

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, November 19, 2012

7:00 PM

Village Hall

Board of Trustees

Village President Daniel J. McLaughlin

Village Clerk David P. Maher

*Trustees, Kathleen M. Fenton, Brad S. O'Halloran,
James V. Dodge, Jr., Edward G. Schussler, Patricia Gira and Carole Griffin Ruzich*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:10 PM.

Present: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich and President McLaughlin

Absent: 1 - Trustee Dodge

VILLAGE CLERK'S OFFICE

2012-0668 Approval of the November 5, 2012 Regular Meeting Minutes

The Minutes of the Regular Meeting of November 19, 2012, 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 November 5, 2012.

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

CONSENT AGENDA

Passed the Consent Agenda

A motion was made by Trustee O'Halloran, seconded by Trustee Fenton, to PASS THE CONSENT AGENDA, including all the following items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

2012-0677 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 26, 2012 in the amount of

\$943,174.55.

This matter was APPROVED on the Consent Agenda.

2012-0676 Accounts Payable - 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 Accounts Payable from November 6, 2012 through November 19, 2012 in the amount of \$6,500,620.26.

This matter was APPROVED on the Consent Agenda.

2012-0643 Portable Toilet Contract Cancellation

The three year bid for the Rental of Portable Toilets and Service was awarded in December 2010. Three firms bid on the work and Drop Zone Portable Services, Inc. was the lowest responsible bidder and was awarded the contract. That contract is scheduled to terminate on November 30, 2013, but can be terminated by either of party for default upon failure to cure after ten (10) days prior written notice. The Village may terminate this Contract with thirty (30) days prior written notice at any time.

Over the past two years the Parks Department and Recreation Special Events staff have had concerns with this company regarding special event pricing. It is our recommendation that we not renew their contract for the year 2013, and go out for a new RFP on portable toilets that asks for separate special event pricing but allows the Village to negotiate with other providers for events as needed.

I move to approve cancellation of the year 2013 contract from Drop Zone for the Portable Toilet bid.

This matter was APPROVED on the Consent Agenda.

2012-0642 Fertilization & Broadleaf Weed Control Contract Cancellation

The contract for Fertilization and Broadleaf Weed Control was bid in March of this year. The low bidder of the three bids received at that time was Trugreen. The contract approved by the Village Board was a three year contract to care for both Public Works Ponds and Parks Department park areas. Trugreen has been the Village's provider of fertilization and broadleaf weed control since 2009. This past year, both Public Works and Parks have experienced numerous problems with Trugreen's reliability and service. Trugreen was found to be using a weed control product that was not what was defined in the Village specifications and it took great effort by the Village staff to resolve the concern; namely, Trugreen's lack of communication regarding where and when the product is being applied.

The current contract was to provide service for one year (2012) and would be

automatically renewed on calendar year end (December 31st) for each of two (2) successive years unless the Village notified the Contractor in writing at least thirty (30) days before the anniversary date. Staff is recommending that the Village send notification to the contractor that the Village will not be renewing the contract for years 2013 and 2014. Staff recommends rebidding the fertilization and broadleaf weed control services immediately.

I move to approve nonrenewal of the contract with Trugreen for Fertilization and Broadleaf Weed Control for the contract years 2013 and 2014 and approve rebid this service.

This matter was APPROVED on the Consent Agenda.

2012-0648 Custodial Services Contract Renewal Rejection

In September 2011 Perfect Cleaning Service, Inc. (PCS) submitted the lowest cost proposal for cleaning services for the Village and were subsequently awarded the contract. At that time, references had been checked and PCS received excellent reviews from similar organizations with similar facilities. Their proposal reflected a savings of approximately \$35,000.00 a year to the Village over our previous vendor. The current agreement duration is for one year with options to renew at the option of the Village in years two and three. Prices are to remain constant for the entire contract.

After a year of service, PCS has not been able to consistently meet the contract terms satisfactorily. Staff met with PCS management on August 7, 2012 to discuss the identified deficiencies in the service received. The company was provided two (2) weeks to correct the issues and inconsistencies in each building. There was only a very short-term improvement. Building Maintenance staff has repeatedly contacted PCS management regarding concerns and are now conducting a weekly walk-thru with PCS pointing out areas that haven't been cleaned per contract terms. Staff recommends that we not renew their contract for the 2013 and 2014 contract years (January 1 - December 31).

Due to the immediate need for cleaning, staff recommends entering into a contract with the Village's previous custodial service provider, Total Building Services (TBS). This firm provided cleaning services to the Village from 2005 - 2011 and performed well. TBS has agreed to reduce their original quote by 5% which would provide services at an increase of about \$1,428 per month equating to \$17,139 annually. This contract is very large as it covers all facilities including the Police Department and Sportsplex which require 24 hour cleaning.

I move to approve not renewing the contract with Perfect Cleaning Service, Inc. for Custodial Services throughout the Village facilities

And

To award the contract to Total Building Services for the years 2013 and 2014 in

the amount of \$340,011.90 annually for the two remaining years.

This matter was APPROVED on the Consent Agenda.

2012-0627 Colette Highlands Park Pavilion/Amenities Quote

Quotes were received for the custom pavilion, entrance arch and musical note park sign for Colette Highlands Park. These pieces are the finishing touches to this park. We are introducing a musical element to the park because of its proximity to Centennial Park West where we periodically host concerts. The quote is from Parkreation, Inc. at a cost of \$45,454.00 for all three pieces. Parks Department staff will install these units.

I move to approve waiving the bid process

And

To accept the quote from Parkreation Inc. at a cost not to exceed \$45,454.00 for the three pieces.

This matter was APPROVED on the Consent Agenda.

2012-0651 FY2013 Liability Insurance Renewal - Approval

The Horton Group has provided the Village with its renewal premium amounts for Fiscal Year 2013 for all property and liability insurance policies, including Excess Worker's Compensation. A summary renewal packet is attached to this agenda item for reference purposes.

Overall, the Village's FY2013 liability and property premiums decreased approximately \$9,600 as compared to FY2012 premiums. Savings are due to a decrease in the Excess Worker's Compensation premium of approximately \$4,100 and a decrease in Horton's Annual Service Fee of \$5,500. All other premiums remained constant. In addition, retention amounts (deductibles) on each of the lines remained the same, with the exception of Worker's Compensation; these retention amounts increased from \$500,000 to \$550,000 for police employees and from \$425,000 to \$500,000 for all other employees. Although increased, these retention amounts are still below those offered by Safety National to many of their other municipal clients.

Mr. Michael Gleason from the Horton Group was present to explain the renewal process and answer any questions.

I move to approve the property and liability insurance carriers and premiums, in the amount of \$857,430, as presented by the Horton Group.

This matter was APPROVED on the Consent Agenda.

2012-0641 Multi-Purpose Paper Bid 2012 - Approval

On September 27, 2012 an invitation to Bid was issued for Multi-Purpose Paper and sent to eight vendors in addition to our current vendor, Warehouse Direct. Pricing was requested for regular copier paper and various weights of colored paper. Only one response was received from Warehouse Direct. Attached is the pricing from Warehouse Direct for the various types of paper.

It is likely that we only received one bid because there is a very small profit margin on paper. These companies make their profit from the sale of office supplies. If these other vendors could also have our office supply business, then they would bid for the paper as well. In addition, some vendors are not willing to commit to a price for the entire year as they want to pass along the price increases to the customer as they happen. Our contract only allows a once a year increase upon renewal.

I move to approve the Multi-Purpose Paper Contract with Warehouse Direct for 2013 at the above stated per unit rates for a one-year term with automatic renewal for two (2) additional one year periods

And

To authorize the Village Manager to execute the agreement.

This matter was APPROVED on the Consent Agenda.

2012-0654 Gymnastics Runway Replacement 2012

In an effort to replace the aging equipment at the Sportsplex, staff is requesting approval to replace the spring strip tumbling runway in the gymnastics center. The current spring strip runway is 10 years old and in need of repair. The new runway will improve the quality of instruction and execution for the athletes.

The purchase would be to replace the 8' x 60' panels, spring strip, and 8' x 60' x 2" eva foam with scrim. Staff has obtained quotes from three vendors who supply gymnastics equipment, Midwest Gym Supply, Dekan Athletic Equipment and United Athletic. Staff recommendation is to purchase the spring strip tumbling runway from Midwest Gym Supply, Inc. Midwest Gym Supply manufactures the plastic spring strip and is the most durable floor on the market with minimal maintenance and increased longevity. Kevin Quirk, our contractual vendor from United Gymnastics Academy, stated that this floor is the best quality and product on the market. Some benefits to this product are durability, limited maintenance, a true spring for the athlete, and will not crack or break unlike plywood and fiber glass composite spring floors.

I move to approve the purchase of a tumbling runway including 15 plastic panels, H-channels & straps for an 8' x 60' spring strip and an 8' x 60' x 2" eva foam with

scrim, including installation and removal of current spring floor from Midwest Gym Supply, Inc. for a total cost of \$9,105.00.

This matter was APPROVED on the Consent Agenda.

2009-0447 Orland Park Medical Center - Landscape Plan

I move to accept as findings of fact this staff report dated November 14, 2012.

and

I move to approve the landscape plan titled, 'Orland Park Medical Center', prepared by Mac's Lawnstyle, Inc., dated 09/04/2012, sheet 1, with the following condition:

1. The petitioner includes an industry standard set of tree preservation and landscape installation details.

This matter was APPROVED on the Consent Agenda.

2011-0482 Ninety 7 Fifty on the Park - Landscape Plan

This is a request for approval of a landscape plan for the proposed Ninety7Fifty on the Park, to be located at 9750 Crescent Park Circle. The Village Board approved the Site Plan and Elevations on September 19, 2011 with the condition that the petitioner submits a landscape plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval.

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 accept as findings of fact the findings of fact as set forth in this staff report dated November 13, 2012.

and

I move to approve the landscape plan titled, 'Ninety7Fifty on the Park', prepared by Design Collective, project number 678-11, dated 04/13/2012, with revisions on 09/10/12, sheets L-100 - L-406, with the following condition:

1. The petitioner revises the plant material to include a larger diversity in plant species.

This matter was APPROVED on the Consent Agenda.

2012-0674 Marquette Bank - Authorizing Development Agreement - Ordinance

A draft Development Agreement was attached to the Board Packet, which sets forth terms and conditions for development of Marquette Bank located at the

southeast corner of 143rd Street and LaGrange Road.

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

I move to pass Ordinance Number 4763, entitled: ORDINANCE AUTHORIZING DEVELOPMENT AGREEMENT (MARQUETTE BANK - SOUTHEAST CORNER OF LAGRANGE ROAD AND 143RD STREET)

This matter was PASSED on the Consent Agenda.

2012-0537 Engel Annexation - Authorizing Annexation Agreement - Ordinance

A draft Annexation Agreement was attached to the Board packet, which sets forth terms and conditions for annexation of the Engel property located at 7841 Redondo Lane.

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

I move to pass Ordinance Number 4764, entitled: ORDINANCE AUTHORIZING ANNEXATION AGREEMENT (ENGEL RESIDENCE - 7841 REDONDO LANE)

This matter was PASSED on the Consent Agenda.

2012-0637 Civic Center Door Replacement Bid Award

Two bids were received for the Civic Center Door Replacement. This will replace the five sets of doors on the east side of the building. The lowest qualified bidder is D. Kersey Construction Co. of Northbrook, IL at a cost of \$42,370.00.

On November 5, 2012, the Parks & Recreation Committee discussed the disqualified bid from J D Builders which indicated a bid of \$37,040 for the work. J D Builders' submittal included a crossed out copy of the Village's Apprenticeship and Training Program Certification form. The submittal of the form and participation in an Apprenticeship & Training program is required for this type of work and was clearly indicated in the bid document. For this reason, the J D Builders bid was disqualified. This item was reviewed and approved by the Parks & Recreation Committee and referred to the Village Board for approval.

Today, November 19, 2012, it was brought to the attention of the Village Manager's Office that the day after the bid opening, J D Builders did complete an Apprenticeship & Training form with the hopes of consideration. The formal bid process does not allow for late submittals and that information was conveyed to the owner of J D Builders by the Finance Department. Should the Village Board wish to consider this company for the work, the formal bid would need to be waived and the proposal for the work could be accepted by the Village. Other than the Apprenticeship & Training Certification, the bid by J D Builders was in good order.

I move to waive the formal bid process and accept the proposal from J D Builders with a price not to exceed \$37,040.

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

DEVELOPMENT SERVICES AND PLANNING

2012-0510 Memorandum of Agreement with Stellwagen Family

The Stellwagen Farm purchase agreement established an 18-month transition period following the passing of Mr. Harwood Stellwagen that allowed the Stellwagen family to remove personal items and belongings from the property before the buildings were transferred to Village control.

Mr. Harwood Stellwagen died on June 8, 2011 making December 8, 2012 the final day of the 18 month transition period.

The Stellwagen family has requested that the transition period be extended until December 31, 2013 to provide additional time to remove personal belongings and make the necessary building repairs etc.

Extending the date to December 31, 2013 will not impact any Village or Stellwagen Family Farm Foundation plans for the property.

The postponed transition will have a minimal fiscal impact to the Village as it will offset utility and maintenance costs for one more year, which will be paid by the Stellwagen family. On January 1, 2014, the Village will assume full fiscal and physical responsibility of the farmstead.

This case is now before the Village Board of Trustees for consideration.

I move to approve the Memorandum of Agreement between the Stellwagen family and the Village of Orland Park for the extension of the transition period until December 31, 2013.

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

2012-0683 14620 Westwood Avenue Property Sale - Ordinance

On November 5, 2012 the Village Board discussed the negotiated sale of 14620 Westwood Avenue in executive session. Ordinance 4755 entitled "ORDINANCE AUTHORIZING PUBLIC SALE OF VILLAGE PROPERTY (14610 AND 14620 WESTWOOD AVENUE)" authorized a bid process for the sale of the property at 14610 and 14620 Westwood Avenue. One bid was received to purchase the property at fair market value (\$105,000) to construct a single family home, meeting the various criteria set by the Village and outlined in the bid documents. The following ordinance authorizes the sale of the property to the successful bidder for \$105,000.00.

The property soils will require caissons to support the house foundation. An estimate from the contractor has been received in the amount of \$41,950. The Village will agree to reimburse the purchaser up to this amount once the work has been completed and actual costs have been verified. This is included in the attached Real Estate Sale contract.

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

I move to pass Ordinance Number 4765, entitled: ORDINANCE AUTHORIZING SALE OF REAL ESTATE (14620 WESTWOOD AVENUE)

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

PARKS AND RECREATION**2012-0686 Support of Renewal of an Indoor Facility Agreement with Orland School District 135 - Resolution**

I move to pass Resolution Number 1210, entitled: A RESOLUTION IN SUPPORT OF RENEWAL OF AN INDOOR FACILITY AGREEMENT BETWEEN THE VILLAGE OF ORLAND PARK AND ORLAND SCHOOL DISTRICT 135

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

FINANCE**2012-0665 An Ordinance to Provide for the Issuance for General Obligation Refunding Bonds, Series 2012D - Ordinance**

Recently, the Village's financial advisor, Speer Financial, Inc., advised staff of a potential refunding opportunity on the Village's outstanding General Obligation Refunding Bonds, Series 2004. The Series 2004 bonds were issued in order to refund the Series 1998 bonds; the Series 1998 bonds were issued to partially fund construction of the Sportsplex, expansion of the Centennial Pool and the purchase of open land. As per the attached Refunding Analysis, the estimated net present value savings to be realized by issuing the Series 2012D refunding bonds is estimated at \$404,000, or 7.55%. This savings amount is net of all issuance costs.

The attached Bond Ordinance is for informational purposes only. After the sale, which will take place at approximately 10:00am on Monday, November 19, 2012, the attached 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 at the November 19th Board Meeting. At this time, Speer will provide the Board with the details of the sale and the actual savings amount to be realized by the refunding.

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+. The rating agency reports are attached to this agenda item.

I move to pass Ordinance Number 4766 entitled: An Ordinance providing for the issuance of \$5,220,000 General Obligation Refunding Bonds, Series 2012D, of the Village of Orland Park, Cook and Will Counties, Illinois, and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds.

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

2012-0666 Taxable General Obligation Refunding Bonds, Series 2012B & 2012C Sale Results - Discussion Only

In September 2011, the Village Board authorized a Redevelopment Agreement between the Village and Metra Triangle FC, for the development of the Ninety 7 Fifty on the Park project. At that time, the Village Board approved Ordinance No.

4674, titled "An Ordinance Authorizing a Loan Agreement for and Providing for the Issuance of Taxable General Obligation Refunding Bonds of the Village of Orland Park, Cook and Will Counties, Illinois, Authorizing the Execution of One or More Bond Orders in Connection with the Issuance of Said Bonds and Providing for the Levy and Collection of a Direct Annual Tax for the Payment of the Principal and Interest on Said Bonds". This ordinance allowed for the future issuance of general obligation bonds in an amount not to exceed \$65 million in order to provide financing for the project in accordance with the terms of the Redevelopment Agreement.

As authorized by this Ordinance, on Monday, November 19th, the Village will issue Taxable General Obligation Bonds, Series 2012B and Series 2012C, in the amounts of \$18 million and \$2 million, respectively. The Series 2012B bonds will be sold thru a competitive sale process and the Series 2012C bonds will be sold thru a negotiated sale process. The negotiated sale participants are Edward Jones, Raymond James and Stifel Nicolaus. Speer Financial will be at the Board meeting to present the results of both sales. Attached to this agenda item are a draft version of the documents that will be presented to the Board outlining the sale terms. The Mayor will be asked to execute the final version of these documents immediately following the Board meeting.

As part of the issuance process, the Village obtained updated bond ratings from Moody's and Standard & Poor's. Both agencies have reaffirmed the Village's 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+. The rating agencies reports are attached to this agenda item.

This item was for discussion only, NO ACTION was required.

BOARD COMMENTS

TRUSTEE GIRA – Reminded everyone that Thursday, November 22, 2012 is the Turkey Trot. On Sunday, November 25, 2012 is the Holiday Festival admission is free. Also on Sunday is Mayor Daniel McLaughlin's Annual Tree Lighting Ceremony.

TRUSTEE O'HALLORAN – Wished a Happy Thanksgiving to the Mayor, Board, and staff.

TRUSTEE FENTON – Wished everyone a Happy Thanksgiving. She also reminded everyone "Shop Orland" over black Friday.

PRESIDENT McLAUGHLIN – Stated that Whole Foods set a record for sales per square feet their first week and for sea food sales.

This past Thursday, November 15, 2012 the Police Department had their Annual

Awards Ceremony. The Village has a lot of outstanding Officers that go above and beyond. It was a great event.

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) collective negotiating matters between the village and its employees, or their representatives, or deliberations concerning salary schedules for one or more classes of employees; and b) 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 O'Halloran, seconded by Trustee Fenton, that this matter be RECESS. The motion carried by the following vote:

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

RECONVENE BOARD MEETING

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

Purpose of the Executive Session was for the discussion of a) collective negotiating matters between the village and its employees, or their representatives, or deliberations concerning salary schedules for one or more classes of employees; b) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

ADJOURNMENT - 7:57 PM

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

Absent: 1 - Trustee Dodge

/nm

APPROVED: December 3, 2012

Respectfully Submitted,

/s/ David P. Maher

David P. Maher, Village Clerk