

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, August 17, 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 7:00 PM.

Present: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira and Village President McLaughlin

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS

2009-0394 Garden Walk Hosts - Presentations

President McLaughlin recognized the residents who hosted the 2009 Garden Walk on their properties.

This matter was a presentation only, NO ACTION was taken.

CONSENT AGENDA

Passed the Consent Agenda

A motion was made by Trustee Murphy, seconded by Trustee Gira, 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: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

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 August 7, 2009 in the amount of \$1,160,142.77 and the Monthly Hourly Payroll for August 14, 2009 in the amount of \$16,860.73.

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 August 4, 2009 through August 17, 2009 in the amount of \$1,990,413.58.

This matter was APPROVED on the Consent Agenda.

2009-0397 159th & LaGrange Road - Various Invoices

Approval is being requested on the following invoices that require payment due to the 159th & LaGrange Road intersection improvement:

\$1,857.75 Holland & Knight	OFZ0004 (LaRocco), OFZ0035 (Kattos)
179.00 Deutsch, Levy	OFZ0010 (Palos Bank), OFZ0013 (Marquette Bank), OFZ0003 (Simon)

TOTAL INVOICES: \$2,036.75

I move to approve payment of invoices for the 159th Street and LaGrange Road intersection improvements in the amount of \$2,036.75.

This matter was APPROVED on the Consent Agenda.

2009-0312 Burial of Electric Services Lines - 143rd and LaGrange Road

As work advances on the 143rd/LaGrange Road intersection project, staff has discussed with Commonwealth Edison the plan for the relocation of the overhead lines that run the length of this project. Given the type of development planned for this area, including the Main Street Triangle, Orland Crossing and redevelopment along 143rd Street near Marquette Bank, the Village staff recommends an analysis of the cost to bury these service lines to reduce the visual blight. There are two substantial system lines that would need to be relocated.

Although estimates have been provided, in order to advance the analysis of burying the Com Ed lines that run down LaGrange Road from the viaduct to 144th Street and along 143rd Street from the railroad tracks to the entrance at Orland Crossing, Village staff is requesting approval of a payment to Com Ed for engineering services. Once this design work is complete, an accurate depiction of cost for the construction will be provided.

Com Ed originally expressed that they would require payment of 1% of the total engineers' estimate of the construction cost in order to advance the engineering component of undergrounding projects. The estimate given for this project is \$4.6 million for LaGrange Road lines and an additional \$1.5 million for the lines along 143rd Street. Com Ed could not be reached to confirm the 1% figure, so the approval figure was slightly increased in case the figure is actually higher.

On June 22, 2009, this item was reviewed and approved by the Finance Committee and referred to the Board for approval. Since then, several conversations have been held with Com Ed staff and the scope of work was further refined. Subsequently, the price for the preliminary engineering work was reduced. ComEd will provide estimates for the following:

--143rd Street from the Metra Railroad tracks on the west to the intersection at -

- 143rd/LaGrange Road on the east.
- 143rd Street from the intersection at 143rd/LaGrange Road on the west to John Humphrey Drive on the east.
- LaGrange Road from the Metra Railroad overpass on the north to the intersection at --143rd/LaGrange Road on the south.
- LaGrange Road from the intersection at 143rd/LaGrange Road on the north to 144th Street on the south.
- LaGrange Road from 144th Street on the north to 147th Street on the south.

Scope:

- For each segment, ComEd will produce a conceptual plan indicating the preferred burial route and tentative equipment locations.
- The underground route will be drawn over Village road improvement plans (a pdf file of the 143rd St right of way plan was provided from V3, the Village's engineer on this project).
- ComEd will calculate a budget estimate for each line segment.
- ComEd will calculate an estimate of the credit for ComEd standard relocation of overhead facilities which conflict the road improvement plans.

Schedule:

- Will need approximately 6 - 8 weeks to schedule and complete this activity.

Payment:

- The estimate for time and material to perform the service indicated above is twenty thousand dollars (\$20,000.00).

Reservations/Limitations:

- Actual relocation design, costs and estimated credit may be substantially different based on the final roadway improvement plans and other considerations such as easements.
- A separate advance engineering deposit is required if the Village chooses to further develop one or more of these plans.

I move to approve payment to Commonwealth Edison in an amount not to exceed \$20,000 for the preliminary engineering design of the burial of electric service lines in the area of the 143rd and LaGrange Road intersection.

This matter was APPROVED on the Consent Agenda.

2009-0388 3/4 Ton 4x4 Replacement Pickup Truck - Bid Award

The 2009 Fiscal Year Budget has a Board approved line item in the amount of \$99,000 for the purchase of three replacement pickup trucks for the Utilities Division of Public Works. At this time, replaced will be a 1997 Chevrolet 2500 4x4 Pickup Truck with 99,000 miles.

Legal notice for a 3/4 Ton 4x4 Pickup Truck equipped with a snowplow and lift

gate ran in the Daily SouthtownStar Newspaper on Thursday, June 25, 2009. Bid packets were sent to four vendors. Two bid packets were faxed to vendors by request. In return, three bids were received for processing. Sealed bids were opened by the Village Clerk's Office on Monday, July 13, 2009.

Currie Motors Chevrolet of Forest Park, Illinois, was the lowest bidder who met all of the specifications as written. Their bid price for a 2009 Chevrolet 2500 HD 4x4 Pickup Truck equipped with an 8' snowplow and lift gate is \$30,904.

Although Bredemann Chevrolet of Park Ridge, Illinois, submitted a bid price of \$30,825 for the pickup truck, their bid did not meet all of the specifications as written.

I move to approve awarding the bid for a replacement 2009 Chevrolet 2500 HD 4x4 Pickup Truck equipped with an 8' snowplow and lift gate for the Utilities Division of Public Works to Currie Motors Chevrolet of Forest Park, Illinois, in an amount not to exceed \$30,904.

This matter was APPROVED on the Consent Agenda.

2009-0386 Grant Approvals and Budget Adjustments - Approval

Approval is being requested to accept the four grants as follows:

On October 27, 2008, the police department received an Integrated Traffic Enforcement mini grant (OP9-4440-149) from IDOT for \$43,382.00 and an additional grant supplement for the same grant in the amount of \$5,000.00 on June 20, 2009 for a total of \$48,362.00 for equipment, overtime, and auto expenses for traffic enforcement.

On July 15, 2009, the police department received a MCR Incentive In Car Printer Grant (TR9-4440-841) for in car printers in the amount of \$26,800.00

On April 9, 2009, the police department received a Labor Day, You Drink and Drive, You lose Campaign Grant (AL9-4440-602) in the amount of \$3,026.00 for personnel costs for DUI enforcement over the Labor Day holiday.

On July 9, 2009, the police department received a \$7,500.00 grant from the U.S. Secret Service for equipment and overtime costs for joint investigations of complex financial crime investigations.

I move to approve to accept the four grants from Illinois Department of Transportation and the United States Secret Service;

And

To amend the revenue and expenditure budgets in the amount of \$85,688.00 for these funds.

This matter was APPROVED on the Consent Agenda.

2009-0395 Value City Easement Elimination- Plat of Abrogation Approval

The existing vacant Value City department store at 15701 71st Court was originally a Venture department store. When Venture was proposed back in the late 1970's, part of an existing storm sewer on the property had to be eliminated before the building was to be built, or else the sewer would have been blocked by the building. This storm sewer was originally installed as part of the regional Silver Lake Gardens/Catalina Industrial Park subdivision engineering, prior to any buildings being sited for the subdivision. When the detailed Venture store site engineering was subsequently designed, the storm sewer in question was re-routed and partially eliminated. However, the ten foot easement that was recorded to cover this sewer was left in place and crossed the Venture building footprint.

When Value City occupied the building in the early 1990's, it is believed that the legal counsel of Venture or Value City felt the easement should be eliminated due the fact that it runs through the building. Village staff pursued the elimination of this easement, yet somehow the formal recording of the document eliminating the easement was not processed with the Cook County Recorder's office.

In the spirit of encouraging redevelopment, staff has revived the elimination of this easement. Staff again investigated this easement to ensure the Village at this time still does not have interest in retaining this easement for public utility use. This easement is currently occupied by only the aforementioned abandoned storm sewer and therefore an easement is no longer needed. The property owner has prepared a new Plat of Abrogation to be properly recorded by Village legal counsel upon approval by the Village Board of Trustees and by the utility companies which currently maintain rights to this easement. Individual waiver documents for the utility companies' concurrence of abrogation/elimination are in the process of being acquired and will be appended to the plat prior to recording.

I move to approve the Plat of Abrogation for Value City department store at 15701 71st Court, legally described as lot 105 in Catalina's Commercial & Industrial Subdivision, a subdivision of Lots 3 and 6 in Silver Lake Gardens Unit 7 of Orland Park, which shall eliminate an unnecessary ten (10) foot public utility and drainage easement located within the north 200 feet of the subject property.

This matter was APPROVED on the Consent Agenda.

MAYOR'S REPORT

2009-0392 Title 7 Chapter 4, Increase Class A Liquor Licenses - Ordinance

Approval is being requested to Increase the Class A liquor licenses from fifty-nine (59) to Sixty (60) for Beggars Pizza, 11329 West 143rd Street.

I move to pass Ordinance Number 4504, entitled: AN ORDINANCE AMENDING

TITLE 7 CHAPTER 4 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING THE AVAILABLE NUMBER OF CLASS A LIQUOR LICENSES ISSUED BY THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS

A motion was made by Trustee Brad O'Halloran, seconded by Trustee Kathleen Fenton, that this matter be PASSED. The motion CARRIED by the following vote:

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

2009-0399 Title 7 Chapter 18, Orland Park Video Gaming Prohibition

President McLaughlin reported that under the Video Gaming Act that Gov. Pat Quinn signed into law July 13th, up to 45,000 video gambling machines can be installed in bars, restaurants and clubs throughout Illinois. Counties and Municipalities have the right to prohibit video gambling by ordinance.

President McLaughlin stated that he requested this item be placed on the agenda tonight so that the Board can discuss this issue. He has heard from people on both sides of this issue.

President McLaughlin invited Mike Pappas - 14200 Aldwych Drive, Orland Park who is the owner of Fair Share Amusement Company and is on the Board of the Illinois Coin Machine Operators Association to speak before the Board.

An answer sheet was prepared by the Illinois Municipal League that was forwarded to the Board that indicated a municipality's share of the tax revenue would be \$2,250 per year per machine. Under the law, each venue can house a maximum of five machines, so each facility with fire would generate \$11,250.

Mr. Pappas requested that the Board table passing an ordinance to ban the machines in Orland Park at this time, and refer this to a committee meeting for further detailed discussion. He stated the guidelines on how to implement the law are still being written and it will be a year before the first machines are operating. Mr. Pappas stressed that Orland Park needs to consider the consequences if it bans the machines.

Mr. Pappas compared the Board's decision on this matter to the smoking ban. He stated if neighboring communities permit the gaming machines, then the Village and its businesses will lose revenue.

Trustee Gira stated that the Village needs to proceed carefully and cautiously on this issue.

After discussion the Trustee's unanimously voted to table the decision indefinitely. Once the state guidelines are written this issue would be reviewed and discussed by the Finance and Public Safety committees.

I move to table this item indefinitely.

A motion was made by Trustee Edward Schussler, seconded by Trustee Kathleen Fenton, that this matter be TABLED. The motion CARRIED by the following vote:

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

NON-SCHEDULED CITIZENS & VISITORS

Charles and Marlene O'Connell - 13501 Circle Drive spoke before the Board regarding flooding issues on their property not their home. Mrs. O'Connell read a statement and Mr. O'Connell spoke on the grade of the property that was similar to statements read or discussions had at several previous Board Meetings.

President McLaughlin stated every time he has come out to their property the swales are working properly. The Board has made their decision that everything has been done regarding this issue.

Village Manager Grimes reminded the Board, even though this subject matter has been closed and there would need to be a vote to place it on the docket for future discussion, the concern of Mr. O'Connell was that the bee hive was somehow above grade and wasn't taking the water. That is not designed to take water. The bee hive that Mr. O'Connell is referring to is a junction chamber. To assuage Mr. O'Connell's concerns that somehow the bee hive was causing a problem, the Village agreed to place a flat cover on it. This demonstrated the bee hive was not designed or necessary to take water. The Village did this to allay Mr. O'Connell's concerns that somehow it is impeding the flow of the water through the swale. Mr. O'Connell was informed that the Village was doing this.

Village Manager Grimes stated that now Mr. O'Connell is stating that somehow this is counterintuitive, and that is not the case, this is how it was designed.

Mrs. O'Connell stated she believes they should be able to meet with the engineers regarding this flooding issue on their property.

Trustee Fenton stated the engineers and the O'Connell's were present at a Public Works & Engineering meeting.

President McLaughlin stated if the O'Connell's believe there is an issue, then the O'Connell's need to hire their own engineers. After their own engineers have made an evaluation, at that time, the O'Connell's engineers would speak to the

Village's engineers.

BOARD COMMENTS

PRESIDENT McLAUGHLIN - Commented that the Village rents the Civic Center to any groups who would like to rent it, for any purpose. There have been some financial institutions and financial advisors who would like to conduct seminars at the Civic Center. His only request is that somewhere within their contract along with all their advertisement (flyers, brochures) it indicates "This is not a Village Event".

President McLaughlin informed everyone on Saturday, September 12th Northwestern University football game against the Eastern Michigan Wildcats is designated "Orland Park Day" at Ryan Field in Evanston.

Northwestern University Football Coach Fat Fitzgerald, an Orland Park native, has invited residents of his hometown to take advantage of discount tickets and enjoy the fanfare at the September 12th game at which I will be serving as an honorary team caption.

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) the appointment, employment, compensation, discipline, performances or dismissal of specific village employees; b) the purchase or lease of real property for the use of the village; 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 Brad O'Halloran, that this matter be RECESS. The motion CARRIED by the following vote:

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

RECONVENE BOARD MEETING

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

Purpose of the Executive Session was for the discussion of a) the appointment, employment, compensation, discipline, performances or dismissal of specific village employees; b) the purchase or lease of real property for the use of the village; 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 - 7:50 PM.

A motion was made by Trustee Bernard A. Murphy, seconded by Trustee Brad S. O'Halloran, that this matter be ADJOURNED. The motion CARRIED by the following vote:

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

/nm

APPROVED:

Respectfully Submitted,

David P. Maher, Village Clerk