

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, January 16, 2012

7:00 PM

Village Hall

Board of Trustees

*Village President Daniel J. McLaughlin
Village Clerk David P. Maher
Trustees, Kathleen M. Fenton, Brad S. O'Halloran,
James V. Dodge, Jr., Edward G. Schussler, Patricia Gira and Carole Griffin Ruzich*

CALL TO ORDER/ROLL CALL

In the absence of President McLaughlin, Mayor Pro Tem Dodge conducted the meeting.

The meeting was called to order at 7:01 PM.

Present: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira and Trustee Griffin Ruzich

Absent: 1 - President McLaughlin

VILLAGE CLERK'S OFFICE

2012-0013 Approval of the January 3, 2012 Regular Meeting Minutes

The Minutes of the Regular Meeting of January 3, 2012, were previously distributed to the members of the Board of Trustees. President McLaughlin asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Meeting of January 3, 2012.

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

Aye: 5 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Griffin Ruzich

Nay: 0

Abstain: 1 - Trustee Gira

Absent: 1 - President McLaughlin

CONSENT AGENDA

Trustee Ruzich requested that Item I. Irish Patriot Outdoor Seating Area - Ordinance be removed from the Consent Agenda for a separate vote.

Passed the Consent Agenda

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Trustee Griffin Ruzich

Nay: 0

Absent: 1 - President McLaughlin

2012-0014 Payroll - Approval

The lists of Payroll having been submitted to the Board of Trustees for approval and the lists having been determined by the Board of Trustees to be in order and having been approved by the various Department Heads,

I move to approve the Bi-Weekly Payroll for December 22, 2011 in the amount of \$889,907.11.

This matter was APPROVED on the Consent Agenda.

2012-0015 Accounts Payable - Approval

The lists of Accounts Payable having been submitted to the Board of Trustees for approval and the lists having been determined by the Board of Trustees to be in order and having been approved by the various Department Heads,

I move to approve the Accounts Payable from January 4, 2012 through January 16, 2012 in the amount of \$2,344,587.20.

This matter was APPROVED on the Consent Agenda.

2012-0001 Anti-Virus Software Annual Maintenance - Approve Purchase

The MIS Division has included \$5,025 in the FY 2012 budget for Symantec antivirus software maintenance and support. The village uses Symantec's Endpoint Protection software package, which is a centrally managed antivirus protection system for email, servers and workstations. Maintenance includes software support, upgrades and updates.

The maintenance cost per license is \$15.00 and the Village owns 275 licenses. Sixty new licenses were purchased in 2009 for all the police squad cars and funded by Orland Joint Emergency Telephone System Board. OJETSB will be funding the maintenance of these 60 software licenses.

Contract pricing for Symantec products is available through CDWG of Vernon Hills, Illinois under Symantec's GSA IT Contract# GS-35F-0240T.

I move to approve the Symantec antivirus software maintenance expenditure in an amount not to exceed \$5,025.00.

This matter was APPROVED on the Consent Agenda.

2012-0002 Annual Website Maintenance and Hosting - Expenditure Approval

The annual website maintenance and hosting agreement is due for renewal. Maintenance, hosting and support fees have increased 3% from last year. Staff is requesting approval in the amount of \$10,155 for this service beginning January 1, 2012 to December 31, 2012.

The cost breakdown is as follows:

Hosting	\$164.25 per month
Software maintenance & updates	\$243.50 per month
Unlimited support	\$438.50 per month

Total **\$846.25 per month/\$10,155 annual**

I move to approve the annual website maintenance and hosting expenditure from CivicPlus in an amount not to exceed \$10,155.

This matter was APPROVED on the Consent Agenda.

2012-0004 Winter 2012 Program Brochure - Distribution

The Village has budgeted for the distribution of the Winter 2012 Program Brochure in the Orland Park Prairie. The final cost to mail 23,750 brochures to residents through 22nd Century Media, LLC (Orland Park Prairie) is \$6,238.21. The remaining 1,250 brochures will be distributed to the public at Village facilities.

The brochure weight of 6.8 oz. has increased due to the higher quality paper, foldout cover, and added pages dedicated to community outreach.

I move to approve payment to 22nd Century Media, LLC in the amount of \$6,238.21.

This matter was APPROVED on the Consent Agenda.

2011-0783 Fire System Repair Quote - Cultural Center

The Fire System at the Cultural Center has a dry pipe valve that had to be replaced ASAP. Without this repair one section of the building (garage, art room, and conference room) had no fire protection system. The Fire Department was made aware of this situation. Total cost for this valve and vesting is \$5,410.00 NTE.

I move to approve the quote from Fire Protection Company at a cost not to exceed \$5,410.00 for the Dry Valve Replacement.

This matter was APPROVED on the Consent Agenda.

2011-0814 Arts Commission "Dance Chicago" Proposal

The Arts Commission hosted four "Dance Chicago" performances in past years, but not in the last three or four years. The Arts Commission has had many inquiries as to when Dance Chicago would be presented again.

The Arts Commission is proposing bringing "Dance Chicago" back to Orland Park in the spring of 2012, depending on availability of CSHS Performing Arts Center. The "Dance Chicago" being proposed is a scaled down and less

expensive version, which will also include CSHS Orchestras and Pit Orchestra. Sandburg has agreed to allow the Village to use the PAC for a \$200 custodial fee. "Dance Chicago" will provide the choreographer and sound and light technicians. The production fee for "Dance Chicago" would be \$7,000.00. This is essentially the Arts Commission's budget for the year. The Commission voted to bring back "Dance Chicago" in 2012 and forego the other smaller concerts, and present only no- or low-cost events later in the year.

I move to approve the Arts Commission proposal to present "Dance Chicago" in 2012 and to authorize the payment not to exceed \$7,000 to John Schmitz of Dance Chicago for the production.

This matter was APPROVED on the Consent Agenda.

2012-0005 Approval of Benefit Service Providers

Midwest Center for Environmental Medicine provides Occupational Health Services including pre-employment exams, other employee medical exams and serves as the collection site for the drug and alcohol testing. The Village has a long standing positive working relationship with Dr. Moisan from Midwest Center for Environmental Medicine and has been well served by this office.

Lexis Nexis is a professional service that provides Medical Review Officer (MRO) services, random drug program administration, statistical reporting services, and emergency collection sites for the Village's drug and alcohol testing program. We began using Lexis Nexis in March 2008 (known as Choicepoint, Inc. at that time) as our drug and alcohol program third party administrator and have been very pleased with the services offered and provided.

I move to approve to continue to use Midwest Center for Environmental Medicine to provide Occupational Health Services

And

To approve continuing to use Lexis Nexis as the third party administrator for the drug and alcohol testing program.

This matter was APPROVED on the Consent Agenda.

2011-0715 Miroballi Plaza - Record Plat of Consolidation

This request is for approval of a Record Plat of Consolidation for Miroballi Plaza located at 14360 LaGrange Road.

On October 3, 2011 the Village Board approved the final plan. Staff has reviewed the Record Plat of Consolidation and finds it to be substantially in conformance with the approved final plan.

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

I move to approve the mylar original Record Plat of Consolidation for Miroballi Plaza, prepared by Vantage Point Engineering, Project No. 11-50, dated 01/09/2012.

And

I move to approve the signature of the plat by the authorized parties and subsequent recording by the Village attorney.

This matter was APPROVED on the Consent Agenda.

2012-0017 Chaser Tag Inc. & CiCi's Pizza - Amusement Device License

Chaser Tag Inc. has submitted an application for an automatic amusement device operator's license. The license is for the facility to be located at 11545 183rd Place, Orland Park, IL. The application requests 25 automatic amusement devices.

CiCi's Pizza has also submitted an application for an automatic amusement device operator's license. The facility is located at 9218 159th Street, Orland Park, IL. The application requests 7 automatic amusement devices.

Presently, Section 7-6-2(B) of the Village Code permits a maximum of 20 automatic amusement device operator's licenses. With the closing of Sam Maguire's Irish Pub in 2012, fourteen (14) of those licenses are currently active. With the addition of Chaser Tag Inc. and CiCi's Pizza, that will bring the total to sixteen (16) currently active licenses.

I move to approve the issuance of an automatic amusement device operator's license to Chaser Tag Inc., located at 11545 183rd Place, Orland Park, IL and to CiCi's Pizza, located at 9218 159th Street, Orland Park, IL. Amusement devices shall be installed meeting Village of Orland Park Codes.

This matter was APPROVED on the Consent Agenda.

2011-0813 Chicago Water Rate Increase - Approval

In January 2008, the Village Board approved water rate increases for 2008 - 2012 based on an updated water rate study conducted by Municipal and Financial Services Group. Subsequent to approval of these rates, the Village received notice that the City of Chicago planned to increase water rates due to the increasing costs of operations and maintenance of the system that delivered water to customers outside of the limits of the City. Any increase in City of Chicago water rates are passed on to the Village by the Village of Oak Lawn. The City of Chicago rate increase for calendar years 2008, 2009 and 2010 was 15%, 15% and 14%, respectively. These increases were factored into the Village's rates accordingly. For calendar years 2011 and 2012, the Village

factored in increases of 3% in its overall rates, to cover any increases passed on by the City of Chicago and/or the Village of Oak Lawn, as well as to cover any increases in the Village's internal cost of operations.

Recently, we were notified that the City of Chicago approved as part of its current budget process an additional increase in the rates charged to water customers due to aging infrastructure and the need for extensive repairs. A rate increase of 25% will go into effect on January 1, 2012, with subsequent increases of 15%, 15% and 15% on January 1, 2013, 2014 and 2015, respectively. Once again, the Village of Oak Lawn will pass these rate increases on to the Village.

As previously mentioned, the Village Board originally approved a rate increase of approximately 3% for calendar years 2011 and 2012, reflected as "Current Proposed" on the attached schedule in the Board Packet. Based upon the rate increases approved by the City of Chicago, staff is recommending that the Board approve the "Revised Proposed" rates for calendar year 2012 as reflected on the attached schedule in the Board Packet. As we move closer to finalizing the Water Supply Agreement with the Village of Oak Lawn, we will be able to determine if any additional increases are warranted.

Adoption of the "Revised Proposed" rates for calendar year 2012 will result in an increase to an average homeowner's water bill of approximately \$3.75 per bi-monthly billing period (base on bi-monthly usage of 9,000 gallons).

I move to approve the water rate increases as shown in the attached schedule and direct staff to amend the Village Code accordingly.

This matter was APPROVED on the Consent Agenda.

2011-0648 Irish Patriot Outdoor Seating Area - Ordinance

On November 7, 2011 the Village Board approved a site plan for the Irish Patriot, located at 9875 W. 143rd Street that demonstrated the private acquisition of obsolete Union Avenue right-of-way for an outdoor seating area. The site plan approval allowed for the private acquisition of 742 square feet of Village-owned right-of-way for \$750 and is subject to conditions as stated in the ordinance.

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

I move to pass Ordinance Number 4698, entitled: AN ORDINANCE AUTHORIZING SALE OF PROPERTY (THE IRISH PATRIOT - 9875 W. 143RD STREET)

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

Aye: 5 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, and Trustee Gira

Nay: 0

Abstain: 1 - Trustee Griffin Ruzich

Absent: 1 - President McLaughlin

DEVELOPMENT SERVICES AND PLANNING

2011-0260 Buona Beef - Special Use Amendment, Site Plan, Elevations

Buona Beef is requesting approval for a Special Use Permit Amendment to the Southmoor Commons Planned Development, and Site Plan and Elevation approval. Four out of six lots in the Planned Development have been constructed, as well as the drives and most of the parking. Buona Beef Restaurant proposes to construct a restaurant with a drive through lane on Lot 4 located on 131st Street just east of LaGrange Road. A Special Use permit is required for this proposal because the restaurant is within 330' of a residential parcel and because there is a drive through lane. Two modifications to the special use permit are requested. One allows the drive through to be located between the building and the street, and the other shifts the restaurant building foundation plantings required along 131st Street. The concept of a drive through on this site was approved by the Village Board in 2010, but Buona had to return to the Board for Special Use Permit, Site Plan, and Elevation approvals.

Trustee Fenton noted that she has nothing against Buona Beef, as she has explained to the owners at the Committee meeting. However, she has been against the development in Southmoor Commons since this parcel of property was resold and redeveloped.

Demetri Gofis, the owner of the adjacent property from the Buona Beef location spoke before the Board on behalf of the other lot owners and tenants in Southmoor Commons. They all have concerns on how Buona Beef is laid out in regards to safety of the patrons exiting and how it will affect parking. Their group did present these concerns before the Plan Commission and Committee meeting. However, Mr. Gofis wanted to briefly repeat these concerns before the entire Board.

Director of Development Services Karie Friling stated that Buona Beef has made the parking requirements. If you went by the straight interpretation of the code, without taking into consideration of shared parking, Buona Beef was six shy of being adequately parked within their own parcel. However, there are many existing tenants who are actually using Buona Beefs property currently for parking. The code also allows for a 20% deduction in parking requirements if you have a shopping center like this that has multi-tenant uses. The Village believes that there is shared parking amongst all the tenants and Buona Beef is well within code.

Mayor Pro Tem Dodge asked Mr. Gofis if his concerns were addressed.

Mr. Gofis stated yes, that his concerns were addressed tonight as they were at the other meetings.

Mr. Gofis stated that his other concern also addressed at the Committee meeting, is regarding patrons exiting Buona Beef's drive through along with patrons exiting other businesses in that area. Having the drive through exit where it is located, he believes this is a safety concern.

Trustee Schussler stated that at the Committee meeting he did express concern on the location of the drive through lane exit. At that meeting Director Friling explained that both staff and KOA Engineering looked into that concern and KOA included this in their traffic analysis report. It was determined that it would be best that the drive through lane exit line up to be in direct location across from the current drive isle so that there isn't conflicting traffic patterns within the overall circulation of the shopping center. KOA did recommend in the traffic study that stop signs and do not enter signs be installed.

Trustee Fenton suggested that possibly a small speed bump could be installed at the end of the drive through, to make the driver exiting the drive through more aware that they are about to enter into pedestrian traffic and slow their speed.

Mayor Pro Tem Dodge stated that staff is aware and will watch for these concerns that have been brought before the Board tonight. If in the future these concerns become issues, they will be brought back before the Committee and Board for resolution.

I move to approve an amended special use permit with modifications for Buona Beef, as well as Site Plan and Elevation approval, as approved at the December 19, 2011 Development Services Committee meeting and as fully referenced below:

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO READ)

I move to approve a Special Use Amendment for Southmoor Commons Planned Development to allow the construction and operation of a Buona Beef Restaurant with a drive through on Lot 4 subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. The drive through aisle is located between the building and the street
2. The building foundation planting requirement along 131st Street is shifted to the north of the drive through lane.

And

I move to approve the final Site Plan titled "Buona Restaurant - Orland Park New

Construction Site Plan”, by Hague Architecture, project number 2527 and dated 10.30.11 revised 01.06.11, subject to the following conditions.

1. Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval that includes the following:
 - a. Provide heavy landscape screening around the drive through lane that exceeds Landscape Code requirements per Land Development Code Section VI-207-7, focused in the general area illustrated on Site Plan.
 - b. Provide heavy landscaping to screen the menu boxes so they are not visible from the street that exceeds Landscape Code requirements per Land Development Code Section VI-207-7.
 - c. Include additional landscape on eastern portion of the lot that exceeds Landscape Code requirements to screen the drive through from residential area.
2. At the time of final engineering, verify that the new wall constructed along the northern face of the existing parking lot is essential, and replace with gently sloped land if possible.
3. Meet all final engineering and building code related items.

And

I move to recommend to the Village Board approval of the Elevations titled “Buona Restaurant - Orland Park New Construction Elevations”, and dated 10.31.11, revised 01.06.12, subject to the following conditions.

1. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline or parapet.
2. Signage must be approved through a separate permitting process.

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

Aye: 5 - Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Trustee Griffin Ruzich

Nay: 1 - Trustee Fenton

Absent: 1 - President McLaughlin

MAYOR'S REPORT

2012-0020 Decrease Number of Liquor Licenses - Title 7 Chapter 4 - Ordinance

Decrease Class A liquor licenses from fifty-seven (57) to fifty-three (53) due to the closing of Lang Lee, Ruby Tuesday and Sam Maguire's and the decision of

Palermo's to change to carry-out & delivery only at their new Orland Park location.

Decrease Class C liquor licenses from seven (7) to six (6). Pizza Hut's new owners not seeking a liquor license.

I move to pass Ordinance Number 4699, entitled: AN ORDINANCE AMENDING TITLE 7 CHAPTER 4 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING THE AVAILABLE NUMBER OF CLASS A AND CLASS C LIQUOR LICENSES ISSUED BY THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Trustee Griffin Ruzich

Nay: 0

Absent: 1 - President McLaughlin

BOARD COMMENTS

TRUSTEE FENTON - Stated that at each Board meeting she will report on new businesses that are opening in Orland Park.

The new businesses that are opening before the next Board meeting on February 6, 2012 are:

CiCi's Pizza, located at 9218 West 159th Street opened on January 8th.

Dickeys Barbeque, located at 15110 La Grange Road opened this week.

Brighton Collectables, located in Orland Square Mall will be opening on January 20th.

Miroballi Shoes will temporarily be located at 16131 LaGrange Road (in the old New Balance Store) until construction is completed at their new location Miroballi Plaza located at 14360 LaGrange Road Plaza.

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) 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 O'Halloran, seconded by Trustee Fenton, that this matter be RECESS. The motion carried by the following vote:

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Trustee Griffin Ruzich

Nay: 0

Absent: 1 - President McLaughlin

RECONVENE BOARD MEETING

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

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

ADJOURNMENT - 7:45 PM

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

Aye: 6 - Trustee Fenton, Trustee O'Halloran, Trustee Dodge, Trustee Schussler, Trustee Gira, and Trustee Griffin Ruzich

Nay: 0

Absent: 1 - President McLaughlin

/nm

APPROVED:

Respectfully Submitted,

David P. Maher, Village Clerk

Joseph S. La Margo, Deputy Clerk