

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

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on October 6, 2015. Mayor Seaman 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 Mayor:	David G. Seaman
Village Clerk:	Patrick E. Rea
Trustees:	T.J. Grady Michael J. Pannitto Jacob C. Vandenberg Brian H. Younker Bernard E. Brady

Absent:	
Trustee:	Brian S. Maher

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 Pannitto, to approve the agenda as written or amended for this meeting. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Grady, seconded by Trustee Brady, to approve and place on file the minutes of the regular Village Board meeting held on September 15, 2015. Vote by voice call. Mayor Seaman declared the motion carried.

Mayor Seaman presented the following consent agenda items.

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

- A. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,411,060.45 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED SEPTEMBER 18, SEPTEMBER 25 AND OCTOBER 1, 2015.

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

At this time, Clerk Rea conducted a swearing in ceremony for Patrol Officer David Chadek.

Motion was made by Trustee Vandenberg, seconded by Trustee Grady, to adopt and place on file **RESOLUTION 2015-R-033 APPROVING AN AGREEMENT BETWEEN FR/CAL I-80 TINLEY PARK, LLC AND THE VILLAGE OF TINLEY PARK TO ESTABLISH AN ESCROW FOR PUBLIC IMPROVEMENTS AT THE FIRST INDUSTRIAL PLANNED UNIT DEVELOPMENT, 18801 S. OAK PARK AVENUE & 18604 S. RIDGELAND AVENUE.** This is a companion resolution to Ordinance 2015-O-044. In 2011, the Village considered a Special Use Permit for the re-phasing of private and public improvements to the First Industrial Planned Unit Development, now called Tinley Park Corporate Center. The 2011 Special Use was tabled until a letter of credit could be established by the property owner. At the time, the property owner had public improvements within the first phase of the project that were tentatively approved, but required a one-year warranty period and a letter of credit prior to acceptance, as the Village Subdivision and Development Ordinance requires. The organization that owns Tinley Park Corporate Center is a real estate investment trust (REIT) and the banking rules for the REIT do not allow the establishment of letters of credit. In order to begin the required one-year warranty period for the public improvements completed in Phase I, the Village determined that an escrow agreement (with a cash deposit) would be an acceptable substitute for the required letter of credit and would ensure that the Village had monies set aside in the event that public improvements could not be completed. The Village Engineer and Village Attorney have reviewed this escrow agreement and find it acceptable. Mayor 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: Grady, Pannitto, Vandenberg, Brady. Nays: None. Absent: Maher. Abstain: Younker. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Pannitto, to adopt and place on file **ORDINANCE 2015-O-044 GRANTING A SPECIAL USE PERMIT TO FR/CAL I-80 TINLEY PARK, LLC FOR A SUBSTANTIAL DEVIATION TO THE EXISTING FIRST INDUSTRIAL PLANNED UNIT DEVELOPMENT FOR CERTAIN PROPERTY LOCATED SOUTH OF INTERSTATE 80 BETWEEN OAK PARK AVENUE AND RIDGELAND AVENUE FOR TINLEY PARK CORPORATE CENTER.** In 2007, the Tinley Park Corporate Center property (previously known as First Industrial) was approved as a Planned Unit Development (PUD) to include two (2) industrial buildings on 90 acres of land. The developer originally petitioned the Village to build, in a single phase, a 915,643 sq. ft. building (Lot 1); a 300,784 sq. ft. building (Lot 2); and all associated site improvements. To date, many of the public and private improvements for both Lots 1 and 2 have been completed by the developer, including the building on Lot 1.

The Tinley Park Corporate Center was purchased several years ago by FR/CAL I-80 Tinley Park. The new owner wishes to postpone some improvements to Lot 2, the construction of the building in particular, to a future point in time when they can sell or lease this property. This change in phasing constitutes a substantial deviation to the existing PUD since the original agreement contemplated all improvements occurring in one phase. The Village's Engineer and Public Works Department have agreed to the re-phasing of the project and the postponement of certain improvements.

The petitioner's request first appeared before the Plan Commission and Village Board in 2011, but was tabled indefinitely by the Village Board because the petitioner was unable to produce a letter of credit for the public improvements that were yet to be completed. In the meantime, the Village and the property owner have developed an escrow agreement, which appears as a companion approval to this item, which is a sufficient substitute for the required letter of credit.

The Special Use Petition appeared before the Village Plan Commission on August 20, 2015, and a public hearing was held on September 3, 2015. The Plan Commission found that the substantial deviation complied with the findings of fact for a Special Use and voted 8-0 to recommend granting the Special Use Permit with the following condition:

Continued maintenance will be undertaken to properly establish the landscape for the stormwater detention basins according to the approved landscape plan and approval by the Village's landscape architect that these basins have been properly established and maintained, shall be satisfied no later than September 30, 2017. Mayor 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: Grady, Pannitto, Vandenberg, Brady. Nays: None. Absent: Maher. Abstain: Younker. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Brady, to adopt and place on file **ORDINANCE NUMBER 2015-O-045 AMENDING SECTION XII (2011 LEGACY CODE FOR DOWNTOWN TINLEY PARK) OF THE TINLEY PARK ZONING ORDINANCE AND REZONING CERTAIN PROPERTIES RELATIVE TO THE LEGACY CODE ZONING DISTRICTS FOR DOWNTOWN TINLEY PARK.** The Legacy Code for Downtown Tinley Park was adopted in 2011. During the last year, several new projects have come forward for review within the area governed by the Legacy Code. As they have conducted reviews, Planning staff has identified several areas of the code that should be amended, in particular:

- a. Changing figures 2.A.2 and 2.E.2 to read "Street Level Commercial Permitted" from "Street Level Commercial Required" within the Neighborhood Flex and Downtown Core Character Districts;
- b. Changing Section 3.F.11.d (Landscaping – Properties Adjacent to Non-Legacy Code Areas) adding required bufferyards between parking lots and Non-Legacy Code areas;
- c. Clarifying that the parcel addressed 17533 S. Oak Park Avenue is zoned Downtown Core (DC) in its entirety and amending figures 1.G.1, 2.A.1, 2.A.2, and 2.A.6 to clearly delineate the extent of the DC Zone boundaries any other figure showing the Legacy Code Boundary line;
- d. Correcting scrivener's errors in the legal descriptions of several zoning districts at the time of rezoning;
- e. Amending Table 3.A.2 (Use Table) to add "Tobacco, hookah, cigarette, cigar, e-cigarette, and vapor sales establishments, and any related on-site consumption, as a primary use" and "medical marijuana dispensing facility" to the list of prohibited uses.

The Plan Commission held a public hearing for these amendments on September 3, 2015, and having reviewed the amendments and their impact to the Legacy Code areas, made a unanimous recommendation to approve the text amendments. The Village Attorney has reviewed the proposed text amendments and finds them to be acceptable. Mayor 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: Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: Maher. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Pannitto, to place on the table **ORDINANCE NUMBER 2015-O-046 GRANTING VARIATIONS TO WATSON FAMILY HYUNDAI, INC. FOR SIGN HEIGHT AND SIGN FACE AREA FOR PROPERTY LOCATED AT 8101 W. 159th STREET AND WITHIN THE B-5 (AUTOMOTIVE SERVICE) ZONING DISTRICT** until the Village Board meeting to be held on December 1, 2015. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Grady, seconded by Trustee Pannitto, to place on the table indefinitely **AN AGREEMENT WITH FOX VALLEY FIRE AND SAFETY FOR UPGRADE OF THE VILLAGE'S RADIO FIRE ALARM NETWORK IN AN AMOUNT NOT TO EXCEED \$27,900.** Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Grady, to place on first reading **RESOLUTION NUMBER 2015-R-036 ACCEPTING A PUBLIC UTILITY EASEMENT FROM HIGH STREET DEVELOPMENT, LLC (PRONGER SMITH MEDICAL CENTER) FOR PROPERTY AT 17495 S LAGRANGE ROAD.** As part of the LaGrange Road (US 45) reconstruction project, an irrigation system is planned for watering of the planted medians. The Village has requested that a permanent irrigation pump system be placed on property located by High Street Development, LLC (Pronger Smith Medical Center) at 17495 S. LaGrange Road and the property owner has agreed to the easement. The public utility easement for this irrigation system is a 20'x10' area along LaGrange Road. This item was discussed at the Public Works Committee meeting held prior to the Village Board meeting. There is no cost to the Village for this easement. The Village Engineer and Village Attorney have reviewed the plat granting the easement and find it to be acceptable. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Pannitto, to place on the table indefinitely to **AWARD A CONTRACT WITH HAYWARD BAKER FOR THE GAYNELLE BRIDGE WING WALL STABILIZATION.** Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Pannitto, to **AWARD A CONTRACT TO BECHSTEIN CONSTRUCTION COMPANY FOR THE DEMOLITION OF 6730 NORTH STREET.** The Village of Tinley Park recently purchased the abandoned single family home located at 6730 North Street. As part of our redevelopment plans, the Village intends to demolish the dilapidated structure and make the property available for future redevelopment

opportunities. The scope of work for this project is the demolition of the structure, grade and seed the project area. The Village requested quotes from four firms and the results are as follows:

Contractor	As Read Bid
Bechstein Construction Company	\$18,500
Dynamic Wrecking & Excavation	\$19,500
RDX Solutions	No Quote Submitted
Property Recycling Services Corporation	No Quote Submitted

Bechstein Construction has performed work for the Village in the past and their work has been deemed to be of acceptable quality. The Village has funds budgeted for this work in our FY 2016 Budget. This item was discussed at the October 6, 2015, Public Works Committee meeting prior to this meeting. Mayor 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: Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: Maher. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to **AUTHORIZE YEAR 2 OF THE VILLAGE'S EAB TREE REPLACEMENT PROGRAM IN AN AMOUNT NOT TO EXCEED \$1,271,900**. Over the past several years, the Village has removed approximately 10,000 trees in public spaces that have been affected by the Emerald Ash Borer (EAB). Last year the Village competitively bid a multi-year (3 year total) program for the replacement of trees. Beary Landscaping was identified as the lowest responsible bidder and was awarded the first year of the tree replacement contract at the September 2, 2014, Village Board meeting. Beary's work performance during the first year of the contract was found to be acceptable to the Village and staff is recommending to award the 2nd year of the program. The proposed contract award for year 2, will replant approximately 3,500 trees at a cost of \$1,271,900. Funds have been included in the FY 2016 budget for this expenditure. This item was discussed at the Public Works Committee meeting held on September 22, 2015, and recommended for approval. Mayor 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: Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: Maher. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Pannitto, to remove from the table **RESOLUTION NUMBER 2015-R-031 APPROVING AN AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) FOR A LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION RELATED TO THE PROPOSED ROUNDABOUT AT OAK PARK AVENUE AND 183RD STREET**. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Grady, to adopt and place on file **RESOLUTION NUMBER 2015-R-031 APPROVING AN AGREEMENT WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) FOR A LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION RELATED TO THE PROPOSED ROUNDABOUT AT OAK PARK AVENUE AND 183RD STREET**. This item was tabled at the Village Board meeting held on September 15, 2015. The Village of Tinley Park has received federal funding approval from the Congestion Mitigation and Air Quality (CMAQ) Improvement

Program to help pay for a substantial (80%) portion of the cost of the engineering and construction of a modern roundabout at 183rd Street and Oak Park Avenue. Benefits of this type of roundabout include, but are not limited to, the following:

1. Reductions in fatal and injury crashes;
2. Reductions in pedestrian and bicycle crashes;
3. Increases in traffic capacity and flow; and
4. Reduction in energy use from fuel and electrical cost for traffic signals.

The proposed agreement is for the right of way appraisals, negotiations and property acquisitions related to the project. The agreement is in the amount of \$300,000, with the Village qualifying for 80% reimbursement of the costs from the State of Illinois. The Village has included sufficient funding to support its obligations under this agreement in the current budget. This item was discussed at the August 11, 2015, Public Works Committee meeting and recommended for approval. Mayor Seaman noted that this item was in its final adoption stage and asked if anyone cared to address the Board. The following citizens addressed the Board:

- Rudy Unger, 6915 Lexington Court
Mr. Unger voiced his concerns with the safety and traffic at the roundabout. He also had addressed the Board regarding Robinson Engineering.
- Tom Roesner, 17934 Ridgeland Avenue
Mr. Roesner stated that he had concerns about the bus routes through the roundabout. Mayor Seaman noted that he should meet with Planning Director, Amy Connolly, and the Village Engineer following the meeting who could address his concerns.
- Ken Hawk, 8607 Dogwood Court
Mr. Hawk stated his concerns with the safety and cost of the roundabout. Mayor Seaman stated that this intersection will need to be replaced whether it is a roundabout or something different. Jennifer Prinz noted that the intersection is at a Service Level F according to the traffic counts.
- Teresa Unger, 6915 Lexington Court
Mrs. Unger stated her concerns with the safety and cost of the roundabout. She also stated her concerns with the Village spending.
- Stephen Eberhardt, 16710 Oak Park Avenue
Mr. Eberhardt addressed the Board regarding his concerns with the safety of the roundabout. He asked why the Village chose 183rd Street and Oak Park Avenue to place the roundabout. Mayor Seaman noted this was part of the Legacy Plan.

Vote on roll call: Ayes: Grady, Brady. Nays: Pannitto, Vandenberg, Younker. Absent: Maher. Mayor Seaman declared the motion failed.

Motion was made by Trustee Younker, seconded by Trustee Vandenberg, to remove from the table **RESOLUTION NUMBER 2015-R-032 APPROVING A PRELIMINARY ENGINEERING SERVICES AGREEMENT FOR FEDERAL PARTICIPATION BETWEEN THE VILLAGE OF TINLEY PARK AND ROBINSON ENGINEERING RELATED TO THE PROPOSED ROUNDABOUT AT OAK PARK AVENUE AND 183RD STREET**. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Vandenberg, to adopt and place on file **RESOLUTION NUMBER 2015-R-032 APPROVING A PRELIMINARY ENGINEERING SERVICES AGREEMENT FOR FEDERAL PARTICIPATION BETWEEN THE VILLAGE OF TINLEY PARK AND ROBINSON ENGINEERING RELATED TO THE PROPOSED ROUNDABOUT AT OAK PARK AVENUE AND 183RD STREET**. This item was tabled at the Village Board meeting held on September 15, 2015. This agreement is related to the prior agenda item. The proposed agreement is for the preliminary engineering services related to the project with 80% reimbursement of the costs from the State of Illinois as noted in the above Resolution. The Village has included sufficient funds to support its obligations under this agreement in the current budget. This item was discussed at the August 11, 2015, Public Works Committee meeting and recommended for approval. Mayor 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: None. Nays: Grady, Pannitto, Vandenberg, Younker, Brady. Absent: Maher. Mayor Seaman declared the motion failed.

Motion was made by Trustee Younker, seconded by Trustee Grady, to **APPOINT BONNIE R. JOHNSON TO THE POSITION OF PUBLIC WORKS COORDINATOR**. With the retirement of Terri Pignatiello in June of this year, a vacancy was created for Public Works Office Coordinator. The Village advertised this position to both internal and external candidates and received 79 applications for this position. Interviews with eight (8) candidates were conducted on September 9th and 10th. Upon completion of the interviews, it was recommended that Bonnie R. Johnson was identified as possessing the unique blend of skills and experience in customer service, office management, organization and training required by the Village in this highly visible role. If approved, this appointment will be effective October 7, 2015. Vote by voice call. Mayor Seaman declared the motion carried.

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

No one came forward.

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

No one came forward.

Motion was made by Trustee Younker, seconded by Trustee Brady, at 8:55 p.m. to adjourn to Executive Session to discuss the following:

- a. 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.
- b. 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: Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: Maher. Mayor Seaman declared the motion carried.

Motion was made by Trustee Pannitto, seconded by Trustee Brady, to reconvene the regular Board meeting. Vote on roll call: Ayes: Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: Maher. Mayor Seaman declared the motion carried and reconvened the regular Board meeting at 9:20 p.m.

Motion was made by Trustee Pannitto, seconded by Trustee Younker, to adjourn the regular Board meeting. Vote by voice call. Mayor Seaman declared the motion carried and adjourned the regular Board meeting at 9:21 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
Mayor

ATTEST:



Laura J. Godette
Deputy Clerk