

REGULAR MEETING
MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

January 23, 2023

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of January 23, 2023, 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 Grasso asked Plan Commissioner Mike Stratis to lead the Pledge of Allegiance.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Schiappa, Paveza, Snyder, and Smith. Mayor Grasso was also present. Trustee Mital had previously advised that she would not be in town for this meeting. Also present were Village Administrator Evan Walter, Deputy Police Chief Marc Loftis, Community Development Director Janine Farrell, Public Works Director Dave Preissig, and Village Attorney Michael Durkin.

PRESENTATIONS AND PUBLIC HEARINGS

There were no presentations or public hearings.

CONSENT AGENDA – OMNIBUS VOTE

Mayor Grasso read the Consent Agenda and asked the Board and public if any agenda item needed to be removed. There were no requests to remove any agenda item.

APPROVAL OF REGULAR BOARD MEETING MINUTES OF JANUARY 9, 2023 were approved for publication under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE ECONOMIC DEVELOPMENT MEETING MINUTES OF JANUARY 4, 2023 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE STREET POLICY COMMITTEE MEETING MINUTES OF JANUARY 9, 2023 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE PLAN COMMISSION MEETING MINUTES OF JANUARY 16, 2023 were noted as received and filed under the Consent Agenda by Omnibus Vote.

APPROVAL OF AN ORDINANCE AMENDING THE VILLAGE OF BURR RIDGE PERSONNEL MANUAL the Board, under the Consent Agenda by Omnibus Vote, Approved the Ordinance.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
January 23, 2023

APPROVAL OF AN ORDINANCE GRANTING SPECIAL USES FOR AUTOMOBILE AND EQUIPMENT SERVICE, OUTDOOR STORAGE, AND FOR A FENCE IN A NON-RESIDENTIAL DISTRICT (Z-24-2022: 311 SHORE DRIVE – DP BURR RIDGE, LLC) the Board, under the Consent Agenda by Omnibus Vote, Approved the Ordinance.

APPROVAL OF A RESOLUTION AUTHORIZING AN EXTENSION OF A WATER TOWER LEASE AGREEMENT (VERISON WIRELESS) the Board, under the Consent Agenda by Omnibus Vote, Approved the Resolution.

APPROVAL OF A RESOLUTION REGARDING THE NEED FOR CONFIDENTIALITY OF CLOSED SESSION MINUTES the Board, under the Consent Agenda by Omnibus Vote, Approved the Resolution.

APPROVAL OF A RESOLUTION ENDORSING THE LEGISLATIVE ACTION PROGRAM OF THE DUPAGE MAYORS AND MANAGERS CONFERENCE FOR THE 2023 LEGISLATIVE SESSION the Board, under the Consent Agenda by Omnibus Vote, Approved the Resolution.

APPROVAL OF AWARD OF A CONTRACT FOR THE PURCHASE OF COMMERCIAL METERS TO CORE & MAIN LP OF ST. CHARLES IN THE AMOUNT OF \$155,814 the Board, under the Consent Agenda by Omnibus Vote, Approved the Award.

APPROVAL OF AWARD OF A CONTRACT FOR THE INSTALLATION OF COMMERCIAL METERS TO CALUMET CITY PLUMBING OF CALUMET CITY IN THE AMOUNT OF \$70,914 the Board, under the Consent Agenda by Omnibus Vote, Approved the Award.

ACCEPT AND FILE RESIGNATION OF ADMINISTRATIVE INTERN GABRIEL LOPEZ the Board, under the Consent Agenda by Omnibus Vote, Accepted the Resignation.

APPROVAL OF VENDOR LIST DATED JANUARY 23, 2023, IN THE AMOUNT OF \$531,993.12 FOR ALL FUNDS, PLUS \$216,618.09 PAYROLL PERIOD ENDING JANUARY 7, 2023, FOR A GRAND TOTAL OF \$748,611.21 the Board, under the Consent Agenda by Omnibus Vote, Approved the Vendor List Dated January 23, 2023, and Payroll for the Period Ending January 7, 2023.

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

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

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
January 23, 2023

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

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Mital

There being five affirmative votes the motion carried.

CONSIDERATION OF UPDATE ON WILLOW SPRINGS ROAD DEVELOPMENT

Village Administrator Evan Walter gave an update on the proposed development, stating that the Village recently received word that the Lyons Township High School District 204 Board of Education (LTHS) was considering the sale of a 70-acre property at 79th and Willow Springs Road in the Village of Willow Springs. While not in the Village's boundaries, the property is located near Burr Ridge, and its development would represent a significant change in its current condition and potentially impact residents on the east side of the Village as well as Edgewood Valley Country Club, located in Burr Ridge. On December 19, 2022, LTHS approved the property be offered for sale with a minimum sale price of \$55 million; one bidder (Bridge Industrial) submitted a \$55 million bid for the property, while a second bidder submitted a bid of \$46.5 million. Mr. Walter said that consideration of these bids by LTHS was expected to occur at their meeting tonight. On that agenda, released earlier today, was included an action item to reject all bids for the sale property, momentarily halting the development.

The property is currently zoned as a Planned Unit Development (PUD) by Willow Springs, with only three uses listed as permitted on the property: retail (those businesses considered small/local in nature); single family housing on 30,000 square foot lots (equivalent to R-2B zoning in Burr Ridge); and senior family residential housing. Bridge Industrial considers the property suited for industrial development, for which the property is not presently zoned; in fact, industrial and warehouse uses generally in alignment with the developer's preferences are specifically designated as "prohibited uses" in the PUD. .

Mayor Grasso said he had received calls on this as it impacts some of the Village residents and Edgewood Valley Country Club. He also talked to the mayor of Willow Springs and received additional information that the Willow Springs board planned to reject it. Trustee Franzese gave an overview of the exact location, showing the Pleasantdale Elementary School and White Buffalo Park, which are adjacent to the proposed property sale. He said 290 students from Burr Ridge attend that school. Trustee Franzese attended the meetings relating to zoning, which was not industrial. He asked for consensus from the Board to support the Willow Springs board which is encouraging single family homes and light retail.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
January 23, 2023

Mayor Grasso asked for any additional comment from the Board or public.

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

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

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Mital

There being five affirmative votes the motion carried.

CONSIDERATION OF A PLAN COMMISSION RECOMMENDATION TO APPROVE AN AMENDMENT TO ORDINANCE #A-834-02-17 FOR A SPECIAL USE FOR FINAL PLAT APPROVAL AND A MEDICAL OFFICE IN THE T-1 TRANSITIONAL DISTRICT AS WELL AS NO PLAN COMMISSION RECOMMENDATION REGARDING A VARIATION FROM ZONING ORDINANCE SECTION XI.C.8 TO PERMIT PARKING IN THE FRONT YARD (Z-22-2022: 7600-7630 COUNTY LINE ROAD – MEDPROPERTIES)

Community Development Director Janine Farrell gave an overview of the Plan Commission's recommendation to approve a request by MedProperties, LLC to amend Ordinance #A-834-02-17 for a special use for final plat approval and a medical office in the T-1 Transitional District (7600 County Line Road). The Plan Commission recommendation to approve a variation from Zoning Ordinance section XI.C.8 to permit parking in the front yard failed. The Shirley Ryan Ability Lab operates from the site and is requesting to reconfigure the existing parking lot to add an additional 30 parking spaces for a total of 113 parking spaces. The Plan Commission held public hearings on August 15, 2022, September 19, 2022, and January 16, 2023. At the public hearings, members of the public objected to the request and noted their concerns about the existing fence, headlight spill-over from the parking lot, parking lot lighting, interior lighting, trash pick-up, and stormwater. The Plan Commission voted 6 to 0 to recommend that the Board of Trustees approve the request for amending the special use, with conditions. Comparatively, the Plan Commission, by a vote of 3 to 2, does not submit a recommendation of approval for the variation request to permit parking in the front yard. Four affirmative votes were required to approve the motion due to the second petition including a variation.

Caitlyn Culbertson, an attorney with Elrod Freidman, spoke on behalf of the petitioner, stating that they were not seeking any change to the building but fixing some parking problems by requesting additional parking spaces. She noted that the parking expansion should not have any impact on neighbors. She said it was a very popular facility and that there used to be a bus program that brought people from assisted living to the site, but that it had been eliminated due to the pandemic. When asked if the bus program might be reinstated, Ms. Culbertson said there was no plan at this time to

restart it. Trustee Smith agreed that the green islands in the parking lot led to tight turns and frustrated drivers. In total the new parking spaces would remove green spaces for a 40% increase in parking or about 30 new spots.

Andy Paulius, a Burr Ridge resident living behind the facility, expressed concern about Shirley Ryan leaving lights on all night when the fencing does not contain the light, and was concerned about recourse if that continues. He said there is a fence barrier but that it is located in a ditch so that it's not high enough to block the light at night. Mr. Walter said that it could be a contingency of the special use. Ms. Culbertson stated that the shades could also be pulled down and asked the Shirley Ryan landscape architect to review the landscape proposal which included an evergreen "screen" to help with screening the light to neighbors. Mr. Paulius remained concerned that there would be no additional growth of the bushes and wanted assurances that the shades would be pulled down and the evergreen screen would be put in and maintained.

Mark Thoma, a Burr Ridge resident, was also not in favor of the additional parking spaces. He said the result is also less green space and additional hard space. He also addressed the aesthetics. He was also concerned that these changes might impact drainage. He added that there is 9.4 acres of watershed surrounding this property. The petitioner's 24-inch pipe is the only pipe that drains the surface water, along with an 8' farmers tile that drains the lower elevation. In 1987, during construction, the farmers tile was crushed and rendered useless – until 2017 when the Shirley Ryan Ability Lab repaired it. After 30 years of flooding, Mr. Thoma expressed his concern about draining.

Mr. Thoma said he was concerned about mulch and debris in the ditch with more landscaping. The village approved additional landscaping and he showed photos of the drainage issues. He felt that that the neighbors need some assurances that with the additional landscaping that the arborvitae/evergreens should be defined as headlight screening. The evergreens also need to be maintained and that should be included as a contingency in this request, as that has not always been the case. He also asked that there should be no loose mulch or material beneath the evergreens as it impacts drainage and requested a timeline.

Mr. Thoma was also concerned about the backflow of water from the dry well to the resident properties. A dry well is located on the petitioner's property right next to the retention basin. The petitioners engineer presented soil samples that were pre-construction. He noted that in that report, that residents were told that boring numbers indicated that soil near the dry well was clay and non-permeable, that it was actually topsoil and crushed stone, which is permeable to him. He also noted the location of the drywell pre-construction and he pointed out the drainage pipe for the parking lot which is not connected to the drywell, the pipe is surrounded by stone. It is very close to the drywell. Mayor Grasso asked about scale and Mr. Thoma estimated it to be around 10 feet. Mr. Thoma said that water can freely flow between dry well and the stone bed, and he felt that there would be some water transfer which would flow back to residents and that was concerning.

Public Works Director Dave Preissig said he did not think that there would be too much of an impact for overflow if the storm drains remained free of debris as the capacities of the dry well and pipe drain run at different times. He added that anyone could call the Village to clean storm drains to ensure they were clear. Alternatively, he said anyone could also clear away debris if the storm drain was on private property – either the homeowner has the right or the property owner. Mayor Grasso asked how often the drains are cleaned out and who has the responsibility. Mr. Preissig said that responsibility of Shirley Ryan. Mayor Grasso asked Mr. Preissig for a recommendation of how often that Shirley Ryan should clean out the drains. Mr. Preissig recommended that they clean out the drains on an annual basis. Mayor Grasso also asked if eliminating mulch would help keep the drainage clear, Mr. Preissig said yes. Ms. Culbertson agreed that no more mulch will be used. Mayor Grasso confirmed a timeline of two-three months starting in April, with the work being done in 2023. By the fall, the landscaping would also be done.

Alice Krampits, Burr Ridge resident, said that the zoning of Shirley Ryan should not allow parking in front and that more green space is needed. She noted that the building does not comply with the T-1 zoning look of the other businesses on the street and that it should look like a neighborhood. She did not support the five parking spots in front. Trustee Franzese agreed and he said he is also not a fan of the building as it does not agree with the T-1 zoning architecture compliance. He did not agree with the additional five parking spaces in the front, noting that the petitioner was asking for 30 spaces and without the five in front, it is still an extra 25 spots. And if Shirley Ryan wanted more patient accessibility, they should bring back the bus program. Mayor Grasso said there is a growing need for the facility. He does not find the architecture offensive but agreed that it does not fit with the other buildings in the same area. He asked Commissioner Stratis to address the extra five spaces. Commissioner Mike Stratis said that Shirley Ryan has done a great job in being reactive with any issues. He said that he voted for the extra spaces, as they need it and their business changed since the bus program was not necessarily coming back. He felt that the extra spaces might impact the storm water situation but said that the Plan Commission saw the extra spaces as benign. Trustee Franzese asked what was the reason for those on the Plan Commission that voted against it, Commissioner Stratis said they did not see a need. Mr. Paulius, Burr Ridge resident added that he did not feel that Shirley Ryan is proactive and mentioned certain areas where they have not been responsive.

Trustee Snyder said that the five parking spaces in front would not make or break the business of Shirley Ryan, but he didn't want the Village to be put in a situation where an exception was made, and other businesses would be coming back for more spaces as well. Mayor Grasso added that the five spaces are formally in the front yard and that he did not think it was worth approving. He said he felt that Shirley Ryan was a good resident but that the extra five parking spaces should not be given to them. He added that the other issues should be addressed and that the lights need to be turned down at night. He felt it was over lit at night. Trustee Franzese said that by reconvening the parking lot, that trees and landscaping are being eliminated however, it is above and beyond the standard and this is denser than what was allowed in the past for other businesses, and parking was not allowed in the front. Trustee Snyder asked if a resident calls and they do not comply with the lights, what is the

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
January 23, 2023

normal fine for that. Ms. Farrell said that it would go through citation process through adjudication which would be escalated if needed.

Mayor Grasso added that an extension would be ok for reasonable causes, but he wanted to put a deadline of Oct. 1 on this. He directed staff to prepare an ordinance to deny the request for an additional five parking spaces in front.

Mayor Grasso asked for a motion to approve the special use request for 25 additional parking spaces.

Motion was made by Trustee Schiappa, seconded by Trustee Snyder, to approve the Consideration for the Plan Commission recommendation for 25 additional parking spaces.

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

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Mital

There being five affirmative votes the motion carried.

Mayor Grasso also directed staff to prepare an ordinance denying the variation request for an additional five spaces and asked for a motion from the Board.

Motion was made by Trustee Franzese, seconded by Trustee Smith, for staff to prepare an ordinance to deny the variation request for an additional five parking spaces for the Shirley Ryan Ability Lab.

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

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Mital

There being five affirmative votes the motion carried

PUBLIC COMMENT

Mayor Grasso asked for any public comment. There were none.

REPORTS AND COMMUNICATIONS

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
January 23, 2023

Trustee Franzese talked about the TCF property, which has been vacant and has been put up for sale. He said that the Village has received several inquiries and the Village is guiding what the vision is regardless of developer preferences. He asked for formal development of the vision, to include consultants, both elected and appointed, with a committee being appointed to address this. The Board could then review and approve the vision. The other trustees agreed. Mayor Grasso said that members of the business community were brought together to start the process and said the proposals to date have been apartment developers, which were unacceptable to him. He said he would report more on this issue at the next Board meeting.

Mayor Grasso asked Police Chief John Madden to step up to make comments to ensure that the public remains safe and that they understand what can be enforced. Chief Madden said that the Jan. 10 Assault Weapons Act was passed and that it was 110 pages. He said that this bill is not a surrender. Those individuals with assault weapons do not have to surrender them, but effective in November they need to register them. April 2024 is when the law comes into effect. Right now, the law prohibits the sale of these weapons in Illinois. He said that if the officers are on private property and one of these weapons is in view, they will take action, but they will not actively ask about them. Mayor Grasso said that the Village of Burr Ridge will not turn a blind eye and will allow the state to determine legal action enforcement, that it is an issue in America and the courts will determine the propriety of the law.

Mayor Grasso also said that he will be proposing a resolution to thank former Representative Jim Durkin at the Feb. 13 Board meeting and that Mr. Durkin will be here in attendance to accept the acknowledgement of his good service.

ADJOURNMENT

Motion was made by Trustee Snyder, seconded by Trustee Paveza to adjourn the meeting.

On Roll Call, Vote Was:

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

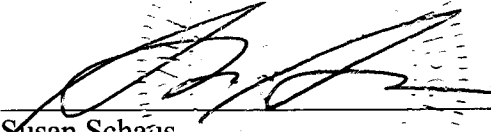
NAYS : 0 - None

ABSENT: 1 - Mital

There being five affirmative votes the motion carried, and the meeting was adjourned at 8:34 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.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
January 23, 2023



Susan Schaus
Village Clerk
Burr Ridge, Illinois

APPROVED BY the Mayor and Board of Trustees this 13th day of February, 2023.

VILLAGE OF BURR RIDGE – AGENDA
MAYOR & BOARD OF TRUSTEES
VILLAGE HALL – BOARD ROOM

Monday, January 23, 2023 - 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 January 9, 2023
- B. * Receive and File Economic Development Meeting of January 4, 2023
- C. * Receive and File Street Policy Committee Meeting of January 9, 2023
- D. * Receive and File Plan Commission Meeting of January 16, 2023

6. ORDINANCES

- A. * Approval of an Ordinance Amending the Village of Burr Ridge Personnel Manual
- B. * Approval of an Ordinance Granting Special Uses for Automobile and Equipment Service, Outdoor Storage, and for a Fence in a Non-Residential District (Z-24-2022: 311 Shore Drive – DP Burr Ridge, LLC)

7. RESOLUTIONS

- A. * Approval of a Resolution Authorizing an Extension of a Water Tower Lease Agreement (Verizon Wireless)
- B. * Approval of a Resolution Regarding the Need for Confidentiality of Closed Session Minutes

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.

- C. * Approval of a Resolution Endorsing the Legislative Action Program of the DuPage Mayors and Managers Conference for the 2023 Legislative Session

8. CONSIDERATIONS

- A. Consideration of Update on Willow Springs Road Development
- B. Consideration of a Plan Commission Recommendation to Approve an Amendment to Ordinance #A-834-02-17 for a Special Use for Final Plat Approval and a Medical Office in the T-1 Transitional District as well as No Plan Commission Recommendation Regarding a Variation from Zoning Ordinance Section XI.C.8 to Permit Parking in the Front Yard (Z-22-2022: 7600-7630 County Line Road – MedProperties)
- C. * Approval of Award of a Contract for the Purchase of Commercial Meters to Core & Main LP of St. Charles in the Amount of \$155,814.
- D. * Approval of Award of a Contract for the Installation of Commercial Meters to Calumet City Plumbing of Calumet City in the Amount of \$70,914.
- E. * Accept and File Resignation of Administrative Intern Gabriel Lopez.
- F. * Approval of Vendor List Dated January 23, 2023, in the Amount of \$531,993.12 for all Funds, plus \$216,618.09 for Payroll for the Period Ending January 7, 2023, for a Grand Total of \$748,611.21.

9. PUBLIC COMMENTS

10. REPORTS AND COMMUNICATIONS

11. ADJOURNMENT

NEXT MEETING – FEBRUARY 13, 2023 - 7:00PM