

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

Monday, July 25, 2022 - 7:00 P.M.

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. PRESENTATIONS AND PUBLIC HEARINGS**

Public Hearing

Amendment to Annexation Agreement – Falling Water First Addition

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 July 11, 2022**
- B. * Receive and File Plan Commission Meeting of July 18, 2022**

6. ORDINANCES

- A. Consideration of an Ordinance Amending Sections VIII.A, VIII.B, VIII.C and XIV.B of the Zoning Ordinance to Define "Live Entertainment" and to Permit "Live Entertainment" as Accessory to Certain Uses in the Business Districts (Z-08-2022: Text Amendment – Live Entertainment)**
- B. * Approval of an Ordinance Granting a Special Use for a Child Care Center in the L-I Light Industrial District (Z-18-2022: 6880 North Frontage Road – Allor/Premier IL Burr Ridge LLC)**
- C. * Approval of an Ordinance Granting a Special Use for a Child Care Center in the L-I Light Industrial District and for a Fence in a Non-Residential District (Z-16-2022: 6860 North Frontage Road - Menendez/Action Behavior Center LLC)**

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 Amending the Village of Burr Ridge Personnel Manual
- E. * Approval of an Ordinance Authorizing a Third Amendment to Annexation Agreement and a Second Amendment of Subdivision Improvement Completion Agreement (Falling Water First Addition)
- F. * Approval of an Ordinance Authorizing the Sale by Online Auction of Personal Property Owned by the Village of Burr Ridge (Public Works Equipment)

7. RESOLUTIONS

- A. Consideration of a Resolution Recognizing 20 Years of Service to the Village - Officer Michael Cervenka
- B. Consideration of a Resolution Recognizing 20 Years of Service to the Village - Sergeant John Helms
- C. * Approval of a Resolution Granting A Second Extension For Completion Of Subdivision Improvements For Falling Water First Addition Subdivision

8. CONSIDERATIONS

- A. * Approval to Direct Staff to Prepare an Ordinance Approving a Plan Commission Recommendation to Approve a Special Use for Outdoor Dining at an Existing Restaurant (Z-19-2022: 595 Village Center Drive - York)
- B. * Approval to Award a Contract to Orbis Solutions of Aurora to Perform Technology Upgrades at the Police Department in the Amount of \$134,388
- C. * Receive and File Letter of Resignation from Permit Technician Michelle Mahlan
- D. * Approval of Vendor List Dated July 25, 2022 in the Amount of \$945,293.64 for all Funds, plus \$222,843.42 for Payroll for the Period Ending July 9, 2022, for a Grand Total of \$1,168,137.06 which includes one Special Expenditure of \$79,977 to SKC Construction for Asphalt Crack Sealing

9. PUBLIC COMMENTS

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. ADJOURNMENT – NEXT MEETING AUGUST 8, 2022 @ 7:00PM

July 25, 2022 Board Meeting Summary

6A. “Live Entertainment” Text Amendment

Please find attached a letter from the Plan Commission recommending approval of text amendments to the Zoning Ordinance regarding live entertainment. On February 14, 2022, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to define “live entertainment” and to permit “live entertainment” as accessory (permitted) to certain uses in Business Districts. The Zoning Ordinance currently requires a special use for live entertainment in Business Districts; there are eight restaurants within the Village that currently have approved special uses for live entertainment. The Plan Commission held public hearings on April 18, June 6, and July 18. Four public comments were received throughout the petition. At the July 18, 2022, meeting, the Plan Commission unanimously recommended approval of text amendments to create a definition for live entertainment, create certain administrative regulations for live entertainment including limiting the amount of floor space dedicated to the use, and to permit live entertainment as accessory (permitted) to a restaurant or wine boutique use in Business Districts.

It is staff’s recommendation: That the Ordinance be approved.

6B. Child Care Center (6880 North Frontage Rd)

Please find attached a letter from the Plan Commission recommending approval of a special use for a childcare center by Tom Allor of Premier IL Burr Ridge. The petitioner is in the process of acquiring Grand Avenue Preschool and Day Care which was approved for a special use for a childcare center in this location in 2020 (Ordinance A-834-02-20); the new ownership group is required to obtain a new special use. The Plan Commission held a public hearing on July 18, 2022, for the request; there were no public comments. The Plan Commission unanimously recommended approval with conditions which are detailed in the attached letter.

It is staff’s recommendation: That the Ordinance be approved.

6C. Child Care Center and Fence (6860 N. Frontage Rd)

Please find an Ordinance approving special use requests for a childcare center and fence in a non-residential district by Action Behavior Centers. The Board directed staff to prepare the Ordinance at the July 11 meeting.

It is staff’s recommendation: That the Ordinance be approved.

6D. Village Personnel Manual

On July 11, staff presented a draft revised Personnel Manual governing the Village’s human resource policies and practices. The Board provided a few revisions at that meeting which have been reflected in the final version, which is attached.

It is staff’s recommendation: That the Ordinance be approved.

6E. Falling Water Subdivision Improvement Agreement

The Falling Water First Addition Subdivision is the addition of five lots on the north side of Cascade Circle in the Falling Water Subdivision. The final plat for this subdivision was approved on July 23, 2018, and included the standard two-year completion deadline. The deadlines for the improvements, the subdivision agreement, and annexation agreement were extended in 2020, expiring July 23, 2022. At this time, the subdivision improvement construction has not yet begun, and additional two-year extensions are being requested. This property is owned by Oxford Bank as the original developer was unable to proceed with the subdivision; Oxford Bank is now attempting to find a developer to proceed with the proposed subdivision. If approved, the Ordinance would provide for an extension of development entitlements through December 31, 2024. This item is one of two agenda items related to this extension; the other is item 7C and is exactly alike in approval nature.

It is staff's recommendation: That the Ordinance be approved.

6F. Disposal by Salvage of Personal Property Owned by Village

State law requires that Village's publicly declare the sale of surplus property with real value prior to the sale of such assets; attached is an Ordinance declaring two assets as surplus and to be sold. The Village has customarily disposed of surplus equipment by auction to minimize efforts marketing the sale of items while maximizing revenue in their salvage value. The Department of Public Works has surplus equipment that could not be reasonably valued as a trade-in with the purchase of replacement equipment and serve no further purpose to fulfill their ongoing duties. The Village traditionally sells its surplus equipment using GovDeals.com, an on-line auction service exclusively for offerings by government agencies. This site has been used successfully by the Village, previously, as well as several local municipalities. Sales through this on-line auction incur no cost to the Village, since the buyer pays all fees as part of a purchase.

The following are recommended for sale on the on-line auction:

Asset ID	Year/Make/Model	Minimum Value
40636	2009 Morbark Brush Chipper	\$8,000
259U5111745132483	2004 Ver-Mac Arrow Board Trailer	\$250

Proceeds from this sale are expected to exceed the minimum value stated above and would be recorded as General Fund revenue for the current fiscal year.

It is staff's recommendation: That the Ordinance be approved.

7A. Officer Michael Cervenka 20 Years of Service Recognition

Officer Michael Cervenka reached a milestone anniversary on June 3, 2022. Special recognition will be given to Officer Cervenka for 20 years of service. A Resolution will be read and presented to Michael. The Resolution is attached.

It is staff's recommendation: That the Resolution be adopted.

7B. Sergeant John Helms 20 Years of Service Recognition

Sergeant John Helms reached a milestone anniversary on June 24, 2022. Special recognition will be given to Sergeant Helms for 20 years of service. A Resolution will be read and presented to John. The Resolution is attached.

It is staff's recommendation: That the Resolution be adopted.

7C. Falling Water Subdivision Improvement Agreement

The Fallingwater First Addition Subdivision is the addition of five lots on the north side of Cascade Circle in the Fallingwater Subdivision. The final plat for this subdivision was approved on July 23, 2018, and included the standard two-year completion deadline. The deadlines for the improvements, the subdivision agreement, and annexation agreement were extended in 2020, expiring July 23, 2022. At this time, the subdivision improvement construction has not yet begun, and additional two-year extensions are being requested. This property is owned by Oxford Bank as the original developer was unable to proceed with the subdivision. Oxford Bank is still attempting to find a developer to proceed with the proposed subdivision. If approved, the Resolution would provide for an extension of development entitlements through December 31, 2024. This item is one of two agenda items related to this extension; the other is item 6E and is exactly alike in approval nature.

It is staff's recommendation: That the Resolution be adopted.

8A. Outdoor Dining at Yolk (595 Village Center Drive)

Please find attached a letter from the Plan Commission recommending approval of a special use for outdoor dining by Gianluca Pesce and Taki Kastanis of Yolk. The petitioner is requesting to install an outdoor dining area adjacent to the permitted restaurant use. The Plan Commission held a public hearing on July 18, 2022, for the request; there were no public comments. The Plan Commission unanimously recommended approval with conditions which are detailed in the attached letter.

It is staff's recommendation: That the Board direct staff to prepare an Ordinance.

8B. Police Department Technology Upgrades

The FY2023 budget includes \$135,000 in ARPA funding to replace Police Department facility security and interview room technology systems. The current systems are original to the building; most of the hardware connected to the equipment has or will fail in the near future. The facility includes the following security systems:

- Interior video cameras
- Exterior pan/tilt/zoom (PTZ) video cameras
- Video monitors
- Access control (keycards and fob systems)
- Computer servers
- Interview room recording systems

Staff has obtained competitive pricing for the comprehensive replacement of this equipment. Two of the vendors, Secured State and AXON, were considered “sole source vendors” in that they offered a preferred type of product which were not found to have a comparable competitor on the market, and thus could not be comparatively bid. Secured State shall provide computer servers and related touchscreen maintenance monitors, access control, and certain software interfaces to the facility security system. AXON shall provide the interview room recording systems; the interview room recording system is bifurcated from the main facility security system due to the evidentiary nature of the recordings. While several interview room recording systems are present on the market, only the system offered by AXON works with Evidence.com, which is currently the same digital repository containing the Department’s body worn camera and smartphone video recordings. In addition, the DuPage County State’s Attorney’s Office has existing access to Evidence.com to receive digital case evidence from the law enforcement agencies within the County; thus, staff will no longer need to spend time downloading video files, burning said data to disks, mailing evidence, and in some cases repeating said process many times over. Overall, the AXON system provides a standardized evidence control system necessary for the efficient management of the Department.

The project will be managed by the Village’s information technology consultant Orbis Solutions; all billing shall originate from Orbis, thus the contract is being awarded in full to Orbis for practical management purposes.

The project’s total spending by segment is as follows:

AXON	\$14,364
Video hardware, software, and computer servers	\$100,024
<u>Orbis Solutions – labor and materials</u>	<u>\$20,000</u>
TOTAL	\$134,388

It is staff’s recommendation: The Board award the contract.

8C. Resignation Letter from Permit Technician Michelle Mahlan

Permit Technician Michelle Mahlan submitted a resignation letter to the Village on July 15, with her last day being July 29. A copy of the letter is attached.

It is staff’s recommendation: The Board accept the letter.

REGULAR MEETING
MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

July 11, 2022

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of July 11, 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 asked Carter Husarik to lead the Pledge of Allegiance.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Schiappa, Paveza, Snyder, Mital, and Smith. Trustee Franzese gave advance notice that he would not be attending the meeting as he would be out of town. Mayor Grasso was present. Also present were Village Administrator Evan Walter, Police Chief John Madden, Deputy Chief Marc Loftus, Public Works Director Dave Preissig, Community Engagement Analyst Hannah Weyant, and Village Attorney Mike Durkin.

PRESENTATIONS AND PUBLIC HEARINGS

Deputy Chief Ryan Husarik and Sergeant Kristopher Garcia were sworn into their new positions with the Burr Ridge Police Department by the Village Clerk.

CONSENT AGENDA – OMNIBUS VOTE

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

APPROVAL OF REGULAR BOARD MEETING MINUTES OF JUNE 13, 2022 were approved for publication under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE ECONOMIC DEVELOPMENT MEETING OF JUNE 8, 2022 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE PLAN COMMISSION MEETING OF JUNE 20, 2022 were noted as received and filed under the Consent Agenda by Omnibus Vote.

APPROVAL OF AN ORDINANCE AMENDING CHAPTER 8 (STORM WATER RUN-OFF) OF THE BURR RIDGE MUNICIPAL CODE (ADOPT COOK COUNTY WATERSHED MANAGEMENT ORDINANCE BY REFERENCE) AS AMENDED ON APRIL 7, 2022 the Board, under the Consent Agenda by Omnibus Vote, Approved the Ordinance.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
July 11, 2022

APPROVAL TO DIRECT STAFF TO PREPARE AN ORDINANCE APPROVING A PLAN COMMISSION RECOMMENDATION TO APPROVE A SPECIAL USE FOR A CHILD CARE CENTER AND A FENCE IN A NON-RESIDENTIAL DISTRICT (6860 NORTH FRONTAGE ROAD: ACTION BEHAVIOR CENTERS-Z-16-2022) the Board, under the Consent Agenda by Omnibus Vote, Approved the preparation of an Ordinance.

APPROVAL OF RECOMMENDATION TO AMEND AN ENGINEERING SERVICES CONTRACT FOR FINAL DESIGN AND CONSTRUCTION SUPERVISION OF THE ELM STREET CULVERT PROJECT TO HAMPTON, LANZINI AND RENWICK OF ELGIN IN THE AMOUNT NOT-TO-EXCEED \$184,230 the Board, under the Consent Agenda by Omnibus Vote, Approved the Recommendation.

APPROVAL OF RECOMMENDATION TO AWARD AN ENGINEERING SERVICES CONTRACT FOR DESIGN AND CONSTRUCTION SUPERVISION OF THE WOLF ROAD PEDESTRIAN CROSSING IMPROVEMENT PROJECT TO PATRICK ENGINEERING OF LISLE IN THE AMOUNT NOT-TO-EXCEED \$54,150 the Board, under the Consent Agenda by Omnibus Vote, Approved the Recommendation.

APPROVAL OF A SPECIAL EVENT PERMIT FOR THE MECCA CENTER 5K RUN/1K WALK ON SEPTEMBER 10, 2022 the Board, under the Consent Agenda by Omnibus Vote, Approved the Permit.

APPROVAL OF VENDOR LIST DATED JUNE 27, 2022 IN THE AMOUNT OF \$374,140.25 FOR ALL FUNDS, PLUS \$221,078.54 PAY PERIOD ENDING JUNE 11, 2022, FOR A GRANT TOTAL OF \$595,218.79, WHICH INCLUDES NO SPECIAL EXPENDITURES the Board, under the Consent Agenda by Omnibus Vote, Approved the Vendor List Dated June 27, 2022, and Payroll for the Period Ending June 11, 2022.

APPROVAL OF VENDOR LIST DATED JULY 11, 2022 IN THE AMOUNT OF \$122,424.97 FOR ALL FUNDS, PLUS \$198,376.54 PAY PERIOD ENDING JUNE 25, 2022, FOR A GRAND TOTAL OF \$320,801.51 WHICH INCLUDES NO SPECIAL EXPENDITURES the Board, under the Consent Agenda by Omnibus Vote, Approved the Vendor List Dated July 11, 2022, plus Payroll for the Period Ending June 25, 2022.

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

Motion was made by Trustee Snyder, 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 Snyder, Mital, Schiappa, Paveza, Smith

NAYS : 0 - None

ABSENT: 1 - Trustee Franzese

There being five affirmative votes the motion carried.

CONSIDERATION OF AMENDMENTS TO THE VILLAGE PERSONNEL MANUAL

Village Administrator Evan Walter gave an overview of the proposed amendments to the Personnel Manual which contains policies to establish, manage, and enforce its human resource functions. The manual is adopted by the Board and managed by the Village Administrator along with various designees, such as department heads, on a day-to-day basis. Originally adopted in 1990, the Village has occasionally made minor updates to the Manual but has not conducted a full-scale review of the Manual since 1990. The Village Administrator, Village staff, and Village Attorney spent the last several months conducting a comprehensive review of the Manual to ensure that these policies are reflective of modern law and human resource best practices while also creating a competitive employment environment for the Village to attract and retain quality employees. Numerous clarifying revisions are included in the new Manual, but for purposes of discussion, the following substantive changes to the Manual which may be germane to the Board's attention are noted:

- Specifies various Village officers' roles in managing the Manual, such as Elected Officials, Appointed Officials, and various staff levels (Section 1).
- Expands harassment policies to include a more robust complaint reporting and investigation process as well as formalize training standards (Section 2.3).
- Creates a Workplace Violence Policy. Defines "workplace violence" and the mediums in which violence may be conveyed (Section 2.4).
- Creates a Weapons Prohibition Policy; unless required to by nature of their job, employees and officers of the Village are prohibited from carrying any of the listed weapons (guns, knives, bombs, BB gun, harmful chemical agent, etc.) on Village property (Section 2.5).
- Strengthens Drug-Free Workplace policies, clarifies the unpermitted use of substances in workplace, and streamlines investigation procedures (Section 2.6)
- Adds Whistleblower Protections as defined by State law, wherein all employees are protected from retaliation or punishment when reporting workplace improprieties. Denotes to whom and how employees should make such reports (Section 2.14).
- Authorizes the Village Administrator and Board of Police and Fire Commissioners to hire employees without need for Board approval in the case of a vacancy, provided that the replacement employee is in the same department and of the same or lower salary range than the departing employee. Requires Board be notified of employee departures (Section 3.4).
- Establishes a Telework Policy; such a policy was administratively created during the COVID-19 pandemic and continues in use to present day (Section 3.10).
- Revises performance evaluation rating and established three performance evaluation ratings (Below Expectations, Meets Expectations, and Exceeds Expectations); creates 100-point rating system (ten standards specific to each job, 1-10

performance ratings for each standard). Consolidates (but does not substantively change) pay increase procedures; permits employees who are high- performers (Exceeds Expectations) to be eligible for merit increases and one-time bonuses beyond standard increases based upon Board direction (Section 3.13 and 3.14).

- Grants non-Department Head employees two weeks' vacation at the start of employment; past policy only allows employees to receive a small amount of vacation leave at six months and one year of employment (Section 5.3).
- Creates a Childbirth / Adoption Leave, wherein expectant parents are permitted to take up to 120 hours paid leave concurrent with FMLA if they experience the birth or adoption of a minor child (Section 5.5).
- Creates leave opportunities for employees experiencing child bereavement (Section 5.9), survivors of domestic or sexual violence (Section 5.12), attending school visitations (Section 5.13), and giving blood (Section 5.14), all as required by State law.
- Modernizes the Technology Policy and creates a Social Media Policy; Village establishes comment moderation policy for its social media platforms in the event of threatening, illegal, or other such commentary (Section 9).
- Streamlines employee travel reimbursement processes (Section 10.3).
- Establishes disciplinary options and procedures for administering discipline (Section 11).
- Establishes non-union grievance procedures (Section 14).

The Trustees commended the Village Staff and Village attorney on the well written document. Trustee Schiappa recommended that the policy manual be reviewed in a more consistent manner going forward, Mr. Walter agreed. Trustee Paveza asked about the telework policy, requesting that it should be revised so that the consent of the Mayor should be required prior to hiring. The Childbirth/Adoption leave was discussed, and it was decided to require that the leave must be taken at one time and could not be broken up in increments. Mayor Grasso said he was glad to see the addition on gun control and appropriate use.

Motion was made by Trustee Schiappa, seconded by Trustee Smith, to approve the Ordinance.

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

On Roll Call, Vote Was:

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

NAYS : 0 - None

ABSENT: 1 - Trustee Franzese

There being five affirmative votes the motion carried.

PUBLIC COMMENT

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

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
July 11, 2022

REPORTS AND COMMUNICATIONS

Trustee Mital mentioned that the Concerts on the Green would be held again at the Village Center on Thursday, and that more events were being planned.

Trustee Paveza commented on the swearing in ceremony of the Police Officers and that he was glad to see promotion from within.

Mayor Grasso encouraged residents to visit some of the new stores and restaurants that recently opened in Burr Ridge.

ADJOURNMENT TO CLOSED SESSION

Mayor Gary Grasso asked for a motion at 7:23 pm to Adjourn to Closed Session for the purpose of Setting a Price for Sale or Lease of Property Owned by the Village.

Motion was made by Trustee Snyder, seconded by Trustee Paveza 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 _____ day of _____, 2022.

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF JULY 18, 2022

I. ROLL CALL

The meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Village Hall Board Room, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 5 – Petrich, Broline, Morton, Stratis, and Trzupek

ABSENT: 2 – Parrella and McCollian

Commissioner Irwin arrived at 7:02 p.m.

Trustee Guy Franzese and Community Development Director Janine Farrell were also present.

II. APPROVAL OF PRIOR MEETING MINUTES – JUNE 20, 2022

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Broline to approve the minutes of the June 20, 2022 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 3 – Morton, Broline, and Petrich

NAYS: 0

ABSTAIN: 2 – Stratis and Trzupek

MOTION CARRIED by a vote of 3-0 with 2 abstentions.

III. PUBLIC HEARINGS

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearings on the agenda for the meeting. Chairman Trzupek noted that the agenda was very full and that the last three items, F, G, and H, would likely be continued to the following meeting.

A. Z-18-2022: 6880 North Frontage Rd. (Premier IL Burr Ridge, LLC); Special Use and Findings of Fact

Chairman Trzupek asked for a summary of the petition. Director Farrell stated that the petitioner, Tom Allor of Premier IL Burr Ridge LLC, is in the process of taking over Grand Avenue Preschool and Day Care which has an existing special use. The petitioner will operate the same business as Grand Avenue, utilizing the same space, enrolling the same number of children,

having the same employees, the same parking area, the same fenced play area, and the same pick-up/drop-off schedule. Grand Avenue was approved for a child care center in this location in 2020. Conditions #1 and #3 of that approved Ordinance stipulate that the special use was limited to Nancy Hayes and her business partners operating Grand Avenue. The petitioner, as the new tenant and owner of the business, must obtain a new special use for the child care center. Staff is recommending that the same conditions be applied to this request with the exception of condition #5 which was satisfied.

Chairman Trzupek confirmed that special uses are conditioned for that particular business at that time, that there are no changes in operation, and that no complaints have been received about the business. Chairman Trzupek asked if the petitioner was present. The petitioner, Dave P. from Premier, stated that everything was accurate and had nothing to add.

Chairman Trzupek asked for public comment. There was none. Chairman Trzupek asked for Commissioner discussion.

Commissioner Morton had no questions since it was essentially the same business and believes it is an asset to the community.

Commissioners Stratis and Broline had no comments or questions.

Commissioner Petrich asked about condition #5 and confirmed that the petitioner will still be required to follow the parking plan.

Commissioner Irwin and Chairman Trzupek did not have any questions or comments.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to close the public hearing for Z-18-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Broline, Stratis, Morton, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to recommend approval of Z-18-2022, a special use for a child care center pursuant to Zoning Ordinance section X.E.2 and Ordinance #A-834-02-20, with Findings of Fact, and subject to the following conditions:

1. The special use shall be limited to Premier IL Burr Ridge LLC in a manner consistent with the submitted business plan included as Exhibit A.
2. The special use shall be limited to the 5,000 square feet of floor area shown within the business plan at 6880 North Frontage Road included as Exhibit A.
3. The special use shall be limited to Tom Allor and his business partners and shall expire at such time that Mr. Allor and his business partners no longer occupy the space at 6880 North

Frontage Road or at which time there is an assignment or termination of the lease for the space at 6880 North Frontage Road.

4. The capacity of the special use shall be limited to 80 children on the premises.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Broline, Morton, Petrich, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

B. Z-19-2022: 595 Village Center Drive (Kastanis/Yolk); Special Use and Findings of Fact

Chairman Trzupek introduced the case and asked for a summary. Director Farrell stated that the petitioner is Yolk, which is operating an existing restaurant in the Village Center and requesting to have outdoor dining. Outdoor dining in this building requires a special use permit. The outdoor dining area will be located along Lifetime Drive and to the side of the main entrance. An in-depth analysis of the outdoor dining plan was provided in the packet, but in all respects, it complies with Zoning Ordinance regulations. Staff recommends seven conditions, including prohibiting platted, sit-down meals from being served at the coffee bar walk-up counter.

Chairman Trzupek clarified with staff that this building and location was not part of the entertainment district and therefore a special use was required for the outdoor dining. Chairman Trzupek asked if the petitioner was present and wished to add anything. The petitioner, Peter Chabot, the Regional Manager for Yolk's Chicagoland locations, stated that added pavement will provide safe passage of pedestrians, there would be 42 seats, and no alcohol will be served.

Chairman Trzupek asked for public comments. There was none. Chairman Trzupek asked for Commissioner discussion.

Commissioner Irwin had no comments or questions.

Commissioner Petrich confirmed that the umbrellas are weighted, and floor supported. The petitioner confirmed four total umbrellas. Commissioner Petrich asked about off-season storage of furniture. The petitioner stated that all furniture would be stored off-site.

Commissioner Broline asked about live entertainment and music within the outdoor dining area. Chairman Trzupek confirmed that the draft language for live entertainment states that it cannot be outside. The petitioner stated that music volume can be adjusted for the outdoor area.

Commissioner Stratis confirmed with the petitioner that the fence would be permanent and that no advertising would be on the umbrellas.

Commissioner Morton commented on the new pavement area and believed that 2% is the permitted cross-slope in IDOT accessibility guidelines. The petitioner stated that he can review

and follow-up regarding ADA accessibility guidelines. Commissioner Morton requested a condition be added about grading and cross-slope compliance.

Chairman Trzupek agreed with Commissioner Morton's comments and stated that the information about the new pavement area was not clear on the plans.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Irwin to close the public hearing for Z-19-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Petrich, Irwin, Broline, Morton, Stratis, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Irwin to recommend approval of Z-19-2022, a special use for outdoor dining at a permitted restaurant pursuant to Ordinance #A-834-10-05 and Zoning Ordinance sections VIII.A and VIII.C, with Findings of Fact, and subject to the following conditions:

1. The special use for a restaurant with outdoor seating shall be limited to Gianluca Pesce, Taki Kastanis, and their business partners of Yolk Restaurant and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plan.
3. Music and all other amplified sound originating from the restaurant should be kept to a level so as not to be audible from residential units.
4. Tables shall be cleaned promptly following use.
5. Furniture and umbrellas shall be weighted to prevent their movement in the wind.
6. Outdoor food preparation, storage, or display is prohibited.
7. Plated food for sit-down service shall not be served at the outdoor walk-up coffee bar/counter.
8. All grades and cross-slopes shall be in compliance with Americans with Disabilities Act (ADA) requirements.

ROLL CALL VOTE was as follows:

AYES: 6 – Petrich, Irwin, Broline, Morton, Stratis, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

C. Z-20-2022: 11731 87th Street (McNaughton Development LLC); Re-zoning and Findings of Fact

Chairman Trzupek asked for a summary of the petition. Director Farrell stated that the petitioner, McNaughton Development LLC, seeks to rezone the property located at 11731 87th Street from the R-1 zoning district to the R-3 zoning district. The petitioner's future intent is to develop the site for a 20-lot subdivision. The subdivision is not part of tonight's request, but a conceptual site plan was provided. The property is adjacent to the Highland Fields Subdivision which is zoned R-3 to the north and R-2A to the west. For the first Findings of Fact, uses within the general area, the petitioner's request for single-family residential is in compliance. For the second Findings of Fact, the zoning designations in the area, there is R-3, R-2A, unincorporated Cook County R-1 to the east, and Village of Willow Springs SR-1 to the south. For the third Findings of Fact, the suitability of the property for uses permitted under the zoning district designation, the property is currently developed for single-family residential and the 15-acre site could support more than one home since there are utilities in the area. For the fourth Findings of Fact, the trend of development in the area, staff compared 2002 to 2022 aerial imagery illustrating the development of the Highland Fields Subdivision. The trend in development since the property was placed into its current designation in 2005 has been towards residential subdivision developments. For the fifth Findings of Fact, compliance with the Comprehensive Plan, while the petitioner's request for single-family residential complies with the Comprehensive Plan's future land use map, the goals and objectives #1.1 states, "maintain and encourage low density residential developments with a variety of lot sizes. Lot sizes are encouraged to be 30,000 square feet or larger." The R-3 zoning district minimum lot size is 20,000 sq. ft., R-2B is 30,000 sq. ft., and the adjacent R-2A is 40,000 sq. ft.

John Barry of McNaughton Development LLC stated that the properties in the area are single-family residential primarily within Burr Ridge and reiterated the surrounding zoning districts. The R-1 zoning is the default zoning when the property was annexed and is obsolete and impractical due to the cost to extend utilities and current development trends. This is evidenced by the final phase of Highland Fields to the west, platted in 2016, where only one lot has been sold and there are still three vacant lots on Heritage Dr. from the first phase. The big home on the big lot as a status symbol is now out and too expensive to build, maintain, and not a lifestyle someone wants. For the trend of development in southwest Burr Ridge, 834 acres total, there are five zoning districts: 90 acres of R-1, 244 acres of R-2, 34 acres of R-2B, 332 acres of R-3, 131 of R-4 which is an old zoning district; 55% is R-3. This will be a high-quality, low-density subdivision which will be a complement to the area and meet today's needs.

Chairman Trzupek confirmed that the re-zoning is the only request on the agenda for tonight and that the concept plan is helpful, but not under consideration and can change.

Chairman Trzupek asked for public comment.

Mark Thoma, 7515 Drew, stated that 87th Street is the dividing line between R-3 and R-2 properties. R-2A zoning is not obsolete and new homes are being built on R-2A properties in his neighborhood.

Frank Hojjat, Highland Fields HOA Board member, stated that everyone is against the proposal. Mr. Hojjat lives adjacent and is zoned R-2A. Mr. Hojjat stated that his home value will go down if the development is built. Mr. Hojjat stated that 87th Street is congested, and the street should be widened.

Mak Maheronnaghs, president of the HOA, stated that there are issues with 87th Street congestion and this increase in density will make the problems worse.

Beatrice Mologousis, HOA Board member, stated that the properties on Oak Knoll also use 87th Street. Ms. Mologousis stated that building smaller homes would affect the property values of the larger homes that are to the south of 87th Street. Ms. Mologousis stated that R-3 is to the north of 87th Street and with the 40% of R-3 in the area, no more is needed.

Kristina Bryndal, 8501 Oak Knoll, stated that all homes beyond the gate on Oak Knoll are on 5 acres and are larger homes. Ms. Bryndal welcomes new development, but it should keep within the same sizes of the lots that are already there and the same value of the homes that are there.

John Moskal, 8721 Stark Dr., owns multiple properties along Stark Dr. Mr. Moskal is concerned about the stormwater in the area and that the water run-off from the proposed development would wash onto his property. With the increase in density, water that normally filters into the ground would no longer be able to. The Comprehensive Plan calls for consideration about stormwater. Chairman Trzupek stated that stormwater is not under consideration tonight, but any development's detention must account for the stormwater and the property cannot release more water than it does today.

Ben Shipper, 8800 County Line Road, stated that people are generally in favor of development but that it needs to keep within the existing level of density and the existing zoning. The traffic will be increased on 87th Street with this proposal.

John Barry stated that the homes will be \$1.2M to \$1.5M and not a detriment to surrounding property values.

There was no additional public comment.

Chairman Trzupek asked for Commissioner discussion.

Commissioner Morton confirmed with Chairman Trzupek that only R-3 was being requested and the request could not be changed. Commissioner Morton did not support 20,000 sq. ft. lots and would support R-2B over R-3.

Commissioner Stratis stated that engineers will review the stormwater numbers as part of the development. Commissioner Stratis did not agree with the property value or marketability comments made by the developer. Commissioner Stratis supported R-2A for the property. The community's stated goal is for larger size lots especially over 30,000 sq. ft. and smaller lots are available in other communities. Commissioner Stratis asked about a boundary agreement with Willow Springs for the properties along Stark Dr. Director Farrell stated that she does not believe

there is a current boundary agreement for that area. Commissioner Stratis confirmed that the properties on Oak Knoll are zoned R-2A with one R-1 property on 87th Street. Commissioner Stratis did not support R-3.

Commissioner Broline stated that since 1998 the Plan Commission and Board of Trustees have discussed the area and mentioned R-2B which permits 30,000 sq. ft. lots.

Commissioner Petrich does not support R-3 for the property due to the surrounding zoning and lot sizes in Burr Ridge, Willow Springs, and unincorporated Cook County.

Commissioner Irwin agreed with previous comments. Commissioner Irwin noted the petitioner's numbers that stated 56% of the area is R-3 or R-4 and more dense than Comprehensive Plan suggests. Commissioner Irwin believes that this trend should not be continued. Burr Ridge has seen larger homes built on larger lots recently. There is a lot of traffic at the intersection of 87th Street and County Line Rd. and a traffic light may be needed with an increase in density. The Comprehensive Plan also calls for the preservation of trees and green space. The concept plan shows all the trees being removed which is inconsistent with the Comprehensive Plan. Commissioner Irwin does not recommend R-3.

Chairman Trzupek cannot comment on marketability and if the Comprehensive Plan is out of date in terms of market trends, but R-3 is not consistent with the area. Chairman Trzupek could see R-2B as a transition. R-3 is to the north, but south of 87th Street has larger lots.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to close the public hearing for Z-20-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Irwin, Morton, Broline, Petrich, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Morton to recommend denial of Z-20-2022, a request to re-zone the property as per Section VI.F of the Zoning Ordinance from the R-1 Single-Family Residence District to the R-3 Single-Family Residence District.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Morton, Broline, Petrich, Irwin, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

D. V-03-2022: 10S675 Glenn Dr. (Rohan); Variation and Findings of Fact [CONTINUED FROM JUNE 20, 2022]

Chairman Trzupek asked for a summary of the petition. Director Farrell stated that the case was continued from June 20 since only four Zoning Board of Appeals members were present and four affirmative votes were required to approve the request. The request was amended from 5 ft. to 10 ft. for the setback. The petitioner is requesting to permit a detached garage within the corner side yard area and within the corner side yard setback. The proposed garage would be located 10 ft. from the 94th Street property line.

Chairman Trzupek asked if the petitioner was present. Judith Rohan, property owner, stated that a second garage must be built and for a variety of reasons it cannot be located in the rear yard. Ms. Rohan must have access to a detached garage and if it is located in the rear yard, she would not have access to it due to the slope. A location in the side yard would permit easy access. Ms. Rohan read from an article about the Fair Housing Act (FHA) 1988 amendment, "while the Act prohibits intentional discrimination, it also prohibits other forms of discrimination in zoning including zoning laws which although neutral on their face have a disparate impact on persons with disabilities. And it also prohibits the failure of municipal officials to reasonably accommodate the needs of persons with disabilities." Ms. Rohan stated that her request is reasonable, no neighbors have objected, and asks that it be accommodated.

Chairman Trzupek asked for public comment. There was none. Chairman Trzupek asked for Commissioner discussion.

Commissioner Morton stated that he is unsure how to interpret the FHA. Commissioner Morton reiterated his comment made at the prior meeting asking why the existing garage cannot be used. Ms. Rohan said that the accessible van will be in the existing garage but the items in the existing garage will need to be moved. Commissioner Morton did not support violating the integrity of the Zoning Ordinance and permitting the garage outside the buildable area. Commissioner Morton understood there are grading challenges but believes they can be overcome. There have been improvements made to the home, but he does not believe that those rise to the level of a hardship. Ms. Rohan stated that when the improvements were made, she did not need the accessible van.

Chairman Trzupek stated that a variation requires a hardship and that the petitioner is requesting an accommodation under ADA. Chairman Trzupek asked if there is latitude to accommodate a hardship using ADA. Director Farrell stated that would require a legal opinion. Ms. Rohan stated that the hardship is her inability to access the building if it is within the area the Zoning Ordinance allows.

Commissioner Stratis does not have issue with what is looking to be done but cannot approve the request without a hardship. Commissioner Stratis stated that the property was purchased with the steep slope. Ms. Rohan stated that she was not disabled when the property was purchased. Commissioner Stratis asked if any other neighbors commented on the request, specifically the neighbor to the south. Director Farrell spoke with a neighbor who expressed concern about the request, but no official comments were received. Commissioner Stratis clarified where the proposed garage would be located in relation to the hammerhead turnaround.

Commissioner Broline did not have anything additional to add.

Commissioner Petrich agreed with the comments made.

Commissioner Irwin needed more evidence that there is no way to comply with the Zoning Ordinance regulations. Commissioner Irwin stated that impacting the deck is not a hardship. Ms. Rohan stated that a builder denied doing anything in the rear slope area and building on the other side of the house would make it difficult to access. The accessible van will not always be used, and an additional vehicle needs to be housed in a separate garage with close access. Commissioner Irwin asked about expanding the existing attached garage. Ms. Rohan stated that a bathroom and closets would be lost if the garage was extended. Commissioner Irwin requested a floorplan to see how the attached garage expansion would impact the interior of the home. Chairman Trzupek and the petitioner discussed the interior floorplan and how the expansion of the garage would impact it.

Commissioner Stratis asked about expanding the attached garage to the south. Director Farrell confirmed that any expansion to the south would require a variation since it would be within the setback.

Chairman Trzupek discussed alteration of the interior of the home to accommodate the expansion of the attached garage. Chairman Trzupek did not find a hardship based upon the land and has not seen a hardship based upon ADA accommodations. Chairman Trzupek requested the Village Attorney's position on it.

There was discussion about whether to proceed to a vote or table the request. The Commission agreed to vote and have the case proceed to the Board of Trustees. The Commission stated that they are a recommending body and the Village Attorney will be consulted for an opinion prior to the Board meeting.

Commissioner Petrich asked about the vinyl sided garage and brick house and if there were regulations in place which required the structures to match. Director Farrell confirmed that there was not a requirement. Commissioner Petrich requested that the size discrepancy between the site plan and the text be clarified. Chairman Trzupek stated that it was not necessary.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Petrich to close the public hearing for V-03-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Petrich, Broline, Morton, Irwin, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to recommend denial of V-03-2022, a request for variations to permit a detached accessory building (garage) within the corner side yard area and within the corner side yard setback, from 30 ft. to 10 ft., pursuant to Zoning Ordinance Sections IV.I.1, VI.F.7.a, IV.H.4, and IV.H.7.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Petrich, Broline, Morton, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

E. Z-08-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM APRIL 18 & JUNE 6, 2022]

Chairman Trzupek asked for a summary of the petition. Director Farrell stated that this is the third iteration before the Commission. The most recent Commission requests included to modify the definition. The first sentence of the draft definition has been removed and the remainder modified as presented. The Board's direction was that live entertainment should be permitted as accessory to the restaurant use which is how the language has been drafted. The wine boutique language was clarified and shortened. For the overall regulations for live entertainment, they are the same as proposed in June, but the area dedicated to live entertainment has been reduced to 10% based upon what had been discussed in June.

Chairman Trzupek was supportive of the language and having live entertainment as an accessory use, but is concerned about the definition of a restaurant. Director Farrell read the definition for a restaurant, "an establishment that serves unpackaged food and beverages in individual servings, or in nondisposable containers to customers who consume these foods while seated within the building." Chairman Trzupek wanted to prohibit a primarily live entertainment venue because it could impact traffic. Chairman Trzupek would like to see primarily a sit-down restaurant with live entertainment, not a music venue that has food.

Chairman Trzupek asked for public comment.

Nick Esposito, representative for Are We Live, stated that Are We Live serves small plates and wanted to confirm it is a restaurant. Chairman Trzupek stated that there is a loose definition of a restaurant and would like this to be reviewed. Mr. Esposito asked for clarification if someone is broadcasting a sporting event. Director Farrell clarified that playing a sports broadcast on TV is not considered live entertainment and would be permitted. Mr. Esposito commented that the DJ at Are We Live plugs into the system and may have another speaker or two. Chairman Trzupek stated that Mr. Esposito may question if a DJ playing through the speakers is live entertainment, but the Commission states that it is through the draft language.

Chairman Trzupek asked for Commissioner discussion.

Commissioner Irwin clarified the Board's direction. Chairman Trzupek stated the Board would prefer live entertainment to be an accessory use, but it is the Commission's call and is still open to the Commission's recommendation. Chairman Trzupek personally would prefer to have a good definition and allow it as an accessory use. Commissioner Irwin supports keeping live entertainment as a special use and supports the definition.

Commissioner Petrich supports the definition. Commissioner Petrich stated that all other municipalities besides LaGrange require a special use and supports keeping live entertainment as a special use in line with other towns. Chairman Trzupek stated that he does not know how other towns define live entertainment.

Commissioner Morton asked for the Chairman to restate a previous comment. Chairman Trzupek stated that with a tight definition of live entertainment, he would support it as an accessory use. If there was no definition, then it should be a special use.

Commissioner Broline stated that at the last meeting, he wanted to keep live entertainment as a special use to have more control but has changed his position. Commissioner Broline stated that permitting it as accessory allows for confidence in expectations and if someone exceeds the regulations then they could make a request through the Plan Commission.

Commissioner Stratis supports the final language and had suggested the 10% provision which is appropriate. Commissioner Stratis stated that if someone wants more, they can request it through the Commission.

Commissioner Morton asked if live entertainment should end before closing hours. Commissioner Morton questioned if "lewd" and "overtly sexual" should be subject to definitions themselves or if that is overkill. Commissioner Morton supported live entertainment as an accessory use with the smaller square footage of floor space. Director Farrell stated that there could potentially be a definition but not having a definition allows for the staff interpretation of what someone is proposing. If a determination is made and if the petitioner disagrees, that appeal could be brought forward to the Commission. There is language regarding adult type uses which could help guide the definition. Closing hours could be up to the Commission for discussion.

Chairman Trzupek asked if "similar activity" would apply to that same staff interpretation process. Director Farrell stated that it would and it allows for similar uses which may not be expressly listed.

Commissioner Irwin noted that the definition of "overtly" implies secretive acts and recommends striking that language. Commissioners Stratis and Morton agreed to remove "overtly" from the definition.

Commissioner Petrich suggested 50 sq. ft. for the floor space dedicated to the live entertainment area. Other Commissioners felt that was very restrictive. There was discussion about limiting the floor space and if that was to eliminate dancing as an option. Commissioner Irwin and Director Farrell confirmed that current Zoning Ordinance regulations separate live entertainment from

dancing. The Commissioners agreed that a 10 ft. x 10 ft. area or 100 sq. ft. would be more appropriate for a live entertainment area.

Mark Thoma, 7515 Drew, asked for clarification on the 10% limitation. Director Farrell and Commissioner Irwin confirmed that it is the percent of the floor space dedicated to patrons, not the entire space.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to close the public hearing for Z-08-2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Irwin, Petrich, Broline, Morton, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to recommend approval of Z-08-2022, a request to consider text amendments to Sections VIII.A, VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts. The Commissioners agreed to strike "overtly" from the language and add "10% or 100 sq. ft., whichever is less" to the language.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Stratis, Petrich, Broline, Morton, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

F. Z-11-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 16 & JUNE 6/20, 2022]

G. Z-13-2022/S-01-2022: Sign Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 16 & JUNE 6/20, 2022]

H. Z-12-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM JUNE 6, 2022]

Chairman Trzupek asked if the Plan Commissioners agreed to continue the three cases until August 1, 2022.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to continue the public hearings for Z-11-2022, Z-13-2022, and Z-12-2022 until August 1, 2022.

ROLL CALL VOTE was as follows:

AYES: 6 – Irwin, Petrich, Stratis, Broline, Morton, and Trzupek
NAYS: 0

MOTION CARRIED by a vote of 6-0.

V. CORRESPONDENCE

There were no comments on the Board or Building reports.

VI. OTHER CONSIDERATIONS

There were no other considerations.

VII. PUBLIC COMMENT

There were no other public comments.

VIII. FUTURE MEETINGS

Commissioner Broline is the scheduled representative for the July 25 Board of Trustees meeting.

Director Farrell briefly mentioned the upcoming cases scheduled for August 1, 2022 which included the continuation of Z-11-2022, Z-13-2022/S-01-2022, and Z-12-2022 from this agenda and the continuation of Z-10-2022. Director Farrell did not have an update on Thorntons.

Commissioner Stratis offered to be the Plan Commissioner representative for the August 8 Board of Trustees meeting.

Director Farrell briefly mentioned the upcoming cases scheduled for August 15, 2022 which included the continuation of Z-17-2022 and a new petition for revised outdoor dining at Coopers Hawk.

Commissioner Irwin stated that he will be out of town for the August 15th meeting but could participate by Zoom if necessary.

IX. ADJOURNMENT

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Irwin to adjourn the meeting at 8:54 p.m.

ROLL CALL VOTE was as follows:

AYES: 6 –Morton, Irwin, Broline, Petrich, Stratis, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Respectfully Submitted:

Janine Farrell, AICP
Community Development Director

ORDINANCE NO. A-834-xx-22

AN ORDINANCE AMENDING SECTIONS VIII.A, VIII.B, VIII.C, and XIV.B OF THE ZONING ORDINANCE TO DEFINE "LIVE ENTERTAINMENT" AND TO PERMIT "LIVE ENTERTAINMENT" AS ACCESSORY TO CERTAIN USES IN THE BUSINESS DISTRICTS.

(Z-08-2022: Text Amendment - Live Entertainment)

WHEREAS, an application for a text amendment to the Village of Burr Ridge Zoning Ordinance has been filed with the Community Development Director of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held three public hearings on the question of granting said text amendment on April 18, June 6, and July 18, 2022, at the Burr Ridge Police Department and Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in The Doings Weekly, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for a text amendment to the Burr Ridge Zoning Ordinance, including its findings and recommendations, to

this Mayor and Board of Trustees, and this Mayor and Board of Trustees has duly considered said report, findings, and recommendations.

NOW THEREFORE, Be It Ordained by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This Mayor and Board of Trustees find that the granting of the proposed text amendment indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

Section 2: That this Mayor and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the recommendation is to amend Sections VIII.A, VIII.B, VIII.C, and XIV.B to define "live entertainment" and to permit "live entertainment" as accessory to certain uses in the Business Districts.
- B. That the amendments described are consistent with the purpose and intent of the Zoning Ordinance.

Section 3: That Section VIII.A.12 Live Entertainment shall be added from the text included as **Exhibit A** in this Ordinance in their entirety as new guidelines for live entertainment.

Section 4: That a definition for live music be added to Section XIV.B which defines Live Entertainment as

LIVE ENTERTAINMENT: Any one or more of any of the following, performed live by one or more persons: (1) musical act (including karaoke); (2) theatrical act (including stand-up comedy or performance art); (3) play; (4) revue; (5) performance or theatrical dance; (6) magic act; (7) disc jockey; or (8) similar activity. Lewd or sexually suggestive acts or dance are prohibited. Live entertainment does not include television, radio, closed circuit or Internet broadcasts of live entertainment.

Section 5: That live entertainment shall be permitted as accessory to restaurant or wine boutique uses as detailed in Sections VIII.B and VIII.C and included in **Exhibit A**.

Section 6: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 25TH day of JULY, 2022, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as

follows:

AYES: -

NAYS: -

ABSENT: -

APPROVED by the Mayor of the Village of Burr Ridge on this
25TH day of JULY, 2022.

Mayor

ATTEST:

Village Clerk

ORDINANCE EXHIBIT A



BURR RIDGE ZONING ORDINANCE

SECTION VIII BUSINESS DISTRICTS

A. GENERAL PROVISIONS

1. Permitted Uses

- a. No building, structure, or tract of land shall be devoted to any use other than a use permitted hereinafter in the zoning district in which such building, structure, or tract of land shall be located, with the exception of the following:
 - (1) Uses lawfully established on the effective date of this Ordinance. Uses already lawfully established on the effective date of this Ordinance and rendered non-conforming by the provisions shall be subject to the regulations of Section XII.
 - (2) Special uses as allowed in each district.
- b. All business establishments shall be retail trade, office or service establishments dealing directly with consumers and all goods produced on the premises shall be sold on the premises where produced; provided, however, if the premises are less than 3,000 square feet in size and both sells and produces such goods on the premises, such goods may also be sold off-premises as well.

2. Bulk Requirements

Bulk requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development. In addition, no building or structure shall be converted so as to conflict with, or further conflict with, the bulk requirements of the district in which such building or structure is located.

3. Yard Requirements

Yard requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development.

4. Operation Within Enclosed Buildings

All business, service, storage, merchandise display, repair, and processing, where allowed, shall be conducted within a completely enclosed building, except as follows:

- a. Outdoor activities are permitted for uses which by definition require outdoor activities such as parking and loading areas, automobile service stations, car washes, or recreation areas for child care centers and nurseries.
- b. Outdoor activities listed as special uses, such as outdoor dining areas, drive-through windows, and outdoor displays of merchandise, may be approved by the Board of Trustees upon recommendation from the Plan Commission subject to Section XIII, herein.



- c. Temporary (for a limited duration of time) outdoor activities may be permitted subject to written approval by the Community Development Director. Such activities shall not include any permanent improvements, buildings, or structures. Outdoor activities which may be permitted include festivals, tent sales, or seasonal sidewalk sales.

5. Outdoor Dining

Restaurant outdoor dining areas, when permitted as a special use, shall be subject, at a minimum, to the following:

- a. The dining area shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant;
- b. Door to the dining area shall be self-closing;
- c. Tables shall be cleaned promptly following use;
- d. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- e. Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;
- f. No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant;
- g. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
- h. Outdoor food preparation, storage or display is prohibited;
- i. Hours of operation of an outdoor dining area shall be as specifically approved by the Village.

6. Nuisances

Processes and equipment employed, and goods processed or sold, shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste, or any other environmental reason. All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products, shall conform with the performance standards established in this Ordinance for Manufacturing Districts, provided that performance standards shall in every case be applied at the boundaries of the lot on which such activity takes place.

7. Parking and Loading

- a. With the exception stated below regarding delivery trucks of a business establishment, parking of trucks in the open shall be prohibited. Trucks making deliveries to the business premises shall make deliveries only at loading docks where provided and, if there is no loading dock, such trucks may park only for such time as is necessary to complete the delivery.
- b. Delivery trucks for a business establishment may be parked overnight on a property within the B-1 or B-2 Districts subject to the following:
 - 1. Parking of delivery trucks shall be limited to two per business



establishment.

2. A delivery truck as defined for purposes of these regulations shall not exceed 24,000 pounds.
3. Delivery trucks shall be parked in an employee parking lot designated at the time of the site plan approval or in the rear of the business establishment. However, if the rear of the business establishment adjoins a residential district, said delivery trucks shall be screened from view from the residential district or parked to the side of the principal building. Under no circumstances shall a delivery truck be parked between the principal building and the front or corner side property line.

- c. Off-street parking and loading shall be provided in accordance with the regulations established in Section XI of this Ordinance.

8. Signs

All signs shall comply with the applicable provisions of the sign regulations of the Burr Ridge Municipal Code (such Sign Ordinance shall not be construed as being incorporated herein).

9. Building and Site Plan Review

- a. Due to the need to protect valued natural resources and the integrity and environment of the Village's residential neighborhoods, traffic congestion and safety conditions and the land-use character of key intersections, areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. Therefore, all petitions for rezoning to the B-1 or B-2 Districts, all requests for special use approval pursuant to Sections VIII.B.2 and VIII.C.2 herein, and all applications for building permits for the construction of new buildings, building additions, structures, parking lots, and fences within the B-1 or B-2 Districts, shall be subject to building and site plan review and approval. Any building, structure, and site development must comply strictly with the approved site plan, and any building or occupancy permit will not be issued, or will be revoked if already issued, if the development does not strictly comply with the approved site plan.
- b. The site plan shall indicate the locations of proposed and existing buildings and structures and any proposed new additions to the existing buildings and structures, properly arranged facilities, water detention and drainage facilities, landscaping, buffering to adjacent residential areas, and such other buffering or features as are necessary or appropriate to fit harmoniously with the character, use and zoning of adjoining and surrounding properties and to avoid any appreciable adverse effect upon such properties. Such site plan shall also include and/or be accompanied by the documents and information required under Section XIII of this Ordinance. The Plan Commission, in its discretion, may waive the requirement of submitting any or all such information in connection with applications for approval of site plans for uses in the Business Districts.
- c. Such building and site plan and any accompanying documents or information, shall be filed with the Community Development Director. The Community Development Director shall schedule the building and site plan for review by the Plan Commission and shall provide notice of the Plan Commission's scheduled review in compliance with established procedures



for notice of Plan Commission public hearings.

- d. The Community Development Director shall refer such building and site plan and documents to the Plan Commission and the Village Engineer, Village Forester, and Building Commissioner for review. The Plan Commission shall review the report of the Community Development Director and the findings of the Village Engineer, Village Forester and Building Commissioner at the first meeting following receipt of a report of their findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed site plan, or approve it with modification, or shall refer the site plan back to the Plan Commission for reconsideration or modification. The Plan Commission's recommendation to approve and the Board's approval of building and site plans may be conditioned on future approval of revised landscaping plans or engineering, as may be needed due to required site plan modification.
- e. All exterior building facades in the Business Districts shall be of high quality materials that may include but are not limited to brick, natural stone, precast stone, architectural pre-cast panels, or glass. The use of plastic siding, vinyl siding, or aluminum siding and the use of engineered stucco systems, including but not limited to those commonly known as "Dryvit" or exterior insulation and finish systems (EIFS) are discouraged as exterior building façade materials for all buildings in the Business Districts. Traditional cement based stucco may be used as an exterior building material subject to the following restrictions:
 - 1. The majority of a building's façade should be brick, natural stone, pre-cast stone architectural pre-cast panels, or glass.
 - 2. The first 8 feet from the top of the building's foundation should be brick, natural stone, pre-cast stone, or architectural pre-cast panels with the intent of creating the appearance of a strong building foundation.
 - 3. Stucco shall be installed as per the manufacturer's specifications. (9e added by Ordinance A-834-01-12).

10. Landscaping and Buffering

- a. All required parking areas, yards or other required open spaces shall be appropriately landscaped in accordance with Section XI.C.11 and with landscaping plans submitted to and approved by the Village, and thereafter shall be maintained in such a manner as to retain the intended standards of the approved landscaping plan and to conform to the landscaping requirements of the Village. As part of Subsection VIII.A.9, Site Plan Review will include the review of proposed landscape design and improvements. The proposed landscaping plan shall be filed with the Community Development Director, who shall then refer it to the Plan Commission and the Village Forester for review. The Plan Commission shall review the report of the Community Development Director and the findings of the Village Forester at the first meeting following receipt of said report and findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed plan, or approve it with modifications, or shall refer the plan back to the Plan Commission for reconsideration or modification.



- b. For any development of a property within a Business District which adjoins or is across the street from a Residential District, a fence or wall of architectural design approved by the Village and not less than five nor more than six feet in height, or a densely planted tree or shrub hedge, initially not less than five feet in height, shall be provided along the entire length of the property line which adjoins or is across the street from the Residential District. The proposed method of buffering shall be considered as part of the site plan review process herein set forth. The decision whether to require a wall, fence, trees, or shrub hedge shall be made by the Village based on site considerations. No occupancy permit shall be issued until the required screening has been completed in strict accordance with the approved plan.

11. Hours of Operation for Business Uses

- a. The hours of operation for all uses within the B-1 and B-2 Districts shall not exceed 7 A.M. to 10 P.M. except as otherwise allowed herein.
- b. Any business use in the B-1 or B-2 District may request special use approval in accordance with the procedures and requirements outlined in Section XIII of this Ordinance.
- c. The hours of operation for restaurants with liquor licenses shall be as follows and subject to the terms and conditions as follows:
 - 1) The closing time for restaurants with liquor licenses shall be 12:00 Midnight on Sundays, Mondays, Tuesdays, and Wednesdays; 1:00 AM on Thursdays (i.e. Friday at 1:00 AM); and 2:00 AM on Fridays and Saturdays (i.e. Saturday and Sunday at 2:00 AM). Except however, on December 31 of each year the permitted closing time shall be extended to 2:00 AM regardless of the day of the week (i.e. 2:00 AM on January 1).
 - 2) Restaurants with liquor licenses shall provide service of food prepared on-site up to a minimum of one hour before closing.
 - 3) Nothing herein shall supersede the requirements for such uses to obtain special use approval as required by Sections VIII.B.2 and VIII.C.2, herein.
(Amended by Ordinance A-834-03-12).

12. Live Entertainment

- a. Live entertainment shall be a permitted accessory use for all restaurants and for all wine boutiques with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site, located within a B1 or B2 District, including all existing restaurants or wine boutiques which have been approved by special use or PUD, regardless of whether the ordinance approving such special use or PUD specified differently.
- b. Live entertainment is prohibited from occurring within outdoor areas or from being broadcast to outdoor areas.
- c. Live entertainment shall comply with Zoning Ordinance Section IV, Noise Regulations.



- d. A floor plan which illustrates both seating and the space dedicated to the live entertainment area shall be provided to the Community Development Director for review and approval before live entertainment is authorized. The live entertainment area cannot occupy greater than 10% or 100 sq. ft. of the total space dedicated to patrons, whichever is less.

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ORDINANCE EXHIBIT A



BURR RIDGE ZONING ORDINANCE

SECTION VIII.B B-1 BUSINESS DISTRICT

B. B-1 RETAIL BUSINESS DISTRICT

The B-1 District is intended to provide a location suitable to accommodate a combination of retail, service, and office uses in a commercial and business district.

1. Permitted Uses

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses:

- a. Antique shops with less than 7000 square feet of floor area
- b. Art galleries
- c. Art and school supplies
- d. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- e. Barber shops
- f. Beauty and Health Services
- g. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- h. Book stores and stationery shops
- i. Camera and photographic supply stores
- j. Candy stores
- k. Card and gift shops
- l. Carpet and rug stores (retail only)
- m. China, glassware and household goods stores
- n. Clothing, clothing rental, and clothing accessory stores
- o. Coin and philatelic stores
- p. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales and with less than 7,000 square feet of floor area
- q. Craft, fabric, and sewing stores



- r. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- s. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- t. Florist shops
- u. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- v. Furniture stores with less than 7,000 square feet of floor area
- w. Furrier shops
- x. Hardware stores with less than 7,000 square feet of floor area
- y. Health and Athletic Club with less than 7,000 square feet of floor area (Amended by Ordinance A-834-25-15)
- z. Hobby shops (not including video game parlors or arcades)
- aa. Interior decorating shops
- bb. Jewelry stores, including watch repairs, design and production of custom jewelry
- cc. Leather goods and luggage stores
- ~~dd.~~ dd. Live entertainment accessory to a restaurant or to a wine boutique (VIII.B.2.nn), subject to compliance with Section VIII.A.12
- ~~dd-ee.~~ ee. Locksmith shops
- ~~ee-ff.~~ ff. Music stores including sheet music, recorded music, and musical instrument sales and repair
- ~~ff-gg.~~ gg. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- ~~gg-hh.~~ hh. Paint and wallpaper stores with less than 7,000 square feet of floor area
- ~~hh-ii.~~ ii. Pharmacies and Drug Stores
- ~~ii-jj.~~ jj. Photography studios
- ~~jj-kk.~~ kk. Picture framing, when conducted for retail sales on the premises only
- ~~kk-ll.~~ ll. Post Offices accessory to a permitted or special use
- ~~ll-mm.~~ mm. Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: ~~live entertainment, dancing, or sales of alcoholic beverages~~
- ~~mm-nn.~~ nn. Studios for teaching of art, martial arts, music, dance, and gymnastics
- ~~nn-oo.~~ oo. Shoe sales and shoe repair stores with less than 7,000 square feet of floor area
- ~~oo-pp.~~ pp. Sporting goods stores with less than 7,000 square feet of floor area
- ~~pp-qq.~~ qq. Tailor and dressmaking shops
- ~~qq-rr.~~ rr. Toy stores with less than 7,000 square feet of floor area



~~ff.ss.~~ Video rental stores

~~ss.tt.~~ Accessory uses customarily incidental to the above including but not limited to off-street parking and loading as regulated in Section XI of this Ordinance

2. Special Uses

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section XIII of this Ordinance, as appropriate:

- a. Antique shops with more than 7000 square feet of floor area
- b. Banks and Financial Institutions (Amended by Ordinance A-834-06-09)
- c. Banquet Halls
- d. Catering establishments
- e. Child care centers and nursery schools
- f. Clubs or Lodges, private, fraternal, or religious
- g. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales, with more than 7,000 square feet of floor area
- h. Convenience Food Stores
- i. Department Stores
- j. Drive through facilities accessory to a permitted or special use
- k. Dry cleaners with on-site equipment for dry cleaning
- l. Financial Services Offices (Amended by Ordinance A-834-06-09)
- m. Funeral parlors
- n. Furniture stores with more than 7,000 square feet of floor area
- o. Hardware stores with more than 7,000 square feet of floor area
- p. Hours of operation exceeding 7 A.M. to 10 P.M. for any business listed as a permitted or special use except as otherwise permitted by Section VIII.A.11 (Amended by Ordinance A-834-03-12).
- q. Household appliance and electronics stores including repair and service functions where incidental to retail sales
- r. Insurance Offices (Amended by Ordinance A-834-06-09)
- s. Laundromats
- t. Liquor stores (package goods sales only)
- u. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)



- v. Office Supply and Service Stores including copying and package delivery services, with more than 7000 square feet of floor area
- w. Orthopedic and Medical Appliance Stores
- x. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- y. Outside sales display accessory to a permitted or special use
- z. Paint and wallpaper stores with more than 7,000 square feet of floor area
- aa. Parking lots and structures where such uses are the principal use on a lot
- bb. Pet shops and pet service stores
- cc. Planned unit developments
- dd. Post offices, Federal Government
- ee. Real Estate Offices (Amended by Ordinance A-834-06-09)
- ff. Restaurants in single tenant buildings or with any one of the following: ~~live entertainment, dancing, or sales of alcoholic beverages~~ (Amended by Ordinance A-834-6-99).
- gg. Shoe sales and shoe repair stores with more than 7,000 square feet of floor area
- hh. Shopping centers (containing stores listed as permitted or special uses in this B-1 District) with less than 100,000 square feet of floor area
- ii. Sporting goods stores with more than 7,000 square feet of floor area
- jj. Theaters, performing arts, indoor only
- kk. Toy stores with more than 7,000 square feet of floor area
- ll. Travel Agencies (Amended by Ordinance A-834-06-09)
- mm. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11).
- nn. Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site (Amended by Ordinance A-834-01-11)

3. **Lot Size Requirements:**

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a. <u>Permitted Uses</u>	10,000 square feet	80 feet
b. <u>Special Uses</u>		
(1) All special uses except those listed below	10,000	80 feet



		square feet	
(2)	Convents, monasteries, and theological schools	10 Acres	500 feet
(3)	Child care centers and nursery schools	As approved by the Village	
(4)	Funeral Parlors	30,000 square feet	150 feet
(5)	Parking lots or Structures (as principal use)	10,000 square feet	100 feet
(6)	Planned Unit Developments	6 acres	350 feet
(7)	Post Offices	10,000 square feet	150 feet
(8)	Shopping Centers	3 acres	250 feet

4. Floor Area Ratio:

Not to exceed 0.40.

5. Building Height:

Not to exceed two and one-half stories or 35 feet, whichever is less.

6. Yard Requirements:

- a. Front yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- b. Corner side yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- c. Interior side yard: None required, however, if a yard is provided, it must be at least 20 feet in width.
- d. Rear yard: 40 feet
- e. Transitional rear and side yards: all lots with rear or side lot lines abutting a residential district shall provide a 50 foot yard along such abutting lot line, with landscaping in accordance with Subsection VIII.A.10.

ORDINANCE EXHIBIT A



BURR RIDGE ZONING ORDINANCE

SECTION VIII.C B-2 BUSINESS DISTRICT

C. **B-2 GENERAL BUSINESS DISTRICT**

The intent of the B-2 District is to accommodate those uses which require substantial land area, are major travel destinations, require substantial support parking and draw their clientele or employees from the regional market. Many such uses require a high degree of access and roadside visibility or exposure from major thoroughfares.

1. **Permitted Uses:**

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses:

- a. Antique shops with less than 7000 square feet of floor area
- b. Art Galleries
- c. Art and School Supply Stores
- d. Automobile parts and accessory stores
- e. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- f. Barber Shops
- g. Beauty and Health Services
- h. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- i. Book stores and stationery shops
- j. Camera and photographic supply stores
- k. Candy stores
- l. Card and gift shops
- m. Carpet and rug stores (retail only)
- n. Catalogue Sales
- o. Catering Establishments
- p. China, glassware and household goods stores
- q. Clothing, clothing rental, and clothing accessory stores
- r. Coin and philatelic stores



- s. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales
- t. Craft, fabric, and sewing stores
- u. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- v. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- w. Florist shops
- x. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- y. Furniture stores
- z. Furrier shops
- aa. Garden, landscape, and patio stores
- bb. Hardware and home improvements stores
- cc. Hobby shops (not including video game parlors or arcades)
- dd. Household appliance stores (including repair and service functions where such activities are incidental to the retail sales function)
- ee. Interior decorating shops
- ff. Jewelry stores, including watch repairs, design and production of custom jewelry
- gg. Leather goods and luggage stores
- hh. Live entertainment accessory to a restaurant use subject to compliance with Section VIII.A.12
- ii. Locksmith shops
- jj. Music stores including sheet music, recorded music, and musical instrument sales and repair
- kk. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- ll. Orthopedic and Medical Appliance Stores
- mm. Paint and wallpaper stores
- nn. Pharmacies and Drug Stores
- oo. Photography studios
- pp. Picture framing, when conducted for retail sales on the premises only
- qq. Playground equipment sales with indoor display



- ~~qqrr.~~ Post Offices, federal government, freestanding or accessory to a permitted or special use
- ~~rss.~~ Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: ~~live entertainment, dancing, or sales of alcoholic beverages~~
- ~~sstt.~~ Studios for teaching of art, martial arts, music, dance, and gymnastics
- ~~tuu.~~ Shoe sales and shoe repair stores
- ~~uvv.~~ Sporting goods stores
- ~~vww.~~ Tailor and dressmaking shops
- ~~wwwxx.~~ Toy stores
- ~~xyy.~~ Video rental stores
- ~~yyzz.~~ Accessory uses customarily incidental to the above including but not limited to off-street parking and loading as regulated in Section XI of this Ordinance

2. **Special Uses:**

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section XIII of this Ordinance, as appropriate:

- a. Amusement establishments, indoor and outdoor, including golf courses and ranges, miniature golf, batting cages, bowling alleys, tennis, racquetball, gymnasiums, swimming pools, and ice skating rinks but excluding arcades
- b. Animal hospitals and veterinary clinics
- c. Antique shops with more than 7000 square feet of floor area
- d. Automobile sales, new or used and including trucks
- e. Automobile gasoline sales stations
- f. Automobile service and repair
- g. Banks and financial institutions (Amended by Ordinance A-834-06-09)
- h. Banquet halls
- i. Building material sales
- j. Car washes, automatic, self-service, or hand wash
- k. Clubs or lodges, private, fraternal, or religious
- l. Colleges, universities, or business vocational schools
- m. Convents, monasteries, and theological schools
- n. Convenience Food Stores
- o. Child Care Centers and Nursery Schools



- p. Department Stores
- q. Drive through facilities accessory to any permitted or special use
- r. Dry cleaners with on-site equipment for dry cleaning
- s. Financial Services Offices (Amended by Ordinance A-834-06-09)
- t. Funeral parlors
- u. Golf Simulation Facility with Sales of Alcoholic and non-Alcoholic Beverages and pre-packaged food and snacks (Amended by Ordinance A-834-23-16)
- v. Greenhouses, retail sales only
- w. Health and athletic clubs and gymnasiums
- x. Hotels and motels (including dining and meeting rooms)
- y. Hours of operation exceeding 7 A.M. to 10 P.M. for any business listed as a permitted or special use except as otherwise permitted by Section VIII.A.11 herein (Amended by Ordinance A-834-03-12).
- z. Insurance Offices (Amended by Ordinance A-834-06-09)
- aa. Kennels
- bb. Laundromats
- cc. Liquor Stores (packaged goods sales only)
- dd. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)
- ee. Office supply and service stores including copying and package delivery services with more than 7000 square feet of floor area
- ff. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- gg. Outside sales display accessory to a permitted or special use
- hh. Parking lots and structures where such uses are the principal use on a lot
- ii. Pet shops and pet service stores
- jj. Planned unit developments
- kk. Plumbing, heating, air conditioning, and lighting stores (retail sales and service only)
- ll. Real Estate Offices (Amended by Ordinance A-834-06-09)
- mm. Restaurants in single tenant buildings or with any one of the following: ~~live entertainment, dancing,~~ or sales of alcoholic beverages (Amended by Ordinance A-834-6-99)
- nn. Running Store/Fitness Apparel Store with Sales of Craft Beer or Wine (Amended by Ordinance A-834-14-16)



- oo. Shopping centers (containing stores listed as permitted or special uses in this B-2 District)
- pp. Theaters, indoor movie, not to exceed 4 screens or 800 seats, whichever is less, with no screen having more than 250 seats, and not located within 2500 feet (measured from property line to property line) of another theater facility.” Amended Ordinance A-834-7-97
- qq. Theaters, performing arts, indoor
- rr. Tobacco Shops
- ss. Travel Agencies (Amended by Ordinance A-834-06-09)
- tt. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11)
- uu. Multiple buildings on a single lot if said building and lot are under common ownership and that all necessary infrastructure is provided for each of the buildings consistent with the Village’s subdivision regulations. (Amended Ordinance A-834-03-08)

3. Lot Size Requirements:

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a. <u>Permitted Uses</u>	20,000 square feet	120 feet
b. <u>Special Uses</u>		
(1) All special uses except those listed below	20,000 square feet	120 feet
(2) Colleges, universities	80 Acres	1,000 feet
(3) Restaurants with drive-thru facilities	40,000 square feet	200 feet
(4) Banks and Financial Institutions with drive-through facilities	1 acre	200 feet
(5) Funeral parlors	30,000 square feet	150 feet
(6) Greenhouse, retail sales only	1 acre	200 feet
(7) Hotels and motels	2 acres	250 feet
(8) Planned Unit Developments	5 acres	250 feet
(9) Shopping Centers	5 acres	250 feet



4. Floor Area Ratio:

Not to exceed 0.40.

5. Maximum Building Height:

Not to exceed 35 feet.

6. Yard Requirements:

- a. Front yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- b. Corner side yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- c. Interior side yard: None required, however, if a yard is provided it must be at least 20 feet in width.
- d. Rear yard: 40 feet.
- e. Transitional rear and side yards: all lots with rear or side lot lines abutting a residential district shall provide a 50 foot yard along such abutting lot line, with landscaping in accordance with Subsection VIII.A.10.

ORDINANCE EXHIBIT A



BURR RIDGE ZONING ORDINANCE

SECTION XIV RULES AND DEFINITIONS

A. RULES

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction unless they are inconsistent with the manifest intent of the Board of Trustees of the Village of Burr Ridge or the context clearly requires otherwise:

1. Words used in the present tense shall include the past and the future tense.
2. Words used in the singular number shall include the plural number, and the plural the singular.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is permissive.
5. The masculine gender includes the feminine and neuter.
6. The word "person" shall include a firm, proprietorship, joint venture, association, agent, organization, partnership, trust, company or corporation, and any other form of legal entity, as well as an individual, so that where the word "person" is used it is clear that any entity which would be subject to the Zoning Ordinance would be defined as a person.
7. All "measured distances" shall be to the nearest foot. If a fraction is one-half foot or more, the full foot next above shall be taken. Unless otherwise specified, all distances shall be measured horizontally.
8. The word "building" includes all other structures of every kind regardless of similarity to buildings.
9. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for".

B. DEFINITIONS

In further amplification and for clarity of interpretation of the context of this Ordinance, the following words and terms shall have the meaning set forth herein. Words contained in this Ordinance and not defined hereinafter shall assume such definitions as prescribed in the most recent edition of Webster's unabridged dictionary which apply in the context in which they are used herein.

ABUTTING: Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

ACCESSORY BUILDING OR USE: An accessory building, structure or use is one which:

1. Is clearly incidental to, subordinate in purpose to, and serves the principal building or use.



KENNEL: Any premises or portion thereof on which more than three dogs, cats, or other household domestic animals over six months of age are kept, or on which more than two such animals are maintained, boarded, trained, groomed, bred, or cared for in return for remuneration, or are kept for the purpose of sale. Any premise of five acres or more in area used for a single-family detached dwelling, agricultural, institutional or recreational use where more than three such domestic animals owned by the occupant of the principal use are kept, bred and offered for sale shall not be considered a kennel.

LABORATORY: A place devoted to experimental study such as testing and analyzing. Manufacturing and sale of product or products is not permitted within a laboratory.

LAUNDERETTE: A business that provides coin operated self-service machines for use by customers on the premises to wash, dry and/or iron clothing, provided that no pick-up or delivery service is maintained.

LIVE ENTERTAINMENT: Any one or more of any of the following, performed live by one or more persons: (1) musical act (including karaoke); (2) theatrical act (including stand-up comedy or performance art); (3) play; (4) revue; (5) performance or theatrical dance; (6) magic act; (7) disc jockey; or (8) similar activity. Lewd or sexually suggestive acts or dance are prohibited. Live entertainment does not include television, radio, closed circuit or Internet broadcasts of live entertainment.

LIVESTOCK: Horses, ponies, donkeys, sheep, goats and cattle.

LIQUOR STORE, PACKAGE: A business establishment where alcoholic beverages are kept and sold in their original containers and where such alcoholic beverages are not consumed on the premises.

LOADING BERTH: A space within the principal building or on the same lot as the principal building providing for the standing, loading or unloading of trucks and vans and with access to a street or alley.

LODGING HOUSE (including BOARDING and ROOMING HOUSE): A residential building, or portion thereof, other than a motel, apartment hotel, or hotel, containing lodging rooms which accommodate three or more persons who are not members of the keeper's family and where lodging, with or without meals, is provided for compensation on a weekly or monthly basis.

LODGING ROOM (ROOMING UNIT): A room rented as sleeping and living quarters, but without cooking facilities, and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one "lodging room" for the purpose of this Ordinance.

LOT: A single parcel of land which is legally described and recorded as such, or which is one of two or more numbered lots or parts of such lots legally described and recorded as a part of a recorded subdivision plat, and, in any case, is located within a single block (regardless of whether or not the "block" is recorded as such) and has its principal frontage on a street or an easement or other common-use right-of-way. No parcel shall be considered a lot, even though it is called or designated a lot, if it does not have a lot line which abuts a street for a distance of greater than fifty percent (50%) of the lot width. A lot is also one of two or more contiguous lots or parts of lots of record comprising the tract of land which is designated by the owner at the time of application for a building permit as the site to be used, developed, or built upon as a unit under single ownership or control. Therefore, a lot may or may not coincide with a single lot of record. The term "lot" shall also include any parcel of land under single ownership even though it is not recorded as a subdivided lot, including any parcels that result from a tax division of any land.



July 25, 2022

Mayor Gary Grasso and Board of Trustees
7660 County Line Road
Burr Ridge, Illinois 60527

Re: Z-08-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Dear Mayor and Board of Trustees:

The Plan Commission transmits its recommendation to approve Zoning Ordinance text amendments to sections VIII.A, VIII.B, VIII.C, and XIV.B to define "live entertainment" and to permit "live entertainment" as accessory to certain uses in the Business Districts. After due notice as required by law, the Plan Commission held three public hearings on April 18, June 6, and July 18, 2022. At the three public hearings, there were three individuals who spoke about the petition (certain individuals made the same comments at multiple meetings). Two members of the public supported keeping live entertainment as a special use. One member of the public expressed support for the text amendments. One additional public comment was received via email and was included in the packet.

The Plan Commission determined that the text amendment was compatible with other standards and uses in the Zoning Ordinance and fulfils the intent of the Zoning Ordinance. The Plan Commission approved text changes to sections VIII.B and VIII.C which would permit live entertainment as accessory to a restaurant or wine boutique use in the B-1 and B-2 districts. The Plan Commission also approved text changes to section VIII.A which outlined new guidelines for live entertainment and XIV.B which created a new definition for live entertainment (this new language detailed below). The Plan Commission also recommended that the definition for a "restaurant" be reviewed to ensure that live entertainment only type venues would not be permitted. The Board may wish to direct the Plan Commission to hold a public hearing on the definition of a restaurant.

Section VIII.A.12. Live Entertainment

- a. Live entertainment shall be a permitted accessory use for all restaurants and for all wine boutiques with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site, located within a B1 or B2 District, including all existing restaurants or wine boutiques which have been approved by special use or PUD, regardless of whether the ordinance approving such special use or PUD specified differently.*
- b. Live entertainment is prohibited from occurring within outdoor areas or from being broadcast to outdoor areas.*
- c. Live entertainment shall comply with Zoning Ordinance Section IV, Noise Regulations.*
- d. A floor plan which illustrates both seating and the space dedicated to the live entertainment area shall be provided to the Community Development Director for review and approval before live entertainment is authorized. The live entertainment area cannot occupy greater than 10% or 100 sq. ft. of the total space dedicated to patrons, whichever is less.*

LIVE ENTERTAINMENT: Any one or more of any of the following, performed live by one or more persons: (1) musical act (including karaoke); (2) theatrical act (including stand-up comedy or performance art); (3) play; (4) revue; (5) performance or theatrical dance; (6) magic act; (7) disc jockey; or (8) similar activity. Lewd or sexually suggestive acts or dance are prohibited. Live entertainment does not include television, radio, closed circuit or Internet broadcasts of live entertainment.

Based on the above considerations and the submitted findings of fact, the Plan Commission unanimously voted to ***recommend that the Board of Trustees approve*** text amendments to sections VIII.A, VIII.B, VIII.C, and XIV.B to define "live entertainment" and to permit "live entertainment" as accessory to certain uses in the Business Districts.

Sincerely,

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



Z-08-2022: Request to consider text amendments to Sections VIII.A, VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

Prepared for: Village of Burr Ridge Plan Commission/Zoning Board of Appeals
Greg Trzupek, Chairman

Petitioner: Village of Burr Ridge

Prepared by: Janine Farrell, Community Development Director

Date of Hearings: April 18, June 6, and July 18, 2022

On February 14, 2022, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to define “live entertainment” and to permit “live entertainment” as accessory to certain uses within the business districts. The direction from the Board only included those restaurants within the B-1 and B-2 districts, not those restaurant uses which may be located inside hotels zoned O-2. The Crowne Plaza is the only hotel zoned B-2. The Board direction was also to permit live entertainment as accessory to the restaurant use, meaning that a special use is not required. The Zoning Ordinance language in Exhibits C and D are drafted in this manner.

Under current Zoning Ordinance regulations, restaurant uses with live entertainment require a special use in the B-1 and B-2 zoning districts. There are eight restaurants which have approved special uses to have live entertainment accessory to the restaurant use:

- Cooper’s Hawk – Ordinance A-834-10-16 (2016)
- County Wine Merchant – Ordinance A-834-14-17 (2017)
- Dao Sushi and Thai – Ordinance A-834-08-12 (2012)
- Eddie Merlot’s – Ordinance A-834-11-11 (2011)
- Jonny Cab’s – Ordinance A-834-02-21 (2021)
- La Cabanita – Ordinance A-834-27-11 (2011)
- The Hampton Social – Ordinance A-834-09-17 (2017)
- Wok n Fire – Ordinance A-834-28-13 (2013)

The Plan Commission held public hearings on April 18 and June 6, 2022 for this petition. In response to the Commission’s June 6 comments, staff is providing the following:

- Updated definition for live entertainment.
- Wine boutique use has been clarified.
- The percentage of the area dedicated to the live entertainment has been modified to 10%. As an example, this means that a restaurant with 500 sq. ft. of seating space (25 ft. by 20 ft.) could have up to 50 sq. ft. of live entertainment space (5 ft. by 10 ft.). For reference, a small, portable stage can measure 4 ft. by 8 ft. or 32 sq. ft. This percentage is a suggestion based upon Commissioner comments and can be modified.

Findings of Fact

The findings of fact for a text amendment are limited to assessing whether the amendment is compatible with other standards of the Zoning Ordinance and if the amendments fulfill the purpose and intent of the Zoning Ordinance.

Attachments

- Exhibit A – Petitioner’s Materials and Findings of Fact
- Exhibit B – Research on regulations from neighboring municipalities for live entertainment
- Exhibit C – Section XIV.B Draft
- Exhibit D – Sections VIII.B and VIII.C Draft
- Exhibit E – Section VIII.A Draft
- Exhibit F – Public Comments

For Exhibits C,D,E - See Ordinance Exhibits A.



EXHIBIT A
VILLAGE OF BURR RIDGE
PETITION FOR PUBLIC HEARING
PLAN COMMISSION/ZONING BOARD OF
APPEALS

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Janine Farrell, Community Development Director,
Village of Burr Ridge

STATUS OF PETITIONER: Village of Burr Ridge/municipality

PETITIONER'S ADDRESS: 7660 County Line Road, Burr Ridge, IL 60527

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630)654-8181 x. 6100

EMAIL: jfarrell@burr-ridge.gov

PROPERTY OWNER: N/A

PROPERTY OWNER'S ADDRESS: N/A PHONE: N/A

PUBLIC HEARING REQUESTED: ☐ Special Use ☐ Rezoning ☒ Text Amendment ☐ Variation(s)

DESCRIPTION OF REQUEST:

Amendments to Zoning Ordinance sections VIII.A, VIII.B, VIII.C, and XIV.B to define "live entertainment" and
to permit "live entertainment" as accessory to certain uses in the Business Districts.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: N/A EXISTING ZONING: N/A

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.

Janine Farrell
Petitioner's Signature

3/22/2022
Date of Filing



**FINDINGS OF FACT
FOR AN AMENDMENT TO THE
VILLAGE OF BURR RIDGE ZONING ORDINANCE**

Section XIII.J of the Village of Burr Ridge Zoning Ordinance requires that the Plan Commission determine compliance with the following findings in order to recommend a text amendment to the Zoning Ordinance. The petitioner must respond to and confirm each of the following findings by indicating the facts supporting such findings.

- a. The amendment is compatible with other standards and uses of the Zoning Ordinance;

The Zoning Ordinance contains numerous definitions for uses and terms. "Live entertainment" is currently undefined and what uses constitute live entertainment are subject to interpretation.

Permitting live entertainment as accessory to a restaurant use, but ensuring that it meets other regulations such as those pertaining to noise, is compatible with other accessory uses within the Zoning Ordinance. Accessory uses are typically permitted by right in conjunction with a principal use, like a shed is a permitted accessory to a residence as long as it complies with regulations.

- b. The amendment fulfills the purpose and intent of the Zoning Ordinance;

By including a definition for live entertainment, clarity is provided to all parties including residents, business owners, staff, and elected officials. The intent and purpose of the Zoning Ordinance to provide transparency in regulations.

By permitting live entertainment as accessory to the restaurant use but also including regulations to ensure that the use is not a nuisance to neighbors, fulfills the intent and purpose of the Zoning Ordinance to regulate uses appropriately.

(Please transcribe or attach additional pages as necessary)

EXHIBIT B

Municipality	Live Entertainment in Business or Commercial Districts (Indoor only)
Clarendon Hills	Special use for all districts
Darien	Prohibited in B-1; allowed as accessory in B-2 and B-3
Downers Grove	Information not yet received
Hinsdale	Special use for all districts
Indian Head Park	B-3 special use; B-6 permitted
LaGrange	Permitted as accessory
Lemont	Controlled by liquor license
Naperville	Prohibited in B-1; permit required in other districts
Oak Brook	Prohibited in B-1; Permitted in B-2 and B-3
Western Springs	Prohibited in B-1; unclear if a permitted accessory in other districts
Westmont	Information not yet received
Willow Springs	Information not yet received
Willowbrook	Special use in B-4 only

Note: Like Burr Ridge, the Business or Commercial districts above increase in intensity as the number increases. As an example, a B-1 district is neighborhood shopping (hair salon) while a B-3 district is highway commercial (gas station).

EXHIBIT F

From: [Patricia Davis](#)
To: gtrzupek@esadesign.com; [Janine Farrell](#)
Subject: Comments for April 18 Plan Commission meeting
Date: Tuesday, April 12, 2022 9:55:48 AM

Dear Chairman Trzupek, Ms. Farrell, and Plan Commissioners:

I have some thoughts on hours of operation for restaurants and on live entertainment in the Village. I respectfully request that this letter be included in the agenda packet for the April 18, 2022 Plan Commission meeting.

Someone wise once said, "Nothing good happens after midnight." As Ms. Farrell's excellent research shows, there are differing operating hours for liquor license holders in this village and I applaud the Commission's attempt at standardization. I advocate for a closing time for ALL liquor license holders of midnight Fridays and Saturdays and 11 pm Sundays -- Thursdays. This is consistent with closing hours of restaurants and bars in other small towns like Burr Ridge. We don't want to be known as a place to come and drink past midnight when surrounding towns' restaurants and bars have closed their doors.

I am not opposed to live entertainment and also applaud the Commission's attempt to standardize this across businesses without need for a special use. However, I respectfully ask the Commission to prohibit live entertainment outside any business that holds a liquor license at all operating hours. Please consider the rights of residents to enjoy their properties without annoying karaoke, DJs, bands, singers, and the like disturbing the peace.

Lastly, why only standardize operating hours and entertainment within the "Business District" as called for in this Public Hearing? Any new rules you issue must also apply to restaurants and bars outside the District: Falco's, and restaurants and bars in Burr Ridge's hotels and at the Edgewood Valley Country Club.

Thank you for your consideration.

Respectfully,
Patricia A. Davis
Burr Ridge resident

ORDINANCE NO. A-834-xx-2x

AN ORDINANCE GRANTING A SPECIAL USE FOR A CHILD CARE CENTER IN
THE L-I LIGHT INDUSTRIAL DISTRICT

(Z-18-2022: 6880 North Frontage Road - Allor/Premier IL Burr
Ridge LLC)

WHEREAS, an application for a special use for certain real estate has been filed with the Community Development Director of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use on July 18, 2022, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in The Doings Weekly, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for special uses, including its findings and recommendations, to this Mayor and Board of Trustees, and this Mayor and Board of Trustees has duly

considered said report, findings, and recommendations.

NOW THEREFORE, Be It Ordained by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This Mayor and Board of Trustees find that the granting of special use indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

Section 2: That this Mayor and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the special use for the property located at 6880 North Frontage Road, Burr Ridge, Illinois, is Tom Allor (hereinafter "Petitioner"). The Petitioner requests a special use to permit a child care center in the L-I Light Industrial District.
- B. That the property will not detract from the public health, safety, morals, comfort, or general welfare.
- C. That the special use will not adversely impact any adjacent properties.
- D. That the special use will allow the petitioner to bring a necessary service to the residents of the Village.
- E. That the site plan of the property is adequate for the use.

- F. That adequate traffic facilities are present on or adjacent to the property.
- G. That the use is not contrary to the objectives of the Official Comprehensive Plan.
- H. That the special use will otherwise conform to the applicable regulations of the Zoning Ordinance.

Section 3: That the special use for a child care center is ***hereby granted*** for the property commonly known as 6880 North Frontage Road and identified by the Permanent Real Estate Index Numbers(PIN) of: **18-30-100-011.**

Section 4: That approval of the special use shall be subject to the submitted business plan hereinafter referred to in **Exhibit A**, as well as to the following conditions:

1. The special use shall be limited to Premier IL Burr Ridge LLC in a manner consistent with the submitted business plan included as Exhibit A.
2. The special use shall be limited to the 5,000 square feet of floor area shown within the business plan at 6880 North Frontage Road included as Exhibit A.
3. The special use shall be limited to Tom Allor and his business partners and shall expire at such time that Mr. Allor and his business partners no longer occupy the space at 6880 North Frontage Road or at which time there is an assignment or termination of the lease for the space at 6880 North Frontage Road.
4. The capacity of the special use shall be limited to 80 children on the premises.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 25th day of July, 2022, by the Corporate Authorities
of the Village of Burr Ridge on a roll call vote as follows:

AYES: -

NAYS: -

ABSENT: -

APPROVED by the Mayor of the Village of Burr Ridge this 25th day
of July, 2022

Mayor

ATTEST:

Village Clerk



Ordinance Exhibit A

June 6, 2022

Village of Burr Ridge
c/o Janine Farrell

Re: *Business Plan for Premier IL Burr Ridge LLC d/b/a Grand Ave. Preschool and Day Care*

Dear Janine,

Premier IL Burr Ridge LLC ("Premier") is in the process of acquiring Grand Avenue Preschool & Day Care ("Grand Ave") and its operations at 6880 N. Frontage Rd., Ste 200 Burr Ridge, IL 60527.

Premier intends to run the business as it is currently operating. The business is currently open from 7 a.m. to 6 p.m. Monday through Friday. Grand Ave. is licensed for 86 children per the Illinois Department of Children and Family Services and Premier will obtain a license in its own name. 86 children are the maximum number of children that can be present in the facility at any time. The business is inspected by the Cook County Department of Public Health, Office of the State Fire Marshall and DCFS at least annually.

Today, the business serves approximately 110 families and families may attend full day or partial days. Grand Ave has a total of 20 employees that work in two shifts and Premier will retain. The parking available is more than adequate for staff, family arrival and family events.

Premier's mission is to provide a positive group environment and stimulating curriculum fostering children's creative and intellectual abilities appropriate for the developmental stage. Grand Ave has been known for preparing child for kindergarten and later learning both through academics and social emotional learning and Premier intends to carry on that tradition.

Sincerely,

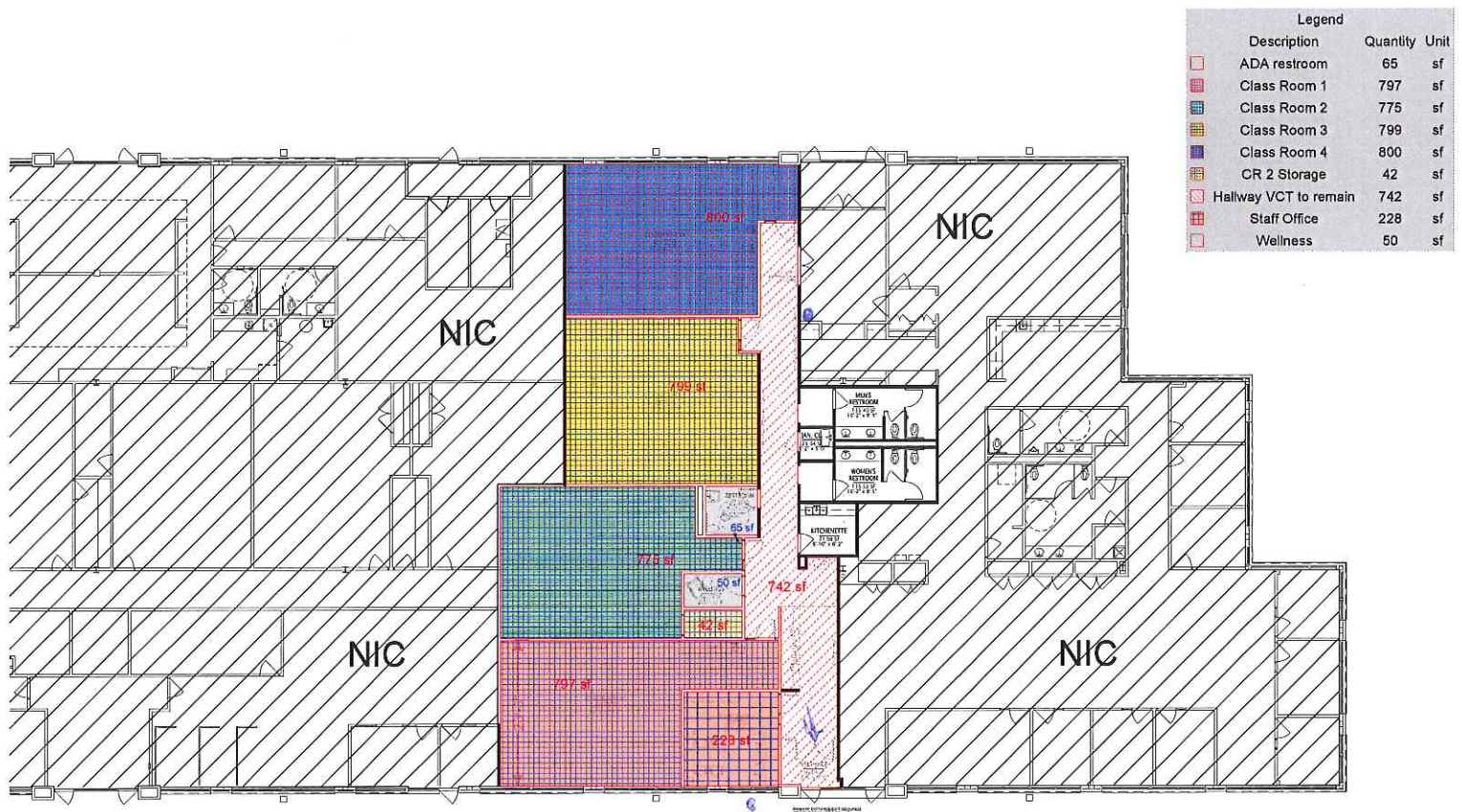
PREMIER IL BURR RIDGE LLC

By: 

Name: George Fogel

Title: Chief Executive Officer

Floor Plans from Grand Avenue petition



GRAND AVENUE PRESCHOOL Initial Space Plan [A]

6880 N Frontage Road, Burr Ridge, IL
 Date: 11/20/19 Sq. Footage: 5,000 USF (Landlord to Confirm RSF)
 Scale: Not to Scale Issued for: Review

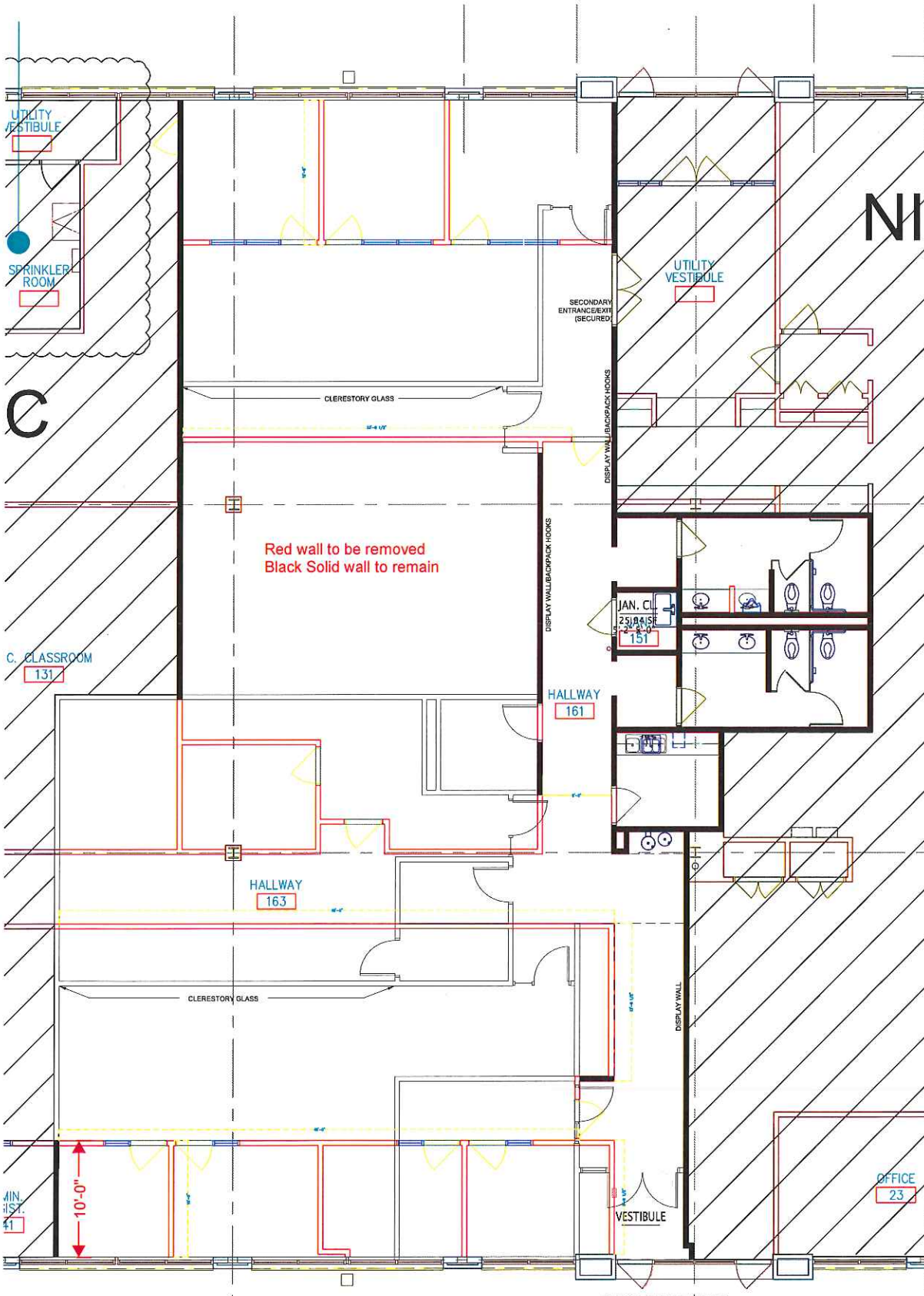
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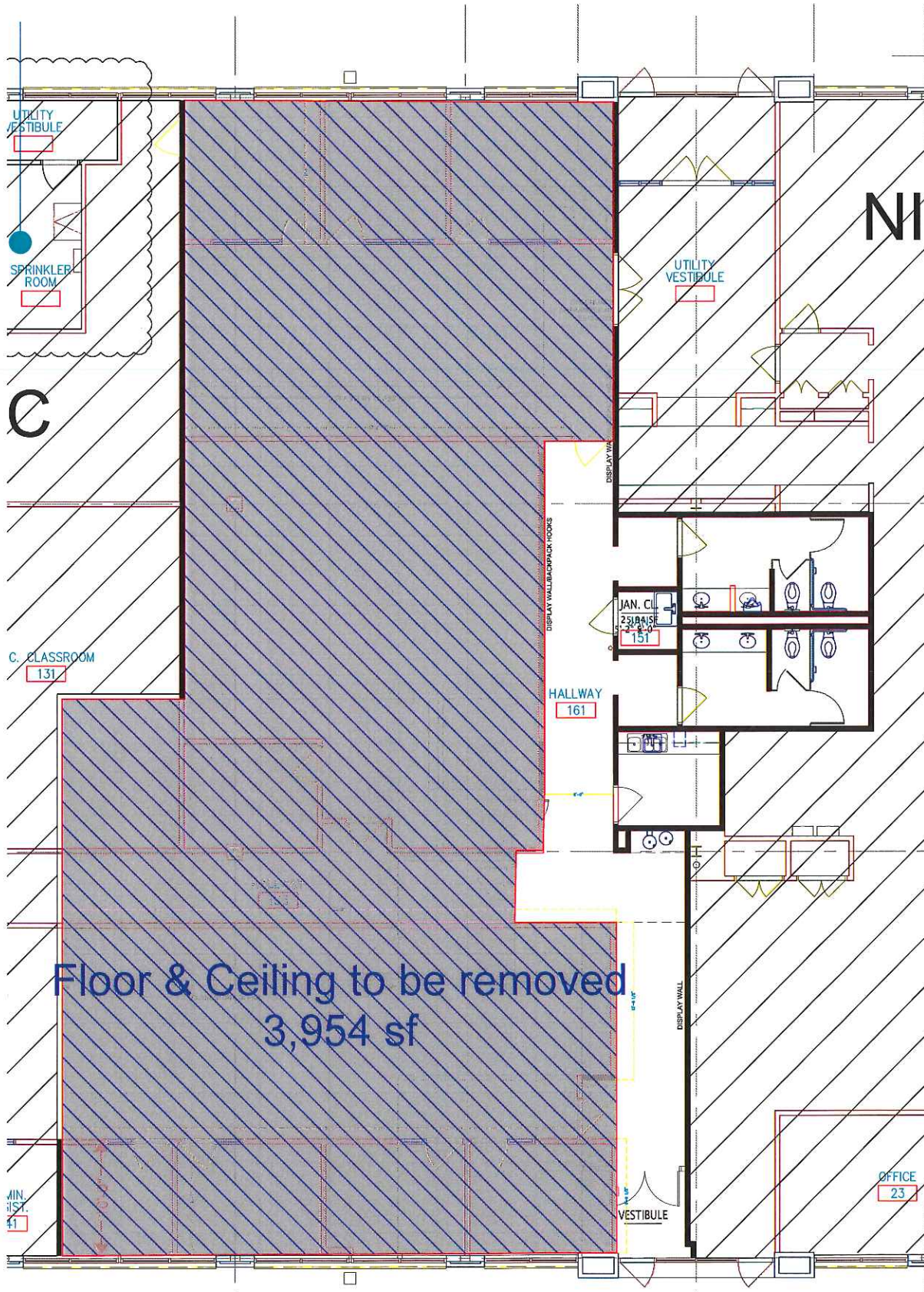
EXISTING DOOR
 NEW DOOR



W
 Whitney Architects, Inc.
 1111 N. Western Avenue, Suite 1000
 Chicago, IL 60606
 312.347.1474
 wh@whitneyarch.com
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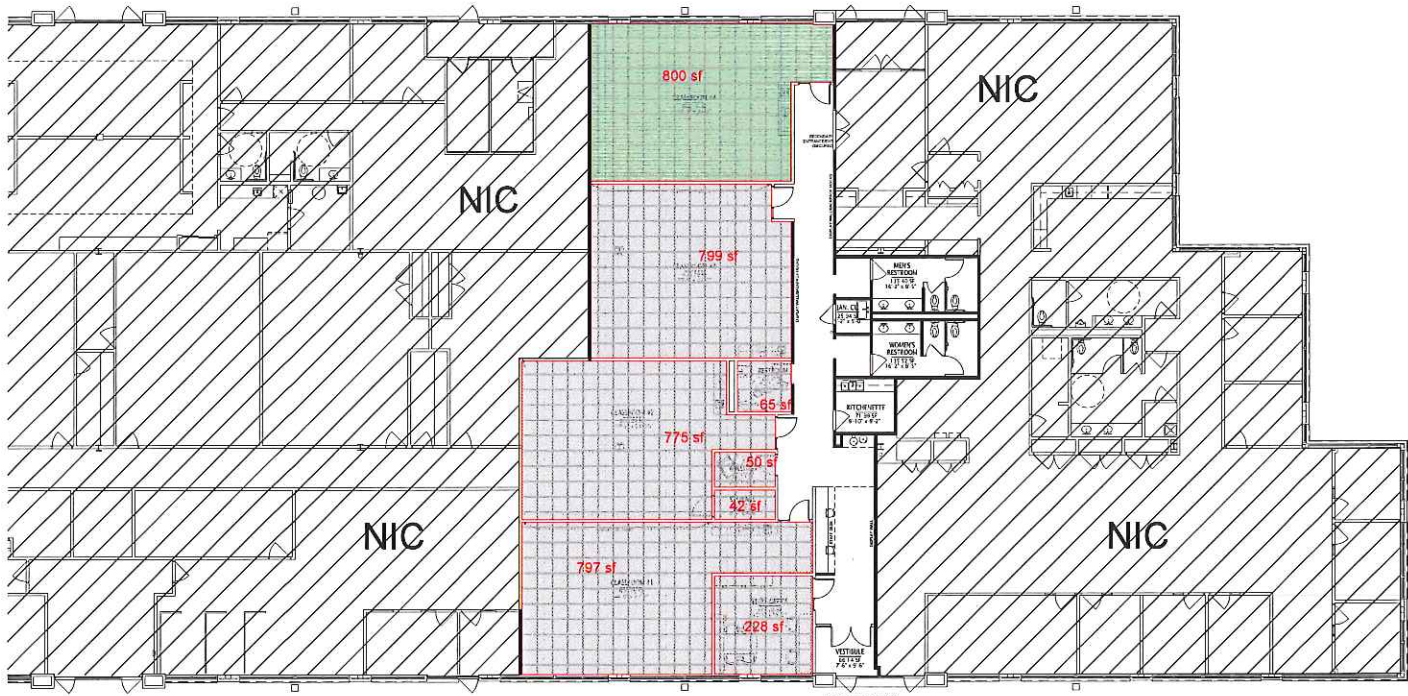


Overlay Demo Plan



**Floor & Ceiling
Demo Plan**

Finishes Legend	
Description	
	ACT - New Grid & Panels
	ACT - New Grid & Reuse Existing Panels



Reflected Ceiling Plan
- ACT height 10'

GRAND AVENUE PRESCHOOL Initial Space Plan [A]

6880 N Frontage Road, Burr Ridge, IL
Date: 11/20/19 Sq. Footage: 5,000 USF (Landlord to Confirm RSF)
Scale: Not to Scale Issued for: Review

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EXISTING PARTITION TO
REMAIN
NEW PARTITION

EXISTING DOOR
NEW DOOR



Whitney Architects, Inc.
100 N. Main Street, Suite 100
Chicago, IL 60606
T 312.472.7771
whitneyarch.com
© 2019 WHITNEY ARCHITECTS, INC.

Grand Avenue Preschool
Playground Exhibit





July 25, 2022

Mayor Gary Grasso and Board of Trustees
7660 County Line Road
Burr Ridge, Illinois 60527

Re: Z-18-2022: 6880 North Frontage Rd. (Premier IL Burr Ridge, LLC); Special Use and Findings of Fact

Dear Mayor and Board of Trustees:

The Plan Commission transmits its recommendation to approve a special use request by Tom Allor of Premier IL Burr Ridge, LLC for a child care center pursuant to Zoning Ordinance section X.E.2 and Ordinance #A-834-02-20.

After due notice as required by law, the Plan Commission held a public hearing on July 18, 2022. The petitioner is in the process of acquiring Grand Avenue Preschool and Day Care which was approved for a child care center in this location in 2020 (Ordinance A-834-02-20 attached). Conditions #1 and #3 of Ordinance A-834-02-20 stipulate that the special use was limited to Nancy Hayes and her business partners operating Grand Avenue. The petitioner, as the new tenant and owner of the business, must obtain a new special use for the child care center. The petitioner intends to run the business as it is currently operating and was previously approved. Details about the hours of operation, number of students, and pick-up/drop-off scheduling are included within the staff report.

The Plan Commission determined that the special use would not negatively impact other properties or businesses in the area. The two-lot High Ridge industrial subdivision already contains one school, Vine Academy, and one additional child care center, Action Behavior Center, which was approved by the Plan Commission on June 20, 2022. At the public hearing, there were no public comments. There were no other public comments received. During Grand Avenue's tenancy at the site, there were no complaints received or other issues noted about their operation.

Based on the above considerations and the submitted findings of fact, the Plan Commission unanimously voted to ***recommend that the Board of Trustees approve*** a special use request by Tom Allor of Premier IL Burr Ridge, LLC for a child care center pursuant to Zoning Ordinance section X.E.2 and Ordinance #A-834-02-20 subject to the following conditions and Findings of Fact:

1. The special use shall be limited to Premier IL Burr Ridge LLC in a manner consistent with the submitted business plan included as Exhibit A. (See Ordinance Exhibit A)
2. The special use shall be limited to the 5,000 square feet of floor area shown within the business plan at 6880 North Frontage Road included as Exhibit A.
3. The special use shall be limited to Tom Allor and his business partners and shall expire at such time that Mr. Allor and his business partners no longer occupy the space at 6880 North Frontage Road or at which time there is an assignment or termination of the lease for the space at 6880 North Frontage Road.
4. The capacity of the special use shall be limited to 80 children on the premises.

Sincerely,

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

Z-18-2022: 6880 North Frontage Road (Premier IL Burr Ridge LLC/Allor); Requests a special use for a child care center pursuant to Zoning Ordinance section X.E.2 and Ordinance #A-834-02-20.

HEARING:

July 18, 2022

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Janine Farrell
Community Development Director

PETITIONER:

Tom Allor

PETITIONER STATUS:

Prospective Tenant

PROPERTY OWNER:

White Lotus Group, LLC

EXISTING ZONING:

L-I Light Industrial

LAND USE PLAN:

Recommends Light Industrial Uses

EXISTING LAND USE:

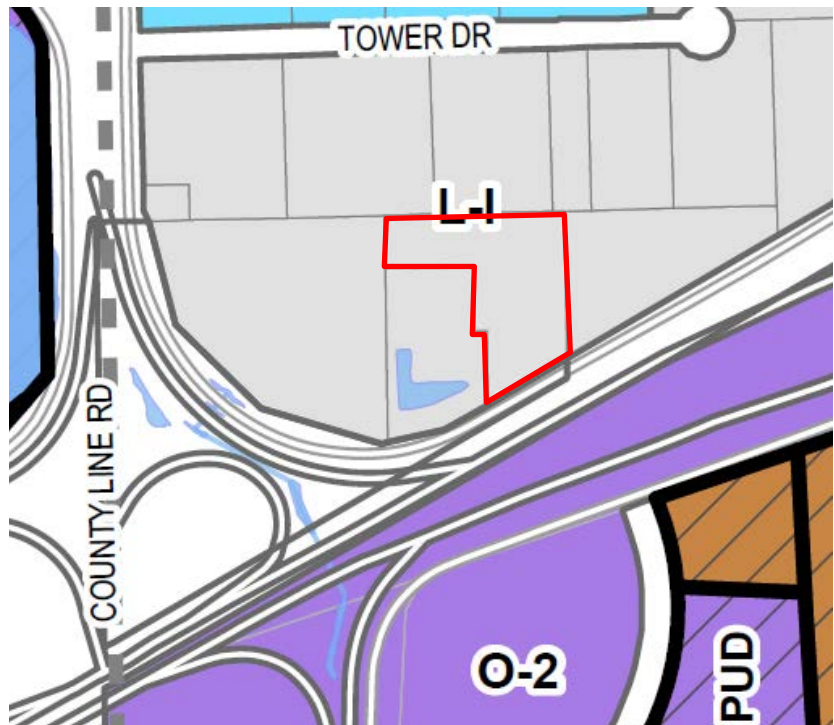
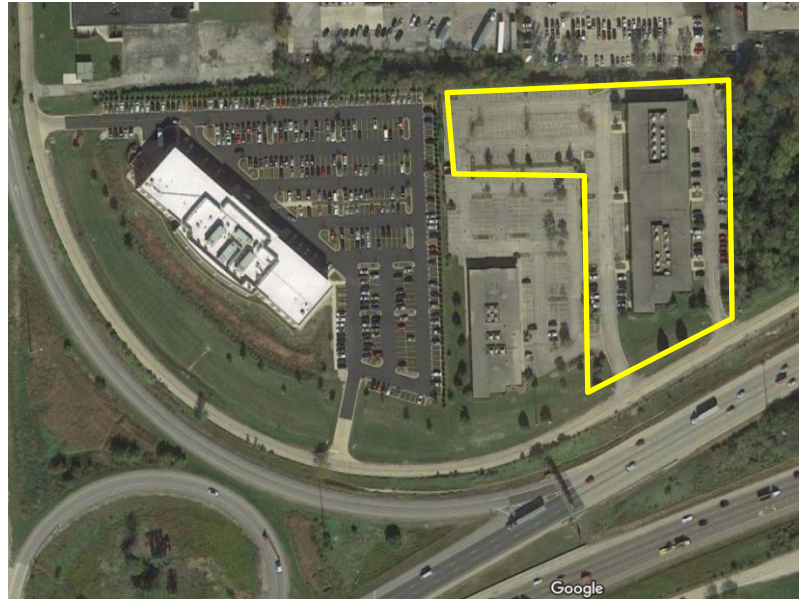
Multi-tenant building

SITE AREA:

3.374 Acres

SUBDIVISION:

High Ridge



Staff Report and Summary

Z-18-2022: 6880 North Frontage Road (Premier IL Burr Ridge LLC/Allor); Special Use and Findings of Fact

The petitioner is Tom Allor of Premier IL Burr Ridge LLC. The petitioner requests a special use for a child care center at the subject property. The petitioner is in the process of acquiring Grand Avenue Preschool and Day Care which was approved for a child care center in this location in 2020 (Ordinance A-834-02-20 attached). Conditions #1 and #3 of Ordinance A-834-02-20 stipulate that the special use was limited to Nancy Hayes and her business partners operating Grand Avenue. The petitioner, as the new tenant and owner of the business, must obtain a new special use for the child care center.

The petitioner intends to run the business as it is currently operating and was previously approved. The hours of operation will be Monday through Friday, 7:00 a.m. to 6:00 p.m. There is a permitted maximum of 86 children on the property by the Illinois Department of Children and Family Services (DCFS), but only 80 permitted according to condition #4 of the existing special use. A total of 5,000 square feet will be occupied by the business. There are a total of 20 employees at Grand Avenue which Premier will retain. The petitioner's request includes using the existing outdoor playground measuring approximately 2,250 square feet, whose location is designated within Exhibit A.

While the petitioner did not include information on pick-up or drop-off for Premier, Grand Avenue stated that full day students will arrive between 6:45 a.m. and 9:00 a.m. Families of full day students must park and walk their child(ren) inside. Approximately 30-40 half-day students are planned to arrive between 8:30 and 8:45a.m. via valet drop off, with four to five teachers outside greeting families, taking the children by the hand and walking them inside; students are then dismissed at 11:15 a.m. in an inverse fashion. This process will repeat for children arriving for the afternoon half-day schedule. In 2020, Grand Avenue worked with Vine Academy on the drop-off/pick-up so there was no conflict. Cars enter from the western driveway, drop-off/pick-up near the playground area, and then drive around the back of the building and out the second or the eastern driveway.

There are 192 parking spaces located on the parcel at 6880 North Frontage Road. Other tenants at the subject property include office and medical uses, and Vine Academy, who collectively must provide 96 total spaces between them per the Zoning Ordinance. In 2020, it was determined there was sufficient parking with the remaining 76 spaces to accommodate Grand Avenue's operations.

Public Hearing History

Z-06-2019 (Vine Academy): Special use for a private school (Ordinance A-834-08-19).

Z-03-2020 (Grand Avenue): Text amendment to Section X.E.2 of the Zoning Ordinance to add "Child Care Center" as a special use in the L-I Light Industrial District and a special use as per the amended Section X.E.2 of the Zoning Ordinance to permit a "Child Care Center" at the subject property.

Public Comment

At the time of this report, no public comment was received regarding this petition.

Staff Report and Summary

Z-18-2022: 6880 North Frontage Road (Premier IL Burr Ridge LLC/Allor); Special Use and Findings of Fact

Findings of Fact and Recommendation

The petitioner has provided Findings of Fact, which may be adopted if the Plan Commission is in agreement with those findings. If the Plan Commission chooses to recommend approval of a special use for a child care center, staff recommends that the special use be granted subject to the following conditions which were also imposed upon Grand Avenue with the exception of Condition #5 which was previously satisfied:

1. The special use shall be limited to Premier IL Burr Ridge LLC in a manner consistent with the submitted business plan included as Exhibit A.
2. The special use shall be limited to the 5,000 square feet of floor area shown within the business plan at 6880 North Frontage Road included as Exhibit A.
3. The special use shall be limited to Tom Allor and his business partners and shall expire at such time that Mr. Allor and his business partners no longer occupy the space at 6880 North Frontage Road or at which time there is an assignment or termination of the lease for the space at 6880 North Frontage Road.
4. The capacity of the special use shall be limited to 80 children on the premises.

Appendix

Exhibit A – Petitioner’s Materials and Public Notifications

Exhibit B – Ordinance A-834-02-20

Exhibit C – Minutes excerpt from January 20, 2020 Plan Commission meeting



EXHIBIT A

VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS



GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Premier IL Burr Ridge LLC

STATUS OF PETITIONER: Future Tenant

PETITIONER'S ADDRESS: 120 S. LaSalle St., Ste. 1200, Chicago, IL 60603

ADDRESS OF SUBJECT PROPERTY: 6880 N. Frontage Rd., Ste 200 Burr Ridge, IL 60527

PHONE: 312-481-6911

EMAIL: tallor@premierearlychildhood.com

PROPERTY OWNER: Burr Ridge WLG, LLC

PROPERTY OWNER'S ADDRESS: 10404 Essex Court, Suite 101 Omaha, NE 68114 PHONE: 402-480-0005

PUBLIC HEARING REQUESTED: ☒ Special Use ☐ Rezoning ☐ Text Amendment ☐ Variation(s)

DESCRIPTION OF REQUEST:

Seeking to have the same special use described in Ordinance No. A-834-02-20: An Ordinance Granting
A Special Use For a Child Care Center in a L-I Light Industrial District granted to Premier IL Burr Ridge
LLC so that Premier may continue operation of the existing business.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: +/- 3.374 acres EXISTING ZONING: L-I

EXISTING USE/IMPROVEMENTS: Multi-tenant bldg.

SUBDIVISION: High Ridge

PIN(S) # 18-30-100-011-0000 97

The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.

[Signature]
Petitioner's Signature

6/6/2022
Date of Filing



Findings of Fact – Special Use
Burr Ridge Zoning Ordinance

Address:

6880 N. Frontage Rd., Ste 200 Burr Ridge, IL 60527

As per Section XII.K.7 of the Village of Burr Ridge Zoning Ordinance, for a special use to be approved, the petitioner must confirm all of the following findings by providing facts supporting each finding.

- a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.
Grand Avenue Preschool & Daycare has been providing early childhood education services for families in Burr Ridge since 2020. Currently, there are many Burr Ridge families attending and two longstanding employees are residents of Burr Ridge.
- b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.
Premier's plan is to retain the current employees and provide the same programming as currently offered to families. Child care is an essential service for working families. Premier intends to operate within the same the requirements of Ordinance No. A-834-02-20.
- c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.
Since 2020, Grand Ave has been operating at 6680 N. Frontage Road and has collaborative relationships with its neighbors, The Vine and Acacia Academy, and Premier intends to continue such relationships under its operation.
- d. The establishment of the special use will not impeded the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
The current operation of the business since 2020 has not impeded the development and improvement of the surrounding property and has been a convenient location for families.
- e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.
The property has adequate utilities, access roads, and drainage at this time.
- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
Adequate measures have been taken to provide ingress and egress to minimize traffic congestion in the public streets.
- g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.
The Village of Burr Ridge has already approved this special use in the past and was not found to be contrary to the objectives of the Official Comprehensive Plan of the village.
- h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.
Premier intends to abide by the ordinance set forth in the special use ordinance.



June 7th, 2022

To: Village of Burr Ridge

Subject Property: Burr Ridge WLG, LLC
6880 N Frontage Rd. Burr Ridge, IL 60527

As owner representative for the above referenced property, I hereby authorize Premier IL Burr Ridge LLC to pursue a Special Use Request with the Village of Burr Ridge.

A handwritten signature in black ink, appearing to read "Shawn Johnson", with a horizontal line extending to the right.

Shawn Johnson
VP of Operations
White Lotus Group

Vacant Property
8750 North Avenue Road

PREPARED & SUBMITTED BY A
RETURN TO:
Nolan Thomas, Village Clerk
Village of Burr Ridge
7880 S. County Line Road
Burr Ridge, Illinois 60527

FINAL PLAT OF SUBDIVISION

HIGH RIDGE

BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 30,
TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

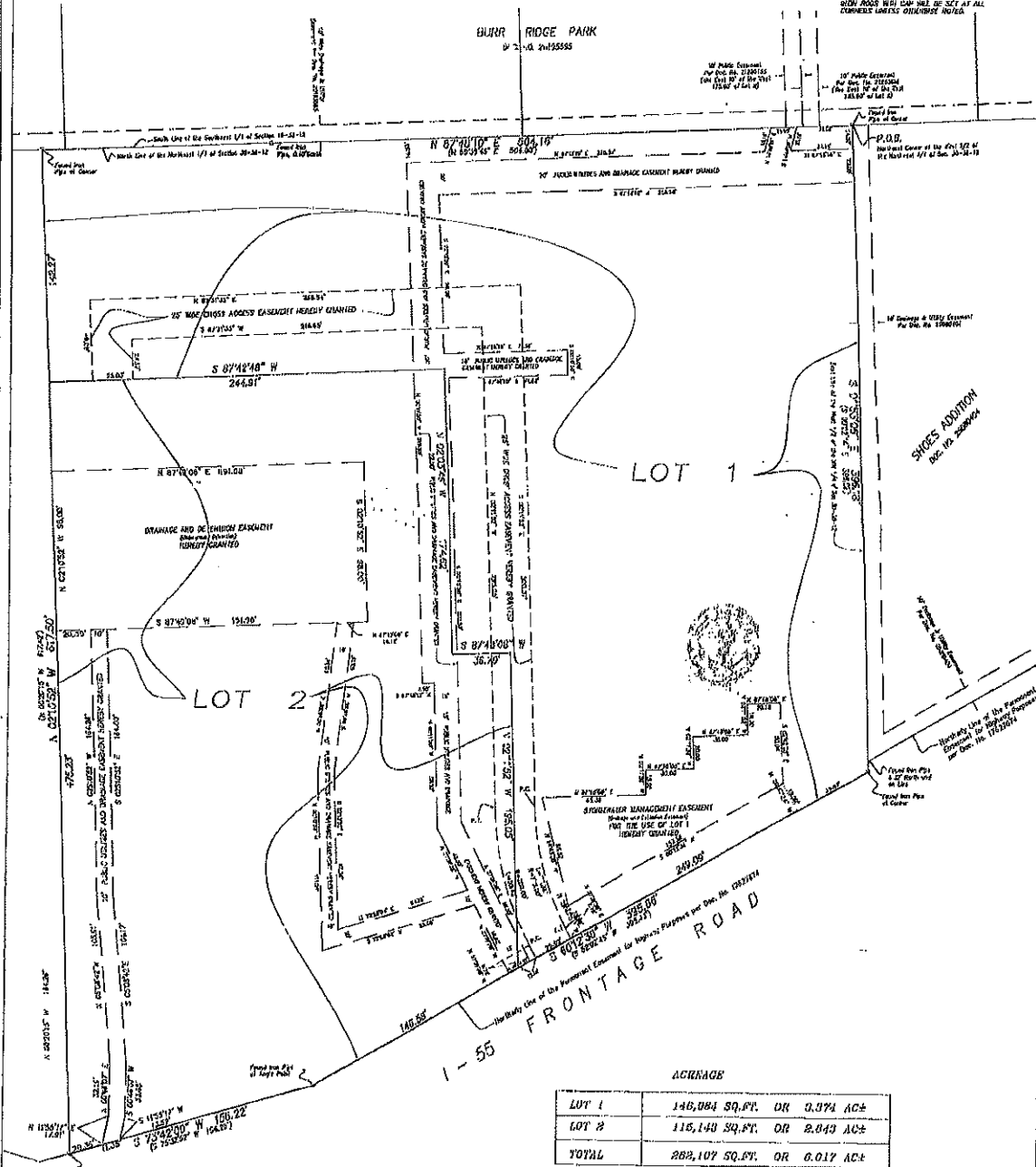
P.I.N. 18-30-100-010

0418918125
2-P

Scale 1" = 30'

BASE OF RECORD
17500 LOT 1 PLANE EAST 2000, MAP 85
CARRIAGE PROJECTED TO GROUND
COMBINED FACTOR=0.99999997

RECORD DESCRIPTION FOR ALTA/ACSM LAND RITE SURVEY
OF 200000 & 200100 & 200200 & 200300
DATED MAY 5, 2000, SHEET 100, 2000-0002.
(100.00) CHAINS BEING APPROXIMATE
(100.00) CHAINS MEASURED APPROXIMATE
BURN ROAD WILL BE SET AT ALL
CORNER UNLESS OTHERWISE NOTED.



ACRAGE		
LOT 1	146,084 SQ.FT. OR 3.374 AC±	
LOT 2	116,149 SQ.FT. OR 2.643 AC±	
TOTAL	262,233 SQ.FT. OR 6.017 AC±	

Survey No.	00710
Ordered by	Thomas M. Merges Associates
Description	PLAT OF SUBDIVISION
Date Prepared	March 18, 2001
Scale	1" = 30'

REMOVED 05-28-01 - Public Utilities & Grillage Envt. Change
REMOVED 05-28-01

Sheet 1 of 2

Mail Future Tax Bills to:
Thomas F. Merges
8810 N. Lincoln Road P.O. Box
Oak Ridge, IL 60457

MAIL TO
RECORDERS

MAIL TO
RECORDERS BOX 324 05

ALTA & ACRES ASSOCIATES, P.L.L.C.
220 Westmoreland Ave., Suite 100
Oak Ridge, IL 60457
630-516-5000 FAX 630-516-5170



**VILLAGE OF BURR RIDGE
PLAN COMMISSION AND
ZONING BOARD OF APPEALS**

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:

6880 N Frontage Rd. Burr Ridge, IL 60527

Property Owner or Petitioner:

Arin Howard

(Print Name)

[Signature]

(Signature)

Jul 1, 2022 at 11:30:04 AM
6860 N Frontage Rd
Burr Ridge IL 60527
United States





LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on **Monday, July 18, 2022**, at **Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527**.

PURPOSE OF HEARING

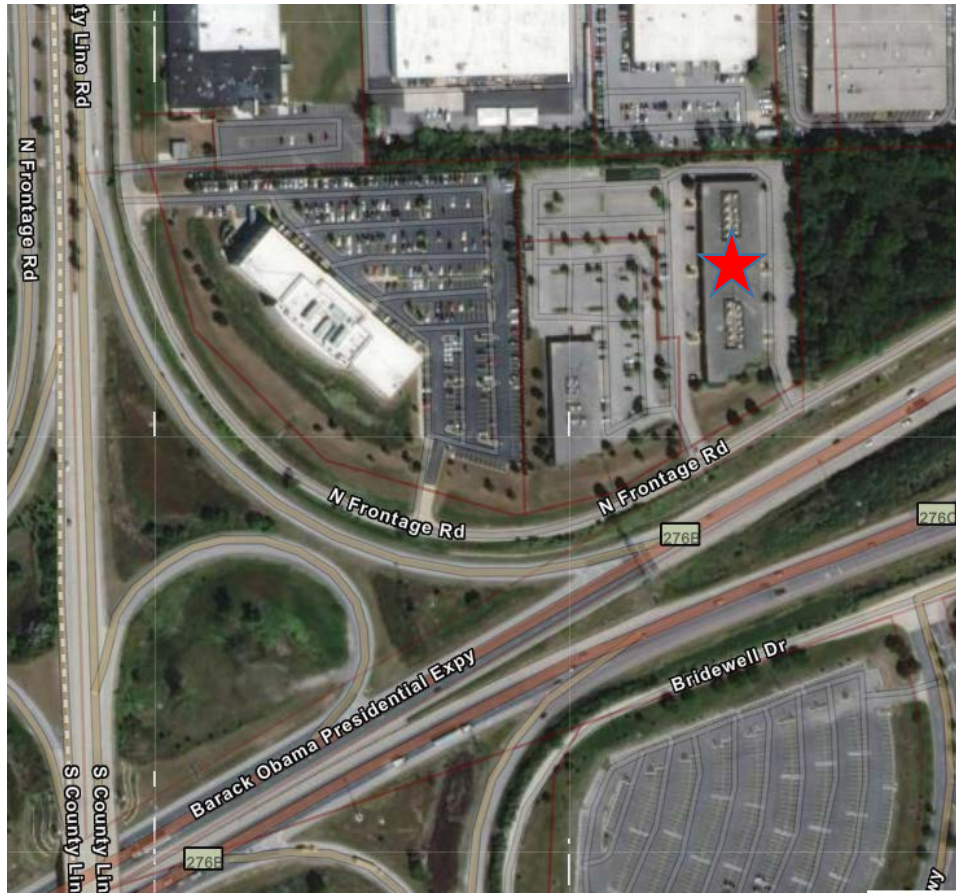
The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Premier IL Burr Ridge LLC for a special use for a child care center pursuant to Zoning Ordinance section X.E.2 and Ordinance #A-834-02-20. The petitioner proposes to occupy the space previously occupied by Grand Avenue Preschool and Day Care (Ordinance A-834-02-20). The petition number and address of this petition is **Z-18-2022: 6880 North Frontage Rd.** and the Permanent Real Estate Index Number is **18-30-100-011-0000**.

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, July 12, 2022. All public comment may be emailed to Community Development Director Janine Farrell (jfarrell@burr-ridge.gov) or mailed to Ms. Farrell's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.

Greg Trzupek, Chairman

MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



PLYMOUTH 144 TOWER LLC
20 CUSTOM HOUSE STREET
Boston, MA 02110

Owner
125 Tower Dr.
Burr Ridge, IL 60527

TOWER DRIVE PROPERTY M
5601 W 120TH ST STE 1
Alsip, IL 60803

101 Tower Dr
101 Tower Drive
Burr Ridge, IL 60527

Ams Mechanical Sys
140 E Tower Dr
Burr Ridge, IL 60527

Ap Aim Burr Ridge Llc
Po Box 396
Boca Raton, FL 33429

Avgeris And Associates
2500 S Highland Av 103
Lombard, IL 60148

Bremars Prop Owners
Po Box 460169
Houston, TX 77056

Bruce Sirus
124 Tower Dr
Burr Ridge, IL 60527

Burr Ridge Hotel Part.
100 E. Rvr Cntr #1100
Covington, KY 41011

Burr Ridge Parkway
1400 16Th St Ste 300
Oak Brook, IL 60523

Ci Tower Road Llc
145 Tower Drive Ste 1
Burr Ridge, IL 60527

Dik Drug Company
160 Tower Dr
Burr Ridge, IL 60527

Doug Young
18267 Casey Rd
Grayslake, IL 60030

Duke Realty Lp
P O Box 40509
Indianapolis, IN 46240

Hinsdale Mgmt Corp
21 Spinning Wheel Rd
Hinsdale, IL 60521

M Jhaveri
P O Box 1268
Morton Grove, IL 60053

Mcfarlane Douglass
135 Tower Drive
Burr Ridge, IL 60527

Mif 144 Tower Burr Rid
9450 W Bryn Mawr 550
Rosemont, IL 60018

Pb&J Xxxix Llc
4800 N Harlem Ave
Harwood Hts, IL 60706

Sheboygan Holdings Llc
1 Oakbrook Terr #400
Oakbrook Terrace, IL 60181

EXHIBIT B

ORDINANCE NO. A-834-02-20

AN ORDINANCE GRANTING A SPECIAL USE FOR A CHILD CARE CENTER IN
A L-I LIGHT INDUSTRIAL DISTRICT

(Z-03-2020: 6880 North Frontage Road - Hayes)

WHEREAS, an application for a special use for certain real estate has been filed with the Assistant Village Administrator of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use on January 20, 2020, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in The Doings Weekly, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for special uses, including its findings and recommendations, to this Mayor and Board of Trustees, and this Mayor and Board of Trustees has duly

considered said report, findings, and recommendations.

NOW THEREFORE, Be It Ordained by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This Mayor and Board of Trustees find that the granting of special use indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

Section 2: That this Mayor and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the special use for the property located at 6880 North Frontage Road, Burr Ridge, Illinois, is Nancy Hayes (hereinafter "Petitioner"). The Petitioner requests a special use to permit a child care center in the L-I Light Industrial District.
- B. That the property will not detract from the public health, safety, morals, comfort, or general welfare.
- C. That the special use will not adversely impact any adjacent properties.
- D. That the special use will allow the petitioner to bring a necessary service to the residents of the Village.
- E. That the site plan of the property is adequate for the use.

- F. That adequate traffic facilities are present on or adjacent to the property.
- G. That the use is not contrary to the objectives of the Official Comprehensive Plan.
- H. That the special use will otherwise conform to the applicable regulations of the Zoning Ordinance.

Section 3: That the special use for a child care center is ***hereby granted*** for the property commonly known as 6880 North Frontage Road and identified by the Permanent Real Estate Index Numbers(PIN) of: **18-30-100-011.**

Section 4: That approval of the special use shall be subject to the submitted business plan hereinafter referred to in **Exhibit A**, as well as to the following conditions:

1. The special use permit shall be limited to Grand Avenue Preschool and Day Care in a manner consistent with the submitted business plan attached herein as **Exhibit A**.
2. The special use shall be limited to the 5,000 square feet of floor area shown within the business plan at 6880 North Frontage Road.
3. The special use permit shall be limited to Nancy Hayes and her business partners and shall expire at such time that Ms. Hayes and her business partners no longer occupy the space at 6880 North Frontage Road or at which time there is an assignment or termination of the lease for the space at 6880 North Frontage Road.
4. The capacity of the special use shall be limited to 80 children on the premises.
5. Staff shall administratively review and approve a parking management plan for the pickup and drop-off times at the subject property.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and

ordered to publish this Ordinance in pamphlet form.

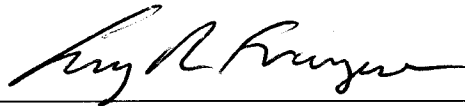
PASSED this 10th day of February, 2020, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 6 - Trustees Schiappa, Snyder, Mital, Mottl,
 Franzese and Paveza

NAYS: 0 - None

ABSENT: 0 - None

APPROVED by the President Pro Tem of the Village of Burr Ridge
this 10th day of February, 2020



President Pro Tem

ATTEST:




Village Clerk

Grand Avenue Preschool & Day Care, Inc.

Business Plan, December 2019

Since 1981, we have been providing early childhood education to families from our Western Springs and LaGrange Highlands locations. We would like to relocate our LaGrange Highlands location to Burr Ridge. We are licensed by DCFS and we also have a national accreditation (NECPA). We will be licensed for 80 children per day. We are currently serving families from Burr Ridge and we also have employees from Burr Ridge. Our students are primarily from Burr Ridge, Western Springs and LaGrange. We will be bringing most of our current families with us and we hope to enroll more families from the surrounding area.

We are open from 7AM until 6 PM daily to serve working families with full day programs for 3 to 6 year olds. We might consider opening a little earlier to accommodate Loyola families. We also offer part day preschool programs from 8:45 to 11:15, and an afternoon session as well. We provide programming for school age students and we will have those students attend Winter Camp (Christmas and New Years weeks), Spring Break and Summer Camp only. We have about 20 employees working 2 shifts. About 12 teachers work in the morning (some MWF and others T Th) and then our afternoon shift arrives around 2:30 and that could be about 8 cars.

Our plan is to continue providing our current programming. Our mission is to provide a positive group environment and stimulating curriculum fostering children's creative and intellectual abilities appropriate for the developmental stage. We are known for preparing children for kindergarten and later learning both through academics and social emotional learning. We have a music teacher who works each day. We sing for fun, for learning and we provide opportunities for families to come for events such as our Halloween Parade, Holiday Sing, Spring Sing and Graduation.

Respectfully submitted,

Nancy Hayes, Director, Owner

708 606 6875 cell

EXHIBIT A

STATE OF ILLINOIS)
COUNTY OF C O O K) SS.
COUNTY OF DU PAGE)

CLERK'S CERTIFICATE

I, KAREN J. THOMAS, the duly elected, qualified, and acting Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of that Ordinance now on file in my office, entitled:

ORDINANCE NO. A-834-02-20

**AN ORDINANCE GRANTING A SPECIAL USE FOR A CHILD CARE CENTER IN A
L-I LIGHT INDUSTRIAL DISTRICT**

(Z-03-2020: 6880 North Frontage Road - Hayes)

which Ordinance was passed by the Board of Trustees of the Village of Burr Ridge at a regular meeting held on the 10th day of February, 2020 which meeting a quorum was present, and approved by the Mayor of the Village of Burr Ridge on the 10th day of February, 2020.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Burr Ridge was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Burr Ridge, and that the result of said vote was as follows, to-wit:

**AYES: 6 - Trustees Schiappa, Snyder, Mital, Mottl,
 Franzese and Paveza**

NAYS: 0 - None

ABSENT: 0 - None

I do further certify that the original Ordinance, of which the attached is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Burr Ridge, this 10th day of February, 2020.

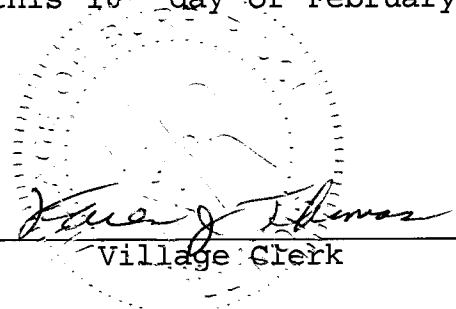

Village Clerk

EXHIBIT C

PLAN COMMISSION/ZONING BOARD OF APPEALS **VILLAGE OF BURR RIDGE** **MINUTES FOR REGULAR MEETING OF JANUARY 20, 2020**

I. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 7 – Hoch, Stratis, Broline, Irwin, Farrell, Petrich, and Trzupek

ABSENT: 1 – Praxmarer

Village Administrator Doug Pollock and Assistant Village Administrator Evan Walter were also present.

Chairman Trzupek acknowledged that tonight would have been Commissioner Praxmarer's final meeting as a Plan Commissioner and thanked her for her time and dedication to the Commission. Chairman Trzupek also congratulated other Plan Commissioners on their re-appointments.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to approve the minutes of the November 18, 2019 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 5 – Hoch, Broline, Petrich, Farrell, and Trzupek

NAYS: 0 – None

ABSTAIN: 2 – Stratis, Irwin

MOTION CARRIED by a vote of 5-0.

III. PUBLIC HEARINGS

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearing on the agenda for the meeting.

V-01-2020: Oak Creek Club Subdivision (Curelo); Variation and Findings of Fact

Chairman Trzupek asked Mr. Walter to review the public hearing request. Mr. Walter said the petitioner was Ken Curelo on behalf of the Oak Creek Club subdivision HOA, a gated subdivision located on the south side of 91st Street adjacent to Burr Ridge Middle School. The petitioner requests a variation from Section IV.K.2 of the Zoning Ordinance to permit outdoor storage of one commercial vehicle (henceforth "vehicle") and relevant attachments and implements to be used for snow removal on a seasonal, annual basis in a guest parking spot in the subject subdivision. Because the HOA owns and maintains its own streets, it must also plow the roads when snowfall occurs. The variation is necessitated as the HOA has requested to store a plow vehicle outdoors on

Commissioner Broline asked if the HOA would experience a loss of service if the vehicle were not permitted to be stored on the subject property. Mr. Curelo said that he worried about the loss of service for his more elderly residents who rely upon home health care and other services as part of their daily life if the snow could not efficiently be plowed.

Commissioner Hoch asked how other gated subdivisions plow snow. Mr. Walter first asked if the subdivision owns the driveways and walks; Mr. Curelo confirmed this. Mr. Walter then said that while there are five gated subdivisions in the Village, only two are responsible for clearing driveways and walks as well as the streets, with the other being Burr Ridge Club. Mr. Walter used the example of Falling Water being a gated subdivision where the HOA only maintained the street. Mr. Walter said that Burr Ridge Club was also different from Oak Ridge Club in that Burr Ridge Club has shared clay driveways, which require a special kind of plow to maintain safely.

Commissioner Irwin said that the request was for a variation, but the petitioner filled out findings of fact for a special use. Mr. Walter noted this and provided guidance as to how the Plan Commission can move forward.

Several Plan Commissioners asked for a poll of the community to understand the support for such a petition.

Mr. Walter said that he felt a poll of the residents would not be helpful in the Plan Commission's consideration of the request because public support or opposition of a request is not necessarily material to determining the findings of fact. Mr. Walter said that the Village did send letters to all residents of the subdivision, posted a sign in the exact spot where the vehicle would be stored, and thus outreach has already occurred. Mr. Walter noted that several residents did inquire as to the petition but very few had an opinion in support or against the petition, bar the objection letter received. Mr. Walter said that examples of hardship could be that contractors refused to plow the driveways of the subdivision if a vehicle could not be stored on site, as well as the possibility of heavy snow creating conditions wherein the vehicle could not be delivered quickly to the subdivision, thus creating a safety hazard for residents.

Commissioner Farrell agreed with Mr. Walter's statements, saying that her only additional request was that staff work with the HOA to determine if other locations to park the vehicle were present.

Commissioner Stratis asked if there was anything unique about Oak Creek Club that the Plan Commission could use to make a determination that the request was reasonable. Mr. Walter said that Burr Ridge Club was the only comparable subdivision in the Village, and that their driveways were dirt instead of asphalt, and used a different snow removal method.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to continue the public hearing to February 3, 2020.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Irwin, Hoch, Broline, Farrell, Petrich, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 7-0.

Z-03-2020: 6880 North Frontage Road (Hayes); Text Amendment, Special Use, and Findings of Fact

Chairman Trzupek asked Mr. Walter to review the public hearing request. Mr. Walter said that the petitioner is Nancy Hayes, owner of Grand Avenue Preschool and Day Care. The petitioner requests a text amendment to Section X.E.2 of the Zoning Ordinance to add “Child Care Center” as a special use in the L-I Light Industrial District and a special use as per the amended Section X.E.2 of the Zoning Ordinance to permit a “Child Care Center” at the subject property. The petitioner is the owner and proprietor of an accredited early childhood education center that has operated at several locations in the western suburbs since 1981. The petitioner seeks to open a new 5,000-square foot facility at the subject property that would provide continued services to the public.

Chairman Trzupek asked for public comment. None was given.

Chairman Trzupek asked for clarification as to the schedule of the use. Ms. Hayes stated that children would arrive between 7:00AM and 9:00AM based on the type of program the child is enrolled. Ms. Hayes said that children would either leave at 11:00AM if they were in a half-day program or between 3:00PM and 4:00PM if they were in a full-day program. Ms. Hayes said that she would be working with Vine Academy to create a coherent valet plan in the future.

Commissioner Hoch said she supported the petition and had no objections.

Commissioner Irwin asked if Grand Avenue would be sharing a playground with Vine Academy. Ms. Hayes said that she was required by the State to have a playground built for the needs of the ages of the children served by the use, and thus would be required to build their own playground.

Chairman Trzupek asked if a recommendation could be made based upon staff approval of a parking plan. Mr. Walter said that this was acceptable.

Commissioner Petrich asked if the business would be opening early to service Loyola employees. Ms. Hayes said that she would not be pursuing this possibility.

Commissioner Farrell asked if other tenants were present. Mr. Walter said that Vine Academy, Seasons Hospice, and Advanse were the other tenants present. Commissioner Farrell asked if there was any concern about the playground occupying parking spaces. Mr. Walter said that this use presented no zoning impact.

Commissioner Stratis asked if an exit shown would open to a shared office area. Ms. Hayes said that the exit shown would be moved to a public area and not have the use be accessible from private areas.

At 8:33p.m., a **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Petrich, Hoch, Broline, Stratis, Farrell, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Farrell to recommend approval of a text amendment to Section X.E.2 of the Zoning Ordinance to add “Child Care Center” as a special use in the L-I Light Industrial District.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Farrell, Hoch, Broline, Stratis, Petrich, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Farrell to recommend approval of a special use as per the amended Section X.E.2 of the Zoning Ordinance to permit a “Child Care Center” at the subject property, subject to the following conditions:

1. The special use permit shall be limited to Grand Avenue Preschool and Day Care in a manner consistent with the submitted business plan.
2. The special use shall be limited to the 5,000 square feet of floor area shown within the business plan at 6880 North Frontage Road.
3. The special use permit shall be limited to Nancy Hayes and her business partners and shall expire at such time that Ms. Hayes and her business partners no longer occupies the space at 6880 North Frontage Road or at which time there is an assignment or termination of the lease for the space at 6880 North Frontage Road.
4. The capacity of the special use shall be limited to 80 children on the premises at any particular time.
5. Staff shall administratively review and approve a parking management plan for the pickup and drop-off times at the subject property.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Farrell, Hoch, Broline, Stratis, Petrich, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 7-0.

IV. CORRESPONDENCE

Commissioner Irwin asked about the Board’s decision to deny a special use to Apex, even though the Plan Commission recommended approval of the renewal. Mr. Walter said that the petitioner asked for additional relief beyond what was suggested at the Plan Commission hearing, and the Board disagreed with this sentiment.

V. OTHER PETITIONS

PC-01-2020: Annual Zoning Review

Mr. Walter reviewed the annual zoning review, explaining that it served as a summary of all petitions in the previous year as well as provided suggestions for the Plan Commission as to items that may warrant additional attention.

The Plan Commission concurred that all of the suggestions except for a review of office parking standards warranted additional consideration in the form of a public hearing.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Hoch to request that the Board permit the Plan Commission to hold public hearings regarding planned

ORDINANCE NO. A-834-xx-22

AN ORDINANCE GRANTING A SPECIAL USE FOR A CHILD CARE CENTER IN
THE L-I LIGHT INDUSTRIAL DISTRICT AND FOR A FENCE IN A NON-
RESIDENTIAL DISTRICT

(Z-16-2022: 6860 North Frontage Road - Menendez/Action
Behavior Center LLC)

WHEREAS, an application for a special use for certain real estate has been filed with the Community Development Director of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use on June 20, 2022, at the Burr Ridge Police Department, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in The Doings Weekly, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for special uses, including its findings and recommendations, to this Mayor and Board of

Trustees, and this Mayor and Board of Trustees has duly considered said report, findings, and recommendations.

NOW THEREFORE, Be It Ordained by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This Mayor and Board of Trustees find that the granting of special use indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

Section 2: That this Mayor and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the special use for the property located at 6860 North Frontage Road, Burr Ridge, Illinois, is Angie Menendez (hereinafter "Petitioner"). The Petitioner requests a special use to permit a child care center in the L-I Light Industrial District and for a fence in a non-residential district.
- B. That the property will not detract from the public health, safety, morals, comfort, or general welfare.
- C. That the special use will not adversely impact any adjacent properties.
- D. That the special use will allow the petitioner to bring a necessary service to the residents of the Village.
- E. That the site plan of the property is adequate for the

use.

- F. That adequate traffic facilities are present on or adjacent to the property.
- G. That the use is not contrary to the objectives of the Official Comprehensive Plan.
- H. That the special use will otherwise conform to the applicable regulations of the Zoning Ordinance.

Section 3: That the special use for a child care center and fence is ***hereby granted*** for the property commonly known as 6860 North Frontage Road and identified by the Permanent Real Estate Index Numbers(PIN) of: **18-30-100-012.**

Section 4: That approval of the special use shall be subject to the submitted business plan hereinafter referred to in **Exhibit A**, as well as to the following conditions:

1. The special use permit shall be limited to Action Behavior Centers, LLC in a manner consistent with the submitted business plan. The special use shall expire at such time that Action Behavior Centers, LLC no longer occupies the space at 6860 North Frontage Rd. or at which time there is an assignment or termination of the lease for the space at 6860 North Frontage Rd.
2. The special use shall be limited to Suite A and the outside area as depicted on the plans at 6860 North Frontage Rd.
3. The capacity of the special use shall be limited to 40 children on the premises at any particular time.
4. The fence shall be permitted to be located within the interior side yard as depicted on the plans.
5. The hours of operation shall be Monday through Saturday, 8:00 a.m. to 5:00 p.m.
6. Employees and staff of Action Behavior Center shall park in a designated area to the north of the building, subject to staff approval.
7. At such time that Action Behavior Centers, LLC no longer occupies the space at 6860 North Frontage Rd., the fence for the play area shall be removed.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 25th day of July, 2022, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: -

NAYS: -

ABSENT: -

APPROVED by the Mayor of the Village of Burr Ridge this 25th day of July, 2022

Mayor

ATTEST:

Village Clerk

EXHIBIT A



May 04, 2022

Burr Ridge WLG, LLC

10404 Essex Court, Suite 101
Omaha, NE 68114

The Village of Burr Ridge Planning Commission and Zoning Board

7660 County Line Road
Burr Ridge, IL 60527

RE: Special Use Classification for Action Behavior Centers (Tenant) - 6860 N Frontage Rd, Suite A, Burr Ridge, IL 60527

To Whom It May Concern,

On behalf of the owner, Burr Ridge WLG, LLC, we hereby support our tenant, Action Behavior Centers, with their request to be classified as "special use." Action Behavior Centers ("Tenant") provides ABA Therapy to children (ages 18 mo. to 7 yrs) who are on the autism spectrum. Our tenant is requesting this modification to be able to install a 4' black wrought iron fence behind the building. This enclosed space will be utilized to provide environmental, socialization, and mobility therapies throughout the day.

We hereby authorize Angie Menendez, Project Manager for Action Behavior Centers, to petition for the special use classification for the property located at 6860 N Frontage Rd, Suite A, Burr Ridge, IL 60527.

Please see the attached exhibit A for the agreed upon location of the fence.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Tanner Ertan", with a long horizontal flourish extending to the right.

Tanner Ertan
Senior Commercial Property Manager
(402) 408.0005 (o) | (402) 344-2861 (f)
TErtan@whitelotusgroup.com

Detailed Description of Special Use: Action Behavior Centers

Business name: Action Behavior Centers, LLC

Business Type: Action Behavior Centers provides full time ABA Therapy for Autistic kids ages 2-7 years old.

Hours of Operations: 8:00 am – 5:00 pm M-F.

Business History: Five short years ago, we started off with one center in Austin, one BCBA, and big aspirations. After observing the lack of quality options for children with Autism, we set out to create Action Behavior Centers with a vision of transforming the lives of children with Autism and the clinicians who support them.

In our quest to create something special, we ignited a movement.

Today, with centers in Texas, Arizona, Colorado, and Illinois, we're well on our way to accomplishing our mission. Through our community of more than 3000 autism professionals, we serve thousands of children and families with Autism.

Size: Action Behavior Centers has a total capacity of 38 kids, but we are currently operating with only 5 kids. Our approximate staff capacity is 42. Our staff includes, Registered Behavioral Therapists, Board Certified Behavioral Analysts, and 3 Office Administrators.

Parking/Pick up and Drop off: Action Behavior Centers has four designated spots for staggered drop off and pick up times, between 8:00-8:45 am, and 4:00 – 5:00 pm. There is more than enough parking in this complex and there will be no lines of cars at any time within our property.

Outdoor Space: In the proposed space, Action Behavior Centers plans to install a black 4ft wrought iron fence with 2 gates for Autistic Environmental Therapy. Enclosed in the fence area will be a small play toys for sensory play such as a sandbox, small swing and picnic table.

Population: Action Behavior Centers only offers therapy for children on the spectrum ages 2-7 years old.

Our passion: Our kids are at the core of what we do. They are what matters. Everything we do is focused on embracing their world, understanding them and achieving their greatest potential. ABC doesn't take a "one size fits all" approach and treats each child as an individual. Our goal is to celebrate each child's unique gifts while helping them develop tools that serve them later in life.

Who We Are

Action Behavior Centers ("ABC") is an organization committed to the treatment of children using empirically validated methods and strategies in order to assist each child in reaching his or her greatest potential and improving their quality of life.

At ABC, we cherish every child as an individual. In addition to behavioral and educational programming, we focus on the needs of the family and its fundamental role in the success of our behavioral and educational programming.

We are dedicated to providing each family with customized support and training using the principles and techniques of Applied Behavior Analysis while following the ethical guidelines set forth by the Behavior Analysis Certification Board ("BACB"). The average child age is between 2 – 7 years of age.

What is ABA?

Applied Behavior Analysis("ABA") is a research-based, scientific method that began with the work of Professor B.F. Skinner of Harvard. The science measures observable behavior. It looks at what occurs before a behavior (antecedent) and what happens after a behavior

(consequence). In Addition, the methods of ABA are applied by breaking down skills into simple steps and teaching each step in succession. Skills are taught with the use of prompting to assist learning. A correct response is followed by positive reinforcement which increases the likelihood that a behavior or response will occur more often in the future. ABC uses errorless learning in order to decrease frustration and make teaching and learning a fun activity.

ABA is the study of the functional relationship between one's behaviors and their environment. Data is collected on the stimuli that elicits, increases, decreases, or maintains the child's behavior. The data is analyzed and a treatment plan or an individualized ABA program is implemented. As the child's treatment progresses, data is collected and analyzed again to determine treatment effectiveness. The goal of a behavior analyst is to utilize behavioral contingencies to help the child learn more functional skills that can replace undesirable behaviors and improve quality of life. ABC seeks to produce significant results enabling the child to adapt to their environment thus preparing them for a brighter future.

ABA-based intervention is validated for Autism Spectrum Disorder ("ASD") and is also applicable to children with other developmental disabilities. It is a set of principles and

guidelines upon which educational programs are based and should not be used synonymously with a specific program. An ABA program targets specific developmental areas such as:

- Attending skills
- Imitative skills
- Fine motor and gross motor skills
- Language skills
- Conversation skills
- Functional play
- Functional skills/self-help skills
- Social skills
- Theory of Mind/Social Cognition
- Toileting skills
- Problem Behaviors

Other names encountered within the field of ABA are: Verbal Behavior (VB), Discrete Trial Teaching (DTT), Natural Environment Teaching (NET), Pivotal Response Training (PRT) and Fluency-based instruction. Each uses a specific method of instruction and are all based on the principles of ABA.

How does ABA work?

- Provides individualized learning objectives
- Provides one-on-one therapy
- Involves an intensive treatment program, between 20 and 40 hours of therapy per week
- Provides continual support to parents

The Philosophy of ABA is Determinism: all behavior is governed by the laws of behavior and therefore there is a reason for all behavior. We can predict and control behavior when we discover the variables governing a particular behavior.

Therapy Hours

ABCs provides therapy from 8am to 5pm Monday through Friday. ABC may provide therapy on Saturdays at its sole discretion. Children are dropped off between 8:00 – 8:45 a.m. and picked up between 4:00 – 5:00 p.m. The drop off and pick up times are based on therapy scheduling.

Parking

ABCs offers 4 designated parking spaces for the parents to park while bringing in or picking up their child. Many of the parents also have handicap parking tags and utilize the handicap spaces as well. For the safety of the children, we require spaces as near to the premise entrance as possible. (see the enclosed Site Plan for designated parking spaces)

Capacity

ABC anticipates a maximum client capacity of 38. At full capacity we will have approximately 42 staff members.



Grand Avenue
Preschool & Daycare

No additional shrubs
proposed - plenty of
coverage already

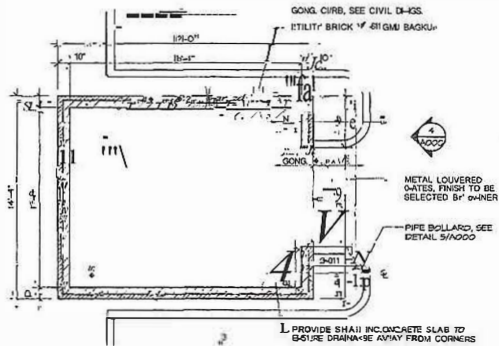
Proposed
Fence
area

occupancy

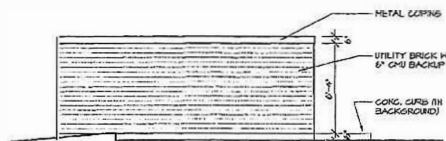
Burt and Will
Plastic Surgery an

Drop-off /
Pick-up
Parking (4
spcs)

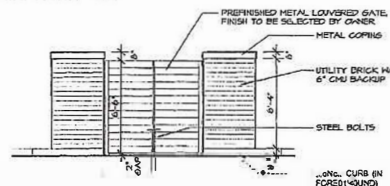
Parents have 4 designated spaces to dropoff/pickup their child.
They always come inside the facility to dropoff & pickup.
They drop off between 8 - 8:45 and pickup between 4:30 - 5:00.
Other parking is available if they need it and some parents have handicap stickers to utilize
the handicap parking.



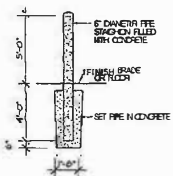
2 TRASH ENCLOSURE PLAN
Scale: 1/4" = 1'-0"



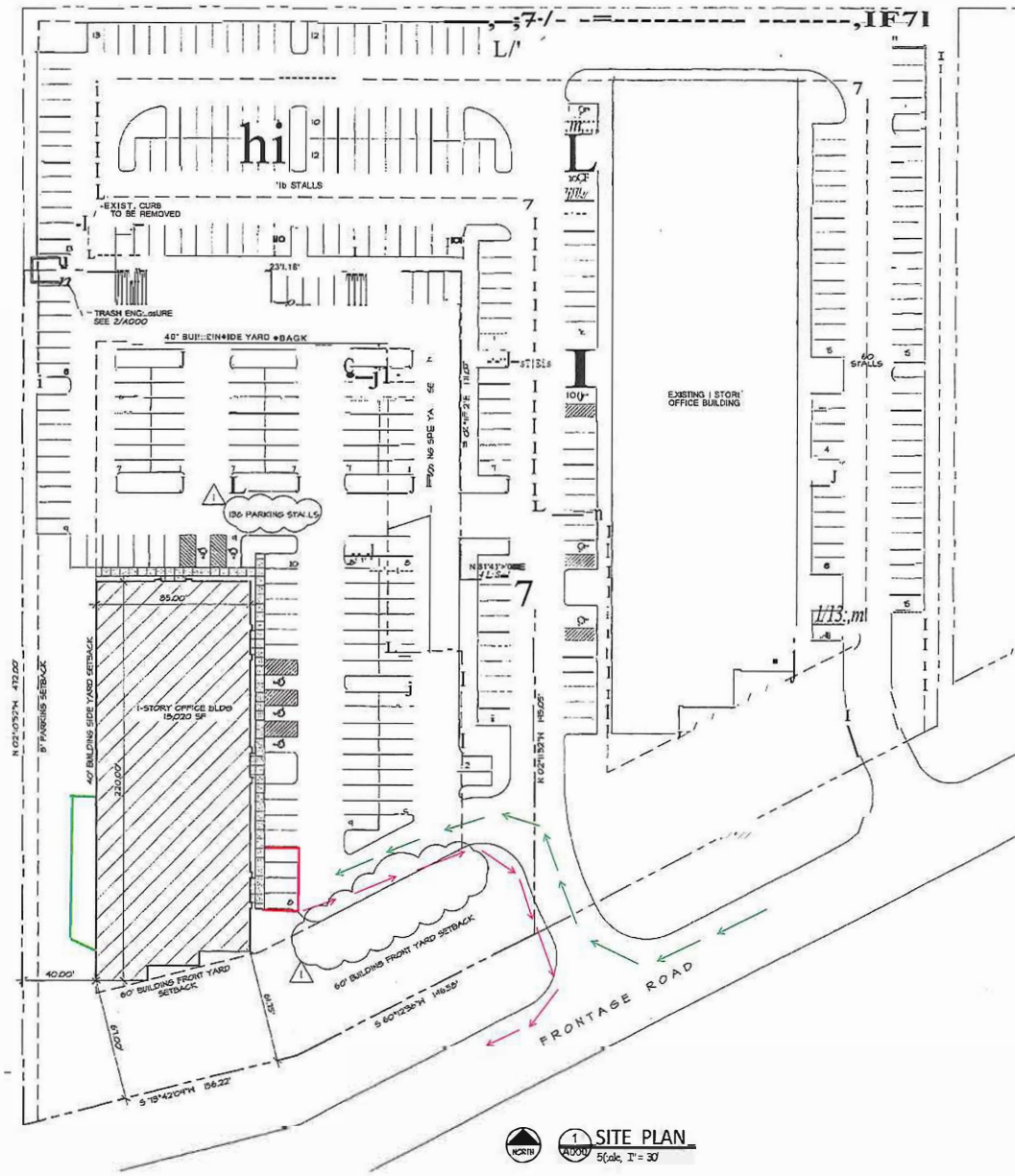
3 TRASH ENCLOSURE ELEVATION
Scale: 1/4" = 1'-0"



4 TRASH ENCLOSURE ELEVATION
Scale: 1/4" = 1'-0"



5 BOLLARD DETAIL
Scale: 1/4" = 1'-0"



1 SITE PLAN
Scale: 1" = 30'

TMA

Architects & Planners
Tennally Morgan Associates

200 Tri-State International Center
Suite 100
Uniondale, Illinois 60009
630-340-0333 phone
630-374-0037 fax

1811
18 E. 42nd Street
Suite 400
New York, New York 10011
212-681-6741 phone
212-681-6742 fax

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Tennally Morgan Associates.

PROJECT NO. 99-0001
DATE: 03/03/99
DRAWN BY: J. MORGAN
CHECKED BY: J. MORGAN
DATE: 03/03/99

PO BOX 500000
J.S. NORTH RIDGE II
HIGH RIDGE PHASE II
6880 NORTH FRONTAGE RD.
BURR RIDGE, IL 60527

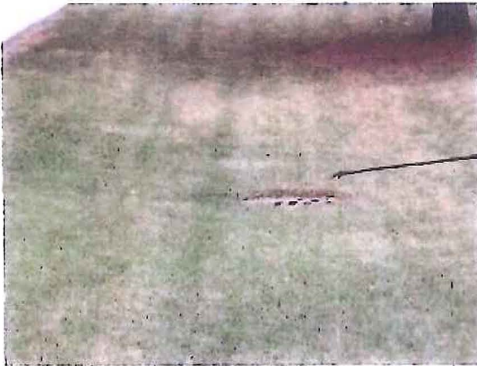
SHEET NO. 1 OF 1
SHEET TITLE: SH ENCLOSURE DTLS.
DATE: 03-03-99
PROJECT: 03101104

A000

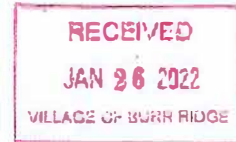
Exhibit A



22-021 6860 7-7 coverage #1



SEWER GOES TO
PARKING LOT



12-5-21

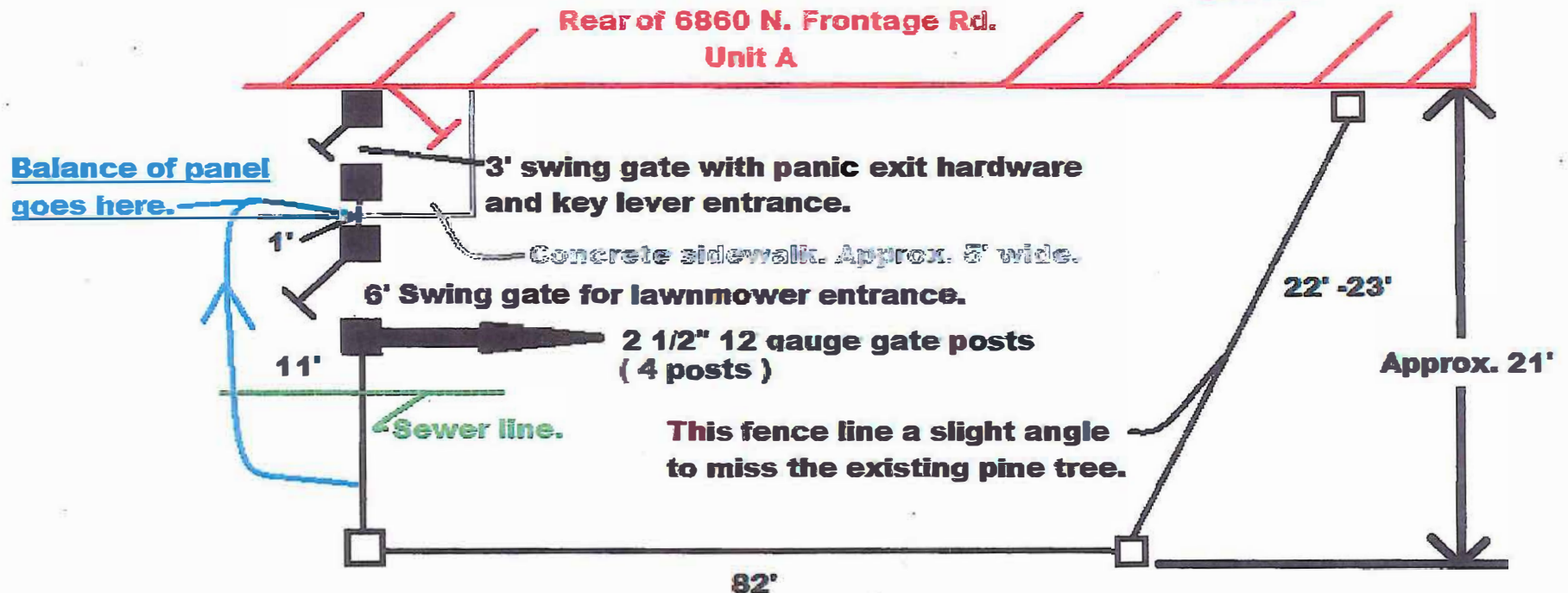
Not drawn to any scale:

Date: 01-25-2022-2021

Salesman: Ken Kolar (630) 743-8006

Job Number: 2228940

22-021



Name: Action Behavior Center	First Fence Inc.
Site address: 6860 N. Frontage Road	4900 Harrison Street
City: Burr Ridge, IL 60527	Hillside, IL. 60162
Phone: (703) 863-5685 Angie	Office Phone: (708) 547-7555

22-021 6860 N. Frontage Rd

#	DESCRIPTION
1	15/16" x 1 1/4" x 14ga CHANNEL RAIL
2	5/8" SQ x 18ga PICKET
3	2 SQ POST
4	BRACKET# BX104

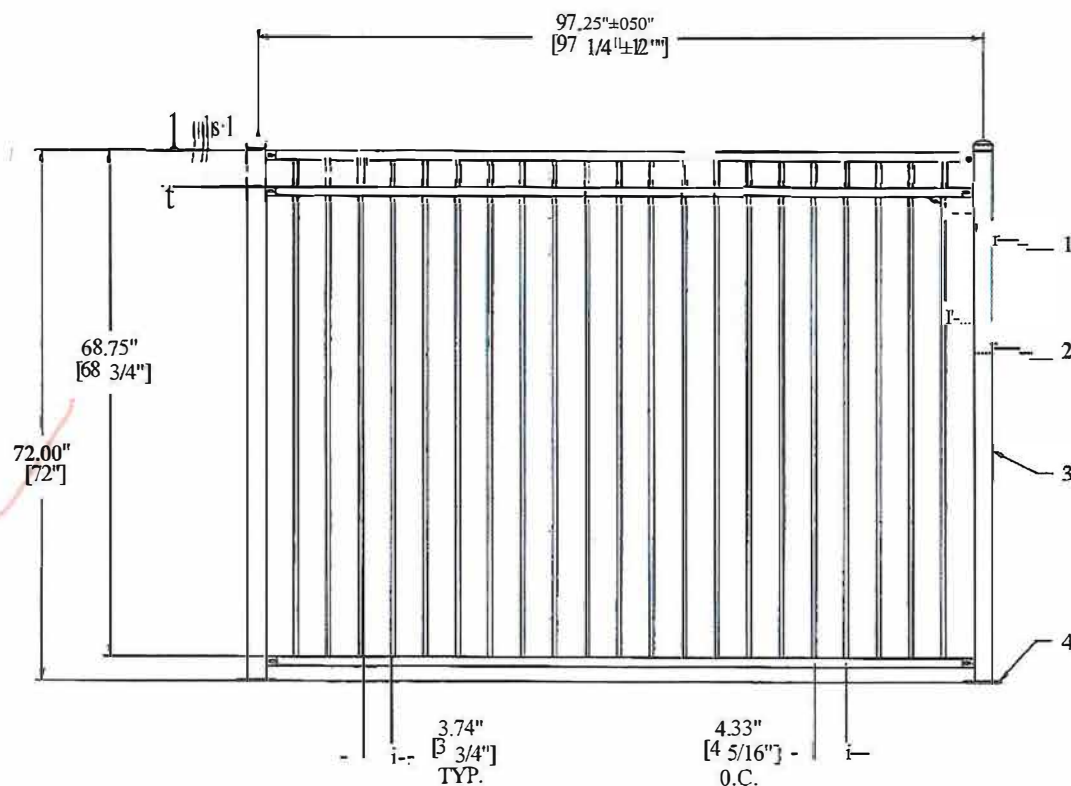
!=====;

TOP VIEW

RECFIVF.:0

JAN 26 2022

'VIILAQI; OF BURR RIDGE



ELEVATION VIEW

SIDE VIEW

UNARY FORMS COMBINE 4. Date Performed 5. Date Checked 6. Date Drawn 7. Date Issued				PROPIETARY INFORMATION This drawing is the proprietary property of IIA MERISTAR. IIA, IIA-MERISTAR and the IIA-MERISTAR logo are trademarks of IIA MERISTAR. All rights reserved. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of IIA MERISTAR.				IIA MERISTAR 116	
DO NOT SCALE OFF DRAWING Angular = 9.5				REVISION HISTORY				TITLE: MONTAGE RESIDENTIAL STEEL PANEL	
REVISION HISTORY				DATE: 02/11/16				SHEET: 1 of 11	
REVISION HISTORY				ORN BY: VM				REV: D	
REVISION HISTORY				DRAWING NO: RMX375F				REV: D	

ORDINANCE NO. A-661-01-22**AN ORDINANCE AMENDING THE VILLAGE OF BURR RIDGE
PERSONNEL MANUAL**

WHEREAS, the corporate authorities of the Village of Burr Ridge (“Village”) have previously adopted an "Ordinance Adopting the Village of Burr Ridge Personnel Manual and Repealing Ordinance Numbers 403 and 415, as Amended," and subsequent amendments by ordinance; and

WHEREAS, the corporate authorities of the Village have determined that it is in the best interest of the Village to revise its Personnel Manual in full due to numerous changes in labor laws, human resource best practices, and the like.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1. The Village of Burr Ridge Personnel Manual is hereby amended and replaced with the attachment included herein as Exhibit A.

Section 2. This Ordinance shall be in full force and effect upon its passage and approval, as provided by law.

ADOPTED this 25th day of July, 2022, pursuant to a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this 25th day of July, 2022.

Mayor

ATTEST:

Village Clerk

VILLAGE OF BURR RIDGE PERSONNEL MANUAL

Section 1: General

1.1 Purpose of Personnel Manual

The Personnel Manual (“Manual”) contains policies of the Village of Burr Ridge (“Village”) relating to employment and human resource functions. The Manual specifies the personnel policies of the Village and actions to be taken to minimize the possibility of unauthorized personnel actions. Employment with the Village is at will and can be terminated at any time, with or without cause. No policy set forth in this Manual implies or may be construed to imply that this Manual is an employment contract; no promise of employment for any specific period of time is offered or established or is to be implemented on account of any statement in this Manual. Any oral or written statements or promises to the contrary are expressly disavowed and should not be relied upon by any existing or prospective employees. It is anticipated that this Manual will be referred to regularly. It is intended that the Manual will help those associated with the Village to understand their roles and to act appropriately in carrying out their duties. Individual Departments may promulgate rules that may be altered but consistent with the rules set forth in this Manual.

This Manual supersedes all other employment policies and agreements. If there is any conflict between this Manual and the ordinances of the Village, the ordinances shall prevail. Any agreements relating to the terms and conditions of employment that differ in any way from the provisions of this Manual must be in writing and formally adopted by the Board. Some employees of the Village are represented by a union and are covered by a collective bargaining agreement. If there is any conflict between the information contained in this Manual and a collective bargaining agreement, the provisions of the collective bargaining agreement will control. This Manual is not intended to and does not confer any benefits, compensation, or rights of any kind to union-represented employees that are greater than or extend beyond those required by the collective bargaining agreement.

1.2 Participants

The following groups are primarily responsible for formulating and carrying out personnel and employment policies. Reference to any of the following in this Manual shall include any persons designated to act in place of the officially elected or appointed body or officer:

Elected Officials

An elected Mayor and a six-member Board of Trustees (cumulatively the “Board”) govern the Village. The Board determines the general policies, programs, and goals of the Village, including the Manual. The Board establishes goals and form the framework for

Village personnel policies and rules, while also approves compensation, the size of the workforce, and the establishment or elimination of positions.

Appointed Officials

Members of the various Boards, Committees, and Commissions established by the Board are Appointed Officials. Aside from the Board of Fire and Police Commissioners (BFPC) and the Personnel Committee, no Appointed Official has direct authority or responsibility to carry out administration or evaluate employee performance.

Village Administrator

The Board appoints the Village Administrator, who serves as their Chief Administrative Officer. The Village Administrator is responsible for the administration of this Manual. The Village Administrator is expressly empowered with the authority to implement the policies adopted by the Board. The Village Administrator may recommend amendments to the Manual unilaterally or through consultation with other employees. The Village Administrator is considered the employee to be contacted for information about the Manual or administration of its contents herein unless specifically listed otherwise.

Board of Police Commissioners

The Board of Fire and Police Commissioners (BFPC) is responsible for the recruitment, testing, selection, promotion, and discipline of sworn police officers. The BFPC is a three-member board appointed by the Mayor with the approval of the Board.

Department Heads

Department Heads comprise the Village's senior leadership team and includes the following employees:

Village Administrator	Public Works Director / Village Engineer	Police Chief
Deputy Police Chief	Community Development Director	Finance Consultant

Supervisors

Supervisors are responsible for directing the work of Departments at the direction of and on behalf of Department Heads. Supervisors are defined as any employee with other employees reporting directly to them. They are responsible for determining work assignments and methods as well as maintaining necessary discipline. All Department Heads are also be Supervisors.

Non-Supervisory Employees

Non-supervisory employees are defined as any employee without any employees directly reporting to them.

1.3 Principles of Employment

This Manual is intended for use by all employees. The Manual is based upon the following principles, which are subject to the reasonable judgment of Supervisors:

- A. The provision of equal opportunity as set forth in Section 2.1 of this Manual.
- B. The provision of competitive compensation and benefits as determined in the judgment of the Board.
- C. The improvement and efficient utilization of employee skills in order to provide high-quality job performance, growth, and satisfaction.
- D. The recognition of employees who Meet or Exceed Expectations of performance standards, the improvement of Below Expectations performance, and the discharge of those with inadequate performance.
- E. The encouragement of understanding and communication among employees at all levels of the organization.
- F. The recruitment and retention of employees based on their knowledge, skills, and ability to perform the duties of their position.
- G. The provision of a professionally administered personnel system based upon policies that are uniform and reasonable and provide protection against arbitrary and capricious decisions.
- H. The provision of safe conditions conducive to effective and efficient service.

1.4 Code of Ethics

Employees of the Village shall adhere to the Standards Of Excellence In Conduct And Ethics set forth in Chapter 2 of the Municipal Code in all aspects of their duties and responsibilities.

1.5 Communication Between Elected and Appointed Officials and Staff

Elected or Appointed Officials are entitled to speak with either the Village Administrator or applicable Department Head on any Village matter. If an Elected or Appointed Official has an inquiry related to the duties of a Supervisor or Non-Supervisory employee, the Elected or Appointed Official shall communicate with the applicable Department Head. The Department Head may direct the Supervisory or Non-Supervisory Employee to communicate directly with the Elected or Appointed Official, except in all cases the Department Head shall be made aware of any such communication which may or did occur between an Elected or Appointed Official and the employee. If an Elected or Appointed Official is dissatisfied with the performance of one or more employees, said feedback must be provided to the Village Administrator. Members of the Board should not meet or directly communicate with employees other than the Village Administrator to discuss job performance. This policy shall not bind the ability of Elected or Appointed Officials to make inquiries of the Village in their capacity as residents, property owners, or the like when conducting routine business with the Village, i.e. when applying for a building permit.

Section 2: Conditions of Employment

2.1 Equal Opportunity in Employment

The Village values and respects diversity in the workforce. It is the policy and practice of the Village to hire, promote, and compensate employees, and to administer all employment practices in accordance with applicable law, without regard to status or perceived status in a protected class, including race, color, national origin, citizenship, work authorization status, age, religion, disability status, association with a person with a disability, gender, sexual orientation, gender identity, gender expression, genetic information, pregnancy, military status, or marital status.

In the event that an employee has a complaint of discrimination or retaliation or believes that conduct prohibited by the Manual or applicable law may be occurring, the employee is required to:

- A. Immediately report the complaint or incident in writing to their Supervisor. If the Supervisor is involved in the incident, the employee should report the incident to the next individual in the chain of command that is not involved, including another Supervisor, Department Head, Village Administrator, or Village Attorney.
- B. The employee may also file a charge of discrimination with the U.S. Equal Employment Opportunity Commission or with the Illinois Department of Human Rights.

There shall be no discrimination or retaliation against any employee who, in good faith, makes a complaint or report of discrimination, retaliation, or harassment.

2.2 Americans with Disabilities Act Guidelines

It is the policy of the Village to comply with all provisions of the Americans with Disabilities Act ("ADA"). The Village will not discriminate against any qualified employee or job applicant with respect to any term or condition of employment based on a physical or mental disability or the perception of a physical or mental disability. The Village shall make reasonable modifications or adjustments to a job or the work environment so as to enable the performance of essential job functions for any employee with a disability that is known to the Village if such accommodation does not result in an undue hardship to the Village. Employees should notify their immediate Supervisor, Department Head, or the Village Administrator of any needed accommodations.

Any applicant or employee who believes that they have been discriminated against based on a physical or mental disability or based on a perception that they suffer from a physical or mental disability should follow the Complaint Procedure (Section 14). Employees who wish to receive more information regarding the federal ADA regulations relating to workplace accommodations may contact the United States Department of Justice.

2.3 Anti- Harassment / Anti-Discrimination Policy

Statement of Policy

The Village desires to provide a professional working environment for its employees so that employees may carry out their duties in a productive and positive surrounding. The Village is committed to maintaining a work environment that is free from all forms of harassment or discrimination of any kind. In keeping with this commitment, the Village will not tolerate any form of harassment, including sexual harassment, or discrimination of any kind based upon race, color, religion, sex, pregnancy, ancestry, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, marital status, citizenship status, or other legally protected group status, by its employees or against its employees by anyone, including supervisors, co-workers, officers, vendors, customers or any third party. This Policy is intended to assure that the Village is taking all steps to prevent harassment and discrimination in the workplace and to correct harassing or discriminatory conduct that does occur before it becomes severe or pervasive.

Each officer and employee bears a responsibility to refrain from discrimination or harassment in the workplace. Village employees who engage in discriminatory or harassing conduct may be subject to disciplinary action, up to and including termination of employment with the Village. It is the responsibility of all supervisors to make sure that the work environment is free from harassment or discrimination of any kind.

The Village also prohibits retaliation of any kind against anyone who has complained about discrimination or harassment, whether that concern relates to discrimination against or harassment of the individual raising the concern or against another individual.

Definitions and Prohibited Conduct

Sexual Harassment

Sexual harassment, for purposes of this policy, means any harassment or discrimination on the basis of an individual's actual or perceived sex or gender, including unwelcome sexual advances, requests for sexual favors, other verbal, non-verbal, or physical acts of a sexual or sex-based nature, where:

- A. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can occur between members of the same or different genders. Any such behavior is unacceptable but especially so in the workplace or work-related settings.

Sexual harassment affects the victim but also other employees as well. Sexually-oriented acts or sex-based conduct have no legitimate business purpose. Where such conduct is directed by someone in a management position toward a subordinate, the former will be held to a higher standard of accountability because of the degree of control and influence they have or are perceived to have over the employment conditions and benefits of the subordinate.

Prohibited acts of sexual harassment may include a range of subtle or not-so-subtle behaviors and may involve individuals of the same or different gender. Such behavior may include, but is not limited to: unwanted sexual advances; requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering; catcalls; touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail, instant messaging, texts, Internet or computer usage); and other physical, verbal or visual conduct of a sexual nature. Harassment that does not include sexual activity or language may also constitute discrimination if it is severe or pervasive and directed at employees because of their actual or perceived gender.

Harassment or discrimination consists of unwelcome conduct of any kind, whether verbal or physical, or disparate treatment affecting an individual's terms and conditions of employment based upon a person's actual or perceived race, color, religion, sex (gender), pregnancy, ancestry, national origin, age, physical or mental disability, sexual orientation, gender identity, gender expression, marital status, citizenship status, or other legally protected group status. Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes and display; or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail, texts, etc.) because of their actual or perceived protected status.

Individuals Covered Under the Policy

This policy covers all Elected and Appointed Officials, employees, and officers of the Village. The Village will not tolerate, condone or allow harassment or discrimination, whether engaged in by fellow employees, officers, or by other non-employees who conduct business with the Village. The Village supports and encourages reporting of all incidents of harassment and discrimination, regardless of who the offender may be, and will promptly investigate all reported incidents. Where the alleged offender is not an employee or officer of the Village, the Village Administrator, in consultation with the complainant, will review the complaint and make every effort to identify a reasonable remedy if harassment or discrimination has been confirmed.

Responsibility of Supervisory Employees

Each supervisor is responsible for maintaining the workplace free from harassment and discrimination. This is accomplished by promoting a professional environment and by

dealing with harassment and discrimination as well as other forms of employee misconduct. In addition, all supervisors are required to report complaints of harassment or discrimination to the Village Administrator. A supervisor must address an observed incident of harassment or discrimination or a complaint with seriousness, take prompt action to investigate it, report it, end it, and implement appropriate disciplinary action. This also applies to cases where an employee tells the supervisor about behavior that constitutes sexual harassment or other harassment or discrimination but does not want to make a formal complaint. In addition, supervisors must ensure that no retaliation will result against an employee making a complaint of harassment or discrimination.

Responsibility of Individual Employees

Each individual employee and officer has the responsibility to refrain from harassment and discrimination in the workplace and to report incidents of harassment or discrimination. An individual employee who harasses or discriminates against a fellow employee is, of course, liable for their individual conduct and will be subject to disciplinary action, up to and including termination of employment.

Complaint Process

While the Village encourages individuals who believe they are being harassed or discriminated against to firmly and promptly notify the offender that their behavior is unwelcome, the Village also recognizes that such a confrontation may be ineffective or impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, or even when such communication has occurred, the following steps should be taken to report a complaint of harassment or discrimination.

A. Reporting of Incident: All employees are required to report any suspected harassment or discrimination by another employee to their Department Head, except where the Department Head is the individual accused of harassment or discrimination. In that case, the complaint should be reported to the Village Administrator or Mayor in the event the Village Administrator is the individual accused of harassment or discrimination. In the case of an instance of sexual harassment, if the victim prefers to report the suspected harassment to someone of the same gender as that of the victim, the complaint can be reported to any of the following: Department Head of another Department, Supervisor, or representative of the Village Attorney. The report may be made initially either orally or in writing, but reports made orally must ultimately be reduced to writing.

B. Investigation of Complaint: When a complaint of harassment or discrimination has been reported, the Village Administrator or their designee will make a determination as to whether a detailed fact-finding investigation is necessary (for example, if the alleged harasser does not deny the accusation, the Village could immediately determine appropriate corrective action). If a fact-finding investigation is necessary, the Village Administrator or their designee will promptly initiate an investigation of the suspected harassment or discrimination. The fact-finding investigation may include an interview with the employee(s) who made the initial report, the person(s) towards whom the suspected

harassment was directed, and the individual(s) accused of the harassment or discrimination. Any other person who may have information regarding the alleged harassment or discrimination may also be interviewed.

C. Report: The person responsible for investigating the complaint will objectively gather and consider the relevant facts and shall prepare a written report of the investigation of the harassment or discrimination. The report shall include a finding that harassment or discrimination occurred, harassment or discrimination did not occur, or there is inconclusive evidence as to whether harassment or discrimination occurred. The findings of the investigation will be given to the employee(s) who made the initial complaint, the employee(s) to whom the suspected harassment or discrimination was directed, and the individual(s) accused of the harassment or discrimination.

D. Records; Confidentiality: Employees who report incidents of harassment or discrimination are encouraged to keep written notes in order to accurately record the offensive conduct. Every effort shall be made to keep all matters related to the investigation and various reports confidential. In the event of a lawsuit, however, the Village advises that records it maintains and the complainant maintains may not be privileged from disclosure.

E. Timeframe for Reporting Complaint: The Village encourages prompt reporting of complaints so that rapid response and appropriate action may be taken. Delayed reporting of complaints will not, in and of itself, preclude the Village from taking remedial action.

F. Protection Against Retaliation – Retaliation Prohibited: The Village will in no way retaliate or permit any employee, officer, or agent of the Village to retaliate against an individual who makes a report of harassment or discrimination or provides information related to such report. Any witness to an incident or participant in any investigation of harassment or discrimination is also protected from retaliation. Retaliation is a serious violation of this Policy and should be reported immediately. Any person found to have retaliated against another individual for reporting harassment or discrimination will be subject to the same disciplinary action provided for harassment/discrimination offenders, meaning disciplinary action up to and including termination of employment. No one making a complaint of harassment or discrimination or providing information related thereto will be retaliated against even if a complaint made in good faith is not substantiated. Similar to the prohibition against retaliation as set forth in this policy, whistleblower protection from retaliatory action is afforded under the State Officials and Employees Ethics Act (5 ILCS 430/15-10; 5 ILCS 430/70-5), the Whistleblower Act (740 ILCS 174/15(a)) and the Illinois Human Rights Act (775 ILCS 5/6-101).

G. Appeals: If either party directly involved in an investigation is dissatisfied with the outcome or resolution, that individual has the right to appeal the decision. The dissatisfied party should submit their written comments in a timely manner to the Village Administrator (or Board in case of misconduct on the part of the Village Administrator) for review and possible recommendation to alter a decision.

Discipline/Sanctions

Where a hostile work environment has been found to exist, the Village will take all reasonable steps to eliminate the conduct creating such an environment. Disciplinary action will be taken against an employee found to have engaged in such activity. The Village has the right to apply any combination of sanctions, up to and including termination, to deal with unreasonable conduct, harassment, or discrimination.

False and Frivolous Complaints

If an investigation results in a finding that the complainant falsely accused another of harassment or discrimination knowingly or in a malicious manner, the complainant may be subject to appropriate sanctions, up to and including termination. False and frivolous charges are not the same as complaints made in good faith which cannot be proven.

Education and Training

Education and training for employees and officers at every level of the Village are critical to the success of the Village's policy against harassment and discrimination. The Anti-Harassment/Anti-Discrimination Policy will be distributed to all employees and officers of the Village. All employees and officers are required to read and sign a receipt of the Village's policy. Employees and officers will receive annual training regarding the Village's Anti-Harassment/Anti-Discrimination Policy. The training shall include, at a minimum, the following: the definition and a description of sexual harassment, unlawful discrimination, and harassment, including examples of each; details on how an individual can report an allegation of sexual harassment, unlawful discrimination, or harassment, including options for making a confidential report to a supervisor or the Department of Human Rights; the definition and description of retaliation for reporting sexual harassment, unlawful discrimination, or harassment allegations utilizing examples, including the availability of whistleblower protections under the Workplace Transparency Act, the Whistleblower Act, and the Illinois Human Rights Act; and the consequences of a violation of the prohibition on sexual harassment, unlawful discrimination, and harassment and the consequences for knowingly making a false report. A person who fills a vacancy in an elective or appointed office and all newly hired employees will complete their initial harassment and discrimination prevention training program within 30 days after commencement of their office or employment.

External Procedures for Filing a Complaint of Harassment or Discrimination

The Village hopes that any incident of harassment or discrimination can be resolved through the internal process outlined above. All employees, however, have the right to file formal charges with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC). A charge with IDHR or the EEOC must be filed within 300 calendar days of the incident. In addition, an appeal process is available through the Human Rights Commission (IHRC) after the IDHR has completed its investigation of the complaint.

An employee who is transferred to a lower-paying job or passed over for promotion after filing a complaint with IDHR or EEOC may file a retaliation charge with either of these agencies. The charges must be filed within 300 calendar days of the retaliation. An employee who has been physically harassed or threatened while on the job may also have grounds for criminal charges of assault and battery.

2.4 Workplace Violence Policy

The Village is committed to promoting a safe work environment free of violence, harassment, and intimidation. Behaviors that are abusive, obscene, or considered to be threatening conduct or communication that is intended to harass, annoy, alarm, torment, embarrass, or injure another will not be tolerated.

While on duty or on Village property, employees shall not use obscene or abusive language or offensive gestures in their communication with coworkers or members of the public; employees shall not by oral, written, electronic or other means of communication threaten or intimidate coworkers or members of the public; and employees shall not physically endanger, intimidate, or injure coworkers or members of the public. Such conduct will not be tolerated. Employees who engage in such conduct while on duty or on Village property will be subject to discipline, up to and including termination.

Village employees are required to report incidents of threats or acts of physical violence of which they are aware directly to their Department Head or the Village Administrator. Each incident of violent behavior, whether the incident is committed by another employee or a member of the public, must be reported to the Department Head or Village Administrator immediately.

If an employee is aware of a threat of imminent physical harm to themselves, another employee, or a member of the public, the employee should attempt to remove themselves from the dangerous situation and immediately notify appropriate emergency personnel by calling "911" as well as pressing a panic button as soon as either may be safely accessed. The employee must report this emergency call immediately to their Supervisor (or any Department Head if a Supervisor is not available) as soon as possible. Non-sworn employees are under no obligation to render service to a member of the public if the employee has a legitimate concern for their safety or wellbeing. Department Heads are permitted to request that members of the public vacate a public premises if the member's behavior is deemed to be threatening towards or has caused a safety concern for an employee.

2.5 Weapons Prohibition Policy

Employees of the Village are prohibited from the use of open or concealed carrying or storing of firearms or weapons on or in any building owned, leased, or controlled by the Village; any vehicle or equipment owned, leased, or controlled by the Village; any public playground; any public park, athletic area, or athletic facility under the control of the Village; or at any time or in any area that is associated with Village employment, while

they are acting within the scope of their employment. Sworn law enforcement officers employed by the Village specifically authorized to carry a firearm or weapon are exempt from this policy.

The term “weapons” includes, but is not limited to: all firearms; any knife with a blade length of three or more inches; a switch blade knife; a stun gun or Taser; metal knuckles; a pneumatic gun, spring gun, paint ball gun, or BB gun; any bomb, bomb-shell, grenade, bottle or other container containing an explosive or noxious substance for like purposes (other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older); any other weapon identified in subsection (a) of Section 24-1 of the Illinois Criminal Code, or any object or chemical whose purpose or the use of which is to cause harm to another person.

The term “firearms” includes, but is not limited to, any loaded or unloaded: handgun; machine gun; rifle; shotgun; pistol; revolver; or any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas.

Any employee or agent of the Village who violates this policy will be subject to discipline up to and including termination of employment. Any employee, officer, or agent of the Village who violates this policy shall be considered as acting outside the course and scope of their duties.

2.6 Drug–Free Work Place Policy

Policy Statement

The employees of the Village are a valuable resource, and their health and safety are of concern to the Village. The public has the right to expect persons employed by the Village to be free from the effects of drugs and alcohol. Employees have the right to work in a drug-free environment and to work with persons free from the effects of drugs. The Village expects its employees to report for work fit and able for duty. Alcohol, marijuana, and illegal drugs in the workplace are a danger to everyone, as they impair safety and health, lower productivity and quality, and undermine public confidence. The Village does not and will not tolerate any illegal drug use, nor will the Village tolerate the abuse of alcohol or prescription or lawful drugs. This policy is applicable to all our workforce and all locations.

Each employee or job applicant shall be given a copy of the Village’s Drug-Free Workplace Statement. The recipient must acknowledge receipt of the statement and sign a statement that they agree to abide by the terms of the Village’s Drug-Free Workplace Policy and return it to the Village Administrator within ten calendar days of receipt or prior to the start of employment.

The purpose of this statement is to declare the Village a drug-free workplace, in compliance with the federal Drug-Free Workplace Act and the Illinois Drug-Free

Workplace Act. The Village prohibits the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance, including cannabis, in the workplace. Any employee who violates this prohibition shall be subject to disciplinary action, including termination of employment. It is the goal of the Village to provide a safe work environment and a productive workforce.

In establishing a drug-free workplace, the Village will provide continual drug education about the dangers of alcohol and drug abuse. The Village may assist an employee in utilizing the Village's Employee Assistance (EAP) Program. EAP personnel are qualified professionals who will make confidential assessments and referrals for services and treatment for substance abuse and personal problems.

"Drugs" shall mean any controlled substance listed in the Illinois Controlled Substances Act or any controlled substance listed in Schedule I under the Federal Controlled Substances Act, for which the person tested does not submit a valid pre-dated prescription. In addition, it includes "designer drugs," which may not be listed in either the Illinois Controlled Substances Act or the Federal Controlled Substances Act but which have adverse effects on perception, judgment, memory, or coordination. Among the drugs covered by this policy is marijuana.

Implementation

- A. Prohibitions. Employees shall be prohibited from the following:
 - 1. Abuse of drugs, including the use of any controlled substance which has not been legally prescribed or dispensed or the use of a legally prescribed drug that results in impairment while on duty;
 - 2. Consuming or possessing alcohol, marijuana, or illegal drugs at any time during the work day or anywhere on any Village premises or job sites, including all Village buildings, properties, vehicles, and the employee's personal vehicle while engaged in Village business;
 - 3. Illegal selling, purchasing, or delivering any marijuana or illegal drug during the work day or on the employer's premises;
 - 4. Impairment due to drugs or alcohol, meaning a condition in which the employee is unable to properly perform his duties due to the effects of drugs or alcohol in their body. When an employee tests positive for drugs or alcohol, impairment is presumed;
 - 5. Failing to report to their supervisor any known adverse side effects of medication or prescription drugs which they are taking; and
 - 6. Refusing or failing to submit to drug testing when directed by the Village.
- B. An employee shall inform their Department Head if they are currently on prescription medication and is operating machinery or equipment.
- C. Employees convicted of drug crimes, including but not limited to driving under the influence of alcohol or drugs, occurring in or outside of the workplace are subject to appropriate disciplinary action up to and including termination of employment. As a condition of employment, an employee shall also notify the Village Administrator within five days after the conviction of any violation of a criminal

drug statute occurring in the workplace. The Village will notify any contracting or granting agency within ten days of receiving such notice from the employee or otherwise receiving notice of such conviction.

- D. The Village is committed to maintaining a safe and healthy working environment for all its employees with the expectation that all employees will discharge their duties at an acceptable performance level and be unimpaired by alcohol use. The use of alcohol can result in injuries and undermine employee productivity, service to citizens and taxpayers, and the Village's standing in the community. For these reasons, the use, possession, sale, distribution, or manufacturing of alcohol by anyone while on Village business or Village property is prohibited. All employees are prohibited from being at work under the influence of alcohol. Violations of this policy by an employee while on Village property or on Village business will result in disciplinary action up to and including termination.
- E. The Village encourages employees who believe or suspect that they may be abusing drugs and/or alcohol to voluntarily seek treatment before their job performance is affected. The Village reserves the right to offer any employee who violates the policy as it pertains to the abuse of alcohol or prescription or lawful drugs in the workplace the opportunity to seek professional counseling and/or participation in an approved rehabilitation or substance abuse assistance program as an alternative to disciplinary action. Participation in such programs is restricted to only those employees seeking assistance before the employee is put on notice of the Village's intention to pursue disciplinary action for a violation of this policy and/or before a drug and/or alcohol test is administered for which the results reveal a positive indication of drug and/or alcohol abuse. Furthermore, participation in such programs is contingent upon the employee agreeing to terms and conditions specified in a "Last Chance Agreement" that includes, as a minimum, a commitment by the employee to comply with the Village's Drug-Free Workplace Policy for the duration of his employment and successful completion of a treatment and/or counseling program identified by and administered through the Village's Employment Assistance Program (EAP). If such an opportunity is offered and accepted by the employee, the employee must, as determined by the EAP's Substance Abuse Professional, provide the necessary release permitting the Village to be informed that they have satisfactorily participated in and completed the prescribed program as a condition of continued employment.
- F. Drug and Alcohol Testing Permitted. The Village has the right to conduct drug and alcohol testing of its employees, including random testing, post-accident testing, reasonable suspicion testing, and pre-employment testing. Employees who are required to have a valid commercial driver's license (CDL) will be subject to drug and alcohol testing as required by the Omnibus Transportation Employee Testing Act and in accordance with the Department of Transportation regulations. All remaining employees shall be governed by the provisions of this paragraph F and its subparagraphs with respect to drug testing unless such testing is otherwise covered by a collective bargaining agreement where, in such case, the collective bargaining agreement shall control. The remaining provisions of this policy remain applicable to all employees of the Village.

Reasonable Suspicion

Where the Village determines that there is reasonable suspicion to believe that an employee is under the influence of alcohol, illegal drugs, or marijuana during the course of the work day, the Village has the right to require the employee to submit to an alcohol or drug testing as set forth in this policy. An order to submit to testing shall be in writing and signed by a supervisor and shall set forth all of the objective facts and reasonable inferences drawn from those facts forming the basis of the order to test. When an employee is ordered to submit to a drug and/or alcohol test as a result of a supervisor's reasonable suspicion, the employee will not be allowed to return to work pending the results of the drug and/or alcohol test. The foregoing shall not limit the right of the Village to conduct tests as it may deem appropriate, including random testing, post-accident testing, and testing for persons seeking employment prior to their date of hire or for promotion.

Tests to be Conducted

- A. In conducting the testing authorized by this policy, the Village will use a clinical laboratory or hospital facility that is licensed pursuant to the Illinois Clinical Laboratory Act that has or is capable of being accredited by the Substance Abuse and Mental Health Services Administration (SAMHSA).
- B. The types of drugs tested and the cutoff concentrations for initial and confirmation drug tests shall be the same as those established and adopted by SAMHSA. The Village will require that the laboratory or hospital facility report to the Village a positive test result only if both the initial screening and confirmation test(s) are positive for a particular drug. If a Village employee's initial and confirmatory test results meet or exceed the concentration cutoff levels established and adopted by SAMHSA, impairment of the employee shall be presumed.
- C. With regard to alcohol testing, for the purpose of determining whether the employee is under the influence of alcohol, test results showing an alcohol concentration of .02 or greater shall be considered positive, and impairment shall be presumed.
- D. With regard to marijuana, an initial test result of 50 ng/mL or more and a confirmatory test result of 15 ng/mL or more shall be deemed a positive test result, and impairment shall be presumed.
- E. Each employee tested will be provided with a copy of all information and reports received by the Village in connection with the testing and the results.

Refusal to Test

Refusal to submit to testing for drugs and alcohol shall be deemed a positive test result and shall subject the employee to discipline, up to and including termination. Refusal to test shall include the failure to appear at a collection site when directed or in a timely manner; the failure to remain at the collection site; the failure to provide the required or sufficient amount of specimen; the failure to permit a monitored or observed urine collection; and the failure to cooperate in any part of the collection process. An employee

that violates any aspect of this policy, refuses to submit to testing, tests positive for drugs or alcohol, or is found to be under the influence of drugs or alcohol shall be subject to disciplinary action by the Village, up to and including termination of employment. The employee shall be given notice of the intended discipline, which notice shall include the basis for the discipline, and shall have an opportunity to be heard before the Village Administrator, or their designee, in order to contest the basis for the intended discipline.

2.7 No-Smoking Policy

Smoking in the workplace is prohibited in all Village buildings and vehicles and applies to all elected and appointed officials as well as employees and visitors. This policy bans smoking in all Village-owned buildings, which include common work areas, private offices, conference and meeting rooms, elevators, employee lounges, staircases, hallways, restrooms, and the interior of all Village-owned vehicles, or within 15 feet of any public entrance. E-cigarettes, vaporizers, and pipes are also banned in all Village-owned buildings and from the interior of all Village-owned vehicles.

2.8 Political Activity

The public is entitled to equal treatment from the Village. The political opinions or affiliations of any elected or appointed official or resident shall not affect the amount or quality of service received from the Village. Political affiliation, preference, or opinion will not in any way influence the appointment, retention, or promotion of a Village employee. The Village respects the right of employees to engage in political activities; however, employees shall restrict political campaign activities to non-working time and shall not be in any uniform that identifies the employee as an employee of the Village while engaging in political campaign activities. No employee shall engage in political activities during working hours, while on duty, or while wearing or utilizing any equipment or wearing apparel or supplies owned or provided by the Village. Employees engaged in political activity shall not represent that such activity is on behalf of the Village. Village property shall not be used to advance political campaigns, nor shall campaign propaganda be posted or displayed on Village property or vehicles. No employee may use their official position to coerce or inhibit others in the free exercise of their political rights. Any employee found violating this policy will be subjected to disciplinary action, up to and including termination.

2.9 Conflict of Interest

An employee of the Village shall avoid conflict between individual private interests and the public welfare. Employees are directed to refer to Section 1.4.

2.10 Acceptance of Gifts

Employees are prohibited from receiving rewards, gifts, or any other compensation from individuals or organizations, which is in violation of the State Officials and Employees Ethics Act under state statute. Village employees are required to abide by the Illinois State

Gift Ban Act and in accordance with the regulations set forth in the Village Code, Chapter 2, Article XV. Section 2.76, along with the Village's Code of Ethics.

Village employees are not to provide services with the expectation of or in exchange for any gift, gratuity, discount, reward, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value, except for those gifts allowed under this policy. This policy also prohibits the receipt of gifts by your spouse or an immediate family member living with you from a prohibited source if the gift is offered related to or because of your employment with the Village. Additionally, you cannot accept gifts, gratuities, or loans from organizations (other than financial institutions in accordance with that institution's standard practices), business concerns, or individuals with whom they have official business on behalf of the Village.

If you are offered a gift that you cannot accept, you should attempt to politely decline the gift and explain that the Village's policy prohibits employees from accepting the gift. If you receive a gift that you cannot decline, you should immediately turn over such gift to the Village Administrator. The Village Administrator will determine the appropriate disposition of such gift in accordance with the Village's Code of Ethics and the State Gift Ban Act. If you are unsure if you are permitted to accept a gift offered to you, you should ask your Department Head or the Village Administrator or politely decline the gift.

This policy does not apply to gifts or gratuities from sources that would otherwise be considered prohibited sources if the gift or gratuity is offered to any member of the general public or gifts or gratuities given by personal acquaintances in situations where gift-giving is customary. Additionally, gifts given by employees or officials from other units of government are not prohibited under this policy.

Examples of gifts that are **allowed** under this policy include food or refreshments not exceeding \$75 per person in value on a single calendar day, provided that the food or refreshments are consumed by all persons in your office, department, etc. For example:

- A box of candy sent by a vendor during the holidays to be shared with your Department
- A vendor brings a package of bagels to a meeting with Village employees
- A consultant working with the Village buys you a cup of coffee
- A vendor sponsors a continental breakfast or a free training seminar for all conference attendees
- A discount offered to all Village employees by a Park District
- A gift from a fellow employee on your birthday

2.11 Outside Employment

The Village reserves the right to limit/prohibit outside employment for full-time employees. Outside employment is defined as "any employment other than the employee's regular employment with the specific Village department that the employee undertakes which is not assigned or monitored by their supervisor and/or Department Head." Outside employment is prohibited if it:

- A. Is conducted on Village time;
- B. Interferes with working hours or overtime requirements of the employee's position;
- C. Involves the use of Village uniforms, facilities, equipment, or supplies of any kind;
- D. Involves the use of official information not available to the public;
- E. May reasonably be construed by the public to be an official act of the Village; or
- F. Is in conflict with the employee's position with the Village.

The outside employment shall be strictly construed as a conflict if it is or includes work that the employee would be expected to do as part of Village work duties; work requiring approval or review of the Village; or work which would tend to influence the exercise of independent judgment on any matter coming before the employee in the course of Village employment.

While the Village understands the desire to undertake a second working opportunity, employment with the Village has priority. Employees who are subject to call at any time for emergencies, special assignments, etc., must recognize that outside employment cannot infringe on this obligation.

Full-time employees must complete the Secondary Employment Form and receive permission from the Village Administrator before engaging in secondary employment (including self-employment). Outside employment is limited to a maximum of sixteen hours per week. This may only be exceeded if the employee is off work from the Village or while on vacation. Outside employment may be revoked at the discretion of the Village Administrator at any time for any reason.

This policy is applicable to all non-sworn full-time employees. Sworn Police Department employees shall refer to the Department's applicable General Order.

2.12 Relatives

The Village shall not hire relatives of currently elected or appointed officials or any current employees for full-time, part-time, or seasonal positions. For purposes of this section, the term "relatives" shall mean spouse, children, parent, parent-in-law, sibling, sibling-in-law, grandparent, or aunt/uncle.

2.13 Confidentiality and Privacy

Except as required by the Illinois Freedom of Information Act (FOIA), employees may not disclose confidential information of the Village or private information of any resident, contractor, customer, or employee. Personnel records shall not be released to a third party unless authorized by the employee whose records are being considered or required by law. Medical records shall be confidential and stored in a file separate from an employee's personnel record file. Copies of such documents will be made available to an employee upon advance written request in accordance with the Personnel Records Review Act. A breach of confidentiality by an employee shall be considered a disciplinary event, with penalties up to and including termination.

The Village provides employees with the communication systems and/or equipment necessary to an extent practicable to promote the efficient conduct of business. Employees have no right or expectation of privacy regarding any communication, whether business or personal, that is sent, received, or stored on any of the Village's communication systems and/or electronic equipment.

2.14 Whistleblower Protection

The Village expects all employees to be ethical in their conduct and to comply with applicable governing regulations. The Village encourages employees to report any violation of federal, state, or local law. The Village encourages its employees to report improper activities in the workplace and will protect employees from retaliation for making any such report in good faith in accordance with Section 4.1 of the Public Officer Prohibited Activities Act (50 ILCS 105/4.1) and the Village Code (Chapter 2, Article XX). In addition, employees must refuse to participate in an activity that would result in a violation of local, state, or federal laws or a violation or noncompliance with a local, state, or federal rule or regulation. This includes any financial wrongdoing witnessed or learned of by an employee. If the Village Administrator is involved or believed to be involved in the matter being reported, employees may alternatively make a report to the Village Attorney or applicable State's Attorney's Office. The Village will conduct an investigation and take appropriate action within a reasonable period of time. Such complaints will be held in confidence to the extent the needs of the investigation permit. This policy is not intended to discourage or prevent an employee from disclosing information to a government or law enforcement agency if the employee has reasonable cause to believe that acts or omissions are a violation of state or federal law, rule, or regulation.

An employee making a report shall be protected from discipline, retaliation, or reprisal so long as the employee made such a report based on a reasonable and good faith belief that the report is accurate and not based on the employee's intent to harm, harass, intimidate, or retaliate against another individual. Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy.

The Village prohibits any officer, employee, or agent of the Village from retaliating against any employee or contractor who reports an improper government action; cooperates with the Appointed Auditing Official in an investigation related to a report of an improper governmental action; or testifies in a proceeding or prosecution arising out of an improper governmental action. All employees are responsible for reporting improper governmental actions, as well as reporting retaliatory conduct resulting from that action.

The Village shall provide copies of 50 ILCS 105/4.1 and Chapter 2, Article XX of the Village to all new employees upon commencement of employment and to each Village employee on an annual basis.

2.15 Subpoenas and Depositions

Upon receiving a subpoena to appear for a deposition on Village matters or related to a request for records, the employee must immediately relay that information to the Village Administrator, who shall give a copy of the subpoena to the Village Attorney. If time must be taken during work hours, arrangements must be made with the applicable Department Head. A subpoena for a non-work-related issue requires the use of vacation time, personal time, or compensatory time.

2.16 Solicitations for Charitable Donations

Employees may have charities and causes to which they contribute and, from time to time, encourage others to contribute. Employees should not actively solicit goods or services or the donation of money, gifts, services, or participation. The placing of an order form in a public area of a Village building is exempt from this policy.

2.17 Statement of Economic Interest

Certain Village employees are required to file an annual Statement of Economic Interest in accordance with 5 ILCS 420/4A et seq. Timely and accurate filing is the responsibility of the employee.

Section 3: Recruiting and Retaining Employees

3.1 Purpose

The section is intended to establish qualifications for recruiting, evaluating, and other selection purposes; provide the Village with a means of analyzing work distribution, areas of responsibility, lines of authority, and other relevant employment relationships; assist in determining personnel costs and projections for budget requirements; provide a basis for developing standards of work performance and requirements for each position; establish standards for promotional opportunities; indicate employee training and career development needs; provide uniform and appropriate titles for all positions; and provide the basis for a pay plan and other matters of employee concern.

3.2 Position Classification Plan

A position classification plan, based upon and graded according to the nature of work, principal duties, responsibilities, knowledge, abilities, and skills required for the work, shall be developed and maintained by the Village Administrator. The position classification plan shall include a listing of positions in the Village organization arranged in appropriate occupational categories and job descriptions for each position.

3.3 Definitions

A “fiscal year” is the period commencing each May 1 and ending April 30.

“Hourly employees” are employees who are paid on an hourly basis for each hour worked.

A “job” is a single position that is unique to the organization, or two or more positions that are substantially the same in terms of both the duties and responsibilities performed and the overall worth of the work.

A “job description” is a written statement of the major responsibilities of and the job duties performed by the incumbent. These descriptions also contain information regarding the skills and abilities required to perform the jobs, as well as information on working conditions and reporting relationships.

The “Personnel Committee” is a committee of the Board. It is responsible for directing negotiations of collective bargaining agreements and other such personnel-related matters before the Village as needed.

“Non-exempt employees” are employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA).

A “position” is the collection of job duties that constitutes the total work assignment of an individual employee.

“Salaried employees” are those employees who are paid a salary for the results they are expected to accomplish, regardless of the number of hours they work. Each of these employees qualifies for the "administrative," "professional," or "executive" exemption from the overtime provisions of the FLSA.

3.4 Recruiting

The Village is an equal opportunity employer and, as such, prohibits unlawful discrimination in all conditions of employment. The Village hires who it judges as the best-qualified candidate for each available opening. As an equal opportunity employer, the Village prohibits any discrimination based on age, race, color, sex, religion, national origin, ancestry, sexual orientation, gender identity, gender expression, marital status, genetic information, order of protection status, military status, disability, or unfavorable discharge from the military. No Village official, agent, or employee shall in any way discharge, refuse to employ, or discriminate against any person in regard to tenure, terms or conditions of employment, promotional opportunities, training, or the like who is otherwise qualified on the basis of race, religion, sex, sexual orientation, gender identity, gender expression, color, creed, marital status, physical or mental disability, age, national origin, ancestry or unfavorable discharge from military service. All applicants or employees shall be considered only on the basis of qualifications as required by the position being sought or held relative to education, experience, training, physical fitness, ability, skills, knowledge and personal characteristics, and ethical integrity as a proper representative of Village government. When reasonable, accommodations shall be made by the Village in order to permit disabled employees to perform their job functions.

Authorization to Hire

All employee separations shall be reported to the Board on an agenda. The Village Administrator or BFPC is authorized to begin recruitment and hire a replacement employee as soon as the Village is notified of separation, i.e., resignation or retirement letter is tendered, or termination has occurred, provided that the replacement employee is hired in the same or a lower pay range as the outgoing employee, and notice is provided to the Mayor of the Village's intent to recruit and hire an employee to fill an existing vacancy. The Board must approve any changes to the pay range of a prospective employee to a higher category than the outgoing employee or to increase the number of employees to be hired to replace the outgoing employee, i.e., one full-time employee becomes two part-time employees. All requests for new employee positions must be approved by the Board. The Police Chief and Public Works Director are appointed by the Board as stipulated by the Village Municipal Code and thus exempt from this policy.

Internal Notification

Village employees are entitled to receive notice for available vacancies prior to the commencement of external recruitment. Employees shall be provided no less than five business days' notice of an available vacancy prior to the commencement of external

recruitment. Employees may apply for any vacant position but are not entitled to an interview or offer of a position.

The Village is entitled to conduct any recruitment method, notice, interview process, or require any examination permitted or required by law to fill vacant positions. There is no minimum number of applicants who must be considered to fill a position; the Village shall commit itself to ensuring that potential candidates are screened appropriately to ensure all positions are filled with the most qualified candidates who will be well-positioned to fulfill the duties and responsibilities of the roles they are selected to fill. Applications, whether accepted or rejected, shall not be returned.

Examinations

Examinations shall relate to those matters which fairly test the aptitude and qualifications of applicants and employees for a position. Examinations may include written, oral, or work simulation tests; ratings of experience and training; post-offer background investigations, physical examinations, alcohol/drug screens, psychological evaluation, any combination of these; or any other tests deemed necessary and permitted by law. A formal driver's license history and background checks may also be required, depending on the position.

3.5 Salary Plan

The Village shall establish a Salary Plan for both its sworn and non-sworn personnel. These provide for a minimum and maximum compensation for all positions, with the exception of the Village Administrator. Each employee's salary will be reviewed prior to the start of each fiscal year. Whether an employee progresses through a salary range will be based on, but not limited to, performance. This shall include job knowledge and quality, productivity, disciplinary actions, professionalism, dependability, safety, attendance, and availability of funds as adopted by the Village.

3.6 Village Hall Hours

The working hours of the Village Hall shall be 8:00 a.m. to 4:30 p.m., Monday through Friday. Other Village buildings, such as the Police Station or Public Works Department, shall be permitted to hold alternate hours of operation depending on various requirements regarding public service provision.

3.7 Attendance and Punctuality

Prompt appearance for work at the specified time is required of all employees. Each Department shall set up policies as may be necessary to monitor and enforce this rule.

3.8 Reporting for Work

Employees shall report promptly at their designated working place and shall devote their entire efforts during working hours to assigned duties. In the event that an employee is

unable to report for work as scheduled, the employee's Supervisor shall be notified at least 30 minutes before the employee's designated starting time by a method known to be convenient to both parties. Failure to notify the supervisor as provided herein may result in the loss of a portion of or all of that day's pay.

3.9 Break Periods

Each employee that works over seven consecutive hours in one day shall receive two paid break periods of no more than fifteen minutes each work day and shall arrange them in the most appropriate manner for maintaining departmental operations. Each break period must be taken as a whole and may not be used within one hour of the beginning or end of an employee's lunch period. Unless otherwise dictated in a collective bargaining agreement or other applicable department regulation, each employee is entitled to a thirty-minute unpaid lunch period for each full work shift. Department Heads may schedule these in the most appropriate manner for maintaining operations. An employee does not have the right to work through lunch periods for the purpose of accumulating compensation time or overtime.

Section 3.10 Flexible Work Arrangements

The purpose of this Policy is to establish the rules for the use of an Alternate Work Location for employees to perform their usual job duties away from their assigned Main Office Location. The alternative work arrangement is intended to help the Village recruit and retain excellent employees; provide more flexible work arrangements; and assist in the community effort to reduce outdoor air pollution and traffic congestion attributable to automobile travel. The Policy serves to provide an effective way to meet the needs of the Village, its employees, and the community. This Policy does not supersede or alter Village rules, regulations, or policies applicable in the workplace but rather is designed to facilitate the performance of Village operations in Alternate Work Locations.

The Village recognizes that the nature of how work is performed, including when and where work is performed, continues to change for many positions in the organization. The Village is committed to increasing employee productivity and improving talent recruitment by providing employees with work alternatives that enable employees to meet their work and family needs. Flexible work arrangements are not an entitlement, nor are they a Village-wide benefit, and they in no way change the terms and conditions of employment with the Village. Full-time employees in non-bargaining unit positions may apply for flexible work arrangements; requests will be considered based on the department's operational needs and individual employee performance. Employees must have been employed with the Village for at least three months and must have exhibited performance generally mirroring that of a Meets or Exceeds Expectations performance rating to qualify. To request flexible work arrangements, the employee must complete the Telework Agreement form and submit the completed form to their Department Head. The employee and Department Head will review the request to determine whether the employee's requested working arrangement meets the Village's operational needs. Strong communication between employees, their supervisors, and coworkers is important to the

success of flexible working arrangements to ensure that work is appropriately coordinated among team members. If an employee is approved for flexible working arrangements, the employee may be required to adjust their schedule if needed to meet the Village's operational needs. The focus of the flexible working arrangement must remain on job performance and meeting business and organizational needs. The availability of flexible working arrangements can be discontinued at any time at the discretion of the applicable Department Head for any reason, including but not limited to if an employee's work performance declines or assignments are not completed in a timely manner. Teleworking does not change the terms and conditions of employment with the Village, nor should it interfere with operational business needs or the delivery of Village services.

Definitions

"Alternate Work Location" means an approved work site other than the employee's assigned Main Office Location where official Village business is performed.

"Dependent Care" means the care provided to infants, toddlers, preschoolers, school-aged children, or adults and elderly adults.

"Main Office Location" means the assigned Village office location of the employee.

"Telework" means an alternative work arrangement under which an employee performs the duties and responsibilities of such employee's position and other authorized activities from an approved worksite other than the employee's assigned Main Office Location.

A "Telework Agreement" is the written agreement between the Village Administrator and employee that details the terms and conditions of an eligible employee's work away from their assigned Main Office Location.

Request and Approval

An employee may request, and their Department Head shall consider and may approve, a telework arrangement when the Department Head determines that the employee's work can be effectively carried out and accounted for under such conditions. Terms and conditions of individual telecommuting arrangements shall be set forth in a completed and signed Telework Agreement. The ability of an employee to telework will vary among departments depending upon the operational business needs of the particular departments and the functions and responsibilities of employees. In determining whether an employee is eligible to telework, the Department Head may consider the following factors:

- Impacts on Village customers and other employees;
- Employee's demonstrated ability to work independently and maintain quality, quantity, and timeliness of service or product;

- Whether or not the employee's job consists of tasks that can be effectively accomplished without the resources of the Main Office Location immediately accessible to the employee;
- Whether or not the department will maintain adequate staffing during normal business hours;
- Whether or not the Alternate Work Location meets essential workplace safety standards and is generally free from excess distractions during the employee's designated work hours;
- Whether or not the employee has satisfactorily performed their job responsibilities prior to their telework request as evidenced through current observations and their most recent performance evaluation;
- Confidentiality will not be compromised, and the arrangement does not require the physical removal of confidential files from the workplace; and
- Increased employee engagement will be supported through improved work-life balance.

Limitations

Teleworking may not be appropriate for all employees identified in this policy, and no employee is entitled to or guaranteed the opportunity to telework or to the continuation of telework. An employee may not be eligible to telework, either temporarily or permanently, if the employee's day-to-day essential job functions include some element of in-person customer service; on-site activity that cannot be handled remotely or at an alternative work location; if the employee has been disciplined for having a pattern of excessive absenteeism or tardiness; the quantity or quality of an employee's work is unsatisfactory; or other limiting factors as determined by the applicable Department Head.

Terms for Telework

- A. All employees authorized to telework must:
 - i. Complete a Telework Agreement, which agreement will be maintained with the Village Administrator. The Telework Agreement may be terminated by the Village Administrator or applicable Department head at any time with or without prior notice;
 - ii. Adhere to the approved telework schedule and perform designated work during scheduled work hours;
 - iii. Work from an approved Alternate Work Location;
 - iv. Seek prior approval for any deviation from the approved telework schedule, including overtime and compensatory time;
 - v. Be available by telephone and/or e-mail during scheduled work hours;
 - vi. Record and certify all hours worked at the Alternative Work Location in the same manner as if the employee reported for work at the Main Office Location;
 - vii. Maintain a level of performance that meets the expectations and timelines for completing all assignments and tasks associated with the position; and

- viii. Not use telework as a substitution for the appropriate use of sick leave. Employees must obtain approval to use vacation, sick, or other leave consistent with the existing policies regarding the use of benefit time. Employees who become ill while teleworking must report the hours actually worked and use sick leave for hours not worked.
 - ix. Teleworking is not a substitute for Dependent Care. Employees who need to arrange care for dependents while they work at their assigned alternative work location are required to make the same arrangements as when they are at their assigned Main Office Location.
 - x. Teleworking is not a substitute for an injury, FML (Section 5.7), or in lieu of assigned Light Duty (Section 7).
- B. Employees eligible to participate in the telework program must acknowledge and agree that:
- i. A specific workspace is designated at the Alternate Work Location, and all telework will be performed at the Alternate Work Location. The employee's Alternate Work Location will be considered an extension of the Village's Main Office Location. This location shall be one in which the employee's telework duties can be performed in a safe and ergonomically appropriate manner. A photograph of the alternate location must accompany the Telework Agreement. If business or exigent circumstances arise requiring the employee to work at a location other than the designated Alternate Work Location, the employee shall immediately notify their Department Head.
 - ii. Teleworking will be conducted during normal work hours based on existing employee schedules, and any deviation from pre-existing schedules must be requested by the employee and approved in advance by the Village Administrator.
 - iii. The Village retains the right to require an employee who teleworks to commute to a designated place of Village business on a regularly scheduled telework day should a work situation warrant such an action. If the employee is frequently required to return to a Village office during a regularly scheduled telework day, the Village Administrator may reevaluate the compatibility of the employee's position and job responsibilities with teleworking.

Equipment and Technology

The Village Administrator or designee shall identify the equipment and supplies required to successfully work at an alternate location and shall specify those items in the Telework Agreement. If the Village does not provide the needed equipment or supplies, and the employee does not have them already as Personal Property, the employee may not be eligible to telework. The Village Administrator has the sole discretion to provide Village equipment and supplies or allow employees to use their personal equipment and supplies while teleworking.

Use of Village Property

Telework arrangements shall be consistent with Village policy regarding removing Village property from the Village's premises. An employee must receive authorization to remove any Village-owned property from its premises. All Village rules regarding the use of computers and the internet apply while an employee is teleworking, regardless of whether the employee is using Village-provided or personal equipment.

Village equipment or supplies provided by the Village are for Village business only. An employee does not obtain any rights to Village equipment or supplies provided in connection with telework assignments. The employee must immediately return all Village equipment and supplies at the conclusion of the Telework assignment or at the Village Administrator's direction. An employee must protect Village equipment and supplies from possible theft, loss, and damage. The employee may be liable for the replacement or repair of the equipment or supplies in compliance with applicable laws on negligence or intentional conduct in the event of theft, loss, or damage. Any equipment, including software, files, and databases provided by the Village, shall remain the property of the Village. An employee must adhere to all software copyright laws and may not make unauthorized copies of any Village-owned software. Employees may not add hardware or software to Village equipment without prior written approval.

Use of Personal Property

An employee who is required to telework is eligible to be reimbursed for all necessary expenditures or losses incurred by the employee within the employee's scope of employment and directly related to services performed for the Village, including a pro-rated portion of the employee's personal internet and personal cell phone data plan. An employee who is permitted to telework may be eligible to be reimbursed for all necessary expenditures or losses incurred by the employee within the employee's scope of employment and directly related to services performed for the Village. "Necessary expenditures" means all reasonable expenditures or losses required of the employee in the discharge of employment duties and that inure to the primary benefit of the Village, subject to the provisions of this Policy.

An employee who desires to use their personal equipment or supplies shall submit a written request to the Village Administrator. Employees are prohibited from making any expenditure that is not requested and approved by the Village Administrator prior to purchase. Any expenditure that is not pre-approved by the Village Administrator is deemed an unauthorized expenditure and may not be reimbursed. An employee shall submit a request for reimbursement along with appropriate supporting documentation not later than 30 calendar days after incurring the expense. Where supporting documentation is nonexistent, missing, or lost, the employee shall submit a signed statement regarding any such receipts. The Village is not responsible for losses due to an employee's own negligence, losses due to normal wear, or losses due to theft unless the theft was a result of the employee's negligence.

Core Hours

While the Village's normal business hours are Monday through Friday, 8 a.m. to 4:30 p.m., the Village considers the hours of 10 a.m. to 3 p.m. to be core hours, during which all employees must work. In administering flexible scheduling, an employee may adjust their start and end time as agreed upon by the employee and their Department Head, so long as the employee works during the core hours and works an eight-hour day. For example, an employee may adjust their start time to 7 a.m. and their end time to 3:30 p.m.; adjust their start time to 9 a.m. and their end time to 5:30 p.m.; or may elect to voluntarily forgo a lunch break, etc. To maximize the effectiveness of core hours, departments will make all reasonable efforts to schedule meetings only during core hours; however, if a meeting must be scheduled during Village Hall business hours before or after core hours, the employee is required to adjust their workday accordingly to attend the meeting.

Other Flexible Scheduling Options

Other flexible scheduling options may be approved by the employee's Department Head, based on the operational needs of the position.

Security of Confidential Information

Village employees may have access to confidential and proprietary information not accessible to the general public. Generally, confidential and proprietary information shall not leave the assigned Main Office Location. Further, duplicating or disclosing confidential or proprietary information, unless it serves as a business necessity, is strictly prohibited. When teleworking, employees are required to maintain the same confidentiality of all Village information as they would at their Main Office Location. Employees shall also take the necessary precautions to ensure that confidential and proprietary information is protected while in transit between the Main Office Location and alternative work location. Employees may not disclose confidential or private files, records, materials, or information and may not allow access to Village networks or databases to anyone who is not authorized to have access. Failure to exercise due care in safeguarding the Village's confidential and proprietary information is a job performance matter and will result in disciplinary action, up to and including termination.

Freedom of Information Act

The Illinois Freedom of Information Act regarding public documents applies to telework employees. Public records include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the Village regardless of physical form or characteristic. Upon receipt of an appropriate request and subject to authorized exemptions, a teleworking employee must permit inspection and examination of any public record in the employee's custody within required time limits. This requirement exists regardless of where the public record is located.

Compliance

A violation of this Policy may result in disciplinary action, up to and including termination of employment. All terms and conditions of Village employment will continue to apply while an employee is teleworking. Workplace rules prohibiting private activities during work hours must be followed, notwithstanding the fact that employees are working in an Alternate Work Location. Employees who telework must follow all information security protocols when using Village equipment and accessing Village systems. Employees must maintain any approved safeguards to protect agency records from unauthorized disclosure or damage and comply with the privacy requirements set forth by the Village. Department Heads or the Village Administrator may revoke telework privileges at any time for any reason.

3.11 Overtime

It is recognized that the needs of the Village may require overtime work. The amount and schedule for working overtime will be distributed as equitably as practical among employees if seniority or reverse seniority is not considered in assigning overtime. An employee scheduled for overtime shall work unless an adequate reason exists for not doing so, in which event the employee may be excused, provided another qualified full-time employee is available. The employee's Supervisor, at the Supervisor's discretion, shall determine whether to excuse an employee from such overtime. No overtime shall be worked or paid for without the prior authorization of the employee's immediate supervisor.

Unless specified otherwise in a collective bargaining agreement, overtime hours worked in excess of 40 hours in a workweek will be paid at the rate of 1 ½ times the employee's straight-time hourly rate. Any time off leave shall not be included in hours of work for the purpose of calculating overtime. Employees should consult their respective collective bargaining agreements for overtime policies if their job is covered by such an agreement.

Overtime pay, either in the form of cash or compensatory time, shall not apply to salaried employees (employees considered exempt from the FLSA). Exempt personnel shall not be eligible for overtime. Those employees will be expected to work in excess of 40 hours per week from time to time as required by their duties and responsibilities.

Prior Approval Required

All overtime work must be approved by the Department Head or their designee prior to commencing work beyond the normal workday unless there is an emergency.

3.12 Starting Rates for New Hires

In order to maintain equitable pay relationships, the Salary Plan shall be analyzed annually for new hires in the Village's organizational chart. New hires may receive starting rates of pay equal to the minimums up to the midpoint of the pay ranges assigned to their jobs. Starting rates are determined based upon the discretion of the Department Head and Village Administrator. Starting rates of pay in excess of the applicable pay range

midpoints may be made on an exception basis only and, as such, must be approved by both the Village Administrator and the Board. When determining an appropriate starting rate of pay for a new employee, the responsible Department Head should also analyze the rates paid to other employees within the same or related job classifications so as not to create pay inequities.

3.13 Pay Increase Procedures for Non-Union Employees

Based on the decision of the Board on a year-to-year basis, non-union employees may be eligible for any three types of discretionary compensation increases: annual merit increases, cost of living adjustments (COLA), and bonus compensation. All pay increases are not to be expected by the employee, even if the expectations set forth below have been met by the employee.

Merit increases are defined as any pay increase within a pay range. The purpose of merit increases is to stimulate and reward superior levels of job performance on the part of employees. The merit increase is based upon the employees' annual evaluation. Employees with a performance evaluation rating below Meets Expectations shall not be eligible for a merit increase. The amount which is approved is applied to all ranges and is received by all employees receiving a performance evaluation rating of Meets Expectations or above. Employees whose performance Exceeds Expectations may receive a merit increase beyond that which is applied to all employees generally. Merit increases are approved for all employees by the Board upon the recommendation of the Village Administrator, while the Village Administrator is permitted to adjust an employee's gross compensation by up to five percent during the fiscal year without the express permission of the Board to reward good performance, incentivize retention of existing of employees, or to ensure that multiple employees are paid an equal rate for equal work. Approved merit increases become effective on the employee's anniversary date.

Cost of living adjustments (COLA) are the amount that each range in the Salary Plan should be adjusted regarding factors of inflation, economic indicators, or other non-performative factors. Several indicators are used, including the Department of Labor Cost-of-Living Statistics. A recommendation regarding possible range adjustments shall be made by the Village Administrator and must be approved by the Board. The amount which is approved is applied to all ranges and is received by all employees. Approved COLAs are awarded beginning with the first paycheck in May.

If an employee's rate of pay is at the pay range maximum or if other conditions require, the Board may consider, upon recommendation of the Village Administrator, awarding a discretionary one-time bonus in place of, in addition to increases to the employee's base rate for any qualifying non-union employee, or in recognition of specific employee(s) receiving a performance evaluation rating of Exceeds Expectations.

Sub-Standard Performance

COLAs may be delayed for up to three months for employees whose performance evaluation is Below Expectations. Within three months of such a performance evaluation,

an employee should receive another performance evaluation. If the employee's performance has improved to at least Meets Expectations level, they may receive the delayed COLA, but not retroactively. If the employee's performance has not improved to at least a Meets Expectations level, the employee may be demoted or terminated. The Village reserves the right to terminate sub-standard performers at any time.

Increases for New Employees

Employees employed for less than six months shall be eligible for a COLA but not merit increases or bonus compensation.

3.14 Performance Evaluations

Responsibility

The Village Administrator and Department Heads will administer a system of evaluating the performance of all employees. The standards of performance recommended as a basis of such rating will have reference to quality and quantity of work done, the manner in which work is done, the conduct of employees and adherence to their duties, and other characteristics which measure the value of the employee to the Village.

Purpose of Evaluation

The purpose of evaluations is to enable employees and supervisory personnel to work together to improve job performance and, therefore, the service provided to the residents of the Village. A copy of the job performance evaluation will be provided to and discussed with the employee involved. The employee, as well as all individuals involved in the process, will be required to sign and date the form. The original evaluation shall be placed in the employee's personnel file. A copy of the evaluation shall be provided to the employee, and the original shall be filed in the employee's personnel file.

Use of Evaluations

Performance evaluations are to be used to determine the successful completion of the employee's probationary period; evaluate disciplinary actions or dismissal; factor in salary considerations; factor in determining the order of layoff; a basis for training, promotions, demotions, and transfer; or such other purposes as may be set forth in this Manual.

Construction of Evaluations

As each job has unique duties and responsibilities within the Village organization, Department Heads are permitted to create custom evaluations that best define the nature of performance within each job. Each performance evaluation shall contain ten standards. All standards shall be reasonably attainable, measurable, and provable. Each rubric shall be submitted to the Village Administrator for review of appropriateness and relevance to

each job. Changes to a job's evaluation shall be approved by June 1 and a copy provided to the evaluated employee(s) for use at an annual review.

Frequency of Evaluations

Each Department Head or Supervisor is required to provide a six-month evaluation update to their direct reports in October of each year. This evaluation is intended to provide feedback on the employee's performance over the first six months of the fiscal year, as well as direction to each employee for their remaining six months. Annual performance evaluations will be due at the end of the Fiscal Year.

Achievement of Evaluation Rating

All evaluations are based upon a 100-point rating scale, with employees evaluated on ten unique standards, each ranging from 1-10, with 1 representing the lowest possible performance. Employees shall receive evaluation ratings as such:

Exceeds: ≥ 85 Points

Meets: 60 – 84 Points

Below: ≤ 59 Points

Employee Signatory

Employees are required to sign each evaluation provided by their Supervisor as an acknowledgment that the evaluation has occurred. A signature does not constitute agreement with the evaluation. Employees may provide comments regarding their evaluation into their personnel file but said comments shall not bear upon the Village to change any statements made within a performance evaluation.

3.15 Longevity and Retiree Bonuses

Full-time employees in good current standing are eligible to receive a bonus in the gross amount of \$500 within 30 calendars after each five-year employment anniversary (fifth, tenth, fifteenth, etc.). Years of service are based on the first day of employment. All full-time employees who retire at age 55 years (age 50 for all sworn, non-union employees) or older with 20 or more years of service in good standing are eligible to receive a post-tax bonus in the gross amount of \$5,000 within 30 calendar days of their final date of employment. All such bonuses will be issued such that the net amount received by the employee shall be \$500 or \$5,000.

Section 4: Record Keeping and Pay Periods

4.1 Record Keeping of Hours

It shall be the responsibility of the submitting employee to assure proper recording of hours worked. Before records of time worked are submitted to payroll, they are to be reviewed and approved by the Department Head. Anyone who knowingly falsifies a record of hours shall be subject to disciplinary action.

4.2 Pay Periods

Employee salaries shall be payable bi-weekly on Friday. If the payday falls on a holiday, paychecks shall be distributed or deposited on the last working day preceding the holiday. Paychecks shall be distributed only to the employee and not to members of the employee's family or others unless the Village is so directed, in writing, by the employee. Non-exempt employees who terminate their employment in the middle of the pay period shall be paid for the actual time worked during that pay period. Terminated employees shall receive their final paycheck on the first regularly scheduled payday which follows their date of termination provided, however, that all Village uniforms, equipment, ID cards, keys, and any other Village property in the employee's possession are returned prior to receipt of said payment, and further provided that the employee reimburses the Village for any monies the employee owes to the Village and for any damage to such equipment if the damage is caused by the negligent or willful act of the employee.

4.3 Status Change

Payroll and status changes shall only be made after execution of a Personnel Action Report (PAR) approved by the Village Administrator. Employees shall report all changes in name, address, telephone number, and marital or family status on a PAR to the Executive Assistant within ten days of a change. When any such changes require the submission of new W-4 or ILW-4 forms (income tax withholding form), a copy of the revised form shall be attached to the PAR. Any other forms needed to update information on life and health insurance and pension records shall be attached to the PAR.

4.4 Maintenance of Records

Identification and Business Cards

Identification and/or business cards may be issued to employees for use in the performance of official business for the Village, such as identification to citizens or to local merchants when making inspections or authorized purchases when their job classification

requires such an issuance. Issuance of identification cards is up to the discretion of the applicable Department Head. Misuse of Village-issued identification is prohibited.

Personnel Files

A complete record of all personnel actions will be maintained on each employee by the Personnel Administrator. Each file will include an application, reference letters, appointment notification, performance evaluations, personnel actions, earned benefits, commendations, and other relevant information. Medical and Worker's Compensation information shall be kept in a separate file and treated as confidential. Employees should ensure that their personnel file is accurate and up-to-date by immediately notifying their supervisor of changes of address, telephone number, marital status, dependents, and educational qualifications.

The procedure for an employee to inspect their personnel file is governed by the Illinois Personnel Record Review Act (820 ILCS 40/1 *et seq.*). Employees may arrange to review their personnel file by contacting the Personnel Administrator. The review will be conducted under the supervision of the Personnel Administrator. In no instance will an employee be allowed to remove materials from their personnel file. If an employee disagrees with information contained in their personnel file, the employee can submit a written statement to be inserted in their file explaining their position, in compliance with the Illinois Personnel Record Review Act.

Section 5: Leaves

5.1 Holiday

The Village observes the following annual holidays for full and part-time employees:

New Year's Day	Memorial Day	Independence Day
Labor Day	Thanksgiving Day	Day After Thanksgiving
Christmas Eve	Christmas Day	New Year's Eve (half-day)

If a holiday falls on a Saturday, it will be observed the Friday before; if a holiday falls on a Sunday, it will be observed the following Monday. In years when Christmas Eve and New Year's Eve fall on a Friday, Saturday, or Sunday, non-sworn employees will receive a total holiday allowance of 12 hours (8 hours for Christmas Eve and 4 hours for New Year's Eve). Where a holiday falls on a normally scheduled workday, full-time employees will receive the day off with pay at their straight-time hourly pay. Where a full-time employee is scheduled to work on a holiday, said employee will receive the holiday pay plus be paid at the straight-time rate for the hours worked (unless such hours exceed 40 hours per week, in which event the employee will be paid time and one-half for all hours over 40). Where a holiday occurs during an employee's scheduled vacation, the employee shall be paid for the holiday, and that day shall not be charged against the employee's vacation balance. If an employee is absent from work due to illness the day before or after a holiday, the employee may be required to submit proof of illness in order to be entitled to holiday pay.

5.2 Personal

Each full-time non-union employee will receive 32 hours per calendar year as personal leave. Personal leave can be taken at any time during a calendar year for any reason at a time approved by the employee's Supervisor. Employees who begin their employment with the Village after July 1 of the calendar year shall receive 16 hours of personal leave. Personal leave must be used in the calendar year received and may not be carried over into the next year.

5.3 Vacation

Full-time, non-Department Head employees are entitled to receive two weeks' paid vacation leave at the start of employment and are permitted to accrue further vacation leave in accordance with the following schedule:

At and after 5 years	3 weeks
At and after 10 years	4 weeks

At and after 17 years 5 weeks

If an exceptionally qualified prospective employee is available, the Village Administrator is authorized to treat the prospective non-Department Head employee as a “five-year employee” for purposes of computing vacation time.

Department Heads are entitled to receive three weeks’ paid vacation at the start of employment and permitted further leave in accordance with the following schedule:

At and after 5 years 4 weeks

At and after 10 years 5 weeks

Vacation leave is awarded at the beginning of each calendar year. Additional vacation leave shall be granted to the employee on their 5th, 10th, and 17th year anniversary dates. Employees may carry over no more than 40 total vacation hours to the next calendar year; however, the Village Administrator may permit employees to carry over up to 80 total vacation hours to the new calendar year if extenuating circumstances exist. Vacation leave will be computed at straight-time based on the employee's hourly rate at the time wherein the vacation leave was used. Employees must use their vacation leave during the calendar year, and any failure to use earned vacation as permitted herein will result in the forfeiture of that vacation leave down to the 40-hour carryover limit.

Scheduling Vacations

Employees may utilize their vacation leave generally at their own convenience, subject to the Department Head's approval. A vacation request must be made with 14 calendar days’ advance notice. Vacation periods of less than one hour will not be allowed. Both the employee and the supervisor should make a reasonable effort to request and permit the use of vacation when it does not adversely affect the operations of the Village. Vacation leave may be denied in cases of emergency or unusual circumstances which prevent the normal operations of the Village from occurring.

Vacation Pay at Termination

Upon termination of employment, full-time employees shall be paid at their current rate of pay for all accrued and unused vacation days subject to the Village’s carry-over rules.

5.4 Sick

Full-time employees shall be granted sick leave at a rate of 3.077 hours per pay period. Sick leave with pay is cumulative with no maximum cap. An employee leaving the employ of the Village shall not be entitled to be paid for any unused sick leave. Sick leave may be used if the employee has any medical event. All full-time employees may also use sick leave for illness, injury, or medical appointments (planned or emergency) of a spouse, parent, child, sibling, parent-in-law, grandchild, grandparent, stepparent, stepchild, domestic partner, or other relative(s). The Village Administrator is authorized to permit

the use of sick leave in other circumstances wherein sick leave may reasonably be used to care for an individual not listed previously, such as a non-family member who lives with the employee.

Notice of Absence

In the event an employee needs to use sick leave, the employee must inform their Supervisor as soon as practicable but no sooner than 30 minutes prior to the start of the scheduled work day. If an employee is unable to personally call their Supervisor due to extenuating circumstances, a spokesperson (such as a spouse, doctor, or another responsible party) may contact the Supervisor on the employee's behalf to report the absence. Outside of extenuating/justified circumstances, failure to inform a Supervisor may result in disciplinary action, including dismissal.

Sick Leave Accrual During Leave

Sick leave shall continue to accrue during a leave of absence with pay or during the authorized use of vacation or sick leave. Credit for sick leave shall not accrue during any leave of absence without pay or during any lay-off or disciplinary suspension. Any sick-leave related absences after an employee has exhausted all of their sick leave must be approved in advance by the Village Administrator and shall be without pay.

Medical Certificate Requirement

A doctor's statement or other documentation may be required to be provided in a timely manner by an employee for any use of sick leave of three or more consecutive days unless specifically excused by the Village Administrator or designee. A Department Head may request a doctor's statement if they suspect abuse or a pattern of improper or unnecessary sick leave use. If the employee does not supply such statement/documentation in a timely manner or said statement is not deemed satisfactory, the request for sick leave shall be denied, and the time off shall be without pay.

The Village retains the right to take disciplinary measures to deal with abuse of sick leave or if an employee has prolonged and/or frequent and regular unexcused absences which hinder the carrying out of their responsibilities, including dismissal.

IMRF Credit

The Illinois Pension Code allows retiring full-time employees in IMRF to convert up to 240 days of unused, unpaid sick leave to service credit. For every 20 days (or fraction thereof), an IMRF member can receive one month of service credit. However, the sick leave must meet certain criteria. The member must not have received compensation of any kind, including payment of amounts less than the member's regular salary, for the sick leave. And the sick leave must have been accumulated under a written plan established by the employer and available to all employees or to a class of employees.

5.5 Compensatory Time

In lieu of overtime compensation, employees eligible for overtime pay may receive compensation for time worked by paid time off if agreed between the employee and their Department Head or if compensatory time is the only method of accruing such a leave offered by the Village. Compensatory time shall be provided at a rate equal to the applicable overtime rate. If the Department Head determines that future departmental scheduling permits time off, employees may elect to be compensated for overtime in the form of compensatory time off. Compensatory time shall be taken at a time and date agreed upon between the employee and their Department Head. In no instance may an employee's compensatory time balance exceed 48 hours unless specified otherwise in a collective bargaining agreement. When an employee qualifies for and elects to receive compensatory time for overtime, the employee shall receive compensatory time for overtime in excess of 40 hours in a workweek at the rate of 1½ times the number of hours (or a fraction thereof) worked in excess of 40.

For the specifics of departmental compensatory time off policies, employees should consult Departmental rules and regulations.

The use of compensatory time rather than overtime pay is strictly voluntary by the employee and is to be used in accordance with individual departmental procedures. In addition:

- A. An employee must request that the employee's overtime be granted in compensatory time rather than in payment prior to the submittal of the time sheet to the Finance Department.
- B. Compensatory time off shall only be granted when enough employees are available to adequately staff the department.
- C. A request for the use of compensatory time off must be submitted to a supervisor a minimum of 24 hours in advance of the time off requested.
- D. While employee preferences will be considered, the scheduling of compensatory time off shall be subject to the paramount needs of the individual department.
- E. Use of compensatory time off cannot create overtime.
- F. Employees may not accrue more than 48 hours of compensatory time at any one given time.
- G. Compensatory time cannot be scheduled before it is earned.
- H. Compensatory time may be cashed in by the employee in April or November.

5.6 Childbirth/Adoption

Following the birth of a child or adoption of a minor child, the Village will provide 120 hours of paid childbirth/adoption leave ("CAL"), which is paid at 100% of the employee's base rate of pay, if they or their spouse are the expectant parent. The CAL benefit is provided per birth or adoption event, regardless of the number of children born or adopted at that time (for example, the CAL benefit for the birth of twins is 120 hours). CAL may only be

taken in one block of time and must be used within three months of the birth or adoption event. Unused CAL will be forfeited. CAL shall run concurrently with available FMLA leave. Such leave shall not be entitled to be paid for unused or remaining childbirth/adoption leave upon leaving the employ of the Village.

5.7 Family and Medical Leave Act (FMLA)

Family and Medical Leave (FML) is provided in accordance with the FMLA to eligible employees who need to take time off from work for specified family, medical, or military reasons. Unpaid, job-protected leave under FML is available to eligible employees for 12 weeks (or, for Military Caregiver leave, up to 26 weeks) during any one-year period, which shall begin on the date the leave begins. The Village calculates FML based on a “rolling” 12-month period measured backward from the date of any FML usage, also referred to as the “look-back” method. In order to determine the amount of available leave, the calculation is made each time an employee commences leave. From that date, the preceding 12-month period is examined. Any leave used during the preceding 12 months is deducted from the 12 weeks of annual leave provided by law under this policy. An employee is entitled to take no more than the remaining balance of leave.

All time off during FML is unpaid unless other types of pay are available to the employee pursuant to the Village’s leave policies, which paid leave the employee would be required to use during any FML.

General information about FML and employee rights and responsibilities under applicable law and under Village policy is provided below. Since the information provided is general in form, certain limitations not described in detail below may apply depending on the particular circumstances.

An employee may be eligible for FML if the employee has been employed with the Village for 12 months and has worked for the Village for at least 1,250 hours during the 12 months immediately preceding the date the FML is to begin.

Eligible employees are entitled to:

- A. Twelve workweeks of leave in a 12-month period for:
 - i. the birth of a child and to care for the newborn child within one year of birth;
 - ii. the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of the placement;
 - iii. to care for an immediate family member (spouse, parent, or child (as defined by the FMLA)) with a serious health condition;
 - iv. the employee’s own serious health condition that makes the employee unable to perform their job;
 - v. any qualifying exigency arising out of the fact that the employee’s spouse, child, or parent is a covered military member on “covered active duty;” or
- B. Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is

the service member's spouse, child, parent, or next of kin (Military Caregiver Leave).

Employee Responsibilities

Requests for FML should be made to the employee's Department Head at least 30 days in advance when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice of the need to take FML as soon as practicable and generally must comply with normal call-in procedures. Employees must provide sufficient information for the Village to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave.

The Village will inform requesting employees if they are eligible for FML. If so, the Village will provide notice specifying any additional information required, as well as the employees' rights and responsibilities. The Village will inform employees if leave is designated as FML and the amount of leave counted against the employee's leave entitlement. If the Village determines that the leave does not qualify for FML, the Village will so notify the employee and provide a reason for the ineligibility. Employees who are on FML for their own serious health condition will be required to provide a "fit for duty" certificate prior to their return to work.

Use of Leave / Intermittent Leave

FML does not need to be taken in one block of time. Leave can be taken intermittently (in separate blocks of time or by reducing the usual number of hours worked per workweek) if the leave is taken due to a serious health condition or a qualified exigency. Employees must make reasonable efforts to schedule leave for planned medical treatment or qualified exigencies so as not to unduly disrupt business operations.

FMLA Leave Runs Concurrently with Other Leaves of Absence

Any combination of a leave of absence may not exceed the FML maximum limit (12 weeks or 26 weeks for Military Caregiver Leave) unless otherwise required by applicable Federal or State law. Employees will be required to use any accrued paid time starting at the beginning of their leave in the following order: CAL (if applicable), sick, personal, and then vacation. This time will run concurrently with qualifying FML and any applicable state-provided leaves of absence.

Benefits and Protections

During FML, the employee's health coverage under any group health plan is maintained on the same terms as if the employee has continued to work. Use of FML will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave. Where an employee's contribution is required, the employee must continue to make monthly contributions either through payroll or direct payment to the Village to continue coverage under this provision of the leave policy.

When FMLA leave ends, the employee will be returned to the same position, if it is available, or to an equivalent position for which the employee is qualified, unless the employee is considered a “key employee” under applicable regulatory guidelines.

5.8 Jury Duty or Other Court Attendance

An employee summoned for jury duty or to serve as a witness (not as a plaintiff or defendant) in a court case that necessitates an absence from assigned duties within the employee's standard weekly work schedule shall be granted pay at straight time for such absence. Such an employee shall report for the employee's regular duties while excused from such attendance in court unless it is impossible or unreasonable for the employee to do so.

5.9 Death in Immediate Family Leave

An employee may be granted an emergency leave of absence of up to three days annually for bereavement leave without loss of pay as a result of a death in the immediate family. An employee may request to use additional time-off from their accrued vacation, but such additional time-off is subject to the approval of the Village Administrator. A member of the immediate family shall be defined to be any employee's parent, spouse, child (including step or adopted), sibling (including half or step), parent-in-law, child-in-law, grandparent, grandchild, or aunt/uncle.

5.10 Child Bereavement Leave

In accordance with the State Child Bereavement Leave Act, employees will be provided up to 80 hours of unpaid leave for the death of a child and up to six weeks of unpaid leave for the death of a second child in a 12-week period.

5.11 Part-Time, Seasonal and Temporary Employees

Part-time, seasonal, or temporary employees may not work more than 1,000 hours in any given calendar year and earn no paid time off as a condition of their employment. These employees may request flexible schedules at the discretion of their applicable Department Head if they require leave from their regular employment.

5.12 Military Leave

Village employees who are members of the uniformed or military services shall be extended employment rights as set forth in the Illinois Service Member Employment and Reemployment Rights Act (ISERRA), the Uniformed Services Employment and Reemployment Rights Act (USERRA), and all other applicable state and federal laws.

If an employee needs leave for military service, the employee shall provide notice to their Department Head, along with a copy of their orders for service, as soon as they become aware of their need for leave.

During periods of uniformed or military leave, the Village's health-plan benefits will continue in accordance with state and federal law. For periods of leave for active duty, the Village shall continue to pay the employer's share of the full premium and administrative costs related to the continuation of health plan benefits.

During periods of military leave for training, employees shall continue to receive full compensation for up to 30 calendar days per year. During periods of leave for active service, employees shall receive differential compensation. In the case of differential pay, the employee shall receive their regular compensation as a public employee minus the amount of base pay for active service. Differential compensation for voluntary active service is limited to 60 work days in a calendar year. Employees may elect, but are not required to, the use of accrued vacation, annual, or similar leave with pay in lieu of differential compensation during any period of military leave. Differential compensation will not be paid for active service without pay. Employees who have exhausted concurrent compensation for annual training may receive differential pay for annual training, as set forth and limited by law.

5.13 Unpaid Leave Due to Domestic or Sexual Violence

The Village will provide up to 12 weeks of unpaid leave from work during any 12-month period to an employee who is a victim of domestic or sexual violence (or who has a family or household member who is a victim of domestic or sexual violence), pursuant to the Illinois Victims' Economic Security and Safety Act ("VESSA"), to address domestic or sexual violence if the employee is:

- A. seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
- B. obtaining services from a victim services organization for the employee or the employee's family or household member;
- C. obtaining psychological or other counseling for the employee or the employee's family or household member;
- D. participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; or
- E. seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

Period of Leave

Employees shall be entitled to a total of 12 workweeks of unpaid leave during any 12-month period (this policy does not create a right for an employee to take unpaid leave that exceeds leave time allowed under or is in addition to the unpaid leave time permitted by the federal FMLA). Leave may be taken intermittently or on a reduced work schedule.

Existing Leave

The employee may use any available paid or unpaid leave from employment, pursuant to law, in substitution for any period of such leave for an equivalent period of leave.

Employee Notice Requirements

The employee shall provide the Village Administrator with at least 48 hours' advance notice of the employee's intention to take the leave unless providing such notice is not practicable. When an unscheduled absence occurs, the Village will not take any action against the employee if the employee, within a reasonable period after the absence (generally defined herein as 15 days), provides certification as shown under the next section.

Employee Certification

The Village may require the employee to provide certification that:

- A. the employee or the employee's family or household member is a victim of domestic or sexual violence; and
- B. the leave is for one of the purposes enumerated in the above "General" paragraph.

The employee shall provide such certification to the Village within 14 calendar days after the Village requests certification. An employee may satisfy the above certification requirement by providing to the Village a signed and dated statement by the employee, and upon obtaining such documents, the employee shall provide:

- A. documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic or sexual violence and the effects of the violence;
- B. a police or court record; or
- C. other corroborating evidence.

Confidentiality

All information provided to the Village, including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has

requested or obtained leave pursuant to this policy shall be retained in the strictest confidence by the Village, except to the extent that disclosure is requested or consented to in writing by the employee or otherwise required by applicable Federal or State law.

Restoration to Position

In general, an employee who takes leave under this policy shall be entitled, on return from such leave, to be restored by the Village to the position of employment held by the employee when the leave commenced, or to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

Accrual of Benefits

The taking of leave under this policy shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced. An employee who takes leave under this policy for the intended purpose of the leave shall be entitled upon return from such leave to be restored to the same position or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. However, the employee is not entitled to the accrual of any seniority or employment benefits during any period of leave or any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

Reporting to the Village

The Village may require an employee on leave under this policy to report periodically on the status and intention of the employee to return to work.

Maintenance of Health Benefits

During any period that an employee takes leave under this policy, the Village shall maintain coverage for the employee and any family or household member under the group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

Failure to Return from Leave

The Village may recover the premium that it paid for maintaining coverage for the employee and the employee's family or household member under such group health plan during any period of leave under this policy if:

- A. the employee fails to return from leave under this policy after the period of leave to which the employee is entitled has expired; and
- B. the employee fails to return to work for a reason other than:

- i. the continuation, recurrence, or onset of domestic or sexual violence that entitles the employee to leave; or
- ii. other circumstances beyond the control of the employee.

The Village may require an employee who claims that they are unable to return to work because of a reason described in A or B above to provide certification to the Village that the employee is unable to return to work because of that reason.

An employee may satisfy the certification requirement above by providing the Village Administrator with:

- A. a sworn statement of the employee;
- B. documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional with whom the employee has sought assistance in addressing domestic or sexual violence and the effects of that violence;
- C. a police or court record; or
- D. other corroborating evidence.

The Village will not fail to hire, refuse to hire, discharge, or harass any individual exercising their rights under this policy or otherwise discriminate against any individual exercising their rights under this policy with respect to the compensation, terms, conditions, or privileges of employment of the individual, or retaliate against an individual in any form or manner for exercising their rights under this policy.

Leave Availability Calculation

The Village has adopted a "rolling" 12-month period measured backward from the date of any VESSA leave usage. In order to determine the amount of available leave, the calculation is made each time an employee commences leave. From that date, the preceding 12-month period is examined. Any leave used during the preceding 12 months is deducted from the 12 weeks of annual leave provided by law under this policy. An employee is entitled to take no more than the remaining balance of leave.

5.14 Illinois School Visitation Rights Act

The Village will grant an employee leave without pay of up to a total of eight hours during any school year and no more than four hours of which may be taken on any one day to attend school conferences or classroom activities related to an employee's child if the conference or classroom activities cannot be scheduled during non-work hours. No such leave may be taken by an employee unless the employee has exhausted all accrued paid leave that may be granted to the employee, except sick or disability leave. In order to be eligible for such leave, an employee must be employed for at least six consecutive months immediately preceding a request for such leave and an average number of hours per week equal to at least one-half the full-time equivalent position in the Village's job

classification, as defined by the Manual or in accordance with a collective bargaining agreement, during those six months.

Before arranging school meetings, the employee must submit a written request for leave at least seven days in advance to their immediate supervisor of the time the employee is required to utilize the visitation right. In emergency situations, no more than 24 hours' notice shall be required. The employee must consult with their Supervisor to schedule the leave so as not to unduly disrupt the operations of the Village.

An employee who utilizes such leave may choose to make up the time so taken on a different day or shift if a reasonable opportunity exists to make up such time, as determined and directed by the applicable Department Head. The applicable Department Head will make a good faith effort to permit an employee to make up the time taken. If no reasonable opportunity exists for the employee to make up the time taken, the employee will not be allowed to make up the time and shall not be paid for the time. A reasonable opportunity to make up the time taken does not include the scheduling of make-up time in a manner that would require the payment of wages on an overtime basis. An employee who does make up the time taken shall be paid at the same rate as paid for normal working time. An employee who utilizes such leave is not required to make up the time taken, but if such employee does not make up the time taken, such employee shall not be compensated for the time taken. Notwithstanding the previous provision, if unpaid leave conflicts with the unreduced compensation requirement for exempt employees under the FLSA, the Village may require an employee to make up the leave hours within the same pay period.

5.15 Employee Blood Donation Leave Act

Full-time employees may request one hour of paid time to donate blood if sufficient time off is not available to the employee during which to make the donation. Leave requests may be made every 56 days or in accordance with appropriate and accepted medical standards. Eligibility begins after six months of employment. Proof from the blood donation agency that blood was donated is required in order to qualify for paid time off.

5.16 Leave of Absence Abuse

Any employee who engages in fraud, misrepresentation, or who provides false information to the Village, its insurance carrier, or to a health care professional in connection with any leave or leave request or holds other employment during the leave without prior approval of the Village, will be disciplined, up to and including termination. Unauthorized and unreported absences shall be considered absent without leave and will constitute grounds for discipline, up to and including termination.

5.17 Approval of Leave

All leave listed in Section 5 must be approved by the employee's Department Head prior to said leave being utilized.

Section 6: Employee Benefits

6.1 Life and Health Insurance

The Village shall provide life, medical, dental, and vision benefits for full-time employees. Insurance coverage shall become effective on the date of hire and shall cease at the end of the month of termination. Retired employees who wish to participate in the Village's group health insurance must notify the Village Administrator or their designee.

6.2 Consolidated Omnibus Budget Reconciliation Act

Through the Consolidated Omnibus Budget Reconciliation Act (COBRA), employees and their dependents have the right to continue group Health Insurance at their own expense for a specified time in the event of loss of such benefits because of termination (except for gross misconduct), death, divorce, or child's loss of dependent status. The specified time is determined by law.

6.3 Workers' Compensation

In accordance with the Illinois Workers' Compensation Act (820 ILCS 305/1, et seq.), the Village maintains workers' compensation insurance. The Illinois Worker's Compensation Act provides a system of benefits to most employees who experience work-related injuries and occupational diseases. Workers' compensation benefits are subject to change as a result of changes in the law. The Village reserves the right to manage incidents involving workers' compensation to the fullest extent permitted under the law. Employees found to be defrauding the Village with respect to workers' compensation claims will be subject to disciplinary action, up to and including termination. Employees who fail to comply with requests or orders from the Village while absent from work due to a workplace injury or illness will be subject to disciplinary action, up to and including termination, as well as other sanctions or actions permitted under the law.

6.4 Death of Employee

In the event of the death of an employee, in addition to Village paid life insurance and pension benefits, if applicable, the employee's surviving spouse or estate shall receive the deceased's final paycheck and the monetary equivalent of the employee's eligible accrued leave. This payment shall be based on the hourly straight-time rate of pay received by the employee and subject to all applicable withholdings, both that were in effect at the time of the employee's death. This payment shall be made on the regular pay period immediately following the employee's death.

6.5 Employee Assistance Program

The Village provides all employees and their immediate family members with an Employee Assistance Program (EAP). The primary objective of an EAP is to provide

employees with a confidential, convenient, and initial no-cost opportunity to resolve issues independently and at an early stage before they might lead to more serious difficulties. Should work performance deteriorate and should non-work-related problems appear to be contributing to noted deficiencies, the EAP will serve as a resource that Supervisors may recommend to employees to assist them in restoring their performance to a satisfactory level.

All issues relating to the EAP are strictly confidential; records are maintained at the provider's office, and the only information provided to the Village is a statistical summary of the type and number of requests for help received. An employee shall not be subject to any reprisal or negative consequences for utilizing the EAP. Employees utilizing the EAP remain responsible for performing the duties of their position according to Village standards. Confidentiality exceptions may occur only with the written permission of the employee. This would typically apply when a Supervisor encourages the employee to seek assistance for job-related reasons, and the employee wants the Supervisor to be informed of follow through or progress. This exception may also apply when special accommodations affecting work are necessary, such as a Leave of Absence.

Qualified EAP counselors are available by telephone 24 hours per day, seven days per week. Problem assessment will be provided to each employee (or family member) at no initial cost. Should longer term treatment be required, the employee will be responsible for any additional costs incurred. The EAP is designed to assist with personal problems in areas including, but not limited to: marital and family, alcohol and chemical dependencies, financial, legal, stress, depression, and emotional difficulties.

Self-Referrals

Upon calling the EAP for assistance, a staff counselor may generally schedule an appointment at a mutually convenient time and office location. In the event of a "crisis," these issues will be dealt with on an immediate basis.

Following the assessment(s), if the problem is not resolved, the counselor will recommend further treatment by an outside therapist or suggest another course of action. In referring an employee to an external source, whether it is a counselor or rehabilitation center, the EAP will consider the nature and severity of the problem, the desired geographic area for treatment, the employee's benefits coverage, and the employee's ability to pay. In any case, the initial EAP counselor will follow up to ensure that the employee is satisfied with the treatment received and, if not, provide a more appropriate referral.

Supervisory Referrals (Performance Related)

In adherence to the Village's performance policy, Supervisors are responsible for identifying employees whose performance and/or behavior is marginal or below standard. Performance deficiencies are to be documented, employees advised, and expectations for improvement clearly set forth.

When there is reason to believe that an employee's work-related difficulties are due to personal problems, the applicable Department Head may recommend that the employee seek assistance through the EAP.

The Department Head's role is to make the employee aware of the EAP and motivate the employee to utilize the service. It is important that the focus of this discussion be on encouraging the employee to accept personal responsibility for correcting the performance and/or behavior problem, whether the employee seeks help through the EAP or corrects the problem on their own. The employee is ultimately responsible for their job performance. A Supervisor should not attempt to diagnose an employee's problems or accuse or label an employee of having any type of psychological, emotional, or substance abuse problem.

The Department Head should, at their discretion, contact the Village Administrator for guidance in handling potentially difficult situations. The Department Head may also consult with the EAP staff directly for advice in specific cases. In situations where an employee's job is in jeopardy, and with the written permission of the employee, the EAP will inform the Department Head of the employee's follow through and/or progress. Note that this will only occur when the employee voluntarily signs a written consent form.

Regardless of participation in the program, it is the responsibility of the Department Head to document and monitor performance. If performance/behavior problems are not satisfactorily corrected within a specified period of time, the Village's usual disciplinary procedures must be followed. Employees who utilize the EAP during regular working hours must use sick, personal, or vacation leave. If an illness is involved, sick leave may be used for treatment or rehabilitation on the same basis that it is granted for other health problems.

6.6 Illinois Municipal Retirement Fund

The Illinois Municipal Retirement Fund (IMRF) provides pension and disability protection as mandated by Illinois law. All full-time and part-time employees who are expected to work a minimum of 1,000 hours per year qualify for IMRF (except for sworn members of the Police Department). A percentage of each employee's salary shall be deducted from the wages earned and credited to the employee's IMRF account. Unused sick leave may be credited to one's IMRF service credit calculation in specific instances. The ultimate determination of the applicability of sick time and service credit shall be that of IMRF.

Section 7: Light Duty

7.1 Purpose

The Village has developed this policy concerning light duty for several reasons, including:

- A. Desire to assist employees recuperating from illness or injury, particularly when light duty is recommended as part of a gradual return to full duty status.
- B. Desire to avoid placing a disabled employee in a position that will aggravate the condition or expose the employee or others to damage, as well as determine a disabled employee's fitness for duty.
- C. Desire to prevent and discourage abuse of sick leave and/or worker's compensation benefits.
- D. Desire to clarify and formalize a past practice in this area.

7.2 Definitions

"Light duty" is work that requires minimal physical exertion and can be accomplished by an injured or ill employee without risk to the employee's recuperation process and without the potential risk of harm to others. Light duty is further defined as work necessary to accomplish the mission of the Department as distinguished from a "make work" situation designed solely to accommodate an injured or ill employee on a temporary basis.

"Part-time duty" is regular duty not restricted in any way to the type or nature of work but restricted by a physician to less than a full work day on a temporary basis.

7.3 Light Duty

Light duty assignments are a special benefit by which the employee is placed on full pay status and in return for which the Village expects to receive a fair day's work in a valuable function for the particular department. In recognition of this, the Village has no intention or obligation to create "make work" for any employee regardless of the employee's physical condition, disability, or illness.

The Village is not obligated to place an employee on light duty unless there is light work available, the performance of which will make a substantial contribution to the mission of the department and the Village.

No employee will be moved from the employee's regular job in order to make a light duty situation available to another employee.

Some departments may not have light duty work available, and some employees may not be able to perform certain light duty jobs due to skills required when such work is available. However, upon request submitted by an employee along with a physician's

report, department heads may, in consultation with the Village Administrator, seek to identify light duty work that can be accomplished by the employee.

The Village may initiate the process of requiring an employee to return to work on light duty if, after consultation with the Village's physician, it has reason to believe that an injured employee could be performing light duty work.

The Village may require the employee to submit to an examination by another physician at the Village's expense in order to determine the employee's fitness for duty, even light duty. The determination of the Village's physician will govern in the case of a dispute between the Village's physician and the employee's physician. The Village also reserves the right to review an employee's status at any time during the duration of the light duty assignment.

The decision of the Village Administrator shall be final with respect to the determination of whether a light duty assignment is available within the limits of the physician's restrictions. No light duty assignments will be made permanent, and requests for light duty may be denied where there is no reasonable expectation of the employee returning to regular duty within 30 days.

Employees who suffer an injury at work or off duty are encouraged to return to work responsibilities as soon as feasible, in a capacity consistent with their physical capabilities. All light duty assigned must be consistent with an employee's physical or medical condition. If offered a light duty position or responsibilities by the Village, and the employee can perform such responsibilities, the employee must engage in such activities as directed by the Village. Refusal of a limited duty assignment can result in discipline, up to and including termination.

Eligibility for light duty shall require written verification from the employee's physician, verifying the employee's fitness for such duty and indicating the precise nature of work that can or cannot be performed by the employee, any continued treatment relevant to the employee's condition, and the prognosis and timelines associated with the employee's condition, as it affects work fitness. This physician's written information must precede any return to a light duty assignment.

No light duty assignments are allowed which would create any obligation for overtime compensation.

Return to Work/Light Duty Program

What work may be included:

- Safety-related duties – inspections, manuals, hazard analysis
- productive work, not “make” work
- within restrictions of the medical provider
- non-hazardous

What work may not be included:

- driving with 'one arm' or 'one leg'
- work that requires training or physical skills that the employee does not have
- climbing of ladders (depending on restrictions)
- lifting (depending on restrictions)

Part-Time Duty

The Village may allow an employee who has been injured or otherwise disabled to work part-time at the employee's regular job, with no restrictions on the extent or scope of work that may be performed. A recuperating employee seeking to return to part-time status shall submit a written request accompanied by an acceptable physician's report to the employee's department head for consideration.

In most cases, it is anticipated that part-time work requests will be granted only where a physician places the recuperating employee on a systematic course of therapy calling for a return to work within 30 days. Physician recommendations for part-time status must certify that the employee is expected to return to full-time work within the 30-day period.

The Village will not ordinarily submit the employee to an examination by a Village physician in the case where part-time status is requested, and extensions of the 30-day maximum period will not be granted except in extreme and unusual cases where the employee has incurred unanticipated complications during recovery. Any such extension will not exceed 30 days in any case.

This policy will not be construed to create any position. Employees are expected to only be in this position on a temporary basis.

In limited circumstances, part-time, light-duty work, where the employee's job duties are restricted, may be available. Requests for part-time light duty are not encouraged, and assignments will ordinarily be made only in the most compelling cases.

The Village will apply the same guidelines and restrictions as set forth above for both light duty and part-time duty.

Light Duty for Pregnancies

The Village will treat pregnancy as any other non-job-related disability. Any restrictions imposed by a pregnant employee's physician or the Village's physician will be reviewed to determine if light-duty and/or part-time duty assignments are available consistent with the employee's pre-natal and/or post-natal restrictions.

Section 8: Vehicles, Equipment, and Workplace

8.1 Clothing Allowance and Dress Codes

Certain Departments provide uniforms or a clothing allowance. Departmental uniform dress codes and policies shall govern. All employees are required to maintain a clean, groomed appearance in conjunction with the position they hold, suitable for the work they perform that reflects favorably on the Village's image. It is the responsibility of Supervisors and Department Heads to monitor employees' dress, personal appearance, and hygiene within their respective departments. In the event the Village purchases attire for employees that are considered to be non-uniformed, for example, a polo shirt that says "Village of Burr Ridge," normal payroll tax withholdings shall apply in accordance with the IRS.

8.2 Use of Administrative Badges

It is the policy of the Village to issue administrative badges to employees of the Village who may routinely encounter members of the public outside of a public facility as part of their regular job duties.

A Department Head shall determine who shall be issued a badge. The badges may be used only during the course of such an employee's performance of their official duties and then only as needed to identify the employee to the public as a duly empowered Village representative. When displaying such a badge for identification purposes, the employee shall inform the individual to whom they are presenting identification of the employee's job title.

Such badges may never be used to imply that the employee is authorized to act as a police officer, to affect an arrest, or to detain, search, or question an individual. The display of such a badge while off duty is prohibited. The badge may never be displayed in an attempt to influence, gain favor, or avoid being ticketed, charged, or detained by a law enforcement officer of any jurisdiction. Any misuse of a badge shall be considered a disciplinary event, with a penalty up to and including discharge.

8.3 Vehicle Assignment

Certain employees in the Village's service may be assigned a Village-owned vehicle if it is determined by the applicable Department Head that one of the following applies:

- A. The nature of the employee's work requires that the employee's time be spent in field activities requiring extensive travel throughout the Village; and
- B. The nature of the employee's work requires that the employee is on call 24 hours a day and is expected to respond immediately. Village vehicles, although assigned to particular individuals, are to be kept available for department use when not in

use by the individuals to whom they are assigned, subject to the approval of the Department Head.

- C. The Village retains the right to inspect all Village-owned vehicles at any time.

8.4 Use of Vehicles and Equipment

The Village's objectives for vehicle use are:

- A. To ensure that all Village employees have access to safe, well-maintained vehicles that are appropriate to the intended use;
- B. To maximize the useful life of the Village fleet;
- C. To establish responsibilities of employees toward vehicles entrusted to them;
- D. To permit employees to carry out their assigned mission in a manner that is consistent with the professional image of the Village; and
- E. To be consistent with Internal Revenue Service ("IRS") requirements.

Operation of Village Vehicles

- A. Village vehicles shall be driven in accordance with State and local laws. At no time shall an employee operate a Village vehicle while under the influence of drugs and/or alcohol. Employees must wear seat belts at all times as required by law. Village vehicles shall be operated at all times in a safe and courteous manner. An employee who is found to have operated a Village vehicle in an unsafe or illegal manner, or to have otherwise violated this policy, shall be subject to discipline. Nothing in this policy shall be construed to waive any of the immunities provided by the Illinois Governmental and Governmental Employees Tort Immunity Act or to create any legal duties toward third persons.
- B. Employees will not park in fire lanes, designated accessible parking spaces (unless disabled and displaying the required sign), and other types of spaces not available for parking by the general public unless it is in conjunction with an emergency response.
- C. Employees are responsible for the general operating condition of vehicles assigned for their use. Employees shall monitor fluid levels, lighting equipment, tire pressure, and the like of vehicles assigned to them. Defects and operational difficulties are to be promptly reported to their Department Head or their designee. Employees are expected to make every effort to make the vehicle available to the necessary staff to expedite repairs.
- D. At the beginning of a new shift, employees must perform a vehicle safety check before driving a Village vehicle. This safety check consists of, but is not limited to, securing the doors and compartments, checking for any broken headlights, windows, body damage, etc.
- E. Village vehicles and equipment shall be properly locked whenever the vehicle is left unattended, or the equipment is not in use. The Village retains the right to examine the contents of such vehicles.
- F. No employee shall request or permit the use of the Village owned vehicles, equipment, materials, or property for convenience, profit, or political purposes,

except when such services are available to the public generally or are provided as per Village policy for the use of such public official or employee.

- G. Vehicles are considered “workplace” and are subject to search at any time. Smoking is not permitted.
- H. Village vehicles, except as otherwise noted, shall bear permanent municipal license plates issued by the State of Illinois, except as exceptions are legally available for Police Department vehicles.
- I. Employees who are only authorized to drive Village vehicles while on duty shall use these vehicles for Village business only. Employees shall be permitted to use Village vehicles during their meal break proximal to their assigned duties.
- J. Vehicles assigned to employees for use only while on duty shall be garaged or parked on Village property when not in use for Village business (except for on-call assignments).
- K. Employees are personally liable for any traffic tickets incurred during use of a Village-owned vehicle.
- L. The Village will maintain automobile liability insurance for Village-owned vehicles at coverage levels equal to or greater than the minimum required by law.
- M. If an employee, who is authorized to operate a Village vehicle, should have their driver’s license revoked, suspended, or at any time for any reason, that employee shall immediately alert the Department Head, in writing, of that revocation. Failure to do so will result in discipline up to and including discharge.
- N. Employees must not operate a cell phone while driving except in accordance with State and local laws.
- O. All accidents involving Village vehicles must be reported to the employee’s Supervisor immediately with appropriate forms completed within 24 hours.

Personal Use of Village-Owned Vehicles

- A. The personal use of Village-owned vehicles is limited to de minimus use. Such use excludes vacations and/or recreational trips.
- B. The personal use of a Village-owned vehicle is subject to the rules and regulations of the IRS.
- C. The payment of any taxes on the value of the personal use of Village-owned vehicles is the responsibility of the employee who is granted use of a Village-owned vehicle.
- D. The Village will separately withhold income taxes from an employee’s wages for the value of their personal use of a Village vehicle.
- E. If an employee is permitted to take a Village vehicle home, it shall be kept in a secure environment deemed appropriate by the employee’s Department Head.
- F. No employee shall operate a Village-owned vehicle beyond a 200-mile radius of the Village except when on Village business or unless specifically approved by the Village Administrator.
- G. No employee, who is regularly assigned a Village vehicle to take home, shall allow any non-Village employee to operate a Village-owned vehicle at any time, except in the case of an emergency when the employee is also in the vehicle.

The Village Administrator may, from time to time, permit exemptions from the usage restrictions set forth in this policy if the Village will benefit from such exemptions.

8.5 Mileage Reimbursement

The use of privately owned vehicles for official Village business may also be necessary. The use of private transportation for official business will be allowed, provided the employee receives prior approval from the Department Head or Village Administrator. The amount of reimbursement for private automobile use shall be in accordance with the IRS rate.

8.6 Workplace Inspections

Employees do not have an expectation of privacy as to any Village property. The Village reserves the right to search with or without notice any employee's office, desk, files, locker, computer, e-mails, voicemails, technology, vehicle, or any other area or article on Village premises. It should be noted that all offices, desks, files, lockers, and so forth are the property of the Village and are issued to employees for business use and only during their employment with the Village. Searches and inspections may be conducted at any time at the discretion of the Village. The Village retains duplicate sets of keys for all vehicles, desks, and cabinets. Employees are advised not to keep confidential and personal information, materials, or belongings on Village property or stored in Village computers. Refusal to submit to a search or inspection can lead to discipline, up to and including termination of employment. Possession of prohibited articles such as drugs, alcohol, unauthorized firearms, explosives, or other improper materials, may also result in discipline, up to and including termination of employment.

8.7 Safety Footwear

Generally, all field personnel and inspectors shall wear steel-toed or composite safety footwear at all times while performing work for the Village. Under no circumstance will it be permissible to wear sandals, open-toed shoes, canvas shoes, or other soft material shoes while at a job site. Supervisors and Department Heads are responsible for enforcing this policy. There will be no exceptions to the wearing of safety footwear except as established by individual department policies.

8.8 Loss of Personal Property

Employees should maintain control of their personal property at work at all times. Articles of personal property that are found should be returned to the property owner or turned in to a Supervisor. The Village assumes no responsibility for loss, damage to, or theft of personal belongings on Village premises. Employees are advised not to carry large sums of money or other valuables with them to work or while working. Employees suffering damage or loss of personal belongings because of an on-the-job accident should report the incident immediately to their supervisor. Determination of payment for costs incurred due to such accidents will be made by the Village Administrator. Personal cell phones damaged on the job will not be replaced or paid for by the Village.

Section 9: Technology

9.1 Communication Systems Use

The Village provides employees with communication systems or equipment necessary to promote the efficient conduct of business. All Village-issued, controlled, financed, or otherwise connected to Village communication systems and equipment are to be used as prescribed within this policy. The purpose of this policy is to ensure the responsible and acceptable use of all of the Village's communication systems and/or equipment resources noted above, as well as those technologies which may be introduced in the future. This policy applies to all individuals who utilize this equipment or are provided access to these systems. This policy applies to Village-owned or personal property for which the Village provides a stipend.

The Village's communication systems or equipment and all information stored on them or on removable media are provided at the Village's expense and are the Village's sole property. Communications are not private; they are business records that can be reviewed by the Village, subpoenaed under law, or made accessible to the public pursuant to the Freedom of Information Act (FOIA). Accordingly, employees should have no expectation of privacy regarding any communication, business-related or personal, that they create, send, receive, or store on any of the Village's communication systems, equipment, or removable media.

The Village reserves the right to access, monitor, and review the use of its communication systems, as well as to retrieve or delete data for training purposes, quality assurance purposes, and to determine if there have been any breaches of security or confidentiality, misuse, or other violations of Village policy.

Communications Systems and/or Equipment Security

- A. Employees shall not share passwords with others unless authorized to do so. The Village retains the right to access Village-provided communications systems even when protected by passwords. Employees should not construe the use of codes or passwords as creating an expectation of privacy.
- B. Regardless of whether the Village has chosen to monitor any or all of the communications systems and/or equipment, either in the past or at any time in the future, the Village's right to monitor such systems and/or equipment is not and may not be waived. Employees should not consider the Village's choice to not monitor as creating an expectation of privacy. All employees shall understand and agree that there is no expectation of privacy for any communication sent or received by Village owned communication systems and/or equipment.
- C. To ensure that software is properly installed, the Village Administrator will coordinate the purchase and installation of all software.
- D. Employee or consultant owned software, or removable media may not be installed on Village owned computers without the prior authorization of the Village Administrator. If approved, only original installation media or assigned software

keys may be used. The Village Administrator will archive and inventory the installation media, software keys, and license agreements.

- E. Computer systems are at risk of being invaded by viruses or other malware through loaded software or downloaded material through the Internet or other sources. Only software acquired through licensing agreements or shared software through the public domain that is authorized by the Village Administrator may be loaded onto Village computers. All foreign removable media are banned from use without prior authorization by the Village Administrator. External attachments or website links shall not be opened if the attachment or link is suspicious, from an unknown source, sent via unknown file extensions, or is otherwise not expected by the recipient. All programs, files, or macros downloaded from the Internet shall be scanned immediately for computer viruses. If a virus penetrates the Village's security systems, the Village Administrator must be notified immediately.
- F. Employees shall not attempt to provide any computer system, files, or messages to others without proper authorization or gain unauthorized access to remote computers or other systems. Employees shall not damage, alter, or disrupt any computers or systems in any way. Employees shall not use another employee's code or password or disclose anyone's code or password, including their own. Employees shall not enable unauthorized third parties to have access to or use the Village's communication systems or equipment. Employees shall not otherwise jeopardize the security of the Village's communication systems or equipment.
- G. All electronic data files must be stored on the Village file server and not on the local hard drive unless approved by the Village Administrator.
- H. All employees have an affirmative duty to report any abuse or misuse of any Village systems and/or equipment to the employee's Department Head immediately. Failure to do so may subject the non-reporting employee to disciplinary action, including, but not limited to, termination.
- I. Employees using Village-owned smartphones must ensure the operating system and all applications are updated. Employees who use Village and non-Village phones to access their Village e-mail must have their device secured with either a password, swipe lock, fingerprint, facial recognition, etc.

Communications Systems and/or Equipment Acceptable Use

- A. The Village's communication systems are to be used to conduct Village business. Personal use of any Village system should be avoided whenever possible and kept to a minimum. Although the Village recognizes that certain limited de minimus personal use of Village systems or equipment may occur, all employees understand and agree that all messages and information created, generated, and/or received on Village systems or equipment shall be treated the same as business related communications. All employees should be aware that all personal communications made using Village communications systems or equipment are subject to monitoring. Employees have no expectation of privacy in any such personal communication or any other communication made with or received by Village communication systems or equipment.

- B. Likewise, all employees should be aware that any expense caused by personal or unauthorized use of Village systems or equipment shall be the sole responsibility of the employee who caused said expense to be incurred. Any employee incurring such expenses shall indemnify the Village for the entire amount of such costs and expenses, as well as any additional return or cancellation fees that may be incurred.
- C. Utilization of the Internet shall be for Village business. De minimus use of the internet for personal use is allowed. De minimus use has been defined to include periodic communications with family and friends, Village approved educational sites, and periodic miscellaneous personal correspondence via any of the Village's systems or equipment. Internet usage is filtered and logged by the Village and may be used for determining individual compliance with this policy. The Village may monitor de minimus personal use of all communication systems or equipment.
- D. When using the Village's communication systems or equipment, employees shall use the same standards of care and professionalism as used in other business communications. Individual users must be aware of and, at all times, attempt to prevent potential Village liability in their use of its communication systems.
- E. All usage shall be in full compliance with all copyrights and licensing agreements.
- F. Employees shall not represent the Village on social media without authorization.
- G. Examples of prohibited use of Village communications systems and/or equipment include, but are not limited to:
 - i. Sending abusive, threatening, or harassing messages, including those containing racial epithets, ethnic slurs, or any other language involving the harassment of others.
 - ii. Faxing, downloading, transmitting, distributing, or possessing sexually explicit, harassing, or otherwise objectionable materials.
 - iii. Use of communication systems for chain letters, inappropriate or objectionable jokes, pools or other sorts of gambling, non-professional chat rooms, online game rooms, illegal activities, listservs, or news groups for non-Village purposes.
 - iv. Engaging in solicitation or proselytizing for non-Village related commercial, religious, political, or other causes.
 - v. Furthering an employee's secondary employment outside the employee's scope of employment with the Village.
 - vi. Electronic forgery use of unauthorized encryption tools or technology.
 - vii. Engaging in any improper activity that could adversely affect the Village.
 - viii. The communication of proprietary or confidential information via any Village system or equipment without prior approval by the Village Administrator.
- H. An employee who receives harassing/offensive or inappropriate messages should immediately report the incident in accordance with the Village's harassment policy.
- I. An employee who receives an email message that the employee finds offensive shall immediately report the receipt of the message to their Supervisor, Department Head, or Village Administrator. An employee who inadvertently accesses an Internet site, which is prohibited under the Village's system security rules, shall immediately report the incident to the Village Administrator or their designee. Failure of an employee to report incidents covered by this paragraph

may be deemed to constitute voluntary participation in the inappropriate communication or intentional attempted access to prohibited internet material, as the case may be, and may result in disciplinary consequences.

- J. Employees must return their communications equipment to the Village when no longer required for their work assignment or upon separation from the Village. Village issued communications equipment, including cellular phone and telephone numbers, is the property of the Village, and persons separated from Village employment employees may not take the equipment or telephone number with them unless approved by the Village Administrator. If the Village Administrator determines that the fair market value of the cellular phone is minimal, the Village Administrator may authorize the individual to pay the fair market value to the Village and to keep the equipment.
- K. Reasonable care should be taken to prevent equipment loss or damage. When traveling with Village communications equipment, care should be taken to keep the equipment secure. Equipment should be kept within reach, and when it is necessary to leave equipment, it should be stored in a locked environment and out of sight. Employees are responsible for the cost of intentional damage or reckless loss of assigned communications equipment.

Any access to the communication systems or equipment provided by the Village is a privilege and is revocable at any time or for any reason.

9.2 Cell Phone Stipend

A Village-owned cell phone will be issued to certain employees or elected or appointed officials upon approval by the Village Administrator. If it is determined that an employee or elected or appointed official is eligible for a Village-owned cell phone, and the employee chooses to utilize their personal phone for Village business, that employee may be reimbursed a monthly stipend as set by the Village Administrator consistent with the Wage Payment and Collection Act.

9.3 Technology Asset Control Policy

In order to maximize the effective use of technology and minimize security concerns, appropriate measures must be taken in the purchase, management, and disposition of technology-related assets. Technology related assets include, but are not limited to, personal computers, workstations, laptops, smartphones, tablets, copiers, servers, network connectivity devices, telephones, phone systems, and other devices that include a Central Processing Unit and non-volatile storage.

- A. Technology related assets should be procured and installed in coordination with the Administration Department.
- B. As appropriate, all technology assets should be equipped with security software as recommended by the IT consultant.

- C. Portable assets, such as laptops, smartphones, and tablets, shall not store personal identifying information for Village staff, residents, or constituents without a hard drive or disk-level encryption.
- D. Technology asset disposal is the responsibility of the Administration Department.
- E. The Administration Department shall review all technology asset disposals and verify that any disk has been wiped before certifying the asset for disposal.

9.4 Computer Passwords

Passwords must be changed every 90 days. Passwords must be random, cannot be identical to the user name or any of the user's five previous passwords, must be a minimum of 8 characters in length.

9.5 Computer Log-on/-off Policy

Users should log on under their own user ID and password and log off when they are finished. If another user wishes to use the machine, the first user should log off, and the new user should log on. Users should log off or shut down computers at the end of the day, except for certain users in departments with 24-hour operations. A locked workstation may only be unlocked by the user who locked it or an administrator.

9.6 Identity Protection Policy

No officer or employee of the Village shall do any of the following:

- A. Intentionally communicate or otherwise intentionally make available to the general public, in any manner, an individual's social security number.
- B. Print a social security number on any card required for the individual to access products or services provided by the Village.
- C. Require an individual to transmit their social security number over the internet unless the connection is secure or the social security number is encrypted.
- D. Require an individual to use their social security number to access an internet website.
- E. Print a social security number on any materials that are mailed to the individual through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless state or federal law requires the social security number to be on the document to be mailed. Notwithstanding any provision in this subsection to the contrary, social security numbers may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, any material mailed in connection with any tax administered by the Illinois Department of Revenue, and documents sent as part of an application or enrollment process or to establish, amend, or terminate an account, contract or policy or to confirm the accuracy of the social security number. A social security number that may permissibly be mailed under this subsection may not be printed, in whole or in part,

on a postcard or other mailer that does not require an envelope or is visible on an unopened envelope.

- F. Collect, use, or disclose any social security number unless:
 - i. required to do so under state or federal law, rules, or regulations, or the collection, use, or disclosure of the social security number is otherwise necessary for the performance of that officer's or employee's official duties and responsibilities;
 - ii. the need and purpose for the social security number are documented before collection of the social security number; and
 - iii. the social security number collected is relevant to the documented need and purpose.
- G. Use a social security number for any purpose other than the purpose for which it was collected.
- H. Encode or embed a social security number in or on a card or document, including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology in place of removing the social security number as required by this Policy.

The prohibitions above do not apply to the following collection, use, or disclosure of social security numbers:

- A. To agents, employees, contractors, or subcontractors of the Village, or disclosure to another governmental entity or its agents, employees, contractors, or subcontractors, if the disclosure is necessary in order for the Village to perform its duties and responsibilities. If disclosing a social security number to a contractor or subcontractor, prior to such disclosure, the officer or employee of the Village must first receive from the contractor or subcontractor a copy of the contractor's or subcontractor's policy that sets forth how the requirements of this Policy on the Village, to protect an individual's social security number, will be achieved.
- B. Pursuant to a court order, warrant, or subpoena.
- C. In order to ensure the safety of Village employees, persons committed to prisons, local jails, and other law-enforcement facilities or detention centers, wards of the State, and all persons working in or visiting a Village facility.
- D. For internal verification or administrative purposes.
- E. To investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act.
- F. To undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act.
- G. To locate a missing person, a lost relative, or a person who is due a benefit, such as a pension benefit or an unclaimed property benefit.
- H. As required by state or federal law, rule, or regulation, Supreme Court Rule, or the Constitution of the State of Illinois.
- I. If a federal law takes effect requiring any federal agency to establish a national unique patient health identifier program, the Village's compliance with said program shall not be deemed a violation of this Policy or the Act.

Additional Rules

- A. Only officers and employees of the Village who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request. Notwithstanding any other provision of this Policy to the contrary, all officers and employees of the Village must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. All officers and employees of the Village must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents, as such information is exempt from disclosure under the Freedom of Information Act, pursuant to 5 ILCS 140/7(1)(b) as "private information," as defined by 5 ILCS 140/2(c-5).
- B. When collecting a social security number, or upon request by the individual providing the social security number, a statement of the purpose or purposes for which the Village is collecting and using the social security number shall be provided. The statement of purpose shall also inform the individual whether the disclosure is mandatory or voluntary and by what statutory or other authority the social security number is solicited, as required by the federal Privacy Act of 1974, 5 USC 552(a).
- C. The federal Privacy Act also prohibits the Village from denying an individual any right, benefit, or privilege provided by law because the individual refuses to disclose their social security account number unless required by federal statute. Therefore, an individual will not be denied any right, benefit, or privilege provided by law because they refuse to disclose their social security number unless disclosure is required by federal law.
- D. A written copy of this Policy and any amendments shall be filed with the Village Board within thirty (30) days after approval of this Policy.
- E. The Village Administrator shall endeavor to assure that all officers and employees of the Village are aware of the existence of this Policy and shall make a copy of this Policy available to each officer and employee. If the Village amends this Policy, then the Village Administrator shall endeavor to advise all officers and employees of the Village of the existence of the amended Policy and shall make a copy of the amended Policy available to each officer and employee of the Village.
- F. Any person who intentionally violates the prohibitions in Section 10 of the Act (which are set forth in this Policy) shall, pursuant to the Act, be guilty of a Class B misdemeanor.
- G. This Policy does not supersede any more restrictive law, rule, or regulation regarding the collection, use, or disclosure of social security numbers. Any other currently valid adopted standards of the Village for the collection, use, or disclosure of social security numbers, that are stricter than the standards under this Policy with respect to the protection of those social security numbers shall control over the provisions of this Policy.

9.7 Retention and Destruction of Public Records

One of the unique aspects of working in a governmental setting is that document usage and retention are strictly regulated by law. A failure to properly account for and retain public records can have serious legal consequences for employees and the Village. The Village will follow the Illinois Freedom of Information Act (FOIA) regarding the retention, destruction, and distribution of public records.

What are Public Records?

A public record under the Local Records Act means any book, paper, map, photograph, electronic material, or other official documentary material, regardless of physical form, which is of the following character: (1) made, produced, executed, or received by the public body or any appointed or elected official; (2) pursuant to law or in connection with the transaction of public business; and (3) preserved or appropriate for preservation by such agency or officer and as evidence of the organization, function, policies, decisions, procedures or other activities of the Village.

Retention and Destruction

As can be seen from the definition set forth above, most of the documents received or produced in the course of your work for the Village qualify as public records. As such, these documents must be inventoried and then retained for a certain period of time. State law allows us to periodically destroy files and documents. A schedule of the statutory retention periods is kept with all department heads. Please consult your department head with respect to these retention periods. It is of the utmost importance that the destruction schedules, as well as the retention periods, be observed.

Upon the cessation of an employee's employment, the Village Administrator or their designee will disable the outgoing employee's user ID. The files will be assigned administrative rights only until a determination is made with respect to the distribution of the files. The same frequency, attributes, and security procedures will apply to department specific software programs as appropriate. After ninety days, the employee's user ID will be removed, and any unassigned files will be destroyed per this Policy.

Copy of a Public Record

Where communication is among Village employees or officers, it is the sender's copy that is the designated copy of record. All other copies are merely duplicates and can be disposed of under the routine operation of this policy.

9.8 Social Media Policy

In the rapidly expanding world of electronic communication, social media can mean many things and includes all means of communicating or posting information or content of any sort on the Internet, including any personal social networking site, blog, bulletin board,

chat room, or any other Internet-based forum. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects the ability of the Village to appropriately serve its residents may result in disciplinary action, up to and including termination.

Application of Village Employment Policies and Rules to Personal Activities Online

The same rules found in this Manual apply to your activities online. Carefully read these guidelines paying specific attention to the Village's Policies contained in this Section and the Village's Anti-Harassment/Anti-Discrimination Policy. Inappropriate postings or tags identifying past or present employees, residents, or businesses that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action, up to and including termination.

Use of Social Media at Work

Refrain from using social media while on work time or on Village equipment, consistent with the policies contained in this Section, unless it is work-related as authorized by your supervisor. Do not use Village email addresses to register on social networks, blogs, or other online tools utilized for personal use.

Treatment of Others Online

Always be fair and courteous to fellow employees or other persons you come into contact with in the workplace when posting online. Note that you are more likely to resolve work-related complaints by speaking directly with your co-workers, contacting the appropriate supervisor, or following the proper channels to address issues within the workplace, as provided for in this Manual, than by posting complaints to a social media outlet.

In terms of posting comments online, avoid content that could reasonably be viewed as malicious, obscene, threatening, intimidating, or that might constitute harassment, discrimination, or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, color, religion, sex, pregnancy, ancestry, national origin, age, physical or mental disability, sexual orientation, marital status, citizenship status, or any other status protected by law or Village policy. Conduct which would not be permissible in the workplace is not permissible between coworkers online, even after hours or via personal electronic communication devices.

Posting Work-Related Information Online

The same rules regarding the release of confidential information in the workplace apply to personal postings online. When posting online on a personal social media site or other Internet forum not related to your official job duties, express only your personal opinions

and do not represent yourself as a spokesperson for the Village. If the Village is the subject of the content you are creating, it must be made clear that your views do not represent those of the Village, such as posting a disclaimer.

Retaliation Prohibited

The Village prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Prohibitions

- A. Village employees shall not use a Village e-mail account or password in conjunction with a Personal Social Media Site nor shall a Village employee be compelled, as a condition of employment, to disclose to the Village a user name and password for Personal Social Media Sites. If the Village issues an electronic device and/or a Social media or e-mail account, the Village is not precluded from requiring or requesting a Village employee to disclose a username, password, or other method of access for the purpose of accessing that device or account.
- B. Village employees may not discuss Village business transactions (i.e., contracts, land sale or purchase, or any zoning applications), Village litigation, or Village personnel matters involving a specific employee.

Village Employees and Village Social Media Sites

Village Employees that comment on the Village's Social Media Sites in their personal capacity are bound by the Comment Policy of the Village's Social Media Policy. An employee, using their Personal Social Media Site, may post comments to a Village Social Media Site according to the following rules:

- A. Employees must not use official Village Social Media Sites to conduct private commercial transactions or to engage in private business activities.
- B. While a non-employee who abuses the Village's Social Media Sites may be subject only to having their comment taken down, Village employees who abuse the Village's Social Media Sites are subject to disciplinary action.
- C. The Village may revoke the privilege of participating in Village Social Media sites, blogs, or other social media features.

Record Retention

Village Social Media Sites contain communications sent to or received by the Village and its employees. Such communications are, therefore, public records subject to the retention requirements of the Illinois Federal Freedom of Information Act. The Village shall preserve records pursuant to a relevant records retention schedule for the required

retention period in a format that preserves the integrity of the original record and is easily accessible.

Management of Village Social Media Sites

The creation of a Village-maintained social media site may be done only by the Village Administrator. The management of said Sites may be done by the Village Administrator and/or their designee or the Chief of Police and/or their designee.

Designation of Limited Public Forums and Content Restrictions

To the extent that the Village elects to configure any element of social media sites to allow for public posting or commentary, then such elements shall be designated as limited public forums for discussion of limited topics in accordance with this policy. Posts are to be germane to Village or Village-related business and comments must be topically related to the original information or subject being commented on. Public posts and comments may not include any of the prohibited content listed below. The Village reserves the right to restrict commentary altogether or remove any content that is deemed a violation of this policy or for reasons relating to the efficient management of the sites in question. Content that conforms with this policy and the content restrictions set forth herein will not be removed solely on the basis of the viewpoint expressed by the poster. All removed content shall be retained pursuant to the Village's records retention schedule. Village social media account content and comments containing any of the following forms of content shall not be allowed for posting and shall be removed:

- A. Profane language or content.
- B. Content that promotes, fosters, or perpetuates discrimination on the basis of race, religion, gender, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, gender expression, source of income, or other protected status under applicable law.
- C. Inappropriate sexual content or links to such content.
- D. Solicitations of commerce.
- E. Conduct or encouragement of illegal activity.
- F. Information that may compromise the safety or security of the public or public systems.
- G. Content that includes unlawful harassment or threats of violence.
- H. Plagiarized material or content that violates intellectual property rights or other legal rights of any other party.
- I. Content that defames any person, group, or organization.
- J. Slanderous, libelous, malicious, offensive, threatening, profane, uncivil, or insulting language. References to the personality of individuals or personal attacks, insults, or threats will not be permitted.
- K. Content that violates any law or regulation.
- L. Private or personal material published without consent, including personal identifiers for any person such as a home address, phone number, social security number, or other sensitive information.

Section 10 – Employee Development

10.1 Types of Training

It is Village policy to foster and promote programs of in-service training for Village employees that will improve the quality of employee services rendered to the Village. The following types of training are offered to employees:

- A. Programs which must be completed during the probationary period following original appointment as a prerequisite to continued employment.
- B. Training conducted during working hours on an individual or group basis to improve skill performance, introduce new techniques, and/or keep abreast of developments in the employee's field.
- C. Attendance at vocational, technical, or professional training programs directly related to service functions, based on available funds and at the discretion of the Department Head and Village Administrator.
- D. Completion of course work provided by accredited educational institutions where such information will benefit the Village, based on available funds and at the discretion of the Department Head and Village Administrator.
- E. Training conducted during working hours to familiarize employees with the Village's harassment policies and procedures for addressing harassment.
- F. Training conducted during working hours for those in supervisory positions to become familiar with supervisory responsibilities and personnel laws.

10.2 Membership in Professional Organizations

The Village Administrator may authorize, subject to budget approval and availability of funds, the payment of individual memberships in organizations from which the Village will substantially benefit from the employee's participation. Every effort will be made to minimize the number of individual memberships paid by the Village to the same organizations. However, even if funds cannot be allotted, employees are encouraged to identify and associate with conferences and professional societies in their respective fields. The Village shall pay the cost of federal and state license registration and certification fees if such licensure or registration is a condition of employment.

10.3 Travel Policy and Reimbursement Procedures

It is the policy of the Village to reimburse employees and elected and appointed officials for reasonable authorized travel expenses incurred in the performance of their duties. The Finance Director annually reviews and revises rates to reflect, as accurately as possible, the actual amounts necessary to reimburse employees. Prior to making any travel arrangements, an employee must complete and submit to their Department Head the Travel and Expense Report. This form is used for both approvals of the travel as well as for advance payment of certain expenses such as registration, lodging confirmation, per diem meals, etc. Receipts are required for all reimbursements, except per diem meals.

All travel subject to this policy must be approved by the applicable Department Head and is subject to the availability of funds in the Village budget.

Types of Expenses

Transportation

- A. The cost of transportation to the site of the event and return, whether by public conveyance or personal car, is reimbursable. Travel should be by the most economical mode available, with consideration given to travel time, cost, and work requirements.
- B. Auto rental must be requested on the Request to Travel on Village Business form and justified, as required, for official business. If reasonable public transportation is available or a less expensive means of transportation is available, a rental car should not be requested. A car may be rented if the local transportation is impractical or more expensive than renting a car for the period in question. It is required that Employees on official Village business purchase optional collision, liability, or medical coverage. This coverage is reimbursable.
- C. Reimbursement to employees using personal cars shall be on a mileage basis as set forth by current IRS guidelines.
- D. If two or more employees will be attending the same meeting and personal vehicles will be used, they are encouraged to minimize expenditures by carpooling.

Accommodations/Lodging

Every effort must be made to obtain arrangements at hotels honoring the "government rate" or honoring the "conference/seminar rate." Employees must be conservative when expending Village funds by contacting a reasonable number of hotels to obtain the most economical rates. However, should an employee choose other than those facilities honoring these rates, payment of any rates which exceed the government's conference rate must be borne by the employee. The single rate is reimbursable unless employees share a room, then the double rate is reimbursable.

Meals

- A. The maximum allowable amounts that will be approved for meals not included in the conference cost are those found in the IRS stipend provision regulations.
- B. Meals during the events that are not made available as a part of the event's registration fees are reimbursable. Meals, while traveling, the day before or following the day in which the last official function is held may be reimbursable with the prior approval of the Department Head or Village Administrator.

Miscellaneous Expenses

- A. Reasonable miscellaneous expenses such as fares for a taxi, airport limousine or van, local bus, parking, tolls, tips, laundry services, etc., are generally

reimbursable. Some expenses for the day immediately preceding the first official function and the day following the day in which the last official function is held may be reimbursable with the approval of the Department Head.

- B. Registration and training fees will normally be paid directly by the Village. When paid by the employee, such fees are generally reimbursable. Requests should be submitted with sufficient documentation detailing the event, who is attending, when, where, and the cost involved, allowing sufficient time to generate the required check. A purchase order may be sent, if requested, to secure training and registration by a particular deadline.

Some travel expenses are not reimbursable, including but not limited to:

- A. Alcoholic beverages,
- B. Entertainment,
- C. Early check-in and late check-out charges (unless under appropriate circumstances with pre-approval by Department Head),
- D. Parking or traffic tickets,
- E. Pay-per-view movies,
- F. Expenses incurred by a spouse, dependents, and/or additional guest(s), and
- G. Other non-work related charges as determined by the Village Administrator.

Administration

Following an employee's return to work, the employee shall itemize expenses as required on the Travel and Expense Report. Travel and Expense Reports must be submitted to the employee's Department Head within 14 calendar days after the employee's return to work.

- A. All receipts must be submitted with the expense statement. In addition, receipts must be attached for such expenses as airport taxi, parking, etc.
- B. All employees and elected or appointed Village officials are required to pay for training and registration fees by using an invoice through the regular list of bills process or by using a Village credit card. Village issued credit cards may be used to pay for other overnight travel expenses such as lodging or transportation. In accordance with the Village Purchasing Policy, meal expenditures under the per diem overnight travel policy should not be charged on a Village credit card.
- C. For additional information on the appropriate uses of Village credit cards, please refer to the Village Purchasing Policy.
- D. When two or more employees on Village business jointly incur expenses, each participant, where practical, will pay and report individual expenses. Where this is not practical, the employee requesting reimbursement shall list the names or identify the group of other employee(s) for whom expenses being reported have been incurred.
- E. If certain required receipts are not available, a statement signed by the employee documenting the amounts paid may be acceptable.

- F. Enforcement and interpretation of this policy and review of expense vouchers shall be in accordance with normal administration and fiscal controls. The Village Administrator's decision with respect to reimbursement shall be final.

10.4 Tuition Assistance Program (TAP)

This program is offered to encourage employees to improve their job skills, increase their value to the Village, and assist them in preparing for future advancement with the Village. Any full-time employee may apply for Tuition Assistance ("TA") toward the attainment of a specific degree. Courses that are either required or pertinent to the approved degree program shall be considered eligible for Tuition Assistance. In order to receive Tuition Assistance for a degree program, the employee must sign the Tuition Reimbursement Agreement.

Employees receiving approval of a degree program are eligible to apply for financial assistance in the amount of \$4,000 per fiscal year applicable to eligible tuition costs. Renewal of this approval is not needed each fiscal year, provided, however, the employee demonstrates a continuous progression to the attainment of the degree as determined by the Village Administrator. All other provisions of this section regarding TA are applicable. Employees receiving approval of a degree program may elect, as an alternative to the assistance outlined immediately above, to be reimbursed for tuition as provided above.

Employees must submit their application to the Village Administrator by January 1 of the preceding fiscal year in which they intend to receive TAP funds. Employees who apply for and receive TA toward a degree must continue employment with the Village for a period of two years following the last award of money towards the degree or be required to pay back the amount received during the two previous years on the following basis:

- Less than one year worked after the last award of money towards a degree - full amount paid by the Village during the previous two years preceding the last award of money;
- Between one and two years worked after the last award of money towards a degree - one-half the amount paid by the Village during the previous two years preceding the last award of money;
- Less than one year worked after the last award of money towards a degree – 75% of the amount paid by the Village during the previous two years preceding the last award of money.
- No reimbursement shall be required in the event of the death or total disability of the employee.

Expenses such as student fees, matriculation fees, lab fees, parking, mileage, etc., shall not be part of the TAP.

- A. The scope of the program does not include special seminars or "short courses" of a few days' duration, which will continue to be considered on an individual and departmental training basis as in-service training.

- B. The following provisions shall govern the administration of the TAP:
- i. Application for Tuition Assistance may be made by any full-time permanent employee who has completed the designated probationary period.
 - ii. Other sources of scholarship monies or available funds to pay for educational attainment (GI Bill, etc.) shall be used first before TAP funds are allocated to an employee's educational invoicing.
 - iii. Applications are to be submitted for approval by the department head and Village Administrator in advance of beginning the course and only for course work directly related to the employee's present job, future responsibilities, or directly related to a promotional position.
 - iv. Reimbursement shall be made only for course work completed at accredited trade schools, junior colleges, colleges, and universities.
 - v. Employees will be reimbursed up to \$100 for textbooks per semester.
 - vi. Reimbursement for tuition shall be according to the following schedule:
 - a) 100% reimbursement of eligible costs for courses completed with a "C" or better, or numerical equivalent;
 - b) 0% reimbursement of eligible costs for courses completed with a grade less than a "C" or its numerical equivalent or when the employee does not complete the course requirements.
 - vii. For non-graded courses, when the grade received is "Satisfactory" or "Passing," the reimbursement will be calculated at 100% of eligible costs, subject to maximum amounts established in (v) above.
 - viii. Employees must submit a copy of transcripts showing the final grade received. The employee shall be considered as having completed a class when the term for which the school received the tuition fee is concluded unless the school indicates the employee did not complete the course's requirements.

Section 11: Disciplinary Action

11.1 General

Employees are expected to maintain reasonable standards of conduct and performance and display proper regard for the welfare and rights of other employees and the public. All employees may be discharged with or without cause. When an employee is disciplined for misconduct, in determining the degree or type of discipline applicable, the Department Head shall take into account the seriousness of the offense, the employee's previous work record, and other information related to the offense. The Village may apply progressive discipline. However, an employee, particularly in instances of serious acts of misconduct, shall be subject to discharge without the application of progressive discipline. This Section does not apply to non-probationary sworn police personnel.

11.2 Guide for Determining Unacceptable Behavior

The following are examples of acts and practices for which disciplinary action is appropriate. The illustration of offenses listed is not intended to be all inclusive; rather, the illustrations provide a general guide for determining unacceptable behavior. Other conduct not specifically covered below may result in disciplinary action.

- A. Incompetence, inefficiency, or negligence in the performance of duties.
- B. Breaching confidentiality.
- C. Any act which endangers the safety, health, or well-being of an employee or citizen.
- D. Any act of sufficient magnitude that the consequences cause or lend to disruption of work or discredit the Village.
- E. Violation of the Village's Drug Free Workplace Policy.
- F. Theft or destruction of property.
- G. Use of Village equipment, property, or material for personal gain or without the required approval.
- H. Falsification or alteration of time sheets, personnel records, employment applications, or any other Village records.
- I. Repeated absences, tardiness, or leaving early; abuse of leave privileges; absence without leave.
- J. Abusive attitude, language, harassment, insubordination, or conduct toward fellow employees or the public, including any form of aggressive or violent conduct during work hours or on Village property before or after work hours.
- K. Sleeping on duty, except as permitted in emergency situations.
- L. Failure to observe safety rules or failure to use safety devices and/or equipment when required to do so.
- M. Refusal to comply with the instructions or directions of Supervisors.
- N. Misuse of Village computers or cell phones.
- O. Failure to comply with requirements as set forth in this Manual.

11.3 Forms of Discipline

Oral Reprimand

An oral reprimand consists of a conference between the Supervisor issuing the reprimand and the employee. The purpose of the conference is to express disapproval of conduct or poor performance and to clarify rules or standards of performance, policies, and procedures. Supervisors must inform the employee that the Supervisor is issuing an oral warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the person will be subject to more severe disciplinary action. A record of oral reprimands will be maintained in the employee's personnel file. Oral reprimands may be used for misconduct of a minor nature. At the request of an employee and with concurrence of the employee's Department head, the Village Administrator may (but is not bound to) remove oral reprimands from an employee's file after two years from the posting of the disciplinary action.

Written Reprimand

Written reprimands must include a conference between the Supervisor issuing the reprimand and the employee and shall include a document setting forth the nature of the misconduct or poor work performance. It will clarify applicable rules, policies, or procedures and warn that repetition of the misconduct or failure to improve work performance may result in more severe disciplinary action. A copy of the written warning or written reprimand is to be handed to the employee at the time of the discussion of the discipline. The employee must sign the written warning or written reprimand to acknowledge receipt. If the employee refuses to sign the acknowledgment, then the Supervisor should note on the warning or reprimand that the employee received a copy and refused to sign it. Copies of written reprimands shall be maintained in the employee's personnel file. Written reprimands may be used for misconduct of a minor nature.

Suspensions

- A. A suspension is a temporary removal from employment, accompanied by a concurrent temporary loss of the privileges of employment, including, but not limited to, salary and, where applicable, benefits.
- B. A suspension may be used to discipline employees for serious misconduct or performance problems that warrant more severe corrective measures than a reprimand. A suspension may also be used for repeated misconduct or performance problems of a minor nature.
- C. The Department Head must notify the Village Administrator, in writing, of any suspension no later than 24 hours before commencement of a suspension.
- D. A Department Head may suspend an employee for a maximum of three days without prior approval of the Village Administrator. For suspension periods longer than three days, approval of the Village Administrator shall be obtained prior to notification of the suspension.

Demotion

- A. Demotion is the reduction in a position of employment in the Position Classification Plan with a corresponding reduction in salary.
- B. Demotion may be used to address serious misconduct or performance problems and may be used in addition to other forms of discipline.
- C. Demotions must be approved by the Village Administrator.

Termination

- A. Termination is the permanent removal from employment with the corresponding permanent loss of all privileges of employment.
- B. Termination may be used for serious misconduct or performance problems and/or repeated misconduct or performance problems of a less severe nature.
- C. Termination must be approved by the Village Administrator.
- D. If an employee is scheduled to be terminated, the employee shall retain the option to resign their position without providing notice of leave. Their date of resignation shall be that of the date that the Village elects to terminate an employee's employment. If an employee refuses to resign their position, the Village retains the right to terminate said employee in a manner and timing of their choosing.
- E. If the Village intends to terminate an employee, the Village may elect to place the employee on paid administrative lead until their employment is terminated or the employee's resignation is accepted.

Each form of discipline, except for an oral reprimand, is to be processed by the Department Head on a PAR and maintained in the employee's personnel file. The PAR shall be attached to written documentation of the performance problem and/or work misconduct.

11.4 Appeals

An employee may appeal any disciplinary action in accordance with the provisions of Section 14.

11.5 Reinstatement

In the event that a demotion, suspension, or dismissal is reversed by the Village Administrator, the employee may be reinstated to the former position and may be reimbursed for all back straight-time wages, minus any unemployment compensation received by the employee, if applicable.

11.6 Indemnification

An employee who must defend a civil suit arising out of their scope of employment with the Village may be indemnified in whole or in part for legal fees and expenses provided that:

- A. Such civil suit was not instituted by the Village; and
- B. The Village's investigation of the incident which is the subject of the civil suit shows that the employee was competently performing assigned duties; and
- C. The payment is approved by the Board, who shall have absolute discretion in determining whether such payment is appropriate.
- D. Such indemnification shall not apply to any portion of a judgment representing an award of punitive or exemplary damages.
- E. If an employee is a defendant in any criminal action arising out of or incidental to the performance of their duties, the Village shall not provide representation for the employee in that criminal action. However, subject to c and d above, the Village may reimburse the employee for reasonable defense costs only if the criminal action was instituted against the employee arising out of their scope of employment and that action is dismissed or results in a final disposition in favor of that employee.
- F. Subject to B and C above, the Village may provide representation to an employee who is a witness in a criminal matter arising out of the employee's scope of employment.

Section 12: Separation

12.1 Return of Village Property

An employee leaving Village employment, whether through retirement, resignation, lay-off, or dismissal, shall return any Village property that may be in the employee's possession.

12.2 Resignation/Retirement

An employee in good standing wishing to separate from Village employment voluntarily shall submit a letter of retirement or resignation to their Department Head stating the reason for the separation. The letter shall be submitted no less than ten business days before the separation date. The Department Head shall immediately give the letter of resignation/retirement to the Village Administrator, and it shall become part of the employee's personnel file. With the approval of the Village Administrator, the Department Head may agree to permit a shorter period of notice.

The Village Administrator or designee shall transmit the employee's equipment receipt, pension, and health insurance cancellation forms to the Department Head for completion and return before the employee's last working day.

The employee's voluntary separation of employment without adequate notice shall be accomplished in the same manner as if sufficient information was given, except that the lack of proper notice shall be indicated on the PAR form.

Full-time employees separating from the Village in good standing will be offered a reception as well as other wares as described below. Each reception shall be held during regular business hours. Unless the employee has requested otherwise, a reception invitation shall be sent to all Village staff. Specific members of the public are permitted to be invited to any reception upon request of the departing employee.

Up to 9 years - Cake and coffee reception
10 – 19 years - Cake and coffee reception and engraved plaque
20+ Years - Luncheon, engraved plaque, Board Resolution, and retirement gift

Departmental discretion is given regarding formal dinner receptions, with all expenses paid for by participants. Employees may take up a collection to purchase a farewell gift. In addition, employees may request, or the Department Head or Village Administrator may require an exit interview with either their Department Head or Village Administrator.

12.3 Computation of Final Paycheck

Any employee leaving Village employment shall be entitled to receive the monetary equivalent of all earned vacation time and accrued compensatory time. All payroll

withholding shall be deducted from the final paycheck. If the employee qualifies for reimbursement for unused sick leave, this will also be included.

12.4 Disposition of the Final Paycheck

The final paycheck shall be prepared by the Finance Department on the next regularly scheduled pay day following the termination date.

Section 13: Layoff

13.1 Authority

The Department Head, with the approval of the Village Administrator, may lay off an employee when it is deemed necessary due to a shortage of work or funds, the abolition of the position, material change in the duties or organization, or for other reasons which may be determined by the Village. No disciplinary action or temporary or permanent separation of an employee from employment shall be deemed a layoff.

13.2 Approval of Village Administrator

Prior to the implementation of layoffs, the names and position titles of any and all employees scheduled for layoff shall be submitted to the Village Administrator for review and approval.

13.3 Duties of Affected Employees

The duties normally performed by a laid off employee may be reassigned to other employees.

13.4 Notification

Employees to be laid off shall be notified in writing by a completed PAR form at least ten business days prior to the effective date of the layoff.

13.5 Transfer/Demotion

If an employee is scheduled to be laid off, the employee may request a demotion/transfer to another position in the employee's occupational category. The granting of the request shall be up to the discretion of the Village Administrator with the approval of the Board.

13.6 Recall List

Employees who are laid off shall be placed on a recall list for a period of one year from the date of layoff. If there is a recall, employees who are on the recall list shall be recalled in the inverse order of their layoff, provided they are presently qualified, without further training, to perform the work in the position classification to which they are recalled.

Section 14 - Handling of Suggestions and Complaints

(Police Civilian Employees Will Use Departmental Grievance Procedure)

14.1 Suggestions

The Department Heads and the Village Administrator welcome suggestions from employees for improving the policies listed herein. These suggestions may be presented to the Department Head or the Village Administrator by letter, memorandum, or in person, in whatever manner in which the concepts involved with the suggestion may be best communicated. Suggestions will be considered and, if feasible, may be adopted by administrative policy or, where required, recommended to the Board.

14.2 Non-Union Complaint Procedure

Effective employee-employer relationships are necessary to carry out the responsibilities of the Village to its citizens in an efficient and economical manner. To maintain these relationships, the Village will attempt to promptly consider employee complaints and grievances. It is the desire of the Village, when practicable, to address employee problems informally. Both Supervisors and employees are expected to make every effort to resolve problems as they arise by permitting and encouraging employees to make complaints directly to the immediate Supervisor. No employee will be disciplined for presenting a good faith complaint to a Supervisor. Disciplinary action may be necessary if the complaint is made in a loud, offensive, or threatening fashion. It is recognized that there may be problems and issues that will be resolved only after a formal appeal and review. For this reason, the Village provides adequate means to ensure fair handling of any employee grievance. The purpose of this mechanism is to provide a formal process to any employee seeking relief through a complaint or grievance.

An employee may grieve any disciplinary action other than an oral reprimand. An employee having a grievance may discuss the matter with their immediate Supervisor in an attempt to resolve it. If no resolution is reached, the employee may file a grievance by following the following steps:

Step 1 – Written to Immediate Supervisor

An employee who wishes to grieve an action shall file a written statement with their Supervisor within ten calendar days from the effective date of the Supervisor's action or, in the case of a work rule, at any time the rule is in effect. Such written statements shall include the action or rule that is being appealed; the date the action occurred; and the reason(s) the action or rule is being appealed.

The Supervisor shall be responsible for making an inquiry into the facts and circumstances of the appeal and for providing the employee with a written decision within

five business days after receipt of the statement. A copy of this decision is to be given to the Department Head (if different).

Step 2 – Appeal to Department Head

If the employee is not satisfied with the decision of the Supervisor, the employee may appeal the decision, in writing, within five business days from the effective date of the Supervisor's decision to the Department Head. The filing shall include:

- A. The original grievance to the Supervisor;
- B. The reasons the employee believes the Supervisor's ruling is incorrect.

The Department Head or designee shall make a separate investigation and provide the employee with a copy of the written findings and decision within ten calendar days after receipt of the employee's appeal. A copy of the decision shall be provided to the Village Administrator or designee.

Step 3 – Final Appeal to the Village Administrator

If the employee is not satisfied with the decision of the Department Head, the employee may appeal the decision in writing within five business days from the effective date of the Department Head's decision to the Village Administrator. The filing shall include:

- A. All documents filed with the Supervisor and Department Head;
- B. The specific reasons why the employee believes the Department Head's decision was incorrect.

The Village Administrator shall render in writing the findings and decision within ten calendar days after receiving the request for review. Copies of the finding and decision shall be provided to the employee and the Department Head. The decision of the Village Administrator shall be final and binding on the employee.

The Village will endeavor to have as few steps in the grievance process as applicable, i.e., if a Department Head is the employee being reported for a grievance, then the Village shall skip directly to Step 2.

ORDINANCE NO. A-1088-01-22

ORDINANCE AUTHORIZING A THIRD AMENDMENT TO
ANNEXATION AGREEMENT AND A SECOND AMENDMENT OF SUBDIVISION
IMPROVEMENT COMPLETION AGREEMENT
(FALLING WATER FIRST ADDITION)

WHEREAS, the Corporate Authorities of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, entered into an Annexation Agreement (Ordinance #1088) that included agreements relative to the approval and construction of the Fallingwater First Addition Subdivision; and

WHEREAS, the Owner of said subdivision property has requested a second extension of the deadline for completion of the subdivision improvements; and

WHEREAS, the Corporate Authorities did hold a public hearing to consider an amendment to "Annexation Agreement (Fallingwater First Addition)" dated July 11, 2022, said Amendment being entitled "Third Amendment to Annexation Agreement (Fallingwater First Addition)" a true and correct copy of which is attached hereto and made a part hereof as **Exhibit A**; and

WHEREAS, the aforesaid public hearing was held pursuant to legal notice as required by law, and all persons desiring an opportunity to be heard were given such opportunity at said public hearing; and

WHEREAS, the Village entered into a Subdivision

Improvement Completion Agreement (Fallingwater First Addition, amended on July 23, 2020 which also established a deadline for completion of the subdivision improvements; and

WHEREAS, it is necessary and appropriate to amend said Subdivision Improvement Completion Agreement First Amendment (Fallingwater First Addition) to extend the deadline for completion of the subdivision improvements; and

NOW, THEREFORE, Be It Ordained by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: That this Mayor and Board of Trustees of the Village of Burr Ridge hereby find that it is in the best interests of the Village of Burr Ridge and its residents that the aforesaid "Third Amendment to Annexation Agreement (Fallingwater First Addition)" be entered into and executed by said Village of Burr Ridge, with said Amendment to be in the form attached hereto and made a part hereof as **Exhibit A.**

Section 2: That this Mayor and Board of Trustees of the Village of Burr Ridge hereby find that it is in the best interests of the Village of Burr Ridge and its residents that the aforesaid Subdivision Improvement Completion Agreement First Amendment (Fallingwater First Addition) be amended with said Amendment to be in the form attached hereto and made a part hereof as **Exhibit B.**

Section 3: That the Mayor and Deputy Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, are hereby authorized to execute the aforesaid Amendments for and on behalf of said Village.

Section 3: That this Ordinance shall take effect from and after its passage, approval, and publication in the manner provided by law. That the Deputy Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 25th day of July 2022, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: - Trustees

NAYS: -

ABSENT: -

APPROVED by the Mayor of the Village of Burr Ridge on this 25th day of July, 2022.

Mayor

ATTEST:

Village Clerk

Exhibit A

THIS DOCUMENT

***PREPARED BY AND
AFTER RECORDING
RETURN TO:***

Sue Schaus
Village Clerk
Village of Burr Ridge
7660 County Line Road
Burr Ridge, Illinois 60527

This Space for Recorder's Use Only

THIRD AMENDMENT OF ANNEXATION AGREEMENT

by and between

**THE VILLAGE OF BURR RIDGE
AND
ROUTE 83 BURR RIDGE LLC**

(FALLING WATER FIRST ADDITION)

DATED AS OF July __, 2022

**THIRD AMENDMENT TO ANNEXATION AGREEMENT
(Falling Water First Addition)**

THIS THIRD AMENDMENT TO ANNEXATION AGREEMENT (this “**Third Amendment**”) is hereby made and entered into this ____ day of July, 2022, by and between the VILLAGE OF BURR RIDGE, a municipal corporation (hereinafter the “**Village**”) and ROUTE 83 BURR RIDGE LLC, an Illinois limited liability company, (hereinafter the “**Owner**”).

WITNESSETH:

WHEREAS, the Owner and Village entered into that certain Annexation Agreement (Falling Water First Addition) dated February 28, 2008, and recorded with the DuPage County Recorder on May 22, 2008, as Document Number R2008-084525 (the “**Original Annexation Agreement**”), as amended by that certain Amendment to Annexation Agreement (Falling Water First Addition) dated December 11, 2017, and recorded with the DuPage County Recorder on May 16, 2018, as Document Number R2018-043061 (the “**First Amendment**”, and together with the Original Annexation Agreement, the “**Annexation Agreement**”), as amended by a certain Second Amendment to Annexation Agreement (Falling Water First Addition) dated September 14, 2020, and recorded with the DuPage County Recorder on November 5, 2020, as Document Number R2020-130544 (the “**Second Amendment**”, and together with the Original Annexation Agreement, the “**Annexation Agreement**”, as amended by the First Amendment to the Annexation Agreement, and together with this Third Amendment, the “**Third Amendment**”);

WHEREAS, the Owner is the current record title holder of the property legally described as follows:

OUTLOT A, OUTLOT B AND LOTS 1, 2, 3, 4 AND 5 IN THE FINAL PLAT OF SUBDIVISION FALLING WATER FIRST ADDITION BEING PART OF LOT 68 OF THE ASSESSMENT DIVISION OF THE SOUTH HALF OF SECTIONS 1 AND 2 AND ALL OF SECTIONS 11 AND 12 LYING NORTH OF THE CHICAGO SANITARY DISTRICT, AND PART OF OUTLOT E IN FALLING WATER, ALL IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL

MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 24, 2018 AS DOCUMENT NUMBER R2018-068227 IN DUPAGE COUNTY, ILLINOIS.

Permanent Index Numbers: 10-02-400-011-0000 (Outlot A); 10-02-400-017-0000 (Outlot B); 10-02-400-012-0000 (Lot 1); 10-02-400-013-0000 (Lot 2); 10-02-400-014-0000 (Lot 3); 10-02-400-015-0000 (Lot 4); 10-02-400-016-0000 (Lot 5)

Commonly located to the north of Falling Water Subdivision on Cascade Circle and west of Madison Street and east of Illinois Route 83, DuPage County, Illinois (hereinafter the "Subject Property");

WHEREAS, the development of the Subject Property as provided herein will promote the sound planning and development of the Village as a balanced community and will be beneficial to the Village; and

WHEREAS, Owner's predecessor in title to the Subject Property and Village previously entered into the Original Annexation Agreement, and Owner and Village wish to amend the Annexation Agreement as provided herein; and

WHEREAS, although the Subject Property was to have been developed pursuant to the terms of the Annexation Agreement, it has not yet been developed and remains vacant; and

WHEREAS, a public hearing on this Third Amendment has been held by the Corporate Authorities of the Village pursuant to notice as required by law; and

WHEREAS, the parties wish to enter into a binding agreement upon the terms and conditions contained in this Third Amendment; and

WHEREAS, all public hearings and other actions required to be held or taken prior to the adoption and execution of this Third Amendment, in order to make the same effective, if any, have been held or taken, including all hearings and actions required in connection with the subdivision of the Subject Property, such public hearings and other actions having been held pursuant to public notice as required by law and in accordance with all requirements of law; and

WHEREAS, the Corporate Authorities of the Village and Owner deem it to be to the mutual advantage of the parties and in the public interest that the Annexation Agreement be amended as hereinafter provided.

NOW THEREFORE, in consideration of the premises and the mutual promises herein set forth, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Definitions: Capitalized terms used herein but not otherwise defined shall have the meanings ascribed to such terms in the Annexation Agreement.

2. Improvements Deadline: The last sentence of Section 3, entitled Final Engineering Approval, of the First Amendment is hereby amended and restated as follows:

“If the Improvements are not fully completed on or before December 31, 2024, or such extended period approved by the Village, the Village may draw upon the letter of credit provided by Owner in order to complete the Improvements.”

3. General Provisions:

a. **Notices:** Notice or other writings which any party is required to, or may wish to, serve upon any other party in connection with this Third Amendment shall be in writing and shall be delivered personally or sent by registered certified mail, return receipt request, postage prepaid, addressed as follows:

i. If to the Village or Corporate Authorities:

Village Mayor
Village of Burr Ridge
7660 South County Line Road
Burr Ridge, Illinois 60521

with a copy to:

(a) Village Administrator
Village of Burr Ridge
7660 County Line Road
Burr Ridge, Illinois 60521

(b) Michael K. Durkin
Storino, Ramello & Durkin
9501 West Devon Avenue
Suite 800
Rosemont, Illinois 60018

ii. If to the Owner:

Route 83 Burr Ridge, LLC
c/o Oxford Bank & Trust
1111 West 22nd Street, Suite 800
Oak Brook, Illinois 60523

or to such other address as any party may from time to time designate in a written notice to the other parties.

b. **Continuity of Obligations:**

i. The provisions of this Third Amendment shall inure to the benefit of and shall be binding upon the Owner and its respective successors in any manner in title and shall be binding upon the Village and the successor Corporate Authorities of the Village and any successor municipality. The Owner and its successors shall at all times during the term of this Third Amendment remain liable to the Village for the faithful performance of all obligations imposed upon the Owner by this Third Amendment until such obligations have been fully performed or until the Village has otherwise released the Owner from any or all of such obligations.

ii. All terms and conditions of this Third Amendment shall constitute covenants running with the land, and shall bind each subsequent record owner of any portion or all of the Subject Property.

c. **Remedies:** The Village, the Owner and their successors and assigns, covenant and agree that in the event of default of any of the terms, provisions or conditions of this Third Amendment by any of the parties, or their successors or assigns, which default exists uncorrected for a period of ten (10) days after written notice to any party to such default, the party seeking to enforce said provision shall have the right of specific performance and if said party prevails in a court of law, it shall be entitled to specific performance. It is further

expressly agreed by and between the parties hereto that the remedy of specific performance herein given shall not be exclusive of any other remedy afforded by law to the parties, or their successor or successors in title.

d. **Survival of Representations:** The parties agree that the representations, warranties and recitals set forth in the preambles to this Third Amendment are material to this Third Amendment and the parties hereby confirm and admit their truth and validity and hereby incorporate such representations, warranties and recitals into this Third Amendment and the same shall continue during the period of this Third Amendment.

e. **Captions and Paragraph Headings:** The captions and paragraph headings used herein are for convenience only and are not a part of this Third Amendment and shall not be used in construing it.

f. **Reimbursement of Village for Legal and Other Fees and Expenses:**

(1) **To Effective Date of Third Amendment:** The Owner, concurrently with the approval of this Third Amendment, shall reimburse the Village for the following expenses incurred in the preparation and review of this Third Amendment, and any ordinances, letters of credit, plats, easements or other documents relating to the Subject Property:

- (a) the costs incurred by the Village for engineering services;
- (b) all attorneys' fees incurred by the Village in connection with this Third Amendment; and
- (c) miscellaneous Village expenses, such as legal publication costs, recording fees and copying expenses.

(2) **From and After Effective Date of Third Amendment:** Except as otherwise expressly provided in the paragraph immediately following this paragraph, upon written demand by Village made by and through its Mayor, the Owner from time to time but not more frequently than once a month shall

promptly reimburse Village for all expenses and costs incurred by Village in the administration of this Third Amendment, including engineering fees, attorneys' fees and out-of-pocket expenses involving various and sundry matters such as, but not limited to, preparation and publication, if any, of all notices, resolutions, ordinances and other documents required hereunder.

Notwithstanding the immediately preceding paragraph, the Owner shall in no event be required to reimburse Village or pay for any expenses or costs of Village as aforesaid more than once, whether such are reimbursed or paid through special assessment proceedings, through fees established by Village ordinances or otherwise.

Such costs and expenses incurred by Village in the administration of this Third Amendment shall be evidenced to the Owner upon his request, by a sworn statement of the Village; and such costs and expenses may be further confirmed by the Owner at his option from additional documents designated from time to time by the Owner relevant to determining such costs and expenses.

In any event that any third party or parties institute any legal proceedings against the Owner and/or the Village, which relate to the terms of this Third Amendment, then, in that event, the Owner, on notice from Village shall assume, fully and vigorously, the entire defense of such lawsuit and all expenses of whatever nature relating thereto; provided, however:

- (a) The Owner shall not make any settlement or compromise of the lawsuit, or fail to pursue any available avenue of appeal of any adverse judgment, without the approval of the Village.
- (b) If the Village, in its sole discretion, determines there is, or may probably be, a conflict of interest between Village and the Owner,

on an issue of importance to the Village having a potentially substantial adverse effect on the Village, then the Village shall have the option of being represented by its own legal counsel. In the event the Village exercises such option, then the Owner shall reimburse the Village, from time to time on written demand from the Mayor of Village and notice of the amount due, for any expenses, including but not limited to court costs, attorneys' fees and witnesses' fees, and other expenses of litigation, incurred by the Village in connection therewith.

In the event the Village institutes legal proceedings against the Owner for violation of this Third Amendment and secures a judgment in its favor, the court having jurisdiction thereof shall determine and include in its judgment against the Owner all expenses of such legal proceedings incurred by Village, including but not limited to the court costs and attorneys' fees and witness fees, incurred by the Village in connection therewith (and any appeal thereof). The Owner may, in its sole discretion, appeal any such judgment rendered in favor of the Village against the Owner.

g. **No Waiver of Relinquishment of Right to Enforce Third Amendment:** Failure of either party to this Third Amendment to insist upon the strict and prompt performance of the terms, covenants, agreements and conditions herein contained, or any of them, upon the other party imposed, shall not constitute or be construed as a waiver or relinquishment of either party's right thereafter to enforce any such term, covenant, agreement or condition, but the same shall continue in full force and effect.

h. **Village Approval or Direction:** Where Village approval or direction is required by this Third Amendment, such approval or direction means the approval or direction of the Corporate Authorities of the Village unless otherwise expressly provided herein or required by law, and any such approval may be required to be given only after and if all requirements for granting such approval have been met unless such requirements are inconsistent with the express provisions of this Third Amendment.

i. **Recording:** This Third Amendment, and any subsequent amendments thereto shall be recorded by the Village in the office of the Recorder of Deeds in DuPage County, Illinois, at the expense of the Owner.

j. **Further Amendments:** This Third Amendment, together with the Annexation Agreement, sets forth all the promises, inducements, agreements, conditions and understandings between the parties relative to the subject matter thereof, and there are no promises, agreements, conditions or understandings, either oral or written, express or implied, between them, other than are set forth in this Third Amendment and the Annexation Agreement. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Third Amendment and/or the Annexation Agreement shall be binding upon the parties hereto unless authorized in accordance with law and reduced in writing and signed by the Village and Owner.

k. **Counterparts:** This Third Amendment may be executed in two (2) or more counterparts, each of which taken together shall constitute one and the same instrument.

l. **Unamended Terms of the Agreement:** All provisions of the Annexation Agreement shall remain in full force and effect except as specifically amended herein.

m. **Definition of Village:** When the term Village is used herein it shall be construed as referring to the Corporate Authorities of the Village unless the context clearly indicates otherwise.

n. **Execution of Third Amendment:** This Third Amendment shall be signed last by the Village and the Mayor of the Village shall affix the date on which the Mayor signs this Third Amendment on Page 1 hereof, which date shall be the effective date of this Third Amendment.

o. **Term of Third Amendment:** This Third Amendment shall be in full force and effect for a term of twenty (20) years from and after the date of execution of this Third Amendment.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals to this Third Agreement on the day and year first above written.

VILLAGE OF BURR RIDGE

ROUTE 83 BURR RIDGE LLC

By: _____
Village Mayor

By: _____
Oxford Bank & Trust, Managing
Member

ATTEST:

By: _____
Village Clerk

ACKNOWLEDGMENTS

STATE OF ILLINOIS)
)
COUNTY OF DU PAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Gary Grasso, personally known to me to be the Mayor of the Village of Burr Ridge, and Sue Schaus, personally known to me to be the Village Clerk of said municipal corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and that they appeared before me this day in person and severally acknowledged that as such Mayor and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Board of Trustees of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2022.

Notary Public

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO
HEREBY CERTIFY that _____, the _____ of Oxford Bank & Trust,
Managing Member of Route 83 Burr Ridge LLC, personally known by me to be said
_____ of Oxford Bank & Trust, and personally known to me to be the same person
whose name is subscribed to the foregoing instrument, and that he appeared before me this day
in person and acknowledged that, pursuant to authority granted by the Operating Agreement of
said limited liability company, he signed and delivered the said instrument for the uses and
purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2022.

Notary Public

Exhibit B

THIS DOCUMENT

***PREPARED BY AND
AFTER RECORDING
RETURN TO:***

Sue Schaus
Village Clerk
Village of Burr Ridge
7660 County Line Road
Burr Ridge, Illinois 60527

This Space for Recorder's Use Only

**SECOND AMENDMENT OF SUBDIVISION IMPROVEMENT COMPLETION
AGREEMENT**

by and between

**THE VILLAGE OF BURR RIDGE
AND
ROUTE 83 BURR RIDGE LLC**

(FALLING WATER FIRST ADDITION)

DATED AS OF JULY __, 2022

**SECOND AMENDMENT TO SUBDIVISION IMPROVEMENT COMPLETION
AGREEMENT
(Falling Water First Addition)**

THIS SECOND AMENDMENT TO SUBDIVISION IMPROVEMENT COMPLETION AGREEMENT FALLING WATER FIRST ADDITION (this “**Second Amendment**”) is hereby made and entered into this ____ day of July, 2022, by and between the VILLAGE OF BURR RIDGE, a municipal corporation (hereinafter the “**Village**”) and ROUTE 83 BURR RIDGE LLC, an Illinois limited liability company, (hereinafter the “**Owner**”).

WITNESSETH:

WHEREAS, the Owner and Village entered into that certain Subdivision Improvement Completion Agreement (Falling Water First Addition) dated July 12, 2018, and recorded with the DuPage County Recorder on July 24, 2018, as Document Number R2018-068226 (the “**Original Subdivision Agreement**”, and together with this First Amendment, the “**Subdivision Agreement**”), and as amended by a certain First Amendment to Subdivision Improvement Completion Agreement (Falling Water First Addition) dated September 14, 2020, and recorded with the DuPage County Recorder on November 5, 2020, as Document Number R2020-130545 (the “**First Amendment**”, and together with the Original Annexation Agreement, the “**Annexation Agreement**”, and together with this Second Amendment, the “**Subdivision Agreement**”),

WHEREAS, the Owner is the current record title holder of the property legally described as follows:

OUTLOT A; OUTLOT B AND LOTS 1, 2, 3, 4 AND 5 IN THE FINAL PLAT OF SUBDIVISION FALLING WATER FIRST ADDITION BEING PART OF LOT 68 OF THE ASSESSMENT DIVISION OF THE SOUTH HALF OF SECTIONS 1 AND 2 AND ALL OF SECTIONS 11 AND 12 LYING NORTH OF THE CHICAGO SANITARY DISTRICT, AND PART OF OUTLOT E IN FALLING WATER, ALL IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 24, 2018 AS DOCUMENT NUMBER R2018-068227 IN DUPAGE COUNTY, ILLINOIS.

Permanent Index Numbers: 10-02-400-011-0000 (Outlot A); 10-02-400-017-0000 (Outlot B); 10-02-400-012-0000 (Lot 1); 10-02-400-013-0000 (Lot 2); 10-02-400-014-0000 (Lot 3); 10-02-400-015-0000 (Lot 4); 10-02-400-016-0000 (Lot 5)

Commonly located to the north of Falling Water Subdivision on Cascade Circle and west of Madison Street and east of Illinois Route 83, DuPage County, Illinois (hereinafter the "Subject Property"); and

WHEREAS, Owner and Village wish to amend the Original Subdivision Agreement as provided herein.

NOW THEREFORE, in consideration of the premises and the mutual promises herein set forth, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **Terms.** All terms used herein, if not otherwise defined herein, shall have the meaning set forth in the Original Subdivision Agreement.
2. **Extension of Installation Period.** Paragraph 1 of the First Amendment is hereby deleted in its entirety and the following is hereby inserted in lieu thereof:

That at Owner's expense, Owner shall fully install and complete on or prior to December 31, 2024, or within such lesser period as may be specifically provided in the Subdivision Ordinance, or approved construction schedules, for certain work or improvements, the land improvements and work related thereto, as required by the Subdivision Ordinance and as provided for in the plans and specifications entitled Falling Water First Addition Subdivision Site Improvement Plan consisting of 21 pages, prepared by BCI Bono Consulting, Inc. and last revised August 15, 2017. Said plans and specifications are incorporated herein by reference.

3. **Covenants to Run with Land.** The covenants, conditions, restrictions and easements contained in the Subdivision Agreement, shall run with and bind the Premises.
4. **Effective Date.** This Second Amendment shall be recorded by the Village in the Office of the Recorder of Deeds of DuPage County, Illinois, at the expense of the Owner, and is effective as of the time and date of the recording hereof with the Recorder of Deeds.
5. **Continuation.** Except to the extent expressly set forth hereinabove, the remaining provisions of the Original Subdivision Agreement shall continue in effect without change.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals to this First Agreement on the day and year first above written.

VILLAGE OF BURR RIDGE

ROUTE 83 BURR RIDGE LLC

By: Oxford Bank & Trust, its sole member

By: _____
Village Mayor

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Village Clerk

ACKNOWLEDGMENTS

STATE OF ILLINOIS)
)
COUNTY OF DU PAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Gary Grasso, personally known to me to be the Mayor of the Village of Burr Ridge, and Sue Schaus, personally known to me to be the Village Clerk of said municipal corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, and that they appeared before me this day in person and severally acknowledged that as such Mayor and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Board of Trustees of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2022.

Notary Public

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO
HEREBY CERTIFY that _____, the _____ of Oxford Bank & Trust,
Managing Member of Route 83 Burr Ridge LLC, personally known by me to be said
_____ of Oxford Bank & Trust, and personally known to me to be the same person
whose name is subscribed to the foregoing instrument, and that he appeared before me this day
in person and acknowledged that, pursuant to authority granted by the Operating Agreement of
said limited liability company, he signed and delivered the said instrument for the uses and
purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2022.

Notary Public

ORDINANCE NO. _____

**ORDINANCE AUTHORIZING THE SALE BY ONLINE AUCTION OF PERSONAL
PROPERTY OWNED BY THE VILLAGE OF BURR RIDGE
(PUBLIC WORKS EQUIPMENT)**

WHEREAS, in the opinion of the Corporate Authorities of the Village of Burr Ridge, it is no longer necessary or useful to, or in the best interest of, the Village of Burr Ridge to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the Mayor and Board of Trustees of the Village of Burr Ridge to dispose of said personal property through GovDeals, an on-line auction service exclusively serving government agencies used previously by the Village;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

SECTION 1: Pursuant to 65 ILCS 5/11-76-4, the Mayor and Board of Trustees of the Village of Burr Ridge find that the following described property now owned by the Village of Burr Ridge is no longer necessary or useful to the Village of Burr Ridge, and the best interests of the Village of Burr Ridge will be served by its sale:

<u>I.D./SERIAL NUMBER</u>	<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>MIN.VALUE</u>
40636	2009	MORBARK	BEEVER M14R BRUSH CHIPPER	\$8,000
259U5111745132483	2004	VER-MAC	ST-4815 ARROW BOARD TRAILER	\$250

SECTION 2: No bid which is less than the minimum price set forth in the list of property to be sold shall be accepted.

SECTION 3: Upon payment of the full auction price, the Village Administrator is hereby authorized and directed to convey and transfer title of the aforesaid personal property to the successful bidder.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, by a vote of at least three-fourths of the Corporate Authorities, and approval in the manner provided by law.

ADOPTED 25th of July 2022 pursuant to a roll call vote as follows:

AYES: -

NAYS: -

ABSENT: -

APPROVED this 25th of July 2022 by the Mayor of the Village of Burr Ridge.

Mayor

ATTEST:

Village Clerk

RESOLUTION No. R-__-22

**RESOLUTION RECOGNIZING 20 YEARS OF SERVICE
TO THE VILLAGE OF BURR RIDGE
SERGEANT MICHAEL CERVENKA**

WHEREAS, Michael Cervenka did, on June 3, 2022, mark his 20th year of employment with the Village of Burr Ridge; and

WHEREAS, Michael Cervenka was hired as a Patrol Officer of the Burr Ridge Police Department on June 3, 2002; and

WHEREAS, Michael Cervenka has also served the Burr Ridge Police Department as a Field Training Officer, Evidence Technician, and was appointed to Detective on May 3, 2020; and

WHEREAS, Michael Cervenka completed an extra duty assignment with the DuPage Metropolitan Enforcement Group in 2014, received several awards from the Alliance Against Intoxicated Motorists for his DUI enforcement, is a well-respected expert on organized criminal enterprises in the area; and

WHEREAS, Michael Cervenka has provided dedicated and exceptional service to the Village residents, businesses, and the community at large over the past 20 years;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, that Michael Cervenka shall hold a place of esteem in the minds and hearts of the residents, businesses, and employees of the Village and is offered our sincere congratulations on the completion of 20 years of service.

ADOPTED this 25th day of July, 2022, by a unanimous voice vote of the Corporate Authorities of the Village of Burr Ridge.

APPROVED this 25th day of July, 2022 by the Mayor of the Village of Burr Ridge.

Mayor

Village Clerk

RESOLUTION No. R-__-22

RESOLUTION RECOGNIZING 20 YEARS OF SERVICE
TO THE VILLAGE OF BURR RIDGE
SERGEANT JOHN HELMS

WHEREAS, John Helms did, on June 24, 2022, mark his 20th year of employment with the Village of Burr Ridge; and

WHEREAS, John Helms was hired as a Patrol Officer of the Burr Ridge Police Department on June 24, 2002; and

WHEREAS, John Helms has also served the Burr Ridge Police Department as a Detective from July 8, 2013 until January 1, 2017, was promoted to Corporal on August 28, 2017 and was promoted to Sergeant on October 13, 2020; and

WHEREAS, John Helms completed an extra duty assignment with the DuPage Metropolitan Enforcement Group in 2009, performs several specialized assignments for the department, including evidence technician, juvenile officer, and field training officer, and coordinates department training in bloodborne pathogen awareness, hazardous material response, and incipient firefighting; and

WHEREAS, John Helms has provided dedicated and exceptional service to the Village residents, businesses, and the community at large over the past 20 years;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, that John Helms shall hold a place of esteem in the minds and hearts of the residents, businesses, and employees of the Village and is offered our sincere congratulations on the completion of 20 years of service.

ADOPTED this 25th day of July, 2022, by a unanimous voice vote of the Corporate Authorities of the Village of Burr Ridge.

APPROVED this 25th day of July, 2022 by the Mayor of the Village of Burr Ridge.

Mayor

Village Clerk

RESOLUTION NO. R-17-22

RESOLUTION GRANTING A SECOND EXTENSION FOR COMPLETION OF
SUBDIVISION IMPROVEMENTS FOR FALLINGWATER FIRST ADDITION
SUBDIVISION

WHEREAS, the Board of Trustees, on July 23, 2018, adopted Resolution R-26-18 approving the "Final Plat of Subdivision Fallingwater First Addition"; and

WHEREAS, the final engineering plans were approved by the Village Engineer, but the required subdivision improvements have not yet been started; and

WHEREAS, a first extension of the improvement period was adopted on May 26, 2020 as Resolution R-15-20;

WHEREAS, is necessary to allow the developer to complete the subdivision improvements; and

NOW THEREFORE, Be It Resolved by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: That the deadline for completion of the subdivision improvements for Fallingwater First Addition is hereby extended from July 23, 2022 to December 31, 2024.

Section 3: That the letter of credit shall be maintained as per Resolution R-26-18 except that said Letter of Credit shall be extended to December 31, 2024 or a later date.

Section 5: That all subdivision improvements shall be completed prior to the extended deadline of December 31, 2024 as per Resolution R-26-18.

Section 5: That this Resolution shall be in full force and effect from and after its adoption and approval as required by law.

ADOPTED this 25th day of July, 2022, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: - Trustees

NAYS: -

ABSENT: -

APPROVED this 25th day of July, 2022, by the Mayor of the Village of Burr Ridge.

Mayor

ATTEST:

Village Clerk



July 25, 2022

Mayor Gary Grasso and Board of Trustees
7660 County Line Road
Burr Ridge, Illinois 60527

Re: Z-19-2022: 595 Village Center Drive (Kastanis/Yolk); Special Use and Findings of Fact

Dear Mayor and Board of Trustees:

The Plan Commission transmits its recommendation to approve a special use request by Gianluca Pesce and Taki Kastanis of Yolk for outdoor dining at a permitted restaurant pursuant to Ordinance #A-834-10-05 and Zoning Ordinance sections VIII.A and VIII.C.

After due notice as required by law, the Plan Commission held a public hearing on July 18, 2022. The petitioner currently operates Yolk, a restaurant, from the subject site. The petitioner wishes to add an outdoor dining area to the side of the building along Lifetime Dr. Yolk, located in Building 3 of the Village Center, was not part of the entertainment district master plan (Buildings 4 and 5) which included the closure of Village Center Dr. and revised outdoor dining. As such, outdoor dining requires special use approval.

The Plan Commission determined that the special use would not negatively impact other properties or businesses in the area. At the public hearing, there were no public comments. There were no other public comments received.

Based on the above considerations and the submitted findings of fact, the Plan Commission unanimously voted to **recommend that the Board of Trustees approve** a special use request by Gianluca Pesce and Taki Kastanis of Yolk for outdoor dining at a permitted restaurant pursuant to Ordinance #A-834-10-05 and Zoning Ordinance sections VIII.A and VIII.C subject to the following conditions and Findings of Fact:

1. The special use for a restaurant with outdoor seating shall be limited to Gianluca Pesce, Taki Kastanis, and their business partners of Yolk Restaurant and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plan.
3. Music and all other amplified sound originating from the restaurant should be kept to a level so as not to be audible from residential units.
4. Tables shall be cleaned promptly following use.
5. Furniture and umbrellas shall be weighted to prevent their movement in the wind.
6. Outdoor food preparation, storage, or display is prohibited.
7. Plated food for sit-down service shall not be served at the outdoor walk-up coffee bar/counter.
8. All grades and cross-slopes shall be in compliance with Americans with Disabilities Act (ADA) requirements.

Sincerely,

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

Z-19-2022: 595 Village Center Drive (Kastanis/Yolk); Requests a special use for outdoor dining at a permitted restaurant pursuant to Ordinance #A-834-10-05 and Zoning Ordinance sections VIII.A and VIII.C.

HEARING:

July 18, 2022

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Janine Farrell
Community Development Director

PETITIONER:

Gianluca Pesce and Taki Kastanis

PETITIONER STATUS:

Tenants

PROPERTY OWNER:

BRVC Owner, LLC

EXISTING ZONING:

B-2 Business PUD

LAND USE PLAN:

Recommends Mixed Uses

EXISTING LAND USE:

Mixed-Use Center

SITE AREA:

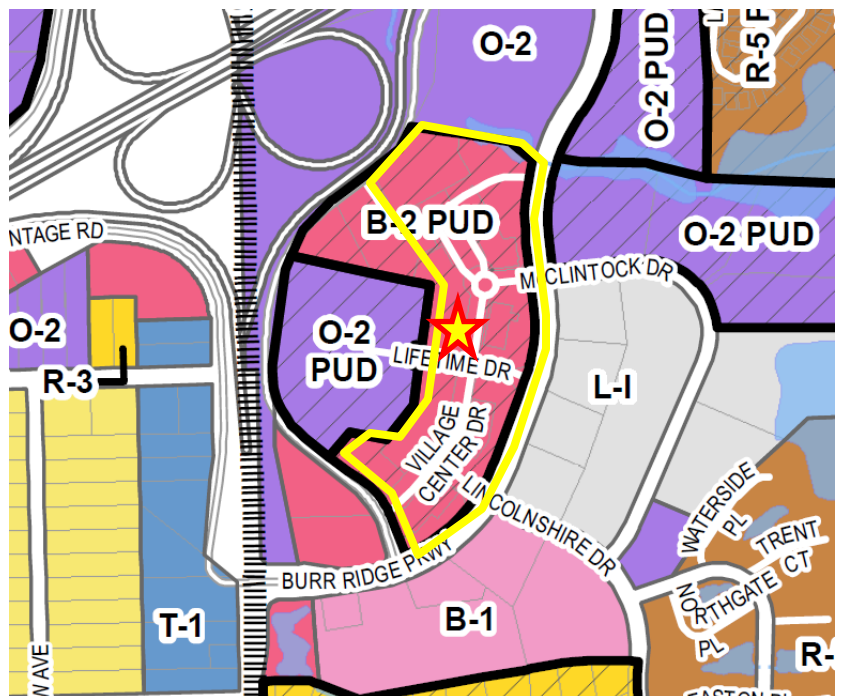
20 Acres

SUBDIVISION:

Burr Ridge Village Center

PARKING:

1,145 Spaces



The petitioners, Gianluca Pesce and Taki Kastanis, are requesting a special use for outdoor dining at an existing restaurant, Yolk. Ordinance #A-834-10-05 created the concept of the Village Center in both land use and physical form, including a specific set of uses that were permitted in each building as well as specific dimensions of buildings, setbacks, streetscapes, and common areas around each building. Ordinance #A-834-15-20 later amended the streetscape in specific areas as well as re-classified certain uses as being permitted or special uses in specific buildings. One such use that was classified as permitted in the 2020 amendment was “restaurants without drive-through facilities and with any of the following: live entertainment, dancing, or sales of alcoholic beverages.” Yolk, located in Building 3, was not part of the entertainment district master plan (Buildings 4 and 5) which included the closure of Village Center Dr. and revised outdoor dining. The petitioner is currently operating Yolk by right at the subject site, but outdoor dining requires special use approval.

Section VIII.A of the Zoning Ordinance stipulates several regulations related to outdoor dining at all places of eating in the Village within the Business Districts (B-1 and B-2). The petitioner’s compliance with these regulations is noted in red. The petitioner has submitted a plan and information about the proposed outdoor dining area, included as Exhibit A.

- a. The dining area shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant;

Staff considers this condition to be met based upon the petitioner’s site plan. The outdoor dining area is accessed through a side door within the establishment. It is important to note that there is a walk-up coffee bar with stools located near the front entrance. These stools are intended for a brief, few minute wait while the coffee is being prepared and do not constitute an outdoor dining area. A condition has been added to ensure that a sit-down meal is not served at this counter.

- b. Door to the dining area shall be self-closing;

Staff interprets this condition to be met based upon the petitioner’s site plan and fence information provided.

- c. Tables shall be cleaned promptly following use;

The petitioner illustrates a bus station on the plans to ensure prompt cleaning of tables. Staff considers this condition to be met based upon the petitioner’s site plan

- d. Furniture and umbrellas shall be weighted to prevent their movement in the wind;

Staff considers this condition to be met and recommends it be included as a condition of any approval. Umbrella and weight information was provided.

- e. Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;

There are 42 seats proposed for the outdoor dining area which measures about 500 sq. ft., according to the plan submitted by the petitioner. A maximum of 50 seats would be permitted. Staff considers these conditions to be met based upon the petitioner’s site plan.

- f. No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant;

At the narrowest portion, the petitioner illustrates a 6 ft. space around the perimeter of the outdoor dining area. The front entrance remains unimpeded. Staff considers this condition to be met based upon the petitioner's site plan.

- g. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;

Staff considers this condition to be met based upon the petitioner's site plan. The Village Center walkways are privately owned.

- h. Outdoor food preparation, storage or display is prohibited;

Staff considers this condition to be met based upon the petitioner's site plan. While there is a bus station to ensure prompt cleaning, there is not storage, display, or food preparation occurring.

- i. Hours of operation of an outdoor dining area shall be as specifically approved by the Village.

Yolk is currently open from 7:00 a.m. to 2:30 p.m., within the permitted hours of operation in the Business Districts as specified in the Zoning Ordinance. The Plan Commission may specify when this area should be closed as part of any approval.

Public Hearing History

There have been no prior public hearings for this particular tenant space.

Public Comment

At the time of this report, no public comment was received regarding this petition.

Findings of Fact and Recommendation

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. If the Plan Commission chooses to recommend approval of the special use for outdoor dining, staff recommends the following conditions:

1. The special use for a restaurant with outdoor seating shall be limited to Gianluca Pesce, Taki Kastanis, and their business partners of Yolk Restaurant and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plan.
3. Music and all other amplified sound originating from the restaurant should be kept to a level so as not to be audible from residential units.
4. Tables shall be cleaned promptly following use.
5. Furniture and umbrellas shall be weighted to prevent their movement in the wind.
6. Outdoor food preparation, storage, or display is prohibited.

Staff Report and Summary

Z-19-2022: 595 Village Center Drive (Kastanis/Yolk); Special Use and Findings of Fact

7. Plated food for sit-down service shall not be served at the outdoor walk-up coffee bar/counter.

Appendix

Exhibit A – Petitioner’s Materials and Public Notifications



EXHIBIT A

VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

RECEIVED

JUN 08 2022

VILLAGE OF BURR RIDGE

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Gianluca Pesce / Taki Karstanis

STATUS OF PETITIONER: Tenant g7

PETITIONER'S ADDRESS: 352 Ravine Rd. Hinsdale, IL 60521

ADDRESS OF SUBJECT PROPERTY: 595 Village Center Dr. Burr Ridge, IL 60527

PHONE: 847-231-9555

EMAIL: Gianluca.Pesce@eatyolk.com OR Taki@eatyolk.com

PROPERTY OWNER: Edwards Realty Company 14400 S. John Humphrey Dr.

PROPERTY OWNER'S ADDRESS: Orland Park, IL 60462 PHONE: _____

PUBLIC HEARING REQUESTED: ☒ Special Use ☐ Rezoning ☐ Text Amendment ☐ Variation(s)

DESCRIPTION OF REQUEST:

Requesting permission to erect an enclosed outdoor dining area
in front of Yolk. Daily 7:00 AM to 2:30 pm. The patio will enhance
the exterior of the development & give users an additional area to enjoy
the seasonable weather.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: 1/2-20 acres EXISTING ZONING: B-2 PUD

EXISTING USE/IMPROVEMENTS: Multi-use development

SUBDIVISION: Burr Ridge Village Center PUD - Burr Ridge Corp. Park

PIN(S) # 18-30-300-032-Building 5 g7

The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.

Gianluca Pesce
Petitioner's Signature

5/31/2022

Date of Filing



Findings of Fact – Special Use
Burr Ridge Zoning Ordinance

Address:

595 Village Center Dr.

As per Section XII.K.7 of the Village of Burr Ridge Zoning Ordinance, for a special use to be approved, the petitioner must confirm all of the following findings by providing facts supporting each finding.

- a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

Yes, The patio will enhance the exterior of the development and give users an additional area to enjoy the reasonable weather.

- b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

Correct.

- c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

Correct.

- d. The establishment of the special use will not impeded the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Correct.

- e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.

N/A

- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Correct.

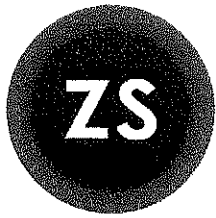
- g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.

Correct.

- h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

Correct.





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Page 1/2

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KPOKOS XVI INC.
595 Village Center Dr.
Burr Ridge IL 60527

Ship To

Yolk Burr Ridge
KPOKOS XVI INC.
595 Village Center Dr.
Burr Ridge IL 60527

Customer #	Order Date	Sales Order #	Buyer	Customer P/O #	Ship Via	Salesman
0010220	03/22/2022	107180			Tr T1/002	113
Invoice #	Invoice Date	Ship Date	Freight Terms	Job Number	Terms	
107180	05/19/2022	05/19/22	PREPAID& ADD	122697	NET 30 DAYS	

LN	QNTY ORD	QNTY SHIP	QNTY B/O	PRODUCT NUMBER	DESCRIPTION	UOM	NET PRICE	EXTENSION
1	40	40		FLA-TLH-017B-GG	Restaurant Stacking Armch 352 lb. weight capacity, curved triple slat aluminum ladder back, textured aluminum seat, cross braces, aluminum frame, plastic floor glides, lightweight, designed for indoor/outdoor commercial and residential use, stacks up to 20 chairs high (ships fully assembled) (in stock items usually ship within 24 hours) Item # 1 2 year parts warranty, standard	EA	46.50	\$1860.00
2	10	10		FLO-SC32X32	Table Top, Suncity, squar 32" x 32", designed for outdoor/indoor use, pressure formed melamine construction	EA	133.69	\$1336.90
3	10	10		FLO-AL-1805	Item # 2 Longwood Table Base, dining height 2-1/2" dia. aluminum column, 19" base spread, for 24" - 36" tops, designed for outdoor use, aluminum cross base with a cast weighted bottom	EA	139.06	\$1390.60
4	8	8		FLA-CH-61200-30-SIL-	Item # 3 Bar Stool, 500 lb. weight capacity, vertical slat back,	EA	134.38	\$1075.04

[CONTINUED]

EZ Fence Asbury 3 x 6 Black Aluminum Fence Panel
(Actual Size 36" H x 70-1/2" W)
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Description & Documents

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- Posts and fittings sold separately
- 2-rail style
- Quality aluminum construction
- Easy and fast installation
- Designed for 6" on center post installation
- Lightweight yet strong aluminum construction ensures security around your pool or your property

Specifications

Product Type	Metal Fence Panel	Material	Aluminum
Thickness	1-5/8 inch	Special Features	Rust Resistant
Overall Height	36 inch	Weight	10 pound
Overall Width	70-1/2 inch	Color/Finish	Black
Installed Height	36 inch	Rough Opening Width	72 inch
Top Style	Flat	Shipping Dimensions	72.00 H x 36.00 W x 1.50 D
Shipping Weight	11.0 lbs	Return Policy	Regular Return (view Return Policy)

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Bronze Pole, Lemon

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Color Lemon
Material Aluminum
Brand California Umbrella
Pattern Solid
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**VILLAGE OF BURR RIDGE
PLAN COMMISSION AND
ZONING BOARD OF APPEALS**

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:

595 Village Center Dr Burr Ridge, IL
60527

Property Owner or Petitioner:

Kristy Tramontana
(Print Name)
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(Signature)

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regarding this property.

At 7:00 a.m., or as soon thereafter as the matter may be heard, at the Village Hall at 585 County Center Road, the Burr Ridge Village Board will consider the proposed plan and the findings of the hearing will be made. The proposed plan is subject to the Village Board's final decision. The proposed plan is subject to the Village Board's final decision. The proposed plan is subject to the Village Board's final decision.

For further information, please call Jason Farrell or visit:
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LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on **Monday, July 18, 2022**, at **Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527**.

PURPOSE OF HEARING

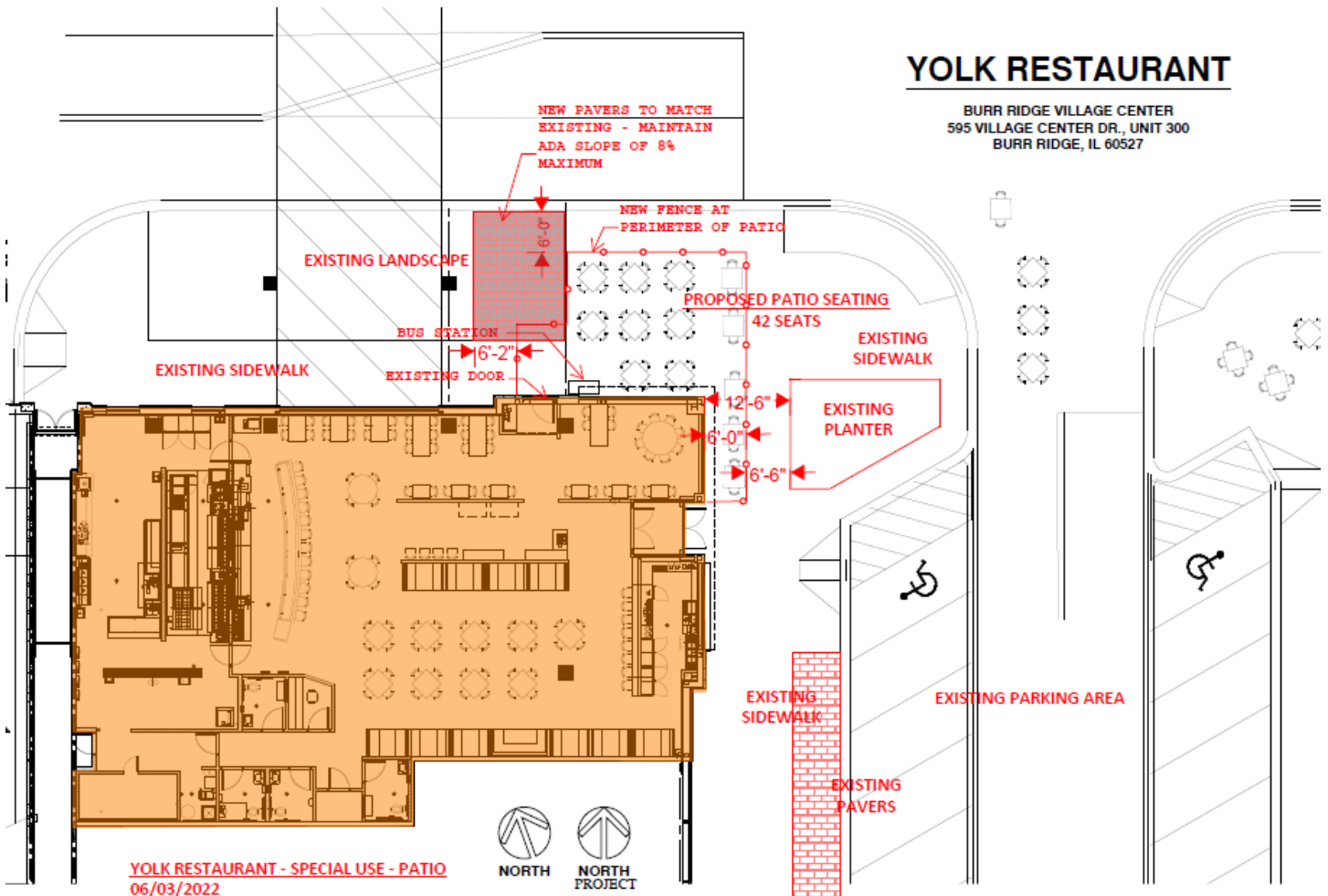
The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Gianluca Pesce and Taki Kastanis of York for outdoor dining at a permitted restaurant pursuant to Ordinance A-834-10-05 and Zoning Ordinance sections VIII.A and VIII.C. The petition number and address of this petition is **Z-19-2022: 595 Village Center Drive** and the Permanent Real Estate Index Number is **18-30-300-032-0000**.

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, July 12, 2022. All public comment may be emailed to Community Development Director Janine Farrell (jfarrell@burr-ridge.gov) or mailed to Ms. Farrell's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.

Greg Trzupek, Chairman

MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



THOMAS J MURPHY
1000 VILLAGE CENTER DR
Burr Ridge, IL 60527

ABDUL ILAH TOULEIMAT
801 VILLAGE CTR DR 306
Burr Ridge, IL 60527

JEFFREY R HARDER
850 VILLAGE CENTER DR
Burr Ridge, IL 60527

SPASOV ESTATE LLC
7350 W 103RD ST
Bridgeview, IL 60455

MONA B GHOBRIAL
1004 LYONS HEAD
Virginia Beach, VA 23452

JON A SKULBORSTAD
1 GREY WING PT
Naples, FL 34113

Burr Deed LLC
10350 Bren Road West
Minnetonka, MN 55343

Doug Young
18267 Casey Rd
Grayslake, IL 60030

Harris Na Cre
Po Box 755
Chicago, IL 60690

Inter Contl Burr Ridge
108 Burr Ridge Rd
Essex, IL 60935

Lifetime Fitness 130
2902 Corporate Pl
Chanhassen, MN 55317

Local 731 Ps & Gp
1000 Burr Ridge Pkwy
Burr Ridge, IL 60527

Reegs Properties
Po Box 639
Hinsdale, IL 60522

Owner
101 Burr Ridge Pkwy
Burr Ridge, IL 60527

TCF National Bank
1405 Xenium Lane North
Plymouth, MN 55441

Burr Ridge Village Center
701 Village Center Dr.
Burr Ridge, IL 60527

450 Village Center Drive Condo Assn
Attn: David Jelinek, President
450 Village Center Dr.
Burr Ridge, IL 60527

450 Village Center Drive Condo Assn
Attn: David Arnold, Treasurer
450 Village Center Dr.
Burr Ridge, IL 60527

450 Village Center Drive Condo Assn
Chicagoland Management
Janet Monahan
111 E. Wacker Dr., #1412
Chicago, IL 60601

18-30-300-056-1001
 James Glimco
 450 Village Center Drive #201
 Burr Ridge, IL 60527

18-30-300-056-1004
 Joan Sikora
 450 Village Center Drive #204
 Burr Ridge, IL 60527

18-30-300-056-1007
 Nancy Tameling
 450 Village Center Drive #207
 Burr Ridge, IL 60527

18-30-300-056-1009
 Michael J. Criscione
 450 Village Center Drive #209
 Burr Ridge, IL 60527

18-30-300-056-1012
 Kevin Kopp
 450 Village Center Drive #212
 Burr Ridge, IL 60527

18-30-300-056-1015
 Presidio Capital LLC
 3 Grant Street, Suite 415
 Hinsdale, IL 60521

18-30-300-056-1018
 Christopher S Cole
 450 Village Center Drive #301
 Burr Ridge, IL 60527

18-30-300-056-1021
 Geno Napolitano
 450 Village Center Drive #304
 Burr Ridge, IL 60527

18-30-300-056-1024
 Linnette Bullock
 450 Village Center Drive #307
 Burr Ridge, IL 60527

18-30-300-056-1027
 Patricia Gould and Nicole Gould
 450 Village Center Drive #310
 Burr Ridge, IL 60527

18-30-300-056-1002
 Elizabeth Levy
 450 Village Center Drive #202
 Burr Ridge, IL 60527

18-30-300-056-1005
 Phillip Timyan
 450 Village Center Drive #205
 Burr Ridge, IL 60527

18-30-300-056-1008
 Daniel Dabros
 450 Village Center Drive #208
 Burr Ridge, IL 60527

18-30-300-056-1010
 Dariusz Wida
 450 Village Center Drive #210
 Burr Ridge, IL 60527

18-30-300-056-1013
 Bejan Fakouri
 450 Village Center Drive #213
 Burr Ridge, IL 60527

18-30-300-056-1016
 Alexander Thomas and Ellie Homan
 450 Village Center Drive #216
 Burr Ridge, IL 60527

18-30-300-056-1019
 Demetrio G Vea
 2 Saddle Court
 Burr Ridge, IL 60527

18-30-300-056-1022
 Filip Trajkov
 450 Village Center Drive #305
 Burr Ridge, IL 60527

18-30-300-056-1025
 Steven Jiotis
 450 Village Center Drive #308
 Burr Ridge, IL 60527

18-30-300-056-1028
 Jerry Lee
 450 Village Center Drive #311
 Burr Ridge, IL 60527

18-30-300-056-1003
 Kristin A Burka
 450 Village Center Drive #203
 Burr Ridge, IL 60527

18-30-300-056-1006
 Nicholas Lykouratzos
 450 Village Center Drive #206
 Burr Ridge, IL 60527

18-30-300-056-1011
 Thomas Murray
 450 Village Center Drive #211
 Burr Ridge, IL 60527

18-30-300-056-1014
 Mona Mekhail
 450 Village Center Drive #214
 Burr Ridge, IL 60527

18-30-300-056-1017
 Jennifer Fox
 450 Village Center Drive #217
 Burr Ridge, IL 60527

18-30-300-056-1020
 Lorriance Bilthuis
 450 Village Center Drive #303
 Burr Ridge, IL 60527

18-30-300-056-1023
 Cynthia Millinowisch
 450 Village Center Drive #306
 Burr Ridge, IL 60527

18-30-300-056-1026
 Shirley A Strzyz
 450 Village Center Drive #309
 Burr Ridge, IL 60527

18-30-300-056-1029
 Guy Santillo
 450 Village Center Drive #312
 Burr Ridge, IL 60527

18-30-300-056-1030
 Martin Rola
 450 Village Center Drive #313
 Burr Ridge, IL 60527

18-30-300-056-1033
 Kerry Murphy
 450 Village Center Drive #316
 Burr Ridge, IL 60527

18-30-300-056-1036
 Mr. and Mrs. Caveney
 450 Village Center Drive #402
 Burr Ridge, IL 60527

18-30-300-056-1040
 Stillman Chang
 9550 Pacific Court
 Burr Ridge, IL 60527

18-30-300-056-1043
 Jennifer Ryan
 450 Village Center Drive #410
 Burr Ridge, IL 60527

18-30-300-056-1046
 Murray Homestead, L.L.C.
 450 Village Center Drive #413
 Burr Ridge, IL 60527

18-30-300-056-1049
 David Arnold and George Izzo
 450 Village Center Drive #416
 Burr Ridge, IL 6527

18-30-300-056-1031
 Jean M Randolph
 450 Village Center Drive #314
 Burr Ridge, IL 60527

18-30-300-056-1034
 Donna Grabowski
 450 Village Center Drive #317
 Burr Ridge, IL 60527

18-30-300-056-1037
 David Jelinek
 450 Village Center Drive #403
 Burr Ridge, IL 60527

18-30-300-056-1041
 Ahmed & Khadija Shakir
 450 Village Center Drive #408
 Burr Ridge, IL 60527

18-30-300-056-1045
 Maihlaqa and Heena Alavi
 450 Village Center Drive #411
 Burr Ridge, IL 60527

18-30-300-056-1047
 Thomas Toellner
 450 Village Center Drive #414
 Burr Ridge, IL 60527

18-30-300-056-1050
 Susan M Broucek
 450 Village Center Drive #417
 Burr Ridge, IL 60527

18-30-300-056-1032
 Thomas and Judith Rediehs
 450 Village Center Drive #315
 Burr Ridge, IL 60527

18-30-300-056-1035
 David A Cales
 450 Village Center Drive #401
 Burr Ridge, IL 60527

18-30-300-056-1038
 Juanito Bartolome
 450 Village Center Drive #404
 Burr Ridge, IL 60527

18-30-300-056-1042
 Artur Miller
 450 Village Center Drive #409
 Burr Ridge, IL 60527

18-30-300-056-1046
 John Phelps
 450 Village Center Drive #412
 Burr Ridge, IL 60527

18-30-300-056-1048
 Thomas F. Hurka
 450 Village Center Drive #415
 Burr Ridge, IL 60527

18-30-300-056-1039
 Mr. Dean Henning
 450 Village Center Drive #405
 Burr Ridge, IL 60527

18-30-300-057-1001
 lyda Ghuneim
 801 Village Center Drive, Unit 201
 Burr Ridge, Illinois 60527

18-30-300-057-1004
 Resident
 801 Village Center Drive, Unit 204
 Burr Ridge, Illinois 60527

18-30-300-057-1006
 Resident
 801 Village Center Drive, Unit 206
 Burr Ridge, Illinois 60527

18-30-300-057-1007
 Shafout J. Kahn
 801 Village Center Drive, Unit 207
 Burr Ridge, Illinois 60527

18-30-300-057-1012
 Mr. Dominic Fava
 801 Village Center Drive, Unit 304
 Burr Ridge, Illinois 60527

18-30-300-057-1015
 Mr. William Dillard
 801 Village Center Drive, Unit 307
 Burr Ridge, Illinois 60527

18-30-300-057-1017
 Resident
 801 Village Center Drive, Unit 401
 Burr Ridge, Illinois 60527

18-30-300-057-1019
 Debra Sutkowski-Markmann
 801 Village Center Drive, Unit 403
 Burr Ridge, Illinois 60527

18-30-300-057-1021
 Resident
 801 Village Center Drive, Unit 405
 Burr Ridge, Illinois 60527

18-30-300-057-1002
 Ms. Erin Holec
 801 Village Center Drive, Unit 202
 Burr Ridge, Illinois 60527

18-30-300-057-1004
 Mr. Raghuvansh Kumar
 8161 Ridge Pointe
 Burr Ridge, Illinois 60527

18-30-300-057-1006
 Alka Srivastava
 9 Lake Ridge Court
 Burr Ridge, Illinois 60527

18-30-300-057-1008
 Mr. Nicholas Meyers
 801 Village Center Drive, Unit 208
 Burr Ridge, Illinois 60527

18-30-300-057-1010
 Ms. Carol Zapka
 801 Village Center Drive, Unit 302
 Burr Ridge, Illinois 60527

18-30-300-057-1013
 Mr. and Mrs. Paul Bellisario
 801 Village Center Drive, Unit 305
 Burr Ridge, Illinois 60527

18-30-300-057-1022
 Cartus Financial Corp
 40 Apple Ridge Road
 Danbury CT 06810

18-30-300-057-1017
 Davindra L. Sharma
 6652 Manor Drive
 Burr Ridge, Illinois 60527

18-30-300-057-1020
 Resident
 801 Village Center Drive, Unit 404
 Burr Ridge, Illinois 60527

18-30-300-057-1021
 Ms. Asha Sarode
 502 Ambriance Drive
 Burr Ridge, IL 60527

18-30-300-057-1003
 Mr. and Mrs. Keefe
 801 Village Center Drive, Unit 203
 Burr Ridge, Illinois 60527

18-30-300-057-1005
 Rita D Stoss-Michaels
 801 Village Center Drive, Unit 205
 Burr Ridge, Illinois 60527

18-30-300-057-1009
 Sarla Gupta
 801 Village Center Drive, Unit 301
 Burr Ridge, Illinois 60527

18-30-300-057-1011
 Nancy Rizzuto
 801 Village Center Drive, Unit 303
 Burr Ridge, Illinois 60527

18-30-300-057-1014
 Abdul Ilah Touleimat
 801 Village Center Drive, Unit 306
 Burr Ridge, Illinois 60527

18-30-300-057-1016
 Ms. Maureen Denard
 801 Village Center Drive, Unit 308
 Burr Ridge, Illinois 60527

18-30-300-057-1018
 Ms. Sandra Otto
 801 Village Center Drive, Unit 402
 Burr Ridge, Illinois 60527

18-30-300-057-1020
 Mr. Larry Edwards Siebs
 34770 N. Los Reales
 Carefree, AZ 85377

18-30-300-057-1022
 Resident
 801 Village Center Drive, Unit 406
 Burr Ridge, Illinois 60527

18-30-300-057-1023
 Mr. and Mrs. Harbour
 801 Village Center Drive, Units 407
 Burr Ridge, IL 60527

18-30-300-054-1002
 Mr. and Mrs. Kyksta
 850 Village Center Drive, Unit 202
 Burr Ridge, IL 60527

18-30-300-054-1004
 Resident
 850 Village Center Drive, Unit 204
 Burr Ridge, IL 60527

18-30-300-054-1006
 Mr. Michael Yost
 850 Village Center Drive, Unit 206
 Burr Ridge, IL 60527

18-30-300-054-1009
 Antonije Keljevick
 850 Village Center Drive, Unit 209
 Burr Ridge, IL 60527

18-30-300-054-1012
 Resident
 850 Village Center Drive, Unit 212
 Burr Ridge, IL 60527

18-30-300-054-1014
 Daniel and Janet Piecki
 850 Village Center Drive, Unit 214
 Burr Ridge, IL 60527

18-30-300-054-1017
 Kil Nam and Hee Ja Kim
 850 Village Center Drive, Unit 217
 Burr Ridge, Illinois 60527

18-30-300-054-1019
 Sylvia Lee
 850 Village Center Drive, Unit 219
 Burr Ridge, Illinois 60527

18-30-300-054-1022
 Ashok Kothari
 850 Village Center Drive, Unit 301
 Burr Ridge, Illinois 60527

18-30-300-054-1001
 Resident
 850 Village Center Drive, Unit 201
 Burr Ridge, IL 60527

18-30-300-054-1004
 Armarjit Singh
 51 Ashton Court
 Burr Ridge, IL 60527

18-30-300-054-1007
 Vida Jankauskiene
 850 Village Center Drive, Unit 207
 Burr Ridge, IL 60527

18-30-300-054-1010
 Nancy Segreti
 850 Village Center Drive, Unit 210
 Burr Ridge, IL 60527

18-30-300-054-1012
 Elham Abboud
 1241 Ashbury Court
 Libertyville, IL 60048

18-30-300-054-1015
 Nizam Ather
 850 Village Center Drive, Unit 215
 Burr Ridge, IL 60527

18-30-300-054-1018
 Colette Rennie
 850 Village Center Drive, Unit 218
 Burr Ridge, Illinois 60527

18-30-300-054-1020
 Altobelli
 850 Village Center Drive, Unit 220
 Burr Ridge, Illinois 60527

18-30-300-054-1023
 Sheela Singh
 850 Village Center Drive, Unit 302
 Burr Ridge, Illinois 60527

18-30-300-054-1001
 Mr. and Mrs. Walk
 36 S. Old Mill Lane
 Burr Ridge, IL 60527

18-30-300-054-1003
 Mr. Vincenzo Marino
 850 Village Center Drive, Unit 203
 Burr Ridge, IL 60527

18-30-300-054-1005
 Mr. Michael Simmons
 850 Village Center Drive, Unit 205
 Burr Ridge, IL 60527

18-30-300-054-1008
 Anthony Jalovec
 850 Village Center Drive, Unit 208
 Burr Ridge, IL 60527

18-30-300-054-1011
 Richard Sileikis
 850 Village Center Drive, Unit 211
 Burr Ridge, IL 60527

18-30-300-054-1013
 Eloise Carnevale
 850 Village Center Drive, Unit 213
 Burr Ridge, IL 60527

18-30-300-054-1016
 Tracy Schoppen
 850 Village Center Drive, Unit 216
 Burr Ridge, IL 60527

18-30-300-057-1024
 Mr. and Mrs. Wasz
 801 Village Center Drive, Units 408
 Burr Ridge, IL 60527

18-30-300-054-1021
 Alice Martin
 850 Village Center Drive, Unit 221
 Burr Ridge, Illinois 60527

18-30-300-054-1024
 Resident
 850 Village Center Drive, Unit 304
 Burr Ridge, Illinois 60527

18-30-300-054-1024
Francisco & Laura Cervantes
7619 Drew Avenue
Burr Ridge, Illinois 60527

18-30-300-054-1025
Resident
850 Village Center Drive, Unit 305
Burr Ridge, Illinois 60527

18-30-300-054-1025
Devindra and Usha Sharma
6652 Manor Drive
Burr Ridge, IL 60527

18-30-300-054-1026
Kaleinkovas Vitalijus
850 Village Center Drive, Unit 306
Burr Ridge, Illinois 60527

18-30-300-054-1027
Suryakant Patel
6816 Fieldstone Drive
Burr Ridge, Illinois 60527

18-30-300-054-1028
Philip Jepsen
850 Village Center Drive, Unit 308
Burr Ridge, Illinois 60527

18-30-300-054-1029
Resident
850 Village Center Drive, Unit 309
Burr Ridge, Illinois 60527

18-30-300-054-1029
Diane and Kemenko Jovic
7920 Deer View Court
Burr Ridge, IL 60527

18-30-300-054-1030
James Kuksta
850 Village Center Drive, Unit 310
Burr Ridge, Illinois 60527

18-30-300-054-1031
Wesley Tate
850 Village Center Drive, Unit 311
Burr Ridge, Illinois 60527

18-30-300-054-1032
Catharine Danly
850 Village Center Drive, Unit 312
Burr Ridge, Illinois 60527

18-30-300-054-1033
Anthony Formato
850 Village Center Drive, Unit 313
Burr Ridge, Illinois 60527

18-30-300-054-1034
Mary Lisnich
850 Village Center Drive, Unit 314
Burr Ridge, Illinois 60527

18-30-300-054-1035
David Atkenson
850 Village Center Drive, Unit 315
Burr Ridge, Illinois 60527

18-30-300-054-1036
Jason Nash
850 Village Center Drive, Unit 316
Burr Ridge, Illinois 60527

18-30-300-054-1037
Resident
850 Village Center Drive, Unit 317
Burr Ridge, Illinois 60527

18-30-300-054-1037
Ann L. Vaughan
940 S. Vine Street
Hinsdale, IL 60521

18-30-300-054-1038
Mutie Naim Sughayer
850 Village Center Drive, Unit 318
Burr Ridge, Illinois 60527

18-30-300-054-1039
Kathleen Jaszka
850 Village Center Drive, Unit 319
Burr Ridge, Illinois 60527

18-30-300-054-1040
Rishi Sharma
850 Village Center Drive, Unit 320
Burr Ridge, Illinois 60527

18-30-300-054-1041
Patel
850 Village Center Drive, Unit 321
Burr Ridge, Illinois 60527

18-30-300-054-1042
Lali Singh
850 Village Center Drive, Unit 401
Burr Ridge, Illinois 60527

18-30-300-054-1043
Robert & Marie Zumstein
850 Village Center Drive, Unit 402
Burr Ridge, Illinois 60527

18-30-300-054-1044
James Chesniak
850 Village Center Drive, Unit 404
Burr Ridge, Illinois 60527

18-30-300-054-1045
Amy Seus
850 Village Center Drive, Unit 405
Burr Ridge, Illinois 60527

18-30-300-054-1046
Allan Thom
850 Village Center Drive, Unit 406
Burr Ridge, Illinois 60527

18-30-300-054-1047
 850 BR Condo LLC
 850 Village Center Drive, Unit 407
 Burr Ridge, Illinois 60527

18-30-300-054-1048
 Gerald Cronk
 850 Village Center Drive, Unit 408
 Burr Ridge, Illinois 60527

18-30-300-054-1049
 Mr. Edmundo Sanchez
 850 Village Center Drive, Unit 410
 Burr Ridge, Illinois 60527

18-30-300-054-1050
 Mary Okolisam
 Samuel Basillious
 850 Village Center Drive, Unit 411
 Burr Ridge, Illinois 60527

18-30-300-054-1051
 Gregory Shultz
 850 Village Center Drive, Unit 412
 Burr Ridge, Illinois 60527

18-30-300-054-1052
 Mr. and Mrs. Kalnes
 850 Village Center Drive, Unit 413
 Burr Ridge, Illinois 60527

18-30-300-054-1053
 Rick Michalak
 850 Village Center Drive, Unit 414
 Burr Ridge, Illinois 60527

18-30-300-054-1054
 Diane Vivo
 850 Village Center Drive, Unit 415
 Burr Ridge, Illinois 60527

18-30-300-054-1055
 Resident
 850 Village Center Drive, Unit 416
 Burr Ridge, Illinois 60527

18-30-300-054-1055
 Perm Sharma
 505 Ambriance Drive
 Burr Ridge, IL 60527

18-30-300-054-1056
 Resident
 850 Village Center Drive, Unit 417
 Burr Ridge, Illinois 60527

18-30-300-054-1056
 850 Burr LLC
 2500 S. Highland Avenue
 Suite 103
 Lombard, IL 60148

18-30-300-054-1057
 Lena Kasi
 850 Village Center Drive, Unit 418
 Burr Ridge, Illinois 60527

18-30-300-054-1058
 Kumad Barman
 850 Village Center Drive, Unit 419
 Burr Ridge, Illinois 60527

18-30-300-054-1059
 Vijay Singhal
 850 Village Center Drive, Unit 420
 Burr Ridge, Illinois 60527

18-30-300-054-1060
 James O'Brien
 850 Village Center Drive, Unit 421
 Burr Ridge, Illinois 60527

18-30-300-058-1058
 William Petty
 1000 Village Center Drive, Unit 414
 Burr Ridge, Illinois 60527

18-30-300-058-1059
 Jay Christopher
 1000 Village Center Drive, Unit 416
 Burr Ridge, Illinois 60527

18-30-300-054-1047
 850 BR Condo LLC
 160 Green Tree Drive, Suite 101
 Dover, Delaware 19904

18-30-300-058-1030
 John Forkan
 1000 Village Center Drive, Unit 214
 Burr Ridge, Illinois 60527

18-30-300-058-1033
 Kathleen Binks
 1000 Village Center Drive, Unit 301
 Burr Ridge, Illinois 60527

18-30-300-058-1036
 Denise Lehnert
 1000 Village Center Drive, Unit 304
 Burr Ridge, Illinois 60527

18-30-300-058-1039
 Brenda Helms
 1000 Village Center Drive, Unit 307
 Burr Ridge, Illinois 60527

18-30-300-058-1041
 Frank Tabachka
 1000 Village Center Drive, Unit 309
 Burr Ridge, Illinois 60527

18-30-300-058-1044
 Jean Rudolph
 1000 Village Center Drive, Unit 312
 Burr Ridge, Illinois 60527

18-30-300-058-1046
 Jim and Leslie Bowman
 1000 Village Center Drive, Unit 314
 Burr Ridge, Illinois 60527

18-30-300-058-1049
 Jim and Marriane Coogan
 1000 Village Center Drive, Unit 401
 Burr Ridge, Illinois 60527

18-30-300-058-1052
 Nasem Akel
 1000 Village Center Drive, Unit 406
 Burr Ridge, Illinois 60527

18-30-300-058-1055
 Tom Harris
 1000 Village Center Drive, Unit 409
 Burr Ridge, Illinois 60527

18-30-300-058-1031
 Barbara Spitkovsky
 1000 Village Center Drive, Unit 215
 Burr Ridge, Illinois 60527

18-30-300-058-1034
 Sharon M. Jioia
 1000 Village Center Drive, Unit 302
 Burr Ridge, Illinois 60527

18-30-300-058-1037
 Claudia Navarro
 1000 Village Center Drive, Unit 305
 Burr Ridge, Illinois 60527

18-30-300-058-1040
 Virgilio N. Nidea
 1000 Village Center Drive, Unit 308
 Burr Ridge, Illinois 60527

18-30-300-058-1042
 Rosa Diaz Trust
 1000 Village Center Drive, Unit 310
 Burr Ridge, Illinois 60527

18-30-300-058-1044
 Mr. and Mrs. Pierre Wakim
 107 Oak Ridge Drive
 Burr Ridge, IL 60527

18-30-300-058-1047
 Gia and Tim Ormond
 1000 Village Center Drive, Unit 315
 Burr Ridge, Illinois 60527

18-30-300-058-1050
 Asle and Kathleen Klemma
 1000 Village Center Drive, Unit 403
 Burr Ridge, Illinois 60527

18-30-300-058-1053
 Betty J. Cervený
 1000 Village Center Drive, Unit 407
 Burr Ridge, Illinois 60527

18-30-300-058-1056
 Tom Mouroukas
 1000 Village Center Drive, Unit 410
 Burr Ridge, Illinois 60527

18-30-300-058-1032
 Helen Nardi
 1000 Village Center Drive, Unit 216
 Burr Ridge, Illinois 60527

18-30-300-058-1035
 Sean Carney
 1000 Village Center Drive, Unit 303
 Burr Ridge, Illinois 60527

18-30-300-058-1038
 Kathleen Becker
 1000 Village Center Drive, Unit 306
 Burr Ridge, Illinois 60527

18-30-300-058-1043
 Larry Marcheschi
 1000 Village Center Drive, Unit 311
 Burr Ridge, Illinois 60527

18-30-300-058-1045
 Dejan Derikonjic
 1000 Village Center Drive, Unit 313
 Burr Ridge, Illinois 60527

18-30-300-058-1048
 Art and Amy Munar
 1000 Village Center Drive, Unit 316
 Burr Ridge, Illinois 60527

18-30-300-058-1051
 Wade Smith
 1000 Village Center Drive, Unit 405
 Burr Ridge, Illinois 60527

18-30-300-058-1054
 Nada Jensen
 1000 Village Center Drive, Unit 408
 Burr Ridge, Illinois 60527

18-30-300-058-1057
 Louise Junkniess
 1000 Village Center Drive, Unit 411
 Burr Ridge, Illinois 60527

18-30-300-058-1001
Suresh Agarwal
1000 Village Center Drive, Unit 101
Burr Ridge, Illinois 60527

18-30-300-058-1004
Atlagic Zeliko
1000 Village Center Drive, Unit 104
Burr Ridge, Illinois 60527

18-30-300-058-1007
Joe Canfora
1000 Village Center Drive, Unit 107
Burr Ridge, Illinois 60527

18-30-300-058-1010
Mohammed Daaif & Ghussoun Kassam
1000 Village Center Drive, Unit 110
Burr Ridge, Illinois 60527

18-30-300-058-1012
Dennis Quinn
1000 Village Center Drive, Unit 112
Burr Ridge, Illinois 60527

18-30-300-058-1015
Ruth Lognman
1000 Village Center Drive, Unit 115
Burr Ridge, Illinois 60527

18-30-300-058-1018
Scott Golchert & Jennifer Turano
1000 Village Center Drive, Unit 202
Burr Ridge, Illinois 60527

18-30-300-058-1021
Pervez & Frances Altaf
1000 Village Center Drive, Unit 205
Burr Ridge, Illinois 60527

18-30-300-058-1024
Annette Jones
1000 Village Center Drive, Unit 208
Burr Ridge, Illinois 60527

18-30-300-058-1027
John O'Connor
1000 Village Center Drive, Unit 211
Burr Ridge, Illinois 60527

18-30-300-058-1002
Stanley Karcz/Antonette Favia
1000 Village Center Drive, Unit 102
Burr Ridge, Illinois 60527

18-30-300-058-1005
Dhaliwal Tehsel Singh
1000 Village Center Drive, Unit 105
Burr Ridge, Illinois 60527

18-30-300-058-1008
Edward Dobrotka
1000 Village Center Drive, Unit 108
Burr Ridge, Illinois 60527

18-30-300-058-1013
Dean Norman
1000 Village Center Drive, Unit 113
Burr Ridge, Illinois 60527

18-30-300-058-1016
Yan Zhao
1000 Village Center Drive, Unit 116
Burr Ridge, Illinois 60527

18-30-300-058-1019
Thomas Simunek
1000 Village Center Drive, Unit 203
Burr Ridge, Illinois 60527

18-30-300-058-1022
Marriane Mangan
1000 Village Center Drive, Unit 206
Burr Ridge, Illinois 60527

18-30-300-058-1025
Paula Lesniewski
1000 Village Center Drive, Unit 209
Burr Ridge, Illinois 60527

18-30-300-058-1028
Paul Van Huben
1000 Village Center Drive, Unit 212
Burr Ridge, Illinois 60527

18-30-300-058-1003
Richard Scardina
1000 Village Center Drive, Unit 103
Burr Ridge, Illinois 60527

18-30-300-058-1006
Lynn Rebello
1000 Village Center Drive, Unit 106
Burr Ridge, Illinois 60527

18-30-300-058-1009
Ahmad Zuhair
1000 Village Center Drive, Unit 109
Burr Ridge, Illinois 60527

18-30-300-058-1011
Kerry Postillion
1000 Village Center Drive, Unit 111
Burr Ridge, Illinois 60527

18-30-300-058-1014
Marcia Miller
1000 Village Center Drive, Unit 114
Burr Ridge, Illinois 60527

18-30-300-058-1017
Ruthann McCarty
1000 Village Center Drive, Unit 201
Burr Ridge, Illinois 60527

18-30-300-058-1020
Jason Chen
1000 Village Center Drive, Unit 204
Burr Ridge, Illinois 60527

18-30-300-058-1023
Philip Trabaris
1000 Village Center Drive, Unit 207
Burr Ridge, Illinois 60527

18-30-300-058-1026
Sahajpal Tripat
1000 Village Center Drive, Unit 210
Burr Ridge, Illinois 60527

18-30-300-058-1029
Mr. and Mrs. Allenson
1000 Village Center Drive, Unit 213
Burr Ridge, Illinois 60527

System	Cost	Budget	Sole Sourced	Bid 1	Source	Bid 2	Source	Bid 3	Source
Interview Room (Axon)	\$ 14,364.00	\$ 15,000.00	X	\$ 15,000.00	AXON	\$ 15,000.00	AXON	\$ 15,000.00	AXON
Camera Recording Server (DIP-7384-8HD)	\$ 14,000.00	\$ 20,000.00		\$ 10,595.00	Oberlander	\$ 9,366.23	SGTS	15040.78	IL Alarm
Replace Outdoor Cameras 7 PTZ (NDP-7512-Z30K) Apex Corner Mount	\$ 21,000.00	\$ 25,000.00		\$ 22,400.42	Oberlander	\$ 20,910.68	SGTS	33,591.25	IL Alarm
Replace Indoor Cameras (24 NDV-8503-RX and 1 360 NDS-5704-F360)	\$ 30,000.00	\$ 25,000.00							
-QTY 24 NDV-8503-RX				\$ 25,080.00	Oberlander	\$ 23,265.12	SGTS	37367.76	IL Alarm
-QTY 1 NDS-5704-F360				\$ 759.00	Oberlander	\$ 704.55	SGTS	1132.79	IL Alarm
Secured State Upgrade - Total	\$ 31,900.00	\$ 50,000.00	X	\$ 31,900.00	Secured State	\$ 31,900.00	Secured State	\$ 31,900.00	Secured State
-Touchscreen Computers	\$ 4,000.00		X						
-Touchscreen Monitors	\$ 1,500.00		X						
-Programming Computer	\$ 2,400.00		X						
-Update Software and Camera Interface	\$ 18,000.00		X						
-Bosch Decoders for TVs (VJD-7513)	\$ 6,000.00								
TVs Above Window in Records (4)	\$ 2,500.00			\$ 6,213.00	Oberlander	\$ 5,764.29	SGTS	9260.97	IL Alarm
-QTY 4 LG Electronics 65NANO90UNA				\$ 3,599.96	Best Buy	\$ 4,787.96	Amazon	\$ 4,787.96	Walmart
-Sanus VLT7-B2				\$ 189.99	Crutchfield	\$ 188.09	Amazon	\$ 189.99	ABT
Large TV by Sergeants	\$ 1,500.00			\$ 1,799.99	BestBuy	\$ 1,796.99	Amazon	\$ 1,796.99	Walmart
-LG Electronics 86NANO90UPA				\$ 189.99	Crutchfield	\$ 188.09	Amazon	\$ 189.99	ABT
-Sanus VLT6-B1				\$ 1,703.99	CDW	\$ 1,821.13	PCNation	\$ 1,950.00	NTSi
Switch Fortinet FS148F-FPOE	\$ 3,000.00								
Totals	\$ 118,264.00	\$ 135,000.00							
Least Expensive Combined Bid	\$ 114,387.99								



July 14, 2022

Janine Farrell
Community Development Director
Village of Burr Ridge
7660 County Line RD
Burr Ridge, IL 60527

Dear Janine:

This letter is to inform you of my resignation from my position as Permit Technician at the Village of Burr Ridge. Given this two-week notice, my last day of work will be **Friday, July 29**.

Please let me know if I can do anything to assist with the transition of my job duties to other staff members over the course of the next two weeks.

Sincerely,

Michelle Mahlan

VILLAGE OF BURR RIDGE

8D

ACCOUNTS PAYABLE APPROVAL REPORT

BOARD DATE: 7/25/2022

PAYMENT DATE: 7/26/2022

FISCAL 22-23

FUND	FUND NAME	PAYABLE	TOTAL AMOUNT
10	General Fund	\$ 217,574.11	\$ 217,574.11
23	Hotel/Motel Tax Fund	4,351.67	4,351.67
31	Capital Improvements Fund	192,036.07	192,036.07
33	Equipment Replacement Fund	14,539.93	14,539.93
51	Water Fund	497,177.98	497,177.98
52	Sewer Fund	12,051.63	12,051.63
71	Police Pension Fund	7,562.25	7,562.25
	TOTAL ALL FUNDS	<u>\$ 945,293.64</u>	<u>\$ 945,293.64</u>

PAYROLL

PAY PERIOD ENDING July 9th, 2022

	TOTAL
	PAYROLL
Board	\$ 2,450.00
Administration	16,509.26
Finance	1,725.00
Police	135,471.00
Public Works	31,869.82
Water	24,672.62
Sewer	10,145.72
TOTAL	<u>\$ 222,843.42</u>
GRAND TOTAL	<u><u>\$ 1,168,137.06</u></u>

07/19/2022 02:07 PM
User: asullivan
DB: Burr Ridge

INVOICE GL DISTRIBUTION REPORT FOR VILLAGE OF BURR RIDGE
POST DATES 07/25/2022 - 07/25/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 1/6

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 10 General Fund					
Dept 1010 Boards & Commissions					
10-1010-50-5010	Appraisal of 9400 S Garfield St	Polach Appraisal Group, Ir	07/16/22	16037	3,250.00
10-1010-80-8010	Reimburse for BS & A Training	Janine Farrell	07/07/22	07/07/22	41.23
10-1010-80-8010	Employee Concert Event	Pamela Foy	06/24/22	218700011142	41.86
10-1010-80-8010	Flower Deliveries	Vince's Flowers & Landscap	06/17/22	12109-F	471.80
Total For Dept 1010 Boards & Commissions					3,804.89
Dept 4010 Finance					
10-4010-50-5020	Consulting WE 06/19 & 06/26	GovTemps USA, LLC	06/30/22	3990735	5,705.00
10-4010-50-5020	Consulting WE 07/03 & 07/10	GovTemps USA, LLC	07/14/22	3999848	8,673.00
Total For Dept 4010 Finance					14,378.00
Dept 4020 Central Services					
10-4020-60-6000	Kitchen Office Supplies	Pamela Foy	06/24/22	218700011142	41.99
10-4020-60-6000	Office Supplies	Runco Office Supply	06/28/22	872004-0	219.39
10-4020-60-6010	Kitchen Coffee Supplies PW	Commercial Coffee Service,	06/14/22	401490	159.00
Total For Dept 4020 Central Services					420.38
Dept 4040 Information Technology					
10-4040-50-5020	Cyber Attack Prevention Software	Orbis Solutions	07/01/22	5573259	825.00
10-4040-50-5020	IT Support Services	Orbis Solutions	07/07/22	5573281	2,350.00
10-4040-50-5020	IT Equipment	Orbis Solutions	07/07/22	5573285	3,782.42
10-4040-50-5061	GIS Consulting & Subscription	Cloudpoint Geospatial	06/30/22	3178	2,150.00
10-4040-50-5061	Adjudication Monthly Fee Apr22	Municipal Systems, Inc.	04/30/22	2022-04-09	1,450.00
10-4040-50-5061	Adjudication Monthly Fee May22	Municipal Systems, Inc.	05/31/22	2022-05-09	1,450.00
10-4040-50-5061	Adjudication Monthly Fee Jun22	Municipal Systems, Inc.	06/30/22	2022-06-09	1,450.00
10-4040-50-5061	MST-OFC-BPM -C100	National Tek Services, Inc	07/14/22	17457	91.77
10-4040-50-5061	Annual Software fee PACE schedul	Pace Systems	06/17/22	00043208	1,854.00
10-4040-60-6010	Printer Toner Cartridges	Next Day Toner Supplies, I	07/11/22	5239500	460.00
10-4040-60-6040	Starcom Network Charge Jul22	Motorola Solutions - STARC	07/01/22	6638620220601	510.00
Total For Dept 4040 Information Technology					16,373.19
Dept 5010 Police					
10-5010-40-4032	Custom Navy Vest Cover Copp	JG Uniforms, Inc.	07/12/22	101599	213.49
10-5010-40-4032	Women's 5.11 Tactical Pants, Bla	Ray O'Herron	07/07/22	2205887	90.00
10-5010-40-4032	Pants Alterations	Ray O'Herron	07/07/22	2205887	20.00
10-5010-40-4032	#2268 Bates, Boot GX-8	Ray O'Herron	07/08/22	2206178	130.00
10-5010-40-4032	Deputy Chief Curved Badge w/pin	SymbolArts, LLC	06/30/22	0434630	105.00
10-5010-40-4032	Deputy Chief Flat Badge 2/clip	SymbolArts, LLC	06/30/22	0434630	105.00
10-5010-40-4032	Shipping	SymbolArts, LLC	06/30/22	0434630	20.00
10-5010-40-4040	2022 Dues DC Husarik	DuPage County Chiefs of Pc	07/11/22	07/11/22	161.00
10-5010-40-4040	ILEAS 2022 Annual Membership Due	Illinois Law Enforcement #	07/01/22	11442	120.00
10-5010-40-4042	Admin Luncheon	Village of Burr Ridge	07/14/22	07/14/22	75.00
10-5010-40-4042	Assessment Center breakfast	Village of Burr Ridge	07/14/22	07/14/22	19.40
10-5010-40-4042	FBIMAA Meeting	Village of Burr Ridge	07/14/22	07/14/22	50.00
10-5010-40-4042	Meals at Conference Reimbursemen	Village of Burr Ridge	07/14/22	07/14/22	30.46
10-5010-40-4042	Transportation at Conference Rei	Village of Burr Ridge	07/14/22	07/14/22	52.97
10-5010-40-4042	Meeting Refreshments	Village of Burr Ridge	07/14/22	07/14/22	62.38
10-5010-50-5020	Phlebotomy Services	Illinois Phlebotomy Servic	07/01/22	1594	425.00
10-5010-50-5020	Comprehensive Searches Jun22	LexisNexis Risk Solutions	06/30/22	1267894-20220630	189.30
10-5010-50-5030	Police Phone Line	First Communications, LLC	07/05/22	123897458	565.12
10-5010-50-5045	Quarterly Shares Dispatching	DU-COMM	07/05/22	18106	81,551.50
10-5010-50-5045	Facility Lease/Owning	DU-COMM	07/06/22	18150	3,841.28
10-5010-50-5051	Tire Repair	B & E Auto Repair Service	07/12/22	397336	30.00

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Fund 10 General Fund					
Dept 5010 Police					
10-5010-50-5051	Maintenance-Vehicles	Burr Ridge Car Care, Inc.	07/12/22	59290	78.43
10-5010-50-5051	Maintenance-Vehicles	Burr Ridge Car Care, Inc.	07/12/22	59295	79.36
10-5010-50-5051	Maintenance-Vehicles	Burr Ridge Car Care, Inc.	07/12/22	07/12/22	80.30
10-5010-50-5051	Squad 2111 Maintenance	Burr Ridge Car Care, Inc.	07/08/22	59301	82.65
10-5010-50-5051	Car Washes Jun22	Fuller's Car Wash	06/30/22	8739	290.00
10-5010-50-5051	Unit 1703 Maintenance	Public Safety Direct, Inc	07/01/22	99880	150.00
10-5010-50-5051	Repairs to Squad 1809	Willowbrook Ford	03/30/22	6369142	1,658.84
10-5010-50-5051	Squad 2202 Maintenance	Willowbrook Ford	05/06/22	6371044	466.36
10-5010-50-5051	Squad 2002 Maintenance	Willowbrook Ford	06/09/22	6373703	100.00
10-5010-50-5051	Squad 1703 Maintenance	Willowbrook Ford	06/21/22	6374097	907.27
10-5010-50-5051	Squad 2002 Maintenance	Willowbrook Ford	07/01/22	6375099	70.94
10-5010-50-5051	Squad 2016 Maintenance	Willowbrook Ford	07/01/22	6375149	70.94
10-5010-50-5095	Towing Services	B & E Auto Repair Service	06/14/22	9909	85.00
10-5010-60-6010	Standing Pad for desk	Village of Burr Ridge	07/14/22	07/14/22	39.15
10-5010-60-6020	Gasoline PD	Village of Burr Ridge	07/14/22	07/14/22	27.87
10-5010-60-6020	Gasoline Shell Jun22	Wex Bank	06/23/22	81732430	313.12
10-5010-60-6020	Gasoline Exxon Mobil Jun22	Wex Bank	06/23/22	81715291	41.80
10-5010-60-6040	Office Furniture for New Deputy	Runco Office Supply	06/28/22	871964-0	6,111.69
Total For Dept 5010 Police					98,510.62
Dept 6010 Public Works					
10-6010-50-5050	Maintenance-Equipment	L. A. Fasteners, Inc.	07/13/22	1-290140	9.80
10-6010-50-5050	Replace Broken Wear Pad Bolts	Power Equipment Leasing Co	06/29/22	W3600	762.90
10-6010-50-5051	Truck Safety Inspections	Foster & Foster Inc.	07/01/22	40138	160.50
10-6010-50-5051	Car Washes Jun22 PW	Fuller's Car Wash	06/30/22	8735	17.00
10-6010-50-5051	Oil Filters for Ford F250	Westown Auto Supply Co. Ir	06/16/22	93524B	18.56
10-6010-50-5051	Toggle Switch	Westown Auto Supply Co. Ir	06/29/22	93639B	9.12
10-6010-50-5051	Unit 70; Exhaust & Emission Syst	Willowbrook Ford	07/08/22	6365292	5,955.45
10-6010-50-5052	Plumbing and Ventilation for WD	Calumet City Plumbing & He	07/01/22	53053	2,865.00
10-6010-50-5052	Backflow Test	Municipal Backflow LLC	07/13/22	43305	799.50
10-6010-50-5052	2 maintenance visits to PW, PD,	Nationwide Power Solutions	06/24/22	425905	1,678.88
10-6010-50-5054	Various Street Light Repairs	Rag's Electric, Inc.	06/21/22	23344	4,242.57
10-6010-50-5054	Streetlight Elect. Repair; Brush	Rag's Electric, Inc.	07/08/22	23383	271.45
10-6010-50-5055	Maintenance Traffic Signals	COMED	07/06/22	3699071070 Jul22	32.58
10-6010-50-5055	Maintenance - Traffic Signals	Meade Electric Company, Ir	06/30/22	700734	187.25
10-6010-50-5056	WCMC EAB Tree Order	West Central Municipal Cor	06/02/22	0007248	7,790.00
10-6010-50-5056	Freight and Delivery	West Central Municipal Cor	06/02/22	0007248	1,210.00
10-6010-50-5058	Mat rentals - VH & PW	Breens Inc.	07/12/22	12388	26.50
10-6010-50-5058	Mat rentals - PD	Breens Inc.	04/05/22	10319	26.50
10-6010-50-5058	Mat rentals - VH & PW	Breens Inc.	06/28/22	12104	26.50
10-6010-50-5058	Mat rentals - PD	Breens Inc.	07/05/22	12241	26.50
10-6010-50-5058	Janitorial Services - Holding Ce	Service Master	06/24/22	216547	195.00
10-6010-50-5058	Emergency Holding Cell Cleaning	Service Master	06/26/22	216559	250.00
10-6010-50-5058	Janitorial Services - Holding Ce	Service Master	06/14/22	216464	250.00
10-6010-50-5065	Village Street Lights	Constellation NewEnergy, I	06/28/22	62699163601 Jun22	2,032.18
10-6010-50-5076	Plan Review Permit 22-205	B&F Construction Code Serv	06/24/22	59369	2,238.75
10-6010-50-5076	Plan Review Permit 22-219	B&F Construction Code Serv	07/07/22	59453	300.00
10-6010-50-5076	Plan Review Permit 22-221	B&F Construction Code Serv	07/07/22	59454	2,238.75
10-6010-50-5076	Plan Review Permit 22-173	B&F Construction Code Serv	07/07/22	59460	450.00
10-6010-50-5076	Building Review Jun22	Don Morris Architects P.C.	06/30/22	06/30/22	4,455.00
10-6010-50-5076	Inspections Jun22	Don Morris Architects P.C.	06/30/22	06/30/22	3,305.00
10-6010-50-5080	Lakewood Aerator	COMED	07/06/22	9258507004 Jul22	221.43

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Fund 10 General Fund					
Dept 6010 Public Works					
10-6010-50-5080	Windsor Aerator	COMED	07/06/22	9342034001 Jul22	18.89
10-6010-50-5080	Sewer PW	Flagg Creek Water Reclamat	06/28/22	008917-000 Jun22	44.15
10-6010-50-5095	Mosquito abatement services - Ju	Clarke Environmental Mosqu	05/06/22	001023742	11,350.00
10-6010-50-5095	Mosquito abatement services - Au	Clarke Environmental Mosqu	06/27/22	001024999	11,350.00
10-6010-50-5095	Reimburse for Culvert Pipe Repla	Dana Carter	07/15/22	07/15/22	700.00
10-6010-50-5095	Reimburse Irrigation Line Repair	John Metcalf	07/15/22	07/15/22	199.00
10-6010-50-5095	Mailbox Reimbursement	Steve Betzelos	07/12/22	07/12/22	181.89
10-6010-60-6000	PW Timeclock Punch cards	Runco Office Supply	07/08/22	873016-0	87.80
10-6010-60-6010	First Aid Supplies PW	AUCA Western First Aid & s	05/20/22	5-007340	170.58
10-6010-60-6010	Soap Dispenser Refills	HD Supply Facilities Maint	07/08/22	9204523593	593.65
10-6010-60-6010	Return Soap Refills, Incorrect P	HD Supply Facilities Maint	07/12/22	9204616170	(44.42)
10-6010-60-6010	Operating Supplies	Menards - Hodgkins	04/26/22	95805	126.68
10-6010-60-6010	6" 90 Deg. PVC Elbow	Menards - Hodgkins	06/24/22	99866	48.24
10-6010-60-6010	Inspect/Camera	Menards - Hodgkins	06/14/22	99108	(79.99)
10-6010-60-6010	PVC Pipe and Misc. Operating Sup	Menards - Hodgkins	06/29/22	190	134.27
10-6010-60-6010	8 CY, 4000 PSI Full AE Concrete	Ozinga Materials, Inc.	06/14/22	ARI00376231	1,231.00
10-6010-60-6040	Cutting Edge for Excavator	Altorfer Industries, Inc.	06/24/22	PAC0036535	362.78
10-6010-60-6040	51 Gallon Hydrant Oil	Core & Main LP	06/30/22	R137338	214.88
10-6010-60-6042	Speccopatch Patching Mortar	Carroll Construction Suppl	07/08/22	LE069992	127.02
10-6010-60-6042	Streetlight Lamps and Photocell	Industrial Electric Suppl	07/01/22	S100014185.001	112.56
10-6010-60-6042	Wood Laths 48"	Kara Company, Inc.	06/30/22	368344	136.73
10-6010-60-6042	Irrigation Repair Materials	SiteOne Landscape Supply ,	06/27/22	120802187-001	128.62
10-6010-60-6042	Misc. Street Signage and Posts	Traffic Control & Protecti	07/11/22	112034	3,216.10
10-6010-60-6042	Misc. Street Signs and sign post	Traffic Control & Protecti	07/13/22	112070	410.40
10-6010-60-6043	Chipper Knife Kit	Alexander Equipment Compar	07/06/22	189590	358.95
10-6010-60-6043	Grass Seed & Topsoil	Tameling Industries	06/23/22	0167880	454.00
10-6010-60-6043	WCMC Parkway Tree Purchases	West Central Municipal Cor	06/02/22	0007248	10,386.00
10-6010-60-6050	Small Tools	Menards - Hodgkins	06/24/22	99866	14.58
Total For Dept 6010 Public Works					84,087.03
Total For Fund 10 General Fund					217,574.11
Fund 23 Hotel/Motel Tax Fund					
Dept 7030 Special Revenue Hotel/Motel					
23-7030-50-5075	Gateway Sign	COMED	07/05/22	1153168007 Jul22	19.17
23-7030-50-5075	Entryway Sign	COMED	07/07/22	2257153023 Jul22	27.40
23-7030-50-5075	Median Lighting	COMED	07/06/22	1319028022 Jul22	33.97
23-7030-80-8010	Marketing, Communication, Design	Kaleidoscope Management Gr	06/30/22	1931	4,200.00
23-7030-80-8012	Concert on the Green	Pamela Foy	06/24/22	218700011142	71.13
Total For Dept 7030 Special Revenue Hotel/Motel					4,351.67
Total For Fund 23 Hotel/Motel Tax Fund					4,351.67
Fund 31 Capital Improvements Fund					
Dept 8010 Capital Improvement					
31-8010-70-7057	Crack Sealing Asphalt Pavement	SKC Construction, Inc.	06/30/22	9606	79,977.00
Total For Dept 8010 Capital Improvement					79,977.00
Dept 8020 Sidewalks/Pathway					
31-8020-70-7052	Garfield Ave & Kraml Dr Sidewalk	Christopher B. Burke Engir	07/05/22	175971	14,467.50
Total For Dept 8020 Sidewalks/Pathway					14,467.50
Dept 8030 Equipment Replacement					

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Fund 31 Capital Improvements Fund					
Dept 8030 Equipment Replacement					
31-8030-70-7000	Brush Chipper; Morbark 2131TA	Morbark, LLC	07/07/22	8112474	97,591.57
Total For Dept 8030 Equipment Replacement					97,591.57
Total For Fund 31 Capital Improvements Fund					192,036.07
Fund 33 Equipment Replacement Fund					
Dept 8030 Equipment Replacement					
33-8030-50-5071	Lease Maintenance	Enterprise FM Trust	07/01/22	FBN4514362	140.27
33-8030-50-5071	Lease Maintenance	Enterprise FM Trust	07/01/22	FBN4507642	99.77
33-8030-80-8065	Lease Principal	Enterprise FM Trust	07/01/22	FBN4514362	6,423.73
33-8030-80-8065	Lease Principal	Enterprise FM Trust	07/01/22	FBN4507642	5,414.15
33-8030-80-8075	Lease Interest	Enterprise FM Trust	07/01/22	FBN4514362	1,658.48
33-8030-80-8075	Lease Interest	Enterprise FM Trust	07/01/22	FBN4507642	803.53
Total For Dept 8030 Equipment Replacement					14,539.93
Total For Fund 33 Equipment Replacement Fund					14,539.93
Fund 51 Water Fund					
Dept 6030 Water Operations					
51-6030-40-4032	Uniform rentals/cleaning	Breens Inc.	07/12/22	12387	196.78
51-6030-40-4042	Water/Sewer Plans 101	Illinois Section AWWA	03/11/22	200070691	96.00
51-6030-50-5020	(12) Coliform Samples	Envirotest Perry Laboratory	06/30/22	22-135961	144.00
51-6030-50-5020	Disinfection Byproduct Testing	Pace Analytical Services,	07/01/22	I9517814	434.40
51-6030-50-5040	CCR Postcard Printing & Mailing	Grasso Graphics, Inc.	06/21/22	31969	1,327.62
51-6030-50-5071	Lease Maintenance	Enterprise FM Trust	07/01/22	FBN4514362	123.88
51-6030-50-5080	2M Tank	COMED	07/06/22	9256332027 Jul22	145.12
51-6030-50-5080	Bedford Park Sump Pump	COMED	07/07/22	7076690006 Jul22	139.00
51-6030-50-5080	Well #1	COMED	07/07/22	0793668005 Jul22	26.25
51-6030-50-5095	Water Lien Release	DuPage County Recorder	07/02/22	40430401	11.00
51-6030-50-5095	CCR Data Collection & Report Pre	Gemini Group, LLC	05/12/22	122-14620	2,591.00
51-6030-50-5095	Utility Billing Invoices	Third Millennium Assoc. Ir	07/14/22	27971	1,131.61
51-6030-50-5095	UB Past Due Notices	Third Millennium Assoc. Ir	06/27/22	27881	248.00
51-6030-60-6010	Credit COMED Utility Incentive	Grainger, Inc.	06/16/22	9346840524	(5.00)
51-6030-60-6040	Meters and Flange Kits	Core & Main LP	06/15/22	R045398	5,938.00
51-6030-60-6040	Cap Screws, Hex Nuts and Washers	Grainger, Inc.	07/08/22	9370889025	502.03
51-6030-60-6070	Water Purchases Jun22	Village of Bedford Park	06/01/22	0020060000 Jun22	481,056.90
51-6030-80-8065	Lease Principal	Enterprise FM Trust	07/01/22	FBN4514362	2,541.13
51-6030-80-8075	Lease Interest	Enterprise FM Trust	07/01/22	FBN4514362	530.26
Total For Dept 6030 Water Operations					497,177.98
Total For Fund 51 Water Fund					497,177.98
Fund 52 Sewer Fund					
Dept 6040 Sewer Operations					
52-6040-50-5020	Project Management	RJN Group, Inc.	07/07/22	386901	3,554.72
52-6040-50-5080	Chasemoor Lift Station	COMED	07/06/22	0356595009 Jul22	158.01
52-6040-70-7010	Construction - Chasemoor Lift St	John Neri Construction, Ir	06/06/22	1134971	8,338.90
Total For Dept 6040 Sewer Operations					12,051.63
Total For Fund 52 Sewer Fund					12,051.63
Fund 71 Police Pension Fund					
Dept 4050 Police Pension					

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Fund 71 Police Pension Fund					
Dept 4050 Police Pension					
71-4050-50-5010	Legal Fees Police Pension	Puchalski, Goodloe LLC	04/09/22	0000170	1,675.00
71-4050-50-5010	Legal Fees Police Pension	Puchalski, Goodloe LLC	07/12/22	0000232	1,162.00
71-4050-50-5063	Police Pension Annual Filing Fee Illinois Dept. of Insuranc		06/30/22	H13607	4,725.25
Total For Dept 4050 Police Pension					7,562.25
Total For Fund 71 Police Pension Fund					7,562.25

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Fund Totals:					
Fund 10 General Fund					217,574.11
Fund 23 Hotel/Motel Tax Fund					4,351.67
Fund 31 Capital Improvements Fund					192,036.07
Fund 33 Equipment Replacement Fund					14,539.93
Fund 51 Water Fund					497,177.98
Fund 52 Sewer Fund					12,051.63
Fund 71 Police Pension Fund					7,562.25
Total For All Funds:					<hr/> 945,293.64