

**VILLAGE OF CARPENTERSVILLE  
BOARD OF TRUSTEES  
REGULAR BOARD MEETING  
April 16, 2013**

The regular meeting of the Village Board of Trustees was called to order at 7:00 p.m. Those present for roll call were Trustees Rehberg, Teeter, Burroway, Schultz, McFeggan, Humpfer and President Ritter. Also present were Village Manager Rooney, Assistant Village Manager Wade, Attorney Rhodes, Police Chief Popp, Public Works Director Cole, Community Development Director Hock, Finance Director Haley, IT Director Goethals, Human Resource Director Mogren, Assistant Public Works Director/Village Engineer Gray and Deputy Police Chief Kilbourne.

The Pledge of Allegiance followed.

**INVOCATION**

Pastor Dexter Ball from Faithwalk Harvest Center provided this evening's Invocation.

**PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AND AWARDS**

**Arbor Day Proclamation**

Because he was instrumental in the Village receiving the Tree City USA award, Trustee McFeggan read aloud the Proclamation declaring April 26, 2013 as Arbor Day in the Village of Carpentersville that encourages all citizens to plant trees, support efforts that protect trees and woodlands, to support the Village's ongoing forestry program and to plant trees for all the benefits they provide to the community.

**Recognition of United Air Lines for their Corporate Stewardship**

President Ritter read aloud the Certificate of Appreciation presented to Mr. Glenn Heusmann, a resident representing United Air Lines in recognition of a \$5,000 Eco-Skies grant that was provided to the Village that will be used to purchase 15 trees that will be planted in Carpenter Park at the 2013 Arbor Day Event. On behalf of the Village Board, President Ritter thanked Mr. Heusmann for the award.

**Recognition of Trustee Brad McFeggan**

President Ritter read aloud the plaque presented to Trustee McFeggan in appreciation for his four years of dedicated public service to the community as Village Trustee and a member of the Audit and Finance Commission. President Ritter added his personal thanks to Trustee McFeggan for being a wonderful, thoughtful member of the Village Board and passionate for causes that Trustee McFeggan believed in.

Trustee McFeggan provided details of 13 key improvements that he has seen completed in the past four years and those accomplishments that have been made by not only the Village Board, but also Village staff, residents and business owners that is addressing the one concern that he has heard expressed very often of improving the image of the Village. He believes this involves improving the infrastructure of the Village that not only includes public improvements but also internal improvements to the services provided to the community. He thanked the residents for allowing him this great opportunity; he really enjoyed his tenure on the Board and also thanked his family for their support.

## **CONSENT AGENDA**

President Ritter asked if any Board Member wished to remove an item from the Consent Agenda for further review and discussion. No removals were requested.

Trustee Humpfer moved to approve A. Bills for Fiscal Year 2012 - 2013 Totaling \$1,173,309.52; B. Ordinance Authorizing the Transfer of the Village of Carpentersville's 2013 Volume Cap Allocation to the Upper Illinois River Valley Development Authority; C. Ordinance Creating Public Safety Director D. Resolution Approving Holland & Knight as Village Attorney; E. Request from Veterans of Foreign Wars Post 5915 to Conduct their Annual Poppy Days Friday, May 3, 2013, Saturday, May 4, 2013 and Sunday, May 5, 2013; and F. Resolution Amending in its Entirety a Plan Document for a Flexible Benefits Plan. Trustee Burroway seconded.

Vote: 6 – ayes (McFeggan, Humpfer, Rehberg, Teeter, Burroway, Schultz) 0 – nay.

Motion passed.

## **REPORTS OF MANAGER, OFFICERS, COMMITTEES AND STAFF**

### **Assistant Manager Wade will Provide an Update on the Tulsa/Kings Road Improvement Project – Proposing to add Bike Lanes**

Assistant Manager Wade stated this repaving project is a major capital improvements project that is scheduled to begin this year and is a major route to Dundee-Crown High School. This project provides the opportunity for the Village not only to physically improve the road but to also improve the social or quality of life as well by adding a bike lane or designating this roadway as a bike route with different requirements for each. He discussed the difficulty of adding a bike lane; therefore, a bike route is being considered, which could also be beneficial due the proposed state school bus funding reductions that are anticipated that could have more students riding their bikes to school. Assistant Manager Wade stated that serious attention will be given to providing a safe route to school and alternative transportation for the well being of the community.

### **IT Director Goethals will Provide an Update on Web-streaming Village Board Meetings on the Village Website**

IT Director Goethals provided an update on web-streaming the Village Board Meetings that will be available on the Village website and indicated the meetings can be watched live while the meeting is in progress; however, after the meeting, they can be viewed by a link that will be available on the website. He noted this service is expected to be available with the May 7<sup>th</sup> Regular Board Meeting and will be able to be viewed through a computer, laptop, ipad or Smartphone. Discussion ensued regarding details of how this service will be provided to the public.

### **Director of Public Safety**

Manager Rooney noted that creating a Director of Public Safety was adopted on this evening's Consent Agenda and once again thanked Chief Popp for accepting the position. However, Manager Rooney also stressed that the consolidation of both the Fire and Police Departments is a reflection of the strengths and talents in both departments that enables the creation of this streamlined, collaborative and cooperative structure in the two departments. It is the strength, technical expertise, and skills of the leadership that will provide for the success of the Public Safety Department.

### **Audit and Finance Commission**

Trustee Humpfer noted the Commission's next meeting will be tomorrow April 17<sup>th</sup> at 6:00 p.m. at the Public Works Facility to discuss several items; bond refunding options, Mutual Aid Agreement with East Dundee and consideration of sludge presses for the Wastewater Treatment Plant.

## **Park Commission**

Trustee Schultz had the following report from the April 8<sup>th</sup> Commission meeting:

- The Arbor Day celebration will be on Friday, April 26<sup>th</sup> at 1:00 p.m. in Carpenter Park. Parkview students, Boys and Girls Club and Commission members will be participating with representatives from United Air Lines also in attendance. With the 15 trees that will be planted that day brings the total trees planted in Carpenter Park to 50.
- CAMBR provided an update on the Keith Andres Park Bike Trails, which the skills track, is expected to be built first.
- On April 27<sup>th</sup> from 8:30 a.m. to 1:00 p.m. volunteers from Comcast will be in Andres Park assisting in the clean-up. Along with volunteers from CAMBR and a new church in the community called the H2O Church, it is expected that over 100 people will be volunteering that day. Anyone from the public is invited to participate.
- The Commission is currently reviewing a plan for Carpenter Park that is an agenda item being considered under New Business this evening.
- The Commission's next meeting is May 13<sup>th</sup> at the Public Works Facility at 6:30 p.m.

## **Business Development Commission**

Trustee Teeter noted the Commission's next meeting is Tuesday, April 23<sup>rd</sup> at 6:30 p.m. at the Public Works Facility; a guest speaker will attend to discuss implementing certain items in the Old Town Plan.

## **NEW BUSINESS**

### **Consideration of an Ordinance Approving the Annual Budget of the Village of Carpentersville, Illinois for the Fiscal Year Beginning May 1, 2013 and Ending April 30, 2014**

Trustee Humpfer moved to adopt an Ordinance Approving the Annual Budget of the Village of Carpentersville, Illinois for the Fiscal Year Beginning May 1, 2013 and Ending April 30, 2014. Trustee Teeter seconded.

Trustee McFeggan noted how the budget process keeps improving every year and the improvement he has seen in the four years that he has been on the Board

Vote on Motion: 6 – ayes (Humpfer, Rehberg, Teeter, Burroway, Schultz, McFeggan) 0 – nay.  
Motion passed.

### **Consideration of an Ordinance Determining the Need for Certain Property and Requesting the Transfer Thereof by the Dundee Township Park District to the Village**

Trustee Teeter moved to adopt an Ordinance Determining the Need for Certain Property and Requesting the Transfer Thereof by the Dundee Township Park District to the Village. Trustee McFeggan seconded.

Manager Rooney noted the excellent level of intergovernmental cooperation that has been shown by this request and commended Assistant Manager Wade for his efforts.

Assistant Manager Wade stated this is one more step toward making Keith Andres Park a more usable park, which transfers a parcel of property that is owned by the Park District to the Village that is needed for access into the park and to move forward with the bike trail project. He noted the Park District has been very cooperative and is in full support of this recreational endeavor; however, they have stipulated the parcel must be used for open space or recreational purposes only and would not be re-sold and the Village would pay for costs associated with the transfer of ownership.

Attorney Rhodes noted that when the ordinance was received back from the Park District they had requested two minor changes be made to the document to reflect insertion of the word "Township" where the Park District is referenced.

Trustee Teeter moved to amend the original motion to include those changes referenced by the Attorney. Trustee McFeggan seconded. Vote: 6 – ayes (Rehberg, Teeter, Burroway, Schultz, McFeggan, Humpfer) 0 – nay. Motion passed.

Vote on Original Motion as Amended: 6 – ayes (Rehberg, Teeter, Burroway, Schultz, McFeggan, Humpfer) 0 – nay. Motion passed.

### **Consideration of a Resolution Accepting a Proposal from Upland Design, Ltd. in the Amount of \$8,800 for the Development of a Carpenter Park Master Plan and Assistance with the OSLAD Grant Application Process**

Trustee Teeter moved to pass a Resolution Accepting a Proposal from Upland Design, Ltd. in the Amount of \$8,800 for the Development of a Carpenter Park Master Plan and Assistance with the OSLAD Grant Application Process. Trustee Schultz seconded.

Public Works Director Cole, along with input from staff and the Park Commission, provided details of the need for a master plan to be developed for future grant applications and the efforts to not only obtain the best price for a master plan to be developed for Carpenter Park, but to also to select the best architect for this project. Assistant Manager Wade, Assist Public Works Director Gray and Director Cole interviewed respected landscape architects in the Chicagoland area and Director Cole provided details of the interview process that each architect went through with an understanding that the plan must be developed with urgency to meet the grant application deadline. Trustee Schultz noted the cost came in under the amount that was budgeted for this project.

Vote on Motion: 6 – ayes (Teeter, Burroway, Schultz, McFeggan, Humpfer, Rehberg) 0 – nay. Motion passed.

### **Discussion and Direction – Modification to Village Codes**

President Ritter stated there should be limited discussion over these items; Board's direction should be whether to direct staff to proceed in drafting these modifications for Planning and Zoning Commission's consideration and recommendation to the Village Board or for staff not to pursue amending the Code. If direction is given to proceed with the process, Manager Rooney noted an ordinance would be drafted for the Board's review.

### **Beehive Keepers**

Community Development Director Hock stated the Manager had received a request from a resident who wishes to have a hobby bee hive in his back yard; interpretation of the code would consider the honey bees as venomous insects, which would be prohibited. He noted that many surrounding communities allow this type of use and have established standards in their code to address this. Director Hock requested direction by the Board and stated this is an amendment that staff can

prepare and bring directly to the Village Board; this would not have to go before the Planning and Zoning Commission for a Public Hearing.

While Trustee Humpfer does not have a problem with this request for all the good that bees do for vegetation, he did express concern over those that could become serious ill from a bee sting. Discussion ensued over the various options that could address this concern and other issues relative to the beehive that would be similar to those communities that currently have regulations in place; primarily addressing lot size, proximity to neighbors, the sale of the honey or solely for home consumption. The Board concurred for staff to provide additional information for Board's consideration.

### **Home Day Care Restrictions**

Director Hock noted this modification would be an item that would require a Public Hearing before the Planning and Zoning Commission. He provided details of the request from an individual that is requesting a modification be considered to allow their current home day care business to expand, which current language in the Code does not allow. The Code currently indicates a home day care in a residential area can be a Special Land Use that the resident has indicated he will begin the process of requesting consideration by the PZC for his business to expand. Director Hock discussed home based business restrictions as currently indicated in the Code and requested Board's direction if they would consider making them less restrictive; if so, staff will proceed with scheduling the request for a Public Hearing before the PZC. The Board concurred to direct staff to move forward with this request. Discussion followed regarding state and local restrictions relative to DCFS regulations.

### **Creation of a Community Garden on Village owned property (Village Hall Parking Lot)**

Director Hock provided details of the proposed project that would utilize the property that is behind Village Hall for a community garden; with the number of residents living in apartments, townhomes and condominiums that may want to have a garden but are unable lends staff to believe this could be a successful project. Director Hock is proposing the formation of a Planning Committee that would review the issues that would come with the project with recommended options to address them primarily the operation, sharing and if there would be a fee attached to the use. He noted the Board needs to consider if this property would be open for the public's use and with the Maple Avenue improvements that will install a new water main, should a T with a stop box be installed to bring water to the property and would be more convenient to bring water to the property for any use that would be proposed. Director Hock discussed the testing that would be completed to ensure the soil would be suitable for this use and the limited liability that would be present whenever Village owned property is made available for the public's use. The Board provided positive feedback and concurred this was a good idea and will be beneficial to the community.

## **TRUSTEE REPORTS**

**Trustee McFeggan had no report this evening.**

**Trustee Humpfer had the following report:**

- He thanked Chief Popp for taking on additional responsibility as Public Safety Director and believes the two departments will function more efficiently having one Chief with staff reporting to their respective Deputy Chief.
- He announced that Attorney Rhodes will be moving on and thanked him for his service.
- Trustee Humpfer also thanked Trustee McFeggan for his service and dedication to the community; he always provided good thoughts and ideas especially for his efforts that went above and beyond

to address the devastation caused by the Emerald Ash Borer and the manner in which to address it the lead to the Tree Policy being implemented.

- He complimented all candidates who ran in the election and demonstrated clean campaigns with issues being discussed without negativity. Trustee Humpfer discussed various issues he heard throughout the community that were expressed throughout this election. He hopes the Board can have another goal setting session to include new board members to review current goals and to add new ones as appropriate.

**Trustee Rehberg had the following report:**

- He thanked Attorney Rhodes for his service to the community and the assistance he provided to Trustee Rehberg when he was appointed to the Board.
- He met with the business owners of Sprouts Home Day Care and discussed how successful and efficient the business is operated; he hopes the Village can accommodate their request to revisit the current home day care restrictions in the Municipal Code.
- Trustee Rehberg thanked Trustee McFeggan for his guidance when Trustee Rehberg was first appointed and for his professional attitude as Trustee.
- He thanked the residents who came out and voted and to all the candidates that ran for office.

**Trustee Teeter had the following report:**

- She thanked Attorney Rhodes for his service and wished him well in his future endeavors.
- She congratulated the newly elected Board members and encouraged residents to vote in local elections because those elected have the greatest impact on those policies that affect residents directly.
- Trustee Teeter thanked Chief Popp for his willingness to accept additional responsibilities.
- She thanked Trustee McFeggan for his dedicated service as Village Trustee

**Trustee Burroway had the following report:**

- He thanked Trustee McFeggan for his friendship, direction and efforts in addressing the EAB devastation throughout the Village.
- Trustee Burroway thanked Attorney Rhodes for his assistance and service to the community.
- He commended Trustee McFeggan for his speech in which he detailed all the positive movement that has been made in the Village that has lent to the change in the image of the community.

**Trustee Schultz had the following report:**

- She thanked Attorney Rhodes for his service and complimented him on his reserve mannerism throughout the past tumultuous times of the Village Board and his efforts to address issues that have been brought forth by the Commissions.
- She also thanked Trustee McFeggan for his service to the community; he is a fine example to younger residents who may consider serving the community.

- Trustee Schultz thanked Chief Popp for taking on added responsibilities; she has the greatest confidence he will do well.
- She thanked the residents who voted and concurred with comments made by Trustee Humpfer relative to comments that were received through the election.

**President Ritter had the following report:**

- He agreed with comments made relative to thanking Attorney Rhodes, Chief Popp and Trustee McFeggan for their service.
- He provided an update on clean-up activities that have occurred and are planned for Keith Andres Park and certain trails that are beginning to be formed. Although CAMBr has a major role in the bike trail project, President Ritter discussed those cooperative efforts by Village staff that assist CAMBr in work being completed in the Park.
- He noted the Village Board Special Meeting scheduled for April 30<sup>th</sup> to approve the Carpenter Park Parking Lot Improvements and to provide an update on the Maple Avenue Roadway Improvement Project.

**EXECUTIVE SESSION**

Trustee Rehberg moved to adjourn to Executive Session to discuss **Section (2)(c)(1) of Open Meetings Act** - The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity; **Section (2)(c)(2) of Open Meetings Act** – Collective negotiation matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees; **Section (2)(c)(5) of Open Meetings Act** – The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired; **Section (2)(c)(6) of Open Meetings Act** – The setting of a price for sale or lease of property owned by the public body; **Section (2)(c)(11) of Open Meetings Act** – Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting; and **Section (2)(c)(21) of Open Meetings Act** – Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. Trustee Schultz seconded. Voice vote was unanimous to adjourn to Executive Session.

The Board adjourned to Executive Session at 8:48 p.m.

The Board reconvened at 10:42 p.m.

**ACTION ON EXECUTIVE SESSION ITEMS**

Trustee Teeter moved to approve and not release the minutes from Executive Sessions dated July 10, 2012, August 21, 2012, September 4, 2012, October 2, 2012, October 16, 2012, November 6, 2012, and November 20, 2012. Trustee Rehberg seconded. Vote: 6 – ayes (Burroway, Schultz, McFeggan, Humpfer, Rehberg, Teeter) 0 – nay. Motion passed.

**ADJOURNMENT**

As there was no further business, Trustee Teeter moved to adjourn the meeting. Trustee Schultz seconded. Voice vote was unanimous.

The meeting adjourned at 10:45 p.m.

Respectfully submitted,

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Therese Wilde, Village Clerk