

VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us



Meeting Minutes

Monday, February 2, 2009

7:00 PM

Village Hall

Board of Trustees

Village President Daniel J. McLaughlin

Village Clerk David P. Maher

*Trustees Bernard A. Murphy, Kathleen M. Fenton, Brad S. O'Halloran,
James V. Dodge, Jr., Edward G. Schussler, and Patricia Gira*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:01 PM.

Present: 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira and Village President McLaughlin

Absent: 2 - Trustee O'Halloran and Trustee Dodge

VILLAGE CLERK'S OFFICE

2009-0006 Approval of the January 19, 2009 Regular Meeting Minutes

The Minutes of the Regular Meeting of January 19, 2009 were previously distributed to the members of the Board of Trustees. President McLaughlin asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Meeting of January 19, 2009.

A motion was made by Trustee Edward Schussler, seconded by Trustee Patricia Gira, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Dodge

2009-0069 Village of Orland Park Chefs' Auction - Raffle License

The Chefs' Auction will benefit the American Cancer Society's Breast Cancer Research Program is requesting a license to conduct a raffle during the event on February 26, 2009 at the Orland Chateau.

I move to approve issuing a raffle license for the Village of Orland Park Chefs' Auction event on February 26, 2009.

A motion was made by Trustee Kathleen Fenton, seconded by Trustee Bernard Murphy, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Dodge

2009-0077 St. Michael School - Raffle License

St. Michael School Advisory Board is requesting a license to conduct a raffle during their St. Patrick's Day Party on February 28, 2009 at St. Michael School. The purpose for this raffle is to benefit the St. Michaels Church and School.

I move to approve issuing a raffle license to the St. Michael School Advisory Board so raffle tickets may be sold at their St. Patrick's Day Party on February 28, 2009.

A motion was made by Trustee Patricia Gira, seconded by Trustee Kathleen Fenton, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Dodge

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS**2009-0042 Community Pride Awards - 2008 Christmas House Decorating Contest Winners**

The Village held its first Christmas House Decorating Contest in December 2008. The contest was open to all residents. Contestants chose which category they wished to be entered in the contest. Sixteen homes were entered and judged. Bright Ideas, Inc. donated a 7 ½ foot pre-lit Christmas to each of the five winners.

President McLaughlin and Trustee Fenton presented the awards to the following winners:

Best Religious - Anna Smolka
Most Nostalgic - Kelly Cantillon
Clark Griswold - Ken and Ann Gabriel
Best Theme - Allan and Mary McDonald
Charlie Browniest - Tracy Westwater

This matter was a presentation, NO ACTION was taken.

2009-0067 Recognition of Life Saving Actions - Presentation

President McLaughlin presented the Life Saving Awards to Orland Park Police Officers Charles M. Kirby, William A. Sanchez and Chad M. Toosley for their successful efforts in reviving a resident who was unresponsive and not breathing.

This matter was a presentation, NO ACTION was taken.

CONSENT AGENDA

Trustee Murphy asked that Item F. Economic Development Revolving Loan Fund be removed from the Consent Agenda for a separate vote.

President McLaughlin asked that Item J. Sam Maguire's Outdoor Music Time Extension be removed from the Consent Agenda for a separate vote.

Trustee Schussler asked that both Item M. Fat Sam's Property and Item Q. Lacrosse - Non-Residential Fees be removed from the Consent Agenda for separate votes.

Passed the Consent Agenda

A motion was made by Trustee Murphy, seconded by Trustee Fenton, to PASS THE CONSENT AGENDA, including all the following items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Dodge

2009-0001 Payroll - Approval

The lists of Payroll having been submitted to the Board of Trustees for approval and the lists having been determined by the Board of Trustees to be in order and having been approved by the various Department Heads,

I move to approve the Bi-weekly Payroll for January 23, 2009 in the amount of \$1,058,942.07.

This matter was APPROVED on the Consent Agenda.

2009-0002 Accounts Payable - Approval

The lists of Accounts Payable having been submitted to the Board of Trustees for approval and the lists having been determined by the Board of Trustees to be in order and having been approved by the various Department Heads,

I move to approve the Accounts Payable from January 20, 2009 through February 2, 2009 in the amount of \$1,462,286.52.

This matter was APPROVED on the Consent Agenda.

2009-0061 Sungard HTE Software Annual Maintenance - Expenditure Approval

The MIS Division has included \$70,195 in the FY 2009 budget for H.T.E. software maintenance and support. Maintenance includes software updates at least twice per year and 24 hour per day, 7 day per week technical support. HTE has expanded customer support to include fax-on-demand service and the use of the Internet to submit support problems and search the solutions database. If an issue cannot be resolved over the telephone, HTE offers remote dial-up capability, which enables an application specialist to communicate directly with our system to resolve issues quickly.

I move to approve the Sungard HTE maintenance expenditure in an amount not to exceed \$69,180.80.

This matter was APPROVED on the Consent Agenda.

2009-0060 GIS Software Annual Maintenance - Expenditure Approval

The MIS Division has included \$11,918 in the FY 2009 budget for the ESRI GIS software maintenance and support. Maintenance includes technical support and software updates. The village uses ESRI AcrInfo, ArcIMS, ArcView, and ArcGIS 3D Analyst for development and maintenance of the geographical information system, and ArcGIS Server to deploy GIS data and maps over the Internet.

I move to approve the GIS software maintenance expenditure in an amount not to exceed \$12,054.43.

This matter was APPROVED on the Consent Agenda.

2009-0048 G.O. Bonds, Series 2008A Abatement - Ordinance

During the FY2009 budget process, the Village Board approved a property tax levy abatement in the amount of \$653,533 for the G.O. Bonds, Series 2008A. The abatement of \$653,533 will be funded by revenues of the Water & Sewer Fund.

I move to pass Ordinance Number 4454, entitled: AN ORDINANCE ABATING TAXES LEVIED FOR THE YEAR 2008 BY AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$9,055,000 GENERAL OBLIGATION BONDS, SERIES 2008A, OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS AND PROVIDING FOR THE LEVY AND COLLECTION OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST ON SAID BONDS, BEING ORDINANCE NO. 4392 ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, ILLINOIS ON THE 21st DAY OF JULY, 2008.

This matter was PASSED on the Consent Agenda.

2009-0055 Surface Shields - RLF Extension

The Village has received a request from Surface Shields (KJBB Property) to refinance their existing Revolving Loan Fund (RLF). Their current balance is \$142,170.62 and is due to be paid in full on February 5, 2009. The original term of their loan was 5 years with a balloon payment. Surface Shields provides innovative solutions for protecting surfaces during remodeling and construction projects.

Under the existing RLF guidelines, refinancing of loans is prohibited. However, staff has requested changes to the RLF that would allow refinancing, provided all other loan requirements are met. If approved by the Village Board, Surface Shields would then be eligible to resubmit new loan documents for refinancing consideration.

Due to the short timeframe left on the loan, the Economic Development Advisory Board recommended a 60 day extension for their existing loan. This was done at their January 21, 2009 meeting. This will allow time for the Board to consider the proposed changes to the program and allow Surface Shields time to resubmit their required loan application. Surface Shields will be required to continue to make monthly payments until the new loan is reviewed and approved.

I move to approve of a 60 day loan extension for Surface Shields (KJBB Property), as recommended by the Economic Development Advisory Board.

This matter was APPROVED on the Consent Agenda.

2009-0039 Terry's Agreement

In 2000, the Village entered into a business development agreement with Terry's Lincoln Mercury, Inc. In summary, the agreement was in anticipation of the dealership expansion. In exchange for the expansion, Terry's was entitled to sales tax sharing and other incentives. In 2005, the agreement was amended, which changed the base level of sales tax sharing. A summary of the current terms of the agreement is attached for review.

Storm Water Detention Issue

As part of the agreement, the Village and Terry's would pursue the relocation of the existing detention area to the adjacent wetlands, located across the street from John Humphrey Drive. Terry's would then use the existing detention area for his future expansion needs. Terry's was responsible for the acquiring the land (which he did) and the Village was responsible for constructing the new detention area. The original agreement estimated the cost of the detention area to be \$170,000. However, after additional analysis, conducted by both Village staff and Christopher Burke Engineering, it has been determined the relocation of the detention area, into the wetlands, is no longer a feasible option. This area has

been identified as a High Aquatic Resource, which will require a 3:1 land mitigation by the Corps of Engineering. However, it is extremely doubtful the Corps would agree to any disturbance. Additionally, the cost is now estimated to be approximately \$1.7 million.

Proposed Amendment to Agreement

Staff has met with Terry's to discuss possible changes to the existing agreement. We have reached agreement with Terry's on the following revised terms:

Repayment of Terry's cost of wetlands	\$175,000
Economic Development Loan (10 year balloon, 15 yr. Amortization, 2%)	\$750,000
Sales Tax Rebate (Base set at \$150,000) (Ten year term)	\$1,625,000 (max)
Total Incentive	\$2,550,000

It is important to note the original agreement offered a \$2.6 million financial incentive plus the cost of construction of the detention. However, the base was much higher (\$255,000). As it relates to the detention issue, agreement has been reached that this outstanding obligation will be removed. Both parties may continue to pursue alternative regional detention options, but it will no longer be a contractual obligation. Terry's will pursue expansion of his dealership on the existing property that is not needed for detention. If regional detention is constructed in the future, Terry's will also agree to pay back to the Village the \$175,000 as his recapture costs.

I move to approve the proposed amended terms of the Terry's Lincoln Mercury, Inc. Business Development Agreement, as outlined.

This matter was APPROVED on the Consent Agenda.

2009-0020 Planning Resources, Inc. Contract

Planning Resources provides professional and landscape architectural and planning services that include:

- Landscape reviews and inspections of new developments.
- Environmental reviews of detention pond landscape designs.
- Wetland and Erosion Inspections and other planning services.

Over the past five years, Planning Resources' hundreds of diligent reviews have resulted in landscape plans that meet or exceed Orland Park Codes and high standards. The numerous inspections performed ensure full compliance with

Board approved plans before the Village grants full occupancy or releases a letter of credit. Generally, Planning Resources completes about 100 reviews and inspections a year.

Planning Resources bills the Village monthly for time and materials based on their current schedule of hourly rates. The services provided by Planning Resources can be split into two categories, services billed at the 'Village Rate' and services billed at the 'Developer Rate.' Services like landscape reviews and inspections that are related to a specific project are billed at the developer rate, which is higher than the village rate. The Village recoups the cost of these services by charging a flat landscape review and inspection fee that is due upon the petition of any new project. The Village reserves the right to charge additional fees to a developer if the project requires more than two inspections. Planning Resources charges the village rate for Village requested projects like code review, wetland consultation or landscape design.

I move to approve the contract for Planning Resources, Inc. for an amount not to exceed \$50,929 per year.

This matter was APPROVED on the Consent Agenda.

2007-0172 Second Addition to Orland Woods Phase 2 - Authorize Annexation Agreement - Ordinance

On March 19, 2007 the Village Board adjourned a public hearing on the annexation agreement for the property located at the corner of Southwest Highway and Orland Woods Lane (Second Addition to Orland Woods Phase II). The property which consists of approximately 2.41 acres is proposed to be developed by the Owner for a four-lot, single-family residential subdivision under the R-3 Residential District as stated in the annexation agreement.

The annexation agreement is being finalized. This is now before the Village Board for consideration of an ordinance authorizing the parties to sign the finalized agreement.

I move to pass Ordinance Number 4455, entitled: AN ORDINANCE AUTHORIZING ANNEXATION AGREEMENT (SECOND ADDITION TO ORLAND WOODS PHASE II) NORTHWEST CORNER OF SOUTHWEST HIGHWAY AND ORLAND WOODS LANE

This matter was PASSED on the Consent Agenda.

2009-0073 Ashburn Court Subdivision - Annexation Agreement - Expiration

The annexation agreement for Ashburn Court Subdivision located at 10857 W. 153rd Street is set to expire on March 12, 2009. Due to the fact that there are no outstanding issues or fees, staff recommends this agreement be allowed to expire.

I move to approve authorizing expiration of the Ashburn Court Subdivision annexation agreement.

This matter was APPROVED on the Consent Agenda.

2008-0442 Orland Park Historic Marker Program

Approval is being requested to install informational markers on historic and architecturally significant properties that are contributing structures in the Old Orland Historic District and/or landmarks in the Village of Orland Park.

Per the Rules and Procedures of the Historic Marker Program (Part 1 Section 4.a), "Before a marker can be installed, it must be recommended for approval by the Historic Preservation Review Commission and then approved by the Village Board of Trustees." Approval from the Village Board of Trustees allows for the ordering and installation of the markers.

The placement of historic markers must be three to five feet inside the property line of the private property in order to provide, a) safe pedestrian transit, and b) a simultaneous visual of the marker and the building from the public sidewalk system. Since the marker is required to locate on private property, a signed letter of consent or similar document/license must first be obtained from the property owners of the buildings in question to install the signs.

The property owners of the Twin Towers Sanctuary and the Former Lutheran Church buildings did not oppose placing the Village markers on their properties. The property owner of the Cox House, Hansen Development, also did not oppose placing the markers on their private property. There is not cost to the property owner for installation. The below motion includes a condition that requires the Village to obtain written permission from each property owner.

The requested action is not to install the historic markers on the subject properties but to approve the elevations and text of the markers, as an appearance review. Marker installation and location will happen with a site plan review for each property owner at a later date.

The actual location will follow the Program's design guidelines for safety and maintenance and avoid obstructing any significant features on building facades.

Finally, the date at the bottom of the markers will change from 2008 to 2009.

I move to approve the historic marker elevations for the Cox House, Twin Towers Sanctuary, and Christ Lutheran Church, prepared by Sign Contractors Corporation, submitted 12-11-08, subject to the following condition:

1. That a signed letter of consent or similar document/license be obtained from the property owners on the buildings in question prior to installation of the marker on their private property.

This matter was APPROVED on the Consent Agenda.

2009-0036 Fitness Equipment - Purchase

In an effort to ensure fitness equipment at the Sportsplex is useable and current, staff is requesting approval to purchase six new indoor cycle bikes and three new treadmills. This replacement equipment will increase member satisfaction/retention and assist in attracting new members.

Most of the cardio equipment the Sportsplex owns is seven years old and has undergone numerous repairs and is in need of replacement. Staff is proposing to begin a yearly replacement cycle to avoid the need to replace a large volume of equipment at a much higher cost.

I move to approve waiving the bid process for the purchase of six Keiser spin bikes and three Life Fitness treadmills; and

I move to approve the purchase of six M3 indoor cycles from Keiser at a cost not to exceed \$7,729.73; and

Approve the purchase of three treadmills from Life Fitness at a cost not to exceed \$15,982.32.

This matter was APPROVED on the Consent Agenda.

2009-0056 Special Recreation Vacation Trip - Budget Line Item

The Recreation and Parks Special Recreation program is planning their annual vacation trip. This year, the group will be traveling to San Antonio, TX. The vacation trips are not subsidized by the Village and are planned on a break-even basis. Expenses for this trip will be met by registration revenues.

I move to approve a deposit payment of \$22,500.00 to Carol's Travel of Orland Park for the Special Recreation vacation trip; and payment of balance at invoicing, prior to departure.

This matter was APPROVED on the Consent Agenda.

2009-0063 Intergovernmental Agreements with School District 135

In 2007 the Village Board agreed to extend its expiring agreement with School District 135 for one year in order to allow time to sort out issues with scheduling school facilities. At that time there were two major issues to discuss; the scheduling of school-owned facilities for Village use and the scheduling of school-owned facilities used by outside organizations.

For many years the Village had acted as an intermediary between the athletic organizations and the District. The Village already had the appropriate software and was working with those same groups to schedule time in and on Village-owned facilities. It made sense to merge the scheduling and give groups one point of contact for reserving fields and gymnasium spaces. In 2007 the School District suggested that they were interested in scheduling their own facilities as it had become increasingly difficult to schedule their maintenance of gymnasiums without total control of when users would begin and end use. At that time there was consideration to take over all scheduling for both indoor and outdoor facilities.

Another issue discussed was that the School District was concerned they could not accommodate the Village summer camp in their facilities due to planned maintenance during summer 2008. Village staff expressed a willingness to relocate to another district-owned facility and the School District was able to find appropriate space at Liberty school. The Village was the only user of this facility during the summer, so the District asked that the Village agree to pay for the added HVAC costs during the weeks of our program. Staff requested an estimate of the costs for HVAC and agreed to pay the actual cost up to a maximum of \$4500.

In early 2008, the School District requested that we have separate agreements for indoor and outdoor space. Following a great deal of discussion, it was determined that the Village would continue to schedule and maintain only the outdoor athletic fields for the School District as most of their fields are immediately adjacent to those owned by the Village. This will assist all field-users as they work to establish reservations for their seasons.

I move to approve the Intergovernmental Agreement for Outdoor Facilities and the Letter of Agreement for Use of Indoor Facilities with School District 135.

This matter was APPROVED on the Consent Agenda.

2009-0032 Economic Development Revolving Loan Fund - Changes to Program

The Village of Orland Park's Economic Development Revolving Loan Fund (RLF) was established in 1987 as an incentive for businesses to locate or expand in the Village. A fund of \$1.5 million was set aside for eligible projects. Today, the fund has a balance of \$1,290,379, with a current portfolio of \$372,934 (2) active loans.

The Economic Development Advisory Board (EDAB), which meets quarterly, is charged with administering the RLF program and makes funding recommendations to the Board of Trustees.

In order to qualify for a RLF, certain minimum requirements must be met, including retention and/or creation of jobs, lender and equity commitments, and evidence the project would not be feasible without Village participation. Under the current program guidelines, the maximum amount that can be borrowed is 25% of the project cost and is capped at \$500,000. Additionally, funds for working capital and refinancing are not allowed under the current program.

Given the current economic climate and to allow greater flexibility, Village staff recommended some changes to the program guidelines. In particular, Village staff recommended consideration of the following changes:

1. Remove the maximum loan amount. Borrower would still be required to meet all other conditions and funds would need to be available.
2. Remove the maximum 25% loan amount limit, to be considered on a case by case basis. A minimum of 2 to 1 would be required, unless the Village Board makes a specific finding of necessity for a lower ratio. A goal of 3 to 1 will be set administratively.
3. Add language that total amount of outstanding loans at any given time cannot exceed the total amount of loan funds available in the program (\$1.5M).
4. Add language that would allow consideration for working capital and/or refinancing. Currently this is not allowed under the RLF.

These changes will hopefully encourage a higher level of participation in the program and allow the Village to better assist our businesses in these difficult economic times.

On January 21, 2009, the EDAB reviewed these proposed changes and recommended approval of all of them, with the exception of allowing funds to be used for working capital.

Trustee Murphy stated that there was an exception after the EDAB reviewed the proposals, which was allowing funds to be used for working capital. Trustee Murphy requested this be reflected in the motion.

Trustee Murphy also stated that any money loaned through the Economic Development Loan Fund be spent in Orland Park.

I move to approve the proposed changes to the Village's Revolving Loan Fund program, as reviewed and approved by the Economic Development Advisory Board including the exclusion of working capital.

A motion was made by Trustee Edward Schussler, seconded by Trustee Patricia Gira, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Dodge

2009-0030 Sam Maguire's Outdoor Music Time Extension

The Village has received a request from Sam Maguire's to extend their outdoor music from 11:30pm to 12:30am for specific tent events held throughout 2009. The events include:

- St. Patrick's Day Celebration (March 13 - 17)
- Maguire's Fest (June 12-13)
- Black Wednesday (November 25th)

In the past, the Village has followed a special events policy that limited outdoor music to 11:30 pm. This has traditionally been applied to all private special events. There is no specific code that regulates this. Noise levels (decibels) is regulated by the code and both the Development Services and Police Departments respond to such complaints.

Given the commercial location of Sam Maguire's, staff supports this request. Sam Maguire's has committed to monitoring noise levels and will respond to any complaints with immediate action.

President McLaughlin stated that some of the dates that Sam Maguire's requested to extend their outdoor music times are weekdays (Sunday, Monday & Tuesday) when residents are working the following day. In the past neighbors in the Fairway subdivision have complained about the noise levels.

President McLaughlin asked if the Board would consider only 5 of the dates to extend the outdoor music times since they fell on the weekend.

Trustee Gira stated her concern is if the Board makes this exception for one business in the Village, other businesses will follow with the same request. There are too many outdoor events in the Village.

Trustee Gera's stated her recommendation is to deny any time extension.

Trustee Murphy agreed with Trustee Gira that the outdoor music should remain until 11:30 pm.

I move to deny Sam Maguire's request to extend their outdoor music from 11:30 pm to 12:30 am.

A motion was made by Trustee Patricia Gira, seconded by Trustee Edward Schussler, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Dodge

2008-0727 Fat Sam's Property - Rezoning

The petitioner, Mr. Sam Larch, is proposing to rezone the northwest corner of 159th and La Grange Rd. from E-1 Estate Residential District to COR Mixed Use Core District. This property is currently known as Fat Sam's property, 15882 S. La Grange Road.

Trustee Schussler stated he doesn't have a problem with the rezoning request, but does have a question for staff. It was noted in the request for Board Action that IDOT has not commented on the removal of the new concrete swale that is in the IDOT right-of-way immediately adjacent to the subject property at the northeast end. This was installed instead of landscaping, and if it is requested to be removed the petitioner will install landscaping. Trustee Schussler questioned why was this swale installed in the first place, and why was all of the concrete installed in the median area when the Village specifically had an outside consultant with regards in widening LaGrange Road, and advising the Board concerning beautification of the median.

Director of Development Service Karie Friling stated that staff was somewhat surprised with the changes that came forward for the improvements of 159th Street as well. The Village had quit a bit of landscaping that was originally in the plans as well as irrigation for the landscaping, which was also part of the plan.

What was found out from IDOT was due to restriction and cost overruns for the project, IDOT removed some of those elements from the plan. So what the Village has today is because of budget considerations that IDOT made.

Assistant Village Manager Baer stated the Village was not requested to fill that gap; it was not something that was discussed with the Village because she thought that is something the Village would have considered at a minimum, keeping the landscaping pieces that were critical to the ascetics of the intersection and the appropriate irrigation. With out that irrigation the landscaping simply will not work. Unfortunately IDOT did not work with the Village.

President McLaughlin stated if the Village would have been notified of IDOT's budget considerations, the Village would have helped, as it has already done on the project.

Trustee Schussler stated as the Village goes forward with 143rd and LaGrange, he suggested that Village Manager Grimes speak with IDOT. So IDOT knows if there are issues as they get into the project, IDOT can consult with the Village before making changes.

Assistant Village Manager Baer stated the 143rd and LaGrange project is the Village's project, so the Village is taking the lead.

I move to approve the rezoning of the property located at 15882 S La Grange Road, the northwest corner of 159th Street and La Grange Road, from E-1 Estate Residential to COR Mixed Use Core District subject to the following conditions:

1. That the petitioner consolidates the two subject lots (PIN's 27-16-403-004 and -005) into a single lot to conform the property to COR Mixed Use Core District lot size and area requirements within six (6) months of a Village Board decision;
2. That the petitioner work with the Village to install a new gateway sign at the northwest corner of 159th Street and La Grange Road;
3. That the petitioner work with the owners of Lakeview Plaza to the west at the appropriate time to establish a cross-access connection between the sites;

And

I move to approve as part of the rezoning the landscape plan titled "Fat Sam's Orland Park, IL Landscape Plan for Rezoning", prepared by the Village of Orland Park Development Services Department and the petitioner, date-stamped January 13, 2009.

A motion was made by Trustee Edward Schussler, seconded by Trustee Patricia Gira, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Dodge

CALL THE ROLL

Trustee Dodge arrived at 7:25 PM.

Present: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira and Village President McLaughlin

Absent: 1 - Trustee O'Halloran

2008-0746 Lacrosse - Non-Resident Fees

On September 2, 2008, the Recreation Advisory Board met with all the associations and stakeholders who use our facilities indoor and outdoor to discuss field usage fees and gym rental fees. The Girls Eagles Lacrosse team

was represented at this meeting; however the Boys Chiefs Lacrosse did not send a representative. Schedules, fees and field conditions were all discussed at this meeting. Each organization had the opportunity to give their thoughts on the issues and ask questions to staff members that were present. Shortly following the Recreation Advisory meeting, there was a request from the Girls Eagles organization for a follow-up meeting with their organization and the Chiefs organization to discuss the upcoming changes to fees.

On 9/15/08, the Village staff met with Tom Paulius (Girls Eagles Lacrosse) and Tom Haggerty (Boys Chiefs Lacrosse). At that meeting, Tom Paulius provided an in-depth background on the state of the sport and discussed the future of lacrosse in the District 230 schools. Tom Paulius' girl's lacrosse eagle's team paid \$750.00 for the non-resident players during the '08 season. Tom Haggerty, representing boys lacrosse, briefly discussed some of the challenges he is having with vandalism and maintenance of the fields. Both organizations were concerned about the non-residents paying a higher rate in 2009, but seemed to understand that the intent was to shift more of the overall field maintenance costs to non-residents rather than burdening Orland Park residents with additional costs. The subject of the 2008 billing for Boys Chiefs Lacrosse was not discussed at this meeting.

Following the Board meeting of October 6, 2008, Village staff contacted Mr. Haggerty to discuss the unpaid non-resident fees of Chiefs Lacrosse. Mr. Haggerty indicated that the prior arrangement from the Village was that the high school team was not charged for non-residents because they are required by District 230 to take any 230 student for the team. This requirement to accept non-residents was not made of the juniors team, so they have paid their non-resident fees in the past.

During our meeting with Tom Haggerty, he stated that the Lacrosse Chiefs should be considered as two separate entities; Juniors (youth) and Seniors (high school) and asked if the Village could bill them as such. Village staff requested that Mr. Haggerty submit his 2008 season rosters. We have received only a partial list and have resubmitted our request to Mr. Haggerty. We are seeking this information to better determine what fees were in fact owed by the organization before making a recommendation to the Village Board.

On November 10, 2008, Village staff met with Dr. George Miller, the founder of the Boys Chiefs Lacrosse organization and Head Coach Joe Kedziora. Dr. Miller indicated that in prior years rosters were not required from the senior (high school) boys lacrosse team because the sport of Lacrosse was at its infancy and the demand for fields were not nearly as great as they are today. They described their challenges as District 230 recognizes Lacrosse as an "up and coming sport", thus requiring participation open to anyone residing in District 230 boundaries. Incidentally, the boy's team's situation mirrors that of the girls' Eagles Lacrosse team who complied with the requirement to pay fees for non-residents. Joe

Kedziora indicated that he was not aware that his team was to pay non-resident fees to the Village of Orland Park in 2008 as they had not been required to in the past. He was, however, notified of the requirement in March 2008 before the season started both by letter and e-mail. He requested a possible reduction of those fees for the high school team given the fact that the team had not budgeted for this and he could not go back and charge team members at this point.

In the 2007 season, the boys Chiefs Lacrosse paid \$550.00 in non-resident fees to the Village of Orland Park. In the 2008 season, the boys Chiefs Lacrosse were billed on 5/5/08 for \$1,350.00 for non-resident fees associated with the team roster submitted by Coach Joe Kedioza. The Village staff assumed this was all of the Chiefs participants, but since have found that it was only the high school roster. No payment was made to the Village on behalf of the Chiefs to date.

Both Dr. Miller and Mr. Kedziora indicated that the Lacrosse Chiefs are one organization with both youth and high school programs. They stated that Tom Haggerty assists in coaching the senior boys while also coaching the youth lacrosse team.

Dr. Miller and Mr. Kedziora indicated that following our meeting, they would be meeting with their board to discuss these matters. They asked that we give them some time to consider the issues and they would be in touch with Village staff as soon as possible. The Chiefs High School Seniors organization has not gotten back in touch with feedback from their board.

Staff provided recommendations to the Recreation Committee at the January 26, 2009 meeting on how to handle this situation and requested direction from the Village Board.

Trustee Schussler stated that the recommendation is to waive certain fees that were noticed and never paid with regards to the Boys Lacrosse. He questioned why when the Village has to pay fees to District 230 for the use of their theater for Village events would the Village consider waiving fees for a District 230 sport.

Assistant Village Manager Baer stated that this is not a District 230 sanctioned team. This is an up and coming sport and currently is organized by an independent organization. Until District 230 adopts this sport as their own, Lacrosse will remain an independent sport.

Trustee Schussler questioned why an intergovernmental agreement hasn't been drawn up between District 230 and the Village that would state when 230 needed to use Village facilities they could, as well as when the Village needs to use District 230's facility the Village can.

Assistant Village Manager Baer stated that the Village has met with District 230 and in the past there wasn't much progress, but this is something the Village can

approach again.

I move to approve waiving the 2008 season fees for all lacrosse organizations, and allow the Eagles Girls High School fees paid in 2008 to be applied to the 2009 season fees; and

Approve waiving non-resident fees for both high school lacrosse teams (Girls Eagles and Boys Chiefs) be waived for the future 2009 season due to the relationship with School District 230 and to support this up-and-coming sport at the high school level; and

Approve all appropriate field usage fees to be paid by the Chiefs and Eagles lacrosse organizations per the approved athletic field usage agreement for the 2009 season, including all appropriate non-resident fees to be applied to the junior youth lacrosse team.

A motion was made by Trustee Edward Schussler, seconded by Trustee Patricia Gira, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 1 - Trustee O'Halloran

HEARINGS 7:00 P.M.

I move to recess for a public hearing at this time.

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be RECESS. The motion CARRIED by the following vote:

Aye: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 1 - Trustee O'Halloran

2009-0070 Windhaven West - Annexation Agreement Extension - Public Hearing

Notice of the public hearing to consider extending the Annexation Agreement for the Windhaven West Subdivision was given in The Southtown/Star and Prairie as required by law. Notice was also posted on the Village Hall bulletin board and given to the news media and Comcast Cable Services. The parcel is 39.8 acres and located at the southwest corner of 135th Street and 88th Avenue. The original Annexation Agreement is dated February 5, 2002 and expires February 5, 2009.

Staff recommends extending the agreement for two (2) years as all of the public

improvements have not yet been completed.

President McLaughlin asked if anyone in the audience would like to make any comments. No one requested to speak.

I move to adjourn the public hearing on extending the annexation agreement for the property located at the southeast corner of 135th Street and 88th Avenue (Windhaven West).

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be ADJOURNED. The motion CARRIED by the following vote:

Aye: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 1 - Trustee O'Halloran

CLOSE PUBLIC HEARING

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Patricia Gira, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 1 - Trustee O'Halloran

RECONVENE BOARD MEETING

The roll was called to reconvene the regular meeting and Trustees Murphy, Fenton, Dodge, Schussler, Gira, and President McLaughlin were present. Trustee O'Halloran was absent.

DEVELOPMENT SERVICES AND PLANNING

2009-0072 Windhaven West - Annexation Agreement Extension - Ordinance

I move to pass Ordinance Number 4456, entitled: AN ORDINANCE AUTHORIZING AMENDMENT TO ANNEXATION AGREEMENT (WINDHAVEN WEST-SOUTHEAST CORNER OF 135TH STREET AND 88TH AVENUE)

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be PASSED. The motion CARRIED by the following vote:

Aye: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 1 - Trustee O'Halloran

2009-0031 Departmental Annual Report

Under the direction of the Village Board, the Development Services Department was created in 2006. This reorganization took three independent departments and combined them into one. This reorganization brought with it opportunities and challenges, with the ultimate goal of streamlining and improving the development process in Orland Park. Much progress has been made; however, there is still most certainly room for continued improvement.

The annual report was prepared to provide an overview of the department's functions and responsibilities, many of which are not readily recognized. Additionally, it gives the Village Board and our community the opportunity to review development activity in a concise summary.

Many things have changed in the last few years in the development community; however, Orland Park still has significant development occurring. While new single family permits were weak, commercial activity was still strong in 2008. Additionally, residential permits for existing homes were very high - indicating that our residents are reinvesting in their existing homes. As we embark on a new year, we will continue to closely monitor development activity and undertake new efforts to promote an outstanding quality of life for our residents and businesses.

Trustee Dodge stated that Director of Development Service Karie Friling and staff are continuously marketing the Village. There is still a great deal of economic development and planning activities within the Village, thanks to their efforts.

This matter was for discussion only, NO ACTION was taken.

VILLAGE MANAGER'S REPORT

2009-0078 Pothole Hotline - Update

Village Manager Grimes gave a brief update to the Board on the pothole hotline. He reported that two weeks ago Trustee O'Halloran requested that staff create a telephone hotline for residents to call to report potholes on the Village's streets. Not only was a telephone hotline created, but also on the main page of the Orland Park website there is a link that the user can fill in information reporting where a pothole is.

Village Manager Grimes stated beginning January 22nd through today the Public Works department has received 46 total reported potholes. 36 of the 46 reported potholes were on Village streets, 10 were referred to the appropriate agencies

that have jurisdiction on that street. All reported potholes have been repaired within the one business day that was set.

Village Manager Grimes reminded the Board there is a challenge with cold patches during the winter on how long they will hold and there may be some repeat calls.

This item was informational and NO ACTION was taken.

NON-SCHEDULED CITIZENS & VISITORS

Terrence Camodeca spoke before the Board on the polar plunge for Special Olympics and asked for the Village's support.

President McLaughlin thanked Mr. Camodeca for his constant attempts to fund good causes.

President McLaughlin stated in terms of supporting this event, he would be happy to support Mr. Camodeca, but the Village as a rule can not support individual charity donations.

BOARD COMMENTS

TRUSTEE GIRA commended officers Kirby, Sanchez and Toosley for their efforts in saving a life. Tonight all three Officers were presented with the Life Saving Award.

PRESIDENT McLAUGHLIN stated that the Carl Sandburg High School Band raised approximately \$55,000 towards bring the entire band to Washington D.C. to perform in the inauguration parade on January, 2009. Sandburg Band was one of only 2 bands selected in Illinois to perform in this parade.

This was a great honor for the Community and also Carl Sandburg High School.

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) the purchase or lease of real property for the use of the village; b) setting a price for sale or lease of village property; and c) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

A motion was made by Trustee Bernard Murphy, seconded by Trustee Kathleen Fenton, that this matter be RECESS. The motion CARRIED by the following vote:

Aye: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 1 - Trustee O'Halloran

RECONVENE BOARD MEETING

The roll was called to reconvene the Regular Meeting and Trustees Murphy, Fenton, Dodge, Schussler, Gira, and President McLaughlin were present. Trustee O'Halloran was absent.

Purpose of the Executive Session was for the discussion of a) the purchase or lease of real property for the use of the village; b) setting a price for sale or lease of village property; and c) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

ADJOURNMENT - 8:20 PM

A motion was made by Trustee Bernard Murphy, seconded by Trustee Kathleen Fenton, that this matter be ADJOURNED. The motion CARRIED by the following vote:

Aye: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 1 - Trustee O'Halloran

/nm

APPROVED:

Respectfully Submitted,

David P. Maher, Village Clerk