

REGULAR MEETING

MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE, IL

August 11, 2014

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of August 11, 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 President Pro-Tempore Paveza.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was recited by Simryn Singh of Pleasantdale Elementary School.

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

AUDIENCE Dave Allen, 1316 Laurie Lane, expressed his thanks to Public Works Director Paul May and Village Administrator Steve Stricker for their efforts in the construction of a berm separating Kathryn Legge Park and the adjacent properties. Mr. Allen explained that the berm will prevent the flooding on the properties.

Dolores Cizek, 701 6th Avenue, LaGrange, commented on the delay in the disclosure to the residents regarding the water meter discrepancies; the water fund shortfall; the purchase price of the police station property; the increase in the last 10 years in police pension payouts; Stormwater Committee reappointments; and the budget shortfall.

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

APPROVAL OF REGULAR BOARD MEETING OF JULY 28, 2014 were approved
for publication under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE VETERANS MEMORIAL COMMITTEE MEETING OF JUNE 28, 2014 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 11, 2014

ORDINANCE AUTHORIZING THE DISPOSAL BY SALVAGE OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF BURR RIDGE (PUBLIC WORKS UNIT #21) The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance.
THIS IS ORDINANCE NO. 1140

RESOLUTION OF APPRECIATION RECOGNIZING RETIREMENT AFTER 20 YEARS OF SERVICE TO THE VILLAGE OF BURR RIDGE – BARBARA GERALDI
The Board, under the Consent Agenda by Omnibus Vote, adopted the Resolution.
THIS IS RESOLUTION NO. R-15-14

APPROVAL OF RECOMMENDATION TO AWARD CONTRACT FOR 2014 CRACKFILLING PROGRAM The Board, under the Consent Agenda by Omnibus Vote, awarded the contract for the 2014 Crackfilling program to Patriot Pavement Maintenance through the DuPage County aggregated contracting program for crack-filling application at the low-bid unit price of \$1.30 /lb., in an amount not to exceed \$20,000.

APPROVAL OF RECOMMENDATION TO APPROVE THE PURCHASE AND INSTALLATION OF AFTER-MARKET PUBLIC SAFETY EQUIPMENT – POLICE SQUAD #14-05 The Board, under the Consent Agenda by Omnibus Vote, approved the purchase and installation of after-market public safety equipment in the amount of \$7,842.18 – Police Squad #14-05.

APPROVAL OF RECOMMENDATION TO APPROVE THE PURCHASE AND INSTALLATION OF AFTER-MARKET PUBLIC SAFETY EQUIPMENT – POLICE SQUAD #14-16 The Board, under the Consent Agenda by Omnibus Vote, approved the purchase and installation of after-market public safety equipment in the amount of \$6,788.24 – Police Squad #14-16.

APPROVAL OF THE VENDOR LIST IN THE AMOUNT OF \$519,391.39 FOR ALL FUNDS, PLUS \$246,229.97 FOR PAYROLL, FOR A GRAND TOTAL OF \$765,621.36 WHICH INCLUDES A SPECIAL EXPENDITURE OF \$389,284.58 TO CENTRAL BLACKTOP CO., INC. FOR 2014 ROAD PROGRAM The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor List for the period ending August 11, 2014 in the amount of \$519,391.39 and payroll in the amount of \$246,229.97 for the period ending August 2, 2014.

ORDINANCE AMENDING SECTION 38.06 OF CHAPTER 38 (NUISANCES) OF THE BURR RIDGE MUNICIPAL CODE (REGULATION OF PUMPED POOL DISCHARGE)
Public Works Director Paul May explained that this Ordinance is in response to occasional resident complaints regarding the drainage of pool water discharge. He stated that frequently, the water is drained into a rear yard swale which often results in damage to downstream properties.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 11, 2014

Mr. May stated the Ordinance change will require the water to be pumped to a storm sewer, roadside ditch, or roadside curb. In addition, he noted that a resident suggested incorporating environmental concerns to the change and as a result, the following language will also be incorporated:

All such discharges must be dechlorinated PH neutral.

Mr. May pointed out that the environmental addition is consistent with the enforcement by the EPA and DuPage County regulations.

Trustee Grasso inquired if the residents would be informed of the new drainage requirements. In response, Mr. May stated the information would be published on the Village Web Site, cable TV, public access TV, and in the Village newsletter. He added it would be possible to send notice to those residents with pools. Trustee Grasso added she would like the notification to be sent.

Trustee Franzese inquired if a pool could be drained by gravity which would then negate the language in the Ordinance stating "pumped" discharge. Mr. May responded that discharge in that manner may be possible with a hot tub and suggested eliminating the word "pumped". The Board agreed to the suggested change.

Trustee Franzese discussed an incident in his subdivision where damage occurred due to pool discharge.

Trustee Manieri inquired if ice rinks could be incorporated into the Ordinance since they also cause drainage when they melt. In response, Mr. May agreed to incorporate that change.

Motion was made by Trustee Manieri and seconded by Trustee Franzese to approve the Ordinance with changes to remove the word "pumped" in the second and fourth lines and add "ice rinks" to the list of water drainage options in the third line.

Village Attorney Scott Uhler suggested replacing the word "permit" in the second line with "cause" and adding "caused by the property owner" to the sixth line following the word "facilities". The Board agreed to the suggested changes.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried.

THIS IS ORDINANCE NO. A-250-01-14



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 11, 2014

**RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF AN
ADVISORY PUBLIC QUESTION CONCERNING THE COMPENSATION OF
CERTAIN ELECTED OFFICIALS (DUPAGE COUNTY)** and

**RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF AN
ADVISORY PUBLIC QUESTION CONCERNING THE COMPENSATION OF
CERTAIN ELECTED OFFICIALS (COOK COUNTY)**

Agenda items 7A and 7B were discussed together.

Village Administrator Steve Stricker explained that the topic of elected official compensation has been discussed on several occasions, most recently at the Goals Setting session. He added that Trustee Bolos requested that a Resolution be prepared to place an Advisory Referendum question on the November 4th ballot. Village Administrator Stricker said the question would be on the ballot for both Cook and DuPage Counties and would read as follows:

Shall the Mayor of Burr Ridge, who receives a stipend of \$6,000 per year, and the Burr Ridge Trustees, who receive a stipend of \$3,000 per year, continue to be compensated?

Village Administrator Stricker clarified that in order to appear on the November 4th ballot, the Resolutions must be adopted by August 18th. He noted that there is no cost associated with the referendum.

Trustee Bolos added that the Board has discussed this matter on several occasions and the voters should have the opportunity to voice their opinions on the subject.

Trustee Grasso stated that the question is fair, concise, and clear but expressed concern with the outcome and the possibility for additional referendums in the future.

Trustee Franzese added that he is not in favor of going to referendum but feels that it is necessary in order to obtain an answer.

Trustee Paveza stated in his nineteen years as a board member, he has never experienced a stalemate among the board members that required a referendum.

Trustee Ruzak added that he is confident that the residents will make the right decision on the matter.

In response to Trustee Franzese, Village Attorney Scott Uhler stated the CEO of the Village is titled President and confirmed that the referendum question should use "President" instead of "Mayor".



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 11, 2014

The Board discussed the inconsistency with the use of "Mayor" and "Village President" throughout Village documents and meetings.

Village Attorney Uhler stated that legally, either title on the ballot would not change the outcome of the referendum.

In response to Trustee Bolos, Village Attorney Uhler stated the question on the ballot could be worded to ask only if the Mayor and Trustees should be compensated and eliminate the amounts. Trustee Grasso responded that she feels the residents should know what the Mayor and Board are being paid.

Trustee Ruzak stated he also feels the amounts should be included in order to be open with the residents.

Motion was made by Trustee Ruzak and seconded by Trustee Bolos to adopt the resolutions providing for and requiring the submission of an advisory public question concerning the compensation of certain elected officials (DuPage County) and (Cook County) to read as follows:

Shall the Village President (Mayor) of Burr Ridge, who receives a stipend of \$6,000 per year, and the Burr Ridge Trustees, who receive a stipend of \$3,000 per year, continue to be compensated?

Marty Gleason discussed his opinion with regard to the advisory referendum and stated that he feels the question should be a referendum where the results are meaningful.

Conrad Fialkowski, 110 Waterside Place, stated the question regarding Trustees accepting compensation was originally asked by Trustee Franzese questioning if the Mayor and Trustees should accept a salary when there is a budget shortfall. Mr. Fialkowski stated he feels that is the question to be answered.

Village Administrator Steve Stricker added that only an advisory referendum can be voted on and in this case, a binding referendum cannot be used. He also explained that a Trustee cannot refuse to accept a stipend and will still be taxed on the payment, regardless of what they do with it. Village Attorney Uhler explained that it is the office that is compensated, not the individual.

Mr. Stricker explained that the election will be held on November 4th and the Village would have until November 10th to pass an Ordinance that would affect the salaries for those elected in April of 2015. He added that if an Ordinance is passed after November 10th, it would not take effect until April of 2017. He continued that the official results of the election would not be known until the end of November.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 11, 2014

Dave Allen, 1316 Laurie Lane, inquired as to how success would be measured from the results of the referendum, especially if the vote count is close. In response, Trustee Paveza stated it would be evaluated once the results are obtained.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried

RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF AN ADVISORY PUBLIC QUESTION CONCERNING THE COMPENSATION OF CERTAIN ELECTED OFFICIALS (DUPAGE COUNTY)

THIS IS RESOLUTION NO. R-16-14

RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF AN ADVISORY PUBLIC QUESTION CONCERNING THE COMPENSATION OF CERTAIN ELECTED OFFICIALS (COOK COUNTY)

THIS IS RESOLUTION NO. R-17-14

RECEIVE MAYOR'S VETO MESSAGE CONCERNING BOARD ACTION OF JULY 28 TO AWARD CONTRACT TO CENTRAL SALT, OF ELGIN, IL, FOR THE PURCHASE OF ROAD SALT AND CONSIDERATION TO EITHER CONCUR WITH OR OVERRIDE THE VETO

Village Administrator Steve Stricker explained that at the July 28th Board Meeting, a contract was approved to purchase salt from Central Salt, of Elgin, IL for 300 tons at a rate of \$89.35 per ton and 900 tons at a rate of \$94.35 per ton at a total price of \$111,720. Mr. Stricker continued that prior to placing the order with Central Salt, Public Works Director Paul May again contacted Morton Salt and was told that they would not provide the Village with a quote.

Village Administrator Stricker added that DuPage County Board member Gary Grasso contacted Mayor Straub stating that he was able to convince Morton Salt to extend to the Village, the price offered to DuPage County for salt in the amount of \$77.40 per ton for an amount between 80 and 120% of 1,500 tons. He explained that the benefit of the Morton Salt contract allows the Village to purchase additional salt if the need arises.

Mr. Stricker explained that Central Salt does not wish to release the Village from its contract and are demanding a settlement fee of \$10 per ton or \$12,000. He added the Village Attorney has reviewed the demand and finds it to be without merit and to ensure the Village has no liability, it



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 11, 2014

is recommended that the Mayor veto the decision of the Village Board and award a contract to Morton Salt.

In response to Mr. Stricker, Village Attorney Scott Uhler explained that the veto will again be placed on the next Board Agenda as a procedural matter. He added that if Board action is taken with regard to the Veto at this meeting, the Board can move forward with the award of the contract to Morton Salt.

Mr. Stricker reiterated that the Board must take two actions; one to veto the contract with Central Salt and the second to award a contract to Morton Salt.

In response to Trustee Bolos, Village Attorney Scott Uhler explained that Mayors are able to veto Board actions on budgetary, appropriations, expenditure money matters and a portion or an entire action can be vetoed. As the Chief Executive, the Mayor can reverse an action at the next Board meeting.

Village Administrator Stricker explained that an override requires four votes so the veto does not provide a great deal of power. He added that in the history of the Village, the veto has only been used twice before to his knowledge.

In response to Trustee Franzese, Public Works Director Paul May reported that the total savings to the Village in contracting with Morton Salt rather than Central Salt is approximately \$19,000 which is still over budget by approximately \$20,000.

In response to Trustee Franzese, Village Attorney Scott Uhler noted that there is no foolproof method to veto a contract but the ability to do so is authorized by law. He explained that it is not a ploy but rather a thoughtful decision by the Mayor to exercise his authority to take this action.

Village Attorney Uhler read the Mayor's objections to the motion as follows:

1. Subsequent to the meeting the Village has received a bid from Morton Salt, Inc. of Chicago, Illinois to provide 1,500 tons of road salt at a price of \$77.40 per ton resulting in a savings to the Village of \$18,840 based on the purchase of 1,200 tons of road salt.
2. In addition to the cost savings, Morton Salt's bid is to provide the Village with 1,500 tons of road salt at the stated price which provides the Village an added capacity to combat adverse winter weather conditions if the need arises. However, the Village is only committed to purchase 1,200 tons if such tonnage is all that is required in the upcoming winter season.
3. Morton also remains obligated to provide up to 120% of the quoted tonnage (1,500) tons, thus assuring the Village even additional capacity if winter conditions so require.
4. Central's contract was conditional, while Morton's is not.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 11, 2014

Motion was made by Trustee Ruzak and seconded by Trustee Grasso to concur with the Mayor's veto message.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried

CONSIDERTION OF RECOMMENDATION TO AWARD CONTRACT FOR THE PURCHASE OF ROAD SALT TO MORTON SALT COMPANY

Motion was made by Trustee Manieri and seconded by Trustee Bolos to award a contract to Morton Salt for the purchase of road salt in an amount between 80% and 120% of 1,500 tons at a price of \$77.40 per ton.

On Roll Call, Vote Was:

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

NAYS: 0 – None

ABSENT: 0 – None

There being six affirmative votes, the motion carried

OTHER CONSIDERATIONS There were none at this time.

AUDIENCE Dolores Cizek, 701 6th Avenue, LaGrange, discussed the bidding and contracts for the Village salt supply and inquired if the appropriate bids were obtained. In response, Village Administrator Stricker explained that bids were obtained and he reiterated the situation with the Central Salt and Morton Salt contracts. Mr. Stricker emphasized that the process was executed appropriately and is for the benefit of the residents.

Ms. Cizek discussed the 2014 Growth Management Plan with regard to properties that have been annexed into the Village. She expressed her displeasure with the forced annexations.

Trustee Grasso discussed a letter the Board received from IDOT with regard to the construction speed limit over the County Line Road Bridge. She noticed the speed limit was 40 miles per hour over the bridge and a posted sign for 35 miles per hour heading northbound beyond the bridge. Trustee Grasso questioned the logic of a higher speed limit through the construction zone and said she would confirm the speed limit signs. Village Administrator Stricker stated the letter is a response to the Village request to lower the speed limit to 35 through the construction zone and IDOT does not wish to modify it.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
August 11, 2014

Marilou McGirr stated she is pleased that the advisory referendum will be placed on the ballot. She feels it is not right that the Board is paid when funds in the Village are tight. Ms. McGirr noticed the ash trees that are being removed and inquired about replacement. In response, Public Works Director Paul May stated that trees will be replaced where possible but they may not be replaced in the same season.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS Trustee Bolos thanked Rich Panico for his time and efforts in facilitating the Goal Setting Session of August 5th. She indicated Mr. Panico did an excellent job in keeping the session moving forward. Trustee Bolos added she was disappointed in Mayor Straub's Friday Wrap that indicated the bulk of the session was spent discussing compensation as she felt that was not the case.

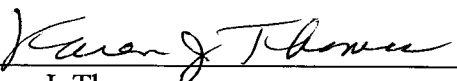
Trustee Ruzak expressed his thanks to Gary Grasso for his assistance in acquiring salt at a savings for the Village.

Village Administrator Stricker noted the passing of Josephine Goetz, a resident and member of the Space Needs Committee. He added she was instrumental in the Board Room and Village Hall renovation projects and her presence will be missed.

ADJOURNMENT Motion was made by Trustee Ruzak and seconded by Trustee Manieri that the Regular Meeting of August 11, 2014 be adjourned.

On voice vote the motion carried and the meeting was adjourned at 8:07 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 25th day of August, 2014.



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

**August 11, 2014
7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
– Simryn Singh, 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 July 28, 2014
- *B. Receive and File Veterans Memorial Committee Meeting of June 28, 2014

6. ORDINANCES

- A. Consideration of Ordinance Amending Section 38.06 of Chapter 38 (Nuisances) of the Burr Ridge Municipal Code (Regulation of Pumped Pool Discharge)
- *B. Approval of Ordinance Authorizing the Disposal by Salvage of Personal Property Owned by the Village of Burr Ridge (Public Works Unit #21)

7. RESOLUTIONS

- A. Consdideration of a Resolution Providing For and Requiring the Submission of an Advisory Public Question Concerning the Compensation of Certain Elected Officials (Dupage County)
- B. Consdideration of a Resolution Providing For and Requiring the Submission of an Advisory Public Question Concerning the Compensation of Certain Elected Officials (Cook County)
- *C. Adoption of Resolution of Appreciation Recognizing Retirement after 20 Years of Service to the Village of Burr Ridge – Barbara Gerald

8. CONSIDERATIONS

- A. Receive Mayor's Veto Message Concerning Board Action of July 28 to Award Contract to Central Salt, of Elgin, IL, for the Purchase of Road Salt and Consideration to Either Concur with or Override the Veto

EXHIBIT A

- B. Consideration of Recommendation to Award Contract for the Purchase of Road Salt to Morton Salt Company
- *C. Approval of Recommendation to Award Contract for 2014 Crackfilling Program
- *D. Approval of Recommendation to Approve the Purchase and Installation of After-Market Public Safety Equipment – Police Squad #14-05
- *E. Approval of Recommendation to Approve the Purchase and Installation of After-Market Public Safety Equipment – Police Squad #14-16
- *F. Approval of the Vendor List in the amount of \$519,391.39 for all funds, plus \$246,229.97 for Payroll, for a Grand Total of \$765,621.36, which includes a Special Expenditure of \$389,284.58 to Central Blacktop Co., Inc. for 2014 Road Program
- 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