

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
Gregory J. Bielawski Municipal Center, 500 N. Gary Avenue,
Carol Stream, DuPage County, IL

December 5, 2022

Mayor Frank Saverino, Sr. called the Regular Meeting of the Board of Trustees to order at 6:00 p.m. and requested that Assistant to Village Manager Tia Messino call the roll.

Present: Trustees Jeff Berger, Tom Garvey, John Zalak, Rick Gieser, Mary Frusolone and Matt McCarthy and Mayor Frank Saverino, Sr.

Absent: Village Clerk Julia Schwarze

Also Present: Village Manager Bob Mellor, Assistant Village Manager Joe Carey, Assistant to the Village Manager Tia Messino, Community Development Director Don Bastian, Director of Engineering Services Bill Cleveland, Finance Director Jon Batek, Public Works Director Phil Modaff, Assistant Director of Public Works Brad Fink, Police Chief Bill Holmer, Human Resources Director Caryl Rebholz, Information Technology Director Marc Talavera and Village Attorney Jim Rhodes

MINUTES:

Trustee McCarthy moved and Trustee Frusolone made the second to approve the Minutes of the November 7, 2022 Village Board Meeting. The results of the roll call vote were as follows:

Ayes: 6 Trustees Berger, Garvey, Zalak, Gieser, Frusolone and McCarthy

Nays: 0

Abstain: 0

Absent: 0

The motion passed.

LISTENING POST:

1. Addresses from Audience (3 Minutes).

Public online and in-person comments on recreational cannabis zoning read by Assistant to Village Manager Messino:

Jim Campbell is against expanding adult use recreational cannabis dispensary zoning expansion.

Lindsey Radaj supports expanding adult use recreational cannabis dispensary zoning expansion.

Samuel Smith spoke out in favor of adult use recreational cannabis dispensary zoning expansion.

CONSENT AGENDA:

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

Ayes: 6 Trustees Berger, Garvey, Zalak, Gieser, Frusolone and McCarthy
Nays: 0
Abstain: 0
Absent: 0

The motion passed.

Trustee Gieser moved and Trustee Zalak 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 Berger, Garvey, Zalak, Gieser, Frusolone and McCarthy
Nays: 0
Abstain: 0
Absent: 0

The motion passed.

Trustee Frusolone 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: 6 Trustees Berger, Garvey, Zalak, Gieser, Frusolone and McCarthy
Nays: 0
Abstain: 0
Absent: 0

The motion passed.

The following items were approved on the Consent Agenda for this meeting:

22-0020 – Revir Carol Stream – 400 Main Place

Amendment to a Special Use Permit for a Planned Development

Recommended Approval with Conditions 6-0

The Village Board concurred with Plan Commission’s recommendation.

22-0051 – Carol Stream Animal Hospital – 160 W. Elk Trail

Amendment to a Special Use Permit for a Boarding and Kennel Facility (Indoor)

Recommended Approval with Conditions 6-0

The Village Board concurred with Plan Commission’s recommendation.

22-0052 – LiUNA – 1200 Old Gary Avenue

Plat of Consolidation

Recommended Approval 6-0

The Village Board concurred with Plan Commission’s recommendation.

Agreement with GovTempsUSA for Professional Administrative Services:

The Village Board approved a contract with GovTempsUSA to staff the Office Manager position within the Administration Department for the period of January 1, 2023 through December 31, 2023 for a cost of \$90,306.58.

Motion to Award a Bid for the Painting and Minor Repairs to the Gerzevske Lane Water Tower to Jetco, Ltd in the amount of \$507,620.00:

The Village Board approved a contract with Jetco, Ltd. for the Painting and Minor Repairs to the Gerzevske Lane Water Tower in the amount of \$507,620.00.

Motion to Approve a Contract for the Installation of Diffuser Membranes for the WRC with Clean Infusion LLC in the amount of \$175,460:

The Village Board approved a contract with Clean Infusion LLC for the Installation of Diffuser Membranes for the WRC in the amount of \$175,460.00.

Recommendation to Authorize the Purchase of four (4) 2022 Ford F250 Pick-up Trucks from Hainen Ford, Inc. in Tipton, Missouri for an amount not-to-exceed \$199,400:

The Village Board approved the purchase of four (4) 2022 Ford F250 Pick-up Trucks from Hainen Ford, Inc. in Tipton, Missouri for an amount not-to-exceed \$199,400 pursuant to the provisions of Chapter 5, Article 8, Section 5-8-14 of the Carol Stream Code of Ordinances.

Recommendation to Authorize the Purchase of one (1) 2022 Ford F250 Pick-up from Packey Webb Ford in Downers Grove for an amount not-to-exceed \$72,759.32:

The Village Board approved the purchase of one (1) 2022 Ford F250 Pick-up from Packey Webb Ford in Downers Grove for an amount not-to-exceed \$72,759.32 pursuant to the provisions of Chapter 5, Article 8, Section 5-8-14 of the Carol Stream Code of Ordinances.

Recommendation to Authorize the Purchase of one (1) 2022 Ford F250 Pick-up Truck from Joe Rizza Ford in Orland Park for an amount not-to-exceed \$69,956.23:

The Village Board approved the purchase of one (1) 2022 Ford F250 Pick-up Truck from Joe Rizza Ford in Orland Park for an amount not-to-exceed \$69,956.23 pursuant to the provisions of Chapter 5, Article 8, Section 5-8-14 of the Carol Stream Code of Ordinances.

2022-23 GIS Consortium Service Provider Contract:

The Village Board approved a contract with MGP at a cost not to exceed \$155,790.00 pursuant to the provisions of Chapter 5, Article 8, Section 5-8-14(F) of the Carol Stream Code of Ordinances.

Ordinance No. 2022-12-50, An Ordinance Providing for the Levy and Assessment of Taxes in the Amount of \$7,604,461, for the Fiscal Year Beginning May 1, 2022 and Ending, April 30, 2023, of the Village of Carol Stream, DuPage County, Illinois:

The Village Board approved the Levy and Assessment of Taxes in the amount of \$7,604,461 for the Fiscal Year beginning May 1, 2022 and ending April 30, 2023.

Ordinance No. 2022-12-51 Approving an Amendment to a Special Use Permit for Planned Development (Revir Carol Stream, 400 Main Place):

The Village Board approved an Amendment to a Special Use Permit for Planned Development for Revir Carol Stream located at 400 Main Place.

Ordinance No. 2022-12-52 Approving an Amendment to a Special Use Permit for Boarding and Kennel Facility (Carol Stream Animal Hospital, 160 W. Elk Trail):

The Village Board approved an Amendment to a Special Use Permit for Boarding and Kennel Facility for Carol Stream Animal Hospital located at 160 W. Elk Trail.

Ordinance No. 2022-12-53 Granting a six month extension for execution of Ordinance 2022-10-44, which granted approval of an Amendment to a Special Use Permit for a Planned Development and a Rear Yard Building Setback Variation (Tyndale House Ministries, 504 S. Schmale Road):

The Village Board granted a six month extension of the execution date for Ordinance 2022-10-44 to May 31, 2023 with regards to Tyndale House Ministries located at 504 S. Schmale Road.

Ordinance No. 2022-12-54 Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by increasing the number of Class A Liquor Licenses from 15 to 16 for WVVW Stream, Inc. d/b/a Lili Sushi located at 161 S. Schmale Road:

The Village Board approved a Class A liquor license to WVVW Stream, Inc. d/b/a Lili Sushi located at 161 S. Schmale Road.

Ordinance No. 2022-12-55 Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by increasing the number of Class MB Liquor Licenses from 0 to 1 for 206 Brewing Company LLC d/b/a 206 Brewing Company located at 600 E. North Avenue:

The Village Board approved a Class MB liquor license t 206 Brewing Company LLC d/b/a 206 Brewing Company located at 600 E. North Avenue.

Resolution No. 3285 Authorizing a Plat of Consolidation (Chicagoland Laborers District Council Training and Apprenticeship Fund/LiUNA, 1200 and 4N210 Old Gary Avenue, PIN 02-20-300-017 and 02-20-300-005):

The Village Board approved a Plat of Consolidation for Chicagoland Laborers District Council Training and Apprenticeship Fund/LiUNA located at 1200 and 4N210 Old Gary Avenue.

Resolution No. 3286 Approving a Settlement Agreement and Release by and Between the Village of Carol Stream and Carol Stream Holding, LLC., with respect to 2020 AR 1414:

The Village Board approved a settlement agreement with Carol Stream Holding, LLC related to the non-payment of invoices for water services located at 600 E. North Avenue.

Regular Bills and Addendum Warrant of Bills:

The Village Board approved and confirmed prior processing of payment of Regular Bills dated November 21, 2022 in the amount of \$909,192.96. The Village Board approved and confirmed prior processing of the payment of Addendum Warrant of Bills from November 8, 2022 thru November 21, 2022 in the amount of \$657,732.26.

The Village Board approved processing of payment of Regular Bills dated December 5, 2022 in the amount of \$1,389,032.16. The Village Board approved and confirmed prior processing of the payment of Addendum Warrant of Bills from November 22, 2022 thru December 5, 2022 in the amount of \$706,554.33.

Clerk – 2023 Schedule of Meetings:

The Village Board received and approved the 2023 Schedule of Meetings.

Treasurer’s Report:

The Village Board received the Revenue/Expenditure Statements and Balance Sheet for the Month ended October 31, 2022.

NON-CONSENT AGENDA ITEMS:

1. Item G.1. was pulled off the Consent Agenda by Trustee McCarthy in order to allow for a separate discussion of Adult Use Recreational Cannabis Dispensary Zoning and referendum guidance.

Trustee Gieser moved and Trustee Berger made the second to direct staff to prepare a report for Plan Commission/Zoning Board of Appeals’ consideration for adult use recreational cannabis dispensary rezoning as follows:

- *Amend the UDO to list Adult Use Recreational Cannabis Dispensaries as a Special Use in the B-3 District. (Adult Use Recreational Cannabis Dispensaries would be Special Uses in the O-S and B-3 Districts.)*
- *Require the same distance/separation requirements for Adult Use Recreational Cannabis Dispensaries as those that are in place for the retail sale of alcohol, which per 11-2-20 of the Village Code is “not within 100 feet of any church, school, hospital, home for aged or indigent persons or for veterans, their spouses or children, or any military or naval station.”*
- *Amend the UDO such that the code requirements for Adult Use Recreational Cannabis Dispensaries are also applied to medical cannabis dispensaries.*

The results of the roll call vote were as follows:

Ayes: 4 Trustees Berger, Zalak, Gieser and McCarthy

Nays: 2 Trustees Garvey and Frusolone

Abstain: 0

Absent: 0

The motion passed.

Trustee Garvey moved and Trustee Frusolone made the second to direct staff to place a question on recreational cannabis dispensary zoning for the April 4, 2023 ballot.

The results of the roll call vote were as follows:

Ayes: 2 Trustees Garvey and Frusolone

Nays: 4 Trustees Berger, Zalak, Gieser and McCarthy

Abstain: 0

Absent: 0

The motion failed.

2. Item I.7. Amending Chapter 11, Article 2 of the Carol Stream Code of Ordinances by increasing the number of Class V Licenses from 19 to 20 for Silver Oaks Carol Stream, Inc. d/b/a Tracy's Carol Stream located at 1030 Fountain View Drive was pulled off the Consent Agenda by Trustee Garvey in order to register his opposition. *Trustee McCarthy moved and Trustee Gieser made the second to Amend Chapter 11, Article 2 of the Carol Stream Code of Ordinances by increasing the number of Class V Licenses from 19 to 20 for Silver Oaks Carol Stream, Inc. d/b/a Tracy's Carol Stream located at 1030 Fountain View Drive. The results of the roll call vote were as follows:*

Ayes: 5 Trustees Berger, Zalak, Gieser, Frusolone and McCarthy

Nays: 1 Trustee Garvey

Abstain: 0

Absent: 0

The motion passed as Ordinance No. 2022-12-56.

REPORT OF OFFICERS:

Trustee Berger thanked Trustee Frusolone for her apology; recognized Western Trail School crossing guard Roberta Novak on TV honoring 30 years of service and congratulated Roberta on her retirement of 34 years; congratulated staff on the Tree Lighting event and confirmed there will be a Board meeting on December 19th.

Trustee Garvey wished everyone a Merry Christmas and stated Jesus is the reason for the season.

Trustee Zalak thanked Trustee Frusolone for her apology; stated Rotary is having a coat drive at the Municipal Center until January 25th and asked that we keep first responders and the military in our thoughts and prayers.

Trustee Gieser expressed his appreciation for the robust discussion over the last couple of meetings; noted that Christmas Sharing program is next week and thanked Police Department, Social Services and local organizations that have partnered; announced the December holiday decorating contest where nominations can be sent to decoratingcontest@carolstream.org which we already have received over 20 nominations; wished everyone Happy Holidays.

Trustee Frusolone thanked all the residents who came out to the Tree Lighting event and also thanked staff and Park District; complimented the Public Works Truck decorated at the event; reminded residents to be cautious of identity theft; reminded to shop and dine in Carol Stream.

Trustee McCarthy stated that 283 families are signed up for Christmas Sharing and thanked the many groups that have helped including families that have asked to bring toys/personal hygiene donations while visiting and also thanked Social Services for organizing the Christmas Sharing event; explained why Public Works had to purchase trucks from three separate vendors; acknowledged approval of the property tax levy for the Village and Library and explained its importance.

Mayor Saverino stated Village Clerk Schwarze was not in attendance due to her husband being sworn in tonight as District 6 DuPage County Board member.

Assistant to the Village Manager Messino thanked all volunteers, partners and Santa for the successful Tree Lighting event; reminded residents that there is a holiday light recycle bin located outside of the Municipal Center.

Attorney Rhodes gave a legislative update ahead of the upcoming veto session.

Village Manager Mellor informed the Village Board on Ribbon Cuttings for Ant's Auto Repair, 313 S. Schmale Road on December 7th at 9am and Hector's Car Wash, 848 Army Trail Road on December 13th at 4pm.

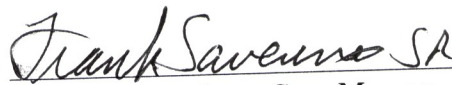
Mayor Saverino wished his wife a Happy 60th Wedding Anniversary; stated Trustee Frusolone is passionate about the Village and will go above and beyond; Thanked staff for the Tree Lighting event; commented on the purchase of the six Public Works trucks.

At 7:54 p.m., Trustee McCarthy moved and Trustee Frusolone made the second to adjourn the meeting to Executive Session to discuss collective negotiating matters pursuant to 5/ILCS 120/2 (c) (2) and the appointment, employment, compensation, discipline, performance or dismissal of a specific employee pursuant to 5 ILCS 120/2 (c) (1), then to adjourn directly from Executive Session. The results of the roll call vote were as follows:

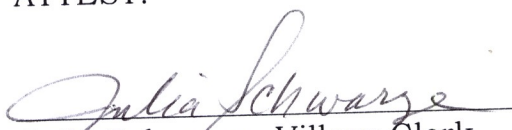
Ayes: 6 Trustees Berger, Garvey, Zalak, Gieser, Frusolone and McCarthy
Nays: 0
Abstain: 0
Absent: 0

The motion passed.

FOR THE BOARD OF TRUSTEES

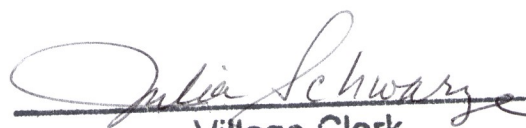

Frank Saverino, Sr., Mayor

ATTEST:


Julia Schwarze, Village Clerk

Minutes approved by the President and Board of Trustees on this

19th day of December, 2022.


Village Clerk