

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

July 5, 2005

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

Mayor Ferraro 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 June 20, 2005 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 & PUBLIC HEARINGS:

Mayor Ferraro read A PROCLAMATION HONORING TRUSTEE FRANK SAVERINO, SR. UPON BEING NAMED BUSINESS OF THE YEAR BY THE ILLINOIS STATE CRIME COMMISSION. The Board and Staff applauded Trustee Saverino for receiving the award.

CONSENT AGENDA:

Trustee McCarthy moved and Trustee Gieser 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 Fenner 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. from PC-Capital Design,Ltd. NEC St. Chas.-Morton-Zoning upon annexation-continued – no action required
2. Spec. Use- Outdoor Activities-545 Kimberly- Ord. 2005-07-37
3. Spec. Use-Restaurant expansion – 544 Gary-Ord. 2005-07-38
4. Spec. Use-Restaurant – 240 Army Trail Rd. Ord. 2005-07-39

5. Variation—driveway width-864 Napa St. Ord. 2005-07-40
6. Award of Contract-2005 Crackfill Project
7. Letter of Credit Reduction #3- Jason Court Subdivision
8. Ord. 2005-07-36 – Prevailing Wage
9. Ord. 2005-07-41-IRB Bonds- Geneva Crossing
10. R. 2139: Approve final plat of subdivision- Chapel Hill- St. Chas. Rd.
11. R. 2140: Approve final plat of subdivision- Blue Ridge – St. Chas. Rd.
12. Regular Bills, Addendum Warrant of Bills

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:	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.

Spec. Use- Outdoor Activities-545 Kimberly- Ord. 2005-07-37:

At their meeting on June 26, 2005, the Combined Plan Commission/ Zoning Board of Appeals recommended approval of a special use permit for outdoor activities and operations in accordance with staff recommendations. The Board concurred with the recommendation and adopted Ordinance 2005-07-37, AN ORDINANCE GRANTING A SPECIAL USE FOR OUTDOOR ACTIVITIES AND OPERATIONS. – (545 KIMBERLY DRIVE).

Spec. Use-Restaurant expansion – 544 Gary-Ord. 2005-07-38:

At their meeting on June 26, 2005, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a special use permit for the expansion of a tavern/restaurant in accordance with staff recommendations. The Board concurred with the recommendation and adopted Ordinance 2005-07-38, AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE FOR EXPANSION OF TAVERN/RESTAURANT – (544 N. GARY AVENUE).

Spec. Use-Restaurant – 240 Army Trail Rd. Ord. 2005-07-39:

At their meeting on June 26, 2005, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a special use permit for a restaurant at 240 W. Army Trail Road in accordance with staff recommendations. The Board concurred with the recommendation and adopted Ordinance 2005-07-39, AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A RESTAURANT – (240 W. ARMY TRAIL ROAD).

Variation—driveway width-864 Napa St. Ord. 2005-07-40:

At their meeting on June 26, 2005, the Combined Plan Commission/Zoning Board of Appeals recommended approval of a variation for driveway width, citing exceptional circumstances as a smaller setback on this property, that there is no sidewalk and the narrow 40 ft. street right of way and for vehicles to enter and exit the property in accordance with the recommendations noted in the staff report. The Board concurred with the recommendation and adopted Ordinance 2005-07-40, AN ORDINANCE GRANTING A VARIANCE TO THE CAROL STREAM ZONING CODE- RESIDENTIAL DRIVEWAY WIDTH – (864 NAPA STREET).

Award of Contract-2005 Crackfill Project:

The Board awarded a contract for the 2005 Crackfilling project to SKC Construction, Inc. of West Dundee, IL in the amount of \$58,731.55.

Letter of Credit Reduction #3- Jason Court Subdivision:

The Board approved the Patrick Group's request # 3 for a letter of credit reduction for Jason Court Subdivision in the amount of \$111,851.60. All of the work as shown on the reduction request has been completed per the approved plans and Village specifications. The remaining balance of the security is \$353,332.17.

Ord. 2005-07-36 – Prevailing Wage:

The Board adopted Ordinance 2005-07-36, AN ORDINANCE OF THE VILLAGE OF CAROL STREAM, DU PAGE COUNTY, ILLINOIS ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKERS AND MECHANICS EMPLOYED ON PUBLIC WORKS PROJECTS OF SAID VILLAGE.

Ord. 2005-07-41-IRB Bonds- Geneva Crossing:

The Board adopted Ordinance 2005-07-41, AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$4,500,000 SENIOR LIEN TAX INCREMENT REVENUE REFUNDING BONDS (GENEVA CROSSING PROJECT), SERIES 2005, OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, AUTHORIZING THE EXECUTION OF A BOND ORDER AND AN ESCROW AGREEMENT IN CONNECTION THEREWITH, AND PROVIDING FOR THE ALLOCATION OF CERTAIN TAX REVENUES OF SAID VILLAGE.

R. 2139: Approve final plat of subdivision- Chapel Hill- St. Chas. Rd.

The Board adopted Resolution 2139, A RESOLUTION APPROVING A FINAL PLAT OF SUBDIVISION-(CHAPEL HILL ESTATES, 23W500 ST. CHARLES ROAD).

R. 2140: Approve final plat of subdivision- Blue Ridge – St. Chas. Rd.

The Board adopted Resolution 2139, A RESOLUTION APPROVING A PRELIMINARY/FINAL PLAT OF SUBDIVISION-(BLUE RIDGE SUBDIVISION, 26W601 ST. CHARLES ROAD).

Regular Bills, Addendum Warrant of Bills:

The Board approved the payment of the Regular Bills in the amount of \$499,575.03. The Board approved the payment of the Addendum Warrant of Bills in the amount of \$814,816.78.

COMMENTS:

Mr. Diamond commented that there have been some changes in the ordinance that may be questioned and then this ordinance will be brought back at the next meeting. There have been six changes made to the ordinance and there is a question regarding a certain kind of insurance that the Village will not be required to offer. He said that the purposed of this is to take advantage of the lower interest rates.

REGULAR MEETING:

ECONOMIC DEVELOPMENT INFORMATIONAL BROCHURES – REQUEST FOR CHANGE ORDER.

Mr. Breinig said that the Village engaged River Marketing, now known as the Evoke Idea Group, to prepare an economic development brochure. There were several

variations of that brochure, and it was brought back to the Board on two occasions for review. The contractor has come back with a change order in the amount of \$5,433. Staff met with the contractor and it appears that some of the costs is in deliverables, the printing and the document itself. We did get the brochures printed at the price that was in the contract. However, there are some additional items regarding design revisions and incidentals. Staff believes that the incidentals have to do with the revisions and some of the things that were indicated in the contract that would be incidental costs, but we do not agree, as a matter of principal, with the \$750 in design revisions that she is requesting. The quality of the document at the various stages of review should have been further along than was evidenced. There were errors in everything from the verbiage to tables and charts, colors and other items that should have been caught at an earlier stage in the process. Staff is contesting that \$750 charge because of the quality of the work that was submitted at the first and the second step and the charge is not justified.

Mr. Diamond said that if the Board agrees to contesting those charges, the motion should be to authorize an offer of settlement with the amount of \$4,683.

There was discussion regarding the issue of the consultant refusing to meet to discuss any part of the project. This consultant has done so on three different occasions. Mayor Ferraro suggested that we pay \$1,000 less than is requested and it was the consensus of the Board to authorized payment of \$4,433.

The final product was accepted and acceptable, the problem is the journey and that a large amount of the extra cost was the consultants' doing, not the Village.

Trustee Stubbs asked if the Village has all the rights to these brochures and can reproduce the brochures and Mr. Glees said that he would have to research the contract.

Trustee McCarthy moved and Trustee Fenner made the second to authorize an offer of settlement in the amount of \$4,433 to Evoke Idea Group (formerly River Marketing). 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 said that he will be in Salt Lake City, Utah for a meeting of 50 select mayors from around the country to discuss global warming. Mayor Ferraro and Mayor Daley of Chicago were selected from Illinois.

Mayor Ferraro thanked Toinette Consalvo, Jim Walsh, Kim Gieser, Linda McCarthy, Ralph Armstrong, Joyce Hundhausen, Sgt. Brian Pece and the Police Department and members of the Chamber of Commerce, and Public Works. Everyone commented that the fireworks were the best ever.

All of the trustees agreed that the parade was great and the fireworks were fantastic and thanked everyone who helped make it all come together. The Clerk said that her grand daughters really loved the parade.

Trustees McCarthy and Fenner said that would not be in attendance at the next meeting. Mr. Breinig noted that there will be three members absent on July 18th. He thanked all of the staff for their participation in the parade, the concert and the fireworks. He said that the Park District should be thanked for their participation because without the partnership it would be much more costly for the Village.

There will be no concert this Thursday, July 14th, but on Saturday, July 16th the Village is working with Rainbow Academy to host a kid's concert from 10:30 am to 1 pm , Rainbow Rocking Children's Music Fest. There will be all kinds of activities for kids.
At 8:35 p.m. Trustee McCarthy moved and Trustee Stubbs made the second to adjourn.
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