

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, June 1, 2020

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 6:05 P.M.

Present: 7 - President Pekau; Village Clerk Mehalek; Trustee Fenton; Trustee Calandriello; Trustee Healy; Trustee Nelson Katsenes and Trustee Milani

Absent: 1 - Trustee Dodge

APPROVAL OF MINUTES**2020-0301 Approval of the April 20, 2020 Committee of the Whole Minutes**

I move to approve the Minutes of the Regular Meeting of the Committee of the Whole of April 20, 2020.

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: 0

Nay: 0

Absent: 1 - Trustee Dodge

ITEMS FOR SEPARATE ACTION**2020-0385 Tinley Creek Stabilization**

Director of Engineering Programs and Services Khurshid Hoda reported that in November of 2004, the Illinois State Legislature granted the Metropolitan Water Reclamation District (MWRD) of Greater Chicago the authority for general supervision of stormwater management in Cook County. The legislative act granting the authority required the preparation and adoption of a countywide stormwater management plan. In February of 2007, the MWRD's Board of Commissioners adopted the Cook County Stormwater Management Plan (CCSMP) by ordinance. The CCSMP was a high level organizational plan and the first step in the development of the MWRD's countywide stormwater management program. Based on the CCSMP, the MWRD then studied each of the six watersheds in Cook County and developed Detailed Watershed Plans (DWP), which address regional stormwater problems in Cook County. The primary objectives of the DWPs were to document stormwater problem areas, evaluate existing watershed conditions using industry accepted hydrologic and hydraulic models, produce flow, stage, frequency, and duration information about flood events along regional waterways, and estimate damages associated with regional stormwater problems. The Cal-Sag DWP identified four potential projects within the Tinley Creek portion of the watershed. In 2010, feasibility/preliminary studies were prepared for each of the projects to determine the impact and benefits of the projects. Two of those projects are located in Orland Park and were selected for

implementation based on the results of the preliminary analysis. Details for each project are provided below:

Project TICR-7 (Tinley Creek)

Description: Stabilize approximately 2,200 liner feet (LF) of Tinley Creek using a combination of retaining walls and bioengineering techniques. Estimated Construction Cost (2014 Dollars): \$1,437,510

Project TICR-8 (Tinley Creek)

Description: Stabilize approximately 1,803 LF of Tinley Creek using a combination of retaining walls and bioengineering techniques. Estimated Construction Cost (2014): \$2,303,411

In 2012, the Village met with the MWRD and their consultants to discuss the project scope including easements, utilities, timeframe, etc. At that time, construction was expected to take place in 2014 depending on the US Army Corps of Engineers permits and easement acquisition. The MWRD's position regarding easement acquisition is that they will not purchase the easements or compensate the property owners with any additional benefit other than those provided by the project itself. The Village offered assistance related to obtaining the easements from property owners, addressing any easement infringement issues, and any other outstanding items related to easements. As of 2013, the design of the proposed improvements was virtually complete (approximately 98%), but the project has not moved forward due to a lack of cooperation from property owners in obtaining easements.

The Village met with MWRD on multiple occasions over the last several years to discuss the possibility of the Village taking over the project. The Village has expressed an interest in doing so; however, several concerns have been identified by the Village and are summarized below:

1. After the Village takes over the project, the maintenance costs of this project will be Village's responsibility. How and who will pay for the maintenance costs?
2. The design was prepared in 2014 based on topographical information collected much earlier. Substantial changes in the existing conditions of Tinley Creek have occurred since then. Additionally, several areas that were not included in the original design limits have deteriorated and should be included in the project. Many of the previously designed areas will require redesign and substantially more improvement that anticipated in 2014.
3. The funding allocation prepared by MWRD in 2014 to construct the project would be substantially less than that required in 2020, or future years, and additional funds would be needed for areas that were not originally included or

those that have deteriorated since the original design.

4. There were 31 easements initially identified for the project by MWRD and to date, only 9 property owners have agreed and signed the documents. Based on the current design, the outstanding 22 easements would need to be secured, as well as any new easements identified through the addition of other portions of the creek. Additional easements and/or agreements may need to be secured for utilities.

5. The United States Army Corps of Engineers permits previously issued for the projects that will need to be re-established, re-issued, or re-applied for.

Update from May 28, 2020 Meeting with MWRD

The Village's engineering team and its consultant participated in a call with MWRD team on May 28, 2020. The following is a summary of this call:

- MWRD is willing to let the Village takeover the project and reimburse us for the design and construction costs.
- MWRD agreed that the Village's consultant should re-evaluate the project and update the previous technical memorandum and cost estimates.
- MWRD is willing to expand the project limits and pay for it if the expansion meets their design criteria.
- It is possible there may be a need to expand the project limits but the expansion may not meet MWRD's design criteria. In that case, the Village will make a decision if we pay for the expanded project limits. The intended advantage of this expansion would be to reduce future maintenance costs that would be Village's responsibility.

Travis Perry of Christopher Burke Engineering addressed the Committee regarding this matter. (refer to audio file)

Director of Engineering Programs and Services Hoda had comments. (refer to audio file)

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

Director of Engineering Programs and Services Hoda responded to President Pekau.

Trustees Calandriello and Healy had questions. (refer to audio file)

Travis Perry responded to their questions. (refer to audio file)

I move to authorize staff to enter into negotiations with MWRD and finalize the details and costs of this project and present the details to the Board of Trustees

for consideration;

and,

I move to authorize staff to work with the property owners to finalize the temporary and/or permanent easements without any financial compensation to the property owners and present the details to the Board of Trustees for consideration;

and,

I move to authorize the staff to evaluate a Special Services Agreement (SSA) to cover the maintenance costs of the creek stabilization and present the findings to the Board of Trustees for consideration.

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

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

Nay: 0

Absent: 1 - Trustee Dodge

2020-0389 Long-term Care Facility Oversight (Discussion Only)

At the previous Board of Trustees meeting, the Board directed staff to research the Village's oversight options, if any, for long term care facilities within village boundaries. Please find attached staff memorandum regarding the research and options available to be presented and discussed at the first Village of Orland Park board meeting in June, 2020.

A staff report with the findings of staff's research is attached to the Committee Packet.

President Pekau had comments. (refer to audio file)

Village Manager George Koczwarra addressed the Committee regarding this matter. (refer to audio file)

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

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

2020-0394 143rd Street - Noise Wall

Director of Engineering Programs and Services Khurshid Hoda reported that the Village's engineering team and its consultant are currently working on Phase 1

Engineering Studies for the eastern section of 143rd Street widening project. The eastern section is located between Wolf Road and Southwest Highway whereas the western section is located from Wolf Road to Will-Cook Road. As part of the environmental studies for this project, traffic noise was evaluated following federal and State project development procedures for the proposed improvements, as well as, the No-Build, or “do-nothing” option. That analysis found that, due to the proposed roadway improvements and predicted future noise levels for the homes within the Courtyard subdivision, directly adjacent to 143rd Street (Compton Court intersection to First Midwest Bank driveway), justify the installation of a noise wall. The noise wall will mitigate noise impacts to nine residential homes. The proposed wall will be approximately 400 feet in length and 10 feet high. The actual style of the noise wall would be determined during the next phase of engineering.

Per State and federal noise analysis policy, the opinion of the affected resident’s regarding the desirability of such a wall is taken into account before a final decision is made on the inclusion of the potential noise wall in the proposed improvement. The nine property owners benefited by the wall will each receive one vote regarding whether they want such a wall or not. A Noise Forum is being held for benefitted properties on June 9th (via a zoom audio and video meeting) to explain the federal noise analysis process, the proposed improvement and potential noise wall. A property is considered benefited when the noise wall results in a noticeable reduction in noise level, which is defined as five decibels or more. Only properties “benefited” by a noise wall may vote in favor of or against the wall. Village ordinances or homeowner association (HOA) rules have no effect on whether or not the noise wall will be installed. If more than half of the votes received are in favor of the noise wall, the wall will likely be included by the Illinois Department of Transportation (IDOT) in the project. A final decision on the installation of the potential noise wall will be made upon completion of the project’s final design and the public involvement process.

More information can be found about the traffic noise analysis process and guidelines on the IDOT website:
<http://idot.illinois.gov/transportation-system/environment/index> (Community Tab\Traffic Noise).

An exhibit is attached to the Committee Packet that shows the location and a planning level rendering of the wall.

Viewpoint Solicitation Forms - A “Viewpoint Solicitation Form” (attached) was mailed by the Village to each benefited property owner during the week of May 25, 2020. The form offers opportunity to each property owners to vote for or against the recommended noise wall in their area. For their vote to count, the following options were offered:

- 1.) Return the form via mail
- 2.) Fax to (847) 823-0520
- 3.) E-mail the responses to Matt Huffman at mhuffman@cbbel.com
<<mailto:mhuffman@cbbel.com>>.

The residents must include their full name and address in all correspondences. Both owners and tenants are allowed to submit their viewpoints. However, each owner or tenant is only allowed to vote once. All responses must be received by the Village or postmarked by June 23, 2020.

The list of benefited property owners is attached to the Committee Packet.

President Pekau had a question. (refer to audio file)

Director of Engineering Programs and Services Khurshid Hoda responded to President Pekau. (refer to audio file)

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

NON-SCHEDULED CITIZENS & VISITORS

Village Manager Koczwara provided an updated regarding the Grasslands. (refer to audio file)

Travis Perry of Christopher Burke Engineering reviewed information regarding this matter. (refer to audio file)

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

Director of Engineering Programs and Services Khurshid Hoda and Travis Perry responded to President Pekau. (refer to audio file)

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

President Pekau had additional comments. (refer to audio file)

Trustee Calandriello had a question. (refer to audio file)

Travis Perry and Director of Engineering Programs and Services Khurshid Hoda responded to Trustee Calandriello. (refer to audio file)

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

Travis Perry and Director of Engineering Programs and Services Khurshid Hoda responded to their comments. (refer to audio file)

Village Manager Koczwara had additional comments. (refer to audio file)

The following residents addressed the Committee regarding flooding on their Steeplechase Parkway. (refer to audio file)

- Desneiges Gdalmán
- John Charleston
- Becca Webster
- Pia Byarwalter

President Pekau and Village Manager Koczwara responded to their comments. (refer to audio file)

Trustees Katsenes, Healy and President Pekau had comments and questions. (refer to audio file)

Village Manager Koczwara responded to their comments and questions. (refer to audio file)

ADJOURNMENT: 7:15 P.M.

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

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

Nay: 0

Absent: 1 - Trustee Dodge

2020-0417 Audio Recording for the June 1, 2020 Committee of the Whole Meeting

NO ACTION

/AS

APPROVED: June 15, 2020

Respectfully Submitted,

/s/ John C. Mehalek

John C. Mehalek, Village Clerk