

REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE, IL

June 9, 2014

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of June 9, 2014 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 recited by the Board as the scheduled student was unable to attend the meeting.

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

AUDIENCE Sandra Szynal, 7819 Drew, stated that she participated in the public hearings held 20 years ago regarding the sidewalk on 79th Street, which she was opposed to and now has over 200 feet of sidewalk adjacent to her home.

Ms. Szynal commented that 20 years ago, other residents who attended the public hearing were also opposed to sidewalks and unwilling to assume responsibility for sidewalks and snow removal. She explained the Pathway Commissioners assured the residents they would not be held responsible for snow removal. Ms. Szynal expressed concern about liability for both the homeowner and residents who use the sidewalks in the winter and discussed legal opinions in regard to that matter. Ms. Szynal added that homeowners should not be held responsible for maintaining public property adjacent to their personal property and encouraged the Board to oppose the Pathway Commission recommendation.

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

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

APPROVAL OF REGULAR BOARD MEETING OF MAY 27, 2014

for publication under the Consent Agenda by Omnibus Vote.

were approved



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RECEIVE AND FILE VETERANS MEMORIAL COMMITTEE MEETING OF APRIL 30, 2014 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) RESTAURANT MARKETING COMMITTEE MEETING OF MAY 29, 2014 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) HOTEL MARKETING COMMITTEE MEETING OF MAY 29, 2014 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE (DRAFT) PLAN COMMISSION MEETING OF JUNE 2, 2014 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 SIGN ORDINANCE FOR TRAFFIC DIRECTIONAL SIGNS (S-03-2014: 6900 VETERANS BOULEVARD - CNH) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance.

THIS IS ORDINANCE NO. A-923-03-14.

APPROVAL OF AN ORDINANCE AUTHORIZING DISPOSAL OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF BURR RIDGE (AUDIO/ VISUAL EQUIPMENT AND BOARD ROOM FURNITURE) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance.

THIS IS ORDINANCE NO. 1137.

APPROVAL OF THE VENDOR LIST IN THE AMOUNT OF \$236,382.41 FOR ALL FUNDS, PLUS \$192,392.37 FOR PAYROLL, FOR A GRAND TOTAL OF \$428,774.78. THE VENDOR LIST INCLUDES SPECIAL EXPENDITURES OF \$55,470.00 PAID TO CURRIE MOTORS FOR PURCHASE OF 2014 FORD EXPLORER POLICE INTERCEPTOR VEHICLE, \$22,707.50 PAID TO U.S. BANK FOR G.O. BOND SERIES 2003 INTEREST, \$22,956.35 PAID TO BURR RIDGE BANK AND TRUST FOR PRINCIPAL AND INTEREST ON THE HOTEL/MOTEL INSTALLMENT LOAN AND \$51,931.25 PAID TO U.S.BANK FOR 2012 DEBT CRT SERIES INTEREST The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor List for the period ending June 9, 2014 in the amount of \$236,382.41 and payroll in the amount of \$192,392.37 for the period ending May 24, 2014.

ADOPTION OF A RESOLUTION ADOPTING THE PREVAILING WAGE RATE FOR LABORERS, WORKERS AND MECHANICS EMPLOYED IN PUBLIC WORKS FOR THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS

This item was removed from the Consent Agenda at the request of Mayor Straub for clarification.



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Village Administrator Steve Stricker explained that this is a long-standing policy in the State of Illinois which mandates that for public projects, the prevailing wage rate must be paid.

Village Attorney Scott Uhler added that the Village is required to adopt the Resolution.

Trustee Grasso expressed concern about overtime pay with regard to the policy. In response, Public Works Director Paul May explained that the wages apply to contractors that are hired by the Village, not Village employees.

Motion was made by Trustee Grasso and seconded by Trustee Paveza to adopt the Resolution adopting the Prevailing Wage Rate for Laborers, Workers, and Mechanics employed in Public Works of the Village of Burr Ridge, Cook and DuPage counties, Illinois.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried

THIS IS RESOLUTION NO. R-12-14.

CONSIDERATION OF PATHWAY COMMISSION RECOMMENDATION TO ENCOURAGE RESIDENTS TO REMOVE SNOW ON SIDEWALKS AND PATHWAYS

Mr. Pollock stated that the Pathway Commission would like the following text to be added to the Pathway Map, Village Web Site, and fall and winter newsletters:

The Village strongly encourages residents to remove snow and ice from sidewalks and maintain a free and clear path for all residents to enjoy. The Village does not Shovel pathways or sidewalks.

Mr. Pollock explained that the Pathway Commission felt the current language was not encouraging of snow removal. He added that as requested, Village Attorney Scott Uhler has obtained a legal opinion on the matter which states that a property owner or occupant is not liable for their sidewalks or those abutting their property unless the misconduct is willful.

Trustee Bolos commented that changing language is not going to motivate a resident to shovel the snow on their sidewalks if they had no intention of doing so.

Trustee Ruzak suggested the language remain as is.

Trustee Grasso added she is hesitant to make a resident feel guilty if they choose not to shovel their sidewalks.



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Trustee Bolos inquired about the reference to a previous recommendation in 2010. In response, Village Administrator Stricker explained that language was published on the web site with regard to encouraging snow removal but eventually removed. He added the Pathway Map has not been published since that time. He also explained that as Mrs. Szynal noted, the residents were told 20 years ago that they would have no responsibility for sidewalk maintenance and this suggestion would change what they were told. Village Administrator Stricker concluded it is his recommendation that the language be left as is.

Trustee Paveza inquired if the language stated in the legal opinion should be memorialized. In response, Village Attorney Scott Uhler explained that language is the state statute and property owners and residents already have the protection noted in the statute.

Motion was made by Trustee Ruzak to retain the existing language for the Pathway Map.

Mayor Straub inquired if the Pathway Commission proposal should be rejected as part of the motion and Village Administrator Stricker indicated it should.

Trustee Ruzak amended his motion to reject the Pathway Commission recommendation regarding removal of snow on Sidewalks and to retain the existing language. Trustee Grasso seconded the motion.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried

DISCUSSION CONCERNING THE POSSIBILITY OF CONDUCTING A BOARD GOAL SETTING WORKSHOP Mayor Straub stated he requested that this item be placed on the agenda in order to explore the possibility of a workshop to achieve unity in the Board Goals.

Trustee Grasso added her agreement stating that if a facilitator would not cost money, it would be helpful in achieving Board unity.

Mayor Straub stated he would like feedback from Board members regarding their feelings on holding the workshop and also the possibility of a facilitator.

Trustee Bolos questioned the timing of the Workshop given that there will be an election for three Trustee positions in 2015 that may result in a change of three Board members.

Trustee Grasso inquired if the timing of a Workshop should occur shortly after an election. In response, Trustee Manieri agreed.



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Trustee Paveza commented that if the Workshop is not held until after the upcoming election, it will be delayed by almost one year.

Trustee Franzese inquired if a facilitator has been selected and in response, Mayor Straub stated he has some candidates in mind but has not yet requested participation. Trustee Franzese discussed a previous goal setting session held by the Plan Commission with some Trustees and the Village President in attendance. He added that the session was productive but it did not have a facilitator. Trustee Franzese stated he feels a facilitator would be beneficial. He also added that when the Workshop was discussed in the past, the main objection to it was the cost.

Trustee Paveza added that previous Workshops have been beneficial and productive and is in favor of holding one.

Trustee Ruzak added his agreement that an informal discussion among the Board members would be beneficial.

Mayor Straub stated he feels it would be beneficial to undertake now since it would be almost one year before any new Board members would be sworn in. He added he has a couple of candidates who may be willing to serve as facilitators.

Trustee Manieri added he is in favor of an informal discussion and mentioned the previous session which he attended and felt it was productive without a facilitator. He stated that many of the goals set in that session have been achieved.

In response to Mayor Straub, Village Administrator Stricker explained that it is important to have a facilitator whether the facilitator is an outside individual or a staff member. He explained that an independent facilitator would be better able to lead the Board through the process and control the discussion.

The Board discussed whether a facilitator is necessary and concluded that if a volunteer can be found, it would be preferable. Village Administrator Stricker concluded that volunteers will be solicited and the preferable meeting time would be a week night.

CONSIDERATION TO REVISE POLICY CONCERNING THE RECONCILIATION OF WATER METER DISCREPENCIES

Public Works Director Paul May explained that the current Badger Meter system has been in place for many years and is in need of replacement. It is being replaced by the Sensus iPERL meters, which have the ability to be read remotely. He explained that with the Sensus iPERL meters, significant time will be saved in the meter reading process. Mr. May also added that the EPA now has rulings regarding lead-free water equipment and the Sensus iPERL meters would allow the Village to be compliant with those rulings.

Mr. May explained the metering process which consists of the water meter located inside the



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resident home and the reading device located outside of the home. He noted that on occasion, the external reading device is not recording water usage that occurred inside the home and is found when the meter is replaced and the two readings are compared.

Mr. May discussed causes for the external reading device running incorrectly. He noted that at a resident's request, the meters are frequently sent to an external testing agency for analysis and it has never been found that a meter reads fast. He explained the discrepancy error occurs between the internal meter and the external reading device. Mr. May provided samples of the internal meters and external reading device meters to the Board.

Mr. May noted there are 4,000 water meter accounts and 2,800 meters to be replaced with the internal goal of 700 per year resulting in a 4 year cycle. He stated that of the last 520 meters that were replaced, there was a discrepancy rate of 43% (224 accounts). He explained the average discrepancy of the 520 meters replaced is \$277 and the average discrepancy among the 224 discrepancy accounts is \$642.

Mr. May explained that staff contacted 26 Municipal Water utilities to obtain information on discrepancies and found that 17 reported experience with discrepancies. He added they also provided information on their reconciliation policies which consist of reconciling at the current rate, a reduced rate, or an amnesty program. Mr. May noted that the current policy for the Village is to reconcile at a reduced rate.

Mr. May explained the Village historical reconciliation process used by the Finance Department. He also described the discounts used which include reduction from tiers 2 or 3 to the base rate of tier 1 and reduction from the current rate to the historical average rate.

Mr. May discussed alternatives for reconciliation as suggested by staff and the Water Committee. He also discussed additional discounts using alternative rate options. Mr. May also noted that the other option discussed by the Water Committee with regard to Amnesty which includes:

1. Total Amnesty;
2. Amnesty with retroactive credit for those customers who have previously reconciled their accounts resulting in a \$144,000 return to discrepancy customers; or
3. Total Amnesty with a fee of \$400 for new meter replacement which could be spread over 10 billing cycles.

In response to Mayor Straub, Mr. May summarized his presentation noting that the Village water meters require replacement and in the process of doing so, discrepancies have been realized between billed water consumption and actual use and direction is requested on addressing the discrepancies.



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Village Administrator Steve Stricker provided a copy of the back page of the water bill to the Trustees where a notation is present that informs residents to compare the readings on their internal and external readers and report discrepancies to the Finance Department. He also noted the bill states that in a discrepancy situation, the internal meter reading is used for billing as it is the true measure of water usage. He added that the staffing levels do not permit confirming the accuracy of all of the meters.

In response to Trustee Grasso, Mr. May explained the process for comparing the readings on the internal meter and the external reader.

Trustee Bolos stated that it was suggested that this matter come before the Board rather than have a recommendation from the Water Committee in order to be fully transparent. She also believes it is not legal to revert back many years to bill residents for usage they were unaware of and for which the Village is unaware of when the discrepancy occurred. Trustee Bolos also pointed out that DuPage County will also be made aware of the discrepancy as related to the sewer charges and residents will be billed for that usage regardless of the Board decision for the water discrepancies.

In response to Trustee Bolos, Village Administrator Stricker explained that although the current policy supports reconciliation of the water usage discrepancies, it was suggested to discuss the matter and memorialize a change to the policy if the Board wishes to do so. He also explained the history of how the Water Committee arrived at the alternatives discussed.

Trustee Paveza, Chairman of the Water Committee, informed the Board of some of the discussion and recommendations of the Water Committee and stated that his preference is to support the current policy and bill residents for the usage since they did actually use the water. He added the fairest alternative is for the residents to pay at the reduced rate.

Trustee Bolos added that residents assume they will be billed for their commodities at the time they are used, not a significant time period later.

Mr. Stricker and Mr. Sapp stated that there is a reminder routinely placed on the front of the water bill reminding residents to check the water meter against the outdoor indicator.

Trustee Franzese added that the reminder requesting residents to compare their water meters is on the back of the bill, not on the front, as he noted in 15 months of his personal water bills. In response, Finance Director Jerry Sapp stated he will look into when the last time the reminder appeared on the front of the water bill.

In response to Trustee Manieri, Public Works Director Paul May stated approximately 172 water meters were changed last year. Trustee Manieri inquired if staff has been proactive with regard to notification to residents regarding possible meter malfunctions. Mr. May responded by



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explaining the different scenarios that occur with the meters noting that in situations where staff is aware of a malfunction, those meters are proactively replaced.

In response to Mayor Straub, Mr. May stated he is not aware of the full impact of the situation and will not be able to identify numbers until more data is gathered. He added that in the elected officials meters that were changed in the past two weeks, no significant discrepancies were found.

Trustee Paveza stated that like other municipalities, he would like to propose that when new meters are installed and discrepancies are noted, the water be billed at the reduced rate as depicted in Mr. May's presentation as scenario #2.

Motion was made by Trustee Paveza and seconded by Trustee Ruzak to reconcile discrepancies noted upon new meter installation at the reduced rate as depicted in Scenario #2, Tier 1 Retail Rates without Last 4 Years and on a Rolling Average.

Trustee Manieri remarked that in the scenario where the resident pays for the meter, he did not propose the \$400 amount.

Trustee Franzese thanked Finance Director Jerry Sapp and Public Works Director Paul May for their efforts in preparing the comprehensive report on the water meter discrepancies. He asked Mr. May when the external reading meters were initially installed. In response, Mr. May stated the external meters were always a part of the water system.

In response to Trustee Franzese, Mr. May noted that any time a discrepancy is found, the resident receives official notification from the Water Department as shown in Attachment 1 in the Board Packet. Trustee Franzese inquired about the billing with regard to resolving the discrepancies. Mr. May explained that the billing rate is based on the amount of time the resident occupied the home. He added that when a resident moves, a final read is taken and the account is closed out to ensure the new resident is not held responsible for previous discrepancies.

Trustee Franzese also inquired as to the nature of the Administrative Fee charged on the water bill. Mr. May explained it encompasses overhead costs and has no relationship to the meter cost. Trustee Franzese inquired about the billing rate imposed on a recent water pipe break in a home that resulted in a significant water loss. Mr. Stricker responded that it was billed at the third tier rate when reached and no adjustment was given.

Trustee Grasso added her agreement with Trustee Paveza to bill discrepancies at the adjusted rate. She added it is part of the fiduciary duty to the Village and to collect the funds that are owed at the lower rate. Trustee Grasso stated it would be unfair to bill residents who do not have discrepancies the \$400 for a new meter in order to pay for the discrepancies of others.



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Trustee Manieri added that the \$400 charge was never intended to pay for others discrepancies but rather for the new water meter. In response, Trustee Paveza stated that the average discrepancy is less than \$400 making it fairer to charge for the discrepancy rather than the meter. Trustee Bolos again added that the Village was remiss in not notifying residents of possible discrepancies and feels the money should not be taken from the residents.

Trustee Franzese added that he feels the water was used by the residents and the Trustees have a responsibility to do what is right. He added that he feels it is unfair to ask residents to pay for this.

In response to a question from Mayor Straub, Village Attorney Scott Uhler commented on the legal aspects of the reconciliation of discrepancies. He explained that the Village does have the legal authority to collect the money owed and there is no limitation on the time allowed to collect the funds.

Mayor Straub commented that he understands the residents being upset about owing money they did not know they owed and the responsibility for the reconciliation. He also noted that those who are retired and on fixed income would be burdened by the financial hardship and suggested a form of amnesty for those residents.

Trustee Paveza added that the Finance Department has set a precedent in working with residents where there is a hardship case.

Mayor Straub added that although it is a difficult decision, it is the responsibility of the resident to pay for the water they used. He added that based on the actions of other municipalities in this regard, the Village is helping to ease the burden through reduced rates.

On Roll Call, Vote Was:

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

NAYS: 3 – Trustees Bolos, Franzese, Manieri

ABSENT: 0 – None

There being four affirmative votes, the motion carried.

Trustees Manieri and Bolos stated that for the record, they voted no in favor of amnesty.

Village Administrator Stricker stated that the Ordinance will be prepared for the next Board Meeting.

OTHER CONSIDERATIONS Trustee Grasso stated the Concert Series began last Friday and there were audio problems which will be addressed.



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AUDIENCE Alice Krampits, 7515 Drew Avenue, stated she is appalled at the number of meters that are malfunctioning and added she would have preferred amnesty. Ms. Krampits inquired if notifications will be sent to residents and Village Administrator Stricker responded a notification will be drafted to the residents.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS Mayor Straub inquired about the Farmer's Market and Trustee Grasso replied it begins on June 12th with new vendors scheduled and encouraged all to attend. Trustee Bolos inquired if the Market could open earlier and Trustee Grasso responded she would follow-up.

Mayor Straub congratulated Trustee Grasso and Communications and Public Relations Coordinator Janet Kowal on the success of the first Concert on the Green.

Trustee Franzese noted the Car Show is scheduled for June 22nd.

ADJOURNMENT Motion was made by Trustee Bolos and seconded by Trustee Manieri that the Regular Meeting of June 9, 2014 be adjourned.

On Roll Call, Vote Was:

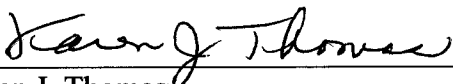
AYES: 6 – Trustees Bolos, Manieri, Grasso, Ruzak, Paveza, Franzese

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried and the meeting was adjourned at 8:52 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 14th day of July, 2014.



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

June 9, 2014
7:00 p.m.

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**
– Caitlyn Korallus, 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 Board Meeting of May 27, 2014
- *B. Receive and File Veterans Memorial Committee Meeting of April 30, 2014
- *C. Receive and File Draft Restaurant Marketing Committee Meeting of May 29, 2014
- *D. Receive and File Draft Hotel Marketing Committee Meeting of May 29, 2014
- *E. Receive and File Draft Plan Commission Meeting of June 2, 2014

6. **ORDINANCES**

- *A. Approval of An Ordinance Granting a Variation from the Village of Burr Ridge Sign Ordinance for Traffic Directional Signs (S-03-2014: 6900 Veterans Boulevard – CNH)
- *B. Approval of An Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Burr Ridge (Audio/Visual Equipment and Board Room Furniture)

7. **RESOLUTIONS**

- *A. Adoption of Resolution Adopting the Prevailing Wage Rate for Laborers, Workers and Mechanics Employed in Public Works of the Village of Burr Ridge, Cook and DuPage Counties, Illinois

8. **CONSIDERATIONS**

- A. Consideration of Pathway Commission Recommendation to Encourage Residents to Remove Snow on Sidewalks and Pathways
- B. Discussion Concerning the Possibility of Conducting a Board Goal Setting Workshop

EXHIBIT A

- C. Consideration to Revise Policy Concerning the Reconciliation of Water Meter Discrepancies
- *D. Approval of the Vendor List in the amount of \$236,382.41 for all funds, plus \$192,392.37 for Payroll, for a Grant Total of \$428,774.78. The Vendor List includes Special Expenditures of \$55,470.00 paid to Currie Motors for purchase of 2014 Ford Explorer Police Interceptor vehicle, \$22,707.50 paid to U.S. Bank for G.O. Bond Series 2003 interest, \$22,956.35 paid to Burr Ridge Bank and Trust for principal and interest on the hotel/motel installment loan and \$51,931.25 paid to U.S. Bank for 2012 Debt Crt Series interest
- E. 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