liq. Lic. 9 to 8-Millennium Steak
10. Ord. 2005-06-30: Amend Code-Dec. Class A Liq. Lic. 8 to 7-Stone Dragon
11. Ord. 2005-06-31: Amend Code-Dec. Class F Liq. Lic. 7 to 6-Edwardo's
12. Ord. 2005-06-32: Amend Code-Inc. class C Liq. Lic. 14 to 15-Wine & Spirits
13. Ord. 2005-06-33: Authorize sale of personal prop. @ DMMC auction
14. Res. 2135: Accept Grant of stormwater and utility easement North Ave,

15. Received : Carol Stream Library Annual Report
16. DPC ZBA request for conditional use at 24W380 St. Chas. Rd.
17. Regular Bills, Addendum Warrant of Bills

Trustee Fenner moved and Trustee McCarthy made the second to approve the items on 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 and Shanahan
Nays:	0	
Absent:	0	

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

From the PC: Spec. Use Amend.-New Access to CFR; Variance- parking stall width: Simkus Center – Ord. 2005-06-27:

At their meeting on May 23, 20025, the Combined Plan Commission/ Zoning Board of Appeals recommended approval of a variation for the parking stalls from 9.5 feet to 9.0 feet in width for the north parking lot only, and recommended approval of an amendment to the special use permit to allow vehicular access off of County Farm Road and to recommend approval of the plan labeled "Village design alternative". The Board concurred with those recommendations and adopted Ordinance 2005-06-27, AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT FOR A NEW ACCESS TO COUNTY FARM ROAD AND A VARIATION FOR PARKING STALL WIDTH-(CAROL STREAM PARK DISTRICT, 849 W. LIES ROAD). The parking lot shall provide 245 spaces, rather than the 246 spaces recommended by the Plan Commission and the Board also waived the zoning appearance fees.

Town Center/Fountain View Rd. Acceptance & Final Payment:

The Board accepted the Town Center Parking Lot & Fountain View Road Project and authorized the final payment of \$5,000 to Abbey Paving Co., Inc.

Letter of Credit Reduction # 2- Jason Court:

The Board approved a letter of credit reduction request from The Patrick Group for Reduction # 2 for improvements on the Jason Court Subdivision project. All of the work as shown on the reduction request has been completed per the approved plan and Village specifications. The amount of the reduction is \$132,199.38 with a remaining balance of security of \$465,183.77.

2005 Summer in the Center Festival Budget:

The Board approved the budget for the 2005 Summer in the Center Festival as submitted by Onesti Entertainment, Inc. of Chicago in the amount of \$131,059.00.

Award of Purchase- PC equipment:

The Board waived the formal bidding process and authorized the purchase of 11 desktop and 3 laptop computers under the State of Illinois purchasing agreement in the amount of \$12,338.22 to Dell Computers.

Village Manager Employment Agreement:

The Board approved an amendment to the Employment Contract with the Village Manager, extending the current agreement to December 31, 2005.

Ord. 2005-06-26: Authorize Annexation Agreement:

The Board adopted Ordinance 2005-06-26, AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT -- (CHAPEL HILL ESTATES & BLUE RIDGE SUBDIVISIONS.)

Ord. 2005-06-28: Amend Code- Dec. Class A.-10 to 9-Diamond Garden:

The Board adopted Ordinance 2005-06-28, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY DECREASING THE NUMBER OF CLASS A LIQUOR LICENSES FROM 10 TO 9 --(DIAMOND GARDEN).

Ord. 2005-06-29: Amend Code-Dec. Class A Liq. Lic. 9 to 8-Millennium Steak:

The Board adopted Ordinance 2005-06-28, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY DECREASING THE NUMBER OF CLASS A LIQUOR LICENSES FROM 9 TO 8 -- (MILLENNIUM STEAK HOUSE).

Ord. 2005-06-30: Amend Code-Dec. Class A Liq. Lic. 8 to 7-Stone Dragon:

The Board adopted Ordinance 2005-06-28, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY DECREASING THE NUMBER OF CLASS A LIQUOR LICENSES FROM 8 TO 7 -- (STONE DRAGON RESTAURANT).

Ord. 2005-06-31: Amend Code-Dec. Class F Liq. Lic. 7 to 6-Edwardo's:

The Board adopted Ordinance 2005-06-28, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY DECREASING THE NUMBER OF CLASS F LIQUOR LICENSES FROM 7 TO 6 -- (EDUARDO'S PIZZA).

Ord. 2005-06-32: Amend Code-Inc. class C Liq. Lic. 14 to 15-Wine & Spirits:

The Board adopted Ordinance 2005-06-28, AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2 OF THE CAROL STREAM CODE OF ORDINANCES BY INCREASING THE NUMBER OF CLASS C LIQUOR LICENSES FROM 14 TO 15 --(WINE & SPIRITS DEPOT, GENEVA ROAD).

Ord. 2005-06-33: Authorize sale of personal prop. @ DMMC auction:

The Board adopted Ordinance 2005-06-33, AN ORDINANCE AUTHORIZING THE SALE BY PUBLIC AUCTION OF PERSON PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM.- (ADDITIONAL VEHICLES TO BE SOLD AT THE DMMC AUCTION).

Res. 2135: Accept Grant of stormwater and utility easement North Ave.:

The Board adopted Resolution 2135, A RESOLUTION ACCEPTING A GRANT OF STORMWATER CONVEYANCE AND MANAGEMENT EASEMENT -- (LIGHTING DIRECT, 121-131 E. NORTH AVENUE).

DPC ZBA request for conditional use at 24W380 St. Chas. Rd.:

The Board approved the request from the DuPage County Zoning Board of Appeals to allow a conditional use to Medinah Temple to replace an existing outbuilding with a pole building and directed staff to respond to the county using the form they provided.

Regular Bills, Addendum Warrant of Bills:

The Board approved the payment of the Regular Bills in the amount of \$473,773.98. The Board approved the payment of the Addendum Warrant of Bills in the amount of \$438,366.83.

COMMENTS:

Trustee Fenner commented that she hoped that the latest version of Adobe Acrobat will be installed on the new desktop and laptop computer and Ed Bower, IS Coordinator assured her that it would be on all of them.

REGULAR MEETING:

Granting a Utility Easement to Commonwealth Edison-Public Works Center:

Trustee Fenner moved and Trustee Gieser made the second to adopt Resolution 2136, A RESOLUTION GRANTING A UTILITY EASEMENT TO COMMONWEALTH EDISON COMPANY-PUBLIC WORKS CENTER. 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	

REPORT OF OFFICERS:

Trustee McCarthy thanked Farah Ahmedi for sharing her story with everyone. He also congratulated all of the graduates.

Trustee Saverino thanked Mr. Breinig and the Public Works Department for the great job they did at the Classic Car Show. He said that there would have been a lot more cars if it wasn't for the weather forecast, but stated that the car club would have a nice donation to the Christmas Sharing fund in the next couple of weeks. Trustee Saverino concurred that it was a great honor to have Farah and her mother come to the meeting. He said that he hopes to see everyone at the upcoming Town Center events.

Trustee Fenner noted that the first concert of the series is this coming Thursday evening. She also thanked all of the Park District Board for attending this meeting.

Mayor Ferraro thanked the Police Department for their work in making the Bike Rodeo a success.

Trustee Shanahan said that he attended both of the car show events and said they were both great even though the turnout was low due to weather predictions. He asked staff to look into have a fence put up on the north side of the Town & Country project. Mr. Breinig said that the project manager has been contacted, but there have been any conclusions as to who would be responsible for the up keep.

Trustee Gieser said that he would also like to recognize the Pre-School graduates as well, and noted the first concert at Town Center for the season will be Motown music. He also reminded everyone that the deadline for nominating properties for the CS Pride is Friday, June 10th.

Mr. Breinig invited all to the concert on Thursday as well as to the 4 day event starting on Thursday the 16th and that all the information on the attractions can be found on the Carol Stream website. He also reminded everyone that the Relay for Life will be on Friday night at Glenbard North High School beginning at 6 p.m.

At 8:45 p.m. Trustee Shanahan moved and Trustee McCarthy made the second to adjourn. The results of the roll call vote were:

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

FOR THE BOARD OF TRUSTEES