

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

June 3, 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 John LaRocca, Rick Gieser, Mary Frusolone, Don Weiss, Greg Schwarze and Matt McCarthy

Absent: None

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

* All persons physically present at meeting unless noted otherwise

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

MINUTES:

Trustee McCarthy moved and Trustee Frusolone made the second to approve the Minutes of the May 20, 2013 Village Board Meeting. The results of the roll call vote were as follows:

Ayes: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

The motion passed.

AUDIENCE PARTICIPATION & PUBLIC HEARINGS

Resolution No. 2660, Recognizing the DuPage County Farm Bureau on its 100th Anniversary:

A Resolution recognizing the DuPage County Farm Bureau on its 100th Anniversary was read by Trustee Weiss who is also a Farm Bureau member and presented to Mike Ashby, General Manager and Bob Brachman, President of the DuPage County Farm Bureau by Mayor Saverino. Mr. Ashby and Mr. Brachman thanked the Village Board for recognizing the Farm Bureau on its 100th anniversary and for the Villager's support over the past 32 years in the Village. Mr. Ashby invited the Village Board to the Farm Bureau 100th anniversary "touch a tractor" recognition event on June 22 from noon to 4:00 p.m. on the Farm Bureau grounds. He stated June is National Dairy Month and the first 300 event goers will receive ice cream.

Trustee Weiss moved and Trustee Gieser made the second to approve Resolution No. 2660, recognizing the DuPage County Farm Bureau on its 100th Anniversary. The results of the roll call vote were as follows:

Ayes: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

The motion passed.

Proclamation Honoring CASA of DuPage County on its 20th Anniversary:

A Proclamation honoring CASA of DuPage County on its 20th Anniversary was read by Trustee McCarthy and presented to Karen Patton, Development Director of Court Appointed Special Advocates of DuPage County, by Mayor Saverino. Ms. Patton, on behalf of her Board of Directors, thanked the Village Board for their recognition and support.

CONSENT AGENDA

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

Ayes: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

The motion was approved.

Trustee Weiss 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: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

The motion was approved.

1. Award of Contract – Project Management Services
2. Carol Stream Public Library – Annual Report 2012-2013
3. Special Management Area Reviews – Award of Consultant Contract
4. A motion waiving competitive bidding and authorizing the purchase of a Toro GM4000-D wide-area mower from Reinders, Inc., for a total amount of \$49,772.94
5. Vehicle Purchase – Police Department
6. Ordinance No. 2013-06-24, Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by Increasing the Number of Class F Liquor

Licenses from 6 to 7 (T&T Entertainment LLC. d/b/a Tracy's Cafe, 465 Thornhill Drive)

7. Ordinance No. 2013-06-25, Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by Decreasing the Number Of Class C Liquor Licenses From 20 To 19 (NBC Liquor & Tobacco, Inc., 180-182 N. Gary Avenue) and Increasing the Number of Class C Liquor Licenses from 19 To 20 (Joe's Liquor Cabinet, 180-182 N. Gary Avenue)
8. Resolution No. 2661, for Maintenance of Streets and Highways By Municipality Under the Illinois Highway Code for the period January 1, 2003 through December 31, 2003
9. Resolution No. 2662, Supporting an Application to Chicago Metropolitan Agency for Planning (CMAP) for Assistance in the Preparation of a Comprehensive Plan
10. Resolution No. 2663, Accepting the Updated DuPage County National Hazards Mitigation Plan
11. Resolution No. 2664, Declaring Surplus Property Owned by the Village of Carol Stream
12. Resolution No. 2665, Authorizing Transfer of Real Estate to DuPage County
13. Carol Stream Youth Cheerleading Association – Use of Town Center
14. Payment of Regular & Addendum Warrant of Bills

Trustee McCarthy moved and Trustee Schwarze 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: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

The motion was approved

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

Award of Contract – Project Management Services:

The Village Board approved the staff recommendation to execute an agreement for project management services with Engineering Resource Associates, Inc. at the agreed upon hourly rates and a cost not to exceed \$110,000.

Carol Stream Public Library – Annual Report 2012-2013:

The Village Board received the Carol Stream Public Library – Annual Report 2012-2013.

Special Management Area Reviews – Award of Consultant Contract:

The Village Board approved a contract with Christopher B. Burke Engineering Ltd. for Special Management Area reviews based on the billing rates in their proposal.

A motion waiving competitive bidding and authorizing the purchase of a Toro GM4000-D wide-area mower from Reinders, Inc., for a total amount of \$49,772.94:

The Village Board approved the purchase of a Toro mower through the National IPA, a cooperative purchasing organization serving governmental and non-profit agencies.

Vehicle Purchase – Police Department:

The Village Board approved authorization to cancel the previously approved vehicle purchase from Joe Cotton Ford (\$25,241), which is no longer available, authorization to waive competitive bidding and purchase a Ford Explorer from Joe Rizza Ford at a cost of \$25,022.72.

Ordinance No. 2013-06-24, Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by Increasing the Number of Class F Liquor Licenses from 6 to 7 (T&T Entertainment LLC. d/b/a Tracy's Cafe, 465 Thornhill Drive):

The Village Board approved Ordinance No. 2013-06-24, amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by increasing the number of Class F liquor licenses from 6 to 7 allowing them to serve beer and wine at this restaurant (T&T Entertainment LLC. d/b/a Tracy's Cafe, 465 Thornhill Drive).

Ordinance No. 2013-06-25, Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by Decreasing the Number Of Class C Liquor Licenses From 20 To 19 (NBC Liquor & Tobacco, Inc., 180-182 N. Gary Avenue) and Increasing the Number of Class C Liquor Licenses from 19 To 20 (Joe's Liquor Cabinet, 180-182 N. Gary Avenue):

The sale of Joe's Liquor Cabinet to NBC Liquor & Tobacco did not occur as previously stated by Joe's Liquor Cabinet and the action taken on May 20, 2013 needs to be reversed. The Village Board approved Ordinance No. 2013-06-25, amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by decreasing the number of Class C liquor licenses from 20 to 19 (NBC Liquor & Tobacco, Inc., 180-182 N. Gary Avenue) and increasing the number of Class C liquor licenses from 19 to 20 (Joe's Liquor Cabinet, 180-182 N. Gary Avenue).

Resolution No. 2661, for Maintenance of Streets and Highways By Municipality Under the Illinois Highway Code for the period January 1, 2003 through December 31, 2003:

This Resolution will address a recent IDOT audit of MFT records where it was found that an annual resolution for general maintenance expenses for 2003 had not been filed by the Village. The Village Board approved Resolution No. 2661, for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code for the period January 1, 2003 through December 31, 2003.

Resolution No. 2662, Supporting an Application to Chicago Metropolitan Agency for Planning (CMAP) for Assistance in the Preparation of a Comprehensive Plan:

Staff recommended approval of a resolution of support, which will become part of the Village's application for assistance under the CMAP Local Technical Assistance program. The Village Board approved Resolution No. 2662, supporting an application to Chicago Metropolitan Agency for Planning (CMAP) for assistance in the preparation of a Comprehensive Plan.

Resolution No. 2663, Accepting the Updated DuPage County National Hazards Mitigation Plan:

This resolution accepting the DuPage County Hazard Mitigation Plan update allows the Village, going forward to apply for FEMA Hazard Mitigation Assistance (HMA) grants that provide funding to jurisdictions for eligible mitigation activities that reduce disaster losses and protect life and property from future disaster damages. The Village Board approved Resolution No. 2663, accepting the updated DuPage County National Hazards Mitigation Plan.

Resolution No. 2664, Declaring Surplus Property Owned by the Village of Carol Stream:

The Village Board approved Resolution No. 2664, declaring three seized vehicles awarded to the Village as surplus property.

Resolution No. 2665, Authorizing Transfer of Real Estate to DuPage County:

The Village Board approved Resolution No. 2665, authorizing transfer of two Gary Ave. right-of-way parcels to DuPage County for the Gary Avenue Improvement project.

Carol Stream Youth Cheerleading Association – Use of Town Center:

The Village Board approved a License Agreement between the CSYCA and the Village of Carol Stream giving the CSYCA permission to use the Town Center for cheerleading practices.

Regular Bills and Addendum Warrant of Bills:

The Village Board approved the payment of the Regular Bills dated June 3, 2013 in the amount of \$540,828.11. The Village Board approved the payment of the Addendum Warrant of Bills from May 21, 2013 – June 3, 2013 in the amount of \$489,780.83.

Non Consent Agenda Items

Presentation of the eziQC Job Order Contracting Program:

Public Works presented information on an opportunity to secure construction services through a contract offered by the City of Naperville for the following construction projects:

- a. *A motion waiving competitive bidding and approving a job order contract with F.H. Paschen, S.N. Nielsen & Associates LLC, for Tuckpointing at the Public Works Center in the Amount of \$47,223.34
Public Works is recommending a contract for tuckpointing services at the Public Works Center under the City of Naperville Cooperative Job Order Contract Program.*
- b. *A motion waiving competitive bidding and approving a job order contract with F.H. Paschen, S.N. Nielsen & Associates LLC, for roof replacement at the WRC Sludge Building in the Amount of \$42,532.14
Public Works is recommending a contract for roof replacement services at the WRC under the City of Naperville Cooperative Job Order Contract Program.*

c. A motion waiving competitive bidding and approving a job order contract with F.H. Paschen, S.N. Nielsen & Associates LLC, for replacement of the salt dome roof at the Public Works Center in the Amount of \$43,905.79
Public Works is recommending a contract for roof replacement services at the Public Works Center under the City of Naperville Cooperative Job Order Contract Program.

Director of Public Works, Phil Modaff presented information on an opportunity for the Village to secure construction services through a contract bid by the City of Naperville. This program will allow the Village to secure construction services in a similar manner in which the Village secures products from the State of Illinois Central Management Services or Suburban Purchasing Cooperative contracts where items are bid by the State or cooperative and municipalities are allowed to purchase items under the joint bid. This saves the Village considerable time, money and effort in that it does not have to prepare bid documents/specifications, advertise for sealed bids, etc. This would be the first time the Village would utilize this process for construction services. Director Modaff introduced Derek LaDuke, Program Manager for the Gordian Group whose company acts as an intermediary between the municipality and the general contractor to ensure contract compliance, to explain the job order contracting concept. Mr. LaDuke stated the Village would be "piggy-backing" on the City of Naperville unit bid prices for the proposed construction work. They develop local unit pricing using catalogs that have over 270,000 line items using local pricing to develop those catalogs. Through an RFP process through the City of Naperville, the work is advertised and 23 different contractors were interviewed to determine their unit pricing for proposed jobs. Bidding companies go through a rigorous process to determine eligibility to perform specified jobs including background checks. The City of Naperville awarded the contract for construction services to general contractor F.H. Paschen. The ezIQC Job Order Contracting Program has been in place for 2 years with an option to continue for an additional 6 years. There are 23 other entities that have participated in the Naperville program with over \$7,000,000 of construction projects done through this program with \$1,000,000 completed this year. The program provides an on-call general contractor to oversee work of similar scope and magnitude. The general contractor is required to ensure all State of Illinois requirements are being met for the work being performed.

Trustee McCarthy asked how the Village can be assured it is receiving the lowest bid for the contracted work. Mr. LaDuke stated that all contractors are required to use the low bid unit pricing contained within their books. Change orders must be charged at the low bid unit pricing. Director of Public Works Modaff clarified that if there is a change of scope of work in the contract, the contractor is required to use the low bid unit pricing rather than higher change order pricing typically charged by contractors. The term of the contract with F.H. Paschen is 8 years but is performance based. If the general contractor does not meet performance standards, the contract will be rebid. In-house staff will be used for construction management to monitor the work.

Responding to Trustee Schwarze's question whether the Village would be locked into this approach for all projects going forward Manager Breinig stated staff has identified several projects in the budget that would merit this type of approach but the Village is not locked into using this approach, however the Village may expand it to other construction projects depending on how successful it is.

Mayor Saverino stated he wanted there to be an open discussion of this topic which appears to be a more cost effective and efficient method of awarding construction projects, especially with reduced Village staffing levels and budgets.

Trustee McCarthy moved and Trustee LaRocca made the second to approve a motion waiving competitive bidding and approving a job order contract with F.H. Paschen, S.N. Nielsen & Associates LLC, for Tuckpointing at the Public Works Center in the amount of \$47,223.34. The results of the roll call vote were as follows:

Ayes: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

The motion was approved.

Trustee Gieser moved and Trustee LaRocca made the second to approve a motion waiving competitive bidding and approving a job order contract with F.H. Paschen, S.N. Nielsen & Associates LLC, for roof replacement at the WRC Sludge Building in the Amount of \$42,532.14. The results of the roll call vote were as follows:

Ayes: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

The motion was approved.

Trustee LaRocca moved and Trustee Frusolone made the second to approve a motion waiving competitive bidding and approving a job order contract with F.H. Paschen, S.N. Nielsen & Associates LLC, for replacement of the salt dome roof at the Public Works Center in the Amount of \$43,905.79. The results of the roll call vote were as follows:

Ayes: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

The motion was approved.

Ordinance No. 2013-06-26, Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by Increasing the Number of Class P Liquor Licenses From 2 To 3 (Parent Petroleum Retail, Inc. d/b/a The Pride Of Carol Stream, 260 Schmale Road):

The gas station at 260 Schmale has applied for a Class P liquor license to sell beer and wine.

Trustee Weiss asked the Village Board and staff how the process of selling beer and wine at gas stations was going, if there has been any problems and how it was being

received in the community. Mayor Saverino stated he has not heard from anybody on this issue and did not believe people even know beer and wine are being sold at gas stations. Mayor Saverino asked if anybody, including Trustee Weiss, have heard of any complaints. There was no response. Trustee Weiss asked staff if the system was working out with the issuance of these licenses. Manager Breinig and Police Chief Orr stated that they were not aware of any problems.

Trustee Schwarze moved and Trustee McCarthy made the second to approve Ordinance No. 2013-06-26, amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by increasing the number of Class P liquor licenses from 2 To 3 (Parent Petroleum Retail, Inc. d/b/a The Pride Of Carol Stream, 260 Schmale Road). The results of the roll call vote were as follows:

Ayes: 5 Trustees LaRocca, Gieser, Frusolone, Schwarze and McCarthy

Nays: 1 Trustee Weiss

The motion was approved.

Report of Officers:

Trustee Gieser congratulated all school graduates in the Village. He reminded of the upcoming 4th of July parade fund raiser at Flip Flops and stated 4th of July Parade applications are available online at www.carolstreamparade.com. He stated the Thursday night concert band this week is Rendition and the food vendor is Alberto's.

Trustee Frusolone stated she attended the fatal prom demonstration at Glenbard North High School and stated it was a very powerful and moving experience for the parents and teens. She commended the Carol Stream Police, Fire and Glenbard North High School for conducting the exercise and reminded students that drinking and driving does kill people.

Trustee Schwarze congratulated his daughter McKenzie on her graduation from Glenbard North High School and stated she will be attending Georgetown University in the fall. He reminded residents to please shop Carol Stream.

Trustee LaRocca applauded Glenbard North High School and the Police and Fire staff for being proactive and providing this educational experience on drinking and driving. He stated his heart goes out to the victims of the Oklahoma tornadoes. He congratulated all the graduates and Trustee Schwarze's daughter on her graduation. He thanked Village staff for looking out for the best interests of Carol Stream and for presenting the recommendation to waive the bidding process and awarding several construction projects.

Trustee Weiss wished his wife Lisa a happy birthday this week.

Trustee McCarthy wished Trustee McCarthy's wife a happy birthday. He thanked the VFW for their Memorial Day program who did a fantastic job. He reminded everyone that the Thursday night concert series starts on June 6 and continues on Thursday nights

throughout the summer. He stated from July 10, 2013 – July 16, 2013 the Gary Avenue rail road crossing just south of Army Trail Road will be completely closed for track replacement. The 2 easiest detours will be down Kuhn or Schmale Roads to Army Trail Road. There is an upcoming parade fund raiser at Flip Flops on June 10th. Ten percent of all food sales go to the parade committee and no coupons are needed. The Youth Council is having its 8th annual music fest on June 29th from 4:00 p.m. – 10:00 p.m. He thanked Perry Johnson for providing a discounted rate on a sound system and Trustee John LaRocca on behalf of the A.J. LaRocca Foundation for paying the cost of the sound system. He reminded motorists to please watch out for kids now that they are out of school and to please yield to pedestrians at crosswalks.

Village Attorney Rhodes stated today the Illinois Municipal League provided its legislative briefing for the session that just ended. There were 17 items the IML was working on including protection of local income and sales taxes so the Villages will continue getting their fair share of these state shared revenues.

Village Manager Breinig stated in addition to the other fund raisers that were mentioned for the parade, there is an opportunity for residents to make a donation to the parade committee on their water bills this month and next month. The Public Works Department is continuing tree removal of Emerald Ash borer infected trees. He reminded residents that trees removed from private property cannot be placed in the Village parkway and must be removed at the homeowner's expense. Tree debris and branches left in the parkway present a hazard to pedestrians and motorists.

Mayor Saverino thanked Village staff for putting the Naperville bid tag-along program together. On May 25 he had the honor of swearing in all the new Phil-Am Society members in Carol Stream. On May 30 he attended the DARE graduation with Officer Pablo Castro who has had a positive influence on the students. He encouraged residents to please remember to purchase their vehicle stickers as the sticker price doubles after June 30 with the potential of receiving a \$100 fine. He stated there was a poker run on June 2 that he was asked to get involved. The ride which raised \$6,000 benefited the Relay for Life in the name of Russ Fiore who died of melanoma. He thanked Flip-Flops for opening their restaurant early and providing free breakfast to the riders. The pond and stream sweep volunteers collected over 4,000 pounds of debris. He sent thank you letters to 155 volunteers of which, 55 were not even Carol Stream residents but work for Carol Stream businesses. He reminded people to be careful driving through the Village as there is a lot of road construction going on.


At 8:57 p.m. Trustee McCarthy moved and Trustee Gieser made the second to adjourn the meeting. The results of the roll call vote were as follows:

Ayes: 6 Trustees LaRocca, Gieser, Frusolone, Weiss, Schwarze and McCarthy

Nays: 0

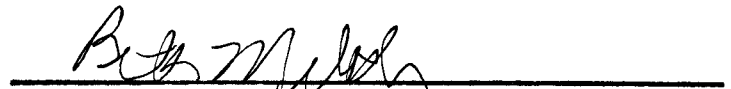
FOR THE BOARD OF TRUSTEES


Frank Saverino, Sr., Mayor


Beth Melody, Village Clerk

Minutes approved by the President and Board of Trustees on this

17th day of June, 2013.


Village Clerk