

**VILLAGE OF CARPENTERSVILLE  
BOARD OF TRUSTEES  
SPECIAL BOARD MEETING  
April 30, 2013**

The special meeting of the Village Board of Trustees was called to order at 6:30 p.m. Those present for roll call were Trustees Burroway, Schultz, McFeggan, Humpfer and President Ritter. Also present were Village Manager Rooney, Assistant Village Manager Wade, Attorneys Elrod and Passman, Police Chief Popp, Finance Director Haley, Human Resource Director Mogren, Assistant Public Works Director/Village Engineer Gray and Capital Projects Manager Szydlowski.

Trustees Teeter and Rehberg subsequently arrived at 6:40 p.m. and 6:55 p.m. respectively.

The Pledge of Allegiance followed.

**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. Minutes from the Regular Board Meeting of April 2, 2013; B. Resolution Appropriating Motor Fuel Tax (MFT) Funds for the Purpose of Maintaining Village Streets Through the Purchase of Hot-Mix Asphalt for In-House Repairs, Road Salt for Snow and Ice Control, Electric Usage for Street Lighting, Contractual Services for the Removal and Replacement of Select Village Sidewalks, Contractual Services for Tree Removal/Tree Trimming and Contractual Services for the Resurfacing of Village Streets for FY 2013/14; C. Resolution Declaring Certain Funds Uncollectable; D. Resolution Waiving the Bidding Requirements and Accepting a Quote from Atlas Bobcat in an Amount Not to Exceed \$44,654 for the Purchase of a Bobcat Skid-Steer Loader; and E. Ordinance Amending the Carpentersville Municipal Code, Title 2, Administration and Personnel, Chapter 2.14, Procedures of the Corporate Authorities, Section 2.14.010, Meetings of the Corporate Authorities. Trustee Burroway seconded.

Vote: 4 – ayes (Schultz, McFeggan, Humpfer, Burroway) 0 – nay. Attorney Elrod noted that President Ritter will need to vote due to Item D that waives bidding requirements and requires a super majority vote. President Ritter voted aye along with the majority. Motion passed.

President Ritter introduced the Village's new attorneys, Mr. Steven Elrod and Mr. Hart Passman from the law firm of Holland and Knight. Attorney Elrod provided an overview of the services they will provide to the Village and stated they appreciate the confidence that the Village Manager and Board has in them and delighted for this opportunity to serve the community.

**REPORTS OF MANAGER, OFFICERS, COMMISSIONS, AND STAFF**

**Mr. Jerry Christopherson – Update on True Patriots Care Foundation Summer Event**

Mr. Christopherson, who is Chairman of the event, provided an update on the activities planned for that day and stated with concerns and issues he has with holding the event in Carpenter Park as he has in past years and relative to the Carpenter Park Parking Lot Improvements and Maple Avenue Construction Project that will be progressing throughout the summer, the committee is considering moving the event to another location. Because the event is planned for August 11<sup>th</sup>, Mr. Christopherson provided details of concerns he has with the ability for elderly guests to enter the park with the roadway still being under construction. While he is very loyal to the Village and has always considered the park as the first choice for the perfect venue it provides; with the safety, traffic and access issues present, alternative locations for the event and parade route need to be considered. Mr.

Christopherson discussed the various options that have been presented to him for a change in the venue that would be more accommodating to the participants. President Ritter noted that the Carpenter Park Parking Lot improvements are planned to be completed by mid-summer and there will always be access on Maple Avenue throughout construction.

Manager Rooney further noted the special meeting this evening was held to enable the Village Board to approve the Carpenter Park Parking Lot Improvement Project contract to enable the project to begin in mid-May; the project is estimated to be completed in 20-35 days. He stated the Maple Avenue project, which is a state project, has received all approvals from the state and the contract is scheduled to be let with an expected start date in early June; a public meeting is scheduled for Tuesday, May 7<sup>th</sup> before the Village Board meeting to advise residents of the anticipated timing and scope of work that will be completed. Manager Rooney noted that Maple Avenue will always have a one way route; however, this is a concern for Mr. Christopherson. Mr. Christopherson continued discussing the issues with the parade route and the many unknowns associated with the event relative to the construction project. Discussion ensued regarding the change in location and parade route for the event with Mr. Christopherson commending the Village Board, staff and other members of the community for their efforts to make this and past events successful.

### **Update of Maple Avenue Improvement Project**

Manager Rooney briefly touched upon this through the patriot event update and reiterated details of the public meeting that is scheduled for May 7<sup>th</sup>.

### **Morningside/Berkshire – NICOR Improvement Project**

Manager Rooney noted that NICOR, Comcast and other utilities have proposed an improvement project for the Morningside/Berkshire area. However, there is an easement located in the back of these residences that over time have been encroached upon primarily with fences being built on them making it virtually impossible for the utility companies to perform any work in the easements. These fences have also provided a challenge to the Police Department and Code Enforcement Officers when called to the area for service. With combined efforts between the Village and NICOR, who have committed to taking down the fences; the Village needs further review of certain property codes that may need Planning and Zoning Commission's consideration and recommendation for a change to allow a certain fence height and to determine where the fence can be located that would be more conducive to the area, residents and enforcement activities.

### **EAB Tree Update**

Manager Rooney noted that Intern McGovern has finals this week and will present an update at the May 7<sup>th</sup> Village Board Meeting; due to several coordination issues with tree removals in the parks have arose, communication between Public Works and the Parks Commission will improve to advise the Commission of tree removal activities.

Manager Rooney stated a newsletter will be mailed this week in place of one that is mailed in July to inform all the residents of public meetings that are being held not only for the Maple Avenue Improvement Project but also for a proposed Master Plan for the Village's parks that will hopefully enable the Village to receive grant funding with this master plan in place. This information will also be placed on the Village's website.

### **NEW BUSINESS**

**Consideration of a Resolution Awarding the Contract for the Carpenter Park Parking Lot Improvement Project in the Amount of \$207,325.44 to Abbey Paving Company, Inc. of Aurora, Illinois**

Trustee Teeter moved to pass a Resolution Awarding the Contract for the Carpenter Park Parking Lot Improvement Project in the Amount of \$207,325.44 to Abbey Paving Company, Inc. of Aurora, Illinois. Trustee Schultz seconded.

Manager Rooney reiterated approval of this request would allow this project to proceed with an anticipated construction start date in the middle of May.

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

### **Consideration of an Ordinance Amending Title 3 of the Carpentersville Municipal Code, Chapter 3.22, in Regard to the Local Motor Fuel Tax**

Trustee Teeter moved to adopt an Ordinance Amending Title 3 of the Carpentersville Municipal Code, Chapter 3.22, in Regard to the Local Motor Fuel Tax. Trustee Humpfer seconded.

Manager Rooney noted information that was provided by staff and recommended by the Audit and Finance Commission to increase the Local Motor Fuel Tax by \$.02; this increase would be dedicated to funding the Capital Equipment Replacement Fund for future major purchases. He discussed the list of material and equipment provided by each department of their future needs over the next three years, which the Ordinance indicates at that time the \$.02 increase would cease by the sunset provision in the Ordinance. While the increase is expected to yield \$250,000 per year, Manager Rooney stated the needs of the departments well exceeds this amount by three times as much; however, this revenue is the beginning of a dedicated revenue source to fund the account. This revenue will also put the budget in a projected balance status for this year.

Trustee Humpfer concurred with Manager Rooney that it was apparent in December through discussions of the tax levy that the Village was going to deficit spend; however, this anticipated revenue is a source to fund the Capital Equipment Replacement Fund. He noted the sunset provision that indicates this increase will only be in effect for a three year time period at which time, hopefully there will be another funding mechanism available. Audit and Finance Commission will monitor this throughout the 3-year term to determine periodically if the increase should remain in effect. While this was a difficult decision for the Commission, various funding sources were considered. Trustee Teeter concurred and stated she is glad the sunset clause is provided in the Ordinance to regularly review the need for the increase.

Trustee Schultz stated she is not in favor of this and discussed her concern over the increase and reiterated the need for this increase to be reviewed by the Audit and Finance Commission on a regular basis.

Vote on Motion: 5 – ayes (Humpfer, Rehberg, Teeter, Burroway, McFeggan) 1 – nay (Schultz).  
Motion passed.

### **Consideration of an Ordinance Amending Title 20, Fees and Fines, Chapter 20.02, Fees, Section 20.02.010 of the Carpentersville Municipal Code with Respect to Ambulance Service Fees**

Trustee Humpfer moved to adopt an Ordinance Amending Title 20, Fees and Fines, Chapter 20.02, Fees, Section 20.02.010 of the Carpentersville Municipal Code with Respect to Ambulance Service Fees. Trustee Schultz seconded.

Manager Rooney noted this was also a recommendation from the Audit and Finance Commission to increase ambulance service fees to reflect current Medicare reimbursement rates; the Ordinance

allows the rates to increase/decrease to reflect current Medicare rates without having the approval of the Village Board for every review by the Fire and Finance Departments. This rate structure is standard throughout the Chicagoland area for ambulance fees to be reflective of current Medicare rates.

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

**Consideration of a Resolution Approving a Collective Bargaining Agreement Between the Village of Carpentersville and Metropolitan Alliance of Police, Chapter #379 (Sergeants), for the Period May 1, 2013 through April 30, 2014**

Trustee Teeter moved to pass a Resolution Approving a Collective Bargaining Agreement Between the Village of Carpentersville and Metropolitan Alliance of Police, Chapter #379 (Sergeants), for the Period May 1, 2013 through April 30, 2014. Trustee Humpfer seconded.

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

**EXECUTIVE SESSION**

Trustee Teeter 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; and **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. Trustee Schultz seconded.

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

The Board adjourned to Executive Session at 7:10 p.m.

The Board reconvened at 8:16 p.m.

**ADJOURNMENT**

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

The meeting adjourned at 8:17 p.m.

Respectfully submitted,

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Therese Wilde, Village Clerk