

REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE, IL

August 26, 2013

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of August 26, 2013 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 Straub.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was conducted by Eleni Andrews of Pleasantdale Elementary School.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Paveza, Ruzak, Franzese, Bolos, Grasso, Manieri, and Mayor Straub. Also present were Village Administrator Steve Stricker, Public Works Director Paul May, Community Development Director Doug Pollock, Police Chief John Madden, Deputy Police Chief Marc Loftus, Village Attorney Scott Uhler, and Village Clerk Karen Thomas. There being a quorum, the meeting was open to official business.

AUDIENCE Alice Krampits, I & M Canal Committee Representative, announced the annual River Thru History event which will be held on September 7th and 8th in Willow Springs.

Marc Toma, 7515 Drew, presented a petition requesting a four-way stop sign at 77th and Drew Avenue. Village Administrator Steve Stricker explained the process for the addition of a stop sign and stated staff will provide a status on the request.

CONSENT AGENDA – OMNIBUS VOTE After reading the Consent Agenda by Mayor Straub, motion was made by Trustee Grasso and seconded by Trustee Ruzak 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 Grasso, Ruzak, Manieri, Franzese, Paveza, Bolos

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

APPROVAL OF REGULAR MEETING OF AUGUST 12, 2013 were approved for publication under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) PLAN COMMISSION MEETING OF AUGUST 19, 2013 were noted as received and filed under the Consent Agenda by Omnibus Vote.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 26, 2013

ADOPTION OF RESOLUTION AMENDING THE PREMIUM CONVERSION PLAN UNDER SECTION 125 OF THE INTERNAL REVENUE CODE FOR THE BENEFIT OF THE EMPLOYEES OF THE VILLAGE OF BURR RIDGE PREVIOUSLY ADOPTED BY RESOLUTION R-23-92

The Board, under the Consent Agenda by Omnibus Vote, adopted the Resolution Amending the Premium Conversion Plan under Section 125 of the Internal Revenue Code for the Benefit of the Employees of the Village of Burr Ridge previously adopted by Resolution R-23-92 and authorized the Mayor to sign the Plan Document. This will allow Flexible Spending Account contributions to be made on a pre-tax basis.

THIS IS RESOLUTION NO. R-13-13.

APPROVAL OF PLAN COMMISSION RECOMMENDATION TO GRANT CONDITIONAL SIGN APPROVAL AND SIGN VARIATION FOR TWO WALL SIGNS (S-04-2013: 60 SHORE DRIVE – BRAND MAX MOTORS)

The Board, under the Consent Agenda by Omnibus Vote, directed Staff to prepare an Ordinance granting conditional sign approval and sign variation for two wall signs (S-04-2013: 60 Shore Drive – Brand Max Motors).

APPROVAL OF PLAN COMMISSION RECOMMENDATION TO CONDUCT A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ZONING ORDINANCE IN RESPONSE TO THE STATE OF ILLINOIS COMPASSIONATE USE OF MEDICAL CANNABIS PILOT PROGRAM ACT (PC-07-2013)

The Board, under the Consent Agenda by Omnibus Vote, authorized the Plan Commission to proceed with a public hearing to consider an amendment to the Zoning Ordinance in response to the State of Illinois compassionate use of Medical Cannabis Pilot Program Act (PC-07-2013).

APPROVAL OF RECOMMENDATION TO AUTHORIZE CONTRACT FOR 2013 PAVEMENT MARKING PROGRAM

The Board, under the Consent Agenda by Omnibus Vote, awarded a contract to Mark-it Corporation of Romeoville, Illinois for the 2013 Pavement Marking Program in the amount of \$21,750.90.

APPROVAL OF RECOMMENDATION TO AUTHORIZE FMLA LEAVE OF ABSENCE FOR GENERAL UTILITY WORKER TIM JORDAN

The Board, under the Consent Agenda by Omnibus Vote, approved the request for unpaid leave of absence under the Family and Medical Leave Act for General Utility Worker Tim Jordan.

APPROVAL OF VENDOR LIST IN THE AMOUNT OF \$153,393.68 FOR ALL FUNDS, PLUS \$194,459.29 FOR PAYROLL, FOR A GRAND TOTAL OF \$347,852.97 WHICH DOES NOT INCLUDE ANY SPECIAL EXPENDITURES

The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor List in the amount of \$153,393.68 for the period ending August 26, 2013, and payroll in the amount of \$194,459.29 for the period ending August 17, 2013.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 26, 2013

ADOPTION OF RESOLUTION AUTHORIZING A REAL ESTATE SALES CONTRACT FOR SALE OF VILLAGE OWNED LAND AT 11680 GERMAN CHURCH ROAD (PUMP CENTER) Village Administrator Steve Stricker asked Village Attorney Scott Uhler to explain the Contract.

Village Attorney Scott Uhler discussed the provisions of the contract prepared by Pulte Homes to purchase the Village-owned real estate at 11680 German Church Road at the asking price of \$2,445,000. Mr. Uhler explained that the provisions of the contract are standard provisions. He highlighted key aspects of the contract which include:

- the contract is contingent upon the granting of zoning approval for a residential development and approval of the final development plans and engineering;
- the contract contains a 120 day investigation period;
- the property is sold as is condition.

Village Administrator Steve Stricker discussed concerns with the 120 day investigation period that were expressed by Trustee Grasso with regard to Pulte Homes moving forward with the zoning petition. He added that Pulte Homes is also attempting to negotiate the purchase of another adjacent parcel which adds dependency to the purchase of the Village land. Mr. Stricker stated that discussions have been held with Pulte Homes to stipulate that a petition be filed within the investigation period and if it is not, the escrow funds would be forfeited.

Mr. Stricker also discussed another concern presented by Trustee Grasso with the investigation period noting that provisions should be added such that only environmental or legal concerns would allow the contract to be broken and the earnest money returned. Mr. Stricker added that he was unable to obtain approval with regard to the proposed changes prior to the Board Meeting and recommends tabling this item in order to do so.

Mark Mastrococco of Pulte Homes explained that Pulte Homes would like to request additional time to give consideration to the suggested contract changes by tabling this item to the Board Meeting of September 9th.

Trustee Franzese questioned the clause in the contract stating the adjacent Village property may be used for Stormwater detention. Mr. Stricker responded that he had previously requested to have that removed from the contract.

Trustee Franzese inquired if any development plans for the property have been prepared. Mr. Mastrococco responded that preliminary plans have been developed to ensure the project is feasible. Mr. Stricker added that he has requested that Pulte Homes meet with representatives from Bridle Path, Arrowhead Farms, and Burr Oaks Glen South, prior to the Public Hearing with the Plan Commission, to review the plans.

A handwritten signature in black ink, appearing to be "Jst", is located in the bottom right corner of the page.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 26, 2013

Trustee Grasso inquired if the purchase of the additional parcel is required to make the project profitable. Mr. Mastrococco responded that the project plan under development only includes the Village property and is consistent with other properties in the area.

Trustee Bolos inquired about the access easements and Mr. Stricker responded that it is located on the east side of the property. Trustee Bolos also added that she is against Stormwater detention on the Village property and would like the 120 day timeframe shortened. She also stated that the proposed density for the property should be provided prior to approval of the contract. Trustee Bolos also made suggestions for extensions and payments and specification of penalty amounts. Trustee Bolos asked questions with regard to the contract and suggested clarification changes.

Trustee Ruzak inquired if the water storage area located on lot 1 is concrete and if there is concern how stormwater detention might affect it. Mr. Stricker responded it is an underground concrete storage area and once the engineering plan is developed, it would be reviewed to ensure it is protected.

Trustee Manieri inquired if the development is a PUD and Mr. Mastrococco confirmed that it is. Trustee Manieri inquired as to the public benefit of the PUD and in response, Mr. Mastrococco stated it would be specified with the development plan. Trustee Manieri discussed the zoning of adjacent properties and stated that R2B is the lowest acceptable density given that of the surrounding properties.

Zed Francis, President of Bridle Path Homeowners Association, expressed concern with regard to the density of the development and the terms of the contract with regard to the zoning.

Louis Korompilas, 8236 Greystone Court, stated that the sale of any Village-owned property should be as transparent as possible. He suggested the contract should have a designated end-date and the deposit becomes non-refundable after a specified period of time as protection to the Village.

Joe Gavin, 11703 Shag Bark Lane, stated that this item should be tabled as the contract is in preliminary form and when Pulte has development plans available, they should be shared with the Board.

Mike Stratis, 15W230 63rd Street, stated in his experience with real estate, it is not uncommon to have a 120 day due diligence period. He added that the site plan may not be developed until Pulte is in the due diligence period making it difficult to stipulate that in the contract.

Dolores Cizek, Former Trustee, discussed the zoning of neighboring properties and potential lot sizes of the Pulte project.

A handwritten signature in black ink, appearing to be "Rjt", is located in the bottom right corner of the page.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 26, 2013

Motion was made by Trustee Grasso and seconded by Trustee Ruzak to table the Consideration of Adoption of Resolution Authorizing a Real Estate Sales Contract for Sale of Village Owned Land at 11680 German Church Road (Pump Center) to the Board Meeting of September 9, 2013.

Trustee Bolos stated it should be stipulated that if this agenda item is tabled, the contract must be modified to specify an end date on the contract and the density of the development must be provided. Mr. Stricker responded that when the purchase was presented to the Board in May, it was stated the development would be similar to that of the Savoy Club meaning two units per acre and the Board unanimously voted to allow the contract preparation to proceed. He added that staff has expressed to Pulte that is not the preferred density but Pulte asked for the opportunity to present their plan. He explained that the contract should be approved first and then allow the plan to proceed through the Public Hearing process.

Trustee Manieri suggested stipulating the zoning requirement for the development. In response, Mr. Uhler explained that the Board can indicate a sense of the zoning it would like but should not pre-determine the zoning without allowing Pulte Homes to petition to the Zoning Board of Appeals through the public hearing process.

On Roll Call, Vote Was:

AYES: 4 – Trustees Grasso, Ruzak, Paveza, Mayor Straub

NAYS: 3 – Trustees Franzese, Bolos, Manieri

ABSENT: 0 – None

There being four affirmative votes, the motion carried.

CONSIDERATION OF PLAN COMMISSION RECOMMENDATION TO DENY FENCE VARIATION (Z-11-2013: 6501 COUNTY LINE ROAD – LINDELL) Community Development Director Doug Pollock explained that the Plan Commission sent a recommendation to the Board on July 8, 2013 to deny the fence variation request and the Board remanded the petition to the Plan Commission to consider an amended plan to relocate the fence behind the perimeter landscaping.

TRUSTEE MANIERI LEFT THE MEETING FROM 8:33 TO 8:38

Mr. Pollock stated the Plan Commission decided that the changes did not justify a variation and the property does not create a hardship for the petitioner. He explained that a text amendment was also requested to permit a fence in a front yard for properties of two or more acres located on two arterial streets. The Plan Commission previously recommended denial of the text amendment and discussed possible options for a text amendment but were unable to find terms that would not set an undesirable precedent for front-yard fences in the Village.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 26, 2013

Motion was made by Trustee Franzese and seconded by Trustee Bolos to direct staff to prepare an Ordinance denying the fence variation and text amendment (Z-11-2013: 6501 County Line Road – Lindell).

On Roll Call, Vote Was:

AYES: 4 – Trustees Franzese, Bolos, Paveza, Grasso

NAYS: 1 – Trustees Ruzak

ABSENT: 1 – Trustee Manieri

There being four affirmative votes, the motion carried.

OTHER CONSIDERATIONS Trustee Grasso requested that laser beams not be used at the Concerts on the Green as they can cause harm.

TRUSTEE MANIERI RETURNED TO THE MEETING

Village Administrator Steve Stricker announced that Assistant Village Administrator Lisa Scheiner has submitted her resignation effective September 13, 2013 and has accepted a position as Assistant Village Administrator in River Forest.

Trustee Manieri noted the sound from the hand-held microphone is not clear on the cable channel broadcast.

AUDIENCE Dolores Cizek, Former Trustee, stated the sale of the Village-owned property should have been denied and rezoned prior to the sale.

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

ADJOURNMENT Motion was made by Trustee Paveza and seconded by Trustee Manieri that the Regular Meeting of August 26, 2013 be adjourned

On Roll Call, Vote Was:

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

NAYS: 0 – None

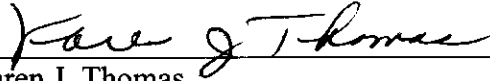
ABSENT: 0 – None

There being six affirmative votes, the motion carried and the meeting was adjourned at 8:42 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.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 26, 2013



Karen J. Thomas
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 9th day of
September, 2013.



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

**August 26, 2013
7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE
– Eleni Andrews, Pleasantdale Elementary 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.

5. MINUTES

- *A. Approval of Regular Meeting of August 12, 2013
- *B. Receive and File Draft Plan Commission Meeting of August 19, 2013

6. ORDINANCES

7. RESOLUTIONS

- A. Consideration of Adoption of Resolution Authorizing a Real Estate Sales Contract for Sale of Village Owned Land at 11680 German Church Road (Pump Center)
- *B. Adoption of Resolution Amending the Premium Conversion Plan under Section 125 of the Internal Revenue Code for the Benefit of the Employees of the Village of Burr Ridge Previously Adopted by Resolution R-23-92

8. CONSIDERATIONS

- A. Consideration of Plan Commission Recommendation to Deny Fence Variation (Z-11-2013: 6501 County Line Road – Lindell)
- *B. Approval of Plan Commission Recommendation to Grant Conditional Sign Approval and Sign Variation for Two Wall Signs (S-04-2013: 60 Shore Drive – Brand Max Motors)
- *C. Approval of Plan Commission Recommendation to Conduct a Public Hearing to Consider an Amendment to the Zoning Ordinance in Response to the State of Illinois Compassionate Use of Medical Cannabis Pilot Program Act (PC-07-2013)

EXHIBIT A

- *D. Approval of Recommendation to Authorize Contract for 2013 Pavement Marking Program
- *E. Approval of Recommendation to Authorize FMLA Leave of Absence for General Utility Worker Tim Jordan
- *F. Approval of Vendor List in the amount of \$153,393.68 for all funds, plus \$194,459.29 for payroll, for a grand total of \$347,852.97, which does not include any special expenditures
- G. 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