

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, October 18, 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 7:05 PM.

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

Absent: 1 - Trustee O'Halloran

VILLAGE CLERK'S OFFICE

2010-0540 Approval of the October 4, 2010 Regular Meeting Minutes

The Minutes of the Regular Meeting of October 4, 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 October 4, 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: 6 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 1 - Trustee O'Halloran

2010-0545 Approval of the October 11, 2010 Special Meeting Minutes

The Minutes of the Special Meeting of October 11, 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 Special Meeting of October 11, 2010.

A motion was made by Trustee Edward Schussler, seconded by Trustee James Dodge, Jr., 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

Absent: 1 - Trustee O'Halloran

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS

2010-0530 Community Pride Award - Spelling Bee

President McLaughlin presented the Community Pride Award to resident Benjamin Stensen in recognition of winning First Place, Age 10 & Under bracket, and Second Place in the "Overall" Orland Park Open Spelling Bee.

This matter was a presentation, NO ACTION was required.

2010-0529 Community Pride Award - Spelling Bee

President McLaughlin presented the Community Pride Award to resident Joshua Prost in recognition of winning First Place, Junior High bracket, in the Orland Park Open Spelling Bee.

This matter was a presentation, NO ACTION was required.

2010-0531 Community Pride Award - Culver's Presentation

President McLaughlin presented the Community Pride Award to Culver's of Orland Park owner, Justin Obriecht and District Manager Jack Rush, for generously supporting the Boy Scouts's event at Rizza Ford.

This matter was a presentation, NO ACTION was required.

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

Nay: 0

Absent: 1 - Trustee O'Halloran

2010-0536 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 October 1, 2010 in the amount of \$882,889.05.

This matter was APPROVED on the Consent Agenda.

2010-0537 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 October 5, 2010 through October 18, 2010 in the amount of \$2,373,713.44.

This matter was APPROVED on the Consent Agenda.

2010-0506 Village Network Switching Equipment - Approve Purchase

The MIS Division has included funds in the 2010 fiscal year budget to replace computer network switching equipment that is no longer serviceable and is in need of reconfiguration. The existing fiber optic switching unit and core switch is over 8 years old and no longer supported by the manufacture. In addition, the current configuration relies on power at Village Hall for phone system operation at the Public Works facility. The new configuration will be able to use backup power systems at the old and new Police Stations to maintain 24x7 phone service at Public Works.

State of Illinois contract pricing for Cisco products is available through Global Enterprise Technologies of Niles Illinois.

The cost of the Cisco 3750X core switch, fiber connections and services is \$11,238.40.

I move to approve the purchase of the Cisco switching equipment and services from Global Enterprise Technologies in an amount not to exceed \$11,238.40

This matter was APPROVED on the Consent Agenda.

2010-0505 Avaya Phone System Maintenance - Contract Approval

The Village's phone system consists of two Avaya S8500 Enterprise Communications Servers (ECS), four Avaya Media Gateways and the Avaya Modular Messaging voice mail system. In September 2006, the Village Board awarded the current maintenance agreement to Avaya for a three-year period. This contract expired on September 23, 2010.

Approval is requested for the award of a three-year contract in the amount of \$60,925.68 to Avaya Inc. for the maintenance of the Village's phone system and voice mail system. Maintenance fees are to be paid on a monthly basis in the amount of \$1,692.38.

I move to approve awarding a three year contract in the amount of \$60,925.68 to Avaya Inc. for maintenance of the Village's phone and voice mail systems and authorize the Village Manager to execute the agreement.

This matter was APPROVED on the Consent Agenda.

2010-0504 IBM Server Maintenance - Expenditure Approval

The MIS Division has included \$10,080 in the FY 2010 budget for maintenance and support of the IBM servers. Maintenance includes 24x7 on-site maintenance and repair for our critical application servers with 4 hour response time, and next business day for non-critical applications.

The servers covered under 24x7 maintenance include:

Naviline Application Server
Class Payment Server
Class Application Server

The servers covered under next business day maintenance include:

Vehicle Sticker Application Server
CD Server/Windows Update Server
SCADA Server
Public Works Server
Sportsplex Server

I move to approve the IBM server maintenance expenditure in an amount not to exceed \$5,495.00.

This matter was APPROVED on the Consent Agenda.

2010-0493 108th Avenue at Crystal Springs Lane Watermain Repair - Approval

On August 31, 2010, a watermain break occurred on 108th Avenue at Crystal Springs Lane. Due to the depth of the main (15 feet), Airy's, Inc. of Tinley Park, Illinois, was contracted to complete the repair. Because of the potential complexity of the repair under 108th Avenue and to minimize the duration of the water shutdown, a new main line valve was installed during the workday at 10800 Crystal Springs Lane.

With the new valve installed, the leak was isolated with no impact to the residents. Work to repair the leak was postponed until later that night to reduce the impact on traffic. The repair of the leak was completed on September 1, 2010, with 108th Avenue open to traffic by 6:00 a.m. The total cost for this work is \$20,673.18. A contract is in place between the Village and Airy's, Inc. to perform this type of work on an emergency basis.

I move to approve payment to Airy's, Inc. of Tinley Park, Illinois, for the August 31, September 1, 2010, emergency watermain repair on 108th Avenue at Crystal Springs Lane in an amount not to exceed \$20,673.18.

This matter was APPROVED on the Consent Agenda.

2010-0497 143rd Street and LaGrange Road Intersection Improvements - Underground Orphan Storage Tank Removal

During the course of work undertaken for the watermain relocation project associated with the 143rd Street and LaGrange Road Intersection Improvement project, certain contaminated soils were encountered which required special handling and disposal. In addition to special soils, an undocumented liquid underground storage tank (Orphan Tank) was discovered which requires removal and disposal.

The Orphan Tank discovered at the southeast corner of 143rd Street and LaGrange Road appears to be approximately 700 gallons in size and is partially filled with water. The location of the Orphan Tank is in conflict with future structures at this location. The most efficient means of accommodating the planned construction required of the upcoming improvements is the advance removal of the tank.

This location is also the site of reported petroleum leaking underground storage tank (LUST) releases from former Citgo and 7-Eleven Service Station operations. Known contamination is present at the location of the Orphan Tank, presumably the result of the reported LUST incidents. Therefore, it is likely that the Office of State Fire Marshall (OSFM) will require that a release report be filed with the Illinois Emergency Management Agency (IEMA) when the UST is removed.

During the course of previous advance work requiring environmental oversight, management and special soils disposal, environmental assessment and oversight services were requested and provided by V3 Engineers and Consultants and special soils disposal services were requested and provided by RAMSCO, INC. Staff finds the work and associated fees for previously performed work by both firms reasonable and their service professional and timely.

In an effort to expedite this work and contain the professional and construction costs associated with this unanticipated work, Staff requested quotes from both V3 and RAMSCO, Inc. for services and work required to permit, document, remove, clean and dispose of this Orphan Tank. Staff has reviewed both proposals and finds them reasonable and customary for services and work required to perform similar removal and remediation tasks elsewhere.

It is Staff's recommendation that the proposal received from V3 for the permitting and coordination, removal observation and closure reporting required for successful removal of this Orphan Tank be accepted in an amount not to exceed \$4,000.

It is also Staff's recommendation with the concurrence of the consultant (V3) that the proposal provided by RAMSCO, Inc. for the work associated with the Orphan Tank removal, cleaning and disposal be accepted in an amount not to exceed \$5,855.

Both V3 and RAMSCO, Inc. are currently on-site performing similar services elsewhere for the improvement project and both have acquired institutional knowledge unique to this project which best positions them to provide an economical solution for this current need.

The Village continues to seek full reimbursement for this work, as well as the contaminated soils identified during the course of this project from every current or former operator or landowner that may be contributory to the discovered contamination.

I move to approve authorizing a Contract with V3 Engineers and Consultants in an amount not to exceed \$4,000 for Professional Environmental Engineering services required to prepare and permit, oversee and document the closure and removal of a previously undocumented Leaking Underground Storage Tank (Orphan Tank) detected during the course of routine work associated with the 143rd Street and LaGrange Road Intersection Improvement Project;

And

Approve authorizing a Contract with RAMSCO, Inc. in an amount not to exceed \$5,855 for construction work required to excavate, clean, transport and dispose of the subject Orphan Tank.

And

Approve authorizing the Village Manager to execute contracts with V3 and RAMSCO, Inc. for the associated Professional Services and Construction activity.

This matter was APPROVED on the Consent Agenda.

2010-0501 2010 Road Program - Fountain Hills Completion

Recently, the Village received funds pursuant to a notice to fully draw upon a Letter of Credit posted by Developer Bryan Nooner for work remaining to fully complete and correct public improvements associated with the Fountain Hills Development project.

Roadway and other work totaling approximately \$62,430 is required to correct and finalize pavement surfaces and other public improvement issues remaining within the partially completed development.

The Developer's paving contractor, Gallagher Asphalt, had previously agreed to undertake this project, correcting their deficiencies at their own cost and completing the remaining work using proceeds to the limit of the funds received via the Letter of Credit. Subsequently however, Gallagher respectfully declined to

provide a proposal for the Village's consideration leading Staff to this current request.

In an effort to fully complete this work before winter suspends pavement work, Staff requested and has received a proposal from the Village's 2010 Road Program contractor - Crowley-Sheppard Asphalt, Inc. (Crowley). On September 28, 2010, Crowley submitted an estimate of \$37,500 for the work outlined by Staff.

It is Staff's desire and recommendation to award this additional work to Crowley so the project can be completed yet this fall.

It is Staff's recommendation that the current contract with Crowley-Sheppard be revised by \$37,500 from the current not-to-exceed limit of \$2,406,800 to a new not-to-exceed limit of \$2,444,300 for work associated with the completion of public improvements remaining unacceptable or incomplete within the Fountain Hills Development as identified by the "Engineer's Probable Cost of Completion" dated September 27, 2010.

I move to approve authorizing an increase of \$37,500 to the not-to-exceed value of the current contract with Crowley-Sheppard Asphalt, Inc. of Chicago Ridge, Illinois, from \$2,406,800 to \$2,444,300 for work associated with unacceptable or incomplete public improvements within the Fountain Hills Development. Work remaining to fully complete the public improvements within the Fountain Hills Development will be limited to the full value of the funds received by the Village pursuant to a demand upon the Letter of Credit posted by the Developer. Funds in excess of what has been received by the Village, upon satisfactory completion of the remaining public improvements, shall be returned to the funder as required by Law.

And

Approve authorizing the Village Manager to execute a change increasing the value of a contract with Crowley-Sheppard Asphalt, Inc. of Chicago Ridge, Illinois, by \$37,500 from \$2,406,800 to \$2,444,300 with the funds for this change being drawn upon Liability Account 010-0000-229.50-00;

And

Approve that the Village Manager direct that all funds in excess of that required for the completion of the public improvements described in the "Engineer's Probable Cost of Completion" following receipt and payment of all invoices for the required work associated with the completion of the public improvements in the Fountain Hills Development be returned to the funder of the Demand for a draw upon the Letter of Credit for the Fountain Hills Development, Mr. Bryan Nooner.

This matter was APPROVED on the Consent Agenda.

2010-0507 143rd Street Watermain Extension - V3 Companies - Contract

As plans were finalized and work undertaken for the current 143rd Street and LaGrange Road Intersection Improvement Project (the Project), watermain relocation design and construction work was undertaken for that portion of the watermain work required within the known limits of the Project. As such, watermain work was halted generally at the intersection of 143rd Street and Beacon Avenue. Concurrent work involving 143rd Street is included in the upcoming Metra rail overpass structure relocation project set to be Let in January 2011 by IDOT as well as in the ultimate 143rd Street widening and reconstruction project, presently in Phase I engineering.

As the design work progressed for the Metra Overpass Project (Metra Project), Staff identified an opportunity to fill a gap and create a loop of watermain north of the current Project limits which extends beneath the Metra rail tracks 143rd Street crossing.

Work required of the Metra Project will include the installation of new and temporary rail tracks, providing a unique opportunity for the Village to complete a critical portion of upcoming watermain and rail crossing work that will be required when 143rd Street is fully improved and widened west of LaGrange Road, ultimately west to Will-Cook Road.

The Village has recently amended and finalized project limits for design and construction work along 143rd Street related to work performed by V3 and McDonough. As a result of this opportunity, V3 will extend their design limits west to generally the east side of the intersection of 143rd Street and Southwest Highway. McDonough will reduce their limits to meet the extended V3 limits, eliminating the current design overlap from Beacon Avenue to LaGrange Road.

V3 will amend their current 143rd Street and LaGrange Road Intersection Improvement design to include this watermain extension beneath the Metra Project as it is a logical extension of the current 143rd Street watermain work recently designed and installed as advance work required for the 143rd Street and LaGrange Road Intersection Improvement Project. The construction of this added section of watermain will be via a second Metra Project Letting, anticipated to be in March 2011, with construction late third quarter 2011.

V3 will also add roadway widening design work required to fully improve 143rd Street to the northbound right-turn lane for Southwest Highway from westbound 143rd Street as a part of the 143rd Street and LaGrange Road Improvement Project. This added work on 143rd Street for the ultimate 143rd Street widening improvement project will enable the rail crossing at 143rd Street to be built as a part of the second letting for the Metra Project.

In simple terms, this coordinated Limit Change enables the Village to advance a portion of the future watermain work that will be required when 143rd Street is improved west of the Metra tracks; Eliminates nearly all “throwaway work” that would have existed at 143rd Street and Beacon Avenue with the current project limits; And constructs the Metra rail crossing at 143rd Street as a part of the Metra Project.

In an effort to expedite this coordinated design and construction work and reduce the Professional Services fees associated with the current overlap occurring on these three projects, Staff requested a proposal from V3 for Design Engineering Services required to complete the extended watermain and roadway design.

Staff has reviewed the proposal and finds the scope and fees appropriate for the effort anticipated.

McDonough will provide the design for the enhanced rail crossing as a part of the Metra Project. The Village is responsible to provide reimbursement to IDOT for certain portions of the overall project related to work requested by the Village. Further, McDonough will de-scope the current Phase I work for 143rd Street to accommodate the new reduced limits and will similarly amend their upcoming Phase II proposal.

It is Staff’s recommendation that the proposal received from V3 for proposed watermain extension beneath the Metra rail crossing at 143rd Street be accepted in an amount not to exceed \$13,400.

I move to approve authorizing a Contract with V3 Engineers and Consultants in an amount not to exceed \$13,400 for Professional Design Engineering services required to prepare Plans, Specifications and Estimates required for an approximate 300 foot-long extension of the 143rd Street watermain from its current terminus near Beacon Avenue to a terminus proximal to Southwest Highway and 143rd Street, extending the watermain beneath the Metra rail crossing at 143rd Street.

And

Approve authorizing the Village Manager to execute contracts with V3 for the associated Professional Services fees in an amount not to exceed \$13,400.

This matter was APPROVED on the Consent Agenda.

2010-0528 15690 Commons Residential Building - Landscape Plan

This is a request for approval of a landscape plan for the residential portion of the 15690 Commons project, located near 157th Street and Harlem Avenue. The

Village Board approved the site plan for 15690 Commons in 2004 subject to the condition that the petitioner submit a landscape plan for separate review and approval. Landscape plans have been previously approved for Coopers Hawk and Chase Bank, the other components of the overall planned development.

Per Code requirements, the petitioner submitted a landscape plan that has been reviewed by the Villages consulting landscape architectural firm. A copy of the review memo is attached in the Board packet for review. The review memo indicates outstanding issues with the south bufferyard and the parking lot landscaping.

The Village met the petitioner on site to resolve the two outstanding items. The review memo requests an additional two ornamental trees and nine shrubs to be planted in the south bufferyard. The south bufferyard is limited by the design of the detention pond. Additionally, the petitioner installed plant material much larger than Code requirements, resulting in dense screening between the street and the residential building.

The review memo also requests additional plant material to be located in the west bufferyard to mitigate the removal of four parking lot landscape islands. The west bufferyard is located in between two sets of garages that are separated by a fence, and therefore barely visible. Like most of the site, the plant material that has been installed in the west bufferyard is larger than Code requires. Instead of adding more material to the west bufferyard, the petitioner has agreed to add a minimum of ten ornamental grasses around a utility box on the west side of the building and a minimum of 14 shrubs along the north detention pond to screen the pond from the interior road.

I move to approve the Landscape Plan titled, '157th and Harlem,' prepared by Seasons, dated 10-04-2010, job number 2012010, subject to the following conditions:

1) That the petitioner plant a minimum of ten (10) ornamental shrubs to screen the existing utility box along the west side of the building.

and

2) That the petitioner plant a minimum of fourteen (14) shrubs along the south side of the north detention pond.

This matter was APPROVED on the Consent Agenda.

2010-0058 Land Development Code Amendment Sections 2-102, 6-314 and 6-404 - Environmental Technology Standards, Solar Access Easement and Geothermal Access Easement - Ordinance

On October 4, 2010 the Village Board approved the Land Development Code amendments for Section 2-102 Definitions, Section 6-314 Environmental Technology Standards and Section 6-404 Easements. The amendments allow

for the application of environmental clean technologies such as renewable energy systems on buildings and/or sites and are subject to conditions as stated in the ordinance.

I move to pass Ordinance Number 4594, entitled: AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, AS AMENDED (SECTIONS 2-102, 6-314 AND 6-404 - ENVIRONMENTAL TECHNOLOGY STANDARDS, SOLAR ACCESS EASEMENT AND GEOTHERMAL ACCESS EASEMENT)

This matter was PASSED on the Consent Agenda.

2010-0496 Additional Consulting Services - Renewal of Water Supply Service Agreement with the Village of Oak Lawn

The Water Supply Service Agreements between the Village of Oak Lawn and Villages of Orland Park, Tinley Park, and Mokena and the City of Oak Forest are set to expire on October 1, 2011. The various municipalities determined that it would be in our best interest to collectively approach Oak Lawn when renewing our contracts and to offer a number of renewal options, including:

- Perform a cost/benefit analysis to determine the viability of converting the system to a Water Commission with group governance
- Enter into a water purchase group/authority separate from Oak Lawn
- Require a variety of changes to the current contract to establish performance standards, oversight of operations and participation in the design and construction of improvement.

In order to accomplish this, the Village of Orland Park entered into a cost sharing agreement with Tinley Park, Mokena, New Lenox and Oak Forest to share the costs of retaining WRB, LLC to assist in renegotiating our Water Supply Service Agreement with the Village of Oak Lawn. WRB, LLC's total contract is for \$60,000; Orland Park's share is \$19,800. The Board previously authorized this amount on July 6, 2009.

Based upon a number of meetings between all parties involved and an initial review of the Village of Oak Lawn's engineering study that identified a number of long term infrastructure improvements, it was determined that a more detailed analysis was required. In order to perform this analysis, it was recommended that we collectively retain the services of Malcolm Pirnie Engineering to perform the following:

- Engineering review of the Oak Lawn Water Systems Capital Plan
- Assessment of the risks/benefits of four alternatives to the proposed redundancy option presented in the Oak Lawn Master Plan
- Assessment of the feasibility/cost of connecting to an alternative water supply.

Malcolm Pirnie's total fee is \$44,600; Orland Park's share is \$14,738 (33%). The Board previously authorized this amount on March 15, 2010. Per a Mayoral meeting on August 11, 2010, WRB, LLC was asked to work with Malcolm Pirnie

to identify the scope for additional engineering due diligence work needed to move the project forward. A detailed summary of the scope of work and the cost estimate is attached in the Board packet. The total new contract amount is for \$25,660; Orland Park's share is \$8,467.

I move to approve entering into a cost sharing agreement with the Villages of Tinley Park, Mokena and New Lenox and the City of Oak Forest to pay Orland Park's proportionate share of consulting services fees to Malcolm Pirnie Engineering in an amount not to exceed \$8,467.

And

Approve a budget adjustment to the Water & Sewer Fund in the amount of \$8,467.

This matter was APPROVED on the Consent Agenda.

2010-0515 Waive Bids, Approve 2010 Holiday Pole Decorations

Folgers Flag Company has provided unlit pole decorations and banners in the Village for the holiday season for many years. Folgers is offering to duplicate the 2009 decorations at the same price of \$9,024.00 for the 2010 season.

I move to approve waiving the bidding process;

And

Approve accepting the proposal from Folgers Flag & Decorating Company for a one year extension of the existing unlit pole decorations and banners for the 2010 holiday season at a cost not to exceed \$9,024.00.

This matter was APPROVED on the Consent Agenda.

PUBLIC WORKS AND ENGINEERING

2010-0538 Old Orland Streetlight Improvements - Change Order #1 & Resolution

The project that commenced in 2008 to install decorative streetlights in the Old Orland Historical District initially included sixteen (16) decorative poles and fixtures (Phase I).

In 2009, via HB 313, Member Initiative funding was awarded to the Village for a variety of projects. One of the projects for which the Village was to receive Member Initiative funding was the Old Orland Streetlight Improvements; the total award amount for this project was \$225,000. The Village, as a result of this funding, identified an additional thirty-one (31) locations within the Historical District that would be appropriate for the placement of the decorative streetlight poles and fixtures. Once identified, bids were sought with the low responsible bidder providing a "per pole cost" to the Village of \$6,750 each. Following the receipt of the bids, staff allocated funds totaling \$217,000 (the amount included in

the FY10 budget) for work anticipated to occur in 2010 (Phase II). On September 21, 2009, the Village Board of Trustees authorized the awarding of a contract with The Edward Electric Company of Orland Park for the Phase II project at a cost of \$6,750 each, for a total value of \$217,000.

Now that Phase II is nearly complete, a couple of pole location gaps have been identified, and these were omitted from the original decorative street lighting plans. One such gap is the west leg of 144th Place, west of 1st Avenue to the southward bend in the street (4 poles). The other is on Brooke Avenue (1 pole). As such, staff was directed to investigate the costs required to complete the decorative streetlight installations within the balance of the Old Orland Historical District, bounded to the south at 144th Place. Staff and the contractor have performed field investigations, and with concurrence of select Village Board members, have determined that five (5) additional pole and fixture assemblies are appropriate to complete this decorative streetlight project (Phase III - Exhibits A and B).

Once the quantity and location had been finalized, Staff requested pricing from the Phase II contractor for the additional Phase III work. The contractor has offered to complete the Phase III work at the same unit costs and scope as provided to the Village for the Phase II work in 2009. Phase III costs have been quoted at \$6,750 per pole assembly (including all incidental costs) for a Phase III total cost of \$33,750.

Staff finds the current Phase II work of high quality. The contractor's performance has been exemplary with good project coordination and communications. Field conditions have been of a consistently high level of workmanship, with close attention constantly being paid by the contractor to avoid existing utility hits or conflicts and deliver a quality job. Staff recommends the awarding of Phase III of this project to The Edward Electric Company of Orland Park at a cost not to exceed \$33,750.

I move to approve authorizing the Village Manager to execute Change Order #1 with The Edward Electric Company for the completion of Phase III of the Old Orland Streetlight Improvements, at a cost not to exceed \$33,750;

And

Approve a budget adjustment to the FY10 Road Exaction Fund expenditures in the amount of \$33,750.

And

I move to pass Resolution Number 1013, entitled: A RESOLUTION AUTHORIZING A CHANGE ORDER IN REGARD TO THE OLD ORLAND STREET LIGHTING CONTRACT WITH EDWARDS ELECTRIC CORP.

A motion was made by Trustee Bernard Murphy, seconded by Trustee Kathleen Fenton, that this matter be PASSED. 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

Absent: 1 - Trustee O'Halloran

2010-0541 Reimbursement Agreement - Commonwealth Edison Company

The 143rd Street and LaGrange Road Intersection Improvement project includes the relocation of public utilities to underground locations that are in conflict with the roadway improvements planned for the roadway expansion.

As the project has progressed, easements and property acquisitions were obtained from adjacent property owners to enable the needed utility relocations to occur to support the project schedule.

One of the final locations required, the lot at the southwest corner of 143rd Street and Beacon Avenue, is owned by the Norfolk and Southern Railroad (NS). Even prior to the inception of the current project, Staff has been attempting to reach NS officials to discuss this parcel, as the Village seeks to acquire the parcel to compliment that previously acquired on the north side of 143rd Street at the same general location. With the current need identified for the electrical relocation project, Staff has been working with NS Officials and ComEd staff to resolve the property needs at this location.

As background, the NS railroad does not grant "easements" for the use of their property. However, they do grant "Right-of-Way Licenses" which permits Licensees to use the rights of way identified for the purposes outlined within the License Agreements. ComEd requires that their equipment be placed only upon ground dedicated for the placement of their equipment (public Right of Way), or upon ground for which they are granted a permanent easement: Neither was possible here.

To resolve this impasse, Village and ComEd Staff reached out via a conference call directly to NS Staff to ensure that a Licensing Agreement is possible for this parcel, and were ensured that it is possible and readily available. At issue once the property-related matters were settled, was the concern from ComEd in locating equipment upon non-dedicated ground.

To close the matter and continue the project, Village Staff proposed to ComEd that prior to the completion of the Licensing Agreement with NS, the Village would prepare and execute a "Reimbursement Agreement" that would provide for the reimbursement of costs associated with the "NS-directed removal of ComEd

equipment off of the parcel identified in the NS/ComEd Licensing Agreement.” ComEd staff presented this solution to their Counsel and their concurrence has been received.

The Reimbursement Agreement has been drafted by the Village Attorney. As Village Staff continues to seek the full acquisition of the aforementioned parcel, staff believes that there is negligible financial exposure to the Village via this agreement and, therefore, recommends that it be approved and signed. The ComEd equipment placement was directed by Village staff to allow future unimpeded use of the site.

I move to approve authorizing the Village Manager to sign and deliver the ComEd Reimbursement Agreement in a form substantially as attached in the Board packet, and to pay incidental costs associated with the preparation of the ComEd/NS Licensing Agreement anticipated to be \$6,250 which will be included in future ComEd project billings.

A motion was made by Trustee Bernard Murphy, seconded by Trustee Edward Schussler, 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

Absent: 1 - Trustee O'Halloran

2010-0495 Turf Mowing - Contract Extension

On November 1, 2007, formal bids were opened for a three-year contract to perform turf mowing for the ponds, rights of way, parks and Metra Stations within the Village. Mid America Tree & Landscape, Inc. of Mokena, Illinois, was the low bidder and awarded the contract for 2008, 2009 and 2010. Mid America has been the Village's mowing contractor since 1999, has successfully bid in 1999, 2000, 2001, 2005 and 2008. In 2001, 2005 and 2008, the contract was for multiple years, with no extension provision.

Mid America has excelled at mowing the approximately 800 acres weekly (500 acres for Parks and 300 acres for Public Works). They have offered to hold their current pricing of \$19.75 per acre for up to three additional years. Parks and Public Works have mutually agreed that Mid America has performed consistently well and agree with awarding another multi-year contract. When last bid, Mid America was more than ten percent (10%) lower than the next bidder. Interest has been expressed by one other local contractor desiring to bid on this work and, if so desired by the Board, bids will be solicited for review and recommendation at an upcoming meeting.

Trustee Schussler stated that he will be voting no on this item. He believes when a

contract ends it should go out for bid.

Trustee Murphy stated that this company has been the low bidder in 1999, 2000, 2001, 2005, and 2008. In 2008 Mid America Tree & Landscape was 10 percent lower than any other bidder. They have agreed to continue their same price as in 2008. Trustee Murphy stated that at the Committee level it was agreed this contract with Mid America was at the best interest of the Village residents, and to renew this contract for another three years.

Trustee Gira stated that she also would have liked to see this contract go out for bid. There have been savings on many of these types of contracts when they have gone out for bid over the past year.

I move to approve extending the contract for turf mowing from Mid America Tree and Landscape, Inc. of Mokena, Illinois, for an additional three-year contract (2011, 2012 and 2013) at the 2010 pricing for an amount not to exceed the budgeted amount;

And

Approve authorizing the Village Manager to execute the contract.

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: 4 - Trustee Murphy, Trustee Fenton, Trustee Dodge, and Village President McLaughlin

Nay: 2 - Trustee Schussler and Trustee Gira

Absent: 1 - Trustee O'Halloran

2010-0448 Waste Management Contract Renewal 2010-2013

The Board of Trustees approved entering into a five (5) year contract with Waste Management of Illinois for the collection and removal of garbage, refuse, yard waste and recycling throughout the Village beginning November 1, 2002. Article Six (6) of the Agreement includes language which allows for a three (3) year extension to be negotiated after the initial term of the Agreement. On July 16, 2007 the Board approved a three (3) year extension of the contract (November 1, 2007 - October 31, 2010) with the option to negotiate an additional three (3) year extension beginning November 1, 2010.

While negotiating with Waste Management to extend the contract thru October 31, 2013, staff requested incorporation of the following terms into the contract.

- Waste Management has agreed that no cost increase will be passed on to the residents during the first year of the contract. Thru October 31, 2011, the rate will remain at \$18.55/unit/month. Year two and three of the contract include 2.5%

increases per year.

- The Village will reconcile on a quarterly basis the preceding three (3) month billing period of statements provided by Waste management with Village records. In the event of any discrepancy in said reconciliation between Waste Management and the Village, an adjustment will be applied to the next billing period.
- The Village will provide Waste Management with a list of uncollectable accounts and apply a credit against the monthly invoice for those units that were uncollectable.
- Waste Management will provide a monthly payment of Five Thousand and No/100 (\$5,000.00) Dollars to the Village as a customer loyalty rebate.
- Damaged toters will be replaced free of charge.
- Trash containers will be provided free of charge to multi-family residences.
- Main Street Triangle Streets will be included in the Street Sweeping service.

Waste Management has provided continued exemplary service for the entire time that they have been under contract with the Village of Orland Park. Therefore, it is recommended that Waste Management of Illinois be awarded a three (3) year extension to its existing contract starting on November 1, 2010 through October 31, 2013.

I move to approve the extension of the Waste Management of Illinois contract for a three-year period beginning November 1, 2010 through October 31, 2013.

And

Approve Authorizing the Village Manager to execute the contract.

A motion was made by Trustee Bernard Murphy, seconded by Trustee Edward Schussler, 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

Absent: 1 - Trustee O'Halloran

Waste Management Contract Renewal 2010-2013 - Amended Motion

Trustee Dodge stated that he had spoke with Village Manager Grimes regarding Waste Management giving presentations on statistics and trends in waste collection to the Board. There is a lot of emerging technologies in terms of waste generation, waste collection, and waste recycling. He also requested additional wording be placed in the motion regarding at least two reports per calendar year would be presented to the Board on these statistics.

Trustee Dodge amended the motion to add the following to the original motion:

Under Section 2, after "Customer Loyalty Rebate", added:

INDUSTRY BEST PRACTICES REPORTING

Whereas both parties agree that adoption of industry best practices is a desirable outcome, and that further value is added when the public is informed of emerging technologies in waste hauling and recycling, Waste Management agrees to provide two reports per calendar year to the Village, set at a time and venue established by the Village. One presentation shall provide reporting data and information on statistics and trends in waste collection and recycling specific to the village of Orland Park, including benchmarking and comparable data with similarly-sized communities. The other presentation shall provide a structural review of emerging technologies in all aspects of waste avoidance, collection, hauling, and recycling.

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Patricia Gira, that this amendment to the motion 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

Absent: 1 - Trustee O'Halloran

DEVELOPMENT SERVICES AND PLANNING

2010-0402 Cuzzins Restaurant - Special Use Amendment

The petitioner proposes to open and maintain a 2,800 square foot restaurant in a vacant unit of the Seville Plaza shopping center. The petitioner proposes the potential to have up to 72 seats in the restaurant. The proposed vacant unit was once the location of Feloras Lithuanian Cuisine, which was approved under a previous special use for 36 seats. The petitioner would like to increase the seating capacity in the restaurant from 36 seats to 72 seats.

I move to approve the special use amendment for Cuzzins Restaurant, 8600 W. 159th Street Suite 4B as indicated in the attached fully referenced motion.

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

I move to approve the special use amendment to increase the number of restaurant seats at Cuzzins Restaurant located within the Seville Plaza Shopping Center at 8600 W. 159th Street Suite 4B, as shown on the site plan titled "Exhibit B Seville Plaza" dated received September 21, 2010 and the floor plan titled "Cuzzin's Italian Restaurant Interior Build-Out Cover Sheet Floor Plan", prepared by Doug Fullick Architect, last revised 10.7.10, sheet A-1, subject to the following conditions:

1. That the seating capacity in the restaurant does not exceed 72 seats;
2. That the Seville Plaza owners provide a pedestrian pathway connection connecting the internal sidewalk system to the public sidewalks along 159th Street;
3. That signage is approved in a separate review and conforms to Section 6-307 of the Land Development Code;
4. That all utility conduits that result from this project are screened from view of public rights-of-way and neighboring residential properties;
5. That all building code related items are met;
6. That building permits are obtained for this project;

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Patricia Gira, 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

Absent: 1 - Trustee O'Halloran

NON-SCHEDULED CITIZENS & VISITORS

Dave Weakley - 10115 West 143rd Street questioned what the plans are for 143rd Street, especially west of the Metra Station.

President McLaughlin stated originally 143rd was going to be widen and improved to have better traffic flow, especially with I-355 being opened and 143rd having an exit and entrance.

Phase I engineering had been authorized by the Board which determined where the road could go. It was then brought to the Boards attention that widening 143rd would bring the road too close in the front yards of several residents' homes down 143rd. The Board put a stop to the project until the Village could negotiate with the Forest Preserve District (across the street from these homes) for right-of-way property so the road was not in the resident's front yards. That is where this project is currently.

Staff has made progress; the Village has offered to trade a considerable amount of acreage to the Forest Preserve District to make-up for any Forest Preserve property they give to the Village for this road project. This is now being reviewed by the Forest Preserve District.

BOARD COMMENTS

TRUSTEE FENTON - Reminded everyone that the Holiday House Decorating contest will be coming up and applications will be mailed.

Trustee Fenton requested the press to remind residents to not rake their leaves into the street, to just rake their leaves to the edge of the parkway. This is a ticketable offense. This causes many flooding problems when there is a heavy rain and the leaves that have been raked into the streets clog the sewers.

PRESIDENT McLAUGHLIN - Reported that the South Suburban PADS is raising funds to build a shelter for the homeless. Years ago PADS had suggested that communities in the South Suburban Mayors and Managers could have a check off box on the water bills for a donation of \$1.00 or whatever a resident can give towards this fundraiser.

Country Club Hills has agreed to donate the property for this shelter and through the water bill donations \$500,000 has been collected in donations. PADS asked if Orland Park would also participate, since most other communities in the south suburbs are.

President McLaughlin would like to receive the Boards opinion on providing the Village of Orland Parks residents the opportunity to donate money to the PADS fundraiser by placing a box on the water bill that residents could check if they would like to donate. This would be strictly voluntary.

Currently there is one check box on the water bill for the Open Lands Fund.

Trustee Gira stated that this would make it very easy for residents who wish to participate in this type of fundraiser. As long as this is completely on a voluntary basis she is completely in favor of this suggestion.

Trustees Schussler, Dodge, Fenton, and Murphy stated they are in favors of this.

President McLaughlin requested staff to prepare for a check box to be placed on the Village of Orland Parks water bills for a donation to PADS for the building of a shelter for the homeless.

ADJOURNMENT - 7:25 PM

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Patricia Gira, that this matter be ADJOURNED. 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

Absent: 1 - Trustee O'Halloran

/nm

APPROVED:

Respectfully Submitted,

David P. Maher, Village Clerk