

REGULAR MEETING
PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

March 11, 2019

CALL TO ORDER The Regular Meeting of the President and Board of Trustees of March 11, 2019 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:02 p.m. by Acting President Zach Mottl.

PLEDGE OF ALLEGIANCE Pledge of Allegiance was recited

Acting President Zach Mottl recognized the members of Gower Middle School Scholastic Bowl having won all but two matches this season.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Mottl, Paveza, Snyder, Schiappa, Mital, and Franzese (via teleconference; he stated he was out of town on business). 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, Finance Director Jerry Sapp, Management Analyst Andrez Beltran, Events Coordinator Janet Kowal, Village Attorney Scott Uhler, and Village Clerk Karen Thomas.

Motion was made by Trustee Snyder and seconded by Trustee Mital to approve Trustee Franzese's participation via electronics.

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

Trustee Paveza stated he does not ever remember anyone needing to be approved for electronic participation. Village Attorney Uhler answered that it is part of the Open Meetings Act.

Trustee Schiappa wanted to remind everyone of the policies in place to run the Board Meetings. Under the rules established and recorded by this body, the residents shall be permitted to speak and address the Village Board. There is no rule that a resident, or non-resident, must sign in to be allowed to speak. Trustee Franzese interjected that there is no rule you have to speak on an agenda topic and there are 18 rules that must be adhered to. Trustee Mottl stated the Board needs to proceed with the agenda items. There will be opportunity to speak later in the meeting.

RESIDENT COMMENTS

Resident Jerry Sweeney considers what he believes is political activism by the Board with respect to the D86 tax referendum a conflict of interest. He is concerned about Trustee Mottl's support of the Vote No Group and believes it is inappropriate.



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Resident Yvonne Mayer complimented Assistant to the Village Administrator Evan Walter for his work with the Environmental Quality Commission. She stated the purpose of closing comments at the Board meeting is for residents to comment if something comes up during the discussions and requested clarification from the Village Attorney on the issue. Ms. Mayer believes there was a violation of the Rules of Order governing the Village Board. She contends Trustee Mottl was in violation of Rule #9 when he voted on a Motion to remove him as Acting President.

Resident Richard Morton expressed concerns about the cancer risk from the Ethylene Oxide emitted by Sterigenics. The calculated risk exceeds the upper bounds of acceptable risk as cited by EPA. He suggested the Board approve the Agenda item for more air testing and to write letters to State and Federal Representatives and Senators encouraging them to double their efforts to improve the regulatory environment.

Resident Kathleen O'Hare requested Trustee Mottl remove her from his campaign contacts and she returned a campaign sign.

Resident Anastasia Galinski, who will be attending Hinsdale South next year, thanked Trustee Mottl for shedding light on the curriculum inequities in D86.

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) (except 6A, 8F), and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

RECEIVE AND FILE DRAFT OF STORMWATER COMMITTEE MEETING MINUTES OF FEBRUARY 21, 2019 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE DRAFT OF PLAN COMMISSION MEETING MINUTES OF MARCH 4, 2019 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE DRAFT OF ENVIRONMENTAL QUALITY COMMITTEE MEETING MINUTES OF MARCH 6, 2019 were noted as received and filed under the Consent Agenda by Omnibus Vote.



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APPROVAL OF RESOLUTION AUTHORIZING SALES TAX REBATE AGREEMENT BETWEEN THE VILLAGE OF BURR RIDGE AND OREMUS MATERIALS The Board, under the Consent Agenda by Omnibus Vote, Adopted the Resolution.
THIS IS RESOLUTION NO. R-08-19

ACKNOWLEDGEMENT OF WITHDRAWAL OF VARIATION FOR LOCATION OF DUMPSTER IN A FRONT YARD (V-05-2019: ST. MARK COPTIC CHURCH) The Board, under the Consent Agenda by Omnibus Vote, acknowledged the withdrawal.

APPROVAL OF CHANGE TO ECONOMIC DEVELOPMENT COMMITTEE MEETING SCHEDULE The Board, under the Consent Agenda by Omnibus Vote, approved the change to the Economic Development Committee Meeting Schedule. The Committee will now meet the first Wednesday of the month at 9:00 a.m. starting April 3.

APPROVAL OF RECOMMENDATION TO AWARD CONTRACT FOR VILLAGE-WIDE LANDSCAPE MAINTENANCE TO DESIDERIO LANDSCAPING LLC, OF GRANT PARK, ILLINOIS, IN THE AMOUNT OF \$105,230.00 The Board, under the Consent Agenda by Omnibus Vote, Awarded the Contract.

APPROVAL OF RECOMMENDATION TO AWARD CONTRACT FOR MOSQUITO ABATEMENT TO CLARKE ENVIRONMENTAL MOSQUITO MANAGEMENT, INC. IN THE AMOUNT OF \$45,400.00 The Board, under the Consent Agenda by Omnibus Vote, Awarded the Contract.

APPROVAL OF VENDOR LIST DATED MARCH 11, 2019 IN THE AMOUNT OF \$191,464.05 FOR ALL FUNDS, PLUS \$190,542.46 FOR PAYROLL, FOR A GRAND TOTAL OF \$382,006.51 WHICH INCLUDES SPECIAL EXPENDITURES OF \$10,425 FOR ASH TREE REMOVAL, \$34,280.08 FOR ROCK SALT, \$13,026 FOR WATER MAIN REPLACEMENT ENGINEERING SERVICES, AND \$15,990 FOR THE PURCHASE OF A SPEED TRAILER The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor List for the period ending March 11, 2019 in the amount of \$191,464.05 for all funds, plus \$190,542.46 for Payroll for the period ending February 23, 2019, for a Grand Total of \$382,006.51 which includes special expenditures of \$10,425 for Ash Tree Removal, \$34,280.08 for Rock Salt, \$13,026 for Water Main Replacement Engineering Services, and \$15,990 for the Purchase of a Speed Trailer.

APPROVAL OF AN ORDINANCE GRANTING CONDITIONAL SIGN APPROVAL AND SIGN VARIATION AS PER THE VILLAGE OF BURR RIDGE SIGN ORDINANCE FOR APPROVAL OF FOUR SUBDIVISION ENTRYWAY SIGNS AT A SINGLE SUBDIVISION ENTRYWAY AT LAKESIDE POINTE SUBDIVISION (S-02-2019: 11650 BRIDEWELL DRIVE – McNAUGHTON DEVELOPMENT) Trustee Schiappa requested this be removed from the Consent Agenda due to perceived conflict of interest after having received campaign contributions



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from McNaughton Development. He stated he will abstain from the vote. Trustee Paveza also will abstain from the vote due to having received campaign contributions from McNaughton Development.

Motion was made by Trustee Snyder and seconded by Trustee Mital to approve the Ordinance granting sign approval and sign variation to Lakeside Pointe Subdivision.

On Roll Call, Vote Was:

AYES: 4 – Trustees Snyder, Mital, Franzese, Mottl

NAYS : 0 – None

ABSENT: 0 – None

ABSTAIN: 2 – Trustees Schiappa, Paveza

There being four affirmative votes the motion carried.

THIS IS ORDINANCE NO. A-923-03-19

UPDATE REGARDING STERIGENICS IN WILLOWBROOK, IL Village Administrator Doug Pollock stated the letter was sent to the US EPA requesting an extension of ambient air testing be continued until the end of April. The Environmental Quality Commission has directed Staff to start scheduling a workshop with all stakeholders for the purpose of joining forces to influence the legislation and legislative process. There are currently three bills pending at the State level and one pending at the Federal level. The Commission unanimously approved a motion recommending the Village Board proceed with additional air testing that is being considered on this Agenda. The Commission also recommended the Board of Trustees send a letter to Governor Pritzker thanking him for issuing the seal order that supports public health in our community.

Mr. Pollock has been in communication with the Village of Willowbrook whose consultants recommended no further testing be done at this time. Willowbrook and the US EPA independently have done three weeks of additional testing after the seal order was issued. These tests will show the Ethylene Oxide results since the closing of Sterigenics. The consultant is concerned the additional testing may delay the Health Risk Assessment the EPA is preparing which will be used to establish new regulations for the Regulatory Authority over Ethylene Oxide. They also believe the current data is sufficient for proceeding with the new EPA regulations. Willowbrook is not proceeding with additional testing at this time and requests the Village of Burr Ridge not proceed with additional testing at this time.

Trustee Mottl requested clarification if it was the Village of Willowbrook or the EPA who requested Burr Ridge not proceed with testing. Mr. Pollock confirmed it was the Village of Willowbrook and the City of Darien is in agreement.

Trustee Paveza stated the additional testing could be used as a delay tactic for Sterigenics in their court actions.



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Trustee Snyder requested an email documenting the conversation with Mr. Pollock and Willowbrook.

Trustee Schiappa stated additional tests could prolong the closing of Sterigenics.

Trustee Franzese commented he does not want to contribute to the delay in receiving the report from the EPA. The report on cancer risks will further elevate the problems caused by Sterigenics and will be further evidence to close the facility permanently.

Trustee Mital asked if there is a plan for further testing after the EPA results are received. Mr. Pollock stated the Village has the option of further testing. Trustee Mital stated the Village needs to do whatever is necessary to keep this company closed and shut down permanently.

Motion was made by Trustee Schiappa and seconded by Trustee Mital to direct staff to prepare a draft letter to be signed by the Trustees to Governor Pritzker thanking him for issuing the seal order on Sterigenics.

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

Village Administrator Doug Pollock suggested a letter be sent to the US EPA withdrawing the request for them to do further testing. The consensus of the Board was that the letter should be sent.

CONSIDERATION OF RECOMMENDATION TO AWARD CONTRACT FOR AMBIENT AIR QUALITY ASSESSMENT SERVICES.

Motion was made by Trustee Paveza and seconded by Trustee Schiappa to table any further action on this item indefinitely.

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

CONSIDERATION OF DRAFT ORDINANCE ESTABLISHING VALET LICENSING IN BURR RIDGE

Assistant to the Village Administrator Evan Walter explained that the Village has no mechanism which requires valet operators to be licensed by the Village nor is there any regulatory authority over valet operators except for routine traffic enforcement. Each applicant for valet license would be required to submit a valet parking plan which would include designation for staging and



another location for parking of valeted cars. An optional valet route could also be assigned which would indicate where a valet can operate a vehicle between staging area and parking. The main purpose of a valet route is to deter valets from driving through residential or unapproved areas. There are several key points suggested for a Valet License Ordinance.

- All valet parking licenses would be subject to Board of Trustees review and approval.
- All licenses would require submittal of a valet parking plan indicating the location of staging and vehicle parking/storage areas.
- A staff review of all valet license applications would occur prior to the Board consideration with a recommendation made regarding each license.
- A valet parking license would be issued for an unlimited period of time (or the Board may choose to require renewal of license within a pre-determined time).
- A reasonable fee for the license may be required. Fees in other communities range from \$25 to \$250 on an annual or permanent basis.
- The draft regulations further suggest that each violation of the license would be subject to a ticket (comparable to a parking ticket and which may be issued by a Police Officer).
- The draft regulations further suggest that upon issuance of a third ticket within any given 12-month period, that the license will be placed on a Board agenda for consideration of revocation or suspension.
- A suspension would be for a length of time of less than one year as may be determined appropriate by the Board of Trustees. At the end of the suspension the license would be automatically reinstated.
- A revocation would prohibit the licensee from working in the Village for a year. After one year, the licensee may apply for a valet license in the Village.

Mr. Walter stated that businesses that would be most affected by this were contacted. The Village Center responded they do not object to Valet licensing however they urge the Board to keep fees to a minimum in order for complimentary valet service to be offered to all Village Center visitors.

Trustee Franzese questioned how the Village would be aware of violations of the parking plan. Mr. Walter explained complaints can be registered. Also a violation would empower Police to be more proactive in the regulations and issue tickets or warnings. Trustee Franzese expressed concerns about adding more work for Staff.

Trustee Paveza questioned if the Code Compliance Officer could be available on weekends or monitor if code is being enforced. Mr. Walter explained that typically valet license would be used after staff hours, evenings or weekends. The Village does not have a Code Compliance Officer however all Police Officers are deputized as Code Enforcement Officials.

In answer to Trustee Schiappa, Mr. Walter stated there are five restaurants that use valet regularly.

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Motion was made by Trustee Snyder and seconded by Trustee Mital to direct Staff to prepare Ordinance establishing Valet Licensing.

Mr. Walter requested clarification on fees and type of license, permanent or annual. There is also a provision for temporary license.

Trustee Snyder amended motion to include annual licensing with a fee of \$100 with the fee for a temporary license to be recommended by Staff.

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

CONSIDERATION OF RECOMMENDATION TO AWARD CONTRACT FOR 2019 ROAD PROGRAM RESURFACING PROJECT TO ORANGE CRUSH, LLC, OF HILLSIDE, ILLINOIS IN THE AMOUNT OF \$627,035.00 Public Works Director Dave Preissig stated the focus of the Road Program is the Resurfacing contract which has not changed since presented to the Board in January. Crack Sealing and Pavement Marking will have a bid opening as part of a joint bid process with DuPage County in late March or early April. Burr Ridge Parkway Resurfacing bid opening will be on April 26, 2019 in Springfield. Motor Fuel Tax funding was removed from Road Program contracts and applied to STP funded project. MFT tax funds of \$250,000 will fund the remainder of construction and engineering for Burr Ridge Parkway. As a non MFT funded project, resurfacing contract was done locally avoiding IDOT reviews and processing. This resulted in earlier bidding and more competition. The estimated budget for this project was \$666,900 and the bid by Orange Crush, LLC is \$627,035 approximately 6% lower than the engineer's estimate. This would equate to a savings of approximately \$39,000 to the Road Program.

Trustee Schiappa commented that the Road Program contributes to the growth of the Village. He applauds the proactive approach to maintaining the roads.

Village Administrator Doug Pollock thanked Mr. Preissig and his project engineer, Jim Miedema, for innovative thinking to save the Village money.

Trustee Franzese agreed with Trustee Schiappa that the quality of the roads is an asset to the Village, businesses and residents. He also thanked Mr. Preissig and Mr. Miedema who did an excellent job to get the bid packages out early for best pricing.

Motion was made by Trustee Mital and seconded by Trustee Snyder to award the contract to Orange Crush, LLC, of Hillside, Illinois, in the amount of \$627,035.00

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On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried.

APPROVAL OF SUBDIVISION ENTRYWAY MONUMENTS AT LAKESIDE POINTE

SUBDIVISION Trustee Schiappa requested this be removed from the Consent Agenda due to perceived conflict of interest after having previously received campaign contributions from McNaughton Development.

In response to Trustee Franzese, Trustee Schiappa stated the campaign contribution was four years ago.

Motion was made by Trustee Mital and seconded by Trustee Snyder to approve Subdivision Entryway Monuments at Lakeside Pointe Subdivision.

On Roll Call, Vote Was:

AYES: 4 – Trustees Mital, Snyder, Franzese, Mottl

NAYS : 0 – None

ABSENT: 0 – None

ABSTAIN: 2 – Trustees Schiappa, Paveza

There being four affirmative votes the motion carried.

OTHER CONSIDERATIONS Trustee Paveza announced the Secretary of State will be at the Village Hall Wednesday March 13, 2019.

Trustee Schiappa stated again that any person shall be permitted an opportunity to address Public Officials under the rules established and recorded by the Public Body. The Village of Burr Ridge has enacted eighteen rules which govern how to conduct Board meetings. Nowhere in the rules is there a requirement to sign up to speak during Public comments. There is no rule that you can only speak on an Agenda item. Rule number one states the Agenda must be adhered to.

Trustee Snyder questioned how long the Board has been having people sign in. Village Administrator Doug Pollock stated it has not been required at every meeting however Mayor Straub on several occasions requested people sign in.

Trustee Mital commented that the purpose of the sign in is to organize the meeting not to prevent anyone from speaking.

Trustee Franzese stated a rule for having a sign in sheet would need to be approved by the Board. He also commented that there is no rule that a person cannot speak about a topic that is not on the Agenda.



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Trustee Mottl stated this is a Board meeting to conduct Village business. Non-residents are asked to keep comments related to Village business. Following past practice, there is a sign in sheet and multiple calls for people who wish to speak should sign in. The Chair has some discretion to maintain order in the meeting.

Trustee Franzese commented the sign-up sheet led to upset residents at the last meeting which led to disorder.

RESIDENT COMMENTS

Resident Yvonne Mayer stated there are rules to be followed to maintain order. She believes the entire Board was in violation of Rule #9 by allowing Trustee Mottl to vote on a Motion to remove him as Acting President.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

Trustee Paveza stated Village Staff has been working on the budget for next year. The Village is in a good position.

NON-RESIDENT COMMENTS

Jeff Waters expressed his concerns about Trustee Mottl's position on the D86 referendum.

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

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 0 – None

There being six affirmative votes the motion carried and the meeting was adjourned at 8:19 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 8th day of April, 2019.



REGULAR MEETING – ACTING PRESIDENT & BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE
March 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. * Receive and File Draft of Stormwater Committee Meeting of February 21, 2019
- B. * Receive and File Draft of Plan Commission Meeting of March 4, 2019
- C. * Receive and File Draft of Environmental Quality Committee Meeting of March 6, 2019

6. **ORDINANCES**

- A. * Approval of An Ordinance Granting Conditional Sign Approval and Sign Variation as Per the Village of Burr Ridge Sign Ordinance for Approval of Four Subdivision Entryway Signs at a Single Subdivision Entryway at Lakeside Pointe Subdivision (S-02-2019: 11650 Bridewell Drive – McNaughton Development)

7. **RESOLUTIONS**

- A. * Approval of Resolution Authorizing Sales Tax Rebate Agreement Between the Village of Burr Ridge and Oremus Materials

8. **CONSIDERATIONS**

- A. Update Regarding Sterigenics in Willowbrook, IL
- B. Consideration of Recommendation to Award Contract for Ambient Air Quality Assessment Services
- C. Consideration of Draft Ordinance Establishing Valet Licensing in Burr Ridge

EXHIBIT A

- D. Consideration of Recommendation to Award Contract for 2019 Road Program Resurfacing Project to Orange Crush, LLC, of Hillside, Illinois, in the Amount of \$627,035.00
- E. * Acknowledgement of Withdrawal of Variation for Location of Dumpster in a Front Yard (V-05-2019: St. Mark Coptic Church)
- F. * Approval of Subdivision Entryway Monuments at Lakeside Pointe Subdivision
- G. * Approval of Change to Economic Development Committee Meeting Schedule
- H. * Approval of Recommendation to Award Contract for Village-Wide Landscape Maintenance to Desiderio Landscaping LLC, of Grant Park, Illinois, in the Amount of \$105,230.00
- I. * Approval of Recommendation to Award Contract for Mosquito Abatement to Clarke Environmental Mosquito Management, Inc., in the Amount of \$45,400.00
- J. * Approval of Vendor List dated March 11, 2019 in the Amount of \$191,464.05 for all Funds, plus \$190,542.46 for Payroll, for a Grand Total of \$382,006.51, which includes Special Expenditures of \$10,425 for Ash Tree Removal, \$34,280.08 for Rock Salt, \$13,026 for Water Main Replacement Engineering Services, and \$15,990 for the Purchase of a Speed Trailer
- 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