

Special Meeting of the Board of Trustees - Minutes

**MINUTES OF THE SPECIAL BOARD MEETING OF THE TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD May 17, 2016**

The Special meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the auditorium located at Victor J. Andrew High School, 9001 W. 171st Street on May 17, 2016. Mayor Seaman called this meeting to order at 7:00 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

Also Present:

Village Manager: David J. Niemeyer

Village Attorney: Patrick Connelly

Village Engineer: Jennifer S. Prinz

Motion was made by Trustee Maher, seconded by Trustee Grady, 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 Maher, seconded by Trustee Grady, to approve and place on file the minutes of the Regular Village Board meeting held on May 3, 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. CONSIDER REQUEST FOR A BLOCK PARTY PERMIT ON SATURDAY, MAY 28, 2016, ON PARKSIDE DRIVE, 6643 THROUGH 6658 FROM 3:00 P.M. TO 10:00 P.M.
- B. PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$2,861,677.65 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED MAY 5, MAY 6 AND MAY 13, 2016

Special Meeting of the Board of Trustees - Minutes

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

At this time, the Village Board recognized the Victor J. Andrew High School Percussion Team for winning the WGI World Champion, Scholastic A Class in Dayton Ohio.

A PRESENTATION OF COMMUNITY SERVICE YOUTH SCHOLARSHIP AWARDS SPONSORED BY THE COMMUNITY RESOURCES COMMISSION WAS MADE.

Eight (8) \$1,000 scholarships will be awarded to students for providing outstanding community service while maintaining academic excellence. Applications were received and reviewed by five (5) judges who chose eight (8) winners as follows:

Christina T. Pham, Victor J. Andrew High School
 Emma M. Przekwas, Victor J. Andrew High School
 Amber S. Holup, Tinley Park High School
 Molly L. Kosche, Victor J. Andrew High School
 Vincent W. Zarate, Mt. Carmel High School
 Sarah E. Yanik, Victor J. Andrew High School
 Ashley M. Galassini, Victor J. Andrew High School
 Semat A. Adekoya, Victor J. Andrew High School

At this time, the Village Board recognized the recent promotion of Sergeant Michael O'Hern. Officer Michael O'Hern has been a patrol officer with the Tinley Park Police Department since 1989. During his tenure, Officer O'Hern has been a Field Training Officer, Motorcycle Officer, Truck Enforcement Officer, Department in-house Instructor, and Crash Reconstruction Officer. Officer O'Hern focused his training and expertise in the area traffic enforcement, DUI, traffic crash investigation and reconstruction. In 1996 Officer O'Hern became the Tinley Park Police Department's first State Certified Reconstruction Specialist. Officer O'Hern is a leader of the Traffic Crash Investigation Unit, which is responsible for investigating serious or fatal traffic crashes. Since 2008, Officer O'Hern held the position of Traffic Safety Officer in the Traffic Safety Unit, which oversees traffic plans, traffic studies and surveys. In 2012, he was awarded the American Legion Regional Officer of the Year. He was further awarded the 2012 American Legion State of Illinois Officer of the Year.

Motion was made by Trustee Maher, seconded by Trustee Grady, to **APPOINT KEVIN SUGGS TO FILL THE UNEXPIRED TERM OF TRUSTEE BERNARD BRADY EFFECTIVE MAY 17, 2016.** A vacancy in the office of Village Trustee was created as a result of the resignation of Bernard Brady as Village Trustee, which was effective April 12, 2016. Pursuant to State law, the vacancy is to be filled by mayoral appointment, subject to the advice and consent of the Board of Trustees. If an appointment is approved by the Village Board, the new Trustee will be sworn in in accordance with State Law. Mayor Seaman stated that this item was in its final adoption stage and asked if anyone cared to address the Board. Trustee Pannitto stated that he felt he was not properly informed regarding this item. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

At this time Trustee Vandenberg stated the following:

In 2009 the Village of Tinley Park created the Tinley Park Legacy Plan, which was a vision for the development of our downtown area – a vibrant corridor with shopping, dining, socializing, and living opportunities for our residents. In order to see this Legacy Plan become reality, the Village enacted the 2011 Legacy Code for Downtown Tinley Park, which is a set of regulations that would be used to implement the Legacy Plan.

As part of the Legacy Code, regulations were created to ensure that commercial properties were a part of developments in the Downtown Core and Neighborhood Flex sections of the Downtown Corridor. This requirement was created to ensure a strong business district that could anchor our Legacy Plan.

In October of last year (2015), Ordinance Number 2015-O-045 was presented to, and passed by, this Board to amend Section 12 of the Tinley Park Zoning Ordinance – known as the 2011 Legacy Code for Downtown Tinley Park. This ordinance was supposed to fix scrivener’s errors and prevent the addition of certain tobacco based businesses in the business district. This Ordinance also contained a section that, if enacted, would take away the requirement that developments in our Business corridor include First Floor Commercial. Of great concern to me was that this section of the Ordinance was not properly brought to the attention of this Board, was not examined for potential financial and land-use ramifications, and was passed without any public comment or debate.

The manner in which this section of the Ordinance was put before the Board has been the subject of much public comment, but also is the subject of an on-going investigation by the Cook County Sheriff. As a result, I will not comment on how this section of the Ordinance passed, but rather would like to suggest how we fix what already has been done by exercising “Good Government”.

Currently, we have 3 potential developments in the business corridor that could be affected by Ordinance Number 2015-O-045, specifically the requirement of first floor commercial. We do not believe it would be fair to make these projects wait, possibly several months, for the conclusion of the Cook County Sheriff’s investigation, in order to determine whether any actions took place that should nullify the Ordinance. Nor do I feel that we should move forward in the enforcement of an Ordinance, which at the very least was procedurally compromised during its passage.

Therefore, I am proposing that we rescind Ordinance Number 2015-O-045, and start over with a thorough, but expedited review of the Ordinance and its potential effect on our downtown corridor. Among other things, I believe it is important that we examine whether this Ordinance contributes to our vision for Tinley Park’s Downtown Corridor.

Lastly, I believe it is crucial that we determine the tax ramifications of this Ordinance. If developments in our corridor have NO commercial requirement, it could have a significant impact on our Village’s finances. I believe these are serious questions that need to be addressed prior to the enactment of any amendment that will have a serious impact on our community.

Motion was made by Trustee Vandenberg, seconded by Trustee Younker, to waive first reading and adopt **ORDINANCE NUMBER 2016-O-025 AUTHORIZING THE RESCISSIION OF ORDINANCE NO. 2015-O-045 “AN ORDINANCE MAKING CERTAIN TEXT AMENDMENTS TO SECTION XII (LEGACY CODE) OF THE TINLEY PARK**

ZONING ORDINANCE, AND REZONING PROPERTY RELATIVE TO THE LEGACY CODE ZONING DISTRICTS. On October 6, 2015, the above cited Ordinance was Passed by the Board of Trustees. Section 30.15 of the Village Code provides that “The Rules of Parliamentary practice comprised in Robert’s Rules of Order, Revised Edition, shall govern the Board of Trustees in all cases in which they are applicable, and in which they are not inconsistent with the standing rules of the Board.” Section 35 of Robert’s Rules sets forth the characteristics and procedures to bring forth a Motion to Rescind which has the effect of cancelling a previous action. The motion has no time restrictions and requires a majority vote to approve when previous notice of the motion is given. Here, previous notice was given via placement of the item on the Agenda. Mayor Seaman 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: Maher, Grady, Pannitto, Vandenberg, Younker. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Grady, to direct the Village Attorney to draft and place on first reading **RESOLUTION NUMBER 2016-R-017 and place on first reading to APPROVE A PLAT OF EASEMENT GRANT AND ABROGATION FOR THE PROPERTIES LOCATED AT 8045 W. 185TH STREET AND 18460 S. 80TH AVENUE (SPEEDWAY).** Speedway LLC, is proposing an expansion of their existing facility at 18460 80th Avenue. To facilitate this expansion, the Village Board approved the annexation of a 1.51 acre parcel immediately south of the existing station (8045 185th Street), rezoned the annexed parcel to M-1 General Manufacturing, approved a Special Use for the Substantial Deviation of the Planned Unit Development (PUD), the plat of subdivision and associated site plan at the November 3, 2015, Village Board meeting. Subsequent to these approvals, and as part of the final engineering review, the Applicant’s engineer determined that the existing Public Utility and Drainage Easement conflicted with the location for proposed Com Ed lines. Therefore the existing 7.5’ Public Utility and Drainage Easement is proposed to be vacated (abrogated) and a new 7.5’ Public Utility and Drainage Easement platted with the approval of the Plat. Mayor Seaman asked if anyone cared to address the Board. No one came forward. Vote by voice call. Trustee Vandenberg abstained from voting. Mayor Seaman declared the motion carried.

Motion was made by Trustee Vandenberg, seconded by Trustee Younker, to direct the Village Attorney to draft and place on first reading **RESOLUTION NUMBER 2016-R-018 and place on first reading to APPROVE AND ACCEPTA PLAT OF SUBDIVISION FOR THE UNION SQUARE TOWNHOME PROJECT – 6822-6830 179TH STREET AND 17884-17906 OAK PARK AVENUE.** The Plan Commission approved the Site Plan for the Union Square Development at their August 20, 2015, meeting. Applicants, Kevin and Mike Halleran, proposed the construction of four (4) multi-family townhome structures comprising ten (10) 2-bedroom units and seven (7) 3-bedroom units totaling 17 multi-family units. This property is located in the Legacy District and is zoned NG-Neighborhood General. The proposed development meets all Legacy Code requirements for the designated zoning district, including site plan, massing and architectural details; therefore no variances or special approvals were required. The Plan Commission has authority for final approval of the Site Plan. The Plan Commission also recommended the Final Plat for approval to the Village Board at the same meeting conditioned upon final engineering. Final Engineering is now complete and approved

by the Village Engineer; therefore the Applicant is seeking Final Plat approval from the Village Board. 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 Vandenberg, to **AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH ROGER BROOKS INTERNATIONAL FOR BRANDING TINLEY PARK**. On February 29, 2016, the Village issued a RFP in search of a firm to assist in researching and creating a destination brand for Tinley Park. Eight proposals were received, reviewed and evaluated on qualifications of the firm, experience of the team, approach and fee schedule. The Village has selected Roger Brooks International to develop a comprehensive, feasible brand for Tinley Park and Downtown Tinley to attract business, residents and visitors to our community. The project will kick off in July and is expected to take 15 months to complete. Deliverables will include creation of a brand development team (made up of community leaders and stakeholders who will lead the process), public outreach, research, stakeholder interviews, creation of brand graphics, a brand feasibility test and an action plan. The cost of the branding program is \$85,000 of which \$50,000 was carried over from the FY16 tourism marketing budget. Mayor Seaman 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: Maher, Grady, Pannitto, Vandenberg, Younker. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Grady, to adopt and place on file **ORDINANCE NUMBER 2016-O-024 ADOPTING CERTAIN AMENDMENTS TO THE TINLEY PARK MUNICIPAL CODE - 2016 S-030 SUPPLEMENT**. This Ordinance approves the periodic update of the codification that was originally adopted in 1986. This supplement includes all ordinances adopted by the Village Board in 2015. After update, the new version of the Municipal Code will also be available on the Village website. Mayor Seaman 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: Maher, Grady, Pannitto, Vandenberg, Younker. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Grady, to remove from the table **ORDINANCE NUMBER 2016-O-008 AMENDING CHAPTER 31 OF TITLE III OF THE TINLEY PARK MUNICIPAL CODE – INTERNAL AUDITOR**. Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Maher, seconded by Trustee Grady, to place on the table to an indefinite date **ORDINANCE NUMBER 2016-O-008 AMENDING CHAPTER 31 OF TITLE III OF THE TINLEY PARK MUNICIPAL CODE – INTERNAL AUDITOR**. Vote by voice call. Trustee Pannitto voted nay, objecting to the table to an indefinite date. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Vandenberg, to remove from postponement **ORDINANCE NUMBER 2016-O-016 APPROVING AN AMENDMENT TO THE OFFICIAL COMPREHENSIVE BUILDING CODE FOR THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS.** Vote by voice call. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Vandenberg, to postpone to an indefinite date **ORDINANCE NUMBER 2016-O-016 APPROVING AN AMENDMENT TO THE OFFICIAL COMPREHENSIVE BUILDING CODE FOR THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS.** Vote by voice call. Mayor Seaman declared the motion carried.

At this time, Clerk Rea swore in Kevin L. Suggs as Village Trustee in accordance with State Law, to fill the unexpired term of trustee Bernard Brady effective May 17, 2016.

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

Trustee Pannitto stated that he felt he was not properly informed as to the appointment that was placed on this agenda and did not have the proper time to prepare. He also recommended that no appointments be placed on the agenda before they come before the entire Board. He also asked that an Ordinance be prepared providing a deadline for agenda items to be placed on the agenda and an Ordinance that no Scan Tron tests are hand graded and no hires are done until it is verified that the tests are machine graded.

Trustee Maher noted that items, such as the appointment of legal counsel, should also be subject to the same kind of scrutiny. Trustee Vandenberg stated there was sufficient time to review the legal counsel proposals. Trustee Maher rebutted that the process was underway in the Finance and Economic Development Committee.

Clerk Rea stated that the Freedom of Information Act (FOIA) Coordinator has submitted his resignation and will be leaving his position at the end of this month. Clerk Rea noted that the Village will not have a designated FOIA Coordinator and may have to exceed the maximum timeframe for FOIA response.

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

Mike Fitzgerald asked Clerk Rea to explain about Item # 8, the rescinding of Ordinance Number 2015-O-045 "An Ordinance Making Certain Text Amendments to Section XII (Legacy Code) of the Tinley Park Zoning Ordinance, and Rezoning Property Relative to the Legacy Code Zoning Districts." Clerk Rea asked the Village Attorney to give the legal definition. Village Attorney Connelly stated that an Ordinance was moved and approved to rescind the Ordinance stated above. The Ordinance putting certain text amendments into law is now repealed. This Ordinance will go back to the Plan Commission after proper notice. Mr. Fitzgerald noted that the Board should have better communication between each other.

A citizen from Caledonia Townhomes stated his concerns regarding easements and drainage in regards

to the Great Escape on LaGrange Road. Trustee Vandenberg noted that he has attended meetings on this subject and the Planning Department is working on this.

Bob Katz, a resident of Caledonia Townhomes, stated his concerns with the pumping from the Great Escape on LaGrange Road. He thanked the Public Works Department for the work they have done with this issue. Trustee Vandenberg reiterated his comments that the Planning Department is working on this.

Toni Kusomato stated she is opposed to authorizing a liquor and video gaming license to the car wash at 94th Avenue and 171st Street and any further video gaming license. She is also opposed to any further building of additional housing in the Village.

Mike Bernardi, owner of VIP Coin Laundry, voiced his support in authorizing Class E liquor and video gaming licensing to businesses in the Village.

Trent Ridgeway inquired as to an update on the investigation done by the Cook County Sheriff's Office on The Reserve development. The Mayor and Trustee Vandenberg stated there is no update at this time. Village Attorney Connelly noted that the Village is not running this investigation. Mayor Seaman stated that the public will be informed as soon as the Village receives the Sheriff's report.

Mike Paus suggested that the Village Board continue to ask for Public Comment at each item that is being adopted. Mayor Seaman stated the Village Board would like this process to continue.

Lucas Hawley congratulated Trustee Suggs on his appointment.

A concerned citizen noted that he would like to see follow up on questions brought to the Village Board at Public Meetings. He also stated his concerns with the speed in which items get voted on through the process and would like to see permitting and inspections be affordable for all.

Mike Glotz stated his concerns with the liquor and gaming licensing process. He also suggested that the timeframe for Public Comment be kept to one (1) hour with five (5) to eight (8) minutes for each speaker. He also stated concerns with the Village using other communities as comparables.

A citizen stated her concerns about the number of video gaming licenses in the Village and recommended there be a limit.

A citizen stated her concerns about video gaming licenses and the number of signs for these establishments along Oak Park Avenue.

Steve Eberhardt stated his concerns about the Police Budget and the use of volunteer help with investigations.

Michael Hess thanked the Village Board for hearing public comment and noted his distresses with development on Oak Park Avenue. Trustee Vandenberg noted that there are proposals for the Village owned land in the center of the downtown area.

Special Meeting of the Board of Trustees - Minutes

A citizen asked if the hiring of the Fire Chief was underway. Mayor Seaman noted that the recruit process has begun and this will be on a Public Safety Committee meeting agenda soon.

A resident recommended that a citizen panel be put together in regards to the investigation of The Reserve Development and noted that she would like to see a multi-sports complex at the Tinley Park Mental Health Center site. Mayor Seaman stated that the Board is open to all thoughts. Trustee Maher stated that Farr and Associates is looking into the sportsplex idea. Trustee Vandenberg noted that this discussion is in an open forum format at the Steering Committee meetings, as well as various Public meetings. The next Steering Committee meeting is May 24, 2016.

Mike Glotz inquired into the hiring of the Fire Chief. Trustee Grady noted that the process has begun.

Mike Bernardi asked if the Speedway will be receiving a video gaming license. Trustee Vandenberg stated no.

Motion was made by Trustee Maher, seconded by Trustee Younker, at 9:05 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. 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.
- C. COLLECTIVE NEGOTIATING MATTERS BETWEEN THE PUBLIC BODY AND ITS EMPLOYEES OR THEIR REPRESENTATIVES, OR DELIBERATIONS CONCERNING SALARY SCHEDULES FOR ONE OR MORE CLASSES OF EMPLOYEES.
- D. 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.

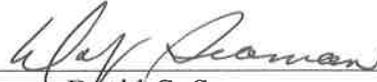
Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker, Suggs. Nays: None. Absent: None. Mayor Seaman declared the motion carried.

Motion was made by Trustee Younker, seconded by Trustee Pannitto, to reconvene the special Board meeting. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker, Suggs. Nays: None. Absent: None. Mayor Seaman declared the motion carried and reconvened the Special Board meeting at 9:40 p.m.

Motion was made by Trustee Younker, seconded by Trustee Vandenberg, to adjourn the Special Board meeting. Vote by voice call. Mayor Seaman declared the motion carried and adjourned the special Board meeting at 9:41 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