

Village of Carol Stream

BOARD MEETING

AGENDA

March 2, 2015

7:30 PM

All matters on the Agenda may be discussed, amended and acted upon

A. ROLL CALL AND PLEDGE OF ALLEGIANCE:

B. MINUTES:

1. Approval of Minutes of the February 17, 2015 Special Meeting of the Village Board Meeting
2. Approval of the Minutes of the February 17, 2015 Village Board Meeting.
3. Approval but not Release of the Executive Session Minutes of the February 17, 2015 Village Board Meeting.

C. LISTENING POST:

1. Year of the Volunteer Spotlight: Mary Heitert, President, Carol Stream Chamber of Commerce.
2. Addresses from Audience (3 Minutes).

D. PUBLIC HEARINGS:

E. SELECTION OF CONSENT AGENDA:

If you are here for an item which is added to the consent agenda and approved, the Village Board has acted favorably on your request.

F. BOARD AND COMMISSION REPORTS:

1. PLAN COMMISSION:

a. #14213 - Village of Carol Stream - 500 N. Gary Avenue
Zoning Code Text Amendment - Limited Outdoor Seating

RECOMMENDED APPROVAL 3-2

A text amendment to Article 9 of the Zoning Code to add a new Section 16-9-2(B)(20) and amend Section 16-9-3(C) to allow limited outdoor seating accessory to a permitted use.

b. #15016 - Village of Carol Stream - 500 N. Gary Avenue
2015 Official Zoning Map

RECOMMENDED APPROVAL 5-0

Approval of the Village's Official Zoning Map as required by state statute to be done annually.

c. #15027 - Village of Carol Stream - 870 W. Army Trail Road
Termination of Special Use Permits

RECOMMENDED APPROVAL 5-0

Termination of the Special Use approvals granted to the property due to failure to commence construction of the approved use and failure to use the property for a period of two months out of any consecutive six month

period.

G. OLD BUSINESS:

H. STAFF REPORTS AND RECOMMENDATIONS:

1. Motion to Authorize the Village Manager to Enroll the Village in Energy Curtailment Specialists Power Pay Program. *Staff recommends enrolling the Village in the Energy Curtailment Specialists Power Pay Program.*
2. 2015 Flexible Pavement Project Award of Contract. *Engineering Staff recommends the 2015 Flexible Pavement Project be awarded to Plote Construction Inc. of Hoffman Estates in the amount of \$2,347,114.31.*
3. Motion to Waive Competitive Bidding and Approve Purchase of Large Water Meters. *Staff recommends waiving competitive bidding and approve the purchase of large water meters from HD Supply in the amount of \$41,129.00.*

I. ORDINANCES:

1. Ordinance No. _____ Amending Chapter 16 of the Municipal Code of the Village of Carol Stream (Zoning Code). *Authorizing Text Amendments to the Zoning Code with regard to Limited Outdoor Seating. See F-1-a.*
2. Ordinance No. _____ Terminating Special Use Permits for Automobile Service Station and Automobile Laundry (Village of Carol Stream – 870 W. Army Trail Road). *Staff recommends approving Terminating Special Use Permits for Automobile Service Station and Automobile Laundry. See F-1-c.*

J. RESOLUTIONS:

1. Resolution No. _____ Authorizing the Execution of an Agreement for Regulation of Parking of Motor Vehicles and Traffic at the Wellington Place Apartment Complex. *Staff recommends approval of the Traffic Agreement for Chang S&S LLP Wellington Place Apartments.*
2. Resolution No. _____ Waiving the thirty day notice requirement for prepayment of the Village of Carol Stream Industrial Revenue Project Bonds (Metals Technology Corporation Project) and authorizing the Mayor to execute certain documents as are necessary to allow for such prepayment and releasing the Village's interest in such project. *Staff recommends approval of prepayment and releasing the Village's interest regarding the Industrial Revenue Project Bonds for Metals Technology Corporation, 120 N. Schmale Road.*
3. Resolution No. _____ Authorizing the Execution of the Official Zoning Map of the Village of Carol Stream. *Staff recommends approval of the Official 2015 Zoning Map. See F-1-b.*

K. NEW BUSINESS:

1. Raffle License Application-Carol Stream Rotary Club. *Request for a raffle license approval and fee waiver for their Chili Open to be held on Friday, May 8, 2015 at the Bartlett Hills Golf Club.*
2. Sound Amplification Permit-Bud's Run 5K. *Request for amplification fee waiver and approval to amplify before 9:00 a.m. for the Bud Swanson Memorial 5K Run/Walk being held at the Ross Ferraro Town Center on Saturday, June 27, 2015.*

3. Raffle License Application-Corpus Christi Catholic Church. *Request for raffle license approval and waiver of fee and Manager's Fidelity Bond for their raffle event on March 14, 2015.*

L. PAYMENT OF BILLS:

1. Regular Bills: February 17, 2015 through March 1, 2015.
2. Addendum Warrants: February 17, 2015 through March 1, 2015.

M. REPORT OF OFFICERS:

1. Mayor:
2. Trustees:
3. Clerk:

N. EXECUTIVE SESSION:

1. Collective Negotiating Matters.

O. ADJOURNMENT:

LAST ORDINANCE 2015-01-01
NEXT ORDINANCE 2015-03-01

LAST RESOLUTION 2776
NEXT RESOLUTION 2777

Village of Carol Stream
Special Meeting of the Village Board
General Fund Budget FY 2015-2016

Gregory J. Bielawski Municipal Center
500 N. Gary Avenue, Carol Stream, IL 60188

February 17, 2015
6:00 p.m. – 7:26 p.m.

Meeting Notes

ATTENDANCE:

Mayor Frank Saverino, Sr.
Trustee Greg Schwarze
Trustee Mary Frusolone
Trustee Rick Gieser
Trustee John LaRocca
Trustee Matt McCarthy
Village Clerk Beth Melody

Joseph E. Breinig, Village Manager
Bob Mellor, Assistant Village Manager
Chris Oakley, Asst. to the Village Manager
John Batek, Finance Director
Jim Knudsen, Director of Engineering
Bob Glees, Dir. of Community Dev.
Ed Sailer, Acting Police Chief
Caryl Rebholz, Emp. Relations Dir.
Phil Modaff, Director of Public Works
Don Bastian, Asst. Comm. Dev. Dir.
Todd Hoppenstedt, Supt. of Operations
Michele Lopez, Office Manager P.W.
Dan Hoffman, Deputy Police Chief
Tom Miller, Police Commander
Jeff Degnan, Police Commander

The meeting was called to order at 6:00 p.m. by Mayor Frank Saverino, Sr. and the roll call read by Village Clerk Melody. The result of the roll call vote was as follows:

Present: Mayor Frank Saverino, Sr., Trustees LaRocca, Gieser, Frusolone, Schwarze, and McCarthy

Absent: Trustee Weiss

General Fund Budget FY 2015-2016

Finance Director Batek led the Village Board in a discussion of the General Corporate Fund FY 2015-16 Budget. Village Manager Breinig stated this is an opportunity for the Village Board to comment on, add to, or take out certain budget components. Public Works Director Modaff then presented the Public Works Department Budget.

The proposed FY15/16 General Fund Budget consisted of the following:

Proposed FY15/16 General Fund Budget Summary

- FY15/16 Budget is Balanced as Proposed
 - Projected Revenues \$ 25,747,000
 - Proposed Expenditures 24,842,000
 - Budgeted Surplus \$ 905,000
- Revenues overall show continued steady growth.
 - 5.4% growth projected over FY14/15 estimated revenues.
 - No other tax / fee increases proposed for FY15/16.
- Total proposed FY15/16 expenditures increase by 4.9% over FY14/15.
 - Net proposed addition of 3.00 FTE new employee positions.
 - Continued focus on Village Board Objectives/Goals from Oct 2013 strategic planning exercise.
- 3 Year Financial Plan shows sustainability.
 - Moderate growth.
 - Budget continues to be sustainable without a Village property tax.
 - Assumes no major fall-out created by the State of Illinois.

No salary adjustments included other than what has been approved in union contracts.

Proposed General Corporate Fund Expenditures by Type
Fiscal Year 15/16 Beginning May 1, 2015

Commodities - \$528,377 (2%)

Capital Outlay - \$1,454,250 (6%)

Contractual Services - \$5,588,875 (22%)

Salaries & Wages - \$17,270,498 (70%)

Total Proposed = \$24,842,000

Draft General Corporate Fund Budget Expenditures
FY15/16 Proposed Compared to FY14/15 Adopted

	Actual FY13/14	Adopted Budget FY14/15	Estimated FY14/15	Proposed Budget FY15/16	FY15/16 proposed to FY14/15 Budget	
Salaries & Wages						
Personal Services	\$ 10,331,201	\$ 11,010,694	\$ 10,690,928	\$ 11,149,393	138,699	1.3%
Overtime	774,281	797,700	918,798	846,300	48,600	6.1%
Group Insurance	1,703,475	1,734,913	1,669,800	1,628,012	(106,901)	-6.2%
IMRF	729,480	749,287	726,957	729,414	(19,873)	-2.7%
FICA	797,600	834,686	818,377	848,301	13,615	1.6%
WC/Unemp. Ins.	306,610	389,916	356,336	363,132	(26,784)	-6.9%
Police Pension	<u>1,551,754</u>	<u>1,651,830</u>	<u>1,651,830</u>	<u>1,705,946</u>	<u>54,116</u>	<u>3.3%</u>
Total Salaries & Wages	16,194,401	17,169,026	16,833,026	17,270,498	101,472	0.6%
Contractual Services	4,800,170	5,083,860	5,061,690	5,588,875	505,015	9.9%
Commodities	473,055	557,754	475,353	528,377	(29,377)	-5.3%
Capital Outlay	<u>434,760</u>	<u>864,360</u>	<u>501,931</u>	<u>1,454,250</u>	<u>589,890</u>	<u>68.2%</u>
Total	<u>\$ 21,902,386</u>	<u>\$ 23,675,000</u>	<u>\$ 22,872,000</u>	<u>\$ 24,842,000</u>	<u>\$ 1,167,000</u>	<u>4.9%</u>

(Group Insurance-decrease due to cost saving plan changes)

(IMRF-Village of Carol Stream IMRF contribution rate decreased from 15% of salaries to 14% - currently IMRF is 70% funded)

(Contractual Services-75% due to asset and operations management software GIS (\$100,000) sales tax rebate (\$120,000) due to increased revenues causing higher rebate.)

(Capital Outlay includes –Information Systems investment-Purchase of PW heavy equipment-VH renovation)

Proposed Regular Employee Staffing by Department (All Funds)
FY15/16 Beginning May 1, 2015

Community Development – 6.50

Engineering – 6.50

Finance – 9.00

Administration – 11.30

Public Works – 31.00

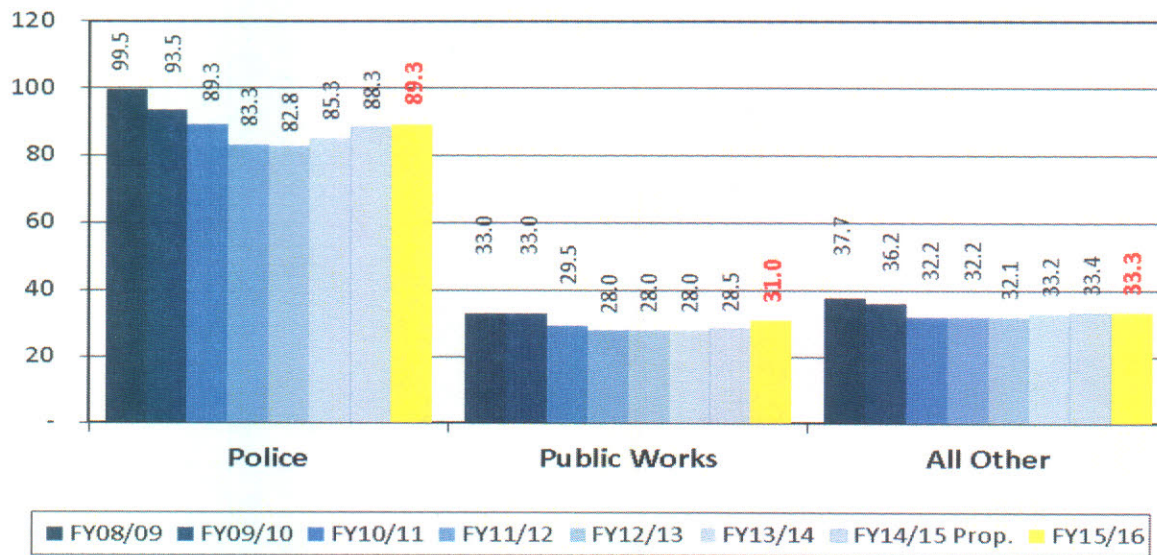
Police – 89.30

Administration includes Village Manager’s Office, Information Systems, Municipal Building, Employee Relations and Village Clerk.

Changes in Proposed Village Staffing FY 15/16

FY14/15 Authorized Positions	150.60
Administration	
- Administrative Secretary (filled w/ contract position)	(1.00)
Information Services	
- Information Services Supervisor	(1.00)
+ Information Services Director	1.00
+ Part-time Information Services Tech.	0.50
Public Works	
+ WSE III - Utility Locator (approved mid-year FY14/15)	1.00
+ Assistant Superintendent of Operations	1.00
+ Part-time Mechanic Helper	0.50
Police Department	
+ Police Officer (SOU)	1.00
 Proposed FY15/16 Authorized Staffing	 153.60
 Net Change from FY14/15	 3.00
% Change from FY14/15	2.0%

Proposed Regular Employee Staffing by Department
Fiscal Year 15/16 beginning May 1, 2015



	FY08/09	FY09/10	FY10/11	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16
Totals	170.20	162.70	150.95	143.50	142.88	146.45	150.6	153.6
% Change		-4.4%	-7.2%	-4.9%	-0.4%	2.5%	2.8%	2.0%
5 Yr. Change								-9.8%

Proposed FY15/16 General Fund Budget – Department Highlights

Administration

- Legislative Board
 - New CATV/PEG Expense (\$32,000) to account for use of PEG fees. FY15/16 Board Room A/V room Upgrades.
- Legal Services
 - 3 Labor contract renewals underway.
- Village Clerk
- Administration
 - Net decrease of 9.9% compared to FY14/15 budget.
 - ❖ Reduced insurance deductibles.
 - ❖ Reduced health costs (contract vs employee)
- Information Systems
 - New IS Director position proposed in lieu of IS Supervisor.
 - Additional PT IS Tech proposed.
 - Detailed assessment of network infrastructure.
 - Agenda management software and paperless agendas.
 - All GIS program services centrally located under IS function.
 - GIS Consortium
 - GIS Consultant – NIU Contract
 - GIS software
 - Network Storage Area Network replacement.
 - Desktop replacements.
 - Security Camera Upgrades (Village Hall and PWC)
- Municipal Building
 - Fountain Repairs
 - Farm House Repairs (siding, soffit, fascia, windows)
 - Village Hall Remodel (carry forward from FY14/15).
 - 10+ years since any significant updates/renovations.
 - Carpet, tile, restrooms, painting, entryways.
 - \$375,000 set aside in each of next 2 years.
- Town Center
 - Continued level of Thursday concert programming.
 - 4th of July Fireworks contribution.

Employee Relations

- Consultant evaluation of our health benefits administration and alternatives / options.
- Organizational Development Initiative.
- Wellness program and incentives.
- Expanded employee recognition opportunities.

Financial Management

- Implementation of integrated accounts receivable system.
- Change-over of credit card terminals to meet EMV requirements by Oct. 2015.
- Deferred equipment purchases (high volume shredder).

Engineering Services

- New Stormwater Management budget program.
- Continued focus on Village infrastructure needs and key role in developing future GIS functionality.
- Implement asset and operations management software solution.

Community Development

- Implementation of a new software solution for the Development Services and Code Enforcement programs that will improve efficiency, enhance tracking and reporting capabilities, and allow for the introduction of online permitting.
- Begin process of digitizing old microfiche/film files and import into document imaging product.
- Comprehensive Plan completion.
- Economic Development initiatives.

Police Department

- Total Budget = 1.7% increase over FY14/15.
- 1 New Police Officer Proposed for FY15/16
 - Tactical Officer assigned to Special Operations Unit.
 - 3 additional sworn positions proposed in year's 2 and 3 of the proposed financial plan.
- In-Car Camera Systems (2 year Replacement)
- In-Car Computer Replacements
- Complete EOC Improvements Grant
- What's not included:
 - Contemplated DuComm Second Facility Costs
 - Body Cameras

Public Works Department

- Streets Budget = 0.7% increase over FY14/15.
- 2.5 FTE Staffing Increase Proposed
 - 1 WSE III – Utility Locator (VB approved 5-19-14)
 - 1 Assistant Superintendent of Operations
 - .5 PT Mechanic Helper
- Increase in Vehicle replacements over prior year
 - \$288,000 proposed (2 large replacement dump/plow trucks) vs \$77,000 in FY14/15 (1 pick-up and 1 dump rehab.)
- Snow & Ice
 - Overtime in CY nearing budgeted amount (\$70K of \$80K budget spent; 90% of that since Jan. 1).
 - Salt conservation update. The Village will be recognized by the Conservation Foundation for our salt conservation efforts in 2013 and as the leader in salt conservation in DuPage County.
 - New control systems for 5 vehicles + 1 additional brine applicator.
 - Replacement of one large (#67) and one small (#40) dump truck = \$288,000
 - Rehab of one large dump truck (#71) = \$48,000

- **Street Maintenance**
 - Equipment purchases:
 - Walk-behind pavement/concrete saw
 - Light tower (replacement)
 - Pavement patching unit (used unit from County DOT)

- **Signs & Lights**
 - Includes annual pavement striping (\$37,000)
 - Four-year regulatory sign replacement (for retro-reflectivity) complete. Next focus on non-regulatory, engineering grade signage
 - In-house staff will replace approximately 50 existing street lights with new LED heads (purchase of lights provided in CIP)

- **Buildings & Grounds**
 - Public Works Center Improvements:
 - Upgrade Door / entry security
 - New roof A/C
 - Recoat North Garage floor
 - Other Equipment
 - Replacement Gators
 - Replacing 1 heavy-duty unit with 2 light-duty
 - Floor Cleaning Machine

- **Storm Water Management**
 - Aerator upgrades to improve maintainability and employee safety
 - Street sweeping with 0% increase
 - Storm sewer supply cost reduced by 2/3 – Engineering will contract for most repairs

- **Parkway Trees**
 - Removing EAB “stragglers” – estimated 100
 - Remove an additional 50 trees (non-EAB) which are dead or diseased.
 - Plant 500 replacement trees (400 spring/100 fall)
 - Costs are trending away from EAB:
 - FY16: EAB and non-EAB roughly equal (\$260,000 total)
 - FY17: EAB only 1/2 of non-EAB (\$175,000 total)
 - FY18: EAB only 1/3 of non-EAB (\$140,000 total)

- **Municipal Garage**
 - Fueling system update. The cost to replace the current underground storage tanks (UST) to above ground storage tanks is \$550,000. Public Works staff is looking at the option of purchasing gas at retail vs. replacing the USTs. The cost to just remove the USTs is approximately \$100,000 plus soil remediation if necessary.
 - Install a new floor surface in the mechanic’s garage.
 - Reconfigure floor space / tool area.
 - Add: Part-time Mechanic Helper

Transfers & Agreements

- Zones rebates enter year 4 of 10.
- Sales tax transfers (50%) to North/Schmale TIF expected to begin in March 2015 following opening of Caputo's in September, 2014.
- Transfers from Geneva Crossing sales expected to continue throughout 3 year plan. Continue to look at paying down remaining debt early.

Another Looming Threat from Springfield

- New Governor showing resolve to fix State's broken finances.
 - Property Tax Relief (2 year freeze).
 - Add Service Tax (Sales Tax).
 - Increased School Funding.
 - Municipal bankruptcy protections.
 - Unfunded mandate and local government consolidation taskforce.
 - Pension Reforms.
- No direct threats on municipal State-shared revenues at present.
- Something has got to give ...

There being no further business, Trustee McCarthy moved and Trustee Gieser made the second to adjourn the Special Board meeting. The meeting was adjourned unanimously at 7:26 p.m.

FOR THE BOARD OF TRUSTEES

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

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

February 17, 2015

Mayor Frank Saverino, Sr. called the Regular Meeting of the Board of Trustees to order at 7:30 p.m. and directed Village Clerk Melody to call the roll.

Present: Mayor Frank Saverino, Sr. and Trustees John LaRocca, Rick Gieser, Mary Frusolone, Greg Schwarze and Matt McCarthy

Absent: Trustee Don Weiss

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 Schwarze moved and Trustee McCarthy made the second to approve the Minutes of the February 2, 2015 Special Meeting of the Village Board. The results of the roll call vote were as follows:

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

Abstain: 0

Absent: 1 Trustee Weiss

The motion passed.

Trustee McCarthy moved and Trustee Frusolone made the second to approve the Minutes of the February 2, 2015 Village Board Meeting. The results of the roll call vote were as follows:

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

Abstain: 0

Absent: 1 Trustee Weiss

The motion passed.

Trustee LaRocca moved and Trustee Frusolone made the second to approve but not release the Minutes of the February 2, 2015 Executive Session Meeting of Village Board. The results of the roll call vote were as follows:

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

Abstain: 0

Absent: 1 Trustee Weiss

The motion passed.

LISTENING POST:

1. Swearing In of Ed Sailer as Chief of Police.
Mayor Saverino swore in Chief of Police Ed Sailer. The Village Board and Village Manager congratulated Chief Sailer on his appointment.
2. Presentation of 2015 Vehicle Sticker Contest Winner.
Trustee Gieser announced the winner of the 2015 vehicle sticker contest, nine year old student from Roy DeShane School, Destiny Acosta who was presented with Culvers gift certificates. The judges and Culvers were thanked for their time and donations.
3. Year of the Volunteer Spotlight: Linda Court, Chairperson, Citizen of the Year Committee.
Trustee Gieser introduced Linda Court, Chairperson, Citizen of the Year Committee in recognition of the Village of Carol Stream declaration of 2015 as a year of the volunteer. 2015 is the 50th anniversary of the citizen of the year event. The Citizen of the Year committee hopes to invite as many past winners to the 2015 banquet. Next month's volunteer spotlight will be Mary Heider from the Carol Stream Chamber of Commerce.
4. Addresses from Audience

PUBLIC HEARINGS:

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

Nays: 0

Absent: 1 Trustee Weiss

The motion passed.

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

Nays: 0

Absent: 1 Trustee Weiss

The motion passed.

1. Fourth of July Parade Donation.
2. Recommendation to Approve a Contract Extension-AAA Concrete Raising Sidewalk Mudjacking Services.
3. Recommendation to Approve a Contract Extension-H&H Electric Company-Emergency Street Light Pole Replacement.
4. Street Sweeping-Hoving Clean Sweep, LLC-Waiver of Bids and Approval of a Two-Year Contract Extension.
5. Motion to Award a Contract for Construction Services for WRC Pumping Station Improvement Project.
6. Motion to Waive Competitive Bidding and Approve a Job Order Contract with Kellogg Brown & Root (KBR) LLC-Emergency Operations Center Electrical Upgrade.
7. Resolution No. 2774 authorizing the Execution of an Agreement for Regulation of Parking of Motor Vehicles and Traffic at the Lakehaven Apartment Complex.

8. Resolution No. 2775 authorizing the Execution of an Agreement for Regulation of Parking of Motor Vehicles and Traffic at Benjamin School District 25.
9. Resolution No. 2776 authorizing the Mayor to execute a Tolling Agreement with the Illinois Municipal Investment Fund.
10. Raffle License Application-Longfellow Elementary School PTA.
11. Payment of Regular & Addendum Warrant of Bills
12. Treasurer's Report for the Month Ended January 31, 2015 received.

Trustee Schwarze moved and Trustee LaRocca 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 LaRocca, Gieser, Frusolone, Schwarze and
McCarthy*

Nays: 0

Absent: 1 Trustee Weiss

The motion passed.

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

Fourth of July Parade Donation:

The Village Board approved payment of resident donations in the amount of \$1,872.53 to the 4th of July Parade Committee.

Recommendation to Approve a Contract Extension-AAA Concrete Raising Sidewalk Mudjacking Services:

The Village Board approved a contract extension for sidewalk mudjacking services for FY 16 in an amount of \$42.00 per sidewalk square.

Recommendation to Approve a Contract Extension-H&H Electric Company-Emergency Street Light Pole Replacement:

The Village Board approved a contract extension for emergency street light pole replacement for FY 16 with a 0% increase.

Street Sweeping-Hoving Clean Sweep, LLC-Waiver of Bids and Approval of a Two-Year Contract Extension:

The Village Board approved waiving competitive bids and a 2 year contract extension with Hoving Clean Sweep with a 0% increase in FY 16 and no more than a 2.5% increase in FY 17.

Motion to Award a Contract for Construction Services for WRC Pumping Station Improvement Project:

The Village Board approved a contract with DPS Equipment Services, Inc. for construction services in the amount of \$349,000.00 for the WRC Pumping Station Improvement Project.

Resolution No. 2774 authorizing the Execution of an Agreement for Regulation of Parking of Motor Vehicles and Traffic at the Lakehaven Apartment Complex:

The Village Board approved a Traffic Agreement for Lakehaven Apartments LLC.

Resolution No. 2775 authorizing the Execution of an Agreement for Regulation of Parking of Motor Vehicles and Traffic at Benjamin School District 25:

The Village Board approved a Traffic Agreement for Benjamin School District 25.

Resolution No. 2776 authorizing the Mayor to Execute a Tolling Agreement with the Illinois Municipal Investment Fund:

The Village Board approved a Tolling Agreement for the purposes of agreeing to work cooperatively to recover the maximum possible proceeds of fraud from First Farmer Financial, LLC.

Raffle License Application-Longfellow Elementary School PTA:

The Village Board approved a raffle license and waiver of fee and fidelity bond for a fundraising raffle to be held on March 21, 2015 at the American Legion Hall.

Regular Bills and Addendum Warrant of Bills:

The Village Board approved the payment of the Regular Bills dated February 17, 2015 in the amount of \$363,797.25. The Village Board approved the payment of the Addendum Warrant of Bills from February 3, 2015 thru February 17, 2015 in the amount of \$767,778.05.

Treasurer's Report for the Month Ended January 31, 2015:

The Village Board received the Treasurer's Report: Revenue/Expenditure Statements and Balance Sheet for the Month Ended January 31, 2015.

Report of Officers:

Trustee Gieser congratulated the new Police Chief Ed Sailer and Destiny Acosta for winning the vehicle sticker contest. He also congratulated the Citizens of the Year award winners: Citizen of the Year-Kirby Williams & Jennifer Hoffman; Special Citizen of the Year-Ron Zak & Leren Halstead Chamberlain; Judges Award-Tom Eby. There will be a Carol Stream 4th of July Parade committee fundraiser at Village Tavern on February 26th.

Trustee Frusolone congratulated the Citizen of the Year award winners and Police Chief Ed Sailer.

Trustee Schwarze congratulated Chief Ed Sailer on his appointment to Police Chief and the Citizens of the Year award winners. He thanked Village Manager Breinig on his Police Chief appointment. Please shop in Carol Stream.

Trustee LaRocca congratulated Chief Sailer and thanked Village Manager Breinig for his appointment selection. He also congratulated Destiny Acosta for winning the 2015 vehicle sticker contest. Please be mindful of others during the cold spell.

Trustee McCarthy also congratulated Police Chief Ed Sailer, Destiny Acosta for winning the 2015 vehicle sticker contest and Citizen of the Year award winners.

Village Clerk Melody also congratulated Police Chief Ed Sailer and Citizen of the Year award winners.

Village Attorney Jim Rhodes congratulated Chief Ed Sailer.

Village Manager Breinig stated 3,800 pounds of Christmas lights were collected and recycled which equates to a \$304 donation to the Christmas Sharing Program. 4,200 pounds of pharmaceuticals were collected from 2012-2014. The Village of Carol Stream is the top pharmaceutical drop off facility in DuPage County. The Village of Carol Stream is the Conservation Foundation's winner of low salt Community Award usage for the 2013-2014 season. The Public Visioning Workshop is scheduled for March 11th at 6:00 p.m. at Fire Station 28 on Kuhn Road to discuss the Comprehensive Plan.

Mayor Saverino reminded residents that dog licenses need to be renewed. Congratulations to Police Chief Ed Sailer and the Citizen of the Year award winners. He also congratulated Destiny Acosta for winning the 2015 vehicle sticker contest and offered to buy Destiny's mom her vehicle sticker for 2015.

At 8:30 p.m. Trustee Schwarze moved and Trustee McCarthy made the second to adjourn the meeting to Executive Session to discuss Section 2.C.2 of the Open Meetings Act, Collective Negotiating Matters. There will be no Village Board action following Executive Session and the meeting will adjourn thereafter. The results of the roll call vote were as follows:

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

Nays: 0

Absent: 1 Trustee Weiss

The motion passed.

FOR THE BOARD OF TRUSTEES

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

**Regular Meeting – Plan Commission/Zoning Board of Appeals
Gregory J. Bielawski Municipal Center, DuPage County, Carol Stream, Illinois**

All Matters on the Agenda may be Discussed, Amended and Acted Upon

February 23, 2015

Chairman Pro-Tem Creighton called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:00 p.m. and directed Secretary Linda Damron to call the roll. The results of the roll call vote were:

Present: Chairman Pro-Tem David Creighton, and Commissioners Dee Spink, John Meneghini, David Hennessey, and Frank Petella.

Absent: Chairman Angelo Christopher and Commissioner James Joseph.

Also Present: Don Bastian, Assistant Community Development Director, Linda Damron, Secretary.

MINUTES:

Commissioner Spink moved and Commissioner Hennessey made the second to approve the minutes of the meeting of October 13, 2014.

Ayes: 3 Chairman Pro-Tem Creighton and Commissioners Spink and Hennessey

Nays: 0

Abstain: 2 Commissioners Meneghini and Petella

Absent: 2 Chairman Christopher and Commissioner Joseph

PUBLIC HEARING:

Commissioner Spink moved and Commissioner Hennessey made the second to open the Public Hearing. The motion passed by unanimous voice vote.

**Case # 14213 – Village of Carol Stream – 500 N. Gary Avenue
Zoning Code Text Amendment – limited Outdoor Seating**

Assistant Community Development Director Bastian stated that the proposed text amendment was on the October 13, 2014 agenda and was tabled at that time; he asked the Plan Commission to make a motion to remove the item from the table and bring it back up for discussion.

Commissioner Meneghini moved and Commissioner Hennessey made the second to remove case # 14213 from the table and bring the case up for discussion. The motion passed by unanimous voice vote.

Chairman Pro-Tem Creighton swore in the witness, Don Bastian, Assistant Community Development Director. Mr. Bastian stated that early in 2014 he asked if the Plan Commissioners would be open to considering certain types of outdoor seating associated with food service uses that could be approved by staff without having to require a special use permit and at that time the Plan Commission said they would be willing to consider such a change. Mr. Bastian stated that since then staff has worked on some zoning text amendments that would accomplish that and they were originally brought to the Plan Commission on October 13, 2014 and at that meeting there

were some questions and items that the Plan Commission identified that they would like to have additional information on.

He stated that the Plan Commission wanted to know what types of business would be able to have a limited outdoor seating area. He stated that the Zoning Code does have a definition (this definition is listed on page 2 in the staff report) of a food service business and the proposed text amendment refers to a food service business as the category use that would be allowed to apply for the limited outdoor seating. He did mention that Commissioners asked at the October 13, 2014 meeting if a convenience store would qualify for this type of use, and Mr. Bastian responded that it would not.

He stated that there was a question as to whether the DuPage County Health Department would require an exterior water spigot. He stated that staff did check with the Health Department and was advised that a water spigot is not required for outdoor dining areas and the Health Department did state they like to see outdoor seating areas establish on a hard surface so the surface can be cleaned and they would inspect the outdoor seating area at the same time they do an inspection of the interior of the food establishment.

He stated that there were questions regarding safety related to the type barriers between the parking lot and the outdoor seating area. He stated that staff would prefer not to put a firm requirement in the zoning code text amendment, but would prefer to allow to staff to review each application and take the specific circumstances of each case into account. He stated that staff is proposing that safety is one of the items that staff will evaluate during the review of the required permit.

He stated that there were some concerns about outdoor furniture storage, and noted that staff has changed the Statement of Compliance to state that the seating area needs to be maintained in a neat, sanitary, orderly and safe manner at all times and that the furniture would be removed and stored indoors during the off-season.

He stated that the text amendments that are proposed would be to have a new permitted use for limited outdoor seating on properties in B-1, B-2 and B-3 Zoning Districts as outlined on page 2 of the staff report. He stated that the use would be subject to a permit submitted to the Community Development Department and clarified that this option would not be available for any type of business that serves alcohol. He stated that staff is proposing a second text amendment to clarify the type of outdoor seating area that would continue to need a special use permit, and that text amendment is listed on page 3 of the staff report.

Chairman Pro-Tem Creighton asked if anyone from the audience had any questions. There were no questions from the audience.

Commissioner Petella wanted to know if establishments like McDonald's that has permanent table, would they need to remove their tables in the winter. Commissioner Petella also wanted to know if staff felt that outdoor seating areas would need to be fenced. Commissioner Petella wanted to know if an applicant was denied a permit would they be able to come before the Plan Commission and ask for a special use permit. Commissioner Petella wanted to know the cost of a request for a special use permit.

Mr. Bastian stated that establishments with permanent tables would not have to remove their tables in the winter. He stated that staff will evaluate the need for fencing during the review of the permit. He stated that an applicant would be able to come before the Plan Commission and ask for a special use permit in the case that staff could not approve a permit. Mr. Bastian stated that there is an \$800.00 fee to request a Special Use Permit.

Commissioner Spink has a concern that leaving it to staff discretion that someone might feel there is favoritism. Commissioner Spink wanted to know if there would be a standard that would determine if a fence or bollards would be required.

Mr. Bastian stated that there will be a Statement of Compliance and if the application meets all the requirements staff will approve the application. He stated that if an additional barrier needs to be provided it would be determined on case by case bases, he stated that staff would review the specific placement of the tables and the drive aisle.

Commission Hennessey did not have any questions.

Commission Meneghini wanted to know if there would be enough space to walk past an outdoor dining area.

Mr. Bastian stated that the establishment would need to comply with the Illinois Accessibility Code.

Chairman Pro-Tem Creighton wanted to know on what basis it is considered that wheel stops would be an adequate deterrent to prevent a store front crash. Chairman Pro-Tem Creighton wanted to know if Taco Real who just had a store front crash last month, if they applied for a permit would they be required to have wheel stops. Chairman Pro-Tem Creighton stated that he was in contact with Mr. Rob Rider who is with the Store Front Safety Council, who is apparently a leading expert when it comes to store front crashes, and I asked him about wheel stops and he said "wheel stops are referred to as launching pads as they cause the front wheels of cars to mount over curbs and up onto sidewalks much more easily than if the wheel hit the curb face directly, as well as being a tripping hazard". Chairman Pro-Tem Creighton stated that some of the research he did suggested that it is because most of the crashes are due to the driver thinking they have their foot on the brake, when it is actually on the accelerator. Chairman Pro-Tem Creighton stated that after doing this research he would not be feel safe sitting at one of the outdoor seating areas.

Mr. Bastian stated that one example that the Plan Commission reviewed at which wheel stops would be sufficient was the case on County Farm Road last year, due to the orientation to the drive aisle. He stated that staff would look at the specifics of each application and apply the measured type of approach and address it. He stated that staff would probably recommend something similar to wheel stops at the Taco Real location. He stated that staff has done research on other communities, and he believes that we will not be less stringent than other communities. He stated that the Engineering Services Department will also be reviewing the plans and will be offering their input on the orientation of vehicles, traffic and the location of the seating area. Mr. Bastian stated that staff is comfortable with the recommendation. Mr. Bastian stated that staff is looking for the Plan Commission to make a recommendation on this case tonight.

Chairman Pro-Tem Creighton stated that he wanted to make a motion to amend the text amendment to the Zoning Code §16-9-2 (B) to include the stipulation that certain establishments with nose in parking and little space between the sitting area and the parking lot be required to have suitable bollards to prevent entry in those sitting areas. He asked for a second.

No one gave a second. The motion failed.

Commissioner Meneghini moved and Commissioner Hennessey made the second to approve the request for Zoning Code Text Amendment for limited Outdoor Seating subject to the recommendations listed in the staff report.

The results of the roll call vote were:

Ayes: 3 Commissioners Meneghini, Hennessey, and Petella
 Nays: 2 Chairman Pro-Tem Creighton and Commissioner Spink
 Abstain: 0
 Absent: 2 Chairman Christopher and Commissioner Joseph

Chairman Pro-Tem Creighton reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on March 2, 2015, at which time the Board would take final action on the matter.

**Case # 15027 – Village of Carol Stream – 870 W. Army Trail Road
 Termination of Special Use Permit**

Mr. Bastian remained sworn in. Mr. Bastian stated that this case is a Village of Carol Stream initiated petition to terminate the prior special use permit for the property at 870 W. Army Trail Road. He stated that in 1981 the property was granted a Special Use Permit to allow the property to be use as an automobile service station, and a Mobil gas station operated on the property until it closed in 2011. He stated that in December 2010 Buchanan Energy acquired all of the Chicagoland convenience store and gas station assets of Exxon Mobil Corporation. In 2012 Buchanan Energy decided to redevelop the property at 870 W. Army Trail Road, and they came forward with a plan for a larger convenience store, new gas pumps and a carwash. He stated that Buchanan Energy did receive approvals to build a new convenience store, gas station and carwash. He stated that after they received their approvals they started talking to the owners of the closed Kentucky Fried Chicken restaurant about purchasing the property. Buchanan Energy thought if they could purchase that property they could have a larger development site. He stated that the negotiations have been going on for a while between the two parties. He stated that the original Special Use termination date was February 6, 2014, and about a year ago Buchanan Energy came and asked for a one year extension of the 2012 Special Use Permit approvals and the extension was granted by the Village Board at that time. He stated that with the extension it resulted in a new Special Use Permit termination date of February 6, 2015. He stated that staff has remained in contact with the owner of Buchanan Energy and they have not been successful in acquiring the former KFC parcel, but have stated that negotiations are heading a good direction, but they have also indicated that they do not have any plans to build per the 2012 plan. He stated that the Zoning Code provides the Village Board with the option to terminate a Special Use Permit under certain circumstances. The circumstances are listed on page 2 of the staff report and this property meets those circumstances. He also stated that staff has a letter from the property owner stating he has no objection to the termination of the Special Use Permit. He stated that the fuel tanks have been removed from the property and the remaining building no longer complies with the current building codes. Mr. Bastian stated the staff is recommending that the Plan Commission and the Village Board should consider terminating the Special Use Permit approvals granted to 870 W. Army Trail Road.

Chairman Pro-Tem Creighton asked if anyone from the audience had any questions. There were no questions from the audience.

Commissioners Meneghini, Hennessey, and Spink did not have any question.

Commissioner Petella wanted to know if the village could have the property owner demolish the building.

Mr. Bastian stated that we would have to have a code based reason in order to ask them demolish the building.

Commissioner Spink moved and Commissioner Petella made the second to approve the request to terminate the Special Use Permit granted to the property located at 870 W. Army Trail Road through Ordinances 8-01-02 and 2012-08-30 subject to the findings and facts provided in the staff report.

The results of the roll call vote were:

Ayes: 5 Chairman Pro-Tem Creighton and Commissioners Spink, Meneghini, Hennessey, and Petella
Nays: 0
Abstain: 0
Absent: 2 Chairman Christopher and Commissioner Joseph

Chairman Pro-Tem Creighton reminded the petitioner that the Plan Commission's recommendation would be forwarded to the Village Board at their next meeting on March 2, 2015, at which time the Board would take final action on the matter.

Commissioner Spink moved and Commissioner Petella made the second to close the Public Hearing. The motion passed by unanimous vote.

PRESENTATION:

**Case # 15016 - Village of Carol Stream - 500 N. Gary Avenue
2015 Official Zoning Map**

Mr. Bastian stated that state statute dictates that the village must publish an updated zoning map by March 31 of each year and the map for 2015 includes the annexations and rezonings that were reviewed by the Plan Commission and approved by the Village Board in 2014.

Commissioner Spink wanted to know if the property at the NWC of County Farm and North Avenue would be annexed into the village.

Mr. Bastian stated that if a business would go onto the property that the village is interested in, staff would recommend that the village annex the property.

Commissioner Hennessey wanted to know what the village boundary is to the west.

Mr. Bastian stated that the boundary would be the forest preserve just west of Fair Oaks Road.

Commissioner Hennessey moved and Commissioner Spink made the second to approve the 2015 Zoning Map.

The results of the roll call vote were:

Ayes: 5 Chairman Pro-Tem Creighton and Commissioner Spink, Meneghini, Hennessey, and Petella
Nays: 0
Abstain: 0
Absent: 2 Chairman Christopher and Commissioner Joseph

NEW BUSINESS:

A. Comprehensive Plan Public Visioning Workshop

Mr. Bastian talked about the second Comprehensive Plan Public Visioning meeting that will be presented by CMAP and will be held on Wednesday, March 11, 2015 at 6:00 p.m. at the Fire District on Kuhn Road. Mr. Bastian stated that the village would like to see as many Plan Commissioners at this meeting as possible.

B. The item under New Business was to discuss the cancellation of the March 9, 2015, Plan Commission meeting.

Commissioner Meneghini moved and Commissioner Spink made the second to cancel the March 9, 2015 Plan Commission meeting.

The motion passed by unanimous vote.

ADJOURNMENT:

At 7:50 p.m. Commissioner Hennessey moved and Commissioner Spink made the second to adjourn the meeting. The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,


Linda Damron
Community Development Secretary


Minutes approved by Plan Commission on this ____ day of _____, 20____.

Chairman Pro-Tem Creighton

Village of Carol Stream
Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Donald T. Bastian, Assistant Community Development Director 

THROUGH: Robert J. Glees, Community Development Director 

DATE: February 24, 2015

RE: **Agenda Item for the Village Board meeting of March 2, 2015**
PC/ZBA Case 14213, Village of Carol Stream, Zoning Code Text Amendment –
Limited Outdoor Seating in the B-1, B-2 and B-3 Business Districts

In recent years, the Community Development Department has looked for opportunities to reduce the need for businesses to obtain formal zoning approvals when an administrative (staff-level) review process would be sufficient to ensure conformance with community standards. One example includes the Zoning Code text amendment that allows for the outdoor display and storage of propane tanks at retail establishments as a permitted use, subject to performance standards, as opposed to requiring a Zoning Code Variation for the outdoor display. Another example was the Zoning Code text amendment that expanded the Community Development Director's authority to approve minor modifications to approved Planned Unit Development plans, as opposed to requiring formal review by the Plan Commission/Zoning Board of Appeals (PC/ZBA) and Village Board.

The Community Development Department periodically receives requests from restaurant and other food service business operators looking to establish outdoor customer seating areas. The Zoning Code currently lists *outdoor seating, ancillary to a restaurant, tavern or similar use* as a Special Use in the B-2 and B-3 Districts. Staff is of the opinion that certain 'low-impact' outdoor seating areas that would comply with specific design and performance standards do not warrant the time and expense of the formal Special Use Permit review and approval process. After receiving initial direction from the PC/ZBA that they were open to considering the matter, staff developed a Zoning Code text amendment that would create a second type of outdoor seating area, referred to as *limited outdoor seating*, which staff could approve through an administrative permit process.

Under the proposed Zoning Code text amendments, any outdoor seating area that would offer the service or consumption of alcoholic beverages would continue to require a Special Use Permit. Further, for any outdoor seating area that could not be approved administratively through the permit process, the applicant would have the option of applying for a Special Use Permit. For limited outdoor seating areas eligible for administrative permit approval, staff would review the installations for compliance with existing Village Codes and requirements, such as the Illinois Accessibility Code, codes regulating noise and lighting, trash collection and other property maintenance standards.

As noted, the proposed text amendment would create two types of outdoor seating areas. The first recommended text amendment, proposed to be added to the Permitted Uses list of the B-1 Local Retail District, is shown below:

(20) Limited Outdoor Seating, subject to the following performance standards and approval by the Community Development Director, or his or her designee:

- (a) Outdoor service or consumption of alcohol is prohibited.
- (b) Seating area shall be ancillary to a restaurant or food service business.
- (c) Seating area shall only be located on a paved pedestrian access area, sidewalk or other hard-surfaced area adjacent to the tenant space.
- (d) The seating area must be located outside of the required setbacks, parking spaces and landscape islands.

With the introduction of the new *limited outdoor seating* use as a permitted use in the B-1, B-2 and B-3 Business Districts, staff also recommends that the existing use entry for outdoor seating that would continue to require a Special Use Permit should be amended to distinguish between the two types of uses. As such, the second recommended text amendment is shown below. The text shown in strikethrough format is proposed to be deleted and replaced with the plain text below.

~~(17) Outdoor seating, ancillary to a restaurant, tavern, or similar use.~~

(17) Outdoor seating, ancillary to a restaurant, tavern, or food service business, including the service and consumption of alcohol, or otherwise not in conformance with the standards for Limited Outdoor Seating set forth elsewhere in this Chapter.


The staff report presenting the draft Zoning Code text amendments was originally transmitted to the Village Board with the PC/ZBA packet on October 10, 2014. At their October 13, 2014, meeting, by a 4-0 vote, the PC/ZBA tabled consideration of the proposed text amendments to allow staff additional time to conduct further research and refinement of the proposed text amendments. The addendum staff report presenting the revised text amendments was transmitted to the Village Board with the PC/ZBA packet on February 20, 2015. At their February 23, 2015, meeting, the PC/ZBA recommended approval of the text amendments by a 3-2 vote. The two PC/ZBA members who did not support of the text amendments expressed safety concerns primarily related to possible vehicle impact of outdoor seating areas, and liability that the Village could be assuming in the event of such an accident.


If the Village Board concurs with the PC/ZBA recommendation regarding the Zoning Code text amendments to add *limited outdoor seating* as a permitted use in the B-1, B-2 and B-3 Business Districts, and to modify the existing text for the type of outdoor seating area that would continue to require Special Use approval in the B-2 and B-3 Districts, they should approve the Zoning Code text amendments and adopt the necessary Ordinance.

DTB:db

Village of Carol Stream
Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Donald T. Bastian, Assistant Community Development Director 

THROUGH: Robert J. Glees, Community Development Director 

DATE: February 24, 2015

RE: **Agenda Item for the Village Board meeting of March 2, 2015**
PC/ZBA Case 15016, Village of Carol Stream, Official 2015 Zoning Map

As required by state statute, the Village must publish a current zoning map by March 31 of each year. Staff has prepared the draft Village of Carol Stream Official Zoning Map for 2015, which includes the Village Board's approval of three annexations, five zoning map amendments (rezoning) and one special use for planned unit development. The map was also revised to correct an error in the zoning classification for the animal hospital property at 565 E. St. Charles Road. Additional detail regarding the changes authorized by the Village Board during 2014 for the 2015 Zoning Map is provided below.

1. Annexation of Parcel 4 of Community Park at 725 Thornhill Drive – Annexation of the Village-owned property commonly known as Parcel 4 at 725 Thornhill Drive. The property was rezoned, upon annexation, to R-1 One-Family Residence District, as properties annexed to the Village are automatically zoned R-1 upon annexation. No rezoning was necessary since public park is a permitted use in the R-1 District. (PIN 05-03-300-016)
2. Special Use for Planned Unit Development for 610 East North Avenue (Grace Plaza) – The Wheaton Christian Church property was approved for a Special Use with Planned Unit Development to redevelop with multiple buildings and uses on the property. (PIN 05-04-200-011)
3. Annexation and Zoning for 252 – 260 County Farm Road – The County Farm Square shopping plaza was annexed to the Village of Carol Stream, and upon annexation, was rezoned to B-2 General Retail District. (PIN 01-36-200-037)
4. Rezoning for 381 Main Place – Zoning change for a commercial property from B-4 Office, Research, and Institutional Building District to B-3 Service District to allow a contractor's office to operate on the property. (PIN 05-04-303-019)
5. Rezoning for Landscape Waste Transfer Station – Zoning change for the proposed Landscape Waste Transfer Station site on Kuhn Road just north of McNees Drive from R-1 One-Family Residence District to B-3 Service District to accommodate a landscape waste transfer facility on the Village-owned property. A PIN will be assigned when the Subdivision Plat is finalized and recorded.
6. Annexation and Zoning for 27W230 North Avenue – DuPage Auto Bath property annexed and rezoned to B-3 Service District. (PIN 01-36-200-036)

7. Rezoning for 120 S. Gary Avenue – Zippy's Car Wash was granted Special Use approval for an automobile laundry at 120 S. Gary Avenue in 2013. The main portion of the car wash site was zoned B-3 Service District. However, the western portion of the White Castle property was proposed to be acquired for the car wash development and rezoned from B-2 General Retail District to B-3 Service District, as reflected on the 2014 Zoning Map. Per Ordinance 2013-06-30, the zoning of the White Castle portion of the property automatically reverts to B-2 General Retail District if the petitioner failed to acquire the titles to both properties. Since Zippy's Car Wash never acquired the title to the property and no longer intends to construct the facility, the zoning for the White Castle property automatically reverts to the B-2 General Retail District as reflected on the map. (PIN 02-32-301-022)

8. Map correction for 565 E. St. Charles – The property at the northeast corner of St. Charles and Schmale Roads at 565 E. St. Charles Road was annexed in 1971 and was rezoned to the then B-4 Service District to allow an animal hospital use on the property. In the 1970s, the Carol Stream Zoning Code was updated and the Service District was renamed from B-4 to B-3 Service District. The zoning for the animal hospital property also should have changed from B-4 to B-3 Service District since there was no change in the use of the property and it was and continues to be a permitted use in the B-3 Service District. The Zoning Map has been corrected to reflect the intended zoning and use of the property as it was originally zoned. (PIN 05-04-202-020)


The staff report and draft zoning map were transmitted to the Village Board with the Plan Commission/Zoning Board of Appeals (PC/ZBA) packet on February 20, 2015. At their February 23, 2015, meeting, the PC/ZBA recommended approval of the Official 2015 Zoning Map by a vote of 5-0.


If the Village Board concurs with the PC/ZBA recommendation, they should approve the Official 2015 Zoning Map and adopt the necessary Resolution.

DTB:db

Village of Carol Stream
Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager

FROM: Donald T. Bastian, Assistant Community Development Director 

THROUGH: Robert J. Glees, Community Development Director 

DATE: February 24, 2015

RE: **Agenda Item for the Village Board meeting of March 2, 2015**
PC/ZBA Case 15027, Village of Carol Stream – 870 W. Army Trail Road
Termination of Special Use Permit Approvals

In 2012, the Village Board adopted Ordinance 2012-08-30, which granted amendments to existing Special Use Permits for *planned unit development* and *automobile service station*, and an additional Special Use Permit for an *automobile laundry* (car wash), for the 0.92-acre property at 870 W. Army Trail Road. The 2012 approvals allowed the new property owner, Buchanan Energy, to redevelop the property with a 4,200 square foot *Bucky's Express* convenience store, gas station with 12 fueling positions and a conveyor-style car wash. The 2012 approvals amended and added to the original Special Use approvals, granted in 1981 through Ordinance 81-01-02, to Exxon Mobil Corporation, which operated a gasoline station on the property until 2011, when the facility closed.

Shortly after receipt of the 2012 approvals, Buchanan Energy commenced negotiations to purchase the 0.68-acre property, originally occupied by a Kentucky Fried Chicken Restaurant (and later Al's Beef), located immediately south of their 870 W. Army Trail Road property. Buchanan's interest in purchasing the KFC property was that it would allow for an expanded site development plan including a larger convenience store. (Amended zoning approvals for the larger redevelopment would be required in the event that Buchanan Energy was successful in acquiring the adjacent property.) Buchanan Energy and the owner of the former KFC property have not yet been able to reach agreement on a sale transaction, but negotiations are ongoing.

In accordance with the process set forth in the Zoning Code, the Village Board may terminate Special Use Permits if the owner fails to commence construction of the approved use within 18 months from and after the date of the granting of the Special Use Permit, and also if, following the issuance of occupancy permits, the owner abandons or otherwise fails to use the property for the purposes permitted by the Special Use for a period of two months out of any consecutive six-month period. Staff notes that both of these circumstances are present with the 870 W. Army Trail Road property. The Zoning Code authorizes the Village Board to grant one year extensions in either circumstance upon written request from the owner, and the Village Board did grant one such extension to Buchanan Energy in February of 2014.

As the expiration of the one-year extension approached, staff contacted Buchanan Energy to advise them of the pending expiration, and advised them that the Special Use approvals were subject to termination in accordance with the process outlined in the Zoning Code. The factors that support termination of the Special Use approvals include:

- Buchanan Energy has stated that they will not move forward with redeveloping the site in accordance with the plans approved under the 2012 Special Use Permit.
- Staff supports Buchanan Energy's efforts to acquire the additional (KFC) property to the south, which would allow for a larger, more spacious and conventional layout for the development. (The plan approved in 2012, while acceptable, required setback relief and was not optimal with respect to traffic circulation or the provision of greenspace.)
- The fuel tanks used in the former operation of the gas station have been removed.
- The building remaining on the property, having been vacant for over two years, is no longer approved for occupancy, and would require comprehensive inspections to determine the improvements that would be needed to bring the building into conformance with the current building codes.

In accordance with the procedure outlined in the Zoning Code, the Village sent via certified mail, return receipt requested, a copy of the public notice to two representatives for Buchanan Energy. Both receipts were signed and returned to the Village. Also as required, at their meeting on February 23, 2015, the Plan Commission/Zoning Board of Appeals (PC/ZBA) conducted a public hearing and prepared a finding of fact and recommendation regarding the termination of the Special Uses. At their meeting, by a vote of 5-0, the PC/ZBA recommended that the Special Use approvals granted to the property at 870 W. Army Trail Road through Ordinances 81-01-02 and 2012-08-30 be terminated.

If the Village Board concurs with the PC/ZBA recommendation regarding the termination of the Special Use Permits for *automobile service station* and *automobile laundry*, they should terminate the Special Use approvals, and adopt the necessary Ordinance.


DTB:db

c: Richard McMahon, Buchanan Energy (via e-mail)

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Village of Carol Stream
Interdepartmental Memo

TO: Joe Breinig, Village Manager

FROM: Philip J. Modaff, Director of Public Works 

DATE: February 25, 2015

RE: Recommendation to Authorize the Village Manager to Enroll the Village in Energy Curtailment Specialists PowerPay Electric Load Shed Program,

Over the past month I have worked with WRC staff to entertain a proposal from representatives of Energy Curtailment Specialists (ECS) regarding their PowerPay Program. This program was established to encourage large electric users to voluntarily reduce electric usage during periods when the regional electric grid is under stress.

ECS was hired by PJM Interconnection to solicit participants in this voluntary program. PJM is a regional transmission organization that coordinates the movement of wholesale electricity in all or parts of 13 states (including Illinois) and the District of Columbia. The PowerPay Program is intended to help relieve stress on the grid in this service area by scaling back demand of major users before the grid suffers an unplanned brown-out or black-out. Participants will earn payment for periods when electric load is actually shed, including an annual test period.

There is a similar program offered through ComEd, but we have declined to participate in the program in the past due to the stricter requirements of that program. The ECS program allows participants to decline participation when called upon, whereas the ComEd program requires that if called upon to shed load a participant must do so. The voluntary nature of the ECS program is attractive for the WRC because if the plant is experiencing heavy influent flow at a time when ECS calls for shedding load, we could simply decline to participate in that opportunity without penalty. The only risk is that if we were to decline to shed load more often than not ECS could decide to terminate our participation.

Working with WRC staff we have determined that the plant could, under normal circumstances, meet a load shed request for the program maximum of six hours by operating existing generators. The Village would receive payment from ECS based upon the kilowatt hours shed and the market value of energy at the time. Enrollment is for a three-year period beginning June 1, 2015, and the performance obligation period is June through September, when electric demand is highest and the potential need is greatest. Based upon our estimates of how much load could be shed at the WRC, and an estimate of market value of energy over the next three years, the Village's participation in a single, six-hour event could result in payment of up to \$13,000 to the Village. Even without any events during the year the Village would still earn a small payment due to the requirement to test our shutdown capability for a one-hour, scheduled period, once per year

It is my recommendation that the Village Board authorize the Village Manager to enroll the Village in the Energy Curtailment Specialist PowerPay Program.



enrollment
form

Company Name: _____ (Hereinafter, "We" or "Our") Utility Zone: _____

Utility Acct #(s): _____

Address: _____ City: _____ Zip: _____

Contact Person: _____ Tel # _____ Fax: _____ Email: _____

We hereby enroll in Energy Curtailment Specialists, Inc. (ECS) PowerPay Program(s) and authorize ECS to be our exclusive demand response provider for all applicable programs offered with PJM Interconnection, LLP (PJM) or utility companies relating to energy, capacity and ancillary services. It is within our authority to curtail electricity usage at our facilities. On an annual basis, ECS will provide us with an addendum setting forth the specific program and program parameters for each year. We have the option of determining whether or not to participate in a selected program any given year. We will provide ECS with all necessary information to register us in any agreed-upon program and for ECS to notify us as required by any program.

Payments for Pre-Emergency and Emergency Programs:

(A.) Capacity Payments: For the Pre-emergency and Emergency programs we will be paid as follows for our reduction: We will receive 70% of the PJM weighted clearing price for all auctions in which ECS has cleared capacity for our zone (Capacity Payment Rate). Payments are made twice a year, prior to December 31st and June 30th. **Capacity Payments are only received for reductions during the Performance Obligation Period.** Capacity Payments are based on our Capacity Payment Rate *multiplied by* our expected reduction *multiplied by* our performance, where:

- a. "Expected reduction" is the expected kW reduction ECS assigns based upon its assessment of our ability to perform. ECS will notify us of the expected reduction. ECS shall reassess our expected reduction periodically and maintains sole discretion in determining our expected reduction;
- b. "Performance" for purposes of this agreement equals our average performance (capped at 100% per hour) over all called event hours during the Performance Obligation Period. If no event is called, our payments will be based on our performance during any required tests.

(B.) Energy Payment: For Energy Payments in the Pre-Emergency and Emergency programs, we will receive \$0.70 per kWh as an energy payment associated with our reduction (based on applicable zonal Locational Marginal Price per kWh), capped at 70% of any payments received. Energy payments are paid prior to June 30th of the following calendar year.

General Terms:

- (1.) We will not be subject to out-of-pocket financial penalties by participating in in any of the Pre-Emergency and Emergency programs; even if we fail to reduce electricity when called.
- (2.) If necessary, ECS will install an interval meter at no cost to us. We understand that ECS retains ownership of this meter and we will cooperate with ECS in the event that ECS wishes to recover its meter if we no longer have an agreement with ECS.
- (3.) For PJM Programs, our participation and payments are contingent upon confirmation of our participation by PJM and the actual sale of our capacity in a PJM auction.
- (4.) If we use a generator to provide all or part of our expected reduction, we represent that we have all Local, State and Federal environmental and use permits required to operate as a demand response resource in the enrolled program(s) and shall operate the generator in accordance with the permits during a PJM grid pre-emergency and/or emergency. We shall maintain the permits during the term of this contract and shall promptly notify ECS if this should change. We will provide ECS with a copy of our permits including any revisions.
- (5.) In order to streamline the registration of our account(s) with PJM or a utility company, we authorize ECS to complete any documents required by either. This includes a Third Party Authorization to allow our utility to release required information to ECS and any forms required so that ECS can install an interval meter if eligible.
- (6.) This Agreement will be effective as of the date we sign this Agreement and will continue for three annual (June 1 through May 31) periods (Term). After the Term, this Agreement shall automatically renew annually unless either we or ECS notifies the other in writing by February 1st. ECS shall determine in its discretion if we qualify for a PJM program or other program and whether we will be registered in the applicable program. In the event that we determine that we are unable to participate in a program, ECS will not register us that year and we will not receive any payments, however this contract will continue to remain in effect and ECS will continue to be our exclusive demand response provider. This Agreement and any Addendums constitute our entire Agreement with ECS and the Agreement may only be modified in writing.

Signature: _____ Title: _____ Date: _____

Signed by ECS: _____ Date: _____





ADDENDUM NO. 1

PARTICIPATION IN ECS POWERPAY! PROGRAM FOR 2015-2016

This Addendum shall be made part of the Agreement between Energy Curtailment Specialists, Inc. and _____
 dated _____.

For the 2015-2016 Program Delivery Year, we agree to participate in the following PowerPay Program (both capacity and energy):

Participating Program:	Summer Limited, Pre-Emergency/Emergency
Program Delivery Year:	2015/16
Performance Obligation Period:	June 1, 2015 to September 30, 2015
Performance Requirements	Reduction must be achieved within 30 minutes based on PJMs notification of an Event
Event Availability:	M-F, 12pm to 8pm, excluding Holidays
Maximum Calls per Period:	10
Event Duration	Maximum of 6-hours per event

We agree to curtail our electricity use during the Performance Obligation Period when we are notified by ECS that PJM has called a Pre-emergency/Emergency Event for our zone. We agree to begin curtailing in sufficient time to meet our Performance Requirements when notified by ECS of an Event call by PJM and we agree to use our best efforts to curtail our usage. If no Pre-Emergency/ Emergency Event is called, we agree to participate in a 1-hour test, as scheduled by ECS. We will be paid as set forth in the Agreement

SIGNED BY THE PARTIES AS FOLLOWS:

CUSTOMER (COMPANY) NAME: _____

By: _____ Date: _____

Print Name: _____ Title: _____

ENERGY CURTAILMENT SPECIALISTS, INC.

By: _____ Date: _____

Village of Carol Stream
 Interdepartmental Memo

TO: Joseph Breinig, Village Manager
FROM: William N. Cleveland, Assistant Village Engineer
DATE: February 26, 2014
RE: **2015 Flexible Pavement Project Award of Contract**

On Wednesday, February 25th at 11:00 AM bids were opened for the referenced project and read aloud. The following is a summary of the bids as read;

<u>Contractor</u>	<u>As Read Bid Amount</u>
Plote Construction, Inc. (Hoffman Estates)	\$2,347,114.31
Arrow Road (Mt. Prospect)	\$2,374,855.40
Hardin Paving (Hillside)	\$2,370,888.88
K-Five Construction (Lemont)	\$2,456,789.01
J.A. Johnson Paving (Arlington Heights)	\$2,465,564.00
R.W. Dunteman Co. (Addison)	\$2,593,011.89
Brother's Asphalt (Addison)	\$2,609,368.20
A-Lamp Concrete (Schaumburg)	\$2,875,595.74
Engineer's Estimate	\$2,656,278.25

A bid irregularity of \$41,792.09 was noted in K-Five's bid, making the actual bid \$2,414,996.92. This had no effect on their placement or the overall bid opening.

The budget is \$2,558,000 for the roads portion of the project, \$80,000 for the Public Works parking lot and \$68,000 for Indianwood Drive paving, totaling \$2,707,000 funded from General Corporate. The low bid is \$358,885.69 (13.3%) under budget and both components of the project (\$2,285,470.15 for roads and \$61,644.13 for the Public Works lot) are under budget. This year's project also includes a large number of streets to be reconstructed versus past projects. These pavements are deteriorated to the point of needing all new asphalt, rather than overlaying existing failed asphalt.

Engineering staff therefore recommends the 2015 Flexible Pavement Project be awarded to Plote Construction, Inc. of Hoffman Estates at the bid unit prices attached.

Attachment

cc: James T. Knudsen, Director of Engineering Services
 Jon Batek, Finance Director
 Phil Modaff, Director of Public Works
 Adam Frederick, Civil Engineer II
 Jim Ludman, Engineering Inspector
 Jesse Bahraini, Engineering Inspector

Village of Carol Stream
Interdepartmental Memo

TO: Joe Breinig, Village Manager
FROM: Philip J. Modaff, Director of Public Works
DATE: February 25, 2015
RE: Motion to Waive Competitive Bidding and Approve Purchase of Large Water Meters

The Water and Sewer Division has recently undertaken an effort to identify potential unaccounted for water loss. One of the primary targets of this effort is large water meters (greater than two-inch) currently in inventory throughout the community, which number approximately three-hundred fifty (350). We are physically inspecting each and every one to verify information as well as flow testing one-third of them each year to insure they are recording accurately. Fifty-six (56) of these meters are an older type of turbo-meter primarily located in multi-family complexes that are not able to be tested due to their design, and for which repair parts are no longer available.

While this style of turbo-meter was originally designed to handle large-volume users, it is also prone to under-recording low flow usage. As a result, the age of the meters, the inability to test them and the possible under-recording of low-flow usage make these meters a potential source of unaccounted for water loss. Recent improvements in metering technology offer better products that provide more accurate readings and offer better options for testing and repairing.

Staff has evaluated the various large meter options and has identified the Sensus Omni compound meter as the most attractive option due to its excellent performance ratings and maintenance history as reported by the American Water Works Association (AWWA). This meter style is compatible with our meter reading equipment and is available for purchase through an authorized sole-supplier located here in Carol Stream (HD Supply). A proposal from HD Supply is attached in the amount of \$41,129.00. Delivery time will be about eight weeks and replacement will be undertaken by in-house staff.¹

It is recommended that the Mayor and Board waive the competitive bidding process and approve the purchase of large water meters from HD Supply in the amount of \$41,129.00.

¹ In addition to the meter purchase from HD Supply we will be making a purchase request at a subsequent Village Board meeting for the automatic meter reading devices (AMR's) and associated hardware needed for installation. This equipment is available through another vendor and is estimated to cost approximately \$30,000.

HDSUPPLY[®]

WATERWORKS

PS Bid #: JCA229307
Job Name: CAROL STREAM METER BID
Location: CAROL STREAM, IL
Customer: VILLAGE OF CAROL STREAM
Engineer:
Bid date: 2/25/15

Salesman: JIM ALWORTH
Branch: HD SUPPLY - CAROL STREAM
Phone: (630) 665-1800
Fax: (630) 665-1887
Mobile: (630) 514-4197

Seq#	Qty	Description	Units	Price	Ext. Price
10	49	2" SENSUS OMNI R2 METER (10" LAY LENGTH OVAL FLG)	EA	455.00	22,295.00
20	98	2" GASKET AND SS B&N'S KIT	EA	6.50	637.00
30	4	2" FLG KIT W/SS B&N'S	EA	45.00	180.00
40	1	6" SENSUS OMNI C2 METER (24" LAY LENGTH)	EA	4,187.00	4,187.00
50	2	6" GASKET AND SS B&N'S KIT	EA	35.00	70.00
60	4	4" SENSUS OMNI C2 METER (20" LAY LENGTH)	EA	2,480.00	9,920.00
70	8	4" GASKET AND SS B&N'S KITS	EA	23.00	184.00
80	3	4" X 0'-4" FLG FILLER	EA	205.00	615.00
90	3	4" GASKET AND SS STUDS KITS	EA	65.00	195.00
100	2	3" SENSUS OMNI C2 METER (17" LAY LENGTH)	EA	1,395.00	2,790.00
110	4	3" GASKET AND SS B&N'S KIT	EA	14.00	56.00

Bid Totals

Sub Total \$41,129.00

Bld Total \$41,129.00

ORDINANCE NO. 2015-03-___

**AN ORDINANCE AMENDING CHAPTER 16 OF THE MUNICIPAL CODE
OF THE VILLAGE OF CAROL STREAM
(ZONING CODE)**

**BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE
VILLAGE OF CAROL STREAM, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE
OF ITS HOME RULE POWERS, as follows:**

SECTION 1: That Chapter 16, Article 9, Section 2 of the Carol Stream Zoning Code is hereby amended as follows:

§ 16-9-2 B-1 LOCAL RETAIL DISTRICT.

(B) *Permitted Uses.*

(20) Limited Outdoor Seating, subject to the following performance standards and approval by the Community Development Director, or his or her designee:

- (a) Outdoor service or consumption of alcohol is prohibited.
- (b) Seating area shall be ancillary to a restaurant or food service business.
- (c) Seating area shall only be located on a paved pedestrian access area, sidewalk or other hard-surfaced area adjacent to the tenant space.
- (d) The seating area must be located outside of the required setbacks, parking spaces and landscape islands.

SECTION 2: That Chapter 16, Article 9, Section 3 of the Carol Stream Zoning Code is hereby amended as follows:

§ 16-9-3 B-2 GENERAL RETAIL DISTRICT.

(C) *Special Uses.*

~~(17) Outdoor seating, ancillary to a restaurant, tavern, or similar use.~~

(17) Outdoor seating, ancillary to a restaurant, tavern, or food service business, including the service and consumption of alcohol, or otherwise not in conformance with the standards for Limited Outdoor Seating set forth elsewhere in this Chapter.

This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 2nd DAY OF MARCH 2015.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

**AN ORDINANCE TERMINATING SPECIAL USE PERMITS FOR
AUTOMOBILE SERVICE STATION AND AUTOMOBILE LAUNDRY
(VILLAGE OF CAROL STREAM - 870 W. ARMY TRAIL ROAD)**

WHEREAS, on January 27, 1981, the President and Board of Trustees of the Village of Carol Stream passed and approved Ordinance 81-01-02, which granted a Special Use Permit for *automobile service station* to allow for the operation of a gasoline station on the parcel of property legally described in Section 1 herein, having a common address of 870 W. Army Trail Road, Carol Stream, Illinois; and

WHEREAS, on August 6, 2012, the President and Board of Trustees of the Village of Carol Stream passed and approved Ordinance 2012-08-30, which granted an Amendment to the Special Use Permit for *automobile service station* and granted a new Special Use Permit for *automobile laundry*, to allow for the redevelopment of the property legally described in Section 1 herein with a Bucky's Express convenience store, automobile fueling facility, and automobile laundry (car wash); and

WHEREAS, in accordance with Section 16-15-8(H) of the Carol Stream Code of Ordinances, a Special Use Permit granted by the Board of Trustees shall be subject to termination in the event that the owner fails to commence construction of the proposed use within 18 months from and after the date of the granting of the permit, and also in the event that following the issuance of occupancy permits, abandonment or other failure to utilize the property for the purposes permitted by the Special Use for a period of two months out of any six month period; and

WHEREAS, in accordance with the procedure set forth in Section 16-15-8(H)(2) of the Carol Stream Code of Ordinances, at a regular meeting on February 23, 2015, the Combined Plan Commission/Zoning Board of Appeals conducted a public hearing to determine whether the conditions under which a Special Use Permit may be subject to termination exist, with public notice of the hearing having been given by newspaper

publication and having been sent to the legal owner of record by certified mail, return receipt requested; and

WHEREAS, at their February 23, 2015, meeting, the Combined Plan Commission/Zoning Board of Appeals found that the conditions under which a Special Use Permit may be subject to termination by the Board of Trustees do exist in this particular case; and

WHEREAS, the Combined Plan Commission/Zoning Board of Appeals has filed its Findings and Recommendations regarding the termination of the Special Use Permits for *automobile service station* and *automobile laundry* with the Mayor and Board of Trustees, and the Mayor and Board of Trustees have duly considered said Findings and Recommendations.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION 1: The Mayor and Board of Trustees of the Village, after examining the Findings and Recommendations of the Combined Plan Commission/Zoning Board of Appeals, have determined and find that, with respect to the termination of the Special Use Permits:

- (1) That the conditions that allow for the termination of a Special Use Permit exist in the case of the property at 870 W. Army Trail Road.
- (2) That the effect of changed conditions involving the building and property are cause for the termination of the Special Use Permits.

SECTION 2: The Special Use Permits granted through Ordinances 81-01-02 and 2012-08-30, to the property legally described below and commonly known as 870 W. Army Trail Road, are hereby terminated.

LEGAL DESCRIPTION:

That part of the northeast ¼ of Section 24, Township 40 North, Range 9, East of the Third Principal Meridian, bounded and described as follows:

Beginning at the intersection of the center line of County Farm Road, according to the highway dedication recorded as Document R79-93602, with the center line of Army Trail Road, according to the highway dedication recorded as Document 453492; thence westerly on the center of said Army Trail Road, 248.60 feet; thence southerly perpendicular to the center line of said Army Trail Road 237.62 feet; thence easterly parallel with the center line of said Army Trail Road, 277.45 feet to a point of intersection with the center line of said County Farm Road; thence northerly on the center line of said County Farm Road; 239.37 feet to the point of beginning (excepting therefrom all that part taken for highway purposes according to documents R79-93602 and 453492) all in DuPage County, Illinois.

SECTION 3: This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form.

PASSED AND APPROVED THIS 2nd DAY OF MARCH, 2015.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION OF
AN AGREEMENT FOR REGULATION OF PARKING OF MOTOR
VEHICLES AND TRAFFIC AT THE WELLINGTON PLACE APARTMENT COMPLEX
IN THE VILLAGE OF CAROL STREAM**

WHEREAS, the Mayor and Board of Trustees of the Village of Carol Stream have determined that it is in the best interest of the Village to enter into an Agreement with Chang S&S LLP Wellington Place Apartments, a Wisconsin Partnership in the form of a traffic and parking enforcement agreement attached hereto as Exhibit "A", and by this reference incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DUPAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the Mayor and Village Clerk of the Village of Carol Stream be and the same are hereby authorized to execute the agreement, in the appropriate form, attached hereto as Exhibit "A" and as approved by the Village Attorney.

SECTION 2: That all resolutions or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, expressly repealed.

PASSED AND APPROVED THIS 2nd DAY OF March, 2015.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk

**AGREEMENT FOR REGULATION OF PARKING OF MOTOR VEHICLES
AND TRAFFIC AT THE WELLINGTON PLACE APARTMENT COMPLEX
IN THE VILLAGE OF CAROL STREAM**

THIS AGREEMENT, made and entered into this 29th day of July 2014, by and between the VILLAGE OF CAROL STREAM, a municipal corporation of the State of Illinois (hereinafter called the "Village") and Chang S&S L.L.P. Wellington Place Apartments, a Wisconsin Partnership (hereinafter called the "Owner")

WITNESSETH:

WHEREAS, Joseph Chang is an owner of the Wellington Place Apartment Complex which controls a parking area located within the limits of the Village, and which is legally described in Appendix A attached to this agreement; and

WHEREAS, Chang S&S L.L.P. desires to enter into an agreement with the Village in order to empower the Village to regulate the parking of motor vehicles and the traffic at such parking area, pursuant to the provisions of Chapter 625 ILCS 5 sections 11-209 & 11-209.1, Illinois Compiled Statutes; and

WHEREAS, The Village Board of Carol Stream and Board of Directors of Chang S&S L.L.P. have authorized the ratification of the terms, provisions, and conditions of the Agreement:

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. The Village hereby agrees to establish and enforce the following regulations within the apartment/condominium complex:
 - a. The maximum speed limit for any vehicle shall be twenty (20) miles per hour.
 - b. Stop signs within the jurisdiction of Carol Stream shall be posted at all exits and the driver of a vehicle emerging from the apartment complex shall stop such vehicle immediately prior to driving onto a sidewalk or street and shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, and upon entering the street or roadway shall yield the right-of-way to all vehicles approaching on said street or roadway;
 - c. The stopping, standing or parking of any motor vehicle on roadway or driveway which lies directly in front of the building located within the apartment/condominium complex shall be prohibited, except that the Owner shall have the right to establish a loading zone not to exceed N/A feet and to be located directly in front of the entrance of the building. If the Owner desires to establish such a loading zone, the Owner shall obtain, erect, and maintain at his own expense, suitable signs for this purpose;

- d. The prohibition of parking by vehicles not driven by or used by handicapped persons in parking spaces designated only for use by the handicapped;
 - e. The standing or parking of any motor vehicle within the apartment complex during the hours of N/A to N/A shall be prohibited, except that any motor vehicle having a decal or sticker issued by the Owner shall not be subject to this restriction;
 - f. The removal and storage of any vehicle parked within the apartment complex which is left unattended for a period of two days or left unattended anywhere within the area covered by this agreement in such a manner as to constitute an obstruction to traffic or where stopping, standing or parking is prohibited. The Village shall have such vehicle removed and impounded where it shall remain until a charge is made for the removal and storage in accordance with ordinance provisions. In the event that the municipality is unable to recover the cost for storing such vehicle, that amount shall be payable by the Owner.
2. The Owner does hereby agree to erect signs consistent with the manual on Uniform Traffic Control Devices for Streets and Highways relating to the aforesaid regulations at the appropriate places within the apartment complex.
 3. The Owner does hereby agree to bear the costs and expenses of obtaining, erecting (consistent with the Manual on Uniform Traffic Control Devices for Street and Highways) and maintaining any and all signs necessary to the enforcement of the aforesaid regulations.
 4. The Owner further agrees to make available at its own expense a distinctive decal or sticker for the use of its employees and other authorized personnel. Such decal or sticker shall be placed on the driver's side rear window of the automobile of said persons for identification purposes.
 5. The Village hereby agrees to regulate the parking of automobiles and the traffic at the apartment complex to enforce the aforesaid regulation.
 6. Where any owner or user of a vehicle shall use or permit the use of a vehicle in a manner contrary to the regulations contained within this agreement the Village will enforce its ordinances and those State Traffic Code provisions listed in Appendix "B" against such person as if the action had taken place on a public highway.
 7. It is mutually agreed that this agreement shall cover a period of one (1) year from the date hereof and shall be self renewing for periods of one (1) year each thereafter, not to exceed a period of 20 years, unless (a) the Village of Carol Stream accepts the dedication of public streets in the development or (b) until canceled by not less than thirty (30) days written notice by either party to the other of its intention to cancel

same, in which case, the agreement shall terminate on the first day of January in the year next following the filing of the cancellation notice.

8. Whenever notice to the Village is required, it shall be addressed to:

Village Clerk, Beth Melody
Village of Carol Stream
500 North Gary Avenue
Carol Stream, Illinois 60188

When notice to the Owner is required, it shall be addressed to:

Chang S&S L.L.P.

P.O. Box 68787

Schaumburg, IL 60168

9. The Owner hereby agrees to release and hold harmless and defend (including the payment of all costs and attorney's fees) the Village, its officers and agents, in connection with any and all action or claims for any loss, damage, personal injury or death occurring as a consequence of the performance of this agreement and shall procure insurance to protect, hold harmless and indemnify the Village pursuant thereto. Such insurance shall be in the minimum amount of one million dollars, and shall be in such form and with such company as shall be approved by the corporate authorities. Neither the amount of the insurance, nor a failure of the insurance company to pay, shall limit the obligation of the owner to hold harmless and defend.

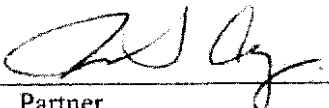
10. In consideration for the performance by the Village of the police services herein specified upon the private property of the Owner, the municipality shall be paid the sum of \$0.00 per month. It is understood between the parties that such compensation is for the extra police services to be performed under this contract and not as a payment for normal police protection. The Municipality shall, in the exercise of its' sole discretion, determine when the press of regular police business shall preclude the furnishing of extra police services under this agreement.

11. The sole remedy available to the Owner, upon any breach of this agreement by the Municipality, shall be the cancellation of the agreement under its terms. It is of the essence of this agreement, that the Municipality shall not be liable in money damages for any breach of this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument by their daily-authorized officers the day and year first above written.

Chang S&S L.L.P.
A Wisconsin Partnership

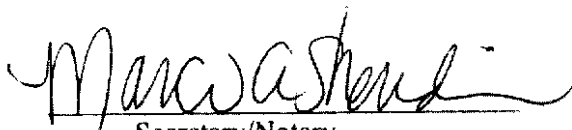
VILLAGE OF CAROL STREAM
A MUNICIPAL CORPORATION
OF THE STATE OF ILLINOIS

By: 
Partner

By: _____
Mayor

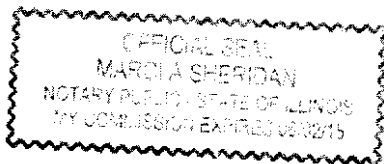
ATTEST:

ATTEST:


Secretary/Notary

Village Clerk

(SEAL)



APPENDIX "A" OF AN AGREEMENT FOR THE
REGULATION OF PARKING OF MOTOR VEHICLES,
THE ENFORCEMENT OF CERTAIN TRAFFIC PROVISIONS
AND THE FURNISHING OF GENERAL POLICE SERVICES.

Property Description:

Address: 140, 142, 148, 150, 152, 154, 156, 158 Quail Run Court
Carol Stream, IL

Property Parcel Number: 02-32-305-039
02-32-305-038
02-32-305-037
02-32-305-036
02-32-305-035
02-32-305-034
02-32-305-033
02-32-305-032
02-32-305-029
02-32-305-028

Legal Description Attached:

APPENDIX "B" OF AN AGREEMENT FOR THE
REGULATION OF PARKING OF MOTOR VEHICLES,
THE ENFORCEMENT OF CERTAIN TRAFFIC PROVISIONS
AND THE FURNISHING OF GENERAL POLICE SERVICES AT:

In addition to the parking or traffic regulation set forth within an "Agreement for the Regulation or Parking of Motor vehicles and Traffic" at 140-158 Quail Run Court; Wellington Place Apartment Complex dated this 13th day of May 2014, the Municipality and the Owner do hereby agree that the following additional sections of Chapter 625 ILCS 5 of the Illinois Compiled Statutes, or such sections may be amended may be enforced upon the subject property:

SECTION 11-202 through 11-206
SECTION 11-305 and 11-306
SECTION 11-309 through SECTION 11-416
SECTION 11-501 through SECTION 11-505
SECTION 11-601 through SECTION 11-611
SECTION 11-701 through SECTION 11-711
SECTION 11-801 through SECTION 11-806
SECTION 11-901 through SECTION 11-908
SECTION 11-1001 through SECTION 11-1011
SECTION 11-1201 through SECTION 11-1205
SECTION 11-1301 through SECTION 11-1306
SECTION 11-1401 through SECTION 11-1428
SECTION 11-1501 through SECTION 11-1515
SECTION 13-100 through SECTION 3-917
SECTION 6-101 through SECTION 6-106
SECTION 6-112 through SECTION 6-113
SECTION 6-301 through SECTION 6-305.1
SECTION 6-500 through SECTION 6-525
SECTION 12-100 through SECTION 12-902
SECTION 13-101 through SECTION 13-115
SECTION 15-101 through SECTION 15-319
SECTION 16-201 through SECTION 16-202

In addition, the Municipality may enforce all provisions of the Code of Ordinances of the Village of Carol Stream which relate to the parking of motor vehicles and the regulation of traffic, which provisions of the Municipal Code are not inconsistent with the provisions of Chapter 625 ILCS 5, Section 11 of the Illinois Compiled Statutes.

Village of Carol Stream
Interdepartmental Memo

TO: Joe Breinig, Village Manager

FROM: AC E. Sailer

DATE: January 28, 2015

RE: The Police Department requests that the Village Board adopt the five traffic enforcement agreements

The Police Department requests that the Village Board adopt the traffic and parking enforcement agreements between the Village and the five listed properties: Benjamin School; Lakehaven Apartments; Klein Creek Condominiums; Wellington Place Apartments; and Northland Mall.

The agreements allow for enforcement of various traffic laws, posting of required traffic enforcement signage, regulations and enforcement of illegally parked and stored vehicles.

KTJKLEIN, THORPE & JENKINS, LTD.
Attorneys at Law20 N. Wacker Drive, Ste 1660
Chicago, Illinois 60606-2903
T 312 984 6400 F 312 984 6444**AGENDA ITEM**
3-2 3-2-15
~~15010 S. Ravinia Avenue, Ste 10~~
Orland Park, Illinois 60462-5353
T 708 349 3888 F 708 349 1506**MEMORANDUM**

**TO: Mayor and Board of Trustees
Joseph Breinig, Village Manager**

FROM: James A. Rhodes, Village Attorney

DATE: February 24, 2015

**RE: A RESOLUTION WAIVING THE THIRTY DAY NOTICE REQUIREMENT
FOR PREPAYMENT OF THE VILLAGE OF CAROL STREAM
INDUSTRIAL REVENUE PROJECT BONDS (METALS TECHNOLOGY
CORPORATION PROJECT) AND AUTHORIZING THE MAYOR TO
EXECUTE CERTAIN DOCUMENTS AS ARE NECESSARY TO ALLOW
FOR SUCH PREPAYMENT AND RELEASING THE VILLAGE'S
INTEREST IN SUCH PROJECT**

In August of 1996, pursuant to the Illinois Industrial Revenue Project Development Bond Act, 65 ILCS 5/11-74-1 et seq., the Village Board adopted a resolution authorizing the issuance of Industrial Revenue Development Bonds for the Metals Technology Corporation Project. This project consisted of the acquisition of land at 120 North Schmale Road and the construction of a building upon that land for the Metals Technology manufacturing facility. The issuance of these Bonds did not constitute any debt of the Village, but rather was a financing vehicle for the construction of the project under the United States tax laws. The Bonds are payable solely from receipts received under a Promissory Note and other financing documents signed by the Borrower (Metals Technology Corporation and 120 North Investments, LLC).

The Bonds provide that the Borrower has the right to prepay the loan and to redeem the Bonds and any time. It must simply give the Village and the Bond Purchaser (Chase Bank) thirty (30) days notice of its intent to prepay. Metals Technology Corporation and 120 North Investments, LLC have negotiated the sale of the stock in the Corporation and the sale of the real property and have indicated that in connection with that transaction they will be paying off the balance of the loan and seeking a redemption of the Bonds. They have requested that the Village waive the thirty day notice provision and have requested the release of the Village's interest as the Issuer of the Bonds.

The attached resolution waives the thirty day notice requirement and authorizes the Village President to sign a release of the Village's interest and to sign such other documents as may be necessary to complete the transaction. The release will be held in escrow by Chicago Title Insurance Company and will be recorded at such time as the loan and the Bonds have been fully paid off. I recommend approval of the Resolution.

RESOLUTION NO. _____

A RESOLUTION WAIVING THE THIRTY DAY NOTICE REQUIREMENT FOR PREPAYMENT OF THE VILLAGE OF CAROL STREAM INDUSTRIAL REVENUE PROJECT BONDS (METALS TECHNOLOGY CORPORATION PROJECT) AND AUTHORIZING THE MAYOR TO EXECUTE CERTAIN DOCUMENTS AS ARE NECESSARY TO ALLOW FOR SUCH PREPAYMENT AND RELEASING THE VILLAGE'S INTEREST IN SUCH PROJECT

WHEREAS, on or about August 19, 1996, pursuant to the Industrial Revenue Project Development Bond Act, 65 ILCS 5/11-74-1 et seq., the Village adopted a resolution authorizing the issuance of up to \$4,711,050 of Industrial Revenue Project Development Bonds for the Metals Technology Corporation Project; and

WHEREAS, in connection with the issuance and sale of the aforementioned Bonds, the Village of Carol Stream entered into the following documents: (a) a Loan Agreement dated as of August 1, 1996, by and among the Village of Carol Stream ("Issuer") and the Borrower (as amended by the First Supplemental Loan Agreement dated as of August 1, 1999, the Second Supplemental Loan Agreement dated August 1, 2004, the Third Supplemental Loan Agreement dated May 19, 2009, the Fourth Supplemental Loan Agreement dated as of April 27, 2012, and the Fifth Supplemental Loan Agreement dated as of April 25, 2014, (the "Loan Agreement"), (b) an Amended and Restated Bond dated August 1, 2004 (the "Bond"), (c) a Promissory Note dated August 29, 1996 executed by Bell Investment Partnership ("Partnership"), as amended by an Amended and Restated Promissory Note, dated August 1, 2004) (d) an Amended and Restated Promissory Note from Metals Technology Corporation ("Company) (as amended by an Amended and Restated Promissory Note dated August 1, 1999 and an Amended and Restated Promissory Note dated August 1, 2004) (e) a Mortgage and Security Agreement dated as of August 1, 1996 from the Partnership to the Issuer (as assigned to First American Bank pursuant to an Assignment and Assumption Agreement dated August 1, 1996 and further assigned to Bank One NA (n/k/a JPMorgan Chase Bank, N.A. as successor by merger to Bank One NA dated August 11, 2004 and as amended by an Amendment to Mortgage recorded on June 28, 2012 and a Second Amendment to Mortgage and Security Agreement recorded on April 29, 2014, (the "Mortgage"), (f) an Assignment of Rents and Leases dated August 1, 1996 (as assigned to First American Bank pursuant to an Assignment and Assumption Agreement dated August 1, 1996 and further assigned to Bank One NA (n/k/a JPMorgan Chase Bank, N.A. as successor by merger to Bank One NA ("Chase") dated August 11, 2004 and as amended by an Amendment to the Assignment of Rents recorded on June 28, 2012 and a Second Amendment to the Assignment of Rents recorded on April 29, 2014, (the "Assignment"); and

WHEREAS, the Bond and Section 4.2 of the Loan Agreement authorizes the Borrower (collectively Metals Technology Corporation and 120 North Investments LLC) to prepay the Bonds and requires the Borrower to provide 30 days written notice to the Village of its intent to prepay the Bonds in full; and

WHEREAS, the Borrower has requested that the Village waive the 30 day notice period required under the Bond and the Loan Agreement to permit the Borrower to prepay the Bonds in full on or about March 5, 2015; and

WHEREAS, the Mayor and Board of Trustees find it to be in the best interests of the Village to waive the thirty (30) day notice period required under the Bond and Loan Agreement and to authorize the Mayor to execute such documents as are necessary to effectuate the prepayment and redemption of the Bonds as set forth herein.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Carol Stream, DuPage County, Illinois, as follows:

SECTION 1:

The above recitals are hereby incorporated herein and made a part of this Resolution, as if fully and completely repeated herein.

SECTION 2:

The Village hereby waives the thirty (30) day notice requirement for prepayment of the Bonds, as contained in the Bond and Section 4.2 of the Loan Agreement.

SECTION 3:

The Mayor is hereby authorized to execute the Release of Mortgage, Assignment Agreement, Assignment of Rents and Leases, UCC Financing Statement and all Amendments thereto in a form substantially similar to the form attached hereto as Exhibit A (the "Release") and to execute such other documents as may be necessary to release any encumbrances the Village may have on the assets of the Borrower which arise solely from the issuance of the Bonds.

SECTION 4:

The Village Clerk is authorized to deliver a certified copy of this Resolution and an original executed Release to the Chicago Title Insurance Company to be held in escrow pending payment in full of the amounts set forth in the Payoff Letter, at which time the Release shall be recorded with the DuPage County Recorder of Deeds.

SECTION 5.

This Resolution shall take effect from and after its adoption and approval in the manner provided by law.

ADOPTED this 2nd day of March, 2015, pursuant to a roll call vote of the Corporate Authorities of the Village of Carol Stream as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this 2nd day of March, 2015 by the Mayor of the Village of Carol Stream.

Frank Saverino, Sr., Mayor

(SEAL)

ATTEST:

Beth Melody, Village Clerk

EXHIBIT A

(Above space for recording information)

THIS INSTRUMENT PREPARED BY:)	Laurie M. Miller, Esq.
)	Ice Miller, LLP
)	2300 Cabot Drive
)	Suite 455
AFTER RECORDING, MAIL TO:)	Lisle, IL 60532

RELEASE OF MORTGAGE, ASSIGNMENT AGREEMENT, ASSIGNMENT OF RENTS AND LEASES, UCC FINANCING STATEMENT AND ALL AMENDMENTS THERETO

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OF DEEDS OR THE REGISTRAR OF TITLES IN WHOSE OFFICE THE MORTGAGE OR DEED OF TRUST WAS FILED.

KNOW ALL MEN BY THESE PRESENTS, that THE VILLAGE OF CAROL STREAM, ILLINOIS, a municipal corporation (the "Village"), and JPMORGAN CHASE BANK, N.A., a national banking association, as successor by merger to Bank One, N.A., (the "Bank"), each, for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby REMISE and RELEASE all the right, title, interest, claim or demand whatsoever which the Village or the Bank may have acquired in the real estate situated in DuPage County, in the State of Illinois legally described in Exhibit "A" attached hereto and made a part hereof (the "Mortgaged Premises") granted by 120 NORTH INVESTMENTS, LLC, an Illinois limited liability company, as successor to Bell Investment Partnership, an Illinois general partnership (the "Mortgagor") in, through or by certain documents listed below and each encumbering the Mortgaged Premises:

<u>Document</u>	<u>Date of Recording in DuPage County, Illinois</u>	<u>Document No.</u>
Mortgage	September 4, 1996	R96-144593
Assignment and Agreement	September 4, 1996	R96-144595
Assignment and Assumption Agreement	August 11, 2004	R2004-214547
Amendment to Mortgage and Security Agreement	June 28, 2012	R2012-083236
Second Amendment to Mortgage and Security Agreement	April 29, 2014	R2014-035359
Assignment of Rents and Leases	September 4, 1996	R96-144594
Amendment to Assignment of Rents and Leases	June 28, 2012	R2012-083237
Amendment to Assignment of Rents and Leases	April 29, 2014	R2014-035360
Financing Statement	September 4, 1996	R96-144596 and R96-2862

Together with all appurtenances and privileges thereunto belonging or appertaining.

[SIGNATURE PAGE TO FOLLOW]

Witness my hand as of this _____ day of March, 2015.

THE VILLAGE OF CAROL STREAM

By: _____
Name: _____
Title: _____

JPMORGAN CHASE BANK, N.A.

By: _____
Name: _____
Title: _____

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public in and for the said County, in the State, aforesaid, DO HEREBY CERTIFY that Frank Saverino, Sr., personally known to me to be the Mayor of THE VILLAGE OF CAROL STREAM, ILLINOIS, whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as Mayor signed and delivered the said instrument to be affixed thereof, as his free and voluntary act and as the free and voluntary act of said association, for the uses and purposes therein set forth.

Given under my hand and seal this 2nd day of March, 2015.

Notary Public

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public in and for the said County, in the State, aforesaid, DO HEREBY CERTIFY that _____, personally known to me to be the _____ of JPMORGAN CHASE BANK, N.A., whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such _____ signed and delivered the said instrument to be affixed thereof, as his or her free and voluntary act and as the free and voluntary act of said association, for the uses and purposes therein set forth.

Given under my hand and seal this ____ day of March, 2015.

Notary Public

LEGAL DESCRIPTION

LOT 1 IN METALS TECHNOLOGY CORP. PHILLIPS COURT CONSOLIDATION, A
SUBDIVISION OF PART OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 33,
TOWNSHIP 40 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN,
ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 30, 1995, AS
DOCUMENT R95-168286.

COMMONLY KNOWN AS: 120 N. SCHMALE ROAD
 CAROL STREAM, ILLINOIS 60188

PERMANENT INDEX NO.: 02-33-301-025

MELTZER, PURTILL & STELLE LLC

ATTORNEYS AT LAW

File Number: 34090-004
Direct Dial: 847-330-2409 (Schaumburg Office)
E-mail: shgoodman@mpsllaw.com

MPS LAW

SCHAUMBURG • CHICAGO
1515 EAST WOODFIELD ROAD
SECOND FLOOR
SCHAUMBURG, ILLINOIS 60173-5431
TELEPHONE (847) 330-2400
FACSIMILE (847) 330-1231

300 SOUTH WACKER DRIVE
SUITE 2300
CHICAGO, ILLINOIS 60606-6704
TELEPHONE (312) 987-9900
FACSIMILE (312) 987-9854

www.mpsllaw.com

February 23, 2015

VIA EMAIL AND OVERNIGHT MAIL

James A. Rhodes
Klein, Thorpe & Jenkins, Ltd.
20 N. Wacker Drive
Suite 1660
Chicago, Illinois 60606-2903
jarhodes@ktjllaw.com

Laurie Miller
Ice Miller LLP
2300 Cabot Drive
Suite 455
Lisle, Illinois 60532
Laurie.Miller@icemiller.com

Village of Carol Stream
500 Gary Avenue
Carol Stream, Illinois 60188
Attention: Village President

Chelsea Hollenkamp
JPMorgan Chase Bank, N.A.
10 S. Dearborn St., 35th Floor
Mail Code IL1-1238
Chicago, Illinois 60603
Chelsea.e.hollenkamp@chase.com

**Re: Payoff of Bond and Loan Obligations of Metals Technology Corporation and
120 North Investments, LLC**

To Whom it May Concern:

The owners of Metals Technology Corporation ("Company") and 120 North Investments, LLC ("LLC," and together with the Company, "Borrower") are in the process of negotiating a sale of the stock of Metals Technology Corporation as well as a sale of the real property located at 120 North Schmale Road, Carol Stream, IL (the "Property") (the "Sale").

In connection with the Sale, Borrower wishes to pay in full all of the obligations under (i) that certain Loan Agreement dated as of August 1, 1996, by and among the Village of Carol Stream ("Issuer") and the Borrower (as amended by that certain First Supplemental Loan Agreement dated as of August 1, 1999, that certain Second Supplemental Loan Agreement dated August 1, 2004, that certain Third Supplemental Loan Agreement dated May 19, 2009, that Fourth Supplemental Loan Agreement dated as of April 27, 2012, and that certain Fifth Supplemental Loan Agreement dated as of April 25, 2015, the "Loan Agreement"), (ii) the

Amended and Restated Bond dated as of August 1, 2004 (the "Bond"), (iii) that certain Promissory Note dated August 29, 1996 executed by Bell Investment Partnership ("Partnership," predecessor to LLC via conversion) (as amended by that certain Amended and Restated Promissory Note, dated August 1, 2004) (the "Partnership Note"), (iv) that certain Amended and Restated Promissory Note from Company to the Issuer (as amended by that certain Amended and Restated Promissory Note dated August 1, 1999 and that certain Amended and Restated Promissory Note dated August 1, 2004) (the "Company Note, and together with the Partnership Notes, the "Bond Notes"), (iv) that certain Mortgage and Security Agreement dated as of August 1, 1996 from the Partnership to the Issuer (as assigned to First American Bank pursuant to that certain Assignment and Assumption Agreement dated August 1, 1996 and further assigned to Bank One NA (n/k/a JPMorgan Chase Bank, N.A. as successor by merger to Bank One NA dated August 11, 2004 and as amended by that certain Amendment to Mortgage recorded on June 28, 2012 and that certain Second Amendment to Mortgage and Security Agreement recorded on April 29, 2014, the "Mortgage"), (v) that certain Assignment of Rents and Leases dated August 1, 1996 (as assigned to First American Bank pursuant to that certain Assignment and Assumption Agreement dated August 1, 1996 and further assigned to Bank One NA (n/k/a JPMorgan Chase Bank, N.A. as successor by merger to Bank One NA ("Chase") dated August 11, 2004 and as amended by that certain Amendment to Assignment of Rents recorded on June 28, 2012 and that certain Second Amendment to Assignment of Rents recorded on April 29, 2014, the "Assignment"), (vi) that certain Amended and Restated Security Agreement dated April 27, 2012 (as amended from time to time) by and among Chase and Metals, (vii) that certain Loan and Security Agreement dated December 10, 2012 between Chase and Lender (the "LSA"), (viii) that certain Interim Promissory Note dated December 10, 2012 between Chase and Lender in the original principal amount of \$1,200,000 (the "Interim Note," and together with the Bond Notes, the "Notes"), (ix) that certain Amended and Restated Individual Guaranty Agreement from each of John Bell, Thomas J. Bell, Jerome Bell, Jr. (together, the "Individual Guarantors") dated as of April 27, 2012, as amended from time to time (together, the "Individual Guaranties"), (x) that certain Amended and Restated Corporate Guaranty Agreement from the Partnership (the "Corporate Guarantor," and together with the Individual Guarantor, the "Guarantors") dated as of April 27, 2012, as amended from time to time (including that certain Fifth Supplemental Loan Agreement dated as of April 25, 2015 that made the LLC the guarantor) (the "LLC Guaranty," and together with the Individual Guaranties, the "Guaranties") and (xi) any other documents executed by the Partnership, the Company, the Borrower, John Bell, Thomas J. Bell, or Jerome Bell, Jr. evidencing the obligations of those parties under the Loan Agreement, the Credit Agreement, the LSA, the Bond, the Guaranties or the Notes or any security granted to the Issuer or its assignees thereunder, including without limitation any security interest in the Property (together, the "Loan Documents").

By way of this Letter, the Borrower gives notice that it intends to pay in full all of the obligations under the Bond and the other Loan Documents. Borrower is aware that the Bond and the Loan Agreement require the Borrower to provide 30 days written notice to the Issuer and the Bank in

connection with payment in full of the Bond. In connection with this notice, Borrower specifically requests that (i) Chase and the Issuer waive the 30 day notice period required under the Bond and the Loan Agreement to permit the Borrower to pay in full all obligations under the Loan Documents on or about March 5, 2015, (ii) Chase issue a payoff letter (a) setting forth the amounts needed to pay the obligations under the Loan Documents in full on March 5, 2015 with the appropriate per diem, (b) authorizing the Borrower or its designee to release the UCC financing statements on file with the Secretary of State of Illinois, (c) releasing the Borrowers and the Guarantors from all obligations under the Loan Documents upon payment in full of the amounts set forth in such payoff letter (the "Payoff Letter"), and (d) authorizing the release of its security interest in the Property upon payment as provided therein, (iii) the Issuer, at its March 2, 2015 regular meeting of the Mayor and Board of Trustees, adopt a resolution authorizing (a) the Issuer waive the 30 day notice requirement for payment of the Bond, and (b) the Mayor to execute the Release of Mortgage, Assignment Agreement, Assignment of Rents and Leases, UCC Financing Statement and all Amendments thereto in a form substantially similar to the form attached hereto as Exhibit A (the "Release"), and any other documents necessary to release any encumbrances the Issuer has on the assets of the Borrower, and (iv) Chase and the Issuer deliver an original executed Release to the title company to be held in escrow pending payment in full of the amounts set forth in the Payoff Letter, at which time the Release shall be recorded in DuPage County Recorder of Deeds.

Borrower agrees that it will pay in full all fees and expenses of the Issuer, the Bank, and their counsel in connection with the requested payoff and associated releases. Please provide us with the requisite invoices and wire information so that we may provide the same to the title company for payment at the closing of the Sale.

Should you have any questions or if you are unable to comply with any of the requests set forth in this letter please contact me at 847-330-2409.

Sincerely,

MELTZER, PURTILL & STELLE LLC



Steven H. Goodman

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE EXECUTION OF THE
OFFICIAL ZONING MAP OF THE VILLAGE OF CAROL STREAM**

WHEREAS, the Illinois Compiled Statutes (65 ILCS 5/11-13-19) require the corporate authorities to publish a map clearly showing the zoning classification of all land within the municipality, including all changes that occurred within the preceding calendar year, no later than March 31 of each year; and

WHEREAS, at their meeting on February 23, 2015, the Combined Plan Commission and Zoning Board of Appeals reviewed and recommended approval of the 2015 Official Zoning Map for the Village of Carol Stream.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION 1: That the Mayor is authorized to execute and the Village Clerk to attest **The Official Zoning Map of the Village of Carol Stream**, a map prepared using base parcel data provided by the DuPage County Mapping Department, dated March 2015, such document being attached to and made a part of this Resolution.

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED THIS 2nd DAY OF MARCH 2015.

AYES:

NAYS:

ABSENT:

Frank Saverino, Sr., Mayor

ATTEST:

Beth Melody, Village Clerk



Carol Stream
© 1996 Village of Carol Stream

Village of Carol Stream

Official Zoning Map

March 2015

LEGEND

Residential Districts

- R-1 One-Family Residential District
- R-2 Two-Family Residential District
- R-3 Three-Family Residential District
- R-4 Single-Family Attached District

Business Districts

- B-1 Local Retail District
- B-2 Neighborhood Center
- B-3 Business District
- B-4 Office, Research, and Institutional Building District

Industrial Districts

- I-1 Intermediate
- I-2 High Research and Development

Agricultural Districts

- A-1 Agriculture District

Other Districts

- OP-1 Open Space
- CP-1 Community Park
- CP-2 Community Park
- CP-3 Community Park
- CP-4 Community Park
- CP-5 Community Park
- CP-6 Community Park
- CP-7 Community Park
- CP-8 Community Park
- CP-9 Community Park
- CP-10 Community Park
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- CP-48 Community Park
- CP-49 Community Park
- CP-50 Community Park

Special Use Districts

- SU-1 Special Use District
- SU-2 Special Use District
- SU-3 Special Use District
- SU-4 Special Use District
- SU-5 Special Use District
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- SU-7 Special Use District
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- SU-43 Special Use District
- SU-44 Special Use District
- SU-45 Special Use District
- SU-46 Special Use District
- SU-47 Special Use District
- SU-48 Special Use District
- SU-49 Special Use District
- SU-50 Special Use District

STATE OF ILLINOIS
COUNTY OF DUPAGE

THIS MAP CORRECTLY SHOWS THE ZONING OF THE VILLAGE OF CAROL STREAM, PASSED AND APPROVED BY:

DATE: _____

ATTEST: _____

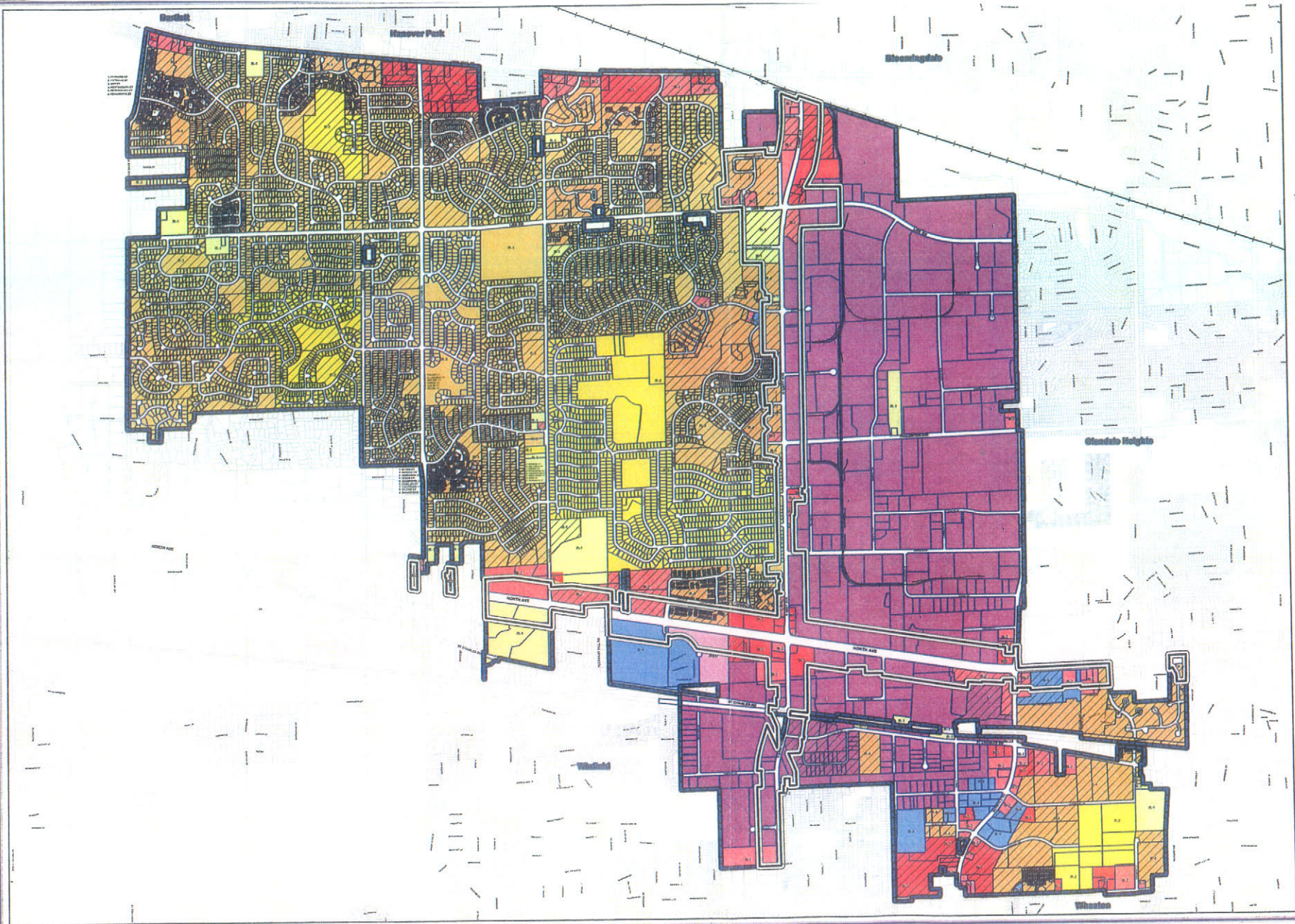
VILLAGE CLERK: _____




1 inch = 2,000 feet



Prepared By: Community Development Department



Village of Carol Stream
Interdepartmental Memo

TO: Joseph Breinig, Village Manager
FROM: Rose Armstrong, Administration Secretary 
DATE: February 18, 2015
RE: Carol Stream Rotary Club's Chili Open
Raffle License Application – Fee Waiver

The Carol Stream Rotary Club is holding their annual Chili Open and requests approval to conduct a raffle drawing at their banquet on Friday, May 8, 2015 to be held at the Bartlett Hills Golf Club. Raffle tickets will be sold from March 1, 2015 – May 8, 2015 for \$5.00 per ticket or 3 for \$10.00. The Rotary Club has also submitted the attached letter respectively requesting a waiver of the license fee.

Please place this request on the agenda for Monday, March 2, 2015 for the Board's review and approval to issue the raffle license to the Carol Stream Rotary Club's Chili Open. The raffle license application and required documentation is on file in the Village Clerk's office for your review.

Thank you.

Attachment

McNees & Associates

Robert A. McNees

Lisa K. Murphy

Attorneys at Law

195 Hiawatha Drive
Carol Stream, IL 60188

Phone (630) 665-8811

Fax (630) 665-5260

Info@McNeesAssociates.com

February 11, 2015

Mayor Frank Saverino
and Board of Trustees
Village of Carol Stream
500 North Gary Avenue
Carol Stream, IL 60188

RE: Carol Stream Rotary Club
Chili Open Raffle
May 8, 2015

Dear Mayor Saverino and Trustees;

Enclosed please find the Raffle License Application for the Chili Open Raffle to be held May 8, 2015. As in past years, we would appreciate it if the Village would waive its license fees in connection with the raffle.

I do not recall if we provided the Village with the results of last year's Chili Open Raffle. As you may be aware, the raffle is but one element of our fund raising efforts in the Chili Open. Last year we raised approximately \$1,000.00 in gross raffle ticket sales. We gave out \$850.00 to raffle winners. Using the total Chili Open proceeds, we set aside \$5,000.00 to donate to Midwest Shelter for Homeless Veterans. We also used the total proceeds to help support local charitable causes, such as Carol Stream Christmas sharing, and collegiate scholarships.

This year, the funds raised will be donated to Rotary charitable causes and to the following causes: 1) Ronald McDonald House; and 2) DuPage Sensory Garden Playground for Special Needs and Able-Bodied Children.

Our renewal bond has been filed with the Village.

Thank you for your anticipated cooperation and assistance in this matter.

Very truly yours,

McNees & Associates


By: 

Robert A. McNees

RAM/sld

Enclosure

Village of Carol Stream
Interdepartmental Memo

TO: Joseph E. Breinig, Village Manager
FROM: Rose Armstrong, Secretary 
DATE: February 24, 2015
RE: Bud Swanson Memorial 5k Run/Walk
Request for Waiver of Fee for Sound Amplification Permit

Sharon Swanson, Bud's Run Race Director will be hosting the Bud Swanson Memorial 5k Run/Walk on Saturday, June 27, 2015 from 7:00 am – 10:00 am. This event will be held at the Ross Ferraro Town Center.

She has applied for an amplification permit for this event and respectively requests a waiver of the \$25 amplification fee. In addition to the fee waiver, relief will be needed from the limitations on hours for use of an amplified device. Normally use of amplified devices is prohibited before 9:00 am. A copy of the application and waiver request letter is attached for your review.

Please place this on the agenda for the Monday, March 2, 2015 Board Meeting for the Board's review and consideration.

Thank you.

Attachment

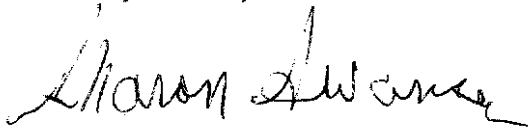
Village of Carol Stream
500 N. Gary Avenue
Carol Stream, IL. 60188-1899

Feb. 20, 2015

Dear Village Board:

Bud's Run is requesting a waiver of the \$25.00 permit fee for sound amplification at Town Center during Bud's Run 5K Run/Walk – Celebrating Life which will be held June 27, 2015. This race is being held for the 12th year in Carol Stream with all proceeds given to the Sarcoma Foundation of America, a 501(c)(3) not-for-profit organization to fund research to improve treatments for this aggressive cancer.

Thank you for your consideration.



Sharon Swanson

Bud's Run Race Director

751 Manor Hill Pl.

Sugar Grove, IL. 60554

**Bud's Run 2015
Route 5**

Start / Finish



Google earth



Village of Carol Stream
Interdepartmental Memo

TO: Robert Mellor, Assistant Village Manager
FROM: Rose Armstrong, Secretary *RA*
DATE: February 27, 2015
RE: Corpus Christi Catholic Church
Raffle License Application

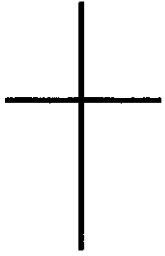
Corpus Christi Catholic Church has submitted a raffle license application for a raffle to be held on Saturday, March 14, 2015. Proceeds from this raffle will support the church's improvements. The cost of the raffle tickets will be 1 each for \$5.00.

Applicant is requesting a waiver of the application fee and the Manager's Fidelity Bond as indicated in the attached letter. The raffle license application and required documentation is on file in the Village Clerk's office for your review.

Please place this item on the agenda for review and approval by the Village Board of Trustees at their upcoming Monday, March 2, 2015 meeting.

Thank you.

Attachment



CORPUS CHRISTI CATHOLIC CHURCH

1415 Lies Road • Carol Stream, IL 60188-4841 • (630) 483-4673

February 27, 2015


To Whom It May Concern:

Corpus Christi Catholic Church has been a part of the Carol Stream community for nearly 25 year. In accordance to our outreach to the community as a charitable organization, we have hosted the PADS program for more that 15 year; have participated in food drives to provide for the hungry; through our St. Vincent DePaul Society have reached out to alleviate the suffering of the needy in our midst and through our Transitional Housing program, we have mentored families from homelessness to self sufficiency. Our Knights of Columbus and Council of Catholic Women have always included community outreach efforts into their programming.

Corpus Christi Church holds a St. Joseph Day Table to honor St. Joseph. This event will be held on March 14, 2015 in the church's Marian Hall. We would like to hold a 50/50 raffle at this event. All the proceeds from this event are donated to the poor as is the tradition of a St. Joseph Table.

This letter is to inform the Village of Carol Stream of this event in order to be in compliance for holding a raffle. If you have any further questions, please contact us.

Sincerely,



Rev. Mark Jurzyk, Pastor

Village of Carol Stream
 Schedule of Bills
 For Village Board Approval on March 2, 2015

AGENDA ITEM
L-1 3-2-15

<u>Vendor / Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Account Description</u>	<u>Invoice No.</u>	<u>Purchase Order</u>
7TH HEAVEN					
JULY 16TH CONCERT DEPOSIT	750.00	01-13010	PRE-PAID ITEMS	JULY 16TH DEPOSIT	
	<u>750.00</u>				
A T & T					
SERV FRM FEB 16 THRU MAR 15 2015	440.18	01652800-52230	TELEPHONE	630Z57651902 2/16/15	
	<u>440.18</u>				
ARROW ROAD CONSTRUCTION					
	2,175.30	04101100-54480	CONSTRUCTION	6449CM REVISED	20150006
	54,058.30	11-21449	RETAINAGE ARROW ROAD CONST	6449CM REVISED	20150006
2014 FLEXIBLE PAVEMENT/WRC PRK	11,499.91	11740000-55486	ROADWAY CAPITAL IMPROVEMEN	6449CM REVISED	20150006
	<u>67,733.51</u>				
AUTO TRUCK GROUP					
UPFIT FOR PATROL UNIT 646	4,522.00	01662700-53350	SMALL EQUIPMENT EXPENSE	1286804	
UPFIT FOR PATROL UNIT 646	5,070.00	01662700-52244	MAINTENANCE & REPAIR	1286804	
UPFIT FOR PATROL UNIT 647	4,614.00	01662700-53350	SMALL EQUIPMENT EXPENSE	1289271	
UPFIT FOR PATROL UNIT 647	5,350.00	01662700-52244	MAINTENANCE & REPAIR	1289271	
	<u>19,556.00</u>				
BANK OF AMERICA MERCHANT SERVICES					
CC MERCHANT FEES JAN/2015	373.02	04103100-52221	UTILITY BILL PROCESSING	INV 2882 JAN/2015	
CC MERCHANT FEES JAN/2015	373.03	04203100-52221	UTILITY BILL PROCESSING	INV 2882 JAN/2015	
	<u>746.05</u>				
BASIC IRRIGATION SERVICES INC					
AERATOR MAINTENANCE	2,364.00	01670600-52272	PROPERTY MAINTENANCE	20228	
	<u>2,364.00</u>				
BENCHMARK SALES & SERVICE OF IL INC					
EMERGENCY STRM STN PUMP#1 @TUBEWAY	3,850.00	01670600-52244	MAINTENANCE & REPAIR	15-1006	
	<u>3,850.00</u>				

**Village of Carol Stream
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<u>Vendor / Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Account Description</u>	<u>Invoice No.</u>	<u>Purchase Order</u>
BRIAN CLUEVER					
PER DIEM 2015 LIFESAVERS CONFERENCE 3/14/1	170.00	01662300-52223	TRAINING	2015 LIFESAVERS CONF	
	<u>170.00</u>				
BRIAN COOPER					
PER DIEM 2015 LIFESAVERS CONF 3/14/15	170.00	01662300-52223	TRAINING	NAT'L LIFESVR CONF	
	<u>170.00</u>				
BRIAN PLACKETT					
PER DIEM LIFESAVERS TRNG 3/14- 3/17 2015	170.00	01662300-52223	TRAINING	2015 CONFR	
	<u>170.00</u>				
CALL ONE					
SERV FRM 02/15 THRU 03/14 2015 PWKS ALRM	440.50	01590000-52226	OFFICE EQUIPMENT MAINTENANCI	1010-6641 02/15/15	
	<u>440.50</u>				
COMED					
SERV FRM 01/22 - 02/24 2015	30.51	01670300-53213	STREET LIGHT ELECTRICITY	1043062112 2/25/15	
SERV FRM 1/13 - 2/13 2015	23.48	01670300-53213	STREET LIGHT ELECTRICITY	1083101009 02/17/15	
SERV FRM 1/13 THRU 2/13 2015	31.82	01670600-53210	ELECTRICITY	6827721000 02/16/15	
SERV FRM 1/23 - 2/23 2015	63.12	01670300-53213	STREET LIGHT ELECTRICITY	2207156029 02/23/15	
SERV FRM 1/23 - 2/23 2015	72.97	01670300-53213	STREET LIGHT ELECTRICITY	3480136046 2/23/15	
SERV FRM 1/23 - 2/23 2015	77.06	01670300-53213	STREET LIGHT ELECTRICITY	0801065136 2/23/15	
	<u>298.96</u>				
CONSTELLATION NEW ENERGY					
SERV FRM 01/13 THRU 02/12 2015	197.65	01680000-53210	ELECTRICITY	00220502690001	
	<u>197.65</u>				
CRYSTAL MGMT & MAINTENANCE SRV'S CORP					
CLEANING SERV'S FOR MARCH 2015	860.00	01670100-52276	JANITORIAL SERVICES	22718	
CLEANING SERV'S FOR MARCH 2015	1,385.00	01680000-52276	JANITORIAL SERVICES	22718	
	<u>2,245.00</u>				

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DAHME MECHANICAL INDUSTRIES					
	-1,335.00	04-21243	RETAINAGE DAHME	20150011	20150029
WRC AERATION SYSTM IMPV PHII	26,700.00	04101100-54480	CONSTRUCTION	20150011	20150029
	<u>25,365.00</u>				
DANIEL STAFEIJ					
PER DIEM LIFESAVERS TRNG 3/14- 3/17/ 2015	170.00	01662300-52223	TRAINING	2015 CONFR	
	<u>170.00</u>				
DAVID G BAKER					
VLG BOARD MTG TELECAST SRV'S 2/17/15	105.00	01590000-52253	CONSULTANT	021715	
	<u>105.00</u>				
DUPAGE MAYORS AND MANAGERS CONFERENCE					
LEGISLATIVE MEETING JAN/2015 J BREINIG	55.00	01590000-52222	MEETINGS	8296	
	<u>55.00</u>				
DUPAGE SECURITY SOLUTIONS INC					
REPAIRS TO DOOR LOCK SOUTH SIDE OF NORTH	243.40	01670400-52244	MAINTENANCE & REPAIR	72698	
	<u>243.40</u>				
DUPAGE WATER COMMISSION					
OPER/MTC JAN/2015	457,918.08	04201600-52283	DUPAGE CTY WATER COMMISSION	10763	
	<u>457,918.08</u>				
ENGINEERING RESOURCE ASSOCIATES INC					
BRIDGE/CULVERT INSP JANUARY 2015	3,600.00	01622200-52253	CONSULTANT	150104.01	
	<u>3,600.00</u>				
FEECE OIL CO					
FUEL	76.71	01696200-53317	OPERATING SUPPLIES	1487855	
FUEL	101.60	01696200-53354	PARTS PURCHASED	1487562	
	<u>178.31</u>				

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<u>Vendor / Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Account Description</u>	<u>Invoice No.</u>	<u>Purchase Order</u>
GLENN HARKER					
PER DIEM EXE MGMT PROGM 3/16- 5/22 2015	800.00	01-13010	PRE-PAID ITEMS	EX MGMT PROGM	
PER DIEM EXE MGMT PROGM 3/16- 5/22 2015	1,790.00	01664700-52223	TRAINING	EX MGMT PROGM	
	2,590.00				
GLENN STEINHOFFER					
SNOW PLOWING 2/1,2/2 2015 EVENT 14-014A	14,162.70	01670200-52266	SNOW REMOVAL	SS121	
SNOW PLOWING 2/4/15 EVENT 14-016	2,333.53	01670200-52266	SNOW REMOVAL	SS122	
	16,496.23				
GOVTEMPSUSA LLC					
ADM SERV'S FOR WK ENDING 02/08/15	1,384.40	01590000-52253	CONSULTANT	1667844	
ADM SERV'S FOR WK ENDING 02/15/15	1,384.40	01590000-52253	CONSULTANT	1667845	
PROPERTY INSP SRV FRM WK END 02/08/15	560.00	01642100-52253	CONSULTANT	1667842	
PROPERTY MTC INSP WK ENDING 02/15/15	560.00	01642100-52253	CONSULTANT	1667843	
	3,888.80				
HAYES MECHANICAL					
ADM BLDG RTU EMERGENCY RPLMNT	5,240.00	01670400-54412	OTHER EQUIPMENT	345098	
NORTH GARAGE HEATING SYSTM RPLMNT	83,940.00	01670400-52244	MAINTENANCE & REPAIR	343595	
	89,180.00				
IEPA					
IEPA LOAN PAYMENT	45,470.07	04100100-56491	LOAN INTEREST	BILL #21	
IEPA LOAN PAYMENT	168,855.12	04100100-56490	LOAN PRINCIPAL	BILL #21	
	214,325.19				
IL STATE POLICE/DIRECTOR					
SEIZED FUNDS CS 13009270	18,665.00	01-23517	DEF REV POLICE EVIDENCE	CS13009270 W HARPER	
	18,665.00				

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INTEGRITY ENVIRONMENTAL SERVICES, INC					
COST ANALYSIS/COND & COMPL ASSESSMENT FL	3,950.00	01696200-52253	CONSULTANT	14-11016	
	<u>3,950.00</u>				
JOHN L FIOTI					
ATLE/TOW LEGAL SRV'S FEB 11, 2015	225.00	01662300-52310	ATLE LEGAL ADJUDICATION	C S 73	
ATLE/TOW LEGAL SRV'S FEB 11, 2015	225.00	01570000-52238	LEGAL FEES	C S 73	
	<u>450.00</u>				
KCG MANAGEMENT LLC					
SNW PLW 1/31, 2/2, 2/4, 2/5 2015 EVNT 14-014	21,050.88	01670200-52266	SNOW REMOVAL	66785	
	<u>21,050.88</u>				
KELLOGG BROWN & ROOT					
WRC CONTROL BLDG ROOF REPLMNT	128,265.16	04101100-54480	CONSTRUCTION	1411F03000033	
	<u>128,265.16</u>				
KLEIN, THORPE & JENKINS, LTD					
LEGAL SERV'S THRU JANUARY 2015	20.50	01510000-52238	LEGAL FEES	174025 2/19/15	
LEGAL SERV'S THRU JANUARY 2015	205.00	11740000-52238	LEGAL FEES	174025 2/19/15	
LEGAL SERV'S THRU JANUARY 2015	512.50	04100100-52238	LEGAL FEES	174025 2/19/15	
LEGAL SERV'S THRU JANUARY 2015	1,701.50	04200100-52238	LEGAL FEES	174025 2/19/15	
LEGAL SERV'S THRU JANUARY 2015	13,981.27	01570000-52238	LEGAL FEES	174025 2/19/15	
	<u>16,420.77</u>				
KT TEXTILES LLC					
VOLUNTEER BLANKET CUSTOM THROW	32.00	01664773-53325	COMMUNITY RELATIONS	1284-1212	
	<u>32.00</u>				
MICHAEL SANTANGELO					
DEPOSIT -JULY 9TH CONCERT IN CENTER	200.00	01-13010	PRE-PAID ITEMS	JULY 9TH DEPOSIT	
	<u>200.00</u>				

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MORTON SALT INC					
ROCK SALT CONTRACT PSD	9,975.00	01670200-53335	SALT	5400698885	20150043
ROCK SALT CONTRACT PSD	10,903.50	01670200-53335	SALT	5400696880	20150043
	<u>20,878.50</u>				
NICOR					
SERV FRM 01/08 THRU 02/09 2015	159.80	01670100-53230	NATURAL GAS	13811210007 02/09/15	
SERV FRM 01/09 THRU 02/10 2015	79.77	04101500-53230	NATURAL GAS	86606011178 2/10/15	
	<u>239.57</u>				
NORTHWEST POLICE ACADEMY					
DV CLASS & MEMB DUES HOFFMAN/SAILER 2/1:	50.00	01660100-52223	TRAINING	2015 DV CLS & DUES	
DV CLASS & MEMB DUES HOFFMAN/SAILER 2/1:	50.00	01660100-52234	DUES & SUBSCRIPTIONS	2015 DV CLS & DUES	
	<u>100.00</u>				
P & M MERCURY MECHANIC					
RPL HEAT EXCHGR & ASSOCIATED PRTS BOARD R	3,050.00	01680000-52244	MAINTENANCE & REPAIR	78581	
	<u>3,050.00</u>				
QUICK TIRES INC					
SCRAP TIRES RECYCLE, P/U DATE 01/20/15	112.50	01696200-53317	OPERATING SUPPLIES	5403	
	<u>112.50</u>				
R3 ENVIROMENTAL MANAGEMENT INC					
DISPOSAL OF CHEMICALS	1,497.50	04201600-52265	HAULING	11424	
DISPOSAL OF CHEMICALS	1,497.50	01670500-52265	HAULING	11424	
	<u>2,995.00</u>				
STELMAR KATHLEEN					
PER DIEM NAT'L LIFESAVERS CONF 3/14- 3/17	170.00	01660100-52223	TRAINING	2015 CONFR	
	<u>170.00</u>				

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STRAND & ASSOCIATES					
PROF SERV'S FROM DEC/14 THRU JAN/15	2,794.84	04101500-52244	MAINTENANCE & REPAIR	0109667	
	<u>2,794.84</u>				
THOMAS E HOBAN					
DEPOSIT FOR CONCERT AUGUST 6TH	300.00	01-13010	PRE-PAID ITEMS	AUG 6TH DEPOSIT	
	<u>300.00</u>				
TRANSYSTEMS CORPORATION					
PHASE II WEST BRANCH DPG RIVER	11,832.34	11740000-55486	ROADWAY CAPITAL IMPROVEMENT	2755630-10	20150028
	<u>11,832.34</u>				

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VERIZON WIRELESS					
SERV FRM JAN 14TH THRU FEB 13TH 2015	18.02	01643700-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	18.02	01662500-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	36.04	01642100-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	60.07	01610100-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	60.07	01690100-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	78.09	01680000-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	96.11	04101500-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	98.10	01600000-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	115.52	04201600-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	136.09	04200100-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	165.44	01652800-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	181.41	01590000-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	196.16	01662300-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	201.43	01620100-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	394.39	01670100-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	410.06	01660100-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	474.45	01662400-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	474.92	01664700-52230	TELEPHONE	9740581790	
SERV FRM JAN 14TH THRU FEB 13TH 2015	1,216.32	01662700-52230	TELEPHONE	9740581790	
	4,430.71				
WELLS FARGO BANK, NA TRUST SERVICES					
GENEVA CROSSING SALES TAX AUG-NOV 2014	-19,258.13	21000000-49330	TRANSFER FROM GENERAL FUND	INV AUG-NOV 2014	
GENEVA CROSSING SALES TAX AUG-NOV 2014	19,258.13	01720000-58208	TRANSFER TO DEBT SER	INV AUG-NOV 2014	
GENEVA CROSSING SALES TAX AUG-NOV 2014	19,258.13	21-11105	CASH - TRUST	INV AUG-NOV 2014	
	19,258.13				

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WHEATON BANK AND TRUST					
WB & T FEES JANUARY 2015	244.23	04103100-52256	BANKING SERVICES	7509063 JAN/15	
WB & T FEES JANUARY 2015	244.23	04203100-52256	BANKING SERVICES	7509063 JAN/15	
WB & T FEES JANUARY 2015	731.13	01610100-52256	BANKING SERVICES	7509063 JAN/15	
	<u>1,219.59</u>				
ZONES INC					
SALES TAX REBATE	83,767.23	01720000-58207	ZONES SALES TAX REIMB	SALES TX REBATE (1)	
	<u>83,767.23</u>				
GRAND TOTAL	<u><u>\$1,253,429.08</u></u>				

The preceding list of bills payable totaling \$1,253,429.08 was reviewed and approved for payment.

Approved by:



Bob Mellor – Assistant Village Manager

Date: 2/27/15

Authorized by:

Frank Saverino Sr - Mayor

Beth Melody - Village Clerk

ADDENDUM WARRANTS
Feb 18, 2015 thru Mar 2, 2015

Fund	Check #	Vendor	Description	Amount
General	A C H	Wheaton Bank & Trust	Payroll Feb 2, 2014 thru Feb 15, 2015	483,417.49
Water & Sewer	A C H	Wheaton Bank & Trust	Payroll Feb 2, 2014 thru Feb 15, 2015	<u>40,231.03</u>
				<u><u>523,648.52</u></u>

Approved this _____ day of _____, 2015

By: _____
 Frank Saverino Sr - Mayor

 Beth Melody - Village Clerk