

**VILLAGE OF CARPENTERSVILLE
BOARD OF TRUSTEES
REGULAR BOARD MEETING
April 17, 2007**

The regular meeting of the Board of Trustees was called to order at 7:30 p.m. Those present for roll call were Trustees Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer and President Sarto. Also present were Village Manager Anderson, Assistant Village Manager Wucki-Rossbach, Attorney Rhodes, Police Chief Neumann, Fire Chief Schuldt, Village Engineer Marquardt, Finance Director Happ and Economic Development/Special Projects Coordinator Murphy.

Trustee Teeter was absent.

The Pledge of Allegiance followed.

PUBLIC COMMENT

Village Residents/Business Owners

1. Dennis Carr, 26 Fir Street; a resident who requested a moment of silence in observance of those 32 college people who recently lost their lives through an act of violence. Mr. Carr discussed issues of a certain newspaper being distributed that is littering the Village and questioned how this can be stopped. Because Code Enforcement within the Village has been discussed in detail, Mr. Carr questioned why is blame being put upon the Code Enforcement department, the residents who are breaking the Code should be blamed. He further discussed several issues that have recently occurred in the Village that he believes show a lack of respect for the residents and Village.
2. Anne Schimmel, 3839 Parsons Road; a resident who expressed concern over the chemical odor that is present in the neighborhood that appears to be coming from the Hexion Chemical Plant. She provided details of the frustration she has experienced in an attempt to receive information from the Environmental Protection Agency regarding odor. Mrs. Schimmel questioned the Board if they could provide assistance to enable her to obtain information relative to this chemical odor. After brief discussion, Chief Schuldt offered to meet with Mrs. Schimmel to share with her information the Fire Department receives on a regular basis along with information of the department's close review of this plant and Pulloma Paints that could address her questions and concerns.
3. Becky Towers, 312 Tee Lane; a resident who stated that she has written letters to Village officials and has never received a response. She questioned how a response could be received when she forwards correspondence over a concern or question she may have, especially to President Sarto. President Sarto replied that he has received her recent letter and would be responding to her and suggested she telephone or email her concerns to the appropriate Village official.
4. Paul Calusinski, 528 Apache Ave.; a resident who apologized to certain Trustees over comments he has made in the past. He provided details of personal information that was divulged to the public and the repercussions that he has received from a group of citizens that are in support of the Illegal Immigration Relief Ordinance. He believes that he is being treated unjustly. Mr. Calusinski further discussed information that he recently became aware of that illegal immigrants are taking responsibility for certain social and economic responsibilities; steps are being taken by them to become legal citizens. Mr. Calusinski further discussed the attempts made by him and the Village to get ComEd to address a power generator located near his home that is providing a safety hazard and many claims that have been filed against ComEd.

Chief Schuldt discussed the many times he has attempted to address this concern to ComEd and the area residents; that ComEd has indicated that they do not believe this is a priority that needs to be addressed at this time. While Chief Schuldt has made every attempt to request that ComEd repair this because it is their responsibility, he reiterated the Village couldn't repair this. Discussion ensued regarding the safety issue and how the Village could assist in addressing this with ComEd.

5. Frank Stoneham, 314 Sedgewick; a resident who discussed in detail the attempts made by certain Village officials and area residents to what he believes is harassment and intimidation to his family over recent situations and occurrences over the election. Mr. Stoneham stated he would be suing the Village unless President Sarto resigned his office by April 26, 2007.

Because visitors in the audience made comments, President Sarto cautioned against any further outbursts or the person would be removed immediately.

Non-Resident Visitors

1. Randy Ramirez, 2221 Greenwood, Waukegan; a visitor who is a domestic violence and anger management counselor for a facility located in Waukegan and provided information regarding the effect this has on the community, society and families. Mr. Ramirez provided details of the issues relative to this abuse and discussed the various options of how the issues could be addressed through education, counseling, religion, judicial and government systems.
2. Grant Crowell, 180 S. Western Avenue; an area resident that expressed concern over the dissention of the Village Board and the recent actions that have taken place over the election. Mr. Crowell discussed his issues over the Illegal Immigration Relief Ordinance and the people who have supported it. Mr. Crowell stated he has recently changed his view of issues over the election because of recent emails he has received and the effort by President Sarto to control free speech and involving himself in personal matters of certain Village officials that Mr. Crowell believes is politically motivated.
3. Fernando Leyva, 447 Cavalier Court, West Dundee; an area resident who expressed concern over the interruptions he receives whenever he attempts to speak at the Board Meetings. He believes his freedom of speech is violated and requested President Sarto to enforce his earlier warning. Mr. Leyva discussed issues over the proposed Illegal Immigration Relief Ordinance and requested that criminal background checks be conducted on candidates and the Village Board members to hold them accountable for actions they have taken.

PROCLAMATIONS, CONGRATULATORY RESOLUTIONS AND AWARDS

Arbor Day Proclamation

President Sarto read aloud the Proclamation that discusses the numerous benefits trees provide to the community and declares Friday, April 27th as Arbor Day in the Village of Carpentersville.

CONSENT AGENDA

President Sarto asked if any Board member wished to remove any items from the Consent Agenda. No removals were requested.

Trustee Ritter moved to pass the Consent Agenda to include A. Approval of the Bills totaling \$554,993.42; B. Approval of the Minutes from the Regular Board Meeting of February 20, 2007 and March 6, 2007; C. Resolution Authorizing the Purchase of One (1) 2007 Dodge Dakota ST Club Cab

4x4 Pickup Truck from Bob Ridings Inc., in the Amount of \$15,090; D. Resolution Authorizing the Purchase of a 2007 MEDTEC Ambulance from Foster Coach Sales, Inc. of Sterling, Illinois, in the Amount of \$123,040; E. Resolution Authorizing the Purchase of Five Ford Crown Victoria Police Pursuit Vehicles; F. Authorization of Live Fire Training as Outlined in the Carpentersville Municipal Code, Section 8-24.010, Subsection B2; G. Resolution for Improvement by Municipality Under the Illinois Highway Code – Appropriation of Motor Fuel Tax Funds for Sidewalk Replacement Program; H. Resolution for Improvement by Municipality Under the Illinois Highway Code – Appropriation of Motor Fuel Tax Funds for Phase I Engineering Services for Village Wide Speed Limit Study; I. Resolution for Improvement by Municipality Under the Illinois Highway Code – Appropriation of Motor Fuel Tax Funds for Roadway Resurfacing Program; J. Resolution for Maintenance of Street and Highways by Municipality under the Illinois Highway Code – Appropriation of Motor Fuel Tax Funds for Asphalt; K. Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code – Appropriation of Motor Fuel Tax Funds for Road Salt; L. Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code – Appropriation of Motor Fuel Tax funds for Streetlight Electricity; M. Ordinance Authorizing the Disposal of a 1987 Ford F-350 Truck Due to Damages Caused by a Fire; and N. Request to Organize Farmer’s Market. Trustee Frost seconded. Vote: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay. Motion passed.

REPORTS OF MANAGER, OFFICERS, COMMITTEES AND STAFF

Manager’s Report

Manager Anderson had no report this evening.

Attorney’s Report

Attorney Rhodes had no report this evening.

Audit and Finance Commission

Trustee Humpfer had no report this evening.

Park Committee

Trustee Ramirez Sliwinski had the following report:

- Arbor Day will be celebrated at Keith Andres Park on Friday, April 27th at 10:00 a.m.; the community is welcome to attend

Stormwater Management Committee

There was no report this evening due to Trustee Teeter’s absence.

Trustee Reports

Trustee Sigwalt had the following report:

- In response to comments made earlier this evening, Mr. Calusinski had indicated that he had made comments to two trustees who sit on the Audit and Finance Commission; she confirmed with Trustee Frost that no comments were ever made to them by Mr. Calusinski.

In response to her question, Trustee Ramirez Sliwinski confirmed that her son, Randy Ramirez who made the presentation earlier this evening, was not only involved with gang and drug

awareness but also provided domestic violence counseling for the Kenosha Police Department.

- Trustee Sigwalt discussed those issues she has with Mr. Leyva who presents himself as someone who is unjustly discriminated against and has made unjustified comments to Trustee Sigwalt. She further stated she has already been fingerprinted and had a background check completed on her; she would agree to a background check being completed every six months as he requested if he gets his Village Board in West Dundee to do the same and pays for her background check.

Because Mr. Leyva made unsolicited comments, President Sarto requested he leave the meeting.

Trustee Frost had no report this evening.

Trustee Ritter had the following report:

- He commended President Sarto for his comments made earlier this evening to maintain order in the room; he does not believe Village business can be conducted while these comments are being made.
- He has commented in the newspapers and has checked with the attorney if it was possible for members of the board to request a point of order if they believe a speaker's comments are inappropriate. Attorney Rhodes confirmed that a member has a right to appeal a ruling of the chair at any given time. Trustee Ritter was prepared to call a point of order this evening because he believes the board meetings require that certain decorum be maintained; one Trustee cannot be singled out, the board, as a whole should be addressed.
- Trustee Ritter briefly discussed the request for background checks and the various information that could be provided depending upon the type that is requested. He stated he does not have a problem providing one.

Trustee Ramirez Sliwinski had the following report:

- On April 11th she attended the Round Table Discussion with members of the Mayor's Caucus and obtained good information regarding what the Village has the ability to do relative to code enforcement. She will be forwarding this information to Manager Anderson.

Trustee Humpfer had the following report:

- He replied to accusations made earlier by Mr. Calusinski and summarized the events that led to this discussion. He stated that Mr. Calusinski had not attended an Audit and Finance Commission meeting that he was invited to attend to discuss Motor Fuel Tax Funds. The reason that was given at that time by Mr. Calusinski for not attending is not the same reason that was given this evening and the allegation that Trustee Humpfer repeated a statement that was told to him by Mr. Calusinski was actually told to another person.

President Sarto had the following report:

- The Village has once again been invited to participate in the art program sponsored by Dundee-Crown High School; on April 18th President Sarto will be selecting a piece of art to be displayed in the Village Hall. He extended appreciation for their talents and participation in this annual program.
- On April 12th, President Sarto attended a meeting with newly elected 22nd Legislative District Senator Michael Noland that was also attended by many other elected officials in the 22nd Legislative District. Based upon Senator Noland's request to provide assistance as the Village's

elected representative in the State Senate; President Sarto provided details of those items, provided by Manager Anderson, that were discussed and the information that was received regarding any assistance that could be provided.

- Because there have been discussions relative to the Ordinance requiring English as the official language of the Village, President Sarto believes resources should be provided to assist residents in learning English. On April 19th he, Manager Anderson and Finance and Benefits Coordinator Mogren will be meeting with a Sister from the Chicago Archdiocese who has graciously offered her and other Sisters to participate in an educational program to assist those residents who are having a difficult time with learning the English language.
- Later that afternoon, they will be meeting with staff members from Senators Obama and Durbin's office to once again promote the programs the Village has requested appropriations for through the Russ Reid Company.

While Trustee Sigwalt concurred that it is a wonderful offer from the Sisters, she clarified the Ordinance states that English would be required for Village government business only, not for the community at large.

OLD BUSINESS

Consideration of a Resolution Approving an Agreement with the Russ Reid Company

Trustee Ritter moved to pass a Resolution Approving an Agreement with the Russ Reid Company. Trustee Ramirez Sliwinski seconded.

Manager Anderson stated this Government Relations Service Agreement was discussed earlier and the Village's advocate in Washington D.C., Russ Reid has been working for the Village for the past year; adoption of this Resolution would authorize the Village to enter into the renewal agreement for the coming fiscal year that would provide the Village with the same services in an effort to work with the Washington Congressional Delegation to carry the projects forward. He noted certain terms of the Agreement.

Trustee Humpfer briefly discussed the budget process to fund the numerous program requests. He expressed concern over moving forward with the contract and expending this amount of funds with little indication that any funding would be received.

Trustee Ritter questioned the length of the agreement; if Russ Reid has been working on a month-to-month basis since November, the Agreement should only be extended an additional six months. He would agree to extend the contract for an additional six months, not twelve, as the Agreement states.

Trustee Sigwalt concurred with concern expressed by Trustee Humpfer; there have been no funds forthcoming and to expend any more funds would be fiscally irresponsible with the Village in need of numerous items.

Trustees Frost and Ramirez Sliwinski concurred with Trustee Ritter to extend the Agreement for an additional six months only; if no funding were forthcoming, the third year would be provided at no cost other than expenses.

Discussion ensued regarding if the extension through October would be agreeable to Russ Reid and if the 90-day Escape Clause would apply. Attorney Rhodes confirmed the Escape Clause would not apply as long as an ending date is agreed upon. He also recommended the extension be conditional based upon Russ Reid confirming in writing that the third year would be free except for expenses only if funding had not been received at that time.

Because the current Resolution needs to be amended to include conditions based upon Russ Reid's approval, Trustee Ritter moved to continue this item until the next meeting, May 1, 2007. Trustee Humpfer seconded. Vote: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay. Motion passed.

NEW BUSINESS

Consideration of a Resolution Authorizing a Contract Between the Village of Carpentersville and ARC Disposal and Recycling Company, Inc. for a Residential Curbside Refuse, Recycling and Yardwaste Collection Program

Trustee Frost moved to pass a Resolution Authorizing a Contract Between the Village of Carpentersville and ARC Disposal and Recycling Company, Inc. for a Residential Curbside Refuse, Recycling and Yardwaste Collection Program. Trustee Sigwalt seconded.

Manager Anderson briefly highlighted certain terms of the contract that will begin May 1, 2007 and extend through April 30, 2012 that would provide essentially the same level of collection service that the Village currently has in place; in the near future, the Audit and Finance Commission will determine the level of service that would be recommended for Village Board's approval. While there are various options to consider for the level of service that will be provided, Manager Anderson noted that garbage pick-up does need to continue and ARC has provided the most favorable proposal.

Trustee Humpfer questioned if Waste Management, the previous collector, had been contacted and had they considered a month extension under their contract. Assistant Manager Wucki-Rosbach replied there has been no contact since the recommendation had been made. Based upon Trustee Humpfer's question, Assistant Manager Wucki-Rosbach reiterated the level of service would be determined by further review and recommendation by the Audit and Finance Commission, this Resolution would ensure that a contract is awarded and collection is continued. Trustee Humpfer commended Assistant Manager Wucki-Rosbach for her work in providing a Request for Proposal that enabled the Village to review and determine the best contract for the residents. Trustee Humpfer provided details of the Commission's review of the proposals and concurred that the Commission needs to meet soon to determine the level of service that would be recommended.

Attorney Rhodes reiterated that adoption of this Resolution would engage the Village in a contract with ARC until 2012; the difference, he noted, is the Board has a month to choose a different method of collection than what is currently being done.

Discussion ensued regarding the fieldwork that has been done by ARC to ensure the transition is as seamless as possible with no immediate changes to the current method of collection. Rick Bulthuis, a representative from ARC Disposal, briefly discussed the steps that have been taken to ensure an easy transition for the residents. Assistant Manager Wucki-Rosbach concurred there are provisions in the contract that allows certain details to remain as they are currently until the level of service has been determined.

Mr. Bulthuis provided details of the toters that would be available if the Village chose to utilize that method of collection and the benefits these toters would provide to the community; additional details could be provided for review by the Audit and Finance Commission. Trustee Ritter noted the numerous options that need to be reviewed and considered to provide the level of service that is best for the community.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay. Motion passed.

Consideration of an Ordinance Amending the Provisions of the Carpentersville Municipal Code, Title 8, "Health and Safety," by adding Chapter 8.40, "Emergency Services and Disaster Agency"

Trustee Ramirez Sliwinski moved to pass an Ordinance Amending the Provisions of the Carpentersville Municipal Code, Title 8, "Health and Safety," by adding Chapter 8.40, "Emergency Services and Disaster Agency". Trustee Humpfer seconded.

Manager Anderson noted this Ordinance would update the Emergency Services Disaster Agency (ESDA) provisions and allow the Village to incorporate the provisions into the Municipal Code.

Trustee Humpfer stated the Audit and Finance Commission has discussed this issue through several budget seasons and recognizes the importance of having a policy in place to deal with a disaster that could impact the Village.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay.
Motion passed.

Consideration of a Resolution Authorizing the Annual Compensation for the Emergency Services and Disaster Agency Coordinator

Trustee Ramirez Sliwinski moved to pass a Resolution Authorizing the Annual Compensation for the Emergency Services and Disaster Agency Coordinator. Trustee Humpfer seconded.

Manager Anderson noted this relates to the Ordinance that was just adopted and would authorize the annual compensation of \$2,400 for the ESDA Coordinator.

Brief discussion ensued over the appointment of the Coordinator; Manager Anderson noted that Fire Chief Schuldt has previously been appointed to serve as the Coordinator.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay.
Motion passed.

Consideration of a Resolution Accepting a Bid from Cargill Salt for Water Softening Salt for Fiscal Year 2007 – 08 in the Amount of \$66.23 per Ton

Trustee Sigwalt moved to pass a Resolution Accepting a Bid from Cargill Salt for Water Softening Salt for Fiscal Year 2007 – 08 in the Amount of \$66.23 per Ton. Trustee Frost seconded.

Manager Anderson noted this is an annual procedure and Cargill Salt has submitted the only bid; based upon favorable past experience, it is recommended that approval be granted to enter into an agreement with Cargill Salt to provide Water Softening Salt for the Village.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay.
Motion passed.

Consideration of a Resolution Accepting a Bid from Casey Equipment Company, Inc., for the Provision of a Conveyor Asphalt Paver at a Cost of \$196,495

Trustee Sigwalt moved to pass a Resolution Accepting a Bid from Casey Equipment Company, Inc., for the Provision of a Conveyor Asphalt Paver at a Cost of \$196,495. Trustee Humpfer seconded.

Based upon detailed discussion through the budget process, Manager Anderson provided details of the assistance this piece of equipment would provide to the Capital Improvements Program enabling

the Street Program to complete areas in a timelier, more efficient manner. He noted the shortage between the budgeted amount and bid amount; a portion of the difference would be recouped through the proceeds from auction of two other pieces of equipment.

Brief discussion ensued regarding the importance this piece of equipment will be to the Street Program.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay.
Motion passed.

Consideration of a Resolution Approving a Contract Between the Village of Carpentersville and Bonkoski Lawn Care, Inc., in the Amount of \$59,895 for the Purpose of Grounds Maintenance Within the Parks, Right of Ways, Village Owned Properties and Special Service Areas for the 2007 Growing Season

Trustee Frost moved to pass a Resolution Approving a Contract Between the Village of Carpentersville and Bonkoski Lawn Care, Inc., in the Amount of \$59,895 for the Purpose of Grounds Maintenance Within the Parks, Right of Ways, Village Owned Properties and Special Service Areas for the 2007 Growing Season. Trustee Ramirez Sliwinski seconded.

Manager Anderson reiterated information that was provided of the bids that were received for grounds maintenance for Village owned properties. He stated the lowest bid was received from Bonkoski Lawn Care and based upon past experience with working with them, it is recommended that approval be granted to allow the Village to enter into a contract with Bonkoski Lawn Care.

Discussion ensued regarding the areas of the Village that would be maintained under this contract and the services that would be provided.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay.
Motion passed.

Consideration of a Resolution Amending the Miller Road Lift Station Improvement Contract and Authorizing Change Order No. 2 Decreasing the Contract Amount by \$5,500

Trustee Sigwalt moved to pass a Resolution Amending the Miller Road Lift Station Improvement Contract and Authorizing Change Order No. 2 Decreasing the Contract Amount by \$5,500. Trustee Ritter seconded.

Manager Anderson stated that adoption of this Resolution would authorize Change Order #2 to the contract for the Miller Road Lift Station Improvement Project; this change order relates to unanticipated costs incurred by the Village that will be reimbursed to the Village.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay.
Motion passed.

Consideration of a Resolution Approving Contract Change Order No. 2 to Bolder Contractors, Inc. of Deerfield, Illinois, for the Sleepy Hollow Road Reconstruction Project

Trustee Humpfer moved to pass a Resolution Approving Contract Change Order No. 2 to Bolder Contractors, Inc. of Deerfield, Illinois, for the Sleepy Hollow Road Reconstruction Project. Trustee Sigwalt seconded.

Manager Anderson provided details of the additional work to the subgrade that necessitated the request for this change order that increases the amount of the contract by \$36,691.20; while this work

was not anticipated, it was not unusual due to the age and condition of the road.

Based upon Trustee Ritter's question, Engineer Marquardt provided a brief update on the status of the project.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay.
Motion passed.

Consideration of an Ordinance Authorizing the Transfer of the Village of Carpentersville's 2007 Volume Cap Allocation from the State of Illinois to the Upper Illinois River Valley Development Authority

Trustee Sigwalt moved to pass an Ordinance Authorizing the Transfer of the Village of Carpentersville's 2007 Volume Cap Allocation from the State of Illinois to the Upper Illinois River Valley Development Authority. Trustee Ramirez Sliwinski seconded.

Because there have been no requests for this allocation, Manager Anderson provided details of the request to allow the Village to transfer private activity bonding authority for 2007 to the Upper Illinois River Valley Development Authority. He noted future intent would be to encourage interest in this funding that would enable businesses to expand with a significant amount of low interest money.

Vote on Motion: 6 – ayes (Sigwalt, Frost, Ritter, Ramirez Sliwinski, Humpfer, Sarto) 0 – nay.
Motion passed.

ADJOURNMENT

As there was no further business, Trustee Sigwalt moved to adjourn the meeting. Trustee Ramirez Sliwinski seconded. Vote was unanimous.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Therese Wilde, Village Clerk