

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, May 6, 2013

7:00 PM

Village Hall

Board of Trustees

*Village President Daniel J. McLaughlin
Village Clerk John C. Mehalek
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

The meeting was called to order at 7:00 PM

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

PRESENTATION OF COLORS

The Orland Park Police Color Guard posted the colors.

INVOCATION

Father Edward McLaughlin gave the Invocation.

VILLAGE CLERK'S OFFICE**2013-0250 Approval of the April 15, 2013 Regular Meeting Minutes**

The Minutes of the Regular Meeting of April 15, 2013, 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 April 15, 2013.

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and President McLaughlin

Nay: 0

Abstain: 1 - Trustee Griffin Ruzich

2013-0255 Chicago White Sox Charities Inc.- Raffle License

The Chicago White Sox Charities, Inc. is requesting a license to sell raffle tickets in Orland Park from May 7th thru August 2013 at the Mercedes-Benz of Orland Park, 8430 West 159th Street, car dealership. The purpose of this raffle is to help benefit the many charities that the White Sox Charities support. The drawing will be at 1:00 PM on September 5, 2013 at US Cellular Field.

I move to approve issuing a raffle license to the Chicago White Sox Charities, Inc. to sell raffle tickets in Orland Park from May 7th through August 2013 at the Mercedes-Benz of Orland Park of Orland Park dealership.

A motion was made by Trustee O'Halloran, seconded by Trustee Dodge, that this matter be APPROVED. The motion carried by the following vote:

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

Nay: 0

2013-0278 Orland Park Veterans Commission - Raffle License

The Orland Park Veterans Commission is requesting a license to sell raffle tickets beginning May 7th and at the Orland Park Lions Club Orland Days event May 29 - June 2, 2013. The winning raffle chance will be determined at 8:00 PM on June 2, 2013 at the Orland Days event. This is for a split the pot raffle.

I move to approve issuing a raffle license to the Orland Park Veterans Commission to sell raffle tickets beginning May 7th and at the Lions Club Orland Days event on May 29th thru June 2nd, 2013 with the drawing at 8 PM on June 2, 2013.

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

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

Nay: 0

CONSENT AGENDA

Passed the Consent Agenda

A motion was made by Trustee O'Halloran, 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 Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, Trustee Griffin Ruzich, and President McLaughlin

Nay: 0

2013-0270 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 April 12, 2013 in the amount of \$919,075.32 and the Monthly Hourly Payroll for April 12, 2013 in the amount of \$26,023.14.

This matter was APPROVED on the Consent Agenda.

2013-0269 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 April 16, 2013 through May 6, 2013 in the amount of \$2,921,884.61.

This matter was APPROVED on the Consent Agenda.

2013-0222 Disposal of Certain Seized Vehicles at Public Auction - Ordinance

The Police Department requests that the Village declare (1) one forfeited vehicle (2001 Dodge Ram) herein as excess property, be disposed of at public auction. The vehicle was 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 4815, 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.

2013-0241 2013 Pond Fish Stocking Program - Proposal

Over the last several years, the Public Works Department has stocked many of our public ponds with game fish for resident recreation. Feeder fish are also added to augment the food chain for the game fish. This program has been very well received by our residents.

This year, the Public Works Department will be working with the Parks Department to stock Lake Sedgewick and four other Public Ponds (Capistrano, Eagle Ridge #4, Fawn Trail and Marley Middle Pond).

One of the benefits to fish stocking of ponds is that it helps in preserving water quality and aesthetics of the pond as well as the feeder fish themselves feed on mosquito larvae. In the ponds that have been previously stocked, a noticeable improvement has been seen in overall quality of the pond. This year approximately 70% of stocking will take place at Lake Sedgewick due to its size and recreational activity. Since this pond is directly connected to Colette Pond, it will also have a positive impact there as well.

Pricing for game fish was requested and feeder stock for this year from Opossum Hill Fish Farm of Edwardsville, Illinois, and Jones Fish and Lake Management of Fort Wayne, Indiana. The pricing for fish and feed stock from Opossum Hill was \$8,999.75. Jones Fish and Lake Management submitted a price just over \$14,000.00.

The Public Works Department has had a very good relationship over the last four years with Opossum Hill as their quality and heartiness of their stock has been outstanding.

I move to approve accepting the proposal submitted by Opossum Hill Fish Farm of Edwardsville, Illinois, for the purchase of game and feeder fish stock for a cost not to exceed \$8,999.75.

This matter was APPROVED on the Consent Agenda.

2013-0273 ComEd Green Region Program Grant Resolution

The ComEd Green Region Program offers small grants to local governments and non-profits in our region for the protection and improvement of open space. Potentially covered expenses include land acquisition, planning, and physical site improvements such as passive recreational facilities and plant and animal community restoration. The grant is limited to \$10,000 maximum, and requires an equal local match. Grant recipients may apply for additional grants on a biennial basis.

In April 2012, the Village purchased the 3.5 acre former Pebble Creek Nursery property on LaGrange Road with funds from the Village's Open Lands Program, and with the vision to restore and preserve the land, and in the long term, convert the existing building to a Nature Center. The Pebble Creek property is adjacent (across LaGrange Road) to vast Cook County Forest holdings including McGinnis Slough, known region wide for its bird populations.

The recently acquired property is in poor condition, and will require considerable money and effort to clean up and restore to its natural state. An inspection of the site was conducted by Planning Resources Inc. in the summer of 2012, which generated a detailed list of needed clean up tasks and general recommendations. The Open Lands Commission has committed to provide initial funds for the Pebble Creek site clean-up and restoration, however their funds are limited. It is hoped the Com-Ed Grant can assist with the costs of initial planning and/or site restoration. In the future, additional funds will be needed for further planning and the construction of on site improvements including trails, boardwalks, bird habitat restoration, etc. Additional grants, including re-application to the ComEd Green Regions program, will be pursued at that time to help meet those expenses.

I move to pass Resolution Number 1305, entitled: A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR A COMED GREEN REGION PROGRAM GRANT.

This matter was PASSED on the Consent Agenda.

2013-0274 Establishing Village of Orland Park Special Service Area Number 1 - Ordinance

On April 15, 2013 a public hearing was held before the Board of Trustees

regarding the establishment of a special service area for the Marquette Bank Redevelopment project, located at 143rd & LaGrange Road. The ordinance is now before the Village Board for consideration and approval.

I move to pass Ordinance Number 4816, entitled: AN ORDINANCE ESTABLISHING VILLAGE OF ORLAND PARK SPECIAL SERVICE AREA NUMBER 1

This matter was PASSED on the Consent Agenda.

2013-0242 16051 South LaGrange Road Watermain Repair - Board Approval

On March 20, 2013, the Public Works Utility Division Staff was notified of a possible watermain break in the field (16051 South LaGrange Road) near the northwest corner of 161st Street and LaGrange Road. Upon investigation, it was determined to be a leak on the 16" watermain. Due to the site conditions and size of the main, Airy's, Inc. of Tinley Park, Illinois, was called in to make the emergency repair. Total cost for this work which was completed very quickly amounted to \$6,335.29.

I move to approve payment to Airy's, Inc. of Tinley Park, Illinois, for the March 20, 2013, emergency watermain repair at 16051 South LaGrange Road in an amount not to exceed \$6,335.29.

This matter was APPROVED on the Consent Agenda.

DEVELOPMENT SERVICES AND PLANNING

2013-0266 Water Use Conservation for the Lake Michigan Water Communities of the Chicago Southland - Resolution

In June 2012, the Village Board considered and reviewed the draft Water Use Conservation Strategic Plan and Ordinance, prepared with the Chicago Metropolitan Agency for Planning (CMAP) via a Local Technical Assistance (LTA) grant that was awarded in March 2011.

At the June 2012 meeting the Village Board requested staff to reach out to neighboring communities and share the draft strategy for input. A stakeholder group was assembled comprising of high level managers and directors from Tinley Park, Mokena, New Lenox, Oak Forest and Orland Park. The stakeholder group met twice and corresponded between meetings to discuss the draft strategy and to identify ways in which all the communities on this part of the Oak Lawn water system can join the water conservation effort.

The attached resolution to the Board Packet was composed as a result of these inter-municipal discussions. Staff from the neighboring communities agreed to place the resolution before their respective Boards for a vote.

The water conservation discussions and subsequent composition of the attached

resolution ran parallel to the ongoing Oak Lawn water system negotiations between customer communities and Oak Lawn.

This is now before the Village Board for consideration of the Resolution.

I move to pass Resolution Number 1306, entitled: RESOLUTION FOR WATER USE CONSERVATION FOR THE LAKE MICHIGAN WATER COMMUNITIES OF THE CHICATO SOUTHLAND

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

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

Nay: 0

2013-0154 The Joy of Thai Restaurant - SU

The Fountain Square shopping center was approved in 2005 with the original ability to host two restaurants, one at the east end and the other at the west end. Each end of the shopping center was originally planned to have wider sidewalks for outdoor seating areas immediately adjacent to the two storefronts. However, only the east end subject unit was constructed with the outdoor seating area. The west end unit's area was landscaped.

The shopping center is currently host to a dental practice and Anytime Fitness, with three units vacant. The Joy of Thai Restaurant is proposed for the eastern most unit, while Great Clips is relocating to a middle unit from their current location half a block west of the subject site at 179th Street and Wolf Road (the proposed location of McDonalds). As a result, The Joy of Thai Restaurant will be the only restaurant in the shopping center.

The petitioner proposes to open, operate and maintain a 1,800 square foot restaurant in the Fountain Square shopping center, located at Fountain Circle and 179th Street. Restaurants located within 300 feet of residential properties require special use permits.

At the Plan Commission meeting, a number of residents came out to learn about the project. Two provided testimony at the public hearing sharing their concerns for noise issues from regularly visiting garbage trucks early in the morning, loud rooftop mechanical equipment, potential smells emanating from the rooftop exhaust systems and open backdoors, and the effects of these concerns on surrounding property values, particularly as is related to the construction of future Fountain Village townhomes.

The neighbor immediately to the south of the proposed restaurant, Mr. Richard Dennison, indicated that the rooftop mechanical systems would be within 100 feet

and in view of his second and third level townhome windows (kitchen and bedrooms). Mr. James Staunton, the builder of Fountain Village, submitted a petition to the Village signed by seventeen (17) residences of Fountain Village against the proposed restaurant citing the noise and smell issues (as well as rodent issues).

One of the Plan Commissioners was not satisfied with the responses to the Special Use Standards that the petitioner provided and believed that the concerns raised by the neighboring residents would impact neighboring property values.

Some design considerations were discussed at the meeting, including the following:

- Moving the masonry garbage enclosure to the west end of the shopping center (although this would be costly, requiring the restaurant to transport its garbage across the site, place it in front of the Fountain Village public park and be in full view of all existing residential properties and immediately adjacent to the front doors of the future townhomes);
- Requiring the petitioner to have a more robust cleaning schedule for interior kitchen exhaust filters and duct cleaning;
- Positioning the rooftop equipment related to exhaust as far north and west over the tenant space and away from the residential property as possible;
- Turning the exhaust vents away from the residential property; and
- Screening the rooftop equipment as a barrier to noise and sight line issues (from the residential property and, potentially 179th Street).

The majority of the Plan Commissioners generally agreed with these design considerations (with exception to moving the garbage enclosure). That agreement resulted in the fourth condition being added at the meeting. They noted the original approvals included two spaces for restaurants as part of the planned development from 2004/2005 and that the shopping center would go from 60% vacant to 80% occupied.

I move to approve a site plan and Special Use Permit for Joy of Thai Restaurant at 11013 W. 179th Street as recommended at the April 15, 2013 Development Services Committee Meeting and as fully referenced below.

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

I move to approve the site plan titled "Tenant Remodel Thai Restaurant Located at 11013 West 179th Street Orland Park Illinois 60467", prepared by BR Design and Architecture, dated 12/17/12, subject to the same conditions noted in the below motion for a special use permit.

And

I move to approve a Special Use Permit for The Joy of Thai Restaurant, located at

110013 179th Street, subject to the following conditions:

- 1) Repair the gates of the shared garbage enclosure.
- 2) Establish a regular schedule of garbage collection to mitigate the restaurant's impact on the share enclosure.
- 3) Keep the garbage enclosure in good working order.
- 4) That the petitioner work with staff on engineering methods and equipment that would possibly enhance control of the exhaust from the rooftop unit as well as any options to control noise from the outdoor seating area, this can be done during the permitting process.

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

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

Nay: 0

MAYOR'S REPORT

2013-0275 Amend Policy Governing Restriction on Organizations Special Events with Alcohol - Resolution

A request was made to the Village President/Liquor Commissioner for consideration to allow the Lions Club to serve alcoholic beverages other than beer and wine at the upcoming Orland Days event. The attached Resolution in the Board packet amends removes the "beer and wine only" restriction.

In addition, in order to accommodate wine sales at the Village's summer concert event the restriction of glass containers has also been removed.

Both of these amendments will allow the Liquor Commissioner to use discretion on a case by case basis to allow certain liquor sales during special events conducted on Village parks.

I move to pass Resolution Number 1307, entitled: RESOLUTION APPROVING AN AMENDMENT TO VILLAGE POLICY GOVERNING RESTRICTIONS IMPOSED UPON ORGANIZATIONS SELLING OR DELIVERING ALCOHOLIC BEVERAGES DURING SPECIAL EVENTS CONDUCTED ON VILLAGE PARKS

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

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

Nay: 0

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS**2013-0246 Oaths of Office - Village Officials**

The Cook and Will County Canvassing Boards met and declared that the following mayor, clerk and trustees were re-elected for a full 4-year term:

Village President - Full 4-year Term: Daniel J. McLaughlin (re-elected)

Village Clerk - Full 4-year Term: John C. Mehalek (elected)

Village Trustees - Full 4-year Term:

Kathleen M. Fenton (re-elected)

Brad S. O'Halloran (re-elected)

James V. Dodge (re-elected)

President Daniel J. McLaughlin administered the Oath of Office to the Village Clerk and Village Trustees.

Illinois Supreme Court Justice Anne M. Burke administered the Oath of Office to President Daniel J. McLaughlin.

Oaths of Office were administered, NO ACTION was required.

ADJOURNMENT - 7:35 PM

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

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

Nay: 0

/nm

APPROVED: May 20, 2013

Respectfully Submitted,

/s/ John C. Mehalek

John C. Mehalek, Village Clerk