

**MINUTES OF THE BOARD OF TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD AUGUST 5, 2014**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on August 5, 2014. 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 Thomas J. Staunton, Jr. Patricia A. Leoni T.J. Grady
Absent:	None
Also Present:	
Village Manager:	David J. Niemeyer
Village Attorney:	Thomas M. Melody
Village Engineer:	Jennifer S. Prinz

Motion was made by Trustee Staunton, Jr., seconded by Trustee Hannon, to approve the agenda as written or amended for this meeting. A request for a raffle license for the Abbey Foundation on August 15, 2014, will be added to the consent agenda. Vote by voice call. President Zabrocki declared the motion carried.

Motion was made by Trustee Hannon, seconded by Trustee Staunton, Jr., to approve and place on file the minutes of the regular Village Board meeting held on July 15, 2014. Vote by voice call. President Zabrocki declared the motion carried.

President Zabrocki presented the following consent agenda items read by the Village Clerk:

- A. CONSIDER REQUEST FROM ST. GEORGE SCHOOL, 6700 W. 176TH STREET, TO CONDUCT A RAFFLE EACH FRIDAY THROUGH AUGUST 5, 2015. WINNERS WILL BE DRAWN AT THE SCHOOL EACH WEEK.
- B. CONSIDER REQUEST FROM THE ABBY FOUNDATION FOR WOMEN TO CONDUCT A RAFFLE ON FRIDAY, AUGUST 15, 2014. WINNERS WILL BE DRAWN AT THE TINLEY PARK CONVENTION CENTER.
- C. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,269,440.45 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED JULY 18, JULY 25 AND AUGUST 1, 2014.

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, Village Clerk Rea conducted a SWEARING IN CEREMONY FOR PATROL OFFICER DANIEL O'DWYER.

Motion was made by Trustee Hannon, seconded by Trustee Seaman, to adopt and place on file **ORDINANCE NUMBER 2014-O-025 GRANTING VARIATION FOR A CORNER LOT FENCE AT 17310 S. 71st AVENUE WITHIN THE RAUHOFF SUBDIVISION AND THE R-4 SINGLE FAMILY ZONING DISTRICT (Wimber)**. The petitioner, Richard Wimber, requests a variation from the Zoning Ordinance (Section V, Schedule II – Schedule of District Requirements) for an eleven foot (11') variation from the required twenty-five foot (25') minimum front yard setback to allow for a six feet (6') tall fence to be placed fourteen feet (14') from the property line on the east side of the property. The variation was requested because the Wimber's house is also 14' from the property line (non-conforming to the current Zoning Ordinance) and they are requesting the fence be placed in alignment with the house. A public hearing was held at the Zoning Board of Appeals (ZBA) on July 10, 2014, and the ZBA recommended that the Village Board grant the variation on a vote of 6-0-1. President Zabrocki noted that this item was in its final adoption stage and asked if anyone cared to address the Board. 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 Hannon, seconded by Trustee Grady, to authorize the Village Attorney to draft an ordinance **GRANTING A SPECIAL USE PERMIT TO SOUTHWEST SYNERGY DANCE STUDIO AT 7909 171st STREET FOR AN INDOOR COMMERCIAL RECREATION USE GREATER THAN 3,500 S.F. IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT AND THE TINLEY DOWNS SHOPPING CENTER** with this constituting first reading. The petitioner, Connie O'Reel, requests a special use permit to operate a dance studio within the Tinley Downs Shopping Center at 7909 171st Street. Southwest Synergy Dance is relocating from its current location in Orland Hills and will hold approximately 50 dance classes per week for students aged two through eighteen. Dance studios are considered indoor commercial recreation by the Village Zoning Ordinance and recreation uses larger than 3,500 square feet require a special use permit to address the impacts to the neighborhood. The property owner has also agreed to make certain site improvements to the center in order to facilitate the Special Use. A Public Hearing was held at the Plan Commission on July 17, 2014, and the Plan Commission recommended that the Village Board grant the special use permit on a vote of 5-0-4 with the following conditions:

1. A revised Landscape Plan to be due by September 15, 2014, showing the required changes finalized by the Planning Department;
2. A revised Site Plan for the Tinley Downs Shopping Center to be due by September 15, 2014, showing:
 - a. Tenant spaces by square footage; and
 - b. An accurate plan of the parking lot, including the existing site and required changes finalized by the Planning Department; and
3. All required improvements to be implemented by October 31, 2014, including:
 - a. Additional bufferyard landscaping, meeting the current landscape ordinance standards, to be added along 80th Avenue and 171st Street bufferyards;
 - b. Additional landscaping/existing landscaping maintenance to occur within parking lot landscape islands;
 - c. ONE additional landscape island shall be added in the parking lot for aesthetic and traffic calming purposes;
 - d. Re-striping of existing fading parking stalls;
 - e. Striping of additional parking stalls at the rear of the strip center structure;

- f. Additional gated dumpster enclosures to be added for each dumpster at the rear of the strip center structure;
- g. Removal of the temporary banner and sign foundation near the intersection of 80th Avenue and 171st Street (if a temporary or permanent sign permit is not applied for and granted);
- h. Installation of a "Do Not Block Driveway" sign at the north curb cut along 80th Avenue;
- i. Repair of curb within the parking lot/building frontages (specifically nearest 7909 171st Street where Southwest Synergy Dance aims to locate);
- j. Upgrades to lighting and security cameras at the rear of the strip center structure.

The Plan Commission noted that the petitioner satisfied the required Findings of Fact as evidenced in the petitioner's application and reflected in the discussion documented in the minutes of the Plan Commission. 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 Staunton, Jr., to authorize the Village Attorney to draft an ordinance **GRANTING CERTAIN PARKING, SITE, AND SIGN VARIATIONS TO WENDY'S RESTAURANT AT 7251 183rd STREET WITHIN THE B-3 GENERAL BUSINESS AND COMMERCIAL ZONING DISTRICT AND WITHIN THE NORTH CREEK BUSINESS CENTER (JOHNNY COREY, CBRE & WENDY'S/ARBY'S GROUP, APPLICANT)** with this constituting first reading. Wendy's Restaurant at 7251 183rd Street seeks to make substantial site improvements to their existing restaurant, including a new facade, changes to signage throughout the site, creation of an outdoor patio, reconfiguration of the parking lot to bring existing parking stalls into conformance with dimensional requirements; and various landscape improvements. Due to new requirements for storm water facilities and changes to the Village's Zoning Ordinance over the last twenty years, the site requires several variations to comply with current Village Ordinance. The Plan Commission held a Public Hearing on July 17, 2014, and also granted site plan approval and recommended that the Village Board grant the following variations on a 5-0-4 vote:

1. A variation from Section VIII.A.10 (Off-street Parking Requirements) of three (3) parking spaces to allow thirty-nine (39) parking spaces where forty-two (42) parking spaces are required;
2. A variation from Section VIII. Table 2 (Parking Lot Dimension Guidelines) of one foot, three inches (1'3") to allow for a sixteen foot, nine inch (16'9") parking lot aisle along the south side of the building where a minimum eighteen foot (18') aisle is required; and,
3. A variation from Section IX.D.1.c (Sign Development Standards) of one (1) additional wall-mounted sign to allow for three (3) wall-mounted signs where two (2) are permitted on a corner lot.

The Plan Commission noted that the petitioner satisfied the required Findings of Fact as evidenced in the petitioner's application and reflected in the discussion documented in the minutes of the Plan Commission. 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 adopt and place on file **RESOLUTION 2014-R-030 AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE INDUCEMENT AGREEMENT FOR THE CORPORATE HEADQUARTERS EXPANSION OF UGN, INC.** The Village of Tinley Park and UGN, Inc. entered into an inducement agreement associated with expansion of operations and new job creation at the corporate headquarters of UGN located at 18410 Crossing Drive in Tinley Park in April 2013. As part of the incentives, the agreement called for an annual property tax abatement of up to \$6,000 of the Village's property tax extended against the property which

includes the UGN headquarters, for a period of seven years beginning with tax year 2013. Because UGN is not the sole tenant of the building, the company would not directly receive the full benefit of the abatement incentive without an adjusted proration of taxes by their landlord. It was also recently discovered that the required abatement for tax year 2013 was inadvertently overlooked and not adopted so the abatement did not appear on the 2013 tax bill for the property. It was determined to be in the mutual interest of the Village and UGN to change the abatement provision to a property tax rebate to correct the current abatement omission and to better facilitate the administration of the agreement in the future. This item was discussed at the Finance and Economic Development Committee meeting held on July 15, 2014, 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. Vote on roll call: Ayes: Seaman, Hannon, Maher, Staunton, Leoni, Jr., Grady. Nays: None. Absent: None. President Zabrocki declared the motion carried.

Motion was made by Trustee Staunton, Jr., seconded by Trustee Hannon, to award a contract to **C. ACITELLI HEATING & PIPING FOR THE REPLACEMENT OF ONE (1) BOILER AND WATER HEATER AT THE VILLAGE HALL.** The proposed contract includes the removal and replacement of one (1) existing boiler and the hot water heater along with upgraded piping and controls that are required to accommodate the higher efficiently rating of the new system. Bids were opened on Tuesday, July 8, 2014, and received as follows:

Contractor	Bid Amount
D.Acitelli Heating & Piping, Villa Park, IL	\$175,000
F.E. Moran, Inc., Downers Grove, IL	\$175,800
Amber Mechanical, Alsip, IL	\$182,425
Premier Mechanical, Addison, IL	\$198,500
Hayes Mechanical, Chicago, IL	\$207,492
Budgeted Amount	\$265,000

Funding in the amount of \$265,000 was included in the current fiscal year for this project. In addition, the Village is seeking grant reimbursement of \$24,000 for the project. This item was discussed at the July 15, 2014, Public Works Committee 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. 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 Leoni, to **APPROVE A CONTRACT WITH CARGILL INC. OF NORTH OLMSTED, OHIO FOR BULK ROAD SALT.** For the past several years, the Village of Tinley Park has maintained a contract with Cargill, Inc. for the purchase of the Village's annual road salt supply. Each of those contracts has reflected a cost per ton that has been at or below the costs that would have been charged to the Village as part of the State of Illinois Central Management Services (CMS) program bid. Due to the exceptionally long and heavy snowfall/winter season last year, the average cost of salt, under the State program, will be \$133.31 per ton. In addition, some municipalities that participate in that program have been advised that there may not be enough salt to cover the supply demands. Cargill has agreed to provide the Village with its annual supply of salt (5,500 tons) at a cost of \$79.00 per ton. This cost per ton price is significantly less than the CMS pricing and the delivery of the 5,500 tons of salt is guaranteed under the terms of the contract. This item was discussed at the July 15, 2014, Public Works Committee 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. 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 Hannon, to **SET AUGUST 21, 2014, AT 2:00 P.M. AS THE DATE AND TIME TO RECEIVE BIDS FOR ROOF REPAIRS TO THE VILLAGE'S POLICE STATION.** The proposed scope of work for this project consists of repair and restoration of the roof system at the Police Station. The existing roof is over 15 years old. 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 Hannon, to **SET AUGUST 21, 2014, AT 11:00 A.M. AS THE DATE AND TIME TO RECEIVE BIDS FOR REPAIRS TO THE GAYNELLE ROAD BRIDGE.** The proposed scope of work for this project consists of stabilization of wing walls, re-grading of stream bank areas and repair to areas around the Gaynelle Road Bridge. 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 Hannon, to **SET AUGUST 21, 2014, AT 10:00 A.M. AS THE DATE AND TIME TO RECEIVE BIDS FOR REPLACEMENT OF TREES THAT WERE REMOVED DUE TO DAMAGE CAUSED BY THE EMERALD ASH BORER.** Staff is recommending that the due date for this project be changed to August 21, 2014. Rescheduling of the due date to August 21, 2014, will allow for a greater number of bidders/vendors to attend the recommended pre-bid meeting. 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 Leoni, seconded by Trustee Maher, to adopt and place on file **RESOLUTION 2014-R-031 PROVIDING FOR AND REQUIRING THE SUBMISSION OF A BINDING PUBLIC QUESTION CONCERNING LIMITING THE TERMS OF OFFICE FOR THE ELECTED OFFICIALS IN THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS, TO APPEAR ON THE BALLOT OF THE ELECTORS OF THE VILLAGE OF TINLEY PARK AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 4, 2014.** The Tinley Park Term Limits Commission was created by the Village to study the question of term limits for Village elected officials. The Commission was unable to find sufficient data to issue a full recommendation that the Village should institute term limits. The Commission did, however, recommend that if term limits were to be instituted by the Village, they should be for three (3) terms of four (4) years, in a consecutive format, and without retroactivity to any sitting elected official. This Resolution would provide for a binding public referendum on whether or not the terms of office for those persons elected to the offices of Village President, Village Clerk or Village Trustee in the Village of Tinley Park, at the April 7, 2015, consolidated election and at each election for any of said offices thereafter, shall be limited such that no person so elected may serve more than three (3) consecutive full four (4) year terms in the same office. This issue was discussed at the July 8, 2014, Committee of the Whole meeting and this Resolution was considered at the Budget and Administration Committee meeting held on July 15, 2014. President Zabrocki noted that this item was in its final adoption stage and asked if anyone cared to address the Board. 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 Leoni, seconded by Trustee Hannon, to place on first reading **ORDINANCE NUMBER 2014-O-026 AUTHORIZING THE DISPOSAL OF SURPLUS PERSONAL PROPERTY OWNED BY THE VILLAGE OF TINLEY PARK.** Per State Law, an Ordinance must be adopted to declare any Village property in excess of \$1,000 of estimated value as surplus prior to disposing of or sale to another agency. Based on the age, service condition, mileage, future maintenance costs, and other factors, the following items are deemed to be no longer practical for Village uses and are earmarked for sale or disposal as appropriate. The Village will donate, send to auction or dispose of the following items:

Public Works

2005 Ford Explorer
2000 Ford Taurus
2005 Ford Crown Vic
2004 Ford Taurus
(5) 2005 Ford Crown Vic
(7) 2006 Ford Crown Vic
(2) 2008 Ford Crown Vic
2005 Chevy Impala
2000 Ford Crown Vic
1997 Kustom Signals, Speed/Smart Trailer
1995 Chevrolet Blazer
1990 Ford F450 Fleet Truck
1995 GMC Top Kick 5 yd Dump
TC7H042
2000 Chrysler Grand Voyager, 4 dr
Minivan

Public Works

2001 Dodge Ram 3500 1 Ton Dump
1998 Caterpillar 928F Rubber Wheel
Loader
2001 International, Model 4900, 5 yard
Dump
2007 Chevy Trail Blazer
1999 International Tractor
1998 Ford L8501 4 ½ - 5 yd Dump
2001 Chevrolet Tahoe
1987 MFE Trailer
2009 Grasshopper 725D
2007 Grasshopper 721D
(2) 2005 Grasshopper 721D
(2) 2012 Grasshopper 725DT
1989 Ford 6610 Tractor w/ Mott Mower
1999 Ford TS90 Tractor w/ Mott Mower
2007 Toro 580D Groundmaster Tractor

IT

APC Symmetra UPS – 16kVA Model: SYMSTRF-PD

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 Grady, seconded by Trustee Maher, to adopt and place on file **ORDINANCE NUMBER 2014-O-024 AMENDING TITLE VII, CHAPTER 80, SECTION 80.08, OF THE TINLEY PARK VILLAGE CODE IN REGARD TO THE VILLAGE'S NON-VEHICLE ADMINISTRATIVE ADJUDICATION SYSTEM FOR RELEASE OF A RECORDED MEMORANDUM OF JUDGMENT.** The amendment would allow the Village to recover administrative and legal expenses in preparing and recording a Memorandum of Judgment and Release of Judgment associated with cases that have been settled to the Village's satisfaction. This item was discussed and recommended for approval at a meeting of the Committee of the Whole held on June 10, 2014. President Zabrocki noted that this item was in its final adoption stage and asked if anyone cared to address the Board. 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 Hannon, to **APPOINT LISA VALLEY TO THE POSITION OF EXECUTIVE ASSISTANT TO THE VILLAGE MANAGER.** With the retirement of Jeanne Condon in June of this year a vacancy was created in the Executive Assistant to the Village Manager position. The Village advertised this position to both internal and external candidates and received 42 applications for the position. Interviews with six (6) candidates were conducted. Upon completion of the interviews, it was recommended that Lisa Valley be appointed to the Executive Assistant position. Mrs. Valley has worked with the Village since 2006 in the position of Clerk Typist. If approved, this promotion will be effective on August 6, 2014. 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.

Clerk Rea noted that the vehicle sticker moratorium will be in effect until August 15, 2014.

Trustee Maher stated that National Night Out Against Crime was held at Zabrocki Plaza this evening. Also noted was the new "Lock It or Lose It" program sponsored by the Tinley Park Police Department has begun. This program offers tips to prevent theft from vehicles, homes, garages and lockers.

Village Attorney, Tom Melody, provided an overview of the process and report of the independent counsel regarding the investigation of the ethics complaint filed on June 3, 2014. Mr. Melody noted that Mr. Richard Devine, Independent Counsel, determined that no charges would be filed. He found that inadvertently certain pieces of information were not disclosed caused by a misunderstanding of the Ethics Ordinance. Mr. Devine made a recommendation whereby the Village should improve the Ethics Ordinance and make it clearer and more user friendly.

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

Patricia Eberhardt, 7763 Bristol Park Lane, asked for and was provided a copy of Resolution Number 2014-R-031, Term Limits.

Motion was made by Trustee Staunton, Jr., seconded by Trustee Hannon, to adjourn to Executive Session to discuss:

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.

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.

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

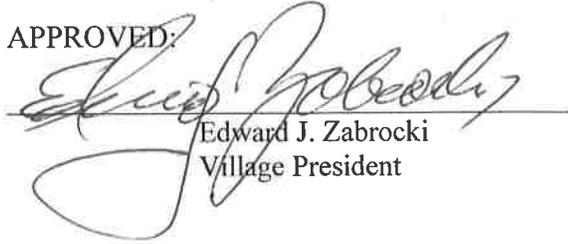
Motion was made by Trustee Seaman, seconded by Trustee Hannon, to reconvene the regular Board meeting. Vote on roll call: Ayes: Seaman, Hannon, Maher, Staunton, Jr., Grady. Nays: None. Absent: Leoni. President Zabrocki declared the motion carried and reconvened the regular Board meeting at 8:34 p.m.

Motion was made by Trustee Maher, 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 9:01 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:

A handwritten signature in cursive script, appearing to read "Edward J. Zabrocki", written over a horizontal line.

Edward J. Zabrocki
Village President

ATTEST:

A handwritten signature in cursive script, appearing to read "Patrick E. Rea", written over a horizontal line.

Patrick E. Rea
Village Clerk