

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

**December 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 and Stubbs  
Absent: Trustees Fenner and Shanahan  
Also Present: Village Manager Breinig, Assistant Village Manager Mellor, Attorney Greg Matthews, Village Clerk Koester and Deputy Clerk Progar

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

**MINUTES:**

Trustee McCarthy moved and Trustee Saverino made the second to approve the Minutes of the Meeting of November 21, 2005 as presented. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser. Saverino and Stubbs  
Nays: 0  
Absent: 2 Trustees Fenner and Shanahan

**AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:**

**Resolution 2163:** Honoring Anthony J. Gualano upon his retirement from Police Department: Trustee Saverino read Resolution 2163, A RESOLUTION HONORING ANTHONY J. GUALANO UPON HIS RETIREMENT FROM THE VILLAGE OF CAROL STREAM POLICE DEPARTMENT. He then moved its adoption and Trustee Gieser made the second. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser. Saverino and Stubbs  
Nays: 0  
Absent: 2 Trustees Fenner and Shanahan

Officer Gualano was given a standing ovation and the Mayor, the Village Manager and the Police Chief each thanked him for his service, said that he would be missed and thanked him for his service.

**Public Hearing: LAKEWOOD AT KLEIN CREEK SUBDIVISION:**

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

Ayes: 4 Trustees McCarthy, Gieser. Saverino and Stubbs  
Nays: 0  
Absent: 2 Trustees Fenner and Shanahan

Jim Truesdell of Lakewood Homes appeared before the Board. He explained that the plan has changed in that they have reduced the number of units by eliminating all of the 5 and 6 unit buildings and having only 4 unit buildings. There are changes in the architecture to an English Countryside theme as well as vary the materials and landscaping. Mr. Truesdell said that

there now is an entity that is interested in developing the adjacent commercial property when they close on this property. There will be total cross access easements that will help the commercial property develop and a traffic signal will be installed when allowed. In conclusion Mr. Truesdell stated that they had sent registered letters to all adjacent property owners to notice this public hearing.

Trustee McCarthy said that the buildings look great and it will provide character to the area.

Trustee Saverino said that he agreed and thanked the developer for cooperating with staff and the residents to make this property an asset to the Village.

Trustee Stubbs commented that he is glad that the time was spent listening to the Plan Commission, the residents, staff and the Board and then put together this development.

Trustee Gieser said that he is happy to see that there is going to be a viable commercial portion of this project. He said that he likes the looks of the development elevations.

Mayor Ferraro said that the developer has done a great job. He asked if there are any specific users for the commercial property and it was said that the zoning has to be granted before any definite offers can be made or entertained. It was said that the commercial development will also try to reflect the same kind of look as the homes.

At the call for public hearing, Dee Spink said that she applauds Lakewood Homes for working with the Boards and staff to develop what the vision of all. She commented that she is still not in favor of the Surrey Drive connection, but there is now a real possibility of a Kuhn Road connection as well. Ms. Spink commented that she would like to see all parking areas curbed and that the elevations of the rear of the homes will have good architectural features as well and finally that the units themselves will offer upscale amenities.

Irene Montana thanked Lakewood for developing something that the adjacent residents hoped for.

Mr. Breinig said that Lakewood is going to be closing on the property and they are looking for direction to be given to the Village Attorney to prepare the ordinances so that there will be some level of comfort in moving forward with a serious financial undertaking. It was the consensus of the Board to direct staff and the attorneys to prepare the necessary ordinances for this matter.

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

Ayes:	4	Trustees McCarthy, Gieser. Saverino and Stubbs
Nays:	0	
Absent:	2	Trustees Fenner and Shanahan

**3<sup>RD</sup> AMENDMENT TO THE ANNEXATION AGREEMENT- PASQUINELLI'S CENTRAL PARK SUBDIVISION:**

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

Ayes:	4	Trustees McCarthy, Gieser. Saverino and Stubbs
Nays:	0	
Absent:	2	Trustees Fenner and Shanahan

Mayor Ferraro noted that this public hearing is for an amendment to the annexation agreement to allow non-sales-tax-revenue-generating uses on Lot 10 of the commercial property in the Central Park Subdivision.

William Shiner noted that he is present to answer any questions.

Trustee Stubbs asked what tenants would be on Lot 10 and Mr. Shiner replied that this will be a 10,000 sq. ft. multi-tenant retail building which still have to have final approval. He also noted that Sherwin Williams paint will be anchoring the building, but other tenants have not yet been

signed. He noted that he would guess that for the first generation tenants, it could be 75% retail.

Mr. Breinig noted that the purpose of this is to take out the specific restriction that it only be retail, it could be a service use, it could be another use that would not generate sales tax.

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

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

Ayes:	4	Trustees McCarthy, Gieser. Saverino and Stubbs
Nays:	0	
Absent:	2	Trustees Fenner and Shanahan

#### **CONSENT AGENDA:**

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

Ayes:	4	Trustees McCarthy, Gieser. Saverino and Stubbs
Nays:	0	
Absent:	2	Trustees Fenner and Shanahan

Trustee Stubbs moved and Trustee McCarthy made the second to put the following items on the Consent Agenda for this meeting. The results of the roll call vote were:

Ayes:	4	Trustees McCarthy, Gieser. Saverino and Stubbs
Nays:	0	
Absent:	2	Trustees Fenner and Shanahan

1. No Action required: Minor Modification to a PUD-860 ATR- BP
2. No action required: Sign Code Variation- 105 Stark Drive
3. From PC: Spec. Use Permit- Outdoor Activities/Operations-Ord. 2005-12-62
4. Local Agency Agreement-Fed. Participation Lies Road resurfacing
5. 2005 Flexible Pavement Proj.- Acceptance & final payment
6. Analysis of Compensation Plan
7. Ordinance 2005-12-63: Amend Traffic Code- Chap 8-Parking
8. Ordinance 2005-12-64: Authorize Execution of 3<sup>rd</sup> amend. To Pasquinelli's Central Park
9. Regular Bills, Addendum Warrant of Bills

Trustee Gieser moved and Trustee Stubbs made the second to approve the items placed on the Consent agenda by omnibus vote. The results of the roll call vote were:

Ayes:	4	Trustees McCarthy, Gieser. Saverino and Stubbs
Nays:	0	
Absent:	2	Trustees Fenner and Shanahan

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

#### **Spec. Use Permit- Outdoor Activities/Operations-Ord. 2005-12-62:**

At their meeting on November 28, 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 2005-12-62, AN ORDINANCE GRANTING A SPECIAL USE FOR

OUTDOOR ACTIVITIES AND OPERATIONS – (VICTORY MOVERS, INC., 140 E. FULLERTON AVENUE).

**LOCAL AGENCY AGREEMENT-FED. PARTICIPATION LIES ROAD RESURFACING:**

The Board authorized the execution of an agreement with the Federal Highway Administration that establishes guidelines for the contract and funding of the project. A

**2005 Flexible Pavement Proj.- Acceptance & final payment:**

The Board accepted the public improvements for the 2005 Flexible Pavement Project and approved the final payment of \$8,690.10 to Plote Construction, Inc.

**ANALYSIS OF COMPENSATION PLAN:**

The Board approved a contract for analysis of the Village's Compensation Plan with Public Sector Personnel Consultants of Scottsdale, Arizona in an amount not to exceed \$5,000 for total fixed costs. Should the Board require a presentation of the project's findings and recommendation any additional cost shall not exceed \$1,500.

**ORDINANCE 2005-12-63: AMEND TRAFFIC CODE- CHAP. 8-PARKING:**

The Board adopted Ordinance 2005-12-63, AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 6 OF THE CAROL STREAM TRAFFIC CODE – PARKING SCHEDULES – (PARKING RESTRICTIONS ALONG PRESIDENT STREET.)

**ORDINANCE 2005-12-64: AUTHORIZE EXECUTION OF 3<sup>RD</sup> AMEND. TO PASQUINELLI'S CENTRAL PARK:**

The Board adopted Ordinance 2005-12-64, AN ORDINANCE AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT TO AN ANNEXATION AGREEMENT – (PASQUINELLI'S CENTRAL PARK SUBDIVISION, LOT 10).

**REGULAR BILLS, ADDENDUM WARRANT OF BILLS:**

The Board approved the payment of the Regular Bills in the amount of \$116,132.70. The Board approved the payment of the Addendum Warrant of Bills in the amount of \$587,378.77.

**REGULAR MEETING:**

**Consideration of a request from Michael Weingrad of M&E Enterprises to grant an extension for executing Ordinances 2004-10-57 and 2004-10-58 for the property at 120 S. Gary Avenue. (for a proposed new car wash).**

Mr. Weingrad appeared before the Board and thanked the Board for their consideration. He said that he is asking for an extension to allow this to move forward. In response to the request for a copy of the contract and some information on the proposed new owners of the car wash, Mr. Weingrad said that he has brought the team of people that are responsible for that. Jim Austin, Mark Austin & Debbie Austin will be the leading officers. Dale Houston, a car wash owner for over 29 years will be a consultant and represents D&S car wash equipment. Walter Haynes and Bernie Russell will also be consultants.

Trustee Gieser asked if there will be someone in attendance at the car wash 24 hours a day, 12 hours or how long. It was stated that there will be a presence from 8 am to 6 pm and there will live video 24 hours a day. Trustee Gieser said that his concern is that with self serve operations there is the tendency to have the property go down hill quickly. Mr. Haynes, architect, said that these owners have committed to building a first class operation and they

also live nearby and anticipate being there on a regular basis. There will be 24 hour a day live video.

Trustee Stubbs said that he does not see anything different from what was discussed two weeks ago. He said that he still questions as to whether this is the best use for this property. Mr. Haynes noted that the property has been on the market for several years and it has only been this use that has promoted any interest in the property. It has no entrance from North Avenue, only from Gary Avenue and the limited access would only be acceptable for this type of use.

Trustee Saverino said that two weeks ago he voted no for approving the continuance to approve the extension, however, he went to look at the piece of property and now has to agree with proposal. He said that he cannot think of another use that could to there that would make any sense. His concern is whether someone will be there and asked if the video surveillance will be monitored? Bernie Russell, said that the proposed system will have 8 to 16 cameras that will broadcast to its own web site which can be accessed by any one having the correct password. There can be hard drive storage for 45 to 60 days of activity from the motion-activated cameras. It was stated that on the auto cashier will have an auto-paging element that will dial out to the owner if there are problems.

Trustee McCarthy asked if the landscaping area facing the hotel will be installed as noted in the agreement. Mr. Glees responded to Mayor Ferraro's question as to whether Don Oppermann had input on this during the Plan Commission hearing.

Mayor Ferraro asked if it would be guaranteed that someone will be there from 8 am to 6 pm and was said that there would be. He said that he agrees with Trustee Saverino's comments on the use of the property.

Trustee McCarthy moved and Trustee Gieser made the second to grant an extension to the execution of the agreement of development of the property to December 17, 2005. The results of the roll call vote were:

Ayes:	4	Trustees McCarthy, Gieser, Saverino and Mayor Ferraro
Nays:	1	Trustee Stubbs
Absent:	2	Trustees Fenner and Shanahan

**Proposal for Contractual Event Planning & Consulting Services for 2006 Town Center Events:**

Trustee Gieser asked if Mr. Onesti agrees with the time line provided by Staff and was told that he doe agree. Mr. Onesti said that he is looking at different genres of music, different age groups, will try to go a little bit younger. There will be something for the seniors, for the teens and a variety of genre and activities. Mr. Onesti said that this first year has been an experience, and commented that it is amazing to have a municipality that is so hands on. He said that Joe Breinig and Mike Scaramella are unique.

Trustee Gieser said that the Thursday night concerts will be as usual along with added activities. Mr. Onesti said that he is into scheduling entertainment using the routing of the acts and will look for the best deals.

Trustee Saverino said that last year was great and he had a suggestion for a new item for the upcoming year. He said that the local car clubs are interested in getting a Corvette show during the meet in St Charles and if it can't be a Thursday night he suggests that maybe there can be a special on a Friday and perhaps get a special entertainer for that extra night.

Trustee McCarthy commented that so far everything was well put together.

Trustee Gieser moved and Trustee McCarthy made the second to approve the contract for event planning for the 2006 Town Center events. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser. Saverino and Stubbs  
Nays: 0  
Absent: 2 Trustees Fenner and Shanahan

**REPORT OF OFFICERS:**

Mayor Ferraro noted that he, Trustee McCarthy and Trustee Gieser will be in Charlotte, NC for a National League of Cities conference from Tuesday through Friday.

Trustee McCarthy said that the tree lighting went great and he noted that Youth Council did a good job getting everyone to sing Christmas songs. He asked everyone to drive safe all through the holidays.

Trustee Saverino agreed that the Tree Lighting was great and he appreciates the Santa Hats that were given to the Trustees.

Mayor Ferraro thanked all the Trustees and Staff for all of their work at the event.

Trustee Stubbs commented that there was a good crowd for the Tree Lighting.

Trustee Gieser agreed with the other comments and noted that the Town Center really looks great.

Mr. Breinig noted that Flood Brothers will be sending out flyers in regard to the new recycling carts. He said that they should provide more room for recyclables which helps everyone.

At 9:07 p.m. Trustee Saverino moved and Trustee McCarthy made the second to adjourn to Executive Session to discuss personnel and pending litigation and to adjourn directly from that session without taking any action. The results of the roll call vote were:

Ayes: 4 Trustees McCarthy, Gieser. Saverino and Stubbs  
Nays: 0  
Absent: 2 Trustees Fenner and Shanahan

FOR THE BOARD OF TRUSTEES