

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, April 7, 2014

7:00 PM

Village Hall

Board of Trustees

Village President Daniel J. McLaughlin

Village Clerk John C. Mehalek

*Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Edward G. Schussler,
Patricia Gira, Carole Griffin Ruzich, and Daniel T. Calandriello*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:13 PM.

Present: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello and President McLaughlin

VILLAGE CLERK'S OFFICE**2014-0184 Approval of the March 17, 2014 Regular Meeting Minutes**

The Minutes of the Regular Meeting of March 17, 2014, 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 March 17, 2014.

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 Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS**2014-0185 Olympian Kendall Coyne - Presentation**

President McLaughlin announced that Kendall Coyne is having surgery on her wrist today and was unable to attend tonight's meeting.

NO ACTION was required.

2014-0182 Miss Illinois Teen USA - Presentation

President McLaughlin presented a Community Pride Award to Orland Park resident Miranda Fenzau, who was chosen 2014 Miss Illinois Teen USA. Miranda is a senior at Marist High School.

NO ACTION was required.

2014-0183 Community Pride Awards - St. Michael Cheerleaders - Presentation

President McLaughlin presented the Community Pride Awards to the St. Michael Cheerleading Squad coached by Mrs. Becky Weslow and Ms. Kimberly Williams. This year the squad won two titles: ICAA State Champions and Jamfest Super National Champions.

This is the thirteenth state championship for the St. Michael Cheerleaders.

NO ACTION was required.

CONSENT AGENDA

Trustee Dodge requested that item E. Board Room Sound System Proposal and Item M. Pilates Equipment Purchase 2014 be removed from the Consent Agenda for a separate vote.

Trustee Calandriello requested that Item T. Reservation of 2014 Volume Cap be removed from the Consent Agenda for a separate vote.

Passed the Consent Agenda

A motion was made by Trustee Fenton, seconded by Trustee Griffin Ruzich, 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 Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

2014-0201 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 March 14, 2014 in the amount of \$1,612,113.15.

This matter was APPROVED on the Consent Agenda.

2014-0202 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 March 18, 2014 through April 7, 2014 in the amount of \$2,958,973.41.

This matter was APPROVED on the Consent Agenda.

2014-0142 Destruction of Village Property (Tasers) - Ordinance

The Police Department requested permission to destroy five (5) X26 Tasers that are no longer operational. The Village will receive an \$85.00 credit for each taser destroyed toward the purchase of five (5) new X2 Tasers pursuant to the Tasers 2014 Incentive Program.

The following are the serial numbers of the tasers to be destroyed:

(2970) X00-309916
 (3129) X00-208513
 (3132) X00-208645
 (3338) X00-391475
 (3433) X00-470003

I move to pass Ordinance Number 4891, entitled: ORDINANCE AUTHORIZING THE DISPOSAL OF UNUSABLE MUNICIPAL PROPERTY AS SCRAP (TASERS)

This matter was PASSED on the Consent Agenda.

2014-0150 Centennial Park Concession Refrigerator Quotes

Four (4) quotes were received for the two (2) new 66.5-cu ft. top mounted 3 door refrigerators. These will be used at Centennial concession stands. The low quote is for \$8,824 (\$4412 each) from Robert Gill & Co., Inc. of Orland Park. The total cost with freight is \$8,984.00.

I move to approve accepting the low quote from Robert Gill & Co., Inc. at a cost not to exceed \$8984.00 for the Centennial concession stands.

This matter was APPROVED on the Consent Agenda.

2014-0155 Flow Sensors for Centennial Pool Quote

Quotes were received for the four new flow sensors (meters) needed this year at Centennial Pool. The products in use now are Signet MagMeter. This year 4 new flow sensors will be added to the pump room to ensure that the proper flow is set to enhance the read capability by Village staff and the Cook County Health Department. The existing meters are out-dated and are need of replacement.

Halogen Supply Company is the exclusive vendor for this item and has supplied us with this product in the past.

3".MagMeter with installation saddle, display, mounting bracket	\$1,518.00
4" MagMeter with installation saddle, display, mounting bracket	\$1,547.00
6" MagMeter with installation saddle, display, mounting bracket	\$1,710.00
8" Magmeter with installation saddle, display, mounting bracket	\$1,763.00

I move to approve Halogen Supply Company of Chicago for the purchase of (4) four flow meters at a cost not to exceed \$6,538.00 plus shipping.

This matter was APPROVED on the Consent Agenda.

2014-0154 Dugout Shade Structures Bid Award

Bids were received on February 19, 2014 at 11:00 a.m. for shade structures for dugouts at Centennial Park. There were two bidders; Parkreation, Inc. was

determined to be the only qualified bidder.

The Sun Ports System proposed by Team Reil was sent in as an alternate which did not offer some of the options that were required in the bid specs such as the turn n' slide system. This system makes it easier to adjust the canvas when it starts to stretch which is key in extending the life of the structure. Also Sun Port's fabric warranty is for 10 years, but it is prorated after 6 years. Shade System's warranty provided by Parkreation, Inc. has a warranty for 10 years with no proration. Additionally, the steel on Sun Port products are given a warranty of 10 years when Shade Structure steel has a warranty of 20 years. Pricing was only \$2,542 more for the proper specified equipment.

Team Reil, Inc	\$31,044.90	Alternate
Parkreation, Inc	\$33,587.00	

I move to approve Parkreation, Inc for the qualified bid at a cost not to exceed \$33,587.00 as per bid specs.

This matter was APPROVED on the Consent Agenda.

2014-0152 T-Pool Renovations on Gutters

Over the past seven years the T-Pool has settled approximately 2" to 3". The staff sought proposals to design a new gutter profile to provide perimeter skimming and also to provide for proper water flow in the pool. Water Technology, Inc. is the company that designed the pool and has the knowledge of the original construction in this area. The company provided a proposal to design this work at a cost of \$25,210.00.

I move to approve accepting the proposal for professional design services from Water Technology, Inc, at a cost not to exceed \$25,210.00.

This matter was APPROVED on the Consent Agenda.

2014-0151 Centennial Pool Pump Replacement Quote

A quote was received for a pump replacement at Centennial Pool. This pump is for the river filtration on the Lazy River. Pumps were budgeted in the 2014 Pool Budget. Thomas Pump Co. has supplied a quote in the amount of \$7,222.28. This company has worked for Public Works and the Parks Department in the past. In order for us to obtain these pumps in a timely manner for installation these need to be ordered as soon as possible.

I move to approve accepting the quote for pump replacement at Centennial pool from Thomas Pump Co. at a cost not to exceed of \$7,222.28.

This matter was APPROVED on the Consent Agenda.

2014-0101 Centennial Park Aquatic Center Non-slip Flooring Bid

On February 5, 2014 at 11:00 AM bids were opened for non-slip flooring in the

pump rooms and washrooms at Centennial Park Aquatic Center. Four (4) bids were submitted, and upon reviewing the bids, it was determined that the low bid was not responsible as the amount could not cover the cost of materials for the job. Staff contacted this bidder regarding his proposal. He indicated that he did not fully understand the scope of work and therefore requested to be disqualified. The next lowest qualified bidder was Madison Coatings Co. Inc. at \$41,368. The budgeted cost was \$31,000.00.

I move to approve the CPAC non-slip flooring bid from Madison Coatings Co. Inc. at a cost not to exceed \$41,368.

This matter was APPROVED on the Consent Agenda.

2014-0099 Com Ed Proposal to Lift

The concrete foundation supporting the Com Ed transformer that serves the John Humphrey complex needs to be repaired and the transformer reset by the utility company. It is the responsibility of the owner (the Village) to repair the concrete foundation base and this work can be accomplished by the Parks/Building Maintenance staff. Com Ed has provided a quote for the cost to reset the transformer following the in-house repair in the attached Customer Work Agreement. The cost is \$5,625.57.

I move to approve accepting the ComEd quote for the lifting and setting of the transformer at the John Humphrey Complex in the amount of \$5,625.57.

This matter was APPROVED on the Consent Agenda.

2014-0086 Sportsplex Climbing Wall Poured-in-Place Surface Bid Award

Bids were received on February 4, 2014 at 11:00 a.m. for the Sportsplex Climbing Wall Poured-in-Place Surface. This surface will replace the foam rubber flooring that is deteriorating due to years of wear. Two bids were received, and the low bid was from Total Surface LLC of Chicago at a cost of \$14,400.00.

I move to approve Total Surface LLC of Chicago at a cost not to exceed \$14,400.00 to install the poured-in-place surface at the Sportsplex as per bid specifications.

This matter was APPROVED on the Consent Agenda.

2014-0153 Village of Orland Park Open Lands Golf Outing 2014

The annual Village of Orland Park Golf Outing to benefit Open Lands of Orland Park is scheduled for Tuesday, September 16, 2014 at Silver Lake Country Club.

Course rental fees for a maximum of 144 golfers will be \$7,000.00 per the proposed Silver Lake Country Club contract. Expenses for continental breakfast setup & coffee, lunch, cocktail hour, dinner, and refreshments on the course are determined at the conclusion of the outing and are based upon final participation numbers and total beverage consumption. Based on the 2013 outing, total costs

for 2014 are estimated not to exceed \$16,100.

I move to approve an agreement with Silver Lake Country Club in an amount not to exceed \$16,100 for the 2014 Open Lands Golf Outing expenses.

This matter was APPROVED on the Consent Agenda.

2014-0156 Taste of Orland Park Entertainment - American English

American English is a popular local group that has been a big draw at the Taste of Orland for the last several years. Staff recommends hiring the group to close out the entertainment at Taste of Orland Park 2014 on Sunday, August 3 from 7 p.m. to 9 p.m. Cost of the performance is \$5,000.00.

I move to approve the contract for the group, American English, in the amount of \$5,000.00 to provide entertainment at the Taste of Orland Park on Sunday, August 3, 2014 from 7 p.m. to 9 p.m.;

And

To approve a deposit payment in the amount of \$2,500.00 to be paid upon approval of contract and the balance to be paid at the Taste of Orland Park 2014.

This matter was APPROVED on the Consent Agenda.

2014-0159 Summer Entertainment Guide 2014 - Quotes for Publication

The FY2014 budget includes the printing of a Summer Entertainment Guide. At this time we are completing the piece and have requested quotes on the printing. Staff plans to print 25,000 with 24,000 of them mailed to Orland Park residents in the Orland Park Prairie newspaper. The remaining 1,000 would be distributed to the public at village facilities and special events.

The specifications for the piece are 25,000 items, 8.5 x 5.5, 24 pages with perforated flap on back cover, 4/4 with bleeds, 80.00# Uncoated White Offset Text, saddle stitch and carton pack. FOB 22nd Century Media (Orland Park Prairie) 24,000; and the remaining 1,000 to the Recreation Administration office.

Quotes are as follows:

Cardinal Color Group	\$6,450.00
Grasso Graphics	\$7,745.39
Liberty Creative Solutions	\$6,465.00

Shipping is included in price quotes.

I move to approve the quote from Cardinal Color Group to print the Summer Entertainment Guide at a cost not to exceed \$6,450.00.

This matter was APPROVED on the Consent Agenda.

2014-0161 2014 Special Recreation Summer Trip Lodging

The Village of Orland Park Special Recreation program is planning their annual summer getaway. This year, the group is planning to travel to Sheboygan, Wisconsin for a 4 day / 3 night trip. The summer getaway is scheduled to take place from Thursday, June 26 to Sunday, June 29, 2014. A summer trip has been offered for the past 13 years and is well attended. The registration is estimated to be about 20 - 25 participants, with the cost of Village staff to facilitate the program built into the program fees. Registration fees offset all program costs. The total cost of lodging is anticipated to be over \$5,000.00 and is therefore in need of Board approval.

I move to approve the 2014 Special Recreation Trip to Sheboygan, Wisconsin and payment for overnight lodging.

This matter was APPROVED on the Consent Agenda.

2014-0160 Special Recreation Christmas Dinner Dance

The annual Special Recreation Christmas Dinner Dance will be held on December 12, 2014 at Georgio's Banquets. This event has been held for the past 15 years and is very well attended by Orland Park's Special Recreation participants, as well as invited nearby Special Recreation agencies. Based on prior experience, we anticipate 250 - 300 people will be in attendance at this event.

The dinner dance is funded through the registration fees of those who attend. The Village does pay for 20 employees to attend to staff the event. These employees attend the event to assist our participants as we would for other Special Recreation Programs.

Payment to Georgio's consists of a deposit of \$4,000.00 and the remaining cost is based on the number of participants attending. We estimate the total cost will not exceed \$12,000.00 as the maximum capacity of the banquet room is 400.

I move to approve payment to Georgio's Banquets for a deposit of \$4,000.00, and to make the appropriate payment both for staff and registrants dependent upon the actual number of participants who register for the event not to exceed a total of \$12,000.

This matter was APPROVED on the Consent Agenda.

2014-0162 Centennial Park West Concert Stage & Audio

On June 29, 2014, the Village of Orland Park will be hosting Rich Daniels and the City Lights Orchestra at the Centennial Park West concert venue. This will be the fourth consecutive year that they have performed the weekend prior to the Fourth of July, creating a holiday tradition at this venue.

Staff requested quotes from nine Chicagoland vendors for stage and audio equipment needed to produce this concert. Three vendors provided the following quotes:

Sound Works Productions	\$7,500
Mid-America Sound	\$31,275
Grand Sound	\$9,975

Staff is requesting approval to enter into a contract with Sound Works Productions. This company provided stage and sound for the last three years' concerts and submitted the lowest quote to provide these services for the 2014 performance.

I move to approve the contract with Sound Works in the amount of \$7,500 to provide stage, sound, labor, and a generator for the City Lights Concert.

This matter was APPROVED on the Consent Agenda.

2014-0029 Krystal Ridge View Subdivision - Subdivision and Rezoning

The subject property is located at the entrance of the Crystal Ridge Estates subdivision that was approved in 1994 with a special use for a planned development. The subject property is the original parcel from which the other lots were subdivided at the time.

While part of the 1994 annexation and subdivision action, Lot 1 (the subject property) was not part of the special use permit (Ordinance 2706) establishing the zoning criteria for Lots 2, 3 and 4 (the last being a flag lot). It was, however, part of the annexation (Ordinance 2705).

In 1994, only part of the existing property's eastern portion was incorporated in the Village under the default zoning of E-1 Estate Residential District. The annexation ordinance brought the remainder of the western portions of the property into the Village's jurisdiction. Lots 2, 3 and 4 were then rezoned at the time to R-1 Residential District zoning upon annexation, while Lot 1-being larger than the others and partially already within the Village's boundaries-was not rezoned but instead continued E-1 Estate Residential status for the entire fully annexed parcel.

Lot 1 has remained with E-1 status since then, but it was engineered at the time with the potential to subdivide it further to match the lot sizes of Lots 2, 3 and 4. The easements depicted on the attached plat demonstrate the rough outline of where any subdivided lot would exist.

The petitioner proposes to subdivide Lot 1 into two lots: Lot 100 (37,703 square feet) and Lot 101 (27,454 square feet). The larger Lot 100 will be along 108th Avenue and will contain the existing and original single family residence. The smaller Lot 101 will be the area outlined originally by easements in 1994. Both

lots are proposed for rezoning to R-1 Residential District due to lot size and area.

I move to approve a two lot subdivision and the rezoning from E-1 Estate Residential District to R-1 Residential District for 14630 108th Avenue as recommended at the March 17, 2014 Development Services and Planning Committee meeting and as indicated in the below fully referenced motion.

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

I move to approve the subdivision plat titled "Krystal Ridge View", prepared by Tech 3 Consulting Group, Inc., dated March 7, 2014 subject to the following conditions:

1. Upon redevelopment of Lot 100, driveway access to a future single family home shall be from Crystal Ridge Court.
2. Install two parkway trees along Crystal Ridge Court in front of Lot 101.

And

I move to approve the rezoning of the new Lots 100 and 101 from E-1 Estate Residential District to R-1 Residential District, subject to the same above mentioned conditions and the following:

3. Meet all final engineering and building code related items.

This matter was APPROVED on the Consent Agenda.

2014-0060 Appearance Improvement Grant Amendment

The Appearance Improvement Grant was approved by the Village Board of Trustees on Feb. 4, 2013. It is the continuation of the Façade Improvement Program with a larger scope for commercial and landmark properties Village-wide.

The Appearance Improvement Grant awards businesses with eligible projects a grant worth 50% of the cost of work up to \$20,000.

A draft of the amended program was attached to the Board packet for further review of what constitutes an eligible project for businesses.

The proposed update to the Appearance Improvement Grant is to waive the building permit fees for participating businesses. When considering the cost of capital projects, building permit fees are often a line item that developers or business owners must factor. It is part of the project cost.

The intent of the Appearance Improvement Grant is to award businesses with a financial incentive to complete much needed appearance upgrades to aged buildings and infrastructure. The full grant amount is supposed to go toward

helping with the construction costs. In effect, however, when the Village awards a \$20,000 grant, the business is technically receiving \$20,000 minus the building permit fees that are due, which can range between a couple hundred dollars to \$5,000 or more depending on the size of the project. When a project seeks less than the maximum grant amount, building permit fees substantially eat into the incentive's purchasing power. Businesses are effectively receiving much less because they are essentially returning a portion of the incentive to pay for building permit fees. This reduces the effectiveness of the incentive.

Waiving building permit fees for businesses participating in the Appearance Improvement Grant is intended to enhance the incentive's purchase power and make the grant that much more attractive.

The update is also intended to be retroactively applied to the two previously approved AIG projects: Twin Towers Sanctuary and Joon Lee's Tae Kwon Do Studio.

I move to approve the update to the Appearance Improvement Grant program to waive building permit fees for all participating businesses.

This matter was APPROVED on the Consent Agenda.

2014-0106 Liquor License - Village Code Amendments

The proposed amendment seeks to add a restriction to the liquor license section of the Village Code. The proposed amendment would prohibit the issuance of liquor licenses to adult use businesses.

The Land Development Code defines adult uses as detailed below. Adult Uses are only permitted in the BIZ - Business District and require a Special Use Permit. They are also subject to a number of geographical restrictions.

Adult Uses means any place, establishment or business which offers, advertises or is engaged in any activity, service, sale or display of any commodity which is prohibited by statute or ordinance to minors, or which otherwise forbids sales to, or excludes minors by virtue of age; adult uses shall include but are not limited to adult arcade, adult bookstore, adult motion picture theater and adult cabaret.

Adult Use Retail Area means an area of a commercial retail establishment dedicated to the sale of adult use retail items. Adult use retail areas cannot exceed 15% of the gross retail floor area and must be segregated from the retail floor space by walls and doors to prevent access, visibility and sales to minors. If the adult use retail area exceeds 15% of the gross retail floor area, the commercial retail establishment will be considered an adult use.

There are currently no Special Use Permits that authorize and adult use business in Orland Park. The Village Code does not specifically address adult uses as

related to liquor licenses. The proposed amendment would prohibit the issuance of any type of liquor license to any adult use business.

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

I move to pass Ordinance Number 4893, entitled: AN ORDINANCE AMENDING TITLE 7, CHAPTER 4, SECTIONS 7-4-5 AND 7-4-14 OF THE ORLAND PARK VILLAGE CODE: BUSINESSES AND PERSONS INELIGIBLE FOR LIQUOR LICENSES.

This matter was PASSED on the Consent Agenda.

2014-0196 15160 Rodao Drive - Plat of Abrogation

This request is for approval of a record Plat of Abrogation for Lot 5 in Rodao Point located at 15160 Rodao Drive.

On October 16, 2006 the Village Board approved the final plan.

Staff has reviewed the Record Plat of Abrogation requesting the removal of the north 10 feet of the stormwater management easement located on Lot 5 in Rodao Point and finds it to be substantially in conformance with the approved final plan.

This is now before the Village Board to authorize signature of the plat.

I move to approve the mylar original Record Plat of Abrogation for 15160 Rodao Drive, prepared by Tech 3 Consulting Group, Inc., Project No. 13039;

And

Approve the signature of the plat by the authorized parties and subsequent recording by the Village attorney.

This matter was APPROVED on the Consent Agenda.

2014-0147 Board Room Sound System Proposal

The existing sound system in the Village Board Room is in need of replacement. The system is outdated and repair parts are no longer available for it. The Clerk's office is using their last recorder for transcribing minutes. The new system is digital and can be accessed from their desks. The new wireless dialer will create much clearer, real life sound with no interference. Since there is only one recorder for the system available, staff feels it necessary to have this unit replaced as soon as possible. AV Tech Source has provided a proposal to replace and install all of this equipment at a cost of \$14,229.

Trustee Dodge questioned if this new sound system will be compatible when the Board decides to purchase new audio/visual equipment in the Board room.

Assistant Village Manager Ellen Baer stated that when the Board decides in the future for the audio/visual equipment it will be integrated with this new sound and recording system, be it screens or flat screens.

Trustee Dodge stated that he would like this item to be continued so that staff can research designing the audio/visual equipment along with the sound system and recording system. He would like the entire system designed together.

I move to continue this item to the next Committee meeting.

A motion was made by Trustee Dodge, seconded by Trustee Schussler, that this matter be CONTINUED to the Parks and Recreation Committee. The motion carried by the following vote:

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

2014-0103 Pilates Equipment Purchase 2014

As approved during the 2014 budget process, staff is seeking authorization to purchase the Pilates equipment budgeted in the FY14 budget. This purchase will significantly improve Pilates private lessons and group classes and provide for the addition of new class offerings in this popular programming area. This replacement equipment will increase member satisfaction/retention, assist in attracting new members, and reduce the frequency of out-of-service equipment.

Staff is requesting approval to waive the bid process and accept the proposals to purchase the equipment directly from Mad Dogg Athletics, Inc. as they are the exclusive provider of Peak Pilates Systems equipment. The Peak Pilates system is the equipment that fits the current reformers at Sportsplex providing a seamless system for Pilates programming.

The proposed purchase will include one (1) PPS Deluxe Model Reformer / Tower Combo at \$5,095.75, Four (4) PPS Reformer Tower Conversion kits at \$1,230.25, and four (4) MVE Fitness Chairs w/ Split pedal at \$930.75. The freight and installation is \$1,787.00, making the total \$15,526.75. Mad Dogg/ Peak Pilates provided a discount of \$274.11. Total cost of equipment is \$15,252.64.

Trustee Dodge stated that he will be voting no on this item because this supplier seems to be the sole source supplier. He has raised this objection at past committee meetings of using the same suppliers over and over.

Trustee Gira stated that this item purchase is for accessory pieces for the pilates equipment that the Village already owns. The Village needs to use this same company to make sure the accessory will be compatible on the existing equipment.

Trustee Fenton questioned if the PPS Deluxe Model Reformer / Tower Combo is to purchase a new piece.

Assistant Village Manager Baer stated that was correct and the other two items are conversion kits to expand the capability of the other pilates equipment.

Trustee Fenton asked why the Village keeps going back to the same supplier.

Assistant Village Manager Baer stated that when members are using this equipment there is a learning curve especially with pilates. Members have to be trained on how to use this equipment by an instructor. This equipment is not accessible for anyone to just walk up and use it. To stay with a certain pieces of equipment for a period of time allows the members to know how to use it.

President McLaughlin stated that Trustee Dodge has legitimate questions. Staff needs to keep in mind in any purchases that are made for the Village that the Village is getting the best equipment and the best price. As soon as only one brand is purchased, then other vendors cannot compete.

I move to approve waiving the bid process;

And

To approve accepting the proposal from Mad Dogg Athletics, Inc./Peak Pilates for the purchase of:

--One (1) PPS Deluxe Model Reformer / Tower Combo at a cost of \$5,095.75;

--Four (4) PPS Reformer Tower Conversion kits at \$1,230.25 each;

--Four (4) MVE Fitness Chairs w/ Split pedal at \$930.75 each;

Which includes the cost of freight and installation for a total not to exceed \$15,252.64.

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

Aye: 3 - Trustee Schussler, Trustee Gira, and President McLaughlin

Nay: 4 - Trustee Fenton, Trustee Dodge, Trustee Griffin Ruzich, and Trustee Calandriello

2014-0180 Reservation of 2014 Volume Cap - Ordinance

Village Manager Grimes reported that the Village of Orland Park's 2014 Volume Cap allocation amounts to \$100.00 per capita for a total allocation of \$5,676,700. According to State Statute, the Village must notify the State in writing on volume cap granted, transferred or reserved by official action of the Board by May 1, 2014.

To date, the Village's 2014 Volume Cap has not been granted or transferred to

another party; therefore, the Village chooses to reserve its 2014 Volume Cap through the passage of a Reservation Ordinance.

Director of Development Services Karie Friling reported that currently staff is recommending reserving its 2014 Volume Cap. By reserving this Cap it means that the allocation doesn't seed back to the State of Illinois. If it did, the State could then use it for whatever project they chose to throughout the entire State.

By reserving this tonight, the Village would determine if there is another community or agency that may want to use this allocation if they have a viable project. If not, then the allocation would revert back to the State of Illinois. The Village is reserving that right for the future.

I move to pass Ordinance Number 4892, entitled: AN ORDINANCE RESERVING VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, AND RELATED MATTERS.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

DEVELOPMENT SERVICES, PLANNING AND ENGINEERING

2014-0090 Village Code Amendment Title 9 Chapter 7 Parking

Commercial parking capacity is limited in the Union Avenue commercial subarea of the Old Orland Historic District. The Historic District currently has a number of resident only parking restrictions outlined in the Village Code. These restrictions mainly deal with controlling commuter parking in the neighborhood. Revisions are needed in the Village Code to address resident concerns in light of more intense land uses in the Union Avenue commercial subarea.

Commuter parking is no longer a major problem with the new commuter lots in the downtown. Issues to be addressed are related to spillover commercial parking from businesses on Union Avenue. The businesses on Union Avenue rely on small parking lots and on-street parking to accommodate their patrons. The patrons do have access to free parking on nights and weekends at the new Metra commuter lots north of 143rd Street.

Resident Concerns

Since January 2, 2014, residents along Brook Avenue and 143rd Place have noted consistent weekend spillover parking from the Union Avenue commercial subarea. Concern for issues such as no available on-street parking for residents, parking in no-parking zones, noise related to increased pedestrian activity,

crowds, car alarms, engine idling, and slamming doors etc. Residents in this part of Old Orland are particularly susceptible to noise related nuisances because their buildings have shallow setbacks on smaller lots which result in more intimate and closer together spaces. Three of the four units at the Brook Avenue Townhomes on 143rd Place also do not have off-street parking options. All of the single family homes are accessible via alley with detached garages at the rear with some driveways.

In the month of January 2014, the Development Services Department observed evening on-street parking conditions over three weekends for the subject streets between 8:30 p.m. and 9:30 p.m. It was determined that there was enough commercial parking activity to warrant recommending a change in parking requirements.

RESIDENTIAL PERMIT PARKING

Staff recommends instituting residential permit parking for 143rd Place, Brook Avenue and 144th Street. The goal is to balance commercial parking needs and the overall residential character of the neighborhood.

The Residential Permit Parking Plan indicates which segments of streets are recommended for the residential parking permits in the area. These streets are listed in summary in Table C: Residential Permit Parking Plan Summary

From the plan and from what is discussed in Table C, the north segment of Brook Avenue, from 143rd Street to 143rd Place, would be the only time restricted residential permit parking proposed. Time restricting between 9 p.m. and 9 a.m. ensures a) evening parking opportunities for residents, b) reduced evening pedestrian and parking activity on the block, c) no morning commuter parking and d) daytime parking opportunities for area businesses. Elsewhere, residential permit parking is proposed to be full time.

As noted previously, commercial parking is available on Union Avenue within small parking lots and at the Metra station.

At the Development Services and Planning Committee meeting, trustees requested that a letter be sent to the area residents and businesses explaining the upcoming program and important dates ahead. A letter was sent on March 26, 2014. Since the letter was sent two residents from 143rd Place have provided feedback to the plan prior to the writing of this report. The first resident from 9965 W. 143rd Place (Leslie Moyer) suggested flipping the proposed residential only parking frontage on the south side of 143rd Place west of Brook Avenue with the No Parking frontage on the north side of the street. The rationale behind this is that the north side of 143rd Place is the location of the more intense uses such as the barber shop on West Avenue, a rental property and the Brook Avenue multi-family townhomes. The south side of the street is all single family detached homes.

The proposed parking strategy responded to existing parking conditions, however it is not unreasonable to flip the parking. 143rd Place west of Brook Avenue is wide enough to accommodate parking on only one side. Flipping to the north side of the street will enable west-bound vehicles exiting from Union Avenue (one-way west bound) to parallel park in the west-bound lane on 143rd Place rather than pull three-point turns to parallel park in the east-bound lane. Flipping parking to the north side will also bring the south side of 143rd Place into Village Code conformity as it is the fire hydrant side of the street where no parking is permitted per code.

The second piece of feedback received was from the owner of 9932 W. 143rd Place (Kathleen Andrews, northeast corner of 143rd Place and Brook Avenue). The second resident suggested including restricted resident only parking in front of her house on the north side of 143rd Place between Brook Avenue and her property line with Dr. Sanderson's Optometry Office. She does not have a drive-way or garage on her property (not even from the alley). While not suggested by the resident, for such a restriction to be fair, restricted parking would also have to be located in front of the residential houses on the south side of 143rd Place between Brook Avenue and the property line with D'wan Hookah Lounge. This request, however, is not ideal. The purpose of the parking program is to strike a balance between the neighborhood and the business area. The majority of the block is commercial and parking spaces are a premium for this area. Restricting parking in front of the houses east of Brook Avenue would eliminate up to 3 or 4 parking spaces for the commercial properties.

It is important to note that the commercial buildings have been in this location for over 100 years and that the majority frontage of Union Avenue and 143rd Place east of Brook Avenue is commercial. It is also important to note that the proposed parking strategy maintains status quo along Union Avenue/ 143rd Place in terms of general publicly available parking and that the residents that live east of Brook Avenue may park anywhere, including in front of their houses on 143rd Place or along any of the streets with restricted parking, particularly Brook Avenue.

A second Residential Permit Parking Plan for Old Orland "Version B" is included with this staff report that depicts the suggested 143rd Place parking/ no parking flip. The only change in Version B is the No Parking area on the south side of 143rd Place west of Brook Avenue and the restricted parking on the north side of the street. Version B does not include the restricted parking encroachment east of Brook Avenue on 143rd Place.

Approving Version B means that the Village Code Amendments, item 15, will reflect "north side" restricted parking for 143rd Place between West Avenue and Brook Avenue. No change to the Village Code is necessary to indicate "No Parking" for the south side of 143rd Place between West Avenue and Brook Avenue as it will comply with the no parking fire hydrant rules.

President McLaughlin asked if anyone from the audience would like to speak regarding this item.

No one spoke.

I move to approve the Residential Permit Parking Plan for Old Orland Version B and the Village Code Amendments to Title 9, Chapter 7, Section 8, Subsection 5 as indicated in the attachments titled "AMENDMENT TO THE VILLAGE CODE (9-7-8-5)" prepared by the Development Services Department and dated April 2, 2014.

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 Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

2014-0167 Village Code Amendment: Smoking Ban - E-Cigarettes

An electronic cigarette (or e-cigarette), electronic vaping device, personal vaporizer (PV), or electronic nicotine delivery system (ENDS) (not to be confused with smokeless cigarettes) is a battery-powered device which simulates tobacco smoking. It generally uses a heating element that vaporizes a liquid solution. Some solutions contain a mixture of nicotine and flavorings, while others release a flavored vapor without nicotine. Many are designed to simulate smoking implements, such as cigarettes or cigars, in their use and/or appearance, while others are considerably different in appearance. (Wikipedia, 2014)

Electronic cigarettes have been in existence for some time but have recently grown in popularity. Because the devices do not contain tobacco, they are not considered smoking products and are considered somewhat safer than traditional cigarettes and cigars. The product does emit a vapor that has the appearance of smoke. The most prevalent products available today are designed in a way to emulate the look of a traditional cigarette. For some, e-cigarettes are a method of smoking cessation, as they provide nicotine without the tobacco.

E-cigarettes are not consistently regulated. In fact, until recently, it was legal in the state of Illinois to sell e-cigarettes to minors. Senate Bill 1756, passed in August of last year and effective as of January 1, 2014, regulates the sale of all nicotine products, including e cigarettes, to prohibit the sale to anyone under the age of 18.

This product is relevant to Orland Park because the State, and our current Village Code, limits smoking in public places. E-cigarettes are not included in the definition of smoking, and may be used in any public place, including parks, restaurants, etc. Orland Park recently approved a zoning permit for an e-cigarette store in Southmoor Commons that proposes to sell the product, and provide a

testing area where consumers can 'try before they buy'. The rise of e-cigarette popularity has also prompted the creation of e-cigarette lounges, places of business dedicated exclusively for the enjoyment of e-cigarettes.

Policy Considerations

- 1) While e-cigarettes do not contain tobacco, they are visually similar to other cigarettes and emit a vapor that can look like smoke.
- 2) There is no regulatory oversight on the manufacturing process of e cigarettes, making it difficult to determine if a product is safe and what levels on nicotine are being distributed. A 2009 study by the FDA found some tobacco-specific nitrosamines (TSNA's), known cancer causing agents, in some e-cigarettes as well as nicotine in an e-cigarette advertised to be nicotine free.
- 3) Some of the flavors available in e-cigarettes could be perceived as being attractive to children, therefore providing subtle advertisement for smoking to minors.
- 4) The use of e-cigarettes can lead to confusion and enforcement difficulty in distinguishing between smoke or smokeless devices.

The FDA unsuccessfully proposed to regulate e-cigarettes as drugs and drug delivery devices. Now they plan to issue regulations by treating them as tobacco products under the Tobacco Control Act. Those regulations have not yet been drafted. In the meantime, many jurisdictions have adopted regulations that treat e-cigarettes the same as tobacco or smoking products.

The Development Services Department has approved a zoning permit for an e-cigarette store proposed for the Southmoor Commons shopping center, across the street from Sandburg High School. The business owner proposes to sell and allow product testing on site. Staff have also received numerous other inquiries about e-cigarette establishments, with significant interest in operating kiosks at Orland Square Mall.

If Orland Park wished to consider the use of e-cigarettes as similar to the use of tobacco products, the Village Code definition of smoking would need to be amended. A draft revised definition is provided below for review:

Smoke or Smoking: The carrying or holding of a lighted pipe, cigar or cigarette of any kind or any other lighted smoking equipment or the lighting or emitting or exhaling of the smoke of a pipe, cigar or cigarette of any kind. 'Smoke' also means the gaseous products and particles created by the use of a lighted pipe, cigar or cigarette of any kind or any other lighted equipment. 'Smoking' also means the use of any electronic or battery operated pipe, cigar or cigarette (also known as e-cigarette) or any kind or the inhalation or exhalation of smoke from any electronic or battery operated pipe, cigar or cigarette and 'smoke' also means the vapors or gaseous products and particles created by the use of an electronic or battery operated pipe, cigar, cigarette or other smoking equipment.

In discussing the item, the Committee requested more information on what other communities have done to regulate e-cigarettes. A detailed memo providing additional background is attached to the Board packet. It should also be noted that Cook County has made it illegal to smoke under the age of 18 but hasn't imposed additional restrictions on indoor usage.

It is important to note that the proposed Village Code amendment would not prohibit businesses from selling e-cigarettes and related products. It only limits the use of e-cigarettes and other vapor products as currently regulated by the indoor smoking ban. Businesses that sell e-cigarettes, however, would be required to obtain a tobacco dealer license. Because the FDA is already attempting to regulate e-cigarettes as tobacco products, this Code amendment is in line with current federal policy.

The ordinance that would amend the Village Code to add e-cigarettes to the definition of smoke and smoking is now before the Village Board for consideration.

I move to pass Ordinance Number 4894, entitled: AN ORDINANCE AMENDING ORDINANCE NO. 4192, ADOPTED OCTOBER 2, 2006, AMENDING TITLE 6, CHAPTER 2, SECTION 2-12 OF THE ORLAND PARK VILLAGE CODE: SMOKING BAN - PUBLIC PLACES

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

2014-0210 Policy Direction/Action Regarding the Issuance of Business Licenses and on the Use of Land and Structures for Medical Cannabis Cultivation Centers and Dispensing Organizations - Approval of Resolution and/or Ordinance

The State of Illinois has passed Public Act 098-0122 (Compassionate Use of Medical Cannabis Pilot Program Act) authorizing medical cannabis cultivation centers and dispensing organizations. On January 1, 2014 this Act became effective and requires that within 120 days from said effective date the Department of Public Health, Department of Agriculture and the Department of Professional Regulation develop rules in accordance with their responsibilities under said Act. The Village has the option to defer to the State regulations, once established, enact reasonable zoning ordinances or resolutions, regulating registered medical cannabis cultivation or dispensing centers, or prohibit these establishments outright. The options are outlined below.

State regulations for medical cannabis cultivation or dispensing centers have yet

to be established. In addition the Village of Orland Park Land Development Code does not address these establishments. As such, some policy direction and action is needed to address the use or prohibition of this use in the Village of Orland Park. There are currently two policy options that are proposed by staff for Board consideration. The first option is imposing a temporary moratorium on the use which would give the Village additional time to enact appropriate Land Development Code amendments, in compliance with State Law, that would address the land use implications of the proposed medical cannabis dispensing and cultivation centers. It is anticipated that future amendments to the Land Development Code will likely be more restrictive than the regulations set forth by the state and will address the public health, safety and general welfare of the residents of Orland Park. If approved, the temporary moratorium will be in effect for a period of one hundred and eighty (180) days commencing April 7, 2014.

The second option involves an outright prohibition of the use in the Village of Orland Park. Although Public Act 098-0122 allows for the medical use of cannabis in the State of Illinois, under federal law cannabis is defined to be a "controlled substance" (21 U.S. Code 812) and the cultivation, distribution, and use thereof is a federal crime. If approved, the proposed ordinance will amend Title 7, Chapter 1, Section 7-1-11 of the Orland Park Village Code prohibiting the granting of a business license to any business or occupation to be conducted within a commercial establishment that would be a violation of state or federal law.

If the Village Code is amended as stated above, the operation of medical cannabis cultivation or dispensing centers will be prohibited within Village limits.

I move to pass Resolution Number 1404, entitled: RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS, PLACING A TEMPORARY MORATORIUM ON THE ISSUANCE OF BUSINESS LICENSES AND ON THE USE OF LAND AND STRUCTURES FOR MEDICAL CANNABIS CULTIVATION CENTERS AND DISPENSING ORGANIZATIONS

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

PARKS AND RECREATION

2014-0178 Doogan Park Backstop Replacement

The backstop at the Doogan Park ballfield collapsed due to the heavy snowfall in mid-March. Since the spring baseball season is upon us, this needs to be replaced as soon as possible. The cost to replace the backstop is \$14,495 by Peerless Fence and will be partially covered by insurance.

Due to the urgent nature of this replacement this item is being forwarded directly to the Village Board for consideration.

I move to approve the replacement of Doogan ballfield backstop by Peerless Fence at a cost not to exceed \$14,495.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

2014-0186 Asbestos Inspection and Testing

Environmental Protection Industries has previously completed the asbestos inspection and testing of the Orland Plaza buildings. This is the same company that performed the asbestos inspection on the previous phase. The cost of this work is as follows:

Site inspections & sampling		\$1,000.00
Asbestos testing (3 Buildings) 297 samples @ \$20.00		\$5,940.00
Report preparation		<u>\$750.00</u>
Total		\$7,690.00

In order to expedite the demolition of the remaining buildings at the Main Street area, this item is being forwarded directly to the Village Board for consideration.

I move to approve Environmental Protection Industries for asbestos inspection and testing at a cost not to exceed \$7,690.00.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

2014-0214 Fire Panel Replacement at Public Works

On Wednesday, April 2, 2014, Affiliated Customer Service, Inc. was called out to evaluate the fire panel at Public Works. It was determined that the panel is malfunctioning and is in need of replacement. They provided a proposal of \$7,948.00 for installation, programming, technical support, complete testing of all components installed and final check out of a proper operating system upon completion of the project.

Due to the urgent nature of the replacement, this item is being forwarded directly

to the Village Board for consideration.

I move to approve the replacement of the Public Works fire panel by Affiliated Customer Service, Inc. at a cost not to exceed \$7,948.00.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

BOARD COMMENTS

PRESIDENT McLAUGHLIN – Stated that he had spoken with Trustee Gira regarding the issue of prohibiting the retail sale of puppies or other animals that come from commercial breeders in the Village of Orland Park.

The City of Chicago has passed an ordinance outlawing the sales at pet stores of dogs, cats and rabbits from large-scale commercial breeders that are often referred to as puppy mills. Cook County is in the process of passing a similar ordinance.

He has requested that Trustee Gira bring this issue to her Committee, the Parks & Recreation Committee in April for discussion. He also stated he would like businesses to also be present at the Committee meeting to voice their opinions on this issue.

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; b) the appointment, employment, compensation, discipline, performances or dismissal of specific village employees; c) 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 d) setting a price for sale or lease of village property.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

RECONVENE BOARD MEETING

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

Purpose of the Executive Session was for the discussion of a) approval of minutes; b) the appointment, employment, compensation, discipline, performances or dismissal of specific village employees; c) 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 d) setting a price for sale or lease of village property.

ADJOURNMENT - 9:15 PM

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and President McLaughlin

Nay: 0

/nm

APPROVED:

Respectfully Submitted,

John C. Mehalek, Village Clerk