

MINUTES
Meeting of the Administration & Legal Committee
September 10, 2019 - 6:30 p.m.
Village Hall of Tinley Park – Council Chambers
16250 S. Oak Park Avenue
Tinley Park, IL 60477

Members Present: W. Brady, Chairman
M. Glotz, Village Trustee
W. Brennan, Village Trustee

Members Absent: None

Other Board Members Present: None

Staff Present: D. Niemeyer, Village Manager
P. Carr, Assistant Village Manager
B. Bettenhausen, Village Treasurer
M. Walsh, Police Chief
F. Reeder, Fire Chief
S. Klotz, Deputy Fire Chief/Suppression
D. Maiolo, Human Resources Director
K. Workowski, Public Works Director
J. Urbanski, Assistant Public Works Director
C. Zemaitis, Village Engineer
H. Lipman, Management Analyst
L. Valley, Executive Assistant to the Manager and Trustees
D. Sanfilippo, Executive Assistant to the Mayor
L. Godette, Deputy Village Clerk
L. Carollo, Commission/Committee Secretary

Item #1 - The meeting of the Administration & Legal Committee was called to order at 6:30 p.m.

Item #2 – CONSIDER APPROVAL OF THE MINUTES OF THE ADMINISTRATION AND LEGAL COMMITTEE MEETING HELD ON AUGUST 13, 2019 – Motion was made by Trustee Brennan, seconded by Trustee Glotz, to approve the minutes of the Administration & Legal Committee meeting held on August 13, 2019. Vote by voice call. Chairman Brady declared the motion carried.

Item #3 – DISCUSS CLASS AV LIQUOR/VIDEO GAMING LICENSE FOR TRIBES ALEHOUSE & GRILL, 9501 171st STREET - Niall Freyne, owner of Tribes Alehouse & Grill, approached the Liquor Commissioner about adding a liquor license to allow video gaming. Tribes is a full service restaurant and bar, operating in Tinley Park for 7 years. Currently, the restaurant holds a Class A Liquor License, allowing sale of liquor by the drink on premises. A request was submitted for a change to a Class AV Liquor/Video Gaming License, which allows sale of liquor by the drink on premises and has video gaming. Video gaming would not be the main source of revenue for the establishment.

Tribes Alehouse & Grill provided a proposal, which includes a floor plan and visual depiction of a separate gaming room in the back of the dining area with a dividing wall and a window opening.

Mr. Freyne was present for any questions. Tribes Alehouse & Grill approached the state regarding video gaming prior to local approval and licensing. Five (5) gaming terminals have already been installed in the establishment, however, there are currently inactive. It is uncertain at this time if the installation of terminals in the business prior to local approval and licensing is of concern. There is no beer brewery at this location. The window opening in the restaurant was of concern to the Committee and options were discussed about covering the window to keep the video gaming away from children as best possible. Split revenue is 60% food and 40% alcohol. Trustee Brady suggested Mr. Freyne visit businesses previously approved by the Village Board for video gaming licenses for further options in his establishment prior to a recommendation from the Administration & Legal Committee, for which he agreed. Trustee Brennan stated he would be happy to visit Tribes Alehouse & Grill and offer any suggestions.

Motion was made by Chairman Brady, seconded by Trustee Brennan, to recommend a Class AV license request for Tribes Alehouse & Grill be tabled for the October 8, 2019 meeting. Vote by voice. Chairman Brady declared the motion carried.

Item #4 – DISCUSS AMENDMENTS TO PERSONNEL MANUAL - H. Lipman, Management Analyst presented an overview of a review and update of the Village's Personnel Manual. The manual was last updated in 2014, and several changes in the law have occurred since that time, as well as certain benefits recently identified as requiring immediate attention. Below are four (4) practices and/or policies with recommendations for immediate revision.

- Holidays - The Village recognizes eleven (11) paid holidays, including Good Friday and a half day for Christmas Eve and New Year's Eve, for which only full-time staff are paid. The State of Illinois recognizes twelve (12) holidays, excluding Good Friday.

Recommendation:

- Maintain the total number of paid holidays, however, reduce Good Friday to a half day and allow a full day holiday for Christmas Eve. This change would have no impact on the budget.
- Implement change to recognized holiday schedule effective January 1, 2020, for all current and eligible staff. Collective bargaining agreements would require review and negotiation.
- Tuition Reimbursement (Educational Assistance) - Currently, upon Department Head and Village Manager approval, the Village pays full tuition reimbursement to eligible employees (full time with 1 year of service or part time with 3 years of service) who qualify and achieve a final grade of "B" in each preapproved class. The employee must remain employed for two (2) years after reimbursement or repay the Village 50% of expenses.

Recommendation:

- Implement title change of program from Educational Assistance to Tuition Reimbursement.
- Upon Department Head and Village Manager approval, the Village would pay 80% for "A", 70% for "B" and 50% for "C."
- The employee must remain employed for two (2) years or reimburse the Village 100%.

Cost share should have a favorable impact on the budget. Implement change for all current and eligible staff, effective January 1, 2020. Collective bargaining agreements would require review and negotiation.

Ms. Lipman asked the Committee if there were any questions. Trustee Brennan commented appreciation on 100% tuition reimbursement if an employee terminates employment before two years. Trustee Glotz stated he agrees with changing Good Friday to a half day and Christmas Eve to a full day

holiday. There would be no minimum hours required for part-time employees regarding tuition reimbursement; however, the employee must be continuously employed for two years.

- Vacation - Vacation allowance benefit differs between Village Board appointed employees and Civil Service employees. Current practice has been to award all non-Civil Service appointed staff a total of twenty (20) days of vacation benefit, plus two (2) personal days. Civil Service appointed staff; however, (including collectively bargained employees) receive a vacation award beginning with one week after one year, with a maximum award of twenty-five (25) days after 15 years of service. Full-time employees receive two (2) personal days annually, which may not be carried over. Employees can request to borrow up to five (5) days of vacation during the first year of service.

Recommendation:

- Reduce vacation benefit to twenty (20) days, with a maximum of twenty-five (25) days after 15 years of service for executive level management only to include the Village Manager, Assistant Village Manager, Department Head, Assistant or Deputy Department Head level positions. This allowance would begin accruing at hire date.
- For all other non-collectively bargained full-time staff, increase first year allowance to ten (10) days and remove year two allotment (formerly 10 days). Full-time staff would continue to receive two (2) personal days annually.
- Eliminate the "borrow in advance" request and implement time accrual basis beginning on hire date.
- Staff must complete six (6) months of service with the Village prior to using vacation time.
- Implement change for all new hires (non-collectively bargained, eligible staff), effective January 1, 2020.

Budgets may be impacted favorably with the reduction from twenty (20) days in the first year to ten (10) days for applicable appointed staff below executive level management.

Ms. Lipman asked the Committee if there were any questions. Trustee Glotz suggested a change for full-time employees to receive five (5) days of vacation within the first year and ten (10) days in the second year of service.

- Sick and Disability - The Village does not currently offer a specific number of sick days for eligible full-time staff, however, the current practice under the Village's 1977 Sick and Disability Ordinance allows full-time employees who experience illness to record "sick" hour type on their timesheet in order to be paid for the day. Employees who are sick for three (3) or more days must provide a note from their physician in order to return to work.

Currently, sick time is largely based on the honor system and no physician note is required to verify the employee's illness of less than three (3) days. The time allotted per the Sick and Disability Ordinance is not treated as a traditional sick policy as no days taken as "sick" are deducted from the schedule of compensated days allowed based on accrued and interrupted service. There is also no current payout for sick time. Employees with perfect attendance within a calendar year earn one (1) Admin Day.

Staff recommended a traditional municipal sick leave system for new employees, which would provide a number of sick days annually and reward employees who do not use all of their allotted days. Additionally, flexibility in use of sick days would also be provided.

Recommendation:

- Non-collectively bargained, full time and appointed staff would be allowed to accrue 80 hours (10 days) of "sick leave" annually. Sick leave days could be used by the employee to care for self or child/family.
- Sick days would accrue per pay period from the first day of work. The balance at the end of each year would carry over to the next year. Maximum hours carried over from year to year may not exceed 320 hours (40 days).
- Full-time employees having perfect attendance within a calendar year would continue to receive an Admin Day.
- Employees actively at work or on paid leave would accrue paid leave benefits.
- Employees not actively at work, but on unpaid leave would not be entitled to continue accruing paid leave benefits.

Currently, employees enrolled in the Illinois Municipal Retirement Fund (IMRF) would be eligible for IMRF disability benefits when unable to perform the IMRF job for more than 30 days and without pay, for which the benefit is approximately 50% of average salary prior to becoming disabled. Additionally, each month the IMRF employee receives a disability benefit and also receives a one month of service credit. Therefore, even if the current sick/disability policy ended for IMRF employees, IMRF offers both short and long-term disability options.

Recommendation: Implement for all full time, new hires (non-collectively bargained, eligible staff) and sunset the 1977 Sick and Disability Ordinance. Collective bargaining agreements would require review and negotiation, effective January 1, 2020.

Trustee Brady asked about pregnancy leave. D. Maiolo, Human Resources Director stated currently the Village does not have a maternity leave policy; however, eligible full-time employees would qualify under the proposed updated Sick and Disability policy described above. Trustee Glotz stated the Sick and Disability policy is complex and suggested tabling it for further discussion.

Motion was made by Trustee Glotz, seconded by Chairman Brady, to recommend the Holidays, Tuition Reimbursement and Vacation proposed Amendments to the Personnel Manual be brought forward to the Village Board and the Sick and Disability amendment be tabled until the October 8, 2019 meeting. Vote by voice. Chairman Brady declared the motion carried.

Item #5 – RECEIVE COMMENTS FROM THE PUBLIC - A resident approached the Committee to discuss the Cannabis Law; however, as this was not on the agenda for this evening, he was directed to attend the Committee of the Whole meeting scheduled for October 1, 2019, and/or schedule a meeting with D. Niemeyer, Village Manager. Mike Stuckly stated Tribes Alehouse & Grill is in an unusual situation with gaming terminals having already been installed prior to video gaming license approval.

ADJOURNMENT

Motion was made by Chairman Brady, seconded by Trustee Glotz, to adjourn this meeting of the Administration & Legal Committee. Vote by voice call. Chairman Brady declared the motion carried and adjourned the meeting at 7:09 p.m.

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