

VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org



Meeting Minutes

Tuesday, September 8, 2020

6:00 PM

Village Hall

Committee of the Whole

*Village President Keith Pekau
Village Clerk John C. Mehalek
Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Daniel T. Calandriello,
William R. Healy, Cynthia Nelson Katsenes, and Michael R. Milani*

CALL TO ORDER/ROLL CALL

This meeting was called to order at 6:00 P.M.

Present: 7 - President Pekau; Trustee Fenton; Trustee Dodge; Trustee Calandriello; Trustee Healy; Trustee Nelson Katsenes and Trustee Milani

PLEDGE OF ALLEGIANCE**APPROVAL OF MINUTES****2020-0609 Approval of the August 17, 2020, Committee of the Whole Minutes**

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of August 17, 2020.

A motion was made by Trustee Fenton, seconded by Trustee Calandriello, that this matter be APPROVED. The motion carried by the following vote:

Aye: 7 - President Pekau, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

ITEMS FOR SEPARATE ACTION**2020-0563 Orland Park Prayer Center South Parking Lot - Development Agreement**

On December 17, 2018, the Village Board of Trustees approved a Site Plan, Landscape Plan, Subdivision, Rezoning, and Special Use Permit Amendment with Modifications to the Land Development Code for the Orland Park Prayer Center South Parking Lot Addition located at 16530-16650 S.104th Avenue and 10440 W. 167th Street.

The project includes the rezoning of a 3.4-acre parcel located to the south of the Orland Park Prayer Center's existing parking lot from ORI Mixed-Use District to the E-1 Estate Residential District and the construction of a new parking lot. The proposed parking lot will contain 147 parking spaces, will be constructed of pervious pavers, and includes underground detention. The 3.4-acre parcel will be consolidated with the existing 6-acre site, which includes a main building for a place of worship, a community center building, a detention pond, and 338 parking spaces. When combined with the proposed parking lot site and after portions of 167th Street and 104th Avenue right-of-ways are dedicated to Cook County, the total site will encompass approximately 8.8 acres. A portion of the lot located at the corner of 167th Street and 104th Avenue will remain as an open grassy area for a future building. Development within this area of the lot is not included as part of this petition and must be brought back through the development review process at a later date.

Attached to the Committee Packet is a draft Development Agreement which sets forth terms and conditions for the development of the Orland Park Prayer Center South Parking Lot proposed at 16530-16650 S. 104th Avenue and 10440 W. 167th Street in Orland Park.

This is now before the Committee of the Whole for consideration prior to being sent to the Board of Trustees for final review and approval.

Development Services Director Ed Lelo presented the item. (refer to audio)

Trustee Dodge made a comment and asked a question. (refer to audio)

Director Lelo responded. (refer to audio)

I move to recommend to the Village Board of Trustees approval of the Development Agreement for the Orland Park Prayer Center South Parking Lot located at 16530-16650 S. 104th Avenue and 10440 W. 167th Street.

A motion was made by Trustee Fenton, seconded by Trustee Healy, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 7 - President Pekau, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

2020-0599 Agenda Initiative - COVID related Public Information Signs Used Village-wide

Per the Village Code, any individual Trustee can request that an initiative be placed on the Committee of the Whole agenda by instructing the Village Manager, either verbally or in writing, before noon on the Friday preceding the meeting, to place an item on the Committee of the Whole agenda. Village/Legal staff time is restricted until after at least three Trustees vote to move the Agenda Initiative forward.

Agenda Initiatives include (1) the expenditure of money; (2) modifications to the Village Code; (3) formation/modification of Village policies; (4) the introduction of an ordinance or resolution; (5) the formation/modification of committees; (6) budget changes and/or (7) the appropriation of Village/Legal staff time.

Trustee Dodge presented the item. (refer to audio)

Trustee Dodge asked a question and Village Manager George Koczwara responded. (refer to audio)

Trustee Dodge continued presenting the item. (refer to audio)

Trustee Fenton made a comment. (refer to audio)

Trustee Milani asked a question and made a comment. (refer to audio)

Village Manager Koczwara responded to Trustee Milani's question. (refer to audio)

Trustee Milani, Trustee Calandriello, Trustee Healy, Trustee Dodge and Mayor Pekau had comments. (refer to audio)

Trustee Calandriello made a comment. (refer to audio)

Trustee Healy made a comment. (refer to audio)

Trustee Dodge made comment and recaps items. (refer to audio)

Mayor Keith Pekau made a comment. (refer to audio)

Mayor Pekau polled the Committee as to whether or not they were in favor of having staff do research on the matter. (refer to audio)

Trustee Fenton - Aye
Trustee Dodge - Aye
Trustee Calandriello - Aye
Trustee Healy - Nay
Trustee Katsenes - Aye
Trustee Milani - Nay
Mayor Pekau - Nay

Discussion Only

This item was for discussion only. NO ACTION was required

2020-0602 Fernway Subdivision Roadway and Ditch Improvements 2020 - Bid Award and Construction Observation Services Proposal

The roads and drainage ditches in the Fernway Subdivision were originally constructed in the early 1960s. At that time, the rural type unincorporated roadways were constructed to a poor standard. The Village has spent considerable resources maintaining these roadways and has contended with problematic ditch drainage since annexing the area over 40 years ago. The roads and ditches continue to be a challenge for the Village and the local residents.

The Village's pavement management consultant, Applied Research Associates (ARA), has recommended full depth pavement reconstruction, with the addition of concrete shoulders to support the pavement edge. Given that many areas of the roadside ditches function poorly, wholesale ditch reconstruction is necessary to

complement the road construction and leverage economies of scale. Since the project inception, due to the large scale of work and expected total construction cost, the road and ditch reconstruction work for the entire Fernway subdivision has been projected to span nine (9) years, subject to annual availability of funding. Beginning in 2016, the first four phases have been successfully completed. The work planned for 2020 (year five) includes Robinhood Drive from 165th Place to 88th Avenue, Sussex Drive between Robinhood Drive and Sherwood Drive, and Sherwood Drive from 164th Place (included) to 88th Avenue.

Since beginning this multi-year project, the Village Board has approved annual contracts with Baxter & Woodman (B&W) and Christopher B. Burke Engineering Ltd. (CBBEL) to provide phase II design engineering services in a combined effort between the two consulting firms. B&W provided the roadway design, overall plan preparation, and cost estimation, while CBBEL provided the ditch drainage design. For 2019, staff requested proposals from B&W and CBBEL to establish one consultant for both the road design and the drainage design. Noteworthy, is the 2019 proposal's inclusion of three (3) years of drainage design in order to cover the entirety of Fernway subwatershed (#4). In February 2019, the Village Board accepted the phase II design proposal from CBBEL for the 2019 project area design and drainage design for sub-watershed #4. To date, CBBEL has demonstrated excellent ability to perform the services necessary for proper development of the Fernway roadway and ditch drainage design, as well as the construction oversight.

An invitation to bid for the 2020 Fernway Subdivision Road and Ditch Improvements project was published on the BidNetDirect website on August 13, 2020. Per the BidNet audit report, 239 vendors were notified via their BidNet subscription, 20 downloaded the documents (nine entire downloads), and four (4) submitted bids. On Friday August 31, 2020 at 11:00 am, the four (4) sealed bids were opened by the Clerk's Office. Bids were received from: PT Ferro Construction Company of Joliet, Illinois; D Construction of Coal City, Illinois; M&J Asphalt Paving Company of Cicero, Illinois; and Austin Tyler Construction of Elwood, Illinois. Attached to the Committee Packet is ITB 20-027 Bid Tabulation- All Bidders, and ITB 20-027 Bid Totals and Responsiveness Check documents for reference.

PT Ferro Construction Company of Joliet, Illinois is identified as the lowest responsive responsible bidder for the 2020 Fernway Subdivision Road and Ditch Improvements project with a submitted project cost of \$561,785.27 for roadway reconstruction, and \$371,621.50 for ditch reconstruction, for a total of \$933,406.77. This cost is below CBBEL's Engineer's Estimate of Probable Cost \$1,167,507.20. The Village has past working experience with PT Ferro Construction Company via the 2016 and 2017 Fernway Road and Ditch Improvement project, and the 2018 Neighborhood Road Improvement Project. Therefore, it is both staff's and CBBEL's recommendation that the below bidder, PT Ferro Construction Company of Joliet, Illinois be awarded the contract for the

2020 Fernway Subdivision Road and Ditch Improvements project in the amount of \$933,406.77, plus a 10% contingency (\$56,000) for the road reconstruction portion and a 10% contingency (\$37,000) for the ditch reconstruction portion for a total cost of \$1,026,406.77.

In order to facilitate the construction management, staff requested a proposal for Phase III construction oversight from CBBEL. CBBEL performed the construction observation for their design of the 2019 Fernway Road and Ditch Improvements project and the firm has maintained a proficient and professional relationship with the Village on numerous other CBBEL-designed construction projects. Therefore, staff recommends accepting the proposal from CBBEL in an amount not to exceed \$83,566.00 (proposal attached to the Committee Packet). Based on the above road reconstruction/ditch reconstruction cost split, \$50,139.60 (60%) of the construction observation cost will be from the Road Program account and \$33,426.40 (40%) will be from the stormwater funding in the Water and Sewer account.

Trustee Milani and Mayor Pekau had comments. (refer to audio)

I move to recommend to the Village Board to accept the bid from PT Ferro Construction Company of Joliet, Illinois for the Fernway Subdivision Road and Ditch Improvements 2020 in an amount not to exceed \$1,026,406.77 (\$933,406.77 plus \$93,000.00 contingency);

And

I move to recommend to the Village Board to accept the proposal for Construction Observation Services for the Fernway Subdivision Roadway and Ditch Improvements 2020 from Christopher B. Burke Engineering Ltd of Rosemont Illinois, in an amount not to exceed \$83,566.00.

A motion was made by Trustee Milani, seconded by Trustee Nelson Katsenes, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 7 - President Pekau, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

2020-0607 Village Hall Board Room Renovation (Discussion Only)

The Linden Group, a local architecture, interior design, and land planning firm, will present preliminary design plans for an update of the Village Hall Board Room. The current scope of work for Linden Group includes:

Review of design goals with staff gather relative existing design documentation;

Presentation of the sketch floor plan, project narrative, preliminary furniture

selections, color/material palette as per project description;

Schematic lighting plan and fixture cuts for proposed lighting upgrades, including a photometric plan;

3-D rendering views of remodeled Board Room with material call-outs; and

Estimate of probable cost for budgeting purposes.

Assistant Village Manager Greg Summers introduced the item. (refer to audio)

Grant Currier of Linden Group Architects presented the purposed layout. (refer to audio)

Kimberly Larson of Linden Group Architects presented the interior design changes purposed. (refer to audio)

Trustees Fenton and Calandriello had questions and Mr. Currier responded to their questions. (refer to audio)

Mayor Pekau, Trustee Calandriello, Village Manager George Koczwara, Trustee Fenton, and Mr. Currie had comments. (refer to audio)

Village Manager Koczwara had an additional comment. (refer to audio)

Mr. Currie responded to Village Manager Koczwara's comments. (refer to audio)

Trustee Healy had a comment. (refer to audio)

Trustee Dodge had a comment and asked a questions. (refer to audio)

Village Manager Koczwara responded to Trustee Dodge's question. (refer to audio)

Trustee Dodge and Mayor Pekau had a comments. (refer to audio)

Village Manager Koczwara asked a question. (refer to audio)

Mayor Pekau responded to Village Manager Koczwara's question. (refer to audio)

This item is for discussion only.

This item was for discussion only. NO ACTION was required

2020-0610 Tinley Creek Stabilization - September 2020 Update

In November of 2004, the Illinois State Legislature granted the Metropolitan Water Reclamation District (MWRD) of Greater Chicago the authority for general supervision of stormwater management in Cook County. The legislative act granting the authority required the preparation and adoption of a countywide stormwater management plan. In February of 2007, the MWRD's Board of Commissioners adopted the Cook County Stormwater Management Plan (CCSMP) by ordinance. The CCSMP was a high-level organizational plan and the first step in the development of the MWRD's countywide stormwater management program. Based on the CCSMP, the MWRD then studied each of the six watersheds in Cook County and developed Detailed Watershed Plans (DWP), which address regional stormwater problems in Cook County. The primary objectives of the DWPs were to document stormwater problem areas, evaluate existing watershed conditions using industry accepted hydrologic and hydraulic models, produce flow, stage, frequency, and duration information about flood events along regional waterways, and estimate damages associated with regional stormwater problems. The Cal-Sag DWP identified four potential projects within the Tinley Creek portion of the watershed. In 2010, feasibility/preliminary studies were prepared for each of the projects to determine the impact and benefits of the projects. Two of those projects are located in Orland Park and were selected for implementation based on the results of the preliminary analysis. Details for each project are provided below:

Project TICC-7 (Tinley Creek)

Description: Stabilize approximately 2,200 linear feet (LF) of Tinley Creek using a combination of retaining walls and bioengineering techniques. Estimated Construction Cost (2014 Dollars): \$1,437,510

Project TICC-8 (Tinley Creek)

Description: Stabilize approximately 1,803 LF of Tinley Creek using a combination of retaining walls and bioengineering techniques. Estimated Construction Cost (2014): \$2,303,411

In 2012, the Village met with the MWRD and their consultants to discuss the project scope including easements, utilities, timeframe, etc. At that time, construction was expected to take place in 2014 depending on the US Army Corps of Engineers permits and easement acquisition from the Orland Park property owners. The MWRD's position regarding easement acquisition is that they will not purchase the easements or compensate the property owners with any additional financial or non-financial benefits other than those provided by the project itself. The Village offered assistance related to obtaining the easements from property owners, addressing any easement infringement issues, and any other outstanding items related to easements. As of 2013, the design of the

proposed improvements was virtually complete (approximately 98%), but the project has not moved forward due to a lack of cooperation from property owners in obtaining the aforementioned easements.

The MWRD met with the Village on multiple occasions over the last several years to discuss the possibility of the Village taking over the project. The Village has expressed an interest in doing so; however, several concerns have been identified by the Village and are summarized below:

1. After the Village takes over the project, the maintenance costs of this project will be Village's responsibility. How and who will pay for the maintenance costs?
2. The design was prepared in 2014 based on topographical information collected much earlier. Substantial changes in the existing conditions of Tinley Creek have occurred since then. Additionally, several areas that were not included in the original design limits have deteriorated and should be included in the project. Many of the previously designed areas will require redesign and substantially more improvement than anticipated in 2014.
3. The funding allocation prepared by MWRD in 2014 to construct the project would be substantially less than that required in 2020, or future years, and additional funds would be needed for areas that were not originally included or those that have deteriorated since the original design.
4. There were 31 easements initially identified for the project by MWRD and to date, only 9 property owners have agreed and signed the easement documents. Based on the current design, the outstanding 22 easements would need to be secured, as well as any new easements identified through the addition of other portions of the creek. Additional easements and/or agreements may need to be secured for utilities.
5. The United States Army Corps of Engineers permits previously issued for the projects that will need to be re-established, re-issued, or re-applied for.

Update from May 28, 2020 Meeting with MWRD

The Village's engineering team and its consultant participated in a call with MWRD team on May 28, 2020. The following is a summary of this call:

- MWRD is willing to let the Village takeover the project and reimburse us for the design and construction costs.
- MWRD agreed that the Village's consultant should re-evaluate the project and update the previous technical memorandum and cost estimates.
- MWRD is willing to expand the project limits and pay for it if the expansion meets their design criteria, although this is subject to identified projects costs and

MWRD's ability to budget for those costs.

- It is possible there may be a need to expand the project limits but the expansion may not meet MWRD's design criteria. In that case, the Village will make a decision if we pay for the expanded project limits. The intended advantage of this expansion would be to reduce future maintenance costs that would be Village's responsibility.

The staff is recommending that the Committee authorize the staff to negotiate with MWRD the details and costs of this creek stabilization project.

Update from August 13, 2020 Meeting and Tinley Creek Field Visit with MWRD

The Village's engineering team and its consultant revised the 2014 technical memorandum to evaluate the additional impact of six years on the creek erosion. Additionally, we evaluated if additional properties are impacted by the continued creek erosion. The evaluation shows additional erosion along the creek to the properties that were included in the 2014 design. Furthermore, 13 additional properties are impacted by the creek erosion. The planning level cost estimate for the updated project (total of 44 properties) is at \$5.95 million.

The Village's engineering team and its consultant met with MWRD representatives on August 13, 2020. The combined team also visited the major areas of concern along the creek. The following is a summary of this meeting and field visit:

- MWRD is still committed to the project. They updated their cost estimate from 2014 and the 2020 cost estimate is at \$3.7 million. They may add minor sections to the project if they meet MWRD's design requirements, and may pay for those additions as well. However, MWRD staff was hesitant to commit to the Village's updated project cost of \$5.95 million.
- MWRD stated, that the Village should consider paying for the additional properties or sections added to the project. At present, the estimated cost difference is \$2.25 million. The Village staff believes the actual cost difference would be below \$2 million after detail design and value engineering is completed.
- Staff needs direction about how to proceed with the \$2 million cost difference between the total estimated project cost and MWRD's funding.
- Staff also suggests establishing a Special Services Agreement (SSA) to pay for the maintenance of the improvements. Staff has estimated \$25,000 to \$50,000 will be needed annually to account for maintenance of the improvements covered under this project.
- The property owners still have to offer easements without compensation to complete this project under MWRD's parameters.

Mayor Keith Pekau asked for an update on the item. (refer to audio)

Programs and Engineering Services Director Khurshid Hoda gave an update on the item. (refer to audio)

Mayor Pekau had a comment. (refer to audio)

Director Hoda continued his update. (refer to audio)

Trustee Fenton and Mayor Pekau had comments. (refer to audio)

Director Hoda responded to Trustee Fenton's comment. (refer to audio)

Mayor Pekau had additional comments. (refer to audio)

Trustee Calandriello asked a question. (refer to audio)

Mayor Pekau responded to Trustee Calandriello's question. (refer to audio)

Trustee Calandriello and Village Manager George Koczwarra had comments. (refer to audio)

Trustee Dodge asked a question and had a comment. (refer to audio)

Director Hoda responded to Trustee Dodge's question. (refer to audio)

Village Manager Koczwarra and Director Hoda had comments. (refer to audio)

Trustee Dodge asked a question. (refer to audio)

Village Manager Koczwarra responded to Trustee Dodge's question. (refer to audio)

Director Hoda, Mayor Pekau and Village Attorney Dennis Walsh had comments. (refer to audio)

Trustee Fenton asked a question. (refer to audio)

Village Attorney Walsh responded to Trustee Fenton's question. (refer to audio)

Mayor Pekau asked a question. (refer to audio)

Village Attorney Walsh responded to Mayor Pekau's question. (refer to audio)

No motion is needed at this time. This item is for discussion only.

This item was for discussion only. NO ACTION was required.

2020-0618 Pocketed Annexation - Review of Unincorporated Property

Item tabled due to time; will be discussed at the next meeting. (refer to audio)

I move to direct staff to analyze and update the 2007 annexation plan and present the findings to the Village of Orland Park Plan Commission for formal presentation and recommendation to the Village Board of Trustees.

TABLED

2020-0557 Foreclosed Property Registration - Property Registration Champions

During the last recession, the Village experienced heightened levels of residential and commercial foreclosure. This was also true for the entire country. There were so many foreclosed properties across the country that, oftentimes, the banks and property management companies responsible for maintaining these properties had a difficult time keeping properties in compliance with applicable property maintenance codes and ordinances. This creates a substantial nuisance for surrounding residents and can lead to reduction in property values.

Part of the challenge for enforcing these codes on foreclosed properties is getting in contact with the appropriate person to make sure the property is maintained. The item before the Village Board is consideration of an ordinance and subsequent agreement that would create a foreclosed property registration program for the Village.

The registration would be managed by Property Registration Champions, LLC. (Pro Champs). The ordinance requires that owners of foreclosed properties, or their designee to register the property with Pro Champs at a cost of \$300 on a bi-annual basis. The Village would receive \$200 and Pro Champs would receive \$100 for each registration. Pro Champs will provide a property registration website that banks and property management companies can utilize. Based upon current foreclosure information available, it is estimated that such a program could generate approximately \$80,000 annually for the Village to use to offset the costs of property maintenance enforcement.

After the foreclosures are identified and registered, Village Code Enforcement Staff will actively monitor these buildings to ensure they are being properly maintained. If there are violations that exist, this registry provides up to date and reliable contact information so that any issues can be quickly remediated.

In addition to assisting with the registration of new foreclosed properties, Pro Champs already maintains an extensive list of property contacts that can be used to identify the responsible party when a new foreclosure is discovered.

The foreclosed property registration is revenue positive for the Village, as there is

no set up cost and the Village will collect 2/3 of the registration fee on a bi-annual basis. This revenue is then used to offset the costs of providing property maintenance inspections. As a result of the registration, the Village will have reliable contact information for all of these properties that could be shared with any other Village as well.

Pro Champs is used by Homer Glen, Tinley Park, and Orland Hills to register and manage foreclosed properties. These communities also utilize the same fee structure as outlined in the staff report.

Assistant Village Manager Greg Summers gave a brief overview of the item. (refer to audio)

Trustee Dodge, Trustee Katsenes, and Assistant Manager Summers made a comment. (refer to audio)

I move to recommend to the Village Board to approve an ordinance creating a new chapter in the Orland Park Village Code entitled: "REGISTRATION OF FORECLOSING MORTGAGED PROPERTY"

And

Recommend to the Village Board to enter into agreement with Property Registration Champions, LLC. to manage foreclosed property registrations.

A motion was made by Trustee Fenton, seconded by Trustee Nelson Katsenes, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 7 - President Pekau, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

NON-SCHEDULED CITIZENS & VISITORS

Resident Robert Shanklin addressed the Committee in regards to the purposed installation of native grass in the Eagle Ridge III area. (refer to audio)

Mayor Keith Pekau asked for an update on pond erosion. (refer to audio)

Public Works Director Joel Van Essen provided an update. (refer to audio)

Mayor Pekau asked questions. (refer to audio)

Director Van Essen responded to Mayor Pekau's questions and Mayor Pekau had comments. (refer to audio)

Mayor Pekau asked a question. (refer to audio)

Development Services Director Ed Lelo responded to Mayor Pekau's question. (refer to audio)

Mayor Pekau had an additional comment. (refer to audio)

Resident Ansil Lambrose addressed the Committee in regards to the purposed installation of native grass. (refer to audio)

ADJOURNMENT: 7:17 P.M.

A motion was made by Trustee Fenton, seconded by Trustee Nelson Katsenes, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 7 - President Pekau, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

2020-0640 Audio Recording for the September 8, 2020 Committee of the Whole Meeting

NO ACTION

/LI

APPROVED: September 21, 2020

Respectfully Submitted,

/s/ John C. Mehalek

John C. Mehalek, Village Clerk