

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, November 2, 2009

7:00 PM

Village Hall

Board of Trustees

Village President Daniel J. McLaughlin

Village Clerk David P. Maher

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

CALL TO ORDER/ROLL CALL

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

Present: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira and Village President McLaughlin

Absent: 3 - Trustee Fenton, Trustee Dodge and Trustee Schussler

2009-0528 Presentation of Colors

Boy Scout Troop 442, under the direction of Christopher Sivak, presented the colors.

This was a presentation, NO ACTION was taken.

VILLAGE CLERK'S OFFICE**2009-0510 Release of Executive Session Minutes - January through June 2009**

Legal Counsel has reviewed the Executive Session Minutes from January through June 2009 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 October 19, 2009, Executive Session.

I move to approve releasing for public inspection the January through June 2009 Executive Session minutes, or portions thereof, that no longer require confidential treatment.

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

2009-0517 Approval of the October 19, 2009 Regular Meeting Minutes

The Minutes of the Regular Meeting of October 19, 2009, were previously distributed to the members of the Board of Trustees. President McLaughlin asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Meeting of October 19, 2009.

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

Aye: 3 - Trustee Murphy, Trustee O'Halloran, and Village President McLaughlin

Nay: 0

Abstain: 1 - Trustee Gira

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

2009-0511 Approval of the October 19, 2009 Special Meeting Minutes

The Minutes of the Special Meeting of October 19, 2009, were previously distributed to the members of the Board of Trustees. President McLaughlin asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Special Meeting of October 19, 2009.

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS

2009-0519 Community Pride Award - Eagle Scout

President McLaughlin presented the Community Pride Award to Erhard Menker in recognition of his earning the rank of Eagle Scout in the Boy Scouts of America Troop 442.

This was a presentation, NO ACTION was taken.

2009-0463 Community Relations Commissions - Appointment

President McLaughlin appointed Mary Seery to the Community Relations Commission.

I move to advise and consent to the appointment by Mayor McLaughlin of Mary Seery to the Community Relations Commission.

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

2009-0464 Parking and Traffic Advisory Board - Appointment

President McLaughlin appointed Mary Seery to the Parking and Traffic Advisory Board.

I move to approve the appointment by President McLaughlin of Mary Seery to the Parking and Traffic Advisory Board.

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

CONSENT AGENDA

Passed the Consent Agenda

A motion was made by Trustee Murphy, seconded by Trustee Gira, 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: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

2009-0522 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 October 30, 2009 in the amount of \$911,642.35.

This matter was APPROVED on the Consent Agenda.

2009-0527 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 October 20, 2009 through November 2, 2009 in the amount of \$1,317,917.82.

This matter was APPROVED on the Consent Agenda.

2009-0502 Disposal of Certain Seized Vehicles at Public Auction - Ordinance

The Police Department requested approval to declare one vehicle, a 1996 Honda Civic, as excess property and to dispose of at public auction. This 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 4516, entitled: ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

This matter was PASSED on the Consent Agenda.

2009-0437 Meijer ORL

The petitioner, Darren Gort, Rockford Construction Company, is requesting approval for a Special Use Permit for Meijer stores to operate a retail and grocery store, including a drive-thru pharmacy and a deli with on site food preparation. They are also seeking Site Plan and Elevation approval. The retail and grocery store will be located at 15701 S. 71st Court (Harlem) on 15.35 acres.

I move to approve of Meijer for Site Plan, Elevations and a Special Use as recommended at the October 16, 2009, Development Services and Planning Committee meeting and as fully referenced below.

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

I move to approve the "Final Site Plan, Meijer Store # ORL" by SSOE Inc, sheet numbers C100 and C101, dated September 11, 2009, revised October 19, 2009, subject to the following conditions:

1. A Final Landscape Plan is submitted for separate review and approval within 60 days of final engineering approval that includes at a minimum the new plant material shown on the Site Plan and with the following conditions:
 - a. All existing trees and shrubs are to be preserved & protected during construction unless otherwise indicated on the Site Plan.

b. Diseased or dead existing plant material is to be replaced.

2. All Engineering and Building Code items are to be met.

and

I move to approve the Elevations titled "Meijer ORL" by SSOE Inc, and dated October 19, 2009, subject to the following conditions:

1. All new mechanical equipment is required to be screened, either at grade level with landscaping or hidden behind the roofline.

2. Sign Code must be met and sign permits obtained.

and

I move to approve a Special Use Permit for a commercial retail facility that exceeds a floor area of 50,000 square feet and that includes a deli with on site food preparation and a drive-thru pharmacy with a modification for the number of stacking spaces from seven to four.

This matter was APPROVED on the Consent Agenda.

2009-0499 Meijer Sales Tax Rebate Agreement

The Village has received a request from Meijer Stores, Ltd. to enter into a Sales Tax Rebate Agreement for their new store to be located at 15701 71st Court in Orland Park. This property was home to the former Value City and Venture Stores and has been vacant since December 2008.

Meijer Stores, Ltd. will reoccupy and renovate the existing 115,000 square feet building, into their new proto-type store. Orland Park is the second community in the Chicago area to be selected for this new store format. Meijer is currently renovating a former Value City store in Niles, Illinois. The store will include a full grocery and drive-through pharmacy, as well as, general merchandise. Meijer's reinvestment in Orland Park includes the following:

- Acquisition of vacant property;
- Investment of \$9.5 million in external and internal renovations;
- Estimated 130 construction jobs;
- Estimated 150 jobs created (56 full-time; 94 part-time);
- Estimated annual payroll of \$4.25 million;
- Estimated annual sales of \$30-45 million;
- Anticipated Store Opening - 2nd Quarter of 2010.

Proposed Terms of Sales Tax Rebate Agreement

Given the location of the proposed Meijer Store, staff believes this project will help to stabilize and revitalize an area of Orland Park (Bremen Township) in need of reinvestment. Additionally, this area has been designated as a redevelopment area by Cook County under the South Suburban Tax Reactivation Program. The presence of Meijer, as a commercial anchor in this area, will not only increase the property values and sales tax of the subject property, but will also positively impact other existing restaurants and retailers in the immediate area. Based upon this analysis, staff recommends approval of the following terms:

1. Maximum Sales Tax Rebate of \$1.5 million
2. 45% (Meijer)/ 55% (Village) Annual Allocation
3. Initial 5 year term - with a possible 5 year extension if full incentive is not realized. Meijer would need to demonstrate stable sales in order to exercise their renewal option. An average annual sales tax base of \$227,500 (during initial 5 year term) would be set as a minimum renewal threshold.
4. All incentive monies would be required to be paid back to the Village in the event that Meijer would close within the ten year term.

I move to approve a Sales Tax Rebate Agreement with Meijer Stores, Ltd., as fully referenced in this communication.

This matter was APPROVED on the Consent Agenda.

2009-0498 Meijer Class 8 Real Estate Tax Incentive - Resolution

The Village has received a request from Meijer Stores, Ltd. for approval of the Class 8 Real Estate Tax Incentive for the property located at 15701 71st Court (Harlem) in Orland Park. This property was home to the former Value City and Venture Stores. The subject property has been vacant since December 2008. Since this property is located in Bremen Township, the Class 8 incentive is available to assist with the redevelopment of the subject property.

Meijer Stores, Ltd. plans to reoccupy and renovate the existing 115,000 square feet building. Their reinvestment in Orland Park includes the following:

- Acquisition of the property;
- Investment of \$9.5 million in external and internal renovations;
- Estimated 130 construction jobs;
- Estimated 150 jobs created (56 full-time; 94 part-time);
- Estimated annual payroll of \$4.25 million;
- Anticipated store opening - 2nd Quarter of 2010.

Meijer Stores, Ltd. is requesting approval of the Class 8 incentive under the "Occupation of Abandoned Property-with Special Circumstances." Under this

classification, the required 24 month abandonment period can be waived by the local municipality. This waiver is included in the attached resolution.

Upon approval by the Village Board and Cook County, under the Class 8 Real Estate Tax Incentive program, the property assessment (after renovations) will be reduced from 38% to 16% for ten years.

I move to pass Resolution Number 0911, entitled: A RESOLUTION DETERMINING THE APPROPRIATENESS FOR CLASS 8 STATUS PURSUANT TO THE COOK COUNTY REAL PROPERTY CLASSIFICATION ORDINANCE, AS FROM TIME TO TIME AMENDED, SPECIFICALLY FOR THE SPECIAL ASSESSMENT OF "OCCUPATION OF ABANDONED PROPERTY - WITH SPECIAL CIRCUMSTANCES" FOR CERTAIN REAL ESTATE BEING REOCCUPIED AND RENOVATED BY MEIJER STORES, LTD. AND LOCATED AT 15701 71ST COURT, IN BREMEN TOWNSHIP, ORLAND PARK/COOK COUNTY, ILLINOIS, PIN NUMBER 28-18-310-015-0000.

This matter was PASSED on the Consent Agenda.

2009-0523 Orland Fire Protection District Training Facility - Landscape Plan

The Village Board approved plans for the Orland Fire Protection District, located at 10730 W. 163rd Place, in February of 2009. The petitioner has since submitted a landscape plan for review per Code requirements.

I move to approve the Landscape Plan titled, 'Orland Park Fire Training Facility', prepared by Beary Landscaping, dated 08-21-09, most recent revision 10-21-09, project number 09-B, sheets L1, L2 and D1 with no conditions.

This matter was APPROVED on the Consent Agenda.

2009-0524 Community Honda - Record Plat of Subdivision

This request is for approval of a record plat of subdivision for Community Honda located at 159th Street and 84th Avenue. The petitioner has proposed to consolidate two lots to combine the .63 acre parcel with the PIN number of 27-14-401-018-0000 with the 4.23 acre parcel with the PIN number of 27-14-401-012-0000.

On August 3, 2009 the Village Board approved the final plan.

Staff has reviewed the Record Plat of Subdivision and finds it to be substantially in conformance with the approved final plan.

This is now before the Village Board to authorize signature of the plat.

I move to approve the Record Plat of Subdivision for Community Honda Subdivision, prepared by Burke Engineering Corporation, Project No. 09-77, dated 08-24-09.

And

I move to approve the signature of the plat by the authorized parties.

This matter was APPROVED on the Consent Agenda.

2009-0257 Verizon Wireless Facility - 153rd Street Water Tower 8 - Special Use - Ordinance

On October 5, 2009 the Village Board approved a special use permit for the Verizon Wireless facility on top of Water Tower 8, located at 15501 Park Station Boulevard. The Special Use permit allows for granting authority to construct a wireless communication utility sub-station under the Village's Water Tower No. 8 that will support wireless communication equipment co-located on top of the water tower, subject to the conditions as stated in the Ordinance.

I move to pass Ordinance Number 4517, entitled: AN ORDINANCE GRANTING A SPECIAL USE PERMIT - VERIZON WIRELESS, 153RD STREET WATER TOWER NO. 8, 15501 PARK STATION BOULEVARD

This matter was PASSED on the Consent Agenda.

2009-0508 Sustainability Consulting - Approval

The Village has received a proposal for Renewal Energy and Sustainability consulting in reference to the Village's Smart Living and ECOMAP programs from Teresa Fourcher, AIA, LEED AP. The proposal is attached for your review. Ms. Fourcher will work with staff to evaluate and implement new green technology innovations (focused primarily on renewable energy projects) that are appropriate for the Village. Examples of possible pilot projects could include solar or wind projects.

Through the Village's EECBG grant, administrative costs are reimbursable with grant funds. This consulting fee will be reimbursed with EECBG monies and will not impact the general fund. The contract will be billed hourly, not to exceed \$10,000.

I move to approval a contract with Teresa Fourcher, in an amount not to exceed \$10,000, for Sustainability Consulting services in reference to the Village's Smart Living and ECOMAP programs.

This matter was APPROVED on the Consent Agenda.

DEVELOPMENT SERVICES AND PLANNING

2009-0513 GIS Agreement with Cook County - Resolution

Cook County has a GIS data base that is used for Orland Park's GIS program at no cost. Cook County does however require a resolution and agreement prior to use of this data.

I move to pass Resolution Number 0912, entitled: A RESOLUTION FOR

ACCESS TO GEOGRAPHIC INFORMATION SYSTEM.

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

2009-0512 Craig Mill Works - Class 6B Renewal - Resolution

Craig Millwork located at 10410 West 163rd Place has requested renewal of their Class 6B property classification. Craig Millwork was originally approved for the Class 6B in 1997. Under the incentive provided by Class 6B, qualifying industrial real estate is eligible for a substantial reduction on property assessment.

Craig Millwork is a manufacturing and distribution company specializing in custom doors and finished wood products. They have been in business since 1979 and relocated from Bridgeview in 1999. The company plans on continuing growth in Orland Park.

I move to pass Resolution Number 0913, entitled: A RESOLUTION APPROVING RENEWAL OF CLASS 6B INDUSTRIAL REAL ESTATE TAX INCENTIVE FOR CERTAIN REAL ESTATE LOCATED AT 10410 W. 163RD PLACE, IN THE VILLAGE OF ORLAND PARK, COOK COUNTY, ILLINOIS.

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

2009-0364 Southmoor Commons Special Use Amendment and Annexation Agreement Amendment - Discussion only

On October 19, 2009, the Board of Trustees moved to continue this item to the November 2, 2009, Board of Trustees meeting. This request is not yet ready for final Board approval.

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

2009-0444 9857 W. 144th Place - New Residence

The petitioner, Greg and Deana Walter, has petitioned to obtain a Certificate of Appropriateness for a new residence in the Old Orland Historic District, located at 9857 W 144th Place.

I move to approve a Certificate of Appropriateness and Site Plan for the Walter Residence at 9857 W. 144th Place as fully cited below.

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

I move to approve a Certificate of Appropriateness for a new residence to be constructed at 9857 W 144th Place;

and

I move to approve the site plan titled "Detailed Grading Plan Lot 15 Humphrey's Subdivision", prepared by Martin M. Engineering, Inc., dated 9/15/09, last revised 10/09/09, job number 09-022, sheet 1 of 1, and the elevations titled "Walter Residence 9857 W 144th Place Orland Park IL.", prepared by Phillip J. Riley Architects, dated 9/3/09, job number 09060, sheets A-1 and A-7, subject to the following conditions:

1. That the petitioner establishes a sanitary sewer access easement at the northeast corner of the property to ensure adequate sewer maintenance for the neighboring property to the east that begins five (5') feet west of sewer line at a parallel angle and clips the entire northeast corner;
2. That the petitioner installs and maintains adequate erosion control measures throughout the construction process;
3. That the petitioner repairs the sidewalk and makes all necessary sidewalk connections that pertain to the site following construction;
4. That the retaining wall at the northwest corner of the property does not exceed three (3') feet in height;
5. That all windows on the elevation plans conform to the Land Development Code's Section 6-209.F.3.a window requirements regarding Queen Anne style windows prior to appearing before the Village Board of Trustees for final review.

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

BOARD COMMENTS

TRUSTEE GIRA - Reported that the Halloween Hoopla was a lovely event and she congratulated staff on a job well done.

TRUSTEE MURPHY - Stated the new Meijer retail and grocery store will be located at 15701 South 71st Court.

PRESIDENT McLAUGHLIN - Stated that the Village just recently received the Illinois Governors Sustainability Award. This is a great honor. This award is given to a municipality that is committed to reducing its ecological footprint through the incorporation of environmentally sustainable practices.

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; b) 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: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

RECONVENE BOARD MEETING

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

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

ADJOURNMENT - 7:19 PM

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

Aye: 4 - Trustee Murphy, Trustee O'Halloran, Trustee Gira, and Village President McLaughlin

Nay: 0

Absent: 3 - Trustee Fenton, Trustee Dodge, and Trustee Schussler

/nm

APPROVED:

Respectfully Submitted,

David P. Maher, Village Clerk