

# 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, January 17, 2011

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.

In the absence of President McLaughlin, Trustee Murphy served as Mayor Pro Tem for this meeting as designate by Ordinance.

**Present:** 5 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge and Trustee Schussler

**Absent:** 2 - Trustee Gira and Village President McLaughlin

**VILLAGE CLERK'S OFFICE****2011-0019 Approval of the January 4, 2011 Regular Meeting Minutes**

The Minutes of the Regular Meeting of January 4, 2011, 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 4, 2011.

**A motion was made by Trustee Kathleen Fenton, seconded by Trustee James Dodge, Jr., that this matter be APPROVED. The motion CARRIED by the following vote:**

**Aye:** 4 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, and Trustee Schussler

**Nay:** 0

**Abstain:** 1 - Trustee Dodge

**Absent:** 2 - Trustee Gira and Village President McLaughlin

**2011-0028 Village of Orland Park Chefs' Auction - Raffle License**

Approval is being requested to conduct a raffle during the Chefs' Auction on February 17, 2011, at the Orland Chateau. The purpose for this raffle is to benefit the American Cancer Society's Breast Cancer Research.

I move to approve issuing a raffle license to the Village of Orland Park to conduct a raffle at their Chefs' Auction event at the Orland Chateau on February 17, 2011.

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

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

## **CONSENT AGENDA**

Trustee Schussler requested that Item E. Building Code Revisions be removed from the Consent Agenda for a separate vote.

### **Passed the Consent Agenda**

**A motion was made by Trustee Fenton, seconded by Trustee O'Halloran, 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:** 5 - Trustee Murphy, Trustee Fenton, Trustee O'Halloran, Trustee Dodge, and Trustee Schussler

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

### **2011-0020 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 23, 2010 in the amount of \$921,643.80.

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

### **2011-0021 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 5, 2011 through January 17, 2011 in the amount of \$1,801,507.87.

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

### **2011-0007 LaGrange Road Corridor - Landscape Architecture Design - Norris Design Proposal**

The current roadway design efforts for the LaGrange Road Corridor (Corridor) are under the control and direction of the Illinois District of Transportation (IDOT). IDOT design criteria include standard landscape and roadway improvements defined within their Bureau of Design Engineering (BDE) manuals and related specifications.

On April 19, 2010, the Village adopted a Corridor Master Plan that was developed by T.Y. Lin Associates following a series of meetings with the adjacent Corridor communities: Palos Park, Orland Hills and Tinley Park. The vision of the Corridor Master Plan is to provide certain aesthetic enhancements and multi-mobility options that provide corridor connectivity while retaining community identity.

In order to include Corridor Master Plan elements within the IDOT Corridor plans being developed, the corridor communities must hire a Landscape Architect to develop plans, specifications and estimates for inclusion within the plans being developed by IDOT. Staff has been meeting periodically with the corridor communities on several common topics including this need for aesthetic enhancements. All communities have agreed to use the Consultant selected by Orland Park, so long as there is good value and an ability to include local-preference options for roadway sections within a given community's jurisdiction.

Following Norris Design's successful project interaction and implementation with landscape and aesthetic enhancements desired by the Village for inclusion with the Village's 143rd Street and LaGrange Road Intersection Improvement project, staff requested that Norris Design prepare and submit a scope and fee proposal to provide similar design services for the IDOT Corridor project.

Staff has received and reviewed the December 6, 2010 Norris Design proposal, and finds the scope and fee reasonable and customary for similar services that have been provided to the Village elsewhere and from others. Norris has provided the Village with exemplary service, accommodating Village needs and schedule openly and with zest. Copies of the Norris proposal have been provided to the corridor communities for their review and use during the development of a forthcoming Intergovernmental Agreement covering these and perhaps other services and costs related to the overall corridor. Norris has assured the Village that they will track their project hours so billings may be appropriately divided between the four corridor communities.

I move to approve a budget adjustment in the amount of \$111,600 to Fund 054;

And

Approve authorizing the Village Manager to enter into a contract with Norris Design for work identified and included within their December 6, 2010, proposal to provide professional Landscape Architecture design engineering and management services required for the development of Plans, Specifications and Estimates for select LaGrange Road Corridor aesthetic enhancements in an amount not to exceed \$111,600.

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

**2010-0593 Community Honda - Amended Sales Tax Rebate Agreement - Ordinance**

On August 3, 2009, the Village Board of Trustees approved a Sales Tax Sharing Agreement with Community Honda for their planned expansion. The project included the purchase of adjacent property for car sales and expansion of their service garage. The agreement splits (50/50) incremental sales tax revenue, up to \$200,000. The term was for five years, commencing in January 2010.

Due to the current economy, Community Honda has not completed its service expansion. At this time, the project timeline is early 2012. As a result of this delay in the project, Community Honda is requesting an amendment to the existing sales tax rebate agreement to change the commencement date to January 2011. This results in a new termination date of December 31, 2015. All other terms of the agreement would remain the same. In light of the current economy, staff is recommending approval of this request.

I move to pass Ordinance Number 4613, entitled: ORDINANCE AUTHORIZING AN AMENDMENT TO THE INCREMENTAL SALES TAX REBATE AGREEMENT (COMMUNITY HONDA, 8340-8350 W. 159TH STREET)

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

**2010-0524 Building Code Revisions - Ordinance**

The Village of Orland Park currently utilizes the 2006 edition of the International Building Code as the basis for its construction standards. International and municipal code officials update this model code on 3-year basis and are currently offering the 2009 edition for adoption throughout the entire country.

The main revision to the existing Title 5 Chapter 1 is changing the model building code from the 2006 IBC to the 2009 IBC (International Building Code) edition. The Development Services Department has reviewed this latest edition of the Building Code and inserted its existing local building ordinances, State of Illinois Mandates, and deletions for the IBC model code in the appropriate code sections for adoption. The Illinois Building Commission has been notified of Orland Park's intention to adopt a new building code with amendments as required by a recent act of the 92nd General Assembly.

The local changes to this new code from our existing ordinances are limited as much as possible. The local revisions are intended to clarify existing rules and to remove outdated amended construction standards.

This building code revision also maintains our grading classification rating for both residential and commercial properties established by the "ISO" organization. "ISO" uses a Building Code Effectiveness Grading Schedule (BCEGS) to measure code enforcement in communities. This ISO evaluation is on a 5 year basis and was last completed in January of 2007.

Orland Park also currently utilizes Title 5 Chapter 2 "Building Permits and Fees" for plan review and construction inspection fees. Revisions are being proposed to:

- Updates for services performed and required due to new State of Illinois Energy Code (mandated).
- Update fees for State of Illinois Accessibility Code inspections and enforcement.
- Revise minimum inspection fee charges.
- Revise health inspection fees due for new restaurant inspections.
- Update electrical fees from last revision in 2004.

On December 20, 2010, the Development Services and Planning Committee recommended to the Village Board, by a vote of 2-0, approval of the local revisions of Title 5, Chapter 1 of the Orland Park Building Code and to implement the latest edition of the 2009 IBC as written by the International Code Council, with the Village of Orland Park amendments and approval of the proposed local revisions to Building Permits and Fees in Title 5, Chapter 2 of the Orland Park Village Code.

On January 4, 2011 the Board of Trustees approved local revisions of Title 5, Chapter 1 of the Orland Park Building Code and to implement the latest edition of the 2009 IBC as written by the International Code Council, with the Village of Orland Park amendments and approval of the proposed local revisions to Building Permits and Fees in Title 5, Chapter 2 of the Orland Park Village Code.

I move to pass Ordinance Number 4614, entitled: AN ORDINANCE AMENDING THE VILLAGE CODE TO ADOPT THE 2009 INTERNATIONAL BUILDING CODE WITH AMENDMENTS, AS THE BUILDING CODE OF THE VILLAGE OF ORLAND PARK, AND TO MAKE CERTAIN OTHER AMENDMENTS TO THE ORLAND PARK BUILDING CODE AND TO TITLE 5, CHAPTER 2 OF THE VILLAGE CODE OF THE VILLAGE OF ORLAND PARK

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

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

## **HEARINGS 7:00 P.M.**

I move to recess for public hearings at this time.

**A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be RECESS. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

### **2010-0653 Sloane Annexation Agreement Amendment - Public Hearing**

Notice of the public hearing for the Amended Annexation Agreement was given in The Southtown/Star and Prairie Newspapers as required by law. Notice was also posted on the Village Hall bulletin board. The parcel is a single family residential development and consists of approximately 2.5 acres is located at 7935 West 143rd Street. The Sloane Annexation Agreement expires on March 15, 2011, and since the subdivision is not yet built out, it is being requested that this agreement be extended for two years.

Mayor Pro Tem Murphy asked if anyone in the audience would like to make any comments. No one requested to speak.

I move to adjourn the public hearing on the amended annexation agreement for the property located at 7935 W. 143rd Street (Sloane).

**A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be ADJOURNED. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

### **2011-0002 Brittany Glen West - Annexation Public Hearing**

Notice of the public hearing for the Annexation Agreement was given in The Southtown/Star and Prairie Newspapers as required by law. Notice was also posted on the Village Hall bulletin board. The parcel is approximately 63.75 acres is located at 13245 South Wolf Road, and is to be developed as a 101 lot subdivision in an R-3 Residential District.

Mayor Pro Tem Murphy asked if anyone in the audience would like to make any comments. No one requested to speak.

I move to adjourn the public hearing on the annexation agreement for the property generally located at 13245 S. Wolf Road. (Brittany Glen West)

**A motion was made by Trustee James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be ADJOURNED. The motion CARRIED by the following vote:**

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

## **CLOSE PUBLIC HEARING**

I move to approve closing the public hearing.

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

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

## **RECONVENE BOARD MEETING**

The roll was called to reconvene the regular meeting and Trustees Fenton, O'Halloran, Dodge, Schussler, and Mayor Pro Tem Murphy were present. President McLaughlin and Trustee Gira were absent.

## **DEVELOPMENT SERVICES AND PLANNING**

### **2011-0025 Sloane Annexation Agreement Amendment - Ordinance**

The Sloane Annexation Agreement expires on March 15, 2011, and since the subdivision is not yet built out, it is being requested that this agreement be extended for two years.

I move to pass Ordinance Number 4615, entitled: ORDINANCE AUTHORIZING AMENDMENT TO ANNEXATION AGREEMENT (SLOANE - 7935 W. 143RD STREET)

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

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin



**2010-0578 Brittany Glen West - Rezoning - Conceptual Site Plan**

This petition requests approval (upon annexation) for the rezoning of an eighty-seven (87) acre unincorporated area to R-3 Residential District for the future development of a single family residential subdivision of up to 101 lots and for the approval of a Conceptual Site Plan. Twenty-three (23) of the eighty-seven (87) acres will become Cook County Forest Preserve. The land is located generally east of Wolf Road, south of 131st Street, north of 135th Street and west of the unincorporated subdivision "Country Manor Estates".

Preliminary engineering for this petition has not been completed, and the petitioner does not plan to complete it at this time. Due to the unique circumstances of this petition, the current economy, and the likelihood that the subdivision will not be constructed for some time, the petitioner has requested to delay preliminary engineering until the project is ready to be constructed. Changes to the subdivision based on engineering requirements are likely; therefore approval is only for a Conceptual Site Plan. When the petitioner is ready to proceed with the construction of the subdivision, they must return to Plan Commission (upon Village acceptance of preliminary engineering) and to the Village Board for further approvals including a Special Use Permit for a Planned Development including any needed modifications to the Land Development Code, Subdivision, and Final Tree Preservation and Landscape Plan.

It is noted that this project is also tied to a complex agreement involving Cook County Forest Preserve forest land that is adjacent to 143rd Street and is needed for the future road widening. The agreement will reduce the widening impact on Orland Park residents along 143rd Street and will significantly reduce the costs of land acquisition for the widening. The agreement is in part contingent on the Village's annexation and rezoning of Brittany Glen West.

Approximately twenty (20) nearby (primarily unincorporated) residents attended the public hearing before Plan Commission on December 14. Three attendees spoke in opposition to the proposed subdivision, all residents or Attorneys for the unincorporated subdivision to the east. Concerns included smaller lot sizes compared to their lots, the proposed connection of 133rd Street to their subdivision, and the perception that this entire petitioned area was supposed to be County Forest Preserve. The speakers questioned the time table for construction and why Gallagher and Henry was moving forward with approval of this subdivision when they already have nearby undeveloped lots. There were also complaints that proper public notice was not made, and that some eligible residents did not receive letters. The petitioner supplied a notarized affidavit acknowledging proper notice was posted and letters were delivered, including green certified mail stubs.

Terry Woolums, representing Gallagher and Henry, responded that the builder is

setting up for the future, but can not predict when that will happen since it is a market dependent decision.

Plan Commissioners had some questions and comments about the Site Plan, but then concluded it would be best to address them at time of engineering. Issues discussed included the 133rd Street connection, the possible roundabout in the center of the development, the shape of some of the lots and the required park land dedication amount.

On December 14, 2010, the Plan Commission voted 6-1(Parisi) to recommend to the Village Board to approve the rezoning (upon annexation) of Brittany Glen Subdivision West to R-3 Residential District.

And

Voted 6-1(Parisi) to recommend to the Village Board approval (upon annexation) of the Conceptual Site Plan titled "Britney Glen West Calculated Land Plan with Preliminary Detention" and dated 3-1-10, revised 11.01.10, with up to 101 single family lots, subject to meeting all engineering requirements, all Village Land Development Code requirements, and the following condition:

1. The petitioner will return to Plan Commission and the Village Board prior to construction of the subdivision with Preliminary Engineering for Village acceptance and for approval of the Special Use Permit for a Planned Development, Site Plan, Subdivision, and Tree Preservation and Landscape Plan.

Since the Development Services Committee Meeting, on January 5, 2011, the Cook County Board approved the agreement between the Village, Cook County Forest Preserve, and Gallagher and Henry regarding the 143rd Street widening easement, forest land acquisition, and the Brittany Glen West Subdivision.

I move to approve the rezoning (upon annexation) of Brittany Glen Subdivision West to R-3 Residential District and approval (upon annexation) of the Conceptual Site Plan as recommended at the December 20, 2010 Development Services Committee meeting and as fully referenced below.

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

I move to approve the rezoning (upon annexation) of Brittany Glen Subdivision West to R-3 Residential District.

And

I move to approve (upon annexation) the Conceptual Site Plan titled "Brittany Glen West Conceptual Land Use Plan" by Vantage Point Engineering, project number

09-105, dated 3-1-10 and revised 1-7-11, subject to meeting all engineering requirements, all Village Land Development Code requirements, and the following condition:

1. The petitioner will return to Plan Commission and the Village Board prior to construction of the subdivision with Preliminary Engineering for Village acceptance and for approval of the Special Use Permit for a Planned Development, Site Plan, Subdivision, and Tree Preservation and Landscape Plan.

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

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

#### **2011-0030 Forest Preserve District of Cook County Agreement - Ordinance**

Negotiations between the Village, Orchard Hill Building Company and the Forest Preserve District of Cook County have resulted in a three-party agreement and a unanimous vote by the Forest Preserve District Board of Commissioners to allow a permanent easement of 17 feet for a span of 1,000 feet on the north side of 143rd Street. In addition, Orchard Hill will sell two vacant tracts to the FPD, one tract containing 31.10 acres known as Tampier West, and one tract containing 20 acres, being a portion of Brittany Glen. The FPD is implementing the Tampier Woods Greenway Connection Project and has determined that the acquisition of the Orchard Hill sale property is necessary. In addition, Orchard Hill wishes to develop that portion of the Brittany Glen West development tract not included in the Orchard Hill sale property. As part of this agreement, the Village will allow annexation of this the land to accommodate the development. The Village will also donate 10.9 acres of wetlands near 135th and Wolf Road and an additional 3 acre parcel across the street from the wetlands.

I move to pass Ordinance Number 4616, entitled: ORDINANCE APPROVING THREE-PARTY AGREEMENT AMONG THE VILLAGE, THE FOREST PRESERVE DISTRICT OF COOK COUNTY AND ORCHARD HILL BUILDING COMPANY

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

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

## BOARD COMMENTS

TRUSTEE FENTON - Reminded everyone of the Chilly Willie Chili Challenge this Saturday, January 22, 2011 at the Orland Park Civic Center from 2:00 PM to 4:00 PM.

## EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; b) collective negotiating matters between the village and its employees, or their representatives, or deliberations concerning salary schedules for one or more classes of employees; c) the purchase or lease of real property for the use of the village; and d) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

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

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

## RECONVENE BOARD MEETING

The roll was called to reconvene the regular meeting and Trustees Fenton, O'Halloran, Dodge, Schussler, and Mayor Pro Tem Murphy were present. President McLaughlin and Trustee Gira were absent.

Purpose of the Executive Session was for the discussion of a) approval of minutes; b) collective negotiating matters between the village and its employees, or their representatives, or deliberations concerning salary schedules for one or more classes of employees; c) the purchase or lease of real property for the use of the village; and d) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

**ADJOURNMENT - 8:10 PM**

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

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

**Nay:** 0

**Absent:** 2 - Trustee Gira and Village President McLaughlin

**/nm**

APPROVED: February 7, 2011

Respectfully Submitted,

/s/ David P. Maher

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**David P. Maher, Village Clerk**