

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, October 4, 2010

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

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

Present: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira and Village President McLaughlin

VILLAGE CLERK'S OFFICE

2010-0498 Release of Executive Session Minutes - January through June 2010

Legal Counsel has reviewed the Executive Session Minutes from January through June 2010 indicating the minutes or portions thereof that may not be made available for public inspection at this time.

Copies of these minutes were sent to the Board for review and comment at the September 20, 2010, Executive Session.

The Board approved placing this item on the next Board agenda.

I move to approve releasing for public inspection the January through June 2010 Executive Session minutes, or portions thereof, that no longer require confidential treatment.

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

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

2010-0499 Approval of the September 20, 2010 Regular Meeting Minutes

The Minutes of the Regular Meeting of September 20, 2010, were previously distributed to the members of the Board of Trustees. President McLaughlin asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Meeting of September 20, 2010.

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

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS

2010-0492 Joint Emergency Telephone System Board - Appointment

President McLaughlin will appoint Police Commander Patrick Duggan to the Joint Emergency Telephone System Board. Patrick Duggan replaces Gene Monahan.

I move to advise and consent to the appointment by Mayor McLaughlin of Police Commander Patrick Duggan to the Joint Emergency Telephone System Board.

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

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

CONSENT AGENDA

Trustee Schussler requested that Item C. "Parking Vehicle for Sale" Village Code Amendment - Ordinance be removed from the Consent Agenda for a separate vote.

Trustee O'Halloran requested that Item F. Waste Management Contract Renewal 2010-2013 be removed from the Consent Agenda for a separate vote.

Passed the Consent Agenda

A motion was made by Trustee Murphy, 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: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

2010-0487 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 September 17, 2010 in the amount of \$907,593.48 and the Monthly Hourly Payroll for September 10, 2010 in the amount of \$19,534.42.

This matter was APPROVED on the Consent Agenda.

2010-0503 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 September 21, 2010 through October 4, 2010 in the amount of \$2,426,513.59.

This matter was APPROVED on the Consent Agenda.

2010-0458 Disposal of Certain Seized Vehicles at Public Auction - Ordinance

The Police Department requests approval to declare five vehicles, a 1994 Chevrolet Astro Van, 1997 Ford E150 Van, 1994 Ford Econoline Van, 1999 Ford F150 Pickup Truck, and 2000 Lincoln Navigator 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 4590, 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.

2010-0419 No Parking Signs at 183rd Place and Wolf Road - Ordinance

A request from Public Works that no parking signs be posted on the south side of 183rd Place for eastbound traffic at Wolf Road. Public Works said the traffic back up poses a safety issue.

The signs will be placed per the specifications of Public Works.

I move to pass Ordinance Number 4591, entitled; AN ORDINANCE AMENDING THE ORLAND PARK VILLAGE CODE, TITLE 9, CHAPTER 9, SECTION 8, NO PARKING, TO PROHIBIT PARKING ON THE SOUTH SIDE OF 183RD PLACE FROM WOLF ROAD WEST FOR 200 FEET

This matter was PASSED on the Consent Agenda.

2010-0420 Special Recreation Fundraiser - Product Payment Approval

The Special Recreation Program, in cooperation with the Knights of Columbus, is participating in a fundraiser with proceeds going toward Special Recreation programs. The fundraiser consists of selling Tootsie Roll containers filled with miniature Tootsie Rolls. The total cost of the Tootsie Rolls provided to Special Recreation for the fundraiser is \$6,000.00. Special Recreation staff anticipates a profit/donation of approximately \$8,000.00 - \$9,000.00 from sales that will benefit Special Recreation programs. Staff is requesting approval of payment to the

Knights of Columbus in the amount of \$6,000.00. On September 20, 2010, this item was reviewed and approved by the Parks, Recreation, and Environmental Initiatives Committee and referred to the Board for approval.

I move to approve payment of fundraiser product to the Knights of Columbus in the amount of \$6,000.00.

This matter was APPROVED on the Consent Agenda.

2010-0481 Good Shepherd Cemetery/104th Avenue - Bike Path Easement

This plat provides the revised easement to cover the proposed bike path lying east of 104th Avenue, between 159th Street and 167th Street, along the west property line of the Good Shepherd Catholic Cemetery. The easement is needed to legally allow for the path to lie upon the cemetery property, outside the 104th Avenue Cook County public right-of-way. The path is not placed in the right-of-way since Cook County expects the path to be owned by the municipality, and a path within the right-of-way would imply County ownership and maintenance responsibility.

Staff has reviewed the plat and finds it to be in conformance with the true location of the bike path, as well as conforming with applicable plat standards.

I move to approve the Good Shepherd Cemetery/104th Avenue - Bike Path Easement titled "Plat of Easement to the Village of Orland Park, Cook County, Illinois" project number 393-024, dated July 2, 2009, bearing a revision number 7 dated June 9, 2010, prepared by Bollinger, Lach and Associates, Inc.

This matter was APPROVED on the Consent Agenda.

2010-0257 Subway Restaurant - Ordinance

On September 7, 2010, the Board approved a special use permit for Subway Restaurant located in the County West Plaza Shopping Center at 15860 S. Wolf Road. The special use permit allows for a 28 seat, 1,200 square foot restaurant facility and is subject to conditions as stated in the Ordinance

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

I move to pass Ordinance Number 4592, entitled: ORDINANCE GRANTING A SPECIAL USE PERMIT - SUBWAY (15860 S. WOLF ROAD)

This matter was PASSED on the Consent Agenda.

**2010-0058 2010 Land Development Code Amendment
Section 6-314 Environmental Technology Standards**

On March 23, 2010 the Plan Commission voted 5-0 to recommend to the Village Board to approve the proposed Land Development Code Amendments titled "Section 6-314 Environmental Technology Standards", the Land Development Code Amendments in Section 6-404 Easements, and the proposed definitions,

titled "Definitions" at the end of the proposed Section 6-314 for Section 2-102 Definitions, prepared by the Development Services Department and dated February 23, 2010 and March 23, 2010 subject to the following:

1. That the changes outlined in this report replace the respective proposed original amendments in the proposed Section 6-314; and
2. That a consolidated report is provided to the Committee of Trustees.

Since the Plan Commission recommendation the proposed Section 6-314 Environmental Technology Standards were revised further for technical adjustments to the code. These were provided at the August 16, 2010 Committee meeting for review and again at the September 20, 2010 Committee meeting in addition to changes to the review and notification processes for Environmental/Clean Technologies.

On August 16, 2010 the Development Services and Planning Committee moved 3-0 to continue this matter to the September 20, 2010 Development Services and Planning Committee meeting.

At the August 16, 2010 Committee meeting, Committee members discussed how potential renewable energy systems could be reviewed by the Village. The Committee was principally focused on the idea that the public, and in particular residents, should be notified when a renewable energy system is proposed near or in their neighborhood-especially residents that live near commercial areas.

On September 20, 2010 the Development Services and Planning Committee moved 3-0 to recommend to the Village Board to approve the proposed amendments to the Land Development Code Sections 2-102, 6-314 and 6-404 as written in the Board Packet exhibit titled "Section 6-314: Environmental Technology Standards" and "Section 6-404. Easements", prepared by the Development Services Department.

At the September 20, 2010 meeting, the Committee made the following minor changes to the draft code: a) require public notification for geothermal systems as well; b) require a 500 foot notification requirement when commercial uses proposing renewable energy systems are adjacent to residential uses; and c) remove the depth limit for geothermal energy systems so that engineers can determine what is necessary.

The Committee found that the 330 foot notification requirement sufficed for residential renewable energy systems neighboring other residential uses, but felt that 500 feet were needed for commercial renewable energy systems.

I move to approve the proposed amendments to the Land Development Code Sections outlined in this report and as fully referenced in the below motion.

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

I move to approve the proposed amendments to the Land Development Code Sections 2-102, 6-314 and 6-404 as written in the Board packet exhibit titled "Section 6-314: Environmental Technology Standards" and "Section 6-404. Easements", prepared by the Development Services Department.

This matter was APPROVED on the Consent Agenda.

2010-0424 "Parking Vehicle for Sale" Village Code Amendment - Ordinance

Approval is being requested that an amendment be made in the Village Code in Title 9, Chapter 7, Section 3.

The current wording in this section of the ordinance might be vague and should be re-worded to ensure the intent of the ordinance is clear to the public, police and hearing officers.

I move to pass Ordinance Number 4593, entitled: AN ORDINANCE AMENDING TITLE 9 CHAPTER 7 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING STOPPING, STANDING AND PARKING REGULATIONS

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

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

2010-0448 Waste Management Contract Renewal 2010-2013

The Board of Trustees approved entering into a five (5) year contract with Waste Management of Illinois for the collection and removal of garbage, refuse, yard waste and recycling throughout the Village beginning November 1, 2002. Article Six (6) of the Agreement includes language which allows for a three (3) year extension to be negotiated after the initial term of the Agreement. On July 16, 2007 the Board approved a three (3) year extension of the contract (November 1, 2007 - October 31, 2010) with the option to negotiate an additional three (3) year extension beginning November 1, 2010.

While negotiating with Waste Management to extend the contract thru October 31, 2013, staff requested incorporation of the following terms into the contract.

- Waste Management has agreed that no cost increase will be passed on to the residents during the first year of the contract. Thru October 31, 2011, the rate will remain at \$18.55/unit/month. Year two and three of the contract include 2.5% increases per year.
- The Village will reconcile on a quarterly basis the preceding three (3) month billing period of statements provided by Waste management with Village records.

In the event of any discrepancy in said reconciliation between Waste Management and the Village, an adjustment will be applied to the next billing period.

- The Village will provide Waste Management with a list of uncollectable accounts and apply a credit against the monthly invoice for those units that were uncollectable.
- Waste Management will provide a monthly payment of Five Thousand and No/100 (\$5,000.00) Dollars to the Village as a customer loyalty rebate.
- Damaged toters will be replaced free of charge.
- Trash containers will be provided free of charge to multi-family residences.
- Main Street Triangle Streets will be included in the Street Sweeping service.

Waste Management has provided continued exemplary service for the entire time that they have been under contract with the Village of Orland Park. Therefore, it is recommended that Waste Management of Illinois be awarded a three (3) year extension to its existing contract starting on November 1, 2010 through October 31, 2013.

Trustee O'Halloran stated that he would prefer to renew the Waste Management Contract for only a one year extension, in the mean time the Village would go out to bid. He stated that he believes the Village will have a dramatic savings if they go through the competitive bid process.

Trustee O'Halloran requested staff to provide a refuse contract comparison that shows the different surrounding communities rates and service levels.

Trustee Murphy stated that three years ago, Public Works Director Pete Casey did a refuse contract comparison of the surrounding communities and none could compare anywhere near to Waste Managements price and service that was given to Orland Park.

Trustee Murphy stated he believes this current contract before the Board tonight for approval is a very good contract and is in the best interest of the residents of Orland Park that the Board extends this contract for the next three (3) years.

Trustee Schussler stated he oppose paying a 4 percent increase for a one year contract.

Village Manager Grimes stated that there are several communities that their residential rates are significantly lower and that is because they do not have the same level of services as the Village does. For example these communities yard waste is not included. Residents must purchase paper bags and stickers to be placed on each separate bag.

Trustee Dodge stated that he believes Waste Management has given the Village very good service. He also stated that Trustee O'Halloran brought to our attention some issues that need to be addressed by staff.

Trustee Dodge suggested this item be continued for two weeks.

I move to continue this item to the October 18, 2010 meeting.

A motion was made by Trustee James Dodge, Jr., seconded by Trustee Patricia Gira, that this matter be CONTINUED to the Board of Trustees. The motion CARRIED by the following vote:

Aye: 5 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Gira, and Village President McLaughlin

Nay: 2 - Trustee Murphy and Trustee Schussler

COMMUNITY EVENTS & OUTREACH

2010-0502 Approval of Village Golf Outing Expenses

The Village of Orland Park annual golf outing to benefit the Open Lands and Art in the Park programs was held on September 21, 2010 at Silver Lake Country Club. The Board approved the contract for course rental fees of \$6,700 on April 5, 2010. The final bill from Silver Lake is \$13,799.60, including the course rental fees, food, beverages and outing prizes added last minute to accommodate a tie in two of the outing contests.

I move to approve payment of \$13,799.60 to Silver Lake Country Club for services rendered for the annual golf outing.

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

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

BOARD COMMENTS

TRUSTEE GIRA - Reported on the 32nd Annual Orland Open Spelling Bee, which was at the Presbyterian Church in Orland Park on Sunday, October 3, 2010 with Spelling Master Bill Smith. The first place winner was a 16 years old from Crestwood. The second place winner was a 9 years old, a High Point student. The Village was very well representative.

TRUSTEE SCHUSSLER - Reported that he and Trustee Gira were judges at the 32nd Annual Orland Open Spelling Bee. Trustee Schussler stated that he was also a judge at the very first spelling bee 32 years ago.

Trustee Schussler stated that there were two articles of interest in the Illinois Municipal Review magazine that he would like staff to read. The first was an

article on Municipal Health and Wellness Programs. Several items were reported in this article that the Village does not do. Trustee Schussler requested staff to analyze what the article is recommending and how the Village could incorporate these items into Village programs.

The second article was regarding childhood obesity. This article explained how municipalities could participate in a childhood obesity program voluntarily. Trustee Schussler requested staff to research this.

TRUSTEE MURPHY - Reported that the Veteran's Steak Fry was very well attended.

TRUSTEE FENTON - Reported that she has a list of all the winners from the 32nd Annual Orland Spelling Bee and will pass that list on to staff. There were 8 Orland Park winners.

Trustee Fenton reminded everyone of the upcoming events:

--Fall Cleanup Campaign beginning October 21st through 23rd - Dumpsters will be at Public Works for all household waste.

--The Arts Commission is sponsoring "Dark Shadows" film festival on Saturday, October 23rd from 6 PM to 10 PM at the Cultural Arts Center.

--Halloween Hoopla is also Saturday, October 23rd from 4 PM to 7 PM at the Sportsplex.

--Trick or Treat Hours on Halloween, Sunday, October 31st are 2 PM to 7 PM.

--The 22nd Annual Turkey Trout will be held on Thursday, November 25th and is open to all ages.

PRESIDENT McLAUGHLIN – Thanked Trustee Murphy for attending several events in his place this past weekend while he was out-of-town.

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

A motion was made by Trustee Bernard Murphy, seconded by Trustee Brad O'Halloran, that this matter be RECESS. The motion CARRIED by the following vote:

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

RECONVENE BOARD MEETING

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

Purpose of the Executive Session was for the discussion of a) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

ADJOURNMENT - 7:46 PM

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

Aye: 7 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Village President McLaughlin

Nay: 0

/nm

APPROVED: October 18, 2010

Respectfully Submitted,

/s/ David P. Maher

David P. Maher, Village Clerk