

**MINUTES OF THE BOARD OF TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD APRIL 2, 2013**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on April 2, 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
Gregory J. Hannon
Brian S. Maher
Patricia A. Leoni
T.J. Grady

Absent:
Trustee: Thomas J. Staunton, Jr.

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 March 19, 2013. Vote by voice call. President Zabrocki declared the motion carried.

President Zabrocki presented the following consent agenda items:

- A. REQUEST FROM INDIAN BOUNDARY YMCA OF METRO CHICAGO TO CONDUCT A FUNDRAISER ON APRIL 19 AND APRIL 20, 2013.
- B. REQUEST FROM MIDWEST NEUROFIBROMATOSIS TO CONDUCT A FUNDRAISER ON MAY 4 AND MAY 5, 2013.
- C. REQUEST FROM ALS LES TURNER FOUNDATION TO CONDUCT A FUNDRAISER ON MAY 18, 2013.
- D. CONSIDER REQUEST FROM THE CHERUBS ILLINOIS TO PROCLAIM FRIDAY, APRIL 19, 2013, AS "CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS DAY" IN THE VILLAGE OF TINLEY PARK.

E. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$ 526,061.50 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED MARCH 22, AND MARCH 29, 2013.

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

At this time President Zabrocki, Trustee Maher and the Village Board RECOGNIZED FIRE, POLICE AND PUBLIC WORKS PERSONNEL FOR LIFE SAVING ACTIONS IN THE VILLAGE OF TINLEY PARK who by their quick actions aided in avoiding tragedies during the excavation collapse on December 12, 2012, and ice rescue on a pond Lakewood and Lake Bluff. The following employees were recognized:

Excavation Collapse: Police Department, Sergeant Christ Butler, Officers David Walker, Kevin Horbaczewski, Burton Montalbano. Fire Department, Asst. Chief Steve Klotz, Asst. Chief Paul Cummins, Lieutenant Christ Stube, Captain Dan Reda, Engineers, Mike Wittman, Mike Gilgenberg, Joe Greco, Mike Kopycinski, Greg Skwara, Firefighters, Tom Donlan, Doug Hughes, Ryan Hannon, Tim Best, Norm Roney, and Liem Fitzmaurice. 911 Center, Jessical Waishwell, Vicky Watson, and Karen Fitzpatrick. Public Works, Richard Soga, Andrew Scholz, Al Lorenzen, Joe Fitzpatrick, Mary Dobyms, Phillip Mitchell, and Jeff Cossidente.

Ice Rescue: Police Department, Detective Stan Tencza, Officer David Walker, Officers Russell Borrowdale, Mark Fabiszak, Burt Montalbano, Kevin Horbaczewski, Richard Porcaro. Fire Department, Asst. Chief Steve Klotz, Asst. Chief Paul Cummins, Engineers Charlie Russ and Jim Wooten, Firefighter John Nagle. 911 Center, Lisa Kortum, Ken Hawk and Michelle Rybak.

Motion was made by Trustee Hannon, seconded by Trustee Leoni, to authorize the Village Attorney to draft ORDINANCE NUMBER 2013-O-009 GRANTING A VARIATION FOR CERTAIN PROPERTY LOCATED AT 17730 ASH STREET – REAR YARD SETBACK (CLARKE). The petitioners, Patricia and Stephen Clarke, of 17730 Ash Street, request a 4.4 foot rear yard setback variation from Section V, Part B – Schedule of Regulations, Schedule II of the Village of Tinley Park Zoning Ordinance to allow for a 25.6 foot rear yard setback where a 30 foot rear yard setback is required. The variation is requested to allow for an approximately 210 square foot addition on the rear façade of the existing house. The property is located within the Timbers Edge Subdivision, R-3 PD Single Family Residential Zoning District Planned Development. A public hearing was held at the Zoning Board of Appeals on March 14, 2013, and the variation was recommended for approval on a 5-0-0 vote. 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 Hannon, seconded by Trustee Grady, to authorize the Village Attorney to draft ORDINANCE NUMBER 2013-O-010 GRANTING VARIATIONS FOR CERTAIN PROPERTY LOCATED AT 9335 ETHYL LANE – SIDE YARD SETBACK FOR AN ACCESSORY STRUCTURE AND MAXIMUM FLOOR AREA FOR AN ACCESSORY STRUCTURE (WILLIAMS). The petitioner, Mark Williams, of 9335 Ethyl Lane, requests the following variations: (1) a 2.1 foot side yard variation from Section III.I.1.e of the Village of

Tinley Park Zoning Ordinance to allow for a 2.9 foot side yard setback for an accessory structure (detached garage) where a 5 foot setback is required from the western property line and (2) a 259 square foot variation from Section III.I.2.b of the Zoning Ordinance to allow for a 979 square foot accessory structure where 720 square feet is the maximum permitted. The variations are requested to allow for the replacement of an existing garage that was substantially damaged by fire, with a new garage of the same size and height on the existing and reusable foundation. The property is located within the Tinley Gardens Subdivision, R-4 Single Family Residential Zoning District. A public hearing was held at the Zoning Board of Appeals (ZBA) on March 14, 2013, and the variation was recommended for approval on a vote of 5-0-0. 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 Leoni, to place on first reading RESOLUTION NUMBER 2013-R-028 AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE ROBERT K. FINNELL, BIRD LAW GROUP, P.C., THE CRONGEYER LAW FIRM, P.C., THE CLIFFORD LAW OFFICES AND THE LAW FIRM OF PETERSON, JOHNSON & MURRAY, CHICAGO, LLC TO PARTICIPATE IN LITIGATION AGAINST ONLINE TRAVEL COMPANIES IN AN EFFORT TO RECOUP POTENTIAL HOTEL TAX REVENUE. This agreement would pursue action against online travel companies that collect sales tax on rooms purchased through their service but are not remitted to local governments. Similar actions have successfully taken place throughout the country. This would come at no expense and no risk to the Village. Furthermore, it would not have a negative impact on local hotel operators. Other regional communities including Warrenville, Orland Park, Burr Ridge, Aurora and Oak Lawn have already entered into this agreement. The Village Attorney has reviewed the agreement and has no objections. This item was discussed at the Special Committee of the Whole meeting held on March 20, 2013, 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 Grady, to place on first reading ORDINANCE NUMBER 2013-O-011 CEDING THE AGGREGATE REMAINING UNUSED ALLOCATION OF 2013 PRIVATE ACTIVITY BOND VOLUME CAP OF THE VILLAGE OF TINLEY PARK TO THE ILLINOIS FINANCE AUTHORITY AND THE WILL KANKAKEE REGIONAL DEVELOPMENT AUTHORITY. Tinley Park receives a direct allocation of Private Activity Bond Volume Cap every year, based on population. The 2013 allocation is \$5,411,675. By May 1 of each year, the Village must obligate the allocation to eligible local projects or cede the allocation for use by other agencies. In order to support projects that will create jobs and expand the tax base in the region, this Ordinance will cede \$ 2,705,837 to the Will Kankakee Regional Development Authority, and \$ 2,705,838 to the Illinois Finance Authority for the South Suburban Mayors and Managers Volume Cap Pool. 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 Seaman, to adopt and place on file ORDINANCE NUMBER 2013-O-004 AUTHORIZING THE DISPOSAL OF SURPLUS PERSONAL PROPERTY OWNED BY THE VILLAGE – 1994 SPARTAN DIAMOND VISTA FIRE APPARATUS: In July 2012, the Village Board authorized the purchase of a new fire

engine which is scheduled for delivery in April. In accordance with State Statutes, in order to dispose of surplus personal property an ordinance is required. The Fire Department has marketed the existing fire engine which will be retired with delivery of the new engine and identified a purchaser. The Chicago Heights Fire Department has agreed to purchase former Squad 201 for \$50,000 which matches the appraisal value obtained by the Village. The City of Chicago Heights approved the purchase and signed the agreement at their City Council meeting on March 18th. This item was discussed at the Public Safety Committee meeting held on March 19, 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, Hannon, Maher, Leoni, Grady. Nays: None. Absent: Staunton, Jr. 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.

Clerk Rea noted that Early Voting for Will County at the Village Hall is up compared to previous municipal elections. He also stated that as of April 2, 2013, there are over 36,000 registered voters in the Village of Tinley Park.

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

Stephen Eberhardt, 7107 177th Place, stated his concerns with the enforcement of campaigning at Discover Tinley. Mr. Eberhardt was concerned that the Village Manager, who was overseeing the enforcement of campaigning at Discover Tinley, was being disciplined for his actions. President Zabrocki noted that this was a personnel matter. He also noted concerns with the enforcement of campaign literature at the Senior Center. He read the attached note that was brought to him at his office by a participant at the Senior Center regarding campaigning.

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 8:40 p.m.

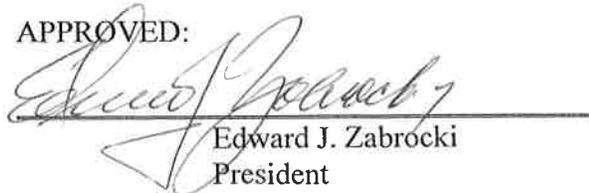
"PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item."

ATTEST:



Patrick E. Rea
Village Clerk

APPROVED:


Edward J. Zabrocki
President