

Regular Meeting of the Board of Trustees - Minutes

**MINUTES OF THE REGULAR BOARD MEETING OF THE TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD FEBRUARY 20, 2018**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Council Chambers located in the Village Hall of Tinley Park, 16250 S. Oak Park Avenue, Tinley Park, IL on February 20, 2018. President Vandenberg called this meeting to order at 7:30 p.m. and led the Board and audience in the Pledge of Allegiance.

At this time Village President Vandenberg called for a moment of silence in remembrance of Rich Kozik, former Tinley Park Police Officer and Co-Founder of Tinley Wish.

Present and responding to roll call were the following:

Village President:	Jacob C. Vandenberg
Village Clerk:	Kristin A. Thirion

Trustees:	Brian H. Younker Michael J. Pannitto Cynthia A. Berg William P. Brady Michael W. Glotz Michael J. Mangin
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Absent:	None
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Also Present:	
Village Manager:	David Niemeyer
Assistant Village Manager:	Patrick Carr
Village Attorney:	Patrick Connelly

Motion was made by Trustee Younker, seconded by Trustee Berg, to approve the agenda as written or amended for this meeting. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to approve and place on file the minutes of the Regular Village Board meeting held on February 6, 2018. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Mangin, seconded by Trustee Berg, to consider approving the following Consent Agenda items.

The following Consent Agenda items were read by the Village Clerk:

- A. CONSIDER REQUEST FROM TINLEY PARK BULLDOGS BASEBALL AND SOFTBALL ORGANIZATION TO CONDUCT A TAG DAY FUNDRAISER ON SATURDAY, APRIL 21, 2018, AT CERTAIN INTERSECTIONS IN THE VILLAGE OF TINLEY PARK.

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- B. CONSIDER REQUEST FOR A BLOCK PARTY PERMIT ON SATURDAY, JUNE 23, 2018 AT THE INTERSECTION OF QUEEN VICTORIA LANE AND QUEEN ANN LANE FROM 12:00 NOON TO 10:00 P.M.
- C. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$2,240,405.11 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED FEBRUARY 9 AND FEBRUARY 16, 2018. .

President Vandenberg asked if anyone from the Board would like to remove or discuss any items from the Consent Agenda. No items were removed or discussed. Vote on roll call: Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Berg, to **RECOGNIZE THE MONTH OF MARCH 2018 AS NATIONAL ATHLETIC TRAINING MONTH**. March has been declared National Athletic Training Month by the National Athletic Trainers Association. With this Proclamation, the Village wishes to raise public awareness of the importance of the athletic training profession and to emphasize the importance of quality health care for athletes and those engaged in physical activity. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote on voice vote. President Vandenberg declared the motion carried.

Motion was made by Trustee Glotz, seconded by Trustee Mangin, to **APPOINT KIMBERLY CLARKE TO THE POSITION OF PLANNING MANAGER**. The Mayor and Village Board of Trustees recently interviewed Kimberly Clarke for the position of Planning Manager and were impressed with her resume and professionalism. Her work experience is commensurate with the requirements of the position and will complement the talents of the rest of the Community Development Team. Ms. Clarke has over 12 years of experience and has direct experience in Planning, Economic Development and Building Services. She is interested in pursuing the Community Development Director position and is working toward her AICP certification as part of the qualifications necessary for that position. This position will manage the Planning Division and will report directly to the Community Development Director. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote on roll call: Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Glotz, seconded by Trustee Berg, to adopt and place on file **ORDINANCE NUMBER 2018-O-006 APPROVING THE OFFICIAL ZONING MAP REFLECTING MAP AMENDMENTS THROUGH DECEMBER 31, 2017**. Per the Illinois Municipal Code, municipalities must adopt an official zoning map by March 31st of each year. The zoning map reflects all zoning within the corporate boundaries as of December 31, 2017. Throughout the year various map amendments are approved. The adoption of the Official Zoning Map provides a documentation of the zoning status of property and any zoning changes that have been approved since the last adoption. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

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Motion was made by Trustee Glotz, seconded by Trustee Brady, to adopt and place on file **ORDINANCE NUMBER 2018-O-003 GRANTING A SPECIAL USE WITH EXCEPTIONS FOR A SUBSTANTIAL DEVIATION FROM THE PARK CENTER PLAZA PLANNED UNIT DEVELOPMENT TO ALLOW FOR MODIFICATIONS TO THE APPROVED SITE PLAN TO ACCOMMODATE DOUBLE DRIVE-THRU LANES, AN INCREASE IN THE HEIGHT AND NUMBER OF SIGNS AND A REDUCTION IN PARKING SPACES FOR MCDONALD'S AT 15920 HARLEM AVENUE WITHIN THE B-3 PD (GENERAL BUSINESS AND COMMERCIAL, PARK CENTER PLAZA PLANNED UNIT DEVELOPMENT) ZONING DISTRICT (MCDONALD'S USA, LLC)**. The Petitioner, James E. Olguin of Goldstine, Skrodzki, Russian, Nemecek, and Hoff, Ltd. on behalf of McDonald's USA, LLC, is seeking a Special Use Permit for a Substantial Deviation from the Park Center Plaza Planned Unit Development to allow for modifications to the approved Site Plan and an increase in the size and number of signs allowed for McDonald's at 15920 Harlem Avenue within the B-3 PD (General Business and Commercial, Park Center Plaza Planned Unit Development) Zoning District. The proposed Substantial Deviation will allow double drive-thru lanes and exceptions for signage and parking.

The project includes the following exceptions:

1. An exception to the Village parking requirement of 64 parking spaces to allow 54 parking spaces.
2. An exception to allow two (2) additional wall signs for a total of six (6) wall signs.
3. An exception to the height of a wall sign that is limited to 30" to allow three (3) signs of 36" in height.
4. An exception to the maximum height for a free standing sign which is limited to 7' to allow four (4) menu signs at 7'8" in height.

The Plan Commission held a Public Hearing on January 18, 2018 and voted 4-0 to approve the requested Special Use with Exceptions in accordance with plans as listed in the January 18, 2018 (List of Reviewed Plans). President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to adopt and place on file **RESOLUTION 2018-R-005 – AUTHORIZING A HIGHWAY AUTHORITY AGREEMENT (HAA) WITH 7-ELEVEN, INC.** The Village of Tinley Park has been in discussion with 7-Eleven Corporation regarding the establishment of a Highway Authority and Environmental Indemnification Agreement for the public right-of-way at the North West corner of 167th Street & Oak Park Avenue. This agreement establishes responsibility and reimbursement guidelines relating to a gasoline release from an underground storage tank from the former 7-Eleven owned gas station at that corner. Under this HAA, the contaminated soil would remain in-place under the rules established by the Illinois Pollution Control Board. The agreement provides for reimbursement criteria should the Village need to perform any work in the right-of-way and encounter contaminated soils. This Agreement was discussed at the Public Works Committee meeting held on February 13, 2018 and recommended for approval. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

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Motion was made by Trustee Younker, seconded by Trustee Berg, to adopt and place on file **RESOLUTION 2018-R-011 AUTHORIZING AN ENVIRONMENTAL INDEMNITY AGREEMENT WITH 7-ELEVEN, INC.** The Village of Tinley Park has been in discussion with 7-Eleven Corporation regarding the establishment of a Highway Authority Agreement for the public right-of-way at the North West corner of 167th Street & Oak Park Avenue as referenced in the previous Resolution. This companion Environmental Indemnity Agreement provides criteria for Seven-Eleven to indemnify the Village of Tinley Park and releases the Village from any environmental liability related to this issue. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to adopt and place on file **RESOLUTION 2018-R-008 APPROVING A CONSTRUCTION ENGINEERING SERVICES AGREEMENT FOR FEDERAL PARTICIPATION WITH ROBINSON ENGINEERING FOR SERVICES RELATED TO THE OAK PARK AVENUE RECONSTRUCTION FROM 167TH STREET TO 159TH STREET PROJECT.** This is a construction engineering agreement between the Village of Tinley Park and Robinson Engineering which has been reviewed and approved by the Illinois Department of Transportation in the amount of \$199,997. The proposed Resolution will obligate the Village's share of the construction engineering for the project. In order to meet IDOT's letting schedule, it is requested that the resolution be approved and the various agreements be executed by the Mayor and Clerk. This will allow the documents to be forwarded to the Illinois Department of Transportation for their approval. This Resolution was discussed at the Public Works Committee meeting on February 13, 2018, and recommended for approval. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Berg, to adopt and place on file **RESOLUTION NUMBER 2018-R-009 APPROVING AN AGREEMENT WITH THE STATE OF ILLINOIS AND THE VILLAGE OF TINLEY PARK APPROPRIATING FUNDS FOR THE OAK PARK AVENUE – 167TH STREET TO 159TH STREET RECONSTRUCTION PROJECT.** The Village has been granted 70% funding from the South Suburban Mayors and Managers Association (SSMMA) for the Oak Park Avenue reconstruction from 167th Street to 159th Street. This project will consist of HMA pavement reconstruction for a majority of the corridor, resurfacing of the portion of parallel frontage road and installation of a multi-use path from 165th Place to Brentowne Drive. This project will be bid by the Illinois Department of Transportation on April 27, 2018. This Resolution was discussed at the Public Works Committee meeting on February 13, 2018, and recommended for approval. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Pannitto, seconded by Trustee Younker, to defer **RESOLUTION NUMBER 2018-R-006 AMENDING SECTION 2.9, OF THE PERSONNEL MANUAL PERTAINING TO EMPLOYMENT OF RELATIVES to the Administration and Legal Committee meeting to be held on February 27, 2018.** President Vandenberg asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Vandenberg declared the motion carried.

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Motion was made by Trustee Pannitto, seconded by Trustee Younker, to adopt and place on file **ORDINANCE 2018-O-007 AMENDING TITLE III CHAPTER 39 OF THE TINLEY PARK VILLAGE CODE BY CREATING A NEW SECTION 39.25 ENTITLED "TEMPORARY STAY OF THE INVESTIGATION AND PROSECUTION OF ETHICS COMPLAINTS"**.

Over the past year the Village has discovered a number of ambiguities and inefficiencies with the Village Ethics Ordinance which has led to confusion with the public, elected officials and Village staff. This Ordinance amends the Village Code of Ethics by creating a Temporary 90 day stay of the investigation and prosecution of Ethics Complaints while the Village continues to develop new regulations and procedures for the Ethics Code with input from the public. A draft amendment is currently being reviewed by the Administrative and Legal Committee. During the pendency of the 90 day stay the Village will still receive complaints but they will not be forwarded to independent counsel for prosecution during the stay. Any such Complaints will be processed under the anticipated new regulations and Complaints who file during this period will be given an opportunity to amend the complaint to conform to any new regulations. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Brady, seconded by Trustee Glotz, to adopt and place on file **RESOLUTION 2018-R-010 APPROVING A RETENTION AGREEMENT WITH EDELSON PC AND PJMCHICAGO, LLC FOR LEGAL SERVICES PERTAINING TO OPIOID LITIGATION**.

In an effort to clamp down on the growing opioid epidemic, hundreds of lawsuits have been filed across the nation on behalf of state, counties, and municipalities. Governmental entities have suffered a host of damages due to the opioid epidemic including increased health insurance costs, lost productivity, and increased criminal justice costs. Through this agreement, the Village would retain Edelson PC and PJM Chicago to represent its interests in the recovery efforts against opioid manufacturer's distributors, and other related parties. The legal services agreement for this matter is on a contingent fee basis, meaning there will be no fees charged to the Village. Payment to the firms will only occur should recovery be made by the Village. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Brady, seconded by Trustee Mangin, to adopt and place on file **ORDINANCE NUMBER 2018-O-008 AMENDING CERTAIN SECTIONS OF TITLE XIII CHAPTER 131 OF THE TINLEY PARK MUNICIPAL CODE ENTITLED "OFFENSES AGAINST PROPERTY" BY ESTABLISHING REGULATIONS AS THEY RELATE TO ICE SKATING ON VILLAGE PROPERTY**. This Ordinance amends certain sections of Title 13 Chapter 131 of the Tinley Park Village Code. This Ordinance prohibits ice skating and other winter activities from occurring on Village owned property and provides a mechanism for enforcing the regulations through the Village's preexisting Trespass Ordinance pertaining to the Offense of Trespassing on Property. The Village desires to expand this section of the Village Code to regulate and prohibit ice skating or similar activities from occurring on Village property. This items was discussed at the February 13, 2018 Public Safety Committee meeting and recommended for approval by the Village Board of Trustees. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

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At this time, President Vandenberg asked if anyone from the Board or Staff would care to address the Board.

President Vandenberg commented on the Youth In Government program which was held prior to this meeting. He noted the great job done by High School youth in Tinley Park and thanked the Community Resource Commission for coordinating this program. President Vandenberg asked Clerk Thirion to enter into the record the Resolution presented by these Youth In Government students.

President Vandenberg thanked the Public Works, Emergency Management, Police and Fire Departments and all Village Employees involved in the work done during the recent snow and rain weather events.

Trustee Glotz stated the he believes confidential information from Executive Sessions is being shared with certain members of the Public and asked whoever is do this to stop this practice.

Trustee Brady congratulated the Tinley Park Fire Department on being graded as an ISO (Insurance Service Office) Class 1 Fire Department, noting that on 200 Fire Departments have received this throughout the United States. Chief Reeder stated his pride in this Fire Department and noted this is a milestone event.

Clerk Thirion stated Early Voting for the Gubernatorial Primary Election for Cook County residents begins March 20, 2018, at the Village Hall and for Will County residents at the Frankfort Township Office or the Will County Clerk's Office. More information can be found on the Village Website or by contacting the Clerk's Office. Early Voting runs through March 19th and the Election is on March 20th.

Village Manager Niemeyer extended his kudos to the Public Works Department on a job well done with the weather events of the past couple of weeks and congratulated the Fire Department on achieving the ISO Class 1. Mr. Niemeyer stated that the Marketing Department is working on a Village wide annual report. He also stated that Village Department Heads will be presenting updates to the Public on "*what's happening*" in their departments.

Public Works Director Workowski thanked his staff for their hard work during the weather events and updated the public on the current rain event.

Police Chief Neubauer stated the Neighborhood Watch program is going well and has 200 citizens signed up. He noted that Police Officer Fred Monte will be the Neighborhood Watch Coordinator.

Community Development Director Wallrich stated that interviews for building permitting software s will be taking place in the next week, this will help the Community Development Department become more efficient. Ms. Wallrich spoke to the Tinley Park Mental Health Center Webinar that took place and stated the RFQ for this development is due February 23, 2018. The Brookside Glen Residence project continues and the Woodspring Hotel development is wrapping up.

Marketing Director Framke stated her department is getting ready for the Irish Parade on March 18, 2018 and noted that Andy Aval0s will be this year's Grand Marshall. Mr. Avalos works closely with PAWS.

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At this time, President Vandenberg asked if anyone from the Public would care to address the Board.

Diane Galante stated that she is happy to see the Police Staffing Study is progressing and reiterated that she does not approve of the Emergency Management Services for Ambulance being outsourced.

Jim Reda stated concerns with amendments to the Ethics Ordinance.

Nancy O'Connor thanked the Board and Staff for Department updates and feels the Police Staffing should be the Boards number one priority.

Motion was made by Trustee Younker, seconded by Trustee Berg, at 8:21 p.m. to adjourn to Executive Session to discuss the following:

- A. THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC EMPLOYEES OF THE PUBLIC BODY OR LEGAL COUNSEL FOR THE PUBLIC BODY, INCLUDING HEARING TESTIMONY ON A COMPLAINT LODGED AGAINST AN EMPLOYEE OF THE PUBLIC BODY OR AGAINST LEGAL COUNSEL FOR THE PUBLIC BODY TO DETERMINE ITS VALIDITY.
- B. COLLECTIVE NEGOTIATING MATTERS BETWEEN THE PUBLIC BODY AND ITS EMPLOYEES OR THEIR REPRESENTATIVES, OR DELIBERATIONS CONCERNING SALARY SCHEDULES FOR ONE OR MORE CLASSES OF EMPLOYEES.


Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Pannitto, seconded by Trustee Younker, to reconvene the regular Board meeting. Vote by roll call. Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. President Vandenberg declared the motion carried and reconvened the regular Board meeting at 9:17 p.m.

Motion was made by Trustee Pannitto, seconded by Trustee Younker, to adjourn the regular Board meeting. Vote by voice call. President Vandenberg declared the motion carried and adjourned the regular Board meeting at 9:17 p.m.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.

APPROVED:



Village President

ATTEST:



Village Clerk