

# VILLAGE OF ORLAND PARK

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



## Meeting Minutes

Monday, January 19, 2009

7:00 PM

Village Hall

## Board of Trustees

*Village President Daniel J. McLaughlin*

*Village Clerk David P. Maher*

*Trustees Bernard A. Murphy, Kathleen M. Fenton, Brad S. O'Halloran,  
James V. Dodge, Jr., Edward G. Schussler, and Patricia Gira*

## CALL TO ORDER/ROLL CALL

In the absence of Village Clerk David P. Maher, Deputy Clerk Joseph S. La Margo was present.

In the absence of President McLaughlin, Mayor Pro-Tem Murphy was present.

The meeting was called to order at 7:01 PM.

**Present:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler and Trustee Gira

**Absent:** 1 - Village President McLaughlin

## VILLAGE CLERK'S OFFICE

### 2009-0006 Approval of the December 15, 2008 Regular Meeting Minutes

The Minutes of the Regular Meeting of December 15, 2008, 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 December 15, 2008.

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

### 2009-0023 Make-A-Wish Foundation - Raffle License Approval

The Make-A-Wish Foundation is requesting a license to conduct a raffle at their Dinner Dance scheduled for Saturday, February 7, 2009 at Silver Lake Country Club.

I move to approve issuing a raffle license to the Make-A-Wish Foundation to conduct a raffle at their Dinner Dance at Silver Lake Country Club on Saturday, February 7, 2009.

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

### **2009-0038 The For Julie Foundation - Raffle License Approval**

The For Julie Foundation is requesting a license to conduct a raffle at their Texas Hold'em fundraiser for leukemia research scheduled for Saturday, January 24, 2009 at the Orland Park Civic Center.

I move to approve issuing a raffle license to The For Julie Foundation to conduct a raffle at their Texas Hold'em fundraiser for leukemia research. This event is scheduled for Saturday, January 24, 2009 at the Orland Park Civic Center.

**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 O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

## **CONSENT AGENDA**

### **Passed the Consent Agenda**

**A motion was made by Trustee Fenton, seconded by Trustee Schussler, 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 O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

### **2009-0001 Payroll - 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 Bi-weekly Payroll for December 26, 2008 in the amount of \$892,084.36; the Monthly Hourly Payroll for January 9, 2009 in the amount of \$26,016.95; and the Bi-weekly Payroll for January 9, 2009 in the amount of \$931,372.74.

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

**2009-0002 Accounts Payable - Approval**

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

I move to approve the Accounts Payable from December 16, 2008 through January 19, 2009 in the amount of \$3,701,024.38.

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

**2008-0420 Silo Ridge Road No Parking this Side of the Street**

Gina Rossi of First Management Solutions is requesting "No Parking This Side of the Street" signs to be installed on the north side of the curved portions of Silo Ridge Road South and Silo Ridge Road West.

The request is made on behalf of the Silo Ridge Estates Homeowners Association Board of Directors. Parking on both sides of the curved road increases the risk of accidents due to the fact that the streets are narrow and the lines of sight are blocked by shrubbery and buildings, and these are curved corners rather than 90 degree corners.

I move to approve the installation of "No Parking This Side of Street" signs on the north side of both curves of Silo Ridge Road South and Silo Ridge Road West

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

**2009-0037 Village Code Amendment 9-9-8 - Silo Ridge Road - No Parking Signs - Ordinance**

I move to pass Ordinance Number 4446, entitled: AN ORDINANCE AMENDING THE ORLAND PARK VILLAGE CODE, TITLE 9, CHAPTER 9, SECTION 8, PROHIBITING PARKING ON THE NORTH SIDE OF THE CURVED PORTIONS OF SILO RIDGE ROAD SOUTH AND SILO RIDGE ROAD WEST

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

**2009-0015 Disposal of Certain Seized Vehicles at Public Auction - Ordinance**

The Police Department requests approval to declare one vehicle, a 1994 GMC G3 Van, as excess property and to dispose of at public auction. This vehicle was seized by the department and forfeited to the Village by the Circuit Court of Cook County from a driver who was driving their vehicle while their license was suspended for DUI.

I move to pass Ordinance Number 4447, entitled: ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

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

**2009-0007 Emergency Dump Truck Engine Replacement - Board Approval**

During the snow event of December 19, 2008, Truck #5255 (1989 Ford LNT8000 Tandem Axle Dump Truck) equipped with a plow and V-Box type salt spreader lost engine power and was towed to the Public Works Maintenance Garage. The truck was diagnosed as a probable engine failure. The truck was towed to Freeway Ford-Sterling Truck Sales Inc. of Lyons, Illinois, for further diagnosis. Freeway Ford has confirmed that the engine will need to be replaced. Truck #5255 has 65,600 miles and 5,100 hours on the engine.

The replacement cost for the engine is estimated to be \$13,500. Freeway Ford will perform the replacement and the engine will be a complete remanufactured unit with a one-year unlimited mileage warranty.

Since there is no replacement for this vehicle, Freeway Ford was directed to begin repairs immediately at a cost not to exceed \$15,000. Public Works expects the repairs to be completed by January 16, 2009.

I move to approve a budget adjustment for an emergency replacement engine for Truck #5255;

And

Approve payment to Freeway Ford-Sterling Truck Sales Inc. of Lyons, Illinois, for the installation of an emergency replacement engine in Truck #5255 a total cost not to exceed \$15,000.

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

**2009-0008 Bulk Material Purchases - Waive Bidding Process**

For the last several years, the Public Works Department in conjunction with the Recreation Department went out to bid for unit pricing of bulk materials that each Department utilizes throughout the year. These materials consist of concrete, asphalt, stone, sand and various materials used for ball fields and parks.

Over the last several years, staff has been informed that companies could not commit to annual pricing due to the volatile nature of fuel and other energy-related costs. Staff has again contacted several vendors in the area and we have been informed that they still cannot commit to any long-term pricing for the same reason. Staff researches and procures materials based on the best pricing and proximity of the concrete and asphalt suppliers to the Village to reduce transportation costs as much as possible.

I move to approve waiving the bid process for the purchase of bulk materials;

And

Approve authorizing the Public Works and Recreation Departments to purchase bulk materials from vendors selected based on current cost, availability and location for a total cost not to exceed the Board approved amounts for these products.

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

**2009-0009 Annual Pavement Crack Filling/Sealing Program - Extend Contract**

The Public Works Department would like to continue the Pavement Crack Filling/Sealing Program for the upcoming year. The Village started this program six years ago and, for the most part, the program has been very beneficial. The program has helped in maintaining and extending pavement integrity by reducing the amount of water infiltrating the pavement. Staff has been informed by last year's contractor (Plotke Asphalt Inc. of Rockdale, Illinois) that they will be holding their costs for the 2008/2009 budget year. Staff has been very pleased with the work that they have performed.

I move to approve extending the contract with Plotke Asphalt Inc. of Rockdale, Illinois, for the Pavement Crack Filling/Sealing for the 2008/2009 fiscal year for a cost not to exceed \$.40 per linear foot and a total cost not to exceed \$100,000.

And

Approve authorizing the Village Manager to execute the proposal/contract.

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

**2009-0010 AT&T Landscape Agreement (Project Lightspeed) - Board Approval**

In approximately May of 2007, the Village allowed AT&T U-verse to begin the installation of its equipment onto the Village's right-of-way and on private utility easements for the purpose of providing its customers access to a variety of enhanced entertainment and internet packages. As part of the process of installing their Video-Ready Access Device ("VRAD") on the right-of-way and on private easements, AT&T has agreed to subsidize the Village \$1,500 for landscaping each site. To date AT&T has installed forty VRADs on private easements and eleven on Village right-of-way.

This program will be ongoing and should conclude in 2009. Therefore, it is recommended that the Board of Trustees approve entering into an agreement with AT&T for the screening, landscaping and maintenance of the AT&T (VRAD) Facilities.

I move to approve entering into an agreement with AT&T to accept the subsidy of \$1,500 offered by AT&T for the screening and landscaping of each Video-Ready Access Device (VRAD) site;

And

Approve authorizing the Village Manager to execute the agreement.

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

**2009-0011 104th Avenue - (159th Street to 167th Street Improvements)  
Phase II - Part B Engineering Supplement - Board Approval**

On October 1, 2007, the Board of Trustees approved entering into an agreement with the Cook County Highway Department for Phase I and Phase II engineering for improvements to 104th Avenue from 159th Street to 167th Street. This supplemental agreement is for additional design engineering that is required for Part B final design and geotechnical engineering plans for the timber pile platform in poor soil that was requested by Cook County Highway Department. The total cost of the supplement involving the Village is \$61,195 of which the Village is responsible for \$15,299 or 25%.

I move to approve the supplemental agreement with the Cook County Highway Department for additional design engineering for street improvements of 104th Avenue (159th Street to 167th Street) for an amount not to exceed \$15,299;

And

Approve authorizing the Mayor and Village Clerk to execute said Agreement.

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

**2009-0012 IDOT Right-of-Way Maintenance Resolution - Resolution**

Chapter 121 of the Illinois Revised Statutes requires that any municipality performing maintenance work in the State Right-of-Way pass a resolution in lieu of a surety bond.

This resolution does not relieve contractors hired by the municipality from conforming with the normal bonding requirements nor from obtaining permits. The resolution has been previously reviewed and approved by the Village Attorney. This resolution will remain in effect for a period of two years (2009-2010).

I move to pass Resolution Number 0901, entitled: IDOT MAINTENANCE RESOLUTION

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

**2009-0013 Prescribed Burns - 2009, 2010, 2011 - Proposal**

A major component of site management for natural areas is the use of prescribed burns. These burns improve the native plant communities by reducing invasive and woody plant species. They also prompt the growth of fire-adapted native species and improve overall site habitat.

As part of our Stormwater Management Plan, pond sites utilize native vegetation to improve water quality and provide shoreline stabilization. Based on the increasing number of sites requiring this type of management and the inclusion of John Humphrey Woods (managed by the Parks Department) also utilizing prescribed burns, a Request for Proposal was drafted.

The Request for Proposals to conduct the Prescribed Burns in 2009, 2010 and 2011 was advertised in the Daily SouthtownStar Newspaper on November 7, 2008. The proposal packet was also mailed to thirteen companies. On November 24, 2008, six proposals were received and opened.

The lowest proposal was submitted by J. F. New of Monee, Illinois, totaling \$49,369 for the three-year period (2009, 2010 and 2011). Because the cost for 2009 was above the budgeted amount, staff negotiated with J. F. New and reorganized the schedule. In addition, the cost for John Humphrey Woods was negotiated and amended by J. F. New on December 15, 2008, to more closely meet competitors' cost for the site. Therefore, it is recommended that the proposal from J. F. New of Monee, Illinois, be accepted for the three-year period totaling \$44,412.

I move to approve accepting the proposal for Prescribed Burns for the years 2009, 2010 and 2011 from J. F. New of Monee, Illinois, for all listed pond-related sites and John Humphrey Woods for an amount not to exceed \$44,412 over the three-year period;

And

Approve authorizing the Village Manager to execute the contract/proposal.

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

#### **2009-0014 Watermain Valve Exercising - Proposal**

In order to maintain the integrity and effectiveness of the potable water system, a Request for Proposal for Watermain Valve Exercising was drafted. This program was last completed in 2004. Because the prices came in lower than expected, exercising the approximately 4,000 valves will be completed over a two-year period rather than the previously anticipated three years.

Two proposals were received for this work:

M.E. Simpson Co., Inc. of Valparaiso, Indiana, proposed:

\$38 per valve for 2009

\$38 per valve for 2010

\$40 per valve for 2011 (if needed)

Wachs Valve & Hydrant Services, LLC of Lincolnshire, Illinois, proposed:



\$40 per valve for 2009  
\$40 per valve for 2010  
\$40 per valve for 2011

M.E. Simpson Co., Inc. submitted the lowest proposal and has previously completed valve exercising programs for the Village in 1999-2002 and 2003-2004. It is recommended that the proposal from M.E. Simpson Co., Inc. of Valparaiso, Indiana, be accepted.

I move to approve accepting the proposal for Watermain Valve Exercising from M.E. Simpson Co, Inc., of Valparaiso, Indiana, for an amount not to exceed \$80,000 in 2008/2009 and the Board approved budgeted amounts in 2010 and 2011;

And

Approve authorizing the Village Manager to execute the contract/proposal.

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

**2008-0537 Glen Oaks Phase 5 - Record Plat of Subdivision and Plat of Abrogation**

This is a request for approval of the record plat of subdivision and plat of abrogation for drainage and utility easements in Glen Oaks Lot 5 located north of 165th Street in Glen Oaks Industrial Park, located to the east of 108th Avenue. On August 4, 2008 the Village Board approved consolidation of lots 3, 4, 5 and 6 into one lot, site plan and building elevations, special use for a planned development with modifications, and landscape plan, in order to construct five medical office buildings on a 4.8 acre parcel.

Staff has reviewed the Record Plat and Plat of Abrogation and finds it to be substantially in conformance with the approved Final Plan.

I move to approve the Record Plat of Subdivision for Glen Oaks Phase 5 prepared by Area Survey Company, P.C., Order Number 3538\_3-6C, dated August 15, 2008 and revised 12-30-2008.

And

I move to approve the Plat of Abrogation of a Drainage and Utility Easement, prepared by Area Survey Company, P.C., Order Number 3538\_5&6A, dated August 12, 2008 and revised 11-25-2008.

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

**2009-0003 Swallow Ridge Record Plat of Subdivision**

This request is for approval of a record plat of subdivision for Melka's Swallow Ridge Resubdivision.

Staff has reviewed the record plat of subdivision and finds it to be substantially in conformance with the approved final plan.

I move to approve the Record Plat of Subdivision Melka's Swallow Ridge Resubdivision, prepared by Joseph A. Schudt & Associates, Project No. 01027-012, dated 12-09-2008 and revised 12-19-2008

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

**2009-0027 159th & LaGrange Road - Various Invoices**

The following invoices require payment due to the 159th & LaGrange Road intersection improvement:

\$645.00	Deutsch, Levy & Engel	OFZ0013DED & TE (Cooper)
\$150.00	Douglas Felder	OFZ0012DED & TE (Cooper)
\$3,204.40	Holland & Knight	OFZ0004, 34, 35 (LaRocco, Kattos)
\$1,137.00	Scott D. Verhey Law	OFZ0001 & TE(Central Credit Union)

TOTAL INVOICES: \$5,136.40

I move to approve payment of invoices for the 159th Street and LaGrange Road intersection improvements in the amount of \$5,136.40.

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

**2009-0022 Orland Park Art Commission - Dance Program**

The Orland Park Arts Commission performance of Best of Dance Chicago is scheduled for Saturday, January 17, 2009. The event will be held before the next Board meeting; therefore, approval will be post-event and the check will be cut this week.

I move to approve the Orland Park Dance Chicago program and the costs associated with it.

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

**2009-0043 Goodwill Industries Subdivision Development Agreement - Expiration**

The Goodwill Industries Subdivision Development Agreement is set to expire on January 23, 2009. Due to the fact that there are no outstanding issues or fees, staff recommends this agreement be allowed to expire.

I move to approve authorizing expiration of the Goodwill Industries Subdivision development agreement.

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

## DEVELOPMENT SERVICES AND PLANNING

### 2008-0020 Crime Free/Rental Housing Code - Approval

Trustee Dodge reported that on December 15th, the Village Board of Trustees continued this agenda item to tonight's meeting. Staff has continued to meet with interested parties to further discuss and refine the proposed crime free rental housing code.

Trustee Dodge stated that on November 24th, the Development Services committee recommended approval of the proposed crime free rental housing code. At the October and November meetings, the Committee allowed public input and discussion regarding the proposed regulations. At the October Development Services committee meeting, this item was deferred to allow staff to review requested changes to the proposed ordinance from a lobbyist for the Illinois Association of Realtors. A comparison of his request and the Village's response is also attached for the Village Board's review. All acceptable changes have been incorporated into the proposed and attached Crime Free Rental Housing code.

In January of 2008, the Development Services committee first reviewed the proposed crime-free rental housing code (Title 5, Chapter 8). The proposed code was also forwarded to the Police committee for comment. On September 10th, an informational public meeting was also held, with over 100 people in attendance. In addition to these meetings, staff has also met with a representative from the Illinois Association of Realtors (as noted above) to discuss the proposed program. As a result of this public input, a number of changes have been incorporated into the code, including but not limited to:

- Tri-annual inspections instead of annual.
- Reduction in the registration fee from \$50 to \$25.
- An initial fee waiver for registration, if the rental housing owner registers within 60 days from the effective date.
- Reduction in inspection fees for multi-unit buildings.
- Waiver given for class attendance to landlords who can provide verification they attended crime-free seminar in another community.
- Clarified hearing/court process.
- Added language regarding process in the event of denial of access.
- Added sunset provision for January 2015, which will require the Village Board to uphold/renew the program or it will expire.

Currently, the Village of Orland Park does not regulate rental housing. Staff is recommending revising the existing Village Code, Title 5, Chapter 8 in its entirety and replacing with the insertion of a new "Rental Housing Code" that will authorize the Village to require the licensing and registration of land owners who rent or

lease residential units within the corporate limits of Orland Park, Illinois.

The principle purpose of the proposed code is to require a minimum property maintenance standard and a means to detour crime through "Crime Free Rental Housing" standards for housing units that are not occupied by the land owner.

The local creation and/or changes in this new code edition have been limited, as much as possible, so as not to create an unequal burden on existing land owners. The local revisions are intended to create rules for maintaining existing rental buildings and surrounding properties to their originally planned character within the Village. Additionally, it is appropriate and within the legal right of the Village, to ensure that such housing is safe, decent and crime-free.

The Crime Free component of the proposed code is based upon crime prevention methods designed to help keep illegal activity off rental property. The proposed Crime Free Program was originally developed by the Mesa Arizona Police Department in 1992. This program has now spread to nearly 2,000 cities in 44 states, as well as internationally. There are a number of Illinois communities that mandate this program. Village staff, from both the Development Services and Police Departments, has worked very closely with the Village of Schaumburg in the development of this program.

Mayor Pro-Tem Murphy recognized three individuals to come before the Board to speak regarding the Crime Free/Rental Housing Code.

Tom Joseph, Illinois Association of Realtors, spoke before the Board on the Crime Free/Rental Ordinance. Mr. Joseph reviewed and agreed with the changes that had been made within the draft. Mr. Joseph thanked President McLaughlin, Trustee Dodge, Village Manager Grimes, and staff on the constructive dialog that took place in order for these changes to be made within the ordinance.

Joan Curton and Rich Duba questioned how this Crime Free/Rental will pertain to property in the historical district. They both own property in the historical district, and stated they were not notified nor did they know that this type of ordinance was being created.

Director of Development Services Karie Friling stated public discussion began in January of 2008. This item went to both the Development Services Committee and the Public Safety Committee for their review. Notice was placed in the Newspapers; information was put on the Cable Channel (4). A public meeting took place that was attended by over 100 people. There have been a number of newspaper articles in the Southtown/Star, the Prairie Newspaper, and the Regional tracking this for the past several months.

Mr. Duba stated he is not concerned about the crime free portion of the ordinance, but is concern about the rental housing code.

Director Friling stated the codes that the Village is following are different from what is typically thought of as a building code. Building codes are intended for new construction. As it relates to property maintenance issues, the international maintenance property code was followed. It does not hold existing buildings to the current building code standards. It gives consideration to older buildings, for example is it safe, is it decent, does the plumbing work, and does the electrical work. It doesn't need to be up to the 2008 code, it has to maintain the property maintenance standards. That is the code the Village is following for this program.

I move to approve the Crime-Free Rental Housing Code, Title 5, Chapter 8, as outlined.

**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 O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

#### **2009-0040 Crime Free/Rental Housing Code - Ordinance**

On January 19, 2009 the Village Board approved the Crime-Free Rental Housing Code.

I move to pass Ordinance Number 4448, entitled: AN ORDINANCE AMENDING TITLE 5 (BUILDING) BY REPEALING THE EXISTING CHAPTER 8 (MOTELS, HOTELS, ROOMING HOUSES AND APARTMENTS) AND SUBSTITUTING A NEW CHAPTER 8 (RENTAL HOUSING) OF THE ORLAND PARK VILLAGE CODE

**A motion was made by Trustee James Dodge, Jr., seconded by Trustee Patricia Gira, that this matter be PASSED. The motion CARRIED by the following vote:**

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

#### **2009-0035 Forced Annexation - Ordinance**

The Village has identified three tracts of unincorporated land that qualify by Illinois State Statute for annexation through municipal ordinance. An ordinance authorizing annexation is now presented to the Village for consideration.

An Annexation Study was conducted by the Village in 2007 to examine approximately eighty unincorporated areas within the Village planning area. Each area was evaluated for annexation potential based on factors including candidacy for forced annexation, development quality concerns, fiscal impact on Village, environmental issues, nuisance issues, natural resource protection, Village preferred land use and utility serviceability. The Board approved forced annexation of ten tracts in May 2007. Now three additional areas are before the Board for consideration.

I move to pass Ordinance Number 4449, entitled: AN ORDINANCE ANNEXING PROPERTY (SURROUNDED TERRITORY-8900-9135 W. 135TH STREET)

**A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be PASSED. The motion CARRIED by the following vote:**

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

#### **2009-0033 Forced Annexation - Storage Mart - 10700 W. 159th Street - Ordinance**

The Village has identified three tracts of unincorporated land that qualify by Illinois State Statute for annexation through municipal ordinance. An ordinance authorizing annexation is now presented to the Village for consideration.

An Annexation Study was conducted by the Village in 2007 to examine approximately eighty unincorporated areas within the Village planning area. Each area was evaluated for annexation potential based on factors including candidacy for forced annexation, development quality concerns, fiscal impact on Village, environmental issues, nuisance issues, natural resource protection, Village preferred land use and utility serviceability. The Board approved forced annexation of ten tracts in May 2007. Now three additional areas are before the Board for consideration.

Therefore, it is recommended that the properties identified in this ordinance be annexed and uses of the property be subject to Village Ordinances.

I move to pass Ordinance Number 4450, entitled: AN ORDINANCE ANNEXING PROPERTY (SURROUNDED TERRITORY - 10700 W. 159TH STREET)

**A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be PASSED. The motion CARRIED by the following vote:**

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

**2009-0034 Forced Annexation - Yunker School and Surrounding Area - 143rd Street & Wolf Road - Ordinance**

I move to pass Ordinance Number 4451, entitled: AN ORDINANCE ANNEXING PROPERTY (SURROUNDED TERRITORY - NORTHEAST AND SOUTHEAST CORNERS OF 143RD STREET AND WOLF ROAD)

**A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be PASSED. The motion CARRIED by the following vote:**

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

**2008-0748 Automatic Amusement Devices - Red Robin America's Gourmet Burgers & Spirits**

Red Robin America's Gourmet Burgers & Spirits has submitted an application for an automatic amusement device operators license. The license request is for the facility located at 15503 S. LaGrange Road, Orland Park, IL. The application requests one automatic amusement device. A completed application for the license has been received.

Presently, Section 7-6-2(B) of the Village Code permits a maximum of 20 automatic amusement device operator's licenses. The code was previously amended to add Space Golf which increased the licenses to 20. Paddy B's has not renewed their license, therefore this request would not require amending the code section to increase the number of licenses.

I move to approve granting an automatic amusement device operator's license to Red Robin America's Gourmet Burgers & Spirits located at 15503 S. LaGrange Road, Orland Park.

**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 O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

## VILLAGE MANAGER'S REPORT

### 2009-0025 Commissioners Dinner - Board Approval

Each year the Village hosts an appreciation dinner for all of the residents who volunteer their time to serve on boards and commissions. This item is being submitted to cover the cost of the annual Commissioners Dinner to be held on Friday, March 6, 2009. Last year, the Board approved \$7,500 to cover costs for this event.

I move to approve total payments of up to \$5,710 to cover the costs of the 2009 Commissioners Dinner.

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

### NON-SCHEDULED CITIZENS & VISITORS

Terrence Camodeco thanked the Board for their financial support that helped the Carl Sandburg Band attend the inauguration parade for President Elect Obama.

### BOARD COMMENTS

TRUSTEE SCHUSSLER stated the storms that have occurred over the past several weeks have been unusually and frequent. He commended the Public Works Department for an excellent job that was done on the streets.

TRUSTEE FENTON reported on Saturday, January 14th the Chili Willie event and Dance Chicago took place. Both events had a great turnout!

Trustee Fenton reminded everyone that on February 26, 2009 the Chef's Auction will be taking place.

TRUSTEE O'HALLORAN stated because this winter has had extreme cold and unusually warming trends and are predicated to continue, he spoke with President McLaughlin and Village Manager Grimes about creating a proactive program to address pot-holes within the Village.

Trustee O'Halloran proposed for staff to create a pot-hole hot line. This could be both a phone and email feature that anyone traveling on the Village's streets can call or email the location of the pot-hole.



The Village would then commit to fill that pot-hole within 24 hours of notification. In addition, since many of the roads are not in the Village, and are controlled by the state or county. The Village would work with both the county and the state to notify them on the location of their pot-holes that need to be filled.

VILLAGE MANAGER GRIMES stated he has spoken with staff, and staff will certainly move with haste to have the Village's website accessible with a link that will allow folks (in a simple way) to give staff information on the location of a pot-hole, as well as a 24 hour hot-line. Travelers making the Village aware of these pot-holes will be a great help, because at times staff doesn't know they exist.

Village Manager Grimes stated the only challenge the Village would have is filling a pot-hole within 24 hours. The Village will certainly do its best to achieve that time limit, but there may be circumstances such as weather related or engineering related circumstance for Village roads that would preclude staff from filling within a 24 hour deadline. In those cases staff would get back to the petitioner to explain why the pot-hole couldn't be filled within the 24 period time line.

MAYOR PRO TEM MURPHY stated he had been asked by President McLaughlin to mention that the Village is looking for Orland Park residents interested in serving on a Commission. There are a few openings at this time, in particular the Art's Commission and the Community Relations Commission. If residents would like to volunteer for a certain Commission and there is not an opening at this time, they will be place on a waiting list. If anyone is interested please contact President McLaughlin's office at 708-403-6160.

Trustee Murphy stated the pot-hole hotline is a good idea. He stated that the Village did have a difficult time after the last few storms in getting the state and the county out to do basic salting of the roads. He believes it may be difficult to get them out to fill pot-holes.

## EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; b) the purchase or lease of real property for the use of the village; c) setting a price for sale or lease of village property; and d) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

## RECONVENE BOARD MEETING

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

### Report on Executive Session and Action as a Result of, if any.

Purpose of the Executive Session was for discussion of a) approval of minutes; b) the purchase or lease of real property for the use of the village; c) setting a price for sale or lease of village property; and d) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

#### A. Ordinance authorizing sale of Village Property

##### 2009-0041 Authorizing Sale of Village Property at 143rd Street and LaGrange Road -- Ordinance

Village Attorney E. Kenneth Friker reported the Board discussed in Executive Session passing an ordinance authorizing the sale of the Citgo/7-11 property at 143rd and LaGrange Road to Marquette Bank.

This property was purchased by the Village to accommodate the widening of the intersection, and are selling the portion that is not needed for the improvement.

I move to pass Ordinance Number 4452, entitled: AN ORDINANCE AUTHORIZING SALE OF VILLAGE PROPERTY (CITGO/7-11 SITE -- SOUTHEAST CORNER OF 143RD STREET AND LA GRANGE ROAD)

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

## **B. Ordinance establishing the administrative procedure for relocation assistance**

### **2009-0064 Establishing Administrative Procedure for Relocation Assistance (Orland Park Shopping Center) - Approval**

Village Attorney Friker reported the Board discussed in Executive Session to accept the recommendation of the Relocation Assistance Administrator, Karie Friling to adopt the September 16, 2008 condemnation date as the relocation assistance eligibility cut-off date for tenants at the Orland Plaza Shopping Center.

I move to approve that the Village of Orland Park accept the recommendation of the Relocation Assistance Administrator, Karie Friling, as set forth in her letter of January 15, 2009, and adopt the September 16, 2008 condemnation date as the relocation assistance eligibility cut-off date for tenants at the Orland Plaza Shopping Center. New tenants who come to the property and execute leases after September 16, 2008 and who were not in occupancy on the property as of that date, will not be recognized as displaced persons, consistent with the regulations promulgated for the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

**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:** 5 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, and Trustee Gira

**Nay:** 0

**Abstain:** 1 - Trustee Schussler

**Absent:** 1 - Village President McLaughlin

### **2009-0065 Establishing the Administrative Procedure for Relocation Assistant (Orland Park Shopping Center) - Ordinance**

Village Attorney Friker reported the Board discussed in Executive Session passing an ordinance establishing the administrative procedure for the relocation assistance.

I move to pass Ordinance Number 4453, entitled: AN ORDINANCE ESTABLISHING THE ADMINISTRATIVE PROCEDURE FOR RELOCATION ASSISTANT UNDER THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970, AS AMENDED, AND 49 CFR PART 24, BY THE VILLAGE OF ORLAND PARK, COOK COUNTY, ILLINOIS

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

**ADJOURNMENT - 7:34 PM**

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 1 - Village President McLaughlin

/nm

APPROVED:

Respectfully Submitted,

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**David P. Maher, Village Clerk**

Respectfully Submitted,

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**Joseph S. La Margo, Deputy Clerk**