MINUTES OF THE BOARD OF TRUSTEES, VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS, HELD JUNE 2, 2015

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on June 2, 2015. President Pro-Tem Seaman called this meeting to order at 8:02 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:	David G. Seaman
Village Clerk:	Patrick E. Rea
Trustees:	Brian S. Maher T.J. Grady Brian H. Younker Jacob C. Vandenberg
Absent Trustee:	Michael J. Pannitto
Also Present:	
Village Manager:	David J. Niemeyer
Village Attorney:	Thomas M. Melody
Village Engineer:	Jennifer S. Prinz

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

At this time, Clerk Rea asked that the approval of the minutes from the Village Board meeting held on May 19, 2015, be tabled to the June 16, 2015, Village Board meeting. This request is made at the request from an attending Trustee at that May 19, 2015, meeting to delay the approval of these minutes. According to the Open Meetings Act a public body is required to approve the minutes of an open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, which ever is later.

Motion was made by Trustee Vandenberg, seconded by Trustee Younker, to table the minutes of the regular Village Board meeting held on May 19, 2015, to the Village Board meeting to be held on June 16, 2015. President Pro-Tem Seaman asked if there was any discussion on this item. He also requested that any technical corrections be made prior to the June 16, 2015, Village Board meeting. Clerk Rea noted that the Clerk's Office would pursue this issue with the Trustee. Vote by voice call. President Pro-Tem Seaman declared the motion carried.

President Pro-Tem Seaman presented the following consent agenda items.

The following Consent Agenda items were read by the Village Clerk:

A. CONSIDER REQUEST FROM GOOD SHEPHERD MANOR FOUNDATION TO CONDUCT A RAFFLE FROM JUNE 2, 2015, THROUGH JUNE 22, 2015.

WINNERS WILL BE DRAWN AT ODYSSEY COUNTRY CLUB ON JUNE 22, 2015.

B. CONSIDER REQUEST FROM USO TO CONDUCT A RAFFLE AT APPLE CHEVROLET FROM JUNE 2, 2015, THROUGH JULY 18, 2015. WINNERS WILL BE DRAWN AT APPLE CHEVROLET ON JULY 18, 2015.

C. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF $1,314,453.50 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED MAY 22 AND MAY 29, 2015.

Motion was made by Trustee Vandenberg, seconded by Trustee Younker, to approve the consent agenda items. Vote on roll call: Ayes: Maher, Grady, Vandenberg, Younker. Nays: None. Absent: Pannitto. President Pro-Tem Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Grady, to adopt and place on file **ORDINANCE 2015-O-018 ALLOWING A SIGN HEIGHT VARIATION FOR THE PROPERTY AT 17333 LAGRANGE ROAD IN THE B-3 GENERAL BUSINESS AND COMMERCIAL ZONING DISTRICT (Alpha Med).** The Petitioner, Bill Van Bruggen of Van Bruggen Signs, representing Alpha Med Medical Center, proposes to replace the existing ten foot (10') tall freestanding sign with a new sixteen foot, three inch (16'3") tall freestanding sign along the west side (La Grange Road) of the property at 17333 La Grange Road. The proposed new sign requires a six foot, three inch (6'3") Variation from Section IX.D.4.a. (2) of the Tinley Park Zoning Ordinance where the maximum freestanding sign height is ten feet (10'). The Petitioner is requesting the Variation because of the raised elevation of LaGrange Road, which was raised by approximately three (3) feet during the on-going construction project.

A Public Hearing was held at the Zoning Board of Appeals (ZBA) on April 9, 2015. On a vote of 5-0, the ZBA recommended that the Village Board grant the Variation as requested.

At the May 19, 2015 meeting, the Village Board considered sign Variations granted to other properties in the area and the three foot (3') change of grade made by the Illinois Department of Transportation in front of Alpha Med. As a result of these findings, the Board voted to reduce the requested Variation to three feet (3') to create a sign of no more than thirteen feet (13') in height. The Village Attorney was directed to draft an Ordinance allowing a three foot (3') variation and that Ordinance has been drafted for consideration and final vote. President Pro-Tem Seaman 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: Maher, Grady, Vandenberg, Younker. Nays: None. Absent: Pannitto. President Pro-Tem Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Grady, to direct the Village Attorney to prepare **ORDINANCE NUMBER 2015-O-020 and place on first reading to GRANT A SPECIAL USE ALLOWING A SUBSTANTIAL DEVIATION AMENDING THE TINLEY PARK PLAZA PLANNED UNIT DEVELOPMENT AT 15917 SOUTH HARLEM TO ALLOW THE DEVELOPMENT OF AN OUTLOT BUILDING (Brixmor).** Discussion: The Petitioner, Jeff Slavish of Brixmor Property Group, seeks approval for a Special Use for a Substantial Deviation to amend the approved Tinley Park Plaza Planned Unit Development (PUD). Brixmor proposes to demolish the northern 7,290 Square Feet of the existing in-line tenant space (former Outrigger Restaurant) and develop a one-story 9,100 Square Feet multi-tenant retail building in an outlot location with related site improvements. The petitioner also requests amending the signage regulations

stipulated in the original PUD to specifically address outlot buildings. A Public Hearing was held at the Plan Commission on May 21, 2015. On a vote of 7-0, the Plan Commission recommended that the Village Board grant the Special Use as requested, with the following conditions which must be satisfied prior to issuance of a Certificate of Occupancy:

1. Recording of a cross access easement with Tinley Square (retail center at southeast corner of 159th St. & Harlem Ave.);
2. Recording of a public sidewalk easement; and
3. Final approval of a Fire Lane agreement between the Village and the applicant.

Brad Radichek of Bixmoor Properties was present and thanked the Board. President Pro-Tem Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Pro-Tem Seaman declared the motion carried.

Motion was made by Trustee Seaman, seconded by Trustee Vandenberg, to postpone indefinitely **ORDINANCE NUMBER 2015-O-019 AMENDING SECTIONS 112.20 AND 112.22 OF CHAPTER 112 OF TITLE XI OF THE TINLEY PARK MUNICIPAL CODE – ALCOHOLIC BEVERAGES.** President Pro-Tem Seaman noted that the Class "R" liquor license may not be exactly what the operator of the business at 16948 S. Oak Park Avenue is looking for. The Village Attorney stated that this Ordinance clarifies that a Class R Liquor License (Craft Beer) does not create a "licensed establishment" under the Illinois Video Gaming Act and specifically prohibits video gaming at establishments with a Class R license. This Ordinance also increases the number of available Class R licenses from (1) to two (2). President Pro-Tem Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Pro-Tem Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Younker, to place on first reading **RESOLUTION 2015-R-018 AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT (IGA) FOR FLEET MAINTENANCE OF FIRE DEPARTMENT VEHICLES WITH THE MOKENA FIRE PROTECTION DISTRICT.** The Village budget includes funds for the maintenance and repair of large vehicles for the Fire Department. The equipment is specialized and requires mechanics with certifications beyond the standard vehicle mechanic. For the past several years, the Fire Department has utilized the Mokena Fire Protection District to provide service to fire vehicles and found them to be an acceptable organization to provide such repairs. The IGA includes a specific price table for standard types of repair and maintenance. This item was discussed at the May 19, 2015, Public Safety Committee meeting and recommended for approval. President Pro-Tem Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Pro-Tem Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Grady, to place on first reading **RESOLUTION NUMBER 2015-R-020 APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CREST HILL FOR USE OF THE VILLAGE'S FIRE TRAINING TOWER SITE.** The City of Crest Hill has requested use of the Village's fire training tower to perform a testing/hiring exercise related to their Public Works Department. As is the case with any agency requesting to utilize the tower, the Village requires the requesting agency to sign an agreement. Highlights of the proposed agreement include, but are not limited to, the following:

1. The City of Crest Hill agrees to indemnify the Village from any and all claims:
2. Each individual participant, trainer, volunteer, supervisor, etc. will sign an individual waiver form;

3. Crest Hill will provide their own equipment for the testing; and
4. Crest Hill shall reimburse the Village for cost of providing a standby ambulance during the testing process.

The City of Crest Hill has formally approved the agreement, subject to approval by the Village of Tinley Park. This item was discussed at the May 19, 2015, Public Safety Committee meeting and recommended for approval. President Pro-Tem Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Pro-Tem Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Maher, to adopt and place on file **RESOLUTION NUMBER 2015-R-017 AUTHORIZING CHANGE ORDER #1 TO THE CONTRACT WITH RIDGE LANDSCAPING OF MOKENA, ILLINOIS FOR LANDSCAPE MAINTENACE IN THE AMOUNT OF $6,150.** In 2011, the Village of Tinley Park and the Frankfort Square Park District (FSPD) entered into an intergovernmental agreement in which the FSPD would maintain 157.2 acres of Village property (more than 11 separate locations) in exchange for an annual payment of $8,500. Earlier this year, the FSPD requested consideration to no longer maintain 3.2 acres of property located off of 80th Avenue and 2.0 acres of property located off of 88th Avenue. Upon discussions with the FSPD, the Village has agreed to accept responsibility for these two (2) locations in exchange for eliminating the annual payment to FSPD. The FSPD will continue to maintain the remaining 152 acres of property covered by the intergovernmental agreement. The proposed change order would add these two (2) locations to the Village's existing landscape maintenance contract with Ridge Landscaping at an annual cost of $6,150. This item was discussed at the Public Works Committee meeting held on May 19, 2015. President Pro-Tem Seaman 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: Maher, Grady, Vandenberg, Younker. Nays: None. Absent: Pannitto. President Pro-Tem Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Maher, to place on first reading **RESOLUTION NUMBER 2015-R-019 APPROVING AND AUTHORIZING A FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF TINLEY PARK AND THE FRANKFORT SQUARE PARK DISTRICT CONCERNING PROPERTY MAINTENANCE.** Under a current agreement with the Village, the Frankfort Square Park District currently maintains 157.2 acres of Village land in exchange for an annual payment of $8,500. Recently, the Frankfort Square Park District requested to no longer maintain two (2) of the areas covered by the agreement. The two (2) areas are located on 80th Avenue and 88th Avenue and collectively total 5.2 acres. In exchange, the Village would no longer be required to provide the annual payment to the Park District. This item was discussed at the May 19, 2015, Public Works Committee meeting and recommended for approval. President Pro-Tem Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. President Pro-Tem Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Grady, **TO ELECT DAVID G. SEAMAN THE ACTING VILLAGE PRESIDENT FOR THE VILLAGE OF TINLEY PARK.** Mayor Zabrocki's resignation was effective June 1, 2015. Pursuant to the Illinois Municipal Code, when a vacancy occurs in the office of Village President with less than 28 months remaining in the unexpired portion of the term, the vacancy is to be filled by the corporate authorities electing one of their members as Acting President. The trustee elected Acting President may resign his office as trustee. If he does so, the Acting President performs the duties and possesses all the rights and powers of the President until a President is elected at the next general municipal election and has been qualified, and shall vote and have veto power in the manner provided by law for a President. If the Acting President does not resign his office as trustee, then he exercises the powers of the President, but shall be entitled to vote as a trustee and shall not have veto power.

Motion was made by Trustee Vandenberg, seconded by Trustee Younker, to table **THE MOTION TO ELECT DAVID G. SEAMAN ACTING VILLAGE PRESIDENT FOR THE VILLAGE OF TINLEY PARK** to the Village Board meeting to be held on July 7, 2015. Vote on roll call: Ayes: Vandenberg, Younker. Nays: Seaman, Maher, Grady. Absent: Pannitto. President Pro-Tem Seaman declared the motion failed.

The motion **TO ELECT DAVID G. SEAMAN THE ACTING VILLAGE PRESIDENT FOR THE VILLAGE OF TINLEY PARK** was then called. President Pro-Tem Seaman asked if anyone cared to address the Board or the Village Attorney with any questions or comments. No one came forward. Vote on roll call: Ayes: Seaman, Maher, Grady. Nays: Vandenberg, Younker. Absent: Pannitto. President Pro-Tem Seaman declared the motion carried.

At this time, Acting President Seaman asked if anyone from the Board or staff would care to address the Board.

Trustee Maher stated that area residents will now have a neutral, safe place to conduct personal transactions such as Craig's List sales or the private sale or purchase of a car with the Village of Tinley Park's new Safe Transactions program. Buyers and sellers can now use the parking lot and lobby of the Tinley Park Police Department, 7850 W. 183rd Street from 7 a.m. to 10:30 p.m. seven days a week to conduct these transactions.

Trustee Vandenberg spoke to the agenda item in regards to the election of the Acting Village President for the Village of Tinley Park and the reasons for his vote on this item. He noted that at the Committee of the Whole meeting on May 26, 2015, there was discussion asking to postpone this agenda item for several reasons, one being that one of our colleagues, that was not in attendance at the June 2, 2015 Village Board meeting had scheduled a vacation over a year ago with his family. This information was disclosed to the Village immediately upon the swearing in of the newest Village Trustees. The Village was aware that this Trustee was not going to be in attendance for such a vote as the one done this evening. Trustee Vandenberg wanted to be sure that everyone understood that this Trustee was out of the Village and unable to attend the meeting of June 2, 2015 and that he did bring this up for discussion at the Committee of the Whole. He stated that that he did ask that the Board reconsider having this item on the Village Board agenda for June 2. Trustee Pannitto did reach out to the Village Attorney regarding if his participation in the meeting could be phoned in. According to the Village Attorney there is both an Ordinance and State Statute that prohibits electronic participation (phoning in to the meeting) for certain reasons.

Trustee Vandenberg also congratulated David Seaman as being appointed as Acting Mayor and also congratulated Acting Mayor Seaman on approaching the issue of longevity pay. Trustee Seaman did submit a letter to the Village Board that he is not going to take the longevity pay or he is going to pay it back. Trustee Vandenberg stated that there are a couple of loopholes in that written letter including possible pension ramifications and social security benefits. These items in regards to the longevity pay were not discussed and this resulted in Trustee Vandenberg's vote on this item. He noted that the appointment of the Acting Mayor was a large decision made by the Village Board this evening and it is unfortunate that the Village Board could not come to a consensus with all six (6) Trustees present for this appointment.

Clerk Rea noted that both Trustee Maher and Trustee Younker brought to the Board and citizens, a shared approach to providing government services through four (4) items on the agenda for the June 2, 2015 agenda were the sharing of expenses with other governments. This saves thousands of dollars for our citizens and illustrates the intergovernmental cooperation.

Acting Mayor Seaman announced the first Cruise Night of the season. Cruise Nights are every Tuesday from June 2 to August 25 from 5:00 to 9:00 p.m.

Acting Mayor Seaman thanked the Village Board collectively for supporting his appointment. He stated that the administration of the government needs to be a means of collective wisdom that can take the Village forward. There are some things that will change and need to change. There are some things that will stay the same and all these things need to be respected. Change for the sake of change can be disruptive and sometimes destructive, but I believe that people sitting at this table can come to terms with a fair set of conclusions. The first set of conclusion will be the appointing of a Trustee should he come to a conclusion to resign his Trustee position. It is his position to wait for Trustee Pannitto to return before the discussion of the appointment of a Trustee occurs at a Committee of the Whole. He looks to press on with the business of government which is what the people elected asked the Village Board to do. He believes this will get done in the right way and in a way that makes the Village Board and the Citizens of Tinley Park proud. We may not please everybody all the time but the Board will do their best to do a good job.

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

Cecile Kahr, 7844 Bristol Park Drive, expressed that she was pleased that the Tinley Park Police will be implementing the Safe Transactions program.

Joe Kahr, 7844 Bristol Park Drive, asked if there is an option or a way for a Trustee to vote if he is unable to attend the Village Board meeting. Clerk Rea noted that according to State Statute a Trustee can participate in a Village Board meeting through electronic means for following reasons, illness, an employment conflict and family emergencies. These are the only reasons for an electronic participation by a Board member in a Public meeting.

Motion was made by Trustee Grady, seconded by Trustee Maher, to adjourn the regular Board meeting. Vote by voice call. Acting President Seaman declared the motion carried and adjourned the regular Board meeting at 8:35 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:

David G. Seaman
Acting Village Mayor

ATTEST:

Patrick E. Rea
Village Clerk