

**MINUTES OF THE REGULAR BOARD MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
HELD ON THURSDAY, AUGUST 21, 2014**

CALL TO ORDER:

President Roth called the meeting to order at 7:11 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:

P-14-001 Summer Celebration Parade Recognition

P-14-002 Blood Commission Recognition

P-14-003 Fire Department Promotions

Bill Schmidt, Battalion Chief
Robert Kukla, Lieutenant

Fire Department Recognition – Tom Koebel presented with certificate from the IL Department of Public Health recognizing his 20 years in the paramedic service.

RECESS:

Trustee Baumer moved for a short recess to allow for refreshments and photograms. Trustee Cecille seconded the motion. A voice vote approved the recess. The Village Board recessed at 7:46 p.m.

RECONVENE MEETING:

The Village Board reconvened at 8:15 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.

VILLAGE MANAGER’S REPORT:

APPROVAL OF AGENDA:

Request the Board approve the August 21, 2014 Agenda as presented. Trustee Patterson moved for approval. Trustee Carlson seconded the motion. A voice vote approved the Agenda as presented..

APPROVAL OF THE MINUTES:

Request the Board approve the Minutes of the Regular Board Meeting of Thursday, July 17, 2014 as presented. Trustee Carlson moved for approval. Trustee Cecille seconded the motion. A voice vote approved the Minutes as presented.

COMMUNITY DEVELOPMENT – Trustee Patterson/Trustee Cecille

A-14-071 Ordinance – Approval of Amendment to Planned Unit Development (PUD) Agreement / 921 W. Irving Park Road / AutoZone

Request the Board approve an Ordinance entitled “AN ORDINANCE AMENDING ORDINANCE 2003-41 TO AMEND THE C-3 COMMERCIAL PLANNED UNIT DEVELOPMENT AGREEMENT TO ALLOW FOR THE DEVELOPMENT OF A RETAIL AUTO SUPPLY STORE AT 921 WEST IRVING PARK ROAD AS PART OF THE SUTTON PARK SHOPPING CENTER.” This Ordinance amends the Harlem Irving Companies, Inc., Sutton Park Planned Unit Development Agreement to allow for an auto supply store in a C-3 PUD district located at 921 West Irving Park Road.

Trustee Patterson presented the Ordinance for first reading.

Planning Director Sharon Caddigan reviewed the history of the shopping center (Target) and stated this lot is the one remaining lot within the center that remains

undeveloped. The Plan Commission reviewed the proposal for AutoZone at their July meeting and recommended favorably for the proposal. After that meeting, AutoZone has made some minor amendments and also worked with their engineering plans to meet the Village's approvals. Staff concurs with the proposal as it is now submitted.

Andy Heinen of Kimley-Horn, civil engineering firm for the project and representing the contract purchaser AutoZone, was present and provided a review of the site location. He stated the closest residence is approximately 900 feet from the planned 7,000 square foot retail/warehouse building planned for the site. A private access drive will enter the site from the existing driveway near the rear of the Target building on Irving Park Road. The retail store will front Irving Park Road with a rear loading area at the southwest corner of the building. All trash will be fully shielded from view along the south side of the building. AutoZone schedules one large delivery of stock each week via semi truck; unloading takes approximately 2 hours. Any additional deliveries from other area stores would be via small pickup truck or car. Infrastructure connection to storm and sanitary sewer is on site. Concerns were expressed regarding oil changing and contamination; Mr. Heinen stated AutoZone does not offer oil change service and will be monitoring any customer attempting to do so in the parking area. A vegetative swale was added to the site with an additional manhole/water quality structure with a specific filter to clean any runoff water that may become contaminated.

Mr. Heinen provided an overview of the exterior of the proposed building, showing windows to the north (Irving Park Road) and "faux" windows to the west and east with a solid wall on the south. He noted that the parkway trees have been moved onsite as the parkway along Irving Park Road will not accommodate the trees.

Trustee Harper asked about the parking lot setback from the curb on the north side. Ms. Caddigan stated it is 13 feet; Village Code requires 10 feet. The 13 foot setback keeps the building aligned with others within the center at that location. Moving the building further south would impact the wetlands adjacent to a much greater degree. Trustee Harper confirmed that the parking lot lighting is consistent with the lighting throughout the shopping center. He inquired about the north side sidewalk area leading to the parking lot, and asked about the elevation. Mr. Heinen stated it is flat at that point. Trustee Harper expressed concerns for headlights beaming into the residential properties across Irving Park Road. Public Works Director Mann Mann stated there is significant and mature landscaping along the north side of Irving Park Road that will shield any headlight intrusion.

Trustee Cecille asked about the soil conditions on the site. Mr. Heinen stated borings have been done, and some soils will need to be removed prior to construction.

Trustee Patterson asked about AutoZone loaning tools to customers for installation of parts, etc. Mr. Heinen stated the PUD amendment specifically addresses onsite battery changes/installation and windshield wipers, but that no other service work is performed at AutoZone. Ms. Caddigan confirmed this as well, and also stated that AutoZone will be responsible for any spillage onsite, even if a customer chooses to ignore the rules not to do the service onsite. Discussion ensued regarding enforcement, etc. and that if a customer refused to abide by AutoZone's request to leave the property to do their vehicle services on their own property that the police would intervene and consider it trespassing. Trustee Patterson asked about recycling used motor oil. Mr. Heinen stated AutoZone does not offer that service; they will dispose of car batteries when a new one is purchased. Trustee Harper suggested exterior signs regarding "no repair services" within the parking areas. Ms. Caddigan stated this is not a requirement, and suggested interior signage near the cashier area would serve well.

Trustee Cecille expressed concerns for health and safety with battery removal on site. Mr. Heinen stated AutoZone employees do not assist with battery removal and replacement, but do rent the tools a consumer would need to accomplish this.

Trustee Carlson confirmed the planned signage is within Village Code requirements. Ms. Caddigan stated a monument sign is included in the plan, along with a single face sign on the north side of the building.

President Roth expressed concerns to Mr. Heinen regarding this project actually proceeding as AutoZone has been through the process in Streamwood for two other locations and never built the sites. Mr. Heinen stated the bid opening for the construction project was scheduled for the following day, and would be back in touch if any plans would change. He also stated he appreciated the Village patience with AutoZone. President Roth also stated that Target needs to be in agreement with all of the plans within the shopping center prior to final documents being recorded.

Mr. Heinen asked the Board to consider waiving the first reading for this Ordinance. Trustee Patterson moved to waive the first reading. Trustee Baumer 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.

Trustee Patterson moved for approval of the ordinance as presented. Trustee Cecille 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 2014-21

LEGISLATIVE - Trustee Harper/Trustee Baumer

A-14-072 Ordinance – Amending Title 3 and Title 4, / Prohibiting the Sale to and Possession of E-Cigarettes by Minors

Request the Board approve an Ordinance entitled: "AN ORDINANCE AMENDING ARTICLE 2, ENTITLED "CIGARETTE & TOBACCO DEALERS" OF CHAPTER 7, ENTITLED "MERCHANTS" OF TITLE 3, ENTITLED "BUSINESS AND LICENSE REGULATIONS," AMENDING SECTION 3-2-2, ENTITLED "LICENSE FEES ENUMERATED" OF CHAPTER 2, ENTITLED "BUSINESS LICENSES AND REGISTRATION" OF TITLE 3, ENTITLED "BUSINESS AND LICENSE REGULATIONS" AND AMENDING SECTION 4-5-8, ENTITLED "POSSESSION OF TOBACCO" OF CHAPTER 5, ENTITLED "MINORS" OF TITLE 4, ENTITLED "POLICE REGULATIONS," OF THE VILLAGE CODE OF THE VILLAGE OF STREAMWOOD, COOK COUNTY, ILLINOIS." This ordinance amends various sections of the Village Code to prohibit the sale of electronic, or "E-cigarettes" to minors under the age of eighteen and to prohibit the possession of electronic, or "E-cigarettes" by minors under the age of eighteen.

Trustee Harper presented the Ordinance for first reading and posting.

Attorney Tom Bastian stated the Village is modifying the existing tobacco ordinances and regulations to include electronic cigarettes and the e-cigarettes will fall within the same regulations as tobacco. Mr. Bastian stated there is little current regulation for this new product and Illinois has legislation starting January 1, 2015 to regulate the electronic vaporizing devices in the same way as tobacco products are now regulated. Concerns for abuses have been raised, particularly when the capsule liquids are mixed with other substances. All retail sellers of electronic cigarettes will be required to purchase a license for the sale of tobacco and/or electronic cigarettes and will be subject to citation for sales to minors.

Trustee Patterson asked if the e-cigarette device can be used for smoking illegal substances. Mr. Bastian stated there have been studies that indicate this is a possible use. Trustee Patterson asked about the e-cigarettes being considered as drug paraphernalia. Mr. Bastian stated devices of any sort are only considered as drug paraphernalia when there is the presence of an illegal substance within the

device. Trustee Harper confirmed this modification to the Ordinance was primarily to prohibit the electronic cigarettes from being sold to minors.

FINANCE - Trustee Carlson/Trustee Thon

A-14-073 Motion – Approval of Semi-Monthly Expenditures

Request the Board approve the semi-monthly expenditures in the amount of \$1,040,032.22, which represents the total of the interim schedule of bills dated August 7, 2014 and the schedule of bills dated August 21, 2013.

	08/07/14	08/21/14	Total
General Corporate Fund	\$211,538.03	161,836.45	373,374.48
Wetland Special Service Area	21,567.57	2,5173.38	24,084.95
Debt Service / General	0.00	515.00	515.00
Street Improvement Fund	112,667.54	297,105.69	409,773.23
Equipment Replacement Fund	48,292.00	7,495.00	55,787.00
Facilities Equip. Replace. Fund	14,925.00	23,166.85	38,091.85
Water and Sewer Fund	63,171.88	26,137.17	89,309.05
Golf Fund	20,409.62	13,375.17	33,784.79
Police Pension Fund	8,933.73	0.00	8,933.73
Firefighters Pension Fund	<u>0.00</u>	<u>6,378.14</u>	<u>6,378.14</u>
 Total	 \$501,505.37	 538,526.85	 \$1,040,032.22

Trustee Carlson moved for approval of the two lists of expenditures as presented. Trustee Baumer seconded the motion. Finance Director Mary Johnson noted the lists covered a five-week period, and include the previously approved purchase of three trucks and continued roadwork. ROLL CALL:

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

Motion carried.

A-14-074 Motion – Waive Competitive Bidding / Purchase of Mower / Streamwood Oaks Golf Course

Request the Board approve a motion to waive competitive bidding for the purchase of a mower for the Streamwood Oaks Golf Course.

This Motion waives competitive bidding for the purchase of a mower from Martin Implement Sales, Inc., 420 Nolan Drive, South Elgin, Illinois, the only implement dealer offering a demo Kubota G3680 at a substantially reduced price.

Trustee Carlson presented the Motion and moved for approval. Trustee Patterson seconded the motion. Finance Director Mary Johnson stated there is no state contract for purchase of this type of mower. It is in the ERF to be replaced in 2016; however Links Management has the opportunity to purchase a demo model now for a greatly reduced price and is asking for the early approval. ROLL CALL:

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

Motion carried.

A-14-075 Motion – Approval of Purchase of Mower / Streamwood Oaks Golf Course

Request the Board approve a motion to authorize the purchase of one (1) demo Kubota G3680 rough mower from Martin Implement Sales, Inc., South Elgin, Illinois, at a cost not to exceed \$25,510.00.

This Motion approves the purchase of one (1) demo Kubota G3680 for the Streamwood Oaks Golf Course from Martin Implement Sales, Inc., 420 Nolan Drive, South Elgin, Illinois, at a cost not to exceed \$25,510.00, with only 15 hours on it and a “new” warranty. Funds for the purchase are included in the Equipment Replacement Fund in the 2014 Operating and Capital Improvements Budget.

Trustee Carlson presented the Motion and moved for approval. Trustee Cecille seconded the motion. Tom Schneider, Links Management, stated this mower has a 100” mowing deck and is a “rough” mower. It was planned for replacement after next year, but this demo model is available now at a greatly reduced price.

The mower, if new, would cost \$32,000-\$37,000, depending on brand. It has a life of 10-12 years. Trustee Cecille asked if there were issues with the current mower. Mr. Schneider stated they have been experiencing steering problems.
 ROLL CALL:

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

Motion carried.

PUBLIC WORKS - Trustee Cecille/Trustee Patterson

A-14-076 Resolution – Approval of Change Order No. 1 to Contract with Steve Piper and Sons, Inc., / Tree Removal

Request the Board approve a Resolution entitled “A RESOLUTION APPROVING RESIDENT ENGINEER’S REQUEST FOR AUTHORIZATION FOR CHANGE ORDER NO. 1 TO THE CONTRACT WITH STEVE PIPER AND SONS, INC.” This Resolution authorizes Change Order No. 1 to the Contract entered into with Steve Piper and Sons, Inc. for the removal of trees damaged by the Emerald Ash Borer to extend the contract to include additional tree removal services.

Trustee Cecille presented the Resolution and moved for approval. Trustee Baumer seconded the motion. Public Works Director Matt Mann stated this change order will allow the current contractor to remove an additional 200 trees at the current contract price. The trees have declined at a more accelerated rate than had been expected. Mr. Mann stated the Village has removed 2,062 ash trees, and has replaced 912 to date. Additional trees are scheduled for fall planting. It is planned to remove the remaining infested trees through 2016 and re-planting new trees through 2017. Trustee Patterson stated he has heard resident concerns regarding the removal and available information. Mr. Mann and Ms. Caddigan stated there is an updated EAB report maintained on the Village website, and there have been numerous articles in the Village Newsletter. Trustee Harper asked if a list of vendors willing to work with residents for private property tree removal might be made available. Trustee Cecille expressed similar concerns, as well as the continued spread of the problem. ROLL CALL:

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

Motion carried.

RESOLUTION 2014-32

A-14-077 Motion – Waive Competitive Bidding – Contract for Pavement Restorative Seal / Corrective Asphalt Materials, LLC.

Request the Board approve a motion to waive competitive bidding for the purchase and application of CRF Restorative Seal to various streets in the Village by Corrective Asphalt Materials, LLC.

This Motion waives competitive bidding for the purchase and application of CRF Restorative Seal to various streets in the Village by Corrective Asphalt Materials, LLC, P.O. Box 87129, 300 Daniel Boone Trail, South Roxana, Illinois, the only contractor licensed to apply CRF in the State of Illinois.

Trustee Cecille presented the Motion and moved for approval. Trustee Harper seconded the motion. Public Works Director Matt Mann stated this product has been used successfully over the past six years to extend the life of asphalt prior to resurfacing. This is a unit price contract, and the total is based on actual quantity of work. This year’s cost is \$1.18 per square yard (one cent higher than in 2013) and the estimated cost is \$64,900.00. ROLL CALL:

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

Motion carried.

A-14-078 Resolution – Approval of Contract for Pavement Restorative Seal / Corrective Asphalt Materials, LLC.

Request the Board approve a Resolution entitled “A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE ON BEHALF OF THE VILLAGE AND AUTHORIZING THE VILLAGE CLERK TO ATTEST TO A CERTAIN CONTRACT WITH CORRECTIVE ASPHALT MATERIALS, LLC.” This Resolution approves a contract with Corrective Asphalt Materials, LLC, Box 87129, 300 Daniel Boone Trail, South Roxana, Illinois, the only contractor licensed to apply CRF in the State of Illinois, to furnish and apply CRF Restorative Seal on various streets in the Village.

Trustee Cecille presented the Resolution and moved for approval. Trustee Patterson seconded the motion. Note: Narrative information included in prior Agenda Item A-14-077. ROLL CALL:

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

Motion carried.

RESOLUTION 2014-33

A-14-079 Resolution – Approval of Bid and Contract / Sewer Lining

Request the Board approve a Resolution entitled “A RESOLUTION ACCEPTING THE LOW BID AND AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE ON BEHALF OF THE VILLAGE, AND AUTHORIZING THE VILLAGE CLERK TO ATTEST TO A CERTAIN CONTRACT WITH INSITUFORM TECHNOLOGIES USA, LLC.” This Resolution approves the low bid and authorizes the Village to enter into a unit price contract with Insituform Technologies USA, LLC, 17988 Edison Avenue, Chesterfield, MO 63005, for sewer pipe lining and manhole lining, at an estimated cost of \$153,673.50. The actual cost is determined by the measured quantity of work completed.

Trustee Cecille presented the Resolution and moved for approval. Trustee Baumer seconded the motion. Public Works Director Matt Mann stated these sections of storm and sanitary sewer need rehabilitation and due to their locations and/or depth, the relining is a much better resolution. Approximately 3,850 feet of lining will be placed in various locations in the Village. Insituform was the low bid of the three bids received. ROLL CALL:

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

Motion carried.

RESOLUTION 2014-34

COMMUNITY AFFAIRS - Trustee Baumer/Trustee Harper

A-14-080 Resolution – Approval of an Intergovernmental Agreement / Poplar Creek Library District

Request the Board approve a Resolution entitled “A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE ON BEHALF OF THE VILLAGE OF STREAMWOOD AND AUTHORIZING THE VILLAGE CLERK TO ATTEST TO A CERTAIN AGREEMENT WITH POPLAR CREEK PUBLIC LIBRARY DISTRICT FOR POLICE SECURITY SERVICES.” This Resolution approves an Intergovernmental Agreement with Poplar Creek Library District for the provision of Police Officer security services at the Library District’s main library in Streamwood.

Trustee Baumer presented the Resolution and moved for approval. Trustee Cecille seconded the motion. Village Attorney Tom Bastian stated this agreement formalizes a long standing relationship with Poplar Creek Library District for providing police services at their building. Streamwood police officers assigned to the Library will also be authorized to sign any complaints needed on behalf of the Library.

Trustee Harper asked about the types of complaints that would be eligible for citation. Mr. Bastian stated any illegal activities, as well as the Library Districts “patron appearance” and “behavior policies” are potential offenses. Police Chief Gremo added that the Library has had some issues with a handful of youth patrons and there were concerns for retaliation against library employees if the employees were the actual complainants. Trustee Patterson confirmed that the Library pays the actual costs for the assigned officer for these services. ROLL CALL:

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

Motion carried. RESOLUTION 2014-35

PUBLIC SAFETY - Trustee Thon/Trustee Carlson

A-14-081 Resolution – Approval of Agreement / Red Light Camera Services

Request the Board approve a Resolution entitled “A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE ON BEHALF OF THE VILLAGE, AND AUTHORIZING THE VILLAGE CLERK TO ATTEST TO A CERTAIN AGREEMENT WITH GATSO USA, INC. TO PROVIDE AUTOMATED TRAFFIC ENFORCEMENT SERVICES TO THE VILLAGE OF STREAMWOOD.” This Resolution authorizes a renewal contract with GATSO USA, for the continued implementation of the Red Light Photo Enforcement Program at the intersection of Routes 59 and 19.

Trustee Thon presented the Resolution and moved for approval. Trustee Cecille seconded the motion. Police Chief Jim Gremo stated Streamwood’s initial agreement with Gatso was in 2009, and includes red light cameras on southbound Route 59 at Irving Park Road, and westbound Irving Park Road at Route 59. He noted a significant decrease in accidents at this intersection over the last five years. Consideration is being given to adding the other two directions at this intersection and study results are expected soon. Trustee Harper confirmed that a Streamwood officer reviews all potential citation prior to the actual issuance. ROLL CALL:

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

Motion carried. RESOLUTION 2014-36

TOWN HALL SESSION:

A resident, Mike, asked about how Streamwood seeks specific commercial businesses. President Roth referenced the Community and Economic Development Commission, and Village Manager O'Rourke and Planning Director Caddigan spoke with him after the meeting.

ADJOURNMENT:

Trustee Harper moved to adjourn. Trustee Carlson seconded the motion. A voice vote approved adjournment. The Village Board adjourned at 9:32 p.m.

Billie D. Roth
Village President

Kittie L. Kopitke
Village Clerk

Approved this 4th day of September 2014.