

# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)



## Meeting Minutes

Monday, April 6, 2009

7:00 PM

Village Hall

## Board of Trustees

*Village President Daniel J. McLaughlin*

*Village Clerk David P. Maher*

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

## CALL TO ORDER/ROLL CALL

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

**Present:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira and Village President McLaughlin

**Absent:** 1 - Trustee Dodge

## VILLAGE CLERK'S OFFICE

### 2009-0006 Approval of the March 16, 2009 Regular Meeting Minutes

The Minutes of the Regular Meeting of March 16, 2009, were previously distributed to the members of the Board of Trustees. President McLaughlin asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Meeting of March 16, 2009.

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

## PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS

### 2009-0161 St. Patrick's Day Parade Queen's Court - Recognition

President McLaughlin recognized Orland Park resident, Kerry Ann Brennan, who has been named to the 2009 Chicago St. Patrick's Day Parade Queen's Court.

**This matter was for recognition only, NO ACTION was taken.**

### 2009-0176 Orland Park Police Officers - Presentation

The Federal Bureau of Investigations (FBI) recognized several Orland Park police officers for their role in the safe return of a kidnapped child.

Assistant Special Agent in charge William Monroe stated that a father had kidnapped his daughter in Orland Park and was on his way to New York with tickets to Jordan. Orland Park police worked with the FBI on the case, which ended with the arrest of the girl's father and others. The child was safely return to her mother.

**This matter was a presentation, NO ACTION was taken.**

## CONSENT AGENDA

### Passed the Consent Agenda

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

#### 2009-0001 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 March 20, 2009 in the amount of \$874,633.62 and the Bi-weekly Payroll for April 3, 2009 in the amount of \$885,088.14.

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

#### 2009-0002 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 March 17, 2009 through April 6, 2009 in the amount of \$4,630,136.47.

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

#### 2009-0148 Centennial Park Aquatic Center - Lifeguard Staff Uniforms & Equipment

In preparation for the 2009 pool season, staff is in need of ordering lifeguard uniforms and equipment. Due to limited vendors that carry the needed supplies, staff is requesting approval to waive the bid process for the purchase of uniforms and equipment and accept the lowest quotes for supplies needed.

Requests for proposals were sought for 9 different types of lifeguard uniforms/supply items. Five (5) companies provided proposals. After review of the proposals, staff recommends accepting the lowest quote for the uniforms and equipment.

I move to approve waiving the bid process and approve accepting the proposals

for lifeguard uniforms and equipment from the following vendors as follows:

Kieffer Swim Shop for items #1, #2, and #3 (female swimsuits, male swim trunks, board shorts), and also items #5 (whistles), #7 (seal easy kits), and #9 (dive ring sets) for a total cost of \$10,019.25 plus shipping.

The Lifeguard Store for items #4 (hip packs), #6 (break-away lanyards), and #8 (cut-a-way rescue tubes) at a total cost of \$2,100.00 plus shipping.

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

**2009-0153 Fertilization and Broadleaf Weed Control - Bid Award**

Bids were received on March 19, 2009, at 11:00 a.m. in the Village Clerk's Office for the Fertilization and Broadleaf Weed Control. Three bids were received and the low bidder was Trugreen, Inc. This is for a three year contract. The work is to be performed for the Public Works Ponds and Parks areas.

The cost is divided into the following: \$59,391.00 for Parks and \$8,076.00 for Public Works Ponds. These prices are the same for the three years (2009, 2010 and 2011) of the contract. The remaining money may be used for the future Parks and Ponds.

I move to approve accepting the Bid from Trugreen, Inc. of Crestwood, IL for the Fertilization and Broadleaf Weed Control for the budgeted amounts for the years 2009, 2010 and 2011 budget years as written in the bid specifications;

And

I move to approve authorizing the Village Manager to execute the contract.

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

**2009-0150 Lake Sedgewick - 319 Grant**

The purpose of this project is to install Best Management Practices (BMPs) for a wetland polishing system to reduce run-off pollutants from the new 153rd Street Metra Lot in order to help protect the water quality of Lake Sedgewick in Centennial Park.

The Village of Orland Park is the recipient of an Illinois Environmental Protection Agency Section 319 non-point source pollution control grant to protect the water quality of Lake Sedgewick. The project design work has been completed by Village consultants and approved by the Illinois EPA.

The project was originally put out to bid in November 2008 as one project. The three bids came back significantly over budget, ranging from \$370,000 to \$490,000. In addition to the high cost, there was a railroad issue. Although staff

worked with Metra and received their consent to construct the project in the RR ROW, and although our changes in the railroad ROW are very minor, in order to construct in the railroad right of way the contractor will be required to have railroad insurance and a flagman, both of which are very costly and could delay the project.

Because of the high bids and railroad issues, adjustments were made to the plans, and it was split into two phases. With a slight adjustment of a culvert, Phase One can be constructed completely outside of the railroad right of way. According to the project engineer, the construction of wetland cells on the east side of the tracks (Phase One) is the most critical part of the project.

In March 2009 the revised project was put out for bid. Ten bidders responded, with a total project cost ranging from \$243,330.86 to \$638,833.33. Although the low bid was greatly improved from the first round, the total project was still significantly over budget. However, for Phase One only, the bids ranged from \$134,557-\$406,386.18. The Phase One bid from the lowest bidder (\$134,557), Lee Werner Excavating Inc., is only over budget by \$5,611 when the savings from constructing only one sign are considered. The Village consultants reviewed the bids and found the low bid to be complete and accurate. Mr. Werner has expressed an interest in looking at possible cost cutting measures (with Village consent) to bring the project within budget, and said that he stands by his Phase One bid, even if Phase Two is delayed.

The proposal before the Board tonight is to move forward this Spring 2009 with Phase One only. Constructing Phase One only is a significantly reduced project from what was approved by the EPA. The amendment has been discussed with our EPA liaison, but final approval is pending.

Ideally, Phase Two would be constructed in Spring 2010, subject to securing Village approval and additional grant money. This could be considered be a shovel ready project, since the design work is already completed and bids received.

The Financial Assistance Agreement between the Village and Illinois EPA was amended April 30, 2008 and approved by the Village Board on March 5, 2007. This grant provides EPA assistance of \$97,614.00 with a required a Village match of \$98,455.90. The current request will result in Village funds expenditure of \$104,067.71, exceeding the previously approved amount by \$5611.81. Supplemental funds will be requested from the Illinois EPA, however the success of that request is uncertain at this time. \$4213 of the overage is stewardship costs, where the contractor has to monitor the success of the plantings over a three year period. Since that extends beyond the grant expiration date of August 2009, the EPA may not cover those costs. Additionally, there may be funds remaining in the design budget that can be shifted over when the project including construction oversight is completed. There is a 10% contingency built into the bid, and is another possible way to avoid the need for the additional \$5611.81. Every

attempt will be made to meet the shortfall outside of additional village funds, but for now approval of this additional amount is being requested.

I move to approve the selection of Lee Warner Excavating Inc. for the construction of Phase One Metra Parking lot BMPs in the amount of \$134,556.71 subject to consent from the Illinois Environmental Protection Agency to reduce the original Scope of the project.

And

I move to approve of the selection of Pannier Graphics for the construction and delivery of Phase One signage (one sign) at a cost of \$813.00.

And

I move to amend the budget and authorize additional Village funding of the Lake Sedgewick/153rd Street Metra Parking Lot BMPs 319 Grant 3190605 project in the amount of \$5611.81 for a total Village share of \$104,067.71.

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

#### **2009-0097 Land Development Code Amendment - 2009**

The purpose of the Land Development Code amendments to the BIZ section is to add congregate elderly housing as a special use in the BIZ District to allow greater flexibility for the location of senior housing in Orland Park, and to encourage this housing to be in more active areas that may encourage more visitors.

I move to approve of the proposed amendments to the Land Development Code Sections 6-207 BIZ Business District as written in the attached Exhibit "A" dated 3.23.09 subject to the following instruction:

1. That in the final draft of the proposed amendments all red text is fully incorporated into the text of the Code as black text;

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

#### **2009-0055 Surface Shields - RLF**

In February, the Village Board approved a 60 day loan extension for KJBB Properties/Surface Shields to allow consideration of refinancing for their existing loan through the Village's Economic Development Revolving Loan Fund. On March 11th, the Economic Development Advisory Board (EDAB) met and recommended approval of the refinancing request. A summary of the loan application and terms was given to the Board.

Staff is also recommending a 30-day extension of the existing loan, to provide time to process the necessary new loan documents.

I move to approve a revolving loan, in the amount of \$140,000, to KJBB Properties/Surface Shields, as outlined. I also recommend approval of a 30-day extension of the existing loan, to allow adequate time to process the necessary new loan documents.

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

#### **2009-0145 Building Fee Policy**

Village code requires the payment of building, planning and impact fees for all newly constructed or renovated buildings in Orland Park. The code does not distinguish between types of uses or tax-exempt status (nonprofits, governmental entities, etc.). The authority to waive fees rests with the Board of Trustees. As such, staff is recommending that a fee waiver policy be set by the Board. The fee waiver policy would apply only to other governmental entities, such as the Fire District, Township, or School Districts.

The fee waivers would apply to the Village's typical building inspection/plan review charges including:

- Plan Review
- Building/Construction Permits
- Inspection Fees (electrical, plumbing, mechanical, health)
- Zoning & Certificate of Occupancy

Fees would not be waived for water connections, meters, or development impact fees.

I move to approve of the proposed fee waiver policy for building inspection/plan review, as outlined.

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

#### **2009-0151 Orland Park Fire Protection District - fees waived**

The Orland Park Fire Protection District (OPFPD) is ready to begin construction on their new training facility located at 10730 162rd Place. Village staff has received a request from the OPFPD to waive associated building and development fees. The authority to waive fees rests with the Board of Trustees.

The total building and development fees for this project are \$40,620. Staff recommends waiving \$11,045 in building inspection/plan review fees. The remaining fees (\$29,575) are tied to water connection and road impact fees and are not recommended to be waived.

This recommendation is also consistent with the staff's recommendation of a Village Board Fee Waiver Policy.

I move to approve waiver of building fees, in the amount of \$11,045.

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

**2009-0100 Village Code Amendment - Parking - Ordinance**

On March 2, 2009 the Village Board approved the recommended the proposed Village code amendment which clarifies that all vehicles parked on private property must be parked on the driveway.

The proposed code change allows for better enforcement, if needed.

I move to pass Ordinance Number 4469, entitled: AN ORDINANCE AMENDING TITLE 6, CHAPTER 2, NUISANCES, OF THE ORLAND PARK VILLAGE CODE (MOTOR VEHICLES)

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

**2009-0170 Pietrasek - Expiration of Annexation Agreement**

The annexation agreement for Pietrasek located at 14600 S. 108th Avenue is set to expire on August 6, 2009. Due to the fact that there are no outstanding issues or fees, staff recommends this agreement be allowed to expire.

I move to approve authorizing expiration of the Pietrasek annexation agreement.

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

**2009-0142 Historic Marker Program - Cox House and Twin Towers Marker Locations**

The Village of Orland Park Development Services Department has discussed with the property owners of the Cox House (Hansen Development) and the Twin Towers Sanctuary (Old Orland Heritage Foundation) the proposed locations for their historic markers respectively. The property owners have signed license agreements to allow the Village to install and maintain the historic markers on their properties.

**Twin Towers Sanctuary, 9967 W 144th Street**

Pursuant to the plat of survey submitted by the Old Orland Heritage Foundation (OOHF), the OOHF prefers that the historic marker be installed in the area immediately to the north of the stairs that lead to the main entrance off 144th Street between the foot of the stairs and the public sidewalk. The sign should be installed a minimum distance of 3 feet from the public sidewalk. The Village agrees with the placement of the marker in front of the main entrance to the sanctuary building. The proposed marker will be coordinated with the National Register of Historic Places plaque that is currently attached to the building.

**Cox House, 14420 Second Avenue**

Pursuant to the site plan of the recently rehabilitated Cox House, provided by Hansen Development, Mr. Bob Hansen (owner) prefers that the historic marker be located at the north end of the site along Second Avenue.



Mr. Hansen has indicated that a possible location along the east façade is midway between the walkway leading to the east porch and the walkway leading to the north/ main entrance off Grove Street. Hansen has also indicated that a second possible location for the marker is actually in the Grove Street right-of-way north of the walkway that leads to the north entrance/ elevation of the building. The marker would be five feet from the Second Avenue sidewalk and three feet from the north walkway.

The Department prefers the second alternative. Placing the marker in or next to the Grove Street right-of-way will offer Second Avenue pedestrians a chance to read the marker and observe the northern elevation at the same time, which is the historic elevation.

Mr. Hansen signed the license agreement to allow the historic marker on his property provided that he is notified of the time and date of the marker's installation so that he can be present during the installation.

I move to approve to the Village Board of Trustees to approve the location of the Cox House Historic Marker in the second location shown on the site plan titled "Hansen Development Home Renovation 14420 Second Avenue", prepared by Jeffreys and Associates, Inc., date stamped March 11, 2009 by the Development Services Department, and the location of the Twin Towers Historic Marker as shown on the plat of survey titled "United Methodist Church", prepared by C.M. Lavoie, date stamped March 11, 2009 by the Development Services Department.

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

#### **2008-0422 Wolf Point Plaza**

Director of Development Services Karie Friling reported that the purpose of this development is to construct a commercial center with a Special Use Planned Development Permit consisting of four stand alone retail buildings (each with drive-through windows) and one car dealership on an 18.12 acre parcel of property.

The Village has recently received written confirmation, indicating that the Chase Bank and CVS pharmacy are no longer interested in locating within this development. The site plan has not changed. If the developer secures new tenants that require significant layout and elevation changes, he will have to return through the approval process.

The Village Board forced annexed this property into Orland Park in May of 2007. The comprehensive plan identifies the parcel as 'low intensity residential.' Due to the commercial nature and high traffic volumes of both 159th Street and Wolf Road, some retail development may be appropriate in this area. The BMW dealership currently located east of LaGrange Road on 159th Street has selected

this property as a location for an expanded facility that would replace their existing undersized facility.

In order to fit within the context of the surrounding area, the proposed development should adequately address buffering, traffic patterns, pedestrian scale, wetland preservation and detention.

The petitioner submitted this project for review and approval in July of 2008. The site plan and development program have changed significantly since the original petition.

The current site plan shows a development program that includes two drive-through restaurants/coffee shops, a CVS pharmacy with a drive-through, a Chase Bank with a drive-through, a new BMW dealership, a 3.78 acre open space/detention outlot and a right of way area terminating Shire Drive in a new cul-de-sac. The open space outlot is proposed to be dedicated to the Village and will expand the existing open space network in this area. The commercial center at the corner of 159th and Wolf Road is connected to the BMW dealership via a 30' wide east-west access road through the interior of the site.

The project requires a number of variance and modification requests. In order to construct what is shown on the preliminary plan, the following Village approvals are needed:

1. Rezoning from E1 Estate Residential to BIZ General Business District (rezoning of the wetland/detention outlot from E1 Estate Residential to OS Open Space District).
2. Site plan and building elevation approval.
3. Subdivision from one lot into six lots. Lot six as shown on the site plan will become part of the Shire Drive right of way.
4. Special Use Permit for Planned Development to allow for two buildings on lot four and vehicle sales and repair with outdoor storage on lot three, with the following modifications:

Wetland buffer reduction from 50' to 10'.

Parking stall length reduction from 18.5' to 18'.

Detention setback reduction from 25' to 8'.

Increase in location and amount of allowable outdoor storage for the automobile dealership as shown on the site plan.

Landscape reductions including bufferyard widths and parking lot island reductions as shown on the site plan.

Reduction in the handicap parking requirements on lot 3 from 6 stalls to 2 stalls.

5. Variances to allow for:
  - Parking in the street setback on lot 1.
  - Drive through lanes in the street setback on lots 1 and 4.
  - Vehicle service repair within 200' of a residential use.

Special Use permits for planned development are designed to allow for flexibility in site design that would result in a high quality, site sensitive development. A large number of variances and modifications can be a cause for concern. Petitions with numerous variance and modification requests often provide site improvements and details above and beyond Code minimum requirements in order to mitigate any negative impacts. In this project, the petitioner is preserving a non-jurisdictional wetland and is creating an open space outlot to be deeded to the Village. Additionally, the site plan includes an internal pedestrian network, an outdoor plaza area, and architectural elements like stone walls and trellises to unify the different parcels.

The petitioner has received preliminary engineering approval but there are some outstanding traffic concerns, especially as related to storage and transition lengths and wait times. Per the most recent engineering comment letter, 'The traffic consultant did not concur with our concerns and did not revise his analysis accordingly. We still believe that vehicles exiting the site under 2030 Total Traffic Conditions will face unacceptable delays and that the consultant provide recommendations for mitigating these delays.'

Ultimately, the petitioner will need approval from IDOT to construct this project and our consulting engineers indicate that some of the configurations and lane designs do not meet IDOT minimum standards, especially along Wolf Road. The petitioner has submitted these plans to IDOT for review but has not yet received an approval. The petitioner prefers to move forward with the Village approval process before obtaining IDOT approval. It is important to note, that because this project does not meet IDOT minimum standards, there may be changes to the site plan, which could require the petitioner to return back through the process.

Additionally, the petitioner submitted a lighting plan that does not meet Code requirements. Because a lighting variance was not included with the public hearing notice for this project, the petitioner will have to submit a separate variance request petition request for the proposed lighting plan.

I move to approve the Preliminary Site Plan, Details and Building Elevations, as shown on the following sheets:

'Preliminary Planned Unit Development Plan', prepared by Craig R. Knoche & Associates, Job Number 8-048, file number 8048-PUD, dated 02/02/09, Sheet C1.3;

'Chase', prepared by Interplan Midwest, project number C07.0086, three sheets

that include canopy elevations and north, south, east and west elevations, dated 01/27/09;

'BMW of Orland Park' prepared by Olivieri, Shousky & Kiss P.A. job number 160.44 dated 06-02-08, most recent revision 10-14-08, sheet BMW.A2-1;

'CVS Orland Park,' prepared by Gershman Brown Crowley, Inc. and NORR, dated 01/30/09, no project or sheet number; and,

'Retail Development Orland Park IL' prepared by Arcline Associates, Project Number 8081570 dated 1/16/09 Sheets A2.2, A2.3, A2.4 and CSP-2 subject to the following conditions:

1. The petitioner obtains IDOT approval for the proposed project;
2. The restaurants include operating hours requiring them to close no later than midnight;
3. The service area overhead doors on the north side of the BMW building be closed during business hours, except for brief periods to let cars enter and exit the building;
4. That the cars for the automobile dealership are not loaded and unloaded in any public street or right of way;
5. The petitioner submit a separate petition for a variance to the Code lighting requirements or submit a photometric plan that meets Code requirements.
6. The BMW dealership not install an outdoor speaker system;
7. That any major changes proposed to the site plan or building elevations require the petitioner to return to the Plan Commission, Committee and Village Board for review;
8. The north bufferyard berm and landscaping be installed before any building permits are issued;
9. All final engineering related items are met;
10. That during final engineering the petitioner provides design flows for the proposed sanitary sewer system and analyzes the existing Village system, to ensure the Wolf Point Plaza sewer flows do not exceed the capacity of the Village system and provides a Synchro traffic model showing intersection interactions to demonstrate whether traffic operations will be satisfactory.

11. The petitioner submit a landscape plan for separate review and approval, that meets Village Codes and closely follows the preliminary landscape plan design submitted as sheet C4.1, dated 02/02/09, within 60 days of final engineering approval.

and

I move to approve the rezoning of the Wolf Point Plaza Parcel, from E1 Estate Residential to BIZ Business District (Lots 1, 2, 3, 4) and OS Open Space District (Lot 5), as shown on the Preliminary Site Plan sheet C1.3, subject to the same conditions as outlined in the preliminary site plan and building elevation motion;

and

I move to approve the subdivision of one lot into six lots, as shown on the preliminary site plan, subject to the same conditions as outlined in the preliminary site plan and building elevation motion and:

- 1) That the petitioner dedicate lot 5, as shown on the Preliminary Site Plan sheet C1.3, to the Village for Open Space;
- 2) That the petitioner dedicate lot 6, as shown on the Preliminary Site Plan sheet C1.3, to the existing Shire Drive right of way.

and

I move to approve the Special Use Permit Planned Development request to allow for two buildings on one site on Lot 4 and to allow for vehicle sales and service with outdoor storage on Lot 3 with modifications to reduce the Wetland Buffer from 50' to 10', reduce the parking stall length from 18.5'-18', reduce the detention setback from 25'-8', increase the allowable outdoor storage on lot 3 as shown on the preliminary site plan and to reduce landscape buffer and parking lot island requirements as shown on the preliminary site plan, reduce the handicap parking requirements on lot 4 from 6 stalls to 2 stalls, subject to the same conditions as outlined in the preliminary site plan and building elevation motion;

and

I move to approve the variance requests to allow for parking in the street setback on lot 1, drive-through lanes in the street setback on lots 1 and 4, and vehicle service repair within 200' of a residential use on lot 3, subject to the same conditions as outlined in the preliminary site plan and building elevation motion.

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

**2009-0169 159th & LaGrange Road - Various Invoices**

The following invoices require payment due to the 159th & LaGrange Road intersection improvement:

\$345.00	Buford Law	OFZ0036 (Chermak)
\$69.84	Deutsch, Levy & Engel	OFZ0013DED&TE

**TOTAL INVOICES: \$414.84**

I move to approve payment of invoices for the 159th Street and LaGrange Road intersection improvements in the amount of \$414.84.

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

**2009-0152 Intergovernmental Agreement - Orland Fire Protection District**

The Village of Orland Park currently has an Intergovernmental Agreement (dated 6/3/1996) with the Orland Fire District for the enforcement of Village Fire Codes.

This agreement will modify existing Sections #3 and #4 and clarify the responsibilities for commercial building fire plan review approvals, now under the examination by the Orland Fire District. The revisions will give the Village authority to review construction plans received for the fire sprinkler, alarm and other fire protection systems now reviewed by the Orland Fire Protection District.

This agreement will maintain the Fire District's authority to inspect new and existing buildings, for their compliance with the construction plans regulated by the Village Codes. The Fire District will also support the enforcement actions needed for compliance as noted in Section #4 of the agreement.

Trustee Schussler commented that there are three fire districts that serve Orland Park (Orland Park, Mokena and Palos).

Trustee Schussler asked if the Village was going to offer this same type of intergovernmental agreement to Palos and Mokena.

Director of Development Services Karie Friling stated the Village is going to have this same type of intergovernmental agreement with Palos and Mokena. Currently, the Village does not have any type of agreement with either town and that is why this current agreement had to be amended first, because it already existed between the Village and Orland Fire Protection District.

I move to approve the revised Intergovernmental Agreement with the Orland Fire District, and changes to the Building Code for the commercial plan review, inspection and enforcement of the Village of Orland Park Village Code as amended.

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

## RECREATION & PARKS

### 2009-0175 Sportsplex Gym Floor - Quote Approval

The gym floor at the Sportsplex had developed some buckling and was pinned a few weeks ago for temporary repair. This gave staff time to close the basketball court and allow a company to come in and open the floor up to assess the damage. There is a damaged area under the center basketball court in two courts.

Staff received a quote from Floors, Incorporated for the repair of the Sportsplex gym floor at a cost \$9,985.00. We have worked with this company before, as they had installed the new dance floor at the Cultural Center. The manufacturer has also been contacted for their suggestions on this problem also.

I move to approve accept the quote from Floors, Incorporated for the repair of the Sportsplex gym wood flooring at the cost of \$9,985.00; and

Approve a budget adjustment as specified.

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

## MAYOR'S REPORT

### 2009-0171 2009 Inauguration Date - Ordinance

The elected officers at the consolidated election of April 7, 2009 inauguration will be Monday, May 4, 2009, at 7:00 PM. Offices are for the Village President, three Village Trustees, Village Clerk and two Orland Park Library Trustees.

I move to pass Ordinance Number 4470, entitled: ORDINANCE FIXING THE DATE AND TIME FOR INAUGURATION OF THE NEWLY ELECTED OFFICERS

## OF THE VILLAGE

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

**2009-0159 Title 7 Chapter 4, Increase Class A Liquor Licenses - Ordinance**

Increase Class A liquor licenses from fifty-eight (58) to fifty-nine (59) for Big Tuna Sushi Restaurant, 13137 South LaGrange Road.

I move to pass Ordinance Number 4471, entitled: AN ORDINANCE AMENDING TITLE 7 CHAPTER 4 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING THE AVAILABLE NUMBER OF CLASS A LIQUOR LICENSES ISSUED BY THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS

**A motion was made by Trustee Edward Schussler, seconded by Trustee Patricia Gira, that this matter be PASSED. The motion CARRIED by the following vote:**

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

**2009-0162 Title 7 Chapter 4, Decrease Class B Liquor Licenses - Ordinance**

I move to pass Ordinance Number 4472, 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 Patricia Gira, seconded by Trustee Kathleen Fenton, that this matter be PASSED. The motion CARRIED by the following vote:**

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge



**2009-0166 Title 7 Chapter 4, Amend Wine Sampling - Ordinance**

Our current Wine Sampling and Tasting ordinance provides that a Class B or Class D (packaged) licensed retail location may conduct sampling for its bona fide customers upon application to the Local Liquor Commissioner and payment of a \$250 annual fee for a sampling license.

The owner of Italia Imports would like to hold a "Taste of Italy" expo at the Civic Center in May which would feature their many food. They would like to include a wine tasting of the products they carry as a Class B liquor licensee.

The proposed ordinance change would additionally allow for a Class B or Class D licensee to conduct a one-day wine sampling event at its licensed premises or any other licensed premises upon application to the Local Liquor Commissioner and payment of a \$25.00 fee for a one-day wine sampling license. Up to two one-day licensed events would be permitted in one calendar year. Other than the fee and the location of the sampling area, the provisions of 7-4-29 would all apply.

I move to pass Ordinance Number 4473, entitled: AN ORDINANCE AMENDING TITLE 7 CHAPTER 4 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING WINE SAMPLING AT CLASS B AND D LICENSED PREMISES IN THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

**VILLAGE MANAGER'S REPORT****2009-0167 143rd Street Commuter Station - Concession Services**

Tom Democopolous has been operating the 143rd Street train station vending area since October 2007. Several weeks ago he notified the Village that he will no longer be able to fulfill his contractual obligation. He asked if the Village would consider finding a replacement.

Staff contacted Eylem Ozkaya who operates the 153rd Street strain station vending area to gauge interest. Ms. Ozkaya has expressed interest and could begin operation shortly. In the interest of providing service to our commuters immediately, staff recommends foregoing the RFP process and amending the current agreement with Ms. Ozkaya to operate both sites.

The current agreement for the 153rd Street Station will expire November 30, 2011. The current 143rd Street Station Agreement will expire September 30, 2010 and Ms. Ozkaya would take over the remainder of that agreement plus an additional 14 months should this item be approved.

In addition, Ms. Ozkaya requested that the Village consider waiving or reducing the quarterly payment of 6% total sales due to the Village. For example, a three month period sales report was given to the Board that shows total sales and the 6% due to the Village.

The Finance Committee Chair is allowing staff to put this item forward to the Board for consideration. Trustee Schussler and Village staff believe that in the interest of keeping a qualifying vending service available to our commuting residents, consideration for waiving payment for the train station vendors through the current agreements is acceptable.

Ms. Ozkaya and her staff have provided excellent service at the 153rd Street train station and has received good feedback from commuters who frequent the station.

I move to approve waiving bids, amending the current agreement with Eylem Ozkaya to include the 143rd Street vending services through November 30, 2011

and

I move to approve waiving the quarterly payment of 6% total sales due the Village for the duration of both the 153rd Street and 143rd Street vending service agreements.

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

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

## **NON-SCHEDULED CITIZENS & VISITORS**

Michael Johnson, 9741 Hillcrest Circle Orland Park spoke before the Board regarding the red light photo enforcement. He suggested having pedestrian countdown timers at the intersections that have the photo enforcement.

Other suggestions Mr. Johnson stated were:

-Installing guard rails between lanes where the divided highway begins near 140th

& LaGrange.

- Lowering the speed limit to 40 mph near 142nd and northbound LaGrange currently it is 45 mph north to the Southwest Highway overpass/bridge.
- Add left turn lane to 161st and northbound LaGrange Road.
- Add begin 35 mph to speed limit sign by Red Robin (154th northbound).
- Add begin 40 mph to speed limit sign by Pep Boy (160th northbound).
- Increase speed limit enforcement by police along LaGrange Road at all times of the day but especially at 6 AM.
- Stripe the street with dashes for the left-turning radius for each of four directions of travel at the new 159th and LaGrange intersection.
- Never install Red Light Photo Enforcement at the south "gateway" to Orland Park at 15900 South LaGrange Road.

Director Friling stated the suggestion to add a left turn lane to 161st and northbound LaGrange has already been addressed with IDOT. IDOT will not grant anything additional until the Ravinia connection is completed. Once the connection is completed the entire intersection in that area will be upgraded, including the addition of a stop light that will be installed.

President McLaughlin stated that many of Mr. Johnson's suggestions were very good and would be brought to the Parking and Traffic Advisory Board.

## BOARD COMMENTS

TRUSTEE GIRA - Commented that IDOT has not yet responded to several requests for the speed limit to be reduced on Route 6 and Wolf Road.

TRUSTEE SCHUSSLER - Commented within the Board's packet of information that they receive, there was a letter regarding a lawsuit that has been settled. Within that lawsuit letter, the Attorney who represented the Village has several compliments of the caliber of the Police Officers that testified in those proceedings.

TRUSTEES MURPHY, FENTON & O'HALLORAN - Hoped that everyone get's out to vote tomorrow, April 7, 2009 in the Consolidated Election.

TRUSTEE FENTON – Stated that the Farmers' Market will begin on Friday, May 29, 2009 through October 2, 2009 - 7:30 AM to 1:00 PM.

## EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) setting a price for sale or lease of village property.

**A motion was made by Trustee Bernard Murphy, seconded by Trustee Kathleen Fenton, that this matter be RECESS. The motion CARRIED by the following vote:**

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

**RECONVENE BOARD MEETING**

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

Purpose of the Executive Session was for the discussion of a) setting a price for sale or lease of village property.

**ADJOURNMENT - 8:00 PM**

**A motion was made by Trustee Bernard Murphy, seconded by Trustee Kathleen Fenton, that this matter be ADJOURNED. The motion CARRIED by the following vote:**

**Aye:** 6 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Schussler, Trustee Gira, and Village President McLaughlin

**Nay:** 0

**Absent:** 1 - Trustee Dodge

/nm

APPROVED:

Respectfully Submitted,

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**David P. Maher, Village Clerk**