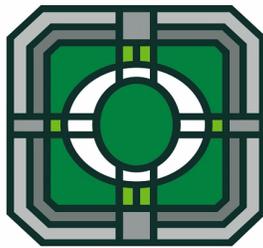


VILLAGE OF ORLAND PARK

14700 S. Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org



Meeting Minutes

Monday, April 15, 2024

7:00 PM

Village Hall

Board of Trustees

*Village President Keith Pekau
Village Clerk Patrick R. O'Sullivan
Trustees, William R. Healy, Cynthia Nelson Katsenes, Michael R. Milani,
Sean Kampas, Brian Riordan and Joni Radaszewski*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:00 P.M.

Present: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski and Village President Pekau

Absent: 1 - Trustee Milani

VILLAGE CLERK'S OFFICE

2024-0291 Approval of the April 1, 2024, Regular Meeting Minutes

The Minutes of the Regular Meeting of April 1, 2024, were previously distributed to the members of the Board of Trustees. President Pekau 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 1, 2024.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS

2024-0269 Earth Day and Arbor Day Proclamations

Mayor Pekau proclaimed April 22, 2024, as Earth Day and April 26, 2024 as Arbor Day in the Village of Orland Park.

2024-0270 Monarch Butterfly Day Proclamation

Mayor Pekau proclaimed April 30, 2024, as Monarch Butterfly Day in the Village of Orland Park.

President Pekau had comments regarding this matter. (refer to audio)

NON-SCHEDULED CITIZENS AND VISITORS FOR AGENDA-SPECIFIC PUBLIC COMMENT

Daniel Peterson addressed the Board. (refer to audio)

ACCOUNTS PAYABLE

2024-0305 Accounts Payable April 2, 2024, through April 15, 2024 - 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 April 2, 2024, through April 15, 2024, in the amount of \$4,193,124.74.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

CONSENT AGENDA

Passed the Consent Agenda

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

2024-0282 Payroll for March 29, 2024 - 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 March 29, 2024 in the amount of \$1,655,606.23.

2024-0280 Amend Title 7 Chapter 4 - Number of Class A and Class A-5 Liquor Licenses - Ordinance

Decrease the number of Class A liquor licenses from sixty-eight (68) to sixty-seven (67) and increase the number of Class A-5 liquor licenses from zero

(0) to one (1).

I move to adopt Ordinance 5881, entitled: AN ORDINANCE AMENDING TITLE 7, CHAPTER 4 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING THE AVAILABLE NUMBER OF LIQUOR LICENSES ISSUED BY THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS.

This matter was APPROVED on the Consent Agenda.

2024-0284 Henderson Mark E Dump Bodies with Plow Packages and FSH™ V-box Spreaders Purchase

Henderson offers state-of-the-art dump truck bodies and plow packages with updated user controls and body versatility. The truck bodies and V-box inserts utilize corrosion resistant stainless steel for extended usable life. To ensure safe operation of the vehicles, up-fit packages will include high visibility emergency lighting packages and multiple cameras.

Utilizing a drop-in V-box spreader system with an integrated pre-wetting system minimizes unnecessary wear on the dump body components to extend the usable life of the vehicle. These dump bodies will be utilized all year long to support various Public Works projects. The Henderson Mark E dump body is fully customizable. The Village is eligible to purchase the Henderson body through the Sourcwell purchasing co-op contract #080818-HPI.

The Village took delivery of two (2) trucks at the end of 2023 that were up-fitted with the same equipment and setup. Standardizing the Village snow and ice equipment will ensure safe operation of the equipment while minimizing employee training.

Staff would like to proceed with the purchase and installation of three (3) Henderson Mark E dump bodies installed with plow packages and FSHTM V-box spreaders for the single axle Peterbilt 548s at the Sourcwell discounted price of \$157,319.00 each, for a total of \$471,957.00.

I move to approve the use of Sourcwell contract #080818-HPI for the purchase of three (3) Henderson Mark E dump bodies, installed, with plow packages and FSHTM V-box spreaders for \$157,319.00 each for a total cost not to exceed \$471,957.00;

AND

Authorize the Village Manager to execute all related contracts, subject to Village Attorney review.

This matter was APPROVED on the Consent Agenda.

2024-0275 Civic Center Carpet and Flooring Replacement Project

Guided by the 2022 "Facilities Condition Assessment", the Public Works Department has been working on carpeting and flooring replacement projects at various Village buildings, including the Orland Park Health and Fitness Center, SportsPlex, Public Works, and Village Hall. Public Works has worked with Midway Flooring, Inc., who participate in Sourcewell Cooperative Purchasing program, on many of these flooring projects. On all accounts, the staff from Midway Flooring have provided excellent customer service and high quality installation services.

As such, Public Works requested a proposal from Midway Flooring, Inc. to complete flooring and carpeting replacements at the Civic Center. The scope of work includes the removal and replacement of existing vinyl flooring in the Main Exhibition Hall, as well as all carpet tiles throughout the building, and the removal of Exhibition Hall floor outlet covers. Floor outlets will be de-energized by a separate contractor. The proposal included the installation of flooring in the Annex and 2nd Kitchen, however those areas will be address at a later date to avoid going over budget on this project.

As there are many events scheduled at the Civic Center on a weekly basis, Midway Flooring has also agreed to work within a limited timeframe for the completion of this project. Project completion is anticipated in November 2024. Because of this limited timeframe, other local vendors couldn't match the labor requirement or pricing.

The proposal submitted by Midway Flooring (JE002857-004) is based on pricing from Sourcewell Contract #080819, at a price of \$118,271.96. A plan showing the location of carpet and flooring replacement areas is attached for reference. A summary of the proposal prices is provided below:

Based on the provided co-op (Sourcewell) proposal price and company qualifications, staff recommends approving the proposal from Midway Flooring for \$118,271.96. A 5% contingency of \$5,913.60 is requested to address change orders made necessary by circumstances not reasonably foreseeable at the time the proposal was signed, for a total contract price not to exceed \$124,185.56.

I move to approve the use of Sourcewell Contract #080819;

AND

Approve the sole source proposal from Midway Flooring, Inc. for the installation of new flooring at the Civic Center for a total amount not to exceed \$124,185.56 (\$118,271.96 plus a contingency of \$5,913.60);

AND

Authorize the Village Manager to execute all related contracts subject to Village Attorney review;

AND

Authorize the Village Manager to approve change orders not to exceed the contingency amount.

This matter was APPROVED on the Consent Agenda.

2024-0238 Special Event Permit for Bounce The City Inflatable Event (>400 people)

At the December 6, 2021, Board meeting, the Village Board approved an ordinance amending the Special Events Permit authorizing the Village Manager to approve events under 100 persons and requires Village Board approval for larger events. Special events held on Village grounds are processed through Recreation and Parks, while events held not on Village grounds are processed through Development Services.

CC Leisure, LLC has submitted a Special Event permit request to host an outdoor family-focused inflatable event featuring unique interactive inflatables, a live DJ, games, food and photo opportunities. The event will be located at Orland Square Mall. The dates of the event are May 25th through June 9th (weekends only), from 10:00 a.m. to 6:00 p.m. An estimated 400 attendees are expected to attend.

I move to approve permitting CC Leisure, LLC to host an outdoor family-focused inflatable event May 25th through June 9th contingent upon meeting all of the Village's permitting requirements, payment of fees, and inspections.

This matter was APPROVED on the Consent Agenda.

2024-0302 Appointment of New Municipal Retirement Fund Authorized Agent for the Village of Orland Park - Resolution

Due to the upcoming vacancy of the Finance Director position, it is necessary to appoint a new IMRF agent for the Village.

Assistant Director of Finance Chris Frankenfield is being recommended as the new IMRF agent to represent the Village.

I move to pass a Resolution, entitled: A RESOLUTION APPOINTING A NEW ILLINOIS MUNICIPAL RETIREMENT FUND AUTHORIZED AGENT FOR THE VILLAGE OF ORLAND PARK.

This matter was APPROVED on the Consent Agenda.

2024-0274 Purchase and Installation of Weather Guard Work Van Equipment

The Village took delivery of four (4) Ford Transit vans to replace older vans in the fleet. These vans did not come with any internal shelving units or cabinets for

equipment and material storage.

Vehicles and Equipment collaborated with the staff from the divisions that would be utilizing the work vans to create an interior service package standard. This standard ensures versatility.

Natural Resources and Facilities staff require retractable roof ladder racks, but do not require right-of-way emergency lighting. The Utilities division does not require a ladder rack, but requires right-of-way emergency lighting.

Weather Guard was chosen for its available options as well as its superior adjustability. The shelving units are two (2) inches deeper than other manufacturers. Also, their white finish helps with interior lighting.

Weather Guard products can be purchased through many different dealers, but the dealers do not offer installation. U.S. Upfitters, located in Lombard, Illinois, is a Weather Guard dealer and installer.

Staff would like to proceed with the purchase and installation of three (3) Weather Guard interior service packages and roof mounted ladder racks, and one (1) Weather Guard interior service package and emergency right-of-way lighting package from U.S. Upfitters/Inlad of Lombard, Illinois.

I move to waive bidding and approve the proposals from U.S. Upfitters/Inlad of Lombard, Illinois for the purchase and installation of three (3) Weather Guard interior service packages and roof mounted ladder racks for the amount of \$35,438.22 per quote dated March 26, 2024, and the purchase and installation of one (1) Weather Guard interior service package and emergency right-of-way lighting package for the amount of \$9,217.01 per quote dated March 26, 2024 for a total amount not to exceed \$44,655.23;

AND

Authorize the Village Manager to execute all related contracts, subject to the Village Attorney review.

This matter was APPROVED on the Consent Agenda.

2024-0298 Renewal for the Code Red Emergency Notification

The Code Red Emergency Notification System annual service is due for renewal. Staff is requesting approval in the amount of \$72,765.00 for this service effective June 1, 2024 to May 31, 2027. The annual cost is \$24,255.00 for this service.

CodeRED is an ultra-high-speed voice communication service for emergency notifications. The system allows us to call all our targeted areas of the village in case of an emergency or urgent situation that requires immediate attention. Our

contract also allows us to use the system for general or non-emergency notifications. The Code Red system uses a phone number database to contact residents and businesses within the village with a voice message and will also dispatch and email message and/or text message to residents and businesses that provide this additional information when they register.

I move to approve the Code Red Emergency Notification System Service for a period of three (3) years at a cost not to exceed \$24,255.00 per year;

AND

Authorize the Village Manager to execute all related contracts, subject to Village Attorney review.

This matter was APPROVED on the Consent Agenda.

2024-0286 Rock Salt - Certificate of Authority by Vote and Rock Salt Purchase

The proposed 2025 Fiscal Year Budget is anticipated to include funds for the purchase of rock salt for snow fighting operations through the early months of January, February, and March, while also providing salt for any end of year events in November and December.

Rock salt has traditionally been purchased utilizing the State of Illinois Rock Salt Joint Purchasing program. The State solicits interest in this program mid-year across Illinois municipalities. Larger participation should result in better competitive pricing, but factors such as weather, salt availability, contractor availability, and fuel prices play a part. The Village is committed to purchasing two thousand five hundred (2,500) tons of rock salt, with the understanding that a minimum of 80% is required per the contract. An additional 20% may be purchased at the contract price. Any additional rock salt above this amount is negotiable.

At this time, the State contract price has not been determined nor has it been solicited. However, due to the potential dollar amount exceeding the \$25,000.00 threshold, the State of Illinois requires a Certificate of Authority Vote to be taken, documented, and executed by the Village Board. The Village of Orland Park can not place a salt order for 2025 until a "Certificate of Authority Vote" has been taken.

Public Works staff recommends utilizing the State of Illinois Rock Salt Purchasing Contract with the State of Illinois with an approved contractor/vendor of their choice, for the purchase of two thousand five hundred tons of rock salt. This is with the understanding, that a minimum purchase of 80% is required per the contract. An additional 20% may be purchased at the contract price. Any additional rock salt above this amount is negotiable.

I move to authorize the Certificate of Authority;

AND

Authorize the Purchase of Rock Salt from the 2025, State of Illinois Rock Salt Purchasing contract not to exceed the budgeted amount;

AND

Authorize the Village Manager to execute all related authority, subject to Village Attorney review.

This matter was APPROVED on the Consent Agenda.

2024-0299 Schussler Park Restroom and Storage Building

Phase I renovation of Schussler Park began late summer 2023. Phase I improvements include the installation of two full-size artificial turf football/soccer/lacrosse fields, Musco lighting, a relocated sledding hill, parking lot, bleachers, coaches' box, an electronic scoreboard, and a maintenance building.

In May of 2023 Michael Schofield and Kendall Coyne Schofield, and the Schofield Family Foundation, entered into a 20-year sponsorship agreement with the Village for the naming rights of the Schussler Park artificial turf sports fields, the purchase and installation of an athletic scoreboard; and partnering with the Village to raise funds for the purchase and installation of an all-inclusive play environment within Schussler Park.

Phase I was awarded to V3 at a total cost of \$10,711,000.00 with a 10% contingency of \$1,071,100. The current balance of the contingency is \$624,514.39.

Phase II improvements include a restroom building, All-inclusive playground, half basketball court, pavilion, and park amenities.

In support of Fall use at the new Complex, staff propose utilizing contingency funds to purchase and install the restrooms as part of phase I. By doing so, the new Complex will better support users of the fields. In addition, staff recommends adding storage spaces as a part of the restroom building for use by Village athletic organizations to store equipment at the site.

Wight & Co, the construction engineering firm overseeing the project, has identified a structure manufactured by Romtec (see attached). This approximately 1,200 sq. ft. building includes men's and women's restrooms with 4 stalls each, one family restroom and two storage spaces of 200 sq. ft. each.

Romtec was awarded Sourcewell contract # 081721-RMT. Attached, please find

a quote for a multipurpose restroom and storage building. Staff recommends directly purchasing the restroom and storage building through Romtec at the quoted cost of \$319,056.83, utilizing the contingency in anticipation of a fall delivery and installation.

By purchasing the building directly, the Village will receive a \$16,262.98 discount as a Sourcewell member.

The project's general contractor is securing quotes to install the restroom/storage facility. Installation, and other associated fees are expected to total approximately \$350,000.

I move to approve the purchase of the Romtec Multipurpose Restroom and Storage facility through Romtec utilizing Sourcewell contract #081721-RMT at a cost not to exceed \$319,056.83;

AND

To approve a contract for the installation and other associated fees expected, not to exceed \$350,000.00;

AND

Authorize the Village Manager to execute all related contracts, subject to Village Attorney review.

This matter was APPROVED on the Consent Agenda.

2024-0281 An Ordinance Revising Chapter 18 (Video Gaming), of Title 7 (Business And License), of the Orland Park Village Code and Making Other Changes Relative to Video Gaming Within the Village

The Village has maintained strict regulations regarding the operation of video gaming terminals, seeking to limit video gaming to existing businesses who are established within the Village as restaurants. Because of this, gaming operators looking to enter the market may seek to acquire existing businesses and orient their operation towards gaming. The current proposed ordinance seeks to limit this practice by extending the timeline to obtain a full video gaming license after a transfer or in the event of the opening of a second location of an existing license holder. In addition, it seeks to further clarify that only table service restaurants can obtain a video gaming license, and extend the timeframe during which a business must establish operations in order to qualify for video gaming.

I move to adopt Ordinance 5882, entitled: AN ORDINANCE REVISING CHAPTER 18 (VIDEO GAMING), OF TITLE 7 (BUSINESS AND LICENSE), OF THE ORLAND PARK VILLAGE CODE AND MAKING OTHER CHANGES RELATIVE TO VIDEO GAMING WITHIN THE VILLAGE.

This matter was APPROVED on the Consent Agenda.

2024-0306 Stellwagen Farm Lease 2024-2026

The Stellwagen family has farmed the property located at 17701 S. 108th Avenue for many years. When the Village acquired the property, this tradition continued via a farm lease agreement. The most recent agreement has expired.

Last month, Village staff and Jim Stellwagen met to discuss terms for a new lease agreement. The proposed lease is based on previous agreements with a few changes. Most notably, the lease calls for:

- A leased area of only the 25 farmable acres rather than the whole 60 acres
- A three-year term expiring on December 31, 2026
- A \$3 increase in the per tillable acre compensation from \$125 to \$128
- A termination provision with 90 day written notice for both parties

I move to approve the Stellwagen Farm Lease 2024-2026 with Jim Stellwagen;

AND

Authorize the Village Manager to execute all related contracts, subject to Village Attorney review.

This matter was APPROVED on the Consent Agenda.

PUBLIC WORKS**2024-0271 A/E Services - OPHFC Pool Renovation Project**

In 2022, the Public Works Department established Master Service Agreements (MSAs) for Professional MEP and Architectural Services with seven (7) firms based on RFQ 22-004. The MSAs allow the Village to request proposals from these pre-qualified firms for facility improvement projects from 2022-2024, with the option to extend any or all of those contracts for an additional two (2) years. The MSA with Robert Juris Associates Architects expired at the end of 2023.

Three (3) of these pre-qualified firms (Tria Architecture, Williams Architects, and Farnsworth Group) are also pre-qualified by the Illinois Department of Public Health (IDPH) to provide engineering services for aquatic facility projects. Cordogan Clark Associates also works on aquatic projects in Illinois via a sub-consultant.

Several priority projects have been identified by Public Works and Power Wellness staff that would need to be completed in the near term in order to maintain operational continuity and improve overall facility efficiency. Priority projects include pool filtration, pump, heater, ejector pump, chemical control systems, pool concrete resurfacing, tile, lighting, and paint restorations. The Village's 5-Year Capital Plan includes funding for the design of a part of this work

in 2024, and a portion of the construction in 2025.

In order to prepare for the renovation associated with these priority projects, as well as better understand the full cost associated with the work, the Public Works Department and Power Wellness staff met with representatives from the pre-qualified A/E firms to discuss the OPHFC Pool Renovation Project on March 18, 2024. Cordogan Clark Associates also attended the meeting.

The A/E scope of work includes design development, cost estimating, project phasing and logistics, IDPH permitting, bid documents and bidding assistance. Cost estimating would be ready before the FY2025 budget period and final project deliverables by December 1, 2024. The contract for this project may carry over through the end of 2025, depending on the actual construction schedule. A proposal for construction administration would be requested at a later date.

A summary of the A/E proposal costs is provided below:

Tria Architecture: \$203,110.00
Williams Architects: \$235,450.00
Cordogan Clark Associates: \$285,574.00
Farnsworth Group: Opted Not to Provide a Proposal

Public Works is requesting to select the second lowest bidder for this particular project, due to the fact that Tria Architecture is currently working on the CPAC Modernization Project and will likely not have the personnel resources to complete this project within the allotted period of time.

As such, staff recommends approving the proposal from Williams Architects for \$235,450.00. A 5% (\$11,772.50) contingency is requested to address change orders made necessary by circumstances not reasonably foreseeable at the time the proposal was signed for a total A/E cost not to exceed \$247,222.50.

President Pekau had questions and comments. (refer to audio)

Director of Public Works Joel Van Essen responded to President Pekau. (refer to audio)

Trustees Kampas, Radaszewski and President Pekau had comments and questions. (refer to audio)

Director Van Essen responded to their comments. (refer to audio)

President Pekau had questions. (refer to audio)

Village Attorney Dennis Walsh and Director Van Essen responded to President Pekau. (refer to audio)

President Pekau had comments. (refer to audio)

Director Van Essen responded to President Pekau (refer to audio)

Village Attorney Walsh had a question. (refer to audio)

Director Van Essen responded to Attorney Walsh. (refer to audio)

President Pekau had additional comments and questions. (refer to audio)

Director Van Essen responded to President Pekau. (refer to audio)

President Pekau had comments. (refer to audio)

President Pekau entertained a motion to amend the motion to approve Tria Architecture for the services. (refer to audio).

Trustee Kampas moved to amend the motion to approve the proposal from Tria Architecture for A/E Services for the OPHFC Pool Renovation Project for a total amount not to exceed \$213,265.50 (\$203,110.00 plus a 5% contingency of \$10,155.50); and authorize the Village Manager to execute all related contracts, subject to Village Attorney review; and authorize the Village Manager to approve change orders not to exceed the contingency amount. (refer to audio)

It was seconded by Trustee Katsenes. All were in favor. (refer to audio)

I move to approve the proposal from Tria Architecture for A/E Services for the OPHFC Pool Renovation Project for a total amount not to exceed \$213,265.50 (\$203,110.00 plus a 5% contingency of \$10,155.50);

AND

Authorize the Village Manager to execute all related contracts, subject to Village Attorney review;

AND

Authorize the Village Manager to approve change orders not to exceed the contingency amount.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

2024-0276 Purchase and Installation of Knapheide Aluminum KUVCC Enclosed Utility Body and Knapheide Aluminum Service Utility Body

The Emergency Services and Disaster Agency (E.S.D.A.) operates four (4) vehicles to transport their various equipment when needed. This fleet consists of all repurposed vehicles with an average age of twelve (12) years. The oldest vehicle in the E.S.D.A. fleet is thirteen (13) years old and has over 112,000 miles. The repurposed vehicles are not designed and constructed to meet the needs of the E.S.D.A. staff.

Vehicles and Equipment staff worked with E.S.D.A. staff to determine the specifications for the body build. The enclosed aluminum utility body will be fitted with a pull-out bed with a shelved tool rack and generator storage. With the pull-out generator storage, there is no need for generator exhaust porting through the body, which gives staff mobility options if the generator needs to be utilized away from the vehicle.

Currently, scene lighting is provided by a 2002 tow-behind Ingersol Rand light tower and generator combination. The utility body has been spec'd with two (2) pole mounted scene lights on the rear of the body and a roof mounted LED tower light. The light tower is extendable up to thirteen and one half (13.5) feet plus the height of the truck body and features 360 degrees of rotation.

There are limited vendors available to spec the body that the Village is looking for. The two main manufacturers are Knapheide and Reading truck bodies. The Village received a proposal from Knapheide Truck Equipment Center of McHenry, Illinois for the Knapheide utility body. Monroe Truck Equipment of Joliet, Illinois provided a proposal for the Reading utility body.

Knapheide Truck Equipment provided a quote of \$71,675.53 and Monroe Truck Equipment provided a quote of \$88,883.00.

As with most equipment builds, it is difficult to get multiple quotes for an 'apples to apples' build because there are variations in the products offered by each manufacturer. This build also contains many customized options that make it difficult to receive comparable proposals. The Knapheide body offers an additional eight inches (8') of height with their body compared to the Reading body, and the Village has previously up-fitted their utility trucks with Knapheide bodies which has established a good standard for truck utility bodies.

The Utilities Division has a 2014 Ford Super Duty equipped with a diesel engine and has a higher-than-average operating cost due to diesel emission component failures and labor costs performing manual regenerations and downtime. To meet

the needs of the division, an aluminum utility service body from Knapheide has been spec'd. The utility service body will be utilized for various utility repairs such as Buffalo box replacements, storm sewer repairs, and inlet repairs.

Two (2) 2024 Ford F350 Chassis Cabs were previously approved by the Board and the vehicles have been received by the Village. The vehicles being replaced are a 2011 Chevrolet Tahoe, currently used by E.S.D.A., and a 2014 Ford F350 Super Duty, currently used by the Utilities Division.

No additional vehicles will be added to the fleet, and the removed vehicles will be auctioned on Public Surplus.

Staff would like to proceed with the purchase and installation of one (1) Knapheide aluminum KUVCC enclosed utility body with emergency response equipment for the Emergency Services and Disaster Agency, and one (1) Knapheide aluminum utility service body for the Public Works Utilities division.

I move to waive bidding and approve the proposals from Knapheide Truck Equipment Center of McHenry, Illinois for the purchase and installation of one (1) Knapheide KUVCC enclosed aluminum utility body for the amount of \$71,675.53 per quote # 279136-5 dated April 3, 2024, and the purchase and installation of one (1) Knapheide Aluminum Utility Service Body for the amount of \$21,995.00 per quote # 404804-2 dated April 4, 2024 for a total amount not to exceed \$93,670.53;

AND

Authorize the Village Manager to execute all related contracts, subject to the Village Attorney Review.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

2024-0277 Pavement Rejuvenator - Eagle Ridge Subdivision

A portion of the Eagle Ridge subdivision was paved this past November as part of the 2023 Neighborhood Roadway Improvement Program. The snowplow assigned to this subdivision has both a front plow and an antiquated belly plow. During a snow event this past January, this use of the belly plow in conjunction with front plow resulted in scraping of the top layer of asphalt that is unsightly but also exposed aggregates to possible small pockets for water to freeze/thaw.

Public Works has since chained and put out of service the two remaining belly plows in the fleet and staff have been informed not to use them. The two vehicles are also being the first to be replaced with no new orders with belly plows.

When Public Works leadership identified the scraped asphalt, they sought confirmation from a licensed geotechnical engineer, CGMT. CGMT confirmed the plow damage consisting of stripping of the surface asphalt content and exposing aggregates and some seams. The structural integrity remains intact, but this type of distress requires corrective action to prevent accelerated pavement failure during future freeze/thaw cycles from moisture penetration into the mat and ice expansion. The geotechnical consultant recommended a surface asphalt rejuvenation process to preserve the integrity of the roadway. The product recommended was Reclamite.

Staff researched various topical pavement preservation products used in the Chicagoland area and determined that Reclamite would be a cost effective way to address the Eagle Ridge issue. In addition, staff saw the potential for an additional preservation tool of the annual Neighborhood Roadway Improvement Program. While Eagle Ridge would be applied this year, for other areas in the Village, it would be normally applied around 6-10 years to extend the life of the road.

The Reclamite product is one of the most popular pavement rejuvenator products used throughout the Chicago area. The Reclamite brand is a petroleum-based emulsion applied by spray and is sold and applied by Corrective Asphalt Materials Inc. from South Roxana, Illinois. The material is then covered with a thin layer of sand to prevent tracking. The street is swept the following day to remove any loose sand.

While performing research, staff discovered that the Village of Winnetka, on behalf of the Municipal Partnering Initiative (MPI), solicited a joint bid for a pavement rejuvenation contract. Corrective Asphalt Materials, LLC, (CAM) was awarded this contract using Reclamite. Staff reached out to CAM and they offered to extend the same three (3) year pricing to the Village of Orland Park as was awarded in the MPI Joint Bid: Pavement Rejuvenation Contract 024-006. The 2024 cost of this product is \$1.20 per square yard for an amount not to exceed \$50,000.00.

Director of Public Works Joel Van Essen presented information regarding this matter. (refer to audio)

President Pekau had comments. (refer to audio)

I move to accept the proposal for Reclamite® for pavement preservation application from Corrective Asphalt Materials LLC. from South Roxana, Illinois, under the MPI Joint Bid for a three (3) year contract for an amount not to exceed

\$50,000.00 for fiscal year 2024; and an amount not to exceed the Board approved funding for fiscal years 2025 through 2026;

AND

Authorize the Village Manager to execute all related contracts, subject to Village Attorney review.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

2024-0278 Fernway Road and Ditch Reconstruction Design Engineering - Change Order #3

The Fernway Road and Ditch Reconstruction Phases 7-9 Project includes full depth pavement reconstruction with the addition of concrete shoulders (Ribbons) to support the pavement edges as well as ditch reconstruction, culvert replacement, and storm sewer installation. Based upon results of the FY2022 bid process, PT Ferro Construction Company of Joliet, Illinois was approved by the Village Board on August 15, 2022, for an award amount not to exceed \$3,883,549.18.

Due to project delays in Fall 2022 and Spring 2023, including ramifications of the Local 150 strike and utility conflicts with Nicor and ComEd, the project was rolled over for completion by August 31, 2023. Nicor did not complete the gas main relocation and gas service lowering conflict work until later than expected, pushing PT Ferro's start date to June 8, 2023, from the previously anticipated start date of March 2023. This delay has caused a ripple delay of about three (3) months, pushing the completion date to November 30, 2023, at a revised contract amount not to exceed \$4,119,926.06 (Change Order #1).

The contract completion date was again extended from November 30, 2023, to June 15, 2024, as unforeseen utility conflicts and added scopes of work pushed work into poor weather conditions (Change Order #2).

As the project reaches completion, a final change order is required. The following contract pay-item maximum quantities need to be increased for the work to completed in the Spring: salt tolerant sod, Topsoil furnish and place, Aggregate base course, Type B, and RIP/Rap.

Salt Tolerant Sod and Topsoil Furnish and place quantity are needed to finish the

original planned restoration on most of 163rd Street and parts of Byron Drive, 90th Avenue, and Sherwood Drive.

Aggregate Base Course Type B quantity is needed to re-furnish existing stone driveways and for subgrade for widened driveways.

RipRap is needed for areas where designed ditch slopes are difficult to cut with a lawnmower and where the Engineer deems necessary.

In order to compensate the contractor for the additional quantities, a Contract Change Order #3 is requested in the amount of \$56,390.00, with a revised not to exceed contract amount of \$4,176,316.06.

Trustee Healy had a question. (refer to audio)

Director of Public Work Joel Van Essen responded to Trustee Healy. (refer to audio)

President Pekau had comments. (refer to audio)

Director Van Essen responded to President Pekau. (refer to audio)

I move to approve Addendum D and Change Order #3 incorporating the proposal from PT Ferro Construction Co. of Joliet, Illinois for additional quantities and associated costs for work remaining on the Fernway project, which will result in an increase of \$56,390.00, for a new contract amount not to exceed \$4,176,316.06;

AND

Authorize the Village Manager to execute all related contracts, subject to Village Attorney review.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

2024-0285 A/E Services - Police Department Mezzanine Expansion Design

In 2022, the Public Works Department established Master Service Agreements (MSAs) for Professional MEP and Architectural Services with seven (7) firms based on RFQ 22-004. The MSAs allow the Village to request proposals from these pre-qualified A/E firms for facility improvement projects from 2022-2024,

with the option to extend any or all of those contracts for an additional two (2) years. The Board approved selected firms were Cordogan Clark Associates, Farnsworth Group Inc., Kluber Architects Engineers, Valdes Engineering Company, Tria Architecture, Williams Architects, and Robert Juris Associates Architects. The MSA with Robert Juris Associates Architects expired at the end of 2023.

On March 18, 2024, Public Works staff met with representatives from the pre-qualified A/E firms to discuss the Police Department Mezzanine Expansion. The Police Department mezzanine is used for the storage of sensitive documents and case-related evidence. The size of the current mezzanine is inadequate for their needs, and Police Department staff have asked for the area to be expanded. The A/E scope of work includes Construction Design (CD) Documents and Specifications for the Police Department Mezzanine Expansion. Proposal prices include design development, cost estimating, bid documents, bidding assistance, and construction administration.

The full project scope of work, including a scope of work amendment, and project proposals are attached for reference. A summary of proposals is provided below:

Williams Architects - \$50,202.00
Cordogan Clark Associates - \$58,834.00
Farnsworth Group Inc. - \$75,526.00
Valdes Engineering Company - \$86,979.00
Kluber Architects Engineers - Opted to Not Submit a Proposal
Tria Architecture - Opted to Not Submit a Proposal

While not the low bidder for this project, the Public Works Department has not yet had an opportunity to work with Cordogan Clark Associates to date. In an effort to distribute work amongst all pre-qualified A/E firms as well as understand the full capabilities of each firm, Public Works is requesting to select the second lowest bidder for this particular project. As such, staff recommends approving the proposal from Cordogan Clark Associates for \$58,834.00. A 10% (\$5,883.40) contingency is requested to address change orders made necessary by circumstances not reasonably foreseeable at the time the proposal was signed for a total A/E cost not to exceed \$64,717.40.

Trustee Kampas had comments and questions. (refer to audio)

Director of Public Works Joel Van Essen responded Trustee Kampas. (refer to audio)

President Pekau had comments. (refer to audio)

Trustee Kampas made a motion to amend the motion to move to approve the proposal from Williams Architects for A/E Services - Police Department

Mezzanine Expansion Design for a total amount not to exceed \$55,222.00 (\$50,202.00 plus 10% contingency of \$5,020.00); and authorize the Village Manager to execute all related contracts, subject to Village Attorney review; and allow the Village Manager to approve change orders not to exceed the contingency amount. (refer to audio)

It was seconded by Trustee Katsenes. All were in favor. (refer to audio)

After the item was voted on, Village Manager George Koczwara and President Pekau had comments. (refer to audio)

I move to approve the proposal Williams Architects for A/E Services - Police Department Mezzanine Expansion Design for a total amount not to exceed \$55,222.00 (\$50,202.00 plus 10% contingency of \$5,020.00);

AND

Authorize the Village Manager to execute all related contracts, subject to Village Attorney review;

AND

Allow the Village Manager to approve change orders not to exceed the contingency amount.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

DEVELOPMENT SERVICES

2023-0916 Premier Funeral Service - 11275 143rd Street - Special Use for Funeral Parlor

Project: 2023-0916 - 11275 143rd Street - Special Use Permit for a Funeral Parlor
Petitioner: Ron Pasco

Purpose: The petitioner is seeking approval of Special Use Permit for a Funeral Parlor in the LSPD Large Scale Planned Development District in accordance with the provisions set forth in the Land Development Code, Section 6-205.1.

Location: 11275 143rd Street., Orland Park, IL 60467

P.I.N.: 27-07-201-014-0000

Requested Approvals: The petitioner seeks approval of a Special Use Permit for a Funeral Parlor an existing 4,154 square-foot building located at 11275 143rd Street.

Please see attached Staff Report to the Plan Commission dated March 14th, 2024 for more information.

Summary & Background

The petitioner seeks approval of a Special Use Permit for a Funeral Parlor an existing 4,154 square-foot building located at 11275 143rd Street. The subject site has a gross area of 1.25 acres. The petitioner intends to add a 3,305 square-foot addition to accommodate funeral parlor operations.

The subject site is within the Large Scale Planned Development (LSPD) zoning district and is in the Orland Grove comprehensive planning district.

The proposed premier funeral parlor will house a business office operating Monday - Friday, 8am-5pm. In addition, approximately 3 visitations and 3 funeral services are expected to occur each week, on average. Nevertheless, funeral staff are on-call 24/7, which means they are subject to picking up a deceased individual to embalm and prepare the body.

Comprehensive Plan

The subject site is located in the Orland Grove Planning District, with land use designation of neighborhood mixed use. The Village of Orland Park places a high value on Quality Places that rely on the history and dynamics of the existing community. The Comprehensive Plan emphasizes the Village will be a desired business location, foster and support a sense of community, and incorporate sustainable, efficient infrastructure. The Special Use Permit for a funeral parlor use will enhance the Neighborhood Center at 143rd Street and Wolf Road.

Detailed Planning Discussion

Land Use Intensity. The lot area is approximately 54,496 square feet (1.251 acres). Section 6-205.1.D, does not regulate the minimum lot size for non-residential and mixed-use buildings. In 2001, this parcel was part of the re-subdivision of lot 2 in the Kann Commercial subdivision for the shops of Orland (see case number 2001-0059 for additional details).

Lot Coverage. Per Section 6-205.1.F, no more than 45% of the area of the parcel may be covered with building, pavement, and storm water storage, leaving at least 55% of total parcel area in green space. The existing lot coverage of this site is 75.1% of the total area of the site. The petitioner has reduced the lot coverage to 73.3% of the total area of this site, and while this exceeds the allowable impervious surface area, the lot coverage will be reduced by 987 SF, bringing the site closer to compliance.

Parking Requirements. Per Section 6-306, 1 parking space is required for every 200 SF for funeral parlor land uses. The existing building is 4,154 SF and the proposed addition is 3,305 SF, a total building area of 7,459 SF. This site requires 40 parking spaces with 2 ADA accessible parking spaces. This proposed development has 41 stalls three of which are new spaces being added to the existing parking lot. Both the proposed and existing parking spaces meet the size requirements of 9' wide by 18' long as outlined in Section 6-306.C.

Building Setbacks. The proposed development meets the provisions of Section 6-205.1.E.1.b.

Utilities and Equipment Screening. Section 6-308.J requires all ground equipment, such as any air conditioner units visible from the street, to be screened with landscaping. This requirement has been met.

Lighting. There are eight existing lighting posts on the site. The proposed development does not modify any existing on-site lighting. A photometric plan will be required as a part of Final Engineering approval for this petition. Photometric plans must be compliant with Section 6-315.B.2.

Signage. Signage proposed on Premier Funeral Services will be reviewed administratively through the permit application process. Proposed signage will be required to comply with LDC Section 6-307.

Design Standards. The proposed development complies with the design standards, including the requirements of masonry design and durable and compatible building materials.

PLAN COMMISSION DISCUSSION

Present at the Plan Commission were 6 commissioners, the petitioner, resident surrounding the site, and members of staff. Discussion ranged from traffic congestion and existing lot coverages. Overall, the commissioners and the public expressed support for the new facility.

The Plan Commission recommended that the Village Board approve a site plan and building elevations unanimously per the Staff Recommended Action.

Assistant Director of Development Services Carrie Haberstich presented information regarding this matter. (refer to audio)

President Pekau had comments. (refer to audio)

I move to approve the Plan Commission recommended action for case number 2023-0916 also known as Premier Funeral Services.

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

I move to approve a site plan and building elevations subject to the following conditions:

1. The development will be in substantial conformance with the Preliminary Site Plan and the Building Elevations for Premier Funeral Services dated and October 31st, 2023.
2. Meet all building code requirements and final engineering requirements including required permits from outside agencies.
3. All ground-based and roof-mounted mechanical equipment must be fully screened from view and shall meet the requirements listed in 6-308.J.
4. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.
5. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

Recommended Motion

Regarding Case Number 2023-0916, also known as Premier Funeral Services 11275 143rd Street - Special Use Permit for a Funeral Parlor, I move to approve the Staff Recommended Action and Proposed Findings of Fact as presented in the Staff Report to the Board for this case.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

RECREATION AND PARKS

2024-0296 Athletics Field Equipment Replacement Purchase

In an assessment of Recreation & Parks field maintenance equipment, staff have identified three infield groomers which are 23 - 30 years old and in need of replacement.

These units are no longer effective in grooming baseball/softball infields resulting in uneven grading which negatively affects the quality of play. Additionally, in 2023, this aging equipment was frequently unavailable due to necessary repairs.

Athletics division staff met with representatives of the Reinders Inc., the Midwest's authorized Toro distributor, to identify equipment which best meets the Village's high use of fields and expectations of users.

The Toro Sand Pro 5040 and the Field Pro 6040 infield groomers were identified as versatile equipment that best meet the Village's needs.

The Field Pro 6040 with Field Pro MultiTool and accessory attachments will enable staff to more efficiently and effectively perform preseason prep work and end of season corrections, in addition to being used on a daily basis to groom infields. The 6040 is capable of carrying four tools at once allowing staff to perform multiple duties in a single pass.

The Sand Pro 5040 is a versatile infield prep machine which utilizes a quick attach system with multitude of front and rear accessories to repair and perform daily maintenance.

Both machines include a two-year limited warranty.

Staff recommends replacing three aged, outdated field groomers with two Sand Pro 5040 groomers at a cost of \$83,685 with accessories and delivery and one Field Pro 6040 groomer at a cost of \$37,850 with accessories and delivery under Sourcewell contract #031121-TTC (see attached quote).

I move to approve the purchase of two Sand Pro 5040's and one Field Pro 6040 at a total cost of \$121,535.00 from Reinders Inc. of Mundelein, IL under the Sourcewell Toro Contract #031121-TTC;

AND

To authorize the Village Manager to execute all related contracts, subject to Village Attorney review.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

FINANCE

2024-0292 2024 - 2029 Banking Services - Approval

On January 26, 2024, the Village issued an RFP for Banking Services. A courtesy notice was distributed to forty five (45) firms, including all banks in Orland Park with a license through Development Services. Seventy five (75) firms were matched on BidNet. Twenty three (23) firms downloaded all or a portion of the RFP documents.

In response to this RFP, five (5) banks submitted proposals, including BMO, Fifth Third Bank, J.P. Morgan, Old National, and Orland Park Bank & Trust.

Banks were evaluated based on the following criteria:

- Overall plan and demonstrated ability to provide required services,
- Fee/Pricing Proposal,
- Qualifications and Experience, and
- Understanding of Goals and Objectives.

Estimated annual banking fees are as follows:

J.P. Morgan: \$79,800

Orland Park Bank & Trust: \$79,784.04

Old National Bank: \$87,834.96

BMO: \$113,640

Fifth Third Bank: \$123,428.64

After an initial evaluation, Finance Department staff selected four (4) banks for interviews and web portal demos: BMO, J.P. Morgan, Old National, and Orland Park Bank & Trust. Fifth Third was not selected due to availability of bank statements, higher banking fees, among other reasons.

Any of the four remaining banks would be good partners for the Village. After interviews and further evaluations, we thought the best two options for the Village were J.P. Morgan and the current incumbent bank BMO. J.P. Morgan offered a strong financial proposal and very good services.

The Village has been pleased with our current banking institution, BMO, for the past several years. Over the past 12 months, the Village's BMO banking fees have totaled \$156,847. We will not need a budget amendment as the new fee structure is anticipated to be lower than our current fee structure. The Village currently takes advantage of nearly every banking product available, and currently has virtually all security and fraud protection feature in place and functioning.

The Finance Department has recently learned of the pending departure of key staff. In addition, several major projects, including payroll/human resources management software implementation, utility billing implementation, cashiering implementation, and updating Village purchasing and procurement policies and procedures are currently in progress, which are critical to department and organization operations. Given these staffing and workload demands, the Finance Department cannot devote the necessary time and attention to successfully transition to another banking institution while moving existing priorities forward. As a point of reference, the J.P. Morgan's proposed transition plan is 153 days, which means 5 months of staff time dedicated to a successful implementation.

Given the staff transition, major projects in flight, and level of satisfaction with

BMO, staff recommends continuing with BMO Bank N.A.

Trustee Katsenes had comments and questions. (refer to audio)

Director of Finance Kevin Wachtel responded to Trustee Katsenes. (refer to audio)

President Pekau had comments. (refer to audio)

I move to approve awarding RFP 24-016 Banking Services to BMO Bank N.A. for five years as outlined in their Technical Proposal, dated February 28, 2024,

AND

To authorize the Village Manager to execute all related contracts, subject to Village Attorney Review.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

MAYOR

President Pekau had comments regarding engagement within the community and answered questions and comments from residents. (refer to audio)

VILLAGE MANAGER

2024-0283 An Ordinance Establishing a New Chapter 25 (Prohibition of Kratom, Novel Synthetic and Psychoactive Drug Businesses), of Title 7 (Business and License), of the Orland Park Village Code

At the June 19, 2023 Board of Trustees meeting, the Board approved an ordinance banning the manufacture and sale of cannabinoid products. Following the approval of this ordinance, the Village notified all Class B tobacco license holders and included notice in the annual business license renewal application. Since then, Village staff has become aware that businesses have shifted to sell other apparently intoxicating products, mimicking psychoactive and opiate substances, which are of dubious legality.

Drug makers have long developed new compounds in an attempt to stay ahead of lawmakers and to continue to profit off of illicit and intoxicating substances. In response, the proposed attached Ordinance would seek to stay ahead of illicit

operators and ensure that they have no home in Orland Park by banning businesses which manufacture, sell or distribute kratom, novel psychoactive drugs, and novel synthetic drugs.

What is Kratom?

According to the National Library of Medicine, kratom “has opioid-like properties.” The DEA has listed kratom as a “Drug and Chemical of Concern,” see attached Drug Fact Sheet. Kratom and other similar opioid-like products are widely available at convenience stores and gas stations. One such opioid-like product, tianeptine is also referred to as “gas station heroin.” Illinois passed the Kratom Control Act (720 ILCS 642/) regulating sale to minors. An article from Florida states hundreds have died using kratom and was touted as safe to ease anxiety and mimic the effects of opioids. Attached is a legal sidebar with a list from the Congressional Research Service on kratom regulations. In 2016, San Diego City Council approved an ordinance that prohibits the manufacturing, sale, distribution and possession of spice, bath salts, kratom, and other synthetic and psychoactive drugs, see attached comprehensive ordinance.

The Illinois State Police lab will test for Kratom if it is a criminal charge and is being manufactured. OPPD will utilize a test kit that is designed to test for the presumptive presence of amphetamines to include Kratom and will enforce if advertised as Kratom.

Should the ordinance be approved, an info sheet will be made available to business license holders. Attached is a sample information sheet utilized by San Diego.

I move to adopt Ordinance 5883, entitled: An Ordinance Establishing a New Chapter 25 (Prohibition Of Kratom, Novel Synthetic and Psychoactive Drug Businesses), of Title 7 (Business and License), of the Orland Park Village Code.

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

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

2024-0308 Orland School Districts 135 and 230 Threat of Litigation Update

At the April 1, 2024 Board of Trustees meeting, staff provided an update regarding the Downtown Orland Park project. During the discussion, the matter of the threat of litigation against the Village was also discussed. Below is the text of the agenda from the April 1, 2024 meeting.

As directed by the Village Board, a proposal was sent to the superintendents of D135 and D230. As of this writing, the Village has not received a response to the attached proposal.

The purpose of the discussion at this April 15, 2024, meeting is to provide the Village Board with any applicable updates.

At the May 2, 2022 Village Board meeting, the Village Board approved the Conceptual Master Development Plan for Downtown Orland Park. Downtown Orland Park is approximately 27 acres. The Conceptual Master Development Plan outlines the proposed development for the remaining 9.15 acres of Downtown Orland Park.

The approved conceptual plan was the foundation for the specifications for a Request for Proposals that was issued seeking a master developer. Two proposals were received, and at the August 15, 2022 Village Board meeting, the Village Board approved initiating negotiations on the Redevelopment Agreement (RDA) for the Downtown Orland Park project with Edwards Realty Company.

For this redevelopment to happen, the Village plans to:

- 1) amend the existing Main Street Triangle (MST) TIF District boundary to include only a subset of the parcels currently in the MST TIF District, and;
- 2) designate a new TIF District on some of the parcels currently in the MST TIF District, to be known as the Downtown Orland Park (DOP) TIF District.

At the October 16, 2023 Board of Trustees meeting, the Village Board authorized the execution of a Term Sheet with Edwards Realty for the Downtown Orland Park Redevelopment. Since the October 16, 2023, Term Sheet Approval, Village Staff have been meeting regularly with Edwards Realty to finalize the redevelopment agreement and to initiate the entitlement processes.

Previous Intergovernmental Agreement Attempt with School Districts 135 and 230
Since 2021, Village staff had been working with staff from D135 and D230 on an Intergovernmental Agreement for the Downtown Orland Park (DOP) TIF District. The Village previously drafted an IGA and provided it to D230 and D135 when it appeared that objections from the school districts had been overcome relative to student reimbursement. Previous Village correspondence highlighted the Village's continued good faith efforts in resolving any looming objections. However, after multiple attempts by the Village, no response was received. At the December 19, 2022, Board of Trustees meeting, the Board directed staff to make one additional attempt to come to an agreement and set a deadline of December 31, 2022. This

was a last attempt to work collaboratively in the best interest of the school districts and all the residents of Orland Park. The date came and went without any response; therefore, the Village altered its plans in order to keep the project moving forward.

As part of the proposed intergovernmental agreement, instead of extending the MST TIF, a new Downtown Orland Park (DOP) TIF would be created and the existing MST TIF boundaries would be decreased through an amendment. Under the initial iteration of this plan, the 9750 On The Park Apartments were not going to be part of either the DOP TIF nor the MST TIF. This would have resulted in all taxing bodies, especially the school districts, capturing the MST TIF increment five years earlier than if the current TIF district remained in place for its full life. Since the 9750 On The Park Apartments are currently the only property tax generator in the entire MST TIF, the original plan of excluding 9750 from either the MST TIF or the DOP TIF would have resulted in \$4.3 million in new non-tax cap revenue to School Districts 135 and 230 over five years. However, by rejecting the intergovernmental agreement, this revenue is now no longer available to the school districts since the TIF District has a fixed term and only three years remain.

2007 Intergovernmental Agreement

Subsequently, the school districts presented a 2007 Intergovernmental Agreement that was signed by the Village, D135 and D230. Village staff were unaware of the IGA and promptly provided it to the Village's legal counsel for this matter, Michael Roth of ICE Miller. Mr. Roth's attached opinion makes clear that what was previously approved contradicts State law, and as a result, the Village cannot fulfill the terms of the 2007 Intergovernmental Agreement. The opinion is punctuated by the fact that the Main Street Triangle has a deficit of \$27.5 million as a result of loans made to the Main Street Triangle from the Village's General Fund. This opinion was made available to all of the taxing bodies as part of the Main Street Triangle TIF Joint Review Board meeting on November 7, 2023.

An element of the 2007 IGA was a per student reimbursement. The Village has and continues to agree to follow all State laws regarding per student reimbursements in TIF Districts. However, since the school districts have not made requests in accordance with State law, and because student enrollment has decreased since 2007, the Village is limited in what it can reimburse according to the Illinois TIF Act. Here are the enrollment figures since 2007.

Year	D135	D230
2007	5,601	8,742
2023	5,181	7,595

At the November 7, 2023 Joint Review Board meeting, the Village also presented a draft ordinance amending the Land Development Code in regards to development impact fees. This Ordinance was first presented to the various taxing bodies on November 16, 2021. At that same meeting, the Village also sought

collaboration by highlighting the efforts underway to design and procure easements for a proposed 143rd Street Widening/Park School Secondary Access Driveway as well as a willingness on the part of the Village to improve the High Point/Orland Junior High fields at a cost of \$3.1 million. In exchange for the \$3.1 million in improvements, the Village only sought a long-term field use arrangement. The Village did not seek any reimbursement for its efforts to design and secure easements for the 143rd Street Driveway.

With regard to the new Impact Fee Ordinance, it was drafted to be in line with statutory requirements and industry standards. These impact fees would be applicable to new residential developments. Residential developments can cause increased demands upon public facilities and services that are specifically and uniquely attributable to those new residential developments. Affected facilities and services include public schools, libraries, parks, playgrounds and recreation facilities, open space, police, fire and emergency facilities and services, and public works facilities and services. The provisions of the draft ordinance require that any school district, fire protection or library district shall have entered into a valid and enforceable intergovernmental agreement with the Village.

Another accommodation that the Village had proposed during this period was the willingness of the Village to sell the Cultural Art Center to the D135 for \$1. After completing a facility analysis, D135 determined to pass on acquiring the building.

Threat of Litigation

Despite all of the Village's attempts at collaboration, on February 20, 2024 the Village received a threat of litigation from D135 (attached). The Village's previous collaboration attempts have included:

- \$4.3 million in new non-tax cap revenue by amending the Main Street Triangle TIF
- \$3.1 million in improvements to the High Point/Orland Junior High fields
- Cultural Arts Center donation
- Design and easements for a proposed 143rd Street Widening/Park School Secondary Access Driveway
- New Impact Fee Ordinance

After receipt of the threat of litigation, the Village requested a meeting with D135 and D230 in order to meet and discuss this matter to avoid the unnecessary cost of litigation, which would only serve to harm our shared constituents and of which the Village would undoubtedly prevail. The respective representatives of the Village, D135 and D230 met on March 19th to discuss this matter. At the meeting, the Village indicated that it would provide a response to D135's litigation threat following this Village Board meeting.

Village Manager Koczvara presented information regarding this matter. (refer to audio)

President Pekau had comments and stated to extend the previous offer into May. (refer to audio)

President Pekau had a question. (refer to audio)

Village Manager George Koczwara responded to President Pekau. (refer to audio)

President Pekau had comment. (refer to audio)

Discussion only.

This item was for discussion only. NO ACTION was required.

BOARD COMMENTS

Trustees Riordan, Healy, Radaszewski, Kampas, Katsenes and President Pekau had Board comments. (refer to audio)

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) discussion of the minutes of closed meetings; b) the appointment, employment, compensation, discipline, performances or dismissal of specific village employees; c) collective negotiating matters between the village and its employees, or their representatives, or deliberations concerning salary schedules for one or more classes of employees; d) 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 Kampas, seconded by Trustee Nelson Katsenes, that this matter be RECESS. The motion carried by the following vote:

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

RECONVENE BOARD MEETING

The roll was called to reconvene the Regular Meeting and Trustees Healy, Katsenes, Kampas, Riordan, Radaszewski and President Pekau were present. Trustee Milani was absent.

Purpose of the Executive Session was for the discussion of a) discussion of the minutes of closed meetings; b) the appointment, employment, compensation, discipline, performances or dismissal of specific village employees; c) collective negotiating matters between the village and its employees, or their

representatives, or deliberations concerning salary schedules for one or more classes of employees; d) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

Present: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski and Village President Pekau

Absent: 1 - Trustee Milani

ADJOURNMENT: 9:41 P.M.

A motion was made by Trustee Kampas, seconded by Trustee Riordan, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 6 - Trustee Healy, Trustee Nelson Katsenes, Trustee Kampas, Trustee Riordan, Trustee Radaszewski, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Milani

2024-0321 Audio Recording for April 15, 2024, Board of Trustees Meeting

NO ACTION

/AS

APPROVED:

Respectfully Submitted,

Patrick R. O'Sullivan, Village Clerk