

**MINUTES OF THE BOARD OF TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD JANUARY 6, 2015**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on January 6, 2015. President Pro-Tem Grady 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 Pro-Tem:	T. J. Grady
Village Clerk:	Patrick E. Rea
Trustees:	David G. Seaman Gregory J. Hannon Brian S. Maher Thomas J. Staunton, Jr. Patricia A. Leoni
Absent:	
Village President	Edward J. Zabrocki
Also Present:	
Village Manager:	David J. Niemeyer
Village Attorney:	Thomas M. Melody
Village Engineer:	Jennifer S. Prinz

Motion was made by Trustee Seaman, seconded by Trustee Hannon, to approve the agenda as written or amended for this meeting. Vote by voice call. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Hannon, seconded by Trustee Maher, to approve and place on file the minutes of the regular Village Board meeting held on December 16, 2014. Vote by voice call. President Pro-Tem Grady declared the motion carried.

President Pro-Tem Grady presented the following consent agenda items read by the Village Clerk:

- A. CONSIDER REQUEST FROM BANKERS LIFE TO CONDUCT A FUNDRAISER (FORGET ME NOT DAYS) TO BENEFIT THE ALZHEIMER'S ASSOCIATION ON JUNE 5TH AND 6TH, 2015 AT CERTAIN INTERSECTIONS IN THE VILLAGE OF TINLEY PARK
- B. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,359,808.89 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED DECEMBER 19 AND 26, 2014 AND JANUARY 2, 2015.
- C.

Motion was made by Trustee Hannon, 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: Zabrocki. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Hannon, seconded by Trustee Staunton, Jr., to remove from the table **ORDINANCE NUMBER 2014-O-033 GRANTING A GARAGE HEIGHT VARIATION FOR 17065 FORESTVIEW DRIVE WITHIN THE R-4 ZONING DISTRICT AND WITHIN THE PARKSIDE SUBDIVISION (WILLIAM & JANET GALLAGHER – PETITIONERS)**. Vote by voice call. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Hannon, seconded by Trustee Seaman, to adopt and place on file **ORDINANCE NUMBER 2014-O-033 GRANTING A GARAGE HEIGHT VARIATION FOR 17065 FORESTVIEW DRIVE WITHIN THE R-4 ZONING DISTRICT AND WITHIN THE PARKSIDE SUBDIVISION (WILLIAM & JANET GALLAGHER – PETITIONERS)**. This item was tabled at the Village Board meeting held on November 18, 2014. The petitioners, William and Janet Gallagher, request a variation from Section III.I.2.c. (Accessory Structures and Uses) of one foot, six inches (1'6") to allow for a nineteen feet, six inches (19'6") tall detached garage where the maximum detached garage height limitation is eighteen feet (18'). The petitioners propose to keep the foundation of the existing garage and therefore retain the existing footprint and only expand the garage upward. The existing garage was built in 1990 and is 714 square feet in size and is approximately fifteen feet (15') in height. A Public Hearing was held at the Zoning Board of Appeals (ZBA) on Thursday, August 28, 2014. The ZBA voted 2-2-3 in the question of whether to grant the variation. Planning staff has reviewed revised garage plans dated 11/10/14 and find them to be consistent with the conditions of the variation set forth by the ZBA and the Village Board and reflected in the proposed Ordinance. President Pro-Tem Grady 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: Seaman, Hannon, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Zabrocki. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Hannon, seconded by Trustee Seaman, to place on first reading and direct the Village Attorney to draft **ORDINANCE NUMBER 2015-O-001 GRANTING A SPECIAL USE PERMIT AND SIGN VARIATIONS TO ANTHEM MEMORY CARE AT THE NORTHEAST CORNER OF 179th STREET AND HARLEM AVENUE FOR A NURSING HOME FACILITY IN THE R-1 SINGLE FAMILY ZONING DISTRICT AND THE HARLEM AVENUE ESTATES SUBDIVISION**. The petitioner, Steve Miller, of Anthem Memory Care, requests a Special Use Permit to construct and operate a 66-bed, 41,000 s.f. nursing home/ memory care facility and related site improvements on three lots located at the northeast corner of 179th Street and Harlem Avenue. The petitioner also requests two variations to construct a monument sign: 1.) A six (6) foot variation from Section IX.D.4.a.(1) (Height Limitations) to allow a ten (10) feet high sign where four (4) feet is the maximum height allowed in residential districts; and 2.) A forty-eight (48) square feet variation from Section IX.D.3.a (Sign Face Area) to allow an approximately fifty-three (53) square feet sign face area where five (5) square feet is the maximum allowed in residential districts. The Plan Commission held a public hearing on December 30, 2014, and recommended on a vote of 7-0-1 that the Village Board grant a Special Use Permit and Variations to the applicant, consistent with findings of fact submitted by the applicant and findings of fact made by the Plan Commission at their meeting. Vote by voice call. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Hannon, seconded by Trustee Staunton, Jr., to adopt and place on file **APPROVING A PARKING USE AND MAINTENANCE AGREEMENT WITH MACK INDUSTRIES, LTD FOR THE USE OF A PUBLIC RIGHT OF WAY (168TH STREET) NORTH OF PROPERTY LOCATED AT 16800 SOUTH OAK PARK AVENUE.** Mack Industries, LTD is the property owner at 16800 South Oak Park Avenue and recently leased this property to Gigi's Playhouse. As a condition of the change of use inspections, the Village required a parking use and maintenance agreement for the parking for this private business that occurs within the 168th Street public right of way. In particular, the Village wishes to ensure that any liabilities incurred within the public right of way be covered by the private property owner's own insurance and that proper maintenance and snow plowing occur on the property. The Village does not currently wish to use this property as a public street, but must ensure that any use of the property does not create a liability to the Village. The Village Attorney has reviewed the agreement and finds it to be acceptable. President Pro-Tem Grady 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: Seaman, Hannon, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Zabrocki. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Staunton, Jr., seconded by Trustee Hannon, to place on first reading **RESOLUTION 2015-R-003 AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT (IGA) FOR A DOG PARK WALKING PATH WITH THE TINLEY PARK PARK DISTRICT.** The Village of Tinley Park and the Tinley Park Park District (TPPD) have worked collaboratively on a 10 foot wide walking path between Black Oak Avenue and the parking lot for the newly constructed Dog Park at 183rd & 84th Avenue. The Village has partnered with the Park District to take advantage of cost savings by working with the contractor for the parking lot construction. The Intergovernmental Agreement calls for a 50/50 sharing of the construction cost with the Village's portion of the project estimated at \$29,942.50. The Park District will perform day-to-day maintenance of the walking path and provide mowing services for the adjacent right of way along the pathway. Potential replacement of the path in the future will be shared on a 50/50 basis. This Resolution was discussed at a Public Works Committee meeting held on September 2, 2014, and recommended for approval. Vote by voice call. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Staunton, Jr., seconded by Trustee Hannon, to adopt and place on file **RESOLUTION NUMBER 2015-R-001 (IDOT RESOLUTION 15-00000-01-GM) AUTHORIZING AN APPROPRIATION OF UP TO \$3,400,000 FOR THE 2015 PAVEMENT MANAGEMENT PROGRAM.** This Resolution between the Village of Tinley Park and the Illinois Department of Transportation would authorize the appropriation of up to \$3,400,000 for the purpose of maintaining streets and highways under the applicable provision of the Illinois Code from January 1, 2015, to December 31, 2015. 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 2015 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 Public Works Committee meeting held on December 16, 2014. President Pro-Tem Grady 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: Seaman, Hannon, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Zabrocki. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Staunton, Jr. seconded by Trustee Hannon, to adopt and place on file **RESOLUTION NUMBER 2015-R-002 AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF TINLEY PARK AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION – BANNES SCHOOL PEDESTRIAN BRIDGE**. The Village and Village Engineer have been working with the Illinois Department of Transportation (IDOT) for replacement of the Bannes School Pedestrian Bridge. The proposed scope of work would include replacement of the bridge and related multi-use path from 170th Place across Midlothian Creek to Bannes School. The current bridge is approximately 35 years old and in need of replacement. The proposed budget for the project is \$260,000 inclusive of design and construction engineering. Under the terms of the agreement, the State of Illinois will pay 100% of the proposed project costs and the Village will not need to provide any matching funds. This item was discussed at the Public Works Committee meeting held on December 16, 2014. President Pro-Tem Grady 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: Seaman, Hannon, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Zabrocki. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Leoni, to appoint Dr. Robert Thies as Commissioner on the Main Street Commission. Vote by voice call. President Pro-Tem Grady declared the motion carried.

At this time, President Pro-Tem Grady asked if anyone from the Board or staff would care to address the Board.

Trustee Maher stated that the Village's Emergency Management Team received the Certificate of Accreditation from the Illinois Emergency Management Agency. This certificate states that the Village of Tinley Park has demonstrated compliance with criteria for accreditation pursuant to 20 ILCS 3305 the Illinois Emergency Management Agency Act and Illinois Administrative Code Title 29; Emergency Services, Disasters, and Civil Defense, Part 301 and is granted accreditation for the period of October 1, 2014, to September 30, 2016.

Trustee Staunton, Jr. noted the exceptional job done by Public Works employees and Village contractors on the first snow event of the season.

At this time, President Pro-Tem Grady asked if anyone from the Public would care to address the Board.

Stephen E. Eberhardt, 16710 Oak Park Avenue, presented his concerns regarding responses he received from Freedom of Information Act (FOIA) requests received by the Village of Tinley Park. Clerk Rea noted that he would look in to this matter and contact Mr. Eberhardt with information. Mr. Eberhardt also presented a letter to the Village Manager regarding information he received from a FOIA regarding the Farmer's Market.

Motion was made by Trustee Hannon, seconded by Trustee Seaman, at 8:37 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 ON 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 MIUTES OF THE CLOSED MEETING;
- b. THE APPOINTMENT, EMPLOYMENT COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC EMPLOYEES OF THE PUBLIC BODY OR LEGAL COUNSEL FOR THE 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; AND
- c. 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.

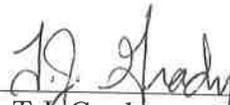
Vote on roll call: Ayes: Seaman, Hannon, Maher, Staunton, Jr., Leoni, Grady. Nays: None. Absent: Zabrocki. President Pro-Tem Grady declared the motion carried.

Motion was made by Trustee Staunton, Jr., seconded by Trustee Leoni, to adjourn the Executive Session and reconvene the regular Board meeting. Vote on roll call: Ayes: Seaman, Hannon, Maher, Staunton Jr., Leoni, Grady. Nays: None. Absent: Zabrocki. President Pro-Tem Grady declared the motion carried and reconvened the regular Board meeting at 9:24 p.m.

Motion was made by Trustee Hannon, seconded by Trustee Staunton, Jr., to adjourn the regular Board meeting. Vote by voice call. President Pro-Tem declared the motion carried and adjourned the regular Board meeting at 9:25 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:



T.J. Grady
Village President Pro-Tem

ATTEST:



Laura J. Godette
Deputy Village Clerk