

AGENDA

RULES MEETING OF THE BOARD OF TRUSTEES VILLAGE OF PARK FOREST, 350 VICTORY DRIVE, PARK FOREST, ILLINOIS COOK AND WILL COUNTIES

Village Hall - Boardroom

7:00 p.m.

February 6, 2023

1. 2021/2022 Audit Presentation
2. 2023 Sanitary Sewer replacement
3. Resolution Accepting a Loan to a Grant from and Participating In the Illinois Housing Development Authority Capital Bill Preservation Program- Limited Rehabilitation
4. An Ordinance Approving a Text Amendment to Article VII (Signs) of the Unified Development Ordinance to remove Auxiliary Yard Signs from Section VII-5.C Temporary Signs with Permit Requirement

Mayor's Comments

Manager's Comments

Trustee's Comments

Attorney's Comments

Clerk Comments

Audience to Visitors

Adjournment

Agenda Items are Available in the Lobby of Village Hall and on the Village website www.villageofparkforest.com Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Village Manager's Office at least 48 hours in advance of the scheduled meeting. The Village Manager's Office can be reached via telephone at (708) 283-5605 or (708)748-1129 or via e-mail at athurston@vopf.com. Every effort will be made to allow for meeting participation.



BOARD MEMORANDUM

To: Mayor Jon Vanderbilt and the Board of Trustees

From: Mark A. Pries, Deputy Village Manager/Finance Director

Date: January 25, 2023

RE: FY 2021/2022 Audit Reports Presentation

BACKGROUND/DISCUSSION:

The Village's annual audit reports for the fiscal year ended June 30, 2022 (FY 21-22) will be presented at the Rules meeting on February 6, 2023. Representatives from the Village's auditing firm, Lauterbach and Amen, will be in attendance to present the audit results.

The Board should be aware that when the audit is presented, it is presented from the auditors to the Board with little to no interjections from Village staff since the Board has the primary responsibility for the Village's financial condition. However, Assistant Finance Director Sharon Floyd and I will be in attendance to provide clarifications in case any questions arise that cannot be answered by the auditors.

The audit presentation will follow the same format as last year. There is a financial update that is the start of the budget process that occurs in February each year and the audit presentation is a good primer for the budget process. Also, since the Board now receives monthly financial reports, staff believes the audit presentation does not need to take as much time as it has in the past.

The FY 21-22 audit has been submitted to the GFOA for the COA (Certificate of Achievement for Excellence in Financial Reporting) award. Through FY 20-21, the Village has received the COA award 26 consecutive years in a row.

Please note your audit reports, which you will need for the February 6, 2023 meeting, have been delivered to you.

SCHEDULE FOR CONSIDERATION:

The FY 2021/2022 audit presentation will be done at the February 6, 2023 Rules meeting.

AGENDA BRIEFING

DATE: January 24, 2023

TO: Mayor Jon Vanderbilt
Board of Trustees

FROM: Nicholas Christie – Assistant Village Engineer - DPW

RE: Awarding of the 2023 Sanitary Sewer Replacement Contract

BACKGROUND/DISCUSSION:

In 2021, the Village contracted with National Power Rodding to inspect sanitary sewer lines on the south side of the Village. During this inspection, several lines were noticed that had deteriorated so severely that they could not be rehabilitated by traditional CIPP lining methods. Instead they need to be replaced. On Tuesday, January 24, 2023 at 2:00 p.m., the Department of Public Works opened 4 bids for the 2023 Sanitary Sewer Replacement Contract. Invitations to bid were published in the Daily Southtown and on our website. Additionally, a notice was sent to the entire State Directory of Minority, Women-Owned, and Veteran owned businesses inviting them to bid. At the time of bid, 48 agencies had requested access to view the bid documents.

A total of 1,876 feet of sewer were bid to be replaced including:

- 1) Base Bid: 249-253 Minocqua; 236-380 Blackhawk; 380 Blackhawk-426 Huron (through Majestic Luxury Townhomes parking lot and rear yard easements).
- 2) Alternate #1: Minocqua Court
- 3) Alternate #2: 351-355 Miami

DPW was not confident in our bid estimate, given the volatility of the current construction market. Thus we made the decision to create a base bid with two alternates, allowing us to award the contract based on the available funding. M/J Underground, located in Monee, IL, was the lowest bidder with a base bid in the amount of \$306,652.01, Alternate #1 in the amount of 58,405.00, and Alternate #2 in the amount of 52,966.00, for a total of \$418,023.01. This was lower than the Engineer's Estimate of \$571,225.20 See attached Bid Tab.

M/J Underground has performed numerous underground contracts for the Village previously and DPW has been satisfied with their work. In 2020, the performed two similar contracts for the Village on Oswego and Indianwood Streets. M/J Underground is also listed as a Women-Owned Business. Funds for this contract are located in the Sewer Fund where \$500,000 is allocated to sewer improvements within Capital Outlays.

RECOMMENDATION: Since M/J Underground's total bid was under our funding in the Fiscal 2023 budget, we recommend awarding the entire contract, including the two alternates. We recommend awarding the 2023 Sanitary Sewer Replacement Contract to M/J Underground, located in Monee, IL, and authorize the Village Manager to enter into said contract in the amount of \$418,023.01 with a 10% contingency for any additional work as determined by the Village Engineer for a total cost not to exceed \$459,825.31.

SCHEDULE FOR CONSIDERATION: This item will appear on the Agenda of the Rules meeting of February 6, 2023 for your discussion.

Bid Tabulation

2023 Sanitary Sewer Replacements

1/24/2023

Primary Bid				Engineers Estimate		Archon Construction		Benchmark Construction		M/ J Underground		Swallow Construction	
ITEM #	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1	Remove, furnish, and install 8" PVC SDR 26 Sanitary Sewer	505	L.F.	\$84.00	\$42,420.00	\$135.00	\$68,175.00	\$183.00	\$92,415.00	\$63.00	\$31,815.00	\$175.00	\$88,375.00
2	Directional Drill / Pipe Burst 8" PVC SDR 26 Sanitary Sewer	949	L.F.	\$109.20	\$103,630.80	\$379.00	\$359,671.00	\$215.00	\$204,035.00	\$80.00	\$75,920.00	\$205.00	\$194,545.00
3	Furnish and Install Existing Service Line Connections (Tee)	8	Each	\$5,227.60	\$41,820.80	\$1,729.00	\$13,832.00	\$3,000.00	\$24,000.00	\$2,067.00	\$16,536.00	\$4,150.00	\$33,200.00
4	Furnish and Install Existing Service Line Connections (Saddle)	13	Each	\$5,227.60	\$67,958.80	\$4,971.00	\$64,623.00	\$3,700.00	\$48,100.00	\$2,067.00	\$26,871.00	\$3,900.00	\$50,700.00
5	Remove, furnish, and install 6" PVC SDR 26 Sanitary Service Sewer (if additional pipe is needed beyond trench wall)	20	L.F.	\$190.40	\$3,808.00	\$68.00	\$1,360.00	\$175.00	\$3,500.00	\$127.00	\$2,540.00	\$200.00	\$4,000.00
6	Furnish and Install Connection to Existing Manhole	4	Each	\$1,863.40	\$7,453.60	\$3,549.00	\$14,196.00	\$3,000.00	\$12,000.00	\$1,821.00	\$7,284.00	\$9,500.00	\$38,000.00
7	Furnish and Install 4' diameter Manhole with 9" frame and closed cover	5	Each	\$7,943.60	\$39,718.00	\$9,710.00	\$48,550.00	\$5,000.00	\$25,000.00	\$5,272.00	\$26,360.00	\$13,500.00	\$67,500.00
8	Furnish and Install granular trench backfill	240	L.F.	\$74.20	\$17,808.00	\$126.00	\$30,240.00	\$47.00	\$11,280.00	\$62.00	\$14,880.00	\$51.50	\$12,360.00
9	Furnish and Install HMA Street Patching (4")	180	S.Y.	\$96.60	\$17,388.00	\$88.00	\$15,840.00	\$106.00	\$19,080.00	\$97.00	\$17,460.00	\$121.00	\$21,780.00
10	Furnish and Install PCC Driveway Patching (6.25")	40	S.Y.	\$124.60	\$4,984.00	\$176.00	\$7,040.00	\$110.00	\$4,400.00	\$60.00	\$2,400.00	\$160.00	\$6,400.00
11	Removal, Furnish, and Install 5" P.C.C. Separate Sidewalk	200	SF	\$16.80	\$3,360.00	\$21.00	\$4,200.00	\$23.00	\$4,600.00	\$10.00	\$2,000.00	\$20.00	\$4,000.00
12	Removal, Furnish, and Install 5" P.C.C. Combination Sidewalk	500	SF	\$16.80	\$8,400.00	\$24.00	\$12,000.00	\$32.00	\$16,000.00	\$15.00	\$7,500.00	\$30.00	\$15,000.00
13	PCC Curb Removal and Replacement (variable)	120	L.F.	\$80.00	\$9,600.00	\$50.00	\$6,000.00	\$50.00	\$6,000.00	\$60.00	\$7,200.00	\$80.50	\$9,660.00
14	Detectable Warnings	40	SF	\$36.40	\$1,456.00	\$55.00	\$2,200.00	\$50.00	\$2,000.00	\$30.00	\$1,200.00	\$53.00	\$2,120.00
15	Tree Removal	314	Inch	\$50.00	\$15,700.00	\$48.00	\$15,072.00	\$35.00	\$10,990.00	\$34.00	\$10,676.00	\$37.00	\$11,618.00
16	Furnish and Install Parkway Restoration	1,320	SY	\$18.20	\$24,024.00	\$20.00	\$26,400.00	\$20.00	\$26,400.00	\$15.00	\$19,800.00	\$11.05	\$14,586.00
17	Fence Removal and Replacement	435	FT	\$30.00	\$13,050.00	\$105.00	\$45,675.00	\$36.00	\$15,660.00	\$36.00	\$15,660.00	\$20.00	\$8,700.00
18	Soils Testing for Contaminants (LPC 663)	1	L.S.	\$2,100.00	\$2,100.00	\$2,750.00	\$2,750.00	\$5,000.00	\$5,000.00	\$0.01	\$0.01	\$3,000.00	\$3,000.00
19	Traffic Control and Protection	1	L.S.	\$11,614.40	\$11,614.40	\$44,500.00	\$44,500.00	\$6,500.00	\$6,500.00	\$19,700.00	\$19,700.00	\$40,000.00	\$40,000.00
20	Preconstruction Video Recording	1	L.S.	\$595.00	\$595.00	\$3,300.00	\$3,300.00	\$1,200.00	\$1,200.00	\$494.00	\$494.00	\$2,700.00	\$2,700.00
21	Inlet Protection	2	EA.	\$179.20	<u>\$358.40</u>	\$275.00	<u>\$550.00</u>	\$150.00	<u>\$300.00</u>	\$178.00	<u>\$356.00</u>	\$200.00	<u>\$400.00</u>
				TOTAL	\$437,247.80	TOTAL	\$786,174.00	TOTAL	\$538,460.00	TOTAL	\$306,652.01	TOTAL	\$628,644.00

Alternate #1-Mincoqua Ct				Engineers Estimate		Archon Construction		Benchmark Construction		M/ J Underground		Swallow Construction	
ITEM #	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1	Remove, furnish, and install 8" PVC SDR 26 Sanitary Sewer	186	L.F.	\$84.00	\$15,624.00	\$160.00	\$29,760.00	\$200.00	\$37,200.00	\$67.00	\$12,462.00	\$175.00	\$32,550.00
2	Furnish and Install Existing Service Line Connections (Tee)	1	Each	\$5,227.60	\$5,227.60	\$1,593.00	\$1,593.00	\$800.00	\$800.00	\$2,067.00	\$2,067.00	\$4,150.00	\$4,150.00
3	Furnish and Install Drop Connection to Existing Manhole	1	Each	\$10,000.00	\$10,000.00	\$11,805.00	\$11,805.00	\$17,000.00	\$17,000.00	\$8,506.00	\$8,506.00	\$23,500.00	\$23,500.00
4	Furnish and Install Connection to Existing Manhole	2	Each	\$1,863.40	\$3,726.80	\$3,270.00	\$6,540.00	\$1,000.00	\$2,000.00	\$1,821.00	\$3,642.00	\$9,500.00	\$19,000.00
5	Furnish and Install granular trench backfill	170	L.F.	\$74.20	\$12,614.00	\$126.00	\$21,420.00	\$47.00	\$7,990.00	\$63.00	\$10,710.00	\$51.50	\$8,755.00
6	Furnish and Install HMA Street Patching (4")	165	S.Y.	\$96.60	\$15,939.00	\$84.00	\$13,860.00	\$111.00	\$18,315.00	\$97.00	\$16,005.00	\$121.00	\$19,965.00
7	Removal, Furnish, and Install 5" P.C.C. Combination Sidewalk	10	SF	\$16.80	\$168.00	\$23.00	\$230.00	\$32.00	\$320.00	\$15.00	\$150.00	\$30.00	\$300.00
8	PCC Curb Removal and Replacement (variable)	15	L.F.	\$80.00	\$1,200.00	\$47.00	\$705.00	\$55.00	\$825.00	\$60.00	\$900.00	\$80.50	\$1,207.50
9	Furnish and Install Parkway Restoration	25	SY	\$18.20	\$455.00	\$32.00	\$800.00	\$17.00	\$425.00	\$15.00	\$375.00	\$11.05	\$276.25
10	Traffic Control and Protection	1	L.S.	\$2,000.00	\$2,000.00	\$1,935.00	\$1,935.00	\$2,000.00	\$2,000.00	\$3,168.00	\$3,168.00	\$250.00	\$250.00
11	Preconstruction Video Recording	1	L.S.	\$595.00	\$595.00	\$1,032.00	\$1,032.00	\$1,000.00	\$1,000.00	\$64.00	\$64.00	\$100.00	\$100.00
12	Inlet Protection	2	EA.	\$179.20	\$358.40	\$323.00	\$646.00	\$150.00	\$300.00	\$178.00	\$356.00	\$200.00	\$400.00
				TOTAL	\$67,907.80	TOTAL	\$90,326.00	TOTAL	\$88,175.00	TOTAL	\$58,405.00	TOTAL	\$110,453.75

Bid Tabulation

2023 Sanitary Sewer Replacements

1/24/2023

ALTERNATE #2-MIAMI				Engineers Estimate		Archon Construction		Benchmark Construction		M/ J Underground		Swallow Construction	
ITEM #	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1	Remove, furnish, and install 8" PVC SDR 26 Sanitary Sewer	45	L.F.	\$84.00	\$3,780.00	\$125.00	\$5,625.00	\$469.00	\$21,105.00	\$83.00	\$3,735.00	\$175.00	\$7,875.00
2	Directional Drill / Pipe Burst 8" PVC SDR 26 Sanitary Sewer	191	L.F.	\$109.20	\$20,857.20	\$362.00	\$69,142.00	\$285.00	\$54,435.00	\$106.00	\$20,246.00	\$205.00	\$39,155.00
3	Furnish and Install Existing Service Line Connections (Saddle)	2	Each	\$5,227.60	\$10,455.20	\$2,529.00	\$5,058.00	\$4,500.00	\$9,000.00	\$2,067.00	\$4,134.00	\$3,900.00	\$7,800.00
4	Furnish and Install Connection to Existing Manhole	2	Each	\$1,863.40	\$3,726.80	\$3,270.00	\$6,540.00	\$1,200.00	\$2,400.00	\$970.00	\$1,940.00	\$9,500.00	\$19,000.00
5	Furnish and Install granular trench backfill	100	L.F.	\$74.20	\$7,420.00	\$126.00	\$12,600.00	\$80.00	\$8,000.00	\$60.00	\$6,000.00	\$51.50	\$5,150.00
6	Furnish and Install HMA Street Patching (4")	50	S.Y.	\$96.60	\$4,830.00	\$84.00	\$4,200.00	\$240.00	\$12,000.00	\$97.00	\$4,850.00	\$121.00	\$6,050.00
7	Furnish and Install HMA Driveway Patching (4")	20	S.Y.	\$121.80	\$2,436.00	\$89.00	\$1,780.00	\$240.00	\$4,800.00	\$90.00	\$1,800.00	\$121.00	\$2,420.00
8	Removal, Furnish, and Install 5" P.C.C. Combination Sidewalk	350	SF	\$16.80	\$5,880.00	\$23.00	\$8,050.00	\$23.00	\$8,050.00	\$15.00	\$5,250.00	\$30.00	\$10,500.00
9	Removal, Furnish, and Install 6.25" P.C.C. Combination Sidewalk	120	SF	\$18.20	\$2,184.00	\$26.00	\$3,120.00	\$32.00	\$3,840.00	\$19.00	\$2,280.00	\$32.00	\$3,840.00
10	Detectable Warnings	10	SF	\$36.40	\$364.00	\$53.00	\$530.00	\$50.00	\$500.00	\$30.00	\$300.00	\$53.00	\$530.00
11	Furnish and Install Parkway Restoration	65	SY	\$18.20	\$1,183.00	\$21.00	\$1,365.00	\$17.00	\$1,105.00	\$15.00	\$975.00	\$11.05	\$718.25
12	Traffic Control and Protection	1	L.S.	\$2,000.00	\$2,000.00	\$3,225.00	\$3,225.00	\$2,000.00	\$2,000.00	\$1,020.00	\$1,020.00	\$2,500.00	\$2,500.00
13	Preconstruction Video Recording	1	L.S.	\$595.00	\$595.00	\$1,032.00	\$1,032.00	\$1,000.00	\$1,000.00	\$80.00	\$80.00	\$100.00	\$100.00
14	Inlet Protection	2	EA.	\$179.20	\$358.40	\$323.00	\$646.00	\$150.00	\$300.00	\$178.00	\$356.00	\$200.00	\$400.00
				TOTAL	\$66,069.60	TOTAL	\$122,913.00	TOTAL	\$128,535.00	TOTAL	\$52,966.00	TOTAL	\$106,038.25

AGENDA BRIEFING

DATE: January 27, 2023

TO: Mayor John Vanderbilt
Board of Trustees

FROM: Andrew Brown, AICP
Planner

RE: A Resolution Accepting a Loan to a Grant from and Participating In the Illinois Housing Development Authority Capital Bill Preservation Program- Limited Rehabilitation

BACKGROUND/DISCUSSION:

In September 2022, the Village of Park Forest applied to the Home Repair and Accessibility Program (“HRAP”) funded and operated by the Illinois Housing Development Authority (“IHDA”). This program is designed to assist low-income and very low-income homeowners with needed repairs that include health, safety, energy efficiency, and accessibility improvements. The goals of the program are to improve the health and well-being of occupants, help low-income and disabled or mobility impaired persons remain in their home, preserve existing affordable housing stock, and provide investment in disadvantaged communities.

The Village of Park Forest’s proposal was to focus on roof repairs throughout the community and complete roof repairs on approximately 14 qualified homes. Roof repairs through the grant can cover up to \$21,500 in soft and hard construction costs.

In December 2022, the Village was notified about their award for \$400,000 from IHDA. This resolution will authorize the Village to participate in the HRAP Program, which includes but is not limited to accepting the grant from IHDA, undertaking the obligations set forth in HRAP, enter into agreements with IHDA, and complete required repairs, replacements, and rehabilitation as need in the Village through this program. Additionally, this resolution will authorize the Village Manager, Thomas K. Mick, to sign these important documents on the behalf of the Village.

SCHEDULE FOR CONSIDERATION: This item will appear on the agenda of the February 6, 2023, Rules Meeting for discussion.

Resolution No. _____

**A RESOLUTION ACCEPTING A LOAN TO A GRANT FROM
AND PARTICIPATING IN THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY
CAPITAL BILL PRESERVATION PROGRAM- LIMITED REHABILITATION**

WHEREAS, in the spring of 2022, Illinois Housing Development Authority (IHDA) created the Capital Bill Preservation Program- Limited Rehabilitation (CBPP-LR) to preserve the long-term stability of affordable rental housing for the benefit of very low income or low-income households throughout the State; and

WHEREAS, after careful review of the program requirements, the Village of Park Forest has determined that it will; and

WHEREAS, the Village of Park Forest was awarded up to \$400,000 in CBPP-LR funds as a grant from IHDA through the CBPP-LR program to assist in reimbursing the costs associated with the various existing physical needs at properties within the Village of Park Forest (“Development”) that, if not repaired threaten the sustainability of the Development; and

WHEREAS, as a requirement of the CBPP-LR grant, the Village of Park Forest must enter into and deliver a conditional commitment letter, a grant agreement, a regulatory agreement with IHDA and other documents, certificates and other instruments evidencing and governing the CBPP-LR grant (collectively, the “Agreements”);

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE BOARD OF TRUSTEES OF THE VILLAGE OF PARK FOREST, COOK AND WILL COUNTIES, ILLINOIS, IN THE EXERCISE OF THEIR HOME RULE POWERS AS FOLLOWS:

The Mayor and the Board of Trustees adopt this resolution authorizing the Village of Park Forest to participate in the CBPP-LR Program, including, but not limited to accepting the CBPP-LR grant from IHDA, undertaking the obligations as the CBPP-LR Program grantee, entering into the Agreements and proceeding with the required repairs, replacements, and rehabilitation of the Development; and

BE IT FURTHER RESOLVED, that Thomas K. Mick, the Village Manager, is hereby authorized and empowered to execute and deliver in the name of or on behalf of the Village of Park Forest, the Agreements and any and all amendments, modifications and supplements thereto, and to execute and deliver such additional documents, instruments and certificates, as may be necessary or desirable for the Village of Park Forest to perform its obligations under the CBPP-LR Program and/or the Agreements; and

BE IT FURTHER RESOLVED, that Thomas K. Mick, the Village Manager, be and hereby is authorized and directed to take such additional actions, to make further determinations, to pay such costs and to execute and deliver such additional instruments (including any amendments, other agreements or supplements) as he deems necessary or appropriate to carry into effect the foregoing resolutions; and

BE IT FINALLY RESOLVED, that the Village of Park Forest Board of Trustees hereby ratifies, authorizes and confirms and approves all documents, agreements, and instruments executed in connection with the CBPP-LR grant and the Agreements, including those acts taken prior to the date hereof.

PASSED this _____ day of _____, 2023.

APPROVED:

ATTEST:

Jon Vanderbilt, Mayor (Signature)

Sheila McGann, Village Clerk (Signature)

AYES

NAYS

ABSENT

SEAL

AGENDA BRIEFING

DATE: January 25, 2023

TO: Mayor Vanderbilt
Board of Trustees

FROM: Andrew J. Brown, AICP
Planner

Sandra Zoellner
Director of Economic Development and Planning

RE: Consideration of an Ordinance Approving a Text Amendment to Article VII (Signs) of the Unified Development Ordinance to remove Auxiliary Yard Signs from Section VII-5.C Temporary Signs with Permit Requirement

BACKGROUND/DISCUSSION:

At their regular meeting of January 24, 2023, the Planning and Zoning Commission (PZC) conducted a public hearing to consider a proposal from Staff to amend the Unified Development Ordinance (UDO) to remove Auxiliary Yard Signs. As required by Village Ordinance and State Statute, public notice of the hearing was posted in the *Daily Southtown Newspaper* on January 8, 2023. No responses were received from the public prior to the public hearing.

The main goals of this text amendment are to have Village code comply with State Law and remove a regulation that is unenforceable by the Village.

When the UDO was approved in 2017, Article VII (Signs), Section VII-5.C.1.b.3 was not in compliance with state law (Public Act 96-0904) which went into effect on January 1, 2011. The law passed during Governor Quinn's term barred municipalities from regulating when political signs can be displayed on residential property. This law brought Illinois into compliance with a 1994 U.S. Supreme Court ruling indicating that political signs are protected "free speech" under the U.S. Constitution's First Amendment. Due to the state law already in place on January 1, 2011, the UDO approved by the Board in 2017, included a regulation preempted by state law.

Because the current regulation still exists within the Village UDO, it creates confusion for some residents requesting the Village to enforce the regulation. Removing this from the UDO will correct an error and remove any confusion for residents searching for a way to regulate when campaign signs can be posted within the Village.

Additionally, while staff discussed this text amendment with other departments they found that the entirety of Section VII-5.C.1 (Auxiliary Yard Signs) was found to be unenforceable by the Building Department. Currently, four yard signs (Section VII-5.B.2) are allowed in every zoning district per street frontage without a permit requirement and have the same size requirements as an auxiliary yard sign. This means, the fifth yard sign – the auxiliary yard sign - would require an applicant to come to the Village and apply for a permit to install their fifth yard sign. The only way to enforce

this would be for building inspectors to drive throughout the Village and count yard signs and then if a yard had over four signs, try and contact the offender to have them apply for a sign permit, and then cite them if they did not. Removing the Auxiliary Yard Sign section from the UDO would then limit yard signs to four throughout the Village and make enforcement more feasible for the Village Building Department.

Removing the entire Auxiliary Yard Sign section from the UDO will bring the Village into compliance with state law and make yard sign enforcement more suitable for the Building Department.

SCHEDULE FOR CONSIDERATION: This item will appear on the Rules Agenda of February 6, 2022, for Board discussion.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A TEXT AMENDMENT TO SECTION VII-5
(TEMPORARY SIGNS) OF THE UNIFIED DEVELOPMENT
ORDINANCE OF THE VILLAGE OF PARK FOREST, ILLINOIS**

WHEREAS, Article VIII-3.E. of the Village of Park Forest Unified Development Ordinance (“UDO”) establishes a process for Zoning Text and Map Amendments after consideration by the Planning and Zoning Commission and approval by the Board of Trustees; and

WHEREAS, on January 8, 2023, a notice of public hearing for the Application was published in The Daily Southtown, a newspaper of general circulation within the Village; and

WHEREAS, the Planning and Zoning Commission conducted the public hearing to consider the Application on January 24, 2023; and

WHEREAS, upon the conclusion of the public hearing, the Planning and Zoning Commission recommended approval of amendments as amended to Section VII-5 (Temporary Signs) of the Unified Development Ordinance, as set forth below; and

WHEREAS, the Mayor and Board of Trustees have determined that approving the Zoning Text Amendment serves a public purpose and will be in the best interests of the Village of Park Forest.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Board of Trustees of the Village of Park Forest, Cook and Will Counties, Illinois, in the exercise of the Village’s home rule powers, as follows:

Section 1. Recitals Incorporated. The recitals set forth above constitute a material part of this Ordinance as if set forth in their entirety in this Section 1.

Section 2. Adoption of Findings and Recommendation. The findings and recommendation of the Planning and Zoning Commission, together with all reports and exhibits submitted at the public hearing, are hereby incorporated by reference herein and are approved.

Section 3. Zoning Text Amendment to Section VII-2-2 Granted. Section VII-2. (Temporary Signs) of Article VII (Signs) of the Code of Ordinances of the Village of Park Forest is hereby amended by removing the following strikethrough text:

**Article VII: Signs
§VII-5 Temporary Signs**

- A. Temporary Signs with Permit Requirement. The following temporary signs require a sign permit, per § VIII-3.H (Sign Permit), and shall comply with the following standards.
- ~~1. Auxiliary Yard Signs.~~
 - ~~a. Location. Auxiliary yard signs are allowed in all zoning districts.~~

- b. ~~Quantity and Display Period. In addition to the four yard signs permitted by §VII-5.B (Temporary Signs Exempt From Permit Requirement) per street frontage, additional auxiliary yard signs are allowed per street frontage for each of the following qualifying conditions with approval of a sign permit:~~
- ~~(1) The applicant has an active, approved building permit for activities on the property on which the sign is placed. Such auxiliary yard signs shall be removed no later than 10 days after expiration of the building permit, or issuance of an occupancy permit, whichever occurs first.~~
 - ~~(2) The subject property, or buildings on the subject property, are currently for sale, lease, or rent. Such auxiliary yard signs shall be removed no later than seven days after the agreement for sale, rental, or lease has been completed for the subject property.~~
 - ~~(3) The auxiliary yard sign(s) will be installed for a period of time beginning up to 60 days prior to any election and shall be removed no later than 10 days following an election.~~
- c. ~~Size.~~
- ~~(1) In residential districts, auxiliary yard signs shall not exceed five square feet in area per sign and six feet in height.~~
 - ~~(2) In non-residential districts, auxiliary yard signs shall not exceed 20 square feet in area per sign and eight feet in height.~~

Section 4. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

PASSED by the Mayor and Board of Trustees of the Village of Park Forest, Cook and Will Counties, Illinois this _____ day of _____, 2023 pursuant to roll call vote, as follows:

	Yes	No	Absent	Present
Tiffani Graham				
Maya Hardy				
Candyce Herron				
Theresa Settles				
Erin Slone				
Joseph Woods				
Jonathan Vanderbilt				
TOTAL:				

APPROVED:

ATTEST:

Jonathan Vanderbilt, Mayor

Sheila McGann, Village Clerk

MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Vernita Wickliffe-Lewis, Chair
Park Forest Planning and Zoning Commission

DATE: January 25, 2023

RE: Recommendation – Request for a Text Amendment to Article VII (Signs) of the Unified Development Ordinance to remove Auxiliary Yard Signs from Section VII-5.C Temporary Signs with Permit Requirement

Recommendation

At the regular meeting of January 25, 2023, the Planning and Zoning Commission considered a Text Amendment to Section VII-5.C – Signs of the Unified Development Ordinance. Full details of this request are included in the attached Staff report.

After taking public comment and discussing this request, the Planning and Zoning Commission voted 5-0 to recommend approval of the proposed Text Amendment.

A Text Amendment may be granted by the Board only after the Planning and Zoning Commission and the Village Board have evaluated the application and made specific written findings based on a balance of Standards for Text Amendments established by Article VIII-3.E.3. The required standards are noted below, with the Commission's specific findings as related to this request.

- a. The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public. *The Commission unanimously concurred that this standard is met.*
- b. The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment. *The Commission unanimously concurred that this standard is met.*
- c. The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner. *The Commission unanimously concurred that this standard is met, however, Commissioner Price did note that there is a hardship imposed on the public from political signs being allowed in yards year-long. Commissioner Price also noted that this hardship is offset by resident's freedom of speech.*
- d. The proposed amendment makes it more feasible to develop property relative to the present zoning classification of the property. *The Planning and Zoning Commission determined that this standard is not applicable.*
- e. The proposed amendment addresses the community need for a specific use. *The Commission unanimously concurred that this standard is met.*
- f. The proposed amendment corrects an error, adds clarification, or reflects a change in policy. *The Commission unanimously concurred that this standard is met.*
- g. The proposed amendment rectifies existing nonconformities and, if so, the extent of such nonconformities. *The Commission unanimously concurred that this standard is met.*

- h. The proposed amendment is consistent with the intent of the elements of the Comprehensive Plan, this Unified Development Ordinance, and the other land use policies of the Village.
The Commission unanimously concurred that this standard is met.

Best regards,
Vernita Wickliffe-Lewis, Chair

PLANNING AND ZONING COMMISSION MEMORANDUM

TO: Planning and Zoning Commission

FROM: Andrew Brown, AICP
Planner

DATE: January 20, 2023

RE: NEW BUSINESS – Planning & Zoning Commission Meeting of January 24, 2023, Public Hearing to consider a Text Amendment to Article VII (Signs) of the Unified Development Ordinance, to remove Auxiliary Yard Signs from Section VII-5.C Temporary Signs with Permit Requirement

Background

When the final Unified Development Ordinance (UDO) was approved in 2017, Article VII (Signs), Section VII-5.C.1.b.3 was not in compliance with state law (Public Act 96-0904) which went into effect on January 1, 2011. The law passed during Governor Quinn’s term barred municipalities from regulating when political signs can be displayed on residential property. This law brought Illinois into compliance with a 1994 U.S. Supreme Court ruling indicating that political signs are protected “free speech” under the U.S. Constitution’s First Amendment. Due to the state law already in place on January 1, 2011, any current Village regulation regarding campaign sign usage was preempted and therefore unenforceable.

Because the current regulation still exists within the Village UDO, it creates confusion for some residents requesting the Village to enforce the regulation. Removing this from the UDO will correct an error and remove any confusion for residents searching for a way to regulate when campaign signs can be posted within the Village.

Additionally, while staff discussed this text amendment with other departments they found that the entirety of Section VII-5.C.1 (Auxiliary Yard Signs) was found to be unenforceable by the Building Department. Currently, four yard signs (Section VII-5.B.2) are allowed in every zoning district per street frontage without a permit requirement and have the same size requirements as an auxiliary yard sign. This means, the fifth yard sign – the auxiliary yard sign - would require an applicant to come to the Village and apply for a permit to install their fifth yard sign. The only way to enforce this would be for building inspectors to drive throughout the Village and count yard signs and then if a yard had over four signs, try and contact the offender to have them apply for a sign permit, and then cite them if they did not. Removing the Auxiliary Yard Sign section from the UDO would then limit yard signs to four throughout the Village and make enforcement an easier for building inspectors.

Removing the entire Auxiliary Yard Sign section from the UDO will bring the Village into compliance with state law and make yard sign enforcement more suitable for the Building Department.

Public Hearing Requirements

As required by the UDO, notice of this public hearing was published in the Daily Southtown Newspaper on January 8, 2023. No other notice is required for text amendments. Any additional comments received prior to the Public Hearing will be reported at the Planning and Zoning Commission meeting.

This request is being considered by the Planning and Zoning Commission pursuant to Article VIII-3.E. of the UDO (Zoning Text and Map Amendments), which provides that the Planning and Zoning Commission shall hold public hearings on all requests for text amendments and shall make its recommendations to the Board of Trustees. A text amendment may be granted by the Board only after the Planning and Zoning Commission and the Village Board have evaluated the application and made specific written findings based on the Standards for Zoning Amendments established by Article VIII-3.E.3.

The required standards for zoning amendments are noted below, and a worksheet has been attached to assist the Planning and Zoning Commission in drafting its findings related to the requested amendment. Note that these standards are written to apply to both text and map amendments, and the standard for a recommendation for approval is “based on a balance of the standards”. This is a lower standard than that established for a recommendation for approval of a variation, which is “based on each of the standards”.

- a) The proposed amendment will not endanger the health, safety, comfort, convenience, and general welfare of the public.
- b) The proposed amendment is compatible with the existing uses, character, and zoning of adjacent properties and other property within the immediate vicinity of the proposed amendment.
- c) The proposed amendment provides a relative gain to the public, as compared to any hardship imposed upon an individual property owner.
- d) The proposed amendment makes it more feasible to develop property relative to the present zoning classification of the property.
- e) The proposed amendment addresses the community need for a specific use.
- f) The proposed amendment corrects an error, adds clarification, or reflects a change in policy.
- g) The proposed amendment rectifies existing nonconformities and, if so, the extent of such nonconformities.
- h) The proposed variation is consistent with the intent of the elements of the Comprehensive Plan, this Unified Development Ordinance, and the other land use policies of the Village.

Proposed Text Amendment

The proposed text amendment will remove one part of the UDO: Section VII-5.C.1 (Auxiliary Yard Signs). This strikethrough text as shown below will be removed from the UDO.

B. Temporary Signs with Permit Requirement. The following temporary signs require a sign permit, per § VIII-3.H (Sign Permit), and shall comply with the following standards.

~~2. Auxiliary Yard Signs.~~

- ~~a. Location. Auxiliary yard signs are allowed in all zoning districts.~~
- ~~b. Quantity and Display Period. In addition to the four yard signs permitted by §VII 5.B (Temporary Signs Exempt From Permit Requirement) per street frontage, additional auxiliary yard signs are allowed per street frontage for each of the following qualifying conditions with approval of a sign permit:~~

~~(1)The applicant has an active, approved building permit for activities on the property on which the sign is placed. Such auxiliary yard signs shall be removed no later than 10 days after expiration of the building permit, or issuance of an occupancy permit, whichever occurs first.~~

~~(2)The subject property, or buildings on the subject property, are currently for sale, lease, or rent. Such auxiliary yard signs shall be removed no later than seven days after the agreement for sale, rental, or lease has been completed for the subject property.~~

~~(3)The auxiliary yard sign(s) will be installed for a period of time beginning up to 60 days prior to any election and shall be removed no later than 10 days following an election.~~

~~e. Size:~~

~~(1)In residential districts, auxiliary yard signs shall not exceed five square feet in area per sign and six feet in height.~~

~~(2)In non-residential districts, auxiliary yard signs shall not exceed 20 square feet in area per sign and eight feet in height.~~

Staff Recommendation

Staff recommends approval of the text amendment related to Article VII (Signs) of the UDO, to remove Auxiliary Yard Signs from Section VII-5.C Temporary Signs with Permit Requirement and sending this endorsement to the Village Board without delay.

Planning and Zoning Commission Action

After conducting the public hearing, the Planning and Zoning Commission is asked to consider this request for a Text Amendment to Article VII (Signs) Section VII-5.C Temporary Signs with Permit Requirement of the UDO and make a recommendation to the Board of Trustees on this proposal.