VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us

Meeting Minutes

Tuesday, September 2, 2014

7:00 PM

Village Hall

Board of Trustees

Village President Daniel J. McLaughlin
Village Clerk John C. Mehalek
Trustees, Kathleen M. Fenton, James V. Dodge, Jr., Edward G. Schussler,
Patricia Gira, Carole Griffin Ruzich, and Daniel T. Calandriello

CALL TO ORDER/ROLL CALL

Present: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Griffin Ruzich and Trustee Calandriello

Absent: 2 - Trustee Gira and President McLaughlin

VILLAGE CLERK'S OFFICE

2014-0499 Approval of the August 11, 2014 Special Meeting Minutes

The Minutes of the Special Meeting of August 11, 2014, were previously distributed to the members of the Board of Trustees. Mayor Pro Tem Dodge 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 August 11, 2014.

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

Aye: 4 - Trustee Fenton, Trustee Schussler, Trustee Griffin Ruzich, and Trustee Calandriello

Nay: 0

Abstain: 1 - Trustee Dodge

Absent: 2 - Trustee Gira and President McLaughlin

2014-0490 Approval of the August 18, 2014 Regular Meeting Minutes

The Minutes of the Regular Meeting of August 18, 2014, were previously distributed to the members of the Board of Trustees. Mayor Pro Tem Dodge 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 August 18, 2014.

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

Aye: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Griffin Ruzich, and Trustee Calandriello

Nay: 0

Absent: 2 - Trustee Gira and President McLaughlin

2014-0518 Approval of the August 25, 2014 Special Meeting Minutes

The Minutes of the Special Meeting of August 25, 2014, were previously distributed to the members of the Board of Trustees. Mayor Pro Tem 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 August 25, 2014.

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

Aye:	4 -	Trustee Fenton, Trustee Dodge, Trustee Griffin Ruzich, and Trustee Calandriello
Nay:	0	
Abstain:	1 -	Trustee Schussler
Absent:	2 -	Trustee Gira and President McLaughlin

2014-0491 The Spirit of America Car Show - Raffle License

The Spirit of America Car Show is requesting a license to conduct a raffle at their car show that will take place on Saturday, September 20, 2014 (or a rain date of Saturday, September 27, 2014) at The Orland Square Mall parking lot between Sears and JCPenneys. All proceeds will benefit the Orland Township Food Pantry.

I move to approve issuing a raffle license to the Spirit of American Car Show to conduct a raffle at their car show event on Saturday, September 20th (or a rain date of Saturday, September 27, 2014) at Orland Square Mall.

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

Aye:	5 -	Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Griffin Ruzich, and Trustee Calandriello
Nay:	0	
Absent:	2 -	Trustee Gira and President McLaughlin

2014-0492 Catholic Charities - Raffle License

Catholic Charities of the Archdiocese of Chicago is requesting a license to sell raffle tickets during their Fall Fest event that is being held at St. Francis of Assisi Parish Hall located at 15050 Wolf Road, Orland Park on Saturday, October 11, 2014 from 6:00 PM to 11:00 PM. Funds raised are to benefit all of Catholic

Charities' programs in the Southwest Region.

I move to approve issuing a raffle license to Catholic Charities to sell raffle tickets during their Fall Fest event that is being held at St. Francis of Assisi Parish Hall on Saturday, October 11, 2014.

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

Aye: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Griffin Ruzich, and Trustee Calandriello

Nay: 0

Absent: 2 - Trustee Gira and President McLaughlin

2014-0498 American Cancer Society, Inc. - Raffle License

The American Cancer Society is requesting a license to sell raffle tickets at their Making Strides Against Cancer event that is being held at Centennial Park in Orland Park on Sunday, October 12, 2014. Funds raised are to benefit cancer research education, prevention, and early detection.

I move to approve issuing a raffle license to The American Cancer Society to sell raffle tickets at their Making Strides Against Cancer event that is being held at Centennial Park on Sunday, October 12, 2014.

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

Aye: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Griffin Ruzich, and Trustee Calandriello

Nay: 0

Absent: 2 - Trustee Gira and President McLaughlin

CONSENT AGENDA

Passed the Consent Agenda

A motion was made by Trustee Schussler, seconded by Trustee Griffin Ruzich, 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: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Griffin Ruzich, and Trustee Calandriello

Nay: 0

Absent: 2 - Trustee Gira and President McLaughlin

2014-0513 Payroll - 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 August 1, 2014 in the amount of $1,134,456.62, and the Bi-Weekly Payroll for August 15, 2014 in the amount of $1,135,391.58.

This matter was APPROVED on the Consent Agenda.

2014-0514 Accounts Payable - 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 August 19, 2014 through September 2, 2014 in the amount of $3,408,417.06.

This matter was APPROVED on the Consent Agenda.

2014-0469 Disposal of Certain Seized Vehicles at Public Auction - Ordinance

The Police Department requests approval to declare four vehicles, a 2006 Saturn/VUE, a 2003 GMC/Z71, a 2000 Acura/25RL, and a 2000 Ford/Windstar, as excess property and to dispose of at public auction. These vehicles were seized by the department and forfeited to the Village by the Circuit Court of Cook County from a driver who was driving their vehicle while their license was suspended for DUI.

I move to pass Ordinance Number 4922, entitled: ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

This matter was PASSED on the Consent Agenda.

2014-0466 Approve Increase to Classic Party Rentals Contract for 2014 Taste of Orland Park

A three year contract with Classic Party Rentals to provide tents and equipment for the Taste of Orland Park event in 2013, 2014, and 2015 was approved by the Board of Trustees on May 20, 2013.

The 2014 amount was set at $15,591.20. Following the approval, on-site sponsors increased from twelve, which was the number in 2013, to seventeen in 2014 and a new restaurant was included in this year's Taste event, for an increase in revenue of $7,100. Tents, tables, chairs, and tent lights are individually priced depending on the number needed. The additional cost to provide tents and

equipment for five new sponsors, one new restaurant, and a tent to cover the ATM machine is $392.87 over the contracted price of $15,591.50 for a total 2014 invoice of $15,984.37.

I move to approve amending the 2014 contract and approve payment to Classic Party Rentals in the amount of $15,984.37 to provide tents and equipment for the 2014 Taste of Orland Park.

This matter was APPROVED on the Consent Agenda.

2014-0486 Disposal of Miscellaneous Equipment - Ordinance

The Recreation Department is requesting permission to dispose of one 27" Admiral TV that is outdated and no longer used by donating it to the November 1, 2014, Special Recreation Garage Sale.

I move to pass Ordinance Number 4923, entitled: ORDINANCE AUTHORIZING DISPOSAL OF PERSONAL PROPERTY (TELEVISION) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

This matter was PASSED on the Consent Agenda.

2014-0454 Fall 2014 Program Guide - Distribution

The Village has budgeted for the distribution of the Fall 2014 Program Guide in the Orland Park Prairie. The final cost to mail 23,750 brochures to residents through 22nd Century Media, LLC (Orland Park Prairie) is $6,401.00; based on the brochure weight of 7.0 oz. Additional printed brochures will be made available to the public at Village facilities.

I move to approve payment to 22nd Century Media, LLC in the amount of $6,401.00.

This matter was APPROVED on the Consent Agenda.

2014-0475 Recreation Department Program Guide - Winter/Spring 2015 Programs

The lists of recommended programs to be offered in the Recreation and Parks Department 2015 Winter/Spring Program Guide are attached. Included in the lists are contractual costs (over $5,000) that would need Board approval associated with the winter/spring sessions. These costs are covered by revenue generated through registration fees and actual costs are dependent on the number of participants registered.

Staff is requesting approval of the recommended programs and payment to the contractual instructors at time of invoicing.

I move to approve programs and payment to the contractual instructors at time of invoicing.

This matter was APPROVED on the Consent Agenda.

2014-0309 2014 Land Development Code Amendments I

The purpose of these amendments is to revise and update the Land Development Code in multiple sections.

The first round of Land Development Code Amendments for 2014 amendments will be to Sections 2-102, 5-112, 6-104, 6-203, 6-302, 6-310, and 8-101, and is divided into two parts. The first part explains and contains the amendments to the Code that are substantive content related changes. The second part explains and contains the amendments to the Code that clarify, correct and refine existing regulations.

The attached Amendment Report to the Board packet contains the full narrative explanation for each amendment followed by the respective Code changes. The proposed Code changes are also divided according to theme and a table of contents is provided for quick reference.

Language with a strike-out (strike out) indicates elimination from the Code. Language that is italicized and in red (red) indicates proposed addition to the Code.

The following is a brief summarized overview of the proposed amendments.

Substantive Amendments
Adults Uses - The definition of adult uses was updated to conform to certain case law and make it consistent with litigated language that the courts have upheld for adult use regulations.

Subdividing Non-Conforming Lots - A restriction regulating common ownership of legal non-conforming lots is removed from the Code to enable owners of adjacent legal non-conforming properties to use their land per zoning allowances.

R-2 Lot Coverage - A 3% lot coverage allowance is given to R-2 for 3-4 car side loaded garages. This allowance mirrors the current R-3 regulation.

Front Setback Encroachment for Attached Garages - Attached garages for single family homes of certain subdivisions are allowed to encroach into the front building setback up to five (5) feet.

Lawn Sprinklers - Provision is added to the Code to enable private lawn sprinkling systems to be installed in public parkways. This codifies current permitting practice.

Prohibited Perimeter Fences - A list of prohibited perimeter fences is included into the Code. The list of fences is not an outright prohibition of the fence types as

they still can be placed on a property within five (5) feet of a lot line. The purpose is to create space to properly maintain fence types that frequently become property maintenance issues.

Reconstruction of Non-Conforming Structures - The Code is changed to enable the reconstruction of non-conforming structures following a specific set of criteria. Also added to the Code is the ability for non-conforming structures to be either reconstructed or expanded if the nonconformity is due to eminent domain (with the exception of signs since nonconforming signs cannot be expanded).

Abandonment of Non-Conforming Structures and Termination of Non-Conforming Status - Changes are made to bring this section of the Code in line with existing Special Use regulations. The period of allowed abandonment of nonconforming structures is extended to one (1) year and the period of discontinuance of nonconforming land uses is extended to three (3) years.

Clarification Amendments
Fair Share Exaction - Transportation exaction fees are updated to reflect current practice. Uses expanding pay an exaction proportional to their expansion. Redevelopment does not pay exaction fees if it is similar to the previous use's impacts. Redevelopment does pay exaction if it is an entirely different use.

Development Standards -Tables Section 6-104 are generally updated to reflect existing zoning and Code regulations elsewhere in the Land Development Code. No new regulations are added.

Bulk Lot Coverage, Setbacks, Driveways and Wireless Communication Facilities - Clarifications are provided in the Bulk Regulations for the following:

Lot Coverage: Lot coverage is defined as the inverse of the open space established outside of the building envelope of the lot.

Setbacks: A provision is added clarifying the primacy of required setbacks (which establish building envelopes) over actual setbacks.

Driveways: Clarification is made to allow driveways between the building and the street for single family homes only.

Wireless Communication Facilities: Provisions are forwarded from 6-311 into 6-104 under height restrictions. Wireless cell towers are often the tallest structures in the Village and should be referenced in the bulk regulations.

Dumpsters and Trash Handling Areas - Provisions were added in 6-302 to make regulations for garbage enclosures consistent with the Building Code. Also, clarification was added regarding the appropriate materials for these enclosures (wood or vinyl for existing chain link, wood or vinyl fences; and masonry for new

enclosures or existing masonry enclosures).

I move to approve the 2014 Land Development Code Amendments I as recommended at the August 18, 2014 Development Services and Planning Committee meeting and as indicated in the below fully referenced motion.

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

I move to approve the Land Development Code amendments for Sections 2-102, 5-112, 6-104, 6-203, 6-302, 6-310, and 8-101 as presented in the attached Amendment Report titled “2014 Land Development Code Amendments I Amendment Report to the Plan Commission”, prepared by the Development Services Department and dated August 12, 2014.

This matter was APPROVED on the Consent Agenda.

2014-0083 Brija Estates - Subdivision Review

The purpose of this petition is to subdivide one 7.36 acre estate lot into three lots, including one for stormwater detention purposes located at 11112 139th Street

The subject property is a remnant of the farm that once included land now occupied by the Countryside subdivision to the north. According to the 1995 Orland Rural History Survey by Anne McGuire and Associates, the 1860 farmstead is not historically significant.

Much of the farm was developed in the early 1990s with the development of the Countryside subdivision (1991). The farmstead and an additional four to five acres of agricultural land remained and functioned as a farm growing crops until recently. The petitioner proposes to sell the subject property (the remnant parcel) for estate residential development. To do this, subdivision is required.

The petitioner proposes to subdivide the single lot of the subject property into two lots for residential development and a third lot for stormwater management purposes.

Lot 1 will be a 2.52 acre lot on the northwest corner of 110th Avenue and 139th Street at the east end of the site. Lot 2 will be approximately 3.47 acres as the middle portion of the subject property. Lot 3 will be approximately 1.38 acres at the northeast corner of Wolf Road and 139th Street at the west end of the site. The size of the proposed subdivided parcels are compatible with the current E-1 Estate Residential District zoning classification and do not require rezoning the land. Based on this, Lots 1 and 3 are regarded as vacant lots. Lot 1 will see immediate single family home development. The existing farmstead will be located on Lot 2. Lot 3 will be the location of the stormwater detention facility.

As a result of the subdivision specifically, there are a number of improvements that

are necessary so that this remnant parcel can tie surrounding infrastructure and development together as well as improve the existing area's stormwater conditions.

This petitioner did not petition for any variances.

The recommendation motion includes the following specific conditions:
1) Upon development of Lot 1, extend the 110th Avenue sidewalk parallel to Lot 1's property lines from the north property line south to 139th Street and then west to Bunratty Drive where a crosswalk connection to Bunratty subdivision is required.
2) Submit a landscape plan for the detention pond within 60 days of final engineering approval.
3) Demolish the old wood barn at the north east corner of proposed Lot 2 upon completion of the subdivision process.
4) Re-petition for subdivision review of Lot 2 when development is ready for the proposed subdivision.
5) Meet all final engineering and building code related items.
6) Submit a Record Plat of Subdivision to the Village for recording.

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

At the Plan Commission residents generally approved of the proposed stormwater detention improvements and agreed that the flooding conditions experienced in Countryside subdivision, as a result of currently uncontrolled storm water runoff from the subject site, should improve.

One resident expressed concern regarding the existing capacity of a storm sewer between Lots 10 and 9 in the Countryside subdivision. The flooding problems of Countryside will not be entirely solved by the proposed Brija Estates detention pond because the storm water problem in Countryside is multi-faceted. The manner in which the Countryside subdivision was engineered and developed from the beginning cannot be discounted when considering its storm water problems. The subdivision was developed in the County in the early 1990s following old standards and practices. However, the introduction of the proposed pond on the Brija Estates property will alleviate a significant part of the flooding experienced at the southwest corner of the Countryside subdivision.

Also, an unincorporated resident (southeast corner of 139th Street and Wolf Road) expressed concern about the cumulative impacts from upstream properties on the proposed detention and the Wolf Road drainage swales. He noted that the Bunratty detention pond does not adequately detain storm water from Bunratty Estates, releasing too much water through the swales on his property along 139th Street, which backs up in the swales along Wolf Road, causing flooding in the vicinity of the proposed detention pond. It was noted by staff that the Brija pond

should not make things worse and should make things better for downstream properties in Countryside, which means that the Wolf Road swales along Brija may be relieved somewhat to accommodate the volume coming from the upstream properties. That said, upstream development is another issue that will require Cook County Highway Department involvement to correct any Wolf Road swale issues. The scope of the currently proposed Brija Estates detention facility can only realistically influence downstream properties. Upstream conditions are beyond its control. The Plan Commission Chairman asked if the Village could investigate the matter on behalf of these concerns. The Village is currently investigating.

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

I move to approve the subdivision for Brija Estates as recommended at the August 18, 2014 Development Services and Planning Committee meeting and as indicated in the below fully referenced motion.

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

I move to approve the preliminary engineering/ site plan titled “Brija Estates Subdivision”, prepared by Spaceco Inc., sheet C-ENG, and dated 7/25/14, last revised 8/7/14 subject to the following conditions:

1) Upon development of Lot 1, extend the 110th Avenue sidewalk parallel to Lot 1’s property lines from the north property line south to 139th Street and then west to Bunratty Drive where a crosswalk connection to Bunratty subdivision is required.
2) Submit a landscape plan for the detention pond within 60 days of final engineering approval.
3) Demolish the old wood barn at the north east corner of proposed Lot 2 upon completion of the subdivision process.
4) Re-petition for subdivision review of Lot 2 when development is ready for the proposed subdivision.
5) Meet all final engineering and building code related items.

And

I move to approve a subdivision from one lot to three lots as depicted on the preliminary plat titled “Brija Estates Subdivision”, prepared by Spaceco Inc., sheet 1 of 2, dated 10/31/13, last revised 8/7/14 subject to the same conditions outlined above and the following condition:

6) Submit a Record Plat of Subdivision to the Village for recording.

This matter was APPROVED on the Consent Agenda.

2014-0487 Amendment to Title 6 & 7 of the Village Code - Ordinance

The proposed ordinance to Title 6 and Title 7 of the Village code clarifies that it is illegal to operate a business in the Village of Orland Park which violates the ordinances of the Village, the statutes of the State of Illinois, and the statutes of the United States (Federal Government). It also prohibits a business license from being issued for businesses that violate these laws.

I move to pass Ordinance Number 4924, entitled: AN ORDINANCE AMENDING TITLE 6 AND TITLE 7 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO THE DECLARATION OF A NUISANCE WHERE THERE IS A VIOLATION OF FEDERAL LAW AND PROHIBITING A BUSINESS LICENSE TO A BUSINESS THE OPERATION OF WHICH VIOLATES STATE OR FEDERAL LAW.

This matter was PASSED on the Consent Agenda.

2014-0476 Spaceco, Inc. - Professional Engineering Services Proposal - Jefferson Avenue Extension and Associated Utility/Surveying Work at Main Street Triangle

As part of the agreement with University of Chicago Medical Center (UCMC), the Village is responsible for the design, construction and completion of certain public improvements within the Main Street area in the downtown. Specifically, the Village is responsible for the extension of Jefferson Avenue to 142nd Street and the extension of all utilities to the UCMC's site.

Village staff solicited a professional engineering services proposal from Spaceco, Inc. to complete this design work. The proposal includes all of the required elements to survey, design and plan for the necessary public and utility work that is part of the Village's obligation per the proposed terms of the redevelopment project. Spaceco's proposal is for $137,850. Village staff recommends utilizing Spaceco for this work, as they have been the Village's engineer for the Main Street area since inception. They have the base knowledge, experience and historical data necessary to efficiently and cost effectively complete the Village's obligation.

I move to approve of the professional engineering services proposal from Spaceco, Inc., in the amount of $137,850, for the Jefferson Avenue Extension and Associated Utility/Surveying work in the Main Street area of the downtown and authorize the Village Manager to execute the necessary contract.

This matter was APPROVED on the Consent Agenda.

2014-0379 9959 W. 143rd Street - Appearance Improvement Grant

On August 4, 2014, the Village Board of Trustees approved the Appearance Improvement Grant application for $20,000 from account 010-0000-484930 for 9959 W. 143rd Street.

I move to authorize the Village President to execute the Appearance Improvement Grant Agreement for 9959 W. 143rd Street.

This matter was APPROVED on the Consent Agenda.

BOARD COMMENTS

TRUSTEE FENTON – Thanked staff on the great job that was done at the Centennial Park West Concert, which featured Tripin Billies and The Van Goghs. This concert took place this past Sunday, August 31st in Colette Highlands at Park Station Boulevard & Somerglen Lane. The weather was beautiful and it was a fun event.

EXECUTIVE SESSION

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

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

Aye:	5 -	Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Griffin Ruzich, and Trustee Calandriello
Nay:	0	
Absent:	2 -	Trustee Gira and President McLaughlin

RECONVENE BOARD MEETING

The roll was called to reconvene the Regular Meeting and Trustees Fenton, Schussler, Ruzich, Calandriello, and Mayor Pro Tem Dodge were present. Trustee Gira and President McLaughlin were absent.

Purpose of the Executive Session was for the discussion of a) approval of minutes; and b) the purchase or lease of real property for the use of the village.

ADJOURNMENT - 7:50 PM

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

Aye: 5 - Trustee Fenton, Trustee Dodge, Trustee Schussler, Trustee Griffin Ruzich, and Trustee Calandriello

Nay: 0

Absent: 2 - Trustee Gira and President McLaughlin

/nm

APPROVED: September 15, 2014

Respectfully Submitted,

/s/ John C. Mehalek

John C. Mehalek, Village Clerk