

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

**February 4, 2013**

Mayor Frank Saverino, Sr. called the Regular Meeting of the Board of Trustees to order at 8:00 p.m. and directed Village Clerk Beth Melody to call the roll.

Present: Mayor Frank Saverino, Sr. and Trustees Mary Frusolone, Don Weiss, Greg Schwarze and Matt McCarthy

Absent: Trustees Tony Manzullo and Pam Fenner

Also Present: Village Manager Joe Breinig, Assistant Village Manager Bob Mellor, Village Attorney Jim Rhodes, Assistant Village Attorney Jason Guisinger & Village Clerk Beth Melody

Mayor Frank Saverino, Sr. led those in attendance in the pledge of allegiance.

**MINUTES:**

*Trustee Weiss moved and Trustee McCarthy made the second to approve the Minutes of the January 22, 2013 Village Board Meeting. The results of the roll call vote were as follows:*

*Ayes: 4 Trustees Frusolone, Weiss, Schwarze and McCarthy*

*Nays: 0*

*Absent: 2 Trustees Manzullo and Fenner*

*Trustee McCarthy moved and Trustee Frusolone made the second to approve but not release the Minutes of the January 22, 2013 Village Board Executive Session Meeting. The results of the roll call vote were as follows:*

*Ayes: 4 Trustees Frusolone, Weiss, Schwarze and McCarthy*

*Nays: 0*

*Absent: 2 Trustees Manzullo and Fenner*

**AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:**

**Proclamation Designating February 7-13, 2013 as Food Check-Out Week:**

*Proclamation read by Trustee McCarthy. Trustee Weiss stated the local promotion for Food Checkout Week is a shopping cart race between Luanne Triolo Newman, Executive Director of the Carol Stream Chamber of Commerce and Dr. Bill Shields, Superintendent of School District 93. The event will take place on February 7 at 9:30 a.m. and will be held at the Jewel-Osco store located at the corner of County Farm Road and Army Trail Road in Carol Stream. The event is sponsored by the Farm Bureau Women's Committee.*

All groceries collected will be purchased by the Farm Bureau and donated to food pantries selected by the participants in each community. The food pantry recipients selected by the participants are the Humanitarian Service Project and the neighborhood Food Pantry at Lutheran Church of the Master.

## **NEW BUSINESS**

### **Appointment to the Board of Fire and Police Commissioners:**

Trustee Frusolone moved and Trustee McCarthy made the second to change the agenda order of the New Business item. The results of the roll call vote were as follows:

Ayes: 4 Trustees Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

Absent: 2 Trustees Manzzullo and Fenner

Trustee Schwarze moved and Trustee Frusolone made the second to approve the Mayor recommendation to appoint and swear-in Kirby Williams to the Board of Fire and Police Commissioners for a term to expire April 30, 2014. The results of the roll call vote were as follows:

Ayes: 4 Trustees Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

Absent: 2 Trustees Manzzullo and Fenner

Kirby Williams was sworn-in to the Board of Fire and Police Commissioners for a term to expire April 30, 2014 by Mayor Saverino.

## **CONSENT AGENDA**

Trustee Schwarze moved and Trustee Weiss made the second to establish a Consent Agenda for this meeting. The results of the roll call vote were as follows:

Ayes: 4 Trustees Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

Absent: 2 Trustees Manzzullo and Fenner

Trustee McCarthy moved and Trustee Frusolone made the second to place the following items on the Consent Agenda established for this meeting. The results of the roll call vote were as follows:

Ayes: 4 Trustees Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

Absent: 2 Trustees Manzullo and Fenner

1. Police Pension Fund – Compliance Report FYE12
2. Stormwater Management Plan Reviews and Inspections – Award of Consultant Contract
3. 2012 Flexible Pavement Project, Final Payment and Acceptance
4. Approval to Purchase Patrol Vehicles
5. Approval Requested for Purchase of a Wide-Format Copier/Scanner/Printer and Plotter
6. Award of Contract Telecommunication Services – Landline Circuits
7. Resolution No. 2633, Declaring Surplus Property Owned by the Village of Carol Stream
8. Resolution No. 2634, Approving the Release of Certain Executive Session Minutes of the Mayor and Board of Trustees of the Village of Carol Stream, Illinois
9. Motor Fuel Tax Resolution No. 2635, for Improvement by Municipality Under the Illinois Highway Code (Section 13-00058-00-FP - 2013 Flexible Pavement Project
10. Resolution No. 2636, Authorizing execution of an agreement under the Adopt-A-Highway program (Birchbark Trail from Kuhn Road to County Farm Road)
11. Resolution No. 2637, for maintenance of streets and highways by municipality under the Illinois Highway Code
12. Resolution No. 2638, for maintenance of streets and highways by municipality under the Illinois Highway Code
13. Payment of Regular & Addendum Warrant of Bills

*Trustee Weiss 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 as follows:*

*Ayes: 4 Trustees Frusolone, Weiss, Schwarze and McCarthy*

*Nays: 0*

*Absent: 2 Trustees Manzullo and Fenner*

*The following are brief descriptions of those items approved on the Consent Agenda for this meeting.*

**Police Pension Fund – Compliance Report FYE12:**

*Consistent with Public Act 95-950, the Police Pension Fund submits an annual Compliance Report for receipt by the Village Board. The Village Board received the Police Pension Fund – Compliance Report for Fiscal Year Ending 2012.*

**Stormwater Management Plan Reviews and Inspections – Award of Consultant Contract:**

*The Village Board awarded the contract for storm water management plan reviews and inspections to Christopher B. Burke Engineering Ltd. based on the proposed agreement billing rates.*

**2012 Flexible Pavement Project, Final Payment and Acceptance:**

*Final documents and waivers of lien and all punch list items have been completed for the 2012 Flexible Pavement Project. The Village Board approved project acceptance and payment in the amount of \$47,953.32 to Plote Construction.*

**Approval Requested for Purchase of a Wide-Format Copier/Scanner/Printer and Plotter:**

*The Village Board approved the purchase of an Océ Color Wave 300 copier/scanner/printer including an optional receiving tray and a Cannon iPF765MPF plotter from BHFX at the quoted price of \$15,795.*

**Award of Contract Telecommunication Services – Landline Circuits:**

*The Village Board approved waiving formal bidding requirements and award of contract for landline telephone circuits to Access One per terms in their 3 year rate proposal.*

**Resolution No. 2633, Declaring Surplus Property Owned by the Village of Carol Stream:**

*The Police Department requested the Village Board declare five seized vehicles awarded to the Village as surplus property to be sold via the America's Auto Auction Inc. and the Public Works Department is requested that a copy machine and two handheld radios be declared surplus to be scrapped. The Village Board approved Resolution No. 2633, declaring surplus property owned by the Village of Carol Stream.*

**Resolution No. 2634, Approving the Release of Certain Executive Session Minutes of the Mayor and Board of Trustees of the Village of Carol Stream, Illinois:**

*The Village Board approved Resolution No. 2634, approving release of certain executive session meeting minutes of the Mayor and Board of Trustees of the Village of Carol Stream, Illinois to the public which are no longer deemed to be confidential.*

**Motor Fuel Tax Resolution No. 2635, for Improvement by Municipality under the Illinois Highway Code (Section 13-00058-00-FP - 2013 Flexible Pavement Project):**

*The Illinois Department of Transportation requires a Resolution for improvement by municipality under the Illinois Highway Code to use motor fuel tax funds for 2013 Flexible Pavement Project in the amount of \$3,233,289.00. The Village Board approved Motor Fuel Tax Resolution No. 2635, for improvement by municipality under the Illinois Highway Code (Section 13-00058-00-FP - 2013 Flexible Pavement Project)*

**Resolution No. 2636, Authorizing Execution of an Agreement under the Adopt-A-Highway program (Birchbark Trail from Kuhn Road to County Farm Road):**

*Ch2MHill (OMI) has requested authorization to participate in the Adopt-A-Highway program. They will be assigned the section of Birchbark Trail from Kuhn Road to County Farm Road. The Village Board approved Resolution No. 2636, authorizing execution of an agreement under the Adopt-A-Highway program (Birchbark Trail from Kuhn Road to County Farm Road).*

**Resolution No. 2637, for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code:**

Each year the Village is required to submit a resolution authorizing the appropriation of funds to be utilized from Motor Fuel Tax revenues on a calendar year basis. The Village desires to alter the reporting period based upon the Village's fiscal year. Therefore this Resolution for the period January 1, 2012 thru April 30, 2012 and the following resolution, will satisfy the IDOT requirements and reset the reporting schedule to coincide with the Village's fiscal year. The Village Board approved Resolution No. 2637, for maintenance of streets and highways by municipality under the Illinois Highway Code.

**Resolution No. 2638, for maintenance of streets and highways by municipality under the Illinois Highway Code:**

Each year the Village is required to submit a resolution authorizing the appropriation of funds to be utilized from Motor Fuel Tax revenues on a calendar year basis. The Village desires to alter the reporting period based upon the Village's fiscal year. Therefore this Resolution for the period May 1, 2012 thru April 30, 2013, and the preceding resolution, will satisfy the IDOT requirements and reset the reporting schedule to coincide with the Village's fiscal year. The Village Board approved Resolution No. 2638, for maintenance of streets and highways by municipality under the Illinois Highway Code.

**Regular Bills and Addendum Warrant of Bills:**

The Village Board approved the payment of the Regular Bills dated February 4, 2013 in the amount of \$526,924.78. The Village Board approved the payment of the Addendum Warrant of Bills from January 23, 2013 – February 4, 2013 in the amount of \$485,304.48.

**Non-Consent Agenda Items**

**Approval to Purchase Patrol Vehicles:**

Trustee Frusolone thanked Commander John Jungers for his effort to find a creative way to purchase Police squad cars through a local car dealer. Trustee Weiss asked if the proposed cost was the total cost for the Police Package squad cars. Commander Jungers stated there are additional costs for decals, lights and radios/computers/electronics which cost an additional \$8,000 (approximately). Trustee McCarthy commended the Department for not only purchasing the squads locally but at the State bid price.

Trustee Schwarze moved and Trustee Frusolone made the second to waive competitive bidding and approve purchase of three patrol vehicles from Joe Cotton Ford at a cost of \$75,723 and authorize the Village Manager to exceed that price by 5% if necessary.

The results of the roll call vote were as follows:

Ayes:	4	Trustees Frusolone, Weiss, Schwarze and McCarthy
Nays:	0	
Absent:	2	Trustees Manzzullo and Fenner

**Ordinance No. 2013-02-04, Amending the Carol Stream Code of Ordinances, Chapter 11, Intoxicating Liquor, Article 2, Alcoholic Liquor Dealers, Section 11-2-7, Classifications of Licenses:**

*Trustee Weiss asked petitioners for liquor sales at gas stations to state their reasons for wanting to sell beer and wine at their gas stations. Guy Morgano representing proprietor Mario Spina for Parent Petroleum Retail/Pride of Carol Stream BP at St. Charles Rd. and Schmale Rd. stated a significant portion of their retail sales occur at the convenience store and beer and wine sales draw customers into the store. Inside sales for stores with beer and wine sales typically increase 25%-30% over a one year period. He recognized alcohol sales are a privilege and not a right and they have an obligation to check customer identification and take the required BASSETT training. He stated there are 2 to 3, 21 year old employees working in the store at any given time. The station/store was remodeled 2 years ago. Their 2 Westchester stores have been selling alcohol for 3 years and they also have a Mobile station in DuPage County. He believed they have only received 1 citation for under aged drinking during that time period. Chief Orr stated he did not have an issue with alcohol sales at gas stations and the Police Department treats them as any other retailer that sells alcohol.*

*Richard McMahon representing Buchanan Energy-Mobile/Bucky's Convenience Store stated they are constructing a new store on Army Trail and County Farm Roads. He stated he cannot make market on gas sales alone and convenience store sales are important to the viability of the station.*

*Robert Razowsky representing Rmarts/North & Gary Shell stated the remodeling of the station with the ability to sell alcohol is important to his business and would allow them to be competitive with other convenience stores.*

*Trustee McCarthy moved and Trustee Frusolone made the second to pass Ordinance No. 2013-02-04, amending the Carol Stream Code of Ordinances, Chapter 11, Intoxicating Liquor, Article 2, Alcoholic Liquor Dealers, Section 11-2-7, Classifications of Licenses with the number of licenses set at 0 until applications are received and wine to be sold in packages of no less than 748 ml.*

*The results of the roll call vote were as follows:*

<i>Ayes:</i>	<i>4</i>	<i>Trustees Frusolone, Schwarze, McCarthy and Mayor Saverino</i>
<i>Nays:</i>	<i>1</i>	<i>Trustee Weiss</i>
<i>Absent:</i>	<i>2</i>	<i>Trustees Manzzullo and Fenner</i>

**Report of Officers:**

*Trustee Frusolone stated the Village Board approved an amendment to the Village's Disaster Preparedness Plan at its January meeting which occurred just prior to a winter time heavy rain event. She commended the Village for being prepared for disasters and for its improved communications system to notify residents.*

Trustee McCarthy stated he met with the Young Men's Service League last week and conducted a mock Board meeting with them. He congratulated all Citizen of the Year nominees and award recipients for their volunteer work for the Village and recognized all those volunteers who were not nominated. He stated he would like to see more nominees next year. He welcomed new Board of Fire and Police Commissioner Kirby Williams. He encouraged residents to sign up for the Village's Citizen Police Academy. He stated that 4<sup>th</sup> of July fund raising events are nearing. Information is available at <http://carolstreamparade.com/>. He stated a year ago the Village passed a law prohibiting the sale and use of synthetic marijuana and encouraged parents to talk to their kids about the dangers of the drug.

Trustee Schwarze thanked new Board of Fire and Police Commissioner Kirby Williams for volunteering his time. He mentioned the Village Board passed agenda item I. 4 a resolution adopting a local road by CH2MHill, the operator of the Village's water treatment plant. He recognized and thanked the employees for adopting Birchbark Rd. from Kuhn to County Farm. Agenda item G. 4 was also passed by the Village Board tonight, allowing gas stations to sell alcohol at their convenience stores. He reminded residents to shop Carol Stream.

Trustee Weiss reminded residents that current ice conditions in the Village are unsafe and to please stay off the ice.

Village Clerk Melody wished her daughters Mandy (21) on 1/23/13 and Melinda (19) on 2/6/13 happy birthdays.

Manager Breinig recognized Kirby Williams for his volunteer efforts in the community as a fellow Knight of Columbus who has been a led them on Honor Flights to Chicago and provided steak dinners at cookouts at the Heinz V.A. center for our troops and veterans and congratulated him on his appointment to the Board of Fire and Police Commission. In the absence of Trustee Manzzullo, he reminded everyone to remember and pray for our troops.

Mayor Saverino stated he participated in a tour of the new Park District Recreation Center on Saturday morning. He commented on the immense size of the facility and that it will be a showplace of the community and DuPage County. He provided the following statistics on electric aggregation noting the number of residents who originally voted not to aggregate and the final number of residents who decided to go with the new, lower cost electric supplier:

Referendum Yes Votes = 8,622 (60.4%)

Referendum No Votes = 5,641 (39.6%)

Number of Residents who Chose the Aggregated Electric Supplier = 11,358 (97.5%)

Savings to Village Residents = \$2.9M/year

He credited these numbers to the Village's efforts to educate residents on the lower cost of the new supplier.

He thanked Kirby Williams for agreeing to serve on the Board of Fire and Police Commission.

At 8:58 p.m. Trustee McCarthy moved and Trustee Weiss made the second to adjourn the meeting to executive session to discuss collective negotiating matters where no action will take place and the meeting will adjourn from executive session.

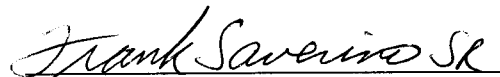
The results of the roll call vote were as follows:

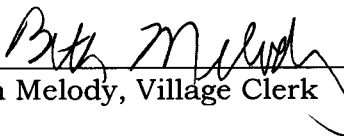
Ayes: 4 Trustees Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

Absent: 2 Trustees Manzzullo and Fenner

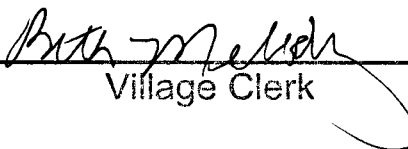
FOR THE BOARD OF TRUSTEES

  
Frank Saverino, Sr., Mayor

  
Beth Melody, Village Clerk

Minutes approved by the President and Board of Trustees on this

19<sup>th</sup> day of February, 2012.

  
Village Clerk