

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, March 16, 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

The meeting was called to order at 6:02 P.M.

Present: 8 - President Pekau; Village Clerk Mehalek; Trustee Fenton; Trustee Dodge; Trustee Calandriello; Trustee Healy; Trustee Nelson Katsenes and Trustee Milani

PLEDGE OF ALLEGIENCE**APPROVAL OF MINUTES****2020-0214 Approval of the March 2, 2020 Committee of the Whole Minutes**

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of March 2, 2020.

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

Aye: 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

ITEMS FOR SEPARATE ACTION**2020-0025 Hope Covenant Church - 14401 West Ave - Text Amendment and Special Use**

The Village of Orland Park was first notified that Hope Covenant Church was using its facility as an overnight shelter for the homeless in October of 2019. The Church had begun to offer a program in conjunction with Beds Plus, an organization that offers various support services to the homeless including overnight shelter, where one night a week (Tuesday) the homeless who are members of Beds Plus are provided dinner in the evening, are allowed to stay overnight and provided breakfast the next morning. The meals are either catered or donated by one of the Beds Plus volunteers.

Prior to the arrival of the overnight guests, the volunteers set up sleeping areas in the basement rooms of the Church. Representatives had indicated that there had been up to 30 members that stayed overnight in the church when the program first began.

After being made aware of the Church's operations, the Village contacted representatives of the Church to ask that they cease operations of the overnight shelter until the appropriate zoning approvals granted and building permits were issued. After discussion amongst the Village Attorney and an attorney

representing the Church, Hope Covenant agreed to have the facility inspected by the Village of Orland Park and work with the Village to obtain the appropriate approvals.

The Village of Orland Park Development Services Department staff inspected the Church on October 18, 2019. Representatives of Beds Plus and the pastor of Hope Covenant Church were present. During the inspection, the representatives of the Church explained the operations and cooperated with Village staff.

The Village compiled the results of the inspection in a letter that was sent to the representatives of the Church on November 5, 2019. The letter outlined first, that because the Church was now allowing people to stay overnight the occupancy classification for the portion of the building where the overnight shelter was occurring had changed from A-3 assembly to an R-1 residential occupancy classification, in accordance with the 2018 International Building Code (IBC). The letter also outlined potential code deficiencies based on the description of the use provided by representatives of the Church and Beds Plus and the observations made during the on-site inspection.

The letter addressed the applicable code requirements that would need to be verified, including categories of General and Site, Life/Safety, Accessibility, Mechanical, Electrical, Plumbing, and Health. The letter noted that because these items were called out based on a single site visit, it was imperative that the Church cease operations of the overnight shelter until such time that a licensed design professional could submit appropriate plans detailing the current design and construction of the existing facility and Development Services Department could review and advise about the necessary corrections in order to gain compliance to the applicable code requirements.

This is the same process that is followed for any new user that attempts to occupy a building in Orland Park. If that user begins operations before approvals are granted then they must stop until the appropriate plans are evaluated and new occupancy is granted based on applicable codes.

Additionally, per Section 6-209.B, overnight shelter as an accessory use to a place of worship is not listed as a permitted or special use in the Old Orland Historic District. As such, the letter indicated that the church must apply for a text amendment to allow overnight shelter accessory to a place of worship in the list of special uses in the OOH District and then apply for a special use permit to allow for this use. The specific text amendment language has been refined since the original letter and has been agreed upon by the members of the church and the Village of Orland Park.

On November 7, 2019, Hope Covenant Church confirmed that they would not cease shelter operations while the health and safety issues were addressed. On November 7, 2019, the Village filed a temporary restraining order and preliminary

injunction for the Church to cease operations of the shelter. On November 8, 2019, the Circuit Court of Cook County held an emergency hearing on the motion. At the hearing the court order Hope Covenant Church to provide a plan by November 14, 2019, to correct life and safety issues. Hope Covenant Church did provide a response letter but did not provide the specific information requested in the letter sent by the Village.

On November 18, 2019, a hearing was held with the Circuit Court of Cook County where the court ordered Hope Covenant Church to install smoke and carbon monoxide detectors prior to offering the shelter the following Tuesday. On November 25, 2019, the Village reached a tentative agreement with Hope Covenant Church that allowed the continuation of the use while the remaining outstanding safety issues were being addressed. The settlement agreement was unanimously approved by the Village Board of Trustees.

The settlement agreement outlined the responsibilities of Hope Covenant Church from the building and zoning code perspective. Within forty-five (45) days of the date of the agreement, the Church was required to provide plans prepared by a licensed design professional that demonstrate how Hope Covenant intended to use the subject property for an overnight shelter. This was required to include: the number of occupants, distribution of sleeping rooms, paths of ingress and egress from the sleeping area, locations of fire alarms, smoke detectors and carbon monoxide detectors, exterior and emergency lighting, submittal of a request for interpretation from the State of Illinois for Accessibility Code applicability, policies and plans for food handling and service, and plans for either fire rating of corridors and partitions or a fire watch (monitors) in accordance with the applicable codes. The agreement noted that plans would not require structural modifications unless otherwise required by law.

A preliminary floor plan has been received and an initial meeting with the Village staff and architect representing the church has been held. Full building plans will be submitted after the zoning process is complete to ensure that any conditions of approval noted in the public hearing process can be incorporated.

The settlement agreement also required that the Church submit for a text amendment and special use permit to allow the overnight shelter use. The application has been submitted and is the subject of this review and report.

Trustee Milani had a question regarding this matter. (refer to audio file)

Director of Development Services Ed Lelo responded to Trustee Milani's question. (refer to audio file)

Mayor Pekau had questions regarding this matter. (refer to audio file)

Director of Development Services Ed Lelo and Village Attorney Dennis Walsh responded to Mayor Pekau's questions. (refer to audio file)

I move to recommend to the Village Board of Trustees approval of a Text Amendment, amending Section 6-209.B to add to #4 of the Table of Uses in said Section, as a Special Use, and a Special Use Permit for Overnight sleeping accommodations (shelter), for Hope Covenant Church and Beds Plus at 9955 144th Street as recommended at the February 18, 2020, Plan Commission and as fully referenced in the motion below.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board of Trustees approval of a Text Amendment, amending Section 6-209.B to add to #4 of the Table of Uses in said Section, as a Special Use, the following:

4. Civic and Institutional Uses:

“Overnight sleeping accommodations (shelter), without charge from 6:00 p.m. to 7:00 a.m., limited to one (1) such time period in seven (7) day, for people having no regular home or residence address, as an accessory use to an existing place of worship.”

And

I move to recommend to the Village Board of Trustees approval of a Special Use Permit for Overnight sleeping accommodations (shelter), without charge from 6:00 p.m. to 7:00 a.m., limited to one (1) such time period in seven (7) day, for people having no regular home or residence address, as an accessory use to an existing place of worship. Subject to the following conditions:

1. Meet all building code requirements, including required permits from outside agencies if required.
2. Petitioner must comply with the terms set forth in the Settlement Agreement executed by the Village of Orland Park on November 27, 2019.
3. Petitioner must restrict the total amount of overnight guests to the occupancy limits as defined by the Village of Orland Park building code or other applicable codes and ordinances.
4. Petitioner must submit plans for food service that meets the FDA code requirements for pot luck.
5. Petitioner must install surveillance cameras in the existing parking lot, the location of which will be determined in conjunction with the Orland Park Police Department.

6. Petitioner shall submit building permit plans outlining the proposed operations. In instances where the petitioner is seeking relief from a code requirement, they must indicate which specific section they are requesting relief from and provide an alternative to help mitigate the impact of the request.
7. Petitioner must institute a fire watch procedure for volunteers during overnight shelter operations until the sprinkler system and the fire alarm system in the building are evaluated and upgraded.
8. The overnight shelter operations will only be allowed from October 1st until April 30th.
9. Petitioner must submit specific interpretation requests for the Illinois Accessibility Code to the Illinois Capital Development Board. The Village cannot waive or vary any requirement of the Illinois Accessibility Code.
10. Petitioner and staff will work together to detail the protocol to accept a guest who is a "walk-in" and not a registered participant.
11. Petitioner shall comply with all lawful Proclamations and Executive Orders issued by the Village President of the Village of Orland Park, the President of the Cook County Board of Commissioners, the Governor of the State of Illinois and the President of the United States for the duration of disaster proclamations and shall follow and implement all applicable World Health Organization and Center for Disease Control (CDC) guidelines and recommended mitigation measures and strategies in connection with any disaster proclamation.

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

Aye: 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

2020-0035 2020 Neighborhood Road Improvement Program - Bid Award and Consulting Engineering Services Agreement

The 2020 Road Improvement Program includes the maintenance and reconstruction of various roadways/streets throughout the Village. The project also includes a sidewalk extension and reconstruction of a small parking lot at Wedgwood Estates Park. This project is bid annually, based primarily on recommendations from the Village's pavement management consultant, Applied Research Associates (ARA), of Champaign, Illinois.

For FY2020, streets scheduled for resurfacing and reconstruction are found in the

following neighborhoods: Crystal Springs, Crystal Meadow, Crystal on the Green (Green Manor Court), Rolling Oaks (Oakland Drive), Elizabeth Avenue, Pluskota Drive, Salvatori Court, Trafalgar Court, Fairway Estates, four (4) Golfview neighborhoods, Park View Estates, 86th Avenue and Wedgwood Estates. In addition to pavement-related work, the repair and/or replacement of hazardous sidewalks, failed curbs and deteriorated storm sewer structures will be performed on an as-identified basis. In all of the above project areas, all non-compliant sidewalks, most notable at street crossings, will be upgraded to current ADA standards.

To initiate the 2020 Neighborhood Road Improvement Program, an invitation to bid (ITB 20-010 Neighborhood Road Improvement Program 2020) was published on the BidNet Direct website from February 19th through March 5th, 2020.

BidNet Direct Data:

- Twenty-seven (27) vendors downloaded at least one of the proposal documents.
- Eight (8) vendors downloaded all documents.
- Five (5) bids were submitted electronically and in writing for consideration.
- 319 vendors were matched on BidNet.

Bids were received from five (5) qualified contractors: Austin Tyler Construction of Elwood, Illinois; D Construction of Coal City, Illinois; Gallagher Asphalt Corporation of Thornton, Illinois; Lindahl Brothers, Inc. of Bensenville, Illinois and P.T. Ferro Construction of Joliet, Illinois. The sealed bids were publicly opened (electronically displayed) on Thursday, March 5th, 2020 by the Clerk's Office. All five (5) bid amounts were read aloud at 11:00 a.m. See attached Bid Responsiveness Check sheet for bidder amounts.

Austin Tyler Construction of Elwood, Illinois was identified as the lowest responsible bidder for the 2020 Neighborhood Road Improvement Program with a submitted total project cost of \$5,191,223.20. This amount is below the engineer's estimate of \$5,594,308.92.

Because the bid was structured on a per unit basis, and because of the favorable bid results, an additional area of Orland Park will be added utilizing the per unit pricing. The additional road improvement project neighborhood, Mallard Landings Townhomes, can be completed in 2020 with the cost difference between the low bid and the engineer's estimated cost. Mallard Landings Townhomes road improvements are estimated to cost \$308,000.000. Therefore, staff recommends Austin Tyler Construction of Elwood, Illinois, be awarded the contract for the 2020 Neighborhood Road Improvement Program in an amount not to exceed \$5,499,233.20 (\$5,191,233.20 plus \$308,000.00).

To facilitate the construction management for the various activities within the Neighborhood Road Improvement Program, staff requested a proposal for Phase III construction engineering services from the Village's road improvement

consulting engineering firm Baxter & Woodman Engineering of Mokena, Illinois. In addition to establishing a proficient and professional relationship with the Village, Baxter & Woodman has provided excellent construction management services to augment Public Works oversight of the Neighborhood Road Improvement Program projects from 2015 through 2019. Baxter & Woodman has also provided Phase I and Phase II Engineering Services, on an as-needed basis during that time.

The original 2015 Consulting Engineering Services contract with Baxter & Woodman included an extension option for 2016 and 2017. In January 2018, the Village Board approved entering into an amended Consulting Engineering Services contract for 2018 with the option to extend for 2019 and 2020 at the Board approved budget amount. Staff recommends approving the attached proposal from Baxter & Woodman in an amount of \$329,680.00.

Mayor Pekau had comments regarding this matter. (refer to audio file)

Interim Director of Public Works Rich Rittenbacher and Village Attorney Dennis Walsh responded to Mayor Pekau's comments regarding this matter. (refer to audio file)

I move to recommend to the Village Board to accept the lowest responsive and responsible bid from Austin Tyler Construction of Elwood, Illinois for the 2020 Neighborhood Road Improvement Program for an amount not to exceed \$5,499,233.20.

And

Accept the proposal from Baxter & Woodman, Inc. of Mokena, Illinois for 2020 Consulting Engineering Services associated with the 2020 Neighborhood Road Improvement Program in an amount not to exceed \$329,680.00

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: 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

ADJOURNMENT: 6:15 P.M.

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

Aye: 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

Nay: 0

2020-0229 Audio Recording for the March 16, 2020 Committee of the Whole Meeting

NO ACTION

/AB

APPROVED: April 6, 2020

Respectfully Submitted,

/s/ John C. Mehalek

John C. Mehalek, Village Clerk