

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, October 21, 2019

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., Daniel T. Calandriello,
William R. Healy, Cynthia Nelson Katsenes, and Michael R. Milani*

CALL TO ORDER/ROLL CALL

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

Present: 7 - Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani and Village President Pekau

VILLAGE CLERK'S OFFICE

2019-0763 Approval of the September 30, 2019, Special Meeting Minutes

The Minutes of the Special Meeting of September 30, 2019, were previously distributed to the members of the Board of Trustees. President Pekau asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Special Meeting of September 30, 2019.

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 Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

2019-0762 Approval of the October 7, 2019, Regular Meeting Minutes

The Minutes of the Regular Meeting of October 7, 2019, were previously distributed to the members of the Board of Trustees. President Pekau asked if there were any corrections or additions to be made to said Minutes. There being no corrections or additions,

I move to approve the minutes of the Board of Trustees Meeting of October 7, 2019.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS

2019-0740 Proclamation Honoring Orland Oasis as Orland Park Business of the Month-October 2019

Mayor Pekau proclaimed October 21, 2019, as Orland Oasis Day in the Village of

Orland Park and honored Stephanie and Ed Lamer with Orland Park Business of the Month-October 2019.

Orland Oasis has been serving Orland Park as a family run business since 2008 and we congratulate them for celebrating over 11 years in Orland Park. Orland Oasis has made Orland Park their home and services our community delicious breakfasts and lunches daily.

This was a presentation. NO ACTION was required.

2019-0769 Proclamation Honoring Thomas M. Dubelbeis

Mayor Pekau honored Thomas M. Dubelbeis by presenting him with The Key to the Village in recognition of his exemplary leadership and commitment to excellence.

Thomas Dubelbeis had comments. (refer to audio file)

This was a presentation. NO ACTION was required.

CONSENT AGENDA

Passed the Consent Agenda

A motion was made by Trustee Dodge, seconded by Trustee Healy, 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 Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

2019-0760 Payroll for October 18, 2019 - 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 October 18, 2019, in the amount of \$1,072,752.82.

This matter was APPROVED on the Consent Agenda.

2019-0768 Accounts Payable from October 8, 2019 - October 21, 2019 - 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 October 8, 2019 through October

21, 2019 in the amount of \$4,638,243.05.

This matter was APPROVED on the Consent Agenda.

2019-0709 Robert Davidson Center Demolition - Bid Award

The Robert Davidson Center is budgeted for demolition in 2019. The cost of replacing the roof as well as updating the building would far exceed the benefits of keeping the building operational. All recreation activities have been relocated to other locations.

Most of the trees on the site have been removed due to root zone impact of the project. Future plans for the site will be developed by the Parks Department at a later date.

In May, the Board approved the removal of asbestos in the mastic used to adhere to the vinyl floor tile. The removal has been completed.

At the end of August, staff in conjunction with Studio GC finalized the bid specifications and plans for the demolition of the building. An Invitation to Bid (ITB 19-021 Demolition of Robert Davidson Center) was published on BidNet Direct from September 10, 2019, until September 24, 2019.

BidNet Data:

- Three (3) vendors were sent a courtesy email.
- Eleven (11) vendors downloaded at least one of the proposal documents.
- Four (4) bids were submitted in writing for consideration.

Bids were received from: Alliance Demolition & Excavation Services, Inc. of Chicago, Illinois; Alpine Demolition Services, LLC of St. Charles, Illinois; Bechstein Construction Corporation of Tinley Park, Illinois; and Green Demolition Contractors of Chicago, Illinois. The sealed bids were opened publicly by the Clerk's Office at 11:00 a.m. on Tuesday, September 24, 2019. (see attached Bid Tabulation)

Green Demolition Contractors of Chicago, Illinois was identified as the lowest responsible bidder with a submitted total project cost of \$69,800.00. Staff has checked references provided and there were no negative responses. Therefore, it is staff's recommendation to accept the bid for the Demolition of Robert Davidson Center from Green Demolition Contractors of Chicago, Illinois in the amount of \$69,800.00.

On October 7, 2019, this item was reviewed by the Public Works Committee and recommended for approval and referred to the Village Board of Trustees for consideration.

I move to approve accepting the bid for the Demolition of Robert Davidson Center

from Green Demolition Contractors of Chicago, Illinois for the amount of \$69,800.00.

This matter was APPROVED on the Consent Agenda.

2019-0722 An Ordinance Amending “Appendix B -Fine Schedule” of the Orland Park Village Code in regard to the imposition of fines and penalties - Ordinance Amendment

The police department is seeking to amend the Fine Schedule under Appendix B of the Orland Park Village Code, specifically, Title 9, Chapter 6 Section 5A, Negligent Driving by increasing the penalties associated with a violation.

Negligent Driving continues to be a major traffic safety issue nationally, in Orland Park and throughout Illinois. There are many possible actions that can lead to a driver being negligent to the point where the driver is susceptible to a loss of vehicle control. Two of the most problematical actions that frequently lead to negligent driving and the increased likelihood of vehicle crashes are the use of cell phones while driving as well as texting while driving.

According to a 2018 survey from the AAA Foundation for Traffic Study, the proportion of drivers who report talking on a cell phone regularly or fairly often when behind the wheel jumped 46 percent since 2013 and nearly half (49 percent) of drivers report recently talking on a hand-held phone while driving. Thirty-five percent have sent a text or email.

A recent study from the AAA Foundation for Traffic Study shows drivers talking on a cellphone are up to four times as likely to crash while those who text are up to eight times as likely to be involved in a crash. The study found that in 58 percent of teen-driven automobile crashes distraction was a factor. According to the Centers for Disease Control (CDC), vehicle accidents are the leading cause of death among “America’s youth.”

In 2017, the police department wrote 1,564 citations for distracted driving and in 2018 wrote 2,550 citations for distracted driving which indicates that a significant distracted driving problem still exists endangering our youth and the general public.

On October 7, 2019, this item was reviewed and approved by the Public Safety Committee and referred to the Village Board for approval.

The police department is seeking to increase penalties under the current ordinance to help curb motorists from using cellphones while driving in hopes of reducing the number of vehicle crashes resulting in injuries and deaths. A public information campaign will be conducted to highlight this problem.

I move to pass Ordinance Number 5437; Entitled: AN ORDINANCE AMENDING “APPENDIX B -FINE SCHEDULE” OF THE ORLAND PARK VILLAGE CODE IN

REGARD TO THE IMPOSITION OF FINES AND PENALTIES.

This matter was PASSED on the Consent Agenda.

2019-0719 Emergency Vehicle Light Bar and Siren Control - Purchase

An Invitation to Bid (ITB19-023) was issued on September 16, 2019, to solicit proposals for the purchase of emergency vehicle light bars and siren controls. Specifically, the bid requested pricing in quantities of 1 to 25 for SoundOff Signal light bars and quantities of 1-20 SoundOff Signal siren controls. Proposals for the requested SoundOff Signal emergency light bars and siren controls were received from EVT Tech and Ray O'Herron Company, Inc. Federal Signal Corporation submitted an alternate proposal for their brand of equipment.

The total package cost submitted by the three bidders to include (25) light bars and (20) siren controls is:

- * EVT Tech \$40,822.75
- * Ray O'Herron \$50,095.00
- * Federal Signal \$38,855.00, alternate proposal for their brand of equipment

Over the last several years, the police department began replacing emergency lighting and control equipment with SoundOff Signal products. The majority of the current light bars and siren controls have surpassed their warranty period and expected service life. We continue to experience on-going issues with defective lights and broken siren controls. We are running out of parts to continually repair a mixture of different manufacturer products recycled over the last twenty years.

Over the course of the last three years, as older siren controls failed, twelve SoundOff Signal siren control modules and light bars were installed in the marked squad car fleet. SoundOff Signal equipment was the recommended replacement to the aging control units and light bars. The twelve siren controls were part of a plan to standardize all marked squads for officer use during emergency response and are the only controls within our fleet still under the five-year warranty. We have not had any issues relating to the quality of the SoundOff Signal products.

Staff recommends continued installation of SoundOff signal products to provide officers consistency of operational equipment. All SoundOff Signal equipment comes with a five-year warranty and staff expects to use this equipment for at least two squad lifecycle up fittings which should provide a life expectancy of approximately eight to ten years.

Staff requests approval to purchase (25) SoundOff Signal light bars and (20) SoundOff Signal siren control units to maintain consistency with the same manufacturer warranty and standardization of operational equipment.

Staff recommends awarding this equipment purchase contract to EVT Tech, 9910

W. 190th St. Suite E, Mokena, IL 60448.

On October 7, 2019, this item was reviewed and approved by the Public Safety Committee and referred to the Village Board for approval.

I move to approve the purchase of SoundOff Signal light bars and siren controls from EVT Tech, 9910 W. 190th St. Suite E, Mokena, IL 60448 at a cost not to exceed \$40,822.75.

This matter was APPROVED on the Consent Agenda.

2019-0728 Plant Replacements/Improvements for Median and ROW Landscaping Beds

Following routine site inspections (see attached spread-sheet) it has been determined that several locations are in need of plant replacements and/or plant additions. Staff requested a proposal from our current contracted vendor Christy Webber Landscapes for the additional work in the landscaping beds. Christy Webber maintains the medians and right of ways for the Village. The total cost for the medians and the ROW will be \$15,246.00. Christy Webber has provided exceptional service with astatically pleasing end results in our landscaping beds. Work includes clean- up of each site to remove dead plantings, pruning to ensure proper form and installation of specified services (i.e. specific plants, pulverized topsoil, sod, materials) at each site.

I move to approve the plant/improvements in the specified locations in the Medians and ROW locations to our current landscaping vendor Christy Webber Landscapes in an amount not exceed \$15,246.00.

This matter was APPROVED on the Consent Agenda.

2019-0748 Certificate Occupancy Village Code Section 5-1-4 Amendment - Ordinance

New businesses are required to obtain a business license and Certificate of Occupancy prior to opening their business. Landlords (building owners) and property managers should be aware of the Village's requirements. Currently, some tenants are allowed by the landlord to move in and open their business without informing the Village and getting the proper permits and approvals. The Village often has issues obtaining occupancy and a business license after the business has entered the tenant space. The Development Services Department is proposing an amendment to Title 5 Chapter 1 Section 4 of the Village Code to regulate these violations. The proposed code amendment will educate the property owners and landlords as to the responsibility they have to provide the minimum safety code requirements. The local changes to the present code are red-lined and highlighted in the attachments for clarity.

This item was reviewed at the February 18, 2019 Committee meeting and as a result, some language was changed. This item was recommended for approval at the March 18, 2019 Committee meeting, however, the Village attorney suggested the penalty fees be changed to citations with fines so that the offender has the

opportunity to appear in court.

On April 15, 2019, this item was reviewed by the Development Services Planning and Engineering Committee, recommended for approval and referred to the Village Board of Trustees for consideration of the ordinance. Also on April 15, 2019, this item was brought before the Village Board of Trustees for approval and was approved. Subsequently, the code was overwritten so this is now coming before the Board of Trustees again for consideration.

I move to pass Ordinance Number 5438 entitled: AN ORDINANCE AMENDING TITLE 5 CHAPTER 1 OF THE ORLAND PARK VILLAGE CODE (BUILDING PERMITS AND FEES).

This matter was PASSED on the Consent Agenda.

2019-0754 Akkawi Residence - 10841 W. 143rd Street - Property Annexation Ordinance

On July 1, 2019, the Village Board of Trustees approved the rezoning of the property located at 10841 W. 143rd Street in unincorporated Cook County subject to annexation. The petitioner requests annexation of the 4.0-acre property into the Village of Orland Park in order to construct a single-family home and to connect to Village water and sewer. The property will be rezoned to R-2 Residential District subject to annexation into the Village.

On September 16, 2019, the Village Board adjourned a public hearing on the Annexation Agreement for the property located at 10841 W. 143rd Street in unincorporated Cook County.

On October 7, 2019, the Village Board authorized that the Annexation Agreement for the property located at 10841 W. 143rd Street be entered into and executed by the Village, which has now been completed.

I move to pass Ordinance Number 5439, entitled: AN ORDINANCE ANNEXING PROPERTY (AKKAWI RESIDENCE - 10841 W. 143RD STREET)

This matter was PASSED on the Consent Agenda.

2018-0832 Akkawi Residence - 10841 W. 143rd Street - Rezoning Ordinance

On July 1, 2019, the Village Board of Trustees approved the rezoning of the property located at 10841 W. 143rd Street in unincorporated Cook County subject to annexation. The petitioner requests annexation of the 4.0-acre property into the Village of Orland Park in order to construct a single-family home and to connect to Village water and sewer. The property will be rezoned to R-2 Residential District subject to annexation into the Village.

On September 16, 2019, the Village Board adjourned a public hearing on the Annexation Agreement for the property located at 10841 W. 143rd Street in

unincorporated Cook County.

On October 7, 2019, the Village Board authorized that the Annexation Agreement for the property located at 10841 W. 143rd Street be entered into and executed by the Village, which has now been completed.

On October 21, 2019, the Village Board approved a Property Annexation Ordinance for the 4.0 acre property located at 10841 W. 143rd Street.

I move to pass Ordinance Number 5440, entitled: ORDINANCE REZONING CERTAIN REAL ESTATE FROM E-1 ESTATE RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL (AKKAWI RESIDENCE- 10841 W. 143RD STREET)

This matter was PASSED on the Consent Agenda.

2019-0755 Akkawi Residence - 10841 W. 143rd Street - Right-of-Way Dedication Ordinance

On July 1, 2019, the Village Board of Trustees approved the rezoning of the property located at 10841 W. 143rd Street in unincorporated Cook County subject to annexation. The petitioner requests annexation of the 4.0-acre property into the Village of Orland Park in order to construct a single-family home and to connect to Village water and sewer. The property will be rezoned to R-2 Residential District subject to annexation into the Village.

On September 16, 2019, the Village Board adjourned a public hearing on the Annexation Agreement for the property located at 10841 W. 143rd Street in unincorporated Cook County.

On October 7, 2019, the Village Board authorized that the Annexation Agreement for the property located at 10841 W. 143rd Street be entered into and executed by the Village, which has now been completed.

As part of the project approval, the petitioner agreed to dedicate the north seventeen (17) feet of the subject property, south of the existing 143rd Street right-of-way, to the Village of Orland Park in order to accommodate the future widening of 143rd Street. The seventeen (17) foot dedication to the Village will result in a fifty (50) foot right-of-way measured to the street centerline. Other nearby development on 143rd Street has provided right-of-way dedication to the Village.

Staff has reviewed the document and finds it suitable for signature and recording with Cook County.

I move to approve the Plat of Dedication for 143rd Street titled "Plat of Dedication to the Village of Orland Park, Cook County, Illinois" prepared by Manuel E. Palma and dated June, 17, 2019.

And

I move to pass Ordinance Number 5441, entitled: AN ORDINANCE ACCEPTING DEDICATION OF RIGHT-OFWAY (FAISAL AKKAWI - 10841 W. 143RD STREET).

This matter was PASSED on the Consent Agenda.

2019-0752 National Flood Insurance Program (NFIP) Compliance for Village of Orland Park- Ordinance

The Federal Emergency Management Agency (FEMA) created the new Flood Insurance Rate Map panels and Cook County completed a new Flood Insurance Study (FIS) this year. In order to maintain compliance with NFIP the Village must adopt the new FIS and map panels.

I move to pass Ordinance Number 5442, entitled: AN ORDINANCE ENTITLED "FLOODPLAIN ORDINANCE OF THE VILLAGE OF ORLAND PARK, COOK, AND WILL COUNTIES, ILLINOIS," ORDINANCE NO. 5442.

This matter was PASSED on the Consent Agenda.

2019-0764 Cook County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) Resolution

The Village is looking to adopt the Cook County Department of Homeland Security and Emergency Management Cook Countywide Mitigation Actions Volumes 1 and 2. The hazard mitigation plan identifies resources, information, and strategies for reducing risk from Natural Hazards. This multi-jurisdictional plan will be beneficial to coordinate resources and eliminate redundant activities within a planning area. The Federal Disaster Mitigation Act of 2000 (Public Law 106-390) required state and local governments to develop hazard mitigation plans as a condition for federal mitigation grant assistance and by adopting the Cook County MJHMP the Village will be eligible for these funds if needed. Overall citizens and organizations within the defined planning area will benefit from this hazard mitigation plan.

I move to pass Resolution Number 1919, entitled: RESOLUTION ADOPTING THE UPDATE OF THE COOK COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.

This matter was PASSED on the Consent Agenda.

2019-0716 Village of Orland Park Periodical Printing RFP - Reissue

On September 9, 2019, the Village of Orland Park issued a Request for Proposal for printing, binding (saddle stitch and/or perfect binding), and delivery of 3 Recreation Program guides yearly for 3 years beginning with the Summer 2020 program guide. On September 23, 2019, four proposals were received. All four proposals were over budget. An option to lower the cost is to change the paper-weight from 50lb to 40lb weight. The change in paper will be similar to the

type of paper used in newspapers. By making this change we have been advised by printing companies that this will help reduce the paper cost which will bring us closer to budget.

Staff is seeking approval to reject the proposal due to excessive pricing and to re-issue the request for proposal. Staff will work alongside our normal request for proposal notification process to ensure local and regional print companies have an opportunity to submit their proposals.

I move to approve rejecting the proposal for the printing of the Village of Orland Park program guide and re-issuing the request for proposal.

This matter was APPROVED on the Consent Agenda.

2019-0684 2019 Taste of Orland Park Tents and Supplies

The Recreation Department is requesting an increase of \$56.40 to P.O.19-001225 to cover final costs for the rental of tents, tables, chairs, lights and additional equipment provided by Marquee Events during the production of the 2019 Taste of Orland Park. Additional expenses are a result of utilizing concrete blocks to weigh down tents in the newly paved area of the Village Hall parking lot. This expense was \$685.44 bringing the total to \$21,056.40.

I move to approve increasing P.O.19-001225 by \$56.40.

This matter was APPROVED on the Consent Agenda.

2019-0708 Disposal of Village Equipment (Online Auction) - Vehicles & Equipment from Public Works, Police Station and Museum - Ordinance

The village's Public Works Department is requesting that the village declare the following equipment described below and in the attached ordinance as surplus property and dispose of through Public Surplus.com (online auction). These items are no longer necessary or useful for the Village of Orland Park.

-One (1) used 2002 MinuteMan, model RS50E, serial# 502847 floor sweeper

-Two (2) used glass display cases by RW McGrath Associates. Model/Serial is N/A. Measurement is 70" wide, 38" tall, 20" deep

-One (1) used 2015 Ford police Interceptor Sedan vin# 1FAHP2MK0FG148984 with 85,760 miles, 10,891 engine hours, 7,360 idle hours

-One (1) used 2003 Chevy Silverado 2500 vin# 1GCGK29U13Z28036, with 120,329 miles, 5,173 hours.

-One (1) used 2008 Ford F450 vin# 1FDXF46YX8ED51123 dump truck with plow and salt spreader. 61,447 miles and 5,288 engine hours.

-One (1) used 3 shelf A/V cart by Bretford, model "E" 10 amp120V

-One (1) used 2011 Konica Minolta bizhub601 copier. Serial # A0PP011014194, with meter reading of 1,227,606

In order to legally dispose of municipal property, the village must adopt an ordinance that describes the items to be sold.

In the event that two (2) attempts have been made to sell said property, and that no bids have been received equal to the minimum price, the property shall be either donated or scrapped as determined by the Village Manager.

I move to pass Ordinance Number 5443, entitled: AN ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS.

This matter was APPROVED on the Consent Agenda.

2019-0757 Village Code Amendment - Title 5, Chapter 7 Regarding Negligent Housing Management - Ordinance

The Police Department is seeking to amend Title 5, Chapter 7, Property Maintenance by adding the offense of Negligent Housing Management. This ordinance aims to address gross carelessness or neglect, whereupon the physical condition or facilities of the residential real estate has become or remains so deteriorated that the health and safety of an inhabitant and first responder(s) are endangered.

An ordinance prohibiting Negligent Housing Management will provide the police department and code enforcement with an additional option to address these types of incidents.

On March 4, 2019, this item was reviewed and approved by the Public Safety Committee and referred to the Village Board for approval.

On March 18, 2019, this item was brought before the Board of Trustees and approved. Since that time the code was inadvertently overwritten so this is going before the Board again to get reinstated.

I move to pass Ordinance Number 5444, entitled: AN ORDINANCE AMENDING TITLE 5, CHAPTER 7, OF THE ORLAND PARK VILLAGE CODE REGARDING NEGLIGENT HOUSING MANAGEMENT

This matter was PASSED on the Consent Agenda.

DEVELOPMENT SERVICES, PLANNING AND ENGINEERING

2019-0661 LaMichiocana Azteca - Special Use

The petitioner is proposing to locate a 52-seat ice cream shop/restaurant (2,700 square feet) within an existing 20,000 square-foot shopping center. Issues to be discussed include land use/compatibility, special use, lot size, storm sewer, sanitary sewer, water, traffic, access, parking, loading, emergency access, pedestrian and bicycle access, public transit, garbage enclosure, landscaping, buffering, and signage.

PLAN COMMISSION DISCUSSION

A public hearing was held before the Plan Commission on October 8th, 2019. No members of the public spoke regarding the project. Plan Commissioners spoke in support of the proposal.

Light discussion regarding which garbage enclosure would be used by the petitioner took place with two commissioners. Development Services states that should any complaints arise from garbage, code enforcement will work to resolve the concerns.

Overall, the Plan Commission expressed support for the proposed ice cream restaurant and noted that the project meets or exceeds code requirements.

PLAN COMMISSION MOTION

On October 8, 2019, the Plan Commission moved, by a vote of 5-0, to recommend to the Village Board approval of a Special Use Permit for LaMichiocana Azteca to allow for a restaurant within 300 feet of a residential property in the BIZ General Business District, subject to the following conditions:

1. Meet all Building and Land Development Code requirements; and
2. Obtain the necessary permits from the Village's Building Division prior to initiating work, and
3. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply;
4. Add two handicap parking spaces located at the front of the building and centered in the middle;
5. Village to work with the owner of commercial center to repair rear fence.

DEVELOPMENT SERVICES COMMITTEE DISCUSSION

This agenda item is being considered by the Development Services Committee and the Village Board of Trustees on the same night. This case is now before the Village Board of Trustees for final consideration.

Trustee Dodge had questions. (refer to audio file)

Village Manager Koczwara responded to Trustee Dodge. (refer to audio file)

I Move to waive the requirements of Land Development Code Sections 5-101C.1.b and 5-101C.1.c and to allow the Board of Trustees to proceed with an immediate vote based on the Plan Commission unanimous recommendation;

And

I move to approve a special use permit sought by LaMichiocana Azteca for the operation of an ice cream shop, as recommended at the October 8, 2019, Plan Commission meeting and as fully referenced in the motion below.

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

I move to approve a Special Use Permit for LaMichiocana Azteca to allow for a restaurant within 300 feet of a residential property in the BIZ General Business District, subject to the following conditions:

1. Meet all Building and Land Development Code requirements; and
2. Obtain the necessary permits from the Village's Building Division prior to initiating work, and
3. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply;
4. Add two handicap parking spaces located at the front of the building and centered in the middle;
5. Village to work with owner of commercial center to repair rear fence.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

2019-0534 Seritage OSM - Special Use

The subject property ("the site") is situated at the southeast quadrant of Orland Square Mall ("the mall") and exists as part of a planned unit development (PUD). The original PUD, approved and developed under Ordinance No. 468, devotes 130 acres to a range of commercial, retail, and recreational uses. The mall is a regional shopping and dining destination for Chicago's southwest suburbs. Like other suburban malls, it has been adversely impacted by the prevailing trend of disruption caused by the growing popularity of online shopping. National retail brands have been particularly hard hit by this trend. In 2017 Sears announced the

closure of 358 stores, including their anchor at the mall. Operators are seeking innovative solutions to ensure the continued viability of traditional suburban malls and are turning towards active uses which have the potential to generate foot traffic and foster an experiential shopping environment.

Following the departure of Sears, Seritage Growth Properties (“the petitioner”) acquired the site and put forth a redevelopment plan incorporating a mix of uses. The petitioner now seeks approval for a standalone special use permit (2019-0534) to allow for the operation of a 24-hour fitness center (39,688 sq. ft.); this use will become a part of the revised plan (2019-0119) for the site.

PLAN COMMISSION DISCUSSION

A public hearing was held before the Plan Commission on October 8, 2019. Members of the public attended the meeting and the petitioner was present to answer questions. The Commission had a brief discussion regarding the number of theaters and seats proposed as part of the petitioner's previously approved special use planned development (2019-0119). The petitioner (Matthew McDonnell) answered the Commission's inquiry responding that the development would include 10 theaters and 1000 seats.

PLAN COMMISSION MOTION

On October 8, 2019, the Plan Commission moved, by a vote of 5-0, to recommend to the Village Board of Trustees approval of a special use permit allowing the operation of a fitness center within the COR Mixed-Use zoning district subject to the following conditions:

- (1) Meet all the building code requirements.
- (2) Apply for building permits for any proposed work.
- (3) Meet all final engineering requirements.
- (4) Any changes to façade will require an appearance review.
- (5) Screen all mechanical units.

DEVELOPMENT SERVICES COMMITTEE DISCUSSION

This agenda item is being considered by the Development Services Committee and the Village Board of Trustees on the same night. This case is now before the Village Board of Trustees for final consideration.

Trustee Calandriello and Trustee Dodge had questions. (refer to audio file)

Interim Development Services Director Ed Lelo responded to their questions. (audio file)

I Move to waive the requirements of Land Development Code Sections

5-101C.1.b and 5-101C.1.c and to allow the Board of Trustees to proceed with an immediate vote based on the Plan Commission unanimous recommendation;

And

I move to approve a special use permit sought by Seritage Growth Properties for the operation of a fitness center, as recommended at the October 8, 2019, Plan Commission meeting and as fully referenced in the motion below.

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

I move to approve a special use permit allowing the operation of a fitness center within the COR Mixed-Use zoning district subject to the following conditions:

- (1) Meet all the building code requirements.
- (2) Apply for building permits for any proposed work.
- (3) Meet all final engineering requirements.
- (4) Any changes to façade will require an appearance review.
- (5) Screen all mechanical units.

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

Aye: 6 - Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 1 - Trustee Fenton

2019-0750 Amusement Device Operator's License - Addition

One (1) application for Amusement Device Operator's License has been submitted on behalf of the following business: Another Level Palos Heights, Inc d/b/a Another Level Clothing, located at 656 Orland Square Drive, Space F14.

With the addition of one (1) Amusement Device Operator's License to the Village, that will bring the total active licenses to twenty-two (22). Currently the Village Code 7-6-2(B) allows twenty-five (25) licenses in the Village.

I move to approve the issuance of one (1) Automatic Amusement Device Operator's License to Another Level Clothing. Amusement devices shall be installed meeting Village of Orland Park Codes and Ordinances.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

MAYOR'S REPORT

2019-0737 Amend Title 7 Chapter 4 - Number of Class D Liquor License - Ordinance

Decrease the number of Class D liquor licenses from Four (4) to Three (3) to account for the closing of Bed Bath & Beyond's Liquor Department as of September 30, 2019.

I move to pass Ordinance Number 5445, entitled: AN ORDINANCE AMENDING TITLE 7, CHAPTER 4 OF THE ORLAND PARK MUNICIPAL CODE, REGARDING THE AVAILABLE NUMBER OF CLASS D LIQUOR LICENSES ISSUED BY THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

OFFICIALS

2019-0770 Elected Officials Pension Eligibility

To fully ensure that Orland Park elected officials are not eligible to participate or accrue pension benefits going forward, the board needs to address active resolutions filed with the IMRF that directly impact that goal.

After discussions with KTJ, it's clear that the Village's current resolution 1908 allows full-time employees to purchase pension credit from IMRF for the time they served in the US Armed Forces. That time may be prior to full-time employment with the Village or while they were active Village employees and on deployment.

Further, there are three important IMRF rules to note:

1. Pension calculations for purchased military time are based on the current rate of pay, not the pay the employee received while on military duty which may have been many years ago and/or much lower than Village pay rates.
2. If the Village allows any employees to buy military time, it applies to all employees who are pension eligible. It cannot exclude elected officials who have been made pension eligible by virtue of resolutions filed with IMRF.
3. The IMRF does not have a formal "opt out" only an "opt in." This means the current enabling resolution with IMRF keeps one elected position, the office of the Mayor, pension eligible.

Therefore, to ensure we meet the stated intention of a Board majority to end elected officials' participation in pensions or accruing additional benefits, it is recommended that resolution 1908 be repealed.

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

Trustee Dodge, Trustee Milani, Trustee Healy, Trustee Katsenes and Trustee Fenton had comments and questions regarding this matter. (refer to audio file)

Village Attorney Dennis Walsh responded to their comments and questions. (refer to audio file)

Trustee Dodge had additional comments and questions. (refer to audio file)

Village Attorney Walsh responded to his comments and questions. (refer to audio file)

Trustee Dodge motioned to make an amendment to the original motion to insert "and 1722" after the number 1908 in the original motion which was seconded by Trustee Fenton. (refer to audio file)

Trustee Milani had additional questions. (refer to audio file)

Village Attorney Walsh commented on Trustee Milani's questions. (refer to audio file)

Trustee Dodge had comments and motioned to table the item which was seconded by Trustee Fenton. The motion failed 3 ayes to 4 nays (refer to audio file)

Trustee Fenton and Trustee Calandriello had questions pertaining to what was being voted on. (refer to audio file)

Village Attorney Walsh responded to their questions. (refer to audio file)

Trustee Calandriello asked the Board to be excused from voting on this matter. (refer to audio file)

A roll call vote was taken pertaining to excusing Trustee Calandriello from the vote. The vote was 3 ayes to 3 nays. Trustee Calandriello abstained. (refer to audio file)

A roll call vote was then taken on the amended motion. The amended motion failed 1 aye to 5 nays and 1 abstain.

Trustee Katsenes, Trustee Calandriello and President Pekau had additional

comments and questions. (refer to audio file)

Director of Finance Mampe and Director of Human Resources Przybylski responded to President Pekau's comments and questions. (refer to audio file)

I move pass Resolution Number 1921 entitled: A RESOLUTION REPEALING RESOLUTION NO. 1908 PASSED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK ON MAY 20, 2019 and file the appropriate forms with IMRF.

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

Aye: 2 - Trustee Fenton, and Trustee Dodge

Nay: 5 - Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

VILLAGE MANAGER'S REPORT

2019-0767 Resolution Supporting Pension Consolidation for Illinois Police and Fire Employees

Communities across Illinois are facing a funding crisis with their police and firefighter pension funds. With many funds massively underfunded, retirees face uncertainty and taxpayers continue to see their property tax levies and sales taxes increase, while services continue to get cut. Illinois currently has more than 650 individual police and firefighter pension funds. Each of these pension funds consists of five-member boards, meaning there are roughly 3,300 pension fund trustees across the state, which contributes to redundant administrative costs and lower returns for pensioners.

Commissioned by the Governor's Office, the Pension Consolidation Feasibility Task Force has proposed a plan that would consolidate the investments of the more than 650 individual pension funds into two separate funds - one for police officers and one for firefighters. By consolidating the investments of each pension fund into two large funds, pensioners and taxpayers will benefit. Pensioners will benefit from more diverse portfolios and higher investment returns, and taxpayers will see long-term savings through efficiencies. Further, municipalities will receive much needed relief from rising pension costs, which will allow them to focus on also funding other important public services that benefit their communities.

The task force's proposal allows local pension boards to maintain all other authority such as pension awards and disability determinations for police officers and firefighters in those communities.

The Village of Orland Park wants to express its support of state-wide legislation to consolidate the 650 individual pension funds and proposes to pass the attached Resolution and send certified copies of the Resolution to be filed with the offices

of the Governor, Speaker of the House, House Minority Leader, Senate President and Senate Minority Leader. Further, the attached Resolution urges the General Assembly to keep the Tier 2 Pension system intact in order to continue to lower the cost of existing pension obligations and save money for Illinois taxpayers.

Trustee Dodge had comments regarding this matter. (refer to audio file)

Trustee Healy had questions which were answered by Chief of Policy Timothy McCarthy. (refer to audio file)

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

I move to pass Resolution Number 1921 entitled: A RESOLUTION OF THE VILLAGE OF ORLAND PARK, ILLINOIS URGING THE GENERAL ASSEMBLY TO ENACT PUBLIC SAFETY PENSION FUND CONSOLIDATION.

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 Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

NON-SCHEDULED CITIZENS & VISITORS

Dee Gerry addressed the Board regarding safety concerns in Creekside subdivision during the shutdown of 143rd Street due to flooding.

President Pekau responded to Ms. Gerry. (refer to audio file)

BOARD COMMENTS

Trustees Fenton, Dodge, Calandriello, Healy, Katsenes, Milani and President Pekau had Board comments. (refer to audio file)

ADJOURNMENT: 8:12 P.M.

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

Aye: 7 - Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

2019-0826 Audio Recording for October 21, 2019 Board of Trustee Meetings

NO ACTION

/AS

APPROVED: November 4, 2019

Respectfully Submitted,

/s/ John C. Mehalek

John C. Mehalek, Village Clerk