

**MINUTES OF THE BOARD OF TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD FEBRUARY 19, 2013**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on February 19, 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:

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

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| Absent: | |
| Trustee: | None |

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

Motion was made by Trustee Hannon, seconded by Trustee Seaman, 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 Hannon, seconded by Trustee Leoni, to approve and place on file the minutes of the regular Village Board meeting held on February 5, 2013. Vote by voice call. President Zabrocki declared the motion carried.

President Zabrocki presented the following consent agenda items:

- A. REQUEST FROM V.F.W. POST 2791 TO CONDUCT A RAFFLE BEGINNING MARCH 1, 2013, CONCLUDING WITH A DRAWING ON AUGUST 25, 2013.
- B. REQUEST FROM TINLEY PARK POLICE D.A.R.E. PROGRAM TO CONDUCT A RAFFLE ON MONDAY, FEBRUARY 25, 2013, AT THE TINLEY PARK ROLLER RINK.
- C. REQUEST FOR BLOCK PARTY PERMIT ON SATURDAY, AUGUST 3, 2013, ON THE 6800 TO 6900 BLOCK OF 176TH PLACE FROM NOON TO 10:30 P.M.
- D. REQUEST FROM YOU CAN MAKE IT TO CONDUCT A FUNDRAISER ON TUESDAY, WEDNESDAY AND THURSDAY, MARCH 12TH, 13TH AND 14TH, 2013.

- E. REQUEST FROM ST. JUDE CHILDREN'S RESEARCH HOSPITAL TO CONDUCT A FUNDRAISER ON SATURDAY, MAY 25, 2013, AND SATURDAY, JUNE 22, 2013.
- F. PROCLAMATION HONORING THOMAS J. WETHERALD, FOUNDING MEMBER OF THE SOUTH SUBURBAN MAJOR CRIMES TASK FORCE ON HIS RETIREMENT FROM PUBLIC SERVICE.
- G. RESOLUTION NUMBER 2013-R-008 RECOGNIZING ERIK J. SPILLER ON ATTAINING THE RANK OF EAGLE SCOUT.
- H. RESOLUTION NUMBER 2013-R-009 RECOGNIZING JAMES KUT ON ATTAINING THE RANK OF EAGLE SCOUT.
- I. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,598,488.40 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED FEBRUARY 8, AND FEBRUARY 15, 2013.

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

At this time, President Zabrocki presented a plaque to the Board of Commissioners and Staff of the Tinley Park-Park District on being recognized as an Illinois Distinguished Accredited Agency for the years 2013 to 2018 by the Illinois Association of Park Districts and the Illinois Park and Recreation Association.

At this time, President Zabrocki and Health Inspector Bob Zamzow, presented awards to businesses that received 100% on their Health Inspection Reports in 2012. The following businesses received 100% Health Inspection reports at least three out of the last four times:

4K's Asian Mart, 9416 179th St;
7 - Eleven, 16658 S. Oak Park Ave.;
Aldi's, 16150 Harlem Ave.;
Arby's, 17900 LaGrange Rd.;
Creative Cakes, 16649 Oak Park Ave. - Unit F;
Greco's Nuts & Candy, 7950 167th St.;
Isabella's Restaurant, 17211 Oak Park Ave.;
Lou Malnati's Pizzeria, 9501 W. 171st St.;
McDonald's, 15900 S. Harlem Ave.;
Rubino's, 16635 S. Oak Park Ave.;
Subway, 17217 Oak Park Ave.

Motion was made by Trustee Hannon, seconded by Trustee Staunton, Jr., to adopt and place on file ORDINANCE NUMBER 2013-O-005 GRANTING FRONT YARD SETBACK VARIANCE FOR A FENCE AT 7831 DUNREE COURT WITHIN THE BROOKSIDE GLEN PLANNED UNIT DEVELOPMENT (LENSE). The petitioners, Kathryn and Todd Lense, of 7831 Dunree Court, have requested a 13 foot variance from the Brookside Glen Planned Development, to allow for a seven-(7) foot setback for a fence on the Mayfield Place (east property line) frontage, where a twenty-(20) foot setback is required. The property is a corner lot and located in the R-2 PD Single Family

Residential Planned Development (Brookside Glen) Zoning District. The petitioner is requesting this variance in order to allow for the construction of a new six- (6) foot tall fence. The request is for a thirteen- (13) foot variance, which will allow this fence to attach directly to the neighbor's fence at the rear of the property. A Public Hearing was held at the Zoning Board of Appeals on January 24, 2013. On a vote of 6-0-0, the ZBA recommended that the Village Board grant the variance to allow for a thirteen- (13) foot variance to the required twenty- (20) foot front yard setback, resulting in a seven- (7) foot front yard setback on the Mayfield Place frontage of this corner lot. President Zabrocki noted that this Ordinance 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, Hannon, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: None. President Zabrocki declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Grady, to adopt and place on file RESOLUTION NUMBER 2013-R-006 AUTHORIZING THE EXECUTION OF AN INDUCEMENT AGREEMENT FOR GOLDEN FIVE, INC. (GOLDEN CORRAL). This inducement agreement between the Village of Tinley Park and GOLDEN FIVE, INC is associated with the construction of a new 11,088 square foot Golden Corral Restaurant at 6803 West 159th Street in Tinley Park. This project is estimated to cost at least \$3.5 million. But for the incentive, the developers confirm that the project will not be constructed. The project will conform to all Village codes and ordinances, and will employ at least 100 people. This incentive would provide a 50 percent reduction in fees charged by the Village Building and Planning Departments, not exceeding a savings of \$14,000. Additionally, an incentive would be provided to encourage outstanding sales performance of at least \$5 million per year. Village Sales Tax revenue will be shared each year, for a maximum of 10 years. Only when verified Village Sales Tax receipts from Golden Corral reach or exceed \$50,000 (one percent sales tax on \$5 million in sales) in any year will this incentive apply. The Village would receive 100 percent of all sales tax revenue each year up to \$50,000 and share 50 percent of all sales tax revenue in excess of \$50,000 in that annual period. This incentive is not guaranteed. This agreement was recommended for approval by the Economic and Commercial Commission and by the Finance and Economic Development Committee at a meeting on January 22, 2013. President Zabrocki noted that this Resolution 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: Hannon. Absent: None. 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-007 APPROVING AND RECOMMENDING COOK COUNTY CLASS 8 RECLASSIFICATION FOR THE PROPERTY LOCATED AT 6803 WEST 159TH STREET (GOLDEN CORRAL). This Resolution would provide support for the reclassification of the assessment of the aforementioned property from 25% to 10% for a ten (10) year period. Because this property is located in Bremen Township it is already Cook County "certified eligible" for the Class 8 reclassification, pursuant to the Cook County Real Property Classification Ordinance. But for this Cook County incentive, the business owner will not construct a new \$3.5 million restaurant. This project meets the goals and objectives for encouraging redevelopment in 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 22, 2013. President Zabrocki noted that this Resolution 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: Hannon. Absent: None. President Zabrocki declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Hannon, to place on first reading RESOLUTION NUMBER 2013-R-010 AUTHORIZING A NON-EXCLUSIVE LICENSE AGREEMENT WITH CAVELLINI'S LLC, TINLEY PARK, ILLINOIS, FOR RESTAURANT SERVICES AT THE OAK PARK AVENUE TRAIN STATION. The Village of Tinley Park has negotiated a non-exclusive license agreement with Cavellini's LLC for restaurant services at the Oak Park Avenue Metra Station. The license 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 breakfast and lunch services from 5:15 a.m. through 1:00 p.m. on Monday through Friday and 6:30 a.m. to 1:00 p.m. on Saturdays, along with special events within the facility outside of day to day hours. 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. This item was discussed at the Finance and Economic Development Committee meeting held prior to this Board meeting and 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 Seaman, seconded by Trustee Hannon, to place on first reading RESOLUTION NUMBER 2013-R-011 APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF TINLEY PARK AND COOK COUNTY FOR ACCESS TO GEOGRAPHIC INFORMATION SYSTEMS. In December 2011, the Village adopted an agreement to join the GIS Consortium. In order to maintain the GIS data, the Village regularly needs to obtain updated parcel information from Cook County by way of an intergovernmental agreement like this one. Per the terms of the intergovernmental agreement, the GIS data is made available to the Village at no cost. 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 Seaman, seconded by Trustee Hannon, to authorize A PROFESSIONAL SERVICES AGREEMENT WITH GOVTEMPSUSA, LLC FOR PROVISION OF A TEMPORARY ACCOUNTANT. During the past year, the Finance Department benefited from the expanded availability of an individual who had participated in the Finance Department's internship program for several seasons. Because of the experience garnered over several seasons of internships, he had a good understanding of a variety of accounting activities and functions and was able to take on a number of assignments with little supervision. In December, this individual found other full time employment and left Village employ. This has effectively left a void in the staffing of the Finance Department during the current critical and labor intensive budget preparation season. In order to fill this staffing need as quickly as possible, contract staffing through a temporary service was sought. The Village has utilized temporary staffing services on a number of occasions to fill manpower needs. The Village has previously utilized the services of GovTempsUSA, LLC and has been pleased with their services and the staffing candidates they have offered. This agreement would provide a staff accountant with extensive governmental accounting experience for the equivalent of three days a week over a period of three months at an hourly rate of \$42 which will help the fill the immediate staffing needs of the Finance Department without delays associated with the normal hiring process. Should the Village wish to later hire this individual following the termination of the service agreement, the agreement stipulates that the Village would pay GovTempsUSA a "finder's fee" that is the equivalent of two weeks pay. The Village has also used such "temp to hire" provisions in the past to fill staffing needs in the computer/IT area which allowed the Village to vet the skills and

compatibility of the contract staffing before a potential hire. Sufficient funds are budgeted for this purpose. This item was discussed at the Finance and Economic Development Committee meeting held prior to this Board meeting and recommended for approval. 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, Hannon, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: None. President Zabrocki declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Grady, to authorize AN AGREEMENT WITH LANDHEIM TRAINING CENTER FOR THE PURCHASE AND ASSOCIATED TRAINING OF A POLICE CANINE. The Village's current canine, Thor, is set to retire on June 1, 2013. The current fiscal year has funds in the amount of \$12,500 available for the purchase of new Village canine and the associated costs of training the dog and the next K-9 officer. The Village has purchased the last four (4) police dogs from Landheim training center and found their animals and training to be acceptable. If the proposed contract is approved by the end of February, the new canine is expected to be able to be purchased and trained by the time Thor retires in June. The Village Attorney has reviewed the proposed agreement and found it to be acceptable. 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, Hannon, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: None. President Zabrocki declared the motion carried.

Motion was made by Trustee Staunton, Jr., seconded by Trustee Seaman, to SET 1:30 P.M. ON MARCH 13, 2013, AS THE DATE AND TIME TO RECEIVE BIDS FOR 2013 PARKWAY ASH TREE TREATMENT FOR THE EMERALD ASH BORER. Public Works requests consideration to set a bid date and time for a service contract to seek a qualified contractor to treat ash trees to protect the remaining uninfected ash tree population from the Emerald Ash Borer throughout the Village. The Village Board approved the use of funding at the midyear budget review held on November 27, 2012, the proposed treatment to occur this Fiscal Year. In addition, an inventory of all Village trees has recently been completed and longer term plan to address the Emerald Ash Borer issue will be discussed as part of the Fiscal Year 2014 budget. 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 Staunton, Jr., seconded by Trustee Maher to appoint THOMAS KOPANSKI TO THE POSITION OF WATER SUPERINTENDENT. The Village underwent an extensive search to fill the position of Water Superintendent. Over fifty (50) applications were received by the Village and a total of seven (7) applicants were interviewed for the position. The final two (2) candidates also completed a half day assessment center. Upon completion of the interviews and assessment center, the Village has selected Thomas Kopanski to fill the position. Mr. Kopanski is well qualified, with applicable work experience. Mr. Kopanski currently works in the local government field in the state of Georgia and holds numerous water certifications. 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 Seaman, seconded by Trustee Grady, to appoint THE COMMISSIONERS FOR THE TINLEY PARK COMMISSION ON TERM LIMITS. On February 5th, 2013, the Village Board adopted Resolution 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. The Mayor has chosen seven (7) Commissioners to

serve on this Special Commission who have professional and executive experience. This Commission will develop a series of questions to assist in the analysis of term limits of local municipal governments. The Commissioners will direct the research staff to gain the maximum amount of information from throughout the nation on this concept. The Commission, as mandated by Resolution, must prepare analysis and recommendations if any to the Village Board not later than 180 days after the first meeting of the Commission. The following Commissioners were appointed: Justice Kent Slater, The Honorable Donald E. Peloquin, John Perry, David Ribbens, Neil J. Finerty, The Rev. Mark Timmer, and Dr. Vita Meyer. 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 Leoni congratulated the Tinley Park-Park District on being recognized as an Illinois Distinguished Accredited Agency for the years 2013 to 2018 by the Illinois Association of Park Districts and the Illinois Park and Recreation Association.

Trustee Seaman noted that when Trustee Leoni sat on the Board of Commissioners for the Tinley Park-Park District she was the spark that began the accreditation process.

Clerk Rea spoke to the distinguished caliber of the Commissioners who have been appointed to the Term Limit Commission. These Commissioners felt the Term Limit issue must be looked at very closely as it will effect the Village for many years to come, as well as other municipalities.

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

Andy DeLuca, 6321 Pine Ridge Court, stated his concerns with choosing Public Works superintendents from outside of the Village. President Zabrocki noted that the Village chooses individuals who are best for the community. The Village extends the search to the residents of the Village but it is not a requirement that applicants should live in the Village. Mr. DeLuca then asked why there are no bid contracts issued in the Village, specifically for Robinson Engineering. Trustee Hannon stated that these are Professional Service contracts and that the Village has had a working relationship with Robinson Engineering for many years. Professional Service contracts are excluded from the bidding process. Relationships are developed with professional people. These people have knowledge that is beneficial to the overall workings of the Village and their knowledge of Village infrastructure. It is important to keep that continuity. Mr. DeLuca stated his concerns with a Professional Service contract with Robinson Engineering which was authorized on January 8, 2013. Trustee Staunton explained that contract was our engineering design and field inspections for the annual 2013 Pavement Management Program.

Stephen Eberhardt, 16710 Oak Park Avenue, asked if was appropriate at this time to address Clerk Rea regarding his presentation on FOIA at the Committee of the Whole meeting held on February 12, 2013. Trustee Hannon stated that Mr. Eberhardt should address the Clerk at another time and that the comments on the FOIA presentation would be out of order at this Board meeting. Clerk Rea did not have an issue with discussing this at the Board meeting. The Mayor stated that initially Mr. Eberhardt could proceed with addressing the Clerk. At this time Mr. Eberhardt gave the Clerk a document addressing the issues. The Village President noted that if this is going for more that 10 minutes it was not appropriate for the Board meeting.

Motion was made by Trustee Hannon, seconded by Trustee Staunton, Jr., to adjourn the regular Board meeting. Vote by voice call. President Zabrocki declared the motion carried and adjourned the regular Board Meeting at 8:38 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