

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, January 7, 2013

7:00 PM

Village Hall

Board of Trustees

Village President Daniel J. McLaughlin

Village Clerk David P. Maher

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

CALL TO ORDER/ROLL CALL

In the absence of Village Clerk David P. Maher, Deputy Clerk Joseph S. La Margo was present.

The meeting was called to order at 7:02 PM.

Present: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira and President McLaughlin

Absent: 2 - Trustee O'Halloran and Trustee Griffin Ruzich

VILLAGE CLERK'S OFFICE**2013-0009 Approval of the December 17, 2012 Regular Meeting Minutes**

The Minutes of the Regular Meeting of December 17, 2012, were previously distributed to the members of the Board of Trustees. President McLaughlin asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Meeting of December 17, 2012.

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

Aye: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Griffin Ruzich

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS**2013-0016 Community Pride Awards - Orland Knights Super Bowl XXIX Champions**

President McLaughlin presented Community Pride Awards to the Orland Knights Pee Wee Football Team in recognition of their winning the Chicago Metro Youth Football League Super Bowl XXIX Championship.

This was a presentation, NO ACTION was required.

CONSENT AGENDA**Passed the Consent Agenda**

A motion was made by Trustee Dodge, 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: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Griffin Ruzich

2013-0011 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 December 7, 2012 in the amount of \$1,064,970.84 and the Monthly Hourly Payroll for December 14, 2012 in the amount of \$29,056.99.

This matter was APPROVED on the Consent Agenda.

2013-0003 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 December 18, 2012 through January 7, 2013 in the amount of \$1,830.643.70.

This matter was APPROVED on the Consent Agenda.

2012-0727 Disposal of Certain Village Equipment - Ordinance

The Public Works Department is requesting that the Village declare the equipment described in Exhibit A attached as surplus property and to dispose of the same through Public Surplus.com (online auction). These items are no longer necessary or useful for the Village of Orland Park.

In order to legally dispose of municipal property, the Village must adopt an ordinance that describes the items to be sold.

I move to pass Ordinance Number 4779 entitled: AN ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

This matter was PASSED on the Consent Agenda.

2012-0740 Public Works Automatic Vehicle Locator System - Purchase

In October 2012, the Village Board approved Precise MRM, LLC. of Burnsville, Minnesota, to install Automatic Vehicle Locators (AVL) in twenty-two (22) Village vehicles and equipment. This first phase of the program included two (2) Pace Buses and twenty (20) Public Works Utility Division vehicles.

To continue the phased implementation, a funding source has been identified utilizing excess funds from the FY2012 salt budget. There is currently \$135,229 remaining of the FY2012 budget for the purchase of salt and anti-icing products. Our storage facility is currently at its capacity. Based on past usage, current weather and very conservative estimates, \$59,342 is the maximum funding needed to purchase salt through the end of 2012. The remaining \$75,887 is available to be reallocated toward the continued installation of AVL on the Village fleet.

Continuation of this program will include the installation of a total of seventy-one (71) AVLs - thirty-seven (37) in the Public Works Street Division, one (1) in the Vehicle & Equipment Division, one (1) in the Utility Division, twenty-three (23) in the Parks Department and nine (9) in Building Maintenance. This phase accounts for the entire snow fighting fleet utilized by the Village.

Staff received a quote from Precise MRM, LLC. for the necessary hardware, installation and service fees for installation of AVL devices in seventy-one (71) vehicles totaling \$61,414.29. Monthly airtime fees will also apply depending on vehicle use. Ongoing evaluation has shown the monthly fees to average approximately \$15 per month per vehicle (\$15,000 annually).

There are twenty-five (25) Village vehicles remaining to be equipped with AVL - twelve (12) in the Development Services Department, eight (8) in the Parks Department, three (3) in the Public Works Vehicle and Equipment Division and two (2) in Administration.

I move to approve the purchase, installation and 2013 annual and monthly fees for ninety-six (96) Automatic Vehicle Locator devices and related hardware from Precise MRM, LLC of Burnsville, Minnesota, in an amount not to exceed \$106,414.29.

This matter was APPROVED on the Consent Agenda.

2012-0730 Storm Sewer GIS Survey - Proposal

On November 17, 2008, the Village Board approved the proposal from SPACECO, Inc., of Rosemont, Illinois, for the collection of GIS data and the creation of a Village wide storm sewer atlas. Their proposal, expiring in 2012, was for \$48.00 per structure through the entire length of the agreement. To date more than 12,000 structures have been located covering 65% of the Village. The creation of a storm sewer atlas is a requirement of the National Pollutant Discharge Elimination System (NPDES) Phase II Permit. The information being collected and documentation being provided by SPACECO, Inc. has been excellent.

To complete the project there are an estimated 9,000 structures which need to be

identified and the information collected. To ensure continuity of information, SPACECO, Inc. was requested to provide a proposal to complete the project. They have indicated they would hold their price from 2008 at \$48.00 per structure for years 2013, 2014, 2015 and 2016. Depending upon annual funding, it is expected the work will be completed prior to the expiration of this proposal.

I move to approve accepting the proposal extension from SPACECO, Inc. of Rosemont, Illinois, for the completion of a Storm Sewer GIS Survey at \$48.00 per structure per year for years 2013, 2014, 2015 and 2016 in an amount not to exceed the Board approved budgets.

This matter was APPROVED on the Consent Agenda.

2013-0005 McDonald's - Authorizing Development Agreement - Ordinance

Approval is being requested for a Development Agreement which sets forth terms and conditions for development of a new McDonald's Restaurant at 11111 179th Street in Orland Park.

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

I move to pass Ordinance Number 4780, entitled: ORDINANCE AUTHORIZING DEVELOPMENT AGREEMENT (MCDONALD'S - 11111 W. 179TH STREET)

This matter was PASSED on the Consent Agenda.

2013-0004 Orland Park 159th Street Plaza - Authorizing Development Agreement - Ordinance

A draft Development Agreement was attached to the Board packet, which sets forth terms and conditions for development of the Orland Park 159th Street Plaza located at the northwest corner of 159th Street and 94th Avenue.

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

I move to pass Ordinance Number 4781, entitled: ORDINANCE AUTHORIZING DEVELOPMENT AGREEMENT (ORLAND PARK 159TH STREET PLAZA - 9400 W. 159TH STREET)

This matter was PASSED on the Consent Agenda.

2012-0722 LaGrange Road Corridor - Landscape Architecture Design - Norris Design Proposal - Additional Services Agreement #1

The current roadway design efforts for the LaGrange Road Corridor (Corridor) are under the control and direction of the Illinois District of Transportation (IDOT). IDOT design criteria include standard landscape and roadway improvements defined within their Bureau of Design Engineering (BDE) manuals and related specifications.

On April 19, 2010, the Village adopted a Corridor Master Plan that was developed by T.Y. Lin Associates following a series of meetings with the adjacent Corridor communities: Palos Park, Orland Hills and Tinley Park. The vision of the Corridor Master Plan is to provide certain aesthetic enhancements and multi-mobility options that provide corridor connectivity while retaining community identity.

In order to include Corridor Master Plan elements within the IDOT Corridor plans being developed, the corridor communities must hire a Landscape Architect to develop plans, specifications and estimates for inclusion within the plans being developed by IDOT. Staff has been meeting periodically with the corridor communities on several common topics including the need for aesthetic enhancements.

Following Norris Design's successful project interaction and implementation with landscape and aesthetic enhancements desired by the Village for inclusion with the Village's 143rd Street and LaGrange Road Intersection Improvement project, staff requested that Norris Design prepare and submit a scope and fee proposal to provide similar design services for the IDOT Corridor project.

On January 17, 2011, Norris Design's original proposal of \$111,600 was approved by the Board. Over the last two years the Village and Norris Design have continued to coordinate with Palos Park, Orland Hills, Tinley Park and IDOT on the various enhancements along the LaGrange Corridor. This coordination effort included numerous meetings and development of various exhibits and cost estimates.

Preliminary plans were developed and submitted to IDOT for review as part of the Village's coordinating efforts.

In the upcoming months IDOT will be finalizing the LaGrange Road plans and letting (bidding) the project in March/April 2013. Norris Design will continue to provide plans and specifications to IDOT for various enhancement items to be included in the IDOT contracts. These items include but are not limited to irrigation and monument foundations.

Norris Design, at the request of the Village, has submitted an Additional Service Agreement that includes the necessary work to complete the Village's LaGrange Road enhancements, both for IDOT's contracts and the Village's separate enhancement contract. Additional Services include but are not limited to:

Revisions to the overall landscape enhancements based on coordination with the other communities and IDOT;

Coordination with IDOT's new design consultant on enhancement items such as monument foundations and placement, drainage, median design, cross walk design and brick paver sidewalks;

Development of new monument concepts based on coordination with the corridor communities;

Preparation of enhancement matrices for the corridor communities in order to assist IDOT in the creation of the forthcoming Intergovernmental Agreement (IGA);

Structural design of the monuments, walls and columns; and

Assistance with the overall bidding process and responding to contractor's request for information (RFI).

Please note that these services are included for all three segments of LaGrange Road from 179th Street to 131st Street.

I move to approve the Additional Services Agreement #1 with Norris Design in the amount of \$91,300 as outlined in their proposal.

This matter was APPROVED on the Consent Agenda.

2012-0664 Build Orland 2013

The 'Build Orland' program was instituted by the Village Board of Trustees in 2010. The goal of the program was to encourage new growth and development through the temporary reduction and deferral of permit and impact fees. In 2011 & 2012, the program was renewed but only for new residential projects. In summary, new residential projects received a 25% reduction on permit/impact fees and a 50% reduction on water tap fees. Additionally, projects were also allowed to defer the payment until final occupancy. Projects with pre-existing incentive/inducement agreements (i.e. sales tax sharing) were not eligible for the program. Additionally, projects with existing development/annexations agreements could only receive one 'discount' of fees, either those set by agreement or the Build Orland, whichever is greater.

The Results - 2010-2012

In 2010, a total of 166 projects (both commercial and residential) benefitted from the program, with an overall financial savings of \$153,171.

In 2011, a total of 24 new residential projects benefitted from the program, with an overall financial savings of \$108,364. The average savings per project was \$4,515.

In 2012 (YTD), a total of 55 new residential projects benefitted from the program with an overall savings of \$489,663. The average savings per project was \$8,903. The average is higher this year because there were more permits issued for townhome buildings, which include more than one unit per permit.

2013 Recommendation

Given the increased stability in the housing market and the increase in housing starts in Orland Park, staff recommends renewing the program to continue to allow the deferred payment of the fees until occupancy. However, staff does not recommend continuing the reduction in fees. Fees would be collected at the same rates as they were prior to 2010.

I move to approve the extension of the 'Build Orland' program for the FY 2013, for new residential permits, as fully referenced above.

This matter was APPROVED on the Consent Agenda.

2012-0498 16555 S. 108th Avenue Rezoning - RZ, LP

A detailed discussion of the overview and background for this rezoning petition can be found in the attached Plan Commission report. Below is a summary of the background.

- 1998: Property force-annexed, E-1 Zoning
- 1998- 2009: zoned E-1, Legal Non-Conforming status
- 2009: Board approved 'Orland Medical Realty' Planned Development, rezoned to ORI
- 2009: Project stalled, final engineering never completed, rezoning and special use ordinance never passed
- 2010: Legal non-conforming use status ends after existing use leaves
- 2012: 2009 Special use and rezoning approvals expired
- 2012: Industrial property in E-1 is unusable
- 2012: For existing industrial buildings to be legally used, ORI is petitioned to match surrounding zoning.

This is a unique rezoning request. Normally, as a matter of policy, a rezoning is accompanied by a site plan and a proposed use. In the past, rezoning has been commonly associated with redevelopment since an E-1 district, for example, may have a house on it and its rezoning would be required for a redevelopment to an office park. In this case, the rezoning is requested for an existing industrial site with an established site plan that was intended for the uses outlined in the ORI zoning district. A site plan is therefore not necessary for this rezoning since the site is already capable of accommodating ORI uses.

The Comprehensive Plan and the surrounding zoning support rezoning to ORI for land use conformity.

The petitioner is not proposing to change the site plan or the appearance of the building elevations with this project. The site plan will remain in its existing state.

Even so, incremental improvements are requested to bring the property closer into conformity with the Land Development Code and bring the property closer to ORI development standards. Specifically, these include improvements for landscaping, property maintenance and right-of-way dedication.

This petitioner is not requesting any variances or modifications for the property rezoning.

The recommendation motion includes the following conditions:

- 1) Upgrade the parking facilities, including drive-ways and drive-aisles by repairing any pavement issues and program and stripe the parking field with organized parking spaces.
- 2) Use the 2009 Board approved redevelopment plan as a starting point to implement parking lot and landscaping requirements.
- 3) Complete a right-of-way dedication for a 50 foot wide area at the front of the property to Cook County for 108th Avenue.
- 4) Screen all mechanical equipment, utility conduits and enclosures from view of neighboring properties and the right-of-way.

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

The plans and drawings for this project have been provided in hard copy only.

The incremental improvements related to the rezoning attempt to acknowledge the future redevelopment of the property and to work with that eventuality using the previously approved planned development as a starting point. While the improvements are sourced from the 2009 Orland Medical Realty site plan, a site plan change is not proposed for this project. Parking lot enhancements and required parking spaces related to the incremental improvements can be accommodated within the pre-existing parking field.

A landscape plan, however, is provided to determine bufferyards and other landscaping changes. The landscape plan is included for review (see discussion below). The proposed landscape plan depicts some of the conditions identified by the Plan Commission recommendation motion conditions.

Since the Committee meeting, conditions 1 and 3 have been met and have been removed from the below condition.

LANDSCAPE PLAN

In addition to the rezoning approval, an approval for a new landscape plan for the property is requested as an incremental improvement for the rezoning. The Village Board will approve both the rezoning and the landscape plan in the same motion.

Per Code requirements, the petitioner submitted a landscape plan that has been reviewed and approved by the Village's Landscape Architect consulting firm. A copy of the approval memo is attached for review. The memo included a set of conditions that have been incorporated in the attached plans.

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

I move to approve a rezoning and a landscape plan for 16555 S. 108th Avenue as recommended at the December 17, 2012 Development Services Committee meeting and as indicated in the below fully referenced motion.

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

I move to approve the rezoning of the property located at 16555 S. 108th Avenue, as depicted on the plat of survey titled "ALTA/ACSM Land Title Survey 16555 S. 108th Avenue Orland Park, IL", prepared by Genesis Surveying and Engineering, P.C., dated 06-29-09, from E-1 Estate Residential District to ORI Mixed Use District subject to the following conditions:

- 1) Upgrade the parking facilities, including drive-ways and drive-aisles by repairing any pavement issues and program and stripe the parking field with organized parking spaces.
- 2) Use the 2009 Board approved redevelopment plan as a starting point to implement parking lot and landscaping requirements.
- 3) Complete a right-of-way dedication for a 50 foot wide area at the front of the property to Cook County for 108th Avenue.
- 4) Screen all mechanical equipment, utility conduits and enclosures from view of neighboring properties and the right-of-way.

And

I move to approve the landscape plan for 16555 S. 108th Avenue, as depicted on the landscape plan titled "Commercial Building 16555 S. 108th Avenue Orland Park, Illinois", prepared by Nellis Landscaping, dated 12/5/12 subject to the same conditions as above.

This matter was APPROVED on the Consent Agenda.

PUBLIC WORKS AND ENGINEERING

2013-0014 Oak Lawn Water Negotiations Consultant Agreement

Village Manager Grimes reported that in August of 2009, the Village engaged WRB, LLC for consulting services related to due diligence review and the negotiations for contract renewal with Oak Lawn for water supply. A second agreement was entered into subsequently in April of 2011. To date, the summary of expenses related to Bill Balling is as follows: August 2009 - \$60,000; April 2011 - \$45,000; Total - \$105,000.

Of the amounts listed above, the Village is responsible for 33% of the expense \$34,650. The remaining 67% is paid from Mokena (10%), New Lenox (18%), Oak Forest (11%) and Tinley Park (28%). The Village of Tinley Park acts as the administrator of the contract.

At present, our authorized expenditure for WRB, LLC is almost exhausted. At this time, we have made substantial progress with Oak Lawn and are on target to complete the negotiations in 2013. The group of five (5) communities has asked WRB, LLC to submit proposed for what it would take to get the contract done. A summary of the work to be done is provided below:

1. Prepare for and attend joint extended meetings with Oak Lawn general in Chicago to work on the agreement itself. To accomplish the finalization, it is estimated that three meetings of five hours in duration will be scheduled;
2. Internal staff meeting to work with the Finance and Public Works Directors as well as Malcolm Pirnie Arcadis to address the final Agreement issues;
3. Managers' meetings in December, January and February to finalize the agreement;
4. Mayors meetings. It is anticipated that meetings will be scheduled in January and February to complete the document and overall presentation strategy;
5. Perform Tasks to finalize Agreement; and
6. Perform Post Agreement Tasks.

The Managers' Committee has reviewed the scope of services for WRB, LLC and recommends approval of the proposal in an amount not to exceed \$45,000. As noted above, the combined amount will be distributed on a prorata basis and the Village's exposure would be \$14,850 (33%). However, the way the proposal is written, we are not obligated to pay the full amount if the hours are not used.

I move to authorize a budget adjustment of \$14,850.

And

To approve entering into a cost sharing agreement with the Villages of Tinley Park, Mokena and New Lenox and the City of Oak Forest to pay Orland Park's proportionate share of fees to WRB, LLC in an amount not to exceed \$14,850.00.

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

Aye: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Griffin Ruzich

NON-SCHEDULED CITIZENS & VISITORS

Richard Steelman, 14210 South 84th Avenue spoke before the Board on issues that he wanted to make sure the Board was aware of regarding the Foot Bridge over Route 45. Mr. Steelman spoke of engineering and construction problems.

President McLaughlin stated that Village staff is aware of these issues, which is not unusual on this type of project. This foot bridge is expected to be open for use in the spring.

Village Manager Grimes explained that the State is leading this project. The State does have a construction engineer on site. The Village helped fund this budge through a Grant that was received. This is all a part of the Metra Bridge Replacement Project.

Mr. Steelman also made a request that the Board entertain adopting Liquefied Natural Gas (LNG) to power the Village's fleet of vehicles. The Ozinga Construction Company made that change over to LNG. They constructed a fuel island for their fleet and have cut their fuel costs in half in just one year.

President McLaughlin stated that over the past 10 years the Village has been experimenting with different fuels on the Village's fleets that have been saving the Village money all during that time. The Village will continue to try different fuels, cutting our fuel costs in half may not be an option for the Village because the Village has already been saving money for the past 10 years.

President McLaughlin thanked Mr. Steelman for this suggestion and assured him that staff is continuing to research into fuel savings for the Village.

(See Trustee Schussler's remarks in Board Comments regarding LNG)

BOARD COMMENTS

TRUSTEE GIRA - Reminded everyone that the ice arena is open and there will be a snowman building contest on January 10, 2013 (weather permitting).

The Chili Willie Challenge will take place on Saturday, January 19, 2013 at 2:00 PM at the Orland Park Civic Center. The cost is \$5.00 for all you can eat chili.

TRUSTEE SCHUSSLER – Regarding Mr. Steelman, who spoke during the Non-Schedule Citizens & Visitors part of the Agenda regarding the Liquefied Natural Gas (LNG).

Trustee Schussler stated as Chairman of the Public Works and Engineering Committee he has already had discussions with Infrastructure Maintenance Director John Ingram regarding LNG. It is not as simple as Mr. Steelman has stated to convert. There are major obstacles to using this type of fuel.

There would be a very large one-time Capital expense to construct the fueling island. There are problems to fill the vehicles; it takes a long time to fill a tank, for example overnight. That is how Waste Management fuels their trucks, overnight.

Waste Management has converted part of their fleet to condensed Liquefied Natural Gas and over a 10 year period plans to have all their fleet converted.

Trustee Schussler stated that the Village is researching LNG to see if this type of fueling would save the Village money in the long run, even though there is a large one-time Capital expense.

TRUSTEE FENTON – Wished everyone a happy and health New Year!

EXECUTIVE SESSION

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

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

Aye: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Griffin Ruzich

RECONVENE BOARD MEETING

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

Purpose of the Executive Session was for the discussion of a) the purchase or lease of real property for the use of the village; b) setting a price for sale or lease of village property.

ADJOURNMENT - 7:58 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: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Gira, and President McLaughlin

Nay: 0

Absent: 2 - Trustee O'Halloran and Trustee Griffin Ruzich

/nm

APPROVED: January 21, 2013

Respectfully Submitted,

/s/ David P. Maher

David P. Maher, Village Clerk

/s/ Joseph S. La Margo

Joseph S. La Margo, Deputy Clerk