

REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE, IL

May 13, 2013

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of May 13, 2013 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:05 p.m. by Mayor Straub.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was conducted by Marc Loftus Jr., son of Sergeant Marc Loftus (the student scheduled, Maggie Callanan, was not present).

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Paveza, Ruzak, Franzese, Manieri, Bolos, Grasso and Mayor Straub. Also present were Village Administrator Steve Stricker, Public Works Director Paul May, Community Development Director Doug Pollock, Finance Director Jerry Sapp, Police Chief John Madden, Village Attorney Scott Uhler, and Village Clerk Karen Thomas. There being a quorum, the meeting was open to official business. (Mayor Mickey Straub, Trustees Diane Bolos, Guy Franzese, Janet Grasso and Village Clerk Karen Thomas were sworn in by Justice Ann Jorgensen prior to the meeting).

AUDIENCE Dolores Cizek of LaGrange asked to address the Board and Mayor Straub responded stating that non-residents may address the Board during the Audience Section at the end of the meeting.

Tom O'Toole, 115 W. 79th Street, wished Mayor Straub success in his position as Village President. Mr. O'Toole criticized Mayor Straub for some of his actions during his campaign and the alleged electioneering charges.

Elaine Milota, 8921 Royal Drive, discussed her service to the Village as a member of the Citizens Against Megaplex (CAMP) group and also as a former Trustee. Ms. Milota stated that she felt the election was shameful and criticized Mayor Straub for some of his actions during the campaign and election.

Mayor Straub thanked those who encouraged him to run for office and supported him throughout the campaign and election.

CONSENT AGENDA – OMNIBUS VOTE After reading the Consent Agenda by Mayor Straub, motion was made by Trustee Paveza and seconded by Trustee Ruzak that the Consent Agenda – Omnibus Vote, (attached as Exhibit A), (except 6E, 6F, 6G, 6H, and 7B) and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

AYES: 6 – Trustees Paveza, Ruzak, Franzese, Grasso, Manieri, Bolos

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NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

APPROVAL OF REGULAR MEETING OF APRIL 22, 2013 were approved for publication under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE VETERANS MEMORIAL COMMITTEE MEETING OF APRIL 10, 2013 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) SPACE NEEDS COMMITTEE MEETING OF APRIL 22, 2013 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) STORMWATER COMMITTEE MEETING OF MAY 7, 2013 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) PATHWAY COMMISSION MEETING OF MAY 9, 2013 were noted as received and filed under the Consent Agenda by Omnibus Vote.

APPROVAL OF AN ORDINANCE GRANTING A VARIATION FROM THE VILLAGE OF BURR RIDGE ZONING ORDINANCE FOR A VARIATION REDUCING THE CORNER SIDE SETBACK (V-02-2013: 7920 WOLF ROAD - LAINOVIC) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance granting a variation from the Village of Burr Ridge Zoning Ordinance for a variation reducing the corner side setback (V-02-2013: 7920 Wolf Road - Lainovic).

THIS IS ORDINANCE NO. A-834-09-13.

APPROVAL OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF BURR RIDGE TO MODIFY THE PERMITTED LOCATION OF OUTDOOR COOKING APPLIANCES AND TO ALLOW MASONRY PIERS IN THE REAR BUILDABLE AREA OF RESIDENTIAL PROPERTIES (Z-06-2013: TEXT AMENDMENT – COOKING APPLIANCES AND MASONRY PIERS) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance amending the Zoning Ordinance of the Village of Burr Ridge to modify the permitted location of outdoor cooking appliances and to allow masonry piers in the rear buildable area of residential properties (Z-06-2013: Text Amendment – Cooking Appliances and Masonry Piers).

THIS IS ORDINANCE NO. A-834-10-13.

APPROVAL OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF BURR RIDGE TO PERMIT NON-CONFORMING RESIDENTIAL DRIVEWAYS TO BE REPLACED WITHOUT MODIFICATION RELATIVE TO THE WIDTH OF THE DRIVEWAY (Z-03-2013: NON-CONFORMING RESIDENTIAL



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DRIVEWAYS The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance amending the Zoning Ordinance of the Village of Burr Ridge to permit non-conforming residential driveways to be replaced without modification relative to the width of the driveway (Z-03-2013: Non-Conforming Residential Driveways).
THIS IS ORDINANCE NO. A-834-11-13.

APPROVAL OF AN ORDINANCE GRANTING A SPECIAL USE FOR RETAIL SALES ACCESSORY TO A PERMITTED WAREHOUSE AND DISTRIBUTION BUSINESS IN A GENERAL INDUSTRIAL DISTRICT PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE (Z-05-2013: 16W231 SOUTH FRONTAGE ROAD – SHOP MELEE) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance granting a special use for retail sales accessory to a permitted warehouse and distribution business in a General Industrial District pursuant to the Village of Burr Ridge Zoning Ordinance (Z-05-2013: 16W231 South Frontage Road – Shop Melee).
THIS IS ORDINANCE NO. A-834-12-13.

ADOPTION OF A RESOLUTION AUTHORIZING THE VILLAGE TO ENTER INTO A CONTRACT FOR THE PURCHASE OF ELECTRICITY FROM THE LOWEST COST ELECTRICITY PROVIDER FOR THE PURPOSES OF STREET LIGHTING The Board, under the Consent Agenda by Omnibus Vote, authorized the Village Administrator to utilize the brokerage services of NIMEC and Midwest Energy to solicit bid prices for the purchase of electricity for street lighting, and to execute the contract for the lowest cost alternative.

APPROVAL OF RECOMMENDATION TO AUTHORIZE CONTRACT FOR REPLACEMENT PLANTINGS FOR THE COUNTY LINE ROAD MEDIANS OUT OF HOTEL/MOTEL TAX FUND The Board, under the Consent Agenda by Omnibus Vote, authorized a landscape contract for median plant replacement with Landworks Ltd., of Bolingbrook, IL in the amount of \$7,473 to be funded by the Hotel/Motel Tax Fund.

RECOMMENDATION TO AUTHORIZE CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES (COUNTY LINE ROAD SIDEWALK GRANT PROJECT) The Board, under the Consent Agenda by Omnibus Vote, awarded a professional services contract to Burns & McDonnell, in an amount not to exceed \$47,550, to be paid out of the Pathway Fund.

APPROVAL OF RECOMMENDATION TO AUTHORIZE PURCHASE OF REPLACEMENT VEHICLE #27 (PLOW TRUCK) The Board, under the Consent Agenda by Omnibus Vote, approved the purchase of the replacement vehicle for unit #27 through the State Purchasing Cooperative, at the awarded competitive low bid cost of \$140,286.00.



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

APPROVAL OF REQUEST FROM BURR RIDGE PARK DISTRICT FOR DONATION TO MARKET ON THE GREEN PROGRAM IN THE AMOUNT OF \$1,200 The Board, under the Consent Agenda by Omnibus Vote, approved the request from Burr Ridge Park District for a contribution toward its Market on the Green in the amount of \$1,200 from the General Fund.

APPROVAL OF REQUEST FROM WB/BR CHAMBER OF COMMERCE FOR BURR RIDGE BUSINESS ADDRESS LABELS TO BE USED IN CONJUNCTION WITH THE CHAMBER'S UPCOMING OPEN HOUSE AND MEMBERSHIP DRIVE The Board, under the Consent Agenda by Omnibus Vote, approved the request from the WB/BR Chamber of Commerce for Burr Ridge Business Address Labels to be used in conjunction with the Chamber's upcoming open house and membership drive.

APPROVAL OF RECOMMENDATION TO APPOINT SGT. MARC LOFTUS TO DEPUTY CHIEF OF POLICE TO FILL THE VACANCY CREATED BY THE RETIREMENT OF TIM VACLAV The Board, under the Consent Agenda by Omnibus Vote, approved the recommendation to appoint Sgt. Marc Loftus to the position of Deputy Chief of Police effective May 14, 2013.

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 DEPUTY CHIEF TIM VACLAV 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.

VOUCHERS FY 12 - 13 in the amount of \$265,276.86 for the period ending May 13, 2013, were approved for payment under the Consent Agenda by Omnibus Vote.

VOUCHERS FY 13 - 14 in the amount of \$100,861.58 for the period ending May 13, 2013, and payroll in the amount \$245,291.19 for the period ending April 27, 2013 were approved for payment under the Consent Agenda by Omnibus Vote.

SWEARING IN CEREMONY
DEPUTY CHIEF MARC LOFTUS



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Police Chief John Madden introduced Sergeant Marc Loftus to the Board and discussed Marc's experience as a Police Officer with the Village. Village Clerk Karen Thomas conducted the Oath of Office.

Trustee Paveza commented on the professionalism of the Burr Ridge Police Department and pointed out that it is one of the few that is CALEA certified.

APPROVAL OF AN ORDINANCE GRANTING A SPECIAL USE PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE FOR A BANK WITH DRIVE THROUGH SERVICE IN A B1 DISTRICT (Z-16-2012: 150 BURR RIDGE PARKWAY - CHASE)

APPROVAL OF AN ORDINANCE GRANTING A VARIATION FROM THE VILLAGE OF BURR RIDGE ZONING ORDINANCE FOR A REDUCTION IN THE FRONT YARD SETBACK (Z-16-2012: 150 BURR RIDGE PARKWAY - CHASE)

APPROVAL OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF BURR RIDGE TO REDUCE THE REQUIRED NUMBER OF VEHICLE STACKING SPACES FOR A BANK DRIVE-THROUGH FACILITY (Z-16-2012: 150 BURR RIDGE PARKWAY - CHASE)

APPROVAL OF AN ORDINANCE GRANTING CONDITIONAL SIGN APPROVAL AS PER THE VILLAGE OF BURR RIDGE SIGN ORDINANCE TO INCREASE THE COMBINED AREA OF SIGNS AND A VARIATION FROM SAID ORDINANCE TO ALLOW MORE THAN ONE SIGN ON AN INTERIOR LOT (S-05-2012: 150 BURR RIDGE PARKWAY - CHASE)

The four Ordinances regarding Chase Bank, Agenda Items 6E, 6F, 6G and 6H were removed from the Consent Agenda at the request of Trustee Bolos.

Mayor Straub asked Community Development Director Doug Pollock to provide an overview of the four Ordinances for Chase Bank.

Community Development Director Doug Pollock explained that the four Ordinances for Chase Bank consist of Zoning Approvals in an outlot area at 150 Burr Ridge Parkway. Public Hearings were held by the Plan Commission for this matter in 2012 to grant special use for a bank, special use for drive-through facilities, a variation for setback reduction from the required 40 feet to 24 feet, and special use for a reduction in the vehicle stacking spaces for a drive-through facility. He added that sign approvals were also discussed by the Plan Commission to allow a shopping center sign and three wall signs. Mr. Pollock added the Plan Commission unanimously approved the requests, which were considered by the Board at their November 26,



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2012 meeting. The Board, he added, concurred with the Plan Commission with the only change being that the Board requested that the signs consist of opaque lettering that is backlit.

Mr. Pollock added that Chase Bank agreed to construct a ground sign at the intersection of Bridewell Drive and Burr Ridge Parkway, similar to the other Village Center signs. He explained that Chase also agreed to position the building at the corner, extend the height in order to flow with the neighboring Village Center, as well as construct a sidewalk and seating area on Burr Ridge Parkway.

Mr. Pollock stated that the Board concurred with the Plan Commission recommendations and directed staff to prepare Ordinances for the Board Meeting of December 10, 2012. At that meeting, the Ordinances were tabled to allow the Board to prepare an Agreement for the contribution in lieu of the sales tax revenue.

ADOPTION OF A RESOLUTION AUTHORIZING AGREEMENT WITH CHASE BANK – FEE IN LIEU OF SALES TAX This Resolution for Chase Bank, Agenda Item 7B, was removed from the Consent Agenda at the request of Trustee Bolos.

Village Attorney Scott Uhler explained the Chase Bank Agreement, which consists of an annual contribution of \$12,000 for a 20 year term that would be secured by a letter of credit in the amount of \$100,000.

Trustee Bolos stated she approves of the Ordinances for the Zoning but expressed concern with regard to the Resolution for the Fees. She inquired about the Confidentiality Clause contained in the Agreement and the Board's ability to discuss the agreement. In response, Village Attorney Scott Uhler stated that since the Agreement has not been adopted, it can be discussed.

Trustee Bolos inquired as to why the Resolution for the Contribution Agreement was placed as a Consent Agenda item since there are now new Board Members and a new Mayor that are not as familiar with the matter. Village Administrator Steve Stricker responded that the Agreement has been approved for a month and the delay placing it on the Board Agenda was a result of obtaining the required signatures. He added that the original intent was to include it as a Consent Agenda item since the details of the Agreement as previously presented did not change and thus, was considered routine. Mr. Stricker added that a resident or Trustee are always free to remove any item from the Consent Agenda if they wish to discuss it.

Trustee Bolos expressed concern that the property owner did not agree to the requirement that the covenant run with the land in order to protect the taxpayers. She also added that the Letter of Credit should cover the full amount of the obligation and it should contain a Cost of Living Index.



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Trustee Bolos asked Attorney Scott Uhler if the Agreement would be recorded and he responded that it could be recorded but would be binding regardless. Trustee Bolos expressed concern with the protection to the Village if the HBG Corporation is dissolved. She also noted the Letter of Credit contains no information about HBG Corporation.

Trustee Grasso asked if the requirements for the Sales Tax Agreement were discussed when Trustee Bolos was a member of the Plan Commission. In response, Trustee Bolos explained that the Plan Commission approval was based upon the Zoning but the Fee in Lieu of Sales Tax was also presented since the property is in a prime location and the Village could benefit from a sales tax generating business; however, the actual Agreement was not in place at that time.

Trustee Grasso suggested that at a future time, a retail business could open in that location and if the Agreement runs with the land, it may be a disadvantage. Trustee Bolos added that provisions could be added to the agreement that it is in effect as long as the property is occupied by a non-sales tax generating business. She also added that a provision for an increase should be included.

Robert Charal, Vice President of HBG Corporation and landlord for Chase, explained that the Agreement is unusual and is an aggressive agreement. He explained the HBG Corporation has owned the property for 15 years and the property has not generated any revenue for the Village in that time period. Mr. Charal explained that because the contribution is voluntary, it cannot be forced by law but is rather a guarantee by the landlord that the Village will receive the full \$240,000 over 20 years. Mr. Charal added that the Letter of Credit serves to collateralize HBG's guarantee of the Fee in Lieu.

Trustee Bolos questioned the reluctance of HBG Corporation to guarantee the covenant to remain with the land and Mr. Charal explained it would prevent the acquisition of a real estate mortgage and prevent the follow-through of the agreement with Chase. Mr. Charal gave his assurance that the Village will receive its payments.

Trustee Bolos asked what the Village would receive if HBG transfers its assets and dissolves. Village Attorney Scott Uhler responded the Village would collect on the Letter of Credit and the entity would be pursued for the balance. Mr. Uhler also added that HBG would be liable for legal fees in that situation as stipulated in the Agreement.

Trustee Paveza observed that worst case, the Village would receive the \$100,000 from the Letter of Credit and feels that if the Village Attorney is confident the Agreement will not be adverse to the Village, he would be comfortable making a motion to adopt the Resolution.

Trustee Manieri inquired if a 20 year Letter of Credit was requested and Village Attorney responded it was requested. Trustee Manieri would like the entire \$240,000 guaranteed via a Letter of Credit in writing.



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Trustee Franzese inquired about the zoning for the property and Mr. Pollock responded that it is zoned Retail and a bank would be a special use. Trustee Franzese discussed events prior to the development of the Village Center and agrees that the Letter of Credit should guarantee the full \$240,000.

Trustee Ruzak inquired if it is possible to modify the agreement to include guarantee of the full amount. In response, Village Attorney Uhler stated that the Letter of Credit guaranteeing \$100,000 was negotiated.

Trustee Bolos added her agreement with Trustee Manieri for the guarantee of the full \$240,000 also requesting that tighter controls are needed for the Agreement, such as foreclosure.

Aris Halikias, President of HBG Corporation, explained that from his perspective, the Village is being guaranteed \$12,000 per year, which is more reliable than sales tax, which can be unknown and dependent upon sales.

Mr. Charal added that Chase has guaranteed the property owner 20 years in their contract.

Trustee Grasso stated she would prefer not to have the contract run with the land as it would encumber it but inquired about guaranteeing the Letter of Credit for the \$240,000.

Mr. Charal responded that negotiation of the contract was not intended to occur at this Board Meeting.

Trustee Franzese added that although Mr. Halikias stated that the \$12,000 being offered is guaranteed funds to the Village, if the property were developed for a retail establishment, sales tax would also be guaranteed and only the amount is uncertain.

Mubarak Mirjat, 8690 Johnston, emphasized the importance of retail businesses in the Village for the sales tax revenue they generate.

Village Administrator Steve Stricker added that in his experience, the Fee in Lieu Agreement is somewhat rare and requested that Village Attorney Scott Uhler to comment on it.

Mr. Uhler noted that property zoning in certain communities, such as commercial zoning, would limit occupancy. In Burr Ridge, such zoning does not exist and in a retail district, a bank could exist as a special use.

Trustee Bolos stated that she would like to see the language tightened up in the contract if the restriction on the land is not imposed.

A handwritten signature in black ink, appearing to be "Sjt", located at the bottom right of the page.

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Trustee Paveza inquired of Village of Attorney Scott Uhler what action can be taken at this point. In response, Mr. Uhler stated a motion can be made to approve or not approve the Agreement as presented. Mr. Uhler added that although the entire \$240,000 is not guaranteed via the Letter of Credit, there is a legal obligation to pay the entire amount.

Trustee Grasso inquired if the Agreement is a three party Agreement between the Village, Landowner, and Chase. In response, Mr. Uhler stated it is between the Landowner and the Village. He also clarified that the contract guarantees the payment of \$12,000 for a minimum of 20 years and would continue if the bank still exists beyond 20 years.

Trustee Bolos questioned language in the Agreement that refers to reduction of the Letter of Credit. Mr. Uhler explained that after the 12th year of payments are made to the Village; the Letter of Credit can be reduced accordingly when there are no more than \$100,000 in payments owed. The Letter of Credit will remain in place for a minimum of 20 years.

Village Administrator Steve Stricker added that the initial negotiations with the property owner stated payments to the Village would only be provided if the bank occupied the location. He added that former Acting Village President Sodikoff negotiated the payment for 20 years regardless of occupancy.

Trustee Paveza inquired when the Letter of Credit would be available to the Village. In response, Mr. Uhler explained it will not be provided until the bank exists.

Mr. Stricker explained that an Agreement must be in place prior to the Letter of Credit being made available.

Trustee Manieri suggested tabling the Resolution to the next Board Meeting. Mr. Uhler responded that further negotiations may result in the loss of the existing terms as they were difficult to obtain.

Village Administrator Steve Stricker explained that they went through a Public Hearing and the Plan Commission voted unanimously that they have met the requirements of the Special Use. The Village Board also voted unanimously that they met the conditions of the Special Use and we are now simply waiting for the final agreement. He continued that to say, if they do not pay their fee-in-lieu that somehow they do not meet their Special Use requirements is not correct.

Trustee Paveza questioned if the Ordinances for Chase Bank require approval prior to adopting the Resolution for the Fee in Lieu. Mr. Uhler explained that the Agreement will not be valid unless the Ordinances are approved granting the Special Use.

Elaine Milota, 8921 Royal Drive, inquired about amounts the Village receives in sales tax revenue from retail businesses. In response, Mr. Stricker stated he looked at several businesses



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occupying similar square footage as Chase Bank would and those amounts received were approximately \$9,000.

Trustee Paveza added that by tabling this item, he feels the terms of the Agreement will not change.

Trustee Manieri stated he would like additional time to consider the Agreement.

Kathy Scanlon, 16 Tartan Ridge, thanked the Board Members for undertaking their fiduciary duties and requested that the bank do the same and noted that legal documents must be signed.

Motion was made by Trustee Manieri and seconded by Trustee Bolos to table Agenda Item 7B, Adoption of a Resolution Authorizing Agreement with Chase Bank – Fee in Lieu of Sales Tax to the Board Meeting of May 28, 2013.

On Roll Call, Vote Was:

AYES: 6 – Trustees Manieri, Bolos, Paveza, Ruzak, Franzese, Grasso

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

Motion was made by Trustee Manieri and seconded by Trustee Bolos to table Ordinances for Agenda Items 6E, 6F, 6G, 6H for Chase Bank to the Board Meeting of May 28, 2013.

On Roll Call, Vote Was:

AYES: 6 – Trustees Manieri, Bolos, Paveza, Ruzak, Franzese, Grasso

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

CONSIDERATION OF REQUEST FROM HEATHERFIELDS SUBDIVISION TO ALLOW INSTALLATION OF SURVEILLANCE CAMERAS AT THE ENTRANCE OF THEIR SUBDIVISION Village Administrator Steve Stricker stated that the Heatherfields Homeowner's Association has approached the Village requesting the installation of security cameras at the entrance to their Subdivision. As Mr. Stricker explained, discussions have occurred with the Homeowner's Associations in the Village to encourage participation in the video surveillance program. He added that the Heatherfields Homeowner's Association will pay for the purchase of two cameras at a cost of \$6,600 and he recommends approval of the request.

Motion was made by Trustee Ruzak and seconded by Trustee Manieri to approve the request from the Heatherfields Homeowners' Association to install cameras at the entrance to their Subdivision and that the Mayor be authorized to sign an agreement memorializing the approval of this request, based on the parameters set forth in the letter from the Homeowners' Association.



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On Roll Call, Vote Was:

AYES: 6 – Trustees Ruzak, Manieri, Bolos, Paveza, Franzese, Grasso

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

CONSIDERATION OF RECOMMENDATION TO AWARD CONTRACT FOR TREE TRIMMING ALONG COMMONWEALTH EDISON 138KV TRANSMISSION LINES

Village Administrator Steve Stricker stated that in 2008 to 2009, the Village negotiated an Agreement with Commonwealth Edison as to how trees are trimmed along the transmission lines. He explained that the Agreement requires a new protocol that Commonwealth Edison would not normally follow, which is the Village trims years 2 – 4 and they trim in year 5. Mr. Stricker noted that the Village is currently in year 4 and Com Ed has informed the Village that substantial trimming is needed at a cost of \$72,000.

Mr. Stricker noted that the Village has solicited bids from Kramer Tree Specialists, a line-clearance qualified contractor in the amount of \$29,450. If the trimming is not completed by the Village, Mr. Stricker explained that Commonwealth Edison will perform the work and the Village will be responsible for their costs, which are considerably higher. Mr. Stricker recommends approval of the contract with Kramer Tree Specialists.

Trustee Manieri pointed out that the trimming will be better if under the control of the Village.

Trustee Grasso inquired if the contract with Commonwealth Edison can be renegotiated such that they come back every 4 years. Mr. Stricker indicated that we could ask but that he was doubtful that Commonwealth Edison would change its policy.

Motion was made by Trustee Manieri and seconded by Trustee Ruzak to authorize a contract for transmission line trimming with Kramer Tree Specialists of West Chicago, in the amount of \$29,450.

On Roll Call, Vote Was:

AYES: 6 – Trustees Manieri, Ruzak, Bolos, Paveza, Franzese, Grasso

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

OTHER CONSIDERATIONS Trustee Ruzak announced that Armed Forces Day will be celebrated at the Veteran's Memorial on May 18th at 10:00 a.m. and a large crowd is expected.



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AUDIENCE Craig Luce, 11447 W. 75th Street, thanked the Trustees for their time and wished them his best.

Dolores Cizek of LaGrange, discussed speaking during the Audience portions of the Board Agenda. She also made suggestions related to having off-duty officers at the Summer Concerts, collecting Hotel taxes, and sales tax on online purchases. In response, Village Administrator Stricker pointed out that Burr Ridge is addressing the Hotel tax collection.

Resident Kathleen McInerney, questioned why she was not permitted to speak during the Chase Bank Resolution discussion. In response, Village Administrator Steve Stricker explained that the Agenda Item was not a public hearing and the audience discussion portion had ceased.

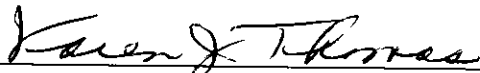
The Board discussed obtaining clarification regarding the two Audience portions of the Board Meeting Agenda.

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

ADJOURNMENT Motion was made by Trustee Ruzak and seconded by Trustee Manieri that the Regular Meeting of May 13, 2013 be adjourned.

On voice vote the motion carried and the meeting was adjourned at 9:25 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 28th day of May, 2013.



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

**May 13, 2013
7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE
– Maggie Callanan, Gower Middle 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.

**Swearing In Ceremony
Deputy Chief Marc Loftus**

5. MINUTES

- *A. Approval of Regular Meeting of April 22, 2013
- *B. Receive and File Veterans Memorial Committee Meeting of April 10, 2013
- *C. Receive and File Draft Space Needs Committee Meeting of April 22, 2013
- *D. Receive and File Draft Stormwater Committee Meeting of May 7, 2013
- *E. Receive and File Draft Pathway Commission Meeting of May 9, 2013

6. ORDINANCES

- *A. Approval of An Ordinance Granting a Variation from the Village of Burr Ridge Zoning Ordinance for a Variation Reducing the Corner Side Setback (V-02-2013: 7920 Wolf Road – Lainovic)
- *B. Approval of An Ordinance Amending the Zoning Ordinance of the Village of Burr Ridge to Modify the Permitted Location of Outdoor Cooking Appliances and to Allow Masonry Piers in the Rear Buildable Area of Residential Properties (Z-06-2013: Text Amendment – Cooking Appliances and Masonry Piers)
- *C. Approval of An Ordinance Amending the Zoning Ordinance of the Village of Burr Ridge to Permit Non-Conforming Residential Driveways to be Replaced without Modification Relative to the Width of the Driveway (Z-03-2013: Non-Conforming Residential Driveways)

EXHIBIT A

- *D. Approval of An Ordinance Granting a Special Use for Retail Sales Accessory to a Permitted Warehouse and Distribution Business in a G1 General Industrial District Pursuant to the Village of Burr Ridge Zoning Ordinance (Z-05-2013: 16W231 South Frontage Rd – Shop Melee)
- *E. Approval of An Ordinance Granting a Special Use Pursuant to the Village of Burr Ridge Zoning Ordinance for a Bank with Drive Through Service in a B1 District (Z-16-2012: 150 Burr Ridge Parkway – Chase)
- *F. Approval of An Ordinance Granting a Variation from the Village of Burr Ridge Zoning Ordinance for a Reduction in the Front Yard Setback (Z-16-2012: 150 Burr Ridge Parkway – Chase Bank)
- *G. Approval of An Ordinance Amending the Zoning Ordinance of the Village of Burr Ridge to Reduce the Required Number of Vehicle Stacking Spaces for a Bank Drive-Through Facility (Z-16-2012: Bank Drive-Through Text Amendment)
- *H. Approval of An Ordinance Granting Conditional Sign Approval as per the Village of Burr Ridge Sign Ordinance to Increase the Combined Area of Signs and a Variation from said Ordinance to Allow More Than One Sign on an Interior Lot (S-05-2012: 150 Burr Ridge Parkway – Chase Bank)

7. RESOLUTIONS

- *A. Adoption of a Resolution Authorizing the Village to Enter into a Contract for the Purchase of Electricity from the Lowest Cost Electricity Provider for the Purposes of Street Lighting
- *B. Adoption of Resolution Authorizing Agreement with Chase Bank – Fee in Lieu of Sales Tax

8. CONSIDERATIONS

- A. Consideration of Request from Heatherfields Subdivision to Allow Installation of Surveillance Cameras at the Entrance of their Subdivision
- B. Consideration of Recommendation to Award Contract for Tree Trimming along Commonwealth Edison 138KV Transmission Lines
- *C. Approval of Recommendation to Authorize Contract for Replacement Plantings for the County Line Road Medians out of Hotel/Motel Tax Fund
- *D. Recommendation to Authorize Contract for Professional Engineering Services (County Line Road Sidewalk Grant Project)
- *E. Approval of Recommendation to Authorize Purchase of Replacement Vehicle #27 (Plow Truck)
- *F. Approval of Request from the Flagg Creek Heritage Society for Donation from Hotel/Motel Tax Funds in the Amount of \$2,500
- *G. Approval of Request from Burr Ridge Park District for Donation to Market on the Green Program in the Amount of \$1,200

- *H. Approval of Request from WB/BR Chamber of Commerce for Burr Ridge Business Address Labels to be used in Conjunction with the Chamber's Upcoming Open House and Membership Drive
- *I. Approval of Recommendation to Appoint Sgt. Marc Loftus to Deputy Chief of Police to Fill the Vacancy Created by the Retirement of Tim Vaclav
- *J. 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 Deputy Chief Tim Vaclav
- *K. Approval of FY 2012-13 Vendor List in the amount of \$265,276.86 for all funds, which includes no special expenditures
- *L. Approval of FY 2013-14 Vendor List in the amount of \$100,861.58 for all funds, plus \$245,291.19 for payroll, for a grand total of \$346,152.77, which includes no special expenditures
- M. 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