

# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)



## Meeting Minutes

Monday, February 1, 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 7:03 PM.

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

**VILLAGE CLERK'S OFFICE**

**2010-0053 Approval of the January 18, 2010 Regular Meeting Minutes**

The Minutes of the Regular Meeting of November 15, 2004, 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 January 18, 2010.

**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:** 5 - Trustee Murphy, Trustee Fenton, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Abstain:** 2 - Trustee O'Halloran and Trustee Dodge

**CONSENT AGENDA**

Trustee Schussler requested that Item R. Smith Crossing Phase II - Special Use Amendment, Site Plan & Elevations be removed from the Consent Agenda for a separate vote.

**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

**2010-0055 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 January 22, 2010 in the amount of \$917,626.14.

**This matter was APPROVED on the Consent Agenda.**

**2010-0065 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 January 19, 2010 through February 1, 2010 in the amount of \$976,612.26.

**This matter was APPROVED on the Consent Agenda.**

**2010-0033 Reject Paper Products/Domestic Supplies Bid**

Bids were received on November 11, 2009 for the Paper Products/Domestic Supplies Unit Price bid. Upon further review on a total Village centralized system, it has been determined that the Building Maintenance Department will order all products needed throughout the Village for all departments. A new product list is being compiled to accommodate organization needs making sure that pricing is uniform. When this is complete we will rebid.

I move to approve rejecting the Paper Products/Domestic Supplies Unit Price and rebid.

**This matter was APPROVED on the Consent Agenda.**

**2010-0040 RDC Lower Level Smoke Damage - Clean Up Quote**

A minor fire occurred in the furnace room in the lower level at the Robert Davidson Center on January 11, 2010. The cost to clean up the smoke damage is \$12,628.38. We have received a quote from Servpro of Orland Park in this amount. The facility usage in the upper level was not impacted; however, the lower level use was reduced due to the fire.

I move to approve the quote from Servpro of Orland Park in the amount of \$12,628.38.

**This matter was APPROVED on the Consent Agenda.**

**2009-0598 Special Recreation Christmas Dinner Dance**

The annual Special Recreation Christmas Dinner Dance was held on December 18, 2009 at Georgio's. This event has been held for the past 10 years and is very well attended by Orland Park's Special Recreation participants as well as invited nearby Special Recreation agencies. 395 people attended the event including staff and participants.

The expenses for this event were \$12,500.00. The Calvary Reformed Church

donated \$2,031.00 to this event. The donation money went toward additional expenses (music band, visit from Santa, pictures, gifts, and misc. supplies). A \$4,000.00 deposit was made previously and the balance now due is \$8,538.09 which is funded through registration fees.

I move to approve payment to Georgio's for the Special Recreation Christmas Dinner Dance in the amount of \$12,538.09.

**This matter was APPROVED on the Consent Agenda.**

#### **2009-0599 Special Recreation Fundraiser - Product Payment Approval**

The Special Recreation staff, in cooperation with the Knights of Columbus have organized a fundraiser with proceeds going toward Special Recreation programs. The fundraiser consists of selling Tootsie Roll containers filled with miniature Tootsie Rolls. The total cost of the Tootsie Rolls that were provided for the fundraiser is \$5,760.00. The Special Recreation staff anticipates a profit/donation of approximately \$8,000 - \$9,000 from the sales that will benefit the Special Recreation programs.

Staff is requesting approval of payment to the Knights of Columbus in the amount of \$5,760.00 for product provided.

I move to approve payment for fundraiser product to the Knights of Columbus in the amount of \$5,760.00.

**This matter was APPROVED on the Consent Agenda.**

#### **2010-0025 Fitness Equipment Purchase**

In an ongoing effort to replace aging fitness equipment at the Sportsplex, staff is requesting approval to purchase seven new indoor cycles and three new treadmills. This replacement equipment will increase member satisfaction/retention, assist in attracting new members, and reduce the frequency of out of order equipment.

Much of the cardio equipment the Sportsplex owns is nearly nine years old, has undergone numerous repairs and is in need of replacement. This purchase is part of the yearly replacement plan, (which will complete the 3 year process of replacing original/often out of service spin bikes), and help avoid the need to replace a large volume of equipment at a much higher cost. At this time, staff is requesting approval to waive the bid process and accept the proposals to purchase the equipment directly from the manufacturers.

Staff is asking to purchase seven (7) Keiser M3 spin cycles from Direct Fitness Solutions, LLC. at a cost of \$7,665.00 plus \$385.00 for freight, delivery and installation. Additionally, this company will accept a trade-in of 15 spin bikes and credit us with \$1,275.00, bringing the total cost to \$6,775.00.

Staff is also requesting the purchase of three (3) treadmills from Life Fitness at a cost of \$15,000.00 plus \$982.32 freight, delivery and installation, bringing the total cost to \$15,982.32.

I move to approve waiving the bid process for the purchase of seven Keiser spin bikes and three Life Fitness treadmills; and

I move to approve the purchase of seven M3 indoor cycles from Direct Fitness Solutions, LLC at a cost not to exceed \$6,775.00; and

I move to approve the purchase of three Life Fitness treadmills at a cost not to exceed \$15,982.32.

**This matter was APPROVED on the Consent Agenda.**

#### **2010-0044 Replacement Vehicle for Unit #1423 - Purchase**

On December 25, 2009 Unit #1423 was involved in a vehicular traffic crash. The vehicle was a total loss. This accident occurred as the result of severe icing on the roads when our officer was responding to a two car accident involving injuries.

The Police Department would like to replace this vehicle as soon as possible. The Village's Finance Department has arranged for the vehicle to be examined by the Village's insurance administrator CCMSI. Their adjustor has determined that the vehicle is a total loss. This vehicle is a 2006 Chevrolet Impala with over 97,000 miles on it.

The Police Department is requesting to replace this vehicle with funds from the Village's Insurance fund Account. The damaged vehicle was a 2006 Chevrolet Impala Police Package (9C1) and it would be replaced with a new 2009 Chevrolet Impala Police Package (9C1).

The purchase price for this vehicle would be \$20,027.40, plus approximately \$2,325.69 for the cost of the damaged equipment, change-over, lettering and stripping for a total cost not to exceed \$22,353.09.

This vehicle would be purchased from Jacobs Chevrolet in Jolie, Illinois, Tele. # (815) 401-5953. Jacobs is the Illinois Dealership with the State of Illinois purchase contract for the year 2009. Jacobs Chevrolet currently has this vehicle in stock and we can purchase it immediately. If we have to order a new vehicle, we would have to wait for the 2010 model Chevrolet's to be built in March of 2010.

I move to approve the transfer of funds from the Village Insurance Fund in the amount of \$22,353.09 to cover the cost to purchase and equip one (1) 2009 Chevrolet Impala Police Package vehicle to replace Unit #1423, from Jacobs Chevrolet of Decatur, Illinois.

**This matter was APPROVED on the Consent Agenda.**

**2010-0012 Disposal of Certain Seized Vehicles at Public Auction - Ordinance**

The police department requests that the Village declare four (4) forfeited vehicles being processed for titles described herein as excess property and to dispose of at public auction. The vehicles were seized by the department and forfeited to the village by the Circuit Court of Cook County from drivers who were driving their vehicle while their licenses were suspended for DUI.

We have applied for the title to these vehicles described as follows:

|                           |                   |
|---------------------------|-------------------|
| 2000 Ford F-150 Truck     | 2FTPF18L8YCA88527 |
| 1998 Mercedes-Benz E320   | WDBJF65F9WA588937 |
| 1995 Chevrolet 1500 Truck | 2GCEK19K3S1141162 |
| 1993 Jeep Cherokee        | 1J4GZ78S2PC605496 |

I move to pass Ordinance Number 4537, entitled: AN ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

**This matter was PASSED on the Consent Agenda.**

**2010-0013 Village Code Amendment -Title 8 Chapter 6, Offenses of Retail Theft - Ordinance**

The department request to amend Title 8 chapter 6, Section 1 B 5 to raise the full retail value for the ordinance violations to \$100.00 from \$50.00 to allow for more effective and flexible enforcement of retail thefts.

The ordinance is only used for first offenders when there are no other violations.

I move to pass Ordinance Number 4538, entitled: AN ORDINANCE AMENDING TITLE 8 CHAPTER 6 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING THE OFFENSE OF RETAIL THEFT IN THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS

**This matter was PASSED on the Consent Agenda.**

**2010-0015 CBBEL - 2010 Contract - Approval of Professional Engineering Services Contract with Christopher B. Burke**

The Village of Orland Park's current contract with Christopher B. Burke (CBBEL) to provide professional engineering services has expired. The previous contract was for general engineering to be provided by CBBEL for a monthly retainer of \$8,500. The contract for FY 2010 is for a monthly retainer of \$7,000. The contract has been reduced due to budgetary restraints and a reduction in development activity. The scope includes attending Village meetings, investigation of engineering matters, review of drainage complaints, and follow-up with developers and residents.

I move to approve the Professional Engineering Services 2010 Contract with

Christopher B. Burke in the amount of \$84,000.

**This matter was APPROVED on the Consent Agenda.**

**2010-0043 Doctor Marsh Site Planning**

A large portion of Doctor Marsh has been dedicated to the Village by Gallagher & Henry per the Spring Creek Agreement. This is part of the Spring Creek Greenway and has potential for trail connections and ecological restoration. Village staff has requested that the Army Corps of Engineers allow use of a portion of Gallagher & Henry's required wetland mitigation funds for site planning.

Christopher Burke Engineering has been evaluating wetland mitigation potential for this area and already has a lot of background data. They provided an estimate of \$12,300 for this study.

I move to approve authorization of the Village Manager to enter into a contract with Christopher Burke Engineering at a cost not to exceed \$ 12,300 to create a restoration/trail plan for Doctor Marsh, subject to funding by Gallagher & Henry's wetland mitigation fund.

**This matter was APPROVED on the Consent Agenda.**

**2009-0619 Sister Bakery, Inc. - Special Use Permit**

I move to approve the special use for Sister Bakery as recommended at the January 25, 2010 Development Services Planning Committee meeting and as fully referenced below.

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

I move to approve a Special Use Permit for Sister Bakery, a 3,000 square foot, 16 seat, restaurant and bakery located at 9328-9330 W 159th Street and as shown on the Site Plan by Lucid Designs and Construction and dated 12-07-09, subject to the following conditions:

- 1) One dedicated dumpster is maintained for Sister Bakery and stored in the existing brick enclosure.
- 2) This approval is subject to meeting Building and Health Code requirements.
- 3) New signage will be approved through a separate permitting process.

**This matter was APPROVED on the Consent Agenda.**

**2009-0540 Quizno's Subs - Special Use**

I move to approve the special use for Quizno's Subs as recommended at the January 25, 2010 Development Services and Planning Committee of Trustees meetings and then January 12, 2010 Plan Commission meeting and as fully referenced below.

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

I move to approve the special use for Quizno's Subs per the submitted floor plan titled "Floor Plan", prepared by the petitioner, Peter Swaufield, received December 1, 2009, as a 1,513 square foot restaurant with 30 seats, 13 parking spaces, and to be within 330 feet from residential properties in the Courtyards of Orland Park subdivision, subject to the following conditions:

1. That a loading space in the rear of the restaurant be designated by a sign and striping;
2. That a separate garbage enclosure be required for Quizno's that is wooden or non-white vinyl and solid/ opaque fence with gates for access;
3. That the regulations of Special Use Ordinance 3738 are applied.

**This matter was APPROVED on the Consent Agenda.**

**2010-0021 Smart Energy Fund**

I move to approve the program titled "Orland Park Smart Energy Fund", prepared by the Development Services Department, dated January 25, 2010, funded for \$250,000.00 by the American Recovery and Reinvestment Act of 2009 through the Energy Efficiency and Conservation Block Grant (EECBG) program administered by the US Department of Energy, pending DOE approval.

**This matter was APPROVED on the Consent Agenda.**

**2010-0041 Residential Exterior Insulation and Re-Siding Program (REIRS)**

I move to approve the program titled "Orland Park Residential Exterior Insulation and Re-Siding Program", prepared by the Development Services Department, dated January 25, 2010, funded for \$50,000.00 by the American Recovery and Reinvestment Act of 2009 through the Energy Efficiency and Conservation Block Grant (EECBG) program administered by the US Department of Energy.

**This matter was APPROVED on the Consent Agenda.**

**2009-0288 General Policy for Co-Locating Wireless Communication Facilities (WCF) on Village-Owned Property**

I move to approve the policies titled "Co-Locations on Village Land in ComEd Transmission Towers", "General Policy for Co-Locating Wireless Communication Facilities (WCF) on Village Property", and "Water Tower Co-Location Planning Criteria", prepared by the Development Services Department and as recommended by the Development Services and Planning Committee of Trustees dated February 1, 2010 and as referenced below.

**THIS SECTION FOR REFERENCE - REVISED POLICY REPORT FROM THE**



## COMMITTEE

Inventory of Village Water Towers and Base Lease Rate Research were given to the Board as attachments in their packets.

This report outlines the four types of WCF co-location projects that may occur on Village property and the appropriate fee and rate structures for such projects.

The objective of this report is to:

1. Establish a General Policy for Co-Locating WCFs on Village Property based on substantial research;
2. Identify and discuss the four types of WCF co-location projects that may occur on Village property;
3. Establish Water Tower Co-Location Planning Criteria; and
4. Make recommendations for constructing for-profit private buildings on public land.

## DEFINITIONS

**Wireless Communication Facility (WCF)**

A WCF can be monopole towers, existing lattice towers, attached or "extension" monopoles, and stealth equipment, or a combination thereof and their associated ground equipment enclosures or shelters. Attached or extension monopoles can be co-located on top of buildings, water towers, or existing monopoles to further increase height. (They can essentially be installed on tall objects including park field lights or similar infrastructure). Stealth communication equipment is comparatively small radius local communication facilities co-located on top of buildings but without monopole attachments or extensions-- thus "stealth" because they blend with regular rooftop equipment.

**WCF Special Use**

To build new WCFs or to build new equipment shelters/ (telephone service) utility substations, the Village requires a special use permit and, in the case of new towers, conformity to residential land use proximity regulations in Section 6-311 of the Land Development Code. This means that to build a new tower, a provider would have to comply with the public hearing process and ensure that the tower is not within 500 feet of any residential building--even if it is built on Village land. Or, to build a new wireless communication equipment shelter or building, a provider must comply with the public hearing process. In such a case, the special use process would dictate the requirements for approval/denial of a project.

**WCF Administrative/ Appearance Review**

The administrative appearance review process is required for WCF co-location projects and existing infrastructure because it facilitates swift equipment deployment for providers. This is an incentive that gives providers the opportunity to avoid new construction costs and the public hearing process.

As a result, co-location projects reduce the amount of new monopole towers constructed and their visual impacts for the community.

### **GENERAL POLICY FOR CO-LOCATING WCFs ON VILLAGE PROPERTY**

In lieu of multiple wireless communication petitions requesting co-location privileges on Village owned property (i.e. water towers) the following policy is recommended for the Village of Orland Park to adopt in order to systematically review, improve, process and maintain wireless communication facilities.

#### General Policy for Co-Locating WCFs on Village Property

1. Screening Requirement. Ground equipment cabinet enclosures shall be screened using a 100% solid opaque fence of either masonry or non-white vinyl fence. The ground equipment enclosure shall be further screened by native landscaping that is low cost, low-maintenance. The wireless communication provider's co-located onsite shall be responsible for landscaping maintenance.
2. Tree Mitigation Bank. Where screening by native landscaping cannot be accommodated, the provider shall pay \$2,500.00 to the Village of Orland Park Tree Mitigation Bank in lieu of the required landscaping. The funds shall be used by the Village to plant or maintain trees in Village parkways, parks, open lands, and other public lands and facilities in the same impact fee districts as the project.
3. Ground Equipment Shelter. Special use permits for ground equipment shelters or buildings shall require a masonry building designed similar to existing Village-owned utility substations or pump housing facilities. The shelter shall be screened by native landscaping;
4. Multi-Tenancy. The provider must provide an assessment for multiple tenants or co-locations and determine if other carriers or providers can fit/ co-locate on the infrastructure following their installation per Section 6-311 regulations. If more co-locations can fit, they must build the ground equipment enclosure or shelter to accommodate at least one future additional tenant;
5. Maintenance Fee and Site Access. The provider must pay a one-time site maintenance or impact fee of \$2,000.00 for impacts to utilities, roads, towers, screening and other infrastructure and services on public property. Site access to masonry shelters or ground equipment enclosures shall be controlled by the Department with jurisdiction (Building Maintenance or Public Works). No new road access to such sites shall be allowed, since it is typically not necessary for

providers to need vehicles for site maintenance. In addition, any new paths or sidewalks for site access shall be subject to the Department with jurisdiction (Building Maintenance or Public Works).

6. Compensation. Compensation to the Village of Orland Park for the use of Village-owned infrastructure and facilities shall follow the below fee schedule. The compensation base lease rate shall begin in 2010 as \$3,000.00 per month and shall escalate annually by 3%. Compensation payments shall be made quarterly. Each provider shall pay its own fee. All providers with new co-location petitions shall pay the same base rate per year as determined by the below fee table, which outlines the payment schedule until 2024.

3% Annual Escalator.

Year 1 - 2010 - \$3,000.00 per month;  
Year 2 - 2011 - \$3,090.00 per month;  
Year 3 - 2012 - \$3,182.70 per month;  
Year 4 - 2013 - \$3,278.18 per month;  
Year 5 - 2014 - \$3,376.53 per month;  
Year 6 - 2015 - \$3,477.82 per month;  
Year 7 - 2016 - \$3,582.16 per month;  
Year 8 - 2017 - \$3,689.62 per month;  
Year 9 - 2018 - \$3,800.31 per month;  
Year 10 - 2019 - \$3,914.32 per month;  
Year 11 - 2020 - \$4,031.75 per month;  
Year 12 - 2021 - \$4,152.70 per month;  
Year 13 - 2022 - \$4,277.28 per month;  
Year 14 - 2023 - \$4,405.60 per month;  
Year 15 - 2024 - \$4,537.77 per month;

**BASE LEASE RATE RESEARCH**

Research for the above policy recommendations was assisted by the American Planning Association's Planning Advisory Service (PAS). PAS surveyed Chicago area municipalities to determine what co-location lease rates exist around the region. The attached information marked by (PAS) was collected by PAS. Information marked by (VGE) was collected by the Village of Glen Ellyn, which shared their research with PAS, and thus Orland Park. Information marked by (VOP) was collected by staff.

The old Orland Park policy was to treat each co-location on a case by case basis and charge a starting lease rate of approximately \$2,200/ month with a 3% annual escalator (2004) for each carrier/ provider. The proposed new policy sets a new course using a base lease rate starting at \$3,000/ month for all carriers and

providers in 2010 with a 3% annual escalator. This means that all new lessees will be paying the same rate within a given year. The lessees will be required to pay the Village on a quarterly basis, allowing the Village to collect \$9,000 each quarter in 2010 from potential lessees.

#### Orland Park's New Policy v. Old Policy

Based on the information in this research and the 34 communities that were surveyed, the average base lease rate for co-locations on publicly owned infrastructure is approximately \$2,219.29/ month. The average annual escalator is approximately 3.42%. Under the proposed new policy, Orland Park's base lease rate will be \$780.71 more than that average in 2010. Orland Park's annual escalator will be .42% less than that average.

### **IDENTIFICATION AND DISCUSSION OF CO-LOCATIONS ON VILLAGE PROPERTIES**

There are four types of sites owned by the Village of Orland Park on which wireless communication providers (providers) can co-locate their wireless communication facility (WCF).

- A. ComEd transmission towers on Village land;
- B. Village buildings;
- C. Village WCFs; and
- D. Village Water Towers.

#### A. Co-Locations in ComEd Transmission Towers on Village Land

The Village supports co-locations on all existing infrastructure. In the case of ComEd transmission towers, however, there are some in ComEd easements which run across Village-owned open lands, parks, greenways and other similar land uses. In the instances where ComEd easements and transmission towers exist on Village-owned land, co-locations are currently not permitted due to Open Lands district zoning restrictions.

The following are policy recommendations for co-locations on Village-owned land in ComEd transmission towers:

1. Land Development Code. Amend the Land Development Code to allow WCF co-locations in ComEd transmission towers on Village land via an administrative/appearance review and to allow via a special use (telephone service) utility substations associated with co-locations in ComEd transmission towers on publicly owned land (Section 6-213.B.6);
2. Follow General Policy. Require providers to follow the General Policy for Co-Locating WCFs on Village Property outlined in this report;
3. Two Party Lease. When a co-location is proposed in a ComEd transmission

tower on Village-land (e.g. Open Lands), the providers will lease the tower space from ComEd for the monopole and then lease the ground space from the Village for the ground equipment enclosure/ shelter. The lease-rate between the Village and the provider should be based on the Village land needed for the supporting ground equipment and associated enclosures and screening.

In the case of Open Lands, co-locations would only be permitted when a ComEd transmission tower is existing. Three party lease deals (e.g. between ComEd, the Village and the provider) are difficult to negotiate from the perspective of the wireless industry. In ComEd co-locations on Village land, the Village should establish a lease for the land area of the equipment enclosure/ shelter, since the tower itself will be located in existing ComEd infrastructure, but the enclosure will use Village land.

#### B & C. Co-Locations on Village Buildings and WCFs

The potential exists for providers to co-locate WCFs on a Village building. Co-locations to Village buildings can be accomplished via attached monopoles per Section 6-311 regulations or via stealth equipment. Upcoming Land Development Code amendments propose limiting the extended height to fifteen (15') feet above the building or structure. Village WCFs include facilities like the existing lattice tower at the Old Police Headquarters. Currently, this is the only freestanding Village WCF.

In cases where co-locations can occur on Village buildings and Village WCFs, the General Policy outlined in this report should be followed.

#### D. Co-Locations on Village Water Towers

Wireless communication providers and carriers have already petitioned the Village on numerous occasions to co-locate WCFs on Village water towers. Co-locations on Village water towers typically involve antennae equipment at the top of the bulb with several thick cables running down the personnel access shaft of the tower to the ground equipment. Each water tower is organized and built differently. In some cases, WCF ground equipment can be housed in the base of the tower; in most cases the ground equipment is located outside the base due to internal spatial constraints, requiring penetrations to the base to provide cable access to the stem and bulb of the tower. Penetrations must be strategically located for proper coordination with other existing facilities in operation on and around the towers.

Water tower co-locations involve meticulous site planning to avoid underground utilities such as storm sewers and water mains, and water tower "over land flow fields" (explanation to follow). WCF ground equipment cable lines must be able to access water tower bases without crossing these utilities or impacting water tower operations. Water towers release large amounts of excess water into "over land flow fields" at the base of the tower to relieve system pressure. Building in these

areas is not possible without sustaining flooding or other water damage from water tower operations. Following successful access to the tower, cable lines must not limit or prohibit tower crews from maintaining or accessing the tower's bulb and top. Multiple co-locations can result in multiple thick cables (up to 30 or more separate cable lines in some cases) which can restrict access and maintenance, and create unsafe working conditions for crews, impeding safety harness operation due to numerous brackets and hangers for said cable bundles.

In cases of water tower co-locations, the following is recommended:

1. Water Tower Co-Location Planning Criteria. Public officials shall use the planning criteria below to approve or deny water tower co-location petitions. If a project fails to meet at least one criterion, it shall be denied.
2. Follow General Policy. Water tower co-locations that meet all the planning criteria, must require providers to follow the General Policy for Co-Locating WCFs on Village Property outlined in this report;

It should be noted that in some instances, denial of a co-location on a Village water tower may result in a wireless communication provider to propose the construction of a new WCF that will likely include a new monopole. This situation, however, would be regulated through the special use process.

#### **WATER TOWER CO-LOCATION PLANNING CRITERIA**

In order to regulate water tower co-locations, the Public Works Department has compiled an inventory of Village water towers to determine potential site planning and co-location capacity. The Village will use the inventory in conjunction with the following four planning criteria to determine if a co-location and/or building a wireless communication shelter is feasible or appropriate for each water tower site.

1. The installation of underground coaxial and other cables must be at least five (5') feet from water mains, sanitary sewers or storm sewer lines onsite;
2. The construction of buildings/ shelters or cabinet equipment cannot be sited in areas needed for overflow management (water tower "overflow fields" and overflow valves) or site maintenance;
3. WCF buildings/ shelters or cabinet equipment must be appropriately sited outside of the water tower drip line but near acceptable base penetration areas, which are areas along the base perimeter that are clear of internal existing water tower infrastructure; (The farther cables must travel, the thicker they must be, which impacts tower operations and maintenance);
4. Public Works must determine that wireless communication cable conditions in

each water tower are safe for crews and maintain a comfortable access-way to the bulb and top of the water tower; Cable lines that impede safe crew access shall not be permitted.

### **CONSTRUCTING PRIVATE FOR-PROFIT BUILDINGS ON PUBLIC LAND**

The Orland Fire Protection District and the School Districts in Orland Park have built private WCF buildings or shelters on public land. These public agencies have allowed WCFs to co-locate on their buildings and towers and have managed to maintain their facilities. They have also allowed equipment shelters to be constructed on their land. The appearance of these shelters is the basic “brown box” common to many WCF installations.

The Village currently does not have a policy for building such for-profit structures on Village-owned land. Other municipalities in the region allow such shelters to be constructed on municipal property. In the case of Orland Park, providers that request equipment shelters are required to move through the special use process because the facilities are considered telephone service utility substations. In most zoning districts such facilities are permitted via the special use.

It is recommended that the Village permit these shelters to be constructed on Village-owned land based on the strict guidelines of the General Policy for Co-Locating WCFs on Village Property outlined earlier in this report and the special use status-which provides greater control over design and development. The masonry requirement will ensure that these private utility substations will match Village-operated pump housing stations and utility substations that are scattered on public property throughout the Village’s service areas. In the OL district, it is recommended they be permitted only when associated with a ComEd transmission tower co-location.

While the standard “brown box” equipment shelter is temporary and removable, the masonry utility substation is more permanent. The advantage to a masonry structure is that they will preserve the aesthetic appearances of neighborhoods and Village-owned property.

**This matter was APPROVED on the Consent Agenda.**

### **2009-0541 Smith Crossing Phase II - Special Use Amendment, Site Plan & Elevations**

Trustee Schussler requested that this item be continued for two weeks.

Village Manager Grimes stated that he does not see any issues, nor did staff, with Smith Crossings development or proposal. Everything that has been requested of them has been done.

Village Manager Grimes explained that this continuation is for staff to further review the traffic flow within the development. There may be the need for a

potential dedication of future right-of-way for a possible connection to Orland Parkway and 104th.

Village Manager Grimes stated that he would like to discuss this dedication with the folks at Smith Crossing and explain to them what the Village is trying to achieve.

I move to approve continuing this item for two weeks.

**A motion was made by Trustee Edward Schussler, seconded by Trustee Bernard Murphy, that this matter be CONTINUED to the Board of Trustees. The motion CARRIED by the following vote:**

**Aye:** 5 - Trustee Murphy, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 2 - Trustee Fenton and Trustee O'Halloran

## FINANCE

### 2010-0060 General Obligation Refunding Bonds, Series 2010 - Ordinance

Director of Finance Anmarie Mampe reported that recently, the Village's financial advisor, Speer Financial, Inc., advised staff of a potential refunding opportunity on the Village's outstanding 2002A and 2002B General Obligation Bonds. The 2002A bonds were originally issued to fund construction of the new Orland Park Public Library building; the 2002B bonds were originally issued for the purchase of open lands, construction of Orland Parkway and the purchase of property for the new police facility. The net present value savings to be realized by issuing the refunding bonds is estimated to be approximately \$596,000 (or 3.25%).

William Kaufmann Assistant Vice President of Speer Financial gave a brief report for the \$19,380,000 General Obligation Refunding Bonds, Series 2010 bid process.

The issuance ordinance, abatement ordinances and ordinance establishing the refunding escrows are for informational purposes only. After the bid opening at approximately 10:00 AM on Monday, February 1, 2010, the Ordinances will be completed with all pertinent information. Speer Financial, Inc. (financial advisor) and KL Gates (bond counsel) have delivered the completed ordinances to the Board for formal approval at tonight's Board Meeting. At this time, Speer will provide the Board with the details of the sale and the actual savings amount to be realized by the refunding (EXHIBIT A).

Both rating agencies, Moody's and S&P have reaffirmed the Village's bond rating for this issuance, as well as for the Village's overall outstanding debt; the Village's rating with Moody's is Aa2 and with S&P is AA+.



I move to pass Ordinance Number 4539, entitled: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010 (THE "BONDS"), OF THE VILLAGE OF ORLAND PARK, COUNTIES OF COOK AND WILL, ILLINOIS, AND PROVIDING FOR THE LEVY AND COLLECTION OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS ALL FOR THE PURPOSE OF ADVANCE REFUNDING A PORTION OF THE VILLAGE'S GENERAL OBLIGATION BONDS, SERIES 2002A (THE "SERIES 2002A BONDS") AND A PORTION OF THE VILLAGE'S GENERAL OBLIGATION BONDS, SERIES 2002B (THE "SERIES 2002B BONDS" AND, TOGETHER WITH THE SERIES 2002A BONDS, THE "PRIOR BONDS") AND TO PAY THE COSTS OF ISSUING THE BONDS.

**A motion was made by Trustee Edward Schussler, 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

#### **2010-0061 General Obligation Bonds, Series 2002A - Ordinance**

I move to pass Ordinance Number 4540, entitled: AN ORDINANCE ABATING TAXES HERETOFORE LEVIED TO PAY INTEREST AND PRINCIPAL ON \$20,000,000 GENERAL OBLIGATION BONDS, SERIES 2002A

**A motion was made by Trustee Edward Schussler, 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

#### **2010-0062 General Obligation Bonds, Series 2002B - Ordinance**

I move to pass Ordinance Number 4541, entitled: AN ORDINANCE ABATING TAXES HERETOFORE LEVIED TO PAY INTEREST AND PRINCIPAL ON \$9,500,000 GENERAL OBLIGATION BONDS, SERIES 2002B

**A motion was made by Trustee Edward Schussler, 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

**2010-0063 Escrow Agreement General Obligation Refunding Bonds, Series 2010 & General Obligation Bonds, Series 2002A - Ordinance**

I move to pass Ordinance Number 4542, entitled: AN ORDINANCE AUTHORIZING AND DIRECTING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION WITH THE ISSUE OF \$18,925,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010, OF THE VILLAGE OF ORLAND PARK, COUNTIES OF COOK AND WILL, ILLINOIS (THE "VILLAGE") AND THE ADVANCE REFUNDING OF THE VILLAGE'S GENERAL OBLIGATION BONDS, SERIES 2002A

**A motion was made by Trustee Edward Schussler, 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

**2010-0064 Escrow Agreement GO Refunding Bonds, Series 2010 & GO Bonds, Series 2002B - Ordinance**

I move to pass Ordinance Number 4543, entitled: AN ORDINANCE AUTHORIZING AND DIRECTING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION WITH THE ISSUE OF \$18,925,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010, OF THE VILLAGE OF ORLAND PARK, COUNTIES OF COOK AND WILL, ILLINOIS (THE "VILLAGE") AND THE ADVANCE REFUNDING OF THE VILLAGE'S GENERAL OBLIGATION BONDS, SERIES 2002B

**A motion was made by Trustee Edward Schussler, 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

**VILLAGE MANAGER'S REPORT****2010-0050 Intergovernmental Affairs Consultants**

Village Manager Grimes reported that the Village employs both William Filan and Smith Dawson and Andrews to provide intergovernmental affairs assistance at the state and federal levels respectively. The agreement with William Filan is for \$3,000 per month. The agreement with Smith Dawson and Andrews is for \$3,000

per month. These amounts are based on a 12 month budget.

I move to approve the Village Manager to execute an agreement with Smith Dawson and Andrews of Washington D.C. in the amount of \$36,000 and William Filan of Chicago, IL in the amount of \$36,000 to provide intergovernmental affairs services.

**A motion was made by Trustee Brad O'Halloran, 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

**EXECUTIVE SESSION**

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; and b) setting a price for sale or lease of village property.

**A motion was made by Trustee Bernard Murphy, seconded by Trustee Kathleen Fenton, 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) approval of minutes; and b) setting a price for sale or lease of village property.

**ADJOURNMENT - 8:55 PM**

/nm

APPROVED:

Respectfully Submitted,

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**David P. Maher, Village Clerk**