

REGULAR MEETING
PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

February 11, 2019

CALL TO ORDER The Regular Meeting of the President and Board of Trustees of February 11, 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 Acting President Zach Mottl.

PLEDGE OF ALLEGIANCE Pledge of Allegiance was recited

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Mottl, Paveza, Snyder, Schiappa, Mital (arrived at 7:03). Also present were Village Administrator Doug Pollock, Assistant to the Village Administrator Evan Walter, Police Chief John Madden, Deputy Chief Marc Loftus, Public Works Director Dave Preissig, Village Attorney Scott Uhler and Village Clerk Karen Thomas.

RESIDENT COMMENTS

Resident Richard Morton said as president of Lake Ridge Homeowners Association, he suggests the Village consider funding repairs of the roads in subdivisions by using the Special Service Tax Area. Mr. Morton stated he believes having three different acting Presidents serving three weeks each has handicapped the Village.

Resident Theresa Fornek stated she survived Leukemia which has been cited as one of the primary cancers Ethylene Oxide causes. Due to her belief that Trustee Mottl was not wholeheartedly onboard from the beginning of the Sterigenics crisis, she requested he step down as Acting President.

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

Motion carried by voice vote.

APPROVAL OF REGULAR BOARD MEETING MINUTES OF JANUARY 28, 2019 were approved for publication under the Consent Agenda by Omnibus Vote.

ADOPTION OF AN ORDINANCE GRANTING SPECIAL USE APPROVAL SECTION XII.F.3 OF THE BURR RIDGE ZONING ORDINANCE TO PERMIT AN ILLEGAL, NON-CONFORMING CHAIN LINK FENCE AND BARBED WIRED ON THE SUBJECT PROPERTY (Z-25-2018: 16W020 79TH STREET – DODEVSKI) The Board, under the Consent Agenda by Omnibus Vote, Approved the Ordinance
THIS IS ORDINANCE NO. A-834-01-19

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ADOPTION OF ORDINANCE GRANTING SPECIAL USE APPROVAL PURSUANT TO SECTION X.F.2a OF THE BURR RIDGE ZONING ORDINANCE TO PERMIT AN AUTOMOBILE SALES USE IN AN EXISTING BUILDING (Z-01-2019: 60 SHORE DRIVE – NADDAF) The Board, under the Consent Agenda by Omnibus Vote, Approved the Ordinance.
THIS IS ORDINANCE NO. A-834-02-19

APPROVAL OF RECOMMENDATION TO ORDER TWO (2) POLICE SQUAD CARS (INCLUDED IN FY 19-20 BUDGET; FOR DELIVERY AFTER MAY 1, 2019) The Board, under the Consent Agenda by Omnibus Vote, Approved the Recommendation.

APPROVAL OF REQUEST FOR BLANKET RAFFLE LICENSE FOR 2019 FOR THE WB/BR CHAMBER OF COMMERCE AND HOSTING FACILITY LICENSES AS NEEDED FOR VARIOUS LOCATIONS IN CONJUNCTION WITH THE CHAMBER'S FUNDRAISING EVENTS THROUGHOUT THE YEAR The Board, under the Consent Agenda by Omnibus Vote, Approved the Request for Blanket Raffle License.

APPROVAL OF REQUEST FROM WB/BR CHAMBER OF COMMERCE FOR PLACEMENT OF TEMPORARY PROMOTIONAL SIGNS FOR THE BUSINESS EXPO ON JUNE 5, 2019, THE CRUISIN '66 FEST ON AUGUST 10, 2019, AND THE GOLF OUTING IN SEPTEMBER 2019 The Board, under the Consent Agenda by Omnibus Vote, Approved the Request for placement of temporary promotional signs.

APPROVAL OF REQUEST FOR RAFFLE LICENSE FOR OUR LADY OF PEACE SCHOOL AND HOSTING FACILITY LICENSE FOR MARRIOTT HOTEL BURR RIDGE FOR ITS FUNDRAISING EVENT ON APRIL 3, 2019 The Board, under the Consent Agenda by Omnibus Vote, Approved the Request for Raffle License.

APPROVAL OF REQUEST FOR RAFFLE LICENSE FOR PLEASANTDALE SCHOOL PTO 107 AND HOSTING FACILITY LICENSE FOR BURR RIDGE PARK DISTRICT FOR ITS FUNDRAISING EVENT ON MARCH 2, 2019 The Board, under the Consent Agenda by Omnibus Vote, Approved the Request for Raffle License.

APPROVAL OF VENDOR LIST DATED FEBRUARY 11, 2019 IN THE AMOUNT OF \$232,471.63 FOR ALL FUNDS, PLUS \$200,212.41 FOR PAYROLL, FOR A GRAND TOTAL OF \$432,684.04 WHICH INCLUDES SPECIAL EXPENDITURES OF \$29,991.23 FOR FIVE DELIVERIES OF BULK ROCK SALT AND \$139,955.00 FOR THE PURCHASE OF A CAT EXCAVATOR. The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor List for the period ending February 11, 2019 in the amount of \$232,471.63 for all funds, plus \$200,212.41 for payroll for the period ending January 26, 2019, for a grand total of \$432,684.04 which includes special expenditures of \$29,991.23 for five deliveries of bulk rock salt and \$139,955.00 for the purchase of a cat excavator.

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UPDATE REGARDING STERIGENICS IN WILLOWBROOK, IL Village Administrator Doug Pollock stated the update has been posted to the Website. The US EPA test results show elevated levels of Ethylene Oxide in the immediate vicinity of Sterigenics. The Village of Willowbrook and the City of Darien requested the Attorney General and State's Attorney seek an emergency court order to immediately shut down Sterigenics until there is definitive proof that Ethylene Oxide presents no health hazards to the surrounding communities.

Staff has been investigating a CBS report that Sterigenics operated in three locations in Burr Ridge from 1998 – 2001. A Freedom of Information Act (FOIA) request was filed with IL EPA as well as Tri-State Fire District seeking information on any activity of Sterigenics or related companies operating in Burr Ridge at any time. A prompt response was received from Tri-State, which Village Staff is reviewing. At the Meeting on January 28, 2019 the Village Board directed the Village Attorney to file a petition seeking to join the lawsuit filed by the State of Illinois Attorney General and the DuPage State's Attorney.

The Board appointed seven members to the Environmental Quality Commission to provide oversight and advice concerning issues regarding Sterigenics. The first meeting will be held February 12, 2019, 7:00 pm and is a public meeting.

Village Attorney Scott Uhler stated the draft motion to intervene has been prepared. The matter was removed from State Court and is currently being briefed in Federal Court. There is no purpose in filing the petition to join the lawsuit until it is determined where the case will be prosecuted. In response to Trustee Mottl, Mr. Uhler stated the request for an injunction has been made repeatedly. Efforts are being made by Illinois Attorney General to return the case to State Court to make substantive decisions about a temporary restraining order.

Trustee Mottl stated that after accumulating as much information as he can he has been very supportive of actions against Sterigenics and is frustrated with limited actions available to the Board.

Trustee Franzese explained that the buildings in Burr Ridge that were predecessors to Sterigenics may not have been sterilizing equipment but may have taken pallets to off gas into those facilities and the Ethylene Oxide would then be emitted directly into surrounding neighborhoods so that is a concern. Trustee Franzese also questioned if inspection reports for those facilities are included in the information obtained through the FOIA to Tri-State. Assistant to the Village Administrator Evan Walter responded the documents date back to the beginning of Willowbrook operations in 1984. The files are voluminous and not completely digitized. No inspection reports on the facilities at Shore Drive, Shore Ct or Heathrow Ct have been received yet. Tri-State is still reviewing files and may provide a better understanding of what inspections took place at these addresses.

Trustee Paveza stated he was upset that Trustee Mottl usurped his authority by issuing a Press Release authorizing Village Staff to get involved with an injunction to close Sterigenics without any input from the Board. He stated all Trustees are interested in shutting down Sterigenics. Trustee Mottl

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requested an opinion from Mr. Uhler, who stated it was difficult to understand exactly what had been authorized by the Village Board. He cautioned that Press Releases need to be consistent with Village Policy and guidelines as to what can be stated in Press Releases. Trustee Mottl stated he issued a Press Release which mirrored information on the Village's website. Trustee Mottl clarified that the press release came from his campaign and not from the Village.

In response to Trustee Schiappa, Mr. Uhler confirmed the injunction is a particular action of the lawsuit. It is a motion that can result in a request for immediate relief by the Attorney General's office. Trustee Schiappa questioned what effect this injunction could have on the lawsuit the Village is attempting to join. Mr. Uhler explained the Board has not authorized separate litigation yet. Trustee Mottl asked for clarification about the injunction being filed by Willowbrook and Darien, and Burr Ridge's participation in the injunction. Village Administrator Doug Pollock explained both Willowbrook and Darien were sending a letter requesting the Attorney General and State's Attorney issue an immediate shut down of Sterigenics. Mr. Pollock stated he spoke with several Trustees and was authorized to proceed with preparing the letter to the Attorney General's Office and State's Attorney's Office asking them to seek an immediate shut down. Mr. Pollock read the letter which has been signed by the Trustees. Trustee Schiappa stated there is no injunction as indicated in the Press Release.

Trustee Franzese stated Trustee Mottl acted beyond his authority with the Press Release and that he is politicizing Sterigenics. He continued that Trustee Mottl had agreed, when appointed Acting President, that he would not politicize and if he did, he would step down. Trustee Franzese requested he step down as Acting President.

Trustee Paveza agreed with Trustee Franzese that Trustee Mottl is politicizing Sterigenics.

Trustee Schiappa also agreed with Trustee Franzese that Trustee Mottl is politicizing the Sterigenics issue and asked Trustee Mottl to step down.

Motion was made by Trustee Schiappa to have Trustee Mottl step down and have Trustee Franzese serve as Acting President until the election. Acting President Mottl stated he is not entertaining a motion at this time during the Sterigenics conversation.

Resident Kathryn Camarena stated that people are aware many Trustees have been fighting Sterigenics from the beginning.

Trustee Schiappa reiterated his motion for Trustee Mottl to step down and appoint Trustee Franzese as Acting President until the election. Village Attorney Uhler explained that would need to be on a publicized Agenda for discussion before the motion could be made. Trustee Schiappa requested it be placed on the Agenda for the next meeting.

REVIEW AND DISCUSSION OF VALET PARKING Village Administrator Doug Pollock presented information regarding options for providing valet licenses in the Village. There are five restaurants utilizing valet parking. There have been sporadic issues with four of the restaurants which the Police have addressed in the field.

There was a Parking Variation granted to Capri in 2015 with several conditions. There is no evidence of violations of those conditions. There was another Parking Variation granted in 2018 which does not go into effect until such time as Capri begins utilizing the expanded outdoor dining area. A letter will be sent to Capri as a reminder of the conditions and any violations could result in revocation of the Variance. There have been several complaints of parking violations in County Line Square. An agreement was signed by the property owner in June 2018 which allows enforcement of parking violations. Appropriate signs have been erected and Police have begun enforcing parking violations.

Valet Licensing is an option the Village could consider. The person seeking the license would file a parking plan which would include designation of their staging area and parking area. Staff would review the plan to insure it is consistent with the policy that would be established through this process before issuing the license. The Board would determine the consequences of violations including revocation of the License. The purpose of Valet Licensing is to add another level of enforcement ability.

Motion was made by Trustee Snyder and seconded by Trustee Mital to direct Staff to prepare a License Program for Valet Services.

Trustee Franzese stated it is incumbent on the restaurant owner to manage his service people, contractors, employees and his Valet Service. With a Valet License the Village becomes the enforcer.

There was further discussion regarding parking violations and appropriate signs being erected.

Trustee Snyder stated he will withdraw his motion and table it in order to provide the restaurant owner the opportunity to manage his Valet Service. Village Attorney Scott Uhler stated the Board also has the option to reconsider the 2015 Variance. Mr. Pollock clarified the Village has no knowledge of violations of the 2015 Zoning Variation. There have been violations of other Municipal codes relating to traffic and parking but not the 2015 Zoning Variation. Trustee Mottl stated the licensing gives the Village more control. Trustee Mital questioned if the Valet Service is accountable or Capri Restaurant. Mr. Uhler stated the Zoning is in place with specific conditions Capri must abide by or risk losing their Parking Variation. Licensing would be broader than Zoning because it would relate to other violations such as Fire Lane or unauthorized areas.

In response to Trustee Snyder, Mr. Pollock confirmed that parking behind the building in the service drive is technically a violation of the 2015 Parking Variation. The cars cannot be ticketed but a citation for Zoning violation could be issued.

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Trustee Snyder stated he will withdraw his motion for the moment. Trustee Mital agreed to withdraw her second.

Trustee Franzese questioned what additional work would be required from Staff to create Valet Licensing. Mr. Walter stated the initial setup would not require a significant amount of time. Trustee Franzese is concerned about over regulating but will support the Valet Licensing.

Trustee Schiappa stated he has witnessed vehicles parking inappropriately in County Line Square. The problem is broader than Valet Service. He stated Licensing adds to bureaucracy and Capri should abide by standards already set forth.

Motion was made by Trustee Snyder and seconded by Trustee Mital to direct Staff to prepare a draft Ordinance establishing an annual license for Valet Service.

On Roll Call, Vote Was:

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

NAYS : 1 – Trustee Schiappa

ABSENT: 0 – None

There being five affirmative votes the motion carried.

CONSIDERATION OF RECOMMENDATION TO HIRE REPLACEMENT PATROL OFFICER TO FILL THE VACANCY CREATED BY THE RESIGNATION OF JUAN SANTIAGO. Village Administrator Doug Pollock explained this was tabled at the last Board meeting until such time as Trustee Snyder could meet with him and Chief John Madden. This meeting has taken place. Trustee Snyder thanked Chief Madden for the detailed report.

Motion was made by Trustee Snyder and seconded by Trustee Paveza to approve the recommendation to hire a replacement Patrol Officer.

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

CONSIDERATION OF RECOMMENDATION TO APPROVE LEASE AGREEMENT FOR USE OF VILLAGE HALL PARKING LOT (SHIRLEY RYAN ABILITY LAB) Village Administrator Doug Pollock stated Staff was approached by Shirley Ryan Ability Lab (SRAlab) requesting the use of ten parking spaces in the Village Hall parking lot to eliminate a parking storage during peak hours. Most days ten spaces would not impact Village needs for parking although the lot may be used more heavily during training events, no more than six times a year. Parking could not be guaranteed on those days and would be first come first served basis. The Village reserves the

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right to designate employee only parking spaces if problems arise. SRAlab has agreed to pay \$350 per month rental fee.

Trustee Franzese questioned if there is a walkway connection between the two lots. Mr. Pollock confirmed there is.

Motion was made by Trustee Paveza and seconded by Trustee Mital to approve the Lease Agreement with Shirley Ryan Ability Lab.

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

OTHER CONSIDERATIONS Trustee Mottl expressed concern that a comment he made while discussing cancer risks was taken out of context. His knowledge is that one or more drinks a day could increase a woman's risk of breast cancer substantially and it was not a commentary on women drinking in general.

RESIDENT COMMENTS Resident Colleen Wilcox thanked everyone for their time representing the residents of Burr Ridge. She urges the Board to take action if it is determined that the Acting President has over stepped his authority.

Resident Yvonne Mayer suggested Trustee Mottl step down as Acting President. She believes he overstepped his bounds based on a Press Release post on his Facebook page.

Resident Ann Mueller stated she does not believe a Trustee should oppose a referendum of a different body. She thanked the Trustees for their service and dedication to the Village and suggested they should remove Trustee Mottl as Acting President.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS Trustee Mottl stated he is a citizen and has the right to speak his opinion as all citizens do.


NON-RESIDENT COMMENTS Hinsdale resident Dale Pollak stated his concern that Trustee Mottl's public opinions appear as though he is speaking on behalf of the Village.

Motion was made by Trustee Snyder and seconded by Trustee Paveza that the Regular Meeting of February 11, 2019 be adjourned.

Motion carried on voice vote and the meeting was adjourned at 8:31 p.m.

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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 25th day of February, 2019.

REGULAR MEETING – ACTING PRESIDENT & BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE
February 11, 2019
7:00 p.m.

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**
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.

5. **MINUTES**

- A. * Approval of Regular Board Meeting of January 28, 2019

6. **ORDINANCES**

- A. * Adoption of Ordinance Granting Special Use Approval Section XII.F.3 of the Burr Ridge Zoning Ordinance to Permit an Illegal, Non-Conforming Chain Link Fence and Barbed Wire on the Subject Property (Z-25-2018: 16W020 79th Steet – Dodevski)
- B. * Adoption of Ordinance Granting Special Use Approval Pursuant to Section X.F.2.a of the Burr Ridge Zoning Ordinance to Permit an Automobile Sales Use in an Existing Building (Z-01-2019: 60 Shore Drive – Naddaf)

7. **RESOLUTIONS**

8. **CONSIDERATIONS**

- A. Update Regarding Sterigenics in Willowbrook, IL
- B. Review and Discussion of Valet Parking
- C. Consideration of Recommendation to Hire Replacement Patrol Officer to Fill the Vacancy Created by the Resignation of Juan Santiago
- D. Consideration of Recommendation to Approve Lease Agreement for Use of Village Hall Parking Lot (Shirley Ryan Ability Lab)
- E. * Approval of Recommendation to Order two (2) Police Squad Cars (included in FY 19-20 Budget; for delivery after May 1, 2019)

EXHIBIT

A

- F. * Approval of Request for Blanket Raffle License for 2019 for the WB/BR Chamber of Commerce and Hosting Facility Licenses as Needed for Various Locations in Conjunction with the Chamber's Fundraising Events Throughout the Year
- G. * Approval of Request from WB/BR Chamber of Commerce for Placement of Temporary Promotional Signs for the Business Expo on June 5, 2019, the Cruisin '66 Fest on August 10, 2019, and the Golf Outing in September 2019
- H. * Approval of Request for Raffle License for Our Lady of Peace School and Hosting Facility License for Marriott Hotel Burr Ridge for its Fundraising Event on April 3, 2019
- I. * Approval of Request for Raffle License for Pleasantdale School PTO 107 and Hosting Facility License for Burr Ridge Park District for its Fundraising Event on March 2, 2019
- J. * Approval of Vendor List dated February 11, 2019 in the Amount of \$232,471.63 for all Funds, plus \$200,212.41 for Payroll, for a Grand Total of \$432,684.04, which includes Special Expenditures of \$29,991.23 for Five Deliveries of Bulk Rock Salt, and \$139,955.00 for the Purchase of a Cat Excavator
- K. Other Considerations – For Announcement, Deliberation and/or Discussion only – No Official Action will be Taken

9. RESIDENT COMMENTS

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. NON-RESIDENTS COMMENTS

12. ADJOURNMENT