

REGULAR MEETING

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

September 10, 2012

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of September 10, 2012 was held in the Training Room of the Burr Ridge Police Department, 7700 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 by Molly Gricus of Gower West School.

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

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

AUDIENCE There were none at this time.

CONSENT AGENDA – OMNIBUS VOTE After reading the Consent Agenda by Mayor Grasso, motion was made by Trustee Wott and seconded by Trustee Grela 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 Wott, Grela, Sodikoff, Paveza, Ruzak

NAYS: 0 – None

ABSENT: 1 – Trustee Manieri

There being five affirmative votes, the motion carried.

APPROVAL OF REGULAR MEETING OF AUGUST 13, 2012 were approved for publication under the Consent Agenda by Omnibus Vote.

ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF BURR RIDGE ADDING OUTDOOR KITCHENS AS PERMITTED ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS (Z-18-2012: OUTDOOR KITCHENS TEXT AMENDMENT) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance adding Outdoor Kitchens as Permitted Accessory Structures in Residential Districts (Z-18-2012: Outdoor Kitchens Text Amendment).

THIS IS ORDINANCE NO. A-834-19-12.



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ORDINANCE GRANTING SPECIAL USE PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE FOR THE WHOLESALE AND RETAIL SALES OF AUTOMOBILES (Z-15-2012: 161 TOWER DRIVE - LUDICROUS 6, LLC) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance granting special use pursuant to the Village of Burr Ridge Zoning Ordinance for the Wholesale and Retail Sales of Automobiles (Z-15-2012: 161 Tower Drive – Ludicrous 6, LLC).
THIS IS ORDINANCE NO. A-834-20-12.

ORDINANCE AMENDING THE BURR RIDGE SIGN ORDINANCE, SECTIONS 55.02 AND 55.06 OF THE BURR RIDGE MUNICIPAL CODE PERTAINING TO PORTABLE SIDEWALK SIGNS IN BUSINESS DISTRICTS (S-02-2012: SIGN ORDINANCE TEXT AMENDMENT) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance amending the Burr Ridge Sign Ordinance, Sections 55.02 and 55.06 of the Burr Ridge Municipal Code pertaining to Portable Sidewalk Signs in Business Districts (S-02-2012; Sign Ordinance Text Amendment).
THIS IS ORDINANCE NO. A-923-04-12.

ORDINANCE GRANTING A SPECIAL USE PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE FOR A MEDICAL OFFICE IN A GI DISTRICT (Z-17-2012: 16W300 83RD STREET - MORENO) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance granting a special use pursuant to the Village of Burr Ridge Zoning Ordinance for a medical office in an industrial district (Z-17-2012: 16W300 83rd Street – Moreno).
THIS IS ORDINANCE NO. A-834-21-12.

RESOLUTION AUTHORIZING AGREEMENT FOR EASEMENT RIGHTS AND INSTALLATION OF IMPROVEMENTS ON VILLAGE GREEN The Board, under the Consent Agenda by Omnibus Vote, authorized an agreement with Burr Deed LLC granting easement rights for the installing and upgrading of concert and event related equipment on the Village Green.
THIS IS RESOLUTION NO. R-13-12.

RECOMMENDATION TO AWARD CONTRACT FOR IN-CAR VIDEO CAMERAS AND RELATED EQUIPMENT The Board, under the Consent Agenda by Omnibus Vote, awarded the contract for In-Car Video Cameras and related equipment to L3 Mobile Vision, Inc. at a cost of \$5,295 each for a grand total of \$10,690, which includes \$100 for shipping and handling.

REQUEST FROM THE POLICE DEPARTMENT TO HOST A SAFETY DAY OPEN HOUSE ON OCTOBER 20, 2012 The Board, under the Consent Agenda by Omnibus Vote, approved the request from the Police Department to host a Safety Day Open House on October 20, 2012.

RECOMMENDATION TO AWARD CONTRACT FOR 2012 PEDESTRIAN IMPROVEMENTS PROJECT The Board, under the Consent Agenda by Omnibus Vote,



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awarded the contract for 2012 Pedestrian Improvements Project to the lowest bidder, Davis Concrete Construction Company, Alsip, IL in the amount of \$71,560.25.

PROCLAMATION DESIGNATING OCTOBER AS "FIRE SAFETY MONTH" The Board, under the Consent Agenda by Omnibus Vote, approved the proclamation designating October as "Fire Safety Month".

PROCLAMATION DESIGNATING SEPTEMBER 19, 2012 AS "NO TEXT ON BOARD – PLEDGE DAY" The Board, under the Consent Agenda by Omnibus Vote, approved the proclamation designating September 19, 2012 as "No Text On Board – Pledge Day".

RATIFICATION OF VOUCHERS FY 12 - 13 in the amount of \$86,609.17 for the period ending August 27, 2012, and payroll in the amount of \$192,307.37 for the period ending August 18, 2012 were approved for payment under the Consent Agenda by Omnibus Vote.

VOUCHERS FY 12 - 13 in the amount of \$72,843.71 for the period ending September 10, 2012, and payroll in the amount of \$242,147.38 for the period ending September 1, 2012 were approved for payment under the Consent Agenda by Omnibus Vote.

PRESENTATION BY DEPARTMENT OF DEFENSE
EMPLOYER SUPPORT OF THE NATIONAL GUARD AND RESERVE
"PATRIOTS AWARD"
TO CHIEF JOHN MADDEN AND DEPUTY CHIEF TIM VACLAV

George Graves of the Employer Support of the National Guard and Reserve Committee presented Chief John Madden and Deputy Chief Tim Vaclav with the "Patriots Award" for their support of the Guard and Reserve members.

CONSIDERATION OF AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE VILLAGE OF BURR RIDGE (COMPASS) (15W580 NORTH FRONTAGE ROAD BURR RIDGE, IL) Village Administrator Steve Stricker reported that the Ordinance Annexing the Compass property has been prepared and the appropriate notices have been given.

Community Development Director Doug Pollock explained that the Ordinance was prepared in response to a request from the property owner to DuPage County requesting zoning approval for a truck driving school on the property. At the August 13, 2012 meeting, the Board directed staff to prepare the Ordinance and to initiate the forced annexation of the property to ensure the County did not approve the zoning for the truck driving school.

Mr. Pollock explained that following notification of annexation, the attorney for the property owner requested that the Village enter into an Annexation Agreement with the property owner. He added



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that staff requested that the County Zoning Request be withdrawn, which has been done, and staff has received a confirmation of this action from DuPage County.

Upon talking with the petitioner's attorney, Mr. Pollock informed him of the Village's concern regarding the truck driving school at the location due to the proximity of the business to residential homes and the noise level. Mr. Pollock added the Village has received resident complaints regarding the noise.

Mr. Pollock also noted that the property is not in compliance with the Village Sign Ordinance and Zoning, with regard to landscaping adjacent to the residential properties.

Mr. Pollock explained that if the Board chooses to proceed with a forced annexation, the property owner would be immediately informed of the following Village Zoning requirements:

- The truck driving school is not a legal use of the property and must either cease operation or petition the Village for zoning approval;
- A 30 foot landscaping buffer adjacent to the residential properties must be installed within nine months after annexation unless zoning relief is sought;
- The truck sales business is legally established in DuPage County and would be allowed to continue but no alterations to the buildings or structures would be permitted without rezoning of the property or bringing the property in conformance with the Zoning Ordinance.

Mr. Pollock concluded stating the property owner has requested a continuance and has filed a petition for Annexation and Zoning, which is currently incomplete, but has also paid the required fees. If the Annexation Agreement is acceptable to the Board and the continuation is granted, a Plan Commission Public Hearing could be scheduled for October 15, 2012. He added that the other alternative for the Board would be to force annex the property still allowing the property owner to proceed with the request for zoning approval.

Trustee Grela asked if truck driving schools are allowed in any of the Village Zoning Districts and Mr. Pollock confirmed they are not allowed.

Trustee Paveza requested clarification on the timing of the continuation request. In response, Mr. Pollock explained that the petition would be continued to the Board Meeting of September 24, 2012. If at that time, the Annexation and Zoning Petitions are not complete, the forced annexation could proceed to avoid the potential for continued delays.

In response to Trustee Sodikoff's inquiry as to when the property would be considered to be annexed to the Village if the Ordinance is passed at this Board Meeting, Mr. Pollock stated the property would be considered annexed to the Village this evening if the Ordinance is passed.

Trustee Ruzak inquired about the advantage of a forced annexation versus the annexation agreement with regard to the terms being requested by the property owner. Mr. Pollock replied that staff is

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not certain of the terms at this point and intends to negotiate the termination of the truck driving school.

Trustee Wott asked if the truck driving school would have to cease operations if the property were force annexed. Mr. Pollock explained that it would not have to cease immediately but the property owner would have to petition the Plan Commission for the appropriate zoning and special use for the school. He explained that to force the truck driving school to cease operating, legal action would have to be taken and the court would not consider the case without the administrative process of a Plan Commission public hearing.

In response to Trustee Grela's inquiry regarding the process involved with a business operating in an inappropriate zoning district, Mr. Pollock explained that the Village would initially send a notification letter to the business requesting them to cease operations and if they did not, the Village would have to take legal action.

Trustee Wott stated she does not feel the Village benefits by extending the annexation.

Mayor Grasso added that Compass Truck Sales has been operating for some time without any issues and the only complaint is the initiation of the truck driving school.

Timothy Dwyer, Attorney for Compass Truck, stated Compass would like to work with the Village to secure the appropriate zoning for their truck sales business and requests additional time for the process.

Trustee Grela expressed his desire to force annex the property immediately with restrictive zoning of R-1 along with the filing of a zoning petition to allow the business to operate in that location.

Trustee Paveza stated he would be willing to allow a continuance of two to four weeks and asked Mr. Dwyer how much time would be required to file the appropriate annexation documents. Mr. Dwyer stated the documents would be filed within two weeks. Mr. Dwyer added that with cooperation, he feels the truck driving school can be relocated sooner.

Mayor Grasso added that there is no objection to the truck sales business but the complaint is the proximity of the truck driving school to the residences. Mayor Grasso asked if part of the cooperation with the Village includes the relocation of the truck driving school. In response, Mr. Dwyer indicated the classroom portion of the driving school may remain for a longer time period and the driving portion of the school would be relocated sooner.

Trustee Wott asked for details on the operation of the Compass Truck Driving School. In response, Mario Magliano of Compass Truck Driving School, explained that the program consists of a four to six week program with new students beginning weekly and in addition, the Secretary of State's office

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comes to the facility each Friday to conduct testing. He noted there is a classroom portion of the school in addition to a driving portion.

Trustee Paveza indicated he would prefer that the property be annexed through agreement rather than force annexed.

Motion was made by Trustee Paveza and seconded by Trustee Ruzak to allow Compass Truck Company 30 days to submit the Annexation documents to the Village and if the documents are not submitted, force annex the property at the October 8, 2012 Board Meeting.

Mr. Pollock discussed timing in relation to submission of the Annexation documents and the Plan Commission schedule for the Public Hearing noting that the next available date is October 15, 2012 with a submission deadline for legal notice of September 24, 2012.

Mr. Stricker added that a meeting would be scheduled with Mr. Dwyer and Compass Truck Company to define specifics regarding the relocation of the truck driving school and the results of the meeting would be reported to the Board on September 24th at which time the forced annexation could proceed if deemed appropriate.

Motion was amended by Trustee Paveza and seconded by Trustee Ruzak to continue this item to the Board Meeting of September 24, 2012.

Trustee Sodikoff inquired about possible actions to ensure there are not significant delays in the process of moving the annexation forward, as has occurred in the past. Village Administrator Steve Stricker responded that the Village has the ability to force annex the property at any time.

Mayor Grasso requested confirmation that Compass Truck would not file the zoning petition again with DuPage County for the truck driving school within the next 90 days and in response, Mr. Dwyer indicated it would not be filed again.

On Roll Call, Vote Was:

AYES: 4 – Trustees Paveza, Ruzak, Sodikoff, and Mayor Grasso

NAYS: 2 – Trustees Grela and Wott

ABSENT: 1 – Trustee Manieri

There being four affirmative votes, the motion carried.

Trustee Grela stated for the record that he was planning to make a motion to force annex the property at this meeting.

Mayor Grasso reiterated the requirements for Compass Truck as follows:

- The appropriate paperwork for Annexation and Zoning must be submitted to the Village by September 24, 2012;

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- The zoning petition will be presented to the Plan Commission at the October 15, 2012 Meeting;
- If the paperwork is not submitted by the September 24, 2012 Board Meeting, the option to force annex is still available to the Board.

UPDATE ON GENERAL FUND FINANCIAL OPERATIONS – FY 11 – 12 (UNAUDITED AND FY 12 – 13 1ST QUARTER) Village Administrator Steve Stricker stated this presentation is in anticipation of the auditor's presentation at the September 24, 2012 Board meeting.

Mr. Stricker displayed a slide of the General Fund Summary of Operations highlighting the Revenues and Expenditures and noting that the reserves were increased by a surplus of \$541,334. Mr. Stricker attributed the increase in surplus over budget to decreased expenditures and increased revenues, especially in the area of sales tax revenue.

Mr. Stricker reported a surplus for both Water and Sewer Funds.

In the area of the Hotel / Motel Marketing Fund, he noted that the surplus of \$89,229 is higher than expected due to additional revenues with a total available of \$239,295.

PRESENTATION OF POLICE DEPARTMENT ANNUAL REPORT Police Chief John Madden presented the FY 2011 – 2012 Report for the Police Department. Mr. Madden highlighted the following statistics in comparison to FY 2010 - 2011

- 11% decrease in service calls;
- 19% decrease in serious crimes, Part I Offenses (Homicide, Rape, Robbery, Aggravated Assault, Burglary, Theft, MV Theft, and Arson);
- 5% decrease in Part II Offenses (Forgery, Vandalism, Sex Offenses, Prostitution, Drug Abuse, Disorderly Conduct, and Gambling).

Mr. Madden noted a total of 4,687 traffic stops were recorded.

Mr. Madden attributed decreases to staffing due to an open position, officer retirement, an officer out for training, and officer absence due to disability. Mr. Madden added that two recruits have been hired and one has graduated from the Police Academy and the other will graduate in two weeks. Staffing will be short by one officer due to the deployment of Officer Gutierrez.

Mr. Madden discussed the statistics for traffic stops in Burr Ridge and the analysis of the outcomes as related to racial profiling as required by the State of Illinois. He also highlighted efforts in the areas of traffic enforcement, DUI arrests, D.A.R.E. instruction, Community Policing, Police Facility Training, and CALEA reaccreditation scheduled for July of 2013.

Mayor Grasso inquired about the heroin issue in DuPage County and how it is being addressed in Burr Ridge. In response, Mr. Madden stated he is a member of the Executive Board of the DuPage Chiefs of Police and at the recent symposium, it was stated there were 35 heroin deaths in DuPage

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County of which three or four adult deaths occurred in Burr Ridge. Mr. Madden stated the situation is being monitored and the reason heroin is popular is because it is inexpensive and available from the west side of Chicago.

OTHER CONSIDERATIONS There were none at this time.

AUDIENCE There were none at this time.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS Trustee Wott stated several residents have reported that the asphalt sidewalk bordering the Ambriance! Subdivision is buckled and would like notification sent to the Homeowner's Association to repair it.

Trustee Grela noted there is interference in broadcast on cable channel 6.

Mayor Grasso expressed his thoughts on the passing of Village of Lombard Mayor Bill Mueller due to West Nile Virus.

Mayor Grasso discussed the NBC 5 presentation coordinated by Assistant Village Administrator Lisa Scheiner with regard to the Village Donation Program.

Mayor Grasso read an announcement from St. Mark's Coptic Church regarding their Taste of Egypt festival on September 15th and 16th.

Mayor Grasso discussed the undertaking of resident Mickey Straub to visit 50 capitals prior to the November election to increase awareness of Lincoln and the Gettysburg address.

Mayor Grasso noted there are some areas of traffic concern in the Village that Public Works Director Paul May is in the process of addressing with Cook County; specifically, the northbound left turn lane at County Line and Plainfield Roads, 79th and County Line Road, and the Frontage Road heading toward Loyola.

Mayor Grasso announced that Trustee Paveza will become a member of the Men's Senior Baseball Hall of Fame.

ADJOURNMENT Motion was made by Trustee Wott and seconded by Trustee Ruzak that the Regular Meeting of September 10, 2012 be adjourned to Closed Session to discuss Approval of Closed Session Minutes of July 9, 2012 and Collective Bargaining.

On Roll Call, Vote Was:

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

NAYS: 0 – None

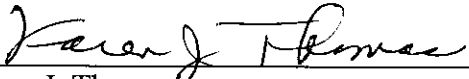
ABSENT: 1 – Trustee Manieri



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There being five affirmative votes the motion carried and the meeting was adjourned at 8:28 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 24th day of September
2012.



RECONVENED REGULAR MEETING


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

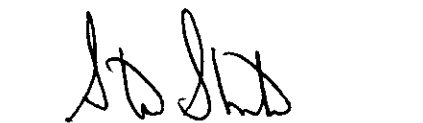
September 10, 2012

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of September 10, 2012 was reconvened at 9:05 p.m. with the same Trustees in attendance as immediately preceding the Closed Meeting from 8:32 p.m. to 9:05 p.m.

RECONVENE AND ADJOURN REGULAR MEETING Motion was made by Trustee Grela and seconded by Trustee Sodikoff that the Regular Meeting of September 10, 2012 be reconvened and adjourned.

On Voice Vote, the motion carried and the Regular Meeting of September 10, 2012 was adjourned at 9:05 p.m.


Karen J. Thomas
Village Clerk
Burr Ridge, Illinois


Steven S. Stricker
Village Clerk Pro-Tempore
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 24th day of September, 2012.



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

**September 10, 2012
7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Molly Gricus, Gower West**
- 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.
Presentation by Department of Defense
Employer Support of the National Guard and Reserve
Patriots Award
To Chief John Madden and Deputy Chief Tim Vaclav**

5. MINUTES

- *A. Approval of Regular Meeting of August 13, 2012

6. ORDINANCES

- A. Consideration of An Ordinance Annexing Certain Property to the Village of Burr Ridge (Compass) (15W580 North Frontage Road, Burr Ridge, IL)
- *B. Approval of Ordinance Amending the Zoning Ordinance of the Village of Burr Ridge Adding Outdoor Kitchens as Permitted Accessory Structures in Residential Districts (Z-18-2012 – Outdoor Kitchens Text Amendment)
- *C. Approval of An Ordinance Granting a Special Use Pursuant to the Village of Burr Ridge Zoning Ordinance for the Wholesale and Retail Sales of Automobiles (Z-15-2012: 161 Tower Drive – Ludicrous 6, LLC)
- *D. Approval of An Ordinance Amending the Burr Ridge Sign Ordinance, Sections 55.02 and 55.06 of the Burr Ridge Municipal Code Pertaining to Portable Sidewalk Signs in Business Districts (S-02-2012: Sign Ordinance Text Amendment)
- *E. Approval of An Ordinance Granting a Special Use Pursuant to the Village of Burr Ridge Zoning Ordinance for a Medical Office in a GI District (Z-17-2012: 16W300 83rd Street – Moreno)

EXHIBIT A

7. RESOLUTIONS

- *A. Adoption of Resolution Authorizing Agreement for Easement Rights and Installation of Improvements on Village Green

8. CONSIDERATIONS

- A. Update on General Fund Financial Operations – FY 11-12 (Unaudited) and FY 12-13 1st Quarter
- B. Presentation of Police Department Annual Report
- *C. Approval of Recommendation to Award Contract for In-Car Video Cameras and Related Equipment
- *D. Approval of Request from Police Department to Host a Safety Day Open House on October 20, 2012
- *E. Approval of Recommendation to Award Contract for 2012 Pedestrian Improvements Project
- *F. Approval of Proclamation Designating October as “Fire Safety Month”
- *G. Approval of Proclamation Designating September 19, 2012 as “No Text on Board – Pledge Day”
- *H. Ratification of Approval of August 27, 2012 Vendor List
- *I. Approval of September 10, 2012 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. CLOSED SESSION

- **Approval of Closed Session Minutes of July 9, 2012**
- **Collective Bargaining**

12. RECONVENED MEETING

13. ADJOURNMENT