

REGULAR MEETING
MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

May 13, 2019

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of May 13, 2019 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:08 p.m. by Mayor Gary Grasso.

PLEDGE OF ALLEGIANCE Pledge of Allegiance was recited

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Mayor Grasso, Trustees Franzese, Schiappa, Paveza, Snyder, and Mottl. Absent was Trustee Mital. Also present were Village Administrator Doug Pollock, Assistant Village Administrator Evan Walter, Police Chief John Madden, Deputy Chief Marc Loftus, Director of Public Works Dave Preissig, Finance Director Jerry Sapp, Public Relations and Communications Coordinator Janet Kowal, Village Attorney Scott Uhler, and Village Clerk Karen Thomas. (Mayor Gary Grasso, Trustees Albert Paveza, Joseph T. Snyder, Tony Schiappa were sworn in by Judge Ward prior to the meeting).

RESIDENTS COMMENTS

Resident Richard Morton acknowledged Mayor Grasso's accomplishments to the Village in his previous term as Mayor. Mr. Morton referenced the recent explosion in Waukegan to spotlight the threat of Ethylene Oxide's potential dangers. He expressed support for hiring a lobbyist which the Board is considering at this meeting.

Resident Mickey Straub invited everyone to Armed Forces Day, Saturday, May 18, 2019 at 10:00.

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.

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 1 – Trustee Mital

There being five affirmative votes the motion carried

APPROVAL OF REGULAR BOARD MEETING MINUTES OF APRIL 22, 2019 approved for publication under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE PLAN COMMISSION MEETING MINUTES OF MAY 6, 2019 were noted as received and filed under the Consent Agenda by Omnibus Vote.

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RECEIVE AND FILE ENVIRONMENTAL QUALITY COMMISSION MEETING MINUTES OF MAY 9, 2019 were noted as received and filed under the Consent Agenda by Omnibus Vote.

APPROVAL OF AN ORDINANCE APPROVING A VARIATION FROM SECTION VI.D.7 OF THE BURR RIDGE ZONING ORDINANCE TO PERMIT A FRONT YARD SETBACK OF 40 FEET RATHER THAN THE PERMITTED 50 FEET TO ACCOMMODATE A NEW SINGLE-FAMILY RESIDENTIAL HOME IN THE R-2A RESIDENTIAL DISTRICT (V-04-2019-7875 WOLF ROAD – MIHAIOVIC) The Board, under the Consent Agenda by Omnibus Vote, Approved the Ordinance.

THIS IS ORDINANCE NO. A-834-05-19

ADOPTION OF RESOLUTION PROCLAIMING MAY 2019 AS NATIONAL BICYCLE MONTH IN THE VILLAGE OF BURR RIDGE The Board, under the Consent Agenda by Omnibus Vote, Adopted the Resolution.

THIS IS RESOLUTION NO. R-15-19

CONSIDERATION OF PLAN COMMISSION RECOMMENDATION TO APPROVE AN AMENDMENT TO PLANNED UNIT DEVELOPMENT ORDINANCE #A-834-09-99 TO PERMIT AN ACCESSORY STRUCTURE COVERING A SWIMMING POOL IN THE REAR YARD OF A HEALTH CLUB IN THE L-1 LIGHT INDUSTRIAL DISTRICT (Z-05-2019; 6901 MADISON STREET – FIVE SEASONS) The Board, under the Consent Agenda by Omnibus Vote Approved the Recommendation and directed Staff to prepare the Ordinance

CONSIDERATION OF PLAN COMMISSION RECOMMENDATION TO APPROVE A TEXT AMENDMENT TO SECTION X.E OF THE BURR RIDGE ZONING ORDINANCE TO ADD “PRIVATE SCHOOL” AS A SPECIAL USE IN THE L-1 LIGHT INDUSTRIAL DISTRICT AND A SPECIAL USE AS PER THE AMENDED SECTION X.E TO PERMIT A SPECIAL USE FOR A PRIVATE SCHOOL IN THE L-1 LIGHT INDUSTRIAL DISTRICT (Z-06-2019; 6880 NORTH FRONTAGE ROAD – VINE ACADEMY) The Board, under the Consent Agenda by Omnibus Vote, Approved the Recommendation and directed Staff to prepare the Ordinance.

RECEIVE AND FILE RESIGNATION LETTER FROM ASSISTANT FINANCE DIRECTOR LYNETTE ZURAWSKI The Board, under the Consent Agenda by Omnibus Vote, Accepted the letter of Resignation.

APPROVAL OF VILLAGE ADMINISTRATOR RECOMMENDATION TO RE-CLASSIFY ASSISTANT FINANCE DIRECTOR POSITION FROM RANGE 108A TO 110A AND TO FILL SAID POSITION The Board, under the Consent Agenda by Omnibus Vote, Approved the Recommendation.



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ACKNOWLEDGE RESIGNATION OF PART-TIME RECEPTIONIST SUSAN CASTRO

The Board, under the Consent Agenda by Omnibus Vote, Acknowledged the Resignation.

APPROVAL OF VILLAGE ADMINISTRATOR RECOMMENDATION TO FILL VACANT PART TIME RECEPTIONIST POSITION

The Board, under the Consent Agenda by Omnibus Vote, authorized Village Administrator Doug Pollock to fill the vacancy.

APPROVAL OF RECOMMENDATION TO CONCUR WITH AWARD OF A CONTRACT BY IDOT FOR THE BURR RIDGE PARKWAY RESURFACING PROJECT

The Board, under the Consent Agenda by Omnibus Vote, concurred with the award of the contract by IDOT to Lindahl Brothers, Inc., of Bensenville, Illinois, in the amount of \$597,900.80.

APPROVAL OF RECOMMENDATION TO CONCUR WITH THE AWARD OF A CONTRACT BY IDOT FOR THE COUNTY LINE ROAD NORTH CONNECTION SIDEWALK PROJECT

The Board, under the Consent Agenda by Omnibus Vote, Awarded the contract to Davis Concrete Construction Company, of Monee, Illinois, in the amount of \$667,393.73.

APPROVAL OF PURCHASE OF WORK ORDERS AND BUSINESS LICENSE SOFTWARE MODULES FROM BS&A

The Board, under the Consent Agenda by Omnibus Vote, Approved the Purchase of the two modules from BS&A in the amount not to exceed \$19,500.

APPROVAL OF PURCHASE OF PROPERTY AND EVIDENCE MANAGEMENT SOFTWARE SYSTEM FOR A COST OF \$8,890

The Board, under the Consent Agenda by Omnibus Vote, Approved the Purchase.

APPROVAL OF REQUEST FROM THE FLAGG CREEK HERITAGE SOCIETY FOR DONATION FROM HOTEL/MOTEL TAX FUND FOR THE ROBERT VIAL HOUSE MUSEUM

The Board, under the Consent Agenda by Omnibus Vote, Approved the Request for Donation in the amount of \$2,500.

APPROVAL OF REQUEST FROM THE I & M CANAL NATIONAL HERITAGE CORRIDOR FOR DONATION FROM HOTEL/MOTEL TAX FUND FOR THE VILLAGE'S 2019 ANNUAL DUES

The Board, under the Consent Agenda by Omnibus Vote, Approved the Request for Donation in the amount of \$2,900.

APPROVAL OF REQUEST FOR RAFFLE LICENSE FOR GOWER PTO AND HOSTING FACILITY LICENSE FOR BURR RIDGE COMMUNITY CENTER FOR EVENT ON MAY 18, 2019

The Board, under the Consent Agenda by Omnibus Vote, Approved the Request for Raffle License.



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APPROVAL OF VENDOR LIST DATED MAY 13, 2019 FY 18-19 IN THE AMOUNT OF \$250,183.20 FOR ALL FUNDS, PLUS \$193,657.93 FOR PAYROLL, FOR A GRAND TOTAL OF \$443,841.13 WHICH INCLUDES SPECIAL EXPENDITURES OF \$18,624.00 FOR TREE PRUNING AND REMOVALS BY WINKLER'S TREE SERVICE; \$11,475.00 FOR EAB TREATMENT BY KRAMER TREE SPECIALISTS; \$11,562.50 FOR PLANNING SERVICES OF THE SPORTS FACILITY; AND \$10,375.50 FOR WATER MAIN REPAIRS BY VIAN CONSTRUCTION

The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor List for the period ending May 13, 2019 FY 18-19 in the amount of \$250,183.20 for all funds, plus \$193,657.93 for Payroll for the period ending April 26, 2019 for a Grand Total of \$443,841.13 which includes special expenditures of \$18,624.00 for tree pruning and removals by Winkler's Tree Service, \$11,475.00 for EAB Treatment by Kramer Tree Specialists, \$11,562.50 for planning services of the Sports Facility, and \$10,375.50 for Water main repairs by Vian Construction.

APPROVAL OF VENDOR LIST DATED MAY 13, 2019 FY 19-20 IN THE AMOUNT OF \$138,054.09 FOR ALL FUNDS, PLUS \$190,572.33 FOR PAYROLL, FOR A GRAND TOTAL OF \$328,626.42, WHICH INCLUDES NO SPECIAL EXPENDITURES

The Board, under the Consent Agenda by Omnibus Vote, approved the Vendor List for the period ending May 13, 2019 for FY 19-20 in the amount of \$138,054.09 for all funds, plus \$190,572.33 for payroll for the period ending May 10, 2019 for a Grand Total of \$328,626.42, which includes no Special Expenditures.

APPROVAL OF AN ORDINANCE AMENDING THE BURR RIDGE MUNICIPAL CODE BY DELETING CHAPTER 21 ENTITLED "VALET OPERATORS"

Village Administrator Doug Pollock explained Staff prepared this Ordinance as directed by the Board at the last meeting to remove the recently added regulations to Chapter 21, Valet Operators.

Motion was made by Trustee Mottl to postpone this vote until the next meeting when all Trustees are present.

There was no second, motion failed.

Trustee Mottl is concerned that the parking violations and accidents that have occurred are not being considered a matter of Public Safety. Chief Madden stated Public Safety issues for law enforcement are classified as crimes and disasters. Parking violations are considered nuisances that are enforced as Ordinance violations. Trustee Mottl asked if parking lane violations are a matter of Public Safety. Chief Madden stated that it is an Ordinance violation and can only be enforced if there is a contractual agreement with the property owner.

Mayor Grasso questioned if there have been accidents relating to parking violations. Chief Madden stated there have been accidents in County Line Square. In the past year, there have been ten complaints regarding parking and 38 parking tickets have been issued, of which 11 were Fire Lane violations



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Village Administrator Doug Pollock clarified this Ordinance does not impact or modify Fire Lane restrictions or the prohibition on parking outside designated parking spaces.

Trustee Schiappa stated he believes this Ordinance adds to government bureaucracy and that the Village should not be involved in the Valet business. He is concerned it would increase Village liability and believes the Ordinance should be rescinded.

Trustee Franzese asked when the agreement with County Line Square was reenacted to allow issuance of tickets. Mr. Pollock stated it was late summer 2018. Trustee Franzese continued that he has noticed an improvement in the parking violations. He is aware of one accident in County Line Square that would not have been prevented by this Valet Ordinance.

Trustee Paveza believes the Restaurant owners should oversee their Valet Operators, not the Village.

Mayor Grasso stated he opposes this Ordinance. It would be cumbersome for residents having private parties and businesses hosting special events to apply for a permit. He stated he was told there are only nine Villages in Chicagoland area that license valet and they do not regulate what the valet services can do. This Ordinance would generate no more than \$600 annually in permit fees. Staff and Police would spend a lot of time enforcing this Ordinance. This Ordinance allowed for ticketing which has been accomplished with the Owner of County Line Square agreeing to allow Police to ticket any illegally parked cars, including those parked by Valets. Mayor Grasso further stated this is an intrusion of Government. He confirmed his son, Michael, runs a Valet business in Burr Ridge. The owner of Capri has made efforts to address the parking problem. He approached PACE to make a deal utilizing their parking lot for Valet and employees after 5:00. Mayor Grasso stated this Valet Ordinance is unnecessary and should be deleted.

Motion was made by Trustee Schiappa and seconded by Trustee Franzese to approve the Ordinance to Amend Village Code by deleting Chapter 21 Valet Operators.

On Roll Call, Vote Was:

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

NAYS : 1 – Trustee Mottl

ABSENT: 1 – Trustee Mital

There being four affirmative votes, the motion carried

THIS IS ORDINANCE NO. A-1188-01-19

RESOLUTION SUPPORTING ADDITIONAL LEGISLATION REDUCING AMBIENT CONCENTRATIONS OF ETHYLENE OXIDE Assistant Village Administration Evan Walter stated the Environmental Quality Commission previously submitted a recommendation which was approved by the Board for Resolution supporting certain legislative language in the Illinois General Assembly regarding emission of Ethylene Oxide in Illinois. The EQC has continued to review the legislation and have made several additional recommendations that have been proposed to the ILGA and is pending.



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Mayor Grasso asked if it is possible to determine the timeline for this Bill and if there will be more hearings. Mr. Walter stated the end of session is May 31, 2019. The rule making point where Committee hearings occur has passed. Anything that is not approved at Final Committee will be sent back to the Rules Committee which is a clearing house for special dispensation, they make recommendations in special circumstances as to what to do regarding legislation. We are waiting for legislation to come through for amendment language from Representative Durkin's office, Senator Curran's office, or Senator Bush who represents Lake County. Mr. Walter stated he is confident once that comes through this legislation will move forward quickly. Senator Curran has had two bills passed in Senate, Bill 1852 and 1854 which concern notification requirements and fugitive emissions specifically relating to Ethylene Oxide. Mr. Walter stated that an agreement needs to be reached between Senators and Representatives on specific points in the legislation, including the amount of Ethylene Oxide that can be stored within a certain distance of a public facility or residence as well as what is defined as fugitive emissions.

Mayor Grasso suggested the Public communicate to Senators and Representatives how important this issue is.

Motion was made by Trustee Schiappa and seconded by Trustee Franzese to Adopt the Resolution

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 1 – Trustee Mital

There being five affirmative votes the motion carried

THIS IS RESOLUTION NO. R-14-19

UPDATE REGARDING STERIGENICS IN WILLOWBROOK, IL Village Administrator Doug Pollock stated last week Mayor Grasso, as well as the Mayors of Darien, Willowbrook, Indian Head Park and Hinsdale sent a “no settlement” letter urging the Attorney General and the DuPage State's Attorney not to enter into a settlement with Sterigenics that would allow them to use Ethylene Oxide in the area or in any way lift the seal order.

**CONSIDERATION OF ENVIRONMENTAL QUALITY COMMISSION
RECOMMENDATION TO HIRE A LOBBYIST FOR AN UNLIMITED TERM FOR A FEE
NOT TO EXCEED \$15,000.00**

Assistant Village Administrator Evan Walter explained this is a recommendation to hire a lobbyist for any and all pending legislation in the ILGA this session. Mr. Walter spoke with Dave Sullivan from Sullivan and Raucci Strategies, who was recommended by Jen Walling, the Executive Director of the Illinois Environmental Council. The draft contract proposes the lobbyist represents the Village through the current General Assembly session which ends May 31, 2019 for a one-time fee of \$10,000. Mr. Walter said Mr. Sullivan stated that if this goes past the end of session he will continue representing the Village for \$5,000 per month. The EQC's



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recommendation is to enter into a contract with Sullivan and Raucci at a cost of \$10,000 through the end of this month with an additional \$5,000 to the end of June.

Trustee Paveza asked if Burr Ridge is the only Village contemplating hiring a lobbyist. Mr. Walter confirmed that is the case. The other communities do not consider it necessary to hire a lobbyist.

Mayor Grasso commented that Hinsdale may also be interested in hiring a lobbyist. Village Attorney Scott Uhler confirmed a Trustee from Hinsdale is interested in contributing to hiring the lobbyist.

Trustee Franzese commented the EQC does not want to miss any opportunity to oppose Ethylene Oxide being used in the Community. The American Chemical Society, the Ethylene Oxide Manufacturers Society, sterilization people all have lobbyists in Springfield with contacts. He believes the Village needs a lobbyist to get the point across.

Trustee Mottl asked if any other lobbyists were considered. Trustee Franzese stated there was another lobbyist proposed however the EQC unanimously agreed to recommend Mr. Sullivan.

Motion was made by Trustee Mottl and seconded by Trustee Snyder to approve the Recommendation to hire the lobbyist for unlimited term for a fee not to exceed \$15,000

On Roll Call, Vote Was:

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

NAYS : 0 – None

ABSENT: 1 – Trustee Mital

There being five affirmative votes the motion passed.

OTHER CONSIDERATIONS Trustee Franzese announced there will be a Public Forum on Ethylene Oxide on May 29, 2019 at Burr Ridge Marriott Hotel. Information will be posted on the Village's website. There will be round table discussions from 1:00 to 5:00 PM. and speakers as well as a question and answer time from 7:00 – 9:00. He advised there is a particular format to follow in order to have a question on the list. Mr. Walter provided the email address to submit a question.

Mayor Grasso stated he attended a Court session in DuPage County. The word settlement was never used. The Attorney General or DuPage State's Attorney is not considering lifting the Seal Order. Judges always encourage parties to discuss matters however Judge Fullerton did not mention settlement. Mayor Grasso requested Village Attorney Scott Uhler to put forward the Village's petition to intervene so Burr Ridge can formally be a party to the case and receive all the discovery. The Judge has agreed and this is being briefed. Sterigenics has the right to object and then the Judge will make a ruling on July 18, 2019 at DuPage County Courthouse. Mayor Grasso encouraged residents to attend.

RESIDENT COMMENTS There were none.



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NON-RESIDENT COMMENTS There were none.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS Village Administrator Doug Pollock announced the events season is beginning. He encouraged everyone to attend the Armed Forces Day celebration. Also, this week is Bike to Work Week. Mr. Pollock reminded everyone the Village Hall will be closed for Memorial Day. Run the Ridge, the 5K Walk and Run Race is June 1, 2019 and the Concert Season begins June 14, 2019.

Mayor Grasso suggested everyone take a moment on Memorial Day to remember those who have given their lives in defense of our Country. He announced the next Board Meeting will be on Tuesday, May, 28, 2019.

Motion was made by Trustee Paveza and seconded by Trustee Schiappa that the Regular Meeting of May 13, 2019 be adjourned.

On Roll Call, Vote Was:

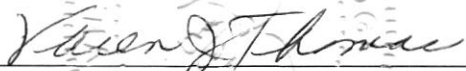
AYES: 5 – Trustees Paveza, Schiappa, Franzese, Mottl, Snyder

NAYS : 0 – None

ABSENT: 1 – Trustee Mital

There being five affirmative votes the motion carried and the meeting was adjourned at 8:03 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 Mayor and Board of Trustees this 28th day of May, 2019.





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

**May 13, 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 April 22, 2019
- B. * Receive and File Plan Commission Meeting of May 6, 2019
- C. * Receive and File Environmental Quality Commission Meeting of May 9, 2019

6. ORDINANCES

- A. Approval of an Ordinance Amending the Burr Ridge Municipal Code by deleting Chapter 21 Entitled "Valet Operators"
- B. * Approval of an Ordinance Approving a Variation From Section VI.D.7 of the Burr Ridge Zoning Ordinance to Permit a Front Yard Setback of 40 Feet Rather Than the Permitted 50 Feet to Accommodate a New Single-Family Residential Home in the R-2A Residential District (V-04-2019; 7875 Wolf Road – Mihailovic)

7. RESOLUTIONS

- A. Resolution Supporting Additional Legislation Reducing Ambient Concentrations of Ethylene Oxide
- B. * Adoption of A Resolution Proclaiming May 2019 as National Bicycle Month in the Village of Burr Ridge

EXHIBIT A

8. CONSIDERATIONS

- A. Update Regarding Sterigenics in Willowbrook, IL
- B. Consideration of Environmental Quality Commission Recommendation to Hire a Lobbyist for an Unlimited Term for a Fee Not to Exceed \$15,000
- C. * Consideration of Plan Commission Recommendation to Approve An Amendment to Planned Unit Development Ordinance #A-834-09-99 to permit an Accessory Structure Covering a Swimming Pool in the Rear Yard of a Health Club in the L-I Light Industrial District. (Z-05-2019; 6901 Madison Street – Five Seasons)
- D. * Consideration of Plan Commission Recommendation to Approve a Text Amendment to Section X.E of the Burr Ridge Zoning Ordinance to Add “Private School” as a Special Use in the L-I Light Industrial District and a Special Use as per the Amended Section X.E to Permit a Special Use for a Private School in the L-I Light Industrial District (Z-06-2019; 6880 North Frontage Road – Vine Academy)
- E. * Receive and File Resignation Letter of Assistant Finance Director Lynette Zurawski
- F. * Approval of Village Administrator Recommendation to Re-Classify Assistant Finance Director position from Range 108A to Range 110A and to fill said Position
- G. * Acknowledge Resignation of Part-Time Receptionist Susan Castro
- H. * Approval of Village Administrator Recommendation to Fill Vacant Part Time Receptionist Position
- I. * Approval of Recommendation to Concur with Award of a Contract by IDOT for the Burr Ridge Parkway Resurfacing Project
- J. * Approval of Recommendation to Concur with the Award of a Contract by IDOT for the County Line Road North Connection Sidewalk Project
- K. * Approval of Purchase of Work Orders and Business License Software Modules from BS&A
- L. * Approval of Purchase of Property and Evidence Management Software System for a Cost of \$8,890
- M. * Approval of Request from the Flagg Creek Heritage Society for Donation from Hotel/Motel Tax Fund for the Robert Vial House Museum

- N. * Approval of Request from the I & M Canal National Heritage Corridor for Donation from Hotel/Motel Tax Fund for the Village's 2019 Annual Dues
- O. * Approval of Request for Raffle License for Gower PTO and Hosting Facility License for Burr Ridge Community Center for Event on May 18, 2019
- P. * Approval of Vendor List dated May 13, 2019 FY 18-19 in the Amount of \$250,183.20 for all Funds, plus \$193,657.93 for Payroll, for a Grand Total of \$443,841.13, which includes Special Expenditures of \$18,624.00 for Tree Pruning and Removals by Winkler's Tree Service; \$11,475.00 for EAB Treatment by Kramer Tree Specialists; \$11,562.50 for Planning Services of the Sports Facility; and \$10,375.50 for Water Main Repairs by Vian Construction
- Q. * Approval of Vendor List dated May 13, 2019 FY 19-20 in the Amount of \$138,054.09 for all Funds, plus \$190,572.33 for Payroll, for a Grand Total of \$328,626.42, which includes no Special Expenditures
- R. Other Considerations - For Announcement, Deliberation and/or Discussion only – No Official Action will be Taken.

9. RESIDENT COMMENTS

10. NON-RESIDENTS COMMENTS

11. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

12. ADJOURNMENT