

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, May 17, 2010

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 7:15 PM.

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

VILLAGE CLERK'S OFFICE

2010-0236 Approval of the May 3, 2010 Regular Meeting Minutes

The Minutes of the Regular Meeting of May 3, 2010, were previously distributed to the members of the Board of Trustees. President McLaughlin asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Meeting of May 3, 2010.

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

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

Nay: 0

Abstain: 1 - Trustee O'Halloran

2010-0240 Bridgeview Lions Club - Raffle License

The Bridgeview Lions Club is requesting a raffle license in order to sell "pull-tab" chances at Orland Days, beginning Wednesday, June 2, 2010 through Sunday, June 6, 2010. Money raised at this event will benefit the Bridgeview Lions Club.

I move to approve issuing a raffle license to the Bridgeview Lions Club in order for them to sell pull-tab chances at Orland Days beginning Wednesday, June 2, 2010 through Sunday, June 6, 2010.

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

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

Nay: 0

2010-0191 Destruction of Verbatim Recordings of Closed Meetings

The verbatim record of a closed meeting may be destroyed eighteen months after the completion of the meeting if the Board of Trustees of the Village of Orland Park approves the destruction of the particular recording and if it approves written minutes for the particular closed meeting that contain the following, as required by Section 2.06 of the Open Meetings Act:

- (1) the date, time and place of meeting;
- (2) the members of the public body recorded as either present or absent; and
- (3) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

All requirements have been met.

I move to approve destruction of verbatim recording of closed meetings pursuant to Public Act 93-0523 Section 2.06.

A motion was made by Trustee Kathleen Fenton, seconded by Trustee Patricia Gira, that this matter be APPROVED. 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

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS**2010-0234 Open Lands Fund Commission - Appointment**

President McLaughlin appointed Jeffrey Withgott to the Open Lands Fund Commission.

I move to confirm the appointment by President McLaughlin of Jeffrey Withgott to the Open Lands Fund Commission.

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

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

Nay: 0

CONSENT AGENDA

Passed the Consent Agenda

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

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

Nay: 0

2010-0233 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 April 30, 2010 in the amount of \$835,552.82.

This matter was APPROVED on the Consent Agenda.

2010-0235 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 May 4, 2010 through May 17, 2010 in the amount of \$593,262.90.

This matter was APPROVED on the Consent Agenda.

2010-0194 Summer Entertainment Guide - Quotes for Publication

The Village has budgeted for the printing of a Summer Entertainment Guide. The Village will have printed 32,000 copies with 28,000 of them mailed to Orland Park residents. The remaining 4,000 would be distributed to the public at Village facilities and special events.

Quotes are as follows:

Hagg Press:	\$6,369.61
In-print Graphics, Inc:	\$7,622.75
John S. Swift of Des Plaines:	\$8,365.00

I move to approve accepting the quote from Hagg Press to print the Summer Entertainment Guide at a cost not to exceed \$6,369.61.

This matter was APPROVED on the Consent Agenda.

2010-0203 Pneumatic Curb Repair/Concrete Structure Repairs and Installations - Bid Award Extension

The Public Works Department initiated a curb and concrete structure repair program in 2003 which utilizes the “wet-method shotcrete repair” process to restore structurally sound sections of damaged, unattractive curb and gutter. This program has been very beneficial in helping repair broken sections of curb without the need to tear out and replace them.

Rather than the traditional means of repair that involve the removal and replacement of the full-depth curb section, the “wet-method” process requires only the removal of the fractures (evulsed) portions of the curbing and gutter. Once the loose material has been removed, the remaining curb and gutter is cleaned and prepped and a “shotcrete” coating is sprayed on the area being repaired. The coating will be contoured and finished to match the adjacent curb and gutter sections.

Additionally, manholes can be repaired utilizing the same pneumatic application system. This method repairs drain structures without the need for excavation and restoration is minimal. This method has been used extensively on project areas within the Village since 2003 and current inspections show continued successful performance. Staff has been extremely pleased with the work Robert H. Ward & Assoc., Inc. of South Chicago Heights, Illinois, has performed and would like to continue the program.

Work performed last year (FY 2008/2009) was via an extension of the 2006 agreement with R. H. Ward and Associates, Inc. of South Chicago Heights, Illinois. The contractor provided written correspondence offering a continuation of the 2009 pricing through 2010. Therefore, staff would like to extend the 2006 bid award for pneumatic curb/concrete structure repairs for the 2010 budget year with Robert H. Ward & Associates, Inc. in an amount not to exceed \$100,000.

I move to approve extending the 2006 pneumatic curb repair bid awarded to Robert H. Ward & Associates, Inc. of South Chicago Heights, Illinois, for the 2010 program in an amount not to exceed \$22.75 per lineal foot of curbing repaired and manhole repairs be continued in an amount not to exceed \$1,400 per structure for Fiscal Year 2010, in a combined amount not to exceed \$100,000.

This matter was APPROVED on the Consent Agenda.

2010-0205 Annual Village-Owned Traffic Signal Maintenance

Due to the complex and technical nature of traffic control systems, the Public Works Department continues to choose to contract out the preventative maintenance and repair of the ten (10) Village-owned traffic control signal systems.

Given that there is known savings in cooperative purchasing, the Village has traditionally utilized the same contractor that performs this specialized work for the State and County. The State routinely, as required by statute, advertises and awards a signal maintenance contract to the lowest qualified bidder as part of their services procurement process.

The contractor selected by the State for their signal work again this year is Meade Electric Company, Inc. of McCook, Illinois. Meade has performed this work for the Village for the past several years, and has indicated that they are holding the cost for monthly maintenance at the same rate as last year - \$138 per site.

Staff has reviewed their contract and has added performance elements to ensure that Meade's response to reported signal outages and repair needs is within a specified time period. Meade has reviewed and accepted the contract modifications and, as such, it is Staff's recommendation that the Village's signal maintenance needs be met via a State contract extension offer with Meade Electric.

Given that Staff has provided evidence that the signal maintenance services proposed by Meade for work on Village-owned traffic control signals are similar to those performed by Meade on State and Cook County-owned signal systems and that the services awarded by the State have been competitively bid prior to award, we request waiving the bid process for this service. In addition, documents have been provided which supports the contractor's offer to provide State pricing to Cook County and the Village.

I move to approve waiving the bid process for this service;

And

Approve the proposal/contract from Meade Electric Company, Inc. of McCook, Illinois, for traffic signal maintenance at a cost not to exceed \$138 per site and a total cost not to exceed \$16,560;

And

Approve authorizing the Village Manager to execute a contract for signal maintenance service as outlined by the Village of Orland Park.

This matter was APPROVED on the Consent Agenda.

2010-0206 2010 Road Improvement Program - Bid Award

The annual Road Improvement Program has a Board approved line item in the amount of \$2,406,800 in the Fiscal Year 2010 Budget.

Historically, the project consists of milling the existing asphalt surface to remove failed pavement and overlay milled pavement surface with a new wear-surface. Streets in various subdivisions throughout the Village have been selected for resurfacing by Staff based upon condition analysis. The list of selected streets has previously been presented to the Committee for review and comment. In addition to pavement-related work, failed curbs are replaced or repaired on an as-needed basis and hazardous sidewalks are replaced. As an additional part of the 2010 program, storm sewer underdrains will be installed in various locations within areas where excessive groundwater has or may cause premature pavement failure. This project also includes significant patching throughout the Village to prolong the service life of adjacent pavement sections.

A Request for Bids was advertised in the Daily SouthtownStar Newspaper on Friday, April 2, 2010. Eight companies submitted a sealed bid proposal. Bid proposals were received from: Alpha Construction Co. of Hazel Crest Illinois; Brothers Asphalt of Addison, Illinois; Central Blacktop Co., Inc. of LaGrange, Illinois; Crowley-Sheppard Asphalt, Inc. of Chicago Ridge, Illinois; James D. Fiala Paving of Bolingbrook, Illinois; K-Five Construction Corp. of Lemont, Illinois; Orange Crush L.L.C. of Hillside, Illinois; and P.T. Ferro Construction Company of Joliet, Illinois. The sealed bids were publicly opened and read aloud by the Clerk's Office at 11:00 a.m. on Monday, April 19, 2010.

At the bid opening, Orange Crush L.L.C. of Hillside, Illinois, was disqualified from bidding as they did not meet the pre-bid qualifications specified in the bid documents.

Following a full bid review, Crowley-Sheppard Asphalt, Inc. has been deemed to be the low qualified bidder, providing a bid in the amount of \$2,277,936.25, which is below the engineer's estimate and below the Board approved budgeted amount for the anticipated 2010 program. Therefore, it is Staff's recommendation that Crowley-Sheppard Asphalt, Inc. be awarded the bid for the 2010 Road Improvement Program in the amount of \$2,277,936.25.

I move to approve entering into a contract with Crowley-Sheppard Asphalt, Inc. of Chicago Ridge, Illinois, for the 2010 Road Improvement Program and miscellaneous pavement patching in the amount of \$2,277,936.25;

And

Approve authorizing the Village Manager to execute the contract.

This matter was APPROVED on the Consent Agenda.

2010-0212 143rd Street and LaGrange Road Intersection Improvements - Contaminated Soil - Brothers Asphalt Change Order

At the March Committee and Board meetings, an item was prepared and presented allocating \$20,000 for Environmental Engineering Oversight by V3

Companies to address suspected contaminated soils that may be found during the course of the watermain relocation project. When that item was presented, the Committee was advised that quantities and costs were being compiled for the related construction costs associated with the investigation, excavation, transport and disposal of the contaminated soils that were going to be excavated.

Following soil samples taken and analyzed from the four corners where contaminants were suspected and the recent removal of the "Orphan Tank" at the 7-11 site, it is the belief of the Engineers that the extent of contamination may be greater than what had been earlier anticipated. The "Orphan Tank" removal was a very successful project, but it did show that there is significant contaminated material that must be dealt with.

The scope of the work involved in the management of contaminated soils is limited to the soils and water that must be removed during the course of the watermain relocation excavation. Contaminated soils excavated must be handled specially and any ground water that has to be pumped out to dewater the construction site must also be tanked to a licensed disposal facility. Additionally, to ensure that the contaminants do not deteriorate the gaskets and sealants used to join the pipe and valve sections, special gaskets (made to order) must be purchased and installed on the pipe and valves within the areas of contamination. If the special materials are not used, the seals will quickly deteriorate, leading to premature leaks and system failures.

Counsel has been working closely with Engineering in an effort to ensure that the Village's ability to recoup these added costs is positioned as best as conditions will allow. As such, daily diaries are being kept to pinpoint the source of all excavated material that is determined to be contaminated. A chemical analysis of the contaminated material is performed in an effort to obtain the "chemical signature" that may help identify the "owner" that caused the contamination. If the "owner" can be determined, Counsel may then proceed with efforts to recoup costs incurred as a result of their contamination or release of pollutants.

As this handling of contaminated materials is federally mandated, the work must be performed using very specific criteria and with great oversight and review.

Costs associated with this contaminated materials work are estimated to be at or below \$350,000. If all of the material that is excavated in the four areas of suspected areas of contamination is indeed contaminated, the costs will be at the upper-end of the estimate. If the extent of contamination is less than the most extreme estimate, then the costs will be lower than the estimate. In any event, this work is a requirement that must be closely followed.

It is important to note that an additional portion of these same areas will be excavated during the construction associated with the burial of the overhead utility lines. It is anticipated that the contaminated soils matter will be a concern,

however, as the sites will have been better defined as a result of this phase of the project, additional costs will be more predictable. The final phase that will widen the roadway will have excavation occurring in these areas of now-known contamination, but typically the roadway excavation should not be deep enough to unearth contamination that would require special handling.

Therefore, it is Staff's recommendation that a Change Order with Brothers Asphalt be authorized in the amount of \$350,000 to fund the added costs associated with the discovery, excavation, transport and disposal of contaminated soils found as a part of the watermain relocation project at 143rd Street and LaGrange Road. With the authorization of this Change Order, the value of the contract with Brothers Asphalt will increase to \$1,552,739.

I move to approve authorizing a Change Order to a contract with Brothers Asphalt for 143rd and LaGrange Road Watermain Relocation Project in the amount of \$350,000, thereby increasing the total contact value to \$1,552,739;

And

Approve a budget adjustment to the Water & Sewer Fund in the amount of \$320,000;

And

Approve authorizing the Village Manager to execute the Change Order.

This matter was APPROVED on the Consent Agenda.

2010-0213 Grasslands Subdivision Detention Basin - Proposal

In 2005, the Village Board approved Christopher B. Burke Engineering (CBBEL) to complete the engineering for the Grasslands Detention Basin in an effort to mitigate overland flooding within the Grasslands Subdivision. In that time, the initial pond construction (Phase I) has been completed. Dam construction (Phase II) will increase storage capacity to final design parameters. Through the ongoing efforts of CBBEL, Army Corps of Engineers approval was received in late 2009. Final comments from the Illinois Department of Natural Resources (IDNR) were also received at that time.

CBBEL has submitted a proposal to finalize Phase II engineering, complete IDNR permitting and provide construction observation for the dam construction. The additional engineering is required due to significant changes being required by the IDNR.

I move to approve accepting the proposal from Christopher B. Burke Engineering (CBBEL) of Rosemont, Illinois, for final design engineering, permitting and construction observation of the Grasslands Flood Control Facility (Dam) in an amount not to exceed \$38,300;

And

Approve authorizing the Village Manager to execute the proposal.

This matter was APPROVED on the Consent Agenda.

2010-0082 Terry's Lincoln Mercury - Ordinance

On May 3, 2010, the Board approved a special use amendment, site plan and elevations, for Terry's Lincoln Mercury located at 9401 West 143rd Street. The special use permit allows for the operation of an expanded automobile dealership and is subject to conditions as stated in the Ordinance.

I move to pass Ordinance Number 4561, entitled: ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT - TERRY'S LINCOLN MERCURY

This matter was PASSED on the Consent Agenda.

2010-0168 9952 W 144th Street - COA, AR

The Loebe House is installing four new historically appropriate windows on the rear (north) addition of the building. The new windows will replace windows that are not appropriate to the structure per historic building surveys.

I move to approve a Certificate of Appropriateness for the elevation renderings for 9952 W 144th Street titled "9952 W 144th Street North Windows Rear Addition" and "9952 W 144th Street West Windows Rear Addition", prepared by Bob Wilson, the petitioner, dated May 5, 2010.

This matter was APPROVED on the Consent Agenda.

2010-0001 Orland Park Nissan - Ordinance

On April 5, 2010, the Board approved an amendment to a special use permit (Ordinance 1787) for the Orland Park Nissan Automobile Dealership located at 8550 W. 159th Street. The amended special use permit allows for a building expansion on the northeast side of the building to accommodate large vehicle (truck) repairs and is subject to conditions as stated in the Ordinance.

I move to pass Ordinance Number 4562, entitled: AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT - ORLAND PARK NISSAN.

This matter was PASSED on the Consent Agenda.

DEVELOPMENT SERVICES AND PLANNING

2010-0165 Assumption Greek Orthodox Church - Special Use Permit

Assumption Greek Orthodox Church is requesting a special use permit to operate a place of worship on a temporary basis in an existing building located at 11411 W. 183rd Street in the Orland Park Business Center. The church proposes to

occupy a 4,453 square foot tenant space to accommodate 40-60 worshippers on Sunday mornings and office space through the week.

The special use permit is proposed to expire in two years, allowing time for the petitioner to find a permanent church location. No changes will be made to the site or exterior of the building with the possible exception of signage that must secure a sign permit.

A clarification was made at the May 11th Plan Commission meeting, that rather than skipping Committee after Plan Commission consideration, the petition will be considered on May 17th by both the Development Services Committee and the Board of Trustees for final review/approval. The only public comment at the Plan Commission public hearing was one individual's concern about garbage, traffic, parking and signage.

On May 11, 2010, Plan Commission voted 7-0 to recommend to the Village Board approval of a Special Use Permit for Assumption Greek Orthodox Church to operate a place of worship in a 4,453 square foot tenant space located at 11411 W 183rd Street, with the condition that the permit expires two years from the date of Village Board approval.

On May 17, 2010 at 6 PM, this case will go to the Development Services/Planning Committee for review prior to being sent at 7 PM to the Board of Trustees for final review/approval.

This case is now before the Board of Trustees for final review/approval.

I move to approve a Special Use Permit for Assumption Greek Orthodox Church to operate a place of worship in a 4,453 square foot tenant space located at 11411 W 183rd Street, with the condition that the permit expires two years from the date of Village Board approval.

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Brad O'Halloran, that this matter be APPROVED. 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

VILLAGE MANAGER'S REPORT

2010-0229 Recording for the Blind and Dyslexic Lease Agreement

The Recording for the Blind and Dyslexic was offered 2,367 square feet of space in the 17,089 square foot former Village of Orland Park Police station, located at 14600 South Ravinia Avenue. The agreement provides for a lease term of ten years at an annual rent rate of twelve dollars. At any time following expiration of

the first five years of the lease term the Village may terminate the lease agreement effective six months following written notice from Landlord to Tenant.

At their own expense, the Recording for the Blind and Dyslexic has begun working with Studio GC Architects (a.k.a. Gilfillan Callahan Nelson Architects) to design the interior build-out of their space. This is the same firm used to design the exterior work currently underway and the Space Needs Analysis we completed for this facility. They will work within the plans designed for the upper level of this facility and have requested the Village staff be apprised throughout their planning to ensure that the build-out meets the requirements of the Village.

I move to approve a lease agreement with the Recording for the Blind and Dyslexic

And

To authorize the Village Manager to execute the agreement.

A motion was made by Trustee Kathleen Fenton, seconded by Trustee Patricia Gira, that this matter be APPROVED. 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

Marlene O'Connell - 13501 Circle Drive informed the Board that she has not received the finalized restrictive covenant for lawn maintenance of the swale on the east side of Circle Drive from the Village attorney as promised back in July, 2009.

Village Manager Grimes stated that he will contact the Village Attorney on the status of this document.

Mrs. O'Connell read a letter from IDOT dated October 7, 2009. This letter gave an opinion on the Circle Drive east side ditch.

President McLaughlin stated that this letter from IDOT will need to be reviewed by staff and the Village's engineers and a response will be give within the next week to 10 days.

BOARD COMMENTS

TRUSTEE MURPHY - Reported that as a result of the crime-free ordinance that was passed last year, landlords in Orland Park, Tinley Park, Oak Forest and surrounding communities formed a Landlords Association. Their first meeting was last week at the Orland Park Police Station and they expected only 50 people

to attend. Instead over 150 landlords attended who all expressed their approval of the passage of this ordinance.

TRUSTEE FENTON - Reminded everyone that the Farmers Market's first day is June 4th.

Trustee Fenton stated that at the Garden Walk this year there will be a birdhouse contest as suggested by Trustee O'Halloran.

PRESIDENT McLAUGHLIN - Stated that on Friday night he attended Relay-for-Life at Carl Sandburg High School. This event raises funds for Cancer research and began over 16 years ago at Carl Sandburg High School where the students organized this event. Last year this event was the third largest event of its kind in the country. This year Carl Sandburg beat out Georgetown University and became the second largest event in the country. There were 3,100 kids involved who raised \$400,000. The students did an outstanding job.

President McLaughlin reported that for the 23rd year in a row the Village of Orland Park has been awarded the Tree City USA Community Award.

President McLaughlin reported that resident Arnold Gacki met with him in his office before tonight's meeting. Mr. Gacki brought to his attention that there are still several outstanding issues in the Marley Creek Subdivision at 183rd and Wolf Road, as well as in the business area. President McLaughlin plans to review these issues with Village Manager Grimes.

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) 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 Fenton, Murphy, O'Halloran, Dodge, Schussler, Gira, and President McLaughlin were present.

Purpose of the Executive Session was for the discussion of a) pending litigation against, affecting or on behalf of the village or when found by the board that such

action is probable or imminent.

ADJOURNMENT - 7:55 PM

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

Aye: 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