

**MINUTES OF THE BOARD OF TRUSTEES,  
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,  
ILLINOIS, HELD JANUARY 19, 2016**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Municipal Building on January 19, 2016. 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:	Brian S. Maher T.J. Grady Michael J. Pannitto Jacob C. Vandenberg Brian H. Younker Bernard E. Brady
Also Present:	
Village Manager:	David J. Niemeyer
Village Attorney:	Thomas M. Melody
Village Engineer:	Jennifer S. Prinz

Motion was made by Trustee Younker, seconded by Trustee Brady, 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 Brady, seconded by Trustee Grady, to approve and place on file the minutes of the regular Village Board meeting held on January 5, 2016. 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 IMPACT FEES IN THE AMOUNT OF \$22,800 TO KIRBY SCHOOL DISTRICT 140 TO BE PAID FROM THE ESCROW FUND.
- B. REQUEST FROM CHICAGOLAND CHAPTER OF AUTISM SPEAKS TO CONDUCT A TAG DAY FUNDRAISER ON SATURDAY, MAY 7, 2016, AT CERTAIN INTERSECTIONS IN THE VILLAGE OF TINLEY PARK.
- C. CONSIDER REQUEST FROM LUNKERS UNLIMITED TO CONDUCT A RAFFLE ON FEBRUARY 13<sup>TH</sup> AND 14<sup>TH</sup>, 2016 AT TINLEY PARK HIGH SCHOOL WHERE WINNERS WILL BE DRAWN ON FEBRUARY 14<sup>TH</sup>, 2016.

D. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,865,660.92 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED JANUARY 8 AND JANUARY 15, 2016.

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

At this time, Mayor Seaman **PROCLAIMED "SCHOOL CHOICE WEEK" IN THE VILLAGE OF TINLEY PARK JANUARY 24<sup>TH</sup> TO 30<sup>TH</sup>, 2016**. This Proclamation recognizes the week of January 24th to 30th, 2016 as "School Choice Week" in the Village of Tinley Park. "School Choice Week" is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options.

At this time, Mayor Seaman presented Certificates of Recognition to the Tinley Park Bulldogs Sixth Grade Medium Cheer Squad for placing third in the Illinois Recreation Cheerleading Association's 2015 State Championship.

At this time, Mayor Seaman presented Certificates of Recognition to the Tinley Park Bobcats Sixth Grade Small Cheer Squad for placing third in the Illinois Recreation Cheerleading Association's 2015 State Championship.

Motion was made by Trustee Vandenberg, seconded by Trustee Pannitto, to adopt and place on file **ORDINANCE NUMBER 2016-O-002 GRANTING A VARIATION FROM THE REQUIRED FRONT YARD SETBACK TO GARY AND CHRISTINE DEGNEGAARD FOR A FENCE FOR PROPERTY LOCATED AT 6321 W. 177TH STREET AND WITHIN THE R-2 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT**. The petitioners, Gary and Christine Degnegaard, seek approval for an eighteen foot, ten inch (18'10") front yard setback variation from Section V. Schedule II (Schedule of District Requirements) where the front yard setback requirement is thirty feet (30'). This variation would allow the petitioners to construct a five foot (5') tall wood fence to align with the existing home at an eleven foot, two inch (11'2") front yard setback at 6321 W. 177th Street in the R-2 (Single-Family Residential) Zoning District and within the Elmore's Ridgeland Avenue Estates subdivision.

The variation is requested for the property owner to replace an existing fence that was installed without a permit by a previous homeowner. The petitioner's property is an interior lot and the home was built in about 1935 and was constructed only eleven feet, two inches (11'2") from the front property line. The existing fence is located in alignment with the home and the petitioners have proposed to construct the new fence at the same location. The petitioners have cited safety concerns and aesthetics as reasons for requesting the variation.

The Zoning Board of Appeals held a Public Hearing on December 10, 2015, and voted 3-1 in favor of recommending the requested variation. 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: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Grady, to place on first reading **ORDINANCE 2016-O-003 ANNEXING PROPERTY LOCATED AT 17800 S. HIGHLAND AVENUE WITHIN THE UNINCORPORATED PORTIONS OF COOK COUNTY AND THE ELMORE RIDGELAND AVENUE ESTATES SUBDIVISION (TULEJA)**. Nick Tuleja is the owner of property in unincorporated Cook County and the Elmore Ridgeland Avenue Estates subdivision, addressed as 17800 S. Highland Avenue. The property is located along Highland Avenue between 177th and 179th Streets. The property currently contains a vacant house, a detached garage, and a shed. Mr. Tuleja proposes to demolish the structures on the lot and build a new house. Through annexation, the zoning will be established as R-1 (Single Family Residential) and there is no plan to rezone the property as it will continue to be used as a Single Family Residential property. Mr. Tuleja has paid all annexation and impact fees required for annexation and he also signed a waiver acknowledging that the properties in the area have drainage issues and that current drainage conditions are marginal at best. There are no required notices to be sent for the annexation and no public hearing is required. 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 Vandenberg, seconded by Trustee Brady, to place on first reading **RESOLUTION 2016-O-006 APPROVING A PLAT OF EASEMENT FOR STORMWATER MANAGEMENT AND MAINTENANCE ON PROPERTY LOCATED AT 9500 W. 173RD STREET (SIMBA INVESTMENTS, LLC)**. As part of the establishment of a new parking lot for the Alpha Med property, as well as finalizing the requirements placed on the Alpha Med property by the Illinois Department of Transportation as part of the La Grange Road expansion, a stormwater management easement is required to be established on the "Simba Property" located at 9500 W. 173 Street, directly north of the Alpha Med Building (17333 S. LaGrange Road) (PIN: 27-27-300-007-0000). This stormwater management easement ensures that the stormwater area will be maintained by the private property owner, but the Village will have a right to perform emergency procedures and access the property, as determined necessary by the Village Engineer. The property owner will have the responsibility to pay for any corrections or deficiencies. No buildings or structures can be erected within the stormwater management easement. The plat of easement has been reviewed by the Village Engineer and the Village Attorney. 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 Vandenberg, seconded by Trustee Brady, to direct the Village Attorney to draft **RESOLUTION 2016-R-002 and place on first reading to APPROVE A SIDEWALK AND PUBLIC ACCESS AGREEMENT FOR PROPERTY LOCATED AT 16255 S. HARLEM AVENUE (UNIVERSITY MEDICAL CENTER/163RD PROPERTY, LLC)**. A condition of site plan approval for the University Medical Center project, which involves the rehabilitation and re-use of the former M.B. Bank project as a medical office building at 16255 S. Harlem Avenue, was the approval of a public sidewalk easement agreement between the Village of Tinley Park and the property owner. During site plan approval, the petitioner wished to keep the public sidewalk on their private property because of the grade differences between the private property and the IDOT right-of-way (where the sidewalk is usually located). The proposed sidewalk location is more beneficial to pedestrians, as well. A public sidewalk easement will allow the public access across the property in the area of the easement and all the requirements of public sidewalks will be placed on the area of the easement. In addition to the sidewalk easement, the

property owner is providing the Village with a payment in lieu of providing the public crosswalks at this location, until such time as the Village completes Harlem/Centennial Drive intersection improvements. The sidewalk easement agreement has been reviewed by the Village Engineer and the Village Attorney. 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 waive first reading, adopt and place on file **RESOLUTION NUMBER 2016-R-003 (IDOT RESOLUTION 16-00000-00-GM) AUTHORIZING AN APPROPRIATION OF UP TO \$1,500,000 IN MFT FUNDS FOR THE 2016 PAVEMENT MANAGEMENT PROGRAM.** This Resolution between the Village of Tinley Park and the Illinois Department of Transportation would authorize the appropriation of up to \$1,500,000 in MFT funds for the purpose of maintaining streets and highways under the applicable provision of the Illinois Code from January 1, 2016, to December 31, 2016. The total cost of the entire resurfacing program is estimated to be \$3,257,500 and \$1,500,000 is the amount that represents the projected maximum total expenditures which is paid from MFT funds controlled by the State. Actual expenditures under this resolution will be subject to the amount of funds available. If any additional funds necessary for the 2016 Pavement Management Program are needed, they would be subject to approval by the Village Board. Passage of this Resolution will allow the Village to competitively bid the project prior to the first major State controlled bid, letting in an effort to obtain the best possible unit pricing. If the Village Board does not authorize additional funding, the scope of the project may be reduced accordingly if approved by IDOT. This item was discussed and recommended for approval at the Public Works Committee meeting held on January 5, 2016. The Public Works Committee requests to waive first reading on this item to aid in the expedition of the bidding process for the 2016 Pavement Management Program. 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: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Brady, to **APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ROBINSON ENGINEERING FOR ENGINEERING SERVICES RELATED TO THE 2016 PAVEMENT MANAGEMENT PROGRAM.** This agreement between the Village of Tinley Park and Robinson Engineering would include preliminary design engineering and field inspections for the 2016 Pavement Management Program (PMP). Final costs for this agreement will be based on a percentage basis of the PMP awarded contract amount (3.5% for design and 6% for construction observation). This item was discussed at the Public Works Committee meeting held 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: Maher, Grady, Pannitto, Younker, Brady. Nays: Vandenberg. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Grady, to place on first reading **RESOLUTION 2016-R- 004 AUTHORIZING A HIGHWAY AUTHORITY AND ENVIRONMENTAL INDEMNITY AGREEMENT (HAA) WITH EXXON MOBIL CORPORATION.** The Village of Tinley Park has been in discussion with Exxon Mobil Corporation regarding the establishment of a Highway Authority and Environmental Indemnification Agreement for the public right-of-way at the southeast corner of 183rd Street &

Harlem Avenue. This agreement establishes responsibility and reimbursement guidelines relating to a gasoline release from an underground storage tank from the former Exxon Mobil owned gas station at that corner. Under this HAA, the contaminated soil would remain in-place under the rules established by the Illinois Pollution Control Board. The agreement provides for reimbursement criteria should the Village need to perform any work in the right-of-way and encounter contaminated soils. Additionally, the HAA indemnifies and releases the Village from any environmental liability. This Resolution was discussed at a Public Works Committee meeting held on January 5, 2016, and recommended for approval. 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 Maher, seconded by Trustee Brady, to place on first reading **ORDINANCE 2016-O-004 AMENDING TITLE 11, CHAPTER 112, SECTION 112.22 OF THE TINLEY PARK MUNICIPAL CODE – ADDITION OF TWO (2) CLASS E LIQUOR LICENSES.** Stella's, a restaurant and video gaming facility, has requested two (2) Class E liquor licenses within the Village of Tinley Park. These liquor licenses would be for establishments located at 16205 S. Harlem Avenue, Suite E, within the Tinley Park Plaza and 17123 S. Harlem Avenue, within the Jewel Shopping Center. This item was discussed at the December 8, 2016, Committee of the Whole meeting. This ordinance would increase the number of liquor licenses as follows:

1. Class E liquor licenses by two (2). The total number of Class E liquor licenses would be 9.

Mayor Seaman asked if anyone cared to address the Board. No one came forward. 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.

Trustee Vandenberg requested an update on the issue regarding employees of Kurtz Ambulance that was brought to the Village Board's attention at the January 5, 2016, Village Board meeting. Village Manager Niemeyer stated that he and the Emergency Management Director had discussed this and is awaiting information from Kurtz. This issue is scheduled to be discussed at a Public Safety Committee meeting on February 9, 2016.

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

Dean Casper, Board Member of Community Consolidated School District 146, sent an email to the Village Clerk regarding the School Choice Week proclamation presented earlier in this meeting. See attached email from Dean Casper.

Motion was made by Trustee Vandenberg, seconded by Trustee Younker, at 8:42 p.m. to adjourn to Executive Session to discuss the following:

- A. THE SETTING OF A PRICE FOR SALE OR LEASE OF PROPERTY OWNED BY THE PUBLIC BODY.
- B. 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.
- C. 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.
- D. THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC EMPLOYEES OF THE PUBLIC BODY OR LEGAL COUNSEL FOR HE 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.

Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. 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: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. Mayor Seaman declared the motion carried and reconvened the regular Board meeting at 9:45 p.m.

Motion was made by Trustee Brady, 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 9:46 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:



Patrick E. Rea  
Clerk