

REGULAR MEETING
MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

May 23, 2022

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of May 23, 2022, 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 Mayor Gary Grasso lead the Pledge of Allegiance.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Schiappa, Paveza, and Mital. Trustee Snyder gave advance notice that he would be participating remotely, pending Board approval. Trustee Smith gave advance notice that he would be out of town and unable to attend. Mayor Grasso was present. Also present were Village Administrator Evan Walter, Deputy Chief Marc Loftus, Public Works Director Dave Preissig, Community Development Director Janine Farrell, Village Attorney Mike Durkin, and Village Executive Assistant Pam Foy.

Mayor Grasso asked for a motion to allow Trustee Snyder to participate remotely as he had given advance notice of this request.

Motion was made by Trustee Mital, seconded by Trustee Schiappa, to approve Trustee Snyder's remote participation.

On Roll Call, Vote Was:

AYES: 4 - Trustees Schiappa, Mital, Franzese, Paveza

NAYS : 0 - None

ABSENT: 1 - Trustee Smith

ABSTAIN: 1 - Trustee Snyder

There being four affirmative votes the motion carried.

PRESENTATIONS AND PUBLIC HEARINGS

There were no presentations or public hearings.

CONSENT AGENDA – OMNIBUS VOTE

Mayor Gary Grasso read the Consent Agenda and asked if any agenda item needed to be removed from the Consent Agenda. There was none.

APPROVAL OF REGULAR BOARD MEETING MINUTES OF MAY 9, 2022 were approved for publication under the Consent Agenda by Omnibus Vote.

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RECEIVE AND FILE ECONOMIC DEVELOPMENT COMMITTEE MINUTES OF MAY 4, 2022 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE PLAN COMMISSION MEETING MINUTES OF MAY 16, 2022 were noted as received and filed under the Consent Agenda by Omnibus Vote.

APPROVAL OF AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE #A-834-10-21 TO EXPAND THE SUBJECT USE AND A SPECIAL USE FOR A RESTAURANT OVER 4,000 SQUARE FEET WITH THE SALE OF ALCOHOLIC BEVERAGES (Z-04-2022: 308-312 BURR RIDGE PARKWAY: ROVITO) the Board, under the Consent Agenda by Omnibus Vote, Approved the Adoption of the Ordinance.

APPROVAL OF AN ORDINANCE GRANTING A VARIATION FROM SECTION IV.L.1 OF THE ZONING ORDINANCE TO PERMIT A DETACHED GARAGE IN THE SIDE BUILDABLE AREA (V-02-2022: 8311 FARS COVE – PANICO) the Board, under the Consent Agenda by Omnibus Vote, Approved the Adoption of the Ordinance.

ADOPTION OF RESOLUTION ACCEPTING CERTAIN SUBDIVISION IMPROVEMENTS AND ESTABLISHING A DEADLINE FOR COMPLETION OF OTHER IMPROVEMENTS FOR THE LAKESIDE POINTE PLANNED UNIT DEVELOPMENT (11650 BRIDEWELL DRIVE) the Board, under the Consent Agenda by Omnibus Vote, Approved the Adoption of the Resolution.

APPROVAL OF AWARD OF THE 2022 CRACK SEALING CONTRACT TO SKC CONSTRUCTION OF WEST DUNDEE THROUGH THE MPI JOINT BID IN THE AMOUNT OF \$79,977 the Board, under the Consent Agenda by Omnibus Vote, Approved the Award.

APPROVAL OF PURCHASE OF VEHICLE MODULES FROM FEDERAL SIGNAGE OF UNIVERSAL PARK IN THE AMOUNT OF \$22,240 the Board, under the Consent Agenda by Omnibus Vote, Approved the Purchase.

APPROVAL OF A CONTRACT EXTENSION FOR MANAGED GIS SERVICES WITH CLOUDPOINT GEOSPATIAL OF ROANOKE IN THE ANNUAL AMOUNT OF \$25,800 the Board, under the Consent Agenda by Omnibus Vote, Approved the Contract.

APPROVAL OF MAYOR GRASSO'S NOMINATION TO APPOINT JOHN MCCRACKEN AND ANABEL MCFARLIN TO THE STORM WATER MANAGEMENT COMMITTEE TO TERMS EXPIRING FEBRUARY 1, 2025 the Board, under the Consent Agenda by Omnibus Vote, Approved the Nominations.

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APPROVAL TO REMAND A PETITION FOR SPECIAL USES, PUD AMENDMENT, AND VARIATIONS TO THE PLAN COMMISSION (Z-10-2022: 9115 KINGERY HIGHWAY – THORNTONS LLC) the Board, under the Consent Agenda by Omnibus Vote, Approved To Remand the Petition.

APPROVAL OF VENDOR LIST DATED MAY 23, 2022, FOR THE FISCAL YEAR 2021-22 IN THE AMOUNT OF \$255,777.10 FOR ALL FUNDS, PLUS \$198,177.38 FOR THE PAY PERIOD ENDING APRIL 30, 2022, FOR A GRAND TOTAL OF \$453,954.48, WHICH INCLUDES NO SPECIAL EXPENDITURES the Board, under the Consent Agenda by Omnibus Vote, Approved the Vendor List for the Fiscal Year 2021-22 Dated May 23, 2022 plus Payroll for the Period Ending April 30, 2022.

APPROVAL OF VENDOR LIST DATED MAY 23 2022, FOR THE FISCAL YEAR 2022-23 IN THE AMOUNT OF \$186,414.65 FOR ALL FUNDS, PLUS \$261,255.55, FOR THE PAY PERIOD ENDING MAY 14, 2022 FOR A GRAND TOTAL OF \$447,670.20, WHICH INCLUDES NO SPECIAL EXPENDITURES the Board, under the Consent Agenda by Omnibus Vote, Approved the Vendor List for the Fiscal Year 2022-23 Dated May 23, 2022, plus Payroll for the Period Ending May 14, 2022.

After reading the Consent Agenda, Mayor Gary Grasso asked for a motion to approve.

Motion was made by Trustee Schiappa, seconded by Trustee Mital, to approve the Consent Agenda – Omnibus Vote (attached as Exhibit A), and the recommendations indicated for each respective item be hereby approved.

Mayor Gary Grasso asked for any discussion from the Board and/or public. There were none.

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Trustee Smith

There being five affirmative votes the motion carried.

CONSIDERATION OF AN ORDINANCE AMENDING SECTION VIII.A.11 OF THE ZONING ORDINANCE REGARDING HOURS OF OPERATION FOR RESTAURANTS WITH LIQUOR LICENSES IN THE BUSINESS DISTRICTS (Z-09-2022)

Village Administrator Evan Walter reviewed two ordinances amending the Zoning Ordinance and Section 25 of the Municipal Code (Liquor Control) related to permitted hours of operation at restaurants in Business Districts with liquor licenses. Together, these ordinances create a unified regulatory framework governing permitted restaurant hours of operation. Approval of these

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ordinances will allow such uses the right to operate until midnight on Sunday-Wednesday and 1:00 am on Thursday-Saturday (i.e. Thursday until 1:00 am on Friday, etc.).

Mr. Walter clarified that there are no exceptions to these ordinances. All permitted and special uses previously granted and PUD's approved for retail centers are overridden by these ordinances, meaning that all current and prospective businesses will operate under the same regulations. These ordinances align outdoor dining hours of operation with indoor dining at this time, but the language creating this alignment may be easily amended if hours of operation for outdoor dining are differentiated from indoor dining hours (the Board has already directed that outdoor hours of operation be studied by the Plan Commission) such as in any text amendment petition.

Motion was made by Trustee Paveza, seconded by Trustee Schiappa, to approve the Consideration.

Mayor Gary Grasso asked for any discussion from the Board and/or public.

Trustee Snyder asked if Jonny Cabs or Capri will maintain their 2:00 am closing time, Mr. Walter confirmed both will be closing at 12:00 midnight -1:00 am going forward. Trustee Franzese asked if this would prevent businesses from petitioning for a 2:00 am closing, Mr. Walter said that option would not be possible at this time. Outdoor dining hours were mentioned and Mayor Grasso said that the intent is to have standard hours for outdoor dining and that all restaurants would have the same rules in the Village, with no exceptions.

Mayor Gary Grasso asked for any discussion from the public. There was none.

Motion was made by Trustee Paveza, seconded by Trustee Schiappa, to approve the Consideration.

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Trustee Smith

There being five affirmative votes the motion carried.

CONSIDERATION OF AN ORDINANCE AMENDING SECTION 25.09 (CLASSES OF LICENSES-NUMBER OF LICENSES-HOURS) OF CHAPTER 25, ENTITLED "LIQUOR CONTROL," OF THE BURR RIDGE MUNICIPAL CODE

Village Administrator Evan Walter stated that this Consideration would cover the same hours as the previous agenda item pertaining to liquor licenses but related to the Municipal Code.

Mayor Gary Grasso asked for any discussion from the Board and/or public.

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Trustee Franzese asked if the liquor license/code applied to packaged goods, and what time would liquor sales end for a gas station that is open 24 hours. Village Attorney Mike Durkin stated that this amendment did not impact anything other than restaurants. Deputy Chief Marc Loftus stated that packaged goods liquor sales currently end at 12:00 midnight.

Motion was made by Trustee Paveza, seconded by Trustee Schiappa, to approve the Consideration.

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Trustee Smith

There being five affirmative votes the motion carried.

CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 1, ENTITLED "GENERAL PROVISIONS", OF THE BURR RIDGE MUNICIPAL CODE WITH REGARD TO DEBTS OWED TO THE VILLAGE

Village Administrator Evan Walter said that as the Village developed its adjudication program since inception at the start of 2021, the number of property owners owing monies to the Village has grown in parallel. In certain cases, property owners owing significant sums of money to the Village have attempted to obtain services such as building permits or liquor licenses; however, there is currently no legal mechanism in place to compel property owners to pay their debts owed to the Village prior to obtaining a permit or license. This ordinance would create said mechanism, with property owners being required to settle any debts above \$100 to become permitted to obtain a permit or license through the Village.

Mayor Gary Grasso asked for any discussion from the Board and/or public. There were none.

Motion was made by Trustee Mital, seconded by Trustee Snyder, to approve the Consideration.

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Trustee Smith

There being five affirmative votes the motion carried.

CONSIDERATION OF A PLAN COMMISSION RECOMMENDATION TO APPROVE A MAJOR CHANGE AND AMENDMENT TO THE COTTAGES AT DREW PUD (ORDINANCE #A-834-16-18) (Z-15-2022:7950 DREW AVENUE -- PERINO/JARPER PROPERTIES LLC)

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Community Development Director Janine Farrell gave an overview of the Plan Commission recommendation to approve a special use and PUD amendment requested by Anthony Perino of Jarper Properties LLC for a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18 in accordance with Section XIII of the Zoning Ordinance. This major change will reduce the open space in the PUD by approximately 1% and increase the garage area for the proposed homes. The Plan Commission held a public hearing on May 16, 2022 for the request. The Cottages of Drew PUD was previously approved in 2018, but the petitioner is now requesting to construct three-car garages on six of the eight homes instead of two-car garages. This increase in garage floor space was the sole reason for the reduction of the open space on the property, thus requiring a major change to the PUD. The petitioner also requested approval of final engineering and landscaping plans as well as building elevations in accordance with the 2018 ordinance. There were six members of the public who spoke in objection to the request at the public hearing, expressing concerns about drainage in the area and the impact the development may have on that situation. The Plan Commission recommended unanimous approval with seven conditions. Ms. Farrell said that the stormwater detention volume requirement was increased to accommodate more than 20% of the minimal requirement. The Petitioner was present and confirmed that it was 30%.

Mayor Gary Grasso asked for any discussion from the Board and/or public.

Trustee Franzese asked what was driving the need for homes with a three-car garage when most of the recent subdivisions have two car garages. Property developer Anthony Perino of Jarper Properties said that in their discussions, marketing conditions dictated a preference for three car garages. Trustee Franzese also asked if there was living space above the garage and if not, could it be converted to living space as there are windows above the garage in the renderings. The Petitioners stated that there is no living space above the garage. Trustee Franzese said that the homes with three car garages look more like garages with living space attached and not homes with garages attached. The flood plain was also discussed, and it was confirmed that DuPage County and Army Corps signed off on the flood plain storage.

Trustee Paveza said that the property had been in development for five years, with seven items coming back from the Plan Commission requesting compliance. He asked the developers if they were confident that they could proceed from here and not have more concerns related to compliance from the Plan Commission or Village. Trustee Snyder stated that given the longevity and issues related to this project, he was not planning to support it.

Trustee Franzese asked how the Plan Commission responded to some of the questions asked at this meeting. Ms. Farrell said that a few commissioners expressed concern about the garages, but they ultimately voted to approve the request as those houses were not visible from Drew Avenue. She said that potential livable space above the garages was not a concern and that the homes would be restricted to a certain amount of livable space, with the plans specifying a predetermined square footage.

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Mayor Grasso asked that the developer be transparent so that potential buyers are aware that they cannot develop the space above the garage into livable space. Ms. Farrell said that could be added as a condition. She added that the Plan Commission had the same sentiment as the Board and also that the development must contain drainage to itself and not impact flooding in the area.

Joanne Palmasano, a Burr Ridge resident, attended Plan Commission meeting and expressed concern about the proximity of the homes to each other in the development and also about the lack of trees and plants that are on the perimeter of the development in the renderings. Mayor Grasso clarified that the trees and plants planned for the site would need to come back to the Board for review down the line. Village Administrator Evan Walter added that the development was also changed from a straight bowling alley format street to a cluster, and the Plan Commission approved the cluster, curved road so that the homes would not immediately be visible from Drew Avenue. Trustee Franzese added that perhaps the surrounding trees could be conifers which would not lose leaves in winter.

Ms. Palmasano also expressed concern that one of the Plan Commissioners had asked about purchasing a home with a three-car garage. The developer confirmed this was the case, but also said that the three-car garage was based on market analysis and discussions with brokers. Ms. Palmasano was also concerned that the homes appeared to be very close to each other, and Mayor Grasso confirmed that the homes were at least 20 feet apart. Trustee Franzese confirmed this was the bare minimum requirement for the Village.

Mayor Grasso said that the Board needed clarity from the Plan Commissioner involvement related to the three-car garage with the Commissioner in question prior to further discussion and recommended that there be a motion to remand to the Plan Commission. Trustee Franzese said he was not happy with the proposed development and could not support at this time as it had too many homes on the land. Trustees Schiappa and Paveza said it was a challenging site and agreed that it was important to get clarity on the Plan Commission vote and possible involvement. Trustee Snyder said he would not support the proposal as submitted and did not want more impact on the land.

Mayor Grasso added that he needed more information on the involvement of Mike Stratis, the Plan Commissioner involved in the discussion, and that Mayor Grasso has a lot of respect for him, but wants due diligence done since this was brought up by a resident.

Motion was made by Trustee Paveza, seconded by Trustee Franzese, to remand this Consideration to the Plan Commission.

On Roll Call, Vote Was:

AYES: 3 - Trustees Paveza, Schiappa, Mital

NAYS : 2 - Trustees Franzese, Snyder

ABSENT: 1 - Trustee Smith

There being three affirmative votes the motion carried.

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PUBLIC COMMENT

Mayor Gary Grasso asked for any public comment. There was none.

REPORTS AND COMMUNICATIONS

Trustee Mital congratulated Community Engagement Analyst Hannah Weyant and the Village staff for the Armed Forces Day Event on May 21. Grasso agreed and commended Ms. Weyant and the Memorial Veterans Committee, stating that the keynote speaker, Captain Smith gave a great speech. He said that Burr Ridge is about the only village celebrating Armed Forces Day in this way to celebrate our current men and women in the military. He asked that the Veterans Memorial Committee get the resources that it needs to continue making this event a success.

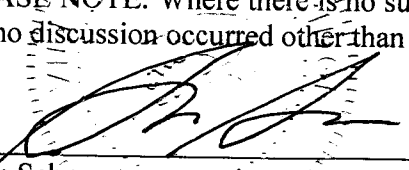
Trustee Mital mentioned that the Village Concerts will start on June 2, featuring the Fortunate Sons, and will run through the summer on Thursdays.

ADJOURNMENT

Mayor Gary Grasso asked for a motion to Adjourn the Board Meeting at 8:24 pm.

Motion was made by Trustee Paveza, seconded by Trustee Schiappa, to Adjourn. The Board unanimously approved.

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.



Susan Schaus
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 13th day of June, 2022.

VILLAGE OF BURR RIDGE
REGULAR MEETING - MAYOR & BOARD OF TRUSTEES
VILLAGE HALL – BOARD ROOM

AGENDA

Monday, May 23, 2022 - 7:00 P.M.

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. PRESENTATIONS AND PUBLIC HEARINGS
4. CONSENT AGENDA

All items listed with an asterisk are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen requests, in which event the item will be removed from the Consent Agenda, discussed, opened for public comment, and voted upon during this meeting.

5. MINUTES

- A. * Approval of Regular Board Meeting of May 9, 2022
- B. * Receive and File Economic Development Committee of May 4, 2022
- C. * Receive and File Plan Commission Meeting of May 16, 2022

6. ORDINANCES

- A. Consideration of an Ordinance Amending Section VIII.A.11 of the Zoning Ordinance Regarding Hours of Operation for Restaurants with Liquor Licenses in the Business Districts (Z-09-2022)
- B. Consideration of an Ordinance Amending Section 25.09 (Classes of Licenses-Number of Licenses-Hours) of Chapter 25, Entitled "Liquor Control," of the Burr Ridge Municipal Code
- C. Consideration of an Ordinance Amending Chapter 1, Entitled "General Provisions", of the Burr Ridge Municipal Code with Regard to Debts Owed to the Village

Public Comment Procedures: Public comments will be accepted in written or statement form prior to or during the meeting. Written public comments shall identify whether the comment is intended to address a specific agenda item or is intended for general public comment under Section 9 – Public Comment. Public comments may also be made during the meeting when discussing specific items on the agenda. Any person seeking to address the Board on topics not on the agenda may do so during Section 9 – Public Comment.

- D. * Approval of an Ordinance Granting an Amendment to Ordinance #A-834-10-21 to Expand the Subject Use and a Special Use for a Restaurant over 4,000 Square Feet with the Sale of Alcoholic Beverages (Z-04-2022: 308-312 Burr Ridge Parkway: Rovito)
- E. * Approval of an Ordinance Granting a Variation from Section IV.I.1 of the Zoning Ordinance to Permit a Detached Garage in the Side Buildable Area (V-02-2022: 8311 Fars Cove – Panico)

7. RESOLUTIONS

- A. * Adoption of a Resolution Accepting Certain Subdivision Improvements and Establishing a Deadline for Completion of Other Improvements for the Lakeside Pointe Planned Unit Development (11650 Bridewell Drive)

8. CONSIDERATIONS

- A. Consideration of a Plan Commission Recommendation to Approve a Major Change and Amendment to the Cottages at Drew PUD (Ordinance #A-834-16-18) (Z-15-2022: 7950 Drew Avenue - Perino/Jarper Properties LLC)
- B. * Approval of Award of the 2022 Crack Sealing Contract to SKC Construction of West Dundee through the MPI Joint Bid in the Amount of \$79,977
- C. * Approval of Purchase of Vehicle Modules from Federal Signal of University Park in the Amount of \$22,240
- D. * Approval of a Contract Extension for Managed GIS Services with Cloudpoint Geospatial of Roanoke in the Annual Amount of \$25,800
- E. * Approval of Mayor Grasso's Nominations to Appoint John McCracken and Anabel McFarlin to the Storm Water Management Committee to Terms Expiring February 1, 2025
- F. * Approval to Remand a Petition for Special Uses, PUD Amendment, and Variations to the Plan Commission (Z-10-2022: 9115 Kingery Highway – Thorntons LLC)
- G. * Approval of Vendor List Dated May 23, 2022, for the Fiscal Year 2021-22 in the Amount of \$255,777.10 for all Funds, plus \$198,177.38 for the Pay Period Ending April 30, 2022 for a Grand Total of \$453,954.48, Which Includes No Special Expenditures
- H. * Approval of Vendor List Dated May 23, 2022, for the Fiscal Year 2022-23 in the Amount of \$186,414.65 for all Funds, plus \$261,255.55 for the Pay Period Ending May 14, 2022 for a Grand Total of \$447,670.20, Which Includes No Special Expenditures

9. PUBLIC COMMENTS

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. ADJOURNMENT – NEXT MEETING JUNE 13, 2022 @ 7:00PM