

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 NOVEMBER 7, 2017**

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 November 7, 2017. President Vandenberg called this meeting to order at 7:35 p.m. and led the Board and audience in the Pledge of Allegiance.

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
Absent:	None
Also Present:	
Village Manager:	David J. Niemeyer
Assistant Village Manager:	Patrick Carr
Village Attorney:	Patrick Connelly

Motion was made by Trustee Younker, seconded by Trustee Glotz, 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 Pannitto, to approve and place on file the minutes of the special and regular Village Board meetings held on October 17, 2017. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Glotz, 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 RESOLUTION NUMBER 2017-R-048 APPROVING THE SUBMISSION OF A PROJECT APPLICATION TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR FUNDING UNDER THE ILLINOIS TRANSPORTATION ENHANCEMENT PROJECTS (ITEP) PROGRAM. THE VILLAGE OF TINLEY PARK IS THE LOCAL SPONSOR AND APPLICANT FOR THE ELIGIBLE ITEP PROJECT ENTITLED *TINLEY PARK 80TH AVENUE BIKEWAY ADDITION TO THE 80TH AVENUE PROJECT* AND WILL UTILIZE ITS OPTIONS FOR A FLEXIBLE MATCH OF UP TO 20% OF THE \$850,000 IN ESTIMATED PROJECT COSTS.

Regular Meeting of the Board of Trustees - Minutes

- B. CONSIDER AWARDING AN EQUIPMENT LEASE AGREEMENT FOR THE DOWNTOWN HOLIDAY MARKET TENT TO PARTYTIME OF NILES, IL IN AN AMOUNT NOT TO EXCEED \$20,155.
- C. CONSIDER REQUEST FROM THE VFW POST 2791 TO CONDUCT A RAFFLE FROM NOVEMBER 7, 2017, THROUGH MAY 28, 2018, WITH THE WINNER BEING DRAWN ON MAY 28, 2018, AT THE VFW.
- D. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$2,454,343.10 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED OCTOBER 20, OCTOBER 27 AND NOVEMBER 3, 2017.

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 Berg, seconded by Trustee Glotz, to adopt and place on file **RESOLUTION 2017-R-050 RECOGNIZING HAILSTORM BREWERY CO. AS THE FIRST PLACE WINNER FOR ITS AMERICA-STYLE INDIA PALE ALE CATEGORY AT THE NATIONAL GREAT AMERICAN BEER FESTIVAL.** Hailstorm Brewery received a Gold Medal for its "Prairie Madness IPA" and a Silver Medal for its "Rock Out with Maibock Out" beers at the Great American Beer Festival, the premier U.S. beer festival and competition. 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 voice call. President Vandenberg declared the motion carried.

At this time, the Village Board received a presentation on the 2017 Tinley Wish Program. Jessica Waishwell appeared on behalf of Tinley Wish. This is the twenty second year that Tinley Wish has helped families in Tinley Park during the holidays. Gift wrapping for the families will take place at 9:00 a.m. on December 9, 2017, at the Police Department and delivery will begin at 9:00 a.m. on December 16, 2017, from the Police Department.

Motion was made by Trustee Younker, seconded by Trustee Mangin, to **APPOINT JOE FITZPATRICK TO THE POSITION OF PUBLIC WORKS WATER FOREMAN.** With the appointment of Jeff Cossidente as Interim Water Superintendent earlier this year, a vacancy was created in the Water Foreman position. The Village advertised the foreman position internally and received five (5) candidates. Upon completion of interviews, it was recommended that Joe Fitzpatrick be appointed the foreman position. Joe Fitzpatrick has worked with the Village since 2006 in the position of maintenance worker, 95% of which has been in the Water Department. If approved, this promotion will be effective on November 8, 2017. 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.

At this time, Trustee Glotz stated that he requests waiving of first reading for the next five (5) items. Four (4) of these items received an unanimous vote from the Plan Commission. As for Ordinance 2017-O-071, regarding a wall sign for the Aldi Grocery Store at 16000 Harlem Avenue, Trustee Glotz requests first reading be waived as an Economic Development initiative, noting that Aldi would like to have the sign erected prior to their Open House.

Regular Meeting of the Board of Trustees - Minutes

Trustee Glotz also noted that he will be bringing a policy to waive first reading on non-controversial Planning items before the Community Development Committee on November 14, 2017.

Motion was made by Trustee Glotz, seconded by Trustee Younker, to waive first reading, adopt and place on file **ORDINANCE NUMBER 2017-O-069 GRANTING VARIATIONS FROM THE VILLAGE ZONING ORDINANCE TO CONSTRUCT A FREESTANDING FRAME SIGN AND AN ACCESSORY STRUCTURE AT 6811 HICKORY STREET IN THE DOWNTOWN CORE (DC) LEGACY ZONING DISTRICT**. The petitioner, Mr. Jim Richert, of the Banging Gavel Properties, LLC, is requesting the following variations:

1. A three foot (3') variance from Section XII.4.E. (Table 4.E.1.) of the Zoning Ordinance where the maximum height for a freestanding frame sign is four feet (4'). This variance would allow for a seven foot (7') tall freestanding frame sign.
2. A nine foot (9') variance from Section XII.4.E. (Table 4.E.1.) of the Zoning Ordinance where a freestanding frame must be set back ten feet (10') from the property line. This variance would allow for the freestanding frame sign to be set back one foot (1') from the north property line.
3. A thirteen foot (13') variance from Section XII.2.A.9. (Table 2.A.6.) of the Zoning Ordinance where an accessory structure is required to be set back twenty feet (20') from a primary street. This variance would allow a pergola at a seven foot (7') setback from the east property line.

The Plan Commission held a Public Hearing on October 19, 2017, and after consideration of the Findings of Fact, voted unanimously (7-0) to approve the Variations with the following condition:

1. That the Landscape Plan be revised to indicate additional plant material (per the recommendation of the Village's Landscape Architect) in the public frontage between the east property line and the sidewalk.

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 Younker, to waive first reading, adopt and place on file **RESOLUTION NUMBER 2017-R-049 APPROVING A PLAT OF SUBDIVISION FOR PROPERTY LOCATED AT 6811 HICKORY STREET (BANGING GAVEL) IN THE DOWNTOWN CORE (DC) LEGACY ZONING DISTRICT**. The petitioner, Mr. Jim Richert, of the Banging Gavel Properties, LLC, is requesting approval of a Plat of Subdivision for the property located at 6811 Hickory Street. The plat subdivides the property into 3 parcels. Parcel 1 and 3 will be acquired by the Village as part of the approved incentive agreement. Parcel 2 will remain under the ownership of Banging Gavel Properties and includes the historic Vogt Building and one parking space for the residential unit on the top floor. 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.

Regular Meeting of the Board of Trustees - Minutes

Motion was made by Trustee Glotz, seconded by Trustee Younker, to waive first reading, adopt and place on file **RESOLUTION NUMBER 2017-R-047 – GRANTING A PUBLIC UTILITY EASEMENT TO THE VILLAGE OF TINLEY PARK – TINLEY PARK CORPORATE CENTER – HILLWOOD**. The petitioner, Samuel Phillippe of Manhard Engineering, on behalf of Hillwood, requests approval of a Plat of Easement for a public utility easement at 18801 Oak Park Avenue. The plat will provide easement provisions to ComEd, AT&T, Nicor Gas, and the Village along the east side of the property. The Village Engineer reviewed and approved the plat. The Plat of Easement requires approval from the Village Board; Plan Commission review is not required. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. Trustee Pannitto asked if these are underground easements. Trustee Glotz stated yes. 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 Brady, to waive first reading, adopt and place on file **ORDINANCE NUMBER 2017-O-068 GRANTING VARIATIONS TO ALLOW THE CONSTRUCTION OF A PAVILION IN THE FRONT YARD OF THE FAITH UNITED PRESBYTERIAN CHURCH LOCATED AT 6200 167TH STREET IN THE R-1 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT**. The petitioner, Faith United Presbyterian Church, is requesting the following Variations:

1. A ten foot (10') Variation from Section III.H.1. of the Zoning Ordinance where the required front yard setback for an accessory structure is forty feet (40') in the R-1 (Single-Family Residential) Zoning District; and
2. A three hundred thirty-six (336) square foot Variation from Section III.I.2.b. of the Zoning Ordinance where the maximum floor area for an accessory structure is seven hundred twenty (720) square feet.

These Variations will allow the petitioner to construct a 1,056 square foot pavilion at a thirty foot (30') setback from the west (Gaynelle Road) property line at 6200 167th Street in the R-1 (Single-Family Residential) Zoning District.

The Zoning Board of Appeals held a Public Hearing on October 26, 2017, and voted 4-0 in support of the variation request. 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 Mangin, to waive first reading, adopt and place on file **ORDINANCE NUMBER 2017-O-071 GRANTING A SPECIAL USE FOR A SUBSTANTIAL DEVIATION FROM THE PARK CENTER PLAZA PLANNED UNIT DEVELOPMENT TO ERECT WALL SIGNS FOR THE ALDI GROCERY STORE AT 16000 HARLEM AVENUE IN THE B-3 (GENERAL BUSINESS AND COMMERCIAL, PARK CENTER PLAZA PLANNED UNIT DEVELOPMENT) ZONING DISTRICT**. The petitioner, Doyle Signs, Inc. on behalf of Aldi, is requesting a Special Use Permit for a Substantial Deviation from the Park Center Plaza Planned Unit Development to allow for an increase in the size and number of signs allowed for Aldi at 16000 Harlem Avenue. The proposed Substantial Deviation would allow a total of four (4) wall signs where the Zoning Ordinance only allows one (1) and a total sign face area for all four signs of 184 sq. ft. where the ordinance only allows 114 sq. ft. and a main sign with a height of twelve feet (12') where the ordinance only allows a maximum of seven feet (7'). A public hearing was held on

Regular Meeting of the Board of Trustees - Minutes

October 19, 2017, where a vote of 6-1 approved the requested Special Use. 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 Mangin, seconded by Trustee Pannitto, to place on first reading **ORDINANCE NUMBER 2017-O-063 LEVYING TAXES FOR CORPORATE PURPOSES FOR THE VILLAGE OF TINLEY PARK 2017 TAX LEVY YEAR.** The property tax levy request for 2017 will be set at \$25,541,964. This amount is unchanged from last year end thus represents a 0% increase over the previous year's total dollars. The Village levy amount has not changed for the past four years (tax year 2013). This levy amount is net of the abatements for debt service considered in Ordinances 2017-O-064 through 2016-O-067 in a total amount of \$2,677,045. If these funds were not abated, the total required levy would be \$28,219,009 and would represent an increase of 9.3%. The Village of Tinley Park portion of the levy amounts to \$19,980,020. This amount is \$630,723 lower than the Village's traditional levy tax cap formula would permit. The Tinley Park Public Library portion of the levy amounts to \$5,561,944 and is also unchanged from the prior year (and unchanged since tax year 2012). Since the levy increase is less than 5% of the prior year's extended levy, publication of a Truth in Taxation notice (Black Box) and Public Hearing are not required. The amount of the levy was reviewed and determined at the Finance Committee meeting held on October 24, 2017. The Library Levy request was approved at the Library Board meeting held on October 25, 2017. President Vandenberg asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Mangin, seconded by Trustee Pannitto, to place on first reading **ORDINANCE NUMBER 2017-O-064 ABATING A PORTION OF THE 2017 TAX LEVY REQUIREMENTS AS PROVIDED FOR IN THE BOND ORDER DATED MARCH 3, 2009, IN CONNECTION WITH THE ISSUANCE OF \$10,235,000 GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2009, OF THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS.** The 2017 tax levy for this bond issue is established at \$1,170,495 and the Village is in a position to abate \$820,495 of this levy from the following sources and amounts:

Water and Sewer Revenue Fund	\$397,229.14
Tax/Bond Stabilization Fund	\$317,728.36
Surtax Capital Projects Fund	\$105,537.50

The net levy for this bond issue will be \$350,000. President Vandenberg asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Mangin, seconded by Trustee Glotz, to place on first reading **ORDINANCE NUMBER 2017-O-065 ABATING A PORTION OF THE 2017 TAX LEVY REQUIREMENTS AS PROVIDED FOR IN THE BOND ORDER DATED AUGUST 16, 2011, IN CONNECTION WITH THE ISSUANCE OF \$5,940,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, OF THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS (LIBRARY).** The 2017 tax levy for this bond issue is established at \$681,000 and the Village is in a position to abate \$150,000 of this levy from the Village's Surtax Capital Projects Fund. The net levy will be \$531,000 for this bond issue. This debt service item appears as part of the levy for the Tinley Park Public Library. President Vandenberg asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Mangin, seconded by Trustee Berg, to place on first reading

Regular Meeting of the Board of Trustees - Minutes

ORDINANCE NUMBER 2017-O-066 ABATING ALL OF THE 2017 TAX LEVY REQUIREMENTS AS PROVIDED FOR IN THE BOND ORDER DATED JANUARY 26, 2012, IN CONNECTION WITH THE ISSUANCE OF \$5,235,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012 OF THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS. The 2017 tax levy for this bond issue is established at \$754,700 and the Village is in a position to abate the entire amount of this levy from the following sources and amounts:

Water and Sewer Revenue Fund	\$397,614.10
Storm Water Management Fund	\$226,410.00
Surtax Capital Projects Fund	\$148,675.90

President Vandenberg asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Mangin, seconded by Trustee Pannitto, to place on first reading **ORDINANCE NUMBER 2017-O-067 ABATING ALL OF THE 2017 TAX LEVY REQUIREMENTS AS PROVIDED FOR IN THE BOND ORDER DATED JUNE 5, 2013, IN CONNECTION WITH THE ISSUANCE OF \$11,340,000 GENERAL OBLIGATION BONDS, SERIES 2013, OF THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS.** The 2017 tax levy requirement for this bond issue is established at \$951,850 and the Village is in a position to abate the entire amount of this levy from the following sources and amounts:

Hotel/Motel Tax Fund/Oak Park Avenue TIF	\$380,740.00
Surtax Capital Projects Fund	\$407,905.80
Water & Sewer Fund	\$135,971.78
Stormwater Management Fund	\$17,009.56
Main Street South TIF	\$10,222.86

President Vandenberg asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Vandenberg declared the motion carried.

At this time Trustee Mangin and Village Treasurer Bettenhausen presented an overview of the levy and abatement items,

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

Clerk Thirion welcomed Cub Scout Pack 442 from Tinley Park Community Church to the Board meeting. She also noted that the Village received a request from Justin Koch, a Tinley Park Soldier, requesting a Tinley Park flag for his father, who is also a soldier. Justin noted that his father brings the Tinley Park flag with him on deployment in honor of Staff Sargent Michael Sutter.

Clerk Thirion also stated the small Tinley Park flags are available at the Clerk's Office for citizens who would like to bring a bit of Tinley Park on their travels. The Village looks to get as many miles on these flags as possible. Citizens can take the flag on trips and return it to the Clerk's Office to await its next adventure.

Clerk Thirion also noted that the FOIA Management System has had a temporary service interruption

Regular Meeting of the Board of Trustees - Minutes

and should be back on track soon. The public can still access the system on the website but will see a different format. The former format will be reinstated soon.

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

A citizen spoke to the duties and ethics of the Village Manager position. He noted that he would like to ask the Assistant Village Manager a few questions. President Vandenberg stated that this is a time for Public Comment, not a time for questions and answers.

A citizen noted references to the Administration and Legal Committee meeting held on October 24, 2017. He then stated concerns about section 2.11 of the employee manual regarding dual capacity employment. Mr. Paus stated that he would like this issue discussed in open forum. Trustee Pannitto noted that Pat Carr did hold both positions during his interim period. Trustee Pannitto also noted that Mr. Paus is referring to the Personnel Manual, not an ordinance. Trustee Glotz note that Mr. Carr was not paid for both positions.

A citizen asked Trustee Brady for an update regarding security cameras. Trustee Brady noted that item will be on the next Public Safety Committee meeting. Trustee Brady noted that the security cameras are in the process of being installed. Assistant Public Works Director, John Urbanski, stated that he is in communication with the company providing the cameras and they are working out the details of the project specifications. He is hoping they will be installed in the next few weeks.

A citizen stated she is concerned with Stephen Eberhardt being appointed to a position at the Village.

A citizen stated her concerns regarding the website posting of an ethics complaint she filed with the Village. She noted this complaint was initially posted on the Village website without redacting her personal information. She stated that she called the 911 Center and asked that the Mayor be contacted regarding this posting and was unhappy with the way this issue was handled by Village Management.

A citizen is concerned about the number of items being discussed in executive session and the lack of transparency. He also had concerns with the attorney appointed to investigate ethics complaints and the public comment policy. The Village Attorney noted that the Village Ethics Code states that the Village Attorney provide a list of independent attorneys to the Board. As ethics complaints come in, the Board goes automatically to the next attorney on the list. Mr. Doyle would like to see the Ethics Code updated.

A citizen would like an investigation into the posting of the unredacted ethics complaint.

A citizen has concerns about a contract with Denler Inc. He feels there may have been an ethics violation in conjunction with this contract.

A citizen stated concerns why the EMA Director position was not posted publicly as other positions have been. She also had concerns about the appointment of the attorney for the Ethics Complaint as President Vandenberg.

A citizen has concerns about appointment positions occurring without full Board vote. She is concerned that the appointment process is not being followed.

Regular Meeting of the Board of Trustees - Minutes

Motion was made by Trustee Brady, seconded by Trustee Berg, at 8:41 p.m. to adjourn to Executive Session to discuss the following:

- A. LITIGATION, WHEN AN ACTION AGAINST, AFFECTING OR ON BEHALF OF THE PARTICULAR PUBLIC BODY HAS BEEN FILED AND IS PENDING BEFORE A COURT OR ADMINISTRATIVE TRIBUNAL, OR WHEN THE PUBLIC BODY FINDS THAT AN ACTION IS PROBABLE OR IMMINENT, IN WHICH CASE THE BASIS FOR THE FINDING SHALL BE RECORDED AND ENTERED INTO THE MINUTES OF THE CLOSED MEETING.
- B. THE PURCHASE OR LEASE OF REAL PROPERTY FOR THE USE OF THE PUBLIC BODY, INCLUDING MEETINGS HELD FOR THE PURPOSE OF DISCUSSING WHETHER A PARTICULAR PARCEL SHOULD BE ACQUIRED
- C. THE SETTING OF A PRICE FOR SALE OR LEASE OF PROPERTY OWNED BY THE PUBLIC BODY.
- D. 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.

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 Pannitto, to reconvene the regular Board meeting. Vote on 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 9:49 p.m.

Motion was made by Trustee Younker, seconded by Trustee Mangin, to adjourn the regular Board meeting. Vote by voice call. President Vandenberg declared the motion carried and adjourned the regular Board meeting at 9:49 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:



Deputy Village Clerk