

**MINUTES OF THE REGULAR BOARD MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
HELD ON THURSDAY, NOVEMBER 3, 2011**

CALL TO ORDER:

President Roth called the meeting to order at 7:06 p.m.

ROLL CALL:

Trustee William Harper	Present	Trustee Mary Thon	Present
Trustee Guy Patterson	Present	Trustee William Carlson	Present
Trustee Michael Baumer	Present	Trustee James Cecille	Present
President Billie D. Roth	Present		

All those answering “present” were physically present at the meeting.

PLEDGE OF ALLEGIANCE:

PRESIDENT’S REPORT:

President Roth thanked the Fire and Police Departments for participating in the Safety Town Safe Trick or Treat on Friday, October 28th. It was very well attended with over 300+ children.

VILLAGE MANAGER’S REPORT:

Village Manager Gary O’Rourke reported the Streamwood Fire Department assisted with the train derailment on the Bartlett/Elgin border.

He also reported that the Swaminarayan Temple on Bapa Road (off Irving Park Road) has finally received their temporary occupancy permit to allow their members to congregate.

APPROVAL OF AGENDA:

Request the Board approve the November 3, 2011 Agenda as presented. Trustee Patterson moved for approval. Trustee Carlson seconded the motion.

Trustee Cecille moved to approve the Agenda noting the Ordinance revision (A-11-103) made at the Nicor attorneys’ request. Trustee Patterson seconded the motion. A voice vote was unanimous for the Agenda noting the Ordinance revision.

Trustee Harper moved to approve the main motion approving the Agenda now noting the Ordinance revision. Trustee Carlson seconded the motion. A voice vote was unanimous for approval.

APPROVAL OF THE MINUTES:

Request the Board approve the Minutes of the Preliminary Budget Workshop of Thursday, October 13, 2011, as presented. Trustee Cecille moved for approval. Trustee Baumer seconded the motion. A voice vote was unanimous for approval.

Request the Board approve the Minutes of the Regular Board Meeting of Thursday, October 20, 2011, as presented. Trustee Carlson moved for approval. Trustee Harper seconded the motion. A voice vote was unanimous for approval.

FINANCE - Trustee Harper/Trustee Carlson

A-11-097 Motion – Approval of Semi-Monthly Expenditures

Request the Board approve the semi-monthly expenditures in the amount of \$188,566.67 which represents the total of the schedule of bills dated November 3, 2011.

General Corporate Fund	\$90,427.29
Wetland Special Service Area	1,171.03
Capital Replacement Fund	1,838.00
Street Improvement Fund	3,029.50
Water and Sewer Fund	10,190.23
Golf Fund	16,420.80
Police Pension Fund	<u>65,489.82</u>
Total	<u>\$188,566.67</u>

Trustee Harper moved for approval of the semi-monthly expenditures as presented. Trustee Patterson seconded the motion. ROLL CALL:

Trustee Harper	Aye	Trustee Thon	Aye
Trustee Patterson	Aye	Trustee Carlson	Aye
Trustee Baumer	Aye	Trustee Cecille	Aye

Motion carried.

LEGISLATIVE - Trustee Cecille/Trustee Baumer

A-11-095 Ordinance – Approval of Amendments to Title 8, Chapter 3 / Waterworks and Sewerage System Regulations

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING SELECT SECTIONS OF CHAPTER 3 ENTITLED “WATERWORKS AND SEWERAGE SYSTEM REGULATIONS” OF TITLE 8 ENTITLED “PUBLIC WAYS AND PROPERTY” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD.” This Ordinance approves amendments to sections of Chapter 3 of Title 8 to make those sections more consistent with other sections of the code and clarifies delinquent water bills and the shut-off process.

Trustee Cecille presented the Ordinance for second reading and moved for approval. Trustee Baumer seconded the motion. ROLL CALL:

Trustee Thon	Aye	Trustee Patterson	Aye
Trustee Carlson	Aye	Trustee Baumer	Aye
Trustee Cecille	Aye	Trustee Harper	Aye

Motion carried.

ORDINANCE 2011-25

COMMUNITY DEVELOPMENT – Trustee Baumer/Trustee Cecille

A-11-098 Ordinance – Amending Title 9 / Building Regulations

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING SELECT PROVISIONS OF TITLE 9 ENTITLED “BUILDING REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD.” This Ordinance amends the Building Code to increase certain fees for building permits and contractor licenses and other minor changes.

Trustee Baumer presented the Ordinance for first reading and posting.

Community Development Director John Peterson stated the building regulations were last modified in 2008 to incorporate the current International Building Codes. This modification will include minor language changes and increases to the contractor and permit fees. It also includes procedures to allow the village to suspend or revoke a contractor’s permit. New items have been added requiring permits such as solar collectors and wind turbines. Plumbing permit fees have been moved to Title 8 with the water works information. The section regarding fire sprinklers, electrical and plumbing has been updated and clarifications made. A section has been modified regarding partial re-siding for a building using new technology allowing matching of colors.

A-11-099 Ordinance – Amending Title 3-14 / Rental Residential Property

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING SECTION 3-14-4 ENTITLED “LICENSE APPLICATION AND REQUIREMENTS” OF CHAPTER 14 ENTITLED “RENTAL RESIDENTIAL PROPERTY” OF TITLE 3 ENTITLED “BUSINESS AND LICENSE REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD.” This Ordinance amends a section of Chapter 14, Rental Residential Property, of Title 3, Business and License Regulations, to increase the current base annual fee for a new license or a renewal of an existing license from \$100.00 to \$150.00 per residence.

Trustee Baumer presented the Ordinance for first reading and posting.

Community Development Director John Peterson stated the annual fee for rental housing inspections is being increased. If a property requires re-inspection, that cost will remain at \$50 per re-inspection.

PUBLIC SAFETY - Trustee Carlson/Trustee Harper

A-11-100 Ordinance – Amending Title 6, Chapter 1, Section 10 / Ambulance Fees

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING SECTION 6-1-10: ENTITLED "STREAMWOOD EMERGENCY MEDICAL SERVICES:" OF CHAPTER 1 ENTITLED "FIRE DEPARTMENT" OF TITLE 6 ENTITLED "FIRE PROTECTION" OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD.” This Ordinance amends the fees for ambulance services. Fees for residents will be at the rates charged by the Centers for Medicare and Medicaid Services, as revised and published annually, and fees for non-residents will be at rates consistent with surrounding communities.

Trustee Carlson presented the Ordinance for first reading and posting.

Fire Chief Chris Clark stated the ambulance fees were last updated in 2007. This amendment will add billing to village residents based on the rates charges for Medicare/Medicaid services and non-residents will be billed a rates consistent with rates currently charged in Hoffman Estates and Hanover Park.

Trustee Harper asked if the resident rate based on the Medicare/Medicaid rate is also used in other area municipalities. Chief Clark stated that while some use this as a rate, many are billing higher rates to their residents.

Ordinance – Amending Title 5-7-2 / Violations or Offenses Subject to Seizure and Impoundment

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING SECTION 5-7-2 ENTITLED “VIOLATIONS OR OFFENSES SUBJECT TO SEIZURE AND IMPOUNDMENT” OF CHAPTER 7 ENTITLED “SEIZURE AND IMPOUNDMENT OF MOTOR VEHICLES USED IN THE COMMISSION OF CERTAIN OFFENSES” OF TITLE 5 ENTITLED “MOTOR VEHICLES AND TRAFFIC” OF THE VILLAGE CODE OF THE VILLAGE OF STREAMWOOD.” This Ordinance amends Section 5-7-2, “Violations or Offenses Subject to Seizure and Impoundment” of Chapter 7, “Seizure and Impoundment of Motor Vehicles Used in the Commission of Certain Offenses” of Title 5, Motor Vehicles and Traffic” to include additional violations to the list of violations and offenses subject to seizure and impoundment.

Trustee Carlson presented the Ordinance for first reading and posting

Police Chief Alan Popp stated impoundment was implemented in 2008 and at that time a conservative stance was taken regarding offenses leading to impound. The state laws regarding impound are changing in 2012 allowing seizure and impound for a much expanded list of infractions. This amendment will add seven specific infractions to the village’s impound list including consumption of alcohol by a minor, driving without ever having a valid license, leaving the scene of an accident, reckless driving, driving 40 mph+ over posted speed limit, driving during or in furtherance of any felony offense, and driving with an outstanding arrest warrant. There is no increase to the impound fee.

Trustee Cecille asked about driving on a suspended license. Chief Popp confirmed this was part of the original impound ordinance. Trustee Cecille asked about impounding a vehicle when the person is involved in a felony crime even if they are not actually driving the vehicle. Chief Popp confirmed the vehicle can be impounded for this. Trustee Carlson asked about the definition of reckless driving. Chief Popp stated there were many circumstances where reckless driving can be applied and each situation would be handled as needed. Trustee Patterson asked about drag racing, and Chief Popp confirmed that, too, was part of the original impound ordinance adopted in 2008.

COMMUNITY AFFAIRS - Trustee Thon/Trustee Patterson

A-11-102 **Ordinance – Amending Title 3-3 / Municipal Occupation Tax**

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING CHAPTER 3, ENTITLED “MUNICIPAL OCCUPATION TAXES” OF TITLE 3, ENTITLED “BUSINESS AND LICENSE REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD.” This Ordinance amends the Chapter 3, Municipal Occupation Taxes, of Title 3, Business and License Regulations, to implement a two percent (2%) food and beverage tax on the retail purchase of alcoholic liquor or prepared food at any prepared food facility or retail liquor facility within the Village.

Trustee Thon presented the Ordinance for first reading and posting.

Finance Director Mary Johnson stated this new tax is a locally administered tax on prepared food and alcoholic beverages and will be handled by the Finance Department staff. Many of the surrounding communities are already collecting this tax at varying rates. This tax is expected to generate approximately \$700,000 annually from the 100+ establishments that will be subject to its collection. The establishments will be remitting to the village at the same time they remit to the state. Collection will start on January 1, 2012.

Trustee Thon invited everyone to the Cultures of our Community event (free) at the Poplar Creek Public Library, 1204 South Park Avenue, on Saturday, November 5th from 1 to 4 p.m. hosted by the Village’s Community Relations Commission.

PUBLIC WORKS - Trustee Patterson/Trustee Thon

A-11-103 **Ordinance – Amending Title 3-3-4 / Municipal Utility Tax**

Request the Board approve an Ordinance entitled “AN ORDINANCE ADDING A NEW SECTION 3-3-4-3 ENTITLED “MUNICIPAL GAS USE TAX” TO CHAPTER 3, ENTITLED “MUNICIPAL OCCUPATION TAXES” OF TITLE 3, ENTITLED “BUSINESS AND LICENSE REGULATIONS” OF THE VILLAGE CODE OF ORDINANCES OF THE VILLAGE OF STREAMWOOD, ILLINOIS.” This Ordinance adds a new section 3-3-4-3, Municipal Gas Utility Tax, to Chapter 3, Municipal Occupation Taxes, of Title 3, Business and License Regulations, to include a utility tax on out-of-state suppliers of gas. In-state suppliers are already taxed.

Trustee Patterson presented the Ordinance for first reading and posting.

Finance Director Mary Johnson stated the village currently has a utility tax of 4 percent but the current Code specifically excluded collection of out-of-state suppliers of natural gas. Since deregulation now allows residential customers to contract for their natural gas with alternate, and often out-of-state, suppliers, the village is not collecting taxes on the gas product. After researching and working with Nicor, it was estimated that there are approximately 3.5 million therms of natural gas not being taxed. A tax of 3.25¢ per therm would make the in-state and out-of-state supplied gas product equal for all users and will generate revenue of approximately \$110,000 annually.

Trustee Harper confirmed that the addition of the 3.25¢ per therm rate will be equivalent to the current Nicor supplied product. Trustee Cecille asked about the implementation and how the village would bill customers. Ms. Johnson explained the village is not involved in the billing or collection; the tax would be added by Nicor to its bills (Nicor continues to provide the service even if the gas is supplied by an alternate supplier) and collected/remitted by Nicor to the village.

Village Manager Gary O'Rourke stated that the Nicor attorneys recommended changes in the phrasing of the ordinance and it was revised to accommodate those changes. The revision actually simplified the ordinance for the Village Code.

Trustee Patterson invited everyone to the Village's Veterans' Day Observance on Friday, November 11, 2011 starting at 11 a.m. in Memorial Circle.

TOWN HALL SESSION:

Matt Dobson inquired if the proposed taxes and fee increased will provide enough funding to reopen Fire Station 31. President Roth stated it would not, and the revenues projected to be collected with these increases would allow the Village to maintain its current level of services.

ADJOURNMENT:

Trustee Harper moved to adjourn. Trustee Cecille seconded the motion. A voice vote was unanimous for approval. The Village Board adjourned at 7:43 p.m.

Billie D. Roth
Village President

Kittie L. Kopitke
Village Clerk

Approved this 17th day of November 2011.