

REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES, VILLAGE OF BURR RIDGE, IL

May 9, 2011

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of May 9, 2011 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:00 p.m. by Mayor Grasso.

PLEDGE OF ALLEGIANCE was conducted by Priya Deshmukh of Gower Middle School.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Sodikoff, Wott, Grela, and Mayor Grasso. Also present were Village Administrator Steve Stricker, Police Chief John Madden, Community Development Director Doug Pollock, Public Works Director Paul May, and Village Clerk Karen Thomas.

There being a quorum, the meeting was open to official business.

OATH OF OFFICE FOR NEWLY ELECTED TRUSTEES The Village Clerk administered the oath of office to Trustees Leonard Ruzak, John Manieri, and Albert Paveza.

PRESENTATION OF DONATION TO POLICE DEPARTMENT Mr. Alan Rose, Rose Paving Company, discussed the history of Rose Paving and some of its special projects. Mr. Rose explained the philanthropy projects that Rose Paving has undertaken and concluded by presenting Police Chief John Madden with a donation of \$5,800 for the purchase of electronic Taser devices.

AUDIENCE There were none at this time.

CONSENT AGENDA – OMNIBUS VOTE After reading the Consent Agenda by Mayor Grasso, motion was made by Trustee Grela and seconded by Trustee Wott that the Consent Agenda – Omnibus Vote, (attached as Exhibit A) and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

AYES: 6 – Trustees Grela, Wott, Paveza, Sodikoff, Manieri, Ruzak

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

APPROVAL OF REGULAR MEETING OF APRIL 25, 2011 were approved for publication under the Consent Agenda by Omnibus Vote.



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RECEIVE AND FILE (DRAFT) SPECIAL ECONOMIC DEVELOPMENT COMMITTEE MEETING OF APRIL 19, 2011 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE APPROVED VETERANS MEMORIAL COMMITTEE MEETING OF MARCH 30, 2011 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) PLAN COMMISSION MEETING OF MAY 2, 2011 were noted as received and filed under the Consent Agenda by Omnibus Vote.

PLAN COMMISSION RECOMMENDATION TO APPROVE SPECIAL USE (Z-05-2011- 51 SHORE DRIVE – PERSONALIZATION MALL) The Board, under the Consent Agenda by Omnibus Vote, accepted the Plan Commission's recommendation granting a special use for a fence enclosing an outdoor patio and directed staff to prepare an Ordinance (Z-05-2011 – 51 Shore Drive – Personalization Mall).

CHANGE ORDER #12 TO THE POLICE FACILITY CONSTRUCTION CONTRACT – HARBOUR CONTRACTORS The Board, under the Consent Agenda by Omnibus Vote, approved Change Order #12 from Harbour Contractors for the Police Facility Construction Contract in the amount of \$13,500.

REQUEST FOR INCREASE IN ATTORNEY'S FEES – KLEIN, THORPE, AND JENKINS The Board, under the Consent Agenda by Omnibus Vote, approved the request for a July 1, 2011 increase in the Village Attorney's fees as follows: Municipal rates – Partner's time at \$190 per hour, Municipal rates Sr. Associate at \$185 per hour, Reimbursable rates – Partner's time at \$225 per hour, Reimbursable rates – Sr. Associate's time at \$215 per hour.

RECOMMENDATION TO RENEW CONTRACT FOR VILLAGE PROSECUTOR The Board, under the Consent Agenda by Omnibus Vote, approved the request to renew the contract with Linda Pieczynski for prosecution services for the period of June 1, 2011 through May 31, 2012 at a per-court-session rate of \$185 and an hourly rate of \$135.

REQUEST FOR FMLA LEAVE OF ABSENCE – OFFICER KEVIN GLINSKI The Board, under the Consent Agenda by Omnibus Vote, approved the request for up to 12 weeks of unpaid leave of absence under the Family and Medical Leave Act for Police Officer Kevin Glinski.

REQUEST FROM THE FLAGG CREEK HERITAGE SOCIETY FOR HOTEL/MOTEL TAX FUNDS The Board, under the Consent Agenda by Omnibus Vote, approved the request from the Flagg Creek Heritage Society for a contribution toward its continued operation of its museum in the amount of \$2,500 from the Hotel / Motel Tax Fund.

REQUEST FROM I & M CANAL NATIONAL HERITAGE CORRIDOR FOR DONATION FROM THE HOTEL/MOTEL TAX FUND (DUES) The Board, under the Consent Agenda



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by Omnibus Vote, approved the request from I & M National Heritage Corridor for dues in the amount of \$2,900.

VOUCHERS FY 10 - 11 in the amount of \$79,389.27 for the period ending May 9, 2011 were approved for payment under the Consent Agenda by Omnibus Vote.

VOUCHERS FY 11 - 12 in the amount of \$44,580.31 for the period ending May 9, 2011 and payroll in the amount of \$176,180.96 for the period ending April 30, 2011 were approved for payment under the Consent Agenda by Omnibus Vote.

RESOLUTION OPPOSING REDUCTION OF STATE COLLECTED REVENUES DUE MUNICIPALITIES – LOCAL GOVERNMENT DISTRIBUTIVE FUND (LGDF) Village Administrator Steve Stricker stated there is a possibility that the State of Illinois will withhold some or possibly all of the local funds that are due to municipalities. He said this would have a catastrophic effect on the Village budget and the ability to maintain service levels. Mr. Stricker stated the Fiscal Year 2011 – 12 Budget includes \$844,720 that was expected in LGDF revenue, which represents 10.8% of the total General Fund revenue budget. He added that in the past two years, the Village has eliminated nine full-time positions and a total of one million dollars for those budget years.

Mr. Stricker presented a Resolution opposing the proposed reduction of state collected revenues. In addition, a public information campaign is recommended encouraging residents to contact their state legislators to express opposition to this proposal. Mr. Stricker explained there is information on the Village web site and a sample letter that can be sent to the appropriate legislator expressing opposition to the proposal. Mr. Stricker encouraged residents to participate in the campaign.

Mayor Grasso also encouraged residents to read the information on the Village web site and contact their legislators.

Motion was made by Trustee Paveza and seconded by Trustee Wott to adopt the Resolution Opposing Reduction of State Collected Revenues Due Municipalities – Local Government Distributive Fund (LGDF).

On voice vote the motion carried.

THIS IS RESOLUTION NO. R-08-11.

PLAN COMMISSION RECOMMENDATION TO APPROVE SPECIAL USE (Z-06-2011: 201 BRIDEWELL DRIVE – EDDIE MERLOT’S) Community Development Director Doug Pollock discussed the Plan Commission recommendation for Design Collaborative on behalf of Eddie Merlot’s Restaurant to be located at 201 Bridewell Drive in the former location of the Max & Erma’s Restaurant. Mr. Pollock explained a special use is requested since the restaurant is planning to host limited live entertainment, sell alcoholic beverages with extended hours of operation, and construct additions to the existing building.



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Mr. Pollock explained the Plan Commission felt the re-use of the location was acceptable since it is an established restaurant location and building. He added that the restaurant would be open only for dinner and the entertainment limited to a small group playing soft rock, jazz, or blues. The proposed closing time would be 10 p.m. on weeknights and 11 p.m. on weekends.

Mr. Pollock stated the Plan Commission was concerned about the plans to resurface the building with stucco. They preferred the existing brick be maintained and the addition be primarily constructed of brick, pre-cast stone, or natural stone. Thus, they recommended that a special use condition state that the building elevations shall be revised to minimize the use of stucco and minimize the amount of the existing brick that is covered and the primary façade building materials shall be brick, pre-cast stone, or natural stone.

Mr. Pollock stated that in response to the Plan Commission recommendations, the petitioner provided revised building elevations. Mr. Pollock showed the Board slides of the revised elevations and noted the changes to include the recommendations.

Trustee Wott inquired about the scope of the changes to the existing restaurant and Mr. Pollock summarized the changes to the Board based upon the modified elevations.

Trustee Grela commented that although it is not prohibited in the Building Code, the use of stucco or EFIS type finishes has been discouraged by the Plan Commission and Board with previous projects, such as the Village Center. Trustee Grela added that it was his understanding that the petitioner was discouraged to use stucco for the building.

Trustee Grela asked if the stucco exterior is a trademark finish of the Eddie Merlot Restaurants. In response, Rich Busfield, Architect for the petitioner, responded that it is part of the architecture and style of the Eddie Merlot Restaurant and its prohibition would be a “deal breaker” for the restaurant owner.

Trustee Grela inquired as to the percentage of stucco on the building and in response, Mr. Busfield stated it is approximately 35% stucco. Trustee Grela indicated it is his preference that the building be limited to 15% stucco.

Mayor Grasso noted the Max & Erma’s Restaurant currently contains stucco.

Trustee Manieri noted the Plan Commission recommended a minimal amount of stucco and wondered what percentage that would equate to. In response, Mr. Pollock stated that a percentage was not specified.

The Board discussed the composition of the building materials in the revised elevations and concluded it would be approximately one-third glass, one-third brick, and one-third stucco.

A handwritten signature in cursive script, appearing to read "kjst", located in the bottom right corner of the page.

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Plan Commissioner Guy Franzese stated the Plan Commission's intent in their recommendation was to allow the existing brick to remain rather than be covered with stucco.

Mayor Grasso added that the Village position on stucco must be established in the Building Code for clarity.

Pat Svatos of Robert Bartlett Estates, stated she is more concerned that the building is vacant and would like to see it occupied, contribute to the tax base, and add jobs to the community.

Motion was made by Trustee Wott and seconded by Trustee Ruzak to direct staff to prepare an Ordinance granting special use approvals (Z-06-2011: 201 Bridewell Drive – Eddie Merlot's).

Trustee Grela questioned the motion. In response, the Board discussed the clarity of what the motion was approving and the need for additional Plan Commission direction regarding the recommendation. The Board also discussed clarifying the Village position on materials, such as stucco.

Trustee Grela added that because the petitioner is requesting a special use, the Plan Commission can mandate certain items such as the use of stucco.

Trustee Wott withdrew her motion.

Motion was made by Trustee Grela and seconded by Trustee Manieri to remand back to the Plan Commission the recommendation to approve special use (Z-06-2011: 201 Bridewell Drive – Eddie Merlot's).

Trustee Paveza questioned the expectations of the Plan Commission. In response, Mr. Pollock stated the Plan Commission would be providing a recommendation to the Board based upon the revised plans.

On voice vote the motion carried.

RECOMMENDATION TO AWARD CONTRACT FOR 2011 ROAD PROGRAM Public Works Director Paul May described the planned resurfacing projects for 2011. Mr. May stated the low bid contract proposal was submitted from Chicagoland Paving Contractors Inc. in the amount of \$199,900 and is well below the budgeted amount of \$282,000 for this year. Mr. May added that the Motor Fuel Tax (MFT) Revenue for this year is \$332,000, which includes the budgeted \$282,000.

He stated that since the proposal is below the budgeted amount, the Village has the opportunity to perform additional patching or carry the money over to the next fiscal year. Mr. May said Engineering is preparing a summary of additional work that will be presented to the Street Policy Committee for recommendation.



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Motion was made by Trustee Wott and seconded by Trustee Sodikoff to award the Contract for the 2011 Roadway Resurfacing portion of the 2011 Road Program to Chicagoland Paving Company of Lake Zurich in the amount of \$199,900.

On Roll Call, Vote Was:

AYES: 6 – Trustees Wott, Sodikoff, Grela, Paveza, Manieri, Ruzak

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried

PROPOSAL TO VIDEO TAPE PLAN COMMISSION MEETINGS Village Administrator Steve Stricker stated the proposal to video tape the Plan Commission meetings was previously discussed at the Goals meeting in January and \$8,625 was included for it in the FY 2011–12 budget. The meeting would be broadcast live on the cable TV channel, played several times during the week, and placed on the Village web site.

Mayor Grasso added that broadcasting the Plan Commission meetings would provide government transparency for residents and insight into the Plan Commission, resulting in more feedback in this area from residents. He also noted the cost, which should be considered, given budget concerns.

The Board discussed the proposal and agreed the transparency was a benefit but in light of the cost and budget concerns, it should be deferred, at least until a decision is reached in Springfield regarding the LGDF funds.

Motion was made by Trustee Paveza and seconded by Trustee Wott to defer the proposal to video tape the Plan Commission Meetings for three months to be discussed at the August 8, 2011 Board Meeting.

On voice vote the motion carried.

MAYORS RECOMMENDATION CONCERNING BOARD COMMITTEE APPOINTMENTS Mayor Grasso stated that following the election of two new Trustees, he has provided recommendations for replacements of Board committee appointments.

Motion was made by Trustee Sodikoff and seconded by Trustee Wott to approve the recommendations of the Mayor concerning the Board committee appointments.

On voice vote the motion carried.

OTHER CONSIDERATIONS Trustee Ruzak proposed changing the name of 77th Street to Memorial Drive. Mayor Grasso suggested polling the affected residents on the proposal and considering the change as a future Board agenda item.



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Trustee Grela suggested the Plan Commission discuss the use of stucco at their meeting on May 16, 2011.

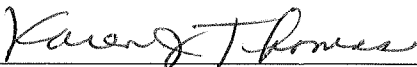
AUDIENCE Dolores Cizek, 6603 Natasha Court, Countryside, expressed her opinion on the approval of the platform tennis courts in KLM Park in Hinsdale. In addition, Ms. Cizek stated she was disappointed that her comments on the budget and misuse of the police garage were ignored.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS Trustee Wott discussed the 5K race scheduled for Saturday June 11th at 8:00 a.m. Trustee Wott indicated registration is open and can be completed online at right-fit.com.

ADJOURNMENT Motion was made by Trustee Wott and seconded by Trustee Paveza that the Regular Meeting of May 9, 2011 be adjourned.

On voice vote the motion carried and the meeting was adjourned at 8:30 p.m.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.



Karen J. Thomas
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 23rd day of May, 2011.



**AGENDA
REGULAR MEETING – MAYOR & BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE**

**May 9, 2011
7:00 p.m.**

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE:** Priya Deshmukh
Gower Middle School
2. **ROLL CALL**

Oath of Office for Newly Elected Officials

**Presentation of Donation to Police Department
Mr. Alan Rose, Rose Paving Company**

3. **AUDIENCE**
4. **CONSENT AGENDA – OMNIBUS VOTE**

All items listed with an asterisk (*) are considered routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so request, in which event the item will be removed from the Consent Agenda.

5. **MINUTES**

- *A. Approval of Regular Meeting of April 25, 2011
- *B. Receive and File Draft Special Economic Development Committee Meeting of April 19, 2011
- *C. Receive and File Approved Veterans Memorial Committee Meeting of March 30, 2011
- *D. Receive and File Draft Plan Commission Meeting of May 2, 2011

6. **ORDINANCES**

7. **RESOLUTIONS**

- A. Consideration of Resolution Opposing Reduction of State Collected Revenues due Municipalities – Local Government Distributive Fund (LGDF)

8. **CONSIDERATIONS**

- A. Consideration of Plan Commission Recommendation to Approve Special Use (Z-06-2011: 201 Bridewell Drive – Eddie Merlot's)
- B. Consideration of Recommendation to Award Contract for 2011 Road Program
- C. Consideration of Proposal to Video Tape Plan Commission Meetings
- D. Consideration of Mayor's Recommendation Concerning Board Committee Appointments

EXHIBIT A

- *E. Consideration of Plan Commission Recommendation to Approve Special Use (Z-05-2011: 51 Shore Drive – Personalization Mall)
- *F. Approval of Change Order #12 to the Police Facility Construction Contract – Harbour Contractors
- *G. Approval of Request for Increase in Attorney’s Fees – Klein, Thorpe and Jenkins
- *H. Approval of Recommendation to Renew Contract for Village Prosecutor
- *I. Approval of Request for FMLA Leave of Absence – Officer Kevin Glinski
- *J. Approval of Request from the Flagg Creek Heritage Society for Hotel/Motel Tax Funds
- *K. Approval of Request from I & M Canal National Heritage Corridor for Donation from the Hotel/Motel Tax Fund (Dues)
- *L. Approval of FY 10-11 Vendor List
- *M. Approval of FY 11-12 Vendor List
- N. Other Considerations – For Announcement, Deliberation and/or Discussion Only – No Official Action will be Taken

9. AUDIENCE

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. ADJOURNMENT