

# VILLAGE OF ORLAND PARK

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



## Meeting Minutes

Monday, July 20, 2009

7:00 PM

Village Hall

## Board of Trustees

*Village President Daniel J. McLaughlin*

*Village Clerk David P. Maher*

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

## CALL TO ORDER/ROLL CALL

In the absence of President McLaughlin, Trustee Murphy served as Mayor Pro Tem for this meeting.

The meeting was called to order at 7:00 PM.

Trustee Schussler arrived at 7:01 PM.

**Present:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler and Trustee Gira

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

## VILLAGE CLERK'S OFFICE

### 2009-0006 Approval of the July 6, 2009 Regular Meeting Minutes

The Minutes of the Regular Meeting of July 6, 2009, 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 Regular Meeting of July 6, 2009.

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

**Aye:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

### 2009-0352 Recording for the Blind & Dyslexic - Raffle License

The Recording for the Bind & Dyslexic is requesting a license to conduct a raffle at their 11th Annual Golf Outing scheduled for Sunday, September 20, 2009 at Silver Lake Country Club.

I move to approve issuing a raffle license to The Recording for the Blind & Dyslexic to conduct a raffle at their 11th Annual Golf Outing at Silver Lake Country Club on Sunday, September 20, 2009.

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

**Aye:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

## **CONSENT AGENDA**

Trustee Dodge requested that item F. Coyle's Resubdivision be removed from the Consent Agenda for a separate vote.

### **Passed the Consent Agenda**

**A motion was made by Trustee Schussler, 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:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

### **2009-0001 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 Monthly Hourly Payroll for July 10, 2009 in the amount of \$19,339.83 and the Bi-weekly Payroll for July 10, 2009 in the amount of \$1,090,339.88.

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

### **2009-0002 Accounts Payable - Approval**

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

I move to approve the Accounts Payable from July 7, 2009 through July 20, 2009 in the amount of \$2,803,696.84.

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

### **2008-0497 Shops at 88**

Approval is being requested for a landscape plan for the Shops at 88th, a commercial development at the southeast corner of 159th Street and 88th Avenue. The Village Board approved the site plan and elevations for the Shops of 88th in April of 2006 with conditions.

I move to approve the Landscape Plan titled, 'Landscape Plan - The Shoppes At 88,' prepared by Bergfors Gregory Land Design, job number 2006-24, dated 04-15-06, most recent revision 05-08-09, sheet L-1, and The Shoppes at 88th Subdivision Monitoring and Management Plan, with no conditions.

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

#### **2009-0343 Hidden Acres of Palos Park - Unincorporated Record Plat**

Approval is being requested a Record Plat of Subdivision approval for Hidden Acres of Palos Park located approximately between 131st Street and 129th Street and 83rd Court and 85th Avenue in unincorporated Palos Township.

The owners do not propose to annex to the Village and have only notified us due to being within 1 1/2 miles of Orland Park jurisdiction.

I move to approve the Record Plat of Subdivision for Hidden Acres of Palos Park, authorize the signing of the plat by the Mayor and Village Clerk and return to the developer, Jeanes Construction for proper recording.

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

#### **2009-0047 Building Code Review**

The Village of Orland Park currently utilizes the 2006 edition of the International Building Code as the basis for its construction standards. This IBC Code is a recognized model code for minimum standards throughout the USA.

Over the past 52 years, The Village has increased the model code minimum standards through revisions and deletions (83 pages) in Title 5 Chapter 1 of Village Code. Our 1st building code ordinance was adopted in 1957 under ordinance #160.

A building code amendment review has been requested for their excessive restrictions and possible changes to allowing additional design options while maintaining an equal level of safety to a building constructed within the Village

Staff has examined 7 potential subjects for consideration. The 7 topics include exterior wall materials, residential condominium floors, interior tenant walls, building "fire walls" ("fire walls can separate 1 building into 2 or more buildings), building area calculations, areas for fire sprinklers and fire alarms within buildings for new construction.

Staff has met with representatives of the Orland Fire Protection District to solicit their input. As a result of this collective effort, staff is recommending only 5 of the 7 items in the evaluation to be amended reflecting the proposed changes.

I move to approve the proposed amendments in Title 5, Chapter 1, for changes in the Orland Park Building Code.

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

**2009-0141 Historic Marker Program Phasing Plan**

The purpose of the Historical Marker program is to establish a Phasing Plan for the timely deployment of Historic Markers to the Village's historic buildings at the following sites:

2008 RAI Survey Forms for the Following Properties:

9960 W 143rd Street "Orland Park School";  
9952 W 144th Street "Loebe House";  
14306-10 Union Avenue "Orland Park Hotel";  
14320-24 Beacon Avenue "Commercial Emporium";  
9917 W 143rd Street "Old Orland Park Library";  
9925 W 143rd Street "Former Residence";  
9953 W 143rd Street "Former Residence";  
14330 Beacon Avenue "Former Residence";  
14315 Beacon Avenue "Former Residence";  
14339 Beacon Avenue "Residence/ Telegraph House";

Phase I of the Orland Park Historic Marker Program resulted in the installation of historic markers for the Twin Towers Sanctuary (9967 W 144th Street) and the Cox House (14420 Second Avenue). The marker for the former Christ Lutheran Church (9999 W 143rd Street), part of Phase I, has not yet been installed pending a license agreement. Recently the Village Board approved Phase II of the Historic Marker Program, which includes the Hostert Cabins (14701 S West Avenue), Union Avenue or Loebe Brothers General Store (14314 Union Avenue), and the Orland State Bank building (14316 Beacon Avenue). These markers are not yet installed but are under preliminary planning. The total budget for the program to date is \$9,369.00, with Phase I costing \$4,470.00 and Phase II estimated at \$4,899.00.

Future phases of the program are unfunded at this time. However, the Village of Orland Park Development Services Department has prepared the following Phasing Plan to deploy Historic Markers to historic buildings and sites around the Village in a timely manner. The intent of the phasing plan is to assist Village officials determine appropriate funding during the budget development process, and to let private stakeholders know when their markers should be expected.

The Orland Park Historic Marker Program allows private stakeholders to privately finance the development of public historic markers in the Village. Historic markers that are privately financed by private stakeholders would be expedited despite their position in the phasing plan.

I move to approve the Historic Marker Program Phasing Plan as described in the June 16, 2009 HPRC staff report titled "Historic Marker Program Phasing Plan", prepared by the Village of Orland Park Development Services Department, dated

June 16, 2009 subject to the following conditions:

1. That each phase of the program is not commenced until necessary funds are raised or appropriated by either private stakeholders or the Village Board of Trustees; and
2. That all markers funded and installed by private stakeholders under the Historic Marker Program are Village-owned.

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

**2009-0290 Public Safety Interoperable Communications Radio Plan - Intergovernmental Agreement**

The Cook County Sheriffs Department is implementing a Cook County Communications Interoperability Plan for Cook County.

The plan will provide our police department with two interoperable portable radios and one base station radio to maintain voice communication with neighboring jurisdictions during an emergency situation. There is no cost for the radios or the installation of them however, there is an annual radio network cost of \$240.00 per radio or \$720.00 per year which the police department would pay from federal asset forfeiture funds.

I move to approve an intergovernmental agreement between Cook County and the Village of Orland Park for a Public Safety Interoperable Communications Radio Plan which will provide the police department with a minimum of three radios at no cost to the Village of Orland Park for the equipment and installation;

And

To approve payment of the annual radio network fee at \$240.00 per radio from the federal asset federal funds.

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

**2009-0314 Memorandum of Understanding (MOU) between Orland Park Police Department (OPPD) and the U.S. Secret Service (USSS) - Approval**

Members of the United States Secret Service (U.S.S.S.) recently met with the Chief of Police, Deputy Chief of Police and the Commander of Investigations. They offered the department a \$7,500.00 grant expiring on 10/1/09 for the purchase of equipment and/or overtime costs for investigative services relating to financial crimes cases developed by the police department and would work cooperatively with the U.S.S.S. Organized Crime Task Force.

Most of these cases require travel to other states and distant locations to efficiently and thoroughly investigate; something we would not normally do for many financial crimes cases. U.S.S.S. task force members would handle this aspect and thus insure these large cases are fully investigated and offenders

charged appropriately.

The Memorandum of Understanding was reviewed by Klein, Thorpe, and Jenkins and no issues were found.

I move to approve the Memorandum of Understanding between the Orland Park Police Department and the U.S. Secret Service;

And

To authorize the Chief of Police to execute the Memorandum of Understanding.

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

**2009-0300 Village Code Amendment IL Vehicle Code - Ordinance**

Approval is being requested for sections of the Illinois Vehicle Code violations be added to Title 9, Chapter 14 of the Orland Park Village Code.

Title 9, Chapter 14 lists those sections of the Illinois Vehicle Code that have been adopted into the Village Code for enforcement via the village Administrative Adjudication System rather than through the Circuit Court of Cook County.

I move to pass Ordinance Number 4494, entitled: AN ORDINANCE AMENDING TITLE 9, CHAPTER 14 OF THE ORLAND PARK VILLAGE CODE (ILLINOIS VEHICLE CODE VIOLATIONS, CITATIONS AND SETTLEMENT)

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

**2009-0313 Supplemental Application for Cook County FFY 2006 Justice Grant Assistance - Resolution**

Cook County Grant FFY 2006 is available through a program known as Justice Assistance Grant which is provided through the Cook County Board and administered through the Judicial Advisory Council of Cook County. An application to receive \$3,000.00 supplemental funds for this program has been submitted to the Judicial Advisory Council of Cook County.

The Judicial Advisory Council of Cook County requires the Board to pass a resolution approving the supplemental funds in the amount of \$3,000.00.

I move to pass Resolution Number 0908, entitled: A RESOLUTION AUTHORIZING SUBMISSION OF A SUPPLEMENTAL GRANT APPLICATION FOR COOK COUNTY FFY 2006-JUSTICE ASSISTANCE GRANT.

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

**2009-0316 Village Code Amendment No Parking - Ordinance**

On February 7, 2005, the Board approved an ordinance prohibiting parking on the south side of 165th Street from LaGrange Road west to the dead end.

The purpose was to prevent parking on both sides of the street by moviegoers to Marcus Cinema. Since the construction of their parking garage; this problem has been resolved.

Now the business owners on the south side of 165th Street are requesting that the no parking restrictions be removed to accommodate more parking for their customers on 165th Street from LaGrange Road west to 97th Avenue only. Most of the additional parking will occur during business hours. No parking on the south side of the street will remain west of 97th Avenue to accommodate Orland Fire Protection District needs in the event of an incident at Alden.

A letter dated April 28, 2009 was distributed to every resident on Garnet Court informing them of this request. There were three responses; two negative, one positive.

If approved, this matter should be reviewed in one year from the date of approval to ensure there is no negative impact as a result of the change.

I move to pass Ordinance Number 4495, entitled: AN ORDINANCE AMENDING THE ORLAND PARK VILLAGE CODE, TITLE 9, CHAPTER 9, SECTION 8, NO PARKING (SOUTH SIDE OF 165TH STREET, LAGRANGE ROAD WEST TO DEAD END) TO PROHIBIT PARKING ON 165TH STREET FROM 97TH AVENUE WEST TO THE DEAD END ONLY;

AND

TO ALLOW PARKING ON BOTH SIDES OF 165TH STREET FROM LAGRANGE ROAD TO 97TH AVENUE

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

**2009-0319 Village Code Amendment Handicapped Parking Spaces - Ordinance**

In 2008, the state legislature enacted several new laws regarding stopping, standing and parking regulations related to handicapped parking spaces and their use as well as a new category of drivers eligible for disability parking plates for "handicapped veterans".

In summary, the fine amount for violations relating to handicapped parking where no placard or license is displayed will begin at \$250.00 for the first offense and violations related to unauthorized use of handicapped placards or licenses will begin at \$500.00 for the first offense.

I move to pass Ordinance Number 4496, entitled: AN ORDINANCE AMENDING TITLE 9, CHAPTERS 7 AND 15 OF THE ORLAND PARK VILLAGE CODE (HANDICAPPED PARKING SPACES)

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



**2009-0322 Disposal of Certain Seized Vehicles at Public Auction - Ordinance**

The Police Department requests approval to declare four vehicles, a 2000 Hyundai Bering Tow Truck, 2000 Chevrolet Impala, 1993 Chevrolet Suburban, and a 1997 Chevrolet Cavalier as excess property and to dispose of at public auction. These vehicles were seized by the department and forfeited to the Village by the Circuit Court of Cook County from a driver who was driving their vehicle while their license was suspended for DUI.

I move to pass Ordinance Number 4497, entitled: ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

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

**2009-0338 143rd Street and LaGrange Road Intersection Improvement - Professional Surveying Services**

V3 Companies, Ltd. of Woodridge, Illinois, is the engineer of record for the professional civil engineering services for the improvement of the 143rd Street and LaGrange Road intersection with the addition of a right turn lane from westbound 143rd Street to northbound LaGrange Road and the construction of 142nd Street and LaGrange Road as it now exists.

In order to advance the work for the project, survey work is required at this time. Included in this scope is the preparation of legal descriptions for all effected parcels (29 in total), as well as site improvement locations and 2 Plats of Highways/Easements. V3 has provided a proposal for this work to be added as an addendum to their existing agreement for services on this project.

I move to approve an agreement with V3 Companies in the amount of \$34,200 plus reimbursable expenses for professional surveying services.

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

**2009-0329 Pavement Marking Program - Proposal**

The Public Works Department has had a program to contract out much of our pavement marking to an independent firm. Last year, the Village of Orland Park staff was able to perform the necessary markings in-house. This year, it will be necessary to re-mark many of our main roadways such as Will-Cook Road, 143rd Street and 151st Street. In re-marking these roadways, some of the old marking may need to be removed, some may be able to be recoated and some could be in good condition and not need attention.

As such, proposals were requested since it is difficult to compile exact amounts to place in a bid. The low bidder two years ago was Preform Traffic Control Systems, Ltd., of Elk Grove Village, Illinois. Preform Traffic Controls has advised the Village that they will hold that pricing for this year also. Public Works has been

very pleased with the quality and workmanship of this company in the past.

I move to approve waiving the bid process;

And

Approve accepting the proposal from Preform Traffic Control Systems, Ltd. of Elk Grove Village, Illinois, for pavement markings for an overall cost not to exceed \$25,000.

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

**2009-0331 156th Street Extension - LaGrange Road to Ravinia Avenue - Addendum to Contract with Smith Engineering Consultants**

The Village engaged Smith Engineering Consultants Inc. (SEC) of New Lenox, Illinois, to provide professional engineering services for the extension of 156th Street. Presently, engineering and bid specifications are being finalized along with the cost sharing agreements with the adjacent property owners.

SEC has been requested to submit a proposal for Construction Layout Services and Part-time Construction Observation. Additionally, as a result of IDOT comments and Village requested scope changes, minor plan changes are also included. IDOT requested survey and plan sheet changes are required for the permanent traffic signal at LaGrange Road. Because of the timing of projects, the upcoming Ravinia Avenue reconstruction will incorporate the necessary improvements for the 156th Street intersection.

SEC has submitted an addendum for these additional services in the amount of \$65,898.

I move to approve accepting Smith Engineering Consultants Inc. (SEC) of New Lenox, Illinois, addendum for additional engineering services, construction layout and construction observation for the extension of 156th Street from LaGrange Road to Ravinia Avenue for an amount not to exceed \$70,000 (\$65,898 plus \$4,102 contingency);

And

Approve authorizing the Village Manager to execute the addendum.

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

**2009-0332 Southwest Conference of Mayors Municipal Auction - Ordinance**

The Village is participating in a public municipal auction to be conducted by the Southwest Conference of Mayors to be held on Saturday, August 8, 2009. The public auction is for disposal of surplus and/or obsolete municipal property.

I move to pass Ordinance Number 4498, entitled: AN ORDINANCE

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AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

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

**2009-0333 Elevated Water Tower #6 - Proposal**

Elevated Water Tower #6 was constructed in 2000. Since then, significant dirt and mold has accumulated under the ball. In order to extend the life of the protective coating system, proposals were obtained for both cleaning and a protectant application.

Midwest Mobile Washers of Morrison, Illinois, submitted a proposal of \$5,670.10 for the washing and BioBarrier application. Prism Painting Company of Highland, Indiana, submitted a price of \$7,500.00. It is recommended that the proposal from Midwest Mobile Washers of Morrison, Illinois, be accepted.

Staff will be evaluating this process to determine Fiscal Year 2010 budgeting for the cleaning of the remaining towers - all of which were recoated eight to ten years ago.

I move to approve accepting the proposal from Midwest Mobile Washers of Morrison, Illinois, for the cleaning of Elevated Water Tower #6 for an amount not to exceed \$5670.10;

And

Approve authorizing the Village Manager to execute the proposal.

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

**2009-0335 Seasonal Lighting Improvements - Board Approval**

In 2008, the Public Works Department began a program of upgrading the existing seasonal lighting system in the Village. The current system has been unreliable and difficult to maintain due to high and erratic voltages.

On April 21, 2008, the Board of Trustees approved accepting the proposal from The Edward Electric Company of Hillside, Illinois, for the upgrade of the seasonal lighting system in the Village. At that time, The Edward Electric Company submitted the lowest proposal for the unit pricing per light pole for a three-year period (2008 through 2010). The work completed in 2008 came in under budget. Edward Electric Company has advised the Village that the pricing for 2009 will remain the same as 2008 (\$1,241.50 per light pole). Therefore, the Public Works Department would like to continue this work on 94th Avenue and 151st Street this year.

I move to approve extending the proposal/contract with The Edward Electric Company of Hillside, Illinois, for the 2009 Seasonal Lighting Improvements of

forty-one (41) poles for a cost not to exceed \$1,241.50 per light pole with the third year of the proposal to be renewable at the sole discretion of the Village for the Board approved budgeted encumbered amounts in fiscal year 2010.

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

**2009-0336 Main Pump Station - Generator Replacement - Proposal**

A Request for Proposal was drafted by our Engineer (Greeley and Hansen LLC (G&H) of Chicago, Illinois) for the replacement of the Main Pump Station generator that failed on January 26, 2009. Two generator suppliers were identified that met the criteria as established by G&H and Village staff. To ensure equitable comparisons, two mechanical contractors were requested to work with each supplier and provide installation pricing. One generator supplier also submitted a proposal acting as the contractor. A pre-proposal meeting was held onsite at the Main Pump Station on June 12, 2009.

Greeley and Hansen and Village staff have reviewed the proposals and recommend accepting the proposal from Meccon Industries, Inc. utilizing the Katolight Generator (lead-time of 10-12 weeks).

Engineering for Phase II of this project including the fire protection system is being finalized. Requests for Proposal will be obtained within the next month.

I move to approve waiving the bid process;

And

Approve accepting the proposal from Meccon Industries, Inc. of Lansing, Illinois, for the Main Pump Station generator replacement for an amount not to exceed \$190,000 (\$178,000 plus \$12,000 contingency);

And

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

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

**2009-0248 Coyle's Resubdivision**

The petitioner, Henry Coyle, is requesting to re-subdivide three of the existing undeveloped lots into two lots in the Coyle Subdivision located at 10742, 10734 and 10726 Coyle Court and accessed from 108th Avenue. Front and rear yard setback variances are also requested that are the same as those previously granted to the other lots in the subdivision. The proposed re- subdivision will result in a total five lot subdivision rather than a six lot subdivision. The impact on the surrounding area will be lessened since there will be one fewer home.

The petitioner has requested and was approved to by-pass Committee and proceed directly to Board for approval.

This is now before the Village Board for consideration.

I move to approve the site plan and re-subdivision of three of the lots into two lots as shown on the plan titled Coyle's Re-subdivision Final Plan by KDC Consultants and dated June 24, 2009, subject to the submission of a Record of Plat of Subdivision to the Village for recording;

and

I move to approve a Variance for a 25% setback reduction to allow a 30' minimum front setback and a 33.75' minimum rear yard setback for the proposed lot 7 (seven) and proposed lot 8 (eight).

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

**Aye:** 4 - Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Abstain:** 1 - Trustee Murphy

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

## **HEARINGS 7:00 P.M.**

I move to recess for a public hearing at this time.

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

**Aye:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

## **2009-0241 Mokena Fire Station - Annexation Public Hearing**

This request is for termination of a public hearing on the annexation agreement for the property located at approximately the southwest corner of 183rd Street and Orland Parkway in the I-80 corridor (Will County - Mokena Fire Station).

Trustee Gira asked if there was a reason given to the Village why the Mokena Fire District chose to terminate their request for annexation.

Village Manager Grimes stated there was no reason given by the officials of

Mokena, this decision to terminate is their official position.

I move to terminate the Annexation Public Hearing for file number 2009-0241, Mokena Fire Station.

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

**Aye:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

### **CLOSE PUBLIC HEARING**

I move to approve closing the public hearing.

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

**Aye:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

### **RECONVENE BOARD MEETING**

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

### **PUBLIC WORKS AND ENGINEERING**

#### **2009-0337 Sidewalk Installation - Board Approval**

As part of the Every Bloomin' Thing annexation, a sidewalk is to be installed along 159th Street in front of the business. As of this time, the sidewalk has not yet been installed. Public Works has now completed all of the requirements necessary to procure a permit from the Illinois Department of Transportation (IDOT).

Three proposals were obtained to complete this work. Kats & Sons Inc. of Palos Hills, Illinois (our "Sidewalk Gap" contractor), has submitted the lowest qualified proposal of \$12,715 for sidewalk installation. This cost includes excavation, removal of sidewalk to the east for grading purposes and new sidewalk installation. Due to a sidewalk gap along 159th Street adjacent to a vacant parcel to the west of 77th Avenue, we will need to have additional sidewalk installed at the same time. The cost of this section will be \$7,220.

Village Manager Grimes explained that the total cost for the installation of the sidewalk east and west of 77th Avenue is \$19,935. A low interest loan was given to the business owner last year - \$8,000 of which is remaining for this sidewalk installation. The remaining funds in the amount of \$4,715 will be paid out of the 50/50 Sidewalk Program Account #010-5002-431.43-30. The section to the west will also be paid from this account for a total fiscal year 2008/2009 budget impact of \$11,935.

I move to approve utilizing Kats & Sons Inc. of Palos Hills, Illinois, for the installation of sidewalk east and west of 77th Avenue for a cost not to exceed \$19,935;

And

Approve authorizing the Village Manager to execute the proposal.

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

**Aye:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

#### **2009-0354 2009 Road Improvement Program Allocation - Board Approval**

Staff had held back \$1,000,000 of the Board approved \$2,100,000 budgeted funds allotted for the 2009 Road Improvement Program while continuing to monitor the revenues of the Village this fiscal year. During the Capital Improvement Program discussion at the Public Works and Engineering Committee Meeting on Monday, June 8, 2009, it was recommended that this program be continued as originally planned. Therefore, this item is being brought before the Board for approval of the additional scope of work and expenditure to Crowley-Sheppard Asphalt, Inc. - the Village's approved vendor for the 2009 Road Improvement Program for this fiscal year.

I move to approve the additional scope of work and expenditure of up to \$2,100,000 with Crowley-Sheppard Asphalt, Inc. for the 2008/2009 Road Improvement Program.

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

**Aye:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

**NON-SCHEDULED CITIZENS & VISITORS**

Arnold Gacki - 18228 Hidden Valley Cove spoke before the Board regarding a small section of sidewalk that needs to be installed in his subdivision at Lake Shore Drive on Marley Creek Blvd.

Mayor Pro Tem Murphy requested that staff research this request.

Village Manager Grimes stated that he will speak with staff on the history of this issue and have an answer at the next Board meeting.

Marlene and Charles O'Connell - 13501 Circle Drive spoke before the Board regarding the continued flooding on their property that is still a problem.

Mrs. O'Connell read a memo from the engineers that stated this area is performing as it was designed to do regarding water drainage. The memo explained how this was accomplished. Mrs. O'Connell disagreed with this memo.

Mr. O'Connell expressed how upset he is that this issue has not been resolved. He stated his property value is going down because if he sold his home he would have to report this flooding. Mr. O'Connell requested that the Village solve the flooding on his property. He accused the Village of not believing them.

Village Manager Grimes stated for the recorded, no one on staff or himself have ever called Mr. or Mrs. O'Connell untruthful.

Village Manager Grimes commented that on June 15, 2009 the Board accepted the report and closed this matter for further Board consideration as recommended by staff and consultants. If the Board wishes to raise this issue by a vote, it can be reopened at a future meeting. Staffs recommendation remains the same, this issue should be closed. There was no flooding, it is not flooding, the drainage is working as it was engineered and designed to do and that is the Village's position.

Mayor Pro Tem Murphy commented that President McLaughlin had made a statement two weeks before that June 15th meeting informing the O'Connell's that all the engineers would be present at the June 15th Board meeting to answer any of their questions. The O'Connell's missed the June 15th meeting because someone in their family was ill and did not inform staff that they would be absent.

Mayor Pro Tem Murphy stated that the Village is not doing anything behind the O'Connell's backs. If they were not able to make the June 15th meeting a phone call could have been made to the Village and this issue would have been postponed to a meeting that they could attend.



Mr. O'Connell stated he did not hear President McLaughlin make that statement and did not know this was being discussed at the June 15th meeting. He admitted his hearing isn't what it use to be.

Mr. O'Connell requested a letter from the Village stating that his property does not flood.

Mayor Pro Tem Murphy stated the O'Connell's already have this letter in their possession. The letter from the engineers that Mrs. O'Connell just read states the property is not flooding.

Mr. O'Connell continued to give his opinion to the Board on how this problem could be resolved. One suggestion was for the Village to provide dirt, to increase the grade of his property by 6 inches.

Mayor Pro Tem Murphy stated that this matter is closed.

Mayor Pro Tem Murphy direct Village Manager Grimes to discuss this issue one more time with Christopher Burke Engineering to make sure that everything has been discussed and considered on this issue.

Mayor Pro Tem Murphy stated if there is any flooding on the property it does not have to be reported when selling the home. The only time flooding has to be reported is if it is inside the home.

Mr. O'Connell asked Village Attorney E. Kenneth Friker if that was correct and he replied, that is correct.

Village Manager Grimes stated he will have a report pursuant to his conversations with Christopher Burke Engineering at the next Board Meeting. At that time it will be the Boards decision to reopen this matter.

## **BOARD COMMENTS**

TRUSTEE FENTON - Reminded everyone of the upcoming Taste of Orland on July 31st, August 1st and 2nd.

The Farmers Market is canceled on Friday, July 31st, but will resume on Friday August 7th.

TRUSTEE DODGE - Commented that the Taste of Orland is a great community event and the Village needs to keep making this event happen and keep making it better every year.

**ADJOURNMENT - 7:50 PM**

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

**Aye:** 5 - Trustee Murphy, Trustee Fenton, Trustee Dodge, Trustee Schussler, and Trustee Gira

**Nay:** 0

**Absent:** 2 - Trustee O'Halloran and Village President McLaughlin

**/nm**

APPROVED:

Respectfully Submitted,

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**David P. Maher, Village Clerk**