

**PETITIONER, DONALD H. JEANES, RESPONSE TO
VARIANCE STANDARDS OF THE VILLAGE OF ORLAND PARK, ILLINOIS**

For all petitions involving a request for a Variance, the petitioner must provide detailed written responses to each of standards posed as a question below.

This form can be requested as a Word document from Development Services.

Code Section: 6-415 and 6-406

Requirement: Bike path connected to larger networks.

Requested Variance/Modification: REMOVAL OF MULTI-USE PATH OR SIDEWALK ON THE EAST SIDE OF WOLF ROAD.

Incremental Improvements:

1. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?

Petitioner Response: No. The installation of the multi-use path or a bike path is prohibitively costly and unnecessary. At a duly convened meeting of the Board of Trustees, the Board, by discussion on a motion and the vote of the Board, acknowledged the established policy of the Village **not** to require duplicative, unnecessary, and temporary improvements which will be eliminated by future construction activities. (See 7/18/22 Board Meeting recording, comments of Mayor Pekau at 21:30, 22:48, 31:10, 34:20, 35:10, 40:45, and 43:00, and Trustee Healy at 37:00).

2. Is the plight of the owner due to unique circumstances?

Petitioner Response: The path is duplicative of a path on the west side of Wolf Road. In addition, Phase I engineering for the County of Cook includes a new path on Wolf Road that will accommodate the needs of the public, considering a new, larger configuration of Wolf Road. (See 7/18/22 Board Meeting recording, comments of Mayor Pekau at 21:30, 22:48, and 34:20).

3. Will the variation, if granted, alter the essential character of the locality?

Petitioner Response: The elimination of the path will maintain terrain and preserve vegetation, rather than altering those conditions. The requested work will only be a temporary change, supplemented by the County's final engineering.

4. Due to the physical surroundings, shape or topographical conditions of the specific property involved, is there a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out?

Petitioner Response: Yes. The presence of drainage structures and changes in elevation make the path unfeasible. The installation of the path will also require temporary structures.

5. How are the conditions upon which the petition for a variation is based unique to the property for which the variance is sought and are not applicable, generally, to other property?

Petitioner Response: At the July 18, 2022 meeting of the Board of Trustees, it was the consensus of the Board to eliminate the full path, for the reasons stated above. In addition, future improvement to Wolf Road would also likely either eliminate or revise the path design. See Sections 5-109, 6-401, and 6-406 of the Code, which excuses the installation of a sidewalk as determined by the Board of Trustees. (See also 7/18/22 Board Meeting recording, comments of Mayor Pekau at 21:30, 22:48, 31:10, 34:20, 40:45, and 43:00).

6. Has the alleged difficulty or hardship caused by these regulations and not resulted from any act of the applicant or any other person presently having an interest in the property after the effective date hereof, whether or not in violation of any portion thereof?

Petitioner Response: The path was mandated by staff and Petitioner is filing to implement the Board mandated changes to the Petitioner's plan, after previous staff requested other amenities in lieu of the path installation on Wolf Road. (See 7/18/22 Board Meeting recording, comments of Mayor Pekau at 21:30, 22:48, 31:10, 34:20, 35:10, 40:45, and 43:00 and Trustee Healy at 37:00).

7. Will granting of the variation be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located or otherwise be inconsistent with the Comprehensive Plan, any adopted overlay plan, or these regulations?

Petitioner Response: See above. Whether a path is ultimately installed on Wolf Road is a matter for the County to determine, not the staff.

8. Will the proposed variation impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood?

Petitioner Response: Not applicable to this type of variation, in the opinion of the Petitioner and as determined by the Board of Trustees on July 18, 2022. (See 7/18/22 Board Meeting recording, comments of Mayor Pekau at 21:30, 22:48, 31:10, 34:20, 35:10, 40:45, and 43:00 and Trustee Healy at 37:00).

9. Is the variance granted the minimum adjustment necessary for the reasonable use of the land?

Petitioner Response: The installation of the path is prohibitively costly, temporary, and duplicative of improvements on the west side of Wolf Road.

10. Are aforesaid circumstances or conditions such that the strict application of the provisions of this Section would deprive the applicant of any reasonable use of his or her land? Mere loss in value shall not justify a variance; there must be deprivation of all beneficial use of land.

Petitioner Response: Yes, as determined by the Board of Trustees on July 18, 2022. (See 7/18/22 Board Meeting recording, comments of Mayor Pekau at 21:30, 22:48, 31:10, 34:20, 35:10, 40:45, and 43:00 and Trustee Healy at 37:00).



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DAVID B. SOSIN
dsosin@sosinarnold.com

To: Village of Orland Park Development Services Department

From: David B. Sosin

Date: January 12, 2023

Re: Due Process Requirements and Amending Plans

This memorandum relates to Petitioner Donald H. Jeanes and the Waterford Pointe development at 153rd Street and Wolf Road in Orland Park. More specifically, this memorandum addresses the ability of the Village of Orland Park to amend the plans for the Waterford Pointe development without the need for a variance or proceeding through another public notice procedure. In short, Petitioner submits that the Village Board can approve the removal of a sidewalk along Wolf Road from the Waterford Pointe plans without the need for a variance application or having the Petitioner proceed back through the Village's Plan Commission.

Petitioner's Waterford Pointe plan, as submitted and approved by the Plan Commission at a duly noticed public hearing, had a multi-use path along that portion of Wolf Road on the western portion of the development. Petitioner inserted this multi-use path at the direction of Village Staff. On July 18, 2022, at the Village Board's Committee of the Whole meeting, wherein the Petitioner's plans were presented, the Village's Mayor and Board had determined and voted in the affirmative that neither a multi-use path nor sidewalk along Wolf Road would be necessary for Petitioner's development because of Cook County's plan to widen Wolf Road and construct new multi-use paths on both sides of Wolf Road. Among other things, it was determined that if Petitioner constructed the path as required by Staff, the County will be removing and replacing that path or sidewalk as part of the Wolf Road widening.

At the July 18, 2022 meeting, after the Village's Mayor and Board had initially voted in favor of removing the path along Wolf Road, the Village Staff and attorney had stated that the path could not be removed by the Board's vote but, rather, that the path could be changed from a multi-use path to a sidewalk, and that the Petitioner would have to later seek a variance to remove the sidewalk from the plans. Because of the Village's Staff and attorney comments, the Village's Mayor and Board voted to amend their prior vote, to have a sidewalk along Wolf Road inserted in Petitioner's plans.

Respectfully, the Village's Staff and attorney were incorrect regarding the Village Board not having the authority to amend the Petitioner's plans so as to remove the path along Wolf Road in its entirety. Under Section 5-101(A) of the Village Code, pertaining to due process procedures for development reviews, the Board has the authority amend a petitioner's plans as necessary to carry out the purpose of the Code and the Village's Comprehensive Plan. The Village Board's initial vote at the July 18, 2022, removing the path on Wolf Road from the plans, was allowed by the Code.

In addition, Illinois case law supports a village board in such situations and Illinois courts have held that such amendments do not violate the public's due process rights. In the context of zoning matters, "notice" refers to the constitutional due process rights of property owners to have a say in governmental decisions made about their own, or neighboring, properties. *Station Place Townhouse Condo. Ass'n v. Vill. of Glenview*, 2022 IL App (1st) 211131, ¶ 42; *Sullivan v. Village of Glenview*, 2020 IL App (1st) 200142, ¶ 57. Accordingly, due process requires that plaintiffs be apprised of the pendency of the zoning action and afforded the opportunity to present their objections. *Passalino v. City of Zion*, 237 Ill. 2d 118, 125, 340 Ill.Dec. 567, 928 N.E.2d 814 (2009).

"A procedural due process claim requires a two-fold analysis," in which the Court must first "determine whether the plaintiff was deprived of a property or a liberty interest." *McCarthy v. Vill. of Barrington*, No. 17 C 5594, 2018 WL 2305707, at *6 (N.D. Ill. May 21, 2018); *McMahon v. Kindlarski*, 512 F.3d 983, 987 (7th Cir. 2008). "[T]he procedures 'due' in zoning cases are minimal." *River Park, Inc. v. City of Highland Park*, 23 F.3d 164, 166 (7th Cir. 1994). "When zoning decisions are confided to a legislative rather than a judicial body," as is the case here, "the affected persons have no right to notice and an opportunity for a hearing: no right, in other words, to procedural due process." *Ind. Land Co., LLC v. City of Greenwood*, 378 F.3d 705, 710 (7th Cir. 2004). To allege a procedural due process claim based on "established state procedures," a party must allege that it was not afforded proper procedural safeguards. *McCarthy v. Vill. of Barrington*, No. 17 C 5594, 2018 WL 2305707, at *7 (N.D. Ill. May 21, 2018). Where a plaintiff alleges that it was not provided the process preferred, for example, a variation permit hearing, rather than alleging that the process it received was inadequate, a plaintiff therefore fails to state a procedural due process claim. *McCarthy v. Vill. of Barrington*, No. 17 C 5594, 2018 WL 2305707, at *7 (N.D. Ill. May 21, 2018); *Bettendorf v. St. Croix Cty.*, 631 F.3d 421, 428 (7th Cir. 2011) ("The due process clause requires that a claimant receive adequate process, not the most advantageous process available to him."); *Yaodi Hu v. City of Chicago*, No. 08 C 4108, 2009 WL 635522, at *2 (N.D. Ill. Mar. 12, 2009) (dismissing procedural due process claim where "an established procedure" existed to challenge the municipality's action and the plaintiff had not alleged that the remedy was procedurally inadequate).

Accordingly, Petitioner respectfully requests that the Village Staff reconsider having Petitioner submit a variance application to remove the Wolf Road sidewalk and, instead, allow the Petitioner to proceed to a duly noticed Village Board meeting to permit the Board to amend their prior amendment and remove from Petitioner's plans the Wolf Road sidewalk.

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, July 18, 2022

6:00 PM

Village Hall

Committee of the Whole

*Village President Keith Pekau
Village Clerk Patrick R. O'Sullivan
Trustees, William R. Healy, Cynthia Nelson Katsenes, Michael R. Milani,
Sean Kampas, Brian Riordan and Joni Radaszewski*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:03 P.M.

Present: 5 - President Pekau; Trustee Healy; Trustee Nelson Katsenes; Trustee Milani and Trustee Kampas

Absent: 2 - Trustee Riordan and Trustee Radaszewski

APPROVAL OF MINUTES**2022-0545 Approval of the July 5, 2022, Committee of the Whole Minutes**

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of July 5, 2022.

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

Aye: 5 - President Pekau, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Trustee Kampas

Nay: 0

Absent: 2 - Trustee Riordan, and Trustee Radaszewski

ITEMS FOR SEPARATE ACTION**2021-0140 Waterford Pointe - Development Petition for a Special Use Permit for a Planned Development with Modifications from the Land Development Code; a Special Use Permit for Disturbance of a Non-Tidal Wetland; Site Plan, Landscape Plan, Elevations, and Subdivision.**

The petitioner seeks approval of a Special Use Permit to construct 56 dwelling units with 32 attached 2-bedroom units and 24 detached 3-bedroom units on an approximately 32.2 acre site located at 11015 153rd Street and 15300 Wolf Road. The petitioner also seeks approval of a Special Use Permit for disturbance of a non-tidal wetland.

Requested Actions:

A Special Use Permit for a Planned Development with Modifications from the Land Development Code; a Special Use Permit for Disturbance of a Non-Tidal Wetland; and approval of Site Plan, Landscape Plan, Elevations, and Subdivision.

Address: 11015 153rd Street, 15300 Wolf Road
P.I.N.: 27-17-100-003-0000 and 27-17-100-005-0000
Parcel Size: 32.22 acres

BACKGROUND

On March 19, 2001, the Village Board of Trustees approved an annexation agreement for a 70-acre property located at the northeast corner of 153rd Street and Wolf Road, called Spring Meadows Development. Upon annexation, the property was rezoned from E-1 Estate Residential District to R-3 Residential District. The original approved plan proposed 103 single-family units on a 71.5-acre site including the property to the north. The plan had expired due to one year without activity from date of approval, and two extensions were granted with conditions pertaining to roadway entrances and bike paths. This project did not move forward.

SITE PLAN

The existing site is a 32.2-acre greenfield most recently used for agriculture that spans two parcels located at 11015 153rd Street (27-17-100-003-0000) and 15300 Wolf Road (27-17-100-005-0000). To the north, the site abuts a 50' pipeline easement and the unimproved 151st Street R.O.W. dedication. To the east, the site boundary line runs perpendicular to the unimproved 152nd Street R.O.W. dedication. The site abuts 153rd Street to the south and Wolf Road to the west. There are several wetlands and a creek located on the northern portion of the site.

The proposed 32.2-acre site has 56 dwelling units on 40 lots. A total of 24 lots (lots 1-24) are detached 3-bedroom buildings are located on the eastern side of the site along Penrose Court. A total of 32 lots (lot 25-40) are attached with 2-bedroom buildings located on the south and western portions of the site along Lizmore Lane and Ashling Drive. The proposed dwelling units per acre is 2.36 du/acre.

In addition to the 40 lots, the proposal includes 3 Outlots, totaling 11.17 acres of common open space.

- Outlot "A" features a park surrounded by a decorative fence that will be donated to the Village.
- Outlot "B" features wetland areas that will be mitigated off-site to an appropriate wetland mitigation bank per Ordinance conditions. The petitioner has requested that the cash-in-lieu will be provided for the mitigation trees otherwise required.
- Outlot "C" features a stormwater detention area that will be owned and maintained in perpetuity by the Homeowner's Association (HOA) with the establishment of a dormant Special Service Area (SSA).

Several multi-use paths and an amenity space is proposed throughout the site to support multi-modal community serving all ages. The pedestrian and bicycle network upholds the Comprehensive Plan's vision for residential connectivity to natural open space and major roadways in the Centennial Planning District. The multi-use paths are proposed improvements in exchange for the absence of the Lizmore Lane roadway connection to Wolf Road and the subdivision to the east that would otherwise be required by the Code to limit roadway lengths.

The petitioner's Attorney, Patrick White of Sosin, Arnold and Schoenbeck presented information regarding this matter. (refer to audio)

Trustee Healy had comments and questions. (refer to audio)

Attorney White responded to Trustee Healy's questions and had comments. (refer to audio.)

Trustee Kampas had comments and questions. (refer to audio)

Engineering and Program Services Director Khurshid and Development Services Director Steve Marciani responded to Trustee Kampas and had comments. (refer to audio)

President Pekau had comments and questions. (refer to audio)

Director Marciani, Director Hoda and Attorney White responded to President Pekau. (refer to audio)

Trustee Healy had a question. (refer to audio)

President Pekau responded to Trustee Healy and had comments. (refer to audio)

Trustee Milani had questions and comments. (refer to audio)

Director Marciani and Director Hoda responded to Trustee Milani. (refer to audio)

President Pekau had comments and questions. (refer to audio)

Director Marciani and Director Hoda responded to President Pekau. (refer to audio)

Trustee Katsenes and Trustee Healy had comments. (refer to audio)

President Pekau had comments and questions. (refer to audio)

Director Marciani and Director Hoda responded to President Pekau. (refer to audio)

Village Manager Koczvara, President Pekau and Director Marciani had comments. (refer to audio)

Village Manager Koczvara had a question. (refer to audio)

Village Attorney Dennis Walsh responded to Village Manager Koczvara. (refer to audio)

President had a question. (refer to audio)

Attorney White responded to President Pekau. (refer to audio)

President Pekau entertained a motion to amend the approved plan to eliminate the walking path to the north of the subdivision between the culdesac and Wolf Road, and to also remove the path between the southern culdesac and Wolf Road (the short path between building), and eliminate the Wolf Road path because in the future there is a planned path to be paid for by IDOT, and to add a path from the north culdesac to the north to 151st Street roadway easement for future pedestrian access. It was moved by Trustee Kampas and seconded by Trustee Katsenes. All present were in favor. (refer to audio)

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

Village Attorney Walsh responded to Village Manager Koczwara. (refer to audio)

Director Marciani had a question. (refer to audio)

Village Attorney Walsh and Village Manager Koczwara responded to Director Marciani. (refer to audio)

Village Manager Koczwara had comments. (refer to audio)

President Pekau had questions and comments. (refer to audio)

Director Marciani and Director Hoda responded to President Pekau. (refer to audio)

President Pekau entertained a motion to recess. It was moved by Trustee Kampas and seconded by Trustee Katsenes. All present were in favor. (refer to audio)

The roll was called after recessing. Trustees Riordan and Radaszewski were absent. (refer to audio)

President Pekau made a motion to table the motion temporarily in order to move on with the meeting. It was moved by Trustee Kampas and seconded by Trustee Katsenes. All present were in favor. (refer to audio)

President Pekau entertained a motion to remove the motion from the table. It was moved by Trustee Kampas and seconded by Trustee Katsenes. All present were in favor. (refer to audio)

Village Manager Koczwara had comments. (refer to audio)

President Pekau had comments. (refer to audio)

President Pekau entertained a motion to revise the previous amendment to have a sidewalk on Wolf Road instead of removing the multi-use path on Wolf Road. It was moved by Trustee Kampas and seconded by Trustee Katsenes. All present were in favor. (refer to audio)

Regarding Case Number 2021-0140, also known as Waterford Pointe, I move to recommend to the Village Board to approve the Plan Commission Recommended Action (which is fully referenced below), excepting condition 7, which was completed prior to this meeting.

And

Recommend amending the approved plan to eliminate the walking path to the north of the subdivision between the culdesac and Wolf Road, and to also remove the path between the southern culdesac and Wolf Road (the short path between building), and eliminate the Wolf Road multi-use path because in the future there is a planned path to be paid for by IDOT and have a sidewalk instead, and to add a path from the north culdesac to the north to 151st Street roadway easement for future pedestrian access.

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

I move to recommend to the Village Board to approve a Special Use Permit for Planned Development for Waterford Pointe Estates subject to the following conditions:

1. The development will be in substantial conformance with the Preliminary Site Plan for Waterford Pointe, last revised June 21, 2022, the Preliminary Landscape Plan Waterford Pointe dated [insert final revised date at Ordinance], and the Building Elevations dated [insert final revised date at Ordinance]
2. Meet all building code requirements and final engineering requirements, including required permits from outside agencies.
3. Screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively.
4. The stormwater management area and all associated stormwater facilities shall be privately owned and maintained by an established Homeowners Association (HOA).
5. A Special Service Area (SSA) shall be established to assure the privately owned detention pond will be maintained to Village standards.
6. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.
7. Prior to the hearing by the Board of Trustees or the Committee of the Whole, the petitioner shall provide additional Elevations including several design variations of the 2-unit attached building frontages, including different building

options for styles of windows, roofs, or brick and stone colors. Additionally, the petitioner shall add revision dates to the elevations sheets.

8. Prior to the adoption of the Final Landscape Plan by the Board of Trustees:

- a) The Final Landscape Plan must be revised such that the hatch patterns labeled "Naturalized Plantings" shall correspond to seed lists for final approval.
- b) A Monitoring and Management Plan is required for naturalized vegetation areas.
- c) The Final Landscape Plan must meet diversity requirements described in Section 6-305.E.5.b. of the ordinance.
- d) A detailed landscape cost estimate must be provided for all proposed planting and associated work, including post-construction monitoring and management of native landscapes.
- e) Provide cash-in-lieu for trees required by Code that cannot be provided on the site, as determined by Staff at the time of Final Landscape Plan review.

AND

Recommend to the Village Board to approve Modifications to the Land Development Code to:

1. Reduce the required rear yard setback from 45' to 30' to the 151st Street unimproved road. (Section 6-203.E.1a)
2. Reduce the required side yard setback from 20' to 12' for lots with side-load garages. (Section 6-204.E.2a)
3. Increase the cul-de-sac street length for multi-family residential areas from 500' to 577'. (Section 6-405.A.5)
4. Increase the cul-de-sac street length for single-family residential areas from 500' to 962'. (Section 6-405.A.5)

AND

Recommend to the Village Board to approve a Special Use Permit for Disturbing a Wetland in substantial compliance with the approved Final Engineering Plan. Impacted wetlands will be mitigated off-site to an appropriate and acceptable wetland mitigation bank through permitting with the U.S. Army Corp of Engineers and the Metropolitan Water Reclamation District.

AND

Recommend to the Village Board to approve the Preliminary Plat of Subdivision, sheets 1-2, prepared by DesignTek Engineering Inc, last revised June 21, 2022, submit to the following condition:

1. Submit a Record Plat of Subdivision to the Village for approval, execution, and recording.

A motion was made by Trustee Healy, 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: 5 - President Pekau, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Trustee Kampas

Nay: 0

Absent: 2 - Trustee Riordan, and Trustee Radaszewski

2022-0560 Amendments to Chapter 3-6 Tree Management Program - Ordinance

As a part of the 2020-2022 Urban and Community Forestry Grant ("UCF Grant"), which the Village was awarded in 2021, the Public Works Department has been working with the Morton Arboretum on several projects, including Park, Facility, and Parkway Tree Inventories, and Urban Forestry Management Plan and updates to the Village's tree ordinances.

Municipalities are required to complete all work associated with the UCF Grant, including any updates to tree ordinances, before the end of the grant period on August 1, 2022. Upon completion of grant requirements, the Village will receive \$10,125.00 to offset the cost of the 2021 and 2022 tree assessments and inventory costs. It should be noted that the Morton Arboretum has reviewed the Village of Orland Park's Tree Preservation Ordinance and has deemed it exemplary, although minor amendments are required to fully comply with the grant requirements. The proposed amendments to Chapter 3-6 is attached, with amendments to the existing text provided in red text. A summary of the proposed amendments is provided below:

Amendment Summary

- Addition of definitions for Urban Forestry, Urban Forestry Management Plan, and Village Forester;
- Clarification of responsibilities and process for the development, maintenance and administration of an Urban Forestry Management Plan;
- Requirements for the adoption of an Urban Forestry Management Plan, including the establishment and maintenance of an inventory of all public trees (currently in progress) and creation of a Village Forester position (complete).

It should be noted that the Public Works and Development Services Departments are working together on a more comprehensive amendment to Land Development Code Section 6-305 Landscape and Tree Preservation, as well as the adoption of the Village's first Urban Forestry Management Plan, both of which will be presented to the Village Board at the end of 2022.

Trustee Kampas and President Pekau had comments and questions. (refer to audio)

Public Works Director Joel Van Essen responded to their comments and questions. (refer to audio)

President Pekau entertained a motion to strike any references to the Recreation Advisory Board and replace with Village Forester in the updated ordinance. It was moved by Trustee Kampas and seconded by Trustee Katsenes. All present were in favor. (refer to audio)

I move to recommend adopting an Ordinance, entitled: AN ORDINANCE AMENDING TITLE 3 (PUBLIC WAYS AND PROPERTIES), CHAPTER 6 (TREE MANAGEMENT PROGRAM) OF THE ORLAND PARK VILLAGE CODE

And

Recommend amending the proposed ordinance to strike any references to the Recreation Advisory Board and replace with Village Forester.

A motion was made by Trustee Kampas, 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: 5 - President Pekau, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Trustee Kampas

Nay: 0

Absent: 2 - Trustee Riordan, and Trustee Radaszewski

2022-0526 FY2022 Budget Amendment #6 - Approval

A detailed spreadsheet (by fund) reflecting budget adjustments is attached to the Committee Packet.

Development Services Staffing Changes

There are several changes occurring in the Development Services Department:

- The current Development Services Technician is being promoted to the vacant Zoning Coordinator position.
- The Development Services Technician position will be eliminated and will instead be filled with an Executive Assistant. Development Services does not currently have an Executive Assistant.
- The vacant Senior Planner/Project Manager will be changed to a Planner 1 position.
- The current contracted Office Support Administrator position will be brought in-house.

Network Security Analyst Position

Cybersecurity threats continue to grow exponentially and municipalities are shifting more of their resources to mitigate them. Staff continues to implement and manage a multi-layered network security infrastructure that includes hardware,

software, logging, and services to combat these threats. Next month staff will recommend a contract award for RFP 21-044 Cybersecurity Assessment and Network Security Monitoring Services. There is a need for staff to be primarily focused on these Village initiatives. Therefore, staff is requesting Board approval to upgrade one of the two Department of Information Technology Network Systems Administrator (Grade 7) positions to Network Security Analyst (Grade 8).

The net budget impact for 2022 is as follows:

- Replacing the Development Services Technician with Executive Assistant: \$21,768.
- Changing Senior Planner/Project Manager position to a Planner 1 position is a savings of \$10,254.
- Insourcing Office Support Administrator to in-house Office Support Supervisor is budget neutral.
- Changing Network Systems Administrator position to Network Security Analyst position is an increase of \$6,093.

Total anticipated budget impact for 2022 is \$17,607.

Village Manager's Office - Training & Education

The Village contracted with One Positive Place to purchase leadership development training for the total amount of \$52,500. The current available budgeted amount is \$40,114.10, resulting in an increase in the General Fund of \$12,386. Additionally, as part of the recently approved Orland Park Leadership Development Program, additional development resources were approved. The total requested amount is \$25,000.

I move to recommend an increase in the General Fund expenditure budget in the amount of \$42,607, as detailed in FY2022 - Amendment #6.

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

Aye: 5 - President Pekau, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Trustee Kampas

Nay: 0

Absent: 2 - Trustee Riordan, and Trustee Radaszewski

2022-0521 An Ordinance Amending Appendices A and B to Ordinance No. 5676 - Fifth Amendment

The ordinance attached to the Committee Packet formally approves amended Appendix A and Appendix B that were approved by the Board on December 20, 2021, and amended on April 4, 2022, April 18, 2022, May 16, 2022, and June 6, 2022. These appendices reflect changes to full-time and part-time positions, along with salary ranges, as summarized below.

The changes to the Salary Ordinance are:

- Remove the position of Development Services Technician (Grade 1).
- Remove the position of Senior Planner/Project Manager (Grade 9).
- Create the position of Network Security Analyst (Grade 8).

Development Services changes

There are several changes occurring in the Development Services Department

- The current Development Services Technician is being promoted to the vacant Zoning Coordinator position.
- The Development Services Technician position will be eliminated and will instead be filled with an Executive Assistant. Development Services does not currently have an Executive Assistant.
- The vacant Senior Planner/Project Manager will be changed to a Planner 1 position.
- The current contracted Office Support Administrator position will be brought in-house.

Network Security Analyst Position

Cybersecurity threats continue to grow exponentially and municipalities are shifting more of their resources to mitigate them. Staff continues to implement and manage a multi-layered network security infrastructure that includes hardware, software, logging, and services to combat these threats. Next month staff will recommend a contract award for RFP 21-044 Cybersecurity Assessment and Network Security Monitoring Services. There is a need for staff to be primarily focused on these Village initiatives. Therefore, staff is requesting Board approval to upgrade one of the two Department of Information Technology Network Systems Administrator (Grade 7) positions to Network Security Analyst (Grade 8).

..Financial Impact

The net budget impact for 2022 is as follows:

- Replacing the Development Services Technician with Executive Assistant: \$21,768.
- Changing Senior Planner/Project Manager position to a Planner 1 position is a savings of \$10,254.
- Insourcing Office Support Administrator to in-house Office Support Supervisor is budget neutral.
- Changing Network Systems Administrator position to Network Security Analyst position is an increase of \$6,093.

Total anticipated budget impact for 2022 is \$17,607, which will be included in a budget amendment.

I move to recommend adopting an Ordinance entitled: ORDINANCE AMENDING APPENDICES A AND B TO ORDINANCE NO. 5676 - FIFTH AMENDMENT.

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

Aye: 5 - President Pekau, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Trustee Kampas

Nay: 0

Absent: 2 - Trustee Riordan, and Trustee Radaszewski

ADJOURNMENT: 7:12 P.M.

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

Aye: 5 - President Pekau, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Trustee Kampas

Nay: 0

Absent: 2 - Trustee Riordan, and Trustee Radaszewski

2022-0578 Audio Recording for the July 18, 2022 Committee of the Whole Meeting

NO ACTION

/AS

APPROVED: August 1, 2022

Respectfully Submitted,

/s/ Patrick R. O'Sullivan

Patrick R. O'Sullivan, Village Clerk