

NOTICE OF STANDING COMMITTEES

Scheduled for
Tuesday, September 10, 2019,
beginning at 6:30 p.m. in

Council Chambers
Village Hall of Tinley Park
16250 S. Oak Park Avenue
Tinley Park, Illinois

Administration & Legal Committee
Public Safety Committee
Public Works Committee

A copy of the agendas for these meetings is attached hereto.

Kristin A. Thirion
Clerk
Village of Tinley Park

**NOTICE OF A MEETING OF THE
ADMINISTRATION & LEGAL COMMITTEE**

Notice is hereby given that a meeting of the Administration & Legal Committee of the Village of Tinley Park, Cook and Will Counties, Illinois, will begin at 6:30 p.m. on Tuesday, September 10, 2019, in Council Chambers at the Village Hall of Tinley Park, 16250 S. Oak Park Avenue, Tinley Park, Illinois.

The agenda is as follows:

1. OPEN THE MEETING
2. CONSIDER THE APPROVAL OF THE MINUTES OF THE ADMINISTRATION AND LEGAL COMMITTEE MEETING HELD ON AUGUST 13, 2019.
3. DISCUSS CLASS AV LIQUOR/VIDEO GAMING LICENSE FOR TRIBES ALEHOUSE & GRILL, 9501 171ST STREET.
4. DISCUSS AMENDMENTS TO PERSONNEL MANUAL.
5. RECEIVE COMMENTS FROM THE PUBLIC.

ADJOURNMENT

KRISTIN A. THIRION
VILLAGE CLERK

MINUTES
Meeting of the Administration & Legal Committee
August 13, 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
M. Walsh, Police Chief
F. Reeder, Fire Chief
B. Bettenhausen, Village Treasurer
K. Workowski, Public Works Director
J. Urbanski, Assistant Public Works Director
C. Zemaitis, Village Engineer
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.

Chairman Brady stated Trustee Glotz is participating in this meeting electronically by telephone conference call. Trustee Glotz is prevented from physically attending this meeting due to employment purposes. Trustee Glotz acknowledged his participation via telephone conference call.

Item #2 – CONSIDER APPROVAL OF THE MINUTES OF THE ADMINISTRATION & LEGAL COMMITTEE MEETING HELD ON JULY 9, 2019 – Motion was made by Chairman Brady, seconded by Trustee Brennan, to approve the minutes of the Administration & Legal Committee meeting held on July 9, 2019. Vote by voice call. Chairman Brady declared the motion carried.

Item #3 – DISCUSS 2019 SURPLUS EQUIPMENT ORDINANCE - Per state law, an ordinance must be adopted to declare any Village property in excess of \$1,000 of estimated value as surplus prior to disposing of or sale to another agency. Based on the age, service condition, mileage, future maintenance costs, and other factors, the items are deemed to be no longer practical for Village uses and are earmarked for sale or disposal as appropriate. The Village will donate, send to auction or dispose of the items considered surplus.

The Administration & Legal Committee was given a copy of the proposed ordinance along with a list of items to be considered surplus.

L. Godette, Deputy Village Clerk asked the Administration & Legal Committee if there were any questions. Ms. Godette stated the Surplus Equipment Ordinance is performed annually. Chairman Glotz stated he would like to remove certain items from the list and be able to discuss them further.

Minutes

Meeting of Administration & Legal Committee

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Chairman Glotz then listed each vehicle number to be removed from the list. D. Niemeyer, Village Manager stated further discussion of the six vehicles Trustee Glotz requested to be removed from the surplus list will be scheduled in September.

Motion was made by Trustee Glotz, seconded by Trustee Brennan, to recommend 2019 Surplus Equipment Ordinance, excluding six items removed from the surplus list, be brought forward to the Village Board. Vote by voice. Chairman Brady declared the motion carried.

Item #4 – DISCUSS LIQUOR/VIDEO GAMING LICENSES FOR THE FOLLOWING:

- a. CLASS EV HAPPY BITES BURGERS & WINGS, 8021 183rd STREET;**
- b. CLASS E SPEEDY BURRITO, 7108 171st STREET;**
- c. CLASS AV TRIBES ALEHOUSE & GRILL, 9501 171st STREET**

- Happy Bites Burgers & Wings - Fast food restaurant, operating in Tinley Park for 2 years. A request was submitted by owner, Pradeep Patel, for a Class EV license, which "(s)hall authorize the retail sales of wine and beer only on the premises designated therein for consumption by the drink on such premises only" and has video gaming.

Motion was made by Trustee Glotz, seconded by Trustee Brennan, to recommend the request for a Class EV license by Happy Bites Burgers & Wings be tabled for review due to changes within the business model. Vote by voice. Chairman Brady declared the motion carried.

- Speedy Burrito - Full service restaurant, operating in Tinley Park for 6 years. A request was submitted by owner, Carolina Gonzaga, for a Class E liquor license, which "(s)hall authorize the retail sales of wine and beer only on the premises designated therein for consumption by the drink on such premises only." Ms. Gonzaga stated the restaurant wishes to obtain the liquor license because "we lose a lot of business by not having beer and wine to serve with our food...I want my business to stay open and compete with other restaurants."

Motion was made by Chairman Brady, seconded by Trustee Brennan, to recommend Speedy Burrito's request for a Class E liquor license be brought forward to the Village Board. Vote by voice. Chairman Brady declared the motion carried.

- Tribes Alehouse & Grill - Full service restaurant, 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 by owner, Niall Freyne, for a change to a Class AV license, which allows sale of liquor by the drink on premises and has video gaming. The proposal 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.

D. Sanfilippo, Executive Assistant to the Mayor stated he received an e-mail from Mr. Freyne, stating he could not attend this meeting due to an unexpected family obligation. Trustee Brennan stated a concern with video gaming operating at Tribes Alehouse & Grill as one of the Tribes' locations is a brewery and would like to ensure the Village would not be creating another liquor license for a brewery. Mr. Sanfilippo stated within the Village Ordinance there are classes SV and S for brew pubs with and without video gaming, respectively, however, there is no establishment utilizing these licenses currently in Tinley Park.

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Motion was made by Trustee Brady, seconded by Trustee Brennan, to recommend the request for a Class AV license by Tribes Alehouse & Grill be tabled for further discussion with the owner, Mr. Freyne. Vote by voice. Chairman Brady declared the motion carried.

Item #5 – RECEIVE COMMENTS FROM THE PUBLIC - No comments from the public.

ADJOURNMENT

Motion was made by Chairman Brady, seconded by Trustee Brennan, to adjourn this meeting of the Administration & Legal Committee. Vote by voice call. Chairman Brady declared the motion carried and adjourned the meeting at 6:46 p.m.

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Interoffice Memo

Date: September 5th, 2019

To: Village Board of Trustees

From: Dominic Sanfilippo, Executive Assistant to the Mayor

Subject: Tribes Alehouse & Grill Class AV Liquor/Video Gaming License Request

The purpose of this memo is to explain the background of Tribes Alehouse & Grill Tinley's request for a Class AV liquor license, which would allow video gaming.

Niall Freyne of Tribes Alehouse & Grill, located at 9501 West 171st Street, has approached the liquor commissioner about adding a liquor license to his establishment that allows video gaming. Tribes is a full service restaurant and bar that has operated in Tinley Park for 7 years and is in good standing with the Village of Tinley Park.

Tribes currently holds a Class A License; this petition is to grant them a Class AV license, which allows sale of liquor by the drink on premises and has video gaming.¹

Their proposal 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.

Tribes has been a stable presence in the community for 7 years, and has shown that video gaming would not be the main source of revenue for the establishment.

This request first came through the Administrative & Legal Committee on August 13th, 2019; Mr. Freyne was not able to attend the Committee meeting due to family obligations, so his request was rescheduled for tonight's meeting for the Committee's consideration.

¹ Tinley Park Municipal Code, § 112.20, (A), (2).

Business Proposal – City of Tinley Park

**Niall Freyne
Tribes Alehouse & Grill
9501-R West 171st St
Tinley Park, IL 60487**

To Whom it May Concern:

I currently own the Tribes Alehouse & Grill located at 9501 171st St, Tinley Park. We have been in business since 2012 and conduct our business professionally and efficiently.

I appreciate the support from the community and City that I have enjoyed over the years. I respectfully request the Boards consideration and approval for granting me a Video Gaming License for my establishment. I trust adding gaming will increase my revenue so that my business may sustain and prosper and continue to be a viable, contributing establishment in the city of Tinley Park. Additionally, adding Video Gaming, will contribute greatly not only to my “bottom line” but to the municipality as well.

For your consideration and review, I’ve attached a presentation of my location that depicts the layout and gaming area. I appreciate any consideration you will give me in my quest to move forward with improving my overall revenue and contribution to the City of Tinley Park.

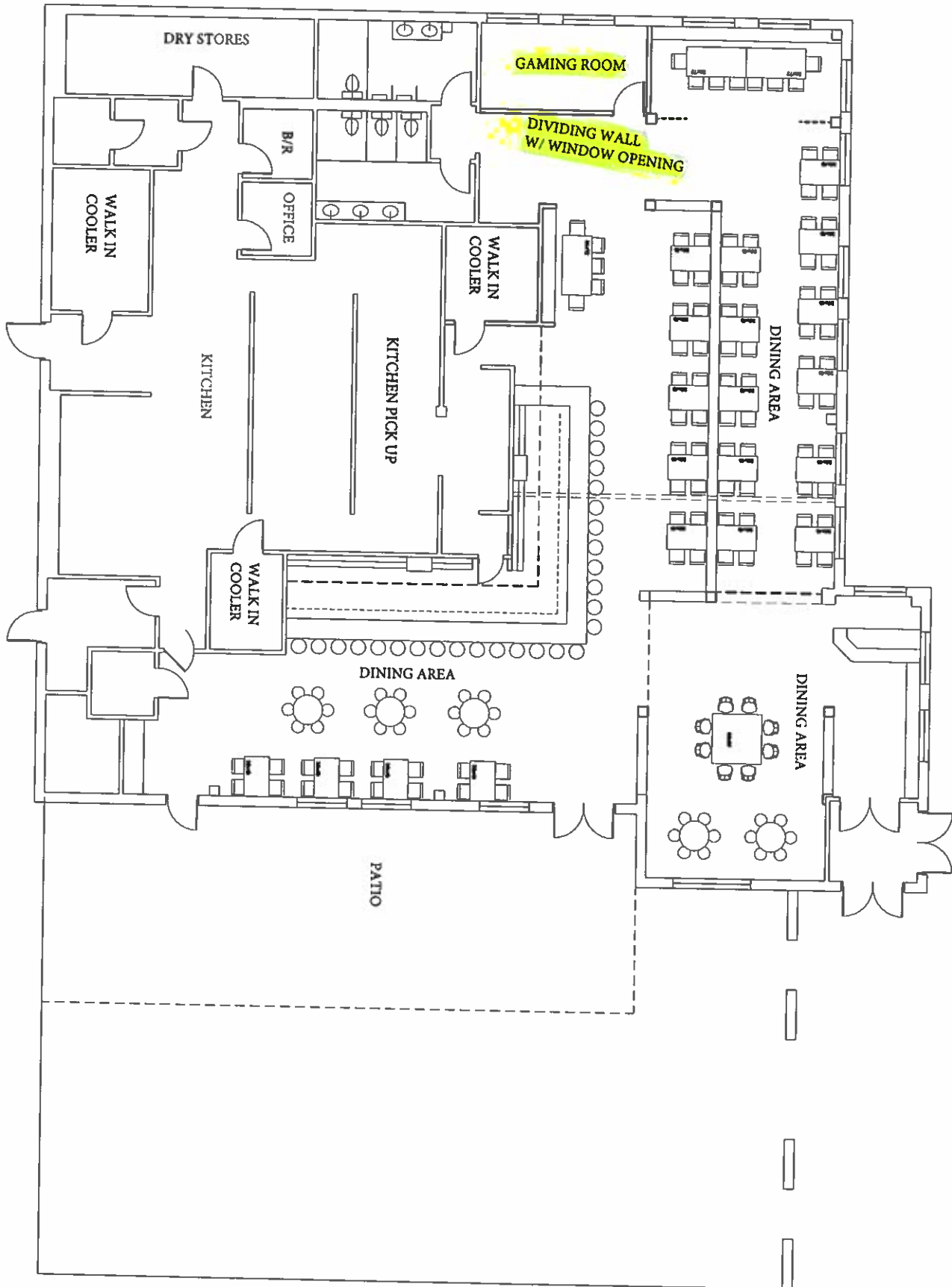
Additionally, in a market that is becoming increasingly competitive in just our core business, I risk operating at a disadvantage to those locations that currently have or will be providing video gaming to their customers. Without the ability to compete at all levels of operation, we will be operating at a financial disadvantage. Therefore, it is our sincerest hope that we can add gaming to our location in order to operate on a level playing field.

I respectfully request your consideration and approval for a “Video Gaming” License.

Thank you for your time and consideration.

Niall Freyne


Owner



BAR AREA



7/11/2019

www.accelentertainment.com
email: leads@accelentertainment.com



BAR AREA



7/11/2019

DINING AREA



7/11/2019

PRIVATE GAMING ROOM



7/11/2019

www.accelentertainment.com
email: leads@accelentertainment.com



PRIVATE GAMING ROOM



7/11/2019

www.accelentertainment.com
email: leads@accelentertainment.com



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Interoffice Memo

Date: September 6, 2019

To: David Niemeyer, Village Manager

From: Denise Maiolo, Director of Human Resources

Subject: Amendments to the Personnel Manual

A comprehensive review and update of the Village's Personnel Manual is currently underway. This Manual was last updated in 2014 and several changes in the law have occurred since that time. However, some issues have been recently identified as requiring immediate attention. The purpose of this memorandum therefore, is to provide information and recommendation for immediate revision of four (4) specific practices and/or policies, as outlined below.

These recommendations have been shared with Department Heads, however, collective bargaining agreements would require review and negotiation as indicated.

1. Holidays

Historically, the Village recognizes eleven (11) paid holidays, including Good Friday and ½ day for Christmas Eve and New Years' Eve (only full time staff are paid for holidays). The State of Illinois recognizes twelve (12) holidays, not including Good Friday. Most banks are open on Good Friday and U.S. Mail is delivered on this day.

It should be noted that variable hour Fire Supression employees earn double pay when they work shift hours during holidays (this is per a Fire Standard Operating Guidelines (SOGs) not formally adopted by the Village Board.) This holiday pay practice applies only to this specific group of employees and recognizes the holiday from 6pm-6am beginning the day **prior** to Village holiday and ending day **after** Village recognized holiday (does not include stipends). We are no longer allowing departments to implement personnel benefit changes that are not approved as part of the personnel manual.

Recommendation: Implement change to recognized holiday schedule effective 1/1/20 for all current and eligible staff. Collective bargaining agreements would require review and negotiation. Maintain the total number of paid holidays, however reduce the Good Friday to ½ day and allow full day holiday for Christmas Eve (currently ½ day). This change has no impact on the budget.

2. Tuition Reimbursement

Tuition Reimbursement (title change recommended from "Educational Assistance") is an attractive benefit to current employees, and can be an excellent tool in succession planning. Currently, with the Approval of the Department Head and Village Manager, the Village pays full tuition (100%) reimbursement to eligible employees who qualify (FT with one year of service, or PT with three years of service) and achieve a final grade of "B" in each class. The employee must remain employed for two (2) years after reimbursement or repay the Village 50%.

Budgeted/Actual figures for fiscal years 18-20 are listed below.

	<u>Budgeted</u>	<u>Actual</u>
FY18	\$25,800	\$20,184
FY19	\$18,600	\$15,600
FY20	\$18,000	N/A to date

Recommendation: Implement change effective 1/1/20 for all current and eligible staff. Collective bargaining agreements would require review and negotiation. Implement title change of program from Educational Assistance to Tuition Reimbursement. Include a greater employee cost share and greater reimbursement if an employee separates from employment within two (2) years of degree completion. Tuition Reimbursement requests will be granted on first come first served basis and subject to budget availability. Total expenditure is anticipated to be favorable as the past few years have reflected expenditures less than budget. With "first come, first served" request format, the budget may not be exceeded. For courses that are taken for credit as part of a degree program, tuition is reimbursed only for courses taken and completed. Educational activities eligible for reimbursement must be job-related and offered by approved schools.

Example language:

80% for final grade of "A"
70% for final grade of "B"
50% for final grade of "C"

The class must be taken for the grade in order to receive the tuition reimbursement. (Pass/Fail does not qualify.) The employee must provide a certified copy of official grades to Human Resources within thirty (30) days of receipt. Miscellaneous expenses including parking, supplies, social dues, athletic fees, computer access charges, etc. are not reimbursable. Tuition fees will be reduced by any other financial aid that does not have to be repaid (such as GI Bill, scholarships and grants. No double dipping).

Variable schedule part time employee are not be eligible for this benefit. (No change from current practice).

An employee who accepts tuition reimbursement does so with the understanding that they assume a responsibility of two years of service from the date of reimbursement. In the event the employee leaves his/her employment within two years from the date of reimbursement. Then 100% of reimbursed expenses will be due to the Village from the employee's final paycheck, or other arrangements may be made to repay the Village prior to termination of employment.



3. Vacation

The vacation allowance benefit differs between Village Board Appointed employees and Civil Service employees. Current practice has been in place for more than thirty-five (35) years and based on discussion with the Village Treasurer, the original crafters of the policy intended that twenty (20) days allowance after one year of service (plus two (2) personal days) would specifically apply to executive level management only.

While no documentation has been discovered as of this writing to document a change in the aforementioned policy, the current practice has been to award all non-Civil Service appointed staff a total of twenty-two (22) days vacation benefit, plus two (2) personal days. Civil Service appointed staff, however, (including collectively bargained employees) receive a vacation award beginning with 1 week after 1 year, with a maximum award of 25 days after 15 years of service. Full time staff receive two (2) personal days annually that may not be carried over. analysis of comparable communities' benefits reflect a similar practice for executive level management and supports a larger number of vacation days award in recognition of their time commitment e.g. evening/weekend meetings, events, etc. Comparable communities also allow for accrual of vacation hours each pay period, beginning at date of hire. This allows the employee to use the vacation time as it has been earned and provides ease of equitable enforcement, thereby eliminating the need for a number of exceptions.

Recommendation: Effective 1/1/20 implement for all new hires (non-collectively bargained, eligible staff). Collective bargaining agreements would require review and negotiation. Reduce the twenty-two (22 days) vacation benefit to twenty (20) days with max of 25 days after 15 years of service for executive level management only to include: 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 will continue to receive two (2) personal days per year as this is common with most comparable communities.

Allow staff to accrue vacation time per pay period, beginning at date of hire will eliminate the "borrow in advance" requests. It is recommended staff must complete a minimum of six (6) months of service with the Village prior to using vacation time. If an employee requests vacation time off and does not have sufficient accrued vacation time, or personal days, the employee may be allowed to take the remainder of time off as unpaid leave. At no time may employees be allowed to borrow vacation time in advance of earning it.

Budgets may be impacted favorably with the reduction from twenty-two (22) days in the first year to ten (10) days for applicable appointed staff below the executive level management category.

Example language:

	Executive level Management	Civil Service and other appointed	
1 year of service	160 hours (20 days)	80 hours (10 days)	Change from 40hrs/5days
7 years of service	N/A	120 hours (15 days)	
11 years of service	N/A	160 hours (20 days)	
15 years of service	200 hours (25 days)	200 hours (25 days)	Current



4. Sick and Disability

The Village does not currently offer a specific number of sick days for eligible full time staff, instead the current practice under the Village's 1977 Sick and Disability Ordinance allows full time employees who experience illness themselves to record "sick" hour type on his/her timesheet in order to be paid for the day. There is no current limit. Employees who are sick for three or more days must provide a note from his/her physician in order to return to work.

However, sick time is largely based on the honor system and no physician notes are required to verify the employee's illness of less than three (3) days. Further, the time allotted per the Sick and Disability ordinance is not treated as a traditional sick policy since no days taken as "sick" are deducted from the schedule of compensated days that are allowed based on accrued and interrupted service. Also, no current pay out exists for sick time. Eligible employees who have perfect attendance within a calendar year are granted one Admin Day.

The Sick and Disability Ordinance is afforded to only full time eligible employees, including collective bargaining unit members. "Eligible" in this instance refers to all full time appointed, collectively bargained and non-collectively bargained employees. The current minimum and maximum benefit awards allowed for eligible full time employees are as follows:

Accrued Uninterrupted Service	Weeks of Full Compensation	Weeks of 2/3's compensation	Weeks of full & partial compensation
1/2 Year (MIN)	2	24	26
29-1/2 Years (MAX)	52	0	52

This is an extremely generous policy when compared with the market in terms of the number of days allotted. As an example, an employee with 29.5 years with the Village could get a full year off with full pay for legitimate sick time. Should that employee return to work for six (6) uninterrupted months of service, and then experiences another illness/event, under this Ordinance, the "clock" would essentially reset and he/she could be eligible for the full award again. A recent Finance report reflects for the pay year, 135 employees received:

552 hours of disability = \$9,561.28
7,510.25 hours of sick = \$309,929.01

It is believed that the original crafters of this 1977 Ordinance sought to provide a benefit to Patrol Officers who are not eligible for short term disability under their pension plan. Patrol Officers may be eligible for other disability programs including long term duty and non-duty disability benefits under the Illinois Article 3 pension statutes, however, we are only recommending this for non-union employees at this time.

Currently, employees enrolled in IMRF could be eligible for IMRF disability benefits once he/she is unable to perform his/her IMRF job for more than 30 days and without pay. That benefit is approximately 50% of average salary prior to becoming disabled. In addition, each month the IMRF employee receives a disability benefit, he or she also receives one month of service credit. Therefore, even if the current sick/disability policy ended for IMRF employees, they would still be have some protection as IMRF offers both short and long term disability options to participants, mostly Village employees.

Recommendation: Effective 1/1/20 implement for all full time, new hires (non-collectively bargained, eligible staff) and sunset the 1977 Ordinance. Collective bargaining agreements would require review and negotiation. The Village would continue to provided the benefits of the ordinance to those hired during



the ordinance's existence, but the benefit would not apply to new hires after 1/1/20, provided that the 1977 Ordinance is sunsetted.

We are recommending a more traditional, municipal sick leave system for new municipal employees that gives employees a number of sick days per year and rewards employees who do not use all of their allotted days.

- Non-collectively bargained, full time, and appointed staff would be allowed to accrue 80 hours (10 days) of "sick leave" per year.

We would also give employees more flexibility in terms of use of sick days.

- Sick leave days could be used by the employee for appointments, to care for him/herself or his/her child/family, attend regular appointments, etc. Sick days can accrue per pay period (start to build up) from the employee's first day of work. The balance at the end of each year carries over to the next year; the maximum hours carried over from year to year—or banked—may not exceed 320 hours (40 days).

Full time employees who have perfect attendance within a calendar year, with no sick time used, would continue to receive an Admin Day.

Eligible employees who are actively at work, or on paid leave (e.g. vacation, sick, personal), would accrue paid leave benefits.

Eligible employees who are not actively at work, but on unpaid leave, are not entitled to continue accruing paid-leave benefits. This includes employees who are receiving income replacement benefits from a source other than the Village's payroll such as short-term disability or worker's compensation insurance. In addition, an employee shall not be eligible to earn any sick leave hours so long as he/she is on layoff, suspension, or approved leave of absence without pay. Employees on unpaid military leave of absence, and unpaid leave under the Family and Medical Leave Act (FMLA), are also not eligible for accruals of paid leave.

Example language:

- Sick leave may be used for non-work related personal illness or injury, disability, emergency, medical care, dental care or physician's appointments, that cannot be scheduled during an employee's non-work hours.
- Sick leave time that also qualifies as FMLA leave will run concurrently with FMLA for eligible employees under the Village's FMLA policy. To the extent possible, employees are expected to schedule physician's appointments or other appointments for medical care during his/her non-work hours.
- Sick leave may also be used for the medical care of a member of the employee's immediate family as necessary. Evidence of necessity may be required. For the purposes of this section the term "immediate" family shall mean the employee's current spouse, children, and parents.
- Generally, and to the extent provided by law, employees who are ill and paid sick leave are expected to be confined to his/her place of residence or be hospitalized unless on route to, from, or at the doctor's office or pharmacy.
- Sick leave may be taken in one (1) hour increments with prior approval from the employee's supervisor.
- If a supervisor determines that an employee has a pattern of illnesses that becomes excessive or has more than ten (10) occurrences in twelve (12) months may results in disciplinary action, up to and including termination of employment.



- Sick leave is granted at the discretion of the Department Head.
- Sick leave may not be used as vacation time, additional time off following a holiday, personal days, other personal leaves, etc.
- Upon retirement or separation of employment, IMRF members may apply the balance of their sick bank towards IMRF service credit, which may be a maximum of 320 hours (40 days).
- Abuse of sick leave privileges when the above conditions are not met will result in disciplinary action up to and including termination of employment.

Thank you for your consideration.

cc: Pat Carr, Assistant Village Manager



**PUBLIC
COMMENT**

ADJOURNMENT