

**MINUTES OF THE BOARD OF TRUSTEES,  
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,  
ILLINOIS, HELD OCTOBER 20, 2015**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on October 20, 2015. Mayor Seaman called this meeting to order at 8:01 p.m. and led the Board and audience in the Pledge of Allegiance.

Mayor Seaman introduced students from Victor J. Andrew High School, Tinley Park High School and Lincoln-Way North High School who are taking part in the Village's Youth In Government Program. He also introduced two (2) Life Scouts from Boyscout Troop 911 who visited the Village Board meeting as part of their Citizens in the Community Badge.

Present and responding to roll call were the following:

Village Mayor:	David G. Seaman
Village Deputy Clerk:	Laura J. Godette
Trustees:	Brian S. Maher T.J. Grady Michael J. Pannitto Jacob C. Vandenberg Brian H. Younker Bernard E. Brady
Absent:	
Village Clerk:	Patrick E. Rea
Also Present:	
Village Manager:	David J. Niemeyer
Village Attorney:	Thomas M. Melody
Village Engineer:	Jennifer S. Prinz

Motion was made by Trustee Pannitto, seconded by Trustee Grady, to approve the agenda as written or amended for this meeting. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Pannitto, to approve and place on file the minutes of the regular Village Board meeting held on October 6, 2015. Vote by voice call. Mayor Seaman declared the motion carried.

Mayor Seaman presented the following consent agenda items.

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

- A. CONSIDER REQUEST FROM THE CRISIS CENTER OF SOUTH SUBURBIA TO CONDUCT A RAFFLE FROM NOVEMBER 15, 2015, TO FEBRUARY 20, 2016. WINNERS WILL BE DRAWN AT SILVER LAKE COUNTRY CLUB IN ORLAND PARK ON FEBRUARY 20, 2016.
- B. REQUEST FROM PARK LAWN TO CONDUCT A TAG DAY FUNDRAISER ON FRIDAY, MARCH 25 AND SATURDAY, MARCH 26, 2016, AT CERTAIN INTERSECTIONS IN THE VILLAGE OF TINLEY PARK.
- C. REQUEST PROCLAIMING NOVEMBER 28, 2015, AS "*SMALL BUSINESS SATURDAY*" IN THE VILLAGE OF TINLEY PARK.
- D. CONSIDER A REQUEST FOR A BLOCK PARTY PERMIT ON SUNDAY, NOVEMBER 1, 2015, AT 172<sup>ND</sup> STREET BETWEEN OAK PARK AVENUE AND 67<sup>TH</sup> COURT (VFW) FROM NOON TO 5 P.M.
- E. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,876,015.21 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED OCTOBER 9 AND OCTOBER 16, 2015.

Motion was made by Trustee Pannitto, seconded by Trustee Brady, to approve the consent agenda items. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to place on first reading **RESOLUTION 2015-R-040 APPROVING AN ANNEXATION AGREEMENT WITH GREEN WAVE CAPITAL CORPORATION AND SPEEDWAY FOR THE DEVELOPMENT OF AN EXPANDED AUTOMOBILE SERVICE STATION AND ANNEXATION OF PROPERTY LOCATED AT 8045 W. 185TH STREET.** Speedway proposes to develop approximately 1.5 acres of vacant, unincorporated property at 8045 W. 185th Street, in order to expand the number of automobile service pumps and make related site improvements at the existing Speedway gas station at 18460 S. 80th Avenue. In order to facilitate this expansion, the vacant property requires annexation into the Village and an agreement detailing the terms of the development. The proposed site improvements proposed are an addition to the existing, incorporated 3.84 acres used as a Speedway gas station, convenience store, and car wash.

A draft of the proposed annexation agreement has been on file and available for public inspection at the Village Hall, 16250 S. Oak Park Avenue, since October 15, 2015. The matters to be included in the annexation agreement shall include but are not limited to the following:

1. Annexation of the Subject Property.
2. Rezoning of the Subject Property upon annexation from R-1 Single-Family Residential District to the M-1 General Manufacturing Zoning District under the Tinley Park Zoning Ordinance.
3. Terms relating to the development of the Subject Property as part of the expansion of the existing Speedway automobile service station and convenience store, including but limited to a prohibition on video gaming at the service station as expanded.

4. Contributions to be made by the Developer and recapture payments to be paid by the Developer.
5. Stormwater retention/detention and storm sewer requirements.
6. Granting of necessary easements.
7. Term of the Agreement in 20 years.
8. Provision for installation of necessary utilities.
9. Reimbursement to Village of certain fees and expenses.
10. Approval of landscaping and signage.
11. Other miscellaneous provisions.

The Village Attorney and Village Engineer have reviewed the proposed agreement and have found it to be acceptable. Trustee Younker asked for the concurrence of the Village Board to amend the annexation agreement to require installation of sidewalks now (including a required letter of credit, as it is a public improvement) and the submittal of an acceptable engineering plan showing the location of the proposed sidewalks along both 80<sup>th</sup> Avenue and 185<sup>th</sup> Street. A public hearing on the Agreement has been duly noticed for the November 3, 2015, regular Village Board meeting. Mayor Seaman asked if anyone cared to address the Board. Chris Kalischefski, Speedway Representative, provided a brief overview of the development project. Trustee Pannitto asked if any of the neighboring properties had issues with the proposed annexation and development. Amy Connolly, Planning Director, stated they did not. Trustee Pannitto also asked if this development would improve the ingress and egress. Mr. Kalischefski stated that was part of the development plan. The property owner, Chris Vandenberg, was in attendance at the meeting. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Pannitto, to place on first reading and direct the Village Attorney to draft **ORDINANCE 2015-O-048 ANNEXING PROPERTY LOCATED AT 8045 W. 185TH STREET FOR THE SPEEDWAY EXPANSION PROJECT**. Greenwave Capital Corporation submitted a petition for annexation of a 1.5 acre portion of the property located at 8045 W. 185th Street (PIN: Part of 19-09-02-200-014-0000) in coordination with an Annexation Agreement that is under consideration by the Village Board. The property is not wholly bound by the Village of Tinley Park, however the annexation is at the request of the property owner. Notice of the pending annexation has been sent to the Mokena Community Public Library District and also to Frankfort Township Highway Department. The property is not located in a fire protection district. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Grady, to place on first reading and direct the Village Attorney to draft **ORDINANCE NUMBER 2015-O-049 REZONING UPON ANNEXATION OF PROPERTY LOCATED AT 8045 W. 185TH STREET FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO M-1 GENERAL MANUFACTURING ZONING DISTRICT**. Speedway, with approval from the property owner Greenwave Capital Corporation, has submitted a petition requesting rezoning of a 1.5 acre portion of the property located at 8045 W. 185th Street (PIN: Part of 19-09-02-200-014-0000) in accordance with the Annexation Agreement. A public hearing on the rezoning was held at the Plan Commission meeting on September 3, 2015, and findings of fact were made regarding the rezoning. On a vote

of 7-0, the Plan Commission recommended approving the rezoning to the Village Board. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to place on first reading and direct the Village Attorney to draft **ORDINANCE NUMBER 2015-O-050 GRANTING A SPECIAL USE PERMIT FOR A SUBSTANTIAL DEVIATION FROM THE TINLEY CROSSING CORPORATE CENTER PLANNED UNIT DEVELOPMENT TO SPEEDWAY FOR PROPERTIES LOCATED AT 18460 S. 80TH AVENUE AND 8045 W. 185TH STREET**. The Applicant, Speedway seeks approval for a Special Use Permit for a Substantial Deviation from the approved Tinley Crossings Corporate Center Planned Unit Development with exceptions from the Village Zoning Ordinance as noted below. This substantial deviation is required in order to formally amend the Planned Unit Development to include the previously unincorporated property and to expand the proposed Speedway Automobile Service station.

Exceptions to the Zoning Ordinance requirements within this PUD include:

1. Lot area minimum for the M-1 District (3.84 acres provided; 5 acres required)
2. Lot depth minimum for the M-1 District (180' provided; 200' required)
3. Front yard setback for the Urban Design Overlay District (54' provided; 20' maximum)

The Plan Commission recommends the Special Use for a Substantial Deviation be approved with the following conditions, which must be satisfied prior to issuance of a Certificate of Occupancy:

1. Final Landscape Plan Approval;
2. Final Sign Plan Approval;
3. Withdrawal of State Gaming License for Video Gaming by Speedway for this location; and
4. No future application for Video Gaming for this location.

All the forgoing approvals are subject to the precondition of annexation by the Village of the 8405 W. 185th Street parcel.

The Plan Commission held a public hearing on September 3, 2015, and recommended approval of the Special Use Permit based on findings of fact, with conditions and exceptions to the PUD, on a vote of 7-0. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to place on first reading **RESOLUTION 2015-R-041 APPROVING A FINAL PLAT OF SUBDIVISION (CONSOLIDATION) FOR THE PROPERTIES LOCATED AT 8045 185TH STREET AND 18460 S. 80TH AVENUE – SPEEDWAY**. Speedway seeks approval for a Final Plat of Subdivision (Consolidation), for property located at 8045 W. 185th Street and 18460 S. 80th Avenue. The Plat approval is requested to facilitate consolidation of parcels necessary for the construction of an expanded Speedway automobile service station. The Plat formally combines the

two separate parcels into one larger lot and also provides for easements. The Plan Commission reviewed the Plat of Subdivision (Consolidation) and recommended approval. The Village Attorney and Village Engineer have also reviewed the plat and find it to be acceptable. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Trustee Vandenberg abstained from the vote. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Brady, to place on first reading **RESOLUTION NUMBER 2015-R-037 APPROVING AND ACCEPTING A SIDEWALK AND PUBLIC ACCESS EASEMENT AGREEMENT WITH STANDARD BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 10, 2014, AND KNOWN AS TRUST NUMBER 18556, AT 7777 W 159TH STREET WITHIN THE B-3 GENERAL BUSINESS DISTRICT.** The Village Board approved a Special Use for Dreamland Academy on August 18, 2015. The Special Use Permit was conditioned upon the property owner, Standard Bank and Trust Company (Trust Number 18586), agreeing to provide a public sidewalk easement for the portions of the public sidewalk located on private property and also formalizing cross access. The easements are necessary because portions of the public sidewalk along 159th Street currently exist on private property and there is also a need to ensure public cross access between this property and the property to the east. The agreement has been reviewed by the Village Engineer and the Village Attorney who finds it acceptable. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Grady, to place on first reading **RESOLUTION NUMBER 2015-R-038 APPROVING AND ACCEPTING A SIDEWALK AND PUBLIC ACCESS EASEMENT AGREEMENT WITH BRIXMOR/IA TINLEY PARK PLAZA LLC FOR PROPERTY NEAR 15903-15915 S. HARLEM AVENUE WITHIN THE TINLEY PARK PLAZA PLANNED UNIT DEVELOPMENT.** The Village Board approved a Special Use Amendment to the Tinley Park Plaza Planned Unit Development on June 16, 2015. The Special Use Permit was conditioned upon the property owner, Brixmor, agreeing to provide a public sidewalk easement for the portions of the public sidewalk located on private property and also formalizing cross access. The easements and agreement are necessary because portions of the public sidewalk along Harlem Avenue are proposed to be constructed on private property to accommodate the location of stormwater facilities. There is also cross access occurring between the property to the north and the subject property that requires a more formal agreement. The easement and agreement have been reviewed by the Village Engineer and the Village Attorney who find them acceptable. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Brady, to place on first reading **RESOLUTION NUMBER 2015-R-044 ACCEPTING A PLAT OF VACATION OF A PUBLIC UTILITY EASEMENT FROM BRIXMOR/IA TINLEY PARK PLAZA LLC FOR PROPERTY NEAR 15903-15915 S. HARLEM AVENUE WITHIN THE TINLEY PARK PLAZA PLANNED UNIT DEVELOPMENT.** The Village Board approved a Special Use/Amendment to the Tinley Park Plaza Planned Unit Development on June 16, 2015. In order to facilitate the development of an outlot building; an existing utility easement must be vacated because it is located where the new building is proposed. The proposed plat has been reviewed by the Village Engineer and the Village Attorney and found to be acceptable. Mayor Seaman asked if

anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Pannitto, to place on first reading **RESOLUTION NUMBER 2015-O-035 APPROVING AND ACCEPTING A PLAT OF PUBLIC UTILITY EASEMENT AND CROSS ACCESS WITH RBT INDUSTRIES, DOING BUSINESS AS THE GREAT ESCAPE, AT 17231 S. LAGRANGE ROAD WITHIN THE B-3 GENERAL BUSINESS DISTRICT.** Barry Pol, owner of RBT Industries, doing business as The Great Escape, requests consideration of a plat that grants a public utility easement for a water main and formalizes cross access easements for the property located at 17231 S. LaGrange Road. The utility easement is required to implement the approved site plan and utilities plans. Properties fronting LaGrange Road are required to provide cross access to neighboring properties as a measure of improving access management. The plat has been reviewed by the Village Engineer and the Village Attorney who find it acceptable. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Grady, to waive first reading, adopt and place on file **RESOLUTION NUMBER 2015-R- 042 AUTHORIZING A RELEASE OF EASEMENT IN FAVOR OF METRA REGARDING THE PROPERTY COMMONLY KNOWN AS THE 80TH AVENUE SOUTH COMMUTER PARKING LOT.** This item is generally in the nature of administrative cleanup related to a Management Agreement between the Village of Tinley Park and Metra, the Commuter Rail Division of the Regional Transportation Authority associated with the 80th Avenue South Commuter Parking Lot. In 1993, Metra entered into an easement agreement with the State of Illinois regarding property located north of Timber Drive and south of the Chicago Rock Island and Pacific Rail Road right of way for the development of what is now the 80th Avenue South Commuter Parking Lot in conjunction with the Village of Tinley Park. The related Management Agreement between Metra and the Village called for the Village to pay the related lease payments to the State called for by the easement agreement. In 2002, approximately 55 acres of property, which included the property covered by the 1993 easement, were deeded to the Village of Tinley Park by the State of Illinois. Since the Village of Tinley Park is now the beneficial owner of the property covered by the 1993 easement agreement, this easement is no longer required. Metra has requested that we release the easement prior to updating the Management Agreement. The Village Attorney has drafted the necessary Release of Easement and it has been found to be acceptable by Metra's legal counsel. This item was discussed and recommended for approval at the Committee of the Whole meeting held on October 13, 2015. It is requested that the first reading be waived to expedite clearing this item for the revised Management Agreement. Mayor Seaman noted 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: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Brady, to place on first reading **RESOLUTION NUMBER 2015-R-043 AUTHORIZING A DEMOLITION / REIMBURSEMENT AGREEMENT WITH TINLEY PARK PLACE, LLC FOR THE PROPERTY LOCATED AT 6724 NORTH STREET.** In 2011, the Village of Tinley Park entered into a demolition reimbursement agreement with Tinley Park Place, LLC as the owners or

beneficial owners of 6712 and 6742 North Street, to reimburse the costs for demolition of the vacant structures on those properties. That agreement also contemplated the possibility for similar reimbursements for the demolition of certain additional properties under the ownership or control of Tinley Park Place, LLC including 6706, 6724, and 6730 North Street. The current Agreement specifically addresses the demolition of 6724 North Street and will provide for a reimbursement of \$15,500. The Agreement will be filed as a lien against the property. Should the property be sold, the Village would be eligible to recoup this amount from the proceeds of the sale. The demolition expenses are a TIF eligible cost and there are sufficient funds available in the Main Street South TIF to satisfy this agreement. This item was discussed and recommended for approval at the Committee of the Whole meeting held on October 13, 2015. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Grady, seconded by Trustee Maher, to place on first reading **RESOLUTION NUMBER 2015-R-039 APPROVING A CHANGE ORDER WITH FOX VALLEY FIRE AND SAFETY FOR UPGRADE OF THE VILLAGE'S RADIO FIRE ALARM NETWORK.** During Fiscal Year 2008, the Village began operating its wireless radio fire alarm program, utilizing radio transmitters, instead of hard line telephone lines. The wireless network has proven to be more reliable and cost effective for business owners and the Village. In 2012, the original five year maintenance agreement with Fox Valley Fire and Safety (service provider) expired and the Village competitively bid the program. Fox Valley was identified as the lowest responsive and responsible bidder under that process. Recently, the Village was notified that some of the radio equipment would no longer be supported by the manufacturer due to its age. The proposed change order will provide for the upgrade of the equipment to the most recent version and will also allow the Village increased remote monitoring functions. The Village finds the following related to the change order:

- The circumstances necessitating the change order were not reasonably foreseeable at the time the contract was signed;
- The changes affected by the change order are germane to the original contract as signed; and
- The changes effected by the change order are in the best interests of the Village and are authorized by law.

Funds for this expenditure are included in the current fiscal year budget. This item was discussed at the Public Safety Committee meeting held on October 6, 2015. Consider approval of Resolution number 2015-R-039 approving a change order with Fox Valley Fire and Safety for an upgrade of the Village's radio fire alarm network in an amount not to exceed \$27,900. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to place on the table indefinitely **RESOLUTION NUMBER 2015-R-036 ACCEPTING A PUBLIC UTILITY EASEMENT FROM HIGH STREET DEVELOPMENT, LLC (PRONGER SMITH MEDICAL CENTER) FOR THE PROPERTY LOCATED AT 17495 S. LAGRANGE ROAD.** Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Grady, to **AUTHORIZE A CONTRACT WITH OUTDOOR ACCENTS FOR OUTDOOR HOLIDAY DECORATIONS AT THE ZABROCKI PLAZA, DOWNTOWN TINLEY, AND THE OAK PARK AVENUE TRAIN STATION IN AN AMOUNT NO TO EXCEED \$18,940.50.** A total of four (4) companies provided competitive quotes to perform outdoor decoration installation, maintenance and take down services in Zabrocki Plaza, the surrounding Downtown Tinley area, and the Oak Park Avenue Train Station. Upon review of the quotes, it was determined that the most responsible and responsive price was provided by Outdoor Accents of Joliet, Illinois in an amount not to exceed \$18,940.50. This amount is \$11,059.50 under the budgeted amount. This contract is funded from the Hotel/Motel Tax Fund due to the impact of local tourism during the holiday season. Mayor Seaman noted 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: Maher, Grady, Pannitto, Younker, Brady. Nays: Vandenberg. Absent: None. Mayor Seaman declared the motion carried.

At this time, Mayor Seaman asked if anyone from the Board or staff would care to address the Board.

Mayor Seaman noted that the Tinley Park Chamber of Commerce Rocktober Event was a success.

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

Payton Hearst, of Windy City Cannabis, noted that this company has locations in Justice, Worth, Homewood and Posen to serve those who are suffering in the surrounding communities, including Tinley Park. He provided information to the Village Board on where patients can apply to be part of the Illinois Medical Marijuana Program.

Mike Stocklose, 19303 Enclave Lane, and a board member of the Brookside Townhome Association Phase 1 & 2, stated his concerns with the following:

- Traffic at 185<sup>th</sup> Street and 80<sup>th</sup> Avenue, near the Speedway Gas Station discussed earlier at this Board meeting. Mayor Seaman noted that 80<sup>th</sup> Avenue is under Will County jurisdiction and that the Village would attempt to intercede and ask that the County look at this closer. Jennifer Prinz, Village Engineer, stated that the County's plans for that intersect are to have a traffic signal and a dedicated right turn lane. The timeline for this County project is in the next five years.
- Weeds and tall grass growing on north Greenway Boulevard west of 80<sup>th</sup> Avenue. He noted that he has been in contact with Code Enforcement to no avail.

Mayor Seaman stated that Mr. Stocklose should meet with Mike Mertens after the Board meeting to discuss both of his concerns.

Motion was made by Trustee Grady, seconded by Trustee Maher, to adjourn the regular Board meeting. Vote by voice call. Mayor Seaman declared the motion carried and adjourned the regular Board meeting at 8:36 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:



David G. Seaman  
Mayor

ATTEST:



Patrick E. Rea  
Clerk