

# VILLAGE OF ORLAND PARK

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

---

**Resolution No: 2022**

**File Number: 2020-0360**

RESOLUTION CONCERNING THE VILLAGE OF ORLAND PARK REOPENING PLAN IN  
RESPONSE TO THE ECONOMIC EMERGENCY RESULTING FROM GOVERNOR PRITZKER'S  
COVID-19 RELATED STAY AT HOME EXECUTIVE ORDERS

## VILLAGE OF ORLAND PARK

STATE OF ILLINOIS, COUNTIES OF COOK AND WILL

# VILLAGE OF ORLAND PARK

## Resolution No: 2022

### RESOLUTION CONCERNING THE VILLAGE OF ORLAND PARK REOPENING PLAN IN RESPONSE TO THE ECONOMIC EMERGENCY RESULTING FROM GOVERNOR PRITZKER'S COVID-19 RELATED STAY AT HOME EXECUTIVE ORDERS

WHEREAS, in late 2019, an outbreak of novel coronavirus (“COVID-19”) occurred in China and quickly spread across the globe; and

WHEREAS, the Board of Trustees of the Village of Orland Park cares deeply for the health and well-being of everyone who works in, lives in, or visits the Village of Orland Park and recognizes the need for enhanced safety precautions to protect the public health during these unprecedented times; and

WHEREAS, the Board of Trustees of the Village of Orland Park believes individuals and businesses have been, and will continue to, self-regulate by following recommendations concerning physical distancing and increased attention to personal and area sanitation measures; and

WHEREAS, the Board of Trustees of the Village of Orland Park, using publicly available science, data and modeling know Covid-19 effects are heavily concentrated in older citizens and those with serious comorbidities, and strongly encourage individuals and families who are most at risk to take extra measures to protect themselves, including extending their self-isolation, maintaining their social distancing, and unfailingly following CDC guidelines until effective treatments are proven and widely available as vaccines are being developed.

WHEREAS, the Board of Trustees of the Village of Orland Park, using publicly available science and data can show the actual infection rate for Covid-19 has been consistently less than 20% of all people tested at both the national and local level, and less than 20% of that group develops symptoms or needs hospitalization, indicating that the trajectory of this disease in the population is far below the initial “worst case” models, on which many emergency orders were based,

WHEREAS, the Board of Trustees of the Village of Orland Park, strongly encourages everyone, whether they are acting as individuals, as families or as businesses to recognize two critical facts about their role in controlling the spread of SARS Cov-2: 1) it is incumbent on them to follow the CDC guidelines to protect themselves and the people they are in contact with; and 2) it's not just about them, it's about their individual actions helping our community, our state and our nation get through this pandemic; and

WHEREAS, beginning with Executive Order 2020-03 on March 12, 2020 and continuing through Executive Order 2020-36 on May 1, 2020, the Governor of Illinois issued a series of Executive Orders in response to the COVID-19 pandemic which have shuttered businesses and caused Illinois residents to stay at home except for extremely limited reasons; and

# VILLAGE OF ORLAND PARK

## Resolution No: 2022

WHEREAS, the Governor's Executive Orders have been ambiguous and difficult to interpret with any measure of consistency; and

WHEREAS, on May 5, 2020, Governor Pritzker announced the "Restore Illinois" plan, which grouped the State of Illinois into four regions and requires each region to have certain healthcare benchmarks before moving to the next phase of the plan; and

WHEREAS, the Governor's authority to direct enforcement under the Illinois Emergency Management Agency Act (IEMAA) is limited to emergency agencies, and any requirement that local authorities carry out enforcement of the Executive Orders are both likely prohibited under the IEMAA and constitute an impermissible unfunded mandate under the State Mandates Act; and

WHEREAS, the Governor declared a disaster on March 9th and under the IEMAA, his emergency powers are limited to 30 days; and

WHEREAS, the phases of the "Restore Illinois" plan provide that commerce, schools, and other functions will slowly be allowed to reopen along a five-phase progression as the threat presented by the COVID-19 pandemic subsides; and

WHEREAS, the "Restore Illinois" plan places the Village of Orland Park in the Northeast Region, which includes the City of Chicago, Cook County, and the collar counties; and

WHEREAS, under the "Restore Illinois" plan, the gradual re-opening of Orland Park's businesses is dependent on the number of cases in the Northeast Region, including in the City of Chicago, being brought under control; and

WHEREAS, instead of health regions, the State of Illinois should draw regional boundaries based on hospital capacity or the Illinois Emergency Response Regions rather than the Illinois Department of Public Health regions; and

WHEREAS, the State of Illinois is overwhelmed with unemployment requests and revenue projections at the State and local levels are down significantly; and

WHEREAS, the Illinois Department of Public Health was not prepared for a pandemic and did not to maintain a sufficient stockpile of Personal Protective Equipment ("PPE") and emergency medical supplies; and

# VILLAGE OF ORLAND PARK

## Resolution No: 2022

WHEREAS, the State of Illinois has failed to adequately protect long term care facilities that represent over 49% of deaths related to COVID-19 in Illinois as of May 9, 2020; and

WHEREAS, the Governor's statewide orders in response to Covid-19 have caused severe economic hardship to the Village and the residents of the Village, through a significant rise in unemployment and a reduction in the economic activity of the Village; and

WHEREAS, many local businesses are at a high risk of shutting down permanently or suffering irreparable economic damage that will have a lasting and negative impact on the livelihoods of many Orland Park residents; and

WHEREAS, re-opening the local economy using a measured and staged approach will help get people back to work, keep the economy functioning to support a robust health care system, help people maintain the funds and insurance necessary to receive appropriate medical care, minimize the revenue losses at the State and local levels, and help our society return to a sense of normalcy; and

WHEREAS, the stress and economic harm caused by the stay-at-home order also affects the physical and mental health of the residents of the Village of Orland Park, may lead to increases in suicides, physical abuse, and addiction; and

WHEREAS, without immediate action, the Village Orland Park, its businesses and taxpayers will suffer catastrophic economic harm; and

WHEREAS, the General Assembly has not taken legislative action of any kind in relation to the COVID-19 pandemic, having been in recess since March 5, 2020; and

WHEREAS, the residents of the Village Orland Park have been without representation at the State Level in Springfield since the beginning of the COVID-19 pandemic; and

WHEREAS, the Illinois General Assembly has announced an intention to reconvene in Springfield on May 20, 2020; and

WHEREAS, the Village believes it to be in the best interests of itself and its businesses and residents that the Illinois General Assembly take legislative action regarding the COVID-19 pandemic, including clarifying the Governor's authority to act, providing for more local, targeted public health measures for the control of COVID-19, and providing for the Village to be able to resume business activities by June 1, 2020; and

WHEREAS, if the legislature fails to act, the Village believes that resolving these controversies by bringing them before a court will provide clarity to the Village and to the residents, businesses and

# VILLAGE OF ORLAND PARK

## Resolution No: 2022

and taxpayers of the Village and will benefit the economic, physical, and mental health of the residents and taxpayers of the Village.

NOW, THEREFORE, BE IT RESOLVED, by the Village President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

### SECTION 1

The above recitals are incorporated by reference into this Section 1 and made a part hereof as though fully set forth herein.

### SECTION 2

The Village President and the Board of Trustees of the Village of Orland Park urge the General Assembly to take the following action during its legislative session:

- a. Clarify the Governor's authority to act under the Illinois Emergency Management Act; and
- b. Provide for the reopening of businesses and civic life, with reasonable and specifically targeted public health guidelines, by June 1, 2020; and
- c. Provide for the drawing of regional boundaries based on hospital capacity or IL Emergency Response Regions rather than the Illinois Department of Public Health regions; and
- d. Afford adequate due process for any municipal corporation or any individual resident of the State of Illinois or any business in the State of Illinois to appeal any stay-at-home restrictions or shut-down order based on their individual circumstances.

### SECTION 3

The Village President and the Board of Trustees of the Village of Orland Park hereby authorize the immediate commencement of research by the Village Staff and Village Attorney regarding current status of legislation, other active or pending litigation by individual units of government or bodies that represent multiple local governments, and create detailed options for VOP to join existing litigation or start separate litigation. The research and options are to be presented at the first VOP board meeting in June, 2020.

### SECTION 4

The Village President and the Board of Trustees of the Village of Orland Park hereby authorize the immediate commencement of research by the Village Staff and Village Attorney to determine the

# VILLAGE OF ORLAND PARK

## Resolution No: 2022

Village's oversight options, if any, for long term care facilities within village boundaries. The research and options are to be presented at the first VOP board meeting in June, 2020.

### SECTION 5

The various provisions of this Resolution are to be considered as severable, and if any part or portion of this Resolution shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Resolution.

### SECTION 6

This Resolution shall be effective immediately upon its adoption as provided by law.

---

PASSED this 18th day of May, 2020

/s/ John C. Mehalek

**John C. Mehalek, Village Clerk**

**Aye:** 6 Trustee Fenton, Trustee Dodge, Trustee Healy, Trustee Nelson Katsenes, Trustee Milani, and Village President Pekau

**Nay:** 1 Trustee Calandriello

DEPOSITED in my office this 18th day of May, 2020

/s/ John C. Mehalek

**John C. Mehalek, Village Clerk**

APPROVED this 18th day of May, 2020

/s/ Keith Pekau

**Keith Pekau, Village President**