

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Tuesday, September 5, 2017

7:00 PM

Village Hall

Board of Trustees

*Village President Keith Pekau
Village Clerk John C. Mehalek*

*Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Patricia Gira,
Carole Griffin Ruzich, Daniel T. Calandriello, and Michael F. Carroll*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:05 PM.

Present: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll and Village President Pekau

MOMENT OF SILENCE

President Pekau requested everyone remain standing for a moment of silence for the victims of Hurricane Harvey and potentially Hurricane Irma to come.

He continued to explain what it is like to be in a hurricane and the devastation that it causes. He thanked the businesses and residents of Orland Park for their donations that will help Texas residents affected by Hurricane Harvey with its Orland Park Hurricane Harvey Relief Effort.

Three Village facilities have been designated to accept donations from area residents including Orland Park's Frederick T. Owens Village Hall at 14700 South Ravinia Avenue; the Village's Sportsplex at 11351 West 159th Street; and the Orland Park Health and Fitness Center at 15430 West Avenue. Items will be collected until 5 PM on Friday, September 15th.

President Pekau stated that everytime there is a disaster Americans step-up and they help their fellow citizens. Times like this remind him of how proud he is to be an American and how honored he is to lead an engaged and giving community like Orland Park.

VILLAGE CLERK'S OFFICE

2017-0606 Approval of the August 21, 2017 Regular Meeting Minutes

The Minutes of the Regular Meeting of August 21, 2017, were previously distributed to the members of the Board of Trustees. President Pekau 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 August 21, 2017.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0602 Orland Park Lions Club - Raffle License

The Orland Park Lions Club requested a license to conduct a raffle at their Candlelight Bowl scheduled for Saturday, November 11, 2017 at the Orland Bowl.

I move to approve issuing a raffle license to The Orland Park Lions Club to conduct a raffle at their Candlelight Bowl at Orland Bowl on Saturday, November 11, 2017.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS**2017-0623 Moraine Valley Community College's 50th Anniversary - Proclamation**

President Pekau proclaimed Saturday, September 16, 2017, Moraine Valley Community College Day in the Village of Orland Park.

Jodi Marneris, Marketing and Communications at Moraine Valley accepted the proclamation and thanked President Pekau and the Board.

This is a proclamation, NO ACTION was required.

2017-0609 Honoring the Carl Sandburg Chess Club Champs on Their 2016-2017 Season

President Pekau and the Village Board presented each student with an award for their accomplishments at the 2017 Supernational Tournament which took place on April 28th in Nashville, TN.

The results are:

National Championships (unrated division)

James Bundy, Connor Murphy, Kayleigh Risser, Chad Fortin, Mary Pica and Ben Sales

15th in the nation team (K-12 under 800)

Thea Barba, Rhanel Gonzalgo, Joseph Bartl

24th in the nation team (Individual K-12 under 1200)

Chase Fortin

71st in the Nation (Team - under 1600)

Anton Sebastian, Noah Novy

This was a presentation, NO ACTION was required.

2017-0646 Village Manager Employment Agreement and Appointment - Resolution

The President and Board of Trustees of the Village of Orland Park will appoint Joseph S. La Margo as Village Manager of the Village of Orland Park effective immediately upon the adoption and approval of this Resolution.

I move to pass Resolution Number 1723, entitled: RESOLUTION APPROVING AN EMPLOYMENT AGREEMENT FOR AND RATIFYING THE APPOINTMENT OF JOSEPH S. LAMARGO AS VILLAGE MANAGER OF THE VILLAGE OF ORLAND PARK, ILLINOIS

A motion was made by Trustee Dodge, seconded by Trustee Carroll, that this matter be PASSED. The motion carried by the following vote:

Aye: 6 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and Trustee Carroll

Nay: 1 - Village President Pekau

Village Manager La Margo

Village Manager La Margo thanked the Trustees for their unanimous support and their trust and confidence that they have extended to him.

He is looking forward to working with the Mayor, the Village Trustees and Village Staff to continue to build Orland Park and make it the great community that it is.

President Pekau swore in Joseph La Margo as Village Manager.

PASS THE CONSENT AGENDA

2017-0618 Economic Development Advisory Board - Appointment

President Pekau appointed Michael R. Milani to the Economic Development Advisory Board.

I move to confirm the appointment of Michael R. Milani to the Economic Development Advisory Board.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0644 Economic Development Advisory Board - Appointment

President Pekau appointed Dan McMillan to the Economic Development Advisory Board.

I move to confirm the appointment and swearing in of Dan McMillan to the Economic Development Advisory Board.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0645 Plan Commission - Appointments

President Pekau was to appoint Yousef "Joe" Zaatar, Ed Schussler and Patrick Zomparelli to the Plan Commission. Yousef "Joe" Zaatar replaced David Shalabi; Patrick Zomparelli replaced Paul Aubin and Ed Schussler replaced Judith Jacobs, all of whom terms have expired.

Trustee Ruzich requested that this item be continued to the next Board meeting. This is a situation of individuals who are being replaced from the Plan Commission who have not resigned. She is not sure if the Village Attorney has issued a written legal opinion on this type of replacement but she would like to read that opinion before she votes on these appointments.

Trustee Dodge stated that his understanding is - the ability to appoint is in the Office of the President of the Village of Orland Park per state statute.

Village Attorney Friker stated that is correct. The Village President makes the appointments and it is up to the Village Board to advice and consent.

Trustee Dodge asked how long does these terms run.

Village Attorney Friker stated that the term is for one year for Plan Commission.

Trustee Dodge reviewed the following commissions that are under state law/statue.

Plan Commission
Police Review Board
Civic Center
911

All the other Boards (Economic Development Advisory Board, Recreation

Advisory Board) those were a creation of this Board, by ordinance, correct.

Village Attorney Friker stated that he believes that is correct.

Trustee Dodge stated that some Boards are of a different significance in terms of the requirements (Plan, Police, Civic Center and 911).

He does not have a problem with some of the folks that are nominated tonight. He is a little uncomfortable with what it means, but this is how it goes when elections have consequences. There are folks that are being recommended that he would like to get to know better, if he is going to advice and consent.

Trustee Dodge stated that he needed clarity from the Village Attorney on how long these terms were and who could or could not renew or appoint someone.

President Pekau clarified that these terms are expired, so these individuals are serving on expired terms at this point.

Village Attorney Friker stated that is correct. They continue in office until their successors are appointed and qualified.

President Pekau questioned the role to appoint.

Village Attorney Friker stated that the Village President makes the appointment and it is up to the Board of Trustees to confirm.

Trustee Carroll stated that looking at some of the Commissions, the Plan Commission is certainly your prerogative as President to appoint with the Boards advice and consent. But there are other Commissions that he would like to point out they jointly call for the President and Board of Trustees to appoint. Not the Plan Commission.

Trustee Ruzich stated that for those reasons that have been discussed is the reason why she would like the Board to receive a formal memo from Village Attorney Friker clarifying when individuals don't resign and are serving on a expire appointment.

Trustee Dodge stated that he has mixed feelings on the delay and believes the Board is going to have to come around and settle this issue quickly. President Pekau has the right (under state statue) to appoint and not renew someone's commission.

Trustee Ruzich stated that if there were a vote tonight, on these commissioners being removed, her vote would be no. The Village Code is set up and if that is what the legal opinion is coming from the Village Attorney, then that is what the Board will be obligated to follow. She has no issues with the individuals that have

been nominated for replacement, but she would like to hear further from the Village Attorney.

President Pekau stated that it is his understanding that these individuals are not being removed, they are being replaced, correct.

Village Attorney Friker stated that is correct. There are no vacancies, because they continue in office until their successors are appointed. Even though their terms have expired under the municipal code they continue in office until their successors are appointed and qualified, which means approved/confirmed by the Board of Trustees.

Trustee Dodge stated that he voted nay, because he was comfortable to get into the debate tonight to get this settled, now the Board will have to tackle this in two weeks. He would like to get on with the more important business in Orland Park.

I move to approve that this item be continued until the September 18, 2017 Board of Trustees meeting.

A motion was made by Trustee Griffin Ruzich, seconded by Trustee Carroll, that this matter be CONTINUED. The motion carried by the following vote:

Aye: 5 - Trustee Fenton, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and Trustee Carroll

Nay: 2 - Trustee Dodge and Village President Pekau

2017-0647 Civic Center - Appointment

President Pekau stated that due to Felicitas Camacho resignation on August 30, 2017 there is one vacancy on this Board.

Trustee Carroll stated that due to the vacancy, Kevin Scanlan be appointed to the Orland Park Metropolitan Exposition, Auditorium and Office Building Authority (Civic Center).

I move to advice and consent to the appointment of Kevin Scanlan to the Orland Park Metropolitan Exposition, Auditorium and Office Building Authority.

A motion was made by Trustee Griffin Ruzich, seconded by Trustee Calandriello, that this matter be APPROVED. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0658 Civic Center - Appointments

President Pekau was to appoint Ed Giron to the Orland Park Metropolitan Exposition, Auditorium and Office Building Authority (Civic Center). Ed Giron replaced Trustee Patricia Gira whose term expired.

Trustee Carroll requested that this item be continued until the next Board meeting for further legal analysis from Klein, Thorpe and Jenkins and further discussion from the Board.

I move to approve that this item be continued until the September 18, 2017 Board Meeting.

A motion was made by Trustee Carroll, seconded by Trustee Fenton, that this matter be CONTINUED. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0648 Zoning Appeals Hearing Officer - Appointment

President Pekau appointed Bill Healy to the Zoning Board of Appeals.

I move to consent to the appointment and swearing in by President Pekau of Bill Healy to the Zoning Board of Appeals.

A motion was made by Trustee Fenton, seconded by Trustee Griffin Ruzich, that this matter be APPROVED. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0649 Recreation Advisory Board - Appointment

President Pekau appointed Felicitas Cortez to the Recreation Advisory Board.

I move to consent to the appointment and swearing in by President Pekau of Felicitas Cortez to the Recreation Advisory Board.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0651 Recreation Advisory Board - Appointment

President Pekau appointed Scott Trokey to the Recreation Advisory Board.

I move to consent to the appointment and swearing in by President Pekau of Scott Trokey to the Recreation Advisory Board.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

PRE-SCHEDULED CITIZENS & VISITORS**2017-0586 39th Annual Orland "Open" Spelling Bee - Presentation**

Spelling Master Bill Smith gave a brief presentation on the 39th Annual Orland "Open" Spelling Bee to be held at The Presbyterian Church in Orland Park, 13401 South Wolf Road, on Sunday, October 15, 2017, beginning at 2:00 PM.

Bill Smith has conducted over 100 "Open" Spelling Bees in the past 40 years. His first, in 1976, was the Oak Lawn Open Spelling Beel, as part of the Oak Lawn Bicentennial. There were 34 spellers ages 6 to 84 plus that competed at the Trinity Presbyterian Church in Oak Lawn.

This was informational, NO ACTION was required.

CONSENT AGENDA

President Pekau requested that the following items be removed from the Consent Agenda for further discussion and a separate vote:

- I. Stellwagen Family Farm Master Plan
- J. Rizza Porsche Sales Tax Sharing Agreement
- N. 151st Street at West Avenue Roundabout Design - Phase II Engineering Services - Resolution
- P. Village Code Amendment - Relating to Business License Registration and Fees - Ordinance
- Q. Village Code Amendment - Special Events Permits - Ordinance

Passed the Consent Agenda

A motion was made by Trustee Fenton, seconded by Trustee Calandriello, 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 Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0612 August 25, 2017 Payroll - Approval

The lists of Payroll having been submitted to the Board of Trustees for approval and the lists having been determined by the Board of Trustees to be in order and having been approved by the various Department Heads,

I move to approve the Bi-Weekly Payroll for August 25, 2017 in the amount of \$1,142,274.29.

This matter was APPROVED on the Consent Agenda.

2017-0613 Accounts Payable for August 22, 2017 to September 5, 2017 - Approval

The lists of Accounts Payable having been submitted to the Board of Trustees for approval and the lists having been determined by the Board of Trustees to be in order and having been approved by the various Department Heads,

I move to approve the Accounts Payable from August 22, 2017 through September 5, 2017 in the amount of \$1,916,259.50.

This matter was APPROVED on the Consent Agenda.

2017-0539 Replacement Police K-9 in FY 2018 Utilizing Funds from the State Asset Forfeiture Account - Purchase

The Police Departments current K9, Hary, has served the Village honorably for the past 6 ½ years, however, health problems common to this breed will force Hary to retire before the end of the second quarter of 2018.

The Police Department requests to replace Hary with another dual-purpose pre-trained narcotics and tracking dog. The department's current K9 Unit has been a huge asset in drug detection and community related activities. However, the department is seeking a different breed of dog, specifically a Hanoverian or commonly known as the Hanover Hound, which can perform both narcotics detection work and is genetically designed for enhanced tracking/trailing capabilities for the reasons described below:

In the last five years, the department had sought the services of a bloodhound forty-one (41) times for article or person tracking/trailing because of the superior tracking abilities of the hound in all types of elements and environments including water. The requests were made to locate four critical missing adults, twenty-six juveniles and eleven fugitives. Unfortunately, because of the limited availability of a specialized tracking police working hound, only twenty-one tracks/trailing were conducted.

A Hanover Hound provides a high level of tracking/trailing ability coupled with the demeanor for training in narcotics detection. The breed is described as gentle, excellent with children, and therefore not suitable for "bite work" training thus reducing potential liability.

Approximately sixty (60) law enforcement agencies throughout the country have now chosen the Hanover Hound as their police working dog for its exceptional detection and tracking/trailing abilities.

After thorough research on Hanover Hound police training, Georgia K9 NTC was the only certified trainer found. Georgia K9 NTC, a nationally and professionally certified police dog trainer (DEA License # RG0406062, Bureau of Alcohol, Tobacco, Firearms, & Explosives: 9-68-005-01-1C-01065), provided the sole source quote for a Hanover Hound of \$17,000.00 including the three weeks of continuous training. Although costing approximately \$3,500.00 more than a "standard" police trained German Shepard, the length of training required for the handler with a German Shepard is six weeks vs three for the Hanover Hound, a substantial cost savings in man-hours and down time. Additionally, the availability and the benefit of a superior tracking/trailing dog far outweigh the cost.

I move to approve the purchase of a replacement dual purpose pre-trained narcotics and tracking dog along with associated equipment and three weeks of training for the selected officer from Georgia K9 NTC, 8261 Manse Rd. Edisto Island, South Carolina at a cost not to exceed \$18,001.00.

This matter was APPROVED on the Consent Agenda.

2017-0596 Police Database Search Tool Vendors (Accurint to CLEAR) - Vendor Change

A requested change of vendor from Accurint to Thomson Reuters' Westlaw - CLEAR for Law Enforcement Plus - a database search tool. This vendor change only request would utilize funds from Police Budget # 010-7002-432990.

The department currently utilizes the services of LexisNexis Accurint, a pay as you go service for database searches for law enforcement purposes. Westlaw's CLEAR search tool will allow the same, if not a higher comprehensive level of searches, in a more user-friendly format, at a fixed rate per month, regardless of the number of searches performed. This flat rate equates to substantial savings annually based on the historical analysis of use.

I move to approve a vendor change from Accurint to Thomson Reuters' Westlaw - CLEAR for Law Enforcement Plus at a cost not to exceed \$9,443.88 for the term beginning September 1, 2017 through December 31, 2019.

This matter was APPROVED on the Consent Agenda.

2017-0462 Sportsplex Equipment Purchase Approval of Two Octane ZR8000 Zero Runner with Smart Console, Cardiovascular Exercise Machines with Integrated PVS TV Kits

The Sportsplex is looking to purchase two Octane Zero Runner cardiovascular exercise machines, which will provide another cardiovascular exercise option to our members.

The Zero Runner is a self-propelled exercise machine that enables users to optimize their form through zero impact running, jogging or walking. This equipment is self-powered, takes up less floor space, and is cross circuit compatible. Built with cutting-edge innovation, and without a belt, deck or cord to maintain, the Zero Runner operates more quietly and has a lower cost of ownership than traditional treadmills.

Two units would be purchased through Midwest Commercial Fitness, at a cost of \$6,550.00 each. Midwest Commercial Fitness is the sole authorized commercial distributor in the Chicago area that sells this piece of equipment. See attached letter. The Integrated PVS TV kit is an additional \$895.00 each. Shipping and installation would be \$990.00, for a total purchase cost including freight and installation of \$15,880.

I move to approve the purchase of two Octane ZR8000 Zero Runners with smart console and two Integrated PVS TV kits at the total cost of \$15,880.00 which includes freight, fuel, and installation.

This matter was APPROVED on the Consent Agenda.

2017-0582 2018 Winter/Spring Recreation Program Offering Lists (Subject to change based on final 2018 budget approval.) and Contractual Payments over \$5,000 Approval

The lists of recommended programs to be offered in the Recreation Department 2018 Winter/Spring Program Guide are attached in Legistar. (Subject to change based on final 2018 budget approval.) Included in the lists are contractual costs (over \$5,000) that would need Board approval associated with the winter/spring sessions. These costs are covered by revenue generated through registration fees and actual costs are dependent on the number of participants registered.

Staff is requesting approval of the recommended 2018 Winter/Spring programs (Subject to change based on final 2018 budget approval) and payment to the contractual instructors at time of invoicing.

I move to approve the recommended 2018 Winter/Spring programs, which are subject to change based on final 2018 budget approval, and payment to the contractual instructors at time of invoicing.

This matter was APPROVED on the Consent Agenda.

2017-0568 Retaining Wall Repair at 144th Street & 1st Ave

The retaining wall located on the south side of the viaduct at 144th street and 1st Ave. is in danger of falling down. Settling of the base and/or ground beneath the wall has caused the issue. The wall is adjacent to the sidewalk and could cause serious injury if it hits a pedestrian.

The village had the wall installed approximately 12-15 years ago. It is a very labor intensive project as each block weighs roughly 90 pounds. Staff has reached out to three vendors for proposals for the repair work. Vendor will remove the wall, install a new base and install the existing material in the proper manner. J.G.S submitted a proposal for a partial repair (approximately 20 linear feet) of the site for \$1,200.00. This is not the option staff is recommending as we do not want to have the same issue in another area of the wall (approximately 160 linear feet).

The proposal also did not provide a listing of the repairs or materials needed. Semmer Landscaping submitted a proposal of \$9,900.00 and Touch of Green a proposal of \$6,400.00.

Staff is recommending the proposal from Touch of Green for the repair work to the site. Staff has worked with Touch of Green in the past and they provide a quality product.

I move to approve the quote from Touch of Green in the amount \$6,400.00 for the repair of the viaduct retaining wall on the south side of 144th street and 1st Ave.

This matter was APPROVED on the Consent Agenda.

2017-0617 159th & LaGrange Road Various Invoices - Approval

Approval is being requested for invoices requiring payment due to the 159th & LaGrange Road intersection improvement.

I move to approve payment of invoices for the 159th Street and LaGrange Road intersection improvements in the amount of \$26,945.

This matter was APPROVED on the Consent Agenda.

2017-0636 7420 W. 159th Street Planned Unit Development - Ordinance

On November 16, 2016, the Village Board of Trustees approved a Planned Unit Development of four (4) lots and to construct and maintain Heartis Senior Living located at 7420 W. 159th Street. The approval is subject to the conditions outlined in the ordinance.

This is now before the Village Board for consideration of the ordinance.

I move to pass Ordinance Number 5215, entitled: ORDINANCE GRANTING A SPECIAL USE PERMIT WITH MODIFICATIONS AND WITH ASSOCIATED SITE

PLAN AND ELEVATION CHANGES FOR 7420 W. 159TH STREET PLANNED UNIT DEVELOPMENT

This matter was PASSED on the Consent Agenda.

2016-0200 Lot 2 of the 7420 W. 159th Street PUD - Ordinance

On June 6, 2016, the Village Board of Trustees approved a special use permit with modifications to establish, operate and maintain a motor vehicle rental use, to construct and maintain a second 10,000 square foot new building, and a variance to increase parking capacity in excess of 20%. The approval is subject to the conditions outlined in the ordinance.

This is now before the Village Board for consideration of the ordinance.

I move to pass Ordinance Number 5216, entitled: ORDINANCE GRANTING A SPECIAL USE PERMIT WITH MODIFICATIONS AND ASSOCIATED SITE PLAN AND ELEVATION CHANGES AND A VARIANCE FOR AVIS RENT-A-CAR LOCATED ON LOT 2 OF 7420 W. 159TH STREET PUD

This matter was PASSED on the Consent Agenda.

2017-0173 7402 W. 159th Street, Freddy's Frozen Custard and Steakburgers - Ordinance

On June 5, 2017, the Village Board of Trustees approved a special use permit for a restaurant and a re-subdivision of the 7420 W. 159th Street PUD to convert Lots 1 and 2 into Lots 5 and 6 and Lots 7 and 8 respectively. The approval is subject to the conditions outlined in the ordinance.

This is now before the Village Board for consideration of the ordinance.

I move to pass Ordinance Number 5218, entitled: ORDINANCE GRANTING A SPECIAL USE PERMIT FOR FREDDY'S FROZEN CUSTARD & STEAKBURGERS (7420 WEST 159TH STREET PUD)

This matter was PASSED on the Consent Agenda.

2017-0525 Anna B's Antiques N' Things AIG - 14330 Beacon Ave

The petitioner is proposing to make improvements to the exterior portion of the building located at 14330 Beacon Avenue.

The most significant change in appearance will occur at the rear of the building. The petitioner is proposing to replace the rear porch which is in failure due to poor footings and the decomposition of untreated lumber. The porch will be reconstructed to match the existing design with more durable materials. Additionally, the guardrail will feature spindles that match the spindles of the front porch area.

The petitioner is proposing to hand wash, scrape, prime, and paint all existing painted surfaces on the exterior of the building. Two colors of Benjamin Moore Mooreguard will be used on the majority of the structure with a third color being used as an accent color for the fish scale siding. All colors will match existing color conditions.

In addition to painting, the petitioner is also proposing minor maintenance repairs and improvements. The bay window projection of the south elevation of the building has suffered from significant water damage. Portions of wooden eave that have rotted will be replaced to match the existing design. An aluminum-zinc coated steel half round gutter will be used to replace the entire approximate 135.5 linear feet of existing gutters.

The petitioner has provided two (2) sets of two (2) bids for the proposed work. The first set is for the hand scragging, cleaning, and painting of the building. The bids for the painting are from South Suburban Painting (\$7,900) and Patrick's Decorating, Inc. (\$9,125). The second set of bids is for the installation of replacement gutter. The bids for the gutters are from M&M Construction (\$1,493.86) and Classic Gutter Systems (\$1,678.75). The only bid that was available for the rear porch construction was with M&M Construction (\$17,176.23).

I move to recommend to the Village Board of Trustees to approve the Appearance Improvement Grant application for \$13,285.05 to repair and repaint the exterior appearance of 14330 Beacon Avenue, as indicated in the fully referenced motion below.

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

I move to approve the Appearance Improvement Grant application for \$13,285.05 from account 010-0000-484930 for 14330 Beacon Avenue;

And

I move to approve the South Suburban Painting bid for \$7,900 and the M&M Construction bid for \$18,670.09, as the lowest bid for 14330 Beacon Avenue and for the petitioner to use, subject to the following conditions:

1) Meet all Building and Land Development Code requirements, and obtain the necessary permits from the Village's Building Division prior to initiating work.

This matter was APPROVED on the Consent Agenda.

2017-0484 Dykas Lot Consolidation - Plat of Subdivision

The petitioner proposes to consolidate Lots 45 and 46 in Olde Mill Phase III subdivision into a single lot measuring 26,000 square feet. Both lots are owned by the petitioner, and are currently two separate parcels. Lot 45 contains a house, and Lot 46 is currently vacant. Once consolidated, the petitioner plans to construct

a number of permitted accessory structures, such as a basketball court and putting green on the empty lot. Approval of this or any other structure is not a part of this petition and is generally handled via building permit reviews. Accessory structures are not allowed without a principal structure. The consolidation will result in both lots containing the house as a single principal structure.

I move to approve the consolidation of the two parcels located at 17424 & 17430 Deer Trail Court as recommended at the August 21st, 2017 Development Services and Planning Committee meeting and as indicated in the below fully referenced motion.

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

I move to approve the lot consolidation of Lot 45 and Lot 46 in the Olde Mill Phase III subdivision as depicted on the "Dykas Consolidation" plat dated June 29th, 2017, subject to the following conditions:

- 1) Submit a Mylar Plat of Consolidation to the Village for recording.
- 2) Install a sidewalk and two (2) parkway trees along the frontage of Lot 46.
- 3) Meet all building and engineering code related items.

This matter was APPROVED on the Consent Agenda.

2017-0590 Environmental Consultant Services - E. Cooney Associates, Inc

The Village needs to hire E. Cooney Associates to assist with a limited Phase II environmental assessment for properties located in the Village. We have received a proposal for this work in the amount of \$14,500. The Village has an existing contract with E. Cooney Associates which will be amended to allow for this additional scope of work. E. Cooney has assisted the Village of Orland Park with many different environmental assessments for various projects throughout the community.

I move to approve a contract with E. Cooney Associates, Inc. in the amount of \$14,500 (and a contingency of \$2,500).

This matter was APPROVED on the Consent Agenda.

2017-0328 Wooded Path II Estates Subdivision - Proposals for Professional Tree Planting and Conservation Area Landscaping Services

The Village is currently holding a number of letters of credit for commercial properties and residential subdivisions with longstanding, unresolved landscaping issues. One example of such a property is Wooded Path II Estates, which is generally located at the southeast corner of 143rd Street and Claridge Court. Although the landscape plan for Wooded Path II was approved in 2011 and six subsequent landscape inspections have been performed, currently a large number of landscape issues related to tree planting and naturalized landscaping area still exist.

In trying to decide how to help accelerate conformance and approval of the landscaping at these problem sites, it was determined that developers would be offered a “final” punch list based on the dollar amount allocated to landscaping for a particular site’s letter of credit which detailed the work to be completed for final acceptance. Punch list would be created by the Village’s landscape consultant Planning Resources Inc. (PRI). The developer could then either a) complete the entire punch list by a set date or b) opt to have their letter of credit pulled by the Village. At that point, the Village would contract with a qualified contractor to complete the work.

In Wooded Path II Estates’ case, the developer proposed instead to provide the Village with a check for \$26,971.88 on May 5, 2017, which represented the letter of credit amount associated with landscaping at Wooded Path II, under the condition that the Village release the developer’s letter of credit. The Village agreed to these terms. Upon providing a cashier’s check, the Village released Wooded Path II’s letter of credit.

The landscaping punch list for Wooded Path II was divided into two categories: tree planting and conservation area landscaping. Forty-six (46) parkway and bufferyard trees were identified as missing on the punch list, while seven (7) conservation outlots, including three (3) detention ponds, needed a various level of naturalized landscape restoration or general maintenance. As the Village will maintain these conservation areas in perpetuity, it was imperative that these areas be brought up to an acceptable condition. Upon completion of this work, PRI will perform a final inspection and either report any additional work to be completed or recommend final project approval.

To complete the tree planting work, the Village requested proposals from three different landscape consultants: Mid America Tree and Landscape Inc., Brancato Landscaping, Inc., and Jim Melka Landscaping. The lowest proposal amount for this work came from Mid America at \$10,260, while Brancato proposed \$13,035 and Melka Landscaping opted to not provide a proposal. As a result, the Village would like to engage the lowest qualified proposal, Mid America Tree and Landscape Inc., to provide tree planting services associated with the completion of outstanding landscape requirements for the Wooded Path II Estates subdivision.

To complete the conservation area landscaping work, the Village requested proposals from three different natural area landscape consultants: Pizzo and Associates, Ltd., V3 and Front Range Environmental. The lowest proposal amount for this work came from Pizzo at \$13,029.00, while V3 proposed \$16,525 and Front Range Environmental proposed \$27,600. As a result, the Village would like to engage the lowest qualified proposal, Pizzo and Associates, Ltd., to provide naturalized landscaping services associated with the completion of outstanding landscape requirements for the Wooded Path II Estates subdivision.

I move to approve the proposal from Mid America Tree and Landscape Inc. of Mokena, Illinois to provide tree planting services associated with the completion of outstanding landscape requirements for the Wooded Path II Estates subdivision in an amount not to exceed \$10,260.00;

And

Approve the proposal from Pizzo and Associates, Ltd. of Leland, Illinois to provide naturalized landscaping services associated with the completion of outstanding landscape requirements for the Wooded Path II Estates subdivision in an amount not to exceed \$13,029.00.

This matter was APPROVED on the Consent Agenda.

2017-0607 Hampton Court - Final Landscape Plan Approval

This is a request for approval of a landscape plan for the Hampton Court subdivision, to be located at 15760 108th Avenue. The Village Board approved the Site Plan for Hampton Court on 10/19/2015 with the following conditions / variances:

- 1) Install off-site landscaping on the south side of Hampton Court and generally plant the new trees as the future parkway trees;
- 2) Appropriately grade the area adjacent to the southwest corner of Lot 1 (in the public right-of-way) to manage storm water and direct it west to the detention pond;
- 3) Submit a final landscape plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval;
- 4) Work with the Village to determine appropriate offsite wetland mitigation via the Development Agreement;
- 5) Reduce the wetland setback from 50 feet to zero (0) feet;
- 6) Reduce the pond maintenance area from 25 feet to not less than fifteen (15) feet; and
- 7) Reduce the detention pond setback from 25 feet to not less than eighteen (18) feet.

Per Code requirements, the petitioner submitted a landscape plan that has been reviewed and approved by the Village's Landscape Architect consulting firm.

I move to approve accepting as findings of fact the findings of fact as set forth in this staff report dated 09/05/2017;

And

Approve the landscape plan titled, "Landscape Plan - Hampton Court", prepared by A Touch of Green, dated 05/22/2017, sheets LA-1A and LA-1B.

This matter was APPROVED on the Consent Agenda.

2017-0608 Rizza Porsche of Orland Park - Final Landscape Plan Approval

This is a request for approval of a final landscape plan for Rizza Porsche of Orland Park, located at 8760 W. 159th Street. The Village Board approved the Site Plan on 04/03/2017 with the following conditions / modifications:

- 1) Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval. Construct the required landscape buffer around all sides of the entire 7.6 acre site at the time of Porsche Construction.
- 2) Detention slopes that exceed 25% to no more than 33%.
- 3) Reduced western landscape buffer, shifted eastward approximately 24'.

Per Code requirements, the petitioner submitted a landscape plan that has been reviewed and recommended for approval by the Village's Landscape Architect consulting firm.

I move to approve accepting as findings of fact the findings of fact as set forth in this staff report dated 09/05/2017;

And

Approve the landscape plan titled "Final Landscape Plan - Rizza Porsche" prepared by Gary R. Weber Associates, Inc., dated 08/18/2017, Sheets 1 and 2.

This matter was APPROVED on the Consent Agenda.

2017-0299 2017 Land Development Code Amendments II

The second round of Land Development Code Amendments for 2017 is presented in the attached report titled "2017 Land Development Code Amendments II Amendment Report to the Plan Commission", prepared by the Development Services Department and dated June 27, 2017 and revised on August 21, 2017.

I move to approve the Land Development Code amendments as recommended at the June 27, 2017 Plan Commission meeting and as fully referenced below.

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

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated June 27, 2017.

And

I move to approve the Land Development Code amendments for Section 2-102,

Section 5-101, Section 5-112, Section 6-205.1, Section 6-212, Section 6-302, Section 6-305, Section 6-307, Section 6-308, Section 6-310, Section 6-314, Section 6-315, Section 6-406 and Section 6-407.1, as presented in the attached Amendment Report titled "2017 Land Development Code Amendments II Amendment Report to the Plan Commission", as revised and prepared by the Development Services Department and dated June 27, 2017 and revised on August 21, 2017.

This matter was APPROVED on the Consent Agenda.

2017-0595 Stellwagen Family Farm Master Plan

President Pekau questioned what the Master Plan looks like for the folks in the audience; how will it be funded; and how is the maintenance funded.

Village Manager La Margo stated regarding the maintenance, the Village owns this property so this is part of the budget that is approved by the Board. The farm has the ability to raise funds and receive Grant monies.

Interim Assistant Village Manager Karie Friling gave a brief overview. She reported that on December 19, 2002, the Village became the owners of the 60-acre Stellwagen farmstead located at approximately 17800 South 108th Avenue as an Open Lands Acquisition. The purchase price was \$6 Million. This was a joint purchase between Opens Land Referendum Bond money as well as a IDNR Grant from the State of Illinois.

The purpose of the purchase was to preserve the farm and to eventually be able to use it as an educational recreational opportunity for the residents of Orland Park long-term.

There were terms in the agreement with the Stellwagen Family that were very specific on what could and could not be done with the farm. There was also a life trust that went with the land until such time Mr. Stellwagen passed away.

The Stellwagen Family Farm Foundation oversees this piece of property even though the title is held by the Village of Orland Park.

The Stellwagen Foundation is a 503C non-for-profit organization that is made up of family members of the Stellwagen family as well as interested residents and Trustee Fenton. The purpose of the 503C when it was created was to allow for the opportunity to secure Grants and outside funding for the continued preservation and restoration of the Stellwagen Farm forever.

Over the last 15 years the community has been restoring this farm with funds that have been provided by the Stellwagen Family that were donated to continue to make improvements to the farm.

In 2015 a Market Feasibility and Analysis plan was done by an outside consultant and the Village utilizes that with the Stellwagen Foundation. The Development Services Department provides staff support to the Stellwagen Foundation.

The Stellwagen Family Farm Foundation, together with the Village of Orland Park Development Services Department staff, developed the proposed Master Plan for the farm over the course of two years. The Master Plan is the product of numerous meetings of the Foundation Board of Directors and Village staff. In 2015, the Foundation and the Village worked with Ratio Architects Inc. to prepare a Market Analysis and Feasibility Study, the findings of which were incorporated into the Master Plan. The Master Plan and the Feasibility Study are sister documents in the operations and maintenance of the Farm.

Completion of the Stellwagen Family Farm Foundation Master Plan meets the following goals and objectives of the 2013 Orland Park Comprehensive Plan:

Open Space, Parks & Recreation

Goal 4.0 - Educate and inform the public about the Orland Park open space infrastructure system.

Objective 4.1 - Orland Park residents will be informed and educated on open space issues like sustainability, preservation, natural systems and recreational activities.

Community & Culture

Goal 1.0 - Cultivate diverse and meaningful cultural offerings to increase the quality of life for all Orland Park residents and visitors. Sponsor cultural investment in community assets that endow innovation, knowledge sharing and entrepreneurship to create a multi-faceted culturally creative economy.

Objective 1.2 - Orland Park's cultural heritage will help influence, and be reflective of a unique and authentic sense of place for the community.

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

President Pekau questioned what does the actual Master Plan look like and where can folks see this plan.

Interim Village Manager Friling stated that at the Development Services Committee meeting two weeks ago a full power point presentation was given and this Master Plan was reviewed in great detail. Additionally, the plan is available on the Village's website and if anyone would like to receive a hard copy they are available at the Village Hall.

I move to approve the Stellwagen Family Farm Master Plan, prepared by the

Stellwagen Family Farm Foundation and the Village of Orland Park Development Services Department.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0603 Rizza Porsche Sales Tax Sharing Agreement

President Pekau questioned a letter that was in the Board packet dated July 26, 2017, this was the first that he saw this letter. His questioned what the sharing agreement is and the details of this agreement.

Interim Assistant Village Manager Friling reported that this is a typical sales tax agreement that is done for the Village's car dealerships located on 159th Street.

In April of 2017, the Village granted a special use permit with modifications for the new Rizza Porsche development at 8760 159th Street. The Porsche dealership is relocating from 8100 159th Street where it shared space with Rizza Ford. The Ford dealership will remain at the existing location. Along with the relocation Porsche is proposing an expansion of their dealership as compared to the site they currently occupy. In addition, Rizza Porsche and Ford are currently under the same corporation. They have submitted information that shows the dealerships will be separated into individual corporations. The following request for sales tax sharing only includes the Porsche dealership.

The proposed Porsche development includes a new 18,010 square foot dealership and two out lots on a 7.6 acre site. The project has been approved and has begun site work. The dealership currently employs 32 people full time. After construction the dealership will add 22 full time employees. The petitioner anticipates 150 temporary construction jobs created as a result of this project.

Rizza Porsche has requested a sales tax sharing incentive agreement with the Village of Orland Park to assist with their proposed project. Based on the information submitted by the petitioner they anticipate sales tax generated by their dealership to increase by 10% in the first year (2019), 20% in the second year (2020) and substantial increases in the years thereafter. The terms of the proposed sales tax sharing agreement are summarized below.

Rizza Porsche
New Porsche Dealership - \$9,000,000
50% of incremental sales tax sharing
Sales Tax Base Set - \$150,342 - 3 year average of Sales Tax Collected by the Village

(Sales Tax Base remains 100% Village of Orland Park)

Ten year term - this is consistent with term of BMW and Infiniti agreements

Engineer Verification of costs required

Job Creation / Retention and private investment numbers required

Claw back provision (incentive payback) if the dealership closes/relocates outside of the Village of Orland Park within 10 years

Payments will be made quarterly by the Village of Orland Park, as increment is produced and paid by the State of Illinois

Compliance with all Village of Orland Park zoning, building and other applicable codes required

The petitioner submitted a table outlining the Porsche dealership 5 year sales volume. The document breaks out the taxable sales and the last row in the table outlines the total amount of sales tax that was collected by the Village. The 3 year average will set the base for this agreement.

President Pekau questioned how Finance was involved in this.

Director of Finance Annmarie Mampe stated that once the rebate agreement is approved by the Board, Finance manages the actual payments of the rebates to the car dealerships. Sales Tax information is received on a quarterly basis from the State of Illinois and then the Village pays according to the terms of the rebate agreement.

President Pekau asked if Finance was involved in any way before this agreement was reached.

Director Mampe stated no, Finance just manages the payment process.

President Pekau stated that he understands that this is consistent to what has been done in the past and he does not have any issues with the deal.

One issue he does have is, actually given the environment we are moving into, which we are all familiar with, that he would like to be made aware of before these agreements are brought to committee. It would be nice to include Finance, although this is a customary deal that has been done in the past, it may be in the future that the deals will be different and without reviewing them we will not know.

Interim Village Manager Friling explained that she works very closely with Director Mampe. She also works with the dealerships, because they are use to working with Development Services throughout the entire approval process with zoning entitlement. There is a relationship created with the dealership and staff knows what the architectural plans are and what the cost of the project will be, that is what they specialize in.

When a requested is received for any financing, any incentive, this information is automatically given to Director Mampe and her staff. She reviews the terms and she knows if it is consistent with the terms that are previously done in the past.

Director Mampe agreed. The terms are consistent over time and the Village has been doing this for many years. The terms have not changed. What may change is the base because it is dependent upon the individual dealership. The Village receives that base information from the State of Illinois.

I move to approve a Sales Tax Sharing agreement with Rizza Porsche as outlined above.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0526 151st Street at West Avenue Roundabout Design - Phase II Engineering Services - Resolution

President Pekau stated that this roundabout at 151st and West Avenue is a big deal. He requested Village Manager La Margo explain where the funding is coming from and how the residents will be involved and informed of what is going on that live in this area.

Village Manager La Margo stated that the funds are coming for an 80/20 split. 80 percent will be Federal Funding/Grants and 20 percent funded through the Village.

This project has been going on for the past several years and there have been many committee meetings on this item. Director Friling and her staff in Development Services have met with the residents. Additional neighborhood meeting will be scheduled moving forward with certain projects that affect an area within the community.

On October 18, 2004 Christopher B. Burke Engineering, Ltd. (CBBEL) was awarded a contract to design and provide construction documents for the widening and reconstruction of 151st Street from Ravinia Avenue to West Avenue. Included in this is the design of a new water main, storm sewer, and intersection improvements at West Avenue and Ravinia Avenue.

On April 29, 2013 the Southwest Conference of Mayors (SCM) approved Surface Transportation Program (STP) funds for this project. SCM approved a maximum amount of 2 million dollars for construction. The total estimated amount for construction is \$5.9 million. Plan modifications and a Phase I Engineering have been complete. CBBEL is currently working on the detailed construction drawings.

Since this time, the Village has considered various locations to utilize roundabouts as an alternate means of enhancing traffic flow throughout the Village. The Village's transportation plan identified this intersection as a potential location for a roundabout. The intersection of 151st Street and West Avenue currently operates as an all-way stop condition. As traffic increases throughout the area, the level of service at this location will decrease; therefore, staff is recommended studying the effectiveness of a roundabout at this location. Staff as well as CBBEL previously presented the roundabout findings and recommended moving forward with the proposed roundabout. The Village Board concurred with this recommendation.

The Southwest Conference of Mayors approved the roundabout project for Federal STP funding (80% FED and 20% Village). CBBEL has completed the Phase I Engineering and had provided a scope of services and cost not to exceed to provide Phase II Engineering services. The amount not to exceed is \$99,972.90 of which 80% will be reimbursed.

Upon approval of the Phase II Engineering and Village Board approval to move forward with the detailed design and construction of the roundabout, it is anticipated that this work will be coordinated with the ongoing 151st reconstruction design and construction project. Construction of both projects would occur together and anticipate commencing in 2019.

I move to pass Resolution Number 1724, entitled: RESOLUTION APPROVING PROPOSAL FROM CHRISTOPHER B. BURKE ENGINEERING (151ST STREET AT WEST AVENUE ROUNDABOUT).

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be PASSED. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0638 Village Code Amendment - Relating to Business License Registration and Fees - Ordinance

President Pekau questioned how these increases compare to surrounding Village's and how does staff determine the increased amounts.

Interim Assistant Village Manager Friling stated that this amendment to the Village Code are not so much about raising the fees as it is about doing procedures differently when fees are assessed.

In an effort to be able to contact a business and assess additional fees without having to involve property maintenance citations, staff is requesting changes to Title 5-1-4 and Title 7-1-3 to match that of other similar sized villages such as Oak Lawn, Palatine, Des Plaines, Schaumburg and Plainfield. All of them consistently charge additional fees of \$25 to \$1000 per day of violation.

An adoption of the verbiage similar to these comparable villages is being requested that will institute additional fees of \$200 to \$750 per day of violation. Staff considers a day of violation to be after the business, property management company or property owner is notified with either an onsite in-person visit or a certified letter until completed application has been delivered to the Development Services Department. The decision of whether to fine the business or the management company or the property owner would be at the discretion of the Development Services Department.

Changes to Title 7 Chapter 1-10 and Chapter 2 are being requested to clean up and are considered housekeeping issues. Title 7-1-10- Staff is requesting to add what exactly is needed when a business moves, changes ownership, or changes their name. The \$30 Change of Name processing fee is for updating the business information in the computer, and printing the new Certificate of Occupancy and Business License. Title 7-2-3- Staff is requesting the list of the types of subcontractors be removed due to the changing of classification names on a regular basis.

I move to pass Ordinance Number 5219, entitled: AN ORDINANCE AMENDING TITLE 5, CHAPTER 1 AND TITLE 7, CHAPTERS 1 AND 2 AND OF THE ORLAND PARK VILLAGE CODE RELATING TO BUSINESS LICENSE REGISTRATION AND FEES.

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be PASSED. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

2017-0589 Village Code Amendment - Special Events Permits - Ordinance

President Pekau questioned how these increases compare to surrounding Village's and how does staff determine the increased amounts.

Village Manager La Margo stated that surveys were taken from surrounding communities but those fees were inconsistent. Staff then reviewed the costs of the resources needed and typical time it takes from submission to issuance of the permit in an effort to streamline special event permits.

The proposed changes to Title 3-9 are necessary because special events within the Village of Orland Park have steadily increased over the past years, and currently our Village Code does not specify fees.

In 2016, there was a total of 102 special event permits issued, with 36 of these being Village events. Of the non-Village events issued, six (6) were a walk/run, twenty-seven (27) were a small event, six(6) were a small event not requiring an

inspection, two (2) were a recurring small event not requiring an inspection, five (5) were a food event, two (2) were a large event, three (3) were a carnival, eleven (11) were an outdoor tent sale, and four (4) were an outdoor garden center sale. With the changes proposed, there would have been an additional \$4,060 in fees collected for these same permits.

I move to pass Ordinance Number 5220, entitled: AN ORDINANCE AMENDING TITLE 3, CHAPTER 9 OF THE ORLAND PARK VILLAGE CODE RELATING TO SPECIAL EVENTS PERMITS.

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be PASSED. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

PUBLIC WORKS

2017-0639 Sidewalk Construction, Village Center Complex - Proposals

Last month, Village crews completed a parking lane along the south end of the green space south of the Village Hall. Continuing the enhancements throughout this green space, pedestrian walks have been planned (see attachment). To facilitate the timely construction of these walks, staff has requested proposals from two contractors currently completing concrete work for the Village.

In April of this year, the Village opted to participate in a multi-community joint bid process through the Suburban Public Works Directors Association (SPWDA) for various concrete flatwork repairs. On May 15, 2017, the Village awarded a contract to Davis Concrete Construction of Monee, Illinois for sidewalk removal and replacement at several locations in Orland Park. Staff has requested and received a proposal from Davis Concrete to extend this contract to include the construction of walks at the Village Center Complex. Davis Concrete has submitted a proposal for \$5.85 per square foot which is less than the \$7.00 per square foot joint bid cost. With reinforcement and detectable warnings, Davis Concrete's total proposed cost for the Village Center walk is \$42,036.50.

On April 17, 2017, the Village awarded the 2017 Neighborhood Road Improvement Project contract to Austin Tyler Construction of Elwood, Illinois. Staff also requested and received a proposal for the construction of Village Center walks from Austin Tyler Construction. Austin Tyler has submitted a proposal for \$8.60 per square foot. With detectable warnings, Austin Tyler's total proposed cost is approximately \$57,150.00.

Staff has reviewed both proposals and recommends extending the existing contract with Davis Concrete Construction of Monee, Illinois to include the Village Center walk at a cost of \$42,036.50 plus a \$2,963.50 contingency for a total not to exceed \$45,000.00.

President Pekau stated that the sidewalk construction is at the Village Center, there are also two projects coming up which is parking lot work and a roundabout. He questioned will these sidewalks in anyway be impacted or are they completely separate.

Village Manager La Margo stated this sidewalk construction is completely separate and are not impacted at all.

I move to approve accepting the proposal from Davis Concrete Construction of Monee, Illinois for sidewalk construction at the Village Center Complex in an amount not to exceed \$45,000.00 (\$42,036.50 plus \$2,963.50 contingency).

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

FINANCE

2017-0610 An Ordinance Providing for the Issuance for General Obligation Refunding Bonds, Series 2017A - Ordinance

Director Mampe reported that the Village is refunding its outstanding GO Bonds, Series 2009A in order to capture future interest cost savings. The sale of GO Refunding Bonds, Series 2017A will take place via a competitive sale the morning of Tuesday, September 5, 2017. The Series 2009A bonds were originally issued to fund the purchase of open land, as well as road improvements in the I-80 corridor. The estimated net present value interest savings to be realized by issuing the Series 2017A refunding bonds is approximately \$74,490, or 2.1% of refunded principal. This savings amount is net of all issuance costs.

After the sale, the Ordinance will be completed with all pertinent information. Speer Financial, Inc. (financial advisor) and Chapman & Cutler (bond counselor) will be delivering the completed documents to the Board for formal approval after the sale takes place. Speer Financial and Chapman & Cutler will be available at the Board meeting to provide the Board with details of the sale and the actual savings amount to be realized by the refunding.

Both rating agencies, Moody's and Standard & Poor's, 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 Aa1 and with S&P is AA+.

I move to pass an Ordinance Number 5217, entitled: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$2,645,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017, OF THE VILLAGE OF ORLAND PARK,

COOK AND WILL COUNTIES, ILLINOIS, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF SAID VILLAGE, PROVIDING FOR THE LEVY AND COLLECTION OF A DIRECT ANNUAL TAX FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS, AUTHORIZING THE SALE OF SAID BONDS TO THE PURCHASER THEREOF, AND AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT IN CONNECTION THEREWITH

A motion was made by Trustee Griffin Ruzich, seconded by Trustee Carroll, that this matter be PASSED. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

MAYOR'S REPORT

2017-0405 Discussion Only - Board Meeting Voice and Video Streaming/Recording

President Pekau stated that on June 5, 2017 this topic was introduced to the Technology, Innovation and Performance Improvement Committee. Committee Members had expressed an interest and further discussion took place about broadcasting Village Board Meetings through multiple live and streaming medias like OPTV (cable), YouTube, Facebook Live as examples, have the recordings made available in a Podcast and/or video link for post meeting viewing.

President Pekau stated that he would like to see the meetings videotaped and then have that tape placed on the Village website.

Trustee Carroll stated that the Committees preference was to begin with audio recordings because of the cost and this being a new procedure. If this was successful then video streaming would begin.

There was also discussion regarding if videos or audio could be placed on the website for listening before the minutes are approved.

Trustee Dodge agreed with Trustee Carroll's recollection on this subject.

Trustee Dodge stated that his concern is having guest speakers come to speak before the Board and take-up free air time to advertise their business or agenda.

Trustee Dodge questioned if there would be a need for staff to transcribe Board minutes if they would be placed in a video or audio format. Minutes could just be a final vote and if citizens wanted to know the discussion they would listen to the audio or video.

Trustee Ruzich questioned if the official minutes of the Board actions are still required.

Village Attorney Friker stated yes, there is a need for official written minutes according to the Open's Meetings Act and the Municipal Code.

Trustee Dodge questioned if the title of the item and the votes for an item would be sufficient as the written minutes instead of a summarization of discussion. The rest (the discussion of the item) would be on audio or video.

Village Attorney Friker stated yes, that would be fine.

President Pekau stated that he has spoken to several Mayors from other communities and they all do it different ways. Some record their meetings and place the audio on their websites, some have live streaming, others video tape the meetings and place it on YouTube and link that to their website. In all these cases they post this audio the next day after their meeting. His point is there are other village's that already do this so the wheel does not have to be recreated. The Village of Orland Park can mirror from those villages and be cost effective and learn how to implement this simply.

President Pekau stated that another subject that this would be a big help with is FOIA requests.

Trustee Ruzich stated that she believes that the audio recording is backwards technology.

President Pekau agrees.

Trustee Carroll stated that the audio recording is free.

Trustee Dodge questioned the cost of videotaping.

Chief Technology Officer Frank Florentine stated that the initial investment was approximately \$15,000 for the recording equipment. That did not include the cameras or the ability to capture the movement of the cameras. As voices carry through the system, microphones would need to be purchased in everyone's area along with hanging them from the ceilings. The estimated cost for everything is about \$60,000 to \$70,000 to implement.

It was asked how listeners will know who is speaking (by name) if they are listening to an audio recording.

Trustee Carroll stated that when a Trustee wants to speak, they wait for the Chairman to acknowledge them by name before speaking, in an audio recording you would hear the Trustees name mentioned first before they spoke.

Trustee Ruzich stated that she does not believe that anyone would want to sit and listen to the audio of a meeting for 2 hours. She stated that \$700.00 per month to have an independent cameraperson come in to video tape the meetings is not an extraordinary expense.

Trustee Fenton stated that the time frame of watching or listening to a meeting doesn't matter (verbal or visual).

Trustee Ruzich stated that if you have the visual it may be more engaging than just the verbal.

President Pekau suggested that the Village reach out to neighboring communities and see what their process is for their meetings. He stated that he will call the Mayors and if Village Manager La Margo would like to speak with the Village Managers of these towns and then this will be reported back to the Board.

Trustee Calandriello stated that he supports an open concept, whatever is the most cost effective verbal or visual.

Village Manager La Margo stated that this information will be reported back to the Board in two weeks.

BOARD COMMENTS

TRUSTEE FENTON – Thanked the Parks and Recreation Department for the wonder series of concerts that took place this year. She thanked all staff for all their hard work during all of the events that took place over the summer months.

Trustee Fenton referred to an article that appeared in the Tribune regarding Building Suburban Downtowns from The Ground Up. This article referred to the town of Wheeling and it is the latest community that is developing a downtown area where the old Wicks Furniture headquarters and warehouse was located.

She read the article which mentioned Orland Park. She stated it's nice that Orland Park is on the forefront by developing its downtown area and the town of Wheeling is emulating what the Village of Orland Park has already done.

This goes back to the vision of the Board, staff and the residents who have supported what is being done with the Downtown area and what is being planned. This downtown area is a great entity to the Village of Orland Park.

TRUSTEE CALANDRIELLO – Congratulations to Joe La Margo on his promotion to Village Manager. He has the support of the Board and they look forward to working with him.

He congratulated the Police Department on their very successful bike ride event for Special Olympics that took place on Sunday, August 27th through the streets of Orland Park.

The Market in the Park was a great new creative event and location. He and his family enjoyed attending every Thursday night in downtown Crescent Park.

Trustee Calandriello stated that the Board has saved \$6.5 Million over the past 7 years by rebating debt. This is a huge amount of money to save the tax payers of Orland Park. The Board is being good financial stewards of the tax payers money.

He wished his wife a Happy Anniversary – They are celebrating their Second Wedding Anniversary today and he is at a Village Board meeting.

TRUSTEE RUZICH – Congratulated Joe La Margo and looks forward to working with him.

TRUSTEE DODGE – Congratulated Joe La Margo and wished him the best.

TRUSTEE CARROLL – Congratulated Joe La Margo on his contract tonight. He also thanked both Chief McCarthy and Joe La Margo for being the Interim Village Managers, they both did a great job and there was no lack of productivity or service.

Trustee Carroll stated that in addition to our comments with the legal concerns the Board had with the commissions, he does want to share one other concern.

This Board has shown that it is willing to work with this Village President on his appointments. The Economic Advisory Board appointments have all been a 7/0 unanimous vote.

Trustee Carroll does have some concerns regarding the advice and consent of some of these commissions. He has heard that Trustee Gira and Trustee Fenton were told they cannot serve on their existing commissions because it is a conflict of interest, yet Trustee Dodge was appointed to another commission. He was told Dave Shalabi cannot serve on the Plan Commission because he is a realtor, yet Pat Zomparelli (another realtor) was proposed to be one of his replacements.

Trustee Carroll would like to receive between now and the next Board meeting a report back from Legal on the reasons why it was of these seven existing expired Planning Commission Members that three were chosen to be asked to resign and why were these three chosen. Also, those inconsistencies between the conflicts of interest that were alleged at the time they were asked to resign, before he gives his vote on advice and consent.

TRUSTEE GIRA – Congratulated Joe and stated that he has done a very good job along with Interim Assistant Village Manager Karie Friling.

She congratulated the other appointments that were made tonight. She looks forward to working with all of them.

Trustee Gira thanked the Parks staff along with all staff for the wonderful summer that was had in the Village. All of the events were thought-out and executed so wonderfully.

She congratulated the pool staff who received their third 5-Star rating. That is 10 consecutive years of 5-Star ratings for unannounced inspections. Everyone who works at the pool is evaluated. She thanked them – they are all simply the best!

PRESIDENT PEKAU – The Illinois Municipal Code and the Village of Orland Park Code gives the Village President the power to appoint citizens to serve on commissions within the Village with the advice and consent of the Board.

When a term has expired, and this has been confirmed with two different legal firms, it is the Village Presidents prerogative to replace the commission members. It is in fact also the Boards prerogative to vote those replacements down. We did not address the four replacements tonight and we “kicked the can” down the road for two weeks from now.

The facts are I was replacing four commission members in total out of 111 commission members - Hardly a large percentage and one more in two weeks for a total of five.

President Pekau stated that regarding the comments about Trustee Dodge sitting on a Board. He had spoken to five of the Trustees personally in his office. He explained that he felt it was a conflict of interest to be a judge, jury, and executioner (to be a voting member, kick it to your committee, and then kick it to the Board).

In Trustee Dodge's case his position is actually called-out for in the Economic Development Advisory Board and he is a non-voting member. Whereas, the two Trustees on the current Boards are voting members. If in fact, through the commission changing process, if it is decided to have liaisons that are Trustees then those would be appointed, but he does not believe they should be voting members. He stated that this is a potential conflict of interest, not to say there has been, but appearance and potential exists.

President Pekau stated that regarding Commissioner Shalabi because he focuses on commercial real estate primarily, what he instead suggested was for him to go to the Zoning Review Board. It was not that he was just being replaced on the Planning Commission but he was actually offered an open spot on the Zoning Review Board.

President Pekau noted with that said, at some point it is needed to recognize that the election is over. Several of my appointees today and all of the current Board, those that have been voting with him more frequently and those who have not - all supported his appointees.

President Pekau appointed those people today because they are good people and can work well together. It doesn't matter who they supported because the election is over. They are also qualified, as were the other people that he appointed and were not voted on tonight.

To all of you that were added to commissions tonight, thank you very much for volunteering. The staff, Board and I look forward to working with you. In order for the Village of Orland Park to succeed, we need to work together as a Team, even when we disagree.

President Pekau congratulated Joe La Margo on his contract. He looks forward to working with him to help Orland Park realize its full potential in the coming years. We agree on far more than we disagree on and together we will put aside or work out our differences to do what's in the best interest of the Village.

In fact that team work has been on display already. Last Wednesday afternoon, President Pekau had an idea with Jennifer his Executive Assistant to take donations for the Texas residents affected by Hurricane Harvey. Joe and he spoke Wednesday afternoon and Thursday morning the Public Information Office had the word out to the public and donations began coming in. This is what can get done when everyone works together.

President Pekau stated that he is very proud of Orland Park and staff throughout this entire effort. Please remember the Village is accepting donations until September 15th and maybe longer if another hurricane hits the United States.

TRUSTEE FENTON - Clarified that to date President Pekau has appointed 13 new members to different Commissions.

EXECUTIVE SESSION

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

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be RECESS. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

RECONVENE BOARD MEETING

The roll was called to reconvene the Regular Meeting and Trustees Fenton, Dodge, Gira, Ruzich, Calandriello, Carroll and President Pekau were present.

Purpose of the Executive Session was for the discussion of a) approval of minutes; and b) the purchase or lease of real property for the use of the village.

ADJOURNMENT - 10:00 PM

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

/nm

APPROVED: September 18, 2017

Respectfully Submitted,

/s/ John C. Mehalek

John C. Mehalek, Village Clerk