

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, November 6, 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 7:03 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 stand for a moment of silence. (refer to audio tape)

VILLAGE CLERK'S OFFICE**2017-0774 Approval of the October 10, 2017 Special Meeting Minutes**

The Minutes of the Special Meeting of October 10, 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.

President Pekau had one correction. (refer to audio file)

I move to approve the minutes of the Board of Trustees Special Meeting of October 10, 2017.

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

Aye: 5 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, and Village President Pekau

Nay: 0

Abstain: 2 - Trustee Calandriello and Trustee Carroll

2017-0770 Approval of the October 16, 2017 Regular Meeting Minutes

The Minutes of the Regular Meeting of October 16, 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.

President Pekau explained a change. (refer to audio file)

I move to approve the minutes of the Board of Trustees Meeting of October 16, 2017.

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

Aye: 6 - Trustee Fenton, Trustee Dodge, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

Abstain: 1 - Trustee Gira

2017-0787 Approval of the October 21, 2017 Special Meeting Minutes - Workshop

The Minutes of the Special Meeting of October 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 Special Meeting Workshop of October 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: 4 - Trustee Fenton, Trustee Calandriello, Trustee Carroll, and Village President Pekau

Nay: 0

Abstain: 3 - Trustee Dodge, Trustee Gira, and Trustee Griffin Ruzich

2017-0802 St. Michael School - Raffle License

St. Michael School is requesting a license to sell raffle tickets during their Kickoff Classic fundraiser event on Saturday, December 2, 2017. This event will take place at the school located at 14355 Highland Avenue.

I move to approve issuing a raffle license to St. Michaels School to sell raffle tickets during their Kickoff Classic fundraiser event on Saturday, December 2, 2017.

A motion was made by Trustee Carroll, 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

2017-0807 Orland Park A's Fastpitch Organization - Raffle License

The Orland Park A's Fastpitch Organization is requesting a license to conduct raffles at their Trivia Night Fundraising Event scheduled for Friday, November 10, 2017 at the Orland Park Civic Center.

I move to approve issuing a raffle license to the Orland Park A's Fastpitch Organization to sell raffle tickets during their Trivia Night Fundraising Event scheduled for Friday, November 10, 2017.

A motion was made by Trustee Gira, 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

2017-0813 Prohibit Video Gaming Within the Corporate Limits of the Village of Orland Park - Ordinance

Trustee Ruzich requested that this item be tabled.

Discussion took place on this item. (refer to audio file)

I move to Table this Ordinance.

A motion was made by Trustee Griffin Ruzich, seconded by Trustee Dodge, that this matter be TABLED. 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

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS

2017-0811 Special Ad-Hoc Committee - Appointment

Trustee Calandriello questioned a point of order. He did not believe there were any open vacancies on this Special Ad-Hoc Committee. This was not a correct motion.

Discussion took place on this item. (refer to audio file)

I move to table this item.

A motion was made by Trustee Dodge, seconded by Trustee Fenton, that this matter be TABLED. 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

2017-0771 Economic Development Advisory Board - Appointment

President Pekau appointed Jack Craven to the Economic Development Advisory Board.

Mr. Craven was not present at tonight's meeting and will be sworn in at a later date.

I move to confirm the appointment of Jack Craven to the Economic Development Advisory Board.

A motion was made by Trustee Fenton, 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

2017-0761 Village of Orland Park K9 Naming Contest Winner Plaque - Presentation

No one was present to accept the plaque from Ms. Mariner's homeroom classroom for winning the K9 name submission for the police department's new canine.

This presentation will be rescheduled for a later date.

NO ACTION

CONSENT AGENDA

President Pekau requested that Item G. University of Chicago Medical Center (UCMC) - Ground Lease Maintenance Costs Agreement be removed from the Consent Agenda for a separate vote.

Passed the Consent Agenda

A motion was made by Trustee Calandriello, seconded by Trustee Dodge, 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

2017-0781 October 20, 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 October 20, 2017 in the amount of \$1,046,234.51.

This matter was APPROVED on the Consent Agenda.

2017-0783 Accounts Payable from October 17, 2017 through November 6, 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 October 17, 2017 through November 6, 2017 in the amount of \$3,265,250.29.

This matter was APPROVED on the Consent Agenda.

2017-0749 2018 Taste of Orland Entertainment - American English, A Beatles Tribute Band

American English is a popular local group that continues to be a big draw as it has for the 2017 Taste of Orland Park. They performed as the headline act on Sunday, August 6, 2017 from 7:00 p.m. - 9:00 p.m. Crowds of all ages, including families, began arriving more than an hour prior to the start to capture their space on the lawn and surrounding areas were filled up. Having American English as Sunday's headliner will create a strong finish to the Taste, as they continue to draw large crowds year after year.

Staff would like to continue the momentum and have American English return in 2018. Staff recommends hiring the group to perform as the Sunday headline act for the 2018 Taste of Orland Park on Sunday, August 5, 2018 from 7:00 p.m. - 9:00 p.m. The total cost of the performance will be \$5,500 with a \$2,750 deposit and a balance of \$2,750 to be paid to American English.

I move to approve the contract for the group, American English, in the amount of \$5,500.00 to provide entertainment at the Taste of Orland Park on Sunday, August 5, 2018 from 7:00 p.m. - 9:00 p.m.;

And

Approve a deposit payment in the amount of \$2,750.00 to be paid to American English upon approval of contract and the balance to be paid at the Taste of Orland Park 2018 to the band, American English.

This matter was APPROVED on the Consent Agenda.

2017-0754 Retaining Wall Repair at 144th Street & 1st. Avenue - Updated Quote

The retaining wall located on the south side of the viaduct at 144th street and 1st. Ave. is deteriorating and 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 failure occurs. The village had the wall installed approximately 12-15 years ago. Staff reached

out to three vendors requesting proposals for the repair work.

The vendor will remove the wall, install a new base, and install the existing material in the proper manner.

At the September 5, 2017 Board of Trustees meeting, A Touch of Green was approved. Staff discovered that the vendor did not submit a proposal utilizing the prevailing wage. The additional cost is \$2,880.00 for a total cost of \$9,280.00. This is still the lowest proposal.

I move to approve the updated quote from A Touch of Green in the amount of \$9,280.00 for the repair of the Viaduct retaining wall on the south side of 144th street and 1st. Avenue.

This matter was APPROVED on the Consent Agenda.

2017-0756 Roof Replacement for Heritage and Helen Park Pavilions

An invitation to bid was issued (17-016) on March 3, 2017 for the replacement of roofs at the Parks Administration Building & Pavilions at Doogan and Schussler Park. Due to these two projects coming under budget, staff was able to request a proposal for the removal of the existing roofing and the installation of metal roofing for Heritage Park Pavilion and Helen Park Pavilion.

The cost for Heritage Park is \$4,100.00, and Helen Park pavilion is \$5,460.00, for a total of \$9,560.00 from Filotto Construction Inc. of Crest Hill, Illinois.

I move to approve the roof replacements of Heritage and Helen Park Pavilions at a cost not to exceed \$9,560.00 to Filotto Construction Inc, of Crest Hill, IL.

This matter was APPROVED on the Consent Agenda.

2017-0755 Sidewalk Salt Order for Village Buildings

The winter season is forth coming and the Village needs to place the annual order for sidewalk deicer. The Parks & Grounds Department requested three quotes for sidewalk deicer. Staff received quotes from Russo's Power Equipment, Midwest Salt, and Shades of Green Turf Supply.

Shades of Green Turf Supply have been the villages supplier for the past several years and they have provided us with a quote of \$7.90 per bag. The product that Shades of Green Turf Supply has quoted is the baseline product and established the standard for the other companies to quote a comparable product. Midwest salt provided a quote of \$7.05 per bag. Russo's Power Equipment provided a quote of \$6.50 per bag along with an additional early bird discount of \$318.50.

Staff is requesting the approval of funding for the first order in the amount of \$6,051.50 for 980 bags of sidewalk salt from Russo's Power Equipment. Staff also requests the approval to spend the remaining budgeted (total budgeted

amount is \$11,971.00) amount as needed for the remainder of FY2017.

I move to approve the purchase of sidewalk salt from Russo's Power Equipment in the amount not to exceed \$6,051.50;

And

Approve to spend additional funds as needed from the approved FY2017 budget amount of \$11,971.00.

This matter was APPROVED on the Consent Agenda.

2017-0748 Hey and Associates, Inc. - Contract for Plan Review and Landscape Architect Services

The Village's contract with its current landscape consultant, Planning Resources, Inc. (PRI), is set to expire at the end of 2017. PRI has been the Village's landscape consultant since 2001. Since then, the process of soliciting and reviewing alternative landscape consultation services to ensure the Village is receiving the highest quality services at the most cost effective rate has not been conducted. Furthermore, recent updates to Section 6-305 Landscape and Tree Preservation of the Land Development Code and to the landscape review and inspection process as a whole have changed the way the Village is approaching the landscape plan review process, which has implications for the role of the Village's landscape consultant.

As such, the Village issued a Request for Qualifications (RFQ #17-036) for Plan Review and Landscape Architect Services on August 25, 2017. The goals of issuing the RFQ were two-fold: 1) to compare and contrast a broad range of landscape firm capabilities and qualifications to those currently being provided to the Village; and 2) to determine which firm could best help the Village implement the requirements of the new landscape review process.

By the submission deadline on September 11, 2017, the Village had received eleven (11) qualifying submissions. The following firms submitted proposals:

- Farnsworth Group
- GreenbergFarrow
- Hey and Associates, Inc.
- J.G.S. Landscape Architects
- The Lakota Group
- Planning Resources, Inc.
- RGC Design
- Site Design Group Ltd.
- Teska Associates
- V3 Companies of Illinois
- Gary R. Weber Associates, Inc.

A landscape consultant Selection Committee of four (4) Development Services Department staff members was chosen to evaluate submittals, conduct interviews and ultimately recommend a landscape consultant to the Village Board for approval. The Selection Committee used the scope of services and review criteria outlined in the RFQ to evaluate each submission. As landscape reviews and inspections typically involve the assessment of site landscaping (e.g. bufferyard, parking lot landscaping) and stormwater management area landscaping (e.g. detention basin), it was critical that a firm exhibited evidence of their ability to execute all of the responsibilities outlined in the RFQ's scope of services through previous project experience and staff qualifications.

To facilitate the assessment process, the Village developed a spreadsheet to compare all eleven (11) firms based on their submission materials against the stated review criteria. The five (5) critical staff and information components of a submission included: a staff landscape architect, a staff ecologist, a staff arborist, the hourly rates of key staff and previous landscape plan review/inspection experience. In sum, six (6) of the eleven (11) submitting firms did not have on staff an ecologist or comparable employee who could review and inspect stormwater management area landscaping, an omission which the Selection Committee viewed as incompatible with the goals of the RFQ. Another firm did have all required staff qualifications, however they had limited plan review and inspection experience and higher than average hourly rates. As a result, seven (7) firms were removed from contention due to limited experience, limited staff qualification and / or higher than expected hourly rates.

Ultimately, the Selection Committee decided that Hey and Associates, Inc. was the best fit for the Village landscape consultant, based on the following factors:

- Hey and Associates is a professional engineering, ecological consulting, and landscape architecture firm founded in 1976 to "deliver comprehensive solutions to complex water resources and natural resources challenges". The firm has a multi-disciplinary staff of engineers, scientists, and landscape architects grounded in the fundamental principles of design, constructability, and sustainability.
- Hey and Associates' two (2) main points of contact with the Village (Tim Polloway and Nathan Sehmer) are both licensed professional landscape architects with extensive municipal plan review, landscape inspection, ecological restoration, native landscaping and design experience.
- Hey and Associates' Tim Polloway previously worked as a Staff Ecologist for Applied Ecological Service and as a Landscape Planner for the Village of Schaumburg where his responsibilities included landscape plan review, landscape inspections, enforcement of the Village's tree preservation ordinance, and planning and design for municipal projects.
- Hey and Associates has additional experience and expertise on staff with civil

engineers, wetland scientists, arborists, and allied professionals who would be available to the Village as needed.

- Hey and Associates has a strong working relationship with the Village's engineering consultant, CBBEL, which will help streamline the Village's landscape and engineering review processes.
- Hey and Associates' hourly rates for key staff (\$115/hr) were slightly lower than those proposed by V3 Companies of Illinois (\$120/hr), and equal to the average current hourly rates charged by PRI (\$115/hr)
- Hey and Associates has an established project tracking and monthly billing process, which could be accessed in real time by the Village at any time.
- As the Village currently maintains over 380 detention ponds with many more expected as the Village reaches full build-out, the review and inspection of these ponds before the Village takes on their maintenance is a critical financial and resource allocation concern for the Village. Hey and Associates has the experience and expertise to help ensure these requirements are met.
- Hey and Associates is prequalified by the Illinois Department of Transportation in the following categories: Environmental Reports - Environmental Assessment, Environmental Reports - Environmental Impact Statements, Roads and Streets, Location Drainage Studies, Waterways Typical, Waterways Complex, Pump Stations, Landscape Architecture, and Construction Inspection.
- Hey and Associates has the experience needed to provide assistance to the Village in updating its landscape code.
- Hey and Associates has extensive design experience that it could offer to the Village on an as need basis.

As such, the Selection Committee recommends Hey and Associates, Inc. as the Village's next landscape consultant. If approved by the Village Board, the goal is to enter into a contract with Hey and Associates, Inc. with a start date of January 1, 2018.

I move to approve the contract for Hey and Associates, Inc. for landscape plan review and landscape architect services for an amount not to exceed \$28,000 per year, as recommended by the Development Services, Planning and Engineering Committee on October 24, 2017.

This matter was APPROVED on the Consent Agenda.

2017-0665 Bluff Pointe Subdivision - Authorizing Development Agreement - Ordinance

A draft Development Agreement which sets forth terms and conditions for

development of Bluff Pointe Subdivision proposed for 17000 Wolf Road in Orland Park.

This is now before the Village Board for consideration and to authorize execution of the finalized agreement.

I move to pass Ordinance Number 5232, entitled:ORDINANCE AUTHORIZING DEVELOPMENT AGREEMENT (BLUFF POINTE SUBDIVISION - 16900 - 17000 WOLF ROAD)

This matter was PASSED on the Consent Agenda.

2017-0485 PDQ Restaurant, Lot 3 of 15610 LaGrange Retail Development (LFI) - Special Use Permit - Approval 11/06/2017

Purpose of this project is to construct and maintain a 3,500 square foot restaurant on a new 35,623 square foot lot (lot 3) within the 15610 LaGrange Retail Development (LFI) Planned Unit Development.

The LFI site is comprised of two (2) parcels. The south parcel adjacent to Lakeview Plaza was formerly the U.S. Army's Area Maintenance and Support Facility. LFI worked with the U.S. Army to acquire the property and has demolished seven (7) to eight (8) buildings that remained on site.

The LaGrange Retail Development (LFI) Planned Unit Development (PUD) of four (4) buildings on a fourteen (14) acre site was approved by the Village Board of Trustees on June 5, 2017. The PUD enables retail and restaurant uses on out-lots along the LaGrange Road frontage. The PUD will include a retail anchor building (junior big box) at the rear of the site, Chuy's Tex-Mex restaurant on lot 1, and Miller's Ale House restaurant and sport's bar restaurant on lot 2. Lot 3 is the southern out-lot, is pad ready, and is the proposed location of PDQ.

The petitioner proposes to construct and maintain a 3,500 square foot restaurant on lot 3 to the south and immediately adjacent to the future Miller's Ale House restaurant and sport's bar. The proposed restaurant will include a drive-through facility and parking field. The petitioner requests the following modifications:

- 1.) Placing the drive-through facility between the building and the street (LaGrange Road) through the use of a trellis and landscaping between the building and LaGrange Road.

The drive-through facility is located between the building and the street (LaGrange Road), and the petitioner is proposing the use of a trellis and landscaping system to screen the drive-through facility. An enhanced buffer is created through the trellis and landscaping both screening the drive-through facility and making the site visually appealing. PDQ's model for drive-through facilities is unique in that the restaurant does not utilize the traditional menu board and order speaker. Customers place their order directly with an employee, similar to Portillo's restaurant. As a result, PDQ needs to have the drive-through facility between the building and the street (LaGrange Road).

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

I move to approve the site plan and special use permit with modifications for the PDQ restaurant located on Lot 3 of 15610 LaGrange Retail Development (LFI), as recommended at the October 16, 2017 Development Services Committee meeting, and as fully referenced below.

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

I move to approve the preliminary site plan titled, "PDQ Orland Park, SWC 156th St & LaGrange Road Orland Park, Illinois", prepared by InterPlan LLC, dated June 19, 2017, last revised August 29, 2017, sheet C1, subject to the following conditions:

1. Move the dumpster behind the building as was depicted in the original plans submitted June 19, 2017.

And

I move to recommend to approve the elevation drawings titled, "Exterior Elevations" and the drawings titled, "Proposed Exterior Elevations", prepared by InterPlan LLC, dated June 19, 2017, last revised August 29, 2017, sheets A2.0 and A2.1 and the entire "Proposed Exterior Elevations" drawings.

And

I move to approve the preliminary landscape plan titled, "PDQ Orland Park, SWC 156th St & LaGrange Road Orland Park, Illinois", prepared by InterPlan LLC, dated June 19, 2017, last revised August 29, 2017, sheets LP-1 and LP-2.

And

I move to approve a Special Use Permit for PDQ, a restaurant with a drive-through facility, subject to the same conditions outline in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Move the dumpster behind the building as was depicted in the original plans submitted June 19, 2017.

This matter was APPROVED on the Consent Agenda.

2017-0574 Solar Panel Installation - 15613 Plum Tree Drive - Shah Solar Panels, Installation of 6.6 kW Solar Array as part of an Environmental Clean Technology (ECT) Review

The purpose of this petition is to install and maintain a roof-mounted solar panel system at a single-family residence located at 15613 Plum Tree Drive.

A structural engineers report was submitted with this petition, which concluded that the roof structure can safely support the weight of the proposed solar panels.

Section 6-314.C of the Land Development Code requires that the petitioner seeking a renewable energy or environmental clean technology system first obtain an Environmental Clean Technology (ECT) review from the Plan Commission. Subsequent to such a review, this project will follow the standard development review process. A review will next take place at the Development Services and Planning Committee and then a final review and decision from the Village Board of Trustees.

A similar ECT project at 15221 Cottonwood Court has recently been approved after undergoing the previously mentioned process.

The petitioner is proposing to install and maintain 6.6 kW interactive solar arrays, comprised of twenty (20) photovoltaic (PV) solar panels at a single family home located in the Golfview Subdivision. The solar panels will be located on the south and east facing gabled rooftops of a single-family residence located at 15613 Plum Tree Drive. Energy captured by the proposed solar panels will be used for general household purposes, providing an overall general reduction in electricity costs for the homeowner. The solar panel system also includes an "Ironridge XR-100" racking system, inverters and other electrical service components.

The petitioner does not request any variances for this project.

The recommendation motion includes the following conditions:

1. That all building code related items shall be met;
2. That all building permits shall be obtained prior to construction;
3. That all utility conduits and systems related to the solar energy system shall not be visible from any adjacent street and from neighboring residential properties;
4. That additional screening of any utility conduits and systems related to the solar energy system may be required after installation has been completed, as determined by the Development Services Department.

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

I move to approve the Environmental Clean Technology review for a roof-mounted solar energy system at 15613 Plum Tree Drive as recommended at the October

16, 2017 Development Services, Planning and Engineering Committee meeting and as fully referenced below.

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

I move to approve the Environmental Clean Technology review for a roof-mounted solar energy system at 15613 Plum Tree Drive as depicted on the plan set "Plan and Construction Set" prepared by Ailey Solar Electric, dated 08/04/2017, subject to the following conditions:

1. That all building code related items shall be met;
2. That all building permits shall be obtained prior to construction;
3. That all utility conduits and systems related to the solar energy system shall not be visible from any adjacent street and from neighboring residential properties;
4. That additional screening of any utility conduits and systems related to the solar energy system may be required after installation has been completed, as determined by the Development Services Department.

This matter was APPROVED on the Consent Agenda.

2017-0751 University of Chicago Medical Center (UCMC) - Ground Lease Maintenance Costs Agreement

Assistant Village Manager Karie Friling explained that on August 17, 2015, the University of Chicago Medical Center (UCMC) and the Village of Orland Park (VOP) entered into a Ground Lease for the development of a multi-story, multi-tenant Ambulatory Care Center. The project included the construction of the UCMC Medical Office, construction of the parking garage, and construction of Jefferson Avenue and other associated infrastructure. The terms of the agreement call for shared use and maintenance of the public garage and surface parking lot.

Originally, it was contemplated the Village would undertake the regular maintenance, including cleaning, snow removal, power washing, street sweeping, landscape maintenance and litter control. After further discussions with UCMC, it was proposed that maintenance would be done by UCMC, as they have a higher internal standard set by their employees and patients (referred to as Premium Health Care Service Level I). The following outlines the maintenance cost methodology utilized to determine the Village's annual share of costs.

Maintenance Costs Methodology

The UCMC has a higher standard for their snow removal requirements called Premium Health Care Service Level. Because of this standard there is an additional cost above and beyond what VOP would typically pay for Retail Service Level of snow removal. UCMC is covering these additional costs in their entirety. The remaining Retail Service Level costs for the snow removal on the parking

deck and surface lot have then been divided based on parking space designation and hours of use for those designations. Page 2 of the maintenance costs attachment shows these costs and details the hours of use for parking spaces.

The street sweeping costs for the parking deck and the surface lot are divided using the same parking space designation and hours of use for that designation method. Also the costs for power washing the parking deck are divided using this method. Page 3 of the maintenance costs attachment outlines the total costs.

The landscaping and litter maintenance costs are divided according to area. Page 4 of the maintenance costs attachment provides a summary of the costs.

The maintenance cost attachment page 1 summarizes in Legistar is the financial impact to the VOP and page 5 summarizes those costs as dollars per parking space. The UCMC is estimated to pay \$105,686 of the total \$192,525 annual costs for snow removal, street sweeping, power washing deck, landscaping maintenance and litter control. A portion of the village's costs (\$86,839) could potentially be offset in the future as additional phases of the development occur within the area. This amount is significantly less than originally anticipated (\$165,000).

I move to approve a budget adjustment for FY 2017 in the amount of \$21,709.75;

And

I move to approve a cost sharing maintenance agreement as outlined, estimated to be \$86,839 annually;

And

I move to approve authorizing the Village Manager to execute the necessary documents.

A motion was made by Trustee Fenton, 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

PUBLIC WORKS

2017-0724 Alternative Fuel Pilot Program/Implementation - Contract

In 2015, the Village was approached by Alternative Fuel Supply (AFS), LLC of Schaumburg, Illinois, a Liquid Propane Gas provider, regarding an alternative fuel program for propane usage. They propose a turnkey program which would reduce

the Village's need and dependence on gasoline and provide the Village an immediate return on investment with little upfront cost.

Alternative Fuel Supply, LLC, would absorb nearly all of the upfront infrastructure and conversion costs. The cost to the Village will be approximately \$9,000.00 to construct a concrete pad and provide the needed electrical requirements for the propane station installation. This contract would make AFS the Village's sole provider of propane and will guarantee the cost of propane to be \$0.50 less per gallon equivalent than regular gasoline. The Village will phase the conversion of 42 vehicles within the police department, which has highest gasoline usage and would return the greatest initial savings. The Village should realize immediate savings after a single year in operation.

In early 2017, due to the minimal upfront cost to the Village and the near immediate return on investment, the Village Board approved authorized Village staff to proceed in contract negotiations for alternative fuel program/implementation with AFS.

Included is the final draft contract agreement, an analysis on propane tank installation and the propane filling station site plan located at the Public Works fueling station. Staff and the Village attorney have evaluated the contract AFS provided making several recommended changes. The final agreement is anticipated to be consistent with this document.

Trustee Carroll reported that there was a contract brought before the Board that was approved. There were a few line items that needed to be added into the contract. He is requesting this item be continued so that the vendor and staff can continue to complete this contract.

I move to continue this item.

A motion was made by Trustee Carroll, seconded by Trustee Dodge, that this matter be CONTINUED to the Board of Trustees. 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

2017-0780 Amend Title 7 Chapter 4 - Number of Class B Liquor License - Ordinance

Increase number of Class B liquor licenses from twenty-three (23) to twenty-four (24) for 7-Eleven located at 8100 W. 143rd Street, Orland Park, IL 60462.

I move to pass Ordinance Number 5233, entitled: AN ORDINANCE AMENDING TITLE 7, CHAPTER 4 OF THE ORLAND PARK MUNICIPAL CODE,

REGARDING THE AVAILABLE NUMBER OF CLASS B LIQUOR LICENSES ISSUED BY THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS

A motion was made by Trustee Griffin Ruzich, 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

2017-0795 Mayor Pekau's Golf Outing for Veteran's - Amend Proposed Budget

President Pekau stated that the previous budget did not reflect the need correctly because the golf outing is to be hosted by the Veteran's Commission. It still must be shown on the budget though there is no impact to the Village budget, as revenues will exceed expenses. Proceeds will be donated to Veteran's groups.

Discussion took place on this item. (refer to audio file)

I move to approve the Mayor Pekau's Golf Outing for Veteran's Amended Budget.

A motion was made by Trustee Griffin Ruzich, 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

2017-0796 Strategic Plan / Planning Process - Discussion

President Pekau placed this on the agenda for discussion.

He believes this Board needs to begin a strategic plan process.

The Mayor is aware of the strategic plan that is on record but thinks it is time to do this once again.

Discussion and comments continued. (refer to audio file)

This was for discussion NO ACTION was required.

2017-0805 Franchise Agreement with Comcast - Discussion

Village Manager La Margo reported that the Comcast Franchise Agreement expired in 2003. The Village staff worked on a model franchise agreement with the Metropolitan Mayors group, Klein Thorpe and Jenkins and other municipalities and attorneys.

Comcast and the Village agree on every article with the exception of the undergrounding of utilities (Section 3.3). However, the current language in section 3.3 of the model franchise agreement does not work in communities that are high growth and who prefer undergrounding utilities.

Comcast maintained that they should not have to underground without compensation. That compensation is not a right for Comcast. The only company who was undergrounding and was reimbursed (because they are defined as a Utility in the State of Illinois) is ComEd. All others (Comcast, AT&T and others) are not afforded those same guarantees.

This all came about when we were embarking on the LaGrange Road project and beginning to plan for the 143rd and 159th widening projects. The Village knew that they might look at asking ComEd to go underground in certain areas. The Village didn't get any push-back from the other companies at that time, just Comcast. When ComEd removes the poles, it only makes sense that the others to do so as well. There are efficiencies to doing this work altogether and that is exactly what they did on LaGrange Road.

The issue is that Comcast wants to be treated as a utility, but they are not. Although, Comcast did pay for the undergrounding on LaGrange Road, Comcast wants to be paid its costs of undergrounding its wires when ComEd is paid to underground its wires. The Village does not owe Comcast any money in that situation. If the Village has to pay for Comcast to go underground, then the Village would have to pay AT&T to go underground too, as AT&T and Comcast are competitors.

The Village has been consistent in its position since 2010, Comcast has appealed to have the Village accept its language. The Village has provided Comcast with alternative language over the years, but Comcast has refused to change its position.

If the Village is willing to change its position and accept the language from Comcast we can move this matter forward. Comcast's proposed language would require the Village to pay for Comcast to underground its wires when the Village pays any user of the right of way to do so, such as ComEd, when the Village has no legal obligation to do so. As stated above, the impact of this language is that if the Village pays ComEd to go underground, then the Village will be required under the Comcast franchise agreement to go underground, which will trigger the Cable and Video Competition Law requirement for the Village to have to pay AT&T to go underground as well. This could cost the Village hundreds of thousands if not millions of dollars in expenses.

Although the franchise agreement has expired, Comcast is required to pay the Village the franchise fee under Federal law (47 U.S.C. § 542), State law (65 ILCS

5/11-42-11.05) and its “expired” Franchise Agreement. The expired Franchise Agreement remains in effect, to the extent its terms do not conflict with more current Federal law and State law.

The Village does not have any legal obligation to pay Comcast to underground, unless the Village is voluntarily paying other utilities to go underground. Utilities operate under a different set of rules than Comcast, and one of the benefits of being a utility is that at times a municipality must pay their undergrounding fees.

This opens up a policy discussion about what is fair, and that consideration is beyond the realm of legal requirements and is one to be made by the Village Board.

Discussion took place on this subject. (refer to audio file)

The Board agreed for Village Manager La Margo to continue meeting with Comcast and see if some type of agreement can be worked out with them.

This is for discussion only, NO ACTION was required.

VILLAGE MANAGER'S REPORT

2017-0809 Boley Farm/Farm Stand Rental Agreement

On August 31, 2001, the Village purchased the Boley Farm located at 8101 West 151st Street subject to a life estate of the seller, Glenn B. Boley. Mr. Boley passed away on April 3, 2014, and the terms of the life estate ended.

Mr. Boley had for many years leased space on the Farm to Mr. Henry (Hank) J. Jacobs to operate a farm stand and a small planted area (field acreage of 2.12 acres, a barn measuring 46 feet by 72 feet and parking lot of approximately one-third (1/3) of an acre). On December 7, 2015, the Board approved to extend a two (2) year lease agreement with Mr. Jacobs beginning March 1, 2016 through November 15, 2016, and March 1, 2017 through November 15, 2017.

Mr. Jacobs has approached the Village requesting to extend this arrangement for an additional two (2) terms. The terms of the new agreement shall be March 1, 2018 through November 15, 2018, and March 1, 2019 through November 15, 2019.

I move to approve the Boley Farm/Farm Stand Rental Agreement with Henry (Hank) J. Jacobs for two terms.

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

CLERK STEPS DOWN FROM DAIS

Clerk Mehalek stepped down from the dais and Deputy Clerk Griffin took his seat and the meeting continued with no interruption.

NON-SCHEDULED CITIZENS & VISITORS

Tim McCarthy along with his wife who are the owners of Paddy B's Pub spoke before the Board as a small business owner regarding the video gaming ordinance. He requested for the Board to hold a Town Hall meeting for business owners and the public. He requested proper notice is given to all when this meeting will take place.

Deral Danis Orland Park resident spoke before the Board on video gambling and is looking forward to a Town Hall meeting.

Jim Harmening Orland Park resident spoke before the Board opposed to video gambling and hopes this is placed on the ballot for the voters.

Pete Collins spoke before the Board and questioned whose idea was it to resurrect the video gambling issue again.

John Mehalek spoke before the Board regarding video gambling and clarified why this agenda item was brought before the Board tonight.

Trustee Dodge stated that if patrons are that against video gambling, don't go into that business. He reviewed restrictions that the Village of Orland Park would require that other towns do not have.

Trustee Carroll commented on video gambling. He spoke of the businesses that are for the video gaming.

President Pekau commented on video gambling. He explained restrictions that would be put in place if this was allowed. A Special Meeting or Town Hall Meeting on video gaming will be arranged.

John MacKanin spoke before the Board regarding theaters going in at the Orland Mall or at 143rd and LaGrange. He also spoke to the Board regarding his opinion on the video recordings and audio tapes.

CLERK RETURNS TO THE DAIS

Clerk Mehalek returned to the dais and Deputy Clerk Griffin took a seat in the audience and the meeting continued with no interruption.

BOARD COMMENTS

Trustee Gira, Trustee Carroll, Trustee Dodge, Trustee Fenton, Trustee Dodge, Trustee Calandriello; Trustee Ruzich; and President Pekau all had Board comments.

Comments were made on the Ad Hoc item; video gaming; at tonight's Public Works Committee Meeting Waste Management gave a presentation on recycling and plastic bags; Veterans Steak Fry; Veterans Day Ceremony this Friday, November 10th; thanked the audience for attending tonight; Police Drug Bust Event; Trustees are still reviewing information and did not at tonight's meeting voice their opinions on the video gambling item; theaters at the mall; debates amongst the Board is important and a good thing.

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; and c) setting a price for sale or lease of village property.

A motion was made by Trustee Fenton, seconded by Trustee Calandriello, 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; b) the purchase or lease of real property for the use of the village; and c) setting a price for sale or lease of village property.

ADJOURNMENT - 9:50 PM

A motion was made by Trustee Calandriello, 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

2017-0835 Audio Recording for November 6, 2017 Board of Trustee Meetings**NO ACTION**

/nm

APPROVED:

Respectfully Submitted,

John C. Mehalek, Village Clerk

Casey Griffin, Deputy Clerk