

REGULAR MEETING
PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

March 12, 2018

CALL TO ORDER The Regular Meeting of the President and Board of Trustees of March 12, 2018 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-tem Paveza

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mohit Patel, Burr Ridge, Middle, School.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Paveza, Mital, Snyder and Schiappa. Absent was Trustee Mottl and President Straub. Also present were Village Administrator Doug Pollock, Police Chief John Madden, Public Works Director Dave Preissig, Assistant to the Administrator Evan Walter, Events Coordinator Janet Kowal and Village Clerk Karen Thomas.

RESIDENT COMMENTS There were none.

CONSENT AGENDA – OMNIBUS VOTE After reading the Consent Agenda by President Pro-tem Paveza, motion was made by Trustee Franzese and seconded by Trustee Snyder that the Consent Agenda – Omnibus Vote (attached as Exhibit A) and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

AYES: 5 – Trustees Franzese, Snyder, Paveza, Mital, Schiappa

NAYS 0 – None

ABSENT: 1 - Trustee Mottl

There being five affirmative votes, the motion carried.

APPROVAL OF REGULAR BOARD MEETING FEBRUARY 12, 2018 were approved for publication under the Consent Agenda by Omnibus Vote.

APPROVAL OF REGULAR BOARD MEETING FEBRUARY 26, 2018 were approved for publication under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE DRAFT WATER COMMITTEE MEETING OF FEBRUARY 26, 2018 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE DRAFT PLAN COMMISSION MEETING OF MARCH 5, 2018 were noted as received and filed under the Consent Agenda by Omnibus Vote.

APPROVAL OF AN ORDINANCE AMENDING THE VILLAGE OF BURR RIDGE PERSONNEL MANUAL ADOPTED BY ORDINANCE NUMBER 661 – LOSS

Regular Meeting
President and Board of Trustees, Village of Burr Ridge
March 12, 2018

PREVENTION AND SUBSTANCE ABUSE MANUALS

Agenda by Omnibus Vote, approved the Ordinance.

THIS IS ORDINANCE NO. A-661-02-18

The Board, under the Consent

APPROVAL OF RECOMMENDATION TO AWARD PROFESSIONAL SERVICES CONTRACT FOR KLM PARK CULVERT STUDY

The Board, under the Consent Agenda by Omnibus Vote, awarded the contract to Hampton, Lenzini and Renwick, Inc. of Woodridge, Illinois in the amount of \$5,718.00, with the cost to be shared equally with the Village of Hinsdale.

APPROVAL OF RECOMMENDATION TO AWARD CONTRACT FOR 2018 SYSTEM-WIDE WATER MAIN LEAK DETECTION

The Board, under the Consent Agenda by Omnibus Vote, waived the bid process and awarded the contract to M. E. Simpson Co, Inc. of Valparaiso, Indiana, in the amount of \$16,835.00.

APPROVAL OF VENDOR LIST IN THE AMOUNT OF \$75,258.75 FOR ALL FUNDS, PLUS \$257,923.88 FOR PAYROLL, FOR A GRAND TOTAL OF \$333,182.63, WHICH INCLUDES NO SPECIAL EXPENDITURES

The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor list for the period ending March 12, 2018 in the amount of \$75,258.75 and payroll in the amount of \$257,923.88 for the period ending February 24, 2018.

**PUBLIC HEARING
AMENDMENT TO HIGHLAND FIELDS SUBDIVISION
ANNEXATION AGREEMENT**

CALL TO ORDER The Public Hearing of the President and Board of Trustees for the Amendment to Highland Fields Subdivision Annexation Agreement was held in the Meeting Room of the Village Hall, 7660 South County Line Road, Burr Ridge, Illinois and called to order by President Pro-tem Paveza at 7:05 p.m., with the same Trustees in attendance as immediately preceding the Public Hearing.

NOTICE OF HEARING was published in The Doings on February 15, 2018

PURPOSE OF HEARING is to consider the Amendment to Highland Fields Subdivision Annexation Agreement.

PRESENTATION Village Administrator Doug Pollock explained that this is a request for an amendment to the Highland Fields Annexation Agreement. The original Annexation Agreement was approved in 1999 and amended in 2016 and included all of what is now Highland Fields Subdivision, phases 1, 2, and 3. Phases 1 and 2 have been completed for some time. Originally, Phase 3 consisted of twelve lots, in 2016 those lots were divided into two separate phases, 3A and 3B. 3A was approved and plated in 2016. The 3B phase consists of nine lots at the south end of Johnston Road. He explained that in 2006, the Village updated the school and park impact fees. In



Regular Meeting
President and Board of Trustees, Village of Burr Ridge
March 12, 2018

2016 an amendment to the Highland Fields Annexation Agreement required the property owner pay the updated fees rather than the 1999 fees. In the proposed amendment they would pay the fees based on the 1999 annexation agreement, rather than what was imposed on this property in the 2016 annexation agreement amendment. He continued that the difference in the fees is significant, the total increase in the amount of fees for the nine lots would be in the range of \$100,000.

Mr. Pollock continued that the second amendment is a request to allow Phase 3B to be released from the requirement that they be part of the Highland Fields Homeowners Association. He said the original annexation agreement contemplated this subdivision as a single subdivision, with a single homeowners' association, to the extent that they share services, roadways, stormwater detention, other utilities and common areas. Pending further information, staff suggests that this portion be tabled as there seems to be some dispute on whether or not the Village can unilaterally allow them to de-annex. If the existing covenants require them to be connected to Highland Fields then any action by the Board would be irrelevant.

Phil Fornaro, attorney for the developer and property owners of Phase 3B, said his clients purchased the property in 2015 and since have been getting the property ready for development. He said in relation to the impact fees, this development should be under the confines of the original 1999 Annexation Agreement. He presented a chart comparing the fee structure based on the Ordinance approved in March 1999 and if the property were subdivided after expiration of the Annexation Agreement on March 1, 2019.

Mr. Fornaro said the second part of the amendment relates to whether or not this subdivision should stay within the Highland Fields Subdivision. He said the annexation agreement allows for separation of a subdivision based on the developer's decision and presented that portion of the original agreement pertaining to that. His client purchased the rights of the developer and as the developer we can opt out. The main reason is, being the last stage of this Phase, we want a little more of a separate feel, with the separate name.

Mak Maheronnaghs, president of the Highland Fields Association and Board Member, Beatrice mulligan addressed the Board. Mr. Maheronnaghs said we didn't know about the proposed amendment until I was notified last week by Mr. Pollock and the association attorney immediately contacted their attorney. Ms Mulligan said for them to want to enjoy the benefits of the subdivision the Board feels they should be part of the subdivision.

Alice Kramptis, 7550 Drew, said the impact fees need to be available, they are important to maintaining the high standards of the community and our quality recreation and education. We cannot allow these impact fees to be waived or reduced and she hopes the Board will deny the request.

A handwritten signature in dark ink, appearing to read "Sgt", is located in the bottom right corner of the page.

Regular Meeting
President and Board of Trustees, Village of Burr Ridge
March 12, 2018

BOARD QUESTIONS AND COMMENTS

Trustee Franzese asked if the impact fees are levied when the subdivision is platted. Mr. Pollock said yes but, in this case, it was tied to the annexation agreement.

Mr. Pollock said we have certain methodically for calculating the school and park impact fees and part of the calculation is the value of the land because basically their calculating how much land is needed for schools and parks relative to a subdivision. Typically, a developer gives money instead of land. The calculation in 1999 was based on land being valued at \$150,000 an acre. We entered into an annexation agreement in 1999 and we committed that the school/park impact fees would be locked in based on the 1999 calculation and valuation. In 2006 we updated the fee calculation to reflect a higher value of land, \$284,000 per acre. The 3 Phases of Highland Fields were still subject to the 1999 annexation agreement so even if they subdivided in 2006, they were still subject to the 1999 fees. In 2006, the current owner of Phase 3B purchased the property and did an amendment to the annexation agreement splitting Phase 3A into 3A and 3B and that required an amendment to the annexation agreement. The amendment superseded the 1999 agreement and said that for Phase 3 they need to pay the current school and park impact fees. He continued that he suspects that the current owner did not realize that at the time and are stuck having to pay the higher fees.

In answer to Trustee Mital, Mr. Pollock said the difference in the 1999 agreement and 2016 agreement is over \$100,000.

In answer to Trustee Snyder, Mr. Pollock said the current developer had the opportunity to see the new fees before the 2016 agreement was approved but he cannot say that they did. Mr. Pollock said the developer of Phase 3A paid the new fees.

President Pro-tem Paveza said that part of this hearing is regarding the request by the developer to not be included in the Highland Fields Homeowners Association and asked for discussion.

Trustee Franzese said he was a member of the Plan Commission when this subdivision was approved and at that time they envisioned 3 phases. They never thought that one part of the subdivision would want to be on its own and he would not have approved it. He doesn't think it is fair for Phase 3B to enjoy everything that has been but in place by Phases 1 and 2.

Trustee Paveza asked if this dispute between Phase 3B and the Homeowners Association is something the Board should even be involved with. Mr. Pollock said he is not sure it even matters what the Village Board does on this issue, there is a separate body of laws related to covenants and the Village has nothing to do with it, it is totally outside our purview and unless we can get a definitive answer that it matters, he sees no reason to take action on it.

AUDIENCE QUESTIONS AND COMMENTS

There were none at this time.

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

Regular Meeting
President and Board of Trustees, Village of Burr Ridge
March 12, 2018

CLOSE HEARING Motion was made by Trustee Franzese and seconded by Trustee Schiappa that the Amendment to Highland Fields Subdivision Annexation Agreement Public Hearing of March 12, 2018 be closed.

On Roll Call, Vote Was:

AYES: 5 – Trustees Franzese, Schiappa, Paveza, Mital, Snyder

NAYS: 0 – None

ABSENT: 1 – Trustee Mottl

There being five affirmative votes, the motion carried and the Amendment Highland Fields Subdivision Annexation Agreement Public Hearing was closed at 7:36 p.m.

CONSIDERATION OF ORDINANCE AUTHORIZING ANNEXATION AGREEMENT SECOND AMENDMENT (HIGHLAND FIELDS SUBDIVISION – PHASE III) There was discussion regarding the request to be released from being part of the homeowners association. Trustee Franzese asked why they wanted to withdraw. Mr. Fornaro said that they want to get this subdivision moving along and don't want it stalled by discussion with the Homeowners Association. Mr. Fornaro asked for some time to discuss this matter with his client outside. Mr. Fornaro returned and said they will withdraw the request that they be released from the requirement to join the Homeowners Association.

There was additional Board discussion regarding the impact fees.

Motion was made by Trustee Franzese and seconded by Trustee Mital that the Ordinance Authorizing Annexation Agreement Second Amendment (Highland Fields Subdivision – Phase III) be denied.

On Roll Call, Vote Was:

AYES: 5 – Trustees Franzese, Mital, Snyder, Schiappa, Paveza

NAYS: 0 – None

ABSENT: 1 – Trustee Mottl

There being five affirmative votes, the motion carried

CONSIDERATION OF RECOMMENDATION TO AWARD CONTRACT FOR 2018 ROAD PROGRAM Village Engineer Dave Preissig had a brief presentation regarding the 2018 Road Program. He said the Engineering Division accelerated the preparation of bid documents following the December meeting of the Street Policy Committee. The expedited process permitted an earlier bid opening for a favorable bidding environment. He said bids were solicited and six were received and opened on March 1. The lowest bid was received from Lindahl Brothers, Inc. of Chicago Ridge, in the amount of \$532,767.50, which is \$101,108 less than the engineer's estimate.



Regular Meeting
President and Board of Trustees, Village of Burr Ridge
March 12, 2018

Motion was made by Trustee Snyder and seconded by Trustee Schiappa that the 2018 Road Program Resurfacing Contract be awarded to Lindahl Brothers, Inc. of Chicago Ridge, Illinois, in the amount of \$532,767.50.

On Roll Call, Vote Was:

AYES: 5 – Trustees Snyder, Schiappa, Franzese, Paveza, Mital.

NAYS: 0 – None

ABSENT: 1 – Trustee Mottl

There being five affirmative votes, the motion carried

CONSIDERATION OF RECOMMENDATION TO CONTINUE CONSIDERATION OF PLAN COMMISSION RECOMMENDATION TO AMEND THE ZONING ORDINANCE TO PERMIT AN ELECTRIC FENCE AS A SPECIAL USE IN MANUFACTURING DISTRICTS AND GRANTING A SPECIAL USE TO PERMIT AN ELECTRIC FENCE ON THE SUBJECT PROPERTY (Z-06-2018: 16W020 79TH STREET – LYONS TRUCK SALES)

Assistant to the Administrator Evan Walter presented the Plan Commission's recommendation to approve an amendment to the Zoning Ordinance to permit electric fences as a special use in Manufacturing Districts, as well as a special use approval for Lyons Truck Sales for an electric fence.

Mr. Walter presented the amendment to the Zoning Ordinance to permit an electric fence, as a special use in non-residential districts and then requested concurrently that the special use be granted for an electric fence at 16W020 79th Street. Mr. Walter said the subject property currently has a four-foot permitted fence which was approved by a special use 37 years ago. There is also a chain link fence which is currently prohibited. The petition is for an electric fence which needs to be sitting behind another fence for it to work properly and for it to be safe and a crime deterrent, in the words of the manufactures' specification. The Plan Commission ruled 3 to 1 on the two cases, the first would be to amend the Zoning Ordinance to permit an electric fence on the property and second was to grant a special use for a chain link fence.

Mr. Walter said that the petitioner is asking to table the consideration at this time in order to allow them to submit a concurrent petition to permit chain link fences as a special use in Manufacturing Districts.

Police Chief John Madden explain the incidents of criminal activity at this location. There was some discussion.

Motion was made by Trustee Franzese and seconded by Trustee Snyder to table the recommendation from the Plan Commission until a concurrent petition can be considered by the Plan Commission

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

Regular Meeting
President and Board of Trustees, Village of Burr Ridge
March 12, 2018

On Roll Call, Vote Was:

AYES: 5 – Trustees Franzese, Snyder, Schiappa, Mital, Paveza

NAYS: 0 – None

ABSENT: 1 – Trustee Mottl

There being five affirmative votes, the motion carried

PRESENTATION OF PILOT PROJECT TO INSTALL CHAT FUNCTION ON THE VILLAGE WEB SITE

Assistant to the Administrator Evan Walter said recently staff was reviewing resident's surveys and it was suggested that a chat portal be put on the Village website. He said we researched some options and found an application that plugs into the website at a onetime cost of \$40.00. The goals of this tool are to provide residents with another option for communicating with the Village and to drive traffic on the website.

Events Coordinator Janet Kowal provided a presentation regarding the new chat function on the Village website.

OTHER CONSIDERATIONS There were none.

RESIDENT COMMENTS There were none.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS Trustee Paveza stated that the Secretary of State will be at the Village Hall on Wednesday, March 14 from 9 am to 3 pm.

Trustee Paveza said that over the last three months the Village and several nearby villages have been bombarded with Jim Durkin flyers that totally lie about the Village. There are a lot of people that don't believe the information but when you get these two to three times a week you start to wonder if it is true. He continued that everything they said associated with the Village are total lies. He explained that the Village property tax is not 20 % and in two of the years the taxes actually went down, the last four budgets actually had a small surplus, our pensions are funded according to the actuary. He said the budget does not include money for sanctuary cities or money for Chicago bailout.

NON-RESIDENTS COMMENTS There were none.

ADJOURNMENT Motion was made by Trustee Snyder and seconded by Trustee Franzese that the Regular Meeting of March 12, 2018 be adjourned to a Closed Session for:

- Approval of Closed Session Minutes of February 26, 2018
- Discussion regarding pending or probable litigation



Regular Meeting
President and Board of Trustees, Village of Burr Ridge
March 12, 2018

On Roll Call, Vote Was:

AYES: 5 – Trustees Snyder, Franzese, Paveza, Mital, Schiappa

NAYS: 0 – None

ABSENT: 1 – Trustee Mottl

There being five affirmative votes, the motion carried and the meeting was adjourned to Closed Session at 8:28 P.M.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.



Karen J. Thomas
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 9th day of April, 2018.



RECONVENED REGULAR MEETING

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

March 12, 2018

CALL TO ORDER The Regular Meeting of the President and Board of Trustees of March 12, 2018 was reconvened at 8:38 p.m. with the same Trustees in attendance as immediately preceding the Closed Meeting from 8:29 p.m. to 8:37 p.m.

RECONVENE AND ADJOURN REGULAR MEETING Motion was made by Trustee Snyder and seconded by Trustee Schiappa that the Regular Meeting of March 12, 2018 be reconvened and adjourned

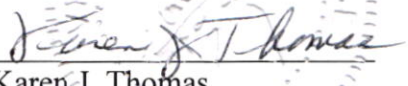
On Roll Call, Vote Was:

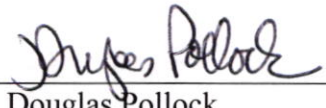
AYES: 5 – Trustees Snyder, Schiappa, Mital, Franzese, Paveza

NAYS: 0 – None

ABSENT: 1 – Trustee Mottl

There being five affirmative votes, the motion carried and the Regular Meeting of March 12, 2018 was adjourned at 8:38 p.m.


Karen J. Thomas
Village Clerk
Burr Ridge, Illinois


J. Douglas Pollock
Village Clerk Pro-Tempore
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 9th day of April, 2018.



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

**March 12, 2018
7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE
Mohit Patel – Burr Ridge Middle School**
- 2. ROLL CALL**
- 3. RESIDENTS COMMENTS**
- 4. CONSENT AGENDA – OMNIBUS VOTE**

All items listed with an asterisk (*) are considered routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so request, in which event the item will be removed from the Consent Agenda.

**7:00 p.m.
PUBLIC HEARING
Amendment to Highland Fields Subdivision Annexation Agreement**

5. MINUTES

- *A. Approval of Regular Board Meeting of February 12, 2018
- *B. Approval of Regular Board Meeting of February 26, 2018
- *C. Receive and File Draft Water Committee Meeting of February 26, 2018
- *D. Receive and File Draft Plan Commission Meeting of March 5, 2018

6. ORDINANCES

- A. Consideration of Ordinance Authorizing Annexation Agreement Second Amendment (Highland Fields Subdivision – Phase III)
- *B. Approval of Ordinance Amending the Village of Burr Ridge Personnel Manual Adopted by Ordinance Number 661 – Loss Prevention and Substance Abuse Manuals

7. RESOLUTIONS

None.

EXHIBIT A

8. CONSIDERATIONS

- A. Consideration of Recommendation to Award Contract for 2018 Road Program
- B. Consideration of Recommendation to Continue Consideration of Plan Commission Recommendation to Amend the Zoning Ordinance to Permit an Electric Fence as a Special Use in Manufacturing Districts and Granting a Special Use to Permit an Electric Fence on the Subject Property (Z-06-2018: 16W020 79th Street – Lyons Truck Sales)
- C. Presentation of Pilot Project to Install Chat Function on the Village Web Site
- *D. Approval of Recommendation to Award Professional Services Contract for KLM Park Culvert Study
- *E. Approval of Recommendation to Award Contract for 2018 System-wide Water Main Leak Detection
- *F. Approval of Vendor List in the Amount of \$75,258.75 for all Funds, plus \$257,923.88 for payroll, for a grand total of \$333,182.63, which includes no Special Expenditures
- G. Other Considerations – For Announcement, Deliberation and/or Discussion only – No Official Action will be Taken

9. RESIDENTS COMMENTS

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. NON-RESIDENTS COMMENTS

12. CLOSED SESSION

- A. Approval of Closed Session Minutes of February 26, 2018
- B. Discussion Regarding Pending or Probable Litigation

13. RECONVENED MEETING

14. ADJOURNMENT