

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, November 18, 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: 6 - Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani and Village President Pekau

Absent: 1 - Trustee Fenton

VILLAGE CLERK'S OFFICE

2019-0850 Approval of the October 28, 2019 Special Meeting Minutes

The Minutes of the Special Meeting of October 28, 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 October 28, 2019.

A motion was made by Trustee Nelson Katsenes, seconded by Trustee Calandriello, 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: 0

Absent: 1 - Trustee Fenton

2019-0851 Approval of the November 4, 2019 Regular Meeting Minutes

The Minutes of the Regular Meeting of November 4, 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 November 4, 2019.

A motion was made by Trustee Nelson Katsenes, seconded by Trustee Calandriello, 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: 0

Absent: 1 - Trustee Fenton

PROCLAMATIONS/APPOINTMENTS/PRESENTATIONS**2019-0845 Proclamation Honoring Mitchell's Flowers as Orland Park Business of the Month-November 2019**

Mayor Pekau proclaimed November 18, 2019, as Mitchell's Flowers Day in the Village of Orland Park and honor the Mitchell Family with Orland Park Business of the Month-November 2019.

Mitchell's flowers has been serving Orland Park as a family run business since 1973 and we congratulate them for celebrating over 46 years in Orland Park. Mitchell's flowers has made Orland Park their home and services our community with beautiful floral arrangements and plants.

This was a presentation. NO ACTION was required.

PRE-SCHEDULED CITIZENS & VISITORS**2019-0828 St. Michael Robotics Team First Lego League Challenge**

Assistant Director of Development Services Khurshid Hoda and Development Services Engineer Loy Lee reported that the St. Michael Robotics Team is competing in the First Lego League Challenge, a competition organized by the LEGO Group and the FIRST Foundation. The teams are required to build and program a robot to complete challenges on a game mat as well as present a project in front of a panel of judges. This year the project theme is "City Shapers" and each team has been challenged to determine a problem with a building or open space in their community and come up with a possible solution. The two teams have identified the following projects:

Team 1577 - Andrew Site - Ideas for Reuse

Project: Contaminated soil has restricted development for this parcel.

Solution: The kids are evaluating innovative ways to clean the site with plant products and converting this site into an extension of Centennial Park. They would like this new park to include a solar farm to supplement the Villages energy use in public spaces.

Team 5784 - Schussler Park Renovation

Project: Flooding at soccer fields, soil erosion near the pond, accessibility, deteriorated surfaces on the tennis and basketball courts, dated park equipment.

Solution: The kids are looking into synthetic turf fields, and rain garden placement, naturalized plantings, and permeable surfaces, ADA accessibility to all areas of the park, and installing 100% ADA accessible park equipment.

The teams prepared two short presentations and presented them to Board.
(refer to audio file)

The Board members provided feedback to each team and complimented their hard work. (refer to audio file)

This was a presentation. NO ACTION was required.

CONSENT AGENDA

Trustee Healy requested that Item B. Accounts Payable from November 5, 2019 - November 18, 2019 - Approval be removed from the Consent Agenda for a separate vote due to a conflict of interest.

Passed the Consent Agenda

A motion was made by Trustee Calandriello, 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: 6 - Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

Absent: 1 - Trustee Fenton

2019-0841 Payroll for November 15, 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 November 15, 2019, in the amount of \$1,034,672.10.

This matter was APPROVED on the Consent Agenda.

2019-0798 Budget Adjustment for Recreation, Youth Dance for 4th Quarter 2019

Enrollments are higher than expected in Youth Dance for Irish Dance. This is a contracted program and the revenues from program registration will cover the contracted expense for the Fall 2019 session. Additionally, revenues have already been collected from enrollments for the Fall season.

I move to approve increasing the FY2019 expenditure budget by \$2,230

This matter was APPROVED on the Consent Agenda.

2019-0814 Budget Adjustment Request for Recreation, Private Music Lessons for 4th Quarter 2019

Enrollments are higher than expected for Private Lessons for Music (guitar, piano, and voice). Program enrollment is expected to continue through December. This

is a contracted program and the revenues from program registration will cover the contracted expense for the Fall 2019 session.

I move to approve increasing the FY2019 expenditure budget by \$2,000.

This matter was APPROVED on the Consent Agenda.

2019-0815 Budget Adjustment Request for Recreation, Karate for 4th Quarter 2019

Karate enrollments and revenues continue strong for the Fall 2019 session. Revenues are available to cover the contracted expense for the Fall 2019 session. The funds in the Karate expense budget paid for the Winter/Spring and Summer sessions and funds are not available for the Fall session. Additionally, revenues have already been collected from enrollments for the Fall session.

I move to approve increasing the FY2019 expenditure budget by \$15,874.

This matter was APPROVED on the Consent Agenda.

2019-0703 2019-2020 Road Salt Annual Purchase

In March, the Public Works Department received Board approval to renew our agreement with the Illinois Department of Central Management Services (CMS) for our annual purchase of road salt through the State Joint Purchasing Program. Since that time, we have been advised that our contract with last year's provider has been renewed with 181% increase in cost. The vendor will again be Compass Minerals America Inc. of Overland Park, Kansas, at a price of \$78.86 per ton. Under this agreement, the Village is required to purchase a minimum of 3,840 tons of road salt for the 2019/20 winter season.

I move to approve purchasing road salt from Compass Minerals America Inc. of Overland Park, Kansas for the 2019-2020 winter season, for a cost not to exceed \$78.86 per ton and a total cost not to exceed the remaining Fiscal Year 2019 budget and the Fiscal Year 2020 Board approved budgeted amount.

This matter was APPROVED on the Consent Agenda.

2019-0705 2020 Maintenance of Streets and Highways by Municipality under the Illinois Highway Code - Resolution

The Illinois Department of Transportation (IDOT) requires the Village to pass a resolution each year for the utilization of Motor Fuel Tax (MFT) funds. The appropriations of funds are for the maintenance of Village streets and rights-of-way by village staff and associated IDOT authorized expenditures for salt and electric within the upcoming year. IDOT requires the passage of the resolution for each fiscal year. The resolution for the 2020 calendar year is for funds estimated in the amount of \$3,084,266.00. IDOT requires their form to be used for the resolution. Their resolution form (BLR 14220) and the Municipal Estimate of Maintenance Cost (BLR 14231) are attached.

The Municipal Maintenance Expenditure Statement for the 2019 calendar year

showing the final amounts of the MFT fund expenditures will be submitted to IDOT early next year.

I move to pass Resolution Number 1924 entitled: A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE

This matter was APPROVED on the Consent Agenda.

2019-0706 Replacement of Prisoner Transport Vehicle Purchase - SPC Award

The 2019 Fiscal Year Budget includes rollover funds for the replacement of a 2000 model year prisoner transportation vehicle for the Police Department. It is staff's recommendation to utilize the SPC (suburban purchasing cooperative) contract #150 for the purchase of the van with installed prisoner transport insert equipment from Currie Motors of Frankfort, Illinois for a 2020 Ford Transit-350 AWD medium roof van in an amount not to exceed \$61,800.22. Currie estimates 25 weeks at this time for the delivery of the van plus the installation of the prisoner insert equipment package. The prisoner insert will have three separate compartments with climate control, video, and audio. Staff visited a nearby police agency that has a comparably configured unit. The agency gave positive feedback and recommends the AWD (all-wheel drive) option now that it's available from the manufacturer.

I move to approve utilizing the Suburban Purchasing Cooperative pricing and accept the proposal from Currie Motors of Frankfort, Illinois for the purchase of one (1) 2020 Ford Transit-350 AWD medium roof van with installed aftermarket equipment, for an amount not to exceed \$61,800.22

This matter was APPROVED on the Consent Agenda.

2019-0776 IDOT Right-of-Way Maintenance Resolution - Resolution

Chapter 605 ILCS 5/4-208 and 5/9-113 of the Illinois Revised Statutes requires that any person, firm or corporation desiring to do work on State maintained right of way must first obtain a written permit from the Illinois Department of Transportation. This includes any emergency work on broken water mains, sewers or brick pavers.

For permit work to be performed by employees of a municipality, a resolution is acceptable in lieu of the surety bond. This resolution does not relieve contractors hired by the municipality from conforming to the normal bonding requirements nor from obtaining permits. The attached resolution will remain in effect for the period of two (2) years (2020 and 2021). The attached resolution has been previously reviewed and approved by the Village Attorney

I move to pass Resolution Number 1925 entitled: IDOT Maintenance Resolution.

This matter was APPROVED on the Consent Agenda.

2019-0777 Disposal of Village Equipment (Online Auction) - Vehicles & Equipment, Sportsplex and the Parks & Grounds Department

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 aluminum Blue Fin Sea Gull model 15T V-Hull boat, serial # YDP2359. The model year is unknown.

One (1) used 1985 Iron brand chuck wagon portable cooker, the serial number is n/a

One (1) used 1992 Iron brand chuck wagon portable cooker, the serial number is n/a

Seven (7) used park benches of various sizes and colors. Make/Model/Serial is n/a

Seven (7) used nine-foot-tall tennis court wind screen/backdrop curtains

Three (3) used Porter brand model 234 basketball backboards with hoops

One (1) used Sears, Roebuck model # 113.1984.11, serial # 89017.M0017 table mounted 10" radial saw.

One (1) used Nelson brand Rain Train traveling sprinkler, model #400, serial# G5281

One (1) used Neary Manufacturing, Inc, Rotary Blade grinder, model # 400, serial # 1839

One (1) used Craftsman 2" Drill, model #315.271430-E 13227, serial # A3303

One (1) used Milwaukee Sawzall kit, catalog# 6507, serial # 0631742134

One (1) used battery-powered Porter Cable Drill and circular saw set. The drill is 1/2" cordless, 19.V with a model number 884 and serial number 052909. The Saw is also cordless, 19.2 V with model number 845 and serial number 035363. The battery charger is model number 8624 and serial number 061065. The sale includes no rechargeable batteries.

One (1) lot of 5 Fellowes Neato CD/DVD slim jewel cases. There are no discs.

One (1) lot of 5 used bicycles consisting of a 26" Huffy Stone Mountain, serial#

K66799055912F463, 28" Schwinn CrossFit, serial #S3E00615, 26"-Schwinn Aluminum Comp, serial# 402030, 24"-Next,serial# LWLC0198 , 28"-Trek 7300 MultiTrak serial # WTUB085995R.

One (1) used Victor 1297 calculator, serial # 1297010E00226

One (1) used Rice Lake Weighing System, model # X-CONTACT 350(D1000-3), serial # 04151330002

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 5456 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.

2019-0827 Contract for Elevator Maintenance at Village Buildings

The Franklin Loebe Center, Village Hall, Cultural Arts Center, Sportsplex, 143rd Street Parking Garage, and Orland Park Health & Fitness have elevators that require an annual maintenance agreement. For the past five years, KONE, Inc. has provided elevator maintenance on these elevators. The current KONE contract expires in December 2019. Throughout this contract, KONE's performance has become increasingly disappointing with slow response time, inconsistent billing and invoices for routine service calls.

Staff has researched Omnia Partners, a purchasing cooperative for public sector procurement. Thyssenkrupp Elevator and Otis Elevator provided proposals under the Omnia contract for elevator maintenance. Both companies have previously provided elevator maintenance for the Village, but were not chosen back in 2014 due to cost. The proposal from Thyssenkrupp Elevator Corporation under the Omnia contract was the lowest at \$1,514.00 per month for all village elevators, payable annually in advance. The initial term is three years with annual renewal thereafter. Thyssenkrupp reserves the right to adjust pricing annually not to exceed 4%. Thyssenkrupp Elevator Corporation has provided a proposal that covers minor service calls and states that call outs will be handled during regular business hours with exception for emergency cases such as entrapment.

I move to approve executing a three (3) year contract with annual renewals thereafter with Thyssenkrupp Elevator Corporation for elevator maintenance in an amount not to exceed annual budgeted dollars.

This matter was APPROVED on the Consent Agenda.

2019-0534 Seritage OSM - Special Use

On October 21, 2019, the Village Board of Trustees approved Special Use Permit to allow for the operation of a 24-hour fitness center (39,688 sq. ft.) within the COR Mixed-Use zoning district for the property generally located 2 Orland Square Drive, Orland Park, Illinois 60462.

I move to pass Ordinance Number 5449, entitled: ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW FOR THE OPERATION OF A 24-HOUR FITNESS CENTER (39,688 SQ. FT.) WITHIN THE COR MIXED-USE ZONING DISTRICT (2 ORLAND SQUARE DRIVE).

This matter was PASSED on the Consent Agenda.

2019-0661 LaMichiocana Azteca Ice Cream Shop Special Use Permit - Ordinance

On October 21, 2019, the Village Board of Trustees approved a Special Use Permit for a restaurant within 300 feet of a residential parcel for LaMichiocana Azteca located at 9173 and 9177 W. 151st Street subject to conditions as stated in the ordinance.

I move to pass Ordinance Number 5450, entitled: ORDINANCE GRANTING A SPECIAL USE FOR A RESTAURANT WITHIN 300 FEET OF A RESIDENTIAL PROPERTY (LA MICHIOCANA AZTECA ICE CREAM SHOP - 9173-9177 W. 151ST STREET)

This matter was PASSED on the Consent Agenda.

2019-0840 Accounts Payable from November 5, 2019 - November 18, 2019 - Approval

Trustee Healy stated that he has a conflict of interest with William Quinn and Sons. (refer to audio file)

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 November 4, 2019 through November 18, 2019 in the amount of \$10,281,606.00.

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

Aye: 5 - Trustee Dodge, Trustee Calandriello, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 0

Abstain: 1 - Trustee Healy

Absent: 1 - Trustee Fenton

DEVELOPMENT SERVICES, PLANNING AND ENGINEERING

2019-0249 Panera Bread - Development Petition for Site Plan, Elevations, Landscape Plan, Special Use Permit with Modifications

The 7420 W. 159th Street Planned Unit Development was approved in 2015 (Legistar File ID 2015-0526 & 2017-0636). The Special Use Permit for the Planned Unit Development was approved by Ordinance No. 5215 on September 5, 2017. The mixed-use development originally consisted of five (5) lots on 11 acres and was envisioned for commercial and motor vehicle service uses. A detention pond is located on the northwest corner of the site on Outlot A. Lot 4 is currently vacant pending development. Heartis Senior Living, a three-story, 91,650 square foot assisted living facility with an attached one-story memory care unit, is located on Lot 3 at 7420 W. 159th Street. The Village Board approved the Special Use Permit for Heartis Senior Living by Ordinance No. 5095 on May 26, 2016 (Legistar File ID 2016-0007).

On September 5, 2017, the Village Board of Trustees approved a Resubdivision (GW Property First Resubdivision) to convert Lots 1 and 2 into Lots 5, 6, 7, and 8 as well as a Special Use Permit for a restaurant with a drive-through, Freddy's Frozen Custard, on Lot 5 by Ordinance No. 5218 (Legistar File ID 2017-0173). On September 5, 2017, the Village Board of Trustees also approved the Special Use Permit with Modifications for a motor vehicle rental use, Avis Rent-A-Car on Lot 8 at 7412 W. 159th Street, and a 10,000 square foot new building, and a variance to increase parking in excess of 20% by Ordinance No. 5216 (Legistar File ID 2016-0200). Lot 7 currently includes a detention pond and vacant land for future commercial development.

The subject property is located on Lot 6 of the 7420 W. 159th Street Planned Unit Development and is currently vacant pending development.

Trustee Healy made a motion to withdraw the original motion which was seconded by Trustee Katsenes. All were in favor. (refer to audio file)

Trustee Healy amended the original motion which was seconded by Trustee Milani. (refer to audio file)

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 recommendations.

And

I move to approve a Site Plan, Elevations, Landscape Plan, and Special Use Permit with Modifications for Panera Bread, as recommended at the November 5, 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 the Preliminary Site Plan titled "Site Dimensional and Paving Plan", prepared by Manhard Consulting, Ltd., Sheet 3 of 13, dated June 14, 2019 and last revised October 18, 2019, subject to the following conditions:

1. Meet all building code requirements and final engineering requirements, including required permits from outside agencies.
2. Screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively.
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. Submit a plat of vacation and plat of easement to the Village for staff review, execution, and recording to reflect the changes to the existing stormwater easement.
5. The photometric plan shall comply with all lighting requirements per Section 6-315.

And

I move to approve the Elevations titled "Exterior Elevations", prepared by Frederick J. Goglia, Sheets A301 and A302, dated October 17, 2019, subject to the following conditions:

1. Meet all final engineering and building code requirements.
2. All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness.
3. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline.
4. 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.

And

I move to approve the Preliminary Landscape Plan, titled "Landscape Plan", prepared by Manhard Consulting, Ltd., Sheets 1-4, dated June 10, 2019 and last revised October 15, 2019, with the following conditions:

1. Submit a final landscape plan meeting all Village Codes and all required supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal.

And

I move to approve a Special Use Permit for Panera Bread, to allow for a restaurant with a drive-through facility in the BIZ General Business District, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use Permit include:

1. Reduce the parking lot setback and perimeter landscape screening along the east property line from ten (10) feet to as little as zero (0) feet (Section 6-305.D.6.a.1.i)
2. Reduce the parking lot perimeter landscape screening from a ten (10) foot wide planting bed to a six (6) foot wide planting bed along the north side of the parking lot (Section 6-305.D.6.a.1.i).

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

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

Nay: 1 - Trustee Dodge

Absent: 1 - Trustee Fenton

MAYOR'S REPORT

2019-0844 Amend Title 7 Chapter 4 - Number of Class A-5 Liquor License - Ordinance

Increase number of Class A-5 liquor licenses from zero (0) to one (01) for Chipotle. For the year of 2020, and going forward, Chipotle will obtain a Class A-5 Liquor License for counter service restaurants instead of a Class A liquor license as they held in the past.

President Pekau had comments. (refer to audio file)

Trustee Dodge had questions. (refer to audio file)

President Pekau responded to Trustee Dodge. (refer to audio file)

I move to pass Ordinance Number 5451, 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 Milani, seconded by Trustee Nelson Katsenes, 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: 0

Absent: 1 - Trustee Fenton

2019-0843 Amend Title 7 Chapter 4 - Number of Class A Liquor License - Ordinance

Decrease number of Class A liquor licenses from sixty-nine (69) to sixty-seven (67) for Chipotle and Houlihans. For the year of 2020, and going forward, Chipotle will obtain a Class A-5 Liquor License for counter service restaurants. Houlihans closed their doors on Tuesday, November 12, 2019.

President Pekau had comments. (refer to audio file)

I move to pass Ordinance Number 5452, 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 Nelson Katsenes, seconded by Trustee Dodge, 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: 0

Absent: 1 - Trustee Fenton

2019-0846 Amend Title 7 Chapter 4 - Number of Class B Liquor License - Ordinance

Decrease the number of Class B liquor licenses from thirty (30) to twenty Nine (29) to account for the closing of Walgreens #10774 located at 11349 West 159th Street as of November 13th, 2019.

President Pekau had comments. (refer to audio file)

I move to pass Ordinance Number 5453, 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 Milani, seconded by Trustee Healy, 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: 0

Absent: 1 - Trustee Fenton

2019-0821 Amend Title 7 Chapter 4 - Class A-5 Liquor Licenses for Counter Service Restaurants

The creation of the Class A-5 license is for the sole purpose of allowing "counter service" restaurants the opportunity to carry a Class A liquor license: Full Alcohol Service without the option of applying for a video gaming license. The Class A license by definition is solely for Table Service restaurants meaning they have waiters and waitresses taking orders and serving the customers.

A Counter Service restaurant is where a patron orders their items at a counter and their food is obtained either at the counter or they are given a number and their items are then brought to their table.

Currently Chipotle holds a Class A liquor license but because they would be categorized as a Counter Service restaurant via our Village Code, Chipotle will hold a A-5 Liquor License as of their January 2020 renewal.

I move to pass Ordinance Number 5454, entitled: AN ORDINANCE AMENDING TITLE 7 CHAPTER 4 SECTIONS 2 AND 6 OF THE ORLAND PARK MUNICIPAL CODE (LIQUOR LICENSES FOR COUNTER SERVICE RESTAURANTS)

A motion was made by Trustee Dodge, seconded by Trustee Nelson Katsenes, 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: 0

Absent: 1 - Trustee Fenton

VILLAGE MANAGER'S REPORT

2019-0853 An Ordinance Amending the Orland Park Village Code Modifying the Existing Committee Structure and Agenda Management Process

At the November 4, 2019, Village Board meeting, the Village Board directed staff to draft an ordinance amendment modifying the existing committee structure and agenda management process.

Although there are no specific provisions in the Illinois Municipal Code or the

Open Meetings Act that address who is responsible for setting meeting agendas, the Illinois Municipal Code does state the Village Board shall “determine its own rules of proceeding.” See 65 ILCS 5/3.1-40-15.

Based on feedback received at the November 4, 2019 Village Board meeting, the following provisions would be incorporated into the Village Code.

(i) Committee of the Whole

As the Village Board is aware, previously the Village of Orland Park Board of Trustees operated under a Committee of the Whole structure. The attached ordinance amends the Village Code to replace the current Committee section of the Village Code with a Committee of the Whole structure.

Under the provisions of the Committee of the Whole, one hour prior to each regularly scheduled Board of Trustees meeting, the Village Board will meet as a Committee of the Whole unless there are no items for the Committee of the Whole to consider. The agenda for the Committee of the Whole shall be prepared by the Village Clerk in consultation with the Village Manager and Village President. The purpose of the Committee of the Whole will be to allow all of the Board Members an opportunity to engage in a more informal discussion on ideas and proposals which may eventually result in a recommendation to the Board of Trustees.

A portion of the Committee of the Whole meeting shall be dedicated to previewing upcoming non-routine agenda items, including a standing item for the consideration of Agenda Initiatives. A time for public comment shall also be conducted. No final action, beyond action setting future agenda items and/or Agenda Initiatives, would be taken at a meeting of a Committee of the Whole.

The following agenda items would be brought before the Committee of the Whole: (1) the expenditure of money over \$250,000; (2) development agreements; (3) amending the Village Code; (4) the implementation or modification of policies; (5) Budget amendments; and/or (6) an Agenda Initiative filed by a Board Member. Items that do not fall within these categories, and require Board approval, would be placed on the regular Board of Trustees meeting agenda.

The following are some anticipated impacts of this change:

- Open Meetings Act - Currently, under the existing three-member committee structure, no two Trustees can discuss committee items outside of the Committee meeting without running afoul of the Illinois Open Meetings Act (OMA). A "meeting" under OMA is a gathering of a majority of a quorum of the members of a public body for the purpose of discussing public business. For example, for a 7-member board with a quorum of 4, a majority of the quorum would be 3.
- Process Improvement - The proposed Committee of the Whole process will expedite the review of matters. Since current committees meet monthly, items that miss the deadline for placement on the agenda may have to wait up to a

month before being reviewed by the committee and another two weeks before placement on the regular Board of Trustees agenda. Under the proposed structure, routine items can be placed on any regular Board of Trustees agenda, and items that require Committee of the Whole recommendations, can be reviewed twice a month.

- Consent Agenda - The Board of Trustees agenda will continue to encompass consent agenda items. Routine items will be placed on the consent agenda.
- Additional meetings - As part of the change to the Committee of the Whole, trustees will attend one additional meeting; whereas, the Village President will have two additional meeting to attend. However, these additional meetings will occur immediately prior to the regularly scheduled Board of Trustees meeting.

(ii) Board of Trustees Agenda Initiatives

An "Agenda Initiative" process would provide that any individual Trustee could get an initiative placed on the Committee of the Whole agenda by instructing the Village Manager, either verbally or in writing, prior to noon on the Friday preceding the meeting, to place the item on the Committee of the Whole agenda. Village/Legal staff time would be restricted until after at least three Trustees vote to move the Agenda Initiative forward.

Agenda Initiatives would include (1) the expenditure of money; (2) modifications to the Village Code; (3) formation/modification of Village policies; (4) the introduction of an ordinance or resolution; (5) the formation/modification of committees; (6) budget changes and/or (7) the appropriation of Village/Legal staff time. At each Committee of the Whole meeting, a portion of the meeting would be dedicated to the consideration of any Agenda Initiatives that have been filed.

(iii) Previously Deliberated Items

No item shall be placed on the Board of Trustees or Committee of the Whole agenda which, in the opinion of the Village Attorney, is substantially similar to an item or concerns subject matter which is the same as an item that was previously defeated by the Board of Trustees or Committee of the Whole respectfully, for a period of one (1) year after the item was defeated unless:

- (1) The rules are suspended by a majority of the members of the Board of Trustees or Committee of the Whole; or
- (2) A matter is moved to be reconsidered by a majority of the members of the Board of Trustees or Committee of the Whole.

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

Village Manager Koczvara responded to Trustee's Dodge's questions and comments. (refer to audio file)

President Pekau had questions. (refer to audio file)

Village Manager Koczwara and Village Attorney Walsh responded to President Pekau. (refer to audio file)

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

Village Attorney Walsh responded to Trustee Dodge. (refer to audio file.)

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

Village Manager Koczwara and President Pekau responded to Trustee Milani. (refer to audio file)

Trustee Calandriello had comments. (refer to audio file)

President Pekau responded to Trustee Calandriello. (refer to audio file)

Trustee Calandriello made a motion to strip the language "President and Village Manager" and change to "Village Manager can put items on the Board Agenda," which was seconded by Trustee Dodge. The motion failed 4 nays to 2 ayes. (refer to audio file)

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

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

Trustee Dodge moved to replace the language that has restrictions on topics for any Committee of the Whole discussion to the previous language of "any and all village business at the Committee of the Whole," which was seconded by Trustee Calandriello.

President Pekau had comments. (refer to audio file)

The motion failed 3 ayes to 3 nays. (refer to audio file)

Trustee Milani and President Pekau had comments. (refer to audio file)

I move to pass Ordinance Number 5455, entitled: AN ORDINANCE AMENDING TITLE 1, CHAPTER 5, SECTION 1-5-7-14 (STANDING COMMITTEES) AND SECTION 1-5-7-14-1 (MEETINGS) OF THE ORLAND PARK VILLAGE CODE

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: 4 - Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

Nay: 2 - Trustee Dodge, and Trustee Calandriello

Absent: 1 - Trustee Fenton

2019-0857 Resolution Urging the Illinois Department of Transportation to Build the I-80 Reconstruction, Expansion and Widening Project; and to Provide Additional Project Enhancements

The Illinois Department of Transportation has undertaken an Environmental Assessment study of approximately 16 miles of I-80, beginning at Ridge Road to the west and ending at U.S. Route 30 to the east. The corridor encompasses three counties (Kendall, Grundy and Will), and passes through six municipalities (Minooka, Channahon, Shorewood, Rockdale, Joliet and New Lenox), and consists of a diverse mixture of land uses including agricultural, residential, commercial and industrial with rural, suburban and urban characteristics. The roadway includes eight interchanges and handles substantial heavy truck traffic. I-80 was built in the 1960's as a rural interstate corridor for substantially lesser traffic volumes and is failing to meet today's transportation needs. Additionally, I-80 suffers from deferred maintenance and is insufficient to handle both current and future projected traffic volumes.

The I-80 Phase I Preliminary Engineering and Environmental Study took a detailed look at the current and future transportation needs of the corridor. The study includes an analysis of existing roadway and bridge deficiencies, safety and capacity issues, and future transportation needs, and included extensive public involvement processes. IDOT's report recommends road and bridge widening from Minooka to New Lenox.

Furthermore, according to the Will County Community Friendly freight Mobility Plan, Will County is the largest inland port in North America with 3.5% of U.S. Gross Domestic Product moving through Will County annually; and Will County's rail and truck facilities handle over 3.5 million international containers annually, making it the fifth busiest of all U.S. ports, including seaports. About half of the aforementioned freight moves by truck through Will County, representing more than its fair share of regional and national economic activity, including more than seventy-four percent of that freight passing through the county not starting or ending within County limits. Undoubtedly, reliable and convenient transportation are the lifeblood of a healthy and vibrant economy.

The Village of Orland Park wishes to express its support for IDOT preferred alternative design for the corridor as presented in the Environmental Assessment report dated October 2019, with the following exceptions: 1) elimination of the gap in the auxiliary lanes between Houbolt Road and Larkin Avenue; 2) acquisition of the necessary real estate to accommodate the future eight-lane configuration; 3)

include within the project to build all project bridges and overpasses to accommodate I-80's future eight-lane configuration; and 4) plan for the future widening of I-80 east of the project limits, including through and past the eastern limits of the Village of Orland Park

President Pekau had comments (refer to audio file)

I move to pass Resolution Number 1926, entitled: A RESOLUTION URGING THE ILLINOIS DEPARTMENT OF TRANSPORTATION TO BUILD THE I-80 RECONSTRUCTION, EXPANSION AND WIDENING PROJECT; AND TO PROVIDE ADDITIONAL PROJECT ENHANCEMENTS.

A motion was made by Trustee Healy, seconded by Trustee Nelson Katsenes, 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: 0

Absent: 1 - Trustee Fenton

VILLAGE MANAGER'S UPDATES

Village Manager Koczwara stated that he wanted to provide the Board with updates on certain village matters. (refer to audio file)

Interim Director of Public Works Rich Rittenbacher addressed the Board regarding the village's resurfacing project. (refer to audio file)

President Pekau had comments. (refer to audio file)

Assistant Director of Development Services Khurshid Hoda addressed the Board regarding the status of 159th Street. (refer to audio file)

Village Manager Koczwara, Assistant Village Manager Greg Summers and Interim Director of Development Services Ed Lelo addressed the Board regarding Hope Covenant Church. (refer to audio file)

NON-SCHEDULED CITIZENS & VISITORS

Sean Kampas addressed the Board regarding robocalls. (refer to audio file)

Laila Sadat, Richard Foist, Regina Knapp, Rev. Don Wagner, Diana Howard, Nick Uniejewski, Jon Fogel, Nick Furio and Tina Rounds addressed the Board regarding the homeless shelter at Hope Covenant Church. (refer to audio file)

BOARD COMMENTS

Trustees Dodge, Calandriello, Healy, Katsenes, Milani and President Pekau had

Board comments. (refer to audio file)

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; b) setting a price for sale or lease of village property; c) 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 Calandriello, seconded by Trustee Nelson Katsenes, 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: 0

Absent: 1 - Trustee Fenton

RECONVENE BOARD MEETING

The roll was called to reconvene the Regular Meeting and Trustees Dodge, Calandriello, Healy, Katsenes, Milani and President Pekau were present.

Purpose of the Executive Session was for the discussion of a) approval of minutes; b) setting a price for sale or lease of village property; c) pending litigation against, affecting or on behalf of the village or when found by the board that such action is probable or imminent.

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

Absent: 1 - Trustee Fenton

ADJOURNMENT: 10:20 P.M.

A motion was made by Trustee Calandriello, seconded by Trustee Nelson Katsenes, that this matter be ADJOURNED. 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: 0

Absent: 1 - Trustee Fenton

2019-0891 Audio Recording for November 18, 2019 Board of Trustees Meeting

NO ACTION

/AS

APPROVED: December 2, 2019

Respectfully Submitted,

/s/ John C. Mehalek

John C. Mehalek, Village Clerk