VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, October 5, 2020

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

2020-0672 Approval of the September 21, 2020 Regular Meeting Minutes

The Minutes of the Regular Meeting of September 21, 2020, 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 September 21, 2020.

A motion was made by Trustee Fenton, 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

2020-0688 Proclamation for Domestic Violence Awareness Month

Mayor Pekau proclaimed October 2020 as Domestic Violence Awareness Month in the Village of Orland Park.

Domestic violence is a pattern of controlling behaviors, including physical violence, emotional, mental, and sexual abuse, that one partner uses to gain power over the other. Domestic violence does not discriminate against any group of individuals, but eighty-five percent (85%) of domestic violence victims are women and are assaulted or beaten every 9 seconds in the US. Research shows that by creating communities where people are connected, supportive and care for one another, incidents of domestic violence can be reduced.

Mayor Pekau and the Village of Orland Park Board of Trustees urge all Orland Park residents to become involved in efforts to prevent and respond to domestic violence and recognize the impact of domestic violence in our community.

Lisa Maloy of the Crisis Center for South Suburbia had comments. (refer to audio)

President Pekau had comments. (refer to audio)

This item was a presentation. NO ACTION was required.

ACCOUNTS PAYABLE

2020-0664 Accounts Payable from September 22, 2020, - October 5, 2020 - 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 September 22, 2020, - October 5, 2020, in the amount of \$4,204,569.40

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

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

Nay: 0

Abstain: 1 - Trustee Healy

CONSENT AGENDA

Trustee Calandriello requested that Item E. Playground Safety Surfacing Installation Proposal be removed from the Consent Agenda for a separate vote.

Passed the Consent Agenda

A motion was made by Trustee Calandriello, seconded by Trustee Dodge, 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

2020-0663 Payroll for September 18, 2020 - 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 September 18, 2020, in the amount of \$1,113,068.67

2020-0660 Police Protective Equipment Purchase - Approval

The Police Department is requesting to utilize the United States General Services Administration (GSA) Purchasing Program to procure protective equipment. The GSA Purchasing Program allows local governments to benefit from pre-vetted industry partners on a variety of products and services offered through specific GSA contracts. The Village is eligible for the contract pricing from FEI/SRT under GSA contract # GS-07F-0133W for Haven Gear.

Haven Gear is currently utilized by all ILEAS Mutual Aid Response Teams (Mobile Field Force) which is trained to provide a rapid, organized, and disciplined response to civil disorders. The Haven Gear being purchased was vetted by the ILEAS Field Force of which there are currently (2) Orland Park Officers assigned to this team.

I move to approve accepting the GSA contract proposal from FEI/SRT for the purchase of Haven Gear in the in an amount not to exceed \$79,428.65.

This matter was APPROVED on the Consent Agenda.

2020-0674 Avon Air Purifying Respirators - Police Protective Equipment Purchase and Budget Amendment - Approval

The Police Department is requesting to utilize the United States General Services Administration (GSA) Purchasing Program to procure Avon Air Purifying Respirators for crowd control and civil unrest protective equipment. The GSA Purchasing Program allows local governments to benefit from pre-vetted industry partners on a variety of products and services offered through specific GSA contracts. The Village is eligible for the contract pricing from FEI/SRT under GSA contract # GS-07F-0133W for Avon protective masks.

Avon C50 Air Purifying Respirators are currently utilized by all ILEAS Mutual Aid Response Teams (Mobile Field Force) which is trained to provide rapid, organized, and disciplined response to civil disorders. The Avon Air Purifying Respirators being purchased were vetted by the ILEAS Field Force of which there are currently two (2) Orland Park officers assigned to this team.

I move to approve accepting the GSA contract proposal from FEI/SRT for the purchase of Avon Protective Masks in an amount not to exceed \$49,734.06;

And,

I move to approve an increase to the FY2020 expenditure budget of the General Fund in the amount of \$49,734.06, and an increase to the FY2020 revenue budget of the General Fund in the amount of \$49,734.06 through a transfer form the General Fund reserves.

2020-0669 Assignment of one (1) sworn police officer to the Drug Enforcement Administration (DEA) Task Force, Chicago Division-Approval

The Police Department is requesting permission to assign one (1) sworn officer to the DEA as a task force officer for a minimum of two (2) years. The selected officer will be assigned to assist with investigating local, regional, national, and international drug trafficking organizations while assigned to the Chicago Division of the DEA.

Since 2010, the Orland Park Police Department has responded to and investigated 112 opioid related overdoses and 35 drug related deaths. Joining the DEA Task Force will allow the department to combat the opioid epidemic in a more effective way utilizing both local and federal resources. If approved by the board, the designated officer would tentatively begin the assignment prior to the end of 2020.

The approval of the Intergovernmental Agreement would enable the Orland Park Police Department to become a member of the DEA's Provisional State and Local Government Task Force. The DEA has over 2,000 state and local police officers assigned to DEA task forces nationwide. The Orland Park Police Department would assign one police officers to the local DEA task force to assist in combating the drug trade in the region. DEA Task Force Officers continue to function as local investigators, working for and meeting the needs of the Orland Park Police Department's mission, but with the following added benefits:

- Federal drug agent deputization
- Larger community impact
- Complex criminal investigations
- Shared manpower force-multiplier
- Multiple prosecution venues
- Combined intelligence resources
- Utilization of DEA's global resources
- No cost DEA training and travel
- Equitable sharing of asset seizures

I move to approve authorizing the assignment of one (1) sworn Orland Park police officer to the DEA Task Force for a minimum of (2) two years.

And,

To authorize the Village Manager to execute the DEA Program-Funded State and Local Task Force Agreement.

2020-0557 Foreclosed Property Registration - Property Registration Champions

I move to pass Ordinance 5548 entitled: An Ordinance, Creating Title 5, Chapter 9, of the Village Code Of Orland Park to be entitled, "Registration of Foreclosing Mortgaged Property"; Providing for Purpose, Intent and Applicability of the Ordinance Requiring the Registration and Maintenance of Certain Real Property by Mortgagees; Providing for Penalties and Enforcement, as Well as the Regulation, Limitation and Reduction of Registrable Real Property within the Village; Providing for Severability, Repealer, Codification, and an Effective Date;

And,

I move to approve entering into an agreement with Property Registration Champions, LLC. to manage foreclosed property registrations.

This matter was APPROVED on the Consent Agenda.

2020-0684 PACE 2020 Certification and Assurances - Approval

In December 2018, the Village Board of Trustees approved the PACE Municipal Vehicle Program (MVP) as a more cost-effective alternative to the former PACE Bus Dial-A-Ride transportation program. The Village Board approved entering into the agreement with PACE in February 2019. This agreement included authorization for the Village Manager and Village Attorney to sign the Federal Fiscal Year 2018 Certification and Assurances for FTA Assistance Programs. PACE is now requesting that the village authorize signature of the current year Federal Fiscal Year 2020 Certification and Assurances for FTA Assistance Programs.

In order to continue in the program, the Village must certify compliance with the applicable provisions of the FTA as referred to in the Federal Fiscal Year 2020 Certification and Assurances for FTA Assistance Programs. Staff and the Village Attorney have reviewed the 2020 Certification and Assurances as they apply to the PACE Community Vehicle Program and find the document to be acceptable.

Having determined that the Federal Fiscal Year 2020 Certifications and Assurances for FTA Assistance Programs are true and correct as they apply to the PACE Community Vehicle Program, I move to approve that such Certifications and Assurances be approved;

And,

The Village Manager and Village Attorney be authorized to sign them on behalf of the Village.

2020-0648 First Amendment to the Oak Lawn Regional Water System - Ordinance

As the Board is aware, the Oak Lawn Regional Water System (RWS) delivers Chicago water to the Village of Orland Park and other local southwest and southeast communities through the Village of Oak Lawn. In 2013, the RWS Supply and Service Agreement between the Village of Oak Lawn and the communities to which Oak Lawn provides water was finalized. This agreement included the design and construction of a fully redundant secondary transmission line which will deliver water needs to the southwest and southeast communities in the event of a catastrophic failure of the present transmission line, as well as other improvements to the water distribution system. It also provides the participating communities the ability to meet future water demands. Engineering and construction of several segments of the project have already been completed or are currently under way.

On September 9, 2020, as part of an update for participating customer communities, staff participated in a RWS meeting. The purpose of the meeting was to inform the Mayors of each of the respective customer communities on project status, as well as to discuss a much-needed amendment to the existing agreement in order to complete engineering and construction of the RWS approved improvements. To date, the RWS approved program cost is approximately \$216 million; however, due to multiple factors and delays, the project requires additional capital infusion to complete as intended.

Attached is a copy of the handout presentation and supplemental documentation for the project. The presentation provides more details regarding the project, and the specifics to the amendment needed to move forward.

The following are the next steps for this project:

1. Approval of ordinances by each customer community to the RWS Water Sale, Purchase and Service Agreement. This ordinance needs to be approved prior to the deadline for amendment approval is October 31, 2020.

2. The Project Design Team will continue to complete various design packages and solicit bids.

3. The anticipated overall project completion timeline is 2024.

On September 21, 2020, this item was reviewed and unanimously recommended for approval by the Committee of the Whole.

I move to pass Ordinance Number 5549, entitled: An Ordinance of the Village of Orland Park, Cook and Will Counties, Illinois, amending certain provisions of the long term Water Sale, Purchase and Service Agreement by and among the Village of Oak Lawn, Cook County, Illinois, and other Municipalities, and authorizing the execution and delivery of said Amendment.

2020-0676 Playground Safety Surfacing Installation - Proposal

The 2020 Parks and Grounds Department budget includes funding for the purchase and installation of Playground Safety Surfacing (i.e. engineered wood fiber). A Certified Playground Safety Inspector (CPSI) from the Parks and Grounds Department inspected all Village playgrounds and compiled a list of playgrounds requiring additional safety surfacing. The purchase of safety surfacing was approved earlier this year by the Village Board on April 20, 2020. An additional need for safety surfacing was identified this summer, and proposals were requested for the installation of 590 cubic yards of safety surfacing at the following playgrounds:

Cachey Park Wedgewood Estates Park Wedgewood Commons Park Sunny Pine Park Heritage Park Bunratty Park Brown Park Bill Young Park Fountain Hills Park

Proposals were submitted by Homer Industries LLC, Parkreation, Inc., and The Fibar Group, LLC (via the HGAC Buy co-op). A summary of proposals is provided below:

Homer Industries: \$18,880.00 Parkcreation: \$30,320.10 The Fibar Group: \$32,357.25

Homer Industries submitted the lowest price. Safety surfacing would be installed using a blower truck to maximize speed and efficiency.

Trustee Calandriello had questions. (refer to audio)

Village Manager Koczwara responded to Trustee Calandriello. (refer to audio)

Trustee Calandriello had comments. (refer to audio)

I move to approve the proposal from Homer Industries, LLC, dated August 7, 2020, for the purchase and installation of playground safety surfacing at a cost not to exceed \$18,800.00.

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

Nay: 0

DEVELOPMENT SERVICES, PLANNING AND ENGINEERING

2020-0677 Stan's Donuts & Coffee - Back-Fill Vacant Restaurant Incentive Program - Inducement Agreement

Stan's Donuts & Coffee is a Chicago based donut and coffee shop. They currently operate 12 locations around the Chicagoland area including Millennium Park, Magnificent Mile, Streetersville, Gold Coast, Oakbrook Center, Oakbrook Terrace, and Woodfield Mall.

The proposed project includes the redevelopment of the former PDQ building, at 15646 South La Grange Road, into an approximately 3,300 square foot Stan's Donut & Coffee shop. Stan's has formally petitioned for appearance review and building permits are currently under review by the Development Services Department.

Stan's has requested a sales tax sharing Inducement Agreement with the Village of Orland Park, via the Back-Fill Vacant Restaurant incentive Program, to assist with their proposed project. Stan's would receive 50% of the sales tax generated at their store for 10 years up to a maximum of 50% of certified project costs, not to exceed \$250,000. The following is a summary of the proposed terms:

Stan's Donuts & Coffee Project Build-Out - anticipated to be at least \$400,000. 50% sharing of sales tax.

Ten-year term.

Maximum amount of 50% of certified project costs or \$250,000, whichever is less. Job Creation: (12-16 jobs).

The proposed Inducement Agreement is attached to the Board Packet.

Stan's Donuts plans to open in Orland Park before the end of 2020.

President Pekau had comments (refer to audio)

Director of Development Services Ed Lelo introduced Rick Labriola of Stan's Donuts. (refer to audio)

Rich Labriola of Stan's Donuts presented information regarding this matter. (refer to audio)

I move to approve a sales tax sharing Inducement Agreement with Stan's Donuts as outlined above pending approval of appearance review and the building permit.

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

Nay: 0

2020-0683 Debt Modification/Fine Reduction - 18249 Breckenridge Boulevard

Previously, the property at 18249 Breckenridge Boulevard in Orland Park was written a violation notice from the Code Enforcement Division of the Development Services Department. Development Services was notified that this property was vacant, unsecured, the lawn uncut, had no power, and the basement had filled with water causing mold issues in the residence. The Village made multiple efforts to engage the property owner through code enforcement including: sending violation notices, calling the owner, sending letters, and sending citations with mandatory court appearances required. The owner was unresponsive to Village requests to maintain the property. The situation at the property have persisted.

The fines for this case have amounted to \$9,389.93 in out of pocket expenses plus \$25,500 in punitive fines. The Orland Park Village Code, Section 6-2-3 reads as follows, "...If the person so notified shall neglect or refuse to abate the same in accordance with such notice, he shall be chargeable with the expense which may be incurred in the removal thereof, to be collected by suit or otherwise in addition to any fine or penalty which may be imposed by law." Therefore, liens were placed to cover all of the aforementioned expenses which include lawn mowing, securing the property, unpaid water bills, and legal expenses.

Presently, the existing owner and a potential buyer have worked with the Village to facilitate a transfer of ownership to a party that intends to completely rehabilitate the property and resell it as a fully restored single family home. That sale is contingent on the existing owner paying off the \$9,389.93 lien at closing and the buyer has agreed to take the property subject to the \$25,500 punitive damages lien. Legal fees and other Village expenses already incurred and up through the final transfer up until resale of the home (estimated to be an additional \$10,000 to \$15,000) would be paid by the rehabber prior to issuance of the certificate of occupancy and deducted from the punitive damages amount. In order to facilitate this arrangement, the parties have requested that the Village then write-off the balance of the punitive damages lien once the property is fully restored. This arrangement would fully cover the Village's out of pocket costs and facilitate the end of the nuisance property, but requires waiving between \$10,500 and \$15,500 in punitive damages. Patrick Collins of Klein, Thorpe, and Jenkins has been processing this matter for the Village. All parties have represented that but for the proposed partial waiver of Village fines, this transfer of ownership will not take place and the nuisance property will persist.

Ordinance No. 5498 allows for the cancellation and modification of fines or liens assessed by the Village. Per the ordinance, the amount of the original lien is over \$5,000 and any modification must be approved by the Village Board of Trustees.

Staff is recommending that the Village collect the \$9,389.75 at the initial property transfer closing and retain the \$25,500 punitive damages lien until the property is fully rehabilitated. The rehabber would then pay all legal expenses and Village out of pocket expenses, not previously covered by the \$9,389.93 lien payoff, at resale of the property, with the Village agreeing to waive the balance of the punitive damages lien. Absent this arrangement, the property owner has indicated they will abandon the property, leaving the nuisance to persist. This will leave the Village no alternative except to pursue a court injunction seeking property demolition followed by a foreclosure to obtain control of the property, with these two actions alone estimated to cost more than \$35,000, and take a year or more to accomplish. Staff's recommended route is a faster and more cost effective solution.

Trustee Fenton had comments and questions. (refer to audio)

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

Trustee Katsenes had comments and questions. (refer to audio)

Assistant Village Manager Summers responded to Trustee Katsenes. (refer to audio)

Trustee Katsenes had additional comments. (refer to audio)

President Pekau had comments. (refer to audio)

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

Assistant Village Manager Summers responded to Trustee Dodge. (refer to audio)

Trustee Dodge had additional comments. (refer to audio)

I move to approve a debt modification/fine reduction for 18249 Breckenridge Boulevard, Orland Park in accordance with the cost structure outlined herein.

A motion was made by Trustee Fenton, seconded by Trustee Healy, 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

PARKS AND RECREATION

2020-0678 Winter/Spring 2021 Recreation & Parks Brochure

The Recreation & Parks Department mails out three seasonal brochures each year to all Orland Park resident households. The approximate cost to print each seasonal brochure is \$14,531. The brochure is delivered by the U.S. Postal Service at an estimated cost of \$7,672. The exact printing and postage costs are dependent upon the final number of brochure pages and the total quantity of brochures ordered. There were 28,500 Winter/Spring 2019 brochures printed. Of these 26,313 were delivered to resident households while the remaining 2,187 were distributed around Village facilities.

As the uncertainty of the pandemic continues, staff is proposing to offer the Winter/Spring brochure in a digital format only. Doing so allows for updates to the brochure to be made on an ongoing basis ensuring the information within the brochure is accurate and working within the most current COVID-19 guidelines.

The Winter/Spring brochure will go online November 25, 2020. Residents will be made aware of the new brochure by including a promotional insert in all resident water bills in the mid-October and mid-November mailings for an estimated cost of \$1,600. Additionally, the online date will be promoted on the Village's website and through Village social media accounts.

Trustee Fenton had questions. (refer to audio)

Director of Recreation and Parks Ray Piatonni responded to Trustee Fenton. (refer to audio)

Trustee Milani had comments. (refer to audio file)

Village Manager Koczwara responded to Trustee Milani's comments. (refer to audio)

Trustee Calandriello had comments and questions. (refer to audio)

Director Piatonni responded to Trustee Calandriello. (refer to audio)

President Pekau had comments. (refer to audio)

Director Piattoni had comments. (refer to audio)

I move to approve to publish the Recreation & Parks Winter/Spring brochure in a digital format only, notifying residents of the brochures' online date through the

mid-October and mid- November water bill cycles.

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

VILLAGE MANAGER'S REPORT

2020-0680 Conservation@Home Program - Chicago Region Trees Initiative

The Village has been contacted by the Cook County Foret Preserve regarding the Conservation@Home program and their effort with the Chicago Region Trees Initiative. Conservation@Home offers free on-site appointments with property owners who wish to pursue native plantings and raingardens as a part of their home landscaping; a program they have offered since 2016.

Chicago Region Tree Initiative reached out to Conservation@Home requesting that they partner to add a focus on planting and preservation of the region's oak trees, primarily because more than 70% of the region's native oak trees are on privately owned property. Chicago Region Tree Initiative is presently focused in and around Orland Park because the bulk of the public land containing the remaining 30% of the regional oak stock, as well as their current preservation efforts, are focused in the Palos Preserves. This initiative, and the two groups supporting it, have also obtained the backing of the Morton Arboretum, the Cook County Forest Preserve District, University of Illinois Extension, and the USDA Forest Service.

Conservation@Home is requesting to include the Village logo and Mayor Pekau's signature on the attached letter as a way to let homeowners know that the Village is aware of, and supports, the effort. A draft of this letter is attached to the Board Packet.

I move to authorize supporting Conservation@Home and the Chicago Region Trees Initiative by authorizing the attached letter be distributed to property owners within the Village of Orland Park.

A motion was made by Trustee Healy, seconded by Trustee Dodge, 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

BOARD COMMENTS

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

EXECUTIVE SESSION

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; b) the purchase or lease of real property for the use of the village; 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 Fenton, 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

RECONVENE BOARD MEETING

I move to recess to a Closed Executive Session for the purpose of discussion of a) approval of minutes; b) the purchase or lease of real property for the use of the village; 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: 7 - Trustee Fenton, Trustee Dodge, Trustee Calandriello, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani and Village President Pekau

ADJOURNMENT: 8:10 P.M.

A motion was made by Trustee Fenton, seconded by Trustee Milani, that this matter be ADJOURNMENT. 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

2020-0692 Audio Recording for October 5, 2020 Board of Trustees Meeting

NO ACTION

/AS

Respectfully Submitted,

John C. Mehalek, Village Clerk