

# 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, March 3, 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 7:15 PM.

**Present:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich and Trustee Calandriello

**Absent:** 1 - President McLaughlin

**VILLAGE CLERK'S OFFICE****2014-0107 Approval of the February 3, 2014 Regular Meeting Minutes**

The Minutes of the Regular Meeting of February 3, 2014, were previously distributed to the members of the Board of Trustees. Mayor Pro Tem Dodge 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 February 3, 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:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

**2014-0098 National Multiple Sclerosis Society - Raffle License**

The National Multiple Sclerosis Society is requesting a license to conduct a raffle during their Walk MS/South Suburbs on Sunday, May 4, 2014. The purpose for this raffle is to benefit the Multiple Sclerosis Society's Research and services that benefit people and their families living with MS.

I move to approve issuing a raffle license to the National Multiple Sclerosis Society to conduct a raffle at their Walk MS/South Suburbs event on Sunday, May 4, 2014 at Centennial Park.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

**2014-0108 Smith Crossing - Raffle License**

Smith Crossing is requesting a license to sell raffle tickets beginning March 4,

2014 to May 1, 2014 as a fundraising event for Emilie's Fund. Emilie's Fund supports Smith Crossing residents who have outlived their means.

I move to approve issuing a raffle license to Smith Crossing to sell raffle tickets beginning March 4, 2014 to the drawing date of May 1, 2014 as a fundraiser to support Emilie's Fund.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

#### **2014-0138 Village of Orland Park Special Recreation Spring Garage Sale - Raffle License**

The Village of Orland Park is requesting a license to conduct a raffle during the Special Recreation Spring Garage Sale on Saturday, March 29, 2014, at the Orland Park Civic Center.

I move to approve issuing a raffle license to the Village of Orland Park Special Recreation Division to conduct a raffle at their Spring Garage Sale event at the Orland Park Civic Center on Saturday, March 29, 2014.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

#### **2014-0139 Orland Park Chamber of Commerce - Raffle License**

The Orland Park Chamber of Commerce is requesting a license to conduct a raffle at their Women's Luncheon fundraiser on Thursday, April 10, 2014 at Silver Lake Country Club.

I move to approve issuing a raffle license to the Orland Park Chamber of Commerce to conduct a raffle at their Women's Luncheon fundraiser at the Silver Lake County Club on Thursday, April 10, 2014.

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

**Aye:** 5 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Abstain:** 1 - Trustee Schussler

**Absent:** 1 - President McLaughlin

## **CONSENT AGENDA**

### **Passed the Consent Agenda**

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

### **2014-0118 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 February 14, 2014 in the amount of \$1,435,136.59.

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

### **2014-0088 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 January 31, 2014 in the amount of \$1,103,530.33.

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

### **2014-0140 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 February 18, 2014 through March 3, 2014 in the amount of \$1,293,496.79.

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

**2014-0089 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 February 4, 2014 through February 17, 2014 in the amount of \$2,526,269.01.

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

**2014-0058 Computer Equipment Purchase - Approval**

Several departments need to have computers replaced this fiscal year and were included in the FY 2014 budget. All budgeted equipment was consolidated into one purchase to receive the best possible price. In total, 34 computers will be purchased.

Dell computers were specified because they work very well with our existing systems and are very competitively priced with other business class computers. The Village is eligible for state contract pricing from Dell under GSA Contract # 45ABZ MHEC.

Staff is recommending the purchase of 34 Dell computers with three year Pro Support warranties. Six different models are proposed to fulfill all the various application needs of staff.

Staff has inventoried two spare computers that can be placed into service in the event a computer malfunctions beyond repair.

I move to approve the Computer Equipment Purchase in an amount not to exceed \$35,413.

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

**2014-0065 Server Virtualization - Approve Purchase**

The Village uses several different physical servers to run applications, manage the network, and store data. Several of these servers are reaching their storage capacity and have disk usage above the 90% level. In addition, several of these servers have older operating system software that is reaching end of life (Windows 2003). By combining servers into one virtualized environment, hardware, software, and support resources can be combined, thus reducing costs and adding the function of high availability to the Village's computer system.

Since several servers and storage systems need to be upgraded, staff is proposing that we combine these servers and their storage into one, "Virtualized"

system. Virtualization would eliminate the need to purchase separate storage and physical servers. Additionally, some future applications that require a server would run in this single, virtualized environment. Two of the physical servers proposed to be virtualized, will be repurposed as network controllers.

Initially, five application servers would be virtualized.

1. Innoprise Database Server
2. Innoprise Application Server
3. GIS File Storage Server
4. Village Wide Department file and database server
5. Public Works Server with Fleet Application

In 2013, IT staff began researching virtualization systems and engaged a consultant to assist with the design and make recommendations. After reviewing various methods of virtualization, IT staff determined the best solution would be to utilize Microsoft's Hyper-V architecture along with Hewlett Packard servers and storage solutions, in conjunction with Cisco network switching.

Bids were received and opened on January 24th, at 11:00 a.m. for new Hewlett Packard storage and server components and Cisco switching equipment. Five bids were opened and SWC Technology Partners of Oak Brook, Illinois was the lowest complete bidder at a price of \$108,741.

Three copies of Microsoft Windows Server 2012 R2 Datacenter, Microsoft System Center Data Center software assurance licensing, and 311 user licenses are also required. The best cost can be obtained by purchasing the software from Microsoft's State of Illinois contract through CDWG of Vernon Hills, Illinois, at a total price of \$20,698.

In addition, professional consulting services for configuration and implementation of the entire system are required. IT staff is recommending the use of professional technical services from SWC Technology Partners of Oak Brook, Illinois, in an amount not to exceed \$16,320. SWC has a long working history with the Village and has a strong understanding of the village's computer system and security needs.

I move to approve the purchase of server components and services from SWC Technology Partners of Oak Brook, Illinois in an amount not to exceed \$125,061 and I move to recommend to the Village Board the purchase of computer software from CDWG of Vernon Hills Illinois in an amount not to exceed \$20,698.

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

#### **2014-0079 Courier Service Contract - Approval**

The Finance Department currently uses Dunbar Armored for courier services. Recently, requested proposals were received from Garda, Dunbar Armored, and

Thillens for transportation of bank deposits for a three-year period. The quotes for the three years of courier services are:

- Dunbar Armored - \$6,643.26 for years 1 & 2 and a 3.5% increase in year 3
- Garda - \$10,451.94 for years 1, 2, and 3
- Thillens - Declined

Based on the price quotes, staff recommends that we continue with Dunbar Armored for a three-year period.

I move to approve Dunbar Armored for a three-year contract period.

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

#### **2014-0066 Utility Cart - Parks Department**

The Public Works Department 2014 Fiscal Year Budget has a Board approved line item in the amount of \$9,000 for the purchase of one replacement Club Car Utility Cart for the Parks Department.

The Public Works Department requested proposals for a new/unused Club Car Carryall 252 from the only two selling dealers for this area in Illinois.

Randall Industries of Elmhurst, Illinois, has submitted a proposal of \$8,080 and Nadler Golf of Aurora, Illinois, submitted a proposal of \$10,880.50. Randall has the cart in stock and can deliver after receipt of the purchase order.

I move to approve purchasing one new Club Car Carryall 252 for the Parks Department from Randall Industries of Elmhurst, Illinois, at a price not to exceed \$8,080.

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

#### **2014-0067 Caterpillar Wheel Loader - Street Division/Public Works Department**

The Public Works 2014 Fiscal Year Budget has a Board approved line item in the amount of \$160,000 to replace a Street Division 1999 Caterpillar IT28 Wheel Loader. The current unit being replaced has 7,650 operating hours.

The Village is a member of the National Joint Powers Alliance (NJPA). As a member, we are eligible to purchase a 2014 Caterpillar 924K Small Wheel Loader at a governmental discount through the authorized dealer, Patten Cat of Elmhurst, Illinois at a cost of \$139,720.09. The proposed cost from Patten is \$20,279.91 under the budgeted amount for this equipment.

I move to approve purchasing one 2014 Caterpillar 924K Small Wheel Loader for the Street Division of the Public Works Department from Patten Cat of Elmhurst, Illinois, through the National Joint Powers Alliance Discount Program for a price not to exceed \$139,720.09.

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

**2014-0070 Pavement Management Update - Proposal**

In 2012, the Village of Orland Park selected Applied Research Associates, Inc. (ARA) of Champaign, Illinois, to implement a pavement and asset management system (PMS). Using ARA's digital survey vehicle (DSV), ARA conducted a complete coverage pavement condition survey of all streets within the Village jurisdiction. ARA was able to gather all of the necessary data to assess the current pavement condition using a Condition Rating System (CRS). This CRS data was combined with historical data about the pavement network to develop a PMS using ARA's own RoadCare system. Pavement deterioration models were developed to project the life of roads in the future. Recommendations, in the form of a preliminary 5-year project selection, were made to help improve the effectiveness of the Village's pavement management practices.

It is the Village's intent to maintain the PMS using the Condition Rating System (CRS) to rate the pavement in our road network. The attached to the Board packet proposal will allow for ARA to update the Village's pavement and asset management system (PMS).

ARA will gather information on projects performed since the last condition survey (2012) and program the information in the PMS. The update will refine pavement management components including the treatment matrix, treatment consequences, treatment unit costs, and annual budget levels to aid in the update of a 5-year capital improvement plan.

Applied Research Associates, Inc. (ARA) of Champaign, Illinois, has provided a scope of services to update the Village's Pavement and Asset Management System (PMS) at a cost not to exceed \$23,100.

I move to approve accepting the pavement management update proposal from Applied Research Associates, Inc., of Champaign, Illinois for an amount not to exceed \$23,100.

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

**2014-0071 7357 Wheeler Drive 12" Watermain Repair - Payment**

On Monday evening, January 6, 2014, staff responded to a water main break at 7357 Wheeler Drive. The magnitude of the break resulted in significant losses of water from the nearby water tower. Weather conditions were extreme with near record cold temperatures and wind-chills, creating challenges for the crew and problems with equipment. After 12 hours, a decision to relieve the crew was made. Airys, Inc. of Tinley Park, Illinois, was contacted to complete the repair. Total cost for this work amounted to \$7,148.02. A contract is in place between the Village and Airy's, Inc. to perform this type of work on an emergency basis.

I move to approve payment to Airy's, Inc. of Tinley Park, Illinois, for the January 7,



2014 watermain repair at 7357 Wheeler Drive in an amount not to exceed \$7,148.02.

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

**2014-0072 WIN-911 SCADA Alarming Upgrade - Proposal**

The Supervisory Control and Data Acquisition (SCADA) System performs various functions related to the control and monitoring of our potable water and sewer collection systems. Currently, when there is a problem at a facility, alarm notification is sent from SCADA through various network appliances to our Police Department. Often, these alarm events may not get the immediate attention required due to equipment failures or other emergency priorities. To improve our response time and provide redundancy with our SCADA system alarms, the Village contacted B & W Control Systems Integration, LLC of Crystal Lake, Illinois, our SCADA Integrator, to provide a solution. They have recommended the WIN-911 software, a product used by other communities to help manage their SCADA alarms. WIN-911 will allow Supervisors and Utility staff to receive alarms using their smart phones and tablets. It will also allow for the redundancy that is desired in the event there was a failure within the SCADA communications system. The cost to install, setup and configure the WIN-911 software on the SCADA server is \$9,900.

I move to approve accepting the proposal from B & W Control Systems Integration, LLC of Crystal Lake, Illinois, for the installation of the WIN-911 software in an amount not to exceed \$9,900.

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

**2014-0116 United States Conference of Mayors Dues - Approval**

2014 Membership dues for the United States Conference of Mayors were budgeted in the amount of \$5,269 in the FY 2014 budget.

I move to approve payment of 2014 membership dues to the United States Conference of Mayors in the amount of \$5,269.

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

**2014-0069 Commuter Station Concession Services**

For many years, the Village has contracted with a variety of contractors to provide concession services in the commuter stations at 143rd Street and 159th Street. In 2013, the vendor who had been operating as concessionaire at both stations chose not to continue in this business. There were several weeks where there was no vendor at either station. At that time, the owner of Amano Vivere Café came forward and offered to fill the gap as concessionaire at 143rd Street for nine weeks as a temporary solution. That arrangement was subsequently renewed for a one-year term. The 153rd Street station has remained without a vendor during this period.

Recently, there has been some interest in the concession services at the 153rd Street station. Staff is preparing a Request for Proposals (RFP) for this service. Staff recommends that the RFP be a multi-year agreement and allow vendors the option to provide proposals for one or both stations. The 153rd station has immediate availability and the 143rd has availability beginning in September 2014 when the existing agreement expires.

Since 2009, the Village Board has reduced or waived the requirement that the vendor pay 6% total sales to the Village. The reason for the waiver is that there have been very narrow profit margins for these concessionaires. Commuters often choose to stay in their cars or in the adjacent warming shelters while waiting for their trains and they do not enter the station at all. The cost to the Village to provide space to a vendor in the station is minimal as the lights and heating/cooling are already provided during to the station during those hours. Ancillary water consumption and power for refrigeration are the primary cost. In return, the vendor serves as the eyes and ears for the Village letting us know when there are issues raised by commuters or facility concerns with restrooms or other amenities.

Prior to releasing the RFP, staff is requesting that the Committee discuss the terms of the future agreement(s). Those terms will include length of the contract, % fee amount, if any, and the approval of allowing vendors to select whether they wish to provide a proposal for both stations or just one.

I move to approve producing a Request for Proposals for concession services at the 143rd Street and 153rd Street commuter stations;

And

Approve waiving the prior fee of 6% total sales due the Village for the duration of the service agreements.

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

#### **2014-0064 Oak Lawn Water Negotiation - Consultant Fees**

Beginning in August 2009, the Village began engaging three (3) different consultants for professional services related to due diligence review and the negotiations for contract renewal with Oak Lawn for water supply. This effort was in collaboration with four other customer communities of Oak Lawn's wholesale system: Tinley Park, Oak Forest, Mokena, and New Lenox.

The three (3) consultants and the amount approved are as follows:

WRB, LLC	\$234,933
Malcolm Pirnie Engineering	\$120,060

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Holland & Knight	<u>\$322,500</u>
Total	\$677,493

Of the amount listed above, the Village is responsible for 33% of the expense (\$224,992). The remaining 67% is paid for by Mokena (10%), New Lenox (18%), Oak Forest (11%) and Tinley Park (28%). The Village of Tinley Park acts as the administrator of the contract.

As of December 2013, all five (5) communities have executed the intergovernmental agreement with Oak Lawn. Our collective work and combined approach generated very positive results for all communities. Specifically, the new agreement includes consent approach from member communities before certain expenses can be made by Oak Lawn, review and input into operations issues, the provision of asset management plan and a most favorable nation's clause. In total, there were over 150 issues raised throughout the negotiations which were successfully negotiated.

At present, our authorized expenditure for Holland and Knight has expired and there is only \$2,900 still available under our contract with WRB, LLC. We anticipate a certain amount of work related to closing out the agreement and preparing documentation. We also anticipate some services necessary to review the agreements being considered by the northern communities (Palos Park, Palos Hills, Chicago Ridge). This would be to ensure that there are no more favorable provisions are being provided to them than were negotiated by our customer group.

A summary of the work to be done by both is provided below:

Holland and Knight - \$41,000

1. Resolution of small group of final details in the body of the Agreement and its 18 exhibits.
2. Preparation and completion of the Working Group's Agreement regarding Southwest Water system Improvements paid for with 2006 Bonds.
3. Approval of Oak Lawn and North System Customers (Chicago Ridge, Palos Hills and Palos Park) of a "Conforming Agreement" that is consistent with the Work Group's Master Agreement.
4. Coordination with Oak Lawn on another Conforming Agreement to be offered to the Southeast System Customers (Country Club Hills, Matteson and Olympia Fields).

WRB, LLC - \$10,000

1. Assure that the exhibit packets to the Water Supply Agreement is final and complete and reflects the agreements made to date which includes logistical support work with Holland and Knight.
2. Support as directed in the launch of the Mutual Cooperation process in 2014 including any support requested and any of the 7 planned meetings.

3. Assist as directed in the proper reimbursement to southwest customers of incurred consultant costs related to the development of the Water Agreement and Due Diligence process.
4. Assist with any Southwest Customer request of any clarification of required action under the Water Supply Agreement.
5. Monitor, review and support any Southwest Customer actions related to the preparation of the Agreements for the North and Southwest customers relating to favored positions rights for the Southwest customers.
6. Organize and schedule any meetings or briefings needed or required by the Southwest customer team.

In total, we have authorized expenditures in the amount of \$677,493. The authorized expense is for each specific consultant in comparison to the amount spent is provided below:

	Authorized	Billed	Difference
Malcolm Pirnie	\$120,060	\$108,529	\$ 11,531
WRB, LLC	\$234,933	\$231,978	\$ 2,955
Holland & Knight	<u>\$322,500</u>	<u>\$342,382</u>	<u>\$-19,882</u>
Total	\$677,493	\$682,899	\$ - 5,396

As you can see, there are existing balances available for Malcolm Pirnie and WRB, LLC. With regard to Holland and Knight, the hours worked by attorney Barb Adams and the resulting expenses exceed our authorization by \$19,882. However, this amount is included in her proposal of \$41,000. As such, the total for both Holland and Knight and WRB, LLC, estimated amount of additional expenses over our current authorization is \$50,396.

The prorata breakdown of this expense would be:

Orland Park	\$ 16,630
Tinley Park	\$ 14,111
New Lenox	\$ 9,071
Oak Forest	\$ 5,544
Mokena	\$ 5,040

As a reminder, Oak Lawn has agreed to reimburse our group for these expenses and pay for them as part of the capital expenses related to the overall system improvements. That means each community will receive full reimbursement for its exposure to date. However, it should be noted that the overall costs will eventually be redistributed to all communities on the system on a prorata basis. The overall impact to Orland Park is an additional reduction in our expenses from \$224,992 to approximately \$165,000 which is a savings of \$52,000.

The Manager's Committee has reviewed the scope of services for each proposal and recommends approval. In terms of day-to-day supervision of the engineer

and attorney, as before, Bill Balling, WRB, LLC, will perform the necessary oversight.

I move to approve entering into a reimbursement agreement with the Village of Tinley Park, IL for the professional services outlined in an amount not to exceed \$16,630.

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

#### **2014-0068 Approval of Occupational Health Service Provider**

Midwest Center for Environmental Medicine provides Occupational Health Services (MCEM) including pre-employment exams, other employee medical exams and serves as the collection site for the drug and alcohol testing.

The Village and MCEM have a long standing positive working relationship which includes competitive rates for exams and collection services which have remained unchanged for many years. Dr. Terrence Moisan the MCEM physician is a graduate of Loyola University Stritch School of Medicine and is Board certified in Internal Medicine, Pulmonary Disease, and Occupational Medicine. He is experienced with municipalities, including police and fire, and is certified to complete DOT medical exams as well FAA exams for pilots. In addition his staff is very professional and accommodating in coordinating impromptu exams as well as coordinating an on-site drug screening for our pool staff.

I move to approve Midwest Center for Environmental Medicine to provide Occupational Health Services.

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

#### **2014-0078 Drug and Alcohol Testing Third Party Administrator**

The Village currently uses First Advantage, of Symphony Technology Group (STG), a leading background screening company, as a third party administrator (TPA) to provide Medical Review Officer (MRO) services, random drug program administration, statistical reporting services, and emergency collection sites for the Village's drug and alcohol testing program. We are entering our second year with First Advantage as they purchased the screening business of our previous provider LexisNexis (formerly Choicepoint) in 2013.

Currently First Advantage is honoring the service agreement that was in place with our previous TPA. We have been working with them to document that the terms of the service agreement will remain unchanged with First Advantage.

To maintain current service levels and continuity with our occupational health provider approval is sought to continue working with First Advantage as the Village's TPA and to secure similar service agreement for 2014 with options to renew in 2015 and 2016. Should appropriate terms not be reached with First Advantage, staff will seek alternative proposals from other third party

administrators and return to the Board for approval.

I move to approve an agreement with First Advantage to provide third party administration services for the drug and alcohol testing program for 2014 with options to renew in 2015 and 2016.

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

**2014-0075 Orland Crossing (Main Place of Orland Park) - Second Supplement to Amended and Restated Development Agreement - Ordinance**

In 2001, Orland Crossing (legally known as Main Place at Orland Park) was approved by the Village Board of Trustees. The development agreement set forth the terms and conditions of the development agreement. In December 2004, an amended and restated agreement was approved by the Village Board of Trustees. In 2010, the Board of Trustees approved and amended supplement to the Development Agreement that accommodated right of way needed for the LaGrange Road widening project.

The Board of Trustees recently approved two development plans for remaining vacant property in Orland Crossing. This Development Agreement has been drafted to reflect the new Development Agreements required for Phase II. It should be noted that this Development Agreement will not go into effect until the developers for phase II close on the property.

I move to pass Ordinance Number 4887, entitled: AN ORDINANCE AUTHORIZING SECOND SUPPLEMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN VILLAGE OF ORLAND PARK, MAIN PLACE - ORLAND PARK ASSOCIATES, L.L.C. (MAIN PLACE AT ORLAND PARK) - NORTHEAST CORNER OF 143RD STREET AND LA GRANGE ROAD.

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

**2013-0565 McDonald's Restaurant - 14445 LaGrange Road**

To raze the existing McDonald's Restaurant located at 14445 Lagrange Road on the site and construct a new building, drive through, and parking area.

The existing McDonald's Restaurant building at this location was constructed in 1976. In 1978, the drive through lane was added, and in 1979 the parking lot was expanded to the north of the existing site, on a separate parcel, owned at that time by McDonalds. McDonald's is now proposing the demolition of the existing building and the construction of a new building reflecting current corporate architecture and functionality. The proposed building, at 4,374 square feet, is approximately 630' square feet larger than the existing building. The drive through lane will be expanded from the existing single lane to a double lane to accommodate an increased reliance on drive through business.

The original Village approvals included the .3 acre parcel to the north for McDonald's parking. However that parcel is no longer owned by McDonalds, the parking lot has been barricaded, and McDonalds is able to meet their current project requirements on their .94 acre lot. The .3 acre lot was never consolidated with the building parcel, and in the early 2000's fell into tax delinquency. It was purchased in 2006 by MAKO Properties. Because of the lot's history, and because the Village is concerned about the future of the unused parking lot that will likely fall into disrepair. McDonalds has agreed to remove the parking lot on the .3 acre parcel to the north at the time of their new restaurant construction, with property owner permission, as long as expenses do not exceed \$15,000. If permission cannot be obtained in time, McDonald's will commit to providing \$15,000 toward that expense in the future, as a part of the Development Agreement.

I move to approve the Site Plan, Elevations, and Special Use Permit with modifications for a new McDonald's Restaurant at 14445 LaGrange Road, as recommended at the January 20, 2014 Development Services Committee Meeting and as fully referenced below.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO READ)

I move to approve the Site Plan titled 'McDonalds 14445 Lagrange Road Preliminary Site Plan', dated 09/05/13, revised 02/06/14; Patio Detail titled "Option 4", by Wausau Tile, dated 11/5/13, revised 12/23/13; subject to the following conditions:

1. Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval including the following conditions:
  - a. Clearly identify on Tree Survey Plant List which trees will be removed and how they will be mitigated.
  - b. Maximize the number of shade trees that can be accommodated in northern landscape buffer.
  - c. Include landscape bed adjacent to patio per preliminary Landscape Plan dated 08/23/13, and submitted 02/10/ 14.
2. The parking lot on the .3 acre parcel to the north, with property owner permission, will be completely removed and seeded by McDonald's concurrently with the new building construction, or McDonald's will commit to providing \$15,000 toward that expense in the future, which will be included as a part of the Development Agreement.
3. Provide a cross access easement for future cross access connections as a part of the Development Agreement.
4. Meet all Code lighting requirements.
  - a. Match exterior building lighting to style and intensity of 179th Street

McDonalds.

- b. Match exterior parking lot lighting fixtures to Orland Crossings fixtures.

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

and

I move to approve the Elevations titled '2013 Standard Building Elevation 14445 Lagrange Road,' sheets A2.0 and A2.1, submitted 01/10/14; 3D northwest, northeast and southwest illustrations submitted 02/10/14; "McDonald's Exterior Colors Coyote Brown Scheme" updated February 2013 submitted 02/11/14; and decorative 'Ameristar' fence and "EZ Mason Column" illustrations submitted 01/10/14 subject to the following conditions.

1. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline.
2. All masonry must be of anchored veneer type masonry with a 2.265" minimum thickness.
3. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

and

I move to approve a Special Use Permit for McDonald's Restaurant 14445 Lagrange Road to construct and operate a restaurant with a double drive through service lane within 300' of a residential property, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Locate drive aisle between the building and the street.
2. Reduce northern parking lot setback and landscape buffer from a required 10' to 5'.
3. Construct a retaining wall within 3' of a property line.
4. Reduce foundation planting bed requirements.

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

#### **2011-0754 Rankin Subdivision - Approval Extension**

The Village Board approved the Rankin Subdivision, a three lot subdivision at 8400 143rd Street in April of 2012, and approved a one year approval extension in March of 2013.



The property has not been developed yet but still complies with Village Codes.

This case is now before the Village Board of Trustees for consideration of a one year extension.

I move to approve the request of the petitioner and grant a one year extension of approvals for the Rankin Subdivision project.

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

## **PUBLIC SAFETY**

### **2014-0085 Disposal of Certain Seized Vehicles at Public Auction - Ordinance**

The Police Department requests approval to declare two vehicles, a 2004 Lincoln / Towncar and a 2000 Pontiac / Sunfire 1991 Chevrolet, 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 4888, entitled: ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

### **2014-0021 Village Code Amendment - Offenses Relating to Weapons - Ordinance**

Chief McCarthy reported that the Police Department is requesting to amend the Village Code to add several offenses included under 720 ILCS 5/24-1 (Unlawful Use of Weapons) to the Village Code as follows;

1) It shall be unlawful for any person to sell, manufacture, purchase, possess or carry on their person, or in their vehicle, any bludgeon, black-jack; slung shot; sand club; sand club or sand club metal knuckles; throwing star; or any knife commonly referred to as a switchblade knife anywhere within the corporate limits of the Village of Orland Park (720 ILCS 4/25 (a) (1))

2) It shall be unlawful for any person to carry or possess with intent use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto, broken bottle or other piece of glass, stun gun, taser or any other dangerous or deadly weapon or instrument of like character. (720 ILCS 5/24 - 1 (a)(2))

3) It shall be unlawful for any person to carry a concealed on or about his person or in any vehicle, a stun gun or taser, except when on his land, in his abode, legal dwelling or fixed place of business. (720 ILCS 5/24 (a) (4))

Village officers routinely encounter these types of weapons while on patrol and at this moment have the option to charge the suspect with a Class A misdemeanor or seize the contraband and release the suspect with a warning. Amending the Village Code as requested would allow the officers another option for enforcement by also making the offense a municipal violation. This will help the officers choose the best option depending upon the criminal history of the suspect, and the circumstances surrounding the incident.

I move to pass Ordinance Number 4889, entitled: AN ORDINANCE AMENDING TITLE 8, CHAPTER 6, SECTION 4, OF THE ORLAND PARK VILLAGE CODE (OFFENSES RELATING TO WEAPONS) BY ADDING THERETO UNLAWFUL USE OF A WEAPON

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

## **DEVELOPMENT SERVICES, PLANNING AND ENGINEERING**

### **2014-0105 Project Agreement - IDOT -159th at 71st Court and Oak Park Avenue Traffic Signal Modernization - Agreement**

The Illinois Department of Transportation (IDOT) has notified the Village that the existing traffic signals at 159th at 71st Court and Oak Park Avenue will be replaced in 2014.

The Village has a master signal Agreement with IDOT for all signals that are the joint responsibility of both Agencies covering maintenance and operations. IDOT has advised that the signals at these two intersections have reached the end of their service life, and are requiring replacement. Due to new standards being implemented since these signals were originally installed, both locations will be upgraded to include among other things, pedestrian countdown signal heads and emergency vehicle pre-emption. The Village has responsibility for one leg of the 71st Court intersection, or 25% of costs associated with the signal. The existing signal at Oak Park Avenue is not within the Village limits, and therefore the Village has no financial responsibility.

The intersection of 159th and 71st Court has been experiencing rear-end and left-turn accidents. IDOT will be revising the left-turn phasing to

left-turn-on-arrow-only due to the accidents and the number of travel lanes.

IDOT has secured federal funds for this work that will pay ninety percent (90%) of the costs, with IDOT paying 5% and the Villages of Orland Park and Tinley Park sharing the remaining 5%, or 2.5% each. The Village's share is estimated to be \$2,156.25 which includes engineering and construction management.

IDOT requires that the Project Agreement attached with this item be executed prior to award of the project. Staff has reviewed the plans, costs and Agreement for the proposed work and finds all acceptable as presented. By coordinating this project through this cooperative agreement, the Village is able to realize substantial savings.

I move to approve an Intergovernmental Agreement with the Illinois Department of Transportation for the modernization of traffic signals at the intersection of 159th at 71st Court.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

## **PARKS AND RECREATION**

### **2014-0102 Police Station Parking Lot Engineering**

The rear parking lot at the police station is in failure and will need to be completely replaced. Christopher B. Burke Engineering, Ltd. has prepared a proposal to drill 8 borings, field and laboratory testing, soil engineering report, technical memorandum summarizing coring results and recommendations and preliminary plan sheets utilizing design plans, specifications, and details. As this lot was constructed when the building was renovated. This study is needed to determine the cause of the failure. The cost of the study is \$8,000. Reconstruction of the lot will include any corrective action that needs to be made to soils or other failing elements.

I move to approve accepting the proposal of \$8,000 from Christopher B. Burke Engineering, Ltd. for parking lot rehabilitation/reconstruction recommendations at the police station parking lot.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

### **2014-0087 Civic Center and Police Station Painting Bid Award**

Bids were opened for the Civic Center and Police Station Painting on February 4, 2014 at 11:30 AM. This work consists of painting the large room at the Civic Center (piping, trusses, and walls) and the Police Station west, east and south side of the exterior concrete walls and bollards.

Four bids were received. The low qualified bid was from Pete the Painter out of Northbrook, IL, at a cost of \$4,390 for the Civic Center and \$13,500 for the Police Station.

I move to approve accepting the low bid from Pete the Painter at a cost not to exceed \$17,890.00 for the painting of the Civic Center and Police Station as stated in the bid specifications.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

### **2014-0110 Custodial Services Contract Addition**

Currently, the civic campus (including the Village Hall, FLC and Recreation Administration facilities) and the Police Station share custodial resources with one porter covering all locations daily. The Police Station requires 4 hours leaving only 4 hours to cover the needs of the other three buildings. The increase in use at the Franklin Loebe Center with the consolidation of the preschool campus has brought attention to the need for a more frequent and thorough cleaning in the classrooms, common areas, Room 109 and the area surrounding the gymnasium. In addition, the lower level of the Recreation Administration building is now going to be used for the Emergency Operating Center and will require cleaning in the EOC space, the lower level locker/restrooms, lunchroom and hallways used by Recreation and EOC personnel. These additional cleaning needs prompted a look to reorganize the requirements for the contracted cleaning service. Currently the Sportsplex has one 8-hour shift porter and one second shift 4-hour porter. The square footage of this facility is similar in size to the Police Station and Village Complex.

Staff is recommending that we request that the contractor increase staffing and assign the 4 hours of Police Station cleaning to a part-time porter the entire Village Complex be maintained by the current porter for the full day. Total Building Services, the current contractor, provided a quote for the Mon-Friday 4 hour porter

at \$1,272.50 per month. In order to add this amount to the contract, a budget adjustment would be required.

I move to approve a budget adjustment in the amount of \$12,725.00 and to increase the contract with Total Building Services accordingly.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

#### **2014-0104 Concession Services and Sales 2014**

The Village entered into a contract for Concession Services and Sales with Jay Vending effective March 31, 2011. The initial contract was for three years 2011-2013, with an option to renew for two additional years.

Jay Vending has invested over \$75,000 in capital improvements to the Centennial Park Aquatic Center concessions venue to improve and expand concession offerings. On a yearly basis, menu options and prices have successfully been reviewed and amended to ensure offerings are desirable and priced appropriately.

In addition to concessions operations at the Centennial Park Aquatic Center, Centennial Park Ball Fields and John Humphrey Complex Ball Fields, Jay Vending has provided concession sales for several Recreation Department special events including: Jr. High Dances, the Great Pumpkin Party, the Chilly Willie Challenge and concerts at Centennial Park West in Colette Highlands.

I move to approve extending the Concession Sales and Services contract with Jay Vending for one additional year, providing services to the Centennial Park Aquatic Center, John Humphrey Complex, Centennial Park, and Recreation Department Special Events for the 2014 calendar year.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

## FINANCE & INFORMATION TECHNOLOGY

### 2014-0005 Budget Rollovers - Approval

Finance Director Annmarie Mampe reported that this is something that is done every year at this time. A detailed spreadsheet (by fund) of budget rollovers was attached to the Board packet showing a total increase to the fiscal year 2014 budget of \$18,500,005. These budget rollovers are necessary as various projects budgeted in fiscal year 2013 were not completed as of December 31, 2013.

I move to approve an amendment to the fiscal year 2014 expenditure budget in the amount of \$18,500,005.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

## VILLAGE MANAGER'S REPORT

### 2014-0137 Electric Aggregation Rates

Village Manager Grimes reported that the Village's current electrical aggregation contract expires in May 2014. The Village adopted an electric aggregation "opt-out" program via referendum in 2012.

The Village's electrical aggregation consultant, NIMEC, has solicited proposals for the sale of electricity under the authorized electrical aggregation program.

Today, Monday, March 3, the Village received pricing proposals from various electrical suppliers. Due to the commodity nature of electricity, the Village Board has the option to select a supplier this evening and authorize the Village Manager to proceed with finalizing an agreement.

Should the Village Board determine none of the proposals are worthy of acceptance, the Board can decide to go back to the market at a later date or revert back to ComEd for one year.

Sharon Durling from NIMEC spoke before the Board explaining the different options that were received today from the various electrical suppliers.

**Option 1:** Rates are expected to be +7.0 cents/kwh in June, 2014. Residents would have to stay with ComEd for no less than 10 months, and residents cannot

opt out during that time frame.

**Advantages:** This would allow the Village to sit out of the marketplace and continue to shop for lower rates, albeit, migration cannot occur until April 15, 2015; familiarity with provider.

**Disadvantages:** Locked in for 10 months and may thereby miss opportunity for lower rates.

**Option 2:** Agree to 3 year FirstEnergy price/contract, subject to the Village successfully reaching mutual agreement with Nordic re May termination of existing contract. Escape clause protects customers by allowing Village to leave FirstEnergy if default rates are lower than FirstEnergy rate.

**Advantages:** Secures 3-year rate of 6.46 cents/kwh (6.49 at 100% renewable sources), whereby ComEd rate expected to be +7.0 cents/kwh in June 2014; escape clause limits exposure in case default rate falls below contract rate.

**Disadvantages:** Contract is 3 years; contingent upon mutual agreement with Nordic.

**Option 3:** Take no action and await energy pricing for March 17th and a June, 2014 transition.

**Advantages:** No action is needed tonight.

**Disadvantages:** Limits of the Village's choices if Nordic were to move to terminate our agreement early by citing regulatory event language. Could lead to more confusion with residents while the Village moves to find an alternative supplier or remain with ComEd.

Attorney Greg Smith from Klein, Thorpe and Jenkins stated that he has spoken to Nordic Energy attorneys regarding them terminating the Village's contract.

When the Federal Energy Regulatory Commission in Washington DC lifted price caps that were put in place a long time ago to protect consumers from spiking prices (when those caps were lifted) Nordic will not know the price shock effects for several months, possibly not until May 2014.

Under Nordic's contract it states that they would have to claim a regulatory event because of the language of the contract in order to preserve their right to pass along whatever the impact of the price shocks were.

This means if the Village cannot come to terms with Nordic they may have one bill left in which to place the entirety of that price shock on the Village residents.

Attorney Smith explained that if the Village can come to terms now with Nordic and move away from the contract, the Village may actually be better served and the residents would not have to absorb whatever the effect of that order is if we can terminate by agreement.

Of course if Nordic declines to terminate the agreement, because it would have to be by consent of the parties, the Village cannot force their hand unless we preemptively breach, in which case the Village would owe them damages perhaps.

Mayor Pro Tem Dodge questioned if the Board should be concerned with the credit ratings on the different companies that were presented to the Board. None have good credit ratings.

Ms. Durling agreed and stated that these industries credit ratings are not strong. They are not junk bonds and they are not top tier. A triple B rating is the going rate for them.

Trustee Calandriello asked why did a decision need to be made so quickly.

Village Manager Grimes explained that when the Village goes to the marketplace there will not be a lot of time to make a decision. The marketplace will only hold the quote for 24 hours.

The Board can vote to do nothing tonight and then new quotes can be brought back to the Board at the March 17, 2014 meeting. However, then the Village will miss the May 1st window and lose some flexibility with respects to its discussions with Nordic.

I move to approve authorizing the Village Manager to execute a purchase agreement with FirstEnergy for the supply of electric energy to Village residents pursuant to the Village's electric aggregation program and consistent with the Village's adopted Plan of Operation and Governance, subject to review & approval by the Village Attorney and mutual termination of the Nordic Energy Services agreement for a May 2014 transition of said services, for a period of 3 years and consistent with the proposed Master Power Supply Agreement at the rate with FirstEnergy of 6.46 cents/kwh.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin



**BOARD COMMENTS**

TRUSTEE CALANDRIELLO – Commented on the good job that was done by the Special Recreation Department on the annual Village People vs the stellar Chargers and Hot Shots basketball teams that took place on Tuesday, February 4, 2014. Fun was had by all.

Wished everyone a Happy Casimir Pulaski Day!

TRUSTEE FENTON – Informed Village Manager Grimes that the entrance driveway of Walgreen's off of 147th between LaGrange and Ravinia is very dangerous with the street having large areas broken-up and large potholes and in need of immediate repair.

**EXECUTIVE SESSION**

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; and b) setting a price for sale or lease of village property.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

**RECONVENE BOARD MEETING**

The roll was called to reconvene the regular meeting and Trustees Fenton, Schussler, Gira, Ruzich, Calandriello and Mayor Pro Tem Dodge were present. President McLaughlin was absent

Purpose of the Executive Session was for the discussion of a) approval of minutes; and b) setting a price for sale or lease of village property.

**ADJOURNMENT - 8:35 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:** 6 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and Trustee Calandriello

**Nay:** 0

**Absent:** 1 - President McLaughlin

**/nm**

APPROVED: March 17, 2014

Respectfully Submitted,

/s/ John C. Mehalek

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**John C. Mehalek, Village Clerk**