

# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orlandpark.org](http://www.orlandpark.org)



## Meeting Minutes

Monday, December 16, 2019

6:00 PM

Village Hall

## Committee of the Whole

*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 6:00 P.M.

**Present:** 8 - President Pekau; Village Clerk Mehalek; Trustee Fenton; Trustee Dodge; Trustee Calandriello; Trustee Healy; Trustee Nelson Katsenes and Trustee Milani

## APPROVAL OF MINUTES

### 2019-0899 Approval of the December 2, 2019, Committee of the Whole Minutes

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of December 2, 2019.

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

**Aye:** 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

**Nay:** 0

## ITEMS FOR SEPARATE ACTION

### 2019-0901 John Humphrey Complex Renovation Update

Park's Division Director Gary Couch reported that the John Humphrey Complex (JHC) renovation project began with the budgeting of \$600,000 for fiscal year 2018, which was allocated to solve severe grade issues in field three. During the initial planning phase it was determined that a consultant would be contracted to evaluate the Villages sports complexes and help guide the Village to a best use recommendation for the John Humphrey Complex, Centennial Park and Cachey Park. Once the consultant completed their findings and presented them to the Village Board, staff was able to issue an Request for Proposal (RFP) using the consultant's recommendations as the base line for the projects scope of work. The original John Humphrey Renovation RFP 18-048 was issued November 13th, 2018 with a total of three (3) vendors submitting proposals. All three (3) proposals exceeded the funding allocated. Staff was directed to modify the scope. The John Humphrey Complex Renovation RFP 19-002 was posted to Bidnet on January 7, 2019 and was opened on February 7, 2019. Four (4) vendors submitted proposals, with the lowest being V3 Construction Group. The Board of Trustees approved RFP 19-002 on March 18, 2019, awarding the contract to V3 Construction Group.

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

Citizens Jennifer Czerwonka, Chris Stefanos, Bonnie Masino and Andrew

Brennan addressed the committee regarding this matter. (refer to audio file)

Trustee Calandriello had questions and comments regarding this matter. (refer to audio file)

Director Couch responded to Trustee Calandriello's questions regarding this matter. (refer to audio file)

Trustee Fenton and Trustee Katsenes had comments regarding this matter. (refer to audio file)

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

Village Manager George Koczwara and Mayor Pekau responded to Trustee Dodge's questions and comments. (refer to audio file)

Mayor Pekau had additional questions regarding this matter. (refer to audio file)

Village Manager Koczwara responded to Mayor Pekau's additional questions. (refer to audio file)

Trustee Healy had questions and comments regarding this matter. (refer to audio file)

Director Couch responded to Trustee Healy's questions regarding this matter. (refer to audio file)

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

Trustee Dodge had an additional question regarding this matter. (refer to audio file)

Village Manager Koczwara responded to Trustee Dodge's additional question regarding this matter. (refer to audio file)

Trustee Calandriello had an additional question regarding this matter. (refer to audio file)

Mayor Pekau and Village Manager Koczwara responded to Trustee Calandriello's additional question regarding this matter. (refer to audio file)

I move to recommend to the Village Board to allow John Humphrey Complex to remain closed until the spring of 2021 to ensure the turf condition is optimal and provide a high-quality product that will more successfully handle the stress imposed on athletic surfaces.

**This item was for discussion only. NO ACTION was required.**

#### **2019-0910 Centennial Park West Events and Walks**

Park's Division Director Gary Couch reported that the Village processes approximately 10 special event permits for walks each year. In order to avoid roadway shutdowns and the need for police to direct traffic, these events are traditionally staged out of Centennial Park. This is starting to create conflicts with sports tournaments and CPAC pool usage, particularly as it relates to parking shortages and damage to athletic field grass on staging areas. Staff would like to shift the staging areas for these walks to Centennial West in 2020 in order to utilize the surplus parking available at that location and stage on the grass where tournament level field grass is not required. Park's staff also believes that with longer rebound times and without field play, the Centennial West grass will not be as affected. Events would be scheduled so as to not conflict with concert dates (and setup/take down). Walks could still proceed through Centennial Park via the underpass access.

The Village Board previously approved a policy for Centennial West rental fee of \$1000, but that language seems to be for concerts. In addition to requesting the relocation of these events staff would recommend that the current fee structure for nonprofit 501 C3 events remain unchanged.

I move to recommend to the Village Board to approve the venue change to Centennial West for nonprofit 501 C3 events and the current fee structure for said events remain at the current levels.

**A motion was made by Trustee Fenton, seconded by Trustee Dodge, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:**

**Aye:** 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

**Nay:** 0

#### **2019-0880 2020 Land Development Code Amendments I**

Interim Director of Development Services Ed Lelo reported that the first round of Land Development Code Amendments for 2020 is presented in the attached to the committee packet Amendment Report to the Plan Commission. The Amendment Report, titled "2020 Land Development Code Amendments I Amendment Report to the Plan Commission", contains various amendments to the sections identified above.

The Amendment Report contains the full narrative explanation for each amendment followed by the respective Code changes. Language with a strike-out (strike out) indicates elimination from the Code. In all cases, language that is

bolded and in red (red) indicates proposed addition to the Code.

#### PLAN COMMISSION DISCUSSION

A public hearing was held before the Plan Commission on December 3, 2019.

There were no members of the public present. A summary of the items discussed at the public hearing is included below:

##### Site Plans and Building Elevation Plans

Commissioner Schussler asked if some of the documents required as part of petition applications could be included in the Plan Commission packets for the Plan Commission to review. Commissioner Schussler recommended that a copy of the traffic study, if required by the Land Development Code, always be included for the Commission to review. Additionally, Commissioner Schussler asked if the disclosure of ownership information could be included in order to help Commissioners determine if there are any conflicts of interest with the petitioner and they should abstain from voting on a project.

##### Sign Code

Staff provided an overview of the amendments to the Sign Code and clarified questions from the Commission. Commissioner Schussler asked if the Village is considering allowing electronic message board signs in the future. Commissioner Sanchez asked if the new regulations for Old Orland Historic District (Sign District #5) would require any businesses to alter their signs. Staff confirmed that any existing signs that do not meet code requirements would be subject to the regulations for non-conforming signs. All new signs would be required to meet the new code requirements.

##### Minor Modifications to Previously Approved LDC Amendments

Commissioner Zomparelli asked for clarification on Exhibit C - Table 6-302.C.1(A). The table only includes the beginning of the list of attached to the committee packet accessory uses that require clarification as part of the current code amendments. The remaining portion of the table will not be changed and will be included in the Land Development Code.

#### PLAN COMMISSION MOTION

On December 3, 2019, the Plan Commission moved, by a vote of 4-0, to recommend to the Village Board of Trustees to accept as findings of fact of the Plan Commission the findings of fact set forth in the staff report, dated December 3, 2019, and to approve the Land Development Code amendments for Section 2-102, Section 3-101, Section 5-101, Section 5-108, Section 5-112, Section 6-202, Section 6-209, Section 6-302, Section 6-304, Section 6-305, Section 6-307, Section 6-308, and Section 6-314, as presented in the attached to the committee packet Amendment Report titled "2020 Land Development Code Amendments I Amendment Report to the Plan Commission" and associated

exhibits, prepared by the Development Services Department and dated December 3, 2019.

No conditions of approval were added to the motion.

#### COMMITTEE OF THE WHOLE DISCUSSION

On December 16, 2019, this item was reviewed by the Committee of the Whole, recommended for approval and referred to the Village Board of Trustees. There was a brief discussion on the proposed sign code amendments and any changes to the Village's temporary signage regulations were proposed as part of the code amendment. Ed Lelo, Interim Director of the Development Services Department, noted that staff is working on an amendment to the temporary sign code regulations, which will be presented separately to the Village Board for consideration in the next couple of months. No changes were made to the proposed amendments.

#### COMMITTEE OF THE WHOLE MOTION

On December 16, 2019, the Committee of the Whole voted unanimously to recommend to the Village Board of Trustees to the Land Development Code amendments for Section 2-102, Section 3-101, Section 5-101, Section 5-108, Section 5-112, Section 6-202, Section 6-209, Section 6-302, Section 6-304, Section 6-305, Section 6-307, Section 6-308, and Section 6-314, as presented in the attached Amendment Report titled "2020 Land Development Code Amendments I Amendment Report to the Plan Commission" and associated exhibits, prepared by the Development Services Department and dated December 3, 2019.

This case is now before the Board of Trustees for final consideration.

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

Interim Director Lelo responded to Trustee Calandriello's and Trustee Dodge's questions regarding this matter. (refer to audio file)

I move to recommend to the Village Board of Trustees approval of the 2020 Land Development Code Amendments I, as recommended at the December 3, 2019 Plan Commission meeting and as fully referenced below.

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

I move to recommend to the Village Board of Trustees to approve the Land Development Code amendments for Section 2-102, Section 3-101, Section 5-101, Section 5-108, Section 5-112, Section 6-202, Section 6-209, Section 6-302, Section 6-304, Section 6-305, Section 6-307, Section 6-308, and Section 6-314, as presented in the attached Amendment Report titled "2020 Land

Development Code Amendments I Amendment Report to the Plan Commission” and associated exhibits, prepared by the Development Services Department and dated December 3, 2019.

**A motion was made by Trustee Calandriello, seconded by Trustee Milani, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees.**

**The motion carried by the following vote:**

**Aye:** 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

**Nay:** 0

### **2019-0892 Vintage Crossings Drainage**

Director of Programs and Engineering Services Khurshid Hoda reported that in the summer of this year (2019), Village staff received complaints about flooding concerns from residents of the Vintage Crossing neighborhood. The complaint included water ponding in their backyards and the sump pumps constantly running.

In order to understand the issue and potential causes, Village staff evaluated the existing site conditions in the subdivisions of Vintage Crossing and Fawn Ridge by visiting the site and reviewing original development design documents from early 2000 related to the site grading and stormwater system.

Based on our analysis of available information and site observations, Village staff came to the conclusion that the original design of the backyards may have been modified by individual property owners. The modifications include changing the backyard grading, adding storage sheds, adding fences, and other work done in the public utility and drainage easement without proper permits or approvals from the Village. These changes and additions eliminated/impacted swales in many areas and/or obstructed the flow of stormwater which is causing water ponding and concerns for potential flooding.

Earlier this year, Villas of Tall Grass, a residential development, started construction on its site which is located immediately west of Vintage Crossing and north of Fawn Ridge subdivisions. As part of their stormwater management system, the developer built berms west of Vintage Crossing and north of Fawn Ridge subdivisions. Prior to the construction of Tall Grass berms, stormwater from Vintage Crossing and Fawn Ridge subdivisions was releasing into Tall Grass site. After construction of berms and absence/obstruction of swales in Vintage Crossing and Fawn Ridge subdivisions, stormwater is unable to find its way to the several inlets and detention pond designed to manage stormwater for these two subdivisions. Villas of Tall Grass site cannot be used as stormwater basin for the neighboring subdivisions. The Vintage Crossing and Fawn Ridge swales and grades must be reestablished to allow stormwater to flow as designed.

On October 9, 2019, the Village informed property owners via a certified letter about potential flooding issues in the two subdivisions. The Village invited all affected property owners to attend a meeting at the Village Hall on October 24, 2019 at 6:00 PM to discuss the issues and possible solutions. Two property owners attended this meeting. After the meeting, the Village conducted additional studies, including backyard grading surveys conducted by a licensed surveyor on November 12 and 13, 2019. Based on this grading survey, visual observations of backyards, and reviews of original development design documents, Village staff came to the conclusion that all affected properties (at varying levels) are in violation of Ordinance 6-409.E.16.c of the Village's Land Development Code. The referenced ordinance states that, "No lot shall be allowed to divert, modify, or change grade elevations from an approved engineering drawing without approval from the Director of Engineering."

The Village has been diligently exploring cost effective and least interruptive solutions for the above issue. The Village retained DesignTek Engineering, Inc., of Mokena, Illinois to study and prepare a drainage design that will allow stormwater to flow in the swale through Vintage Crossing and Fawn Ridge subdivisions and eliminate concerns for flooding. DesignTek submitted their design to the Village and staff agrees with their solution. The design will work as long as the backyard grades and swales are maintained and storm inlets are kept open.

To implement the designed solution at a lower cost with the least interruption, the engineering staff has been able to negotiate two concessions with the Villas of Tall Grass developer, Marth Construction (Marth). Marth has agreed to allow construction access from Tall Grass site and absorb construction spoils in their site without any cost to the property owners of Vintage Crossing and Fawn Ridge. However, they require that grading and swale work be completed by March 31, 2020 as Marth has plans to start backyard landscape work in their development in April 2020. After March 31, construction access from Tall Grass to Village Crossing and Fawn Ridge will not be available.

Staff is recommending that all affected property owners take advantage of Marth Construction's offer and collectively pay for the solution. The two concessions (construction access and absorption of spoils) offer significant cost savings and convenience to property owners in terms of reduced construction costs, no to minimal damage to their front, side, and back yards, disposal of spoils, trucking and equipment costs, and other related costs/impact related with this solution. The Village is willing to act as a point of contact and liaison between the contractor and property owners, which offers additional savings to the property owners.

To implement the solution developed by the Village and its consultant, the property owners will be required to remove all items from the backyard drainage easement including sheds, fences, vegetable gardens, etc. After grading work is complete, property owners will also be responsible to repair backyards including landscaping, grass, etc. while maintaining the grades and swales in the drainage



easement. All of these items will be completed by property owners at their expense.

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

Director Hoda and Mayor Pekau responded to Trustee Dodge's comments and questions. (refer to audio file)

Village Manager Koczwara had comments regarding this matter. (refer to audio file)

For discussion only. When a final solution is developed and accepted by the property owners, staff will recommend an appropriate action/motion at a later date.

**This item was for discussion only. NO ACTION was required.**

**2019-0925 Agenda Initiative - Introduction of a Resolution requesting the Federal Communications Commission (FCC) and the Illinois Attorney General to enforce the laws regarding robocalls**

Per the Village Code, any individual Trustee can request that an initiative be 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 an item on the Committee of the Whole agenda. Village/Legal staff time is restricted until after at least three Trustees vote to move the Agenda Initiative forward.

Agenda Initiatives 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.

**Proposed Initiative**

Trustee Healy has requested that a Resolution be drafted and brought forward to the Board of Trustees requesting that the Federal Communications Commission (FCC) and the Illinois Attorney General enforce the laws regarding robocalls.

Trustee Healy, Trustee Milani and Mayor Pekau had comments regarding this matter. (refer to audio file)

I move to recommend that a Resolution be drafted and brought forward to the Board of Trustees requesting that the Federal Communications Commission (FCC) and the Illinois Attorney General enforce the laws regarding robocalls.

**A motion was made by Trustee Healy, seconded by Trustee Calandriello, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees.  
The motion carried by the following vote:**

**Aye:** 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

**Nay:** 0

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

Jennifer Czerwonka, Chris Stefanos, Bonnie Masino and Andrew Brennan addressed the committee regarding the Orland Park Pioneers. (refer to audio file)

### **ADJOURNMENT: 7:13 P.M.**

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

**Aye:** 8 - President Pekau, Village Clerk Mehalek, Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, and Trustee Milani

**Nay:** 0

**2020-0005 Audio Recording for the December 16, 2019 Committee of the Whole Meeting**

**NO ACTION**

**/AB**

Respectfully Submitted,

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**John C. Mehalek, Village Clerk**