

REGULAR MEETING

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

March 12, 2012

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of March 12, 2012 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 The Pledge of Allegiance was conducted Sarah Meece of St. John of the Cross School.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Ruzak, Paveza, Wott, Sodikoff, Grela, and Mayor Grasso. Absent was Trustee Manieri. Also present were Village Administrator Steve Stricker, Community Development Director Doug Pollock, Public Works Director Paul May, Police Chief John Madden, Finance Director Jerry Sapp, Village Attorney Scott Uhler, and Village Clerk Karen Thomas.

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

AUDIENCE Marty Gleason discussed a recent newspaper article regarding Rush Limbaugh and a quote in the article that was made by Mayor Grasso. Mr. Gleason expressed his agreement with Mayor Grasso.

Conrad Fialkowski, 100 Waterside Place, expressed the desire of the Chasemoor residents to replace the pathways in Chasemoor. Mr. Fialkowski suggested that the project be done in phases to spread out the costs. Village Administrator Steve Stricker added that the Chasemoor pathways will be discussed after the Board Meeting and explained that the Pathway Commission is in the process of ensuring the projects are prioritized correctly.

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: 5 – Trustees Grela, Wott, Sodikoff, Ruzak, Paveza

NAYS: 0 – None

ABSENT: 1 – Trustee Manieri

There being five affirmative votes, the motion carried.

APPROVAL OF REGULAR MEETING OF FEBRUARY 27, 2012 were approved for publication under the Consent Agenda by Omnibus Vote.



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RECEIVE AND FILE (DRAFT) SPACE NEEDS COMMITTEE MEETING OF FEBRUARY 27, 2012 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE VETERANS MEMORIAL COMMITTEE MEETING OF JANUARY 25, 2012 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) PATHWAY COMMISSION MEETING OF MARCH 8, 2012 were noted as received and filed under the Consent Agenda by Omnibus Vote.

ORDINANCE AMENDING SECTIONS 35-10-100 (b) AND 35-11-208 (a) (13) OF CHAPTER 35 (MOTOR VEHICLES) OF THE BURR RIDGE MUNICIPAL CODE The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance amending Sections 35-100 (b) and 35-11-208 (a) (13) of Chapter 35 (Motor Vehicles) of the Burr Ridge Municipal Code.

THIS IS ORDINANCE NO. A-668-01-12.

RECOMMENDATION TO TERMINATE CONTRACT – AZAVAR AUDIT SOLUTIONS
The Board, under the Consent Agenda by Omnibus Vote, terminated the contract with Azavar Audit Solutions with the understanding that the contract would be terminated after 90 days.

RECEIVE AND FILE RETIREMENT LETTER OF SGT. BRYAN DEYOUNG EFFECTIVE MARCH 28, 2012 The Board, under the Consent Agenda by Omnibus Vote, received and filed the retirement letter of Sgt. Bryan DeYoung effective March 28, 2012.

RECOMMENDATION TO AUTHORIZE THE BOARD OF FIRE AND POLICE COMMISSIONERS TO PROMOTE A CORPORAL TO THE RANK OF SERGEANT TO PROMOTE A PATROL OFFICER TO THE RANK OF CORPORAL AND TO HIRE A REPLACEMENT PATROL OFFICER TO FILL THE VACANCY CREATED BY THE RETIREMENT OF SGT. BRYAN DEYOUNG The Board, under the Consent Agenda by Omnibus Vote, authorized the Board of Fire and Police Commissioners to fill the vacant position in the rank of Sergeant, as well as the corresponding vacancy that will occur in the rank of Corporal, and to hire a replacement officer to fill the subsequent vacancy in the Patrol Officer force.

RECEIVE AND FILE RESIGNATION LETTER FROM GENERAL UTILITY WORKER II DAVID PEKLO The Board, under the Consent Agenda by Omnibus Vote, received and filed the resignation letter from General Utility Worker II David Peklo.

RECOMMENDATION TO AUTHORIZE PUBLIC WORKS DIRECTOR TO FILL VACANCY FOR THE POSITION OF GENERAL UTILITY WORKER II The Board, under the Consent Agenda by Omnibus Vote, authorized the Public Works Director to hire a Public Works employee up to the mid-point of the General Utility Worker II range with the understanding that the



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employee will possess a State of Illinois Water Operator's Class C Certification and have at least five years' experience operating a water supply system.

PROCLAMATION HONORING 100TH ANNIVERSARY OF GIRL SCOUTS OF THE USA

The Board, under the Consent Agenda by Omnibus Vote, approved the Proclamation honoring the 100th Anniversary of Girl Scouts of the USA, which occurs on March 12, 2012.

VOUCHERS FY 11 - 12 in the amount of \$239,736.02 for the period ending March 12, 2012, and payroll in the amount of \$225,711.38 for the period ending March 3, 2012 were approved for payment under the Consent Agenda by Omnibus Vote.

POLICE DEPARTMENT AWARDS CEREMONY
COMMENDATION FOR OFFICER MICHAEL FIRNSIN

Police Chief John Madden read a description of the events that occurred on December 31, 2011 when Officer Michael Firnsin stopped a suspicious vehicle which upon search, contained items stolen from other communities. Officer Michael Firnsin's initiative to conduct a thorough investigation of the matter resulted in not only the recovery of stolen property from other communities but also prevented potential crime in Burr Ridge. Chief Madden awarded a commendation to Officer Michael Firnsin.

PUBLIC HEARING
AMENDMENT TO ANNEXATION AGREEMENT
MEADOWBROOK PLACE SUBDIVISION

CALL TO ORDER The Public Hearing of the Mayor and Board of Trustees for the Amendment to the Annexation Agreement for the Meadowbrook Place Subdivision was held in the Meeting Room of the Village Hall, 7660 South County Line Road, Burr Ridge, Illinois and called to order by Mayor Grasso at 7:20 p.m. with the same Trustees in attendance as immediately preceding the Public Hearing.

NOTICE OF HEARING was published in the Suburban Life.

PURPOSE OF MEETING is to consider an amendment to an Annexation Agreement for the Meadowbrook Place Subdivision.

PRESENTATION Doug Pollock, Community Development Director, stated that the Board discussed this amendment at the February 13, 2012 meeting. Mr. Pollock explained that the property was previously under foreclosure and is now owned by Oxford Bank, who would like to



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keep the subdivision active with the intent of locating a buyer to complete the subdivision. Mr. Pollock explained the terms of the amendment which include:

1. Oxford will pay a \$25,000 fee for a two year extension until March 1, 2014 with an option for an additional one year extension for \$10,000;
2. Oxford will pay \$22,750, due when the work commences, toward the cost of resurfacing Meadowbrook Drive and the Letter of Credit will be reduced by 125% of the amount paid by the bank for these improvements;
3. The Engineer's Cost Estimate and Letter of Credit will be updated to reflect current prices;
4. If the subdivision improvements are not completed by the extended deadline, the Village will not draw on the letter of credit provided Oxford submits a plat of vacation.

BOARD QUESTIONS AND COMMENTS

There were none at this time.

AUDIENCE QUESTIONS AND COMMENTS

Gerald Callaghan of Oxford Bank stated that Mr. Pollock accurately described the terms of the agreement and Oxford Bank is anxious to market the property.

CLOSE HEARING

Motion was made by Trustee Wott and seconded by Trustee Paveza that the Amendment to the Meadowbrook Place Subdivision Annexation Agreement Public Hearing be closed.

By Voice Vote, the motion carried and the Meadowbrook Place Subdivision Annexation Agreement Public Hearing was closed at 7:22 p.m.

ORDINANCE AUTHORIZING AMENDMENT TO ANNEXATION AGREEMENT (MEADOWBROOK PLACE SUBDIVISION)

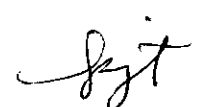
Community Development Director Doug Pollock stated that this Ordinance is for the Amendment to the Meadowbrook Place Subdivision that was previously discussed in the Public Hearing.

Trustee Sodikoff questioned that if the subdivision improvements are not completed by the extended deadline and Oxford Bank vacates the plat, would the property remain annexed to the Village and in response, Mr. Pollock indicated that it would.

Motion was made by Trustee Ruzak and seconded by Trustee Wott to approve the Ordinance Authorizing the Amendment to Annexation Agreement (Meadowbrook Place Subdivision).

On Roll Call, Vote Was:

AYES: 5 – Trustees Ruzak, Wott, Paveza, Sodikoff, Grela
NAYS: 0 – None
ABSENT: 1 – Trustee Manieri



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There being five affirmative votes, the motion carried.
THIS IS ORDINANCE NO. A-1068-01-12.

RECOMMENDATION TO APPROVE AN ORDINANCE AMENDING THE BURR RIDGE VILLAGE CODE, CHAPTER 60, CREATING SECTION 60-16, ENTITLED, "TAX ON THE GROSS RECEIPTS OF PLACES FOR EATING"

Village Administrator Steve Stricker explained that the proposed Ordinance would impose a 1% Place-of-Eating Tax in all restaurants throughout the Village. He stated the tax would be implemented as of May 1, 2012 and would generate approximately \$200,000 per year and the FY 12 – 13 Budget includes \$150,000 of this amount allocated to the General Fund and \$50,000 allocated to a Revenue fund to promote Burr Ridge as a destination place for Restaurants.

Mr. Stricker explained that the Ordinance contains the specifications for defining restaurants, registration requirements, and accounting requirements.

Russell Smith, 850 Village Center Drive and business owner on Tower Drive, expressed his apprehension with regard to taxing restaurants with the current economy. Mr. Smith feels it is not the appropriate time to impose additional taxes, especially since the Village Center is currently under-utilized. Mr. Smith also feels the Village is spending too much money with the I-55 Bridge project and Village Hall renovation.

Susan Green, 850 Village Center Drive, stated that LaGrange has a significant number of restaurants and feels Burr Ridge needs more restaurants but is uncertain if imposing a tax will attract restaurants. Ms. Green stated that the vacant businesses should be filled prior to imposing taxes.

Mickey Straub, 81st Street, stated he is generally opposed to raising taxes and would like to see more research conducted prior to imposing the tax. Mr. Straub inquired as to what the dollar amount of revenue from the restaurants is from Burr Ridge residents. In response, Mr. Stricker indicated it is not known. Mr. Stricker also added that the Village has imposed budget cuts over the past few years to remain thrifty and speculated that the majority of the restaurant patrons are from outside of the Village. Mr. Stricker explained that the tax would not add a significant amount of money to the patron's food cost.

Mayor Grasso explained that Burr Ridge is a non-home rule community and is tax-capped by law but Springfield can raise taxes and impose unfunded mandates on municipalities. He explained that as a result, the Board has had to impose budget cuts in work force, employee salary increases, and cuts in other Village programs. The place-of-eating tax is another means to increase revenue with the intent to form a restaurant association to promote Burr Ridge with a portion of the revenue from the tax to be refunded to the restaurants.



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Motion was made by Trustee Wott and seconded by Trustee Grela to approve the Ordinance Amending the Burr Ridge Village Code, Chapter 60, creating Section 60-16, Entitled "Tax on the Gross Receipts of Places for Eating" establishing a Place-of-Eating Tax.

Trustee Grela added that he feels most patrons would not cease patronizing local restaurants due to the tax.

Trustee Ruzak added that with increased gasoline prices, statistics show that there is a decrease in travel and spending and when combined with the place-of-eating tax, may adversely impact the restaurants.

Trustee Paveza stated most patrons would not notice the small tax amount on their restaurant bill and the additional revenue for the restaurants is beneficial.

Mayor Grasso added that a portion of the tax will be utilized to promote the businesses as a means of increasing their revenues.

On Roll Call, Vote Was:

AYES: 5 – Trustees Wott, Grela, Ruzak, Paveza, Sodikoff

NAYS: 0 – None

ABSENT: 1 – Trustee Manieri

There being five affirmative votes, the motion carried.

Mayor Grasso stated that Trustee Manieri wanted the Board to know he is in favor of the Place-of-Eating tax.

THIS IS ORDINANCE NO. A-383-01-12.

RECOMMENDATION TO AMEND CONTRACT WITH DESIGN CONSULTANT CONCERNING RENOVATION OF VILLAGE HALL BOARD ROOM

Village Administrator Steve Stricker explained that \$500,000 was budgeted in Fiscal Year 11 – 12 for the renovation of the Village Hall and the money was allocated from bond forfeitures. Mr. Stricker explained that the Board prioritized the Board Room as the first area for renovation and at the February 13, 2012 Board Meeting, the Space Needs Committee presented bids, which were rejected by the Board, and the Committee was directed to create an alternative scope of work to reduce the cost of the project.

Mr. Stricker discussed the alternatives proposed by the Space Needs Committee; one with the Dais in the east elevation and one with the Dais in the north elevation. The budget estimate for the east elevation is \$213,000 with a savings of \$122,624 and for the north elevation \$181,435 with a savings of \$154,697.

Mr. Stricker described the plans and the features for the plans noting that only the east elevation would provide for handicapped accessibility with the possibility of the addition of a mechanical



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device for the north elevation to provide for handicapped access. He noted that the addition of two podiums is also proposed to facilitate discussion with both developers and residents simultaneously.

Mr. Stricker noted that an alternate to the AV equipment was proposed which also reduced costs. He discussed the cost estimate for furniture at \$32,589 and the Committee will look to reduce that estimate further.

Mr. Stricker stated that the Space Needs Committee did not make a recommendation in regard to the alternatives and decided to present both to the Board for consideration. He concluded that to proceed further, the contract with the design consultant must be amended and a proposal selected noting that if the east elevation is selected, the additional design contract amount is \$6,700 and for the north elevation, \$6,988.

Trustee Paveza inquired as to why the AV cost was more for the east than the north elevation. Mr. Stricker responded that the east elevation would require more electrical work and wiring as well as additional projection.

Trustee Wott stated she is not comfortable with the east elevation. Mr. Stricker pointed out that the east elevation would not be as spacious for the Trustees.

Trustee Sodikoff agreed with Trustee Wott and is not in favor of sitting against the windows. Trustee Sodikoff noted that one seat will be lost with the design and Mr. Stricker stated the seating will accommodate members of the Board and Plan Commission.

The Board discussed alternatives to handicapped accessibility and Mr. Stricker noted that it can be discussed by the Space Needs Committee but would also add cost.

Trustee Ruzak inquired about the status of the Conference Room renovation and Mr. Stricker stated that it is estimated at \$16,000 and the current emphasis is on the Board Room and the Conference Room can be addressed at a later time with the remainder of the building.

Trustee Paveza stated he is in favor of the North Elevation given the costs but is not in favor of new furniture.

Mayor Grasso added that a proposal for the elevation is needed and the furniture can be addressed at a subsequent meeting. In addition, the carpeting, dais, AV, wallpaper, window treatments, and lighting would be addressed.

Trustee Grela feels the integration of the podiums with the dais is a beneficial feature and the AV equipment will update the technology to the present.



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Motion was made by Trustee Grela and seconded by Trustee Wott to approve the scope of work utilizing the North Elevation and approve an amended contract with Josephine Goetz of Interior Environments Inc., at an amount of \$6,988 and to request bids for the project.

On Roll Call, Vote Was:

AYES: 5 – Trustees Grela, Wott, Ruzak, Paveza, Sodikoff

NAYS: 0 – None

ABSENT: 1 – Trustee Manieri

There being five affirmative votes, the motion carried.

COMMUNITY SURVEY Q & A (AGEND ITEM THROUGH MAY 14, 2012)

Mayor

Grasso addressed the following questions:

1. Why does it take longer for some roads to be repaired than others?

Mayor Grasso explained the road repairs are based on staff evaluation of each segment of roadway in the Village. Resurfacing is prioritized based upon condition and maintenance is programmed to maximize benefits, minimize cost, and provide equity in the community. The Village aggressively pursues grant funding for “Federal-Aid” roadways, which are major local roads and the projects for such roads may result in delay based upon when the funding is available. The Village takes every action to ensure that local tax dollars are spent only on local roadways and when issues arise with County or State roadways, the Village contacts the responsible agency to notify them of the repair.

2. How does the Village enforce property maintenance codes?

Mayor Grasso explained that the code enforcement program is based upon reports of violations to Village Staff. Complaints are entered into a database and forwarded to the Village Code Compliance Officer, who will visit the site of the complaint and determine if a violation of the Village Code exists. In the event of a violation, a letter is sent to the property owner requesting compliance and a follow-up visit is scheduled to confirm compliance. In the case of non-compliance, a citation may be issued requiring a court appearance. Code violations can be reported to the Village Hall staff or online at the Village Web site.

OTHER CONSIDERATIONS Mayor Grasso stated that due to state budget issues, the funding for the I-55 Bridge project may be delayed. In addition, alternatives to the sculptures may be explored and Village Administrator Steve Stricker will look into the possibility of trees.

Mayor Grasso explained that at the Board Meeting of February 27, 2012, the vote for the approval of the I-55 Bridge Project was 3 votes to 1, with the absence of 2 Trustees. Village Attorney Scott Uhler is present to explain any questions with regard to the vote.



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Mr. Stricker added that the vote directed the consultants and staff to move forward with the plan and noted that the topic will again be presented in approximately six months for the approval of the expenditure of the funds.

Trustee Grela inquired if the state has budget problems, could the enhancement portion of the project be removed in favor of doing just the repair. Mr. Stricker responded the funding is not available for the repair portion.

Trustee Sodikoff stated he appreciates Mayor Grasso's efforts at achieving consensus on the matter with the Board but does not feel it is a worthwhile expenditure.

Mayor Grasso responded that alternatives have been discussed regarding the sculptures and feels the beautification of the bridge is an important improvement project for Burr Ridge.

Trustee Grela expressed concern about the vegetation surviving the salt in the winter months. Mr. Stricker responded stating that the plantings that will be used are hearty and will survive the winter months.

Mayor Grasso explained that the design has been scaled down based upon feedback from the Trustees at the previous meeting.

Trustee Sodikoff requested a design view coming from the east on I-55 and heading north on County Line Road.

Mr. Stricker asked Village Attorney Scott Uhler how further discussion on the I-55 Bridge Project could be conducted if requested by the Board. In response, Mr. Uhler explained that if it were discussed for purposes of a new issue or design concept, it can be discussed as a new matter.

AUDIENCE Kathleen McInerney, 81st Street, noted that some of her tax items received in the mail had her residence changed to Willowbrook. Mayor Grasso replied that he will be contacting Senator Kirk to discuss the issue, which is related to the shared zip code.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS There were none at this time

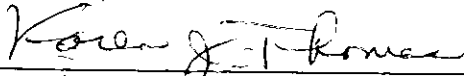
ADJOURNMENT Motion was made by Trustee Wott and seconded by Trustee Ruzak that the Regular Meeting of March 12, 2012 be adjourned.

On voice vote the motion carried and the meeting was adjourned at 8:41 p.m.



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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 26th day of March,
2012.



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

**March 12, 2012
7:00 p.m.**

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE - Sarah Meece
St. John of the Cross School**
2. **ROLL CALL**
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.

**7:00 p.m.
Police Department Awards Ceremony
Commendation for Officer Michael Firnsin**

**Public Hearing
Amendment to Annexation Agreement
Meadowbrook Place Subdivision**

5. **MINUTES**
 - *A. Approval of Regular Meeting of February 27, 2012
 - *B. Receive and File Draft Space Needs Committee Meeting of February 27, 2012
 - *C. Receive and File Veterans Memorial Committee Meeting of January 25, 2012
 - *D. Receive and File Draft Pathway Commission Meeting of March 8, 2012
6. **ORDINANCES**
 - A. Consideration of Ordinance Authorizing Amendment to Annexation Agreement (Meadowbrook Place Subdivision)
 - B. Consideration of Recommendation to Approve An Ordinance Amending the Burr Ridge Village Code, Chapter 60, Creating Section 60-16, Entitled, "Tax on the Gross Receipts of Places for Eating"
 - *C. Approval of An Ordinance Amending Sections 35-10-100 (b) and 35-11-208 (a)(13) of Chapter 35 (Motor Vehicles) of the Burr Ridge Municipal Code

EXHIBIT *A*

7. RESOLUTIONS

8. CONSIDERATIONS

- A. Consideration of Recommendation to Amend Contract with Design Consultant Concerning Renovation of Village Hall Board Room
- B. Community Survey Question & Answer
- *C. Approval of Recommendation to Terminate Contract – Azavar Audit Solutions
- *D. Receive and File Retirement Letter of Sgt. Bryan DeYoung effective March 28, 2012
- *E. Approval of Recommendation to Authorize the Board of Fire and Police Commissioners to Promote a Corporal to the Rank of Sergeant, to Promote a Patrol Officer to the Rank of Corporal and to Hire a Replacement Patrol Officer to Fill the Vacancy Created by the Retirement of Sgt. Bryan DeYoung
- *F. Receive and File Resignation Letter from General Utility Worker II David Peklo
- *G. Approval of Recommendation to Authorize Public Works Director to Fill Vacancy for the Position of General Utility Worker II
- *H. Approval of Proclamation Honoring 100th Anniversary of Girl Scouts of the USA
- *I. Approval of Vendor List
- J. 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