

# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orlandpark.org](http://www.orlandpark.org)



## Meeting Minutes

Monday, June 5, 2017

7:00 PM

Village Hall

## Board of Trustees

*Village President Keith Pekau  
Village Clerk John C. Mehalek*

*Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Patricia Gira,  
Carole Griffin Ruzich, Daniel T. Calandriello, and Michael F. Carroll*

## CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:02 PM

**Present:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll and Village President Pekau

## MOMENT OF SILENCE

President Pekau requested a moment of silence for the individuals who lost their lives in the deadly terror attack that took place on Saturday, June 3rd in London, England on the London Bridge and Borough Market. Seven people were killed and 48 injured. A van drove into pedestrians on the bridge; three men with knives jumped out of the vehicle and began stabbing people.

## VILLAGE CLERK'S OFFICE

### 2017-0376 Approval of the May 15, 2017 Regular Meeting Minutes

The Minutes of the Regular Meeting of May 15, 2017, 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 May 15, 2017.

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

### 2017-0377 Orland Township Food & Pet Pantry - Raffle License

The Orland Township Food & Pet Pantry requested a license to conduct a raffle at their Seventh Annual Pet Palooza on Saturday, June 17, 2017 from 12:00 PM to 3:00 PM at The Orland Township, 14807 South Ravinia Avenue. All funds raised will go to the Orland Township Food & Pet Pantry.

I move to approve issuing a raffle license to the Orland Township Food & Pet Pantry to conduct a raffle at their Pet Palooza event on Saturday, June 17, 2017 at The Orland Township.

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

**2017-0374 Disabled Patriot Fund - Raffle License**

The Disabled Patriot Fund requested a license to conduct a weekly raffle at Mackey's Pub located at 9400 West 143rd Street, Orland Park every Wednesday evening at 8:00 PM. The purpose of this raffle is to raise funds for local disabled Veterans and current members of the military in need.

I move to approve issuing a raffle license for one year beginning May 16, 2017 expiring May 16, 2018 to the Disabled Patriot Fund to sell raffle tickets daily at Mackey's Pub.

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

**CONSENT AGENDA**

Trustee Carroll requested that item O. 14332 Beacon Avenue, Mixed Use Building be removed from the Consent Agenda for a separate vote.

President Pekau requested that items R. Bluff Pointe Subdivision and Z. Gateway Plaza be removed from the Consent Agenda for a separate vote.

**Passed the Consent Agenda**

**A motion was made by Trustee Griffin Ruzich, 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:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

**2017-0396 Bi-Weekly Payroll for May 19, 2016 - 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 May 19, 2016 in the amount of \$1,270,530.69.

**This matter was APPROVED on the Consent Agenda.**

**2017-0397 Accounts Payable for May 16, 2017 to June 5, 2017 - 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 May 16, 2017 through June 5, 2017 in the amount of 6,195,000.81.

**This matter was APPROVED on the Consent Agenda.**

**2017-0360 Recreation Department Program Guide - Fall 2017 Programs and Contractual Payment Approval**

Attached in Legistar are the recommended programs that will be offered in the Recreation Department 2017 Fall program guide. Included in the attachment are the contractual costs (over \$5,000) that require Board approval for the fall session.

These costs are dependent on the number of registered participants. The costs of these programs will be covered through the registration fees.

I move to approve the recommended programs and payment to the contractual instructors at time of invoicing.

**This matter was APPROVED on the Consent Agenda.**

**2017-0343 Tri-River Training Membership Dues - For In-Service Training (ASSIST) For Continuous In-service Training for Current Law Enforcement Officers**

The Tri-River Police Training Region also referred to as Mobile Team Unit 16 (MTU16), is a member of the Illinois Statewide System for In-Service Training (ASSIST) for continuous in-service training for current law enforcement officers.

The Police Department currently uses the Tri-River Police Training Unit to provide on-going in-service training for its full-time police officers. The police department recognizes the importance of having officers trained and updated on the latest techniques and strategies in law enforcement in order to provide safe and effective police service to the community.

Tri-River training is one training avenue used to accomplish this goal for 101 Full-time Police Officers and 8 Part-time Police Officers.

I move to approve the purchase of one hundred and nine (109) Memberships in the Tri-River Police Training Unit of Plainfield, IL at a cost not to exceed \$7,310.00.

**This matter was APPROVED on the Consent Agenda.**

**2017-0353 Mill Creek Pond Stewardship - Approval for the Proposal from Pizzo & Associates that Includes the Scope of Work and Total Cost for the Three Year Program**

In 2011 the Village established the Basin and Best Practices Management report. The report contains bids and evaluations on Village ponds and areas that require stewardship to ensure proper functionality and aesthetics of said areas. Since the completion of the report, the Village has worked with contractors to perform the required services. The selected companies were chosen based on price and expertise in the area of ecological restoration. Pizzo & Associates, Ltd. is one of the companies that were awarded basin and restoration work. Pizzo has proven to be extremely knowledgeable in this area of work and have provided exemplary service to the Village on high profile pond and natural area projects. Staff reached out to vendors for proposals for the invasive species control and restoration of the Mill Creek Pond site with ongoing stewardship. V3 Construction Group submitted a proposal for a three (3) year (2017, 2018, and 2019) stewardship at a cost of \$12,075.00. Pizzo & Associates has submitted a proposal for the same three year period at a cost of \$14,642, which includes the cost of a controlled burn (\$2,200.00) during the stewardship program.

The work includes the control of invasive woody and herbaceous flora through cultural methods, physical removal or the application of appropriate herbicides. The native plants will take advantage of the competitive release created by mowing, the timely application of herbicide or physical removal of the non-native plants. Implement controlled burn in natural areas and bio swales, as needed. Pizzo will use fire as a tool to clear debris, recycle nutrients and stimulate native plant and animal species. The fire crew is comprised of S130/S190 trained crew leaders knowledgeable in the fuel types present. The fire crew will create firebreaks and place noticeable signage prior to burn. Seeds will be harvested prior to the burn to allow for the post burn dispersal. Areas to be burned will contain unburned refuge for animal species. Pizzo will obtain all necessary permitting. When conducted controlled burns will be billed in addition to the General Stewardship services.

Staff recommends approving the proposal from Pizzo & Associates Ltd.

I move to approve the Stewardship of Mill Creek Pond for 2017 (\$7,528.00), 2018 (\$2,457.00) and 2019 (\$2,457.00), and a control burn cost of \$2200 to Pizzo & Associates Ltd. for an amount not to exceed a total of \$14,642 for the for the three year period of 2017, 2018, and 2019.

**This matter was APPROVED on the Consent Agenda.**

**2017-0352 Yearling Crossing Pond, Site ID# 29-02 - Approval for the Proposal From V3 Construction Group that Includes the Scope of Work and Total Cost for the Three Year Program**

In 2011 the Village established the Basin and Best Practices Management report. The report contains bids and evaluations on Village ponds and areas that require stewardship to ensure proper functionality and aesthetics of said areas. Since the completion of the report, the Village has worked with contractors to perform the required services. The selected companies were chosen based on price and expertise in the area of ecological restoration. V3 Construction Group is one of the companies that were awarded basin and restoration work. V3 Construction Group has proven to be extremely knowledgeable in this area of work and have provided exemplary service to the Village on high profile pond and natural area projects. Staff reached out to vendors for proposals for the invasive species control and restoration of the Yearling Crossing Pond site with ongoing stewardship. V3 Construction Group submitted a proposal for a three (3) year (2017, 2018, and 2019) stewardship at a cost of \$28,499.00, which also include 1st year shoreline plug planting, native seeding, and erosion control blanketing. The V3 proposal takes a more aggressive approach to shoreline stabilization. In addition, the planting of 2000 plugs encompassed with the installation of erosion blanket will greatly reduce the erosion of the shoreline. Pizzo & Associates has submitted a proposal for the same three year period at a cost of \$14,543.00, which includes the cost of a controlled burn (\$2200.00) during the stewardship program.

The work includes the control of invasive woody and herbaceous flora through cultural methods, physical removal or the application of appropriate herbicides. The native plants will take advantage of the competitive release created by mowing, the timely application of herbicide or physical removal of the non-native plants. The proposal reflects V3 planting 2000 shoreline plugs for shoreline erosion control, over seeding banks with a native blended seed mixture, and installing 4,890 square feet of erosion control blankets.

Staff recommends approving the proposal from V3 Construction Group.

I move to approve the Stewardship of Yearling Crossing Pond for 2017 (\$19,699.00), 2018 (\$4,300.00), and 2019 (\$4,500.00) to V3 Construction Group for an amount not to exceed a total of \$28,499.00 for the three year period of 2017, 2018, and 2019.

**This matter was APPROVED on the Consent Agenda.**

**2017-0354 Green Knoll Pond Stewardship - Approval for the Proposal from Pizzo & Associates that Includes the Scope of Work and Total Cost for the Three Year Program**

In 2011 the Village established the Basin and Best Practices Management report.

The report contains bids and evaluations on Village ponds and areas that require stewardship to ensure proper functionality and aesthetics of said areas. Since the completion of the report, the Village has worked with contractors to perform the required services. The selected companies were chosen based on price and expertise in the area of ecological restoration. Pizzo & Associates, Ltd is one of the companies that were awarded basin and restoration work. Pizzo has proven to be extremely knowledgeable in this area of work and have provided exemplary service to the Village on high profile pond and natural area projects. Staff reached out to vendors for proposals for the invasive species control and restoration of the Green Knoll Pond site with ongoing stewardship. V3 Construction Group submitted a proposal for a three (3) year (2017, 2018, and 2019) stewardship at a cost of \$21,612.50. Pizzo & Associates submitted a proposal for the same three year period at a cost of \$12,616.00 which includes the cost of a controlled burn (\$2,200.00) during the stewardship program.

The work includes the control of invasive woody and herbaceous flora through cultural methods, physical removal or the application of appropriate herbicides. The native plants will take advantage of the competitive release created by mowing, the timely application of herbicide or physical removal of the non-native plants. Implement controlled burn in natural areas and bio swales, as needed. Pizzo will use fire as a tool to clear debris, recycle nutrients and stimulate native plant and animal species. The fire crew is comprised of S130/S190 trained crew leaders knowledgeable in the fuel types present. The fire crew will create firebreaks and place noticeable signage prior to burn. Seeds will be harvested prior to the burn to allow for the post burn dispersal. Areas to be burned will contain unburned refuge for animal species. Pizzo will obtain all necessary permitting. When conducted, controlled burns will be billed in addition to the General Stewardship services.

Staff recommends approving the proposal from Pizzo & Associates.

I move to approve the Stewardship of Green Knoll Pond for 2017 (\$5,642.00), 2018 (\$2,387.00), and 2019 (\$2,387.00), and a control burn at a cost of \$2,200 to Pizzo & Associates Ltd. for an amount not to exceed a total of \$12,616.00 for the for the three year period of 2017, 2018, and 2019.

**This matter was APPROVED on the Consent Agenda.**

**2017-0359 Lakeside Pond Vegetation Removal - Bid Award - Approval of Treatment and Removal of Invasive Vegetation by V3 Construction Group**

In 2011 the Village established the Basin and Best Practices Management report. The report contains bids and evaluations on Village ponds and areas that require stewardship to ensure proper functionality and aesthetics of said areas. Since the completion of the report, the Village has worked with contractors to perform the required services. The selected companies were chosen based on price and expertise in the area of ecological restoration. V3 Construction Group is one of the companies that were awarded basin and restoration work. V3 Construction

Group has proven to be extremely knowledgeable in this area of work and have provided exemplary service to the Village on high profile pond and natural area projects. V3 Construction Group has provided superior expertise and service, greatly improving the functionality and appearance of the natural plantings at multiple Village properties.

Staff requested proposals from Pizzo and Associates Ltd. and V3 for the herbicidal treatment and removal of invasive species such as Cattails and Phragmites. Proposals were received from Pizzo and Associates, Ltd. in the amount of \$18,800.00 and from V3 in the amount of \$9,075.00.

Staff recommends approving the proposal from V3 Construction Group.

I move to approve treatment and removal of invasive vegetation at Lakeside pond site #17-06 by V3 Construction Group at a total cost not to exceed \$9,075.00.

**This matter was APPROVED on the Consent Agenda.**

**2017-0355 Deer Point Estates Park Pavilion - Approval for the Roof Replacement at Deer Point Estates Park Pavilion to Filotto Construction Inc**

The roof on the pavilion at Deer point Estates is in need of replacement. The Parks & Grounds department recently closed a bid for roof replacements for several of our pavilion areas and the bid results came in below budget. The amount of savings realized would allow staff to have an additional pavilion roof replaced. Filotto Construction was the lowest bidder for roofing replacements. They have submitted a price to strip the roof, install new underlayment, install new metal roofing and repair fascia and cover in aluminum for a cost of \$5,760.00.

I move to approve the roof replacement at Deer Point Estates Park pavilion to Filotto Construction Inc, of Crest Hill, IL in an amount not to exceed \$5,760.00.

**This matter was APPROVED on the Consent Agenda.**

**2017-0358 Somerglen Pond Vegetation Removal Site - Bid Award - Approval of Treatment and Removal of Invasive Vegetation by V3 Construction Group**

In 2011 the Village established the Basin and Best Practices Management report. The report contains bids and evaluations on Village ponds and areas that require stewardship to ensure proper functionality and aesthetics of said areas. Since the completion of the report, the Village has worked with contractors to perform the required services. The selected companies were chosen based on price and expertise in the area of ecological restoration. V3 Construction Group is one of the companies that were awarded basin and restoration work. V3 Construction Group has proven to be extremely knowledgeable in this area of work and have provided exemplary service to the Village on high profile pond and natural area projects. V3 Construction Group has provided superior expertise and service, greatly improving the functionality and appearance of the natural plantings at multiple Village properties.

Staff requested proposals from Pizzo and Associates Ltd. and V3 for the herbicidal treatment and removal of invasive species such as Cattails and Phragmites. Proposals were received from Pizzo and Associates, Ltd. in the amount of \$16,200.00 and from V3 in the amount of \$6,600.00.

I move to approve treatment and removal of invasive vegetation at Somerglen pond by V3 Construction Group at a total cost not to exceed \$6,600.00.

**This matter was APPROVED on the Consent Agenda.**

**2017-0361 Centennial Park - Bid Award - Approval for Fencing Repair/Replacement by Peerless Fence**

An invitation to bid was issued on April 24, 2017 for the repair and replacement of fencing at Centennial Park by the Parks & Grounds Department. The bid was opened on May 5, 2017 with two (2) companies submitting bids. Peerless Fence of West Chicago IL was the only responsive bidder. The bid was structured so that specific areas could be bid individually. The sites that can be completed within the funding level allocated are attached on a spread sheet describing each location and the corresponding costs. Costs for work in Parks and Grounds sites are totaled at \$44,925 and the work at Centennial Park Aquatic Center is totaled at \$14,350. The total cost for all sites is \$59,275. The Village has worked with Peerless Fence in the past and they have provided quality products and service.

I move to approve awarding bid #17-022, Centennial Park Fence Repair/Replacement to Peerless Fence of West Chicago IL, for specified locations in an amount not to exceed \$59,275.

**This matter was APPROVED on the Consent Agenda.**

**2017-0364 Orland Golfview Pond Stewardship, Site ID #14-05 - Approval for the proposal from V3 Construction Group that includes the scope of work and total cost for the three year program**

In 2011 the Village established the Basin and Best Practices Management report. The report contains bids and evaluations on Village ponds and areas that require stewardship to ensure proper functionality and aesthetics of said areas. Since the completion of the report, the Village has worked with contractors to perform the required services. The selected companies were chosen based on price and expertise in the area of ecological restoration. V3 Construction Group is one of the companies that were awarded basin and restoration work. V3 Construction Group has proven to be extremely knowledgeable in this area of work and have provided exemplary service to the Village on high profile pond and natural area projects. Staff reached out to vendors for proposals for the invasive species control and restoration of the Orland Golfview Pond site with ongoing stewardship. V3 Construction Group submitted a proposal for a three (3) year (2017, 2018 and 2019) stewardship at a cost of \$18,215.00, which also includes 1st year shoreline plug planting and native seeding. Pizzo & Associates has submitted a proposal for the same three year period at a cost of \$30,000.00 which includes the cost of a controlled burn (\$2,200.00) during the stewardship program.

The work includes the control of invasive woody and herbaceous flora through cultural methods, physical removal or the application of appropriate herbicides. The native plants will take advantage of the competitive release created by mowing, and the timely application of herbicide or physical removal of the non-native plants. This cost reflects V3 planting 1000 shoreline plugs for shoreline erosion control and over seeding banks with a native blended seed mixture.

I move to approve the Stewardship of Orland Golfview Pond for 2017 (\$10,255.00), 2018 (\$3,880.00) and 2019 (\$4,080.00) to V3 Construction Group for an amount not to exceed a total of \$18,215.00 for the for the three year period of 2017, 2018 and 2019.

**This matter was APPROVED on the Consent Agenda.**

**2017-0165 United States Conference of Mayors Annual Dues - Annual Renewal of Membership for FY2017**

Renewal of the annual membership in the United States Conference of Mayors was budgeted in the amount of \$5,269 in the FY 2017 budget.

I move to approve payment of dues for 2017 annual renewal of membership in the United States Conference of Mayors in the amount of \$5,269.

**This matter was APPROVED on the Consent Agenda.**

**2017-0382 Prevailing Wage Required to be Paid to Workers Employed on Public Works Projects per Illinois State Statute - Ordinance**

In compliance with the Illinois State Statute, it is the responsibility of the Village of Orland Park to ascertain that the workers engaged in the construction of public works, under the Village's jurisdiction, are paid the prevailing rate of wages as determined by the Illinois Department of Labor, and published on the Illinois Department of Labor website.

I move to pass Ordinance Number 5187, entitled: AN ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS AND OTHER WORKERS EMPLOYED ON PUBLIC WORKS PROJECTS IN THE VILLAGE OF ORLAND PARK.

**This matter was PASSED on the Consent Agenda.**

**2017-0291 15118 Grandview Drive - Plat of Abrogation to Remove an Existing Conservation Easement - Ordinance**

The petitioner, as the property owner of 15118 Grandview Drive, Mr. Saleh Othman, requests permission to abrogate the conservation easement located along the east property line (rear yard) of his single family home in the LaGrand Estates subdivision. The conservation easement is no longer necessary or useful to the Village since the area covered by the easement is not environmentally sensitive or significant. The conservation easement was placed in an area that contains lawn grass and not any natural vegetation.

The conservation easement currently impedes the property owner from completing rear yard improvements. Along with the abrogation of the conservation easement, the petitioner is establishing the appropriate and Code required utility and drainage easements to surround his single family lot.

I move to pass Ordinance Number 5188, entitled: ORDINANCE AUTHORIZING RELEASE (ABROGATION) OF A conservation easement (15118 Grandview Drive)

**This matter was PASSED on the Consent Agenda.**

**2017-0370 MaRous & Company - General Appraisal Services for Village Projects**

The Village has received a proposal from Michael MaRous for appraisal services for properties located in Orland Park. The Village has utilized MaRous previously for various projects throughout the community. The scope is based on hour's billed and direct costs.

I move to approve the attached proposal from MaRous & Company for appraisal services for properties located in Orland Park.

**This matter was APPROVED on the Consent Agenda.**

**2017-0173 7402 W. 159th Street, Freddy's Frozen Custard and Steakburgers - Special Use Permit for a Restaurant: Site Plan, Elevations, Resubdivision and Preliminary Landscape Plan**

The 7420 W. 159th Street Planned Unit Development was approved in 2015 as a five lot commercial subdivision (with one lot as a detention pond). Since then Heartis Senior Living has occupied Lot 3 of the PUD and Avis Rent-A-Car has occupied the east portion of Lot 2. The PUD always understood that the lots fronting 159th Street (Lots 1 and 2) were going to have two or more uses. However, it originally contemplated two lots each with two uses. The developer, in working with this petitioner, has determined that the PUD would function better with four separate lots fronting 159th Street versus two.

Freddy's Frozen Custard and Steakburger will locate on the portion of Lot 1 currently occupied by the temporary facility for Avis Rent-A-Car. Avis will move to its permanent Lot 2 facility once construction is complete in Summer 2017. It is anticipated that Freddy's will commence construction following Avis's move.

I move to approve the site plan, elevations, preliminary plat of subdivision, preliminary landscape plan, and special use permit for Freddy's Frozen Custard and Steakburger Restaurant as recommended at the May 15, 2017 Development Services Planning and Engineering Committee meeting and as indicated in the below fully referenced motion.

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

I move to approve the preliminary site plan titled "Freddy's Frozen Custard 7402

W. 159th Street Orland Park, Illinois Preliminary Site Plan”, prepared by Kimley Horn, dated 3/3/2017, last revised 5/24/2017, sheet PSP-5, subject to the following conditions:

1. Coordinate with Goodwill regarding the appropriate pedestrian connection along the perimeter of the interior access lane intersection southwest corner (at the northeast corner of the subject site);
2. Provide a crosswalk that links the sidewalk at the said interior intersection southwest corner to the opposite corner east of the existing shared access drive;
3. Meet all final engineering and building code related items;

And

I move to approve the elevation drawings titled “Freddy’s Frozen Custard 7402 W. 159th Street Orland Park, Illinois Exterior Elevations”, prepared by Dan Winter Architect, dated 5/12/2017 sheets A3, A4, and SA2, subject to the following conditions:

1. Screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively;
2. Masonry must be of anchored veneer type with a minimum thickness of 2.625 inches and must use a different color brick for the basket-weave portions of the elevations;
3. Signs are subject to additional review and approval via the sign permitting process;

And

I move to approve the preliminary plat of subdivision titled “GW Property First Resubdivision Orland Park, Illinois Final Plat of First Resubdivision”, prepared by Manhard Consulting Ltd., dated 10/7/2016, last revised 4/26/17, sheets 1 of 3, 2 of 3, and 3 of 3, subject to the following condition:

1. Submit a Record Plat of Subdivision to the Village for recording;

And

I move to approve the preliminary landscape plan titled “Freddy’s Frozen Custard 7402 W. 159th Street Orland Park, Illinois Landscape Plan”, prepared by Kimley Horn, dated 3/3/2017, last revised 5/24/2017, sheets L1.0 and L2.0, subject to the following condition:

1. Coordinate with Goodwill to provide appropriate landscaping at the said interior intersection southwest corner.

And

I move to approve a Special Use Permit for Freddy's Frozen Custard and Steakburger, a restaurant with a drive-through facility, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Reduce the width of the Type 1 north bufferyard from ten (10) feet to one (1) foot.

**This matter was APPROVED on the Consent Agenda.**

**2015-0002 17601 Southwest Highway, John Burns Construction - Site Plan, Elevations and Variances Associated with the Expansion of the Existing Facility - Ordinance**

On April 6, 2015, the Village Board of Trustees approved a site plan, elevations and variance for John Burns Construction located at 17601 Southwest Highway. The approval allows for the expansion of the facility and is subject to the conditions as stated in the ordinance.

I move to pass Ordinance Number 5189, entitled: ORDINANCE GRANTING VARIANCES - (JOHN BURNS CONSTRUCTION, 17601 SOUTHWEST HIGHWAY)

**This matter was PASSED on the Consent Agenda.**

**2017-0373 Madison Construction - 15657 S. 70th Court - Revolving Loan Fund Extension**

In March of 2011, the Village approved a Revolving Loan Fund request from Madison Construction in the amount of \$586,750.00 to fund substantial rehabilitation and renovation work for an existing building located at 15657 South 70th Court. The loan request represented 38% of the total project budget (property acquisition, rehabilitation and soft costs), and served to keep an existing successful company in Orland Park. Today, the building continues to serve as the Madison Construction headquarters.

Highlights of the existing agreement include:

Original Loan Amount: \$596,750.00

Interest Rate: 1.625%

Terms: 5 year balloon; 25 year amortization

Monthly Payment Amount: \$2,381.24

Start Date: July 7, 2012

Final Payment Date: June 7, 2017

At this time, Madison Construction is requesting a 6-month extension, which will move the Final Payment Date from June 7, 2017 to December 7, 2017. This

request will allow the business to facilitate their continued commitment to the Orland Park area and to their headquarters. The Village has reviewed the business's current financials (2014, 2015 and 2016), and based upon the information provided and our general analysis we do not see any significant concerns for extending the loan maturity date for a short time period.

I move to approve a 6-month extension to the Revolving Loan Fund agreement with Madison Construction and establish a new Final Payment Date of December 7, 2017.

**This matter was APPROVED on the Consent Agenda.**

**2016-0470 McDonald's - 14445 Lagrange Road - Granting a Special Use Permit with Modifications and Associated Site Plan and Elevation Changes - Ordinance**

On November 21, 2016, the Village Board approved a special use permit with modifications for the McDonald's Restaurant located at 14445 Lagrange Road, which allows for the renovation and operation of a restaurant with a drive through, and is subject to conditions as stated in the ordinance.

I move to pass Ordinance Number 5190, entitled: ORDINANCE GRANTING A SPECIAL USE PERMIT WITH MODIFICATIONS AND ASSOCIATED SITE PLAN AND ELEVATION CHANGES TO MCDONALD'S RESTAURANT LOCATED AT 14445 LAGRANGE ROAD

**This matter was PASSED on the Consent Agenda.**

**2016-0234 14420 First Avenue, New Walter Residence - Variance Related to a Side-Yard Setback in the Old Orland Historic District - Ordinance**

On April 3, 2017, the Village Board of Trustees approved a variance to increase the south side-yard setback in excess of the fifteen (15) foot maximum to approximately a 52 foot maximum at 14420 First Avenue. The approval is subject to conditions as stated in the ordinance.

I move to pass Ordinance Number 5191, entitled: ORDINANCE GRANTING A VARIANCE - (14420 First Avenue)

**This matter was PASSED on the Consent Agenda.**

**2017-0219 Teas & Things Sip & Go Café - Special Use Permit for a Restaurant at 9911 W. 143rd Place**

According to the 2008 Residential Area Intensive Survey (RAI), the site's common name was Cracker Barrel Antiques but has also historically been known as Kruspe's Saloon. This is a mixed use building, with a first floor wing of commercial connected to a two story apartment building. The building was constructed in 1885, has historically been used as commercial, and is in good condition with medium integrity. The architectural style indicated in the RAI survey is "19th Century Commercial / Storefront." The wing of Kruspe's Saloon acted as a dance

hall, drug store and gym at various points in time. Per Section 6-209 of the Land Development Code, this building is not recognized as a contributing structure to the Old Orland Historic District.

The petitioner is proposing to operate a 900 square foot restaurant in the commercial wing of the 9911 W 143rd Street. The property is within the district's permitted commercial subarea. The restaurant is required to obtain a Special Use approval because they are within 300 feet of a residential parcel (Section 6-209.B.3). A restaurant is an allowable use in OOH as long as it is in accordance with the procedures and standards set forth in Section 5-105 of the Land Development Code.

The petitioner is not proposing any exterior work to the building or site (a Certificate of Appropriateness is not required). Surrounding uses include medical offices and retail tobacco, and the site is close in proximity to other restaurants (Irish Patriot). The proposed restaurant is compatible with these uses, and conforms to the Village's Comprehensive Plan's vision for the area.

This petitioner has not requested any variances or modifications for this project.

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

I move to approve the Special Use Permit for 9911 W. 143rd Place, Teas & Things Sip & Go Cafe, for a restaurant within 300 feet of a residential property as recommended at the May 15, 2017 Development Services and Planning Committee meeting and as indicated in the below fully referenced motion.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)  
I move to approve a Special Use Permit for 9911 W. 143rd Place, Teas & Things Sip & Go Café, to operate a restaurant located within 300 feet of a residential parcel, subject to the following conditions:

1. Submit all necessary building permit applications with the correct address; and
2. Paint any and all mechanical equipment sky grey to blend them into the background.

**This matter was APPROVED on the Consent Agenda.**

**2016-0865 15610 LaGrange Road, LaGrange Retail Development - Site Plan, Elevations, Preliminary Landscape Plan, Rezoning, Subdivision, and Special Use Permit for a Planned Unit Development of a Retail Shopping Center**

There are two (2) parcels that comprise the subject site/ project area. While both existing parcels are currently owned by the petitioner (Location Finders Inc.), the south parcel adjacent to Lakeview Plaza was formerly the US Army's Area Maintenance and Support Facility. The south parcel currently has seven (7) to

eight (8) buildings that remain on site. These buildings will be demolished as part of this project. The petitioner has worked with the US Army to acquire this property and has diligently pursued improvements at other regional US Army installations in order to acquire this property and develop it per US Army policy.

The south parcel is currently unincorporated and must be annexed into the Village jurisdiction. The Orland Park Comprehensive Plan notes that this property shall be annexed upon redevelopment. As a result, the former US Army base site has remained unincorporated and unchanged since at least the end of the Cold War.

The petitioner proposes to establish a six (6) lot commercial planned unit development (PUD) on the two existing parcels. The proposed PUD will enable retail and restaurant uses on out-lots along the LaGrange Road frontage. Larger retail uses (in a so-called "junior big box") are planned at the rear of the subject site as anchors.

A jurisdictional wetland is currently located near the northwestern areas of the property. The petitioner proposes to remove up to half of the wetland entirely and mitigate according to US Army Corps of Engineers' standards. The removal of the wetland will allow the site to establish cross-access and shared parking fields for this development. Cross-access within major commercial corridors is critical to improve traffic movement and circulation between developments and within the corridor. The proposed layout anticipates the location of future commercial development along 156th Street to the north and its driveways are set up so that cross-access may be enabled across multiple sites in this area of the highly trafficked LaGrange Road corridor.

The petitioner proposes the PUD to have four (4) buildings on the six (6) lots. The development of two (2) of the out-lots is proposed with this petition. The land uses will be restaurants: Chuy's Mexican Restaurant (Lot 1) and Miller's Alehouse (Lot 2). The third southern out-lot is proposed as "pad-ready" and may have either a restaurant or retail land use (Lot 3). Lastly, the retail anchor building (junior big box) at the rear of the site is speculative at this time, demonstrating the square footage anticipated (Lot 4). No users are identified at this time for that building.

This petitioner requests the following modifications:

1. Reduce the rear setback from 30 feet to 24 feet;
2. Reduce the wetland setback from 50 feet to zero feet; and
3. Meet site detention requirements offsite in the regional detention facility along Ravinia Avenue.

I move to approve the site plan, elevations, preliminary landscape plan, rezoning, subdivision and special use permit for a Planned Unit Development at 15610 LaGrange Road upon the annexation of the south parcel of the property as recommended at the May 15, 2017 Development Services Planning and Engineering Committee meeting and as indicated in the below fully referenced motion

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

I move to approve upon annexation the preliminary site plan titled "Retail Development SWC LaGrange Road and 156th Street Orland Park, IL. Site Plan", prepared by Soos & Associates Inc., dated 10/27/2008, last revised 5/18/17, sheet number SP-47A, subject to the following conditions:

1. Maintain shared parking and cross-access for all and through all parking fields within the planned unit development between users;

And

I move to approve upon annexation the elevation drawings titled "Retail Development SWC LaGrange Road & 156th Street Orland Park, IL. Proposed Exterior Elevations", prepared by Soos & Associates Inc., dated 9/19/2016, last revised 2/15/17, sheet number A-07; and "Chuy's Orland Park, IL.", prepared by Parkway C&A, LP, dated 4/4/17, sheet number A-01; and "Miller's Alehouse Orland Park Elevations Revised", prepared by FRCH Design Worldwide, dated 4/12/17, sheet numbers 2, 3 and 4; and "Retail Development SWC LaGrange Road & 156th Street Orland Park, IL. Site Amenities", prepared by Soos & Associates Inc., dated 10/27/08, last revised 4/25/17, sheet number A-10, all subject to the following conditions:

1. Indicate window transparency on the elevation drawings for Miller's Alehouse;
2. Work with staff to address the blank wall surface areas on the east and south elevations visible from LaGrange Road;
3. Screen all mechanical equipment either at grade level with landscaping or hidden behind parapets;
4. Submit separate sign permit applications for review of signage;
5. Anchored masonry veneer shall have a minimum thickness of 2.625 inches;

And

I move to approve upon annexation the preliminary landscape plan titled "Retail Development Overall Landscape Plan", prepared by Kimley-Horn and Associates, Inc., dated 2/16/17, last revised 5/19/17, sheets L2.0, L2.1, L2.2, L2.3, L2.4, and L2.5, subject to the same conditions outlined in the above preliminary site plan and elevation drawings motions and the following:

1. Provide the necessary mitigation for the removal of the wetlands and trees per US Army Corps of Engineers' standards and the Land Development Code respectively;

And

I move to approve upon annexation the rezoning of the subject property from E-1 Estate Residential District to COR Mixed Use District subject to the same conditions outlined in the above preliminary site plan motion;

And

I move to approve upon annexation of a six (6) lot subdivision as shown on the preliminary plat of subdivision titled "Preliminary Plat of Subdivision LaGrange Retail Development", prepared by Spaceco Inc., dated 2/17/17, last revised 5/18/17, sheets 1 of 3, 2 of 3, and 3 of 3, subject to the following condition:

1. Submit a Record Plat of Subdivision to the Village for recording;

And

I move to approve upon annexation the Special Use Permit for 15610 S. LaGrange Road, LaGrange Retail Development by LFI, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Reduce the wetland setback from 50 feet to zero feet; and
2. Meet site detention requirements offsite in the regional detention facility along Ravinia Avenue.

**This matter was APPROVED on the Consent Agenda.**

**2017-0351 Parks Court Repairs - Bid Award - Repair to the Tennis, Basketball, and Inline Hockey Courts at Doogan, Wedgewood Estates, Veterans, Schussler, Treetop, Discovery, Emerald Estates, and Eagle Ridge Parks**

An invitation to bid was issued on April 13, 2017, for the repair of tennis, basketball, and inline hockey courts at Doogan, Wedgewood Estates, Veterans, Schussler, Treetop, Discovery, Emerald Estates, and Eagle Ridge parks. An Addendum to the bid was issued on April 21, 2017, to answer all potential bidder questions. The bid was opened on April 28th, 2017, with only one company submitting a bid despite fielding questions for several other companies. The only bidder was U.S. Tennis Court Construction Company, of Lockport, IL.

The Village has worked extensively with U.S. Tennis in the past and they have always provided superior services. Bids submitted for repairs are as follows:

Doogan Park \$33,120.00;  
Wedgewood Estates Park \$23,850.00;  
Veterans Park \$134,640.00;  
Schussler Park \$6,285.00;  
Treetop Park \$62,630.00;  
Discovery Park \$11,545.00;

Emerald Estates Park \$8,320.00; and Eagle Ridge Park \$16,300.00.

Funding was budgeted at \$100,000. The bid costs have exceeded (\$296,690.00) the funds available.

In an effort to improve as many sites as possible, the Veterans Park and Treetop Park will be requested during the FY2018 budget process.

I move to approve awarding bid #17-020 Park Court Repairs to U.S. Tennis Court Construction Company, of Lockport, IL. in an amount not to exceed \$99,420.00 for specified repair work at Doogan Park tennis court (\$33,120.00), Schussler Park basketball court (\$6,285), Discovery Park tennis court (\$11,545.00), Emerald Estates Park tennis court (\$8,320.00), Eagle Ridge Park tennis court (\$16,300.00), and Wedgewood Park tennis court (\$23,850.00).

**This matter was APPROVED on the Consent Agenda.**

**2017-0090 14332 Beacon Avenue, Mixed Use Building - Site Plan, Elevations and Certificate of Appropriateness for a New Mixed Use Building in the Old Orland Historic District**

The subject site was previously petitioned in 2010 as the "McDuffy Mixed Use Development" (2010-0616). The McDuffy project pioneered and paved the way to establish the precedent for a mixed-use building within the Beacon Avenue street corridor. It sought to demolish the one time single family home that occupied the site and replace it with a new 14,820 square foot mixed-use building. Although approved by the Village Board in February 2011, the McDuffy project was not constructed due to the challenging economic conditions of the economic downturn and other externalities.

The one time single family home was demolished in 2016.

The petitioner proposes to construct and maintain a new two-story mixed-use building that will be approximately 8,000 square feet. The proposed mixed-use building will include two office suites on the ground floor and two dwelling units on the second floor.

14332 Beacon Avenue is located within the permitted Beacon Avenue commercial area of the Old Orland Historic District as outlined by Section 6-209 of the Land Development Code. The Code permits "residential units above retail or commercial establishments" on Beacon Avenue between 143rd Street and 144th Street. The proposed mixed-use building is a conforming land use for the area. (The Old Orland Historic District, as a zoning district, contains two commercial sub-areas, one on Beacon Avenue and another on Union Avenue/143rd Place, that permit non-residential development and land uses).

The petition before the Committee considers both the site plan and the elevations of the redevelopment.

The petitioner does not request any variances or modifications for this project.

The recommendation motion includes the following condition:

1. Anchor all masonry using a veneer type with a 2.625 inch minimum thickness.

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

I move to approve the site plan and certificate of appropriateness for 14332 Beacon Avenue as recommended at the March 20, 2017 Development Services Planning and Engineering Committee meeting and as indicated in the below fully referenced motion.

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

I move to approve the preliminary site plan titled "Mixed Use Building 14332 Beacon Ave., Orland Park, IL. 60462", prepared by IJM Architects, dated 3/28/17, sheet number A-2.0;

And

I move to approve the elevations drawings titled "Mixed Use Building 14332 Beacon Ave. Orland Park, IL. 60462", prepared by IJM Architects, dated 3/28/17, sheet A-1.0, subject to the following condition:

1. Anchor all masonry using a veneer type with a 2.625 inch minimum thickness.

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and Village President Pekau

**Nay:** 0

**Abstain:** 1 - Trustee Carroll

**2017-0172 Bluff Pointe Subdivision - Site Plan and Special Use Permit with Modifications for a Proposed 49-Lot Residential Subdivision on a 26-Acre Site at 16900 -17100 Wolf Road**

McNaughton Development proposes to develop a 49 lot single family subdivision with public streets and two out-lots for detention and flood plain, on a 26 acre site along the west side of Wolf Road just east of the existing Grasslands Subdivision. Access to the subdivision will be via the existing 171st Street stub to the west and

from a new curb cut on Wolf Road, which is an IDOT major arterial road. The existing bike path stubbed at the north limits of Brook Hills Town Homes will be extended through the proposed subdivision along Wolf Road.

Bluff Pointe is laid out in a grid pattern with three new stubs that extend to the north of the site for connection to future residential development. The project site will be extensively re-graded to level out the site and bring the eastern-most lots well above the floodplain limits, shifting the floodplain line further east but maintaining the current capacity of the existing floodplain. There will be a noticeable drop in elevation from the west side (typical home finished floor 720) to the east side of the site (typical finished floor 695), with most of the 49 lots having potential for basement walk-out or look-outs.

The property was a part of the 1994 Spring Creek Agreement, and the Village is still bound by most provisions of that agreement. The project site is zoned as LSPD (Large Scaled Planned Development) District, which is the zoning district that embodies the provisions of the Spring Creek Agreement. A small .4 acre parcel included in the petition is zoned Open Lands District and will be utilized for detention which is a permitted use in that District. As a part of the detention facility, this parcel will be dedicated to the Village.

Although not a part of this petition, there are three platted lots in the Grasslands Subdivision that are currently in use for storm water detention. The Bluff Pointe storm water infrastructure could eliminate the need for this small detention pond, and the lots could then become developable subject to Village approvals. However the engineering of the storm water and any other needed updates must be verified and approved prior to issuance of permits on these already platted lots.

Donald Garvey - Attorney for Dorothy Troost spoke before the Board regarding a letter dated June 1, 2017 that he sent to President Pekau, Clerk Mehalek, Senior Planner Jane Turley, and Village Attorney E. Kenneth Friker regarding Lots 45, 46 and 47 in the Grasslands Subdivision (FKA Marycrest).

Attorney Garvey stated that he was the attorney for Robert Troost and recalls back in 1995 the Village and the developer decided that three lots (within the Annexation Agreement those lots are referred to as Lots 56, 57 and 58) would be taken from this subdivision to be carved out and used temporarily as detention ponds until such time as the property to the east was developed. At that time that property was owned by Gallagher and Henry.

During the development the engineer representing the developer had a meeting with Gallagher and Henry and was in communication with the Village engineer and it was understood that at that time when these lots were placed into water detention it was to be a temporary situation not permanent. The temporary situation would end when the subdivision to the east was developed.

Attorney Garvey has looked through several older boxes of files and is unable to find a specific agreement executed by either the Village or by Gallagher and Henry.

Since 1995 Mr. Troost has been paying taxes on these lots, he has been maintaining them, and waiting patiently for the subdivision to the east to be developed. Mr. Troost has passed and his widow Dorothy Troost is now who owns these three lots.

Attorney Garvey stated that at the Plan Commission meeting the engineer spoke for Bluff Pointe stating that the engineering plans did account for the water coming off those three lots. But they would not increase the sizing of their water piping if they could not purchase the lots. An agreement has not been reached for the purchase and sale of those lots, which was never Mrs. Troost intent.

Attorney Garvey is respectfully requesting that the Village, when considering the engineering for the Bluff Pointe subdivision, requires that subdivision to take the water that was being stored on those three lots and move the burden off that is being carried by a private citizen and require that the adjacent subdivision take care of that water for the benefit of the entire Grasslands Subdivision.

Interim Development Service Director Mike Kowski stated that the Village has been researching their archival files too with no success at this time regarding a signed agreement stating the detention of Lots 45, 46 and 47 were temporary detention storage. Nothing was mentioned in the Annexation Agreement from 1994 that details this project.

He stated a letter was found dated May 12, 1994, in the Village records, which was the first hint of this issue, from a Mr. Kitchen. In this letter it referenced having a written agreement, along with financial details, etc. that would come at a later date. As of this date that Village has not found any official signed agreement.

The Village's stance is this – If the Village can get those lots developed we are all for it. But to put a condition of approval on it for this current development may be overly burdensome. So the Village encourages you to work with McNaughton to resolve that.

The binding agreement is the Annexation Agreement and the letter referencing the Agreement is without the actual agreement.

Village Attorney Friker stated that he drafted that Annexation Agreement and his records do not reflect any such agreement regarding temporary storage on these three lots. It was required at the time, either due to the Water Reclamation District requirements or common engineering practices that those lots would take stormwater storage for the benefit of the Grasslands Subdivision. It does not

benefit the Bluff Pointe Subdivision which is before the Village Board. There is no legal way that he can see, absent an agreement, which could bind the owners and developers of the Bluff Pointe subdivision. There is no legal basis's upon, in his opinion that the Village can require that development to accommodate stormwater from your client's subdivision.

Attorney Garvey questioned the implication from the fact that the Annexation Agreement identifies in the Plat of Subdivision that these three lots were to be three single family lots. When that was approved the implications from that was the Village agreed that these could be buildable lots. Attorney Garvey stated that he has some older engineering drawings that show temporary detention. He believes there was general knowledge that this was not to be permanent detention.

Attorney Friker stated that he does not find such implication, but he does believe if their engineers were to demonstrate today in some fashion that the detention on those three lots is no longer needed than those lots can certainly be filled in and built upon. It would require an engineering study to make sure that detention on those three lots is no longer necessary.

Attorney Garvey asked if the lots are not buildable because they are required for storage of water, then why a private citizen would be obligated to shoulder that burden.

Village Attorney Friker stated that the private citizen also happens to be the developer. If those lots are filled in and no are longer allowed to be used for stormwater storage other homes in that subdivision are going to be flooded. There are engineering studies why detention was required on those three lots and until that problem is resolved it will need to remain a detention pond.

Attorney Garvey stated there is an easy solution and that is for the Village to require the engineering work on the adjacent property to account for this water.

Village Attorney Friker stated that in his opinion the Village cannot require such engineering work.

Interim Assistant Village Manager Friling stated there are some options that are available to your client. As Interim Director Kowski mentioned there are three plotted lots and your client can hire an engineer firm and can do the water math and they would determine how the water detention on site is currently going.

In addition both parties have been asked to come to the Village (your client and McNaughton) to try to come up with a resolution that would allow any detention that currently exists on those three lots to be put into the new detention pond that will be constructed as part of the Bluff Pointe Subdivision. The Village cannot mandate those costs are paid for by the developer, but of course if you could reach an

agreement where you could pay for those increased costs to get the water there, that is another option available to your client as well.

Interim Assistant Village Manager Friling stated that the Village is not saying that those three lots are forever unbuildable. The Village cannot find any legal documentation, recorded or otherwise that mandates that the detention that currently exists on your client's property be forced upon this new development that is being built now.

The Village would be happy to provide additional services to bring the parties together and also work separately with you and your client to determine what options you have available as it relates to removing the current detention and what those costs might be associated for your client.

I move to approve the site plan, subdivision, and special use permit with modifications, for Bluff Pointe Subdivision located at 16900-17100 Wolf Road, as recommended at the May 15, 2017 Development Services Committee meeting, and as fully referenced below.

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

I move to approve the preliminary site plan titled 'Preliminary Site Plan for Bluff Pointe Subdivision by Designtek Engineering, dated 2.23.17, revised 4.10.17, and as shown on the 'Preliminary Engineering Plan for Bluff Pointe Subdivision by Designtek Engineering, dated 2.23.17, revised 4.10.17, subject to the following conditions.

- 1) Prior to issuance of building permits, pay to the village \$21,008 in recapture fees for the Wolf Road sanitary interceptor extension.
- 2) Work with Village Engineers to shift pond away from south property line.
- 3) Work with Village Engineers to assess Wolf Road culvert condition.
- 4) Complete a Traffic Study that meets Village Engineer's requirements.
- 5) Construct the Wolf Road curb cut prior to site development (subject to IDOT approval) and then utilize it for all construction traffic access.
- 6) The development of the three already platted but undeveloped lots in The Grasslands is not part of this petition and requires separate consideration and approval.
- 7) Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval, reflecting submitted Preliminary Landscape Plan and including the following items:

- a. Address required tree mitigation as a part of the final Landscape Plan.
- b. Provide a hydro-period analysis and maintenance and monitoring plan for pond.
- c. Per Spring Creek Agreement, provide a minimum 15' landscape buffer on the rear of lots 37-49, to be installed by the home builder and protected by landscape easement shown on the Final Plat. Plant material must be carefully coordinated with any rear lot drainage swales and other grading.
- d. Plant trees around the detention pond and along the rear slope abutting lots 31-36.

8) Site Plan building envelopes, setbacks, and easements are subject to final engineering and building approvals.

9) Retaining walls are not to exceed 3' in height unless they are designed and tiered per Code requirements.

10) Meet all final engineering and building division requirements and approvals.

And

I move to approve a 49-lot residential subdivision plus two detention pond/floodplain out lots and public street dedication, as shown on the preliminary plat titled 'Preliminary Site Plan' by Designtek Engineering, dated 2.23.17, revised 4.10.17, subject to the same conditions as the Site Plan, and subject to the submission to the Village of a Record Plat of Subdivision for approval and recording.

And

I move to approve a special use permit for a wetland modification and a special use permit for a waterbody (floodplain) modification subject to the same conditions as outlined in the preliminary site plan motion. Modifications to the Special Use permit include:

- 1) Reduction of existing 50' wetland setback.
- 2) Reduction of existing 50' floodplain setback.
- 3) Reduction of the 15' wide detention pond access buffer.
- 4) Increase in pond side slopes from 4:1 slope to 3:1 slope.

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

**2017-0124 Gateway Plaza - 14301 LaGrange Road - Approval of Site Plan, Elevations, and Variances for a 10,500SF Mixed Use Commercial Building**

The petitioner proposes to develop Lot 2 of the Marquette Bank Subdivision into a single story 10,500 SF multi-tenant commercial building. Currently there are restaurants proposed on the north and south sides of the building with a retail tenant in between. Both commercial retail and restaurant uses are listed as appropriate uses in the Downtown Mixed Use land use designation from the Comprehensive Plan.

The site is located on SEC of 143rd Street and LaGrange Road. The proposed building design is intended to resemble the size and scale of a two story building. The increased building height will help match the character and scale of the recently constructed buildings in Downtown Orland Park, in particular the newly constructed four story University of Chicago Medical Center located on the NWC of 143rd Street and LaGrange Road.

In addition, the petitioner made an effort to incorporate the existing Village Streetscape at this intersection into their proposed development. This comes in the form of enhanced outdoor seating areas and pedestrian connections that lead into the proposed development. These features, as well as, the design of the building are in line with the design criteria listed in the Comprehensive Plan.

The following variances were requested as part of this petition:

- 1) Reduction of the west front setback from 25 feet to 17 feet 1 inch; and
- 2) Reduction of the south side setback from 15 feet to 11 feet 9 inches

Rick Boehm resident of Orland Park read a statement requesting that the Board reject the proposed Gateway project located at 14301 LaGrange Road.

He stated that the intersection at 143rd and LaGrange is the Gateway into Orland Park and deserves quality development. This project lacks quality or significance it is an ordinary strip center. The façade reminds him of the Parkway Bank a building that was modified from its former use as Mindy's restaurant. He believes that the Village could have requested a much better design.

Mr. Boehm commented on the 31.6 percent variation and the 20.7 percent variation. A variation request can be granted if there is a demonstrated hardship. The petitioner's hardship certainly appear more self-created such as the need for more square footage to attract a "certain type and caliber of tenants" the petitioner words.

There are a variety of uses that could be developed on the subject parcel. The applicant needs to demonstrate that there would be a loss or lack of reasonable return from each of the permitted uses of the property and Mr. Boehm does not believe that has been demonstrated.

Additional, the plight of the applicant can be due to unique circumstances. Uniqueness relates to hardship, which refers to the land and not to the personal circumstances of the applicant.

Mr. Boehm stated that he does not see how this applicant adequately demonstrates a hardship that would validate the variations sought.

The type and caliber of tenants includes a deli; there are a number of deli's and sandwich shops within a short distance of the site. Another tenant is an eyewear business; again there are several eyewear businesses down LaGrange Road and on 143rd Street. Lastly a barbeque restaurant; this is not a good location, with barbeque comes smoke and a lot of smoke. In his opinion a barbeque restaurant should be totally surround by commercial development not have housing nearby, much like Famous Dave's location.

Mr. Boehm stated that it is his opinion while the businesses are a certain type and caliber they are not what Orland Park needs or deserves, especially at one of its Gateways. He asks the Board to deny the project by voting no on the recommendation. This vote will demonstrate your commitment on quality development in Orland Park. With so few vacant parcels remaining in the community the Board can and should be more discerning on what goes on them.

President Pekau asked staff what was the demonstrated need for a variances? He agreed with Mr. Boehm that the petitioner did not meet all of the ten questions required.

Interim Development Service Director Mike Kowski provided a power point presentation that was shown at the Development Services Committee last week and explained where exactly this parcel is located and the size of the parcel. It shows a green area and that is Village of Orland Park property that was acquired by the Village to accommodate a decorative fence. This site is unique to this area.

Interim Director Kowski agreed with Mr. Boehm that the written commentary provided by the petitioner focused on a variety of elements including economic. However, during the oral presentation and his presentation last week at the Committee meeting a brighter light was shown on the conditions of the actual parcel itself. Again, this is a unique parcel that makes it more viable to a variance.

Interim Director Kowski continued the power point presentation and explain the different slides. The petitioner designed the building to frame the corner and create an attractive façade that will face both 143rd Street and LaGrange Road. The focal point of the building design will be a 29 foot tall rotunda. The petitioner

proposes the first 12 feet 6 inches of this feature to be constructed with storefront windows. The petitioner will add an EIFS band directly above that will separate the storefront from the clearstory windows. The rotunda will be capped with a decorative EIFS cornice. Internally, the dining area will frame the rotunda giving customers a view of downtown Orland Park, and create a very attractive dining experience.

Initially, the petitioner proposed a two story building. However, after working diligently to secure a second floor tenant it was determined by the developer that second floor office space was not feasible at this time and further pursuit of the second floor could harm the viability of the project as a whole. However, recognizing the importance of the building scale in this location the petitioner made every effort to ensure that the building resembles a two story building. Their efforts should be recognized and the result better matches the character of the Downtown.

Generally, the building materials for the remaining elevations will be primarily brick and storefront windows with EIFS and metal paneling being used as accents.

The north elevation will consist of storefront windows that are framed with either metal panels or brick. The windows are proposed to be 10 feet tall. The elevation will also include an 8 foot wide EIFS band and the remaining height will be finished with metal panels on the east side and brick on the east.

The south elevation will be constructed primarily of brick. There will be storefront windows along the elevation however the doors at this location will be primarily used to access the outdoor seating area that is proposed adjacent to the building façade. Aside from the brick the petitioner proposes to add an EIFS signage band along this elevation.

The east elevation, although located in the rear of the site, given its location adjacent to the parking field will serve as the primary access point for the development. Storefront systems will be constructed along this elevation for each of the three tenants. Aside from the minor stone, EIFS and metal panel accents the primary building material will be brick.

A barbeque restaurant is proposed for the north end cap. The petitioner has proposed to locate the smokers for the restaurant on the outside of the building adjacent to the customer access for the restaurant. Food will not be prepared outside however wood will be loaded into the smoker from the exterior. The smokers are proposed in this location not necessarily only for functionality purposes but more so to attract people to their restaurant by creating a unique experience and furthering the restaurants marketing and branding objectives.

The smokers will be fenced to separate from the public for safety purposes. The site plan indicates that with the fencing the site will still maintain the required

unobstructed sidewalk in front of the tenant space. Similar architectural features have been approved as part of development proposals in the past. For example, statues and murals were approved at P.F. Changs and the recent Twin Peaks appearance review.

The west elevation facing LaGrange Road will be designed to give the appearance that it is the front of the building although functionally this area of the building will be used primarily for back of house operations. The building materials will match the other elevations and storefront windows will be installed. There are access doors at this location that can serve as access to the middle tenant space or as a service entrance. The petitioner must ensure that 35% of the windows on building facades facing a street must remain transparent.

Trustee Ruzich stated that one of these variances was triggered by staff's recommendations and she does not believe that the Board should penalize the petitioner for working with staff for a better site plan.

Trustee Calandriello stated that at the Development Services Committee meeting extensive discussion took place on the unique and challenging size of this parcel of property. This was a challenging corner to develop into a successful business plan and that is why staff has been working so closely with the developer to get the best building possible in that small space.

Ramzi Hassan the developer spoke before the Board on the building being positioned on the hard corner (southeast) at 143rd Street and LaGrange Road. This development will be a highly visible commercial location and will serve as a gateway to Downtown Orland Park and the LaGrange Road commercial corridor. The development is also located on a diagonal from the newly constructed University of Chicago Medical Office. As such, the site is being configured to conform to the design criteria outlined in the Comprehensive plan. Specifically, the petitioner is responding to the following design considerations:

Require zero lot line and/or minimum setback from right of way.

The site is being located as close as possible to the existing right of way. A variance for the building setback on the west property line. This will bring the building closer to the right of way and allow the site to better interact with the existing streetscape.

A variance to locate the building closer to the right of way on the south side of the building. This allows for a larger outdoor seating area on the north side of the property and brings the south building line closer to the 143rd Place right of way.

Minimize parking visibility

I move to approve the site plan, elevations and two variances for Gateway Plaza

located at 14301 Lagrange Road, as recommended at the May 15, 2017 Development Services Committee meeting, and as fully referenced below.

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

I move to approve the preliminary site plan titled, "Site Plan Study 143rd and LaGrange Orland Park, Illinois," and dated May 1, 2017, subject to the following conditions:

- 1) Continue to work with staff for landscape plan approval;
- 2) Meet all final engineering and building code related items;
- 3) Provide specification for parking lot lighting; and
- 4) Provide revised elevations that show amount of window transparency
- 5) The Petitioner shall provide 6 to 8 foot tall opaque, year-round screening of the external smokers and its accessories using arborvitae or equivalent.

And

I move to approve the elevations titled "Proposed Development 143rd & LaGrange," and dated May 1, 2017, subject to the following conditions. All changes must be made prior to the Board meeting.

- 1) Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline; and
- 2) The Petitioner shall provide 6 to 8 foot tall opaque, year-round screening of the external smokers and its accessories using arborvitae or equivalent.
- 3) All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness; and
- 4) Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

And

I move to approve to the following variances as depicted on the preliminary site plan titled "Site Plan Study 143rd and LaGrange Orland Park, Illinois," and dated May 1, 2017:

- 1) Reduction of the west front setback from 25 feet to 17 feet 1 inch; and
- 2) Reduction of the south side setback from 15 feet to 11 feet 9 inches.

And

The Plan Commission has made their findings in accordance with Section 5-109 of the Land Development Code

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

**Aye:** 6 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, and Trustee Carroll

Nay: 1 - Village President Pekau

## DEVELOPMENT SERVICES, PLANNING AND ENGINEERING

### 2017-0424 Open Lands - Regarding the Conclusion of Expenditures of Open Space Bonding Authority - Resolution

In November of 2000, the electors of the Village of Orland Park approved the issuance of general obligations bonds in an amount not to exceed \$20,000,000 to purchase and maintain land for open space. As of today, the Village of Orland Park has issued bonds, and expended the proceeds thereof, in the amount of \$17,798,560.

The remaining amount is anticipated to be used to construct path improvements at Stellwagen Farm and develop portions of the Nature Center Project.

The Village's Finance Director has recommended that the Village obtain funds for such improvements using a line of credit loan from the Village's designated bank or financial institution rather than issuing additional open space bonds.

This Resolution shall effectively closeout the Village's remaining open space bonding authority.

I move to pass Resolution Number 1712, entitled: REGARDING THE CONCLUSION OF EXPENDITURES OF OPEN SPACE BONDING AUTHORITY

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

## FINANCE

### 2017-0399 Amending Village Code Relative To Conflicts With Certain Home Rule County Ordinances - Cook County Minimum Wage Ordinance

On October 26, 2016, the Cook County Board of Commissioners adopted Ordinance 16-5768, entitled "An Ordinance Creating A Living Wage In Cook County," requiring a minimum wage to be paid by private employers in Cook County. At that time, the Village did not take a position on the minimum wage ordinance. This companion ordinance (to the sick leave), will raise the minimum wage in suburban Cook County from \$8.25 per hour to \$10 per hour on July 1, and raising it an additional \$1 per year until 2020 when it would be \$13 per hour. On July 1, 2021 and each year after that, the minimum wage would increase by the lesser of the Consumer Price Index (inflation rate) or 2.5%.

The State of Illinois minimum wage is \$8.25 per hour. The Cook County ordinance places an undue and unequal burden on employers within the Village given the current requirements for employers under Federal and State law, and creates and contributes to a burdensome patchwork of regulations, regarding the wages and benefits of employees, that properly should be a matter of Statewide concern, not to be mandated by the only home-rule County in Illinois, which is Cook County.

The Village should consider amending the Village Code of the Village of Orland Park to clearly define minimum wage regulations that apply to employers located in the Village as being those set forth in State and Federal law. Title 7 (Business and License) of the Orland Park Village Code will be amended by adding a new Chapter 20, entitled "Conflicts With Certain Home Rule County Ordinances", should the Village chose to pass the "opt-out" ordinance.

Currently, the following represents the list of communities that have opted out:

1. Alsip
2. Arlington Heights
3. Barrington
4. Bartlett
5. Bedford Park
6. Berkeley
7. Bridgeview
8. Buffalo Grove
9. Burbank
10. Burr Ridge
11. Elk Grove Village
12. Elmwood Park
13. Evergreen Park
14. Hanover Park
15. Harwood Heights
16. Hickory Hills
17. Hodgkins
18. Hoffman Estates
19. Indian Head Park
20. Justice
21. Mount Prospect
22. Niles
23. Northbrook
24. Northlake
25. Oak Forest
26. Oak Lawn
27. Orland Hills
28. Palatine
29. Palos Heights
30. Palos Park
31. River Forest

- 32. River Grove
- 33. Riverside
- 34. Rolling Meadows
- 35. Rosemont
- 36. Schaumburg
- 37. Streamwood
- 38. Tinley Park
- 39. Western Springs
- 40. Wheeling

In addition, 19 other municipalities are considering opting out of both ordinances in the upcoming days.

Cook County's Ordinance will go into effect on July 1, 2017.

As a home rule community, Orland Park has the right to opt out of the county's minimum wage ordinance and continue to follow state requirements. However, it should be noted that if Orland Park businesses receive any incentives from Cook County, including the commonly used real estate classifications (Class 6b, 7, 8, etc.) program offered, they will be required to still comply. The monitoring of this compliance will rest with Cook County.

The proposed mandate will not be an issue for employers who already pay skilled workers more than the minimum; however, it could be problematic for retailers and other small businesses, including those that typically hire younger workers.

Lastly, Orland Park is also a border community to neighboring towns in Will County, and this would create a competitive disadvantage for our existing businesses. For businesses with multiple locations (both in Cook and outside of), they would be required to track their businesses expenses related to this mandate separately, depending on the work locations of their employees.

The state has currently set minimum wage at \$8.25, and it does not require paid sick leave for part-time employees. Last month, the Illinois House Labor and Commerce Committee voted 17 to 6 to recommend HB 198, which would increase the state's hourly minimum wage from its current level of \$8.25 to \$15 by 2022. The first increase, to \$9 an hour, would go into effect January 2018. By opting out of the county ordinance, Orland Park businesses will then be required to follow the state's guidelines for minimum wage.

Several businesses have contacted and/or written to encourage the Village to opt out.

At this meeting many residents and business owners spoke before the Board giving their opinions for and against opting out of the Minimum Wage and Sick Leave Ordinance.

**Bob Reiter** – Is a long time Orland Park resident and the Secretary/Treasurer of the Chicago Federation of Labor (CFL) – He is asking for the Board to support the Minimum Wage and not to opt out. He spoke of the adults that are working part-time in the Village and the need for this minimum wage increases to help with their quality of life and help with the cost of living expenses. He believes that these folks will spend this extra money right back into the businesses in Orland Park. He is very proud to live in such a great Village, which is truly the crown jewel of the suburbs!

**Jeff Spero** – Spoke of the many adults who have to work at minimum wage to make ends meet. If a resident could receive a raise in their wages and then work local and shop local at a higher salary that would be great. He asked for the Board to support the Minimum Wage to attract local talent and also support the Sick Leave Ordinance.

**Harry Dohman** – Has been retired for six years and is lucky to be doing alright financially, the reason is he has a union pension with union benefits. When he shops at Mariano's or Jewel who pay above minimum wages, their staff does not have a lot of turn around and they are happy to be working there. Other business he visits that pay minimum wage has a large turn around, staff does not stay at one place long. He asked for the Board to support both the Minimum Wage and the Paid Sick Leave Ordinance.

**Pam Goffin** – A member of Local 241 and works for PACE Suburban Bus. She brings hard working people every day to Orland Park. These people take multiple trains and buses to get to their jobs here in the Village, which sometimes takes hours. These people deserve a decent wage; they work hard, and are dependable. She believes Orland Park needs to set an example to not back out of the wage or sick leave issue. Remember these people will spend their hard earned wages here in Orland Park, just like she does.

**John Dolton** – Is a 23 year Orland resident of Orland Park and is asking for the Board to not opt out of the Minimum Wage Ordinance or the Sick Leave Ordinance. He stated that by raising the wages it will attract workers from other areas to come to Orland Park to work that will be beneficial to the businesses.

Mr. Dolton stated that when he was researching this issue this was on the ballot for a vote and passed overwhelmingly.

**Tim Jaroch** – Did not speak.

**Kevin Vanghan** – Read a statement to the Board asking them not to pass the Minimum Wage or Sick Pay Ordinance. He is the owner of Vanghan Hospitality Group that operates Square Celt Ale House & Grill Pub in Orland Park along with five restaurants in the City of Chicago. He is also the Vice President of the Illinois Restaurant Association.

The Square Celt employs approximately 50 people and they pay significant property taxes to local governments and helps generate hundreds of thousands in sales tax each year. They also take great pride in treating their employees very well and are good members of the community.

If the Cook County Minimum Wage and Sick Pay Ordinance is adopted it will hurt their business. The patch work of minimum wage and sick pay regulations in the Metropolitan Chicago area is unfortunate and all of this should have been addressed on a State wide basis. It makes no sense for neighboring towns to have different rules in this area. This crazy patch work will impact where businesses decide to open and may even be a contributing factor when businesses decide to close.

The sick pay rules will cause major disruption to their business and affect customer service. They will have call-ins for illnesses and other reasons primarily on the weekends and they will struggle to have capacity of resources to fill the empty slots.

All of their non-tipped employees already make above minimum wage and the market has driven wage increases over the past few years. From experience he understands the new Cook County rules, if allowed in Orland Park, will drive more inflation and they will have trouble passing those costs onto their customers.

Also, a significantly increased minimum wage may impact youth employment. As a parent of four boys he knows the value that first job provides to the youths learning experience.

The suburban business environment is challenging and especially for those close to the collar counties. Our sales taxes are higher than Will County and there will be a soda tax added soon that will result in people shopping outside of Orland Park and jobs will be lost.

Mr. Vanghan is asking the Board to opt out of the Cook County Minimum Wage and Sick Pay Ordinance and wait for the State to take action so there is a level playing field for all.

He stated that he really enjoys owning a business in Orland Park and they are proud of and appreciate the hard work of their employees at Square Celt.

**Charles McShane** – Long-time resident of Orland Park and is extremely proud to live in the Village.

He asked for the Board to think about the two types of people that are impacted by the minimum wage increase. The first are the actual people who work for the

minimum wage – they work just as hard as us, in many cases longer hours than we do. They have to choose if they should buy medicine or food, buying new cloths or affording education. They struggle harder than he has ever had to in his entire life and he believes they could use the help.

The other people who are impacted are us. How does it look upon us if we tell people that they have no other options than to go to work when they are sick or to go to work and make a substandard wage?

He personally, who is someone that is proud to live in Orland Park, would think very poorly of our Village if it is decided to opt out of the Minimum Wage and Sick Leave Ordinance.

**Jonathan Kypuros** – Is a business representative for Carpenters Local Union 434, he represents approximately 250 members and their families that are hard working men and women and are residents in the Village of Orland Park.

He is here to ask the Board to not opt out of the Cook County Minimum Wage and Sick Leave Ordinance.

**James Cassidy** – Is fortunate to be a Proud Union Member. He stated that the minimum wage worker really needs to be lifted up.

Regarding the comment from the gentlemen that opposes this Ordinance stating that people will shop elsewhere – he disagrees. There are a lot of proud union members in this area who can also shop elsewhere.

He is asking the Board to not opt out of the Cook County Minimum Wage and Sick Leave Ordinance.

**Jack Rush** – Operates a business in Orland Park and he is not opposed to the Cook County Minimum Wage or the Paid Sick Leave Ordinance. He just believes in doing this at the county level vs a State level given our proximity to Will County puts the Village at a disadvantage.

Mr. Rush stated that in his business minimum wage positions are for 16 or 17 year olds and this is their very first job. No one at his business over the age of 20 makes minimum wage.

He agrees with many of the statements that have been made, he does not believe this should be passed at a county level it should be a level playing field and passed on a State level.

**Dan Kleinmark** – He is proud member of Local 150 Operating Engineers. He is asking the Board to not to opt out of the Cook County Minimum Wage and Sick Leave Ordinance so that other can do better for themselves.

**Jim Harmening** – He is asking the Board to not opt out of the Cook County Minimum Wage and Sick Leave Ordinance. It is the right position to take. Many minimum wage workers make under the minimum wage. This is not enough money to sustain a person let alone provide health to a family. Poverty is real and underemployment is a serious problem in our society. Orland Park has always been a leader in maintaining high standards of living for its citizens.

Some businesses are allowed to pay poverty wages and earn huge profits from those same people all the while the rest of us pay for their general assistance (food stamps, housing assistance, etc.). Is it right that a person is hired part time by two companies' works 20 hours a week at each job and still lives in poverty? I don't think so!

We tax payers also pay for their health care – as of March, 2017 the number of individuals in the Medicaid program in Illinois has grown to over 3 Million. People only qualify for that if they earn \$15,800 or less for an individual; \$21,307 for a two person family; and \$32,319 for a family of four.

If work is available and companies need help then they should have to pay a fair wage so that our tax dollars don't have to support people who are working. We need to prevent double dipping. We need to support people with good programs for those with disabilities and health problems that is what the system is for. Not corporations who pay their employees too little and do not offer health insurance.

It isn't too much to ask businesses to pay their employee so that they get a lift up and don't need a hand-out from us. Look at Costco who pays \$11.50 an hour to start, Starbucks, \$9.88, Target \$10.00. Many other businesses in our community already do the right thing.

Orland Park has a history of being a leader on the right side of issues. For example the smoking ban, the Village of Orland Park was the first. Orland Park was the first community to do a lead goal building (Police Department), great leadership that he applauds then and now.

It is the duty of the Board to make good policy – to lead and explain the benefits of your choices to the electorate. Those few corporations that did not meet the standards of decency and fairness that we value in Orland Park should not be rewarded with advantages over those who do.

**Aisling Kelly** – A resident of Orland Park and a small business owner in town. She is a small business employer and began her company over five years ago with only one employee and that was herself. Today she employs 70 employees.

She is requesting the Board to opt out of the Cook County Minimum Wage and Sick Leave Ordinance.

Ms. Kelly already pays above minimum wage to her employees in addition to paying business taxes, business license to the Village, home care license to Illinois Public Health, rent, utilities, general liability insurance, workers compensation, unemployment insurance, social security (employer portion for employees). She has a very hard time finding employees - she advertises on the internet, senior events, every college, AARP and her turnover rate is 65 percent.

She is requesting that the Board opt out of this ordinance because as a small business owner if this were to go through the extra expense would drive her out of business and make her move to another area.

**Sue Char** - Employed at Marino's and a member of Local 881. She understands the struggles of the working family and the importance of increasing the minimum wage and having sick days. Families without sick days risk their basic necessity when illness strikes.

She firmly supports the Cook County Minimum Wage and Sick Leave Ordinance and asks for the Boards support.

**A Gentlemen** - Spoke in support of the Cook County Minimum Wage and Sick Leave Ordinance who owns a social services business in Orland Park. Each time a new applicant comes to his business to apply for social services their stories are heart breaking. It is the job of a civilized society to provide services to the weak, needy and the poor. It is the worker who becomes ill from working hard are the most deserving people who need help.

He has 30 employees and pays above minimum wage which raises the quality of services that his employees provide.

He asked the Board to please consider the Cook County Minimum Wage and Sick Leave Ordinance, this is very important.

President Pekau asked if anyone else from the audience would like to speak. No one came forward.

**Trustee Carroll** – It is very helpful for himself as well as the rest of the Board when such varied and passionate responds are received to an item that this Board is considering.

The past several weeks he has been contacted by owners of companies, management, and labor. He has heard very articulated viewpoints from all.

Mr. Dolton expressed earlier that this question already was placed on the ballot by the State of Illinois level as an advisory referendum in 2014 and in the Village of Orland Park almost 2/3's voted in favor of increased minimum wage.

His job as an Elected Official is to vote representative to his constituents and they have told me in 2014 to vote in favor of this, which explains his vote.

**Trustee Gira** - Has researched this in all the different aspects. Mr. Harmony mentioned when the Village was one of the first communities to ban smoking, it was done with the thought that all the other communities would join in together. The Board did not want to set our businesses up to lose businesses. What happened was a good number of those communities decided not to follow our lead and the Village was an island. Village businesses were hurting.

She agrees that the minimum wage needs to be increased but she also sees where it puts the Village's businesses at a disadvantage. All the communities around Orland Park have already opted out.

Trustee Gira stated that she wants to see the State of Illinois pass this to make a level playing field for all. She absolutely agrees in substance it's only the process.

**Trustee Dodge** – The biggest challenge that he has if this became a State of Illinois wide question, this would be easy. It would be hard-press to argue with the points that people would rise about trying to help people.

The question then becomes how do you do that well? "A county" doing it in this way, in his opinion, is not the right way to solve the problem. There is an issue on education is delivered to the folks that need the most help when it comes to education. There is ridiculous taxation policies across the State, not just in Cook County compared to the alternatives.

We all know if you want a business to pay more they have to make more so it's a productivity question. Doesn't that become a civil problem for all of us if the government who's largely monopolizes delivery of education, isn't delivering education well enough to drive productivity?

If the question gets restated – Would James Dodge support a Resolution that says State of Illinois go get this right for everybody in Illinois, including some of the structurally problems – He would be in the front of the parade!

**Trustee Ruzich** – As a small business owner herself with nine employees, she can sympathize with business owners present tonight.

Likewise, as many of you have stated that good businesses (as she does) pays in excess of the minimum wage and provide benefits in excess of those that are being voted on tonight.

Her issue as others have expressed, it does not have to be on this local of a level. She would support the State taking the action, but she does not feel that this is the job of our local Board.

**Trustee Calandriello** – Stated that this is the hardest vote that he has had to take in his short career.

He agrees what the Trustees have already stated and that is this should be at the State level.

He personally believes in both of these issues. He personally believes the minimum wage should be raised. He personally believes there should be sick pay leave.

Then the issues come that Orland Park is a border town that in some cases we can cross the street and have two different minimum wages.

He is still undecided on his vote and would be willing to go down to Springfield with all the folks present to lobby for these Ordinances to be passed at the State level.

**Trustee Fenton** – She agrees with everything that has been said. Her husband owned two small businesses and understands the businesses concerns.

Orland Park is a border county, she was a union member before she retired, came from a union family, worked for a union.

Trustee Fenton questioned if this increase of minimum wage did take effect how would it effect the journeyman's salary?

Bob Reiter - Secretary Treasurer of the Chicago Federation of Labor (CFL) answered Trustee Fenton's question - In raising the minimum wage, it would raise the ability for the union to raise wages.

Mr. Reiter asked if Orland Park would support a Resolution to be sent down to the Governor in Springfield stating that the Village of Orland Park supports raising the Minimum Wage.

Trustee Fenton stated that the Board would support a Resolution for a Statewide mandate not county by county.

Trustee Calandriello stated at the next Board meeting there will be a Resolution.

**President Pekau** – Stated that he too is a small business owner and all of his employees have always made more than what the mandated minimum wage was. However, the wage does go up and down relative to economic times. There are times when his doors were barely able to be kept open and have 100's of applicants because there are no jobs out there and they have to pay less in order

to keep afloat. When times get better, if he doesn't raise his employees' wages, they will go work for someone else.

A typical year for the last 13 years has over 100 applications in his business in the March to April timeframe, this year he received 7 applications. The wage scale naturally is much higher. He can say when the wages go up, and in this case they were all well above minimum wage and well above what is being asked for right now. Wages have gone up over 20 to 25 percent. He is able to change 3 percent more, so therefore the businesses will not do well.

There are more businesses in our community that are even more tied to lower wages. This is because they have a lot of part-time help and a lot of young people's help and they operate on even smaller margins, which will make it very difficult for them to survive.

There were individuals that stated they would stay in Orland Park and shop – he will content that if someone can make \$2.00 an hour more and they can go a block away and spend less money (because then don't have a lot of disposal income) they will go somewhere else to shop. The Village's stores are at a disadvantage relative to all the communities around us that have already opted out.

President Pekau agrees with everything that was stated by the Board, that the county should not be acting on this – this should be a Statewide issue and he also agrees if the economy is doing well, usually when the minimum wage has no impact when raising it, it's because everyone is making more than that to begin with.

The biggest thing is the Village would create an unlevelled playing field for Village businesses relative to all of those communities surrounding the Village.

I move to pass Ordinance Number 5192, entitled: AN ORDINANCE AMENDING TITLE 7 OF THE ORLAND PARK VILLAGE CODE TO ADD A NEW CHAPTER 20 RELATIVE TO CONFLICTS WITH CERTAIN HOME RULE COUNTY ORDINANCES (COOK COUNTY MINIMUM WAGE ORDINANCE).

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

**Aye:** 5 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, and Village President Pekau

**Nay:** 1 - Trustee Carroll

**Abstain:** 1 - Trustee Calandriello

**2017-0400 Amending Village Code Relative To Conflicts With Certain Home Rule County Ordinances - Cook County Paid Sick Leave Ordinance**

In 2016, the Cook County Board of Commissioners proposed an Ordinance

requiring “covered employers” (those employers having a principal place of business in Cook County or does business with Cook County) to grant “covered employees” (those employees who perform at least two (2) hours of work for his/her employer in any two (2) week period, while physically inside the geographic boundaries of Cook County), paid sick leave.

The Village sent out a letter to the local businesses regarding the proposed ordinance stating their opposition. Subsequently, the Village passed Resolution 1608 opposing the proposed Cook County Sick Leave Ordinance. This resolution was also sent to the Cook County Board of Commissioners.

In summary, the Village Board concluded the following:

1. Small Orland Park businesses would be directly affected by the acknowledged costs for most employers.
2. While the added cost is deemed "small, 0.7 to 1.5 percent, the Village finds it an unnecessary burden for small businesses that have chosen Orland Park and Cook County as their location of choice.
3. The paperwork required of businesses to keep track of accrued sick leave of employees would be extremely burdensome.

On October 5, 2016, the Cook County Board of Commissioners adopted Ordinance 16-4229, entitled “An Ordinance Establishing Earned Sick Leave For Employees In Cook County,” that requires private employers in Cook County to provide a minimum number of paid sick days to employees. Specifically, employees who perform at least eighty hours of work for his/her employer in any 120 day period paid sick leave as follows: One (1) hour of paid sick leave for every forty (40) hours worked, to be accrued to a maximum of forty (40) hours of paid sick leave for every twelve (12) month period.

The Village evaluated the ordinance and the subsequent impacts and finds that Cook County Ordinance places an undue and unequal burden on employers within the Village given the current requirements for employers under Federal and State law. This ordinance creates and contributes to burdensome patchwork of regulations regarding the wages and benefits of employees that should properly be a matter of statewide concern, not to be decided by the only home-rule county in Illinois, which is Cook County.

Cook County’s Ordinance will go into effect on July 1, 2017.

The Village of Orland Park is a home rule unit of local government and the Illinois Constitution provides that if “a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction;” Subsequently, the Orland Park Village Code Title 7 (Business and License) will be amended by adding a new Chapter 20, entitled “Conflicts With Certain Home Rule County Ordinances.”

Currently, the following list represents the list of communities that have opted out:

1. Alsip
2. Arlington Heights
3. Barrington
4. Bartlett
5. Bedford Park
6. Berkeley
7. Bridgeview
8. Buffalo Grove
9. Burbank
10. Burr Ridge
11. Elk Grove Village
12. Elmwood Park
13. Evergreen Park
14. Hanover Park
15. Harwood Heights
16. Hickory Hills
17. Hodgkins
18. Hoffman Estates
19. Indian Head Park
20. Justice
21. Mount Prospect
22. Niles
23. Northbrook
24. Northlake
25. Oak Forest
26. Oak Lawn
27. Orland Hills
28. Palatine
29. Palos Heights
30. Palos Park
31. River Forest
32. River Grove
33. Riverside
34. Rolling Meadows
35. Rosemont
36. Schaumburg
37. Streamwood
38. Tinley Park
39. Western Springs
40. Wheeling

In addition, 19 other municipalities are considering opting out of both ordinances in the upcoming days.

As a home rule community, Orland Park has the right to opt out of the counties

mandatory sick leave ordinance and continue to follow state requirements. However, it should be noted that if Orland Park businesses receive any incentives from Cook County, including the commonly used real estate classifications (Class 6b, 7, 8, etc.) program offered, they will be required to still comply. The monitoring of this compliance will rest with Cook County.

A number of businesses have contacted and/or written to encourage the Village to opt out.

If the Village Board does not take action prior to July 1st, 2017, Orland Park will be mandated to comply.

Trustee Dodge stated just as he said for the minimum wage item he will support a Resolution from the Village Board to be sent to Springfield that these issues need to be addressed Statewide.

**Trustee Carroll** – On this issue regarding Paid Sick Leave the Orland voters were even clearer in 2016 when an advisory question was placed on the ballot as to earn paid sick time. The Orland votes were 74.3 in favor.

**Bob Reiter** - Long time Orland Park resident and the Secretary/Treasurer of the Chicago Federation of Labor (CFL) – He sat on a task force that researched the sick leave issue.

Mr. Reiter read a statement to the Board including statics regarding absentee due to illness. He asks the Board to not opt out of the Cook County Paid Sick Leave Ordinance.

**Susan Dolton** – A longtime resident of Orland Park – Is in favor of the Paid Sick Leave and asked the Board to support the Cook County Paid Sick Leave.

**President Pekau** – Stated that he had mentioned before he too is a small business owner and has reviewed the Cook County Paid Sick Leave Ordinance and it is a very poorly written Ordinance.

His concern is that he has multiple locations. His shop is located in Will County and his Headquarters is located in Orland Park. The question is where does this apply? Does it apply to their workers who show up in Will County and start working? Does it apply to only those who work in Cook County? Not a single attorney has been able to give him an answer and nor could Cook County. The best that can be determined is if you are a Will County business you need to track the time of every town that you are in (when your wheels are in that town). A small business cannot do that.

President Pekau does offer sick pay to all his nonseasonal employees as well as vacation pay. They can use either as they wish. This is more sick days than he

offers and it would be an expense that he would have to take on.

This would create an unlevel playing field for the Village vs all the communities around Orland Park who have opted out.

**Jeff Spero** - Stated that when he goes to a restaurant if the Sick Leave Ordinance was passed that he would not have to worry that someone serving him in a restaurant would be sick and pass that on to him. This would give workers an opportunity to stay home when they are not well and not lose their salary.

He is asking the Board to support the Cook County Sick Pay Ordinance.

I move to pass Ordinance Number 5193, entitled: AN ORDINANCE AMENDING TITLE 7 OF THE ORLAND PARK VILLAGE CODE TO ADD A NEW CHAPTER 20 RELATIVE TO CONFLICTS WITH CERTAIN HOME RULE COUNTY ORDINANCES (COOK COUNTY PAID SICK LEAVE ORDINANCE).

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

**Aye:** 5 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, and Village President Pekau

**Nay:** 2 - Trustee Calandriello and Trustee Carroll

## RECESS

I move to recess for a five minute break.

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

## RECONVENE BOARD MEETING

The roll was called to reconvene the Regular Meeting and Trustees Fenton, Dodge, Gira, Ruzich, Calandriello, Carroll and President Pekau were present.

### 2017-0427 Oak Lawn Regional Water System Improvement Project Presentation - Approval

On April 19th, an update on the status and overall cost of the Oak Lawn Regional Water System Improvement Project was provided to the Mayors and Managers of the various customer communities that are parties to the Regional Water System Water Sale, Purchase and Service Agreement.

Finance Director Annmarie Mampe and Public Works Director John Ingram

provided the Board with a shortened version of this presentation. Upon conclusion of the presentation, and after responding to any questions the Board may have, staff is requesting that the Board authorize the Village's continued involvement in the project based upon implementation of proposed oversight requirements that the customer communities will be imposing on the Village of Oak Lawn as the manager of the overall project.

I move to approve the Village's continued involvement in the Oak Lawn Regional Water System Improvement Project based upon the implementation of the proposed oversight requirements and authorize staff to approve future project related expenses up to the current estimated project cost of \$216,000,000.

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

## MAYOR'S REPORT

### 2017-0385 Amend Title 7 Chapter 4 - Number of Class B Liquor Licenses - Ordinance

Decrease number of Class B liquor licenses from twenty-three (23) to twenty-two (22) due to the closing of George's Wine and Spirits, formerly located at 8600 West 159th Street.

I move to pass Ordinance Number 5194, entitled: AN ORDINANCE AMENDING TITLE 7, CHAPTER 4 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING THE AVAILABLE NUMBER OF CLASS B LIQUOR LICENSES ISSUED BY THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

## BOARD COMMENTS

TRUSTEE CARROLL – Congratulated the Orland Park Lions Club for another successful Orland Days. Weather was beautiful. He thanked staff for all their help.

TRUSTEE RUZICH – Congratulated staff and the Board on the Market at the Park which has been a great success.

TRUSTEE FENTON – Thanked staff for all their hard work in putting The Market at the Park together. This market takes place every Thursday at Crescent Park located at 9750 Crescent Park Circle from 4 PM to 8 PM.

Trustee Fenton also echoed what Trustee Carroll stated regarding Orland Day. She thanked staff for their help with Special Kids Days. This event was a huge success and it benefits adults as well as children within the community.

PRESIDENT PEKAU – It has been an interesting but a good three weeks. It was a pleasure and fun to open the Centennial Park Aquatic Center on Saturday, May 27th along with the opening of the Market at the Park on Thursday, May 25th. It was a special honor to give a speech at the Memorial Day Ceremony which took place on May 29th.

There has been a lot of first already in the past three weeks including the first full Board meeting. Staff has been very helpful and he appreciates it and thank you to the Trustees for making him feel comfortable.

A special thanks to Lynn McQueary who has retired. She was phenomenal in helping me transition into the Mayor's Office and was unbelievably professional.

President Pekau congratulated Sam Travis who is a local baseball player and was called up to the Red Sox's.

## EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; b) the appointment, employment, compensation, discipline, performances or dismissal of specific village employees; c) the purchase or lease of real property for the use of the village; d) setting a price for sale or lease of village property; and e) 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 Fenton, seconded by Trustee Calandriello, that this matter be RECESS. The motion carried by the following vote:**

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

## RECONVENE BOARD MEETING

The roll was called to reconvene the Regular Meeting and Trustees Fenton, Dodge, Gira, Ruzich, Calandriello, Carroll and President Pekau were present.

Purpose of the Executive Session was for the discussion of a) approval of

minutes; b) the appointment, employment, compensation, discipline, performances or dismissal of specific village employees; c) the purchase or lease of real property for the use of the village; d) setting a price for sale or lease of village property; and e) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

**ADJOURNMENT - 11:50 PM**

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

**Aye:** 7 - Trustee Fenton, Trustee Dodge, Trustee Gira, Trustee Griffin Ruzich, Trustee Calandriello, Trustee Carroll, and Village President Pekau

**Nay:** 0

/nm

APPROVED:

Respectfully Submitted,

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**John C. Mehalek, Village Clerk**