

**MINUTES OF THE BOARD OF TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD JANUARY 22, 2013**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on January 22, 2013. President Zabrocki called this meeting to order at 8:00 p.m. and led the Board and audience in the Pledge of Allegiance.

Present and responding to roll call were the following:

Village President:	Edward J. Zabrocki.
Village Clerk:	Patrick E. Rea
Trustees:	David G. Seaman
	Brian S. Maher
	Thomas J. Staunton, Jr.
	Patricia A. Leoni
	T.J. Grady

Absent:	
Trustee:	Gregory J. Hannon

Also Present:	
Village Manager:	Scott R. Niehaus
Village Attorney:	Thomas M. Melody
Village Engineer:	Jennifer S. Prinz

Motion was made by Trustee Seaman, seconded by Trustee Staunton, Jr., to approve the agenda as written or amended for this meeting. Vote by voice call. President Zabrocki declared the motion carried.

Motion was made by Trustee Staunton, Jr., seconded by Trustee Leoni, to approve and place on file the minutes of the regular Village Board meeting held on January 8, 2013. Vote by voice call. President Zabrocki declared the motion carried.

President Zabrocki presented the following consent agenda items:

- A. REQUEST FROM VFW POST 2791 TO CONDUCT A RAFFLE BEGINNING ON JANUARY 23, 2013.
- B. REQUEST FROM TINLEY PARK LIONESSE CLUB TO CONDUCT A RAFFLE ON SUNDAY, APRIL 28, 2013.
- C. REQUEST FROM AUTISM SPEAKS TO CONDUCT A FUNDRAISER ON APRIL 6, 2013.
- D. PAYMENT OF IMPACT FEES IN THE AMOUNT OF \$7,600 TO KIRBY SCHOOL DISTRICT 140 TO BE PAID FROM THE ESCROW FUND.

E. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,232,394.20 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED JANUARY 11, 18, 2013.

Motion was made by Trustee Grady, seconded by Trustee Staunton, Jr., to approve the consent agenda items. Vote on roll call: Ayes: Seaman, Maher, Staunton, Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Leoni, to adopt and place on file ORDINANCE NUMBER 2013-O-001 GRANTING A SPECIAL USE PERMIT FOR A SUBSTANTIAL DEVIATION TO THE EXISTING BROOKSIDE MARKETPLACE PLANNED UNIT DEVELOPMENT – LOT 21 TENANT SIGNAGE. DDR Brookside LLC is proposing to renovate the existing multi-tenant building located on Lot 21 within the Brookside Marketplace Planned Unit Development in order to accommodate a new tenant roughly 23,000 square feet in size. On December 20, 2012, the Plan Commission granted site plan approval to allow for certain modifications to the building and site plan, and also held a Public Hearing to consider a Special Use to the PUD to allow for a substantial deviation to the shopping center's wall-mounted signage regulations as follows:

1. To allow the future 23,000 square foot tenant on Lot 21 to have four (4) foot tall wall-mounted channel letters on the front and back of the commercial building where three (3) feet is the maximum allowed per the existing PUD.

The Plan Commission recommended approval of the Special Use by a vote of 7-0-0. President Zabrocki 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: Seaman, Maher, Staunton, Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Grady, to adopt and place on file ORDINANCE NUMBER 2013-O-003 GRANTING A SPECIAL USE FOR CERTAIN ON-SITE AUTOMOBILE REPAIR AND INSTALLATION USES AS A "OTHER SIMILAR AND COMPATIBLE USE" FOR ADVANCE AUTO PARTS & AETNA DEVELOPMENT CORPORATION AT 7985 W. 159TH STREET AND WITHIN THE B-3 ZONING DISTRICT. In July of 2012, Aetna Development received site plan approval and a parking variation for an automobile parts and accessory store. This fall, the petitioner notified Planning staff that a list of "complimentary" services would be conducted in the parking lot of the business. Planning staff determined that these services constituted on-site automobile repair and installation as defined in our Village Ordinance and notified the petitioner that a special use would be necessary to consider these services as a "similar and compatible use" in the B-3 Zoning District.

The uses that are considered compatible with the approved retail automobile parts sales use shall include only:

1. Complimentary removal and installation of wiper blades;
2. Complimentary removal and installation of batteries, with the condition that battery replacement service will be performed only at a designated location adjacent to the east side of the building and north of the loading area and that there will be enhanced

- screening between the loading area and the east property line;
3. Complimentary diagnostic testing (using a handheld computer); and
4. Complimentary removal and installation of small auto parts such as fuses, light bulbs, and headlight bulbs.

The petitioner appeared before the Plan Commission on December 6, 2012, and a Public Hearing was held on December 20, 2012. The Plan Commission unanimously recommended approval of the special use, having met the findings of fact as discussed in the minutes of this meeting and as provided by the petitioner. President Zabrocki 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: Seaman, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Leoni, to adopt and place on file RESOLUTION 2013-R-004 APPROVING A BLANKET EASEMENT AGREEMENT BETWEEN THE VILLAGE OF TINLEY PARK AND ALPHAMED PHYSICIAN ENTERPRISES, LLC REQUIRED TO SATISFY CONDITIONS OF A GRANTED PARKING VARIATION. Petitioner AlphaMed Physician Enterprises, LLC, was granted a parking variation by the Village of Tinley Park in August, 2012, subject to the condition that a letter of credit for a future 60-space parking lot and wetland mitigation is submitted to the Village. In order to have the ability to act on that future letter of credit, the Village is required to hold a blanket easement over the AlphaMed site. The blanket easement gives the Village the legal right to build the parking lot and mitigate wetlands if a letter of credit expires or if AlphaMed is unable to satisfy the conditions of their granted parking variation. This easement agreement has been reviewed by the Village Attorney who finds the easement in a form and content acceptable to the Village. President Zabrocki 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: Seaman, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Staunton, Jr., to adopt and place on file RESOLUTION NUMBER 2013-R-003 APPROVING AND RECOMMENDING COOK COUNTY CLASS 8 RECLASSIFICATION WITH SPECIAL CIRCUMSTANCES FOR THE PROPERTY LOCATED AT 16846 SOUTH OAK PARK AVENUE (SIAM MARINA). This Resolution would provide support for the reclassification of the tax rate for the aforementioned property from 25% to 10% for a ten (10) year period. This property, located in Bremen Township, is already Cook County "certified eligible" for the Class 8 reclassification, pursuant to the Cook County Real Property Classification Ordinance. As the property has been vacant for less than 24 months, the Village recognizes the property is in need of "occupation with special circumstances" and the incentive benefits provided for in said ordinance. But for this Cook County incentive, the business owner will not be able to purchase this property for re-occupancy as a restaurant. The waiver of the 24 month abandonment duration is hereby supported and approved by the Village Board. This project meets the goals and objectives for encouraging redevelopment in downtown Tinley Park as set forth by the Economic and Commercial Commission and the Village Board of Trustees in previous meetings. This item was recommended for approval at the Finance and Economic Development Committee meeting held on January 8, 2013. President Zabrocki 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: Seaman, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Staunton, Jr., to AUTHORIZE A VENDOR LICENSE TO PARMESANS STATION, INC. LOCATED IN FRANKFORT, ILLINOIS, FOR RESTAURANT SERVICES AT THE 80TH AVENUE METRA STATION. The Village of Tinley Park has issued a Request for Proposal (RFP) for restaurant services for the 80th Avenue Metra Station. The RFP focused on servicing the needs of the daily Metra commuters as well as meeting the needs of the residents of Tinley Park. The vendor would have a non-exclusive license to provide restaurant services from 5:00 a.m. through the evening dinner hours. The vendor will have the opportunity to serve breakfast, lunch and dinner along with carryout and delivery, as well as host special events within the newly opened facility. A license agreement has been negotiated, with the vendor paying a base rent with sharing of 2% of the gross sales for the first \$300,000, with the percent increasing to 2.5% for sales beyond \$400,000. The vendor will be responsible for internal maintenance of the internal facility with the Village responsible for the external parking facilities. Proposals were received and two (2) rounds of initial interviews were conducted with a recommendation presented to the Finance Committee for formal recommendation prior to the Board meeting. As staff is still working to finalize the details relating to the warranty, Exhibit E, approval of the agreement with minor changes approved by the Assistant Village Manager and Village Attorney prior to the commencement by Licensee of operations. President Zabrocki 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: Seaman, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared the motion carried.

Motion was made by Trustee Staunton, Jr., seconded by Trustee Seaman, to adopt and place on file RESOLUTION NUMBER 2013-R-001 (IDOT RESOLUTION 13-00000-01-GM) AUTHORIZING AN APPROPRIATION OF UP TO \$2,600,000 FOR THE 2013 PAVEMENT MANAGEMENT PROGRAM. This Resolution between the Village of Tinley Park and the Illinois Department of Transportation would authorize the appropriation of up to \$2,600,000 for the purpose of maintaining streets and highways under the applicable provision of the Illinois Code from January 1, 2013, to December 31, 2013. This amount represents the projected maximum total expenditures for roadway resurfacing and maintenance under the Pavement Management Program (which is paid from MFT funds controlled by the State). Actual expenditures under this resolution will be subject to the amount of funds available. Any additional funds necessary for the 2013 Pavement Management Program would be subject to approval by the Village Board. Passage of this resolution will allow the Village to competitively bid the project prior to construction season in an effort to obtain the best possible unit pricing. If the Village Board does not authorize additional funding, the scope of the project can be reduced accordingly. This item was discussed and recommended for approval at the Special Committee of the Whole meeting held on November 27, 2012. President Zabrocki 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: Seaman, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared the motion carried.

Motion was made by Trustee Leoni, seconded by Trustee Staunton, Jr., to place on first reading RESOLUTION NUMBER 2013-R-005 CREATING AND AUTHORIZING A SPECIAL COMMISSION TO STUDY AND PROVIDE A WRITTEN RECOMMENDATION TO THE CORPORATE AUTHORITIES ON THE QUESTION OF TERM LIMITS FOR ELECTED OFFICIALS. On the November 6, 2012, general election ballot, an advisory referendum was included seeking comments from the citizens of Tinley Park on whether or not they are in favor of term limits. The advisory referendum question provided no specifics on how term limits would be

implemented and enforced. In response to the support shown on the referendum question, the Budget, Audit and Administration Committee discussed the creation of a special commission to study and provide a written report to the Village Board on the question of term limits. The creation of this commission is consistent with the historic approach of Village government for the past forty (40) years which places a value on thoughtful consideration and research into the questions raised by citizens. Furthermore, the commission is consistent with the past practice of including input from volunteers that have experience and background in the topic at hand. If approved, this commission would provide for an up to seven (7) member commission charged with independent data collection, research and presentation of a consensus report to be delivered to the Village Board within 180 days of their first meeting. It should be noted that in order for term limits to be implemented, a binding referendum question would have to be presented on an official ballot. Term limits cannot be adopted by local ordinance alone. This item was discussed at a meeting of the Budget, Audit and Administration Committee held on January 8, 2013, and was recommended for approval. President Zabrocki asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Zabrocki declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Staunton, Jr., to appoint Maureen Levins to the Crime Prevention Committee. President Zabrocki asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Zabrocki declared the motion carried.

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

Trustee Maher stated that Tinley Park's Emergency Management Agency has once again received state accreditation, one of only four local agencies in Cook County to achieve that status. The accreditation was received in accordance with the Illinois Emergency Management Act. In addition, the Village's emergency operations plan was approved with no deficiencies to effectively respond to any disaster or emergency situations. Accreditation certifies that the Village has fully implemented all current National Incident Management System compliance activities in accordance with U.S. Department of Homeland Security and State of Illinois directives.

Clerk Rea noted that the last day for Illinois residents to register to vote for the April 9, 2013, Consolidated Election is March 12, 2013.

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

Stephen Eberhardt, 7107 177th Place, Tinley Park, distributed a letter of engraved invitation to engage in debate to the Mayor and Trustees Seaman, Maher, and Grady from himself, Karen Weigand, Andrew DeLuca, Nancy Petro. President Zabrocki stated that this is a political matter and will not be discussed at a Village Board meeting.

Motion was made by Trustee Leoni, seconded by Trustee Staunton, Jr., to ADJOURN TO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING AT 8:18 P.M.

A. THE APPOINTMENT, EMPLOYEMENT, 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. LITIGATION, WHEN AN ACTION AGAINST, AFFECTING OR ON BEHALF OF THE PARTICULAR PUBLIC BODY HAS BEEN FILED AND IS PENDING BEFORE A COURT OR ADMINISTRATION 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.

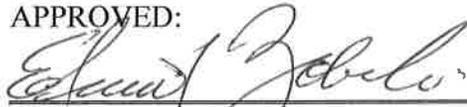
Vote on roll call: Ayes: Seaman, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Staunton, Jr., to reconvene the regular Board Meeting. Vote on roll call: Seaman, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Hannon. President Zabrocki declared motion carried and reconvened the regular board meeting at 9:19 p.m.

Motion was made by Trustee Seaman, seconded by Trustee Grady, to adjourn the regular Board meeting. Vote by voice call. President Zabrocki declared the motion carried and adjourned the regular Board Meeting at 9:20 p.m.

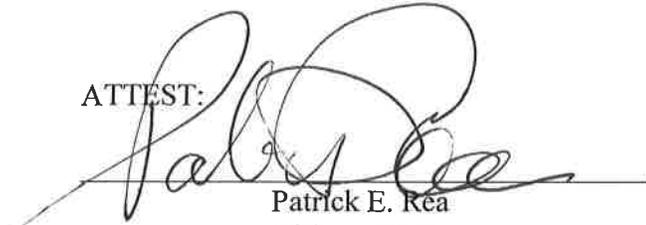
"PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item."

APPROVED:



Edward J. Zabrocki
President

ATTEST:



Patrick E. Rea
Village Clerk