

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

January 16, 2023

Mayor Frank Saverino, Sr. called the Regular Meeting of the Board of Trustees to order at 6:00 p.m. and requested that Village Clerk Julia Schwarze call the roll.

Present: Trustees Jeff Berger, Tom Garvey, John Zalak, Rick Gieser and Matt McCarthy, Village Clerk Julia Schwarze and Mayor Frank Saverino, Sr.

Absent: Trustee Mary Frusolone

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, Chief of Police Bill Holmer, Human Resources Director Caryl Rebholz, Information Technology Director Mark Talavera and Village Attorney Jim Rhodes

ROLL CALL AND PLEDGE OF ALLEGIANCE:

The Mayor and Trustees expressed a final farewell to Assistant to the Village Manager Tia Messino.

MINUTES:

Trustee McCarthy moved and Trustee Zalak made the second to approve the Minutes of the December 19, 2022 Village Board Meeting. The results of the roll call vote were as follows:

Ayes: 4 Trustees Berger, Zalak, Gieser and McCarthy

Nays: 0

Abstain: 1 Trustee Garvey

Absent: 1 Trustee Frusolone

The motion passed.

LISTENING POST:

1. Holiday House Decorating Contest Winners – presented by Trustee Gieser:

*Big Snowball – 490 Silverleaf Blvd. – The Rinaldo Family
Frosty Favorite – 544 Mohican Road – The Zak Family
Judges’ Favorite – 1405 Appomattox Trail – The Kohn Family*

2. Addresses from Audience (3 Minutes).

Online comment from Carol Stream resident Justin Lynch supporting amendment to Zoning Code to expand the adult use recreational cannabis dispensaries with 100 feet buffer – read by Village Clerk Schwarze

Carol Stream VFW Post 10396 Commander Jim Benzin proposed a playground at Town Center with an estimated cost of \$200,000.

CONSENT AGENDA:

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

*Ayes: 5 Trustees Berger, Garvey, Zalak, Gieser and McCarthy
Nays: 0
Abstain: 0
Absent: 1 Trustee Frusolone*

The motion passed.

Trustee McCarthy moved and Trustee Garvey 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: 5 Trustees Berger, Garvey, Zalak, Gieser and McCarthy
Nays: 0
Abstain: 0
Absent: 1 Trustee Frusolone*

The motion passed.

Trustee McCarthy moved and Trustee Zalak 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: 5 Trustees Berger, Garvey, Zalak, Gieser and McCarthy
 Nays: 0
 Abstain: 0
 Absent: 1 Trustee Frusolone

The motion passed.

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

Request to Amend the Village Manager's Employment Contract:

The Village Board approved an amendment to the Village Manager's Employment Contract lowering his life insurance amount from two (2) times his annual salary to \$50,000.

Award of Contract for Fireworks Show on July 1, 2023:

The Village Board approved a contract in the amount of \$30,000.00 with Pyrotecnico Fireworks, Inc. subject to Chapter 5, Article 8, Sections 5-8-14(A) and (B) of the Village of Carol Stream Code of Ordinances.

Resolution No. 3288 to Endorse the Legislative Action Program of the DuPage Mayors and Managers Conference for the 2023 Legislative Session:

The Village Board approved the Legislative Action Program of the DuPage Mayors and Managers Conference for the 2023 Legislative Session.

Resolution No. 3289 Appointing a Delegate and Alternate Delegate to the Intergovernmental Risk Management Agency:

The Village Board approved Assistant Village Manager Joe Carey as the delegate and Human Resources Director Caryl Rebholz as the alternate to the Intergovernmental Risk Management Agency.

Resolution No. 3290 Authorizing Execution of a Financial Reimbursement Intergovernmental Agreement between the Village of Carol Stream and Bloomingdale Township for Mosquito Abatement Services through 2026:

The Village Board approved an Intergovernmental Agreement between the Village of Carol Stream and Bloomingdale Township for Mosquito Abatement Services through 2026.

Resolution No. 3291 Declaring Surplus Property owned by the Village of Carol Stream:

The Village Board declared surplus six (6) designated Public Works vehicles and authorized said vehicles for disposal through auction.

Proposed 2023 Summer Concert Series Line Up:

The Village Board approved the 2023 Summer Concert Series Line Up and directed staff to secure bands and execute contracts.

Proposed 2023 Fall Fest Entertainment:

The Village Board approved the 2023 Fall Fest entertainment and directed staff to schedule and coordinate activities.

Raffle License Application and Amplification Permit Request – Summer Concert Series, single Movie in the Park event, Geek Fest, Fall Fest and Holiday Tree

Lighting:

The Village Board approved a raffle license and waiver of the fee and manager's fidelity bond and approval of an amplification permit with a waiver of the application fee for the 2023 Summer Concert Series, Movie in the Park, Geek Fest, Fall Fest and Holiday Tree Lighting.

Raffle License Application – Medinah Shriners:

The Village Board approved a raffle license and waiver of the fee and manager's fidelity bond for their raffle to be held at American Legion Post 76 on February 19, 2023.

Raffle License Application – American Cancer Society:

The Village Board approved a raffle license and waiver of the fee and manager's fidelity bond for their Bags for Life Tournament to be held at Chrissy's on February 15, 2023 through March 15, 2023.

Raffle License Application – Carol Stream Rotary Club:

The Village Board approved a raffle license and waiver of the fee and manager's fidelity bond for their Ultimate Golf Raffle to be held at the Carol Stream Holiday Inn on February 9, 2023.

Regular Bills and Addendum Warrant of Bills:

The Village Board approved and confirmed prior processing of payment of Regular Bills dated January 3, 2023 in the amount of \$195,311.07. The Village Board approved and confirmed prior processing of the payment of Addendum Warrant of Bills from December 20, 2022 thru January 3, 2023 in the amount of \$726,549.50.

The Village Board approved processing of payment of Regular Bills dated January 16, 2023 in the amount of \$2,200,921.74. The Village Board approved processing of the payment of Addendum Warrant of Bills from January 4, 2023 thru January 16, 2023 in the amount of \$729,391.65.

Treasurer's Report:

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

NON-CONSENT AGENDA ITEMS:

Item F.1.a. Text Amendment to Allow Adult Use Cannabis Dispensaries as a Special Use in the B-3 District was pulled off the Consent Agenda by Trustee Gieser in order to have a separate discussion of distance buffer requirements. Trustee Gieser proposed treating Cannabis Dispensaries the same as Alcoholic Liquor Dealers with a distance buffer requirement of 100 feet from "any place of worship, school, hospital, home for aged or indigent persons or for veterans, their spouses and children, or any military or naval station". Pursuant to a discussion among Village Board members, Trustee Berger moved and Trustee Gieser made the second to modify the Text Amendment to Allow Adult Use Cannabis Dispensaries as a Special Use in the B-3 District by changing the distance buffer requirement from 1,000 feet to 100 feet. The results of the roll call vote were as follows:

<i>Ayes:</i>	<i>4</i>	<i>Trustees Berger, Zalak, Gieser and McCarthy</i>
<i>Nays:</i>	<i>1</i>	<i>Trustee Garvey</i>
<i>Abstain:</i>	<i>0</i>	
<i>Absent:</i>	<i>1</i>	<i>Trustee Frusolone</i>

The motion passed.

Item H.1. Presentation on Phase II of PWC Improvements was pulled off the Consent Agenda by Trustee McCarthy to allow for a separate presentation by Public Works Director Modaff. Upon conclusion of the presentation, the Village Board directed staff to proceed to Phase II engineering and bidding services and return to the Village Board in February with a proposed design/bidding services agreement.

Item I.1. Ordinance Amending Chapter 16 of the Carol Stream Code of Ordinances (Adult Use Cannabis Dispensaries as a Special Use in the B-3 District) was pulled off the Consent Agenda by Trustee Garvey in order to register his opposition. After discussion among Village Board members, Trustee Berger made the motion and Trustee Gieser made the second to approve Amending Chapter 16 of the Carol Stream Code of Ordinances (Adult Use Cannabis Dispensaries as a Special Use in the B-3 District) as modified with a distance buffer requirement of 100 feet from "any place of worship, school, hospital, home for aged or indigent persons or for veterans, their spouses and children, or any military or naval station". The results of the roll call vote were as follows:

<i>Ayes:</i>	<i>4</i>	<i>Trustees Berger, Zalak, Gieser and McCarthy</i>
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Nays: 1 Trustee Garvey

Abstain: 0

Absent: 1 Trustee Frusolone

The motion passed as Ordinance No. 2023-01-01.

Item I.2. Ordinance Amending Chapter 11, Intoxicating Liquor, Article 2, Alcoholic Liquor Dealers of the Village of Carol Stream Code of Ordinances in regards to the Sale of Alcoholic Liquor at Gas Stations was pulled off the Consent Agenda by Trustee Garvey in order to have a separate discussion before the vote. Village Board members questioned the logic of allowing single servings of hard liquor to be sold at gas stations, while prohibiting the sale of single servings of beer. Trustee Gieser made the motion and Trustee McCarthy made the second to amend the proposed Ordinance to remove the provision in sections M.1. and M.2. prohibiting the sale of single servings of beer, and to allow for the sale of single servings of all types of alcoholic beverages including beer, wine and hard liquor. The results of the roll call vote were as follows:

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

Nays: 0

Abstain: 0

Absent: 1 Trustee Frusolone

The motion passed.

Trustee McCarthy made the motion and Trustee Berger made the second to approve the Ordinance Amending Chapter 11, Intoxicating Liquor, Article 2, Alcoholic Liquor Dealers of the Village of Carol Stream Code of Ordinances in regards to the Sale of Alcoholic Liquor at Gas Stations, creating a Class PL license, as amended to allow for the sale of single servings of alcoholic beverages including beer. The results of the roll call vote were as follows:

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

Nays: 0

Abstain: 0

Absent: 1 Trustee Frusolone

The motion passed as Ordinance No. 2023-01-02.

REPORT OF OFFICERS:

Trustee Berger acknowledged Martin Luther King Day, and suggested honoring his memory by doing a little more for our community, helping others and standing up for what's right throughout the year.

Trustee Garvey thanked Assistant to the Village Manager Messino for her exemplary service to Carol Stream; and shared his observation of Martin Luther King's enormous impact on our culture and society.

Trustee Zalak congratulated the winners and thanked the judges and all residents who participated in the recent Holiday Decorating Contest; shared some of the facts he learned about Martin Luther King and read one of his quotes: "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands in time of challenge and controversy"; shared his message to be kind to each other, try to get along, and agree to disagree; and asked that we keep our first responders and military in our thoughts and prayers, especially those police officers who witnessed the recent tragedy at Community Park.

Trustee Gieser congratulated the winners and thanked all participants in the Holiday Decorating Contest who helped make our community brighter this holiday season; shared two of his favorite Martin Luther King quotes: "Life's most persistent and urgent question is, What are you doing for others?" and "We must accept finite disappointment, but never lose infinite hope"; and thanked Assistant to the Village Manager Messino for all she did for our community and wished her the best in her new endeavors.

Trustee McCarthy shared his thoughts on Martin Luther King Day by encouraging everyone to find time to be better to each other; congratulated the winners and thanked the judges and all participants in the Holiday Decorating Contest; reported details on the upcoming Bags for Life Tournament including dates, sponsorships and names of charities being helped; and encouraged everyone to partake in the Bags Tournament, noting that it's not just about raising money, but also creating a sense of community.

Assistant to the Village Manager Messino gave her final report and farewell. She shared that Carol Stream Public Works was her first full-time job, and she thanked Village staff and the Village Board for giving her the opportunity to learn, grow and run with some of her "quirkier inspirations" in her nearly nine years serving our community. She expressed gratitude for the opportunity to be a member of the Carol Stream family.

Village Clerk Schwarze thanked Assistant to the Village Manager Messino for all she has done for Carol Stream and stated that she will be greatly missed; read a favorite Martin Luther King quote: "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that"; reminded residents of the Rotary Club coat drive ending January 26th; gave an update on the Consolidated Election for which early voting starts February 23rd; extended the invitation to join her and husband Greg in a

cleanup of the Carol Stream section of the Great Western Trail on April 29th; and encouraged residents to shop and dine Carol Stream.

Village Attorney Rhodes congratulated Assistant to the Village Manager Messino on her new position; thanked her for her assistance over the years which made his job much easier; and wished her all the best.

Village Manager Mellor offered clarification on video gaming history in Carol Stream: he reported that in 2013 when Carol Stream first implemented video gaming terminals there were 9 facilities having a total of 40 video gaming terminals with revenues of about \$30,000; currently we have 21 facilities with 120 video gaming terminals, and have generated over the last decade total revenue of approximately \$2.2 million.

Mayor Saverino reported the sad news of two longtime Carol Stream residents who passed away last week, and that his wife was taken back to the hospital this morning in serious condition; thanked all the people who decorated for the Holiday Decorating Contest, both winners and losers; commended Public Works for a great presentation tonight; commended the Police Department for their work, especially the officers who witnessed the recent Community Park tragedy; and stated that he is looking forward to the election.

At 8:01 p.m., Trustee McCarthy moved and Trustee Zalak made the second to adjourn the meeting. The results of the roll call vote were as follows:

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


Nays: 0

Abstain: 0

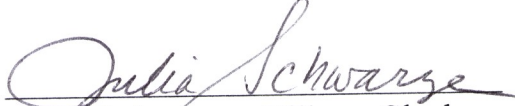
Absent: 1 Trustee Frusolone

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
6th day of FEBRUARY, 2023.



Village Clerk