

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

July 5, 2011

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., Trustees Mary Frusolone, Tony Manzzullo, Don Weiss, Greg Schwarze, Matt McCarthy and Pam Fenner.
Absent: None
Also Present: Village Manager Joe Breinig, Assistant Village Manager Bob Mellor, Village Attorney Jim Rhodes, Assistant Village Attorney Jason Guisinger and Village Clerk Beth Melody

Mayor Saverino, Sr. led those in attendance in the Pledge of Allegiance.

MINUTES:

Trustee McCarthy moved and Trustee Fenner made the second to approve the Regular Board Meeting Minutes of June 20, 2011. The results of the roll call vote were as follows:

Ayes: 5 Trustees Frusolone, Manzzullo, Schwarze, McCarthy & Fenner
Nays : 0
Abstain 1 Trustee Weiss

Trustee Fenner moved and Trustee Manzzullo made the second to approve the Executive Session Meeting Minutes from January 16, 2007 through June 6, 2011. The results of the roll call vote were as follows:

Ayes: 6 Trustees Frusolone, Manzzullo, Weiss, Schwarze, McCarthy & Fenner
Nays : 0

AUDIENCE PARTICIPATION AND PUBLIC HEARINGS:

None

CONSENT AGENDA:

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

Ayes: 6 Trustees Frusolone, Manzzullo, Weiss, Schwarze, McCarthy & Fenner
Nays : 0

Trustee Schwarze moved and Trustee McCarthy made the second to put the following items on the Consent Agenda established for this meeting.

The results of the roll call vote were as follows:

Ayes: 6 Trustees Frusolone, Manzzullo, Weiss, Schwarze,
McCarthy & Fenner

Nays : 0

1. Direct Import Home Décor – 1175 N. Gary Avenue - Special Use Permit – Planned Use Development; Special Use Permit – Shopping Center; Special Use Permit – Retail and Wholesale Sales and Display Rooms and Distribution Facilities; Sign Code Variations – Ground Signs; Gary Avenue Corridor Review; Zoning approvals for the redevelopment of the vacant former Value City property at 1175 N. Gary Avenue.
2. Northern Builders/Temple Inland Corporation – 139 Fullerton Avenue - Special Use Permit – Outdoor Activities and Operations; Variation – Landbanked Parking, Gary Avenue Corridor Review, Zoning approvals for the redevelopment of the vacant Temple-Inland property at 139 Fullerton.
3. McDonalds USA, LLC – 355 S. Schmale Road - Final Plat of Subdivision
4. Award of Consultant Contract Amendment No. 2 for the Southwest Water Main Extension Project.
5. Special Management Area Reviews – Award of Consultant Contract.
6. Award of Consultant Contract – Phase III Construction Services for Kuhn Road Bikeway.
7. Ordinance No. **2011-07-20**, Granting a Special Use for Planned Unit Development, Shopping Center and Retail and Wholesale Sales and Display Rooms and Distribution Facilities, and Approval of a Preliminary/Final Planned Unit Development Plan (Direct Import Home Décor, 1175 N. Gary Avenue).
8. Ordinance No. **2011-07-21**, Approving a Special Use Permit to Allow for Outdoor Activities and Operations in the I Industrial Zoning District and a Variation for Landbanked Parking (Temple Inland Corporation, 139 Fullerton Avenue).
9. Resolution No. **2540**, Approving a Final Plat of Subdivision (McDonald's USA, LLC – 355 S. Schmale Road).
10. Parade and Public Assembly Permit Application.
11. Payment of Regular & Addendum Warrant of Bills

Trustee Weiss 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 Frusolone, Manzzullo, Weiss, Schwarze,
McCarthy & Fenner

Nays : 0

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

Direct Import Home Décor – 1175 N. Gary Avenue:

The Village Board concurred with the Plan Commission recommendation to approve a Special Use Permit for a Planned Use Development; a Special Use Permit for a Shopping Center; a Special Use Permit for a Retail and Wholesale Sales and Display

Rooms and Distribution Facilities; Sign Code Variations for Ground Signs; Gary Avenue Corridor Review; and Zoning approvals for the redevelopment of the vacant former Value City property at 1175 N. Gary Avenue.

Northern Builders/Temple Inland Corporation – 139 Fullerton Avenue:

The Village Board concurred with the Plan Commission recommendation for a Special Use Permit for Outdoor Activities and Operations; a Variation for Landbanked Parking, Gary Avenue Corridor Review, and Zoning approvals for the redevelopment of the vacant Temple-Inland property at 139 Fullerton.

McDonalds USA, LLC – 355 S. Schmale Road:

The Village Board concurred with the Plan Commission recommendation for a Final Plat of Subdivision for McDonalds USA, LLC located at 355 S. Schmale Road.

Award of Consultant Contract Amendment No. 2 for the Southwest Water Main Extension Project:

The Village Board approved the staff recommendation to award amendment No. 2 to the consultant contract for the Southwest Water Main Extension Project to Baxter & Woodman in the amount of \$70,000.00.

Special Management Area Reviews – Award of Consultant Contract:

The Village Board approved the staff recommendation that this contract be awarded to Christopher B. Burke Engineering Ltd. based on the agreement billing rates.

Award of Contract and Waiver of Formal Competitive Bids for Repair of Fuel Island Conduit and Cabling Replacement:

The Village Board approved a staff request for approval of an agreement with Burke, LLC, for design-build services in the amount of \$104,805.00 and waiver of formal, competitive bids.

Award of Consultant Contract – Phase III Construction Services for Kuhn Road Bikeway:

The Village Board approved a staff recommendation to award Phase III Construction consultant contract to TranSystems Corporation for \$76,626.00. Eighty percent of the cost will be reimbursed by the FHWA in CMAQ funds.

Ordinance No. 2011-07-20, Granting a Special Use for Planned Unit Development, Shopping Center and Retail and Wholesale Sales and Display Rooms and Distribution Facilities, and Approval of a Preliminary/Final Planned Unit Development Plan (Direct Import Home Décor, 1175 N. Gary Avenue):

The Village Board approved Ordinance No. 2011-07-20, Granting a Special Use for Planned Unit Development, Shopping Center and Retail and Wholesale Sales and Display Rooms and Distribution Facilities, and Approval of a Preliminary/Final Planned Unit Development Plan for Direct Import Home Décor, 1175 N. Gary Avenue.

Ordinance No. 2011-07-21, Approving a Special Use Permit to Allow for Outdoor Activities and Operations in the I Industrial Zoning District and a Variation for Landbanked Parking (Temple Inland Corporation, 139 Fullerton Avenue):

The Village Board approved Ordinance No. 2011-07-21, Approving a Special Use Permit to Allow for Outdoor Activities and Operations in the I Industrial Zoning District and a Variation for Landbanked Parking for Temple Inland Corporation, 139 Fullerton Avenue.

Resolution No. 2540, Approving a Final Plat of Subdivision (McDonald's USA, LLC – 355 S. Schmale Road):

The Village Board approved Resolution No. 2540, granting a Final Plat of Subdivision for McDonald's USA, LLC – 355 S. Schmale Road.

Parade and Public Assembly Permit Application:

The Village Board approved the parade and public assembly permit application for Kaival Gyan Mandir to conduct a religious walk on Sunday morning, July 31, 2011.

Regular Bills and Addendum Warrant of Bills:

The Village Board approved the payment of the Regular Bills dated July 5, 2011 in the amount of \$129,455.94.

The Village Board approved the payment of the Addendum Warrant of Bills from June 21, 2011 – July 5, 2011 in the amount of \$720,013.98.

Non - Consent Agenda Item:

Bulldog Ale House – 1021 Fountain View Drive:

*Special Use Permit – Outdoor Seating Ancillary to a Restaurant
PUD Plan – Amendment
Gary Avenue Corridor Review*

Trustee Fenner stated she wanted to open this item for discussion and hear comments from the petitioner. General Manager for petitioner Bulldog Ale House, Margie Axelson, presented a modified plan for an outdoor seating area that would not result in the loss of any required parking spaces. Ms. Axelson stated the restaurant is expending tens of thousands of dollars on the patio and cannot afford to lose nine (9) seating areas due to the installation of a sidewalk.

Trustee Frusolone stated although she loves the idea of the patio, she cannot support the revised plan because it takes away the option for pedestrians to use the sidewalk to safely get to their vehicles in the shortest amount of time and it increases pedestrian exposure to traffic in the parking lot. Trustee Frusolone stated her position is based on safety and a concern for children and handicapped persons, especially where there is alcohol being served and not on a desire to limit competition or constrain business. Trustee Weiss stated he whole heartedly supports the revised plan and the efforts of this business to expand. Trustee McCarthy stated that the one of the conditions of the original parking variation granted to the property owner in 2004 stated that if a significant parking shortage comes to exist more intensive uses may need to be restricted. Trustee McCarty stated petitioner could have approached the plan revisions differently and worked with neighboring businesses better but supports the revised plan. Trustee Schwarze stated he is primarily concerned with the business having sufficient parking and he does not anticipate there being a parking shortage at this center based on his assessment of open parking spaces over the past holiday. Petitioner stated that employees would car pool or park remotely if parking for patrons becomes an issue. Trustee Fenner stated she was primarily concerned with the elimination of the existing sidewalk but does not feel Bulldog Ale House is less safe than other establishments at the plaza or at other

shopping centers where patrons travel greater distances through the parking lot. She stated she supports the revised plan.

Trustee Fenner moved and Trustee Weiss made the second to overturn the Plan Commission recommendation and approve the request for a special use permit for outdoor seating ancillary to a restaurant, a PUD plan amendment and parking variations subject to conditions outlined in the revised plan. Village Attorney Rhodes stated that staff requested direction from the Village Board to prepare an ordinance for the next Board meeting

The results of the roll call vote were as follows:

Ayes:	5	Trustees Manzullo, Weiss, Schwarze, McCarthy & Fenner
Nays :	1	Trustees Frusolone

Staff was directed to prepare an ordinance approving this use for the July 18, 2011 Board meeting.

Report of Officers:

Trustee Frusolone stated she enjoyed the Village goal setting process last week with the Village Board and senior Village staff and thanked staff for sharing ideas with the Village Board and commitment to implement the short and long term goals of the Village Board. She also thanked the Public Works and Police Department employees and Police Department volunteers for the extraordinary effort put forth on the July 4th parade and fireworks and thanked the Park District for partnering with the Village on one of the best fireworks shows she has seen. Trustee Manzullo commented that the July 4th fireworks were spectacular and were better and longer than anticipated by many residents considering budget cuts that have been made. Trustee Manzullo thanked parade chair woman Kim Gieser and the entire parade committee for organizing a great parade with limited dollars. The next Village concert will be the Concert for the Troops on July 14th and Trustee Manzullo encouraged attendees to bring non-perishable food and other convenience items to the concert for the troops and asked everyone to pray for and support our troops. Trustee Fenner stated she enjoyed the parade and thanked the parade committee for organizing another great event. Trustee McCarty welcomed the praise for the parade committee as one of its members and commented the predominance of unpaid talent in the parade. He also recognized some of the musical talent of the Village's teen youth that participated in the youth council music fest and invited everyone out to the Thursday night concerts. Trustee Schwarze encouraged residents to thank the Public Works and Police Departments for their hard work on the 4th of July parade and fireworks. Trustee Schwarze commented on the new business activity on tonight's agenda and asked staff to comment on the new and expanding businesses in Carol Stream. Bob Glees commented on the three commercial redevelopment projects approved by the Village Board tonight:

- Home Décor is going into the former Value City with a showroom, warehouse and other tenants.
- Temple-Inland located at the NE corner of Gary Ave. & Fullerton Dr. was scheduled to be vacated. The company has since decided to invest \$80M into a new Research and Development facility and offices at this site.
- McDonalds is permitted for a state of the art remodeling of their Carol Stream restaurant.

- NTA, a large industrial parts manufacturer and Parkway Commons Apartments are both scheduled to invest substantial resources into their new and renovated Carol Stream facilities.

Trustee Schwarze commented that Carol Stream is doing pretty good promoting business, adding jobs and adding sales tax revenue during these difficult economic times. Trustee Schwarze reminded everyone to purchase their vehicle stickers and to shop Carol Stream. He reminded residents that sales tax and vehicle sticker revenues allow the Village to forego a property tax. Trustee Weiss stated the Early School Leaver program is available for persons 17-21 years old who need GED testing and training. The program is funded by DuPage County and will be held at the Tech Center (former Davea Center) 301 Swift Rd., Addison (630-691-7577) on August 24, 2011 at 1:30 p.m. Trustee Weiss wished his daughter Sydney a happy 13th birthday. Mayor Saverino stated the goal for the Relay for Life was to raise \$83,000 and it raised more than \$90,000 for cancer research. He stated he was the starter for the Bud Swanson Memorial Run on June 25th to raise money for the Sarcoma Foundation. Mayor Saverino reminded residents to attend the Concert for the Troops with 7th Heaven on July 14. He thanked Kim Gieser and the parade committee for their efforts on July 4th the Park District for their parade donation and fireworks and Glendale Heights Mayor Linda Jackson for the use of their golf carts for the parade and fireworks. Mayor Saverino applauded the facilitator for the Village's goal setting retreat which allowed staff and the Village Board to work as a team to set goals for the Village. The Village Board made a tough decision tonight on the Bulldog Ale House Plan Commission item. The Village Board does not usually over ride the Plan Commission recommendation but this time it was done in the interest of promoting business

At 8:50 p.m. Trustee McCarthy moved and Trustee Manzullo made the second to adjourn the meeting.

Ayes:	6	Trustees Frusolone, Manzullo, Schwarze, McCarthy & Fenner
Nays :	0	
Absent	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

18th day of July, 2011.

Beth Melody
Village Clerk