

REGULAR MEETING
MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

December 9, 2019

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of December 9, 2019 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 Gary Grasso.

PLEDGE OF ALLEGIANCE Pledge of Allegiance led by Madilyn and William Steckel, Gower West School

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Schiappa, Paveza, Snyder, Mital, Mottl, and Mayor Grasso. Also present were Finance Director Jerry Sapp, Police Chief John Madden, Deputy Chief Marc Loftus, Assistant Village Administrator Evan Walter, Public Works Director Dave Preissig, Village Clerk Karen Thomas, and Village Attorney Mike Durkin.

SWEARING IN OF NEW POLICE OFFICER HEMZA SHAIBI Police Chief John Madden introduced and the Village Clerk sworn in new police officer Hemza Shaibi.

CALL TO ORDER The Public Hearing for the 2019 Tax Levy was called to order by Mayor Grasso at 7:05 P.M. with the same Trustees in attendance as immediately preceding the Public Hearing.

NOTICE OF HEARING was published in The Suburban Life Newspaper November 28, 2019

PURPOSE OF HEARING is to consider the 2019 Tax Levy.

PRESENTATION Village Administrator Doug Pollock presented the 2019 Tax Levy. He said the total request for the 2019 Tax Levy is \$1,293,764 which represents an increase of 5.9% over 2018. Burr Ridge is subject to the State imposed Annual Tax Levy cap which dictates any increase be limited by a cost of living adjustment plus the capture of new growth resulting from annexation or new construction. The cost of living increase is based on the Consumer Price Index which is set at 1.9% this year.

Mr. Pollock continued that the available tax levy resulting from new growth will be determined by the Township Assessors in the first quarter of 2020. We estimate what the new growth might be and estimate higher than expected so as not to miss the opportunity to capture any property tax from new development in the Village.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

Mr. Pollock said the Tax Levy Ordinance must be adopted and filed with the Counties no later than the last Tuesday in December. The Tax Levy is divided into three separate levies: Police Pension, Corporate and Police Protection. The amount for the Police Pension Levy is determined by the State of Illinois. The remainder of the Levy is divided between the Corporate Levy which receives 60% and the Police Protection Levy which receives 40%. The Corporate Levy and the Police Protection Levy represent approximately 5.7% of the total General Fund that is used for normal expenses of the Village.

Mr. Pollock stated the Burr Ridge Property Tax portion represents less than 2% of a Burr Ridge resident's tax bill. The remaining 98%+ goes to other local taxing districts including school districts, fire districts, park districts, County, etc.

Trustee Mottl questioned how there could be a tax decrease, if the tax levy is increasing. He is concerned about raising property taxes when the value of homes have reportedly decreased. Finance Director Jerry Sapp explained a \$600,000 home, assuming no increase or decrease in the market value, the pool of equalized assessed evaluation would cause the taxes to go down. If there was an increase or decrease in market valuation there would be a variation but we are working with estimates and levying under the Illinois tax cap.

Mayor Grasso summarized the 5.9% growth is due to new growth taxes and the cost of living imposed by the respective Assessors in each County. It is not a tax increased by the Village Board.

Trustee Mottl stated the Village could choose not to increase the 1.9% Tax Levy. Mr. Pollock confirmed the Village has to pass the Levy. Trustee Paveza explained that if the Levy is not passed, the money from new construction will go to the County not the Village.

Village Attorney Mike Durkin explained the Police Pension Fund Levy is mandated. Although the Village is requesting 5.9% there is no guarantee of receiving anything more than the 1.9% cost of living. Trustee Mottl stated the Village could choose not to raise taxes at all. Mr. Durkin stated the Police Pension funding requirement by law is increasing. If that is not levied the State has the right to capture any State Revenue that can be paid by the municipality.

Motion was made by Trustee Snyder and seconded by Trustee Mital that the Public Hearing be closed.

The Motion was approved by unanimous voice vote of the Board of Trustees and the Public Hearing was adjourned at 7:21 p.m.

CONSENT AGENDA – OMNIBUS VOTE

After reading the Consent Agenda by Mayor Gary Grasso, motion was made by Trustee Schiappa and seconded by Trustee Paveza that the Consent Agenda – Omnibus Vote (attached as Exhibit A), and the recommendations indicated for each respective item, be hereby approved. Any item removed from the Consent Agenda, will be discussed by the Board, opened for public comment, and voted upon during this meeting.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

On Roll Call, Vote Was:

AYES: 6 – Trustees Schiappa, Paveza, Snyder, Mital, Mottl, Franzese

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

APPROVAL OF REGULAR BOARD MEETING MINUTES OF NOVEMBER 25, 2019 were approved for publication under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE ECONOMIC DEVELOPMENT MEETING MINUTES OF DECEMBER 4, 2019 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 the Board, under Consent Agenda, approved the Ordinance.
THIS IS ORDINANCE NO. A-661-01-19

APPROVAL 2020 VILLAGE BOARD MEETING SCHEDULE the Board, under Consent Agenda, Approved the schedule.

RECEIVE AND FILE LETTER OF RESIGNATION OF POLICE DEPARTMENT RECORDS CLERK MARGARET STRAMA the Board, under Consent Agenda, Accepted the Letter of Resignation.

APPROVAL OF RECOMMENDATION TO HIRE REPLACEMENT RECORDS CLERK TO FILL THE VACANCY CREATED BY RESIGNATION OF MARGARET STRAMA the Board, under Consent Agenda, Authorized the Chief of Police to fill the vacancy.

APPROVAL OF CONTRACT WITH MCFARLANE DOUGLASS FOR INTERCHANGE IMPROVEMENTS the Board, under Consent Agenda, Approved the Contract in the amount of \$19,500.

APPROVAL OF VENDOR LIST DATED DECEMBER 9, 2019 IN THE AMOUNT OF \$168,042.87 FOR ALL FUNDS, PLUS \$199,395.14 FOR PAYROLL FOR THE PERIOD ENDING NOVEMBER 30, 2019, FOR A GRAND TOTAL OF \$367,438.01 WHICH INCLUDES SPECIAL EXPENDITURES OF \$37,560 TO CURRIE MOTORS FOR A 2020 FORD UTILITY POLICE VEHICLE AND \$22,395.10 TO BURNS & MCDONNELL FOR THE COUNTY LINE ROAD SIDEWALK PROJECT The Board, under Consent Agenda by Omnibus Vote, approved the Vendor List for the period ending December 9, 2019 plus Payroll for the Period Ending November 30, 2019.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

CONSIDERATION OF ORDINANCE LEVYING TAXES FOR ALL CORPORATE PURPOSES FOR THE VILLAGE OF BURR RIDGE, DUPAGE AND COOK COUNTIES, ILLINOIS, FOR THE FISCAL YEAR COMMENCING ON MAY 1, 2020 AND ENDING APRIL 30, 2021 Village Administrator Doug Pollock stated the Public Hearing was conducted for this Ordinance and it is Staff Recommendation that the Ordinance be approved.

Motion was made by Trustee Schiappa and seconded by Trustee Franzese to approve the Ordinance Levying Taxes for FY 2020-2021.

On Roll Call, Vote Was:

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

NAYS : 1 – Trustee Mottl

ABSENT: 0 – None

There being five affirmative votes the motion carried.

THIS IS ORDINANCE NO. 1190

CONSIDERATION AND DISCUSSION OF A RESOLUTION PROVIDIING FOR THE SUBMISSION OF THE ELECTORS OF THE VILLAGE OF BURR RIDGE, AT THE GENERAL PRIMARY ELECTION TO BE HELD ON MARCH 17, 2020, A PUBLIC QUESTION AS TO WHETHER THE VILLAGE SHOULD BECOME A HOME RULE UNIT
Village Administrator Doug Pollock explained the Board of Trustees directed Village Attorney Mike Durkin to prepare the Resolution placing this question on the March 17, 2020 ballot asking Burr Ridge voters if they would like the Village to become a Home Rule Unit. There will be a simple Yes or No response on the Referendum. Based on the presentation at the Board Meeting on November 25, 2019 the primary reasons stated for considering Home Rule include the flexibility to allow Hotel/Motel taxes to be used for the Police Pension Fund as well as the Capital Improvement Fund, particularly the Road Program, and to expand local adjudication to allow more tickets and fines to be adjudicated in Burr Ridge, and finally adding regulatory authority to address land use and environmental issues.

Trustee Snyder requested Finance Director Jerry Sapp get actuarial numbers rather than a consultant approach regarding open funding versus closed funding. Mr. Sapp explained under the closed method there is a target date of 90% funded by 2040. Under the open amortization method, it is reset every year, which actually raises taxpayer dollars. Burr Ridge is achieving the same goal by increasing the contribution by \$100,000 annually, thereby lowering future spikes. Trustee Snyder requested documentation for open funding. Mr. Sapp stated an actuarial could be hired if the Board chooses to do so but it could be a two-year process. Mr. Pollock stated if the Board is interested in this it would be taken to the Police Pension Board first and if they are interested in the concept the process could begin to develop those numbers.

There was further discussion about open funding and the new Statewide Pension Board that will oversee the investment strategy.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

Mr. Pollock summarized there are three options that have been discussed. The Village could continue with contributing the minimum required by the Tax Levy, contribute the minimum plus an additional \$100,000 annually, or consider open amortization. He said that the open amortization approach is essentially the same as contributing \$100,000 annually, paying more now so future bills are lower. Mr. Pollock suggests approaching the Police Pension Board and then proceed with researching actuarial information and present a recommendation to the Board.

Trustee Paveza questioned why there needs to be more money added to the Police Pension Fund if the Village is contributing what is required. Mayor Grasso explained the Fund is not keeping up with the obligation. Contributing additional money now would alleviate the burden on the Village in the future.

Mr. Pollock explained there is a plan to reach 90% funding by 2040 as required by the State. The annual minimum contribution is increasing and by 2038 100% of the property tax levy will be required for the Pension Fund. The goal is to keep the portion of the police pension property tax levy at the current 66% of the total property tax levy.

Mayor Grasso stated that under Home Rule the Village would have authority to use Hotel/Motel Tax to assure money for the Police Pension Fund.

Trustee Mottl stated there has been growth in the Village and he favors waiting to see the impact of the change in Springfield and the possibility of receiving more money from the Hotel/Motel Tax Fund. He is concerned about the opportunity to raise taxes and fees as a Home Rule Community.

Mayor Grasso stressed the purpose of Home Rule is not to raise taxes. With five hotels in the Village, the Hotel/Motel Tax Fund is an extraordinary fund that could be used for the benefit of the Village, for capital improvements, general fund needs, and the Police Pension Fund. Mayor Grasso would advocate a Resolution declaring Home Rule will never be used to raise property taxes. The Hotel/Motel Tax Fund would be available to better fiscally manage the Village, rather than raising property taxes

Trustee Paveza questioned if the Home Rule bylaws could be written to prevent the Board from raising real estate taxes. Mayor Grasso stated the bylaws could not be changed however a Resolution could be passed prohibiting the use of Home Rule power to raise property taxes. Additionally, whenever Home Rule powers are to be used to affect a change it would be announced to the Public and carried on the Agenda for a minimum of three Board meetings.

In response to Trustee Mottl, Assistant Village Administrator Evan Walter stated that as a non-Home Rule Community the Village is only allowed to use 25% of the hotel tax for capital or economic development. That clause expires January 1, 2023. Trustee Mottl does not anticipate needing to access more than 25% of the Hotel/Motel Tax Fund and is concerned the restrictions in a Resolution would not be effective.



Mayor Grasso emphasized the 25% allowable use of Hotel/Motel Tax Fund for General Fund, Capital Fund or Police Pension Fund expires in 2023. As a Home Rule Community there would be no restrictions on expenditures paid by the Hotel/Motel Tax Fund.

Trustee Mital expressed concerns regarding the use of Hotel/Motel Tax Fund for expenditures other than promoting tourism in the Village. She suggested finding other sources of revenues and possibly use Hotel/Motel Tax revenue to attract new businesses to the Village. Mayor Grasso stated the Village is always trying to attract new businesses. He also explained Hotel/Motel Tax revenue can only be used for tourism, not economic development. Mayor Grasso stated the goal is fiscal planning for the future. The opportunity to access Hotel/Motel Tax Fund through the Home Rule achieves that goal for the next couple of decades.

Resident Ellen Raymond is concerned Home Rule will not achieve the desired results, that taxes will be raised and the suggested restrictions will be ineffective. She stated Home Rule status is not necessary for adjudication.

Resident Alice Krampits is concerned about the power to implement and raise taxes and to incur more debt under Home Rule. She stated that in the future the proposed restrictions can be overruled and exceptions can be made.

Trustee Franzese questioned what the incremental benefit to the Village would be of adjudication under Home Rule verses Non-Home Rule. Police Chief John Madden explained there are approximately 17 additional traffic offenses that are not reported to the State. Under the law, a Home Rule Community can adjudicate those additional offenses. He also stated the Field Court in Downers Grove is closing which means officers may have to travel to Wheaton for traffic violations. The ability to adjudicate in Burr Ridge would prevent removing Officers from patrol to go to traffic court. Trustee Franzese asked if there would be a decrease in overtime if traffic violations could be adjudicated in Burr Ridge. Chief Madden expects there would be a decrease although exact numbers are not available at this time. Mayor Grasso explained that currently the County and the State receive a vast majority of the revenue from these violations. If they were adjudicated in Burr Ridge, the Village would receive the full revenue.

Mayor Grasso summarized there is currently no financial crisis in the Village. There is a future obligation that will be easier attained under Home Rule which allows the Village to avoid using property taxes. Property Tax is escalating and being used more for Police Pension Fund. The Board is presenting the Village with an option and will educate the public. The Vote tonight is not to become a Home Rule Community but rather to vote whether or not to give the residents the opportunity to make that decision. If Home Rule is approved to be on the ballot, a Committee will present issues for and against it. A Resolution will be passed that Home Rule will not be used to raise property taxes.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

Motion was made by Trustee Schiappa and seconded by Trustee Snyder to Adopt the Resolution Providing for the Submission of the Electors of the Village of Burr, at the General Primary Election to be held on March 17, 2020, a Public Question as to whether the Village should become a Home Rule Unit.

On Roll Call, Vote Was:

AYES: 4 – Trustees Schiappa, Snyder, Franzese, Paveza

NAYS : 2 – Trustee Mottl, Mital

ABSENT: 0 – None

There being four affirmative votes the motion carried.

THIS IS RESOLUTION NO. R-36-19.

CONSIDERATION OF RESOLUTION APPROVING FINAL PLAT THE COTTAGES OF DREW SUBDIVISION (7950 DREW AVENUE)

Assistant Village Administrator Evan Walter explained this is a PUD for an eight lot subdivision approved last year by the Plan Commission and the Board on a preliminary plat basis. All engineering approvals have been received from the County as well as from the Village. This is the final stage authorizing the development to move forward. Normally the petitioner is required to pay for all half-street improvements along the entirety of the subdivision they border as well as sidewalks along the subdivision and along any additional streets they provide.

The Developer is requesting three separate waivers from the Subdivision Ordinance and the Municipal Code. The first is a waiver of the donation in lieu of the required Street improvements for 79th Street and Drew Avenue. The estimated cost of the Half Street improvements is \$62,540. The second is a waiver of the donation in lieu of the required sidewalks along 79th Street and Drew Avenue as well as on both sides of Cottage Court, the new street that will be built in the Subdivision, the cost of which is \$56,040. The Developer is also requesting that the School and Park impact fees be paid on a per-permit basis. Traditionally the law requires that all these fees be paid up front. The justification for relief from the sidewalk and street improvement requirements is due to the fact that 79th Street was recently resurfaced and due to the presence of protected wetlands the adjacent streets will never be widened and sidewalks are unable to be built in these locations.

Nicolas Patera on behalf of Teska Association stated they have been working with the Village for four years on this unique subdivision. Due to the wetlands protruding into the right of way on 79th Street and Drew Avenue he believes the request is justified. The Subdivision Ordinance is a Standard but does not always fit each Subdivision specifically.

Trustee Franzese agreed this subdivision is unique as is every subdivision in Burr Ridge however he does not believe the impact fees for Street improvements should be waived. Other streets and sidewalks will be improved in the Village that the residents of this Subdivision will benefit from. Not building sidewalks along the Wetlands should not relieve the Developer from the responsibility of



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

making the required contribution. Trustee Franzese is agreeable to a per-permit contribution of the School and Park impact fees.

Trustee Schiappa stated the fees are a cost of doing business and does not believe they should be waived. He suggested an end date for the per-permit fee at which time the fees would be paid whether the lots have sold or not.

Trustee Mottl is concerned about additional flooding issues on 79th Street. Assistant Village Administrator Evan Walter explained an out lot will provide the vast majority of storm water retention based on the Engineering plans which have been approved by the Village Engineer as well as the County. If necessary, the Village could request additional storm water storage if the flooding gets worse. Director of Public Works Dave Preissig explained the Board initially required 20% additional capacity in the retention ponds for this Subdivision.

Mayor Grasso suggested a two-year period for the School and Park impact fee. Mr. Anthony Perino Manager Jarper Properties requested 36 months and the consensus of the Board was to accept that period.

Motion was made by Trustee Schiappa and seconded by Trustee Snyder to approve the Resolution to include a denial of the request to waive donation money in lieu of required street improvements and the donation in lieu of required sidewalks but to allow the payment of School and Park impact fees on a per-permit basis with and an end date of 36 months beginning March 1, 2020.

Village Administrator Doug Pollock clarified that the donations in lieu of street improvements and required sidewalks are to be paid up front. Only the School and Park impact fees are on a per-permit basis. Mr. Perino requested all fees be allowed on a per-permit basis but that request was denied.

On Roll Call, Vote Was:

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

NAYS : 1 – Trustee Mottl

ABSENT: 0 – None

There being five affirmative votes the motion carried.

THIS IS RESOLUTION NO. R-37-19

CONSIDERATION OF A VARIATION FROM THE SUBDIVISION ORDINANCE TO PERMIT A GATED SUBDIVISION AT CABERNET COURT

Assistant Village Administrator Evan Walter explained this is a request from the Cabernet Homeowner's Association to create a gated subdivision at Cabernet Court. This six-unit subdivision is self-contained in that no other streets access Cabernet Court for purposes of through-travel. The residents are concerned with perceived safety issues and solicitors visiting their homes at all hours of the day. This is not a request to actually gate the Subdivision but rather a request for direction. Several things need to be considered by the Board, including:



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

- Preparation of a Plat of Vacation and Grant of Easement to transfer ownership of the street to the HOA and the property owners with access rights to the Village and Fire District.
- Review of amendments to the HOA covenants to assure continued maintenance of the street.
- The final location of the gate should be set back at least 60 feet from the sidewalk crossing on the west side of County Line Road. This will allow for adequate distance for three cars to stack while queuing at the gate.
- The Subdivision gate would be equipped with an optical receiver to allow for instant keyless access to the subdivision for emergency police and fire vehicles. The Police Department has recommended that Federal Signal Opticon Emitters be used as the preferred brand; this is the same technology that is used on traffic signals throughout the Village to allow for emergency priority and actuate a green signal.

Mayor Grasso questioned if the residents are asking if the Board is okay with gated communities without actually having a plan for the Board to consider. Mr. Walter explained the HOA is prepared to move forward with a plan to present to the Board.

Trustee Snyder stated he does not see a downside to this. The residents are accepting full responsibility for maintenance of the streets.

Resident Mr. Rocco Salviola. stated most of the houses have installed security cameras attempting to avoid some of the safety concerns they have. He said there are at least 30 cars a day that come through their street. He claims Cabernet Court is in need of repair and if the residents accept responsibility it will alleviate the cost to the Village.

Mayor Grasso stated this concept has come to the Board in the past. He said when people figure the cost to maintain the road they determine it is cost prohibitive. Mr. Salviola stated they have done their due diligence and are aware of the cost to erect the gate, it's \$10,000 to repair the street as well as the cost for snow removal. The safety of their children is more important than the financial cost.

Trustee Mottl commented he does not think \$10,000 will cover repairs for the street. Mr. Salviola stated it needs resurfacing now and in 5 – 7 years they will need to repair it. Village Administrator Doug Pollock stated this is on the Village's schedule for resurfacing in 2-3 years for an expected cost of \$51,000. Mr. Salviola stated it would get deeded to the HOA and becomes their responsibility. The Village will be able to hold them accountable. Trustee Mottl expressed concern about new homeowners in the future not wanting the responsibility. He also thought that in the past the Board made a pledge that there would be no more gated communities. Village Administrator Doug Pollock stated he is not aware of a formal pledge however when Pine Crest requested a gated entry they were denied. At that time, it was the Board's policy not to allow any more gated subdivisions in the Village.

Trustee Franzese mentioned the \$51,000 price the Village has budgeted for the repairs on Cabernet Court were due to early bidding and negotiating. An individual will not get that same pricing. He



inquired as to what safety issues they are experiencing. Mr. Salviola explained there are about 30 unwanted cars speeding through there and solicitors ringing doorbells all hours of the night. They have installed cameras, however that is not deterring any of the traffic or solicitors. They have not had any break-ins but there are cars who park and watch the homes. Trustee Franzese asked how UPS and school buses get access if there is no guardhouse. Mr. Salviola responded UPS will have a special code and the school bus does not come into the subdivision. Trustee Franzese commented the Village is trying to create connectivity and he believes Gated Communities create isolationism.

Trustee Snyder asked if the plan is going to inhibit anything. Mr. Pollock stated physically it can be executed. Staff advised the Home Owners Association to approach the Board now because in the past it was a policy decision and was not contingent on how the gate was executed. If the Board is opposed to the gate, there is no reason for the HOA to proceed with developing the plan. Mr. Pollock also informed the Board that there are 15-20 similarly sized subdivisions with access off arterial streets that could potentially be eligible for gates.

Mayor Grasso asked if this is a unanimous request. Mr. Salviola responded there is one new home and he does not have contact information for the owner. Mayor Grasso requested a plan before the Board goes on record. Generally gated communities are discouraged.

Mayor Grasso suggested withdrawing the request at this point and present a basic plan for Staff to review and place on an Agenda in the future.

No action was taken by the Board.

CONSIDERATION OF PLAN COMMISSION RECOMMENDATION FOR SPECIAL USE APPROVAL FOR AUTOMOBILE SALES, RENTAL, AND SERVICE (Z-20-2019; 16W260 83RD STREET – ODEH) Assistant Village Administrator Evan Walter explained this is a one year extension for a Special Use for Apex Motor Works. The Petitioner is asking to continue to operate an automobile-based business at the subject property after their initial two-year special use expired in 2019. This business was granted a temporary Special Use in 2017 to operate an automobile sales use, with maintenance of vehicles restricted to those owned by the company on-site. The petitioner stated the purpose of the expanded Special Use request was to permit the business to rent the exotic cars they own and to include maintenance to the general public. The petitioner, at some point, began renting cars to the general public which was not permitted under their Special Use. They were also required to adhere to minimum sale price standards. Sales data provided by the petitioner showed a sale below the minimum price.

The Plan Commission debated the merits of allowing rental and maintenance services at the subject property including how the Village would ensure the rentals would be of sufficient quality as well as how the maintenance services would impact the surrounding neighborhood. The Plan Commission determined there would be little impact on the surrounding neighborhood. There were 11 conditions recommended by the Plan Commission.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

Mr. Walter stated the original petition expired in June and an application to re-apply was not received until October. There are also signs on the property that are non-compliant.

Trustee Snyder asked if the Village was aware Apex was renting cars and performing maintenance. Mr. Walter stated the Village became aware of it when there was a sign unlawfully posted advertising maintenance.

Mayor Grasso confirmed there has not been any substantial sales tax revenue. Village Attorney Mike Durkin explained a large percentage of sales are out of state so there is no tax revenue.

Mr. Awad Odeh, Owner of Apex, explained they have had restrictions imposed on them with the Special Use. They did not expect to sell so many cars outside of Illinois which limited the tax revenue to the Village. He admitted it was a mistake for his service manager to advertise for maintenance and it was discontinued when the Village confronted them about it.

Mr. Odeh requested a decrease in the minimum average sales price from \$75,000 to \$25,000 in an effort to increase tax revenue. He would also like to service luxury cars for the general public, not just cars they sell, to generate more revenue but they are not allowed to with the restrictions imposed on him. He is agreeable with the other conditions recommended by the Plan Commission.

Trustee Schiappa confirmed they are requesting to reduce the minimum average sale price from \$75,000 in the original Special Use to \$25,000. Mr. Odeh explained they will still be exotic cars.

Mayor Grasso asked what will happen to the business if this Special Use is denied. Village Administrator Doug Pollock stated they would have to shut down.

Trustee Mottl stated the residents are opposed to automobile rentals and low dollar car sales. He has not seen any benefit to the Village and sees no reason to renew the Special Use.

There was further discussion regarding the infractions of the conditions of the Special Use and the misrepresentations on the website regarding available services.

Mr. Odeh admitted there have been many mistakes made but they have been making changes in the last few months to honor the Village's conditions. He is requesting another year to prove he can live up to the standards of the Village. He stated he did not intentionally defy any conditions.

Trustee Franzese pointed out several services on their website that are not allowed. He requested a date for the removal of the signs. He emphasized the conditions were not being imposed but rather Mr. Odeh agreed to them.

A handwritten signature in cursive script, likely belonging to a Village official, located at the bottom right of the page.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

Mr. Odeh guaranteed reducing the minimum average sale price to \$25,000 will increase sales and therefore increase tax revenue to the Village. He clarified the maintenance they are requesting to perform is general engine work on luxury cars.

Mr. Odeh stressed that only luxury cars would be used if the Village grants him permission to rent cars. Mr. Walter explained that one of the conditions from the Plan Commission states that all rental transactions shall have an executed transaction price of at least \$400 per day.

In response to Mayor Grasso, Mr. Odeh explained the Village will receive sales tax from the parts sold for the maintenance. Mr. Walter explained the 1% retail rental sales tax would need to be imposed at a later Board Meeting.

Trustee Snyder requested an accounting of his rental sales. Village Attorney Mike Durkin explained a non-Home Rule Service and Occupation Tax can be implemented by referendum.

Trustee Mital asked what he will do differently than in the past 2 ½ years to generate Sales Tax Revenue. Mr. Odeh stated that lowering the minimum price will allow him to sell more cars in Illinois.

Resident Marc Toma is concerned about test drives in the neighborhood. He also questioned if there is room for maintenance and rental cars as well as cars to sell in the building. He does not think non-compliance should be rewarded.

Mayor Grasso summarized. The Plan Commission recommended several conditions. That does not include the request for \$25,000 minimum average sale price or the permission for rentals and maintenance service for one year.

Motion was made by Trustee Franzese and seconded by Trustee Snyder to direct Staff to prepare the Ordinance accepting the Plan Commission's recommendation for Special Use Permit beginning January 15, 2020, with the caveat that Sales Reports will be submitted to Staff and the non-compliant Signs be removed by December 31, 2019.

On Roll Call, Vote Was:

AYES: 6 – Trustees Franzese, Snyder, Mital, Mottl, Schiappa, Paveza

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

RECEIVE AND FILE LETTER OF RESIGNATION OF MARY PRAXMARER FROM THE PLAN COMMISSION Trustee Franzese commended Ms. Praxmarer for her service to the Village.



Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

Motion was made by Trustee Franzese and seconded by Trustee Mottl to Receive and File Resignation Letter from Mary Praxmarer from the Plan Commission.

Motion was approved by unanimous voice vote of the Board of Trustees.

CONSIDERATION OF RECOMMENDATION TO CREATE A COMPLETE COUNT COMMITTEE FOR THE 2020 U.S. CENSUS Assistant Village Administrator Evan Walter explained this is a temporary committee of volunteers for one year to help get a more complete count in the 2020 Census.

Motion was made by Trustee Paveza and seconded by Trustee Schiappa to create a Complete Count Committee for the 2020 U.S. Census.

Motion was approved by unanimous voice vote of the Board of Trustees.

CONSIDERATION OF A REQUEST BY STORINO, RAMELLO & DURKIN TO APPROVE A FEE INCREASE This item was tabled until the next Board meeting

PUBLIC COMMENTS There were none.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

Trustee Franzese asked if Staff had investigated, the electric fence at Compass Trucking. Assistant Village Administrator Evan Walter confirmed there is an electric fence present at the property. Staff is attempting to ascertain how to code enforce this, whether to legalize it or remove it. It was not enumerated in the original annexation agreement.

Mayor Grasso congratulated Burr Ridge Dillon Logistics for receiving 2019 SmartWay Excellence Award for Outstanding Environmental Efforts and Leadership.

The Village is pleased to announce that the Burr Ridge Marriott has been selected as the Host Hotel for all players participating in the 2020 BMW Championship Golf Tournament.

On Saturday, December 14, 2019 Santa and Mrs. Claus will be at the Village Center, arriving by helicopter.

There is a Toy Express collection box in the Lobby for any donations.

Mayor Grasso wished everyone a Merry Christmas, Happy Hanukah, a Festive Kwanza and everything else in this Holiday Season.

A handwritten signature in cursive script, likely belonging to a village official, located at the bottom right of the page.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
December 9, 2019

Motion was made by Trustee Schiappa and Seconded by Trustee Snyder that the Regular Meeting of December 9, 2019 be adjourned.

The Motion was approved by unanimous voice vote of the Board of Trustees and the meeting was adjourned at 10:25 p.m.

PLEASE NOTE: Where there is no summary or 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 13th day of January, 2020.





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

AGENDA

**December 9, 2019
7:00 P.M.**

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

- Madilyn and William Steckel, Gower West School

2. ROLL CALL

3. PRESENTATIONS AND PUBLIC HEARINGS

- A. Swearing In of New Police Officer Hemza Shaibi
- B. Public Hearing – 2019 Tax Levy

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, discussed by the Board, opened for public comment, and voted upon during this meeting.

5. MINUTES

- A. * Approval of Regular Board Meeting of November 25, 2019
- B. * Receive and File Economic Development Meeting of December 4, 2019

6. ORDINANCES

- A. Consideration of An Ordinance Levying Taxes for All Corporate Purposes for the Village of Burr Ridge, DuPage and Cook Counties, Illinois, for the Fiscal Year Commencing on May 1, 2020 and Ending April 30, 2021
- B. * Approval of Ordinance Amending the Village of Burr Ridge Personnel Manual Adopted by Ordinance Number 661

Prior to voting on each agenda item, the Mayor will invite public comment on that item. The Mayor also will invite any person in attendance to address the Board on any other item of concern under Section 9 Public Comments. Each speaker addressing the Board of Trustees is asked to limit her or his comment to five minutes.

EXHIBIT

A

7. RESOLUTIONS

- A. Consideration and Discussion of a Resolution Providing for the Submission of the Electors of the Village of Burr Ridge, at the General Primary Election to be Held on March 17, 2020, a Public Question as to Whether the Village Should Become a Home Rule Unit
- B. Consideration of Resolution Approving Final Plat The Cottages of Drew Subdivision (7950 Drew Avenue)

8. CONSIDERATIONS

- A. Consideration of a Variation from the Subdivision Ordinance to Permit a Gated Subdivision at Cabernet Court
- B. Consideration of Plan Commission Recommendation for Special Use Approval for Automobile Sales, Rental, and Service (Z-20-2019; 16W260 83rd Street – Odeh)
- C. Receive and File Letter of Resignation of Mary Praxmarer from the Plan Commission
- D. Consideration of Recommendation to Create a Complete Count Committee for the 2020 U.S. Census
- E. Consideration of a Request by Storino, Ramello & Durkin to Approve a Fee Increase
- F. * Approval of 2020 Village Board Meeting Schedule
- G. * Receive and File Letter of Resignation of Police Department Records Clerk Margaret Strama
- H. * Approval of Recommendation to Hire Replacement Records Clerk to Fill the Vacancy Created by Resignation of Margaret Strama
- I. * Approval of Contract with McFarlane Douglass for Interchange Improvements
- J. * Approval of Vendor List Dated December 9, 2019 in the Amount of \$168,042.87 for all Funds, plus \$199,395.14 for Payroll for the Period Ending November 30, 2019, for a Grand Total of \$367,438.01, Which Includes Special Expenditures of \$37,560 to Currie Motors for a 2020 Ford Utility Police Vehicle and \$22,395.10 to Burns & McDonnell for the County Line Road Sidewalk Project

9. PUBLIC COMMENTS

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. ADJOURNMENT